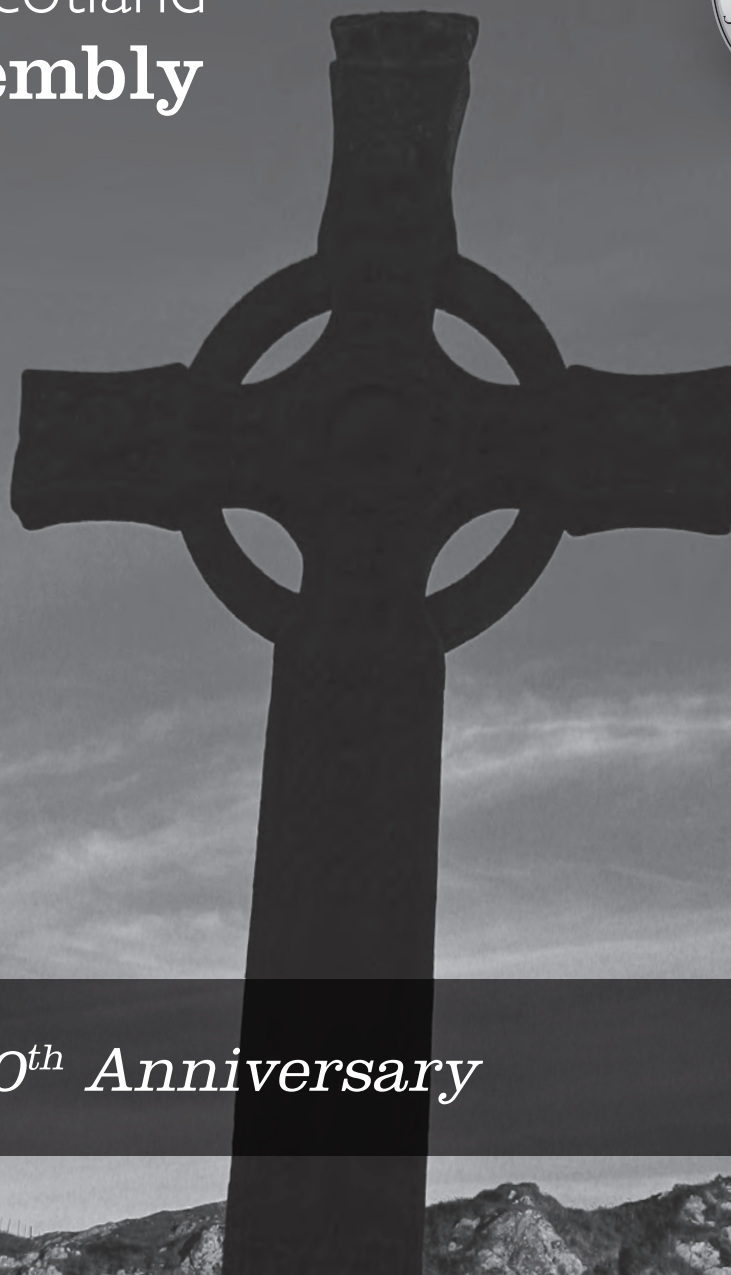


The Church of Scotland  
**General Assembly**  
**2013**



*St Columba 1450<sup>th</sup> Anniversary*

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**General Assembly**  
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**COMMISSION  
IN FAVOUR OF  
JAMES ALEXANDER DOUGLAS-HAMILTON  
TO BE  
HER MAJESTY'S COMMISSIONER  
TO THE GENERAL ASSEMBLY**

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories, QUEEN, Head of the Commonwealth, Defender of the Faith, to all to whom these presents may concern.

GREETING! WHEREAS WE taking into Our Royal Consideration that the General Assembly of the Church of Scotland was appointed to meet on the Eighteenth day of May next and seeing We by reason of Our other weighty affairs cannot in Person be present in the said Assembly. AND WE being desirous that Our Right Trusty and Well-beloved Counsellor LORD JAMES ALEXANDER DOUGLAS-HAMILTON, BARON SELKIRK OF DOUGLAS, One of Our Counsel learned in the Law, shall discharge the great trust of Our High Commissioner to the General Assembly WE ordain a Commission to be made and passed in due form under the Seal appointed by the Treaty of Union to be kept and made use of in place of the Great Seal of Scotland, nominating, constituting and appointing like as We by these presents do nominate, constitute and appoint the said Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas to be Our High Commissioner to the said General Assembly of the Church of Scotland. GIVING AND GRANTING unto the said Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas full power commission and warrant to represent Our Sacred Person and Royal Authority and supply His Presence and hold His place in the said ensuing General Assembly as Our High Commissioner specially appointed for that effect, and to do all and everything belonging to the power and place of a High Commissioner to a General Assembly as fully and freely in all respects as any other in that High Station hath done or might have done in any time heretofore and as We Ourselves might do if Personally present, We hereby ratifying and approving all and whatsoever things the said Lord James Alexander Douglas- Hamilton, Baron Selkirk of Douglas shall in the discharge of this Commission lawfully do or cause to be done WE HEREBY require and command all the Ministers, Diaconate and Elders of the said Assembly and Church with all other of Our good subjects in Scotland of whatsoever degree or quality to acknowledge reverence honour and obey the said Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas, as Our High Commissioner to the effect and manner above mentioned, and We declare that this Commission shall commence and be in force from the Seventeenth day of May next and from thenceforward to continue during the ensuing session of the said General Assembly or until this Commission be by Us revoked and discharged. IN WITNESS WHEREOF We have ordered the Seal appointed by the Treaty of Union, to be kept and made use of in place of the Great Seal of Scotland to be appended hereto. Given at Our Court at Buckingham Palace this Twenty-eighth day of February in the year Two thousand and Thirteen in the Sixty-second Year of Our Reign.

*Per Signaturam Manu SDN Reginae Supra Scriptam*



# **HER MAJESTY'S LETTER TO THE GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND**

Right Reverend and Well-Beloved, We Greet You Well

We gladly renew on this Occasion Our pledge to preserve and uphold the rights and privileges of the Church of Scotland. In doing so, We acknowledge, with Gratitude to Almighty God, the Church's steadfast witness to the Christian faith and its services to our people in Scotland and in many lands overseas.

It pleases Us greatly to be informed of the many good works of the Church over this past year. In the coming year, you may be assured of Our Prayers for the peace and unity of the Church of Scotland, and We pray that graciousness will be the hallmark of your debates.

We rejoice with you in the celebration of the 1450th anniversary of the establishment of St Columba's missionary community on the Island of Iona and, We see in the catalogue of good works that the Councils and Committees of the Church of Scotland are doing, the fruit of a Christian tradition which stretches back through those many centuries. It is good to hear again of the extraordinary work carried out by the staff of Crossreach in such a wide variety of initiatives. It pleases Us that such care and dedication continues to be the distinctive mark of this essential work.

We are also impressed by the work that the Church continues to support overseas. In this bicentenary year of the birth of David Livingstone it is fitting that you should be featuring the commitment of the Church of Scotland to projects throughout Africa. Livingstone's pioneering work paved the way for a new understanding of the needs of the people of Africa and We continue to pray for all of the agencies who are working to inspire a new generation dedicated to targeting the root causes of poverty and imbalance in the world.

Also at home We continue to admire the commitment of the Church of Scotland to the poorest and most marginalised in society. Your work to encourage the development of Credit Unions is a key element in bringing some of the most vulnerable people into the mainstream of our economic life.

May your faith and courage be strengthened in your deliberations during the week ahead and through the times to come. As We are unable in Our Own Person to be present at your Assembly this year, We have chosen Our Right Trusty and Well Beloved Counsellor, the Rt Hon Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas to be Our representative being assured that Our choice will meet with your approval.

And so, praying that the blessing of Almighty God may attend your deliberations, We bid you heartily farewell.

ELIZABETH R

# ANSWER TO HER MAJESTY'S LETTER

TO THE QUEEN'S MOST EXCELLENT MAJESTY

May it please Your Majesty

We, Your Majesty's loyal subjects convened in General Assembly, have received with pleasure Your Majesty's gracious letter to us.

We greatly value Your Majesty's continuing pledge to maintain the historic rights and privileges of the Church of Scotland.

Your Majesty and His Royal Highness the Duke of Edinburgh continue to be in our prayers. We rejoice at the remarkable number of public engagements and duties which Your Majesty and His Royal Highness continue to carry out in the course of serving our nation and Commonwealth and the Church of Scotland wishes to commend Your Majesty for all that has been accomplished in the course of Your Majesty's reign.

In particular our prayers will be with Your Majesty when, in Westminster Abbey next month, Your Majesty and His Royal Highness The Duke of Edinburgh, along with other Members of the Royal Family, will attend a Service to celebrate the 60th Anniversary of Your Majesty's Coronation Service. Our prayers will also be with Your Majesty and His Royal Highness the Duke of Edinburgh as you joyfully anticipate the birth of a child to the Earl and Countess of Strathearn.

We sincerely appreciate Your Majesty's gracious words in commending the work of the Councils and Committees of the Church and, in particular, the work of CrossReach. We are honoured too, by Your Majesty highlighting the important role played by the Church in carrying forward the Christian tradition first established by St Columba on the Island of Iona 1,450 years ago.

In this bicentennial year of the birth of David Livingstone we are greatly encouraged by Your Majesty's interest in the Church's projects in Africa. The Church's commitment to addressing the causes of inequality and poverty throughout the world remains steadfast.

At home, Your Majesty's approval of the Church's work to promote the development of Credit Unions is most welcome. This initiative will, we pray, make a practical and sustainable difference to many of the most impoverished and socially excluded people in our society.

It is particularly pleasing that Your Majesty has appointed for a second time the Rt Hon Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas as Lord High Commissioner. His gracious presence at our Assembly last year and his informed interest in our proceedings were greatly appreciated and he will be warmly welcomed amongst us again this year.

Finally, we commend to the unfailing care and protection of Almighty God, Your Majesty and His Royal Highness the Duke of Edinburgh and as we begin our deliberations we pray that God will continue to bestow favour upon Your Majesty, that you may long reign over us.

Your Majesty's most faithful and loyal servants.

THE MINISTERS, ELDERS AND DEACONS OF THE CHURCH OF SCOTLAND CONVENED IN GENERAL ASSEMBLY

Signed in our name, in our presence  
and at our appointment by

E LORNA HOOD  
Moderator

# The Church of Scotland **General Assembly** **2013**

REPORTS – PART I



*St Columba 1450<sup>th</sup> Anniversary*



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# COUNCIL OF ASSEMBLY

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Approve the revised remit of the Council set out in Appendix 1. (Section 2)
3. Instruct Presbyteries to report on the implementation of the National Stewardship Programme. (Section 4)
4. Welcome the UK Government's introduction of the Gift Aid Small Donations Scheme. (Section 4)
5. Approve the change to the remit of the Mission and Discipleship Council set out in Appendix 4. (Section 7)
6. Note the plans to consult on the review of the Panel on Review and Reform and report in 2014. (Section 8)
7. Approve an increase in the membership of the World Mission Council by four, to a total of 32. (Section 13)
8. Approve changes to the remit of the World Mission Council set out in Appendix 5. (Section 13)
9. Note the Council's confirmation of nominations to the Judicial Proceedings Panel. (Section 14)

### REPORT

#### 1. Introduction

The Council of Assembly is privileged to operate at the centre of so much of the Church's life. It sees the work poured into spreading the Gospel throughout Scotland and beyond by thousands of committed members, elders, ministers and deacons; it witnesses the sacrificial offering of time and energy by hundreds of members of Councils and Committees as they seek to determine strategy and make difficult decisions on resources and priorities; and it watches staff – in parishes, presbyteries and various Church offices – wrestle with the practical challenges of implementing policy in a highly complex system. We see, sometimes, the disappointments and frustrations but we also see the faith in God that inspires and supports all of this activity. Conveners will report elsewhere on the work of their Councils and Committees and the Council of Assembly is confident that the General Assembly will be humbled and encouraged by the efforts of so many.

#### 2. Remit

The Council has undertaken a review of its remit. The remit had evolved over a number of years and was comprehensive but perhaps somewhat lacking in

strategic focus. It also needed some revision to reflect the Assembly's decision in 2010 to designate the Council's voting members as Charity Trustees for the Unincorporated Councils and Committees. A working group was set up to consider this matter and an amended remit has been drafted; this is attached as Appendix 1 to this report and the existing remit is attached as Appendix 2. The proposed new remit describes the role of the Council in encouraging a sense of vision among the Councils and Committees and in overseeing the implementation of the Assembly's Strategic Framework. It clarifies the Council's responsibility for ensuring good governance, particularly in the oversight of the Church's responsibilities under charity legislation. The only significant additional power sought is that of facilitating strategic property planning across the Unincorporated Councils and Committees, to ensure a sensible and co-ordinated approach to the management of a substantial property portfolio. The absence of such a function was identified in a recent Internal Audit report. Other apparently new sections in fact reflect activities and responsibilities already undertaken by the Council and its sub-groups. For ease of identification, such sections are highlighted in bold type in the draft remit. For clarity, the new remit groups its provisions

together under the headings of Strategy; Governance; Finance and Stewardship; Property and Contracts; Staffing and Management; and Communication. The working group decided also to bring together a number of other documents which inform and guide the working of the Council: the Assembly's Strategic Framework, approved in 2011; an introduction to trusteeship and a full Code of Conduct for charity trustees; and basic Standing Orders. It is intended that the full document will also include a Scheme of Delegation, setting out clearly what decisions have to be taken by the Council, its groups and sub-committees and by staff and also a set of remits for those groups and sub-committees; these are still under development. These various appendices will be made available on the Council's section of the Church website. The Council of Assembly commends its revised remit to the Assembly.

### **3. Governance**

#### **3.1 The Council's Monitoring, Co-ordinating and Evaluating Role**

**3.1.1** The Council of Assembly meets monthly except in January, May and July. One meeting is taken over two days, allowing more time for the consideration of strategic issues and longer-term planning; this year, the general discussion at that residential meeting focused on mission, including one intriguingly entitled *Can these dry bones live? The tidy management of decline or the adventure of faith?* led by the Mission and Discipleship Council. We were privileged also to be addressed by the Very Rev David Arnott, then the immediate past Moderator. The Council was joined at that meeting by two young people drawn from those attending the National Youth Assembly; they brought fresh insight to the Council's deliberations and we very much valued their contribution. We would commend to other Councils and Committees the practice of inviting young people to join specific meetings as well, of course, as seeking to ensure a spread of ages among the membership. Each meeting of the Council of Assembly hears reports from Councils and Committees which come within the monitoring, evaluating and co-ordinating remit of the Council. Councils make substantial presentations

twice a year, though the opportunity is provided at every meeting for bringing matters before the Council. More detailed scrutiny of budgets and requests for replacement or additional staffing are first undertaken by the Finance or Staffing Group as appropriate.

**3.1.2** The Council continues to encourage and promote the benefits of co-operation and collaboration across the other Councils and Committees. This year, the Council has produced a joint report with the Mission and Discipleship Council on the place for doctrine and theological reflection in the Church and has worked closely with them in a small joint group on the Scottish Storytelling Centre. The Convener and Secretary have been members of a safeguarding working group considering historical abuse. The World Mission Council's Designated Supervisory Group, set up to oversee a development project in Tiberias, also had representatives from the Council of Assembly. The matter of future pension provision for Ministers, mission partners and various staff groups has been a dominating concern in the course of the last year and the Council and its staff have played a major role in co-ordination, planning, resourcing and communication across the various employing agencies and the Pension Trustees.

**3.1.3** The presence on the Council of Assembly of the Conveners and Secretaries of the major Councils, and of other senior officials, ensures that opportunities for collaboration are identified and fostered. Examples include the joint working of Social Care and Church and Society on prison visitor centres; Ministries and World Mission collaborating on ministry in Israel and Palestine; and Mission and Discipleship and the Panel on Review and Reform working together on mission. Partnership working ensures that we make the most effective use of both the resources of the Church and the skills of its people. The Council thanks and commends all Council members and officials for their commitment to collaboration and joint working.

**3.1.4** A summary of the performance of Councils against their budgets for 2012 will be included in a supplementary report from the Council of Assembly to the General

Assembly. That supplementary report will also include a draft budget for 2014. The Councils each account separately to the Assembly for their resource decisions and it is not appropriate for the Council of Assembly to comment in detail on their policies and priorities. However, the Council of Assembly wishes to place on record its appreciation for the continued careful monitoring of expenditure displayed by Councils, Committees and Departments and for their progress towards eliminating deficits. We are all too aware of the difficulties faced by Councils as they attempt to balance budgets while still progressing challenging and inspiring programmes of work. Reports from Councils and Committees elsewhere in this volume will show just how successful they have been.

**3.1.5** Progress against the Assembly's strategic priorities, agreed in 2011, has been recorded in the Trustees' Report on the Financial Statements, to be distributed at this year's Assembly. We commend this report and the accompanying financial information to all interested in the uses to which we put the considerable sums of money entrusted to our care. The Council continues to consider how best to introduce appropriate evaluation tools and models.

**3.1.6** Last year's Assembly asked the Council to report on the clarification of rules and guidelines relating to financial processes. The Governance Group of the Council decided that this would be best achieved through a thorough revision of the Code of Conduct for Charity Trustees and by then instructing all Councils and Committees to adopt the Code, appropriately amended in points of detail. The new Code for Charity Trustees is attached to this report as Appendix 3. The Code contains appendices which set out the rules for incurring and claiming expenses and these are available on the Church's website. The Stewardship and Finance Department reviewed its processes and documentation and some changes have been made. It is now a requirement, for example, that Council Secretaries check and counter-sign expenses claims from members. Our internal auditors regularly review financial management processes across the various departments

of the Church and we are encouraged to note that no concerns have been reported in the course of the last twelve months. The Council intends now to introduce tighter processes for procurement and is reviewing how best to resource and support such activity.

### **3.2 Cohesiveness Task Group**

As reported to the General Assembly in 2012, the Council of Assembly set up a small task group of appropriate Conveners and senior staff to share information and to agree a co-ordinated approach, as far as possible, to managing some of the practical questions that arise in response to the issue of Same Sex Relationships and the Ministry. That group has representation from the Legal Questions Committee, Ministries Council, the General Trustees and the Council of Assembly as well as from the Law Department, the Department of the General Assembly, the Stewardship and Finance Department and the Communications Department. In the course of the past year, the group has also been joined on occasions by representatives from Presbyteries and Kirk Sessions who have faced particular challenges; it seems that all parties have appreciated the opportunities provided for discussion and support. The group has also overseen the preparation of a communications plan for this year's Assembly in the light of the expected high level of interest in the report of the Theological Commission. The group remains scrupulously careful to maintain a neutral stance on the issue and exists merely to ensure that information is shared and practical problems addressed as effectively and consistently as possible.

### **3.3 Charity Legislation and Attestation of Accounts**

**3.3.1** The Governance Group of the Council is charged with exercising the supervisory function required by the Church's Designated Religious Charity status. This includes the approval of Presbytery accounts and the supervision of Presbyteries in regard to their scrutiny of congregational accounts, all as required in terms of the relevant Regulations for Presbytery and Congregational Finance. The Church's status as a DRC could be compromised by a failure of any of its component elements to comply with

charity law and this would have serious consequences including a significant loss of various tax reliefs. The Governance Group therefore takes this role seriously and has again spent time over the last twelve months ensuring that Councils, Committees, Presbyteries and congregations all comply with relevant legislation. It is encouraging to note that this year all Presbyteries have complied.

**3.3.2** After the Accounts have been approved by Presbyteries at the end of each financial year, they have to be submitted for attestation to the Stewardship and Finance Department, which then has to report to the General Assembly through the Council of Assembly. This fulfils the supervisory function required by the Church's Designated Religious Charity status, which is incorporated in the Regulations for Presbytery Finance (Regulations III, 2008, section D). The Department has attested the 2011 Accounts of 44 Presbyteries.

**3.3.3** Presbyteries are required to attest the Accounts of congregations within their bounds and to report to the Stewardship and Finance Department that they have completed this attestation and provide details of their findings. This fulfils the supervisory function required by the Church's Designated Religious Charity status, which is incorporated in the Regulations for Congregational Finance (Regulations II, 2008, section D). Reports from 43 Presbyteries on the inspection of Congregational Accounts for 2011 and the analysis undertaken within the Stewardship and Finance Department indicated that the vast majority were found to be compliant with the Regulations for Congregational Finance. At the time of completing this report the department had not received reports on the Attestation of 2011 Congregational Accounts from the Presbytery of Uist.

## **4. Stewardship and Finance**

### **4.1 National Stewardship Programme**

**4.1.1** Following encouragement for and approval of the proposals for a National Stewardship Programme by the 2011 General Assembly and the subsequent Presbytery Conferences that launched the programme, the Head of

Stewardship and the Stewardship Consultants have been proactive in delivering over 100 programmes (Giving for Growth and Stewardship Seasons) throughout 2012 to congregations in Scotland. Many more congregations have sought advice from consultants via email or telephone.

**4.1.2** At the beginning of 2012 a feedback form was issued to all congregations, thus enabling Presbyteries to evaluate how the 2011 General Assembly instruction to Presbyteries "to instruct their congregations to participate in the programme" was being implemented. 55% of these forms were completed and returned, indicating that 112 congregations completed a stewardship programme (either a Stewardship Season or Giving for Growth) with the assistance of a consultant in 2012; 165 congregations embarked upon their own programme, approved by Presbytery; and 325 congregations implemented some of the options from the Church's programme without the personal leadership assistance of a Consultant. We are grateful to those congregations who completed the feedback form but it is disappointing to note the low level of return and it is of more concern that a good number of congregations appear to be failing to act on the Assembly's instruction. We urge Presbyteries to continue to encourage and support the congregations within their bounds in their implementation of the National Stewardship Programme and remind them that the Stewardship Consultants are a valuable source of information, advice and practical help. We are currently analysing the returns of a second feedback form which seeks to establish what churches are planning to do in year two of the National Stewardship Programme, and to identify ways in which Presbyteries and churches may be resourced by the Stewardship Department in fulfilling these objectives. The results will be presented in the Council's Supplementary Report.

**4.1.3** Churches that embark upon a stewardship programme with the advice and ideas of a Consultant frequently comment on the positive impact of such a programme on congregational life. Results from the Giving for Growth (money) programme, point to increases

in offerings which are many times the national average increase for the Church as a whole. Many congregations also observe welcome increases in Gift Aid Declarations and bank standing orders as a committed way of giving. We are even more encouraged to note that when a church opts for the Stewardship Season option with the assistance of a Consultant (tackling time, talents and money in a three year cycle), the impact on congregational life is wide-ranging: increased interest in prayer or Bible study; new gifts and talents influencing and shaping the ministry of the church; current work being supported by more individuals; and sometimes a return to church by people who had previously drifted away.

**4.1.4** The following quotations provide a snapshot of the work of the Stewardship Consultants across the country:

*There was a lot of fun and laughter and with a relatively new 3-way union an opportunity for new friendships to be formed between fellow worshippers. The Stewardship Programme has given us a platform to build on in 2013 when we are looking at 'gifts'. **Monifieth Church, Presbytery of Dundee***

*Our Consultant helped us with a programme about "time", and we have had a fabulous time together. We have learned so much about our time for God, time for church, time for others and time for leisure. **Armada Church, Presbytery of West Lothian***

*Our income has increased by 25% after our stewardship programme and a large number have decided to give by direct debit. During a vacancy we did something that was proactive. We are just about to appoint a new Minister and we are very enthusiastic about the future. **Oakshaw Trinity Church, Presbytery of Greenock and Paisley***

*We decided to call our programme "People make the Difference". We wanted the members to increase their giving and to remind the members of what is going on in the church today. At our gatherings, the Treasurer spoke about the many things our offerings go towards.*

*The members were then given some time to view the displays which had been produced by the various church organisations. The knowledge and experience of the Consultant was of great benefit to us and so far the results are very positive and it has energized the church.*

**Arbroath: St Vigeans Church, Presbytery of Angus**

**4.1.5** The 2011 General Assembly agreed that there should be national publicity for the programme. The most effective publicity is 'good news stories' which focus on the work done by the Church locally, nationally and globally – work made possible through the giving of members and adherents. Communication channels continue to be broadened to include quarterly e-news letters from the Head of Stewardship to all congregational stewardship representatives and Ministers, highlighting examples of good practice in the National Stewardship Programme and encouraging churches in their implementation of stewardship initiatives. In addition, from February 2013, an e-postcard was issued monthly to report good news stories to Ministers and congregations. The Head of Stewardship's article in the February 2013 issue of *Life and Work* also provided examples of churches who have embraced the National Stewardship Programme and who have enjoyed the fruits of their labours.

**4.1.6** The Council recognises and is deeply appreciative of the generous and sometimes sacrificial givings of so many Church members. We are blessed. However, the Council again commends the National Stewardship Programme to Presbyteries and congregations, recognising that increased giving from members and adherents is necessary if the Church is to continue to flourish in the service of the Gospel. Congregations are reminded again that the framework of the National Stewardship Programme calls for some action in **every congregation** in relation to the teaching and promotion of Christian stewardship every year.

**4.1.7** The Gift Aid Small Donations Scheme (GASDS) is to be introduced by HM Government on 6 April 2013. GASDS will be administered by HMRC on behalf of the

Government, alongside the current Gift Aid Scheme. It should be noted that GASDS is not the same as the present Gift Aid Scheme, but an additional means by which churches may claim money on donations received. The purpose of the GASDS is to recognise that for many charities, and particularly for churches, it is very difficult to obtain Gift Aid Declarations from donors in respect of small cash gifts (for example, in the Sunday offering), even where a particular donor may be regularly contributing to the church. The intention of the new Scheme is to enhance a charity's pre-existing Gift Aid programme by enabling a Gift Aid equivalent to be claimed on small donations in circumstances where it would otherwise be difficult or impossible to claim Gift Aid in the usual way. Churches will be able to claim payment of an amount equivalent to Gift Aid for cash donations of £20 or less (subject to an overall limit per charity) without the need for the donor to complete any paperwork. The Stewardship and Finance Department is issuing guidance on this to Treasurers and all congregations are urged to make use of the new scheme.

**4.1.8** In October 2012, the Council was pleased to welcome the Rev Alan Gibson, formerly of Carstairs and Carstairs Junction, to the staff of the Department as Head of Stewardship. Mr Gibson has a strong interest in linking stewardship with opportunities for mission and creative worship and also in using his professional background in marketing to improve our stewardship communications. The Council wishes Mr Gibson well in this latest opportunity for service to the Church.

## **4.2 Budgets**

**4.2.1** As is customary, due to the necessities of printing deadlines, the detailed budget proposals for 2014 will be presented in a Supplementary Report.

**4.2.2** The Council is pleased to report continuing progress in 2012 towards its medium term objective of balancing the Church's income and expenditure at a national level. The enhancements made in the accounting

systems in recent years are now providing regular monthly management accounts for Councils and Committees, enabling them to have better oversight of their finances and to engage more effectively with the Council's Finance Group to ensure improved accountability. The Council, through its Finance Group, continues to monitor closely the financial performance of all Councils and Committees and engages in regular dialogue with Assembly appointed members and senior staff.

**4.2.3** Recognising that there are continuing pressures on the finances of local congregations, the budgets of Councils have again been strictly monitored, and for 2013 most of these are either in balance or are showing reduced deficits, with Ministries Council approaching a balanced operating budget excluding pension deficit contributions. The exception is the Social Care Council (CrossReach) which is experiencing difficult financial conditions in a small number of its services. CrossReach carried out a Strategic Budget Review in 2012 and a series of measures will be implemented in 2013 with the aim of bringing the Council's budget back into balance in 2014. The finalisation of 2013 budgets during the fourth quarter of 2012, using the most up to date information available for 2012, has again assisted Councils to produce more realistic detailed budgets for 2013.

**4.2.4** Total congregational Ministries and Mission Contributions for 2013 of £46,980,000 (excluding endowment income) are 1.4% above the 2012 figure and, in aggregate, continue to represent less than half of total congregational ordinary income. Early indications are that total congregational income in 2012 increased marginally from 2011 and, with little evidence of any improvement in global financial conditions, this provides welcome reassurance that the commitment being shown by church members and adherents through their offerings remains strong. We give thanks once again for that.

**4.2.5** After recovery in the capital value of the investments held in reserves by Councils in 2009 and 2010,

followed by a fall in 2011, there was a modest increase of 4.4% in the unit price of the main fund used, the Investors Trust Growth Fund, in 2012. The Council continues to monitor the reserves held by individual Councils in order to ensure that these are maintained at appropriate levels in relation to the volatility of the sources of income available, and the types and patterns of expenditure necessary to carry out Councils' remits.

### 4.3 Ministries and Mission Contributions

**4.3.1** Congregations play a vital part in funding Parish Ministries and the work of Councils, Committees and support departments through their Ministries and Mission Contributions. Each congregation contributes according to its means. Those with the greatest financial resources contribute most and those with the smallest financial resources contribute least. In this way the Church of Scotland is a sharing Church where the financially strong support the financially weak. This redistribution of contributions enables and supports the provision of a territorial ministry throughout Scotland, our commitment to which was re-affirmed by the General Assembly in 2010.

**4.3.2** The Council of Assembly monitors the implementation of the Regulations for Ministries and Mission Contributions, seeking to ensure that they are applied fairly. We are confident that the current arrangements ensure that as many congregations as possible are able to contribute the full cost of their own ministry but that fair provision is made for those who cannot. An appeal process is in place for congregations who dispute the application of the Regulations.

**4.3.3** By 31 December 2012 congregations had remitted £44,945,741 in Ministries and Mission Contributions for 2012. This was 98.4% of the total required. Late payments for 2011, which were made during 2012, amounted to £445,240. The Council wishes to record its sincere thanks to all congregations which made their 2012 Ministries and Mission Contributions monthly by standing order and to all congregations which met their contributions in full by 31 December 2012.

**4.3.4** Comparative returns for recent years are as follows:

Year	Total to be Contributed	Total received by 31 December	%
	£	£	
2008	42,158,156	41,259,161	97.9
2009	42,306,451	41,515,638	98.1
2010	42,875,378	41,916,436	97.8
2011	43,744,964	42,894,462	98.1
2012	45,666,451	44,945,741	98.4

**4.3.5** The Stewardship and Finance Department has again produced an annual leaflet about Ministries and Mission Contributions. This year's leaflet, entitled *Ministries and Mission 2013*, has been sent to congregations, circulated to commissioners and additional copies are available from the Department free of charge. In addition to this general information, the Head of Stewardship has written to each Session Clerk, giving details of his/her congregation's Ministries and Mission Contribution, how it is used, and whether or not it meets the full cost of ministry in the charge. As a result of these letters being sent in the past four years, some congregations have now realised that they were not meeting the full cost of their own ministry and have made additional contributions. These additional contributions for Parish Ministries amounted to £59,569 in 2012 (2011 – £81,769). We express our gratitude to those congregations who have made additional contributions.

**4.3.6** Section 15 of the Regulations permits Presbyteries to enter into Giving Agreements with congregations. These Giving Agreements produce higher Ministries and Mission Contributions from congregations where the proposed contribution is below the scale amount or where there is scope for more generous giving, and increase the amount available to Presbyteries to reduce the contributions from other congregations. Four Presbyteries have now entered into Giving Agreements with some of their congregations, and other Presbyteries are in the process of negotiating such agreements. We commend these arrangements to Presbyteries and congregations.

#### **4.4 Legacies**

Some of the funding for the work of Councils, Committees and Agencies of the General Assembly comes from gifts in the wills of members and supporters of the Church. In 2012 these gifts amounted to £3.22 million (2011 – £2.43 million). These legacies, in addition to the estimated £5 million in legacies bequeathed for the work of individual congregations, are a vital part of the funding of the work of the Church and are very much appreciated.

#### **5. Credit Unions**

The General Assembly of 2012, on the report of the Special Commission on the Purposes of Economic Activity, instructed the Council of Assembly to consider the feasibility of making money available to local congregations and presbyteries to establish and support Credit Unions and other similar initiatives and to report in 2013. The Church and Society Council has taken a lead role in this and is working on proposals which may lead to an involvement by the Church in the Credit Union movement. We are grateful to the Right Rev Albert Bogle, Moderator of the General Assembly in 2012, for hosting an event last year with a variety of interested parties, including the Council of Assembly. A number of possible projects are being explored as a result. The Carnegie Foundation has expressed an interest in working with the Church on this issue and conversations have been held with a number of other potential partners including the Church of England. We anticipate being in a position to bring recommendations to the 2014 Assembly.

#### **6. Domestic Abuse Action Plan**

The Assembly instructed the Council last year, on the report of the Church and Society Council, to monitor implementation by Councils and Committees of the Domestic Abuse Action Plan. The Governance Group undertook this task on behalf of the Council. All Councils were asked to set three achievable goals to address the issue of violence against women and to report on progress. It received a detailed report in February 2013 and was encouraged to note that Councils had implemented

the instruction and that progress was being made. In consultation with the Violence against Women Advisory Group set up by last year's Assembly, the Governance Group will be continuing its work with Councils and some of the smaller Committees and Agencies over the next twelve months in order to help them set appropriate and achievable objectives in this important area of life and witness.

#### **7. Place of Doctrine in the Life of the Church**

The General Assembly of 2011 instructed the Mission and Discipleship Council, in consultation with the Council of Assembly, to seek ways of strengthening doctrinal work within the Church. A joint report from the two Councils is elsewhere in this volume. If this report is approved, there will need to be a slight change to the remit of the Mission and Discipleship Council to remove its current responsibility for introducing policy on doctrine. The suggested change is set out in Appendix 4 and is commended to the Assembly.

#### **8. Review of Panel on Review and Reform**

**8.1** The Panel on Review and Reform was created by the General Assembly of 2004 as part of the broad restructuring then taking place. It was envisaged that the new body would continue the listening, monitoring and research aspects of the former Assembly Council's work, would carry out consultations and would offer reflection on the functioning and development of the new structure. The General Assembly asked the Council of Assembly to conduct a review of the Panel on Review and Reform after five years. This is now overdue but a small group was set up in the course of the year to conduct the review. The group has concluded its initial discussions and now intends to consult the wider Church, bringing a final report to the General Assembly of 2014.

##### **8.2 The Panel's remit is:**

- To listen to the voices of congregations, Presbyteries, agencies and those beyond the Church of Scotland
- To present a vision of what a Church in need of continual renewal might become and to offer paths by which

congregations, Presbyteries and agencies might travel towards that vision

- To consider the changing needs, challenges and responsibilities of the Church
- To have particular regard to the gospel imperative of priority for the poor, needy and marginalised
- To make recommendations to the Council of Assembly and, through the report of that Council, to report to the General Assembly.

**8.3** The working group comprised members of the Council of Assembly and the Convener of the Central Services Committee; an outside member, Mrs Mary Miller, was invited to join to bring to the group the views of the wider Church. The Convener of the Panel attended meetings as an observer and was very helpful in providing information and context for the group's work. Questions for the working group included:

- What are the Church's needs for a 'think tank'?
- Is the Panel in its current form the right vehicle for the Church's needs?
- Where should such a body sit in the structure of Councils and Committees?
- What resources and skills does such a body require?

**8.4** The group reviewed the history of the Panel, considered carefully the remit given to the Panel by the Assembly and noted the work carried out to date. It also held a meeting with members of the Panel. The group identified key issues and questions and is minded to conclude that the Church needs research capacity and capability and that there is value in having a semi-independent body to work alongside the Council of Assembly to support and encourage a strategic focus. However, the group felt that it would be wise to consult more widely throughout the Church before offering options and recommendations. A discussion paper will be prepared and there will be a number of opportunities throughout the country for facilitated conversations. A full report will be brought to the next General Assembly. The Assembly is invited to note these plans.

## **9. Senior Management Team**

**9.1** The Senior Management Team coordinates the work of the staff who support the various Councils and Committees and implement the decisions of the General Assembly. The SMT is fully accountable to the Council of Assembly and its minutes are submitted to the Council for information and discussion.

**9.2** In the course of the year, SMT, in addition to its regular agenda items:

- reviewed the findings of the survey of CSC staff and approved and implemented an action plan, monitoring progress and supporting staff in some of the sensitive issues which emerged from the survey;
- reviewed Departmental budget performance;
- prepared an updated draft risk register;
- reviewed the communications action plan for the General Assembly;
- received a number of reports from Internal Audit and monitored progress on the implementation of recommendations;
- oversaw the implementation of urgent fire safety management works in the Church Offices;
- shared information and helped plan a coordinated approach to the review of pensions.

**9.3** The Council recognises the advantages to both itself and the staff of a formal and co-ordinated approach to the management of the work of the Councils and Committees and commends the senior staff for their continuing efforts to support the effective delivery of the General Assembly's policies and priorities.

## **10. Communication**

**10.1** The Communications Department has responsibility for media relations, the editing and development of the Church's website and social media presence, design services and the Church's internal and external communication. Work continues to implement the Communications Framework approved by the 2011 Assembly, aimed at transforming how the Church communicates both internally and externally through a

move towards new channels of communication and greater use of the channels that we manage ourselves. Therefore, development of our website and social media channels continues to take a high priority, as they are increasingly central to the way we inform and engage people of all ages. New content is constantly added but we are still working to re-structure how this is organised, to make it more easily accessible by users who do not have a deep knowledge of the Church's organisation and to facilitate management through mechanisms for easy update and maintenance. Progress has been slower than expected because of the technical challenges faced and the need to work within existing resources, but more people are now able to post content direct to the website, thus freeing up technical resource for on-going development. After some technical difficulties, the 'Find your local Church' facility is now available from the homepage; we are aware that there remain some errors in the database that supports this and encourage the reporting of these so that they can be fixed. The Church's Facebook site continues to engage with a cross section of audiences and the "Likes" list continues to grow steadily. A number of Council Conveners maintain blogs and these are regularly posted on the Facebook page, engendering a good level of comment and feedback. Guidelines for the effective use of Social Media channels have been developed and issued. Attention is also being focused on the development of an improved Intranet / Extranet, to support better internal communication within the Church Offices and between the Church Offices, Presbyteries and individual congregations.

**10.2** The Media Relations Team continues to work with different parts of the Church to tell our stories in the most positive and proactive way, thus helping to build and defend our reputation. We aim to use more proactive media planning, together with greater strength and clarity of expression, to ensure that the press and broadcast media, and through them our members and Scottish society, are clear about the Church's official position on the issues being addressed. There have been several significant media challenges in the past year as the media and special interest groups within the Church gear up

for the debates at this year's General Assembly. The role of the Church in Scotland continues to be questioned in the run up to the independence referendum in 2014. Responding to an increased level of reactive media enquiries while developing and implementing a proactive media relations platform that addresses all these issues remains a challenge for the Media Relations Team.

**10.3** The 2012-13 Yearbook was produced on time and within budget. As well as the traditional paper copy, a CD-ROM version was produced and, for the first time, a Kindle version. The uptake of the electronic versions was unexpectedly low, however. For 2013-14, recipients will have the choice of receiving one free version, either in printed form, CD-ROM or Kindle, with the option of ordering additional copies in one or more forms. Pre-orders have already been received. We are working closely with the publisher, Hymns Ancient and Modern, to manage production costs and address data protection issues. We are considering a split of the Yearbook information, with much of the standard list information being made available in real time through our website free of charge from Autumn 2014, and the remainder being published in book or electronic form through Hymns Ancient and Modern once a year. This will depend on an upgrade to the Church's Central Information System (CIS) and improved processes for updating and maintaining that data.

## **11. Staffing**

The Staffing Group of the Council continues to meet regularly. It is not responsible for the employment of staff – that remains the responsibility of the various Employing Agencies of the Church – but it does ensure that there is close scrutiny of staffing proposals, whether they result in increased cost or not. Posts can only be filled, or new ones created, if the various Councils have made a strong business case for the development of new or ongoing work which relates to the Church's overall vision and strategic framework. Senior staff are invited to attend meetings to discuss their proposals, and to show that they have considered alternatives to recruitment such as restructuring or rescheduling of work, giving clear evidence of affordability and value for money.

## 12. Consultation

**12.1** The General Assembly of 2011 instructed the Council to put in place assessment tools for all consultations conducted by any Councils or Committees of the General Assembly. A decision was taken to monitor the consultations that were due to be carried out in the course of the year and to use feedback from those exercises to help design assessment tools. In fact, all Council consultations this year have been undertaken for statutory reasons and have had to follow appropriate legislative and good practice guidelines. CrossReach initiated a statutory consultation on staff terms and conditions of service via their Advisory Consultation and Negotiation Group. The Ministries Council initiated a similar statutory consultation with Presbytery and Parish Workers, after establishing a Staff Association for the purpose in line with best practice. In both cases, appropriate advice was sought from Human Resources and the Law Department and the consultations followed prescribed formats consistent with the Scottish Government Engagement Standards.

**12.2** Once completed, the processes and outcomes will be reviewed and lessons learned will be used to finalise a Church of Scotland Engagement Standard with a standard toolkit of consultation methodologies, to inform future consultations. There can be no “one size fits all” approach. Rather, the intention is to provide a standard range of consultation tools and methodologies that can be used depending on circumstances, the nature of any consultation, the stakeholders and the timings. Regular sharing of learning after consultation exercises is also paramount. In the meantime, further statutory consultations are underway on the pensions issue by CrossReach, Ministries Council (with Ministers and PPWs), World Mission Council and the Central Services Committee.

## 13. Membership of Councils and Committees

**13.1** The remit of the Council of Assembly includes responsibility for advising the General Assembly on matters of reorganisation and structural change, including adjustments to the membership and remits of relevant

Agencies of the General Assembly. This year, we bring a proposed deliverance for a change to the remit and membership of the World Mission Council. The World Mission Council agreed a new Strategic Plan in November 2012, after over a year of deliberation and discussion. The key aim of the new strategy is to set the Church of Scotland in a network of interconnecting relationships amidst the church in the world. There is a further explanation in the report of the World Mission Council but, in summary, the Council wants to emphasise the world-wide nature of the mission of God and highlight the imperative for the involvement, engagement, and interaction of people in Scotland with people in the Church in different parts of the world. The World Mission Council has drafted an amended remit to reflect its new strategy and this is attached as Appendix 5.

**13.2** World Mission operates through a number of area committees. The existing structure works reasonably well but the Council feels that the number of members is too small to enable all of the committees to be of sufficient size to operate effectively. The Council is keen to shift the focus of the Europe Committee from its engagement mainly with the Presbytery of Europe to a wider engagement with the churches in Europe in the same way as it is engaged with the World Church in other parts of the world, including Africa, the Caribbean, Asia and the Middle East. Furthermore, the strategic aim of enabling the Church of Scotland to participate in the Mission of God in the world, together with its commitment to a more flexible way of working, is also challenging the Council to consider how to learn from and re-engage with churches and organisations in the Americas. This will require readjustment of the current committee structure to make the work manageable. The Council is therefore seeking an increase in its membership from 28 to 32. The costs attached to this increase will be contained within the existing budget. The Council of Assembly recommends these proposed changes to the Assembly. The Nomination Committee has made arrangements to accommodate the change in membership numbers should the Assembly so approve.

## 14. Judicial Proceedings Panel

**14.1** The establishment of a Judicial Proceedings Panel was proposed by the Legal Questions Committee of the Church of Scotland in 2011 and approved by the General Assembly of 2012. The relevant legislative changes came into effect on 1 January 2013. Following the General Assembly, the Nomination Committee was tasked with bringing forward names for membership. An advertisement seeking applications was placed in the Remits booklet which was issued to all Presbyteries and an information pack was prepared. Applications were received and sifted by the Conveners of the Nomination and Legal Questions Committees. The Legal Questions Committee then held a training day for potential members. Attendees were then invited to confirm if they wished their names to go forward to the final stage in the nomination process. Fifteen people agreed to accept nomination after that process.

**14.2** Since the Panel had to be in place for 1 January 2013, the Nomination Committee sought agreement from the Council of Assembly to the fifteen nominations. This was dealt with under clause 22 of the Council's remit: To deal with urgent issues arising between meetings of the General Assembly, provided that (a) these do not fall within the jurisdiction of the Commission of Assembly or of any Presbytery or Kirk Session, (b) they are not of a legislative or judicial nature and (c) any action taken in terms of this clause shall be reported to the next General Assembly. The Council of Assembly therefore confirmed the following nominations at its meeting in December 2012 and is now reporting the fact to the General Assembly as it is required to do:

*Ministers Appointed* Dorothy Anderson (Monifieth), David Clark (Helensburgh: St Andrew's Kirk), George Cowie (Aberdeen: South Holburn), John Ferguson (Peterculter), Thomas Riddell (Linlithgow: St Michael's)

*Deacons Appointed* Morag Crawford DCS (Rosyth), Anne Mulligan DCS (Edinburgh)

*Elders Appointed* John Anderson (Edinburgh: Portobello St James'), Elizabeth Ashmole (Stepps), Alan Dewar (Edinburgh: High (St Giles')), Richard Henderson (Edinburgh: Balerno), Nigel Lawrie (Largs: Clark Memorial), Richard McFarlane (St Andrews: Holy Trinity), Catherine Mappin (Wick: St Fergus), Judith Pearson (Aberdeen: Queen's Cross)

## 15. Co-opted Members

The Council reports that the Rev Peter Johnston has been a co-opted member of the Communication Group but is due to retire from this position at this Assembly. The Council is grateful to Mr Johnston for his expert advice on communication matters and particularly for sharing his knowledge of and enthusiasm for the effective use of social media. We wish him well as he continues to develop his ministry. Dr J Kenneth Macaldowie, a member of the General Trustees, and the Rev Alan Hamilton, Convener of the Legal Questions Committee, serve on the Governance Group as co-opted members.

*In the name of the Council*

GRANT BARCLAY, *Convener*  
 IAIN JOHNSTON, *Vice-Convener*  
 PAULINE WEIBYE, *Secretary*

## APPENDIX 1 COUNCIL OF ASSEMBLY REMIT (PROPOSED) THE WORK OF THE COUNCIL OF ASSEMBLY

### Introduction

1. The Council of Assembly's main function is to support the Councils and Committees of the Church in seeking to inspire the people of Scotland and beyond with the Good News of Jesus Christ through enthusiastic, worshipping, witnessing, nurturing and serving communities.
2. The Council helps the General Assembly determine strategy for the Church of Scotland, ensures that the strategic priorities, policies and decisions of the Assembly are implemented effectively and efficiently

and supports, resources and nurtures the people of the Church in their work of mission, witness, worship and service.

3. The Council of Assembly is a standing committee of the General Assembly to which it is directly accountable and to which it reports annually. The General Assembly appointed members of the Council and the Conveners of the six major Councils are designated as the Charity Trustees of the Unincorporated Councils and Committees of the Church of Scotland (Scottish Charity Number SCO11353). The Trustees have 'general control and management of the administration' of the Unincorporated Councils and Committees.
4. The Council has been given authority by the General Assembly to take necessary administrative decisions between General Assemblies and to co-ordinate, monitor and evaluate the work done by the Councils, Committees and central administrative offices of the Church. The General Assembly has also authorised it to attend to the general interests of the Church in matters which are not covered by the remit of any other Agency.
5. The Senior Management Team exists to support the co-ordinating and decision-making work of the Council of Assembly and to ensure the efficient implementation of the decisions of it and the General Assembly. The Senior Management Team is accountable to the Council of Assembly and its minutes are submitted to the Council for information.
6. The Council has committed to displaying in its work and in the behaviour of its members and staff:
  - confidence in God
  - trust in each other
  - servant leadership
  - collaborative working
  - enthusiasm.
7. The Council, while exercising a supervisory role, nonetheless commits to working cooperatively and inclusively with Councils, Committees, Presbyteries, Kirk Sessions and all others in the Church, consulting widely where possible. Having regard to the

international, evangelical and catholic nature of the Church, the Council of Assembly is committed to working with other churches, at home and overseas, and to encouraging all Agencies to work ecumenically where possible.

## Remit Strategy

1. **To encourage vision among the members and the Councils and Committees of the Church.**
2. To monitor, evaluate and co-ordinate the work of the Agencies of the General Assembly, within the context of policy determined by the Assembly, encouraging the achievement of objectives and the wise use of resources.
3. **To oversee the implementation of the Strategic Framework as from time to time agreed by the General Assembly.**
4. To advise the General Assembly on the relative priority of work being undertaken by its various Agencies.
5. To keep under review the central administration of the Church, with particular regard to resolving issues of duplication of resources.
6. To advise the General Assembly on matters of reorganisation and structural change, including adjustments to the membership and remits of relevant Agencies of the General Assembly.
7. **To advise and work with the Panel on Review and Reform on its priorities and also on the resourcing and implementation of policy decisions arising from its work.**
8. To deal with urgent issues arising between meetings of the General Assembly, provided that (a) these do not fall within the jurisdiction of the Commission of Assembly or of any Presbytery or Kirk Session, (b) they are not of a legislative or judicial nature and (c) any action taken in terms of this clause shall be reported to the next General Assembly.
9. To attend to the general interests of the Church in matters which are not covered by the remit of any other Agency.

**Governance**

10. **To exercise the supervisory function required by the Church's Designated Religious Charity status.**
11. **To ensure adherence to an approved Code of Conduct by the Charity Trustees of the Unincorporated Councils and Committees and to encourage and supervise compliance with such a Code of all other members of Councils and Committees.**
12. **To advise, support and oversee compliance by Councils, Committees and Presbyteries in the proper discharge of their duties and responsibilities under charity and accounting legislation.**

**Finance and Stewardship**

13. **To oversee the management of the finances of the Unincorporated Councils and Committees, ensuring that Church resources are used wisely and effectively and in accordance with the policies, priorities and strategic objectives of the General Assembly.**
14. **To set appropriate standards of financial management for the Unincorporated Councils and Committees and to oversee compliance.**
15. **To supervise and assist Presbyteries and congregations in adhering to financial standards required by charity law and by Regulations of the General Assembly and to oversee compliance.**
16. To oversee the provision of financial services for the Councils and Committees, Statutory Corporations and other Agencies of the General Assembly.
17. To determine policy in relation to the teaching and promotion of Christian stewardship throughout the Church.
18. To provide support to Presbyteries and congregations in the promotion of stewardship with a view to generating sufficient income to resource the worship, mission, nurture and service of the Church.
19. To determine policy in relation to Ministries and Mission Contributions from congregations, subject to the approval of Regulations by the General Assembly and to determine with Presbyteries the Ministries and Mission Contributions required annually from congregations.

20. To determine annually the stipend rate, having regard to the recommendation of the Ministries Council, the determination to be made by the voting members of the Council of Assembly with the exception of those members in receipt of either a salary or stipend from the Parish Ministries Fund.
21. To determine the types and rates of expenses which may be claimed by members serving on Councils, Committees and Statutory Corporations.
22. To bring recommendations to the General Assembly concerning the total amount of the Church's Co-ordinated Budget for the Parish Ministries Fund and the Mission and Renewal Fund for the following financial year, and to determine the allocation of the budget for the Mission and Renewal Fund among the relevant Agencies of the General Assembly and Ecumenical Bodies.
23. To prepare and present to the General Assembly an indicative Rolling Budget and outline Financial Plan for the following five years.
24. To receive and distribute unrestricted legacies and donations among the Agencies of the General Assembly with power to specify the use to which these funds are to be applied.
25. To reallocate following upon consultation with the Agency or Agencies affected unrestricted funds held by or on behalf of any of the Agencies of the General Assembly to another Agency or Agencies with power to specify the use to which the same are to be applied.
26. To prepare, approve and submit annually to the General Assembly the audited Annual Report and Financial Statements of the Unincorporated Councils and Committees of the General Assembly.

**Property and Contracts**

27. **To facilitate strategic property planning across the Unincorporated Councils and Committees to ensure that the best use is made of the property portfolio.**
28. To consider and decide on proposals from Agencies of the General Assembly to purchase heritable property or any other asset (except investments)

valued in excess of £50,000 or lease any heritable property where the annual rental is greater than £25,000 per annum. No Agency except those referred to in section 31 of this document shall purchase or lease such property without prior approval from the Council of Assembly.

29. To consider and decide on proposals from Agencies of the General Assembly, except for those referred to in section 31 of this document, to sell or lease for a period in excess of five years or otherwise dispose of any heritable property, or sell or otherwise dispose of any asset (except investments) valued above £50,000, held by or on behalf of that Agency. The Council of Assembly shall have power to allocate all or part of the sale or lease proceeds to another Agency or Agencies in terms of sections 22 and 25 of this document.
30. To consider and decide on proposals from Agencies of the General Assembly to enter into an agreement or contract for receipt of goods or services (with the exception of contracts of employment or those relating to property transactions) with a total actual or potential financial commitment in excess of £50,000. No Agency shall proceed to enter into such an agreement or contract without prior approval from the Council.
31. For the avoidance of doubt, sections 28, 29 and 30 shall not apply to the Church of Scotland General Trustees and the Church of Scotland Housing and Loan Fund for Retired Ministers and Widows and Widowers of Ministers both of which may deal with heritable property and other assets without the approval of the Council.

#### **Staffing and Management**

32. To receive reports from, offer guidance and issue instructions to Agencies of the General Assembly as required from time to time on matters of management, resourcing, organisation, governance and administration.
33. To determine staffing and resourcing requirements of Agencies of the General Assembly, including

inter-Departmental sharing or transfer of staff, in accordance with policies drawn up by the Council of Assembly in line with priorities approved by the General Assembly, it being declared that the term “staffing” shall not include those directly employed by the Ministries Council, the Social Care Council and the World Mission Council.

34. To consult with the relative Councils and Agencies in their appointment of Council Secretaries to the Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission Councils, to appoint the Ecumenical Officer, the Head of Stewardship, the Head of Communications and the Head of Human Resources and Information Technology and to nominate individuals to the General Assembly for appointment to the offices of Principal Clerk of the General Assembly, Depute Clerk of the General Assembly, Secretary to the Council of Assembly, General Treasurer of the Church and Solicitor of the Church.

#### **Communication**

35. To oversee the development and implementation of the General Assembly's Communication Strategy across the Church.
36. **To oversee and manage any major reputational opportunities and risks for the Church, working with other Agencies as appropriate.**
37. **To oversee effective communication with members and courts of the Church, encouraging good practice.**

*For the purposes only of this remit, the term “Agencies” shall mean the following bodies being Standing Committees of the General Assembly, namely:*

*The following Councils: Church and Society, Ministries, Mission and Discipleship, Social Care, World Mission.*

*The following Committees: Assembly Arrangements, Central Services, Chaplains to Her Majesty's Forces, Ecumenical Relations, Legal Questions, Panel on Review and Reform, Safeguarding, Theological Forum (if established).*

## Membership

The Council shall comprise the following:

1. Convener, Vice-Convener and ten members appointed by the General Assembly on the Report of the Nomination Committee.
2. The Conveners of the Councils namely Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission together with the Convener of the Panel on Review and Reform.
3. The Secretaries of the following Councils namely Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission, all with a right to speak on matters affecting the interest of their Council, but not to vote or make a motion.
4. The Principal Clerk, the General Treasurer and the Solicitor of the Church without a right to vote or make a motion.
5. The Secretary to the Council of Assembly without a right to vote or make a motion.
6. Other officials, as required by the Council, to be in attendance from time to time without a right to vote or make a motion.

## Powers And Framework (Trusteeship)

1. The General Assembly of 2011 approved a Strategic Framework (appendix 1) to be used to help identify priorities and to assist with the process of budgeting and resource allocation. The framework identifies the context in which we work and sets out core strategic priorities for the Church of Scotland, in particular for its Councils and Committees. It also set out the core values. The Framework makes it clear both what the Church's Councils and Committees should be doing and how they should be doing it. The Council of Assembly uses the Framework to help it monitor and evaluate progress and commends it to other Councils and Committees and to the wider Church.
2. The General Assembly of 2010 appointed the voting members of the Council of Assembly to act as charity trustees for the Unincorporated Councils and Committees of the General Assembly

(the Church of Scotland, Scottish Charity Number SC011353). 'Charity trustees' means the persons having the general control and management of the administration of a charity. A charity trustee must act in the interests of the charity and must, in particular, seek in good faith to ensure that the charity acts in a manner which is consistent with its purposes. All trustees must act with the care and diligence that it is reasonable to expect of a person who is managing the affairs of another person. The Conveners of Church and Society Council, Ministries Council, Mission and Discipleship Council, Social Care Council, World Mission Council and the Panel on Review and Reform, are voting members of the Council and therefore charity trustees. Their first duty is to the interests of the Church of Scotland as a whole and not to their individual Councils.

3. The General Assembly decided that all trustees should:
  - possess an understanding of the life and culture of the Church of Scotland; and
  - be committed to developing and implementing the vision and mission of the General Assembly; and
  - possess an understanding of Scotland's contemporary culture.

In addition, the Assembly requires that the Council has the following specific areas of expertise among its trustees:

- communication
  - finance
  - governance
  - law (civil and church)
  - management
  - strategic planning
  - theology
  - training.
4. The Assembly recommended that trustees in receipt of a salary or stipend from the Church ought not to be in a majority and the Nomination Committee takes account of this as it seeks to fill vacancies. The Council maintains a register of trustees' interests;

this helps ensure public confidence and also acts as a protection for individual trustees should there ever be allegations of impropriety. A Code of Conduct is in place (appendix 6). It sets out the key principles of trusteeship, advises on confidentiality and declaration of interests, provides a framework for expenses and contains provision for dealing with breaches of the Code.

5. Regular opportunities are given for voting members of the Council of Assembly to meet alone as charity trustees. This applies, for example, when significant staffing matters are under consideration.
6. Trustees may be personally liable in law for the actions of the Unincorporated Councils and Committees. The Council of Assembly, aided by the Audit Committee, has established a framework of realistic and robust risk assessments for all areas of Council and Committee work, across the Church. This helps trustees exercise their duties under charity law and would also help to protect them against unexpected liabilities.
7. The Council has drawn up a Scheme of Delegation (appendix 4). This details the extent of and limits to the decision-making powers of the Council of Assembly, its groups and sub-committees, other Councils and Committees and senior staff. The Scheme is based on the formal remit of the Council of Assembly but sets out more clearly how those broad powers operate in practice.

## APPENDIX 2

### COUNCIL OF ASSEMBLY REMIT (CURRENT)

*(as amended May 2011)*

The Council of Assembly shall be a standing Committee of the General Assembly to which it shall be directly accountable and to which it shall report through its Convener. The General Assembly has conferred on the Council the powers as described in the following remit and in particular the powers of supervision of its Agencies (said Agencies being as defined in the Appendix) in the matters as detailed therein.

### Membership

The Council shall comprise the following:

1. Convener, Vice-Convener and ten members appointed by the General Assembly on the Report of the Nomination Committee.
2. The Conveners of the Councils namely Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission together with the Convener of the Panel on Review and Reform.
3. The Secretaries of the following Councils namely Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission, all with a right to speak on matters affecting the interest of their Council, but not to vote or make a motion.
4. The Principal Clerk, the General Treasurer and the Solicitor of the Church without a right to vote or make a motion.
5. The Secretary to the Council of Assembly without a right to vote or make a motion.
6. Other officials, as required by the Council, to be in attendance from time to time without a right to vote or make a motion.

### Remit and Powers

1. To advise the General Assembly on matters of reorganisation and structural change, including adjustments to the membership and remits of relevant Agencies of the General Assembly.
2. To keep under review the central administration of the Church, with particular regard to resolving issues of duplication of resources.
3. To monitor, evaluate and co-ordinate the work of the Agencies of the General Assembly, within the context of policy determined by the Assembly.
4. To advise the General Assembly on the relative importance of work being undertaken by its various Agencies.
5. To receive reports from, offer guidance and issue instructions to Agencies of the General Assembly as required from time to time on matters of management, organisation and administration.

6. To oversee the implementation and development of the Co-ordinated Communication Strategy across the Church.
7. To determine policy in relation to:
  - (a) the teaching and promotion of Christian stewardship throughout the Church;
  - (b) Ministries and Mission Contributions from congregations, subject to the approval of Regulations by the General Assembly.
8. To determine annually the stipend rate, having regard to the recommendation there anent of the Ministries Council, said determination to be made by the voting members of the Council of Assembly with the exception of those members in receipt of either a salary or stipend from the Parish Ministries Fund.
9. To bring recommendations to the General Assembly concerning the total amount of the Church's Co-ordinated Budget for the Parish Ministries Fund and the Mission and Renewal Fund for the following financial year, and to determine the allocation of the budget for the Mission and Renewal Fund among the relevant Agencies of the General Assembly and Ecumenical Bodies.
10. To prepare and present to the General Assembly an indicative Rolling Budget for the following five financial years.
11. To receive and distribute unrestricted legacies and donations among the Agencies of the General Assembly with power to specify the use to which the same are to be applied.
12. To approve and submit annually to the General Assembly the audited Report and Financial Statements of the Unincorporated Councils and Committees of the General Assembly.
13. To determine the types and rates of expenses which may be claimed by members serving on Councils, Committees and Statutory Corporations.
14. Through its oversight of the Stewardship and Finance Department, to be responsible for:
  - (a) providing support to Presbyteries and congregations in the teaching and promotion of Christian stewardship;
  - (b) determining with Presbyteries the Ministries and Mission Contributions required annually from congregations;
  - (c) providing assistance to Presbyteries and congregations in adhering to financial standards required by charity law and by Regulations of the General Assembly;
  - (d) setting standards of financial management and providing financial services for the Councils and Committees, Statutory Corporations and other Agencies of the General Assembly.
15. To consider and decide on proposals from Agencies of the General Assembly to purchase heritable property or any other asset (except investments) valued in excess of £50,000 or lease any heritable property where the annual rental exceeds £25,000 per annum, declaring that no Agency save those referred to in section 24 hereof shall proceed to purchase or lease such property without prior approval from the Council.
16. To consider and decide on proposals from Agencies of the General Assembly, save those referred to in section 24 hereof, to sell or lease for a period in excess of five years or otherwise dispose of any heritable property, or sell or otherwise dispose of any asset (except investments) valued in excess of £50,000, held by or on behalf of that Agency, with power to allocate all or part of the sale or lease proceeds to another Agency or Agencies in terms of section 18 hereof.
17. To consider and decide on proposals from Agencies of the General Assembly to enter into an agreement or contract (with the exception of contracts of employment or those relating to property transactions) with a total actual or potential financial commitment in excess of £50,000, declaring that no Agency shall proceed to enter into such an agreement or contract without prior approval from the Council.
18. To reallocate following upon consultation with the Agency or Agencies affected unrestricted funds held by or on behalf of any of the Agencies of the General Assembly to another Agency or Agencies with power to specify the use to which the same are to be applied.

19. To determine staffing and resourcing requirements of Agencies of the General Assembly, including inter-Departmental sharing or transfer of staff, in accordance with policies drawn up by the Council of Assembly in line with priorities approved by the General Assembly, it being declared that the term "staffing" shall not include those appointed or employed to serve in particular Parishes or overseas or by the Social Care Council in service provision facilities around the country.
20. To consult with the relative Councils and Agencies in their appointment of Council Secretaries to the Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission Councils, to appoint the Ecumenical Officer, the Head of Stewardship, the Head of Media Relations and Communication and the Head of Human Resources and to nominate individuals to the General Assembly for appointment to the offices of Principal Clerk of the General Assembly, Depute Clerk of the General Assembly, Secretary to the Council of Assembly, General Treasurer of the Church and Solicitor of the Church.
21. To attend to the general interests of the Church in matters which are not covered by the remit of any other Agency.
22. To deal with urgent issues arising between meetings of the General Assembly, provided that (a) these do not fall within the jurisdiction of the Commission of Assembly or of any Presbytery or Kirk Session, (b) they are not of a legislative or judicial nature and (c) any action taken in terms of this clause shall be reported to the next General Assembly.
23. To encourage all Agencies of the General Assembly to work ecumenically wherever possible and to have regard to the international, evangelical and catholic nature of the Church.
24. For the avoidance of doubt, sections 15 and 16 shall not apply to the Church of Scotland General Trustees, the Church of Scotland Housing and Loan Fund for Retired Ministers and Widows and Widowers of Ministers and the Ministries Council Emerging

Ministries Task Group all of which may deal with heritable property and other assets without the approval of the Council.

### **Appendix to Remit**

*For the purposes only of this remit, the term "Agencies" shall mean the following bodies being Standing Committees of the General Assembly, namely:*

*The following Councils: Church and Society, Ministries, Mission and Discipleship, Social Care, World Mission.*

*The following Committees: Assembly Arrangements, Central Services, Chaplains to Her Majesty's Forces, Church Without Walls, Ecumenical Relations, Legal Questions, Panel on Review and Reform, Parish Development Fund, Safeguarding.*

## **APPENDIX 3**

### **Code of Conduct for Voting Members of the Council of Assembly as Charity Trustees**

#### **1. Introduction**

**1.1** The voting members of the Council of Assembly are Charity Trustees for the Church of Scotland Scottish Charity Number SC011353 and therefore have specific duties under charity law. This Code of Conduct sets out those responsibilities and provides guidance to you as a Charity Trustee on the performance of your duties. It is intended to help you carry out your duties with confidence and to protect you and the Church from any allegations of misconduct. The Council of Assembly commends this Code to its members.

**1.2** The Code is issued annually to all voting members of the Council of Assembly and you will be asked each year to confirm that you have read and understand its contents. It is your responsibility to make sure that you are familiar with the Code and that your actions as a trustee comply with its provisions. You should read the Code at least annually and also when your personal circumstances change, taking action as appropriate.

**1.3** The Church's status as a Designated Religious Charity (DRC) means that the Office of the Scottish Charity Regulator (OSCR) does not have the right to suspend trustees nor do the provisions governing disqualification apply. However, it is good practice for charities themselves to have powers to deal with alleged misconduct in its trustees. The Code therefore includes such a process.

**1.4** Much of the Code is in general terms and situations may arise which are not specifically covered. If you are in any doubt as to whether a particular course of action may breach the Code, you are encouraged to seek advice and assistance from the Convener or Secretary of the Council of Assembly or from the Solicitor of the Church. You may also choose to consult your own solicitors or other relevant professional advisers.

**1.5** Some of the Charity Trustees are appointed by virtue of office as Convener of another Church Council. The Code applies to such persons both as members of the Council of Assembly and in their actions as Convener of another Council. Should any perceived or actual conflict of interest arise between the two roles, such Trustees are advised to seek guidance from the Convener or Secretary of the Council of Assembly or from the Solicitor of the Church.

**1.6** The principles of this Code can also be applied to all members of the Unincorporated Councils and Committees of the Church and are commended by the Council of Assembly to all those serving in such a capacity. Councils and Committees are instructed to adopt this Code formally, with appropriate adjustments in wording and points of details. Any questions arising from the Code can be directed to the Solicitor of the Church or Convener or Secretary to the Council of Assembly.

## **2. Key Principles**

**2.1** The general principles upon which this Code of Conduct are based are:

- **Service**

You have a duty to act in accordance with the interests of the Unincorporated Councils and Committees of

the Church of Scotland. You have a duty to devote an appropriate amount of time to the work of the Council, including regular attendance at meetings.

- **Selflessness**

You have a duty to take decisions solely in terms of the Church's interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.

- **Integrity and Honesty**

You must not place yourself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties. You must declare any private interests relating to your Church duties and take steps to resolve any conflicts in a way that protects the Church's interests.

- **Accountability and Stewardship**

You are accountable for your decisions and actions to the General Assembly. You have a duty to consider issues on their merits, taking due account of the views of others, and must ensure that the Church uses its resources prudently and in accordance with the law.

- **Openness and Confidentiality**

You should be as open as possible about all the decisions and actions that you take. You should be prepared to give reasons for your decisions and restrict information only when the wider Church interest clearly demands this. When information has to be confidential, you are required to ensure that you respect this.

- **Leadership**

You have a duty to promote and support these principles by leadership and example, and to maintain and strengthen trust and confidence in the integrity of the Church and its trustees in the conduct of business.

## **3. Financial Issues**

### **3.1 Payment of Expenses**

You must comply with the Church's rules on incurring and reclaiming expenses, attached as Annex B to this Code.

These rules cover claims however made and expenses however incurred – for example for reimbursement of expenditure by credit card or paid directly by a department or official. In general, in connection with the work of the Council of Assembly, you are permitted to claim a refund of expenses incurred in attending meetings or in undertaking work on behalf of the Council. The total of expenses paid to or on behalf of trustees is disclosed in the Annual Report and Financial Statements of the Church of Scotland and it is important that such sums are clearly differentiated from other expenditure.

### 3.2 Gifts and Hospitality

(The term “gift” includes benefits such as relief from indebtedness, loan concessions, or provision of services at a cost below that generally charged to members of the public.) You must never canvass or seek gifts or exceptional hospitality in your capacity as a Trustee. As a general guide, it is usually appropriate to refuse gifts and offers made to you in your capacity as a Trustee except those in the categories listed below. If you do accept a gift which falls outwith these categories, you must declare it to the Secretary to the Council of Assembly, who will maintain a register for the purpose.

- (a) isolated gifts of a trivial character or inexpensive seasonal gifts such as a calendar or diary, or other simple items of office equipment of modest value. As a guide, acceptance of any gift worth more than £25 would normally be viewed as inappropriate.
- (b) normal hospitality associated with your duties and which would reasonably be regarded as inappropriate to refuse or hospitality provided by colleagues or Presbyteries in the course of your duties; or
- (c) gifts received by you for the Church. Any gifts received by you for the Church should be declared to the Secretary to the Council of Assembly and will be registered. Such gifts will be held in the Church Offices; they may, with the recipient’s agreement, be loaned to another suitable body within the Church, for example for display purposes.

### 3.3 Payment of Remuneration

You must comply with the statutory rules that remuneration can only be paid by a charity to its charity trustees and “connected persons” to them if certain conditions are met; these conditions are set out in Section 67 of the Charities and Trustee Investment (Scotland) Act 2005. Remuneration includes salary received from the charity or payment made for services provided to it. “Connected persons” include:

- a person married to, the civil partner of or living with the charity trustee.
- the child (including stepchild), parent, grandchild, grandparent, brother or sister of the charity trustee (or the spouse of such person).
- a company where the charity trustee or connected person has a substantial interest.
- a Scottish partnership where the charity trustee or the connected person is a partner.

If you need further information or guidance on this, you should seek clarification from the Convener, the Solicitor of the Church or the Council Secretary.

## 4. Confidentiality

**4.1** You may well be used to dealing with personal information in confidence. In your work on the Council too, there will be times when you will be required to treat discussions, documents or other information in a confidential manner. You will often receive information of a private nature which is not yet public, or which perhaps would not be intended to be public. You must always respect and comply with any requirement to keep such information private; if you need further information or guidance on this, you can seek clarification from the Convener, the Solicitor of the Church or the Council Secretary.

**4.2** Some Council papers may only be circulated to members who are Charity Trustees; they would be clearly marked as such and you would be required not to disclose or discuss the contents with any other person, including staff or other Council or Committee members.

## 5. Other Organisations

**5.1** You may be appointed by the Council of Assembly, or the General Assembly, as a member of another body or organisation. If so, you are bound by the rules of conduct of these organisations and should also observe the rules of this Code in carrying out the duties of that body.

**5.2** Members who are appointed as trustees of other charities as nominees of the Church will assume the full duties and liabilities of a charity trustee for that other body, and when serving on that body, be required by law to act in its best interests. It is possible that a decision or action of some such charity could conflict with Church policy and that perceived or actual conflicts of interest could therefore arise for Church-nominated trustees. You are strongly advised in any such cases to seek guidance on your responsibilities; the Solicitor of the Church, the Convener of the Council of Assembly or the Council Secretary will be able to discuss the matter with you but you may also wish to consider seeking independent legal advice. In some cases, if a conflict of interest is irreconcilable, you may have to resign from one of the bodies.

**5.3** Members of the Council of Assembly will normally also be charity trustees of congregations and perhaps also Presbyteries which have charitable status. It is unlikely that major conflicts of interest will arise between such bodies but you should seek advice as above if you have any such concerns.

## 6. Declaration and Registration of Interests

**6.1** If you, or close members of your family, have a substantial financial interest in a matter under discussion at a meeting, (for example if you work for a company to which the possible awarding of a contract is being discussed) you must declare that interest and take no part in the meeting for that item of business. You should leave the meeting room until discussion of the item of business is concluded.

**6.2** If you are a Minister of the Church of Scotland or the spouse, partner or close family member of a Minister, you must play no part in discussions on or the determination

of stipend. If you are an employee of one of the Church's Employing Agencies or the spouse, partner or close family member of such an employee, you must play no part in discussions on or the determination of salaries or terms and conditions. You must leave the meeting during any such discussion and must under no circumstances take part in a discussion or vote on the matter. The sole exception to this applies to the Convener of the Ministries Council who, if a Minister or employee of the Ministries Council, may remain in the meeting to present the recommendations of the Ministries Council in relation to stipend but must not take part in any vote on the matter.

**6.3** You must also declare any personal interest or non-substantial financial interest you or financially dependent close members of your family may have in a matter under discussion at a meeting, particularly where a conflict of interest could arise or might be seen to arise. Such interests could relate to:

- the employment of a friend;
- employment or self-employment, whether remunerated or not;
- holding of a relevant office;
- holding a directorship, partnership or trusteeship of another body;
- membership of a professional body;
- ownership of or an interest in property or land under discussion;
- ownership of shares or other assets in a company under discussion.

If in doubt, you should ask yourself whether a member of the Church acting reasonably might consider any of the above interests could potentially affect your responsibilities to the Council or the Church, or could influence your actions, comments or decision-making. If in doubt, you must consult the Convener or Secretary of the Council of Assembly or the Solicitor of the Church.

**6.4** Interests should be declared at the start of a meeting if you know in advance that an appropriate item is scheduled to arise. You should, however, declare

an interest at any point in the meeting if it appears appropriate. In general, you may take part in a discussion even if you have declared an interest (other than a substantial financial interest) in an item but you must not unduly influence the discussion and you must not take part in any vote on the item. If your interest in an item is significant and material to the item under consideration, you must not take any part in the discussion, or vote, and you should leave the meeting for that item.

**6.5** In addition to declaring interests as matters arise at meetings, it is good practice for charity trustees to register interests in advance. This helps to ensure public confidence in the integrity of the charity and also acts as a protection for individual trustees should there ever be allegations of impropriety. A register of interests has therefore been established for the charity trustees of the Church of Scotland. Further guidance, definitions and a declaration form are set out in Annex A. You should ensure that such interests are registered when you are first appointed and also whenever your circumstances change in such a way as to require change or an addition to your entry in the register. You will be asked annually to check your declaration of interests and to make any necessary amendments; you must, however, make any changes as soon as they arise.

## **7. Fit and Proper Persons Test**

**7.1** Her Majesty's Revenue and Customs (HMRC) require the managers of a charity to be 'fit and proper persons'. Trustees, and others having the general control and management of the charity, are included in this definition. Although declarations are not required of the managers of Designated Religious Charities, it would be sensible nonetheless to apply the same standards.

**7.2** Trustees are therefore required to declare to the Convener of the Council of Assembly any involvement in or conviction for:

- tax fraud;
- other fraudulent behaviour including misrepresentation and/or identity theft;

- attacks against or abuse of tax repayment system;
- being barred from acting as a charity trustee by a charity regulator or Court, or being disqualified from acting as a company director.

**7.3** Any such declaration will be reported to the Governance Group who will consider whether any steps have to be taken to protect the charitable status of the Church; this may include recommending to the General Assembly that the trustee be removed from the Council of Assembly, in terms of 8.2 below.

## **8. Breaches of the Code**

**8.1** If it appears to the Convener of the Council of Assembly that a trustee may have breached a provision of this Code or if he receives a complaint from another trustee or interested party alleging such a breach, he shall report the matter to the Governance Group of the Council of Assembly at the first opportunity without naming the trustee. The Group will appoint a panel of three of their number (the "panel") to deal with the complaint. Unless the panel decides that the complaint is vexatious, frivolous or without merit namely that even if the complaint were proved it would not constitute a breach of the Code, the panel will arrange for the matter to be investigated by an appropriate independent person or persons. The trustee who is the subject of such an investigation will be informed of the complaint and will be interviewed to ascertain the facts. The trustee is required to give the investigators his/her fullest cooperation. The complaint and investigation will be handled in confidence as far as is practicable. Unless there are exceptional circumstances, the investigation will normally be completed within 56 days.

**8.2** In the event that the panel, after consideration of the report of the independent person(s), consider that there has been a breach of the Code justifying action being taken, it will refer the matter to the Governance Group for the Group to determine how the matter should be disposed of. Both the panel and the trustee shall be entitled to attend and make representations to the Group (the trustee having the right to speak last) both in relation to whether a breach has

occurred and, if it has, the appropriate action to be taken. The Group shall determine the procedure to be followed. Evidence shall not normally be led from witnesses except where the Group deems this necessary. The Governance Group action thereafter could include:

- censure. The Governance Group may censure the trustee but otherwise take no further action;
- removal of the trustee from a sub-committee or group, either temporarily or permanently;
- suspension from membership of the Council of Assembly either for a fixed period or until the next meeting of the General Assembly with a recommendation to that Assembly that the trustee be removed from membership of the Council of Assembly;
- referral of the matter to the relevant Presbytery where the conduct found established could constitute a disciplinary offence in terms of GA Act III, 2001 or Act I, 2010.

**8.3** A trustee who is subject to such action will have the right of appeal to the Council of Assembly on the following grounds:

- an error in law;
- irregularity of process, including breach of the principles of natural justice;
- decision influenced by incorrect material fact; and
- the severity of any sanction imposed.

The Council of Assembly will determine how to handle any such appeal. Members of the Governance Group will take no part in determining the appeal.

**8.4** If the trustee whose conduct is the subject of a complaint under this Code is a member of the Governance Group, he or she shall immediately withdraw from active membership of the Group until the matter is resolved. If it appears that the independence of the Governance Group may be compromised, the Council of Assembly may appoint other members to deal with the matter in place of the Group.

**8.5** If the trustee whose conduct is the subject of a complaint under this Code is the Convener of the Council, he

or she will immediately withdraw from active membership of the Council until the matter is resolved. The Vice-Convener of the Council of Assembly, with the Governance Group, will assume responsibility for the complaint.

**8.6** If the trustee whose conduct is the subject of a complaint under this Code is also the Convener of another Council of the Church and that complaint is upheld, the fact will be reported by the Convener of the Governance Group to that Council. Advice and guidance can be provided by the Solicitor of the Church.

## APPENDIX 4

### REMIT OF THE MISSION AND DISCIPLESHIP COUNCIL

It is proposed that if the establishment of the Theological Forum is approved, section 4 of the Council's current remit which reads:

*"To introduce policy on behalf of the Church in the following areas: adult education and elder training, church art and architecture, congregational mission and development, doctrine, resourcing youth and children's work and worship"*

should be amended by deleting the word "doctrine". The new section would accordingly read:

*"To introduce policy on behalf of the Church in the following areas: adult education and elder training, church art and architecture, congregational mission and development, resourcing youth and children's work and worship"*

## APPENDIX 5

### REMIT OF THE WORLD MISSION COUNCIL

The aim of the World Mission Council is to enable the Church of Scotland, as part of the holy catholic or universal Church, to participate effectively in the Mission of God in the world, following the example and priorities of Jesus Christ and seeking the guidance of the Holy Spirit.

*"The Spirit of the Lord is on me, because he has anointed me to proclaim good news to the poor. He has sent me to*

*proclaim freedom for the prisoners and recovery of sight for the blind, to set the oppressed free, to proclaim the year of the Lord's favour."* [Luke 4: 18-19, NIV]

The World Mission Council seeks to fulfil that aim through the following strategy:

- Engaging in a process of attentive accompaniment with the Church of Scotland's partners worldwide. (*That is, listening to and walking with our partners on our shared journey of faith.*)
- Developing flexible models of partner-relationships and service opportunities with the world church.
- Maximising the available human and financial resources.
- Maximising the benefits to the Church in Scotland of involvement in the world church and communicating these benefits to the members and congregations of the Church of Scotland.

#### PROPOSED NEW REMIT

- to enable the Church of Scotland, as part of the holy catholic or universal Church, to participate effectively in the Mission of God in the world, following the example of Jesus Christ;
- to discern priorities and establish policies enabling the Church of Scotland to express God's love for the world through the gospel of Jesus Christ;
- to initiate, develop and maintain mutually enriching relationships with churches and church related organisations internationally;
- to recruit, train and support paid staff and volunteers, sometimes in collaboration with other churches or church related organisations, to work abroad;
- to inform, encourage and enable members of the Church of Scotland at local, Presbytery and national levels to become engaged in the life of the world church;
- to encourage and support local partnerships between congregations, presbyteries and church related organisations with those in other parts of the world;
- to be informed, and to keep the Church of Scotland informed, about the cultural, political, social, economic, religious and ecclesiastical issues of relevance to world-wide mission;
- to help the people of Scotland appreciate the worldwide nature of the Christian faith.



# PANEL ON REVIEW AND REFORM

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Instruct the Panel on Review and Reform to consider which planning concepts, such as 'future scenarios', can provide mission strategies for the Church in the digital age and report to the General Assembly of 2014. (Section 2.12.5)
3. Instruct the Society, Religion and Technology project, in collaboration with other interested parties, to explore some of the wider theological and sociological issues which underlie the trends identified in the Panel on Review and Reform's initial work on the digital age. (Section 2)
4. Invite the Church and Society Council to monitor the United Kingdom and Scottish governments' progress towards a fully integrated digital society and report to the General Assembly any issues of concern, especially with regard to the digital divide. (Section 2)
5. Encourage the Panel on Review and Reform, in continuing consultation with the Mission and Discipleship Council, to identify ways that nurture Church growth in a sustainable manner. (Section 3)
6. Instruct the Panel on Review and Reform to undertake a detailed study on Consensus and Communication across the Church and report to the General Assembly of 2015. (Section 4)

## 1. Three Horizons

### 1.1 Introduction

The Panel on Review and Reform is charged by the General Assembly with articulating God's *vision of what a Church in need of continual renewal might become*,<sup>1</sup> and is committed to offering pathways by which congregations, presbyteries and agencies might travel towards that vision.

During the course of the work contained in this report the Panel heard of many positive initiatives being undertaken by congregations across Scotland. We found much energy and creativity and many committed and loyal Christians seeking God's vision for mission in the local context.

The question is how do we as a Church harness such energy and creativity to ensure we travel towards what God is calling us to?

### 1.2 Thinking in three horizons

The fast pace of change in the world today means that many organisations can do no more than react and adapt to shifting situations around them. Leaders are constantly working to manage day-to-day business by trying to keep things running smoothly.

This is one of the four mindset traps that Morris describes in his book, *The Innovation Master Plan*,<sup>2</sup> namely:

- (1) focusing heavily on the status quo;
- (2) short term thinking, dominating at the expense of longer term;
- (3) too much incremental innovation;
- (4) a lack of understanding of the real meaning of change, its rate and impact.

Thinking in three horizons is a way of helping move us beyond such mindset traps by viewing the world in three

<sup>1</sup> Assembly Council report to the General Assembly, 2004, 10/24, Appendix 2

<sup>2</sup> Morris, Langdon, *The Innovation Master Plan*, Innovation Academy, 2011

simultaneous but different horizons. It offers a mechanism for thinking about the emerging patterns being detected in the shaping of social trends and encourages the coherent articulation of these to shift thinking about the future of an organisation. The real and difficult task for leaders is to 'keep the show on the road' and at the same time to think about how to do the same a generation from now in very different circumstances. This is also what the leadership of the Church has to do. How do we support our current system while investing in a new future for a new generation?

### 1.3 The Three Horizons model

When we think of horizons, there are two obvious connotations that come to mind. The first is that of a distant geographical horizon such as you find when looking out over the open ocean until you can see no further because the curvature of the earth's surface falls away beneath the horizon. The second is a time horizon, a fixed point of time in the future at which point a task or process will end. For example, we may set a short-term horizon at the end of which we must satisfactorily complete a task.

The three horizons discussed here are neither geographical nor time horizons. They are ways of thinking, thought models which provide a lens through which we may view the world as it is and as it could be. All three horizons are always present, and not constrained by time, although the first horizon dominates in the present, the second is emergent and the third exists in the future. The three horizons model helps us to think about the future in the present so that we do not ignore the future as we seek to keep the current system running smoothly. It encourages us consciously to envision the future and travel towards it in order to bring the third horizon vision closer to reality.

The **First Horizon (H1)** is the one in which we live, move and have our being. It represents things as they are, 'business as usual' in the worshipping, witnessing, nurturing and serving communities of the Church today. It is the system in which we currently operate. It provides

the resources that will lead to possibilities for the future. This horizon is where the current core business of the Church lies and the one with which we are most familiar. But the core business of the Church has been facing huge challenges: the status quo has been under strain for some time now and a question mark lies over its longer term sustainability.

As the world in which we live changes, aspects of 'business as usual' have to adapt in response to these changes until 'business as usual' is superseded by new ways of doing things.

The world is changing but the first horizon system is inadequate for the challenges this new world presents so innovation begins and a second horizon (H2) is formed. An example of such innovation was *Church without Walls* (CWW) which sought to encourage the whole Church to think differently about itself. CWW encouraged a shift in mindset by placing mission at the centre of the core business of the Church.

This **Second Horizon (H2)** emerges from the first but much of its core is still wrapped up in H1. It is a view of the things that are beginning to change, of dissatisfaction with the effectiveness of the status quo, of the things which threaten what is familiar at the core. Because this horizon is not quite clearly apparent to us yet, the full impact on the core business of the Church may not immediately be clear so a struggle ensues with the old system losing significance and the new struggling to be born. Essentially, H2 is a period of transition from one system to another.

Innovation which leads to H2 may or may not be successful if left to chance, therefore in order to succeed in meeting the challenges of the change encountered in H1, there needs to be a conscious focus on, and investment in, this emerging H2 to ensure support of innovations through experimentation, pilot schemes and prototypes.

The hope is that at some point the innovation becomes more effective than the original system – this is a point of

disruption. Clayton Christensen called it the 'innovator's dilemma'<sup>3</sup> – should you use your current resource to protect core business that is on the wane or should you invest in the innovations that might replace it?

Meanwhile, there is a **Third Horizon (H3)**. A horizon beyond the second that is more difficult to see, but which becomes visible when current innovations that today look way off the mark begin to come into effect. H3 is the long term successor to 'business as usual' – those that introduce new ways of doing things to meet the challenges of a completely different world: a sustainable system which has adapted to changed conditions, albeit one which may have taken some time to do so, perhaps a generation.

These innovations point to the future in the present. Often they emerge from activity on the edge or at the fringe of the core business and are those that will likely change the nature of the current system. This is where there is a real opportunity to work in a completely different way and where the mindset of the leadership has to be more fluid and adaptable to see things differently. Fundamentally, this is looking for the longer term vision.

For leaders tasked with keeping the current system (H1) running smoothly, H3 is a challenging horizon to contemplate. It involves a degree of risk and requires being open to innovations that occasionally fail to deliver. Opposing voices will disagree on how far each innovation should be allowed to inform the future. In the Church there will be different perspectives, theologies and vested interests all competing to envision the future but the important thing in H3 is that the organisation allows – indeed encourages – envisioning and exploration of the future. It is not a case of one particular view of the future being right or wrong. The very nature of envisioning the future is not easy because we do not know exactly what it will look like. However, clear scenarios that embrace the different perspectives, theologies and vested interests

need wide discussion until there is emerging consensus about which roads to explore and which not.

#### 1.4 Differing mindsets

If H1 represents the current system then by default, policy and decision making occurs in H1. Those drawing up policy and making decisions have a responsibility to the existing system, so, in striving to meet their priorities, they tend merely to bolster up the current structures. Those with this mindset are likely to regard H3 as of little, if any, importance and certainly too far into the future to be relevant to the concerns of the present. Such a mindset leads to 'first horizon capture' where successful innovation which takes place in H2 is used to shore up the existing system rather than acting as an encouragement to push on and create the new vision that is H3. Thus innovation is used to maintain the current system even though the latter is under strain and not sustainable in the longer term.

According to the 'formula for change',<sup>4</sup> dissatisfaction is one of the factors that must be present for meaningful organisational change to take place. This is the mindset of H2 – discontent with the first horizon. H2 considers H1 to be unsustainable and H3 as inspirational. It seeks to move the focus of policy and decision making away from sustaining the current system towards encouraging the development of a new one. H2 is the place of innovation where change and transition occurs. This can only happen in H2 because H3 is still out of our line of sight, so that it is unclear what it will look like. However, we know that there is a third horizon and so we can try to use the creative energy of innovation in H2 to help make H3 a reality, instead of allowing it to extend the life of the existing system.

H3 seeks to envision a different future. The mindset of those who seek to reach this horizon can be one of frustration with H1 because they consider it to be failing and hope for H2 because they consider it to have potential.

<sup>3</sup> Christensen, Clayton M, *The Innovator's Dilemma: when new technologies cause great firms to fail*, Harvard Business School Publishing Corporation, 1997

<sup>4</sup> Beckhard, R *Organization Development: Strategies and Models*, Addison-Wesley, Reading, MA, 1969

The 'three horizons' model presents us with three simultaneous views of the present and the future:

- Can our policy and decision making processes themselves be innovative enough to take account of such multiple viewpoints?
- Can we envision H3 sufficiently to make policies and decisions that bring us closer to H3 in the longer term?
- Can we reach sufficient consensus about our vision to invest resources in H2 that will lead us to H3?

### 1.5 Transformative innovation

As discussed, innovations which occur in H2 can either help an organisation push on to realise the vision of H3 or can be captured by H1 to extend the life of the current system a little longer.

Clayton Christensen describes the difference between 'sustaining innovation' that prolongs the life of current systems and 'disruptive innovation' that challenges those systems. Because it encourages us to take the longer term view, the three horizons model highlights a third type of innovation called 'transformative innovation' which intentionally transforms current systems to new sustainable ways of working in a future that is changing.<sup>5</sup>

*Without this longer term, transformative perspective, innovation inevitably tends to prolong current systems which are inherently unsustainable in today's changing world. This 'innovation' props up the past rather than investing in the future.*<sup>6</sup>

### 1.6 Questions that arise

The Three Horizons model poses some searching questions:

- How sustainable is the status quo? Is there a need for change? [H1]
- What is our vision for the future? [H3]
- Are there elements in the present that encourage us towards our future vision? [H3]

- What obstacles exist between the current reality and achievement of the vision?
- What innovations will prolong the status quo? [H2]
- What innovations will help us travel towards the third horizon? [H2]
- How can we address the challenges in the first horizon while planting and nurturing the seeds of the third?
- How much are we prepared to invest now [H1] in creating a new future [H3] for a different generation?

With these questions in mind, the Panel's work this year is summarised in the sections of report that follow.

## 2. Mission in a Digital Age

### 2.1 Preface

The background to this section of work can be found in the Panel's report to the 2012 General Assembly, which instructed the Panel to undertake an initial study of social trends created by digital technology. That report stated:

*In the Victorian age, the missionary zeal of the Church saw the gospel proclaimed across the continents and while the success of this can be seen in the growth of churches across Africa, India and China, its missionaries made the now-acknowledged mistake of wrapping the gospel in the culture of the sending nation. In terms of foreign mission, the Church has learned from that mistake and now seeks to present the gospel in terms appropriate to the culture of the receiving nations.*

*Before this can happen, the Church has to understand its mission field. Of course, we recognise that the age profile of Church of Scotland membership is such that most of its members remember a life without mobile phones and personal computers – but there is at least one generation in society that cannot. The values of the latter are significantly shaped by a culture where, for example, one person may interact with hundreds of online friends, some of whom they may never have met in the flesh, whereas previous generations interacted with far fewer friends and family who lived in the physical community around them.*

*Our culture has undergone a radical transformation in recent decades, due in no small measure to the rapid growth and*

<sup>5</sup> Christensen, Clayton M and Raynor Michael E, *The Innovator's Solution: Creating and Sustaining Successful Growth*, Harvard Business School Publishing Corporation, 2003

<sup>6</sup> [www.internationalfuturesforum.com/transformative-innovation](http://www.internationalfuturesforum.com/transformative-innovation)

*expansion of digital technologies. Today, many in Scotland are living in the information society thanks to the revolution created by three particular technological inventions of the twentieth century – the silicon chip, the internet and cellular telephony.*

*A Church focused on mission will want to grasp the opportunities and challenges that this digital society presents. It is not just a matter of getting to grips with the technology involved. It is about understanding the influence it has on the society and culture that is evolving. Many sectors of society are redefining themselves and exploring new strategies in response to the way the digital age impacts on their own particular spheres of activity, be it in the retail market, education, health or politics. The Church must do the same in relation to its mission to the nation and beyond.<sup>7</sup>*

The reason for beginning with this extract is more than just to prompt memory: it is to clarify what motivates the Panel to make this initial report.

## 2.2 Introduction

Everything about the Church's structures, its parish system, congregational constitutions, the architecture and fittings of its buildings, style of worship, organisation and processes have been carried from the pre-industrial age into late modernity. The Church has struggled to appear contemporary as the years advance yet somehow has been able to survive because its core membership now dating in time from before the 1950s, has continued to support it because it was familiar.

Mission will take the church into contact with a generation born in the 1980s and 1990s whose children in turn will be born into a world that has forever changed due principally to the power of digital technology. This fast-evolving world is populated by people who think and act differently from previous generations because of a digital revolution that is developing exponentially and causing

new innovations to become global trends within the space of only a few years. Issues can go 'viral' within hours.

The Church and Society Council brought a report to the General Assembly in 2011, seeking to respond to the ethical and moral challenges of the internet, entitled *The Internet: In whose image?*<sup>8</sup>. The driver for the report was a recognition of the invasive way the internet had affected every aspect of society's life and the Council's remit was to consider the ethical implications of technology for good or ill. As well as providing background on the process by which the internet was invented and developed, and its lack of ownership, the report focused on social networking sites, the concept of virtualisation and the commercial use of the internet. The report was intended for use by the Church as guidance and to discuss these moral and ethical issues. It called on the Church to engage with the development of this digital environment in light of the moral and ethical imperatives of the Gospel.

The primary task of the Panel is to present a vision of what the Church might become in the future. In such a fast-changing environment, what might life look like in the future? People born, say, in 2053, forty years from now, will no more relate to the timeframe between analogue and digital than we today do to Betamax video tapes and manual typewriters.

Although, this report differentiates between 'Church' and 'society' as if these are separate entities, many church members – of any generation and age – are already part of this digital revolution: we e-mail for work, text with our friends, Google for information, keep in touch through Facebook, blog on our interests and hobbies, Skype with family on the other side of the world, watch YouTube clips, download songs from iTunes, download books to read on e-readers, use satnav for driving, and Twitter about the little things in life. For many, the devices we use are rarely out of hand or sight.

<sup>7</sup> Panel on Review and Reform report to the General Assembly, 2012, 2/2, section 2.2

<sup>8</sup> Church and Society, report to the General Assembly 2011, [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0019/5905/Internet\\_May\\_2011.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0019/5905/Internet_May_2011.pdf)

### 2.3 Drivers of societal change

Throughout history, communication and information have been fundamental sources of power, of domination and social change. The way people think determines the fate of norms and values on which societies are constructed.

Futurists are constantly examining the drivers for change in society in order to predict what the future may look like. One, Don Tapscott, suggests that the net generation and the global economic crisis are two such drivers for change founded on the concept of openness.<sup>9</sup>

Another, Lawrence C Smith, author of *The World in 2050*,<sup>10</sup> suggests that demographic trends, demand for natural resources, climate change and globalisation will all have a major impact upon the future.

#### 2.3.1 Technology as a driver of societal change

Is technology a driver of social change? Tom Koulopoulos, founder of the Delphi Group, suggests "What has changed is not so much the technology, what's changed is the behaviour. We think using the technology. It's a change not just in the tool; it's a change in me."<sup>11</sup> The technology that gives the world the laptop and the iPhone has allowed human behaviour to change because these devices become an extension to how people think. In turn, where once individuals worked largely in isolation to develop their ideas or inventions, it is much more likely to be done collaboratively with networks of like-minded people pooling knowledge and skills.

Thomas Power, who created an online entrepreneur network called Ecademy in 1998, reckoned that from 2010 to 2012 the amount of information people received would increase by a factor of seven. By 2020 this would be a factor of one thousand.<sup>12</sup> This begs the question of how people will cope with a constant barrage of material

through keeping up with texts, e-mails, Facebook, Twitter, internet and so on. Such a constant flow of information requires people to develop a digital mindset.

Maybe the changes brought about by an increasingly digitalised world need not be a cause for anxiety: perhaps increased networking and collaboration might provide some solutions for some of the global issues humanity faces.

Globally, the rapidity of this transition to a digital age is recognised along with the necessity to address and embrace the challenges and opportunities it presents.

#### 2.3.2 Connectivity

Another driver of societal change is digital connectivity resulting in the transition from place-to-place to person-to-person connectivity. Moving around with a mobile phone, pager, or wireless internet makes people less dependent on place. Because connections are to people and not to places, the technology affords shifting of work and community ties from linking people in one set place to linking people wherever they are. For many, the integration of technologies such as combining the internet with TV, and both with handheld devices, which operate with touch or voice command is now an integral part of life. This allows users to do whatever they want, however, whenever and with whomsoever they choose. This connectivity will be not only with immediate friends and family but with a much wider circle from across a country or around the globe connected by the internet. In time, everyone will theoretically be linked to everyone else.

The power of large numbers of digitally connected individuals has the potential to have a major impact on corporate bodies, institutions, organisations and even governments.

- Globalisation limits sovereign decision-making with the potential to create a crisis of political legitimacy which in turn weakens its influence over individuals.
- Communalism and individualism become opposing cultures. The culture of communalism roots itself in religion, nation, territoriality, ethnicity and environment. In contrast the culture of individualism is rooted in the desire for personal autonomy.

<sup>9</sup> Don Tapscott, *Four principles for the open world*, 2012, [http://www.ted.com/talks/don\\_tapscott\\_four\\_principles\\_for\\_the\\_open\\_world\\_1.html](http://www.ted.com/talks/don_tapscott_four_principles_for_the_open_world_1.html)

<sup>10</sup> Smith, Lawrence C, *The World in 2050*, Penguin Group US, 2010

<sup>11</sup> Tom Koulopoulos, *Innovation Keynote – How to Survive the Future*, 2011, <http://www.youtube.com/watch?v=mZnS933O2co>

<sup>12</sup> Thomas Power, *The Future of Social Networks*, 2010, <http://www.youtube.com/watch?v=fVs6Zogzg4g>

### 2.3.3 Four principles

These digital drivers suggest a world that will be characterised by four principles:

- (i) **Collaboration**, as the Internet demonstrates its use for social interaction on a global scale. The instant and international connectedness of individuals, businesses, academia and institutions now offers opportunities for an 'open market of uniquely qualified minds' to find openings and solutions to the problems and challenges facing humanity.
- (ii) **Transparency**, where the interconnectedness of everyone leads to companies and organisations requiring to demonstrate fitness, integrity, and value in the public arena where trust-building is vital.
- (iii) **Sharing**, which will be a product of the universal use of social sharing domains.
- (iv) **Empowerment**, where the ability of everyone to access knowledge and therefore power through an unregulated and open world wide web will lead away from the present model of power lying with the specialist.<sup>13</sup>

### 2.4 Networked individualism

In a digital society, individuals select the networks to which they want to belong according to their interests so that the pattern of community becomes one of 'networked individualism'.

In his paper, *Little boxes, glocalisation and networked individualism*, Barry Wellman, Professor of Sociology at the University of Toronto, argues that "much thinking about digital cities is in terms of community groups."<sup>14</sup> Yet, today the world is often made up of social networks and not of groups located in physical space. His paper traces how

communities have changed from 'little boxes' (densely-knit, linking people door-to-door) to 'glocalized' networks (sparsely-knit but with clusters, linking households both locally and globally) to 'networked individualism' (sparsely-knit, linking individuals with little regard to space).<sup>15</sup>

He makes the following argument: *The 'little boxes' metaphor (from Malvena Reynolds' 1963 song) connotes people socially and cognitively encapsulated by homogeneous, broadly-embracing groups. Members of traditional little-box' societies deal principally with fellow members of the few groups to which they belong: at home, in the neighbourhood, at work, or in voluntary organizations. They work in a discrete work group within a single organization; they live in a household in a neighbourhood; they are members of one or two kinship groups; and they participate in structured voluntary organizations: churches, bowling leagues, and the like. These groups often have boundaries for inclusion and structured, hierarchical organization: supervisors and employees, parents and children, pastors and churchgoers, organizational executives and members. In such a society, each interaction is in its place: one group at a time.*

*Much social organization no longer fits the 'little-boxes' model. Work, community and domesticity have moved from hierarchically arranged, densely knit, bounded groups ('little boxes') to social networks. (Formally, a group is a special type of social network, but it is cognitively easier to compare the 'group' metaphor with the 'network' metaphor.) In networked societies, boundaries are more permeable, interactions are with diverse others, linkages switch between multiple networks, and hierarchies are both flatter and more complexly structured.<sup>16</sup>*

The digital age supports this second form of community through mobile global communication devices and social networking sites to which individuals can connect no matter where they are in the world.

<sup>13</sup> Tapscott, Don, *Four Principles for the Open World*, 2012, <http://ed.ted.com/lessons/four-principles-for-the-open-world-don-tapscott>

<sup>14</sup> Wellman, Barry, 'The Social Affordances of the Internet for Networked Individualism', *JCMC* 8(3), April 2003 <http://jcmc.indiana.edu/vol8/issue3/wellman.html>

<sup>15</sup> *ibid*

<sup>16</sup> Wellman, Barry, 'The Social Affordances of the Internet for Networked Individualism', *JCMC* 8(3), April 2003 <http://jcmc.indiana.edu/vol8/issue3/wellman.html>

## 2.5 The Power of social networks and 'connectedness'

*The great project of the 21st century – understanding how the whole of humanity comes to be greater than the sum of its parts – is just beginning.* (Christakis, Nicholas and Fowler, James, *Connected: The Amazing Power of Social Networks and How they Shape our Lives*, HarperPress, 2010)

Although individuals choose the networks to which they want to belong, the network itself takes on a life of its own, its power being exerted by those connecting people and the information flow. This challenges the norm of hierarchical power in society as a whole. Three different kinds of networking power have been described:

- (i) Power that comes from people's inclusion or exclusion from a particular environment.
- (ii) Power that stems from setting up rules for inclusion or exclusion.
- (iii) Power that underpins those who can set the rules by imposing their will on others.<sup>17</sup>

A large body of digitally connected individuals have used such networking power to influence powerful groups such as governments, corporate bodies such as major retailers and other organisations. Examples include large protest rallies organised at short notice by text message or videos posted to raise awareness of particular issues spread to millions in only days.<sup>18</sup>

## 2.6 Mass self-communication

As a consequence of networked individualism, many citizens believe they can influence the world by mobilising opinion – but not in the traditional way, through politics.<sup>19</sup> This has led to the emergence of a new kind of media space – the space created around the process of mass self-communication.

Whilst in industrial societies, communication was centred on mass communication and the distribution of messages from one to many, the explosion of internet, mobile communication and digital media has resulted in the development of horizontal networks which includes the multimodal exchange of interactive messages from many to many.

Social networking sites, with their millions of users willing to interact every day, have recognised their power as motivators of behavioural change. Individuals join social networking sites voluntarily and they are provided with an online network and a choice of interaction dependent on the relationship and interests of those whom they choose to add to their lists.

Such networking sites also realise the value of installing applications on their sites which friends will recommend to one another, sometimes in a viral fashion. These applications have the potential to spread persuasive behaviour patterns. For example, one friend might send a virtual gift to another or a graphical representation of encouragement which can result in the recipient feeling obliged to respond.

Research into the power of networking sites as motivators for behavioural change has shown that the 'risky shift' idea of the sixties whereby it was thought that individuals made more risky decisions than a group proved incorrect, the reality being that groups make more extreme decisions than individuals. Because individuals choose to connect with those having similar views on topics such as climate change or racism, for example, opinions are strengthened and affirmed, in a positive or negative way, in what is a highly persuasive environment. There are already signs that churches and people linked by faith use social networking sites to communicate news or invite participation in church-related events. There is scope here for churches and people of faith to encourage and challenge one another ("Therefore **encourage one another** and build each other up, just as in fact you are doing.")<sup>20</sup>

<sup>17</sup> Castells, Manuel, 'Communication, Power and Counter-power in the Network Society', *International Journal of Communication*, vol 1 (2007)

<sup>18</sup> <http://invisiblechildren.com/kony/>, 2012

<sup>19</sup> Wellman, Barry, 'The Social Affordances of the Internet for Networked Individualism', *JCMC* 8(3), April 2003 <http://jcmc.indiana.edu/vol8/issue3/wellman.html>

<sup>20</sup> 1 Thessalonians 5:11, NIV

### 2.6.1 Personalisation within mass communication

In a world of mass communication and information overload, providers of information and social networking sites personalise the information individuals receive through their market research which gathers data about our preferences and allows them to sift and censor what we have access to. They direct us to sites that reflect our preferences, we receive pop-ups from frequently visited sites, money-off vouchers from supermarkets and websites because we use a particular brand of groceries or goods, recommendations because of the material we read, emails and telephone enquiries because we have been researching new kitchen units or visiting comparison websites. This is convenient for the individual but it is also a very powerful tool for those seeking the attention of the individual.

### 2.7 The New currency of contemporary society – attention

*We live in a hyper fragmented world with, quite literally, hundreds of TV channels, thousands of social connections and millions of websites. In this environment, the single biggest gift any brand can get is attention ... Attention is a brand's most precious commodity, but it's all too easy to squander that attention if you don't get every element of your messaging – including your social-media messaging – just right. (Kaushik, Avinash, 'Provocative Ideas: Attention – Don't Squander This Precious Commodity', thinkwithGoogle, <http://www.thinkwithgoogle.com/insights/forum/articles/attention-dont-squander-this-precious-commodity/>)*

The ultimate challenge of mission in any sector is to catch the attention of contemporary society. Attention is focused mental engagement on a particular item of information. Items come into our awareness, we attend to a particular item, and then we decide whether to act.<sup>21</sup>

<sup>21</sup> Davenport, T H; Beck, J C, *The Attention Economy: Understanding the New Currency of Business*, Harvard Business School Press, 2001, p 20

*... in an information-rich world, the wealth of information means a dearth of something else: a scarcity of whatever it is that information consumes. What information consumes is rather obvious: it consumes the attention of its recipients. Hence a wealth of information creates a poverty of attention and a need to allocate that attention efficiently among the overabundance of information sources that might consume it.*<sup>22</sup>

As the flow of information has increased and become instantly available, attention becomes the limiting factor in our ability to engage with information. Thus catching our attention in the midst of information overload is extremely valuable to anyone trying to get their message heard.

In the midst of an information-rich culture, further research is essential to establish how we can transmit the message of the Gospel in ways which engage people's attention.

### 2.8 The Digital divide

The term 'digital divide' is used to describe "the discrepancy between people who have access to and the resources to use new information and communication tools, such as the internet, and people who do not have the resources and access to the technology. The term also describes the discrepancy between those who have the skills, knowledge and abilities to use the technologies and those who do not. The digital divide can exist between those living in rural areas and those living in urban areas, between the educated and uneducated, between economic classes, and on a global scale between more and less industrially developed nations."<sup>23</sup>

For a person to become a digital citizen, they need access to the internet, the knowledge, motivation and skill to understand and use digital technology and, the financial means to enable them to do so.

<sup>22</sup> Simon, H A, 'Designing Organizations for an Information-Rich World', in Martin Greenberger, *Computers, Communication, and the Public Interest*, John Hopkins Press, 1971, pp 40-41

<sup>23</sup> [www.webopedia.com/TERM/D/digital\\_divide.html](http://www.webopedia.com/TERM/D/digital_divide.html)

### 2.8.1 The Digital divide in social terms

While the majority of people in the UK have access to the internet, there are still 10 million people who do not. Of those, 4 million are the most socially and economically disadvantaged in the country.<sup>24</sup>

Research shows that:

- 1 in 4 adults in the UK have never used the internet;
- a third of households in the UK do not have the internet;
- 39% of those without access are in the lowest socio-economic groups;
- 70% of people who live in social housing are not online;
- 80% of government interactions with the public take place with the poorest 25% of society, so failing to encourage everyone online keeps government costs high;
- £560: the amount digitally excluded households are missing out on per year from not shopping and paying bills online;
- 15% of people living in deprived areas have used a government online service or website in the last year, compared to 55% nationally;
- 38% of people not online are also unemployed.<sup>25</sup>

While there is little doubt that the digital divide is economic in nature (a divide between the rich and poor), there is also a geographical issue (a divide between urban and rural areas). Even where internet access is possible, future speed upgrades are available in urban areas long before they are offered to many rural areas. Currently super-fast fibre optic broadband and fourth generation (4G) mobile broadband is available only in cities.

### 2.8.2 The Digital skills divide

The more frequently a person has access to the internet and the faster the connection, the more opportunities they have to gain the technology skills and the more time they have to be creative with the technology. Cultural factors often associated with class, socio-economic status

and educational disadvantages affect the extent to which users engage with content creation.

### 2.8.3 A Global issue

The Panel's focus is on the way in which the Church engages in mission in the context of a digital society, in particular, at this point, with reference to the home nation. Nonetheless, we recognise that the digital divide is a major global concern: issues of access, connectivity and knowledge multiply when rich countries are gauged against some of the poorer ones.

Many organisations across the world, such as the United Nations and the Centre for Digital Inclusion, are working to raise awareness of the benefits that internet use and communication technology can bring to societies and economies and how these can be utilised to break down barriers of discrimination, to encourage, for example, low-income, rural or indigenous communities, by providing access to information and communication technology (ICT).

### 2.9 The Effects of digital technology on education, thinking and critical skills

*A Victorian schoolteacher could enter a 21st century classroom and feel completely at home. Whiteboards may have eliminated chalk dust, chairs may have migrated from rows to groups, but a teacher still stands in front of the class, talking, testing and questioning. But that model won't be the same in twenty years' time. It may well be extinct in ten. (Michael Gove, speech on Digital Literacy Campaign 2012, BETT 2012)*

#### 2.9.1 Education

"Technology is already bringing about a profound transformation in education, in ways that we can see before our very eyes and in others that we haven't even dreamt of yet."<sup>26</sup>

In her report entitled, *The Impact of digital technology: a review of the evidence of the impact of digital technologies*

<sup>24</sup> Lane-Fox, Martha, 'Facts and figures of the digital divide in UK', *21st Century Challenges*, 2009, <http://www.21stcenturychallenges.org/60-seconds/what-is-the-digital-divide/>

<sup>25</sup> Lane-Fox, Martha, 'Facts and figures of the digital divide in UK', *21st Century Challenges*, 2009, <http://www.21stcenturychallenges.org/60-seconds/what-is-the-digital-divide/>

<sup>26</sup> Michael Gove, speech on Digital Literacy Campaign 2012, BETT (British Educational Training and Technology) 2012

on formal education, Jean Underwood, Professor of Psychology, Nottingham Trent University, suggests two areas where digital technologies impact on behavioural change:

"There is a vast array of evidence related to behavioural changes when working with digital technologies. Here, two areas of impact have been highlighted to represent this corpus of evidence. These are:

- readiness for learning
- integration of learners into the educational process."<sup>27</sup>

#### 2.9.1.1 Readiness for learning:

How learners perform in schools depends on the characteristics of the individual and the opportunities for learning provided. Research into the role of technology in school improvement strategies backs this up. Such strategies include using technology to monitor attendance and behaviour to reduce persistent absenteeism, greater use of information systems for monitoring and analysing learner progress and greater use of technology to engage under-achieving pupils through a personalised programme of work.

#### 2.9.1.2 Integration of learners into the educational process

Technology can help learners who are ill-equipped for school to benefit from formal education. For example, the 'Listening Programme', a computer-delivered 10-week intervention, has been shown not only to improve listening skills but also to develop attentional skills necessary for a child to be integrated effectively into the classroom.<sup>28</sup> Similarly, relatively inexpensive technologies such as laptops, voice recognition software and text-to-speech software can aid the academic performance of dyslexic and dyspraxic children.

This researched demonstration of the benefits of using digital technology in schools coupled with its impact on all other sectors of society has been a key driver

by the United Kingdom Government to ensure that all schools are equipped with these technologies and that the methods of teaching are in line with their use.

Despite the demonstrated benefits of digital technology in learning there are nevertheless unanswered questions which Underwood recognises in her report:

- *What will be the impact of a technologically-maturing population on teacher practice and performance?*
- *What is the long-term impact of technology-rich learning? There have been few longitudinal studies.*
- *How does exposure to and use of ICT in school affect future employment?*
- *Do some learners gain more from the use of digital technologies than others? And why?*
- *What is the impact of formal digital literacy teaching in schools?"*
- *Should and how can we integrate or advantageously exploit the raft of personal technologies that dominate students' out of school lives into the classroom?"*<sup>29</sup>

#### 2.9.2 Thinking and critical skills

While recognising the benefits of digital technology in education questions have been raised about its effect on thinking and critical skills. Within the first few years of the widespread use of digital technology, observers noticed significant drops in the levels of concentration and creativity within the population of digital users. Neuro-researchers began exploring the possibilities of changes in brain function brought about by increasing digital exposure. The whole science of neuro-observation is relatively modern and the specific issue of digital influence has a limited body of research to call on. It would appear, though, that changing brain chemistry is consistent with the observations of past research on repeated use and particular stimulation within significant and predictable parts of the brains of normal people. Although this is not irreversible and does not appear to involve an alteration of the genetic structure, some research seems to suggest that it might lead to a lessening or even loss of specific brain functions such as creativity.

<sup>27</sup> Underwood, Jean, *The Impact of digital technology: a review of the evidence of the impact of digital technologies on formal education*, 2009, Becta, p 8

<sup>28</sup> *ibid*, p 9

<sup>29</sup> *ibid*, p 45

This research is not the first to raise concerns about the impact the digital revolution may have on the ability to think and reflect deeply. In a society that is always connected, how much space and time is there for people just to be *by themselves*, and to think about who they really are.

The cultural peer pressure to stay connected has created what has been called 'digital isolation',<sup>30</sup> something we see all around us: couples sitting in restaurants or families in their living rooms, together, but individually responding to messages on their mobiles and tablets rather than sharing a conversation.

It has also been suggested that instead of reflecting deeply over a period of time on one idea and allowing that idea to develop, an individual develops a mindset of reaction to a constant flow of communication and information rather than reflection, where the detail that might make an idea work is overlooked.<sup>31</sup>

## 2.10 The Impact of gaming communities on society

At last year's General Assembly, a commissioner asked the Panel to investigate the impact of gaming communities on society. Like other uses of technology both positive and negative impacts of gaming have been reported.

"On-line gaming removes geographical barriers, connects people, teaches cooperation, cultivates leadership skill, empowers to express creativity." <http://dontapscott.com/>

*We can't predict violence based on the amount of time spent playing violent video games, but we can say that individuals who play increased numbers of violent video games have decreased empathetic responses to real-life violence. If we inoculate ourselves to extreme images on screen, it also depletes the brain's tendency to seek out real-life stimulation.* (Doreen Dodgen-Magee, Biola, 2010, <http://magazine.biola.edu/article/10-fall/how-is-technology-shaping-generation-y/>)

<sup>30</sup> Watson, Richard, *Future Minds*, Nicholas Brealey Publishing, 2010

<sup>31</sup> *ibid*

Concerns about the link between violence in the virtual world and in the real world often detract from the more positive aspects of gaming. In the vast number of hours spent gaming (5.93 million years),<sup>32</sup> games have been employed as extremely effective problem-solving tools, as well as a relaxing recreation. As gamers continue to spend millions of hours engaged in this activity, designers increasingly use gameplay architecture to help unravel social problems.<sup>33</sup>

A lecture hosted by the New York Academy of Sciences on the subject, "Virtual Humanity: The Anthropology of Online Worlds",<sup>34</sup> brought the worlds of academia and cutting edge game-play together in a discussion ranging from anthropological definitions of virtual gaming to the questing adventures of World of Warcraft and the virtual realm of Second Life avatars.

The participating lecturers discussed the cultural form that games fulfil and speculated about what draws participants to the relatively new concept of gaming through avatars that makes it more attractive than what they can experience in real world interactions. They also discussed what higher learning and value we may soon expect from game designers in the future.

## 2.11 The Future

Just as the world's population is rising exponentially, so is innovation in digital technology: it took 38 years for radio to reach a market audience of 50 million people; television 13 years to reach the same figure, the internet 4 years, the iPod 3 years, and Facebook only 2 years.

We can no longer accurately predict what THE future will be so futurists present us instead with alternative scenarios to help plan and make choices for it.

<sup>32</sup> Jane McGonigal, *How Games Can Change the World*, Gamification Summit, 2011, [http://fora.tv/2011/01/20/Jane\\_McGonigal\\_How\\_Games\\_Can\\_Change\\_The\\_World](http://fora.tv/2011/01/20/Jane_McGonigal_How_Games_Can_Change_The_World)

<sup>33</sup> *ibid*

<sup>34</sup> *Virtual Humanity: The Anthropology of Online Worlds*, New York Academy of Sciences, 2011

Scenarios are rich, data-driven stories about tomorrow that address important choices we have to make now. Good scenarios incorporate rigorous analysis and data, but they are also driven by profound and insightful imagination. They are not about getting the future right, but about making better decisions today. Scenarios are not predictions; they are hypotheses that describe very different possibilities for the future. Good scenarios stretch our thinking and provide a coherent framework that allows us to make sense of the complexity around us, explore possibilities systematically, and push the boundaries of plausibility.<sup>35</sup>

*To be able to understand the future, you must know the past. What has taken us to where we are today and what has changed along the way.* (Edenberg, Pontus, 'How the World Will Look Like in the Next 50 years', *News of Future*, 2012, [http://www.newsoffuture.com/about\\_the\\_future.html](http://www.newsoffuture.com/about_the_future.html))

Few organisations routinely engage in futures research and so are unprepared for the challenges and opportunities that lie ahead.<sup>36</sup> But how can we know what the future will look like? The website *News For Future* had this to say:

*To be able to understand the future, you must know the past. What has taken us to where we are today and what has changed along the way.*

*The world has changed a lot in the last 150 years, but we humans are driven by the same basic needs as we were 150 years ago, food, sleep, sex, the feeling of being appreciated and loved. Will this change in the next 150 years? No.*

*What inventions have really made a difference in the last 150 years? If you take away all gadgets that people in some parts of the world are using for entertainment, the inventions that have affected most people around the world for everyday living are the telephone, electricity, radio, television, the*

*computer, the car and the ability to communicate through Internet. Then we of course have a lot of inventions that have made life easier, like new medicine, faster transports etc.*<sup>37</sup>

Generally in the last 150 years, our inventions have been the result of the human desire for freedom, a wish for better communication and attempts to control time and the world. There is still a lot we can do in these areas and so the focus in the next 150 years will probably be little different.

As the speed of technological change increases, so the Church will have to envision and plan for the challenges and opportunities which a constantly evolving digital world will present.

## 2.12 Theological issues

As the Ministries Council outlined in its report to last year's General Assembly, societal trends indicate that we are experiencing a change of age.<sup>38</sup> The Church's theological position affirms the sovereignty of God over history and the affairs of nations and in so doing should constantly strive to witness and engage in a way that connects with the times.

### 2.12.1 The Concept of individuals and community

The bible asserts that human beings are made in the image of God.<sup>39</sup> The idea of what it means to be a person arose out of the church's long engagement with presenting the doctrine of the Trinity. The notion of a 'person' was that it was a relational term rather than individualistic, that persons together created a unified community.<sup>40</sup>

The greatest challenge to the church is to define in the theological sense how the word 'person' is to be

<sup>35</sup> Dator, Allen, 'On looking into the futures', *Delivering Tomorrow. Logistics 2050. A Scenario Study*, Deutsche Post AG, 2012, p 29

<sup>36</sup> *ibid*, p 25

<sup>37</sup> Edenberg, Pontus, 'How the World Will Look Like in the Next 50 years', *News of Future*, 2012, [http://www.newsoffuture.com/about\\_the\\_future.html](http://www.newsoffuture.com/about_the_future.html)

<sup>38</sup> Ministries Council report to the General Assembly, 2012, 4/12, section 1.2.3

<sup>39</sup> Genesis 1:27

<sup>40</sup> Zizioulas, John D, *Being as Communion*, Darton, Longman & Todd Ltd, 2004

communicated to a society that identifies the centrality of the individual. The church remains the Body of Christ, a Person of the Trinity. The reason members of the church relate to one another is not on the same basis as clicking 'like' on Facebook; but on being united to Christ by the Spirit. The connectivity of the church is founded in God rather than in human structures. Because a growing number in the church live in both worlds, it is important to have a clear understanding of individuality and community in the light of the personhood of God.

### 2.12.2 Digital culture and effects on creativity

As humans, created in the image of Creator God, Christians have always affirmed the creative nature of our faith and our relationship to God. However, perhaps the creative activity of the human brain will alter with the increased use of digital technology so that something of the image of God may be blurred.

On a more pragmatic level, if those who are digital natives (those people who have grown up with no knowledge of anything other than digital technology) do develop a different brain function, will they perceive and relate to God in different ways to previous generations? To engage with mission, we need to be aware of the different ways in which humans embedded in the digital world may perceive and express their relationship with God.

### 2.12.3 Sharing a common language

The Panel's report to last year's General Assembly hinted that the language used by a digital society in some ways parallels the words and metaphors used by the Church: we speak of the Cloud, the Shekinah of God and of seeing the Son of Man coming again on the clouds. Now we talk of storing files in the Cloud. As the report said, a key concept of social networking is SHARING where people participate and respond to one another; social media is hungry to have stories posted which others can 'like'.<sup>41</sup>

The language of sharing and participation, of liking and responding, are all concepts which the Church has used extensively in nurturing community and so the Church should grasp the opportunity to use its imagination and creativity in the language it uses in mission.

### 2.12.4 The Past and the future

Futurists encourage sectors such as business, commerce and education to consider future scenarios and to plan for them accordingly. One of these, Thomas Frey, suggests that "the future creates the present; that what we think the future holds heavily affects what people think today." He speaks of the future as possessing a power that draws the present into it. His four step plan for the future comprises:

- *building a vision: the creation of a body of work, a story, graphic art, models, etc;*
- *turning the vision into an 'attractor'; making the vision seem conceivable with the addition of dimension and detail for realism;*
- *unleash it on the world: let it influence the influencers, create relevance and purpose, and repeat and rinse;*
- *receive back the signal sent: discovering keywords now part of the vocabulary of society.*<sup>42</sup>

Futurists will continue to present the world with what they believe will happen based on present conditions and linked into emerging trends and new innovations. In a world looking to 'future scenarios', the role of the Church is to bring God to bear upon these imagined scenarios; to monitor the scenarios and consider and critique them from a theological perspective.

However, the Church must also work out its own future scenarios; because these shall fall outside the interest of most secular futurists. In a change of age, having such scenarios is one of the ways to help the Church make the transition from the old to the new. The Panel seeks to consider possible future scenarios, present these to the Church and suggest possible outcomes of pursuing any particular path.

<sup>41</sup> Panel on Review and Reform report to the General Assembly, 2012, 2/5, section 2.4

<sup>42</sup> <http://www.youtube.com/watch?v=aZ6UHfIbFyc>

What should give the Church confidence to believe it can consider and critique such future scenarios successfully is a theological framework informed by 'eschatology'. The church is party to the 'last things' because the Spirit which constitutes its very existence comes into its present from God's future. And this Spirit illuminates the Church because collectively as the Church we have been given the 'mind of Christ'<sup>43</sup> – that of Jesus who is the same yesterday, today and forever.<sup>44</sup>

### 2.13 Summary

The Panel's primary remit is to assist the Church in shaping its vision for the future. That future will be a world where the internet, mass communication and personal digital devices continue to change the ways in which people communicate and relate to each other.

The report has examined some of the ways in which the digital age is shaping society. The primary impact is on the manner in which individuals relate to groups and form communities. The rise of networked individualism through online social media and mobile devices has created a situation where community is seen to belong to individuals rather than the other way round.

This has also led to an awareness of the power of individuals to influence events at a local, national and international level. The post-modern lack of respect for institutions and 'authority figures' is further eroded by groups connected by a common issue, sometimes initiated by a single individual.

In this digital society, businesses, commerce, education and services are tailored to the needs of each customer by seeking to gain the attention of the individual.

Turning specifically to the Church, for it to engage in mission in a digital society, it will need to:

#### Re-engage with theology

A systematic approach is required. One that examines the doctrines of the historic Christian faith seeking to understand

how they can shed light on and speak positively to a society being formed by digital technology and other drivers.

#### Recognise the whole Church is involved

Many of the issues presented here by the Panel can be more fruitfully developed by the expertise of other Councils and agencies of the Church. As the prime motivation for this report was to enable the Church to participate in these societal changes as they are occurring, the Panel would wish to invite those other bodies immediately to begin their own reflection and work in these areas. The Panel also invites Kirk Sessions and Presbyteries to reflect on the issues as they plan for mission and live out the Gospel in their own communities.

#### Become missional futurists

Just as secular futurists seek to map out the possible scenarios that will emerge in our changing culture and so provide options for government, business and commerce, so the Church can take up the challenge to consider possible scenarios which provide options for engaging in mission in the communities of Scotland.

#### Prepare for the future

Behind the context of this initial report lies an even more all-embracing issue: how willing and able is the Church to make the transition from the present age into the one which will replace it? This task is difficult because the long-term future is unknown and the present seems to be one of decline, anxiety and uncertainty where the impulse is to shore up the present and to fail to grasp the future. The Panel believes we should resist this thinking and wishes to encourage and help local congregations, presbyteries and the national church successfully to make the transition to the future.

### 3. Church Growth

In 2012 the Panel undertook "to seek both to understand where growth may come from and to present the Church with possible pathways towards achieving it."<sup>45</sup> In this endeavour, the Panel is conscious that growth comes fundamentally from the Holy Spirit; with the Church's role

<sup>43</sup> 1 Corinthians 2:16

<sup>44</sup> Hebrews 13:8

<sup>45</sup> Panel on Review and Reform report to the General Assembly, 2012, 2/9, section 4

being to faithfully plant seeds and tend the growth that God provides.<sup>46</sup> The Panel recognises that it is at an early stage in its work on this extensive and important area of Church life.

### 3.1 Learning from growing churches

Part of our initial investigations included examination of a series of articles on growing and changing churches that appeared in *Life and Work* during 2010 and 2011. Whilst exciting and encouraging initiatives were taking place, commonalities were hard to identify and no special formula for success was identified.

The Sub-group undertaking this study also reviewed twenty two “stories of how different churches are seeking to engage and impact on the culture in which they serve.”<sup>47</sup> The authors also offer a series of tentative conclusions about the common factors that seem to be at work. The Panel intends to study this further.

What is clear is that in situations where the Church is doing something new, the most important factor is the context in which the initiative has been undertaken. What works in one place may not work in another,<sup>48</sup> and so while these examples may be a source of encouragement, and even support, for those trying to do something similar, any successful initiative needs to be envisioned and rooted in the locality.

The Panel, therefore, is convinced that we need to discover and apply the principles and methodologies that underpin such initiatives and not simply imitate the initiatives themselves.

### 3.2 What principles or methodology might help?

At an early stage in its enquiries, the Panel discovered that the Church of England had commissioned a major project

to “explore the drivers of Church growth within the Church of England.”<sup>49</sup> We are grateful to Professor David Voas, University of Essex, leader of one of the research teams involved in the project, for sharing the approach they have adopted to gather information – essentially an extensive questionnaire being sent to over 4000 churches.

After careful consideration of this approach, the Panel concluded that the financial and human resources necessary to undertake a similar study would be considerable, not least in the analysis phase. Additionally, the value of replicating the Church of England’s approach in our own context is unclear at this point. The Panel will, however, continue to monitor with interest the information that emerges through that consultation and evaluate it for its possible usefulness in our own context.

Of the considerable amount of material published on church growth, much contemporary material argues that a growing church will, in effect, be a healthy one.

For some time the Mission and Discipleship Council has followed this approach, using a ‘health check’ with congregations on contract to evaluate the difference this has made to their mission. The Panel has been advised that the Council intends to carry out an audit of the congregations who signed up as ‘Contract Churches’ to determine the benefits brought to these congregations. The Panel will continue to consult with the Mission and Discipleship Council on their developing programme.

The Panel’s attention was drawn to a health matrix developed by the Salvation Army. Based on the principle of a mission-centred church, the model seeks to ascertain how well developed a church is for mission and evangelism and how effective it is in the nurturing of new disciples. One particularly appealing feature of the approach is that congregational size is of relative unimportance. A small congregation, effective in nurturing new disciples, however few, would score higher than a larger congregation holding its own but still doing

<sup>46</sup> 1 Corinthians, 3:6 ff

<sup>47</sup> Cuthbert Nick and Stoddard, Chris, *Church on the Edge: Principles and real life stories of 21st century mission*, Authentic Media, 2006

<sup>48</sup> Stetzer, Ed, ‘The Evolution of Church Growth, Church Health, and the Missional Church’, paper presented at the American Society for Church Growth, 2008

<sup>49</sup> [www.churchgrowthresearch.org.uk](http://www.churchgrowthresearch.org.uk)

what it did a decade before. Those scoring best would be congregations with a committed leadership, a clear focus on mission, and an ongoing intentionality to make disciples. That said, every congregation starts with a zero rating, and its 'score' is not measured against others but against itself over time, rather like bringing down one's handicap in golf. The Mission and Discipleship Council are considering the development of a similar health check tool which could be added to the Future Focus material and the Panel looks forward to hearing further developments.

The Panel also examined in detail the concept of 'Natural Church Development (NCD)', developed by Christian Schwarz.<sup>50</sup> The programme's material enables congregations to evaluate their relative strengths and weaknesses in 8 key areas:

- empowering leadership
- gift-orientated lay ministry
- passionate spirituality
- functional structures
- inspiring worship services
- holistic small groups
- needs orientated evangelism
- loving relationships

These characteristics are based on wide research which Schwarz undertook with over 1000 churches on 5 continents and his contention is that only by addressing the weak points can the church grow.

The Panel is convinced of the value of this assertion, but is also informed by the principles of Appreciative Enquiry which advocate building on success. These two approaches may appear contradictory, but they are in fact complementary: the need to build on success, particularly short-term achievable goals as a means of inducing confidence and an ethos of expectation of success while, at the same time, ensuring that the weak points are addressed. In fact Schwarz's material would suggest just such an approach – using strengths to tackle weaknesses.

The Panel will explore this methodology further, seek to evaluate its effectiveness in situations where Church of Scotland congregations have used it, and consider whether or not NCD can work in settings that are different from the model of church comprising one pastor to one charge with a sufficient sized membership base.

### 3.3 Looking for new ways forward

The Panel recognises the value to congregations of adopting tools and methods that serve to strengthen what they are already doing. They do not, however, fundamentally re-focus the Church on those beyond its walls. Although such health check tools and methodologies have been around for some time, they have not offered a long-term solution to church decline.

In its report to the 2000 General Assembly,<sup>51</sup> the former Assembly Council, in its discussion paper, *Change or decay*, drew on Charles Handy's book, *The Empty Raincoat*,<sup>52</sup> and the use of the sigmoid curve to reflect on the past, present and future of an organisation.



As the report says, point A on the curve is the point where things are still improving and at this point steps should be taken to build on this growth. The point at which the curve begins to drop is when the organisation still has resources and energy but is unwilling to consider change because things appear to be going well. Only at point B, when things are beginning to look bad, is there energy to change. The Assembly Council's paper stated then:

*Although starting to make changes at point B when things are 'over the hill' is really too late for best results, nevertheless,*

<sup>50</sup> Schwarz, Christian A, *Natural Church Development: A Guide to Eight Essential Qualities of Healthy Churches*, NCD Media, 1996

<sup>51</sup> Assembly Council report, 2000, 11/5, Appendix 1

<sup>52</sup> Handy, Charles B, *The Empty Raincoat*, Hutchison, 1994, p 52

*in another sense, it is never too late to change. In the Council's view, the Church of Scotland might well be past the point B on the model. If this view were to be anywhere near correct then it were best for the Church to seek as soon as possible to develop a new growth curve. Such a curve might need to be a curve which had to be in profound discontinuity with the past, leaving behind many familiar landmarks and models.*<sup>53</sup>

If this view expressed in 2000 is anywhere near correct, then we need now to devote our energies to fostering new initiatives rather than on propping up a structure that is no longer sustainable. The sigmoid curve model leads essentially to the same conclusion as that offered by the three horizons model, namely that we need to innovate now in ways that do not simply bolster the status quo but act as a springboard to a new sustainable future.

Consequently, the Panel will consult with those already undertaking new initiatives across the Church and with those who fund and invest in such initiatives to examine the nature and sustainability of such projects and investment.

One further piece of research the Panel will undertake is in relation to the age profile of congregations relative to the parishes they serve. A good understanding of congregational demographics will give us some insight into where the Church sits on the sigmoid curve and the direction it should take towards becoming a vibrant and growing church.

## 4 Consensus and Communication

### 4.1 Introduction

The General Assembly of 2012 instructed the Panel to explore issues of consensus and communication across the Church and report to this year's General Assembly. The Panel had indicated that it wished to consult the Church to determine how the present process of decision-making affects the vision of a Church being shaped for mission in the twenty-first century.

<sup>53</sup> Assembly Council report to the General Assembly, 2000, Appendix 1

### 4.2 General Assembly Seminar

One of the first steps which the Panel took in this process was to hold a lunchtime seminar at last year's General Assembly. This included a talk by the Rev Bill Brown of Murrayfield Parish Church, Edinburgh, on the use of consensus in the decision-making processes within his Kirk Session. The seminar also heard from Mr Hugh Donald, Consultant, 'A Place for Hope', who spoke about the way in which consensus decision-making can be a means of overcoming conflict and division within the Church. He also pointed out that better communication does not necessarily mean giving more information, but is about how well we listen to each other and understand what the communicator is trying to convey. The Panel warmly commends the work of 'A Place for Hope' and its role in seeking to give congregations the resources to resolve conflict.

### 4.3 Use of consensus in other denominations

The Panel explored the use of consensus decision-making (CDM) in other denominations in particular the United Reformed Church,<sup>54</sup> the Uniting Church in Australia,<sup>55</sup> the Presbyterian Church of the United States of America (PC(USA))<sup>56</sup> and the World Council of Churches.<sup>57</sup>

Representatives from the Panel attended the 2012 General Assembly of the United Reformed Church where they have been using consensus procedures since 2008.

The process used is summarised below:

Each commissioner is given an orange and a blue card (CDM Cards). These cards are used to indicate how commissioners feel about a proposal that is made or a discussion that is

<sup>54</sup> United Reformed Church, Standing Order, 2012, <http://generalassembly.urc.org.uk/wp-content/uploads/2012/06/Standing-Orders.pdf>

<sup>55</sup> *Manual for Meetings*, Uniting Church in Australia, <http://assembly.uca.org.au/images/stories/Regulations/manualmeetings2008.pdf>

<sup>56</sup> PC(USA) *General Assembly Media Guide*, 220th General Assembly, 2012

<sup>57</sup> *Guidelines for the Conduct of Meetings of the World Council of Churches*, <http://www.oikoumene.org/en/news/news-management/eng/a/browse/184/article/1634/consensus-quota-better.html>

taking place during the Assembly. Raising an orange card indicates that a commissioner is positive towards a proposal (*ie*, they warm to it). Raising a blue card indicates that a commissioner is negative towards a proposal (*ie*, they don't warm to it). Raising blue and orange overlapping together indicates that a commissioner thinks it is time to move a debate on (*eg*, if they feel points are being repeated and there are no new contributions being made to a discussion). By using this simple technique the Moderator and the Assembly can gauge the mind of the meeting as they seek to reach a final decision by consensus.

Another member of the Panel visited the autumn meeting of the URC Synod of Scotland to experience the system being used in a regional church setting.

Having explored some other denominations' use of consensus procedures, the Panel then consulted with representatives of the Assembly Arrangements Committee. In the course of a very helpful and wide-ranging discussion, one of the points raised, and recognised in our research, was that decision-making by consensus often happens informally at all levels of the Church in a way that we are often unaware of.

We are grateful to representatives of other denominations and to those with whom we have consulted in the Church who have been so generous with their time and insight.

#### 4.4 Pilot Research Project

The Panel then conducted a detailed two-stage research pilot on the related subjects of consensus and communication, interviewing a sample of Ministers and Session Clerks. The first stage was an email questionnaire and the second a half-hour telephone interview building on the information provided in the email. The material was collated and analysed to gain insight into how we communicate within the Church in order to make decisions, live with our variety of theologies, views and opinions, resolve differences and manage change. Of those initially contacted, around half of the Ministers and a fifth of the Session Clerks completed the questionnaire and took part in the interview process.

It might be helpful to indicate what our researchers were **not** seeking to do. The Sub-group did not begin with assumptions, recognising that opinions may vary and in different situations, the definition of consensus may be interpreted differently. It also recognised that while the term 'consensus decision-making' may be unfamiliar to many in the Kirk, in practice this is often how many decisions are reached. As it was a neutral piece of research, the researchers were not advocating change to any particular system or court of the Church. Equally, they were not asking for definite opinions on formal consensus voting systems. The term 'consensus' was deliberately left undefined so that it could be interpreted as broadly or narrowly as each respondent wished. The researchers were not looking at 'communication' in the narrow sense of the communication systems and structures of the Church, and in particular the research did not touch upon the work or remit of the Communications Department based in 121 George Street. The respondents reported their views on how we communicate as individuals, and as Christians, as we work together across the Church.

Under these two headings of 'consensus' and 'communication', several overlapping and inter-related themes emerged from the responses received. Under 'consensus', there was the general theme of difference, encompassing different theologies, different roles and the different courts in which individuals operate. A second general theme was how decisions were reached and the contexts in which the processes of decision-making were applied. Under 'communication', there were themes relating to listening and being heard, being informed and informing others, including reported views on trust and respect.

The questions asked are attached at Appendix 1.

Using both qualitative and quantitative tools, the picture which emerges is quite complex. Many of the group who responded 'neither agree nor disagree' to the question of whether consensus was essential, went on to agree that good communication is essential in achieving consensus, though this is a desirable rather than essential aim. One respondent suggested that "using

the word essential creates problems from the start – raises false expectations.” Another suggests that “complete agreement is unworkable and perhaps undesirable.” A third reports that consensus is, “Not necessarily full agreement on everything, but allowing people the space to say what they think.” Therefore, within the group who said that consensus is not necessarily essential, there is a general understanding that consensus itself is not the same thing as complete agreement. Consensus, for the respondents in this group, must necessarily contain some disagreement or non-alignment of opinions, but in such a way that decisions can be made whilst acknowledging that consensus, though not essential, would be desirable.

*“I dislike the way it [Presbytery] favours ‘loud’ people. Talk in the corridor afterwards is no use – people need to be enabled to. Just speak up from the floor.”*

If we turn to those who agreed that consensus was essential, we find the same nuance defined. One respondent, for example, said that consensus was, “Getting along together despite difference. Reaching a place where people can co-exist.” Another respondent offered the definition that consensus was, “As basic as acceptance, rather than wholehearted agreement.” In this group too it is clear that their definitions of consensus all include a level of understanding and acceptance of difference contained within a decision-making process, so for these respondents, consensus was essential to the Church. Finally if we turn to those who disagreed that consensus was essential, one defined consensus in a way which clearly implied an acceptable measure of difference and another said, “Consensus, meaning agreement and unanimity, isn’t essential in everything but there should be consensus on certain basics of the faith.” Therefore it may be that this difference in definition of consensus is what guided that particular respondent’s choice that this ‘unanimity’ was not essential to the Church.

From these results we can conclude that all our respondents made a distinction between unanimity or complete agreement, and a workable agreement which

included difference of opinion within it. For most of our respondents, 95%, the latter was their definition of ‘consensus’.

Looking at difference and context, respondents made many references to their own particular roles and how those affected communication, eg Presbytery Clerk, Session Clerk, Minister, Interim Moderator, and also whether this was at Kirk Session, Presbytery or General Assembly. While nine cited presbytery in an example of poor decision-making one cited it in an example of good practice, a further three respondents had mixed views of presbytery, citing examples of both good and bad practice. Also in terms of theological difference, six cited the same-sex relationships debate as an example of where difference of opinion contained within a consensus could be acceptable and one said that this issue was an example of where consensus could not be acceptable.

*“Presbytery Plan – no one knew what was going on – came out in dribs and drabs, created anxiety”*

Turning to the issue of communication, the vast majority of our respondents said good communication was essential to achieving consensus, this meant containing and working with difference rather than working towards complete agreement.

In a secondary question the researchers asked if the respondents agreed or disagreed with the statement that “Poor communication contributes to conflict in the Church”. Fourteen respondents strongly agreed and seven agreed. There was much discussion of the difference between ‘listening’ and ‘hearing’ and the importance of the latter right across the Church.

*“[Presbytery] planning process ... we were able to put together our vision for the Church and where we were going and these were used to try and partner churches in harmony of vision. ... That degree of discussion and listening and trying to accommodate was as good a process as any I could think of.”*

The examples given of situations where poor communication led to conflict included buildings, Presbytery Planning, misunderstandings and distrust, lack of engagement, volume of material/ignorance of facts and worship.

However, poor communication was not perceived as the only cause of conflict. Lack of engagement was cited only once as a cause of conflict, but a few responses indicated that people left their congregations or Kirk Sessions as a result of it.

Interestingly, two ministers mentioned specifically the role of interim moderator, one positively and one negatively, in relation to issues of communication and getting decisions made.

The volume of material circulated and requiring to be read for meetings, misunderstanding and distrust were seen as some of the more common causes of conflict. Seven respondents reported that poor communication could lead to a difficulty in sharing or understanding the issues, practice, or law at the root of a conflict situation. Examples where conflict arose because of lack of understanding included the Church magazine, poor articulation of an opinion or the obscure or complicated terminology involved in communication of a legal nature.

*"Presbytery is not good at communicating or consulting down to Kirk Session level. One example was a decision to sell a property rather than seek opinions on possible uses. An opportunity to elicit imaginative ideas was lost ... this makes people feel they have no voice, that decisions are made on their behalf, but not 'for' them."*

Situations where respondents felt listened to or able to contribute ranged from speaking at the General Assembly, to retreats, training, conferences and spiritual direction.

Finally, two-thirds of the respondents felt that the decision-making processes across the Church could be improved while around half felt the Church should review its legal structures to achieve a more consensual approach to decision-making.

Remembering that the generally accepted definition of consensus in decision-making was one of tolerance of difference, respondents had varying ideas of how this might be achieved and this area would benefit from further research.

It was apparent too, that the majority of respondents felt that better-targeted information, a higher level of interpersonal listening skills and better communication would empower decision-making across the Church.

*"Good communication is the core of successful interpersonal living and therefore essential within a Church community."*

#### 4.5 Life and Work

The background to the Panel's consultation into consensus and communication was set out in the February issue of *Life and Work* and at the time of writing, emailed comments are coming in about the issues raised there. One such comment highlights both a strength and a weakness of using consensus procedures:

*It allows for strength of feeling as well as mere numbers. If you simply count votes, the votes of people who do not care much either way count as much as those of people who have thoroughly researched the subject and feel very strongly about it. If consensus is used, it is the task of the leader of a meeting to gauge the strength of the group's opinion after discussion, which can be the weakness in the system.*

Another comment read, *As a new elder in my church, I am very aware of decision processes. Consensus is the best way – we all need to take ownership of decision by contributing and agreeing. There are some times when a straight vote is needed to bring things to a decision, but we need to hear other views and sometimes change our own mind. Consensus is the first choice always, but should not lead to merely rubber stamping decisions. Voting may be needed, especially when one person objects, but we all have to abide by the decision taken so if possible need to be in harmony with it. A mix of decision methods is needed, never just 'one way fixes all'.*

The Panel maintains an open mind on whether and how the use of consensus decision-making process might be used to enhance the way resolutions are reached in areas of Church life.

Finally, just a few people committed to seeking to communicate better can have a positive effect on a group's decision-making processes. In our research, we have discovered numerous training opportunities available within the Church of Scotland to enhance the communication skills of individuals, such as the team mentoring offered by the Priority Areas Committee, 'A Place for Hope'. Other training beyond the Church includes the Nonviolent Communication and Communication skills courses which are widely available across the country. We commend them to all involved in Church life at whatever level.

#### **4.6 Future Consultation**

Having undertaken this pilot research, the Panel now seeks approval from the General Assembly to engage in a more detailed study of this subject, involving a larger number and wider range of potential respondents.

The purpose of this research is to offer insight into communication and decision-making across the Church, as the Church seeks to proclaim "an authentic, clear and consistent message about its mission, values and vision to a wide variety of audiences."<sup>58</sup>

## **Conclusion**

The Church is, and always has been, tasked with proclaiming the message of the Gospel of Jesus Christ. In today's world, proclamation of the Good News of Jesus is to a rapidly transforming world where a myriad of voices compete for attention, where people think and act differently from previous generations because of a digital revolution that is developing exponentially, and where possibilities for the future are many but difficult to predict.

How do we understand a world being transformed before our very eyes? How will the Church need to transform itself to meet the challenges of a rapidly evolving future? How can we, the Church, make decisions that help us make the transition to a different kind of future, in the confidence that the future belongs to God?

The full text of each section of report will be available at [http://www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2013](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2013)

*In the name of the Panel*

DONALD CAMPBELL, *Convener*  
JACK HOLT, *Vice-convener*

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<sup>58</sup> The Church of Scotland Communications Framework, February 2011, p 3

**APPENDIX 1**

**CONSENSUS AND COMMUNICATION QUESTIONNAIRE**

Thank you for agreeing to take part in the Panel's pilot on consensus and communication. So that you can reflect on the questions that we shall cover during our telephone conversation, please find these listed below. As mentioned in the letter/email to you, there will be freedom during the interview to record different answers and to allow a two-way communication. There will also be an opportunity for you to assist the Group formulate the next stage of our research by letting us know whether there are other issues of consensus and communication which you feel could be helpful to your congregation/presbytery/council or department and therefore might be included in the research exercise.

*Where 1 = Strongly agree and 5 = Strongly disagree, please answer the following:*

**Consensus**

- 1 Consensus is essential in the Church.

**Good Communication**

- 2 Good communication is essential in achieving consensus in the Church.

**Poor Communication**

- 3 Poor communication contributes to conflict in the Church.

**Decision-making**

- 4 The decision-making processes across the Church could be improved.

**Legal Structures**

- 5 The Church should review its legal structures in order to achieve a more consensual approach to decision-making.



# CHURCH AND SOCIETY COUNCIL

## May 2013

3

### PROPOSED DELIVERANCE

#### **The General Assembly**

1. Receive the Report.

#### **Campaigns** *(See Section 4.8 of the Church and Society Council Report)*

2. Confirm that the Church and Society Council has the authority and responsibility for campaigns which fall within its remit, so that the Council can sign up to appropriate campaigns on behalf of the whole Church of Scotland throughout the year, where there is already existing General Assembly policy in support.

#### **Responding to Climate Change Project** *(See Section 5 of the Church and Society Council Report)*

3. Express serious concern that international action has not yet succeeded in stemming the increase of greenhouse gases in the atmosphere, and urge the UK and Scottish Governments to take further action to meet the UK target of a reduction in the emission of greenhouse gases by 80% by 2050, and to press for similar action internationally.
4. Congratulate Eco-Congregation Scotland on making its 100th congregational award and commend the charity to all Church of Scotland congregations and encourage them to become members of Eco-Congregation Scotland.
5. Urge all congregations to take action to manage energy use in buildings more efficiently in order to reduce their consumption and carbon footprint.
6. Call on the Scottish Government to give communities across Scotland a proper share of the benefits of Scotland's renewable energy and to work with community groups to identify how community-owned renewables might help resolve fuel poverty across the country.

#### **Referendum oversight and franchise** *(See Section 10 of the Church and Society Council Report)*

7. Encourage all campaign groups involved in the independence debate to maximise the opportunities for citizens of all backgrounds to engage in questions about the referendum.
8. Encourage congregations to use all opportunities to raise the issues of the gospel and social justice in the debate about the referendum and possible future constitutional arrangements.
9. Support the role of the Electoral Commission in overseeing the referendum on Scottish independence, and urge all sides to work in consensus to ensure a fair and legal vote.
10. Welcome the involvement of independent international monitors to confirm that the election is free, fair and is run to the highest possible standards.
11. Support the right of voting for 16 and 17 year olds for the referendum on independence and for all future elections.

#### **Education** *(See Section 11 of the Church and Society Council Report)*

12. Thank students and staff of Cumbernauld College and Kilmarnock College for their work to develop a new website to support school and further education chaplaincy in Scotland.
13. Encourage congregations to find out about 'Serve Your Local School' and for them to note that a toolkit has been prepared to help.
14. Instruct the Church and Society Council, through the Standing Committee on Education, to continue to develop work in five key areas: Religious Observance, Religious and Moral Education, chaplaincy in schools and colleges, representatives on Local Authority Committees and effective representation in public debate.

**Prayer for Israel and Palestine** *(See Section 12.3 of the Church and Society Council Report)*

15. Commend the ACT Palestine Forum prayer vigil, marked on the 24th day of each month, encourage congregations to note this initiative and invite all members of the Church of Scotland to participate in the World Week of Prayer for Peace in Palestine and Israel (22-28 September 2013).

**Enough Food For Everyone If** *(See Section 12.5 of the Church and Society Council Report)*

16. Note that the world produces enough food for everyone but not everyone has enough food, commend the 'Enough Food For Everyone If' campaign and instruct the Church and Society Council, working with the World Mission Council, Christian Aid and others to promote the campaign to local congregations.

**The Inheritance of Abraham? A report on the promised land** *(See Section 13 of the Church and Society Council Report)*

17. Refute claims that scripture offers any peoples a privileged claim for possession of a particular territory.
18. Note that the current situation is characterised by an inequality in power and therefore reconciliation can only be possible if the Israeli military occupation of the West Bank and East Jerusalem, and the blockade of Gaza, are ended, and on that basis encourage all parties and the international community to renew peace negotiations.
19. Condemn acts of terrorism, violence and intimidation whether committed by individuals, organisations or governments.
20. Reaffirm the historic position of the Church of Scotland that Israel is a country which is recognised within the international community of States, with all the rights and responsibilities attendant on that status.
21. Reaffirm the historic commitment of the Church of Scotland to a State of Palestine with the same rights and responsibilities recognised within the international community of States, with all the rights and responsibilities attendant on that status.
22. Reject racism and religious hatred and condemn anti-Semitism and Islamophobia.
23. Support ongoing commitment to dialogue and conversation, with particular concern to make sure that those who are on the margins and whose voices are rarely heard get the opportunity to be listened to, especially Christians who live in Israel and the Occupied Palestinian Territory.
24. Instruct the Church and Society Council to publicise resources to encourage wide discussion of the report *The Inheritance of Abraham* and its concluding principles.
25. Encourage the appropriate committees in Presbyteries to consider the report *The Inheritance of Abraham* and bring it to the notice of their Presbytery.
26. Urge the UK Government and the European Union to do all that is within their power to ensure that human rights are respected in Israel and the Occupied Palestinian Territories.
27. Urge the UK Government and the European Union to do all that is within their power to ensure that international law is upheld in Israel and the Occupied Palestinian Territories.
28. Urge the UK Government and the European Union to use pressure to stop further expansion of Israeli settlements and remove existing illegal settlements in the Occupied West Bank.

**Bolivia** *(See Section 14 of the Church and Society Council Report)*

29. Welcome the opportunities for collaboration on a variety of key issues and instruct the Church and Society Council to work with Christian Aid Scotland to develop links with the *Instituto Superior Ecueménico Andino de Teología*.
30. Instruct the Church and Society Council to provide resources to assist congregations in finding out about work that Christian Aid is doing in Bolivia and linking the activity to the life of congregations in Scotland.

**Thanks and Distribution**

31. Thank all those who assisted the Council in the preparation of the report and instruct the Council to write to Members of the Scottish Parliament, Members of Parliament representing Scottish constituencies, Members of the European Parliament representing Scotland, relevant Scottish and UK Government Ministers and others involved in the issues raised in the report.

**REPORT****1. Introduction**

1.1 The Church and Society Council's remit is to engage with national, social and political issues facing Scotland and the world today. We aim to do this by developing theological, ethical and spiritual perspectives in the formulation of responses to public issues. We are charged to represent the Church, both in terms of making appropriate and informed comments as well as building and maintaining relationships with politicians, influence-shapers and others for long-term dialogue and the exchange of ideas. At the heart of our work is a commitment to support the local church in making a connection between the life of a congregation, the mission of the church and the public square.

1.2 Our membership is drawn from across the breadth of the Church and beyond, and includes experts, professionals and activists in fields of law, science, health, politics, campaigns and business. In May 2012 Sally Foster-Fulton was appointed as Convener, and Chris Wigglesworth as Vice-Convener, both providing a new impetus and freshening of the way the Council works, building on the good work that has gone before.

1.3 The Council is supported in its work by a small staff team based in the Church Offices in Edinburgh, including the work of the Scottish Churches Parliamentary Office, the Society Religion and Technology Project, the Responding to Climate Change Project and the Standing Committee on Education. These four bespoke pieces of work form the heart of the Church and Society's unique contribution to the life of the Church and to the nation.

**2. Executive Summary**

2.1 The church needs to create a safe space to do risky things in Christ's service, according to the new Archbishop of Canterbury Justin Welby.

2.2 The 2012 London Olympic and Paralympics Games were widely celebrated and enjoyed by people across the globe. Communities across Scotland got involved in the excitement, including the torch relay. Churches held special celebration services, some even showed sport on screens in Churches, or held screenings of a newly re-mastered *Chariots of Fire*, with its fantastic portrayal of Eric Liddell. The Education Committee launched a new prize competition, the Moderator's Medal, and in honour of the Games the Olympics and Paralympics were chosen as the theme for entries. The competition, open to young people aged 11-18, was designed to encourage creativity and reflection on aspects of life and faith. The hundreds of entries that we received demonstrated the great interest in the Games, which will surely make 2012 a year to remember.

2.3 Another event of 2012 was Her Majesty's Diamond Jubilee. This, together with the success of Team GB has thrown the debate about the future of Scotland into ever sharper relief. How will Scotland reconcile Scottishness and Britishness? In the last twelve months the Scottish and UK Governments have come to an agreement on the terms of a referendum in 2014, and yet many questions appear to remain unanswered; what vision do people have for Scotland's future? How can people be asked to make a decision of such fundamental importance without

knowing what kind of Scotland – independent or still in union – is on offer? In the absence of any great party political debate, we have seized an opportunity to try to create this debate. Working with a wide range of other organisations, from charitable organisations, trades unions, think tanks, universities and local congregations, we hope to get the people of Scotland thinking about their vote, their hope and that the Church's calling to work for justice for the most vulnerable and marginalised people has to be at the core of any debate about a country's future direction.

**2.4** One of the reasons we are confident about the ability to contribute to a national debate about Scotland's future is that we now have a large, and still growing, network of contacts in local congregations. More than 600 churches have appointed a Church and Society Contact; we hope that it is through these people that our work, ideas and questions can be shared at a local level. We also are keen to hear news and views from local churches; ideally this network of contacts will facilitate two-way communication.

**2.5** The global context of climate change remains a key issue for citizens across the world, regardless of age, wealth or faith tradition. We report on the work arising from the Church's Responding to Climate Change Project and urge individuals and congregations to respond with hope and action to resolve the great challenge of our time.

**2.6** The Council continues its development of work in Scotland's education system. This has included championing excellence in religious observance, through our support of a Masters module course at the University of Glasgow (in collaboration with Scripture Union Scotland). We support Church of Scotland and other church representatives on Scotland's 32 local authority education committees; following the local authority elections in May 2012, church reps were newly appointed by the Standing Committee on Education. A renewal of our reps allows a refreshing of ideas, but also new challenges in training and development. One of the highlights of our education work has been the religious and moral education resource development projects. Working with

support from Greyfriars Kirk, Edinburgh and the Jerusalem Trust, we are creating and cataloguing the very best in Religious and Moral Education (RME) and Religious, Moral and Philosophical Studies (RMPS) resources for school teachers on themes relating to Christianity and Scotland.

**2.7** Communicating the views of the Church in the public square is a central aspect of the life of the Church and Society Council. From the Convener's broadcast interviews to newspaper columns and comments for the press, the Council also engages in formal Parliamentary and Governmental consultation processes. We also take opportunities to be represented at events, conferences and seminars where we can fulfil our remit of exchanging views and ideas with others. A key method of communication is through the Church and Society Blog on the Church of Scotland website. Sally's Blog is a reflection from the Convener on a range of public issues seen through the prism of the General Assembly's agreed positions. There are opportunities for communication through social media, including with a growing following on Facebook and Twitter. We continue to expand our readership of our free monthly e-news, which contains content relating to the Council's work and news of events around the country.

**2.8** This year in its report the Council presents to the Assembly a series of new topics and reports for consideration. These include:

- Implications for the Church of Scotland if Scotland votes for Independence (a joint report which has been prepared with the Legal Questions Committee and the Ecumenical Relations Committee).
- The inheritance of Abraham? A report on the 'promised land'.
- Bolivia: economy and ecology (a report which has been written with support from Christian Aid).
- Human Rights: what does love-informed justice require of us (presented in a Supplementary Report).

**2.9** We are also presenting updates on our work to implement the recommendations of the Special Commission on the Purposes of Economic Activity, which

reported to the General Assembly last year, on barriers to literacy (following up last year's report), how the Church is taking forward its work against violence against women, and a look at international issues, including the situation in Syria, Israel and the Occupied Palestinian Territories. We will also present in a Supplementary Report news of an important project about truth, myths and lies about poverty in the public square.

**2.10** As in previous years, some of these reports are included as summaries in the Blue Book. These are

designed to provide Commissioners with sufficient information to make an informed decision in relation to the proposed deliverances relating to that report. However, deeper thinking and more background is included in the full reports, which are available on the Church of Scotland General Assembly website [www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2013](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2013) and from the Church and Society Department at 121 George Street, Edinburgh EH2 4YN, [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk), tel. 0131 225 5722.

### 3. Summary of action on previous deliverances

#### 3.1 Table of action on the 2012 General Assembly Deliverance

2012 Deliverance	Activity and Outcome
3. Note with thanks the ongoing engagement by congregations in the work of the Church and Society Council and to encourage those congregations who have not yet appointed a Church and Society Contact Person to do so.	More than 600 congregations have appointed a Church and Society Contact Person, enabling the Council to share information, gather stories and mobilise campaigns in a more co-ordinated and targeted approach. More information about our local involvement work can be found below in section 4.
4. Urge congregations to remain positive and constructive in their dialogue with Local Authorities on Sunday sporting events, particularly where the events are for charitable purposes, and affirm the importance of regular worship for the spiritual growth and equipping of Christians.	This Deliverance related to an issue that had arisen at the 2011 Assembly. No further problems related to this issue have been reported to the Council, but we are still happy to offer advice or information to congregations about any issue they may have with disruptions to regular worship because of sporting or other community events.
5. Note the progress to date in responding to climate change and reaffirm support for future work with congregations, presbyteries and councils to take forward the aims and objectives as set out in the report.	The Church's work in responding to climate change and caring for the earth is outlined in more detail in the main report below, in section 5.
6. Instruct the Church and Society Council and the General Trustees to work together with others to support and encourage all congregations to reduce their carbon footprints by 5% a year.	

<p>7. Support the continued development of the understanding of Neurobiology and its perceived relationship with freedom and responsibility and encourage the Society, Religion &amp; Technology (SRT) Project's ongoing engagement in this area, in particular through commending the report for the consideration of the wider church.</p>	<p>A discussion starter leaflet introducing the evolving issue of neuroethics is available from the department (call the Church Offices and ask for Church and Society 0131 225 5722 or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>). Additional actions to publicise this report have included holding events at the British Science Festival in Aberdeen in 2012 and the Edinburgh International Science Festival in 2013. More information can be found below at paragraph 6.1. Representatives from the Council also met to discuss the report with the Scottish Government Minister for Science, Alasdair Allan MSP.</p>
<p>8. Instruct the Church and Society Council to provide resources to assist members of the Church to reflect on the theme of food as a gift from God, to think about where their food comes from and how it is produced, and to study and act on the issues raised in the report.</p>	<p>Resources including the discussion starter leaflet 'Food is a Gift from God' are available from the department (call the Church Offices and ask for Church and Society 0131 225 5722 or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>).</p>
<p>9. Commend congregations that are involved in community food projects, encourage all kirk sessions, urban or rural, to consider how they can help promote local food projects, and remind all congregations and church members about the spiritual benefits of sharing food.</p>	<p>The Council, together with the World Mission Council, are supporting a major joint campaign on global hunger, food and international development. 'Enough...IF' provides another hook for individuals and congregations to consider the report to the 2012 General Assembly. More information is below at paragraph 12.5.</p>
<p>10. Note with concern the distorting influences on the food chain linked to the predominance of a small number of powerful supermarkets.</p>	<p>The Council has supported the UK Government's legislation to introduce a statutory Groceries Code Adjudicator. We liaised with UK ecumenical partners, including the Arthur Rank Centre and the Church of England, and contacted all Scottish MPs prior to the Second Reading debate in the House of Commons.</p>
<p>11. Instruct the Church and Society Council to engage with the Scottish Government about how the government and its agencies can help farmers, retailers and communities in Scotland to work together to provide healthy and affordable food for all.</p>	<p>We wrote to the Scottish Government and in partnership with the Scottish Churches Rural Group and others continue to work towards this objective.</p>

12. Congratulate Church Action on Poverty on the occasion of its 30th Anniversary.	Church Action on Poverty's 30th anniversary was marked at the 2012 General Assembly with a fringe event and a giant cake. We have continued to support the campaign to Close the Gap, which includes the living wage (see paragraph 7.2) and fairer taxes (see 7.5). We were pleased to work with Church Action on Poverty and Christian Aid to welcome their Tax Justice Bus as it toured the United Kingdom and Ireland, when it came to Scotland in October 2012.
13. Support and endorse the Close the Gap campaign by instructing the Church and Society Council to publicise the campaign.	
14. Instruct Presbyteries to investigate issues of food insecurity within their bounds with a view to acting ecumenically to establish food banks in appropriate locations.	The Council views the increasing reliance by many families on food banks to be a shocking development in society, whilst recognising many churches will feel called to respond to desperate need. The Council is happy to offer advice and support to Church groups who are considering establishing a food bank. Call the Church Offices and ask for Church and Society 0131 225 5722 or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a> .
15. Affirm support for the minimum wage, and encourage its being raised towards the level of the Living Wage.	We responded to the Low Pay Commission consultation on setting a new limit for the national minimum wage, and have lobbied the Business Secretary in the UK Government. A further report our work to promote the living wage can be found below at paragraph 7.2.
16. Support the principle of the Living Wage and instruct all Church of Scotland agencies and congregations to implement the Living Wage with all possible speed and in all cases by 2015 or have a plan in place by then with an agreed deadline; urge congregations to make payment of the Living Wage a criterion in awarding goods and services over the value of £100,000 in any year.	In November 2012, the Scottish Living Wage Campaign and the Living Wage Foundation announced that the new living wage figure will be £7.45, an increase from the previous level of £7.20 an hour. The Council have published a webpage on the Church of Scotland website with information and advice on how congregations and other church employers can reach the living wage by 2015: <a href="http://www.churchofscotland.org.uk/speak_out/make_a_difference_locally/the_living_wage">http://www.churchofscotland.org.uk/speak_out/make_a_difference_locally/the_living_wage</a>
17. Call on the Scottish Government and Local Authorities to revise their procurement policies to require service providers to pay at least the living wage and make adequate provision in funding to enable services providers to meet the Living Wage.	We are working as part of the Scottish Living Wage Campaign to lobby the European institutions to change the appropriate directive.

<p>18. Urge the Council to raise concern with the Scottish Government with regard to the proposed changes to bankruptcy law especially with regard to the risk of further deterioration of the ability to pay.</p>	<p>The Council wrote to the Scottish Accountant in Bankruptcy, a Government agency which has responsibility for administering bankruptcy, and to the Scottish Government minister who has responsibility. We were assured that they do take seriously the need not to penalise the least well off through fees set on their products and services. As part of a wider review, they were looking at a service for people with no income which would be more affordable.</p>
<p>19. Instruct the Councils, Committees and Agencies of the Church of Scotland to implement the Domestic Abuse Action Plan in support of the wider campaign to eradicate violence against women.</p>	<p>Work that has been undertaken on this theme, now under the heading of action against violence against women, can be found below at paragraph 8.5.</p>
<p>20. Support the ACTS Anti-Human Trafficking Ecumenical Group's Strategy for Action in relation to the issue of human trafficking in general and with the sex industry in particular, in light of the potential rise in such trafficking associated with the Commonwealth Games in 2014.</p>	<p>We are pleased to remain part of a dedicated ecumenical task group which continues to work to take forward this strategy. Information can be found below at paragraph 8.6. Church of Scotland resources have been recently updated. For copies visit <a href="http://www.churchofscotland.org.uk/speak_out/social_issues/human_trafficking">http://www.churchofscotland.org.uk/speak_out/social_issues/human_trafficking</a> or call the Church Offices and ask for Church and Society 0131 225 5722 or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>.</p>
<p>21. Instruct the Church and Society Council to respond to opportunities to take forward the issues and principles raised in the Sectarianism Report.</p>	<p>The Council was pleased to respond positively to an invitation to give evidence to a Scottish Government working group on tackling sectarianism, chaired by Dr Duncan Morrow. The Council's immediate past Convener, Rev Ian F Galloway, is a member of this group. The Council was represented at a major national conference organised by Education Scotland in November on sharing good practice in tackling sectarianism. This event saw the launch of our new classroom resource for RME lessons on understanding sectarianism.</p>
<p>22. Instruct the Church and Society Council to produce resources for congregations including a fact sheet on issues around sectarianism, suggested actions and prayers.</p>	
<p>23. Encourage Presbyteries, Kirk Sessions and other Councils and Committees of the Church of Scotland to consider the Sectarianism Report, and to avail themselves of the One Scotland Many Cultures Study Guide published in 2011.</p>	
<p>24. Affirm and encourage those churches and organisations currently engaged in projects aimed at overcoming sectarianism.</p>	

25. Note, with thanks, Scottish Churches Housing Action's (SCHA) work to produce their review of the 2012 Homelessness target.	The Council continues to work with Scottish Churches Housing Action on issues related to homelessness. The report presented to the last Assembly was well-received in the sector and by the Scottish Government. A Parliamentary motion abolishing the priority need test for homeless applicants was indeed passed by the end of 2012. The greatest concern for those involved is the impact of the UK Government's welfare reforms, which start to take effect from the spring of 2013. We have prepared some advice and information for ministers who may be approached for help as the changes are implemented. This can be found at <a href="http://www.churchofscotland.org.uk/speak_out/make_a_difference_locally/welfare_reform">http://www.churchofscotland.org.uk/speak_out/make_a_difference_locally/welfare_reform</a>
26. Instruct the Church & Society Council to continue their work with SCHA locally and nationally on the underlying causes of homelessness, in partnership with other statutory and voluntary organisations.	
27. Encourage Presbyteries and congregations to continue their work locally to address homelessness and its causes whilst continuing to provide support for homeless people within their local area.	
28. Instruct the Church and Society Council to help the Church to engage at a civic, political and local level with questions related to the constitutional future of Scotland, and particularly how independence might impact on the poorest and most vulnerable people.	As the referendum on Scottish independence gets closer, it is becoming increasingly clear that political debate in Scotland is revolving solely around this issue. This makes it hard in some ways in the immediate term to make headway on some of our core concerns; however, it does provide an opportunity to be part of a much bigger conversation about the very future of Scotland itself. A report on these issues can be found below at section 10.
29. Urge local congregations to consider hosting community referendum meetings in a neutral space to allow free debate about all the issues.	
30. Confirm that the Church will remain impartial with regard to the question in the forthcoming referendum.	
31. Urge HMG to consider fully the impact on small charities and community groups of the proposal to cap tax relief on charitable donations and to specify measures that will remove its adverse effect.	At the time of the last General Assembly the Chancellor of the Exchequer had announced a measure which the Assembly feared would have a detrimental effect on the Church's mission and witness. Following joint pressure from a number of charitable groups and philanthropists, the UK Government later dropped this proposal.

32. Recommend that congregations reflect on their ability, from their own resources and in conversation with local schools, to provide additional support for literacy.	Representatives of the Council and the Church's Education Committee met with Sir Harry Burns, the Chief Medical Officer for Scotland, who chairs the Literacy Commission, in November.  A further report of this work can be found below in section 11.
33. Instruct the Church and Society Council to engage with the Standing Commission on Literacy in order to explore the concerns that have been raised in this report.	
34. Instruct the Standing Committee on Education to continue to develop its work on removing barriers to literacy, particularly in relation to the issue of Early Years Education.	
35. Instruct the Council to include in their conversations with the Scottish Government the issues of budgeting, specifically regarding Local Authority education funding.	Representatives from the Church's Education Committee meet regularly with Scottish Government ministers and officials, as well as education spokespeople for all the political parties with representation at Holyrood. This concern is the Committee's priority at this time of cuts. A more detailed report of these meetings can be found below at paragraph 11.5.
36. Commend Scottish Clergy against Nuclear Arms (SCANA) on the successful Easter Witness for Peace, held at Faslane on Saturday 31 March 2012, and encourage members of congregations to attend the similar event to be held at 12 noon on Saturday 23 March 2013.	At the time of writing, the Faslane Easter Witness is still to take place, but the Council has plans to publicise the event, participate in and celebrate the importance of the symbolism of acting and praying for peace at the place where the weapons are housed. The Church of Scotland will join with other faith groups to read statements outlining their opposition to nuclear weapons. A report on further action on nuclear disarmament can be found below at paragraph 12.2.
37. Instruct the Church & Society Council to continue to explore options and opportunities to develop action on the disarmament of nuclear weapons.	
38. Instruct the Church & Society Council to report on progress to the General Assembly in 2013.	

39. Continue to affirm the urgent need for a just and lasting peace, ensuring dignity and security for all the people of Israel and Palestine.	Violence in and around Gaza in November 2012 once again brought this troubled region to the top of our thoughts.
40. Express grave concern about the deteriorating humanitarian situation in Gaza, with its unacceptable, avoidable and potentially disastrous consequences.	During the last year the Convener has met the Israeli Ambassador to Britain on two occasions, looking for a way to provide a constructive alternative to the current situation. The Council Secretary and Convener have recently visited Israel and the Occupied Palestinian Territories with the World Mission Council and Christian Aid.
41. Instruct the Council in co-operation with the World Mission Council and UK ecumenical partners to approach the UK Government to take further initiatives to encourage fuller co-operation by both the Palestinian authorities and the Israeli Government to end the inhumane blockade of Gaza and related violence.	This year we present a new report <i>The inheritance of Abraham? A report on the 'promised land'</i> which can be found below at section 13.
42. Affirm with deep appreciation, and encourage all those groups in Israel and Palestine who are working in hope, within and across their communities, for peace and justice, dignity and security, in complex and dangerous situations.	We were reminded of the dangers in the autumn of 2012 Dr Suhila Sahra, Director of the Al-Ahli Anglican hospital in Gaza narrowly escaped death when her home was bombed in an Israeli airstrike. Dr Sahra is a friend of the Church of Scotland and her story reminds us all of the perilous situation that people there face.
43. Commend the work of Sunbula and Hadeel and instruct the Church and Society and World Mission Councils to work with other Councils and Agencies of the Church and sister churches in Great Britain and Ireland to find ways to further promote their work.	We are pleased to note that the Hadeel shop in Edinburgh has moved into the Church Offices at 123 George Street.  The work of these projects has been shared through the Church and Public Issues Network of Churches Together in Britain and Ireland.
44. Encourage individuals and congregations to consider the actions set out in the 2011 General Assembly report from the World Mission Council: to Invest in Peace through our prayers, giving, reading, joining, writing, meeting and watching, and to use the resources available on the Church of Scotland website for suggestions of things to do over the coming year.	Congregations are especially encouraged to think about peace in Israel and Palestine and what they can do during the World Council of Churches' World Week of Prayer for Peace in Palestine and Israel ( <a href="http://www.oikoumene.org/?id=3627">www.oikoumene.org/?id=3627</a> ). In 2013 the World week of Prayer for Peace is from 22-28 September. Prayer cards are available from Church and Society (call 0131 225 5722) at the Church Offices or by emailing <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>

<p>45. Encourage congregations to engage with the Gaza report and the issues it raises and to that end instruct the Church and Society Council to develop appropriate resources, particularly in relation to action that congregations can take and supporting prayers.</p>	<p>The Council is in conversation with ecumenical partners and the World Mission Council about producing a series of study sessions reflecting on the situation in Israel, Gaza and the Occupied Palestinian Territories, with a hope this will be published in the summer of 2013. For copies or to register your interest call the Church Offices 0131 225 5722 and ask for Church and Society or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>.</p>
<p>46. Instruct the Church and Society and World Mission Councils to provide resources for groups or individuals planning to visit Israel or the occupied Palestinian territories, and encourage their use. (Resources will include briefing materials, speakers for preparatory events, and potential contacts for visits to churches, human rights and peace groups in the occupied Palestinian territories and Israel).</p>	<p>Information and ideas have been prepared and are presented on a webpage on the Church of Scotland website. <a href="http://www.churchofscotland.org.uk">www.churchofscotland.org.uk</a></p>
<p>47. Note the report of the Church and Society Council and the Assembly Arrangements Committee and concur with its conclusions about indicative voting for Youth Representatives.</p>	<p>This issue is now being taken forward by the Mission and Discipleship Council.</p>
<p>50. Instruct the Council to send copies of this Report with the Deliverances and where appropriate additional background papers to appropriate Scottish and UK Government Ministers, Members of the Scottish Parliament, Members of Parliament representing Scottish constituencies, Members of the European Parliament representing Scotland, and others involved in the issues addressed by the Report.</p>	<p>Correspondence to a wide range of elected representatives, officials and leaders of civil society organisations and charities were sent. A number of fruitful meetings arose from the letters, including with Cabinet Ministers.</p>

### 3.2 Deliverances from the Special Commission on the Purposes of Economic Activity 2012

2012 Deliverance	Activity and Outcome
<p>2. Endorse the Commission's four priorities for economic life in Scotland: reducing inequality, ending poverty, ensuring sustainability and promoting mutuality, and call on all political parties in Scotland and the UK to accept and endorse these priorities.</p>	<p>A report on actions to follow up on last year's report on the purposes of economic activity can be found below at section 7.</p>

<p>3. Note with concern that the generally accepted measurement of economic growth, Gross Domestic Product (GDP), takes no account of the four priorities for economic life in Scotland set out in section (2) and, accordingly, instruct the Church and Society Council to engage with the UK and Scottish Governments, Scottish civic society and others involved in the measurement of economic growth to develop alternative indices of GDP that embraces the four priorities for economic life in Scotland.</p>	<p>We have exchanged views with Oxfam, who in Scotland have developed a new Humankind Index. We have also corresponded with UK and Scottish Government Ministers and the UK Office of National Statistics which has a National Well-being Programme.</p>
<p>4. Affirm and encourage the holistic approach of the Church to teaching and preaching on money, which is based on the scriptural emphasis which condemns selfishness and greed and requires generosity, sharing and a bias to the poor; and urge action in line with this teaching and preaching by individual Christians and the Church as a Gospel witness to encourage this ethos among all the people of Scotland.</p>	<p>The Council has produced a series of discussion starter resources for use by individuals on consumerism, fair trade, credit unions and congregational responses to poverty. These are available through the Church and Society department (call the Church Offices and ask for Church and Society 0131 225 5722 or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>).</p> <p>We provide speakers to lead discussions and workshops for church groups and Presbytery meetings on these issues, and are exploring new opportunities to stimulate discussion and debate in local churches.</p>
<p>5. Call on the Church of Scotland to change, in the light of the clear teaching of Scripture, our own priorities in preaching, teaching and action with respect to money, greed and inequalities, as a Gospel witness and to encourage such change among all the people of Scotland.</p>	
<p>6. Call on the Westminster and Holyrood governments to pursue policies which reduce injurious levels of personal debt.</p>	<p>We wrote to UK and Scottish Government Ministers and had follow up meetings with MPs and MSPs, including John Swinney MSP, Cabinet Secretary for Finance, Employment and Sustainable Growth.</p>
<p>7. Call on the UK Government to introduce a legally binding maximum interest rate for all kinds of consumer credit, to be set initially at an APR of 40%.</p>	<p>We have worked with UK colleagues in partner churches and others, including Stella Creasy, MP for Walthamstow, in support of her campaign to tackle high interest rates for consumer credit. We continue to look for opportunities to engage to influence debate around financial services legislation.</p>

<p>8. Call on the UK and Scottish governments to promote financial education in schools and colleges as a priority.</p>	<p>John Swinney MSP, Cabinet Secretary for Finance, Employment and Sustainable Growth wrote to us about the work that the Scottish Government was doing, and we raised this issue with Mr Swinney when representatives of the Council met with him in the autumn. A copy of this letter can be found on our website at <a href="http://www.churchofscotland.org.uk/speak_out/poverty_and_economics">http://www.churchofscotland.org.uk/speak_out/poverty_and_economics</a>. We met the Cabinet Secretary for Education and Lifelong Learning, Michael Russell MSP, in January and discussed this need with him.</p>
<p>9. Call on the Westminster and Holyrood governments to direct additional resources to promoting and expanding the Credit Union movement and to continue support for the Scottish Illegal Money Lending Project work against loan sharks.</p>	<p>We wrote to the responsible ministers in the Scottish Government and UK Government. We received replies from John Swinney MSP, Cabinet Secretary for Finance, Employment and Sustainable Growth and the Chief Secretary to the Treasury, Danny Alexander MP, both of which can be found on our website at <a href="http://www.churchofscotland.org.uk/speak_out/poverty_and_economics">http://www.churchofscotland.org.uk/speak_out/poverty_and_economics</a>.</p>
<p>11. Instruct the Church and Society Council, in its discussions with MPs and representatives of the UK government, to encourage UK government support for greater international tax transparency at the EU, G20, OECD and other relevant decision-making bodies, specifically including the disclosure of profits made and taxes paid in each country in which they operate, as well as the automatic exchange of information between tax jurisdictions on a global level, and further to urge the ending the UK's support for tax havens.</p>	<p>Representatives from the Council spoke with MPs and UK Government Ministers during the annual Westminster Visit which took place in early December. We are pleased to note that, after several years of work by campaigners, that issues of tax and fairness have now become a mainstream issue for political and media debate, whether this is about tax dodging by multinationals, or the inspirational work of Christian Aid and Church Action on Poverty during their Tax Justice Bus Tour last autumn.</p>
<p>12. Commend the work of the Church and Society Council Responding to the Climate Change Project and of Eco-Congregations Scotland, and encourage all parts of the Church, by supporting these, to play a major part in the implementation of the Climate Change (Scotland) Act 2009.</p>	<p>The Responding to Climate Change Project continues its work and a detailed report can be found below at section 5.</p>

<p>13. Commend the UK Government for its commitment to implementing its manifesto promise to increase the international aid budget to the UN target of 0.7% of Gross National Income (GNI) by 2013, and the Scottish Government for its maintenance of its International Development Fund at £9 million.</p>	<p>We communicated our strong appreciation to the UK Government for making this commitment and celebrate that this year the UK is finally meeting this important aid target. We have had meetings with officials from the Department for International Development, and are encouraging them to consider improvements to the quality as well as the quantity of aid.</p>
<p>14. Instruct the Church and Society Council to request the Church of Scotland Investment Trust to ask any multinational companies in which the Church's funds are invested to support greater international tax transparency, specifically including the disclosure of profits made and taxes paid in each country in which they operate.</p>	<p>The Council and members of the Special Commission have had initial meetings with members of the Investment Trust. Further discussions will take place to take the position forward.</p>
<p>15. Instruct all committees and agencies of the Church to ask the companies from which it procures goods and services over the value of £100,000 in any year to disclose the extent to which they use tax havens to minimise the taxes they pay, and if there are such arrangements, encourage such companies to avoid using tax havens in future and implement a code of conduct on business taxation which defines the practices and behaviours the firm will and will not undertake.</p>	<p>During the course of the last year, an internal working group has been drawing up a procurement policy for the Church of Scotland. A wide range of issues were considered in the drawing up of this policy which was approved by the Council of Assembly.</p>
<p>16. Support the reduction of levels of inequality in wealth within the UK from the current 7.2 on the OECD's 20:20 scale to 6 by 2025 and to 4 by 2040.</p>	<p>We organised a major national conference in November, which included a contribution from Prof Richard Wilkinson, co-author of the book <i>The Spirit Level: Why more equal societies almost always do better</i>. This research has stimulated an international debate about socio-economic equality and the benefits for all levels of society where there is less disparity in wealth.</p>
<p>17. Encourage business to recognise the corrosive effects on business ethics of the current unhealthy dependence on the "bonus culture", and to return to more traditional forms of remuneration for work undertaken.</p>	<p>We engage with the Ecumenical Council for Corporate Responsibility (<a href="http://www.eccr.org.uk">www.eccr.org.uk</a>), of which the Church of Scotland is a member. We remain vigilant for opportunities to intervene in the public debate when issues relating to this topic arise.</p>

<p>18. Support the growing of the 'mutual' and co-operative sectors of the Scottish economy towards 10% of the total and call on the Scottish and UK Governments to introduce immediate fiscal incentives to promote this.</p>	<p>We wrote to the responsible ministers in the Scottish Government and UK Government. We received replies from John Swinney MSP, Cabinet Secretary for Finance, Employment and Sustainable Growth and the UK Chief Secretary to the Treasury, Danny Alexander MP, both of which can be found on our website at <a href="http://www.churchofscotland.org.uk/speak_out/poverty_and_economics">http://www.churchofscotland.org.uk/speak_out/poverty_and_economics</a>.</p>
<p>19. Support the promotion of business models which emphasise positive social impacts and commend to the Scottish and UK governments the role of Socially Responsible Investment indices (for example, FTSE4Good) as a way of measuring progress in this regard.</p>	<p>We are exploring the possibility of working with the Scottish Government to establish more prison visitors centres for friends and families of offenders in detention. The costs of building and running this service would be met by a socially responsible investor contributing to a common good; there may be a small financial reward but a large social reward. Further information about this can be found below at paragraph 8.4</p>
<p>20. Note with concern the links between deprivation and health, and in particular support the Commission's recommendations on minimum pricing for alcohol, calling on political parties in Scotland and the UK to unite in support of this major public health priority.</p>	<p>We commended the Scottish Parliament for its support for a minimum price per unit in Scotland, and are pleased to note that the UK Government is also preparing to legislate for a unit price south of the border. We are liaising with UK ecumenical colleagues to try to ensure that the legislation in England and Wales at least matches the price set in Scotland (50 pence per unit).</p>
<p>21. Encourage all congregations actively to promote support for families with young children in practical ways such as providing premises for early years and family activities, providing more intergenerational activities, working with local communities and organisations to promote and support parenting.</p>	<p>The Council has produced a series of discussion starter resources on economic issues, including one on 'congregational responses to poverty', an issue facing many families. These are available through the Church and Society department (call the Church Offices and ask for Church and Society 0131 225 5722 or email <a href="mailto:churchandsociety@cofscotland.org.uk">churchandsociety@cofscotland.org.uk</a>).</p>
<p>22. Instruct the Church and Society Council to prepare and make available by November 2012 study materials for local congregations on the Report of the Special Commission on the Purposes of Economic Activity, with the goal of helping better understanding of the purposes, functioning, and the values of the economy and how it affects the daily lives of the people.</p>	<p>The Council regrets to report that, because of a key member of staff leaving the department in the summer, it was not possible to complete these resources by the deadline set. We are committed to ensuring that these are produced, and are in dialogue with Churches Together in Britain and Ireland about using this theme to prepare materials which would be used as their Lent Course in 2014.</p>

23. Note with concern the effects of current low interest rates on savers, and instruct the Church and Society Council to request that the Treasury investigate enhanced tax-free savings schemes, to encourage thrift and to provide assistance to those who require savings to supplement their income.	In correspondence with the Exchequer Secretary to the Treasury the UK Government outlined a series of measures they had taken to help savers through tax-free allowances. A copy of the letter from David Gauke MP is available on our website at <a href="http://www.churchofscotland.org.uk/speak_out/poverty_and_economics">http://www.churchofscotland.org.uk/speak_out/poverty_and_economics</a> .
24. Urge the Office of Fair Trading, the Competition Commission and the UK Government to investigate the provision of banking services to small and medium business enterprises in Scotland.	We wrote to the OFT, the Competition Commission and the UK Department for Business, Innovation and Skills. We submitted evidence to the Parliamentary Commission on Banking Standards, our response can be found on the website of the Scottish Churches Parliamentary Office <a href="http://www.actsparl.org">www.actsparl.org</a> .

### 3.3 Deliverances from other Councils and Committees which relate to the work of the Church and Society Council.

<b>MINISTRIES COUNCIL</b> 14. Instruct the Council, in conjunction with the Church and Society Council and the General Trustees, to look into the issue of ministers living in fuel poverty and bring recommendations to address this to the General Assembly in 2013.	We are pleased to have worked with the Ministries Council on this issue and the report and recommendations can be found in their section of the Blue Book.
<b>MISSION AND DISCIPLESHIP COUNCIL</b> 11. Invite the Council to facilitate further discussion and examination of the issues involved in developing the work on young people becoming more meaningfully involved in the decision making processes of the Church; such discussions should involve representatives of the Council of Assembly, the Church and Society Council, Legal Questions Committee, the General Assembly Arrangements Committee, as well as the Moderator of the Youth Assembly and an elected General Assembly Youth Representative, and report to the General Assembly in 2013.	The Church and Society Council are pleased to have been asked to contribute to the conversation and look forward to continuing to be involved in the development of this work.
<b>WORLD MISSION COUNCIL</b> 19. Instruct the World Mission Council and the Church and Society Council to engage with the Pakistan Consuls General in Scotland and the UK on these issues.	Meetings have been held between representatives of the Church of Scotland and the Government of Pakistan where the issue of the Blasphemy Law was raised. These were with the High Commissioner, the Consul-General in Scotland and the Governor of Sind Province.

#### **4. Local Involvement: Presbytery and Parish Action, Communication and Campaigns**

**4.1** Our voice on national, political and ethical issues is strongest when it is rooted in the experience of the church community and the parishes it serves. Churches across Scotland are serving, worshipping, acting and praying for justice and peace. This community wide experience enables us to speak authentically in the public square, and to be taken seriously by politicians and influence-shapers. Putting our theology and faith into practical action and speaking out for the most marginalised and vulnerable is at the heart of what we do.

**4.2** We continue to develop our methods of communication, to let the whole church know what we are doing and saying, and to listen to the mood of the church at a local level.

##### **4.3 Sally's Blog**

**4.3.1** Sally Foster-Fulton, in her capacity as Convener of the Church and Society Council, writes an official Church and Society blog on issues which fall within our remit. This can be found on the Church of Scotland website (under the 'Blogs' tab) and at [http://cos-vps01.squiz.co.uk/blogs/church\\_and\\_society/](http://cos-vps01.squiz.co.uk/blogs/church_and_society/)

**4.3.2** The blog covers issues relating to poverty, peace, science, education and more. There is also a comment function, allowing visitors to the site to interact and to share their opinions.

**4.3.3** We would love it if local church and presbytery websites wanted to link to the blog to see what we are saying on behalf of the Church on current affairs, and for church members who use Facebook, Twitter or other social media networks, to share interesting articles with their contacts as they appear.

##### **4.4 Church and Society E-News**

**4.4.1** Our free monthly email bulletin is available for subscription by contacting the Church and Society Local Involvement Officer (email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk) tel. 0131 240 2276). This publication lists issues, events and resources which relate to our work. It also

contains a longer article exploring a current issue in more depth and is ideal for reproducing in a parish magazine or on a website. We are happy to hear from local churches and from Presbyteries about any Church and Society related initiatives they have which they would like us to promote.

##### **4.5 Church and Society Congregational Contacts**

**4.5.1** Every Church of Scotland congregation has been invited to fill the post of Church and Society contact, to receive the E-News and to share this as appropriate. We are pleased that a growing number of churches now have a contact person. To find out more about this role please contact the Church and Society office (email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk) tel. 0131 240 2276).

##### **4.6 Out and About**

**4.6.1** Church and Society Council members and staff welcome the opportunity to visit congregations and presbyteries to discuss any of the issues we work on. In 2012 the Council explored the length and breadth of Scotland by running events all over the country. Staff and Council members spoke about their areas of speciality and interest to church groups, participated in training for Ordained Local Ministers, Readers and Auxiliary Ministers and put on events in conjunction with the Presbyteries of West Lothian, Ayr, Hamilton, Dundee and Shetland, and will be in Caithness in June. If a church or Presbytery would like a workshop, presentation or conference on Church and Society issues, or to include our work in other events that are being held, information is available in the Church and Society leaflet 'Let's Do It' (copies can be obtained from the office), or alternatively please do get in touch with us to discuss what we might do together (email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk) tel. 0131 240 2276).

##### **4.7 Print and Broadcast Media**

**4.7.1** We work closely with the Communications Department to relate the views of the General Assembly on political and social affairs through the media. This has helped to support the Convener as she establishes herself as a national spokesperson for the Church on political and social issues and continues the good work of her predecessors.

## 4.8 Campaigns

**4.8.1** Today's public square is a marketplace of ideas and campaigns: it is a bustling, noisy, chaotic crowd of opinions. Getting the teachings of Jesus and the work of the Church heard in such a place is as big a challenge for us as it was for St Paul in the Athenian Agora. Being part of wider campaigns strengthens us in our work. In order to bring some degree of coherence and focus in our campaigning work, the Council has adopted a new classification for the status of its relationship with various current campaigns:

- In sympathy with the campaign
  - The Church broadly shares the campaign's objectives and ways of working.
- In association with the campaign
  - The Church shares the campaign's objectives and agrees that its name and logo can be used in publicity.
- A member of the campaign
  - The Church is in full membership of the campaign and is active in promoting its aims, involved in developing its strategy and in implementing activities. This may have financial or resource **implications for the Council.**

**4.8.2** Details of the political and social campaigns the Church supports will now be **reported annually to the General Assembly.**

**4.8.3** The Council seeks confirmation from the General Assembly that it has the authority to sign up, on behalf of the Church of Scotland, to campaigns which fall within the remit of the Church and Society Council, provided there is existing General Assembly policy to support the broad aims of the campaign. Changes to this list of campaigns will be presented to the subsequent General Assembly.

**4.8.4 Political/social campaigns the Church of Scotland is a member of:**

- A Just Scotland  
Organised by the Scottish Trades Union Congress, this campaign aims to generate debate about justice and equality in the run up to the referendum on Scottish independence. [www.ajustscotland.org](http://www.ajustscotland.org)

- Enough food for everyone...iF  
A major joint campaign organised by large international aid agencies, this seeks to raise awareness and action on food and global hunger. [www.enoughfoodif.org](http://www.enoughfoodif.org)
- Scotland's For Peace  
A group of Scottish based organisations working to raise awareness of peace issues. [www.scotland4peace.org](http://www.scotland4peace.org)
- Scottish Living Wage Campaign  
A campaign organised by the Poverty Alliance seeking to introduce and implement a living wage for all workers in Scotland. [www.slw.povertyalliance.org](http://www.slw.povertyalliance.org)
- Stop Climate Chaos Scotland  
A coalition of organisations committed to working together to reduce greenhouse gas emissions. [www.stopclimatechaos.org/scotland](http://www.stopclimatechaos.org/scotland)
- The Future of Scotland  
A campaign supported by the Scottish Council of Voluntary Organisations to foster widespread debate and information sharing in the run up to the independence referendum. [www.futureofscotland.org](http://www.futureofscotland.org)
- Trace the Tax  
Christian Aid's call for tax transparency by introducing better accounting, known as country-by-country reporting for multinational businesses, meaning there would be more information about profits and tax paid in each jurisdiction. [www.christianaid.org.uk/actnow/trace-the-tax](http://www.christianaid.org.uk/actnow/trace-the-tax)

**4.8.5 Political / social campaigns the Church of Scotland is associated with:**

- Close the Gap  
A campaign from Church Action on Poverty in support of the living wage, tax transparency, fairer pricing and helping people in poverty to have their voices heard. [www.church-poverty.org.uk/closethegap](http://www.church-poverty.org.uk/closethegap)
- End Child Poverty Scotland  
Working to highlight the issue of child poverty and calling on society and the government to take action to tackle it. [www.endchildpoverty.org.uk](http://www.endchildpoverty.org.uk)

- **Robin Hood Tax**  
Calling for a tiny tax to be imposed on financial transactions to help pay for essential public services, climate adaptation and international development. [www.robinhoodtax.org.uk](http://www.robinhoodtax.org.uk)
- **Stop Destitution Now**  
Organised by the Scottish Refugee Council and Refugee Survival Trust, this campaign is calling for a change in policy to stop destitution among asylum seekers. [www.stopdestitution.org.uk](http://www.stopdestitution.org.uk)
- **White Ribbon Scotland**  
A campaign hosted by Amnesty International for men who are against violence against women. [www.whiteribbonscotland.org.uk](http://www.whiteribbonscotland.org.uk)
- **World Week of Prayer for Peace in Palestine and Israel**  
A World Council of Churches annual week of focus for Palestine and Israel. [www.oikoumene.org/?id=3627](http://www.oikoumene.org/?id=3627)
- **Crisis Action**  
We are a Network Member of Crisis Action, an international charity which focuses on conflict and human rights. [www.crisisaction.org](http://www.crisisaction.org)

#### **4.8.6 Political / social campaigns the Church of Scotland is in sympathy with:**

- **Asia Floor Wage**  
A campaign to improve the wages of garment workers in Asia, run by Labour Behind the Label. [www.asiafloorwage.org](http://www.asiafloorwage.org)
- **Campaign for a Fair Society**  
A manifesto for rights for disabled people, including a campaign against cuts, co-ordinated in Scotland by Values Into Action Scotland. [www.campaignforafairsociety.com](http://www.campaignforafairsociety.com)
- **Scottish Campaign for Welfare Reform**  
A coalition of organisations supported by Child Poverty Action Group, calling for changes to welfare policy, including devolving welfare and benefits responsibility to the Scottish Parliament. [www.cpag.org.uk/scotland/SCoWR](http://www.cpag.org.uk/scotland/SCoWR)

## **5. Responding to Climate Change**

**5.1** Reports presented to the UN Doha climate change conference in December 2012 point to the increasing concentration of greenhouse gases in the atmosphere. This is due primarily to the continued growth in global emissions of carbon dioxide, despite years of diplomacy (including the Kyoto Protocol and seventeen major UN climate change conferences), lobbying by scientists, churches and environment groups and a range of actions by governments and communities around the world. Despite all this effort the amount of carbon dioxide, the principal greenhouse gas by volume, has now reached over 390 parts per million (ppm) in the atmosphere, over 100ppm higher than in 1880. Every year the amount continues to increase by over two ppm.

**5.2** In 2012 there were a variety of reports of damage caused by extreme weather. In much of Britain it was exceptionally wet, with flood damage in many locations, and crop yields including the cereal harvest in the east of Scotland well down on recent years.

**5.3** In the United States one of the worst droughts ever recorded in the Midwestern states was followed by a tropical storm that caused damage in the eastern seaboard. The Governor of New York State, Andrew Cuomo said that 'superstorm' Sandy ran up a bill of \$42 billion in New York, causing more damage in financial terms than when Katrina hit New Orleans in 2005. In the Arctic in the summer of 2012 the icecap shrank to the smallest area ever recorded, less than 4.4 million square kilometres, a clear indicator of warming climate in the highest northern latitudes. The rate of change has surprised many observers and suggests that the Arctic sea will be clear of ice in summer months at some point in this century.

### **5.4 How do we respond: in desperation, denial or in love?**

**5.4.1** The rapid changes we are witnessing must give us pause for thought. How do we respond to climate change? Our responses tend to include a number of elements. These can include desperation, denial and action. We do not like to think about the first two but they are both apparent.

**5.4.2** Desperation frequently is in evidence. Many congregations and individuals are aware there is a problem but do not know what to do, or feel they can do nothing useful and hopelessness and apathy sets in.

**5.4.3** Denial is more complex and takes on a number of forms. There is outright denial of climate change, or refusal to acknowledge its causes. But there is also a more widespread and pervasive form of denial; that climate change is somebody else's problem or that there are more pressing matters. It is the fault of pollution from industry or the government, or the Chinese, or the Americans; and that technology will come to our rescue or the government should fix the problem.

**5.4.4** There is a better response, rooted in Christ's teaching that we have a duty to care for each other and the Old Testament injunction to care for the earth. The earth is not ours to do with as we see fit and is certainly not ours to abuse. Climate change represents a huge failure in our duty of care and working out in detail what this means can lead a congregation back to scripture to relearn the lessons of care and love for our neighbour including those still to come. This remains the foundation of our shared response to climate change.

**5.5.5** A range of resources are now available to support congregations and individuals in this hope-filled response:

- **Creation Time**, starting on the first Sunday of September is an opportunity to both celebrate the beauty of creation and to reflect on the task we face. In 2010 the General Assembly encouraged all congregations to take part in Creation Time and in 2012 new resources for worship were published on the 'Starters for Sunday' web page, seven services on the Genesis story of Creation and how God created heaven and earth. The resources remain available to download on the website of Eco-Congregation Scotland ([www.ecocongregationscotland.org](http://www.ecocongregationscotland.org)) and new materials are being prepared for Creation Time in 2013.
- **Eco-Congregation Scotland** is an ecumenical charity which helps congregations link environmental issues to their Christian faith and encouraging them to take practical action in their church and community. Churches can join the eco-congregation movement (more than 200 Church of Scotland churches are already eco-congregations), and the charity runs an award programme to recognise achievement and progress in taking forward steps towards caring for the earth. The charity celebrated the 100th Eco-Congregation Scotland award in 2012. Eco-Congregation Scotland has recently simplified the registration process, making it even easier to take part, and have introduced a mentoring system to support newly registered congregations. Visit [www.ecocongregationscotland.org](http://www.ecocongregationscotland.org) or call 0131 240 2274 for further information.
- **Political Action** has included participating in a Stop Climate Chaos lobby of the Scottish Parliament on 25 October 2012, one of the most successful lobbying events in the history of the Parliament. The purpose of the lobby was to demonstrate concern at the Scottish Government's failure to meet its own targets to reduce emissions of greenhouse gases. The Church and Society Council has also continued to raise concerns about the UK Government's Energy Bill, and the December 2012 decision to allow the development of fracking procedures to generate more gas for the energy market.
- **Energy management** is one of the most difficult challenges that churches face in terms of reducing carbon footprints. In 2009 the General Assembly set a target for a 5% year on year reduction of carbon emissions by churches. While some congregations have been very successful more have struggled to manage energy usage when faced with this challenge. A survey of manse carried out in conjunction with Ministries Council (and presented in more detail in their report to the 2013 General Assembly) identified that the average fuel bill for Church of Scotland manse is now

over £2000 a year, and for manses heated by oil it is more than £2,600. The financial burden this represents is growing but it also points to the carbon footprints associated with energy use in manses. Managing expenditure on energy and reducing carbon footprints go hand in hand and congregations are urged to examine, in partnership with the General Trustees and others how to put effective energy management into practice for all church buildings, including manses.

## 5.6 Rural affairs

**5.6.1** The Council has contributed to the work of the Scottish Churches Rural Group, particularly in relation to food and farming policy and on energy issues and land reform. The pattern of land ownership has been a longstanding concern of the Church with reports to the General Assembly in 1998 and 2002. The current Scottish Government review of land reform has been an opportunity to reassert these concerns, particularly in relation to the growth of new sources of energy in Scotland. Many people in rural communities complain that windfarms are being developed by large energy companies across rural Scotland with no direct benefit to local communities at a time when energy prices are rising and many communities are experiencing fuel poverty.

**5.6.2** It is a deplorable paradox of life in rural Scotland that the rapid growth of renewable energy is matched by a growth in fuel poverty. We are repeatedly reminded that Scotland has one of the best resources of renewable energy in Europe. The abundance of wind power, the availability of sites for small scale hydro or forest biomass, and the potential for tidal and wave energy together place Scotland in the forefront of the renewable energy revolution. At the same time rising fuel prices, particularly oil and the lack of piped gas, lower winter temperatures and lower rural incomes place rural communities at a disadvantage; so levels of rural fuel poverty are correspondingly higher. This is unacceptable and if landowners are gaining financial rewards from renewables

while a growing number of households are living in fuel poverty then the strong case for re-examining land reform to ensure the financial benefits of renewables are shared more equitably is strengthened further.

## 6. Science and Ethics

**6.1** The Society, Religion and Technology (SRT) Project ([www.srtp.org.uk](http://www.srtp.org.uk)) continues to play a valued role as it seeks to help the church in Scotland and beyond to engage with ethical issues in science. In addition to involvement in a number of reports to the 2013 General Assembly, the SRT has been busy on a number of other fronts:

- Science Festivals: the SRT organised a debate on neuroscience and freewill at the 2012 British Association Science Festival in Aberdeen. The debate, between Prof Barry Smith and Dr Alistair Coles was attended by over 200 people. A similar event, exploring issues around neuroscience and the law, was organised by the SRT Project as part of the 2013 Edinburgh International Science Festival. Prof Barry Smith and Iain G. Mitchell, QC, were the discussants on this occasion.
- Public engagement: in an event organised by the Ayrshire Science and Religion Forum, the SRT Project Policy Officer, Dr Murdo Macdonald, took part in a debate with Dr Imtiaz Shah, about personalised medicine. This well-attended event at Crosshouse University Hospital in Kilmarnock was a very useful opportunity for public engagement. It is hoped that other such events can be organised. If your church or Presbytery would be interested please contact the SRT Project at [srtp@srtp.org.uk](mailto:srtp@srtp.org.uk).
- Mind and Soul: arising out of the work of the General Assembly report on mental health issues, the SRT Project was involved in organising a conference on mental health issues in churches. This Edinburgh-based event, was attended by over 500 people from all over the country.

- **Presbyteries:** This year, through a consolidation of efforts to communicate with Presbyteries, we have raised the profile of the SRT Project, leading to the invitation to give an “order of the day” at a number of Presbyteries. We would welcome other similar opportunities.
- **Students:** Almost 10% of Church of Scotland ministers are listed on the church database as holding a BSc. We are encouraging them to take advantage of the resource which the SRT Project provides. The SRT Project has provided input into the curriculum of divinity students in Glasgow University. We are looking for the opportunities to raise the profile of the SRT Project, for example, through University chaplaincies having so far met with limited success.
- **Other organisations:** the SRT Project is an active member of the Scottish Consortium for Rural Research (SCRR), the British Association of Science Writers, and the Royal Society of Arts.
- **SRT Project newsletter:** This year we have revived the newsletter in an electronic form. If you would be interested in subscribing to this, please contact the SRT Project at [srtp@srtp.org.uk](mailto:srtp@srtp.org.uk).

## 7. A Right Relationship with Money

**7.1** The 2012 General Assembly received the report of the Special Commission on the Purposes of Economic Activity, *A Right Relationship with Money*, and agreed several Deliverances which instructed the Council to follow up on some of its recommendations.

### 7.2 The Living Wage

**7.2.1** In November 2012 the Scottish Living Wage was increased to £7.45 an hour. We are active participants in the work of the Scottish Living Wage Campaign, <http://slw.povertyalliance.org>, which is now gaining some traction in both the public and private sectors. This is to be welcomed but the journey still has some way to go to make sure those in employment have enough in their wage packet to do more than simply survive.

**7.2.2** The 2012 Assembly agreed the following deliverance: Instruct all Church of Scotland agencies and congregations to implement the living wage with all possible speed and in all cases by 2015 or have a plan in place by then with an agreed deadline.

**7.2.3** To aid congregations in the implementation of this instruction, a toolkit to support congregations in this process has been published on the Church of Scotland website: [www.churchofscotland.org.uk/speak\\_out/make\\_a\\_difference\\_locally/the\\_living\\_wage](http://www.churchofscotland.org.uk/speak_out/make_a_difference_locally/the_living_wage). The Toolkit includes a bible study to aid discussion and well as practical steps to implement the living wage at a local level. Parishes who have questions about the process of implementing the living wage by 2015 should also feel free to contact the Church and Society Council who will be able to offer advice (call 0131 225 5722 or email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk))

### 7.3 Payday Lending

**7.3.1** The Economics Commission report recommended that interest rates for consumer credit should be capped, as they are in France and in a number of the US states. There is certainly a need to seek to reduce these interest rates, which often run to thousands of per cent APR. The Council were delighted that the UK Government accepted the need to legislate in this area following debates in the House of Lords on the Financial Services Bill in December 2012, including representation by the then Archbishop of Canterbury-designate, Justin Welby. This would see powers being given to the new Financial Conduct Authority to investigate and the power to cap payday rates. Lord Sassoon, the then Commercial Secretary to the Treasury, said: “We need to ensure that the FCA grasps the nettle when it comes to pay-day lending and has specific powers to impose a cap on the cost of credit and to ensure that the loan cannot be rolled over indefinitely should it decide, having considered the evidence, that this is the right solution.”

## 7.4 Credit Unions

**7.4.1** Scottish credit unions have an opportunity to make a real contribution to the economy in many local communities. The church has buildings which are unused for much of the week in many communities. There are real opportunities for synergy which must be encouraged at the local level. In addition, there are opportunities to be involved at national level in encouraging the growth of credit unions. Further plans about the Church's engagement in this area of work can be found in the report of the Council of Assembly.

## 7.5 Tax Transparency

**7.5.1** Working with Christian Aid, we are highlighting the issues of tax dodging, and the devastating effect that it has on developing economies which least can afford it. Again, the issue of tax avoidance by multinational companies is one which has received media and political attention in the past few months supporting our concern.

**7.5.2** There have been other areas of work to take forward some of the other recommendations of the report of the Special Commission on the Purposes of Economic Activity:

- Encouraging ethical investment by the Church of Scotland
- Working through partnerships with organisations, such as Christians Against Poverty, which equip local churches to engage with those within their communities who are struggling with debt.

## 8. Societal Issues

**8.1** As the UK continues to struggle with the effects of economic recession and austerity in public spending, the Council has sought to maintain effective and appropriate interventions on social issues. Our work is framed by the Gospel priority to the poor, and it is through this lens that we approach societal issues which have an ethical and spiritual dimension.

**8.2** This year we are presenting to the General Assembly a report on the possible implications of independence for the Church has been prepared in response to a request from the 2011 General Assembly, which has been prepared in conjunction with the Legal Questions Committee and the Ecumenical Relations Committee.

## 8.3 Criminal Justice

**8.3.1** The Council continues to work with the Joint Faiths Advisory Board on Criminal Justice, and would like to place on record our thanks and appreciation to the Board's Convener, Rev Elaine MacRae, who is also a member of our Council. During the year the Board has made interventions on the Scottish Government's decision to abolish Visiting Committees and about the future of HMP Cornton Vale. Prisoners Week takes place each November, information is available at [www.prisonersweekscotland.org.uk](http://www.prisonersweekscotland.org.uk)

## 8.4 Prison visitor centres

**8.4.1** The potential of prison visitor centres is based on the evidence that offenders who maintain contact with their families are up to six times less likely to re-offend, and that visiting a family member in prison is often the most regular activity that otherwise dysfunctional or in-need families participate in. Prison visitor centres provide an opportunity for interventions beyond those that relate to re-offending but in doing so will also help break generational cycles of offending.

**8.4.2** We are excited to report a new opportunity in the area of prison visitor centres which has arisen out three strands of the Church's work:

1. Its exploration of a new economics and in particular the commitment to alternative investment, highlighted in the 2012 General Assembly report from the Special Commission on the Purposes of Economic Activity.

2. Its commitment to a redemptive and restorative approach to criminal justice, which has been shaped and developed by the inter faith and cross community work of the Joint Faiths Advisory Board on Criminal Justice.
3. Its experience through the work of CrossReach at Perth Prison's visitor support and advice centre ([www.crossreach.org.uk/perth-prison-visitors-support-advice-centre](http://www.crossreach.org.uk/perth-prison-visitors-support-advice-centre)), which offers a life-changing service and creates a space where inter-agency collaboration happens in a way that does not occur anywhere else, and that this role is widely recognised in particular by the Scottish Prison Service.

#### **8.4.3 We are exploring proposals related to the following areas:**

- With support from the Scottish Government, and in line with our principles around ethical investment, we are planning to explore how we might provide funding for developing visitor centres, each shaped by the context of the prison it is to serve, with a view to there being one in every prison in Scotland.
- Establishing a coalition of third sector organisations, including CrossReach, to provide strategic oversight in the delivery and running of the centres and acting as a voice for championing their work.
- Working with the Scottish Government in a Public Sector Partnership with a view to the Government taking over long-term funding of the centres.
- Being intentional about the Church taking a national strategic approach to prison visitor centres.

**8.4.4** Our exploration of work in this area has generated considerable interest and support, including from Her Majesty's Chief Inspector of Prisons. The Scottish Prison Service has undertaken to identify suitable venues for each prison. The Scottish Government has also expressed considerable support for the idea and have seconded a civil servant to the Church and Society Council for an initial period of six months to take this work forward.

## **8.5 Violence Against Women**

**8.5.1** The 2012 General Assembly agreed an Action Plan to tackle violence against women, and that this should be a focus for the whole Church. Every Council and Committee was instructed to identify three achievable goals that it could undertake which would address the issue of violence against women. As the Council responsible for the Action Plan, we have also established a small expert advisory group which can be a resource for the whole church in finding new and creative ways to address issues of violence against women.

**8.5.2** We are pleased to report that the Church and Society Council has completed, or is undertaken, the following actions to contribute towards our commitment to this area of work:

- The issue of violence against women and the actions the Council would take was debated at the November 2012 meeting of the Council.
- We have offered our support to Rhoda Grant MSP's proposals to criminalise the purchase of sex.
- We have produced online resources for congregations (available at [www.churchofscotland.org.uk/speak\\_out/social\\_issues/violence\\_against\\_women](http://www.churchofscotland.org.uk/speak_out/social_issues/violence_against_women)).
- We are offering policy advice and practical support to an advisory group to assist the whole church in how it is addressing violence against women.
- As requested by the General Assembly, as part of the Action Plan we have established an ecumenical working group (with the Scottish Episcopal Church) to look at the issues of helpful and harmful theologies in the context of violence against women; this group should report later this year and their recommendations brought to next year's General Assembly.

## **8.6 Human Trafficking**

**8.6.1** Over the past year the Church and Society Council has, together with the Church of Scotland Guild, been an active participant in the Anti-Human Trafficking Group of

ACTS (Action of Churches Together in Scotland). Our work has included helping to implement the Anti-Trafficking Action Plan which the General Assembly and other Scottish Churches approved last year.

**8.6.2** Resources are available at:

[http://www.churchofscotland.org.uk/speak\\_out/social\\_issues/human\\_trafficking](http://www.churchofscotland.org.uk/speak_out/social_issues/human_trafficking). The ACTS Anti-Trafficking Group can provide speakers to come to make presentations to local church and community groups. If you would like to arrange a visit, please contact ACTS (01259 216980) or the Church and Society Council 0131 225 5722, email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk).

**8.6.3** A Private Member's Bill in the House of Commons, introduced by Michael Connarty MP, the Transparency in UK Company Supply Chains (Eradication of Slavery) Bill received the backing of the Church of Scotland, and the personal interest and support of the Moderator, Rt Rev Albert O. Bogle (who is a constituent of Mr Connarty). Although this Bill did not succeed in becoming law, the issue it raised and the debate which the Government responded to did help to keep concerns around human trafficking at the forefront of political and media attention.

**8.7 Asylum**

**8.7.1** The Church of Scotland has been consistent in its support for the treatment of asylum seekers and refugees in Scotland and the UK, and there have been several reports over recent years from UK Churches about the theological and Biblical principles which guide our thinking; to love our neighbour as ourselves, to care for the orphan, the widow and those on the margins. It is with this context, and an increasingly muddled immigration and asylum system which treats applicants with suspicion rather than dignity that the Council, with the support and under the auspices of ACTS (Action of Churches Together in Scotland) has embarked on a new project to raise awareness and encourage action to support asylum seekers and refugees. As well as some of the brilliant

practical work which is being carried out in Church of Scotland congregations, particularly in Glasgow (the only city in Scotland where asylum seekers are 'dispersed' to), we have supported a political advocacy campaign against a system which forces asylum seekers into destitution. Based on research from Glasgow Caledonian University's Poverty Information Unit, the Stop Destitution campaign, run by the Refugee Survival Trust and the Scottish Refugee Council, [www.stopdestitution.org.uk](http://www.stopdestitution.org.uk), seeks to improve support, allow a right to employment and make the system easier to navigate. A petition was collected and presented to the Immigration Minister in the spring of 2013. The campaign highlights that for many asylum seekers, through no fault of their own, are left totally destitute, with no money, no accommodation, no right to work and no ability to be returned to their country of origin.

**9. Politics and Government**

**9.1 Scottish Churches Parliamentary Office**

**9.1.1** The Church of Scotland collaborates in the Scottish Churches Parliamentary Office (SCPO), an ecumenical project which serves 11 Scottish denominations. The two staff members of the SCPO are part of the Church of Scotland's Church and Society department, and are based in Hanover Street in central Edinburgh. The SCPO acts as a bridge, connecting church life and views to politicians and government in Holyrood and Westminster, and helping to explain political processes and important legislative issues to church communities. This year the SCPO became a teenager; it is 13 years since the establishment of the Scottish Parliament and this ecumenical endeavour which prioritises relationships and understanding in the devolved Parliament. With a referendum on Scottish independence less than 18 months away, the role of the SCPO in helping churches relate to this most fundamental of political questions has never been more important.

**9.1.2** In 2012 the SCPO has explored new ways for ecumenical discussion and shared policy-making by hosting topic-specific roundtable conversations. These events, which have usually focussed on an aspect relating to a significant government consultation or legislation (including proposals for alcohol-harm reduction, assisted suicide and criminalisation of the purchase of sex) have been open to the responsible individuals in all of the 11 denominations that the SCPO works with, for the exchange of views and ideas. On some occasions it has even been possible to agree a position or statement which more than one church has been able to use as a shared opinion.

**9.1.3** One other important development in the last year is that the SCPO has become a member of the Association for Scottish Public Affairs, the representative body for the public affairs sector in Scotland. Membership includes abiding by a code of conduct, which aims to reflect best practice and professional ethics.

## **9.2 Parliamentary Visits**

**9.2.1** Two of the key events in the year are the formal visits to Holyrood (by the Moderator of the Church of Scotland General Assembly), and Westminster (by the Convener of the Church and Society Council). Rt Rev Albert Bogle visited the Scottish Parliament in February, where he met MSPs and party leaders as well as leading the Parliament's Time for Reflection. Rev Sally Foster-Fulton took part in a series of meetings with MPs, Peers and representatives of the UK Government during her visit to London in December.

## **9.3 Parliamentary liaison and communication**

**9.3.1** The Scottish Churches Parliamentary Office continues to liaise with MSPs, MPs and their research staff. This year, contact has been made with politicians ahead of parliamentary debates on issues relating to alternative measures of wellbeing beyond GDP, gambling, consumer credit and tax justice; many of which directly follow

on from decisions from the General Assembly of 2012. The opportunity to share the work of the Church with parliamentarians is an important function of the SCPO, and staff members have been involved with securing MSPs' support for parliamentary motions commending aspects of the Church's work, at home and abroad. The Church has spoken out on a range of issues; including working with Christian Aid to promote tax justice, or with the Ecumenical Council for Corporate Responsibility on challenging the UK Government to take action to prevent human trafficking through regulating commercial supply chains. However, whilst there is a place for national-led political engagement, there is also an important role for individuals or congregations to keep in touch with local representatives. MPs and MSPs are there to serve their local communities – and so it is important that churches tell their representatives what is going on, and challenge them when there is a need to speak out. Good communication is a vital aspect of influencing political decision-makers, and the staff members of the SCPO are always available to give advice to people who are keen to engage with politicians on topical issues. The SCPO offer workshops on "how to lobby your MSP", and have recently updated materials which are available from the office ([info@actsparl.org](mailto:info@actsparl.org) telephone 0131 220 0246).

## **9.4 Index of consultation responses**

**9.4.1** Here is a list of all the responses made by the Church of Scotland to Government consultations and Parliamentary inquiries in the year from January to December 2012. Copies of the responses are available online at [www.actsparl.org](http://www.actsparl.org) under 'Official Responses'. (All responses were from the Church and Society Council, except where noted):

### **9.4.2 Scottish Government Consultations**

- Commission on Rural Education – Call for Evidence (January 2012)

- Mental Health Strategy for Scotland (January 2012) (NB two responses were submitted, one from Church and Society and one from the Social Care Council)
- Your Scotland – Your Referendum (May 2012)
- A Scotland for Children, a Consultation on the Children and Young People Bill (September 2012)
- National Confidential Forum (September 2012, Safeguarding Services)
- Consultation on the Proposed Community Empowerment and Renewal Bill: Directorate for Local Government and Communities (September 2012)

#### **9.4.3 Scottish Parliament Inquires**

- Welfare Reform – the committee wants to hear from you: Welfare Reform Committee (March 2012)
- Proposed Assisted Suicide (Scotland) Bill: Margo MacDonald MSP (April 2012)
- Social Care (Self-Directed Support) (Scotland) Bill: Health and Sport Committee (April 2012, Social Care Council)
- Shifting the Culture: Proposed Alcohol (Public Health and Criminal Justice) (Scotland) Bill: Richard Simpson MSP (June 2012)
- Scottish Civil Justice Council and Criminal Legal Assistance Bill: Justice Committee (July 2012)
- Proposed Lobbying Transparency (Scotland) Bill: Neil Findlay MSP (October 2012, Scottish Churches Parliamentary Office)
- Proposed Criminalisation of the Purchase of Sex (Scotland) Bill (2): A proposal for a Bill to make it an offence to purchase sex: Rhoda Grant MSP (December 2012)

#### **9.4.4 UK Government Consultations**

- Scotland's Constitutional Future: Scotland Office (March 2012)
- Introducing a Statutory Register of Lobbyists: Cabinet Office (March 2012, Scottish Churches Parliamentary Office)

#### **9.4.5 UK Parliament Inquiries**

- Referendum on separation for Scotland – Unanswered Questions: Scottish Affairs Select Committee (May 2012)
- Banking Standards Inquiry – Initial Questions: Parliamentary Commission on Banking Standards (August 2012)

#### **9.4.6 Other Organisations**

- Religious, Moral and Philosophical Studies: Scottish Qualifications Authority (March 2012, Education Committee)
- Commission on School Reform: Reform Scotland (July 2012, Education Committee)
- Consultation on the National Minimum Wage: Low Pay Commission (September 2012)
- Consultation on the revision of the Professional Standards: General Teaching Council for Scotland (October 2012, Education Committee)
- Medical Frontiers: Human Fertilisation and Embryology Authority (December 2012)

### **10. Scotland's Constitutional Future: A Referendum on Scottish Independence**

**10.1** On 15 October 2012 the UK Government and Scottish Government signed the Edinburgh Agreement which will see a referendum on Scottish Independence take place before the end of 2014, with one question on the ballot paper, overseen by the Electoral Commission, which will report to the Scottish Parliament. With a presence in every community in Scotland and a tradition of engaging in public debate around Scotland's constitution the Church of Scotland is well placed to challenge the official campaigns to listen to the voices of real people and communities. We are an established part of Scottish civic society and remain a member of the Future of Scotland Steering Group.

**10.2** Across civil society discussions are taking place about how to reclaim the conversation about the future

of Scotland from politicians and take this opportunity for individuals and communities to debate and visualise their aspirations for their communities. To achieve this goal requires strategic and collective action to demonstrate that we will not have our aspirations limited by the terms of a debate that are confined to a “yes / no” question. In this context the Scottish Churches Parliamentary Office will work with the Priority Areas Committee to enable robust debate to take place in our poorest communities and that the views of those communities are reflected in the Churches’ public statements.

**10.3** The Church and Society Council will participate with the So Say Scotland network of individuals and organisations with the mission to “support and promote participative and deliberation democracy throughout Scotland” in order to design and host citizens assemblies. There are international examples of the use of Citizens Assemblies which suggest that they may be an effective method of structuring public engagement in a conversation about the future of Scotland.

**10.4** The Church and Society Council have worked with a small number of congregations to develop and pilot a resource pack on hosting a community meeting on the future of Scotland. This pack will be available to all congregations in the summer of 2013.

**10.5** The Church of Scotland remains impartial regarding the question for or against independence at the forthcoming referendum, yet remains dedicated to social justice being foremost on that agenda

## **10.6 Referendum oversight and franchise**

**10.6.1** In 2012 there was much political and media discussion about the mechanics of the referendum.

**10.6.2** We support the principle that decision making should be devolved to the lowest level practically possible, and so it is our view it is right that the Scottish Parliament should be given the powers to legislate for a referendum,

as that will mean the decisions about process will be taken as closely to those involved as possible.

**10.6.3** We want a referendum that is run independent of any political body, especially one with a vested interest in a particular outcome. The Electoral Commission would seem to be the best example of a properly independent body that is already set up to run these aspects of the democratic process. We are pleased that the Scottish Government is committed to the Electoral Commission’s guidelines that state “that referendum questions should present the options, clearly, simply and neutrally”. We would welcome the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Co-operation in Europe (OSCE) as external monitors.

**10.6.4** Whilst the Church of Scotland has not taken a view of the detail of the specific processes involved in creating the legal context for a referendum on independence, it has reflected in the past on the first principles involved in managing the process of democracy:

- democratic processes should only be as complex as is necessary to achieve transparency and clarity of the issues
- all decisions should happen at the level closest to those affected that is reasonable to achieve good decision-making.

**10.6.5** We note that it is the intention of the Scottish Government to legislate for the franchise for this referendum to be extended to people aged 16 and 17, and that lowering the age of suffrage for all elections is the policy of the Scottish National Party. It is a position that is supported by the Scottish Youth Parliament and National Union of Students in Scotland. We believe that the General Assembly should debate the principle of lowering the voting age to 16 years old. The Council has not taken a position on the question but believes that the General Assembly should be offered the opportunity to express its mind.

## 11. Education

In 2012/13 the Standing Committee on Education (the Education Committee) approved a detailed work plan and system of scrutiny and review based on five objectives:

1. Improve the pupil and staff experience of Religious Observance in schools.
2. The provision of and improved access to new resources for the delivery of high quality Religious and Moral Education in Scottish schools.
3. Effective chaplaincy in schools and Further Education colleges.
4. Well informed and effective Church of Scotland Representatives on Local Authority Education Committees.
5. Consistent and effective engagement in public debate on the purpose and task of education in Scotland.

### 11.1 Improve the pupil and staff experience of Religious Observance in schools

**11.1.1** The Church of Scotland is recognised as being a national leader in delivering training in Religious Observance, thanks to the commitment of the Education Committee. We were able to liaise with the Scottish Government Minister for Learning, Science and Scotland's Languages Alasdair Allan MSP and Education Scotland to develop a national Strategy on Religious Observance.

**11.1.2** Recognised as a key stakeholder, the Church of Scotland is represented on a reference group established by Education Scotland to discuss findings of the 3-18 Curriculum Impact Review of Religious and Moral Education and Religious Observance. This review is being led by HM Inspectors of Education with a report to be published in September 2013. The Church of Scotland, through membership of the reference group, continues to keep well abreast of emerging messages from this scrutiny work.

**11.1.3** Other practical steps that the Education Committee has delivered have included:

- Running training events in Religious Observance in the Scottish Borders, Ayr, South Lanarkshire, North Lanarkshire and Glasgow. At the time of writing we are in negotiation with three more local authorities to put on similar events in other parts of Scotland. The training events involve school staff as well as chaplains, and have been put on either as stand-alone sessions or as part of training and development conferences for school chaplains.
- Continuing to support a Masters Module course at the University of Glasgow (in collaboration with Scripture Union Scotland).
- Fruitful discussions with the University of Edinburgh on the potential delivery of enhanced student teacher education on Religious Observance as part of the initial teacher education programme. We are hopeful that this opportunity might be taken up by other teacher education universities.
- The Stevenson Prize encourages and affirms good practice in Religious Observance. We congratulate the 2012 winners, Linwood High School (Renfrewshire) and East Park School (Glasgow), the names of the 2013 winners will be announced at the General Assembly.

### 11.2 The provision of and improved access to new resources for the delivery of high quality Religious and Moral Education in Scottish schools

**11.2.1** The Education Committee has supported the work to develop the website of the Religious Education Movement Scotland. This has a new focus on providing practical resources for teachers on Christianity in Scotland. The website address is: [www.remscotland.org.uk](http://www.remscotland.org.uk). This work has been funded by a grant from the Jerusalem Trust, and the project will continue to develop until this funding source ends in November 2013. There is a strategy in place to sustain the website beyond this date and the Education Committee is exploring further options to support this valuable resource.

**11.2.2** The Greyfriars Project, funded by a generous grant from Greyfriars Highland and Tollbooth Church in Edinburgh, is a complementary contribution to this work and will be completed on a similar timescale. Its focus is to tell the story of the community at Greyfriars as an example of how the life of the Christian Community has shaped Scotland as we know it today, and to provide appropriate learning and teaching materials for schools.

**11.2.3** We have produced Religious and Moral Education teaching materials on the 2012 General Assembly report on Sectarianism and the 2011 General Assembly report on One Scotland, Many Cultures. These are available on the Church of Scotland website as well as the Religious Education Movement Scotland website. The discussion starter leaflets on many other topics covered by the Church and Society Council have been uploaded to the Glow website (<https://blogs.glowscotland.org.uk/glowblogs/eslb/2012/02/24/church-of-scotland-leaflets-on-moral-and-ethical-issues/>) as further resources for schools.

**11.2.4** The Education Committee has contributed to the work of the Scottish Joint Committee on Religious and Moral Education, including the support in running of a conference for teachers in October 2012.

**11.2.5** The Moderator's Medal competition, first run in 2012, is a further opportunity for schools, youth groups and individuals to undertake a piece of creative work to develop reflection around faith and life in Scotland today. Last year's winners were:

- Gayatri Vijapurkar, Harrysmuir Primary School, Livingston (10-13 years)
- Morven Petrie, Carnwadric Church Sunday J-Team (14-15 years)
- Nathan Kish, Erin Kish, Lauren Cameron X:Cel Youth Group (16-18 years)

**11.2.6** The theme for the competition in 2013 is 'Inspirational Lives' to celebrate the 200 years since the birth of Dr David Livingstone. The 2013 prize winners will be announced at the General Assembly.

### **11.3 Effective chaplaincy in schools and Further Education colleges**

**11.3.1** Chaplaincy in Further Education (FE) institutions is a new and under-developed field. The Education Committee has worked with the Scottish Churches Education Group to develop support and training for FE Chaplains. The recent changes, mergers and cuts to FE colleges have added significantly to the pressures in this sector on students and staff alike, and the role of chaplaincy has become even more significant. City of Glasgow College hosted a conference for FE Chaplains in June 2012, which was addressed by the Minister for Community Safety and Legal Affairs Rosanna Cunningham MSP. The conference formed the basis for the development of a network of support for those playing this vital role. Similar events are being planned for the future.

**11.3.2** New partnerships with Local Authorities have seen conferences for school chaplains hosted by Scottish Borders, North Lanarkshire, Perth and Kinross and Orkney Councils. The participation of Local Authorities is evidence of the value given to the work of chaplains in schools right across Scotland.

**11.3.3** Thanks to collaboration between students and staff at Kilmarnock and Cumbernauld Colleges, a new website for FE and school chaplains has been set up (information at [www.churchofscotland.org.uk/speak\\_out/education](http://www.churchofscotland.org.uk/speak_out/education)). This provides general information for the public as well as a password protected section for training, resources and support. We hope that this will form a key part of support and development for chaplaincy in schools and FE colleges. The Education Committee is very grateful to the students and staff involved for taking this outstanding project forward.

**11.3.4** We are supporting Scripture Union's 'Serve Your Local School' initiative and have produced a toolkit for congregations interested in engaging with their local school to improve literacy, an important issue raised in the 2012 General Assembly report "Barriers to Literacy". [www.churchofscotland.org.uk/speak\\_out/education](http://www.churchofscotland.org.uk/speak_out/education)

#### **11.4 Well informed and effective Church of Scotland Representatives on Local Authority Education Committees**

**11.4.1** Local Elections in May 2012 was also the time when the Education Committee approved nominations of the Church of Scotland representatives who serve on Local Authority Committees that have responsibility for education. As there were several new Church of Scotland representatives, the Education Committee held a series of four local training events across Scotland, (Fife, West Lothian, Inverness and Glasgow) rather than one national conference as had been the case in recent years. By holding regional events, we increased attendance by Church representatives, reaching 22 of the 32 local authority areas, much higher than in the past when we have had just one national event. At these regional events we heard from those authorities how valued the Church representatives are by both officers and elected members.

**11.4.2** The Education Committee has published a new handbook for the Church representatives, which was edited by Graeme Donald, the Church of Scotland representative in the Scottish Borders and a member of the Education Committee, to whom the committee offers its grateful thanks. The Cabinet Secretary for Education and Lifelong Learning, Michael Russell MSP, contributed a foreword. We hope the handbook will be well received by the Church of Scotland representatives, as well as by council officers and elected members. Work has begun on drafting an ecumenical version of the handbook with a view to publishing the first edition in 2014 and reviewing in 2016 ready for the 2017 local authority elections

**11.4.3** Alongside the Church of Scotland representatives, two other people, nominated by the Roman Catholic Church and by other churches in a particular local authority, also serve on the council committee that deals with education. We estimate that these three Church Representatives hold the balance of power on 19 Local Authority Committees. In the context of difficult budget cuts they are in the front line of some very difficult decisions. We commend to the Assembly those who have taken on this role to serve society and to act as a representative of the Church. We note that there have been several voices raised in some local authorities about the role and status of the Church representatives, which is an issue which the Education Committee continues to consider carefully.

#### **11.5 Consistent and effective engagement in public debate on the purpose and task of education in Scotland**

**11.5.1** The Education Committee has met with spokespeople from the five political parties represented in the Scottish Parliament and with the Convention of Scottish Local Authorities, the General Teaching Council for Scotland, Education Scotland and the Scottish Government's Standing Commission on Literacy. The agenda for those meetings included:

- Our concern about cuts to education budgets in accordance with the Deliverance from the 2012 General Assembly.
- The need to prioritise preventative spending in tough times (where spending money on intervention now saves money in the long term on better social outcomes).
- The importance of the development of Religious and Moral Education and Religious Observance in Curriculum for Excellence, (including ensuring that Religious and Moral Education is taught by specialist teachers).
- Our work on Religious and Moral Education resources and Religious Observance training.
- The work of chaplains in schools and FE colleges.
- The work of Church Representatives on Local Authority Education Committees.

**11.5.2** All those we met responded positively to the Education Committee's agenda and work.

**11.5.3** For further information about any of the events, resources or ideas relating to the Church of Scotland's work with education, including chaplaincy, Religious Observance, Religious and Moral Education and local authority representatives, please contact the Church and Society Council at the church offices in Edinburgh, telephone 0131 225 5722 or email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk).

**11.5.4** The Committee has had a number of helpful meetings with Young Scot ([www.youngscot.org](http://www.youngscot.org)). Young Scot provide people aged 11-26 with a mixture of information, ideas and incentives to help them become confident, informed and active citizens. Our meetings have been held with a view to assist in developing resources and information on the theme of spiritual exploration and questioning through the Young Scot web portal. These resources aim to allow enquiring young people to begin such a journey to know more about what faith means and why others find it fulfilling, as well as providing opportunities for those who wish to engage with the deeper questions of meaning and living.

## **12. Peacemaking & International Affairs**

### **12.1 Syria**

**12.1.1** Once again our concern is drawn to the troubled region of the Middle East, particularly the civil war in Syria continuing to damage lives and livelihoods, and creating further uncertainty in the world. Although we may feel powerless, there are certain things that we can do to. First is education, in that by learning about a conflict we might better understand the context and mindset of those involved, in order that we might have empathy and act accordingly. We can act, by supporting charities and agencies working on the ground to help refugees, internally displaced persons and peace building

initiatives, and by writing to our Government and elected representatives to request that they do all that is within their influence to bring about peace. And we can pray, asking for comprehension at the damage that human beings can do to one another, and for wisdom to discern an outcome which includes reconciliation and justice.

**12.1.2** In October the Council was pleased to support 'A Gathering for Syria' in St Giles' Cathedral, Edinburgh. This event, supported by Edinburgh Inter Faith Association and City of Edinburgh Council, along with the Church's Ecumenical Relations Committee and World Mission Council, was an important event which symbolised the commitment of people in Scotland to peace in Syria. Journalists and politicians were part of an inter faith gathering, where stories and messages of hope were shared. In December the UK Government formally recognised the National Coalition of the Syrian Revolutionary and Opposition Forces as the sole legitimate representatives of the Syrian people. Our Convener wrote to the Foreign Secretary to ask that this recognition would not lead to a lifting of the UK arms embargo to Syria (correspondence can be read on the website: [http://www.churchofscotland.org.uk/speak\\_out/international\\_affairs\\_and\\_peacekeeping/international\\_issues](http://www.churchofscotland.org.uk/speak_out/international_affairs_and_peacekeeping/international_issues))

### **12.2 Nuclear Weapons**

**12.2.1** The 2012 General Assembly requested a report on the Council's work on nuclear disarmament. This has included:

- Convener met with UK Defence Minister Nick Harvey MP (June 2012) and Shadow UK Defence Minister Kevan Jones MP (February 2013).
- Convener met with representatives of Scottish Clergy Against Nuclear Arms (November 2012).
- Convener, Associate Secretary and Scottish Churches Parliamentary Officer raised the issue with Labour and SNP MPs during the annual visit to Westminster in December, in the context of the referendum debate.

- Agreed to develop work with the Joint Public Issues Team (Methodist Church, United Reformed Church and Baptist Union of Great Britain) and the Quakers, who share our policy and have expressed a desire to work closely together on related policy issues.
- Sharing publicity for and participating in the Faslane Easter Witness for Peace, held on 23 March 2013.
- A discussion starter leaflet on nuclear weapons is available from the Church Offices (call and ask for Church and Society on 0131 225 5722 or email [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk)), and speakers from the staff team or the Council are available and happy to talk to local groups.

### **12.3 Israel/Occupied Palestinian Territories**

**12.3.1** Our main international report this year reflects on questions relating to the Holy Land, and can be found below at paragraph 13.

**12.3.2** There are a number of other issues related to Israel and the Occupied Palestinian Territories which we need to report.

**12.3.3** Following our report last year on the humanitarian situation in Gaza, we regret to update the Assembly that there has been no real improvement. In November the Israeli Government launched Operation Pillar of Defence against Hamas rocket attacks from Gaza. The ensuing conflict saw six Israelis killed (two soldiers and four civilians) and, according to the UN Office for the Co-ordination of Humanitarian Affairs, 158 Palestinians died, 103 of whom were civilians.

**12.3.4** Also in November, the United Nations General Assembly supported an upgrading of Palestine to Observer Member at the UN. Israel responded by announcing a large expansion of settlements in the West Bank.

**12.3.5** The Moderator and our Convener had two meetings with Daniel Taub, the Israeli ambassador to the

UK. The Convener and Council Secretary visited Israel and the Occupied Palestinian Territories in February 2013.

**12.3.6** We note and are keen to encourage debate around the Iona Call 2012 ([www.iona.org.uk/news.php?id=313](http://www.iona.org.uk/news.php?id=313)), a response to Kairos Palestine.

**12.3.7** The question of the Church encouraging a boycott of goods and services from illegal Israeli settlements was considered by the General Assembly in 2011, but not voted on due to advice that a new anti-boycott law which was at the time being considered by the Knesset could severely damage the operations of the Church's business and mission in Israel and the Occupied Palestinian Territories (this would only be a boycott of illegal settlements, and not legitimate business located inside Israel). That law, which was duly passed, was challenged by Israeli human rights groups in Israel's Supreme Court, and at the time of writing is still being considered.

**12.3.8** We would also like to draw attention to a report published by Crisis Action, and supported by Christian Aid and others on the impact of illegal settlement products and what EU Governments can do to prevent their citizens from supporting the occupation. 'Trading Away Peace: How Europe helps sustain illegal Israeli settlements' can be read at: [http://www.christianaid.org.uk/Images/Trading%20Away%20Peace%20October%202012\\_tcm15-63607.pdf](http://www.christianaid.org.uk/Images/Trading%20Away%20Peace%20October%202012_tcm15-63607.pdf)

**12.3.9** We continue to commend international ecumenical initiatives to pray, educate and advocate for peace and justice in the Holy Land, including the World Week of Prayer for Peace and Palestine and Israel and a new monthly prayer vigil from the ACT Palestine Forum (<http://actpalestineforum.org/vigil>).

### **12.4 Partnerships: Christian Aid and Crisis Action**

**12.4.1** We have had a longstanding relationship with Christian Aid, which has continued to strengthen over

the year. The visit of Christian Aid and Church Action on Poverty's Tax Justice Bus Tour to Scotland in October helped to fire up communities and for many to make the connection between tax systems, justice and the important role this plays in the life and mission of the church. In December the Convener and Associate Secretary spent a day with World Mission colleagues at Christian Aid's head office in London, meeting senior staff members and those with responsibility for policy areas including economics, climate change and Israel/Occupied Palestinian Territories. We are grateful to Christian Aid who have prepared the report on Bolivia (section 14, below).

**12.4.2** During the year the Church of Scotland was invited to become a Network Member of Crisis Action, an international non-governmental organisation which aims to help avert conflicts, prevent human rights abuses and ensure governments fulfill their obligations to protect civilians. It often works behind the scenes to support a diverse range of partners who are concerned with tackling the immediate effects or long-term consequences of conflict. As well as publishing the report on Israeli Settlement trade referred to above, Crisis Action is responding to issues around the world, including Syria, Sudan/South Sudan, Israel/Occupied Palestinian Territories, Afghanistan, the Democratic Republic of Congo and the Lord's Resistance Army.

**12.4.3** The Council responded positively to the invitation. As a Network Member, we are kept more up to date with developing events and can be invited to associate ourselves with a particular campaign or publication.

**12.4.4** Our hope is that by working with specialist partners, such as Crisis Action and Christian Aid, we can continue to inform church members and the General Assembly of cutting edge policy development and to respond more appropriately to crises and events around the world.

## **12.5 Enough Food For Everyone If**

**12.5.1** In the autumn of 2012 the Church of Scotland was asked to join a coalition of organisations that were mobilising for a campaign year of action in 2013, to coincide with the UK Presidency of the G8. The last time the UK held the G8 chair, in 2005, a similar range of organisations came together to form **MAKEPOVERTYHISTORY**, and it was following in this tradition that 2013's campaign Enough Food For Everyone...IF was formed. Global hunger has been on the rise in recent years, as climate change affects agricultural yields and commodity prices fluctuate, leaving the poorest in an even more vulnerable situation. Despite progress towards the Millennium Development Goals, it is now estimated that one in eight people around the world go to bed hungry each night. At a time of austerity for our Governments in Scotland and the UK, public and political support for overseas development is waning. We congratulate the UK Government on achieving a long-standing ambition for the UK to reach its commitment of 0.7% of gross national income on overseas aid. However, it is becoming apparent that charity alone is not going to solve the problems of global hunger: a transformation of the systems is what is required.

**12.5.2** The Church and Society Council, the World Mission Council and Christian Aid have offered their wholehearted support to the campaign and strongly encourage congregations and individuals to find out more and get involved. The campaign website is: [www.enoughfoodif.org](http://www.enoughfoodif.org)

## **13. The Inheritance of Abraham? A report on the 'promised land'**

### **13.1 Preface**

**13.1.1** Since the publication of the General Assembly reports in April 2013, the Church and Society Council's report *The Inheritance of Abraham? A report on the 'promised land'* has been the subject of international controversy. Whilst no stranger to controversy, working

as we do on difficult issues at the interface of religion and politics, we have become aware that some of the language used in the report to describe attitudes and beliefs held by some members of the Christian and Jewish communities have caused worry and concern in parts of the Jewish community in Israel and beyond. This was never our intention. We can be robust in putting our point across, but in this instance we acknowledge that some of the words we have chosen may have been misunderstood, which created an anxiety in the Jewish community. It is in this light that we are happy to offer this clarification.

**13.1.2** The Church and Society Council welcomes dialogue with Scotland's and Britain's Jewish community for whom the land of Israel is understandably special and may be considered part of their self identity. Talking has helped increase both our faiths' understanding, and has underlined the importance for continued dialogue. This is not about Christianity taking one side and Judaism the other. Both our faiths have a widespread and diverse membership, with a wide range of views on theological as well as political matters. What can bring us together is our commitment to understanding and engagement, and our willingness to work together, and to keep on talking.

**13.1.3** The Council would also like to record its appreciation to the Council of Christians and Jews for facilitating and supporting this recent dialogue.

### **13.2 Context**

**13.2.1** The Church of Scotland has an historic presence in Israel. We work closely with partner organisations in Israel and the Occupied Palestinian Territory, including Jewish, Muslim and Christian groups. In recent years the General Assembly has received a number of reports on the political and humanitarian situation. In our Reformed Christian tradition there is a very strong connection between theology and ethics, belief and actions. Our understanding of politics, justice, peace and human relationships is deeply rooted in our faith tradition.

Paramount in this is scripture, the revealed word of God in the Bible. We also frequently explore the issue of hermeneutics – the rigorous scrutiny of a text to work out what it means and says to us today. The Church of Scotland frequently and passionately debates, internally and externally, what our belief and tradition mean in the world today. We have in the past acknowledged changes, such as the role of women in Church leadership. Debate is part and parcel of our way of being in the Church.

**13.2.2** In considering the report *The inheritance of Abraham? A report on the 'promised land'* we encourage readers, whether they are Commissioners to the General Assembly, members of the Church of Scotland or those around the world who wish to debate our views, to understand that our previous positions and reports on the political, humanitarian and theological issues on Israel and the Occupied Palestinian Territories are still valid and continue to form part of the Church's approach. For example, the 2003 report *Theology of Land and Covenant* is not negated or replaced by *The inheritance of Abraham?*. There may be tensions between the two – *The inheritance of Abraham* goes further than *Theology of Land and Covenant*. Some may say that the two are not compatible. We believe that over the intervening years a whole new range of conversations and developments warranted a fresh approach. We deliberately included a reference to *Theology of Land and Covenant* in the first sentence of *The Inheritance of Abraham?* to underline that this is not a new topic of conversation and that the insights of this report complement and grow out of the understanding reached in 2003.

**13.2.3** The key conclusions of this report are that the Church of Scotland does not agree with a premise that scripture offers any peoples a divine right to territory, and that the current situation in Israel and the Occupied Palestinian Territory is characterised by an inequality in power. These key points should be read in the light of what we already believe:

- That the country of Israel is a recognised State and has the right to exist in peace and security.
- That there should be a Palestinian State, recognised by the United Nations, that should have the right to exist in peace and security.
- We reject racism and religious hatred. We condemn anti-Semitism and Islamophobia. We support initiatives to make Scotland, and the Church of Scotland, a place of welcome and hospitality.
- We will always condemn acts of terrorism, violence and intimidation.
- We are committed to dialogue and conversation. We are particularly concerned to make sure that those who are on the margins and whose voices are rarely heard get the opportunity to be listened to. We specifically stand in solidarity with Christians who live in Israel and the Occupied Palestinian Territory.

**13.2.4** We have been reminded of some important issues in preparing for this Assembly, especially given that what is brought to the Assembly is also in the Public Square:

- How we talk about one another is important. We recognise that there is a range of opinions on politics and theology in Christianity, Judaism and in other faiths. We need to take care not to put labels on groups or inadvertently misrepresent diverse opinion.
- When we are discussing sensitive issues we should be careful how we define words and take care to unpack ideas fully, to avoid confusion or misunderstanding.

**13.2.5** The Church of Scotland is increasingly disappointed at the current situation in Israel and the Occupied Palestinian Territory. We are especially concerned at the recent actions of the Government of Israel in its support for settlements, for the construction of the security barrier or “the Wall” within Occupied Territory, for the blockade of Gaza and for the anti-boycott law. We assert our sincere belief that to be critical of the policies of the Israeli Government is a legitimate part of our witness and we strongly reject accusations of anti-Semitic bias.

We regularly engage with and critique policies of all Governments where we deem them to be contrary to our understanding of God’s wish for humanity.

### **13.3 Report: The Inheritance of Abraham? A report on the ‘promised land’**

**13.3.1** Ten years ago the General Assembly received the report *Theology of Land and Covenant*, from the Board of World Mission, Church and Nation Committee and the Panel on Doctrine ([www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0009/13230/Theology\\_of\\_Land\\_and\\_Covenant.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0009/13230/Theology_of_Land_and_Covenant.pdf)). This report concluded with encouragement for us to listen more to others, “enriched by new insights through continuing questions that need to be faced”. Since 2003, two new insights have been noted by the General Assembly: in 2007, in the report *What Hope for the Middle East?* ([http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0005/3776/middle\\_east\\_07.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0005/3776/middle_east_07.pdf)) the Church of Scotland responded to a declaration from Church leaders in Jerusalem, and endorsed their criticism of Christian Zionism and encouraged members of the Church of Scotland to reject it, and in 2009 Christians in the Holy Land came together and produced *Kairos Palestine: a moment of truth*, offered as a word of faith, hope and love from the heart of Palestinian suffering ([www.kairospalestine.ps](http://www.kairospalestine.ps)).

**13.3.2** With the co-operation and support of the World Mission Council, we present this report in 2013 as our latest reflection on the ‘questions that need to be faced’, as the political and humanitarian situation in the Holy Land continues to be a source of pain and concern for us all.

### **13.3.3 Land and the Bible: three different understandings**

The phrase “the land of Israel” has a range of understandings amongst Judaism, Christianity and Islam. Our knowledge and understanding of the world is rooted in scripture. However, we acknowledge that there can be diverse, and sometimes contradictory, interpretations of what scripture means. With regard to the Holy Land and the Bible, we outline three different understandings:

1. A territorial guarantee
2. A land held in trust
3. A land with a universal mission.

### 13.3.3.1 A territorial guarantee

**13.3.3.1.1 This idea presents scripture as making unconditional, literal promises referring to specific, identifiable territorial areas for the Israelites. Such texts as the following have been cited to support this view:**

- Genesis 12:7 “To your offspring I will give this land.” (All translations are from the New Revised Standard Version.)
- Genesis 13:15-17 “For all the land that you see I will give to you and to your offspring for ever. I will make your offspring like the dust of the earth ... walk through the length and the breadth of the land, for I will give it to you.”
- Genesis 15:18-21 “On that day the LORD made a covenant with Abram, saying, “To your descendants I give this land, from the river of Egypt to the great river, the river Euphrates...”
- Genesis 17:7-8 “I will establish my covenant between me and you, and your offspring after you ... for an everlasting covenant, to be God to you and to your offspring after you. And I will give ... the land where you are now an alien, all the land of Canaan, for a perpetual holding.”

**13.3.3.1.2** These verses contain the promise of God to give the land to Abraham and his descendants. There are no ‘so long as...’ or ‘until...’ clauses in them. Alone, they can be read to show that God promises the land to the Israelites unconditionally. This interpretation reflects some of the key aspects of contemporary Zionist positions.

**13.3.3.1.3** In the early 19th century, some influential Christians, encouraged by the mores of the colonial and imperial age which pervaded all aspects of life, including the Church of Scotland, led to the development of a political idea to create a new homeland for Jewish people in Palestine. It may well have been a Kirk minister, the Rev

Alexander Keith, who coined the phrase “a land without people, for a people without land.” This view of the land of Palestine was linked from the 1840s to a literalistic view of Hebrew Biblical prophecy being fulfilled and the widely held attitude that European colonialism meant that a land was ‘empty’ if western power and culture were not present. This attitude, repugnant to our thinking today and to that of many others of all three of the monotheistic faiths, was widely accepted. It was taken up by the 7th Earl of Shaftesbury’s evangelical circle with dreams of restoring the Jewish people to the Holy Land. This in turn led to the Balfour Declaration of 1917, when the British Government agreed to a policy of a Jewish homeland in Palestine.

**13.3.3.1.4** Interestingly, some Jewish leaders, like Ahad Ha’Am (active at the end of the 19th and the beginning of the 20th centuries) resisted this literalist view, and recognised the need for Zionist Jews moving to Palestine to treat the indigenous Palestinians with respect and good judgement.

### **Kairos Palestine (2.3.1):**

Our land is God’s land, as is the case with all countries in the world. It is holy inasmuch as God is present in it, for God alone is holy and sanctifier. It is the duty of those of us who live here, to respect the will of God for this land. It is our duty to liberate it from the evil of injustice and war. It is God’s land and therefore it must be a land of reconciliation, peace and love. This is indeed possible. God has put us here as two peoples, and God gives us the capacity, if we have the will, to live together and establish in it justice and peace, making it in reality God’s land: “The earth is the Lord’s and all that is in it, the world, and those who live in it” (Psalm 24:1).

**13.3.3.1.5** Naim Ateek<sup>1</sup> a contemporary Christian thinker in Israel has written that: “the sole ambition of Zionists,

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<sup>1</sup> Ateek is a former Canon of St George’s Anglican Cathedral in Jerusalem and head of the Sabeel Ecumenical Liberation Theology Centre.

Christians and Jews alike, has been the acquisition of the land for the Jewish people.” He characterises Christian Zionism as a movement: “that understands the modern state of Israel as the fulfilment of biblical prophecy and thus deserving of political, financial and religious support.”

**13.3.3.1.6** Politically powerful in the USA, Christian Zionism has enjoyed the backing of Presidents Reagan and Clinton, as well as tele-evangelists and novelists like Jerry Falwell and Hal Lindsay. Clarence Wagner is a representative voice. He sees the modern State of Israel as the fulfilment of God’s promise to Abraham, as well as the fulfilment of biblical prophets such as Ezekiel who spoke about ‘the barren mountains of Israel’ becoming fruitful and ‘the ruined towns’ being rebuilt as the people returned from Exile. The following extract is taken from his *12 Keys to Understanding Israel in the Bible*:<sup>2</sup>

“Truly, the return of the Jews from over a hundred nations of the world is a modern-day miracle. Large waves of immigrants began to come in the 1880s. Since those early days, the deserts have been reforested, the rocky fields made fertile, the swamps drained and planted, the ancient terraces rebuilt, and the ruined cities of old re-established. Israel is now a nation of over six million people, that is a food exporting nation, that boasts high levels of literacy, health, education and welfare, high technology and agricultural development... We, who believe the Bible is God’s Word and every promise of God will come to pass, must stand and support Israel’s right to its land. It is a Divine right. We cannot say on the one hand that we believe there is a God who has revealed His perfect will in His Holy Scriptures, and on the other hand, deny Israel its right to the land God promised her”

<sup>2</sup> *12 Keys to Understanding Israel in the Bible* by Clarence Wagner is published by *Bridges for Peace* (2003).

**13.3.3.1.7** This statement gives rise to questions and observations, among them:

- i) How do we understand biblical texts that tell us that occupation of a land must go hand in hand with obedience to God’s law and God’s concern for justice?
- ii) Did the prophets not warn that pursuit of power and wealth would lead to inequality, injustice and the loss of land, as it did in the Exile?
- iii) What land is being discussed? Is it the land of David and Solomon, or Judah, or the Northern Kingdom of Israel?<sup>3</sup>
- iv) Do any of the Hebrew Bible accounts really sanction future occupation of the land and the driving out of the people already there?
- v) Justice is a major theme in both the Hebrew Bible and the New Testament. For example “What does the Lord require of you but to do justice, and to love kindness and to walk humbly with your God?” (Micah 6:8) and “Strive first for the kingdom of God and his righteousness...” (Matthew 6:33). Are these not a challenge to the policies of the current Government of Israel?
- vi) How could Christians support the violation of human rights in the name of alleged divinely conferred exclusive rights to a specific area of land?

**13.3.3.1.8** This understanding of Scripture and contemporary social and political relations in Israel raises several issues. Those who hold to it, both Christian and Jewish, seem to ignore those texts which say that the occupation of the land must go hand in hand with obedience to God’s law and God’s concern for justice. Did the Hebrew Bible (The Christian Old Testament) really sanction future occupation of land which involved the displacement of some 750,000 people already living there, and the present injustices and humanitarian issues we see today?

<sup>3</sup> For instance, in the building of illegal settlements; the continuing policy of driving out of Palestinians from East Jerusalem; disregard of UN resolutions and violation of international law; and the daily provocation and humiliation of the Palestinian people.

### 13.3.3.2 A land held in trust

**13.3.3.2.1** A second still literalistic view is that the land is granted to God's chosen people as a gift, but that it is given conditionally to the Jewish people; on this understanding the land is God's, given in trust to be cared for and lived in according to God's instruction. Walter Brueggemann<sup>4</sup> says in *Reverberations of Faith*:<sup>5</sup>

"The great articulation of land theology in the Old Testament is found in the book of Deuteronomy. The importance of the collection of sermon addresses and commandments is to assert the non-negotiable conditions of land possession, conditions that are worked out in policy and public action but are understood theologically as the commandments of [Jehovah]. At the centre of the land-ethic is the 'year of release' in Deuteronomy 15:1-18 which provides cancelling debts among the poor in community so that they may participate viably and with dignity in public. The same legal provision is writ large in the provision of the jubilee year in Leviticus 25. These laws on the year of release and jubilee year have the intention of curbing an unfettered economy by subordinating economic transactions to the needs and requirements of the civic community... The covenantal tradition of Moses and the prophets knows that no community can hope to occupy land peaceably and justly unless the claim of the neighbour is honoured in the face of exploitative possibility. Israel's own sad experience is taken to attest to the truth of that advocacy."

**13.3.3.2.2** Munib Younan<sup>6</sup> has pointed to the widely accepted view of scholars that the idealised biblical

conquest narratives were put into their present form only centuries later, with the writers "intent on justifying their own status in the land on the basis of nationalistic perspectives." In his book *Witnessing for Peace: In Jerusalem*<sup>7</sup> and the World he urges us to read the Pentateuch in the light of the prophets. The land is a gift, not a right, and one which brings with it obligations, most particularly to practise justice and to dwell equitably with the stranger. The Presbyterian Church in Canada's 2012 General Assembly reached a similar conclusion: "For neither ancient nomadic peoples nor modern corporations is the land a free gift without the responsibility."<sup>8</sup>

**13.3.3.2.3** According to the Declaration of the Establishment of the State of Israel of 14 May 1948, the intention was to create a just society:

"The State of Israel will be open for Jewish immigration and for the ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure the complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations."

**13.3.3.2.4** This formal acceptance of the equality of all its citizens potentially created a tension from the start with some who held to an ethno-nationalist understanding of Zionism. This has, in some cases, led to the limiting of civil

<sup>4</sup> Brueggemann is a Christian scholar of the Hebrew Bible in the United States and a minister in the United Church of Christ.

<sup>5</sup> *Reverberations of Faith: A Theological Handbook of Old Testament Themes* by Walter Brueggemann is published by Westminster / John Knox Press (2002).

<sup>6</sup> Bishop of the Evangelical Lutheran Church in Jordan and the Holy Land.

<sup>7</sup> *Witnessing for Peace: In Jerusalem and the World* by Munib Younan is published by Augsburg Books (2003).

<sup>8</sup> (See the report of the International Affairs Committee, General Assembly 2012 Acts and Proceedings, page 275, [www.presbyterian.ca/download/aand](http://www.presbyterian.ca/download/aand)).

liberties, for example, in relation to land expropriation and the imposition of military government on Palestinians in Israel until 1966. Despite an independent judiciary, liberal-democratic values have been violated in immigration, citizenship, education, economics, and most of all in land policies.

**13.3.3.2.5** It has to be recognized that the enormity of the Holocaust has often reinforced the belief, at least in certain circles in the West, that Israel is entitled to the land unconditionally. There is guilt among Western Christianity about the centuries of anti-Semitism that led to discrimination against Jewish people, culminating in the total evil of the Holocaust.

**13.3.3.2.6** One contemporary commentator who faces these two issues is Mark Braverman, an American Jew who grew up sharing the beliefs of some in his community. In his book *Fatal Embrace*<sup>9</sup> he writes:

“As a Jew born into a religiously observant family in post-World War II America, I was raised in a potent combination of Rabbinic Judaism and political Zionism. I grew up immersed in the Zionist narrative of return to the Jewish homeland. I was taught that a miracle – born of heroism and bravery – had blessed my generation. The State of Israel was not a mere historical event – it was redemption from millennia of marginalisation, demonisation and murderous violence. The legacy of this history was a sense of separateness – a collective identity of brittle superiority for having survived, despite the effort ‘in every age’ – so reads the Passover liturgy – to eradicate us. The ideology and mythology of the birth of the State of Israel partook of this legacy of separateness, vulnerability and specialness. I embraced it.”

<sup>9</sup> *Fatal Embrace: Christians, Jews, and the Search for Peace in the Holy Land* by Mark Braverman is published by Synergy Books (2010).

**13.3.3.2.7** His attitude was radically changed by visiting Palestine in 2006 and seeing the reality, the range and the reach of the injustices on the ground and his horror that these were being done by the State of Israel which, at the time, he equated as therefore being done in his name. He is clear about the fact that Christian people have to repent of the wrongs done to the Jewish people, but this does not mean that the church cannot criticise the policies of the Israeli Government in the Occupied Palestinian Territory today: “Christian people must not sell out the Palestinian people because of repentance for the Holocaust, ‘sensitivity’ to Jewish feelings, and fear of being labelled anti-Semitic.” While we are firm in our condemnation of all forms of racial hatred, criticising the present policies of the State of Israel must not be confused with or equated to anti-Semitism.

**13.3.3.2.8** This view of the problem facing those wishing to speak out but fearing being seen as anti-Semitic is echoed in the words of Marc H Ellis, retired University Professor of Jewish Studies at Baylor University, where he was the Director of the Centre for Jewish Studies who said:

“It seems late in the Israel/Palestine political game – and it is late indeed – but **the mainstream Churches are breaking what I have called the interfaith ecumenical deal**. That deal is usually referred to as the interfaith ecumenical dialogue, the post-Holocaust place where Jews and Christians have mended their relationship. Israel was huge in this dialogue. Christians supported Israel as repentance for anti-Semitism and the Holocaust. Then as Israel became more controversial with their abuse of Palestinians, Christians remained silent. Non-support and, worse, criticism of Israeli policies, was seen by the Jewish dialoguers as backtracking to anti-Semitism. That’s where the dialogue became a deal: Silence on the Christian side brings no criticism of anti-Semitism from the Jewish side.”<sup>10</sup>

<sup>10</sup> (<http://mondoweiss.net/2012/11/exile-and-the-prophetic-the-interfaith-ecumenical-deal-is-dead.html>)

### 13.3.3.3 A land with a universal mission

We believe that an adequate Christian understanding of the 'promised land' must take into account two further points, in addition to the conditional nature of promises in the Hebrew Bible:

- i. There are different meanings attached to "land" in different contexts and in the theological and political agendas of the various authors of the Hebrew Bible.
- ii. The New Testament contains a radical re-interpretation of the concepts of "Israel", "temple", "Jerusalem", and "land".

#### 13.3.3.3.1 The Hebrew Bible

The boundaries of the land are described in different ways in different situations. Abraham's descendants, "numerous as the stars in the sky", will receive "all these lands", and through them "all nations on earth will be blessed" (Genesis 26:4). This suggests a more inclusive picture than "the land of Canaan" (Genesis 12:5) or even "from the river of Egypt to the great river, the Euphrates" (Genesis 15:18). The lack of detailed archaeological evidence supports the view that the range of scriptural material makes it inappropriate to try to use the Hebrew scripture to determine an area of land meant exclusively for the Jewish people.

The prophetic writings especially were developing a different understanding.<sup>11</sup> In Judges, Samuel and Kings, force is used to achieve Israel's goals. This is continued by the Maccabees in the 2nd century BCE and the Zealots in CE 1st century. That tradition implied a special, privileged position in relation to God. But the prophetic tradition stood against this. Narrative of the Babylonian captivity demonstrated that God was not confined to one land or concerned only for one people.

For Christians the book of Jonah is a key text for understanding the Hebrew Bible's promise of the land to

Abraham and his descendants. Written at a time when the people were turning inwards, the book presents Jonah as a nationalist to drive home the point: God's universal, inclusive love is for all. For Christians, God in Jonah is merciful, gracious, a liberator of the oppressed and sinful who looks for just living. The people of God even included the hated Assyrians. So to Christians, Jonah suggests a new theology of the land, because God was not confined within the land of Israel but extended his reach to include the land of Assyria. In saying this, we recognise that a Jewish theological interpretation of Jonah may not go as far as a Christian one, perhaps being more contextualised in time terms.

#### Kairos Palestine (2.3):

We believe that our land has a universal mission. In this universality, the meaning of the promises, of the land, of the election, of the people of God, open up to include all of humanity, starting from all the peoples of this land.

#### 13.3.3.3.2 New Testament

For Christians, the New Testament is even clearer about a process in the unfolding of God's purposes of good for humanity, Hebrews 1:1-2: "Long ago God spoke to our ancestors in many and various ways by the prophets, but in these last days he has spoken to us by a son whom he appointed heir to all things."

Previous experiences of land, including the peaceful returns from exile, were stages towards a wider future. This is the Christian understanding through our reading and interpretation of the New Testament. Christians believe that the Good News of Jesus is inclusive.

John's gospel speaks of Jesus being lifted up and drawing all people to himself (John 12:32). Jesus' cleansing of the Temple means not just that the Temple needs to be reformed, but that the Temple which, by its order, kept some people separate from others, is finished. Stephen's

<sup>11</sup> Naim Ateek explores this matter in his book *Justice and Only Justice*, arguing that from Amos in the 8th century BC, God's purposes begin to be thought of as inclusive and universal.

speech in Acts 7 makes it clear that God is no longer confined to the place of the Temple. God is in all places and for all people. Temple and land give way to a new understanding so Paul can say that all the barriers that separated people one from another are down – “there is neither Jew nor Greek, bond nor free, male or female, but all are one in Christ Jesus.”

If Jesus is indeed the Yes to all God’s promises<sup>12</sup> then for Christians the promise to Abraham about land is fulfilled through the impact of Jesus. Jesus gave a new direction to his followers, one which did not feature nor was it confined to a special area of land for them. From the day of Pentecost his followers were sent to work for a different kind of kingdom.

### 13.3.4 The challenge of a new kingdom?

**13.3.4.1** To Christians in the 21st century, promises about the land of Israel should not be intended to be taken literally, or as applying to a defined geographical territory; they are a way of speaking about how to live under God so that justice and peace reign, the weak and poor are protected, the stranger is included, and all have a share in the community and a contribution to make to it. The ‘promised land’ in the Bible is not a place so much as a metaphor of how things ought to be among the people of God. This ‘promised land’ can be found – or built – anywhere.

**13.3.4.2** Jesus’ vision of the kingdom is not for one limited area of territory, it is a way of anticipating how things can be if people are obedient to God. Metaphor and symbol are often used by the Biblical writers. Words such as ‘widow’, ‘stranger’, ‘orphan’, ‘wilderness’, ‘neighbour’, ‘Egypt’, ‘exodus’ and ‘exile’ have profound symbolic reference. So Walter Brueggeman comments on the poetry of Isaiah 2:

<sup>12</sup> 2 Corinthians 1:20 “For in him every one of God’s promises is a ‘Yes’...”

“Exile is a sense of not belonging, of being in an environment hostile to the values of the community and its vocation. Babylon refers to a concentration of power and value which is dominant and which is finally hostile to the covenant faith of this community. The empire regularly seeks to domesticate such a community and characteristically ends in oppression. Homecoming is a dramatic decision to break with imperial rationality and to embrace a place called home where covenantal values have currency and credibility. The juxtaposition of exile, Babylon and homecoming means that this poetry of Isaiah 2 is not aimed simply at geographical, spatial possibility but at relational covenant reality.”

**13.3.4.3** Bethlehem Bible College, from an historic Baptist and evangelical stance, has recently been hosting *Christ at the Checkpoint* conferences (see [www.christatthecheckpoint.com](http://www.christatthecheckpoint.com)). At the most recent, participants were challenged to move away from seeing the Middle East through the lens of “end times” prophecy and instead look to follow Jesus in the prophetic pursuit of justice, peace and reconciliation. The evangelical leaders in the Palestinian Baptist community are engaging with *Kairos Palestine*, and the non-geographic nature of God’s promises:

#### **Kairos Palestine (3.4.3):**

Our Church points to the Kingdom, which cannot be tied to any earthly kingdom. Jesus said before Pilate that he was indeed a king but “my kingdom is not from this world”. St Paul says: “The Kingdom of God is not food and drink but righteousness and peace and joy in the Holy Spirit” (Romans 14:7). Therefore religion cannot favour or support any unjust political regime, but must rather promote justice, truth and human dignity.

**13.3.4.4** From this last perspective, the desire of those who seek to acquire the land of the Palestinians is wrong. The fact that the land is currently being taken

by settlement expansion, the separation barrier, house clearance, theft and force makes it doubly wrong to seek biblical sanction for this.

**13.3.4.5** Church leaders from South Africa, following a visit to Israel and the Occupied Palestinian Territory in the autumn of 2012, observed similarities to the concluding years of the apartheid regime in South Africa.<sup>13</sup> There are many members of the Jewish community in Israel and abroad concerned with injustice in Israel and the Occupied Palestinian Territory who would fundamentally disagree with that description<sup>14</sup> but it is challenging that those who remember the reality of apartheid first hand and the consequences of international campaigns on their own nation concur with proposals to consider economic and political measures involving boycotts, disinvestment and sanctions against the state of Israel focused on illegal settlements, as the best way of convincing Israeli politicians and voters that what is happening is wrong. They argue that Christians around the world should not contribute in any way to the viability of illegal settlements. This raises particular questions for the Church of Scotland as we seek to respond to the question: “What does the Lord require of you...?”

### 13.3.5 Conclusion

**13.3.5.1** From this examination of the various views in the Bible about the relation of land to the people of God, it may be concluded that Christians should not be supporting any claims by any people to an exclusive or even privileged divine right to possess particular territory. We believe that it is a misuse of the Hebrew Bible (the Christian Old Testament) and the New Testament to use it as a topographic guide to settle contemporary conflicts

over land. In the Bible, God’s promises extend in hope to all land and people.

**13.3.5.2** This theological approach is what we bring from our Christian perspective to the place of dialogue with people of other faith communities grappling with the issues of land in Israel and the Occupied Palestinian Territory. It does not judge the faith of others nor suggest that one perspective supersedes another but it does challenge the manifestations of faith expressed by some on the question of land in these troubled places.

**13.3.5.3** In the context of the present situation in Israel and the Occupied Palestinian Territory we remain committed to the following principles, previously set out and agreed by the General Assembly:

- That the current situation is characterised by an inequality in power and therefore reconciliation can only be possible if the Israeli military occupation of the West Bank and East Jerusalem, and the blockade of Gaza, are ended.
- The Church of Scotland condemns violence, terrorism and intimidation no matter the perpetrator.
- The Church of Scotland affirms the right of Israelis and Palestinians to live within secure and fixed boundaries in states of their own.
- The Israeli settlements in East Jerusalem and the West Bank are illegal under international law. The Church of Scotland, individuals and civil organisations should urge the UK Government and the European Union as a matter of urgency to put pressure on Israel to cease from the expansion of these settlements.
- The Church of Scotland must remain in dialogue and fellowship with ecumenical partners and the UK Jewish community, the Muslim community in Britain and other faith communities to support concerns for justice and peace.
- The Church of Scotland should do nothing to promote the viability of the illegal settlements on Palestinian land.

<sup>13</sup> <http://www.kairopalestine.ps/sites/default/Documents/South%20African%20church%20delegation%20to%20the%20occupied%20territories%20of%20Palestine.pdf>

<sup>14</sup> <http://www.haaretz.com/weekend/week-s-end/an-israeli-and-a-palestinian-scathed-by-south-africa-apartheid-rhetoric-1.428234>

- The Church of Scotland should support projects which prioritise peace-building, poverty alleviation and the Palestinian economy.
- The Church of Scotland rejects racism and religious hatred. We condemn anti-Semitism and Islamophobia. We support initiatives to make Scotland, and the Church of Scotland, a place of welcome and hospitality.
- That human rights of all peoples should be respected, and this includes the right of return and/or compensation for Palestinian refugees.
- That negotiations between the Government of Israel and the Palestinian Authority about peace with justice must resume at the earliest opportunity and the Church of Scotland should continue to put political pressure on all parties to commence such negotiations, asking all parties to recognise the inequality in power which characterises this situation.
- That there are safe rights of access to the sacred sites for the main religions in the area.

## 14. Bolivia

The following report *Bolivia* is a summary. The full report is available from the Church of Scotland General Assembly web pages – [www.churchofscotland.org.uk](http://www.churchofscotland.org.uk) – and can be obtained in electronic format or paper copies, free of charge, by contacting the Church and Society offices on 0131 240 2275 or by e-mail from – [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk)

### 14.1 Introduction

**14.1.1** The Church of Scotland works closely with Christian Aid on issues relating to international development, including around tax transparency, climate change, human rights and political transformation.

**14.1.2** In 2013 Christian Aid Week has a country focus on the South American state of Bolivia. This report highlights some of the work that Christian Aid and their partners are doing in Bolivia, especially as the themes of a new economic

and ecological outlook on life has clear resonances with the work which we have been doing in Scotland.

### 14.2 Country Context

**14.2.1** Bolivia is a country rich in natural resources including reserves of oil and gas, as well as the biodiversity of the Amazon rainforest. It is also one of the poorest countries in South America; in 2011, Bolivia's Human Development ranking was the second lowest in South America according to the United Nations Development Programme. Although macro-economic and social development indicators show positive change (the Bolivian Government's Social and Economic Policy Analysis Unit, UDAPE, reported in 2011 that extreme poverty had fallen from 49% in 1990 to 26% in 2009), inequality is high. The World Bank estimated in 2010 that the richest 20% of Bolivia's population hold 59% of its wealth whereas the poorest 20% holds just 2%. Poverty is mainly concentrated in rural areas and among indigenous groups.

**14.2.2** Bolivia's economy is largely dependent on mineral extraction, hydrocarbon and large-scale agricultural industries. This results in impressive macro-economic indicators but these industries generate little employment or sustainable income for the majority of the population, who still simply subsist.

**14.2.3** The majority of Bolivia's population are indigenous people (62%), yet they are most affected by inequality, poverty and the abuse of human rights.

**14.2.4** The main issues facing indigenous communities are:

**14.2.5 Land Rights:** The Bolivian Amazon where many indigenous Bolivian communities live is one of the most biodiverse regions in the world. This biodiversity is under threat as only 17% of the national territory is protected (source: WWF website). Land is still mainly held by a few rich families and large corporations. They use the land for

large scale agro-industry such as logging, cattle ranching and plantations. Indigenous peoples are often displaced from their lands.

**14.2.6 Deforestation:** Over half of Bolivia's territory (c.60%) is covered with tropical forests, representing 10% of all forests in South America. Each year an estimated 300,000 hectares of forest are cut down in Bolivia (source: Oxfam report *Bolivia: Climate change, poverty and adaptation*, 2009). This is over double the size of Fife. For the indigenous people, the forest is their home, their main food source and their livelihood. Without the trees, animals and plants their way of life would be devastated.

**14.2.7 Climate Change:** Bolivia's glaciers are melting at an unprecedented rate. Many believe that this is linked to climate change. Indigenous forest communities have noticed an increase in flooding, as well as increased temperatures leading to more drought and forest fires.

**14.2.8 Politics:** Historically the economic elite have dominated regional and departmental politics as well as controlling land. Many indigenous communities believe that this has resulted in submission and disempowerment as their voices are not asked for or listened to. However, in 2006 Evo Morales was elected as President of Bolivia. He is the first indigenous President and has brought in a new constitution which recognises the rights of indigenous people and facilitated a new dialogue with the wealth creators which many believe results in Bolivia seeing more of the wealth generated by its resources.

**14.2.9** Whilst this has been a real step forward for indigenous communities, there remains a challenge related to education and advocacy work, to ensure that people understand their rights, that they are empowered to know how to claim these rights and that they are being consulted in local and regional politics.

### **14.3 Christian Aid in Bolivia**

**14.3.1 A new economics** – Christian Aid has worked in

Bolivia for more than 30 years. Christian Aid has recently decided to develop its programme in the Amazon by working directly with Amazonian forest and smallholder farming communities under threat from aggressive and non-inclusive development with the aim of transforming their livelihoods, securing their territories, and helping them to defend their rights.

**14.3.2** Christian Aid Bolivia wants to ensure that the voices of the forest communities are heard at a local, national, international and corporate level. Through this work, Christian Aid and the churches hope that the communities will be able to inform and influence policy on key developmental issues that affect them. Christian Aid works closely with local partners to strengthen grassroots organisations and communities so that they are able to manage their land and resources in a way which is inclusive, sustainable and enables them to be protagonists of their own development process. Fair development, respecting rights and maintaining environmental concerns are at the forefront of this work. Christian Aid's aim is to help move communities away from subsistence farming and living from hand to mouth, towards becoming thriving, resilient communities.

### **14.4 Link to advocacy**

**14.4.1 Climate Change** – The Amazon rainforest is inextricably linked to the global climate because it is a carbon "sink" – the trees and plants which make up the Amazon accumulate and store carbon dioxide through the process of photosynthesis. The Amazon stores 86 billion tonnes of carbon – the equivalent of almost 11 years' global carbon emissions (source: Rhett A. Butler article *Amazon rainforest locks up 11 years of CO2 emissions*, 2007 published on [www.mongabay.com](http://www.mongabay.com)). Deforestation is destroying this carbon sink, as well as adding greenhouse gases to the atmosphere.

**14.4.2** Today Christian Aid's programme in Bolivia works with Amazonian communities to ensure that they are developing the rainforest in an ecologically and

environmentally sustainable way. Integrating disaster risk reduction is an integral part of its work so that partners and communities are prepared to respond to both natural disasters (fires, floods etc) and human-caused threats (eg land grabbing or conflict).

**14.4.3** Through advocacy work, Christian Aid Bolivia is seeking ways to help communities to hold the Morales government to account on recently passed legislation *Ley de Derechos de la Madre Tierra* (the Law of the Rights of Mother Earth).

**14.4.4** There is a direct relationship between this work and that of the Responding to Climate Change Project and with Eco Congregation Scotland. The global edge that the partnership in Scotland between Christian Aid, SCIAF and Eco Congregation Scotland has brought means these that experiences can inform and develop the understanding in communities across Scotland of the consequences of Climate Change.

**14.4.5 Tax** – In 2006, as little as 18% of the value of oil and gas exports stayed in Bolivia. Now that figure is 50% due to a successful popular campaign to re-nationalise the hydrocarbon industries. The government has increased the royalties paid by oil and gas companies.

**14.4.6** Using the money gained from the increased hydrocarbons taxes, the Morales Government has introduced various social programmes including the *Renta Dignidad* (a basic pension for all Bolivian citizens over 60 years of age), the *Bono Juancito Pinto* (a means-tested annual grant for primary school children) and the *Bono Juana Azurduy* (a grant for pregnant women, conditional on the mother attending pre and post natal sessions).

**14.4.7** Christian Aid partner *Centro de Estudios para el Desarrollo Laboral y Agrario* (Centre for Labour and Agricultural Development – CEDLA) helped to mobilise huge popular protests which led to this success. It helped ordinary Bolivians understand the unfair taxation system

that existed before 2006 by producing radio shows and leaflets in different indigenous languages. This helped people from all social backgrounds to get the information they needed to have a say.

**14.4.8** Christian Aid continues to support CEDLA which monitors Bolivia's expenditure from its oil and gas revenues to make sure people know where the money is going. It is also continuing its research into Bolivia's economic policies and practices to see how they can better benefit the poor.

**14.4.9** This is a concrete example of the kind of action on tax and transparency called by the Church of Scotland and others following the 2012 report of the Special Commission on the Purpose of Economics. Its ramifications both on the issue of tax itself but also on the devolution of democracy from those in power to those on who behalf power is held are significant and merit further study and reflection in Scotland as well as in Bolivia.

## **14.5 Partnership for Change**

**14.5.1** There is an opportunity at this juncture to develop much more close working links with Christian Aid Bolivia and both the Church and Society Council and the World Mission Council. The Christian Aid Bolivia programme for the next 3 years will have a strong Faith in Action component. Christian Aid has an excellent partner called *Instituto Superior Ecueménico Andino de Teológica* (Ecumenical Higher Institute of Theology of the Andes – ISEAT – [www.iseatbolivia.org](http://www.iseatbolivia.org)). Together the organisations are developing a common strategy to ensure that their programme and partners in Bolivia may use ISEAT as a resource to develop a theological and spiritual reflection around the development issues raised in this report such as: alternative models of development (living well) the green economy, inclusion and equality, rights (especially land rights and indigenous territorial rights in the Amazon), developing the economy with a priority for the poorest and transparency and accountability in the use

of public and private resources in the Amazon (linked into global tax justice campaigns and corporate social responsibility in extractive industries such as mining).

**14.5.2** This partnership, facilitated through Christian Aid, creates a significant opportunity to move the word of the report into action and opportunities that have potential to have a significant impact not just on the national church but on local congregations who, by the very nature of the Bolivian experience, should be key members of any partnership process.

## **15. Staffing and Thanks**

### **15.1 Staffing**

**15.1.1** The Council welcomes Ken Coulter's appointment as RME Resource Development Officer and Alison Gemmell as Local Involvement Officer. We report that Chloe Clemmons is back in post as Scottish Churches Parliamentary Officer after a spell of maternity leave, and David Bradwell, who was seconded as Parliamentary Officer, is back as Associate Secretary. Fiona Brown, who was originally employed as an Administrator for

the Economics Commission has in the past year been appointed to a new post as Administrator to support the department as a whole.

**15.1.2** In the past year the Council has said farewell to Irene Crosthwaite, Local Involvement Officer, Lorraine Fraser, Associate Secretary and Paula Fraser, RME Resource Development Officer. We would like to acknowledge our appreciation and thanks to these people for their time, commitment and hard work.

### **15.2 Thanks**

**15.2.1** The Council would like to express its thanks and appreciation to each and every person who has helped in the writing of this report, especially those from outwith the Council who have offered their time and advice.

*In the name and by the authority of the Council*

SALLY FOSTER-FULTON, *Convener*  
CHRISTOPHER WIGGLESWORTH, *Vice-Convener*  
EWAN AITKEN, *Secretary*

# MINISTRIES COUNCIL

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly

1. Receive the Report.
2. Note the initial findings of the group considering factors which may influence those under 45 in exploring a vocation to the Parish Ministry and instruct the Council to report further in 2014. (*Section 2.2*)
3. Note that 2013 marks the 125th Anniversary of the founding of the Diaconate; give thanks for and affirm the distinctive ministry of the Diaconate; and instruct the Council to work together with the Diaconate Council in the promotion of and recruitment to the work of the Diaconate. (*Section 2.3*)
4. Instruct the Council, in collaboration with Diaconate Council, to review training provision for candidates for Diaconal ministry and report to the General Assembly of 2014. (*Section 2.3*)
5. Welcome the ongoing development of *Place for Hope* in relation to reconciliation, mediation and conflict transformation and instruct the Council to support the project in its move towards independent charitable status. (*Section 2.4*)
6. Note the outcomes of the consultation with Presbyteries on the future of continuing ministerial development and instruct the Council to work together with the Special Commission anent Ministerial Tenure and the Leadership of the Local Church in bringing forward proposals for the future shape of continuing ministerial development. (*Section 2.5*)
7. Note the progress made in reviewing the Enquiry & Assessment Scheme and instruct the Council to bring to the General Assembly 2014 further details and such legislative amendments as may be necessary to implement the changes. (*Section 2.10*)
8. Pass an Act amending Act XV 2002 anent Long-Term Illness of Ministers in Charge (as amended) as set out in Appendix 1. (*Section 2.11.2 and Appendix 1*)
9. Pass an Act amending Consolidating Act II 2000 Act Anent Ministry (as amended) as set out in Appendix 2. (*Section 2.11.3 and Appendix 2*)
10. Pass an Act amending Act VI 2007 anent the Ministries Appeal Panel (as amended) as set out in Appendix 3. (*Section 2.11.3.6 and Appendix 3*)
11. Welcome the report of the Joint Emerging Church Group and invite all congregations by the year 2020 to begin to establish a new experience or expression of Church in each Parish appropriate to its local context informed by the Vision and Strategy document, *A Time to Grow*. (*Section 2.13*)
12. Note the work carried out on the Priority Areas Action Plan and instruct the Council to bring a report on its interim review of this work to the 2014 General Assembly. (*Section 3*)
13. Encourage Presbyteries to work together with the Council in its review of the provision of primary support to those engaged in the ministries of the Church and instruct the Council to bring forward proposals for a future structure for support. (*Section 4.10*)
14. Commend the work of the *Go For It* Fund in establishing appropriate means for resourcing local congregations, pray for its continued successful development in the coming year, and encourage congregations to consider making application for funding. (*Section 5.1*)

15. Note the progress made in Presbytery Planning and instruct Presbyteries to work together with the Council in the implementation of plans. *(Section 5.2)*
16. Welcome the development of the work of Work Place Chaplaincy Scotland (WPCS), note the establishment of WPCS as a self-standing ecumenical charity and the transfer of staff from the Church's employment to the direct employment of WPCS, and instruct the Council to monitor the Service Level Agreement established between the two bodies. *(Section 5.4)*
17. Note the move to establish two-day locums as the normal practice in a vacancy with effect from 1 July 2013 and instruct the Council to monitor the implementation of the new arrangements. *(Section 5.8)*
18. Congratulate the congregations of Perth: Riverside New Charge Development and Glasgow: Garthamlock & Craigend East Church Extension Charge on the significant milestone of being raised to full status on 1 December 2012 and 1 January 2013 respectively. *(Sections 2.13 and 5.7)*
19. In relation to Presbytery Parish Workers (PPWs) who serve the Presbytery as a whole and in cases where local parties are unable to cover the costs of expenses (including travel costs) for PPWs, instruct Presbyteries to ensure that sufficient funds are available to reimburse the Council with effect from Jan 1 2014. *(Section 6.3)*

## REPORT

### 1. Introduction

#### 1.1 'Here I am Lord. Send me!'

**1.1.1** In the midst of turmoil, the prophet Isaiah heard God calling, "Whom shall I send? And who shall go for us?". Isaiah responded: "Here I am. Send me!"

**1.1.2** King Uzziah, after 52 years on the throne, had died. After a long period of relative stability, the nation was in turmoil. Doubtless some welcomed the end of an era, which they felt had passed its sell-by date. Many others, however, were fearful, scared of what lay around the corner.

**1.1.3** In 2012, the Council reported on Ministry During a Change of Age (*GA Reports 2012 p4/11–4/22*). The report picked up a suggestion from Professor Phil Hanlon of Glasgow University that the era we are living through at the moment is a Change of Age. Every age is an Age of Change, because change is part of life. Gradual, incremental, progressive change is the backdrop against which every generation lives. What we are experiencing, however, is something quite different. It is almost as if the Age itself is changing. That is, we appear to be living through one of those cataclysmic periods of change that society experiences every four or five hundred years. The

tectonic plates shift beneath our feet. Change is pervasive, rapid and involves great leaps.

**1.1.4** The Church cannot but be affected. We are followers of Jesus; of God who became incarnate in Jesus the Christ. We believe in a God who becomes part of the muck and mire of human life. How then could the Church expect to be insulated and unaffected by the massive changes sweeping through society? At every level it seems that the Church is grappling with change, trying to make sense of it and work out how to respond. Those in ministry, by virtue of the leadership role they play, inevitably find themselves at the forefront of dealing with change. In the face of this, many Parish Ministers find themselves being expected to play two contradictory roles. On the one hand, they are looked to as custodians of tradition (the 'old'): on the other, they are expected to be the midwives of the new. It would be dishonest to pretend that this is not stressful and difficult.

**1.1.5** Amidst the changes of his day, Isaiah heard the call of God. He responded, offering himself for service. The Council believes that in the midst of the changes of our day, God calls all his people to service. Some are called

to specific ministries that enable all of God's people to find and exercise their vocation. The Council's remit is to support and assist those who are called to these specific recognised ministries.

## **1.2 'Here I am Lord. Send me!': Serving the Poor**

**1.2.1** It is said that you can tell most about those who are in power by the way that they treat the most vulnerable in society. This is surely no less true for the Church of Jesus Christ, the authenticity of whose discipleship is seen in the measure to which it follows Jesus' example of standing with the poorest and most marginalised. For this reason, over many years now, the General Assembly has reaffirmed the call to service of the poorest as the most pressing demand upon our time and resources.

**1.2.2** This year's report follows the pattern of the Priority Areas Action Plan agreed as a joint task by all the main Councils and Committees of the Church in 2010. The brevity of the report (*see below Section 3*) masks a huge amount of effort and commitment from a wide range of people within and beyond the life of the Ministries Council. Some of the work being undertaken is attracting interest from others outside the Church because of its innovative approach, not least the *Passage From India* and *Chance to Thrive* projects. These seek, in Isaiah's words, "to bring good news to the oppressed" (Is 61:1).

## **1.3 'Here I am Lord. Send me!': Discerning the Call**

**1.3.1** Like Isaiah amid times of great uncertainty and change, people today still sense the call of God on their lives. Part of the role given to the Ministries Council by the Church is to work together with those who sense a call to service to determine what the nature of that service might be. There is an urgent need for people to say 'Send Me' in terms of the Parish Ministry, but it is not the case that everyone who feels that urge is necessarily gifted or equipped for that calling. The Enquiry and Assessment process was set up to enable an in-depth exploration of call and it has served the Church well for more than a decade. There were signs, however, that some aspects of it might need reviewed and this has been undertaken over the past year.

**1.3.2** The outcome of that review (*see below Section 2.10*) points towards a greater degree of 'discerning' than 'doing' in the process of assessment. While the assessment of skills remains important in relation to ministry, taking time to listen and reflect on what the nature of God's call might be should play a more prominent role in future.

**1.3.3** "Whom shall I send and who will go for us?" What do we do when not enough folks are saying "Here I am, Lord. Send me"? In particular, with an aging ministry, we are trying to answer the question as to why the number of those under 45 who are entering training for ministry is so small. The first soundings have been taken and a short summary is offered here (*see below Section 2.2*) with a more in-depth report anticipated in 2014.

## **1.4 'Here I am Lord. Send me!': Supporting those in Ministry**

**1.4.1** One of the side effects of the rapid shifting of ground caused by a Change of Age is a sense of bewilderment and with it a degree of loss of confidence. This has been expressed as a feeling of a lack of affirmation for those serving in the traditional mainstay of Church of Scotland ministry, the Parish Ministry. The Council is painfully aware that many of the measures which it has necessarily brought forward for change in recent years have contributed to frustration, even anger, amongst those it seeks to serve. This puts the agenda of support for ministry firmly in the frame.

**1.4.2** For this reason, the Council has been enormously grateful to the Moderator, Rt Rev Albert Bogle, for his leadership and initiative in giving time, together with the Convener and Secretary of the Council, to holding regional meetings with Parish Ministers. The aim of these has been to gather ministers simply to spend a bit of time together, to receive encouragement from one another and to share around some of the key issues facing those in ministry today. By May 2013, well over half of the Parish Ministers in Scotland will have attended such an event and a significant number of those have already expressed appreciation of the Moderator's challenging, yet affirmative approach.

**1.4.3** Ongoing support for ministries is a matter under review from a number of different angles as we come to this report. A good support structure will ensure that opportunities are easily accessible which enable those in ministry to develop personally, intellectually and spiritually. The Council undertook a survey over the past year to assess what the best way of providing Continuing Ministerial Development would be and the results of this are reported below (*Section 2.5*). Conscious of the work being done currently by the Special Commission anent Ministerial Tenure and the Leadership of the Local Church, the Council will be seeking to work together with that body to develop the ideas which have come forward in respect of ministerial development.

**1.4.4** The way in which pastoral support for ministries is structured is also currently undergoing a process of review (*see below Section 4.10*). This already recognises a need to shift the balance away from any notion that such support can be delivered simply from the Church offices by a few people, but must be rooted in excellence at a regional and local level, supported by the national Church structures. The work of developing a strategy for this will continue over the coming year to ensure that those who have responded, “Send Me”, do not find themselves alone and without essential structures for encouragement and support.

## **1.5 ‘Here I am Lord. Send me!': Celebrating the contribution of the Diaconate**

**1.5.1** While the Latin word for ‘service’ lies at the root of the English word *ministry*, the Greek word *diakonia* (‘service’) is demonstrably the root of the word Diaconate. The role of Deacons among the ministries of the Church of Scotland is a long and honourable one. This year sees the celebration of 125 years of this service – originally an office open only to women (Deaconesses), since 1988 the office has included also men.

**1.5.2** The Council celebrates this landmark in the life of the Diaconate. There is much to give thanks for, since down the years Deacons have not only offered faithful service, often in hard places, but also been pioneers enabling new

kinds of relationships to be bonded between the Church and the wider parish. On many occasions in the last 125 years, when the call, “Who will go for us?”, came from unknown territory and uncertain places, the first “Send Me!” was the voice of one of our Deacons.

**1.5.3** This auspicious anniversary falls at an apt time, coinciding as it does with joint work being done by the Council and the Diaconate Council on Diaconal ministry for the future. A report on this work is included here (*see Section 2.3*) and the Council looks forward to further progress in the year ahead.

## **1.6 ‘Here I am Lord. Send me!': Allocating Ministries**

**1.6.1** By 31 Dec 2012, all but 8 Presbyteries had completed the Presbytery Planning exercise under the banner of *2020 Vision*. Through this process Presbyteries have been seeking to discern the best way to use the finite human and financial resources available within the Church to plan for effective mission. This has resulted in an overall picture of 1,000 ministries (1,075 including 75 funded vacancies) and it is estimated that this will break down approximately into 865 Parish Ministers and 135 Ministries Development Staff (MDS) full-time equivalent posts. A brief update on the planning process is offered below (*Section 5.2*)

**1.6.2** With over 220 vacancies in parishes across Scotland the challenge remains: “Whom shall I send?” Part of the task of the Presbytery Plan is to encourage all of us involved in the life of the Church to consider our response to that question. Whether it be in the full- or part-time Parish ministry, Ordained Local Ministry, the Diaconate or the Readership, the call to service is urgent and the need great. The Plans indicate the places and the ministries to which a response is needed – the Council urges careful consideration as to whether you might be the one to say, “Send me!”

## **1.7 ‘Here I am Lord. Send me!': Providing for those who Serve**

**1.7.1** These are difficult times for all those engaged in the paid ministries of the Church of Scotland. The financial realities facing the Council in its budgeting processes

mean that hard decisions have had to be taken in respect of the terms and conditions which the Church as a whole is able offer to those in paid ministries. This has had an effect on all those for whom the Council has a duty of care, whether employees (Presbytery / Parish Workers [PPWs]) or office holders (Parish Ministers).

**1.7.2** A review of the terms and conditions of PPWs began in Sept 2011, with employees being made aware already then that the Presbytery Planning process could result in potential redundancy, given that some posts were likely to be discontinued in the new plans. Following careful comparison (benchmarking) of the work undertaken by PPWs with posts in other denominations, the voluntary sector and local authorities, it became clear that changes would need to be made to the salary structure and allied benefits (such as housing allowance). A process of consultation was engaged in between Sept and Dec 2012, and a PPW Staff Association was formed. Its initial task was to assist with the consultation process, but the Association will serve a vital function into the future in terms of engaging proactively with the Council as employer. The Council took account of submissions made in the consultation period and some changes were made to the original proposals. In Jan 2013 PPWs (soon to be renamed as Ministries Development Staff – MDS) received notice of the final outcome of the review and were offered new contracts on the revised terms and conditions agreed by Council in Dec 2012. At the time of writing, over 90% of PPWs had accepted the new terms and conditions, which will take effect from 1 June 2013.

**1.7.3** The most significant changes in terms and conditions for PPWs are: [a] the removal of entitlement to housing allowance; [b] revised salary scales, which will eventually result in a cut of around £1K for those at the top of the new five-point scale (though current pay will be protected for up to three years). To reduce potential hardship caused by the removal of the housing allowance, the Council has offered the choice of a substantial lump sum payment or removal over a five-year period. The overall budget saving resulting from these changes will be in the region of £500K year-on-year once they are fully implemented.

**1.7.4** A range of emotions was expressed and recognised during the process of realigning terms and conditions. A number of Presbyteries expressed views and the Council took account of these in reaching its final decision. While recognising the pain that this process has inevitably caused for all those connected with it, the Council remains convinced that the new structure of terms and conditions still offers an overall package significantly better than other employers in the sector. The Council also believes that the new terms and conditions will provide a more secure future for all of its employees.

**1.7.5** Budget restrictions have also meant a further freeze on stipends for the vast majority of Parish Ministers, a small number of whom have seen no increase for some six years because of the phasing out of Voluntary Additional Payments. The 1% increase in budget given to the Council in 2013 would have resulted in a minimal increase spread over all Parish Ministers (well over 70% of whom are already at the top of the stipend scale). The Council therefore recommended to the Council of Assembly that the additional 1% be used to solve a longer term issue by reducing the stipend scale to five points instead of the nine-point scale in operation in 2012. This brought the scale in line with others operated in the Church, but also offered to those at the lower end a more significant increase than would have been possible by spreading the additional budget thinly across all ministers. The Ministries Council remains concerned that stipends have continued to be almost static over a 4-year period, resulting in a significant erosion of their real value. It is seeking together with the Council of Assembly to find ways of addressing this as soon as possible.

#### **1.7.6 Pensions**

**1.7.6.1** Adding to the financial stress being experienced by those in ministries at the moment is the situation with regard to pensions. At the time of writing, the Council is preparing a consultation document for scheme members to consider in relation to the future of pension provision. A substantial deficit (currently estimated at £27.6M) relating to past service will make a huge dent in

the Council's budget for a considerable period of time. The Council remains committed to providing a secure pension structure for the future and to that end will continue to put the same level of 'employer' contribution annually into the "Ministers' and Missionaries' fund". The shape of the fund (as well as that for PPWs) is likely to change significantly for future service. It is worth reiterating here, however, that any proposed changes to the scheme scheduled to be in place by 1 Jan 2014 will **not** affect benefits already accrued by active members of the scheme, or the pensions of those already retired.

**1.7.6.2** The Council is grateful for the sterling work done over many years by the Housing and Loan Fund in

providing support for ministers reaching the end of their working lives and needing retirement accommodation. Discussions are ongoing at this point as to whether any savings may be found in the Council's budget through a reduction of contributions to the Fund.

**1.7.7** For those whose life has been given over to the service of God in the response "Send me!", these are tough times financially and emotionally. In taking hard decisions about funding at this point, however, the Council believes that it is laying good foundations for the future of ministry and expresses its real gratitude to all those who continue to serve faithfully and selflessly in the cause of Christ.

	Task	Progress/Update
<b>2</b>	<b>Council Business</b>	
<b>2.1</b>	Affirm the report <i>Ministry During a Change of Age</i> and the pointers towards a strategy for the affirmation of the Parish Ministry contained therein, instruct the Ministries Council to continue to engage with ministers and Presbyteries in developing and implementing that strategy, and report further to the General Assembly 2014.	<p>The Council has continued to share the insights of the report and to seek ways of affirming the pivotal role of the Parish Ministry within the life of the Church of Scotland. Throughout the winter months, the Moderator has worked together with the Convener and Secretary of the Council in delivering 6 days around the country aimed at encouraging and stimulating Parish Ministers.</p> <p>The Council notes the consistent feedback from the Moderator's days that it is really important for ministers to spend time talking and reflecting with one another on issues of common interest and concern. There are very few opportunities for such gathering in the course of ever more busy and pressurised routines and the Council will seek ways to continue this kind of pattern in future.</p>
<b>2.2</b>	Instruct the Council to explore generational characteristics and Parish Ministry with a view to reporting on changes which might encourage those under 45 to offer themselves for parish ministry, to consult with those under 45 when doing so and report to the General Assembly of 2014.	<p>The Council has begun work in this area and a short report on its findings to this point is given below (<i>Section 2.2</i>).</p> <p>A small working group, comprised primarily of Parish Ministers under the age of 45, has been established to take the research forward.</p>

	Task	Progress/Update
2.3	Note progress made and encourage the Council in its engagement with Diaconate Council in working towards a renewed vision and affirmation of Diaconal Ministry and report further to the General Assembly 2013.	As noted above, this year marks the 125th anniversary of the founding of the Diaconate. The Council is proud to be associated with the ongoing work of Deacons in the Church of Scotland and beyond. A further report is presented below ( <i>Section 2.3</i> ).
2.4	Note with grateful thanks the work of the <i>Place for Hope</i> project and uphold its work, the people it works with and the dedicated members of the team in prayer.	<p>The <i>Place for Hope</i> project has continued to offer a wide range of input to situations of conflict, offering new ways of seeking reconciliation and enabling better conversations to take place in situations of difference. The project is also now moving towards becoming a separate charitable body, which will enable it to expand its work and attract funding from bodies and individuals beyond the Ministries Council. An update report is presented below (<i>Section 2.4</i>).</p> <p>A small working group has prepared an initial theological statement relating to the work of <i>Place for Hope</i>. This will be available on the Place for Hope website (<a href="http://www.placeforhope.org.uk">www.placeforhope.org.uk</a>).</p>
2.5	Affirm the value of continuing ministerial development, instruct the Council to consult with Presbyteries on options for the future of post-ordination training and support, and instruct Presbyteries to respond by 30 Nov 2012.	<p>The Council transmitted a questionnaire to Presbyteries in July 2012, with responses due by 30 Nov 2012. A total of 22 Presbyteries (out of 44) responded to the instruction of the General Assembly. This was disappointing, but the responses received were helpful and broad-ranging. Additionally, 35 responses were received from individuals. Following contact from the Special Commission on Ministerial Tenure and the Leadership of the Local Church, the Council has been glad to share the findings of the consultation and is seeking to work together with the Commission to bring recommendations on the future of continuing ministerial development to the General Assembly in 2014.</p> <p>A short analysis of the consultation responses is given below (<i>Section 2.5</i>). The Council is grateful to Rev Dr Fiona J Tweedie for undertaking the work of summarising the outcomes of the consultation.</p>
2.6	Instruct the Council, in the process of implementing its Training Review, to establish an independent evaluation mechanism for monitoring the effectiveness of candidate training.	Discussions are on-going with a University-based research unit in relation to scoping the remit for undertaking an independent evaluation of current training provision. Full consultation in terms of the remit will occur through the Ministries Council prior to the commencement of the evaluation. It is anticipated that, due to the necessarily long-term nature of the evaluation, reporting on this to the General Assembly will not occur until 2016.

	Task	Progress/Update
2.7	Instruct the Council to ensure that appropriate training is delivered in support of those responsible for managing OLMs (and Auxiliary Ministers).	<p>The Council is currently preparing a revised schedule of training for Line Managers of PPWs in relation to new appointments being made under the revised Presbytery Plans. The training of those managing OLMs (and Auxiliary Ministers) will be incorporated into that revised training schedule and it is anticipated that it will begin in the latter part of 2013.</p> <p>Following upon comments made during the review of Terms and Conditions for PPWS about the quality of line management in some instances, the Council is also considering ways in which, in partnership with Presbyteries, line management arrangements for PPWs may more effectively be implemented and monitored in future.</p>
2.8	Note the report of the Manse Joint Working Group on the future of provision of housing for the ministry, affirm its conclusions ( <i>Section 1.7.4</i> ), and instruct the Council to bring forward Regulations governing the working of the Manse Adjudication Committee.	At the time of writing, work is ongoing on the production of Regulations relating to the Manse Adjudication Committee. The Council hopes to bring these forward in a Supplementary Report to the General Assembly.
2.9	Instruct the Council, in conjunction with the Church and Society Council and the General Trustees, to look into the issue of ministers living in fuel poverty and bring recommendations to address this to the General Assembly in 2013.	<p>Work has been undertaken jointly and analysis made of returns on energy expenditure provided by ministers in 2011. This indicates that expenditure relates to location and fuel type used. It is clear that in many manses fuel bills are very large, but equally that the concept of fuel poverty as such is not necessarily helpful or informative.</p> <p>The report (<i>see below Section 2.9</i>) concludes that an energy management policy for manses is a more useful aim to pursue, but this would lie primarily within the ambit of the General Trustees.</p>
2.10	Note the intention to review the operation of the Enquiry & Assessment Scheme and instruct the Council to report on progress to the General Assembly 2013.	The Council expresses its sincere thanks to Dr Alison Elliot, who accepted the role of Convener of the working group set up to review the Enquiry & Assessment Scheme. A full report on the outcomes of the review is offered below ( <i>Section 2.10</i> ). With the approval of the General Assembly, the Council will seek to implement the recommendations over the coming year. A further report and any proposed amendments to legislation necessary will be brought to the General Assembly in 2014.

	Task	Progress/Update
2.11	Qualified Practising Certificates for Office Holders (Parish Ministers).	<p>Discussion has taken place between the Council and the Legal Questions Committee over the possibility of establishing a <i>Qualified</i> Practising Certificate for Parish Ministers to be used in two specific, but quite unrelated, categories of cases – [1] in relation to ministers who need to retire on the grounds of ill health; [2] in the interests of the peace of the Church in cases where recurring breakdowns of relationship characterise the minister's tenure of office.</p> <p>Some outline is offered below (<i>section 2.11 and Appendices</i>) of the background to proposals to introduce Qualified Practising Certificates, along with draft legislation to enable the implementation of the proposals.</p>
2.12	Review of Terms & Conditions for PPWs.	<p>As noted above (<i>Sections 1.7.2 – 1.7.3</i>), the Council has been engaged since Sept 2011 in a review of the terms and conditions of employment of its field staff (Presbytery Parish Workers). This work was undertaken to ensure as far as possible the retention of jobs and the development of staff in light of the revision of Presbytery Plans.</p> <p>The Council has agreed to work together with the newly formed Staff Association to evaluate the process employed in reviewing terms and conditions.</p>
2.13	Joint Emerging Church Group	The Council continues to work positively together with the Mission & Discipleship Council through the Joint Emerging Church Group on new ways of being Church in the 21st Century. A report from the JECG can be found below ( <i>Section 2.13</i> ).

## 2.2 Generational Factors in Recruitment of Under-45s to Ministry

### 2.2.1 Introduction

**2.2.1.1** Isaiah's prophetic successor, Jeremiah, protested that he was too young to be called. God replies: "Do not say, 'I am only a youth' for to all to whom I send you, you shall go... Do not be afraid of them" (Jeremiah 1:7-8).

**2.2.1.2** For God, youth is not a barrier to ministry. Here God is adamant that this young person's age must not be a barrier to ministry: neither in the perception of the one called to ministry, nor in the prejudices of those amongst whom ministry is exercised.

**2.2.1.3** This year the Council has begun to study how those under 45 might be encouraged to offer themselves for Parish Ministry. In doing so it has paid attention to the barriers perceived by those under 45, and the actual barriers that may exist within the Church.

### 2.2.2 Background

**2.2.2.1** In the Church of Scotland, there is a relatively small number of younger people serving as Parish Ministers. The statistics around this vary from year to year, but the overall picture is of very few Parish Ministers below the age of 45 (113 of 845 were born after 1967 = 13%). Graphs of the demographic of Parish Ministers indicate a very sharp drop-off in the number of ministers below the age of 48 (171 of 845<sup>1</sup> born after 1964 = 20%). Only a tiny proportion of ministers are below the age of 30 (3 of 845 born after 1982 = 0.035%). According to the calculations used by the Church's pension administrators, the average Church of Scotland parish minister now **begins** ministry at the age of 48. At present the average age of those in training for all forms of ministry is 46, an average which is very similar for both male and female candidates. The youngest are those training for Parish Ministry, whose average age is currently 33. The disparity with the figure used by the pension administrators may suggest an unusually low average at present. The average age of those in the enquiry process is 37, so this seems a likely conclusion. On an optimistic

prediction, if the majority of Parish Ministers were in future to retire aged 68 (and many will want to go earlier at the state pension age), around 320 will have retired by 2023 – more than one-third of the current ministry (c.38%). With an average of around 15 being accepted for training at the moment, the gulf in numbers is self-evident.

**2.2.2.2** This creates a huge challenge for the Church. The age profile of our ministers is significantly different from the age profile of the general population. This makes effective, culturally relevant mission more difficult.

**2.2.2.3** The story of Jeremiah also reminds us that younger generations have prophetic gifts to bring to the Church. Martin Luther ignited the Reformation when he was 34, John Knox co-wrote the Scots Confession when he was probably 46 (and already an established leader in the Church), George MacLeod founded the Iona Community when he was 43, Martin Luther King delivered his "I have a dream" speech when he was 34, and Jackie Pullinger began her ministry in Hong Kong when she was 22. The history of the Church, whose founder himself probably took up ministry around the age of 30, points to the fact that the ministry of younger people has often made a very significant contribution to the cause of Christ.

**2.2.2.4** We are not seeking to argue here that young is better. Rather, we are seeking to suggest that our Church needs the ages of its ministers to be balanced, and reasonably reflective of our national population age profile. This is certainly not the case at the moment.

**2.2.2.5** The low number of ministers below the age of 45 demands that we explore possible causes of this situation and begin to identify strategies through which they might be addressed. The Council is aware that in many of the factors here identified, there is a danger of over-generalisation. There will always be exceptions: for example, there will be some 65 year-old ministers who will be happier relating to young people than some 25 year-old ministers. The factors identified here will not apply in all cases, but the Council believes them significant enough to warrant further investigation.

<sup>1</sup> Figures used here are taken from the Feb 2013 payroll

### 2.2.3 Possible Factors Behind the Present Situation

#### 2.2.3.1 Generational Differences

**2.2.3.1.1** The instruction of the General Assembly to explore generational differences as a possible cause of low numbers of ministers below the age of 45 led the Council to invite Rev Graham Duffin (the proposer of the deliverance) to share some of the research he had been undertaking in this area. He presented this in Sept 2012 to the first of the two conferences with Presbytery representatives which the Council hosts each year.

**2.2.3.1.2** Some sociological research in post-war industrial societies has found it helpful to identify discrete generations, each with defining characteristics strongly related to the values inculcated and the experiences shared when those generations were growing up. These are often identified as:

- **Builders** (born before 1948) – influenced by the war years, loyalty and respect are key values; keen to perform whatever tasks are required for the benefit of the larger institution; happier to work in isolation.
- **Boomers** (born between 1948 and 1965) – influenced by the boom in post-war years; often entrepreneurial in attitude and “workaholic”; keen on strategic thinking; think team working is desirable.
- **Generation X** (born between 1965 and 1983) – often described as a disillusioned, non-committal generation; low in expectations of institutions and wary of commitment to them; more committed to friends than family; think team working is very desirable; work according to gifts.
- **Generation Y** (born after 1983) – a more positively minded generation (like the Boomers); committed to causes; think team working is essential; think working according to gifts is essential; need a culture of affirmation.

**2.2.3.1.3** Clearly these are broad categories, and there are exceptions (not least amongst the “cuspers” who sit at the boundary between generations). However, these descriptions may help in seeing where the structures of the Church and the perceived role of the minister may be

unsuited to those who belong to Generations X and Y. In particular the following issues are highlighted:

- The institutional nature of our Church is very unattractive (Generation X)
- The expectation of generalism rather than specialism (working according to gifts) is unhelpful (Generations X and Y)
- Team working is essential for younger generations (Generation X and Y)
- There is a need to shape structures which are about strategic thinking rather than processing the routine (Boomers, Generation X and Generation Y)
- There is a need for a culture of affirmation (in particular for Generation Y)

**2.2.3.1.4** It is also intriguing to observe that the boundary between Boomers and Generation Xers (age 48) corresponds exactly to a dramatic drop off in ministerial ages in the Church of Scotland.

**2.2.3.1.5** The descriptions of generational characteristics may help us open up a conversation with Builders about the nature of the Church and the role that a Parish Minister is expected to play. It is interesting to note how the notion of the individual generalist minister, who builds teams where people “muck in” to perform practical tasks in response to a sense of duty, relates closely to the values of the Builder generation. If there is any foundation in this, it is easy to see how the values which shaped our current Parish Ministry relate to the experiences of social culture at one particular time in history. They are not inherent to the very nature of the gospel, leadership or the Church.

**2.2.3.1.6** This work on generational differences suggests that there needs to be radical and deep-seated change in the nature of the Church and in the expectations and role of the Parish Minister, if those under 45 are to be encouraged to offer themselves for Parish Ministry.

#### 2.2.3.2 Financial Considerations

**2.2.3.2.1** For a host of practical reasons, many of them financial, it is extremely difficult to enter four and a half years of full-time training (for at least three of which, a candidate

is likely to experience a significant drop in income) whilst meeting the financial and family commitments that many people experience between the ages of 30 and 50.

### **2.2.3.3 Church and Experience**

**2.2.3.3.1** There is sometimes a perception that prior to becoming a Parish Minister, it is best to acquire some experience in the 'real world'. This is not something that would ever be said during the official enquiry and assessment process, but may be part of the informal wisdom offered by friends and fellow Church members to potential candidates as they seek to discern their call. We would want to challenge many of the assumptions behind such a statement. The Church ought to be, and in many cases is, a place where learning and skills are acquired through experience, starting at an early age. The Church is part of the 'real world'!

**2.2.3.3.2** The Council would also reflect that the concentration on the need for experience may neglect some other qualities which may be more prevalent in younger generations; for example, a capacity for innovation; the desire to experiment; the willingness to challenge outmoded practices and outdated structures; the ability to relate to those of a younger generation.

### **2.2.3.4 Interim Steps**

**2.2.3.4.1** There is a lack of interim steps to becoming a Parish Minister available to younger people. In particular, the Church does not actively encourage vocations amongst school leavers and recent graduates. Here we might explore some of the approaches taken by the Armed Forces and commercial organisations in recruiting younger people, and the "gap year" programs offered by some other Christian organisations.

**2.2.3.4.2** The Council is currently looking at a pilot scheme for encouraging volunteering among young people as a means towards them exploring a sense of vocation.

### **2.2.3.5 Demographic of Church Members**

**2.2.3.5.1** The declining numbers of Church members below the age of 45 must also be a significant factor

for decline in ministers from younger generations. Furthermore, there may possibly be a circular process at work here. As the number of ministers below the age of 45 decreases, so the Church will find it harder to attract those under the age of 45 to its membership. As the number of members below the age of 45 declines, so also does the pool of people of those generations who may be encouraged to explore a call to Ministry.

### **2.2.4 Further Steps**

**2.2.4.1** In the following year, the Council intends to continue research in greater depth into this important issue; to evaluate and possibly pilot some approaches which may address some of the issues discussed here; and to bring a further report to the General Assembly of 2014.

## **2.3 Celebrating with the Diaconate**

**2.3.1** As the Diaconate approaches its 125th anniversary, it is good to reflect on the contribution of Diaconal Ministry within the Church of Scotland. As reported last year, there are 45 active deacons, of whom 28 are currently employed by the Ministries Council in a variety of posts. Over and above these active Deacons, a further 54 retired Deacons are active in Diaconate Council and local Diaconate Groups.

**2.3.2** Since its inception in 1887, following pioneering work by the Rev Archibald Charteris, the Diaconate has held a special place both within the Church and in the communities of Scotland at large. Originally an office for women, the Diaconate has been open to both men and women since 1988. Like Ministers of Word and Sacrament and Elders, Deacons are now ordained to a life-long office and are part of the Courts of the Church. In the founding literature, it was envisaged that any woman presenting as a Deaconess "make Christian work in connection with the Church the chief object of her life so long as she shall occupy the position of Deaconess."

**2.3.3** Over the years that Deacons have served the Church of Scotland, they have also played a key role in the World Church, as part of DRAE (Diakonia Region Africa and Europe), of World Diakonia, and of Kaire, a group exploring women's spirituality in Europe. This distinctive dimension

continues with regular representation of the Church of Scotland Diaconate at meetings of other Diaconal Orders within partner Churches in the United Kingdom. The Ministries Council is committed to working with Diaconate Council to support this important aspect of international Diaconal Ministry, through financial support and enabling appropriate arrangements for leave to allow for continuing participation in ecumenical activity where those who are involved are employees of the Ministries Council.

**2.3.4** The Working Group which prepared the Deacons of the Gospel Report (available on the Church of Scotland website at <http://www.churchofscotland.org.uk/>), presented to the General Assembly of 2001, was given four tasks:

- a theological reflection on the distinctive ministry of the Diaconate;
- a vocational profile of the Deacon;
- a set of theological and vocational criteria for the selection, education and training of the Diaconate;
- a scheme for selection, education and training.

**2.3.5** In looking back at that report, it is clear that while the first three of these have stood the test of time, there is value in revisiting the provisions for selection, education and training. The Church's Deacons, both those who work for the Ministries Council and those who engage in other roles, contribute significantly to God's mission and to helping the Church in refocusing ministries on mission.

**2.3.6** Deacons meet people in all of life's circumstances and in all kinds of places. Their role is rooted in the wider pastoral ministry of the whole people of God, and often has a specific focus in the crisis points of people's lives. Deacons are involved in many aspects of teaching programmes in Church and the community and through their involvement in issues of social justice, Deacons often take on the role of encouragers, standing alongside those who feel the isolation and loneliness of struggling against oppressive systems and people. Deacons may also engage in a prophetic role towards the Church arising out of their experience in demanding community situations.

**2.3.7** As Scottish society becomes increasingly post-Christian, the role of the Diaconate as working at the edge

becomes more significant. In a sense Deacons represent the Church at the margins and enable the Church to rediscover what that means. This is particularly true as historically Deacons have worked in some of the poorest and most challenging parishes in Scotland, responding to the Gospel priority to the poor, and this continues to be the case for a significant number of those Deacons employed by the Ministries Council.

**2.3.8** Following a period of moratorium on recruitment in the early 2000s, it proved difficult to encourage vocations to Diaconal ministry. While some have responded in recent years, there is a need to raise the profile of the Diaconate across the Church, and to issue a call to service through clear affirmation of the role and the contribution of Deacons. The Council believes that there is a valuable place for Diaconal ministry in the Church of Scotland in the 21st century. A DVD entitled *Saying Yes to God* has also been produced to broaden awareness of Diaconal ministry and this can be obtained from the Council on request. All Presbytery Clerks have also received a copy to widen availability at a local level. The Council is happy to commend this excellent resource which is available on request from the Ministries Council office (contact [lhood@cofscotland.org.uk](mailto:lhood@cofscotland.org.uk)).

**2.3.9** As we move closer to the actual anniversary of the commissioning of Lady Grisell Baillie, the first Deaconess, it is helpful to note that a Memorandum of Agreement has been agreed between the Ministries Council and the Diaconate Council. This has been a valuable exercise, reminding both Councils of their mutual accountability and reiterating both the legal / structural and relational aspects of the partnership between the bodies. This provides for reciprocal representation of each body on the other. This document can also be accessed through the Church website (<http://www.churchofscotland.org.uk/>).

**2.3.10** There are challenges to be addressed in the coming year. The first relates to selection, education and training the second to promotion of the vocation to Diaconal Ministry. In conversation with Diaconate

Council, it has become clear that a distinctive diaconal strand has been missing within the training for Diaconal Ministry, in particular within the Ministries Council's Residential Conference Programme. This is an area worthy of exploration in the future. Equally, some unease has been expressed that the Church's current training programme for Deacons is virtually indistinguishable from that for candidates for the Ministry of Word and Sacrament. With arguments contained within the Deacons of the Gospel Report for recognition of prior work experience, and a more distinctive aspect to Diaconal Training, this is an area which needs revisiting, along with a greater emphasis on the possibility of part time training or distance learning.

**2.3.11** As the posts identified in Presbytery Plans come on stream, the Ministries Council will work alongside all those for whom it is responsible, including Deacons. The revision to terms and conditions for PPWs included the provision for a reserved occupational post for Deacons, where Presbyteries are able to demonstrate a genuine occupation requirement for an ordained Deacon of the Church. It is hoped that this will lead to a greater visibility for Diaconal ministry as the new plans bed in.

**2.3.12** The planning process also presents a key opportunity to engage with those members of field staff who were selected and trained by the former Board of National Mission, who might be interested now in pursuing a call to the office of Deacon. If the challenges relating to part time or distance learning can be overcome, there will also be scope for exploring with other field staff members appointed by the Ministries Council since 2005, whether they would wish to consider Diaconal ministry. Exploration of vocation, and equipping assessors, as well as members of interview panels recruiting into new Presbytery Plan posts with a knowledge of Diaconal Ministry, will also pay dividends.

## **2.4 *Place for Hope***

### **2.4.1 Background**

**2.4.1.1** The Ministries Council established *Place for Hope* in the context of its report on Congregational Conflict submitted to the General Assembly in May 2008. *Place for*

*Hope* is recognised by the Council as a critical vehicle and catalyst in supporting and enabling the 21st century church in Scotland to develop creative, positive and life-giving ways to explore and express differences. The vision of *Place for Hope* is that within our churches and communities a culture can be developed that acknowledges differences and values unity in diversity.

**2.4.1.2** Between May 2009 and May 2012 *Place for Hope* was part-funded by the Guild, as one of its three year projects, and part-funded by the Ministries Council. Since May 2012 it has been wholly funded by the Ministries Council. *Place for Hope* has operated under the direction of a part-time Consultant, Hugh Donald OBE, with part-time administrative support and a network of trained volunteer mediators.

**2.4.1.3** It has now been resolved by the Ministries Council that to enable the further development of *Place for Hope* (a) a more sustainable infrastructure is required; and (b) it should establish independent status as a Scottish Charitable Incorporated Organisation (SCIO). This will involve the recruitment of a small staff team to work alongside Hugh Donald as the independent SCIO takes shape.

### **2.4.2 Strategic Priorities**

**2.4.2.1** As an independent organisation, *Place for Hope* will maintain as a strategic priority the provision and delivery of its services to the Church of Scotland. Full details of these services can be found on the *Place for Hope* website ([www.placeforhope.org.uk](http://www.placeforhope.org.uk)), but specifically they include:

- **Training:** *Place for Hope* will be committed to offering training to all groups within the Church of Scotland, in particular to all Ministers, Kirk Sessions and Presbyteries, to develop the skills and tools to enhance the effectiveness of communication and to address conflict.
- **Dialogue:** *Place for Hope* will offer the means to enable dialogue to take place where differences are acknowledged. It creates the safe space where all voices can be heard in a spirit of openness and honesty, and where all individuals are respected.

- **Conflict Transformation:** *Place for Hope* will provide trained mediators to work through conflict, exploring the deeper causes, creating the opportunity for healing and moving forward.
- **Vision:** *Place for Hope* will seek to act as a catalyst for cultural change within the Church of Scotland, as it relates to a changing society, in particular in encouraging and promoting healthier ways of addressing differences.
- **Ecumenical:** *Place for Hope* will continue to be committed to developing ecumenical relationships and exploring community involvement.

### 2.4.3 Recent Work

**2.4.3.1 Sectarianism:** the *Place for Hope* network has been involved in a piece of work funded by the Scottish Government, looking at sectarianism. This has involved establishing dialogue groups in a number of rural areas across Scotland. It has also engaged in dialogue with some key stakeholders from the police, NHS, Government and the media. A report is currently being prepared around the findings. It has been rewarding to see the level of interest and the openness of engagement on an issue once described as 'Scotland's Shame'. The connection to a much wider range of people from Scottish society augurs well for the future engagement of *Place for Hope*.

**2.4.3.2 Theology of Mediation:** the Very Rev John Christie has led a small working group exploring the Theology of Mediation from a very practical perspective. This is an ongoing task of reflection and the latest version will be made available on the *Place for Hope* website ([www.placeforhope.org.uk](http://www.placeforhope.org.uk)). *Place for Hope* would be delighted to receive comments on it and to engage with others who may have an interest in developing the theological framework for mediation.

**2.4.3.3 Mediation work:** the primary focus of *Place for Hope* is engaging in the ongoing work of mediation in many places and situations around the country. The nature of this is confidential, so little will be said here of the situations themselves. A pointer to the effectiveness of the work, however, are comments made by those who have made use of the services of *Place for Hope*. Here are three:

- "A genuine thank you for your help. There are still issues to be resolved, but the two Sessions are now talking and listening to one another, which is a major step forward. The outlook is positive. I reckon we can make progress on our own now."
- "I attended two sessions of 'More Effective Conversations'. I found these exceedingly helpful and positive. I became more aware of myself in a conversation, how much we speak rather than listen, how we use our body language and our tone of voice. We were offered a range of tools to tackle different situations."
- "Grace has infused the entire process so far and, thus, there is that glimmer of hope that we will not just get through this process unscathed, but more aware of our identity and our mission to work in the name of Christ to bring God's peace and love to our community and beyond."

### 2.4.4 Conclusion

**2.4.4.1** This is intended to offer a flavour of what *Place for Hope* is seeking to achieve. Churches of all denominations are facing huge challenges at this time, not least the Church of Scotland itself looking towards May. Archbishop Justin Wellby, recently installed as Archbishop of Canterbury, himself an experienced mediator, has said: "I want the church to be a place where we can disagree in love". May that be our prayer and for ourselves, in God's grace, to play our part.

## 2.5 Continuing Ministerial Development (CMD)

### 2.5.1 Introduction

**2.5.1.1** The responses to the questionnaire indicate that a scheme for Continuing Ministerial Development (CMD) should be:

1. **Flexible** – this the overwhelming response to the questionnaire;
2. **Based on expectation and trust** – not mandatory;
3. **Straightforward to run** – good communications with minimal bureaucracy.

**2.5.1.2** The responses were very positive about CMD in general, with a number of people noting that continuing professional development is standard in various other occupations. Notwithstanding the particular questions

posed in this questionnaire, the repeated and overwhelming view expressed throughout the written comments was for a flexible system that was tailored to individual needs. This was reflected in the interest in reflective practice such as retreats and spiritual direction and the discouragement of universal formal academic study as a primary goal. Other general comments related to challenges faced by fitting CMD into busy parish life and called for streamlining of the system with other institutional requirements such as Local Church Review.

## 2.5.2 Sample size

**2.5.2.1** Twenty responses on behalf of Presbyteries were submitted following the pattern of the questionnaire as printed in the consultation booklet. A further two Presbyteries submitted written responses. Individual questionnaires were received from a further 35 people (24 ministers, 10 elders, 1 reader), and there was one further written submission. The 22 Presbyteries who responded included urban, rural and remote-rural areas.

## 2.5.3 Responses to the Questionnaire

### 2.5.3.1 Overall Priorities for CMD

**2.5.3.1.1** Study Leave was considered the most important element, followed by Spiritual Direction and then a Conference Programme. The other three were considered less important. The average scores for priorities for the different elements were:

Overall Priority	Element	Average Priority (1 high, 7 low)
1	Study Leave	1.8
2	Spiritual Direction/ Mentoring/Retreats	2.4
3	Conference Programme	2.7
4	Management Support	3.9
5	Coaching	3.9
6	Academic Study	4.0

**2.5.3.1.2** In a somewhat contradictory response, 84% (42/50 responses) agreed that CMD should be **compulsory**. This was despite a very clear overall impression that CMD should be based on trust and characterised by flexibility. This seems to reflect that respondents believed that CMD should be a very important priority for ministers. 66% (31/46 responses) felt that it should be linked to an ongoing cycle of self-appraisal.

### 2.5.3.2 Study Leave

**2.5.3.2.1** Of 52 responses on Study Leave, 8% thought that the current Study Leave scheme should be more limited in scope, 27% felt that it should be as at present, and 65% believed that it should be extended.

**2.5.3.2.2** With regard to access to the scheme in the first five years of ministry, opinion was evenly divided over the extension of study leave, with 42% of the 52 responses advocating extension and 54% saying that it should not be extended. 85% of 26 responses thought that study leave should **supplement** the First Five Years programme with 81% (of 26) responses advocating a different direction to include study leave. 72% (of 29 responses) felt that the First Five Years Programme should be compulsory.

### 2.5.3.3 Further Accredited Study

**2.5.3.3.1** The majority (74%) felt that further accredited study should not be expected of all ministers (from 53 responses). Opinion was fairly evenly divided about the value of a formal postgraduate qualification; of the 46 responses to this, 54% were in favour, with the remainder against.

### 2.5.3.4 Conference Programme

**2.5.3.4.1** Of the 50 responses to this question, 92% were in favour of the Ministries Council having responsibility for a conference programme. It is likely that “topical issues” and “stages in ministry” may be the most popular areas, followed by “a mixture of the above” but the suggestions of topical areas were extremely difficult to analyse due to the design of the question.

**2.5.3.4.2** 63% of 46 responses thought such conferences should be eligible for study leave funding, and of 26 responses, 77% felt that ministers should not be expected to contribute to the costs beyond any use of their study leave allowance.

#### **2.5.3.5 Spiritual Direction/Mentoring/Retreats/Pastoral Supervision**

**2.5.3.5.1** 64% of the 47 responses to this question felt that reflective engagement should be separate from CMD. Comments throughout the questionnaire indicated that this was felt to be a valuable aspect of continuing development.

#### **2.5.3.6 Coaching**

**2.5.3.6.1** There seemed to be considerable uncertainty over the definition of the terms here with very few comments offered.

**2.5.3.6.2** The Council has been offering a coaching programme for ministers in Priority Area congregations over a number of years. Plans are currently being implemented for the extension of this type of CMD to a wider range of Parish Ministers and the Council will report on the development of this to a future Assembly.

#### **2.5.3.7 Management Support**

**2.5.3.7.1** 43% of the 44 responses were in favour of management support being within the CMD system, with the other 57% favouring additional training in this area. Whether this should be provided for all ministers, or only to those actually responsible for the current line management of staff was also almost equally divided with 43% of 42 responses stating that only designated people should be invited to attend.

**2.5.3.7.2** The Council remains committed to ensuring that all line managers are fully trained in basic line management skills (including the conduct of appraisals) **prior** to the appointment of a local staff member. The programme for ongoing support of managers is currently being revised and developed ahead of the new appointments to be made under revised Presbytery plans.

#### **2.5.3.8 Regional Training Opportunities**

**2.5.3.8.1** The notion of providing training opportunities on a regional basis (rather than simply individually or to single Presbyteries) was widely welcomed in the responses, with 97% of 32 responses being positive. There was less clarity on the way in which this might best be operated, but the Council will look at this in its discussion with the Special Commission anent Ministerial Tenure and the Leadership of the Local Church over the coming year and with Presbyteries through the Council's conferences for Presbytery representatives.

#### **2.5.4 Further Comments/Summary**

**2.5.4.1** Continuing Ministerial Development, and particularly Study Leave, was generally welcomed by respondents. The most frequent comments related to the need for flexibility in any system. Many commented that parish and ministerial needs depended greatly on the individual context and there was resistance to any form of "one-size-fits-all" scheme. Most specific questions had several comments suggesting that the issues raised would be relevant for some ministers, but not everyone. The breadth of theologies and parish contexts present in the Church of Scotland would lend support to this view.

**2.5.4.2** There was interest in reflective practices, trusting ministers to know what they needed, and extension of study leave to include less formal learning processes. The idea of trust is also apparent in comments around the enforcement of CMD with many hoping for a climate of expectation rather than mandated material.

**2.5.4.3** How CMD would be fitted in amongst the many demands on the time and energy of a Parish Minister also featured with requests for minimal bureaucracy, and streamlining with other institutional requirements such as annual returns or Local Church Review. Good clear communication was stressed, with a key role being the provision of information and resources available from different providers, such as other denominations or Universities.

**2.5.4.4** A number of people commented on issues relating to the design of the questionnaire. The Council has taken on

board the need in any future consultation to seek professional help in the construction and analysis of the process.

**2.9 Fuel Poverty and Manses**

**2.9.1 What is fuel poverty?**

**2.9.1.1** Households in Scotland are facing rising fuel bills. For an increasing number of low income families this means that they have to spend more than 10 % of their disposable income on energy – a rough definition of fuel poverty. It is clear from the analysis of statistics gathered from manses below that some ministers **may** be spending more than 10 % of their income paying for the manse’s energy bills, but this does not necessarily mean that they are living in fuel poverty. The data contains no information on spouse’s income and the range of ministers’ stipends means most are unlikely to be in ‘low income families’. For these reasons the use of the term ‘fuel poverty’ is likely to be misleading and is not used in this report. A fuller discussion of these points is included in Appendix A (*below*).

**2.9.2 Energy Bill Returns from Parish Ministers**

**2.9.2.1** Data was collected on 614 manses across Scotland. The data included returns from Parish Ministers setting out expenditure on different types of energy (gas, oil, electricity, other) in manses for the year 2011.

**2.9.2.2** The fuel bills recorded by ministers living in manses across Scotland are higher than the average fuel bills for all Scottish households. The average for manses is over £2,000 a year whereas the average for Scottish households as a whole was about £1,400.

**2.9.2.3** The range of fuel bills varied by Presbytery from just under £1,600 (Stirling) to over £3,100 (Moray). The highest average fuel bills tend to be from Presbyteries in the north. The five Presbyteries with highest average fuel bills are Sutherland, Inverness, Dumfries, Lochcarron & Skye and Moray, of which only Dumfries is not in the north of Scotland. The Presbyteries with the lowest average fuel bills are Stirling, Kirkcaldy, Ardrrossan, Duns, and St Andrews.

**2.9.3 Location**

**2.9.3.1** Having noted there is a difference between the north and south of Scotland, there are also significant differences between urban and rural Scotland as illustrated below:

Location	Urban	Rural	Total
Number of Manses	398	216	614
Average Expenditure	£1,894	£2,310	£2,040

**2.9.3.2** Energy bills are clearly higher for manses in rural parishes than for those in urban parishes, confirming the pattern noted in other domestic properties. In part this can be explained by the absence of piped gas in much of rural Scotland and in consequence greater reliance on expensive oil heating.

**2.9.4 Fuel Type**

**2.9.4.1** The table below shows the number of manses sorted by the main fuel type (type of fuel with the greatest expenditure).

Main Fuel Type	Oil	Gas	Elect.	Coal	Total
Number of Manses	87	357	168	2	614
Average Expenditure	£2,685	£1,970	£1,869	£945	£2,040

**2.9.4.2** The table shows clearly the cost difference between oil and gas. The cost of oil has risen sharply in the past decade and is now relatively much more expensive than previously. It is perhaps surprising that those properties where electricity is the largest item of fuel expenditure are not more expensive than gas.

### 2.9.5 Manse Condition

**2.9.5.1** The returns do not contain data on the condition of the manses or energy efficiency. However, it is clear that manse condition will have a big impact on energy costs. An energy efficient manse, for example one which has good draught proofing, is well insulated and has a modern heating system, will be significantly cheaper to heat than a manse that is in relatively poor condition. The Manse Condition Schedule, the completion of which is an annual requirement made of congregations, now contains information about energy efficiency of manses and so offers a regular opportunity to make an assessment of this.

### 2.9.6 Policy Implications

**2.9.6.1** The rising cost of energy will be of concern to ministers and to congregations and raises a number of questions for property conveners, Presbyteries and the General Trustees. Given the General Assembly's guideline that manses should have seven apartments, the vast majority of manses will be large buildings which will be more expensive to heat than most domestic properties. In order to contain the increase in energy costs and to help meet the Church of Scotland's commitment to reduce the carbon footprint of its properties it is clear that congregations may need to consider whether to retain the traditional type of manses or seek to replace these with more modern and energy-efficient properties. In addition, *effective energy management* will become of increasing importance in all manses.

## APPENDIX A

### Fuel Poverty

The term 'Fuel Poverty' has been in use since the mid-1970s, when it was broadly defined as not being able to afford to keep warm. The definition used today comes from the concepts in Brenda Boardman's 1991 book, *Fuel Poverty*. The precise definition currently used is based on a theoretical calculation of how much it would cost to heat a dwelling according to a specified heating regime

and assumptions about use of lighting, hot water, cooking and appliances. The definition of fuel poverty used by the Scottish Government and set out in the Scottish Fuel Poverty Statement is:

A household is in fuel poverty if it would be required to spend more than 10% of its income (including Housing Benefit or Income Support for Mortgage Interest) on all modelled household fuel use.

This report describes an analysis of returns on energy expenditure provided by Parish Ministers in 2011 and it is clear that many ministers spend substantial amounts on heating their manses. However, the term 'fuel poverty' should be used with caution for two main reasons:

- The analysis is based on **actual** expenditure on energy, rather than the estimated expenditure of what would be needed to heat the manse to the levels specified in the official definition.
- The analysis uses the minister's stipend alone as the measure of income, whereas the official definition is based on **total** household income.

Furthermore, it has been recognised<sup>2</sup> that the official definition of fuel poverty is not in line with the concept established in the Warm Homes and Energy Conservation Act 2000 (WHECA), which states that a household should have "lower income" if it is to be classified as fuel poor. If this criterion was to be applied then it is unlikely that any minister would fall into the official classification of fuel poverty. The definition generally in use in Scotland is that a household is in poverty if it receives less than 60% of the median UK income. Figures published by the Scottish Government in 2012 give the following figures:<sup>3</sup>

<sup>2</sup> *Fuel Poverty Evidence Review: Defining, Measuring and Analysing Fuel Poverty in Scotland*, The Scottish Government Scottish House Condition Survey and Research Team, August 2012

<sup>3</sup> *Poverty and income inequality in Scotland: 2010-11* Scottish Government Statistical Publication, 2012, p. 13

	Single person with no children	Couple with no children	Single person with children aged 5 and 14	Couple with children aged 5 and 14
UK median income (before housing costs)	14,600	21,800	26,200	33,400
Relative poverty threshold: 60% of UK median income (before housing costs) inflation adjusted 1998/99	8,800	13,100	15,700	20,000

## 2.10 Review of the Enquiry and Assessment Scheme

### 2.10.1 Background

**2.10.1.1** The Council undertook last year to conduct a review of the Enquiry and Assessment Scheme, the means by which people explore a call to one of the recognised ministries of the Church of Scotland. A Review Group was established immediately following the Assembly and it has met throughout the year.

**2.10.1.2** The Review Group was convened by Dr Alison Elliot, former Moderator of the General Assembly. Other members were:

Rev Anne Paton (Vice-Convener, Ministries Council), Minister of East Kilbride: Old; Rev Graham Finch, Assessment Conference Director, Minister of Cadder; Ms Jackie Burrows, an independent HR consultant; Rev Marjory McPherson and Mrs Catherine Skinner, senior staff of the Ministries Council; Mrs Anne Law (Ministries Support Officer).

### 2.10.2 Consultation

**2.10.2.1** The Review Group consulted a range of individuals and bodies who are involved in the process. This included:

- The Education and Support Committee of the Ministries Council;
- The Directors of the Enquiry and Assessment process;
- Ministries Council personnel who administer the enquiry and assessment process and the Admissions and Readmissions process;
- Ministries Council personnel who work with candidates in training;
- Ministries Council personnel who provide support to ministers post-ordination.

**2.10.2.2** The Review Group also approached representatives from external organisations to consider their processes and structures. Rev Christopher Foxon of the Methodist Church and Rev Canon Dr Alison Peden of the Scottish Episcopal Church met the Group and outlined the equivalent processes in their churches. The Group is appreciative of the time they gave to the review. A number of groups outside of the Church were also approached to gain an appreciation of their recruitment and assessment processes, including the Scottish Government and Alison Yeoman of Lloyds Banking Group.

**2.10.2.3** It was also felt appropriate to obtain feedback on the process both from those who have been assessed and those who carry out the assessments. Focus Groups were held with candidates currently in training for the ministries of the church and also some who had not been accepted for training – to obtain their views of the various parts of the process, their sense of what works well at present as well as their criticisms. Focus Groups were also held for Local Assessors, National Assessors, and Personal Development Interviewers / Psychologist Assessors.

**2.10.2.4** The Review Group also sought comments from Presbyteries and was grateful to those Presbyteries who offered insights from their experience of the process.

### 2.10.3 General comments

**2.10.3.1** The Council considered carefully the report of the Review Group and this report reflects its findings. The current Enquiry and Assessment process is based on sound principles and aims to provide the Church with a way of choosing people for training for ministry that is fair to the

applicant, rigorous in its ambitions as a twenty-first century instrument and informative for the Church. The Council recommends that its basic shape should not be altered.

#### 2.10.3.2 Review of the Stages of the Current Process:

A careful review was undertaken of all the stages of the current process. These stages are: [a] Vocations Conference; [b] Extended Enquiry and Coordinated Field Assessment; [c] Local Review; [d] National Assessment Conference. A detailed report of this section of the Review Group's work is available from the Ministries department and can be obtained by e-mailing Mrs Heather French, Senior Administrator for the Education and Support section ([hfrench@cofscotland.org.uk](mailto:hfrench@cofscotland.org.uk)). Out of that review a number of comments arose which are important in understanding the recommendations which the Council brings for amendments to the process as it stands.

**2.10.3.3 Initial interview:** There is concern that the system is not good at identifying soon enough those who are clearly unsuitable for ministry in the church, either for reasons of personality, or of competence. People who will eventually be considered unsuitable, and who can be identified as such early on, take up valuable time in the enquiry and assessment process. This is costly for the church, demoralising for those who have to work with them and unkind to the applicants, by giving them false hopes that are ultimately going to be dashed.

**2.10.3.4** The Review Group was frequently told that it was possible to spot very early some people who would never be accepted for the ministry. It would thus be desirable to have an opportunity to screen applicants, possibly after the Vocations Conference at the point at which the initial application is made. This screening should take place well before the Local Review, which is the first point at present that people can be removed from the process. The Council recommends that all applicants are interviewed by a Psychologist Assessor and a Local Assessor/mentor at this stage. The interview would decide whether or not it would be advisable for the applicant to enter the process. If the applicant is invited to continue, the interviewers

may propose specific areas which could be explored in the following discernment process.

**2.10.3.5 Discernment and Assessment:** The Council believes that it is desirable to regard the eight or nine months which an applicant spends with a local assessor/mentor as a period of **discernment**, in which they can jointly explore the applicant's call to ministry and consider to which form of ministry the applicant has been called. At present, this period is referred to as a period of **assessment**. Such a description establishes a relationship between applicant and assessor primarily based on making judgments, which may inhibit the development of constructive and mutual learning between the two. The present system is also repetitive, resulting in similar assessments being made at the Local Review and in the National Assessment Conference (NAC). While recognising that there will be an element of measurement and judgement in the local process, the Council would make a qualitative distinction between **discernment** (which is the primary concern of the first eight months) and **assessment** (which is the primary business of the NAC).

**2.10.3.6** Such a change would require different skills in the various assessors/mentors and a clarification of the purpose of the various activities undertaken during this phase of the process. If approved in principle, further clarification of the process will be brought to the General Assembly of 2014.

**2.10.3.7 Role of the Presbytery:** there are indications that the Presbytery has become somewhat marginalised in the current process, despite its original design having aimed at enabling more local input. It is appropriate that the applicant should turn to the Presbytery for support and pastoral care at this time. Candidates indicated the value of the peer support they experienced during the Vocations Conference. Presbyteries could introduce local applicants to each other (possibly even across neighbouring presbyteries) with a view to supporting each other through the assessment process. The Review Group also indicated, however, the impression that some applicants can take a

fairly self-indulgent approach to the process and that, if they were considered to be under the care and discipline of the Presbytery, this might engender a more responsible and realistic attitude.

**2.10.3.8 Administrative load:** The process is also administratively cumbersome and needs to be streamlined. Significant points of difficulty are:

- The **timing** of key points in the process and the possibility that they are out of kilter with the relevant meetings of Presbytery or the timetable for application to university. This difficulty could be alleviated if the Council were to hold quarterly reviews in regional centres, which applicants could attend once they are ready to do so, and if they were to hold NACs at two separate times in the year.
- The frequency of opportunities for **appeal**. A considerable amount of energy goes into appeals at several points in a system that already is generous in offering second chances. Currently, applicants have the right to have their appeal heard without any independent scrutiny as to whether or not it is competent. The Council recommends that an independent panel should scrutinise any proposed appeal and first determine whether or not it is competent. Ensuring at an early stage that an appeal is based on grounds that are valid should reduce the number of appeals and so the administrative burden.
- The process still involves sending out **hard copies** of documents, which is costly and time consuming. Communication should be made, and data held, electronically other than in the most exceptional circumstances.

**2.10.3.9** However well designed the process is, on its own it cannot guarantee that the applicants will have a 'successful' ministry. While the Church can look out for qualities of resilience and a capacity to respond creatively to changing circumstances, there is the danger that our perceptions of what a 'good minister' looks like will reflect the needs of today rather than of the future.

**2.10.3.10** There is also a bigger challenge to the Church as a whole. The Council was distressed to hear details of how many ministers get into serious difficulties in their early ministry. Despite opportunities for congregational experience during training, it appeared that many ministers were not ready for the difficult dynamics that many congregations present. The Council is of the view that this is something that needs to be addressed directly with congregations, in terms of the demands that they put on their minister.

#### **2.10.4 Recommendations**

Taking account of these comments and of the more detailed review of the individual stages of the current process, the Council recommends the following courses of action:

**2.10.4.1** The details of the Vocations Conference should be kept under regular review.

**2.10.4.2** An initial screening interview should be conducted when a person first submits an application. This should be conducted by a Psychologist Assessor and a trained mentor and the application should be supported by three references. The purpose of this interview will be to identify applicants who do not have the capacity to sustain the process of assessment for training for the ministry for reasons of competence or personality. The interview will also identify, for those proceeding to discernment, areas for reflection and development. After the interview, the Ministries Council would inform Presbyteries of applicants who will be in their bounds. The applicant should then be considered to be under the care and discipline of that Presbytery.

**2.10.4.3** The applicant should then enter a period of discernment, similar in structure to the present stages of enquiry and assessment, in which applicant and assessor work together to discern further the nature of the person's call and their gifting for ministry. Through this process, the kind of ministry to which they may be called should be agreed. The mentor will nurture specific skills in the applicant which are key to the exercise of ministry in the 21st century, through practical experiences and through further reading.

**2.10.4.4** To acknowledge the change in the nature of this part of the process, the Church person accompanying the applicant should be described as a mentor. While there will inevitably remain an element of critical judgement in this stage, the emphasis should be much more clearly on discernment of call and gifting.

**2.10.4.5** It is at the National Assessment Conference that critical questions of assessment arise for applicants for all ministries with the exception of Readership. Readers should continue to be assessed as to suitability for training at a Local Review. For all other ministries, the Local Review should now be considered to be the final stage of a period of **discernment**.

**2.10.4.6** The role of the Presbytery in the process – in particular, the Presbytery's role in care and discipline with regard to the applicant – should be clarified.

**2.10.4.7** The Council should review the training of local assessors/mentors in the light of these recommendations and train them to a similar standard as candidate placement supervisors. The Council should also clarify the role and the nature of the training required for Presbytery representatives.

**2.10.4.8** Personal Development Interviews (used in the early part of the current process) should be discontinued, as the applicant will now be interviewed by a psychologist at the start of the process and also during the NAC. The process of personal development will also be addressed as part of the discernment period.

**2.10.4.9** Presbyteries should be encouraged to establish peer group support for applicants. This might be done on a regional basis with cooperation between Presbyteries.

**2.10.4.10** The Council should arrange Local Reviews quarterly at regional centres and applicants should attend a review when their local assessor / mentor deems them to be ready. This would mean that applicants who show clear promise can more quickly move towards the national stage of assessment.

**2.10.4.11** The Local Review should be regarded as the culmination of the process of **discernment** and so it should be conducted in a manner that reflects this purpose.

**2.10.4.12** The outcome of the Local Review should be conveyed to the applicant in person as soon as possible and followed up with a formal, written notice of the decision.

**2.10.4.13** National Assessment Conferences should be held at two different times of the year, allowing for a more coherent movement from assessment into training.

**2.10.4.14** The outcome of the National Assessment Conference should be conveyed to the applicant orally (by phone or in person) as soon as possible. A concise report of the reasons for the decision should be prepared which will form the basis of feedback to the applicant at a later date if they wish and can be given to the applicant.

**2.10.4.15** Those involved in mentoring and assessing should have specific training in how to engage in honest assessment and feedback which is at once pastorally sensitive and robust.

**2.10.4.16** If an applicant wishes to appeal a decision, an independent panel should make a determination to establish whether it comes within the permitted grounds and further that there is sufficient specification by the applicant to show *prima facie* relevance. There should be clarification as to what grounds for appeal are relevant.

**2.10.4.17** If an applicant is not accepted for training, they may apply at a later date only if they can indicate to the Recruitment Task Group how their circumstances or understanding have changed so as to make their new application more likely to be accepted.

**2.10.4.18** Communication between the Council, the applicant and other participants in the process should be made electronically unless there is a clearly exceptional reason to provide hard copy.

**2.10.4.19** The Ministries Council should develop material to assist congregations in encouraging vocations among their members.

**2.10.4.20** This process should be reviewed five years after implementation.

## **2.11 Qualified Practising Certificates**

### **2.11.1 Introduction**

**2.11.1.1** The status of Parish Ministers as Office Holders rather than employees is one which the Special Commission anent Ministerial Tenure, with the full support of the General Assembly and the Ministries Council, has recently endorsed, not least on theological grounds. One of the practical issues which this raises, however, is how to deal with situations which are provided for in employment law, but not in relation to holders of the office of inducted Parish Minister. In particular, this applies to cases where a Parish Minister is no longer considered fit to be inducted for reasons not related to a matter of discipline. For the avoidance of doubt, this refers to Parish Ministers who have done nothing which might lead to either suspension from office or removal of status.

**2.11.1.2** When Parish Ministers demit from a charge they are entitled to receive a Practising Certificate from the Presbytery of the bounds. This allows a minister not inducted to a charge to [a] continue to hold a seat in Presbytery; [b] continue to perform ministerial duties; [c] apply for induction to a charge without restriction. It is the last of these which can lead to difficulty in two main types of case and in relation to which the Council asks the General Assembly to introduce a **qualified** form of Practising Certificate. The two types are quite unrelated and need to be treated separately, as can be seen immediately by the Acts of the General Assembly which would need to be amended in each case in order to allow Qualified Practising Certificates to be issued.

### **2.11.2 Qualified Practising Certificates: Ill Health**

**2.11.2.1** The first category is those Parish Ministers who unfortunately have to retire before reaching the state pension age on the grounds of ill health. At present, a minister who retires on the grounds of ill health receives a Practising Certificate without any qualification, which means that should they feel better and decide to apply for a charge, they can do so without any further check on

health. In a few cases, this has resulted in an individual having to retire early more than once on the grounds of ill health, usually within a very short space of time. This is neither good for the minister concerned nor for the parish which inevitably suffers in morale.

**2.11.2.2** The Council does not wish to prevent people who have retired early on health grounds from performing some of the duties of ministry as and when they are fit to do so. For example, some may recover sufficiently to be able to offer pulpit supply from time to time, or to assist as a locum, where this is not on a full-time basis. Such ministers should also be entitled, should they so wish, to take up a seat in Presbytery and to contribute to the wider life of the Church in this way. The Council has a duty of care for ministers, including and especially those who retire on the grounds of ill health. In order to exercise this duty of care, the Council believes it is vital that a proper mechanism be put in place to ensure that a minister's health is sufficiently recovered before that person may be issued with an unqualified Practising Certificate that would allow the individual to apply for induction to a charge.

**2.11.2.3** For a Parish Minister to retire early on the grounds of ill health incurs a significant cost in terms of pension provision. This will vary according to individual circumstances, including the length of service already accrued. Early retirement on the grounds of ill health is not granted lightly and will only follow upon the clear recommendation of an independent Occupational Health consultant following assessment.

**2.11.2.4** At present a minister who has retired early on the grounds of ill health (or whose pastoral tie with a congregation has been dissolved in terms of Act XV 2002) is issued with a Practising Certificate which is not qualified. The Council proposes that Act XV 2002 anent Long-term Illness of Ministers in Charge be amended as indicated in Appendix 1 (*below*) so that in future such ministers will be issued with a Qualified Practising Certificate as described. This will allow the minister to retain a seat in Presbytery and to perform restricted duties. It will not, however, allow the minister to apply for election to a charge.

**2.11.2.5** Should a minister having retired on the grounds of ill health believe that he or she has recovered sufficiently to be able to return to service as a Parish Minister, it will be necessary in the first instance to obtain through the Council a clear recommendation from the Church's Occupational Health consultant that he or she is fit to return to full duties. A Presbytery will only issue an unrestricted Practising Certificate if and when it has received notification from the Council that the person has been examined and declared fit to return to work. For the avoidance of doubt, should a minister return to full-time Parish Ministry, any pension payments will be suspended until such time as the minister actually retires again from work. Additionally, if the holder of a qualified certificate who applies for and receives an unrestricted certificate is living in a house provided through the auspices of the Housing and Loan Fund, that person will have a duty to inform the Fund of any change in their circumstances.

### **2.11.3 Qualified Practising Certificates: Demission with Legally Binding Agreement**

**2.11.3.1** The second category of Qualified Practising Certificate proposed by the Council relates to a small number of Parish Ministers who get into difficulties leading to a breakdown of relationships, sometimes on a recurring basis in more than one charge. In such cases, a Presbytery will have contacted the Council indicating that it would like some support in bringing the situation to a quick resolution through the demission of the minister in the interests of the peace of the Church. Such a demission will be on the basis of a legally binding agreement drawn up between the Council and the minister.

**2.11.3.2** In cases of this type, the Presbytery has recognised that the only option open to it other than such a negotiated agreement to demit is the use of Act I 1988 anent Congregations in an Unsatisfactory State. The weakness of that procedure in such cases is that the Presbytery will have no option other than to issue an unrestricted Practising Certificate to the minister at the end of a long and difficult process, leaving the minister free to move on to another charge without addressing the

circumstances which led to the breakdown of relationships. For this reason, a recurring pattern of relationship breakdown becomes more likely – and has proved to be the case in a small but significant number of cases. The Council has a duty of care to ensure that the minister is not exposed to conflict and distress through taking up another charge without space to address the issues which have led to the situation. The Presbytery likewise has a duty to ensure that a congregation does not unnecessarily go through an extended period of upset, conflict and distress caused by working through the lengthy process of Act I 1988.

**2.11.3.3** The Council proposes that Act II 2000, Consolidated Act anent the Ministry be amended as indicated in Appendix 2 (*below*) so that in future such ministers will be issued with a Qualified Practising Certificate as described. Such ministers will be able to perform restricted duties as described in the terms of the Certificate issued, but they will not retain a seat in Presbytery. A minister holding a Qualified Practising Certificate (Demission with Legally Binding Agreement) will not be eligible to apply for induction to a charge.

**2.11.3.4** Provision is made within the amendment to the Act outlined in Appendix 2 for a minister to apply for a review of the restrictions and the issue of an unrestricted Practising Certificate. The legally binding agreement drawn up to facilitate demission from the charge will specify a period which must elapse before a review takes place. Should the review determine that the minister is not ready to receive an unrestricted Certificate, a new date shall be agreed for future review. The minister shall have the right to appeal to the Ministries Appeal Panel against a decision of the Council not to grant an unrestricted Certificate following a review.

**2.11.3.5** Presbyteries shall keep a list of ministers holding a Qualified Practising Certificate in terms of a legally binding agreement and transmit a copy to the Principal Clerk annually as described in section (5) of Appendix 2.

**2.11.3.6** The introduction of Qualified Practising Certificates also necessitates a small change to Act VI

2007 anent the Ministries Appeal Panel, to allow appeals to be heard against a decision to continue the period of restriction at the point of review. This can be found in Appendix 3 below.

## APPENDIX 1

### Qualified Practising Certificates (Ill Health)

#### ACT AMENDING ACT XV 2002: ACT ANENT LONG-TERM ILLNESS OF MINISTERS IN CHARGE

*Edinburgh, [ ] May 2013, Sess.1*

The General Assembly hereby enact and ordain that Act XV, 2002 as amended shall be further amended as follows:

*Insert a new section 12 and renumber the remaining sections accordingly:*

#### Qualified Practising Certificates

- (1) When a minister's pastoral tie has been dissolved in terms of this Act, or where a minister has retired early from a charge or other employment with the Church of Scotland on the grounds of ill-health, the minister may apply to Presbytery for issue of a Qualified Practising Certificate (Ill Health) under this Act. For the avoidance of doubt, no Presbytery shall issue an unrestricted Practising Certificate to a minister in such circumstances other than as provided by section 12(3) below.
- (2) If a minister holds a Qualified Practising Certificate (Ill Health), then the following shall apply:
  - (i) The minister may undertake certain functions of the ministry, being the conduct of occasional services and/or other occasional unpaid ministerial duties.
  - (ii) The minister will retain the status of minister of the Church of Scotland and the right to a seat in Presbytery.
  - (iii) To enable the Church to fulfil its duty of care towards the minister and also to congregations and members of Presbytery, the eligibility of the minister to apply for a vacant charge or for other employment with the Church shall be subject to the Council receiving a satisfactory Occupational Health Report from the Church's Occupational Health Physician which declares beyond reasonable doubt that the minister in question is fit to perform the duties of a Parish Minister or of the relevant employment within the Church of Scotland, as the case may be. Such a Report will be called for by the Council who will hold its contents in confidence, but will advise Presbytery as to its conclusion(s) and recommendation(s).
- (3) A minister holding a Qualified Practising Certificate (Ill Health) may at any time apply for an unrestricted Practising Certificate in terms of Act II 2000 (Consolidating Act Anent the Ministry) as amended, but no Presbytery shall issue an unrestricted Practising Certificate to a minister who has previously been issued with a Qualified Practising Certificate (Ill Health), or to any minister whose pastoral tie has been dissolved in terms of this Act, or who has retired early from a charge or other employment with the Church of Scotland on the grounds of ill-health, without first receiving and considering advice from the Council as specified in section 12(2)(iii).
- (4) Each Presbytery shall maintain a list of Ministers holding a Qualified Practising Certificate (Ill Health) and shall send that list to the Principal Clerk of the General Assembly on 30 June each year, or as soon as possible thereafter. Any changes in the course of the year shall be intimated as they occur.
- (5) The procedures for the annual review of Practising Certificates, as outlined in Sections 6 and 9 of Act II 2000 (Consolidating Act Anent the Ministry) as amended, shall apply *mutatis mutandis* to Qualified Practising Certificates (Ill Health). The provisions of sections 10, 11, 12 and 13 of Act II 2000 as amended shall apply also to Qualified Practising Certificates (Ill

Health). Otherwise the provisions of Act II 2000 as amended as to Practising Certificates shall not apply to Qualified Practising Certificates (Ill Health).

## APPENDIX 2

### Qualified Practising Certificates (Demission with Legally Binding Agreement)

#### ACT AMENDING ACT II 2000: CONSOLIDATING ACT ANENT THE MINISTRY

Edinburgh, [ ] May 2013, Sess. 1

The General Assembly hereby enact and ordain that Act II, 2000 as amended shall be further amended as follows:

1. *In section 3(2), after "provided" add the words "or a Qualified Practising Certificate in terms of section 5(2) of this Act."*
2. *In the existing section 5(2), (i) add the word "unrestricted" before the words "Practising Certificate" in the first line of that section and (ii) delete the second sentence and substitute the following:*  
  

"For the avoidance of doubt, a Presbytery may not issue a qualified Practising Certificate excluding the award of a seat in Presbytery except (i) at the request of the Minister, or (ii) in terms of section 18 of this Act. The only other type of qualified Practising Certificate which a Presbytery may issue is a Qualified Practising Certificate (Ill Health) in terms of section 12 of Act XV 2002 (Act Anent Long-Term Illness of Ministers in Charge) as amended and in that case the minister holding such a Certificate shall, for the avoidance of doubt, be entitled to a seat in Presbytery."
3. *Amend section 8 of this Act by adding at the start the words "Subject to the provisions of this Act and that of Act XV 2002 (Act Anent Long-Term Illness of Ministers in Charge) as amended, as to Qualified Practising Certificates,".*

4. *In section 10, add at the end: "It shall be the duty of a minister who holds a Qualified Practising Certificate of whatever type and who moves to the bounds of another Presbytery to exhibit said Certificate to the Clerk of that Presbytery."*
5. *Amend section 17 by adding the words "or current Qualified Practising Certificate" after the words "current Practising Certificate" where they appear in the second line.*
6. *Insert a new section 18 and renumber the remaining sections accordingly:*

#### Qualified Practising Certificates

- (1) In addition to an unrestricted Practising Certificate in terms of sections 5 to 17 of this Act, a Presbytery may issue a Qualified Practising Certificate, being one of (i) at the request of the minister, as referred to in section 5(2) of this Act, (ii) a Qualified Practising Certificate (Demission with Legally Binding Agreement) in terms of this section 18 of this Act or (iii) a Qualified Practising Certificate (Ill Health) in terms of section 12 of Act XV 2002 (Act Anent Long-Term Illness of Ministers in Charge).
- (2) Where a minister has agreed to demit in the interests of the peace of the Church and has entered into a legally binding written agreement with the Presbytery and the Ministries Council (a "Legally Binding Agreement") in terms of which he or she agrees to specified limitations upon his or her eligibility to perform the duties of a minister for a specified period, the Presbytery shall issue to that minister a Qualified Practising Certificate (Demission with Legally Binding Agreement) under this Act.
- (3) If a minister holds a Qualified Practising Certificate (Demission with Legally Binding Agreement) then the following shall apply to that minister:
  - (i) The minister may undertake only those functions of the ministry which are defined in his or her Legally Binding Agreement.

- (ii) The minister will retain the status of minister of the Church of Scotland but shall not be entitled to a seat in Presbytery or to apply for vacant charges.
  - (iii) The minister shall be entitled to a review (or reviews) of the terms and conditions of the Legally Binding Agreement after expiry of a period (or periods) specified within the Legally Binding Agreement.
- (4) The Ministries Council will ensure that an appropriate review (or reviews) is/are conducted at the point(s) indicated in the Legally Binding Agreement and upon satisfactory fulfilment of the terms and conditions specified in the Legally Binding Agreement, the minister shall be eligible to apply for an unrestricted Practising Certificate. The Ministries Council shall inform the Presbytery of the outcome of all reviews and shall make recommendation(s) to Presbytery as to the issue of an unrestricted Practising Certificate. No Presbytery shall issue an unrestricted Practising Certificate to a minister who has previously been issued with a Qualified Practising Certificate (Demission with Legally Binding Agreement) without first receiving a recommendation from the Ministries Council in favour of issue of an unrestricted Practising Certificate. The minister shall have a right of appeal to the Ministries Appeal Panel in respect of any recommendation from the Ministries Council with which he or she is aggrieved.
- (5) Each Presbytery shall maintain a list of Ministers holding a Qualified Practising Certificate (Demission with Legally Binding Agreement) and shall send that list to the Principal Clerk of the General Assembly on 30 June each year, or as soon as possible thereafter. Any changes in the course of the year shall be intimated as they occur.
- (6) The procedure for the annual review of Practising Certificates, as outlined in sections 6 and 9 of this Act, shall not apply to Qualified Practising Certificates

(Demission with Legally Binding Agreement) on the basis that while holding such a Certificate, the minister in question shall have his or her status reviewed as provided for in the Legally Binding Agreement and shall only be eligible to apply for an unrestricted Practising Certificate in terms of section 18(4) above. The provisions of sections 10, 12 and 13 of this Act shall apply to Qualified Practising Certificates (Demission with Legally Binding Agreement). Otherwise the provisions of this Act as to Practising Certificates shall not apply to Qualified Practising Certificates (Demission with Legally Binding Agreement).

### **APPENDIX 3**

#### **ACT AMENDING ACT VI, 2007 ANENT THE MINISTRIES APPEAL PANEL**

*Edinburgh, [ ] May 2013, Sess.1*

The General Assembly hereby enact and ordain that Act VI, 2007 as amended shall be further amended as follows:

1. *Amend section 5 by adding the following words at the end:*

“The Ministries Appeal Panel shall also hear appeals by ministers in respect of recommendations made by the Ministries Council in terms of section 18 of Act II 2000 (Consolidating Act Anent Ministry) with which the minister in question is aggrieved.”

#### **2.13 Joint Report of the Ministries Council and Mission and Discipleship Council on the Emerging Church**

**2.13.1** Since the beginning of 2012 the two Councils have worked together constructively through the Joint Emerging Church Group (JECG) to pursue this area of work. Full details of the purpose of the group were reported to GA 2012, and the report this year focuses on work done since then.

**2.13.2** The core work of the group through the year has been to develop a clarity of strategy that is both rooted in our experience within the Church of Scotland (through

our involvement with the programme of New Charge Developments and a variety of funded projects) and which is reflective of the wider context in which the Church now finds itself.

**2.13.3** After much consideration the group is ready to present to the Church a challenging and exciting vision that it believes will begin to address the many years of decline across the life of the Church. Central to such a vision for growth is an invitation to every Parish across the Church to explore the possibilities of establishing a new experience or expression of Church appropriate to the local context, and this by the year 2020. There is a sense within the JECG that the time is right to invite the Church to embark on such a journey for there are a number of helpful things coming together that will assist congregations in setting out on such a road. These include:

**2.13.3.1** A formal partnership with *Fresh Expressions* (<http://www.freshexpressions.org.uk>) is being established so that we can further benefit from their experience in training for and support of new expressions of church life.

**2.13.3.2** Alongside this the Councils are in the process of jointly appointing a 'Fresh Expressions Development Worker' who will work with *Fresh Expressions* thereby allowing all the knowledge and insight gained through many years of experience in this area to be translated into the context of 21st century Scotland.

**2.13.4** This vision for growth is spelled out in the Vision and Strategy document *A Time to Grow* which can be accessed on the Church of Scotland website (<http://www.churchofscotland.org.uk/>). Copies will also be distributed to Commissioners at the General Assembly.

**2.13.5** Across the Church much work has already begun in Parishes to get a clearer picture of the challenges they face on their own doorstep. To complement this and further enable this picture to emerge, two key initiatives are about to be offered to every Parish that will allow them to get such insight:

**2.13.5.1** A revised version of *Future Focus* – a simple and easy to use tool to help congregations see and appreciate their parish. Such a resource will be free to download on the Mission and Discipleship pages of the Church of Scotland website.

**2.13.5.2** Over the last year the Statistics for Mission group has been working to map the boundaries of every Parish across Scotland and in partnership with National Records of Scotland they hope, upon release of data from the most recent census, to make available a detailed analysis of every Parish.

**2.13.6** This invitation to grow comes with the recognition that we need to grow the vision locally and discover some of the insights and wisdom from those who have already set on this road. Such growth will require help as together we discover the ways in which we can finance and restructure to accommodate such growth as well as to inspire the leadership, networks of support and training necessary along the way.

**2.13.7** Already we are working with the *Go For It* Fund Committee as it finances change in church and community, particularly in relation to "developing new ecclesial/Christian communities".

**2.13.8** In addition to our focus upon such strategic issues we have also, through the New Charge Development (NCD) subgroup, been working with 10 NCDs through the course of the year.

**2.13.8.1** Two positive reviews were conducted. In the Presbytery of Greenock & Paisley, Paisley: St Ninian's underwent its eight year review, and in Hamilton Presbytery, East Kilbride: Stewartfield underwent its ten year review.

**2.13.8.2** In addition the group has engaged with NCD charges and Presbyteries through the course of the Presbytery Planning process.

**2.13.8.3** After 12 years as an NCD, the JECG was delighted to see Perth: Riverside being raised to full status at the start of December 2012.

**2.13.9** Over the years a thorough system has now been put in place to ensure that our NCD congregations are fully supported and critiqued at regular intervals, thereby ensuring that such new and vulnerable expressions of

Church are given the best chance possible for growth and life. The JECG is tasked with overseeing all systems for NCD charges, from initial discussions through the establishment of the charge to raising it to full status.

	Task	Progress/Update
<b>3</b>	<b>Priority Areas</b>	
<b>3.1</b>	Review of Priority Areas Action Plan.	In 2010, the General Assembly approved a 7 year Priority Areas Action Plan. During 2013, the Ministries Council will undertake a mid-point review of this work, identifying key areas where significant change still needs to be implemented and update the Plan accordingly. This year's report highlights some of the key ways in which the Council is actively taking forward specific work around each of the Action Plan's 7 priorities.
<b>3.2</b>	Priority 1: We aim to address the problem of our buildings.	<i>Chance to Thrive</i> is working with 8 priority area congregations as they develop people-centred solutions in their neighbourhoods. In each case, how we use our buildings is critical and this work is carried out in partnership with the General Trustees. In 2012, external funds were secured to support a three-year research project running alongside this work which will help us to learn, amongst other things, how this work can support the Church's broader buildings strategy.
<b>3.3</b>	Priority 2: We aim to make our structures more straightforward.	This is, consistently, the most difficult part of the Action Plan to implement as we seek to strike the balance between ensuring that the necessary processes and procedures are fulfilled but congregations' energy is not dissipated in unnecessary administration. We work across Councils and Committees – through the Priority Areas Forum – to try to ensure that priority area congregations have direct access to the vital resources of the wider Church.
<b>3.4</b>	Priority 3: We aim to take our work to the margins.	<p>Over the past year, we have supported the establishment of the <i>GK Experience</i> as a separate charity working with marginalised young people from many of our very poorest neighbourhoods. Through <i>Passage from India</i> (<a href="http://www.passagefromindia.org">www.passagefromindia.org</a>), generously supported by the Guild, we are helping to develop Women's Self Reliant Groups in Scotland and through our partnership with Faith in Community Scotland (<a href="http://www.faithincommunityscotland.org">www.faithincommunityscotland.org</a>), we are helping local communities to establish prison through care networks in North Glasgow, Kilmarnock and Greenock.</p> <p>In 2013, as the data from 2011 National Census becomes available, we will be carrying out a review of priority area parishes to ensure that the Church's work in this sphere of activity remains clearly focused on the very poorest communities and groups.</p>

	Task	Progress/Update
3.5	Priority 4: We aim to have worship at the heart of all that we do.	We continue to work locally with congregations, helping them to look at ways of developing fresh patterns of worship, particularly in contexts outside of Sunday worship. Alongside this we have continued to look at the importance of ministries of healing in the life of the Church and, in particular, how congregations can be viewed as healing communities in struggling neighbourhoods.
3.6	Priority 5: We aim to tackle the causes of poverty.	<p>We continue to work closely with the Church &amp; Society Council and the Scottish Churches Parliamentary Office as well as the Church's Communications Department to ensure that the experiences and expertise of people living in priority areas informs what the Church has to say about poverty in Scotland today.</p> <p>There is an increased recognition across Scotland of the immense importance of a child's early years if s/he is to be given the best possible chance in life and of the critical role of families. An increasing number of congregations are focusing on this work and in 2012 we have carried out a piece of work to identify ways in which we can support the small scale development of work with families more effectively.</p> <p>We work closely with the Poverty Truth Commission (<a href="http://www.povertytruthcommission.org">www.povertytruthcommission.org</a>) which in January 2013 began work with a range of new commissioners drawn from key leadership roles in Scottish society and direct experience of poverty.</p>
3.7	Priority 6: We aim to develop more effective leadership.	During 2012, we have expanded the Priority Areas Coaching programme, established in collaboration with Auburn Theological Seminary ( <a href="http://www.auburnseminary.org">www.auburnseminary.org</a> ), to support ministries serving in a broader group of communities and the Council hopes to extend this work further over coming years. We have also supported the establishment of team mentoring in recognition that positive teamwork is essential if the Church's work in priority areas (and elsewhere) is to flourish.
3.8	Priority 7: We aim to widen the reach of our support.	Over the past year we have continued to ensure that many of the resources and models which have been developed in priority areas over the last decade are increasingly accessible to others as well as working directly with an increasingly diverse group of congregations and communities. This is always a delicate balancing act – trying to work more broadly whilst continuing to support the places where poverty is at its most acute.

	Task	Progress/Update						
4	Education and Support							
4.1	Vocations Sunday.	<p>The Council was asked to devise materials to assist congregations in observing a Vocations Sunday. As this had traditionally been held on the Second Sunday in Advent, worship material was produced and posted on the <i>Starters for Sunday</i> section of the Church of Scotland website in December 2012. This included material suitable to the Advent season and material that could be used at any other time of the year. The Council is grateful to those who gave of their time to prepare the worship material. It is anticipated that new materials will be provided for the second Sunday in Advent in 2013.</p> <p><i>Youtube</i> clips featuring people talking about their engagement in the various forms of recognised ministries and the eldership have been filmed and are also available on the Ministries Council pages on the Church of Scotland website (<a href="http://www.churchofscotland.org.uk">http://www.churchofscotland.org.uk</a>) for use in worship or for individual reflection.</p> <p>A booklet outlining the forms of recognised ministries and the process of discernment is also being prepared with a view to distribution in May 2013.</p>						
4.2	Appointment of new Assessors and ongoing training.	<p>A selection process for new assessors was carried out and 6 new assessors were selected.</p> <table><tr><td>Ali McLeod</td><td>Rev Chris Wallace</td></tr><tr><td>Rev John McMahon</td><td>Rosie Wallace</td></tr><tr><td>Andy Shuttleworth</td><td>Rev David Watson</td></tr></table> <p>They are currently undergoing training to work within the Enquiry &amp; Assessment process. In addition, they join with all other Assessors in an annual training event held in February 2013.</p>	Ali McLeod	Rev Chris Wallace	Rev John McMahon	Rosie Wallace	Andy Shuttleworth	Rev David Watson
Ali McLeod	Rev Chris Wallace							
Rev John McMahon	Rosie Wallace							
Andy Shuttleworth	Rev David Watson							
4.3	Enquiry & Assessment Scheme.	<p>The regular work of the Enquiry &amp; Assessment Scheme has proceeded throughout the year. The established format was used while the review process was being conducted. Details and statistics for the scheme are presented below (<i>Table 4.3</i>).</p>						

	Task	Progress/Update																		
4.4	Lifting of the moratorium on Admissions and Readmissions.	Since the lifting of the moratorium those who had applied to enter or re-enter ministry in the Church of Scotland during the period of the moratorium were contacted. A number of new applications were also received and continue to come in. The Council reviewed the format for assessment to ensure a fair and robust process was in place and held an Admissions conference in February 2013 with another conference planned for May. Readmissions panels have also been held as required.																		
4.5	Admissions and Readmissions.	<p>In the past year, <b>Certificates of Eligibility</b> have been issued to the following ministers:</p> <table><tr><td>Mr Colin Alston</td><td>Readmission</td></tr><tr><td>Rev Dr Abraham Erasmus</td><td>Dutch Reformed Church in South Africa</td></tr><tr><td>Rev Duncan Macdonald</td><td>Licentiate</td></tr><tr><td>Rev Kleber Machado</td><td>Evangelical Reformed Church in Brazil</td></tr><tr><td>Rev Ada Macleod</td><td>Licentiate</td></tr><tr><td>Rev Alisa McDonald</td><td>Presbyterian Church USA</td></tr><tr><td>Rev Richard Moffat</td><td>Presbyterian Church of Canada</td></tr><tr><td>Rev John Notman</td><td>NewSong Community Church</td></tr><tr><td>Rev Jonathan Wylie</td><td>Presbyterian Church in Ireland</td></tr></table>	Mr Colin Alston	Readmission	Rev Dr Abraham Erasmus	Dutch Reformed Church in South Africa	Rev Duncan Macdonald	Licentiate	Rev Kleber Machado	Evangelical Reformed Church in Brazil	Rev Ada Macleod	Licentiate	Rev Alisa McDonald	Presbyterian Church USA	Rev Richard Moffat	Presbyterian Church of Canada	Rev John Notman	NewSong Community Church	Rev Jonathan Wylie	Presbyterian Church in Ireland
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Rev Richard Moffat	Presbyterian Church of Canada																			
Rev John Notman	NewSong Community Church																			
Rev Jonathan Wylie	Presbyterian Church in Ireland																			
4.6	Training for Ordained Local Ministry.	<p>A number of candidates who have come through the Enquiry and Assessment Process and those who have been accepted for transfer from readership have embarked upon training. Initial training includes academic study to Certificate level, practical supervised placements and a conference programme.</p> <p>Those entering training for OLM are also committed to post-ordination academic study up to Diploma level. This would normally be completed within four years of ordination.</p>																		
4.7	Candidate Conferences.	Following a review of candidate conferences these now follow a three year programme with all candidates coming together and receiving some training as a whole group but also dividing into year groups for the bulk of the autumn conference. Year one focuses on worship, year two on pastoral care and year three on mission. The Spring conference did not take place this year, but was replaced by small group retreats organised by the Council. These were led by experienced leaders of retreat centres. A stronger focus on retreat and spirituality is deemed essential to future spiritual development and resilience in ministry.																		

	Task	Progress/Update
4.8	Candidate Supervision – Training for Supervisors.	Training of supervisors for candidate placements continues to develop. Attendance at a robust training programme which takes place over 48 hours is now a requirement for all new supervisors. In addition, the Council has agreed that a programme of refresher training for current supervisors should be implemented and this is currently underway. Feedback from experienced supervisors attending the refresher training has been extremely positive. The training is offered by accredited trainers who are themselves experienced supervisors and the pool of trainers has been significantly augmented in the past year. Additional training and support is in place for supervisors of Probationers.
4.9	Candidate Training – the Ministries Training Network (MTN).	<p>The Ministries Training Network continues to encourage the development of reflective skills in our candidates for ministry. In addition it offers the opportunity for peer support and learning. An emphasis on developing pastoral awareness, spirituality and leadership skills is an integral part of the process. Candidates themselves are positive about the support offered and the learning opportunities afforded.</p> <p>Statistics relating to candidates in training for the ministries of the Church can be found below (<i>Table 4.9</i>).</p>
4.10	Support Structures for those engaged in the ministries of the church.	The Council was instructed to develop and improve the support structures for those engaged in the recognised ministries of the Church. A full report on this will be brought to the General Assembly in 2014, but an interim report can be found below at Section 4.10.

**Table 4.3 Enquiry and Assessment Scheme Statistics: 2008 – 2012**

	2008			2009			2010			2011			2012		
	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Applicants for Ministry (all types)	40	32	72	44	22	66	52	45	97	51	31	82	31	37	68
Entered Local Assessment	39	27	66	41	19	60	40	34	74	39	22	61	28	35	63
Chose to Withdraw (locally)	15	6	21	3	0	3	1	0	1	3	1	4	1	3	4
Completed Local Assessment	24	21	45	38	19	57	39	34	73	36	19	55	27	32	59
Readership (Applicants)	8	8	16	3	8	11	7	8	15	8	6	14	6	9	15
Readership Accepted	7	7	14	3	8	11	7	8	15	7	6	13	4	9	13
Attended Assessment Conference	18	18	36	25	9	34	17	21	38	21	17 <sup>4</sup>	38	15	20	35
Full-time Ministry (Applicants)	13	13	26	18	6	24	14	20	34	11	11	22	10	15	25
Full-time Ministry Accepted	9	7	16	7	1	8	7	10	17	6	6	12	7	9	16
Auxiliary Ministry (Applicants)	5	3	8	7	2	9	3	1	4	8	4	12	5	5	10
Auxiliary Ministry Accepted (OLM from 1/6)	2	2	4	3	1	4	3	1	4	3	3	6	2	2	4
Deacons (Applicants)	0	2	2	0	1	1	0	0	0	2	2	4	0	0	0
Deacons Accepted	0	2	2	0	0	0	0	0	0	2	2	4	0	0	0
First Time Applicants	15	15	30	24	9	33	15	17	32	16	14	30	13	16	29
Accepted	9	10	19	10	2	12	6	10	16	7	10	17	7	8	15
Returning Applicants	3	3	6	1	0	1	2	4	6	5	3	8	2	4	6
Accepted	2	1	3	0	0	0	1	0	1	4	1	5	2	3	5

M = male F = female

<sup>4</sup> 2 Applicants came straight to an Assessment Conference without having done a period of enquiry and assessment

**Table 4.9 Statistics on Candidates in Training**

	2010 – 2011				2011– 2012				2012– 2013			
Full-time Candidates studying theology at University (across all years of study):												
Glasgow	12				12				13			
Edinburgh	16				19				19			
Aberdeen	5				4				3			
St Andrews	4				5				5			
HTC, Dingwall	4				5				7			
Number of OLM Candidates in Training	13				13 + 18 transfers				11 + 13 transfers			
Number of Readers in Training	36				34				20			
Number of Readers set apart	11				6				9			
Candidates beginning their formation process												
Full-time	18				13				16			
OLM (Auxiliary 2010 – 2012)	3				6 + 18 transfers				3 + 13 transfers			
Diaconate	0				4				1			
Courses being followed by new full-time Candidates												
Studying for undergraduate theology degree	17				13				10			
Studying for 2 years on a post-graduate programme	1				4				3			
Tailored academic requirements	0				0				4			
Number of Probationers completing training												
Full-time	23				13				8			
OLM (Auxiliary 2011)	5				3				4 + 30 transfers			
Diaconate	0				1				0			
Gender of Candidates in Training	M	F	Aux M	Aux F	M	F	OLM M	OLM F	M	F	OLM M	OLM F
First Year	9	9	4	0	8	9	3	3	8	9	1	2
Second Year	4	2	3	1	9	9	4	0	8	7	3	3
Third Year	5	7	2	0	4	2	3	1	5	10	2	0

#### 4.10 Review of Support Services for Ministries

**4.10.1** The Council is reviewing the current support services for those engaged in the recognised ministries of the Church and exploring a range of options for the future. The work is being carried out by the Pastoral and Vocational Task Group.

**4.10.2** Over recent years there has been a shift in expectation towards a support structure delivered from the Church offices rather than a local or Presbytery based one. Alongside this, however, there is recognition that for support to be easily accessible and available then stronger local support structures are needed. The focus for the future options should be on locally or regionally available systems of support, but this report also seeks to emphasise the support services that are available through the national church structures. As the review is on-going and there is a need for proper research and better understanding of the needs of ministries personnel, this report is an interim one with a full report to follow at the General Assembly of 2014.

**4.10.3** Council staff, led by the Education and Support Secretary, Rev Marjory McPherson, have begun a process of meeting with Presbytery Clerks either individually or in groups in order to glean best practice and hear about concerns at Presbytery level. They have also been conducting interviews with a number of ministers who were ordained in the last seven years in order to determine the influence of training on their resilience in ministry. A University research department is assisting in this work.

**4.10.4** The following pilot projects are also being conducted from February to autumn 2013 in order to provide evidence of the kinds of support that may prove useful in the future:

- **Professional supervision** – 7 people will see a highly trained supervisor monthly for up to 8 months to discuss their work and the stresses and concerns that emerge in their daily routines.
- **Social networking group** – an on-line confidential social networking group will be set up and monitored. This will be read and observed and ideas will be

suggested for discussion and support. This will be reviewed after 6-8 months.

- **Spiritual accompaniment** – is already provided four times each year for Probationers from the start of probation until two years after ordination. Many continue beyond this period and pay for it themselves as they have come to recognise the value of such accompaniment. Others arrange their own spiritual direction or accompaniment independently of the Council. Those who have engaged in spiritual direction / accompaniment are being asked to provide feedback to help the Council to evaluate the provision.
- **Triads**<sup>5</sup> – currently those who supervise Probationers work in triads to share their experience of supervision. The plan is to develop this to a collegiate form of triad with those in ministry meeting in groups of three with others who are in close proximity. A number of triads will be established and evaluated.
- **Work-based learning group** – guided by a minister and psychologist and funded by the Guntrip Trust, this group will meet monthly for coaching / mentoring over a 6-8 month period. The group will be led by Rev John P. L. Munro, who is an experienced trainer with *Bridge Builders*.
- **Ministry networking groups** – a number of groups of ministers have spontaneously met for many years for mutual support and to plan worship together. They will be invited to share their experiences and the benefits of their gatherings with a view to the Council disseminating good practice.
- **Resilience conference** – With funding from the Tod Endowment Trust 16 ministers have been invited to attend an overnight conference where they will be enabled to gain understanding of how stress affects their health and well-being and look at ways to prevent and manage stress. The conference will be run by Romma Clements, a Psychodynamic Counsellor and Supervisor. There will be a teaching element and group work and the group will be assisted by an experienced mentor and spiritual accompanier.

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<sup>5</sup> Triads are a form of peer supervision in which supervisors offer mutual feedback and support and experience mutual learning through working together in groups of three

- **Coaching** – over a number of years, a coaching programme has been rolled out to great effect to those serving in Priority Areas. This has been provided in conjunction with Auburn Seminary (New York). Those who have been on the programme speak of it as life-changing and the Council is seeking to extend the benefits of coaching to a wider range of ministries personnel.

**4.10.5** While these pilot projects are undertaken the usual support structures remain in place and it seems appropriate to remind those in ministry of the support that is available. A majority of Presbyteries have Presbytery Chaplains. Minsters in their first five years should be regularly provided with support from a Presbytery mentor. Some Presbyteries run 'buddy schemes', regular meetings for ministers and often the Presbytery Clerk provides pastoral support or puts people in touch with appropriate support services.

**4.10.6** At a national level a number of support services are also provided. There is a 24-hour helpline responding to relationship, personal, family and finance matters for ministers and manse families. There is a team of counsellors kept on retainer by the Ministries Council who, on request to the Council, are made available to provide up to 6 sessions of confidential counselling paid for by the Council. There is an Occupational Health Service to provide support and advice in the case of long-term illness. Two Ministries Support Officers, Rev Gavin Elliott and Mrs Joyce Watkinson, work with Rev Marjory McPherson in offering support to Parish Ministers.

**4.10.7** There is a great deal of work to be done to review what is currently available in the realm of primary pastoral support and no doubt much good practice to be discovered and shared with the wider Church. Conversations with ecumenical partners will also prove to be invaluable as the Council seeks to provide better support services to all those who serve the Church in various forms of ministry.

	Task	Progress/Update						
5	Partnership Development							
5.1	Welcome the formation of a single new strategic fund to amalgamate the work of the Parish Development Fund, the Emerging Ministries Fund and the Priority Areas Staffing Fund under the title <i>Go For It</i> .	<p>The <i>Go For It</i> Fund is now established and a staff team has been appointed as follows:</p> <table><tr><td>Coordinator:</td><td>Shirley Grieve</td></tr><tr><td>Training and Development Worker:</td><td>Catherine McIntosh</td></tr><tr><td>Administrator:</td><td>Susan Calderhead</td></tr></table> <p>A report on the initial phase of the work of the Project is given below (<i>Section 5.1</i>).</p>	Coordinator:	Shirley Grieve	Training and Development Worker:	Catherine McIntosh	Administrator:	Susan Calderhead
Coordinator:	Shirley Grieve							
Training and Development Worker:	Catherine McIntosh							
Administrator:	Susan Calderhead							

	Task	Progress/Update
5.2	<p><b>Presbytery Planning</b></p> <p>Note the delay in bringing forward a proposed strategic plan for church buildings and instruct the Ministries Council, in the light of the outcome of the Presbytery planning process, to engage with the General Trustees and Presbyteries in the development of such a plan for presentation to the General Assembly of 2014.</p>	<p>Presbyteries have been completing their revised plans over the past year, with the date for completion set at 31 Dec 2012. A report on the progress made is given below (<i>Section 5.2</i>).</p> <p>As Presbytery Plans have been submitted, a key part of this work has been the categorisation of buildings into one of four categories by Presbyteries. These are:</p> <ul style="list-style-type: none"> <li>• buildings are expected to remain in use beyond the lifetime of the plan, or;</li> <li>• they are expected to be closed during the period covered by the plan, or;</li> <li>• they are expected to be disposed of under an adjustment, or;</li> <li>• Presbytery is unable to make a determination at this time.</li> </ul> <p>This task has without doubt been one of the more challenging aspects of the Presbytery Planning exercise, as Presbyteries wrestle with the question of what shape the mission of the Church should have in a particular area and how buildings might serve that mission. Some Presbyteries have responded with vigour and clarity, while for others it has been less of a priority and further work is planned for coming years.</p> <p>The relationship between buildings and mission has always been complex and there are lessons to be learned from other parts of the Church in this respect. One of these is Priority Areas congregations in general and the work of <i>Chance to Thrive</i> in particular (<i>see above Section 3.2</i>). A fuller report will be brought to the General Assembly in 2014.</p>
5.3	<p><b>Chaplaincy</b></p> <p>Affirm the importance of the range of ministries delivering the important work of chaplaincy across Scotland and instruct the Council to continue to ensure appropriate mechanisms are in place to support Chaplains in their work.</p>	<p>The Council continues to engage with a wide range of chaplaincy work in Universities, the Health Service, Prisons, and amongst the Deaf community. A brief report on each of these is offered below (<i>Section 5.3</i>).</p> <p>In addition to offering support to Chaplains based in these areas, the Council also relates directly to the work of HM Forces Chaplains, whose Committee reports separately to the General Assembly. A brief report on Work Place Chaplaincy Scotland, now a self-standing body, is also included below. The Council is indebted to these organisations for the excellent work which they undertake throughout the year, often in difficult and challenging situations.</p>

	Task	Progress/Update
5.4	Work Place Chaplaincy Scotland	<p>Work Place Chaplaincy Scotland (WPCS) is both a Registered Scottish Charity (SC041857) and a Company Limited by Guarantee (SC387207). It continues the historic work begun by Industrial Mission, and works with and is supported by CBI Scotland, STUC and most of the major Churches in Scotland. It is a Christian organisation and has good working relations with all of the minority faith groups.</p> <p>While historically Industrial Chaplains, and their successors in WPCS, were directly employed by the Church, it has become clear that the way forward for WPCS is for it to employ its own chaplains, and to become an autonomous organisation. This is, at time of writing, an ongoing process, but by the time of the General Assembly, it is hoped that all chaplains, and the support function for the organisation, will have been transferred to WPCS, which will assume these responsibilities.</p> <p>WPCS chaplains are currently working with the emergency services, many of the major high street retailers including Boots and John Lewis, out of town shopping centres and a number of manufacturing companies including Rolls-Royce.</p> <p>WPCS offer pastoral and spiritual support to the Scottish workforce regardless of background. Chaplains who serve in places of work believe that every individual is important and should have the opportunity to live a full and satisfying life. They are also committed to working for the improvement of business and society in Scotland. By looking after people they seek to improve operational efficiency, smooth industrial relations, reduce absentee rates and increase productivity.</p>
5.5	Interim Ministries	<p>The Interim Ministries team has been established since 1997. Over 40 congregations have benefitted from the services of an Interim Minister. A team consisting of Interim Ministers, (some available for deployment across the country, and some based in a region) Peripatetic Deacons and Transition Ministers is available to provide specialist ministry support for local congregations and Presbyteries. Deployment of this team is the responsibility of the Interim Ministries Task Group, which faces the challenge of working with a small team of people to best utilise their skills and availability in a range of situations across Scotland.</p> <p>An Interim Minister may be deployed in a vacant charge where there has been a very long ministry, a very short ministry, a major change in the shape of the parish, or conflict, but there is no definitive list of reasons for making an application for an Interim Ministry and each application is considered on its own merits.</p>

	Task	Progress/Update
5.5 cont.		<p>Here are three comments from congregations who have recently had, or still have, an Interim Minister deployed with them:</p> <p><i>[1] "The time spent in Interim Ministry has given us a breathing space and the chance to sort out in a measured way problems that had arisen. It has also given us new insight into other ways of worship and of working and prepared us for moving forward to settled ministry once more. We are exceedingly grateful to the national church for that opportunity."</i></p> <p><i>[2] "For many of us Interim Ministry was an unknown quantity, something to be feared or viewed with suspicion, a threat to our Church life as we knew it, but we quickly realised that it was an opportunity worth grabbing with both hands. The considerable benefit of an Interim Minister for both the congregation and Session is having an independent, impartial and highly experienced minister to lead, encourage and support us, and yet the Interim Minister was not a distant and indifferent stranger, but someone who joined with us, became one of us, a friend on our journey. We were challenged to think again about our objectives and to identify our priorities for work in our church and community, and this gave us a clearer and shared purpose, a purpose which we continue to pursue after the Interim Minister has left us."</i></p> <p><i>[3] "I think Interim Ministry has been a positive experience for our Church. It has given people in the congregation, who were upset about past issues, an opportunity to voice their feelings and feel listened to. Also I feel our Interim Minister really cares about what is happening in our Church and wants to help the congregation move forward together. Interim Ministry has provided our Church with the planned structures and processes which have been helpful to individuals and the wider congregation. I think the skills of our minister have been significant in making the period of Interim Ministry so positive."</i></p> <p>Although Interim Ministers are often deployed in full-time placements, they can also be deployed part-time in more than one situation. They can give advice and assistance on a short-term or one-off basis, or work one-to-one with individual ministers. They work with each other to utilise particular areas of expertise. There are also links to the <i>Place for Hope</i> initiative, as many Interim Ministers are also trained mediators. They may also fulfil Presbytery commitments and may on occasion act as Interim Moderators.</p>

	Task	Progress/Update
5.5 cont.		<p>More information about this area of work, including information on how to make an application, can be found on the Partnership Development pages of the Church of Scotland website.</p> <p>The team has expanded this year to include the first 2 appointments of Transition Ministers. The Council's thinking has developed significantly since the idea of Transition Ministry was first put forward. This is an exciting development, and will allow each appointment to shape their work to meet the needs of the particular circumstances of the placement. Each appointment is for 5 years, which will allow the Transition Ministers to work on a longer-term basis than is the case with Interim Ministry placements. The Rev Alastair Duncan has been appointed to work in Glasgow: St George's Tron, and the Rev Caroline Lockerbie to Shetland: Lerwick and Bressay, with an additional role in working across the Presbytery.</p> <p>The Ministries Council is pleased to welcome the Rev Alan Greig to the team (from April 2013, as a peripatetic Interim Minister) and expresses its appreciation for the work done by the Very Rev John Christie, who retired from the team in October 2012.</p>
5.6	Instruct the Ministries Council and Mission and Discipleship Council to consider section 4 (conclusions) of the 2011 report entitled Reformed, Reforming, Emerging, and Experimental and to report to the General Assembly 2012 on any changes that might be needed in order to facilitate a mixed economy within the Church of Scotland.	Staff shortages within the Mission and Discipleship Council have restricted progress on this matter. The development of the work of the Joint Emerging Church Group, detailed elsewhere ( <i>see below Section 2.13</i> ), is engaging with the thrust of the original research, and the Council is committed to supporting and developing a partnership with <i>Fresh Expressions</i> which will focus on facilitating a mixed economy within the Church of Scotland, and to funding this post jointly with the Mission & Discipleship Council.

	Task	Progress/Update
5.7	<b>Full Status Congregations</b>	<p>The Council is pleased to report that the New Charge Development Congregation of Perth: Riverside, and the Priority Area Congregation of Glasgow: Garthamlock and Craigend East, were raised to full status on 1 December 2012 and 1 January 2013 respectively. It is gratifying to report that these two congregations have come to the point in their lives at which it is appropriate for them to attain full status.</p> <p>Two Priority Area congregations and one other congregation still remain as Church Extension Congregations and the Council intends to work with the Presbyteries of the bounds to determine their future status. These congregations are:</p> <ul style="list-style-type: none"> <li>• Edinburgh: Muirhouse St Andrew's;</li> <li>• Glasgow: Easterhouse St George's and St Peter's; and</li> <li>• Hamilton: East Kilbride Greenhills</li> </ul>
5.8	<b>Locumships, and Part-Time Temporary Assistance</b>	<p>The responsibility for approving second day locumships currently lies with the Council's Partnership Development Committee. From 1 July 2013, this will no longer be necessary, as the Council intends to implement the policy of automatically funding all locumships for Sundays plus two days of pastoral work a week. This policy was indicated in 2010, but was contingent on the completion and concurrence of Presbytery Plans.</p> <p>The approval of temporary cover for vacant PPW posts also lies with Partnership Development Committee. The Council has agreed that such temporary assistance would be offered on the same basis as the substantive post, rather than the restricted part-time cover which had applied up until 31 December 2012.</p>
5.9	<b>Guardianship and Part-Time Ministries</b>	<p>Guidelines on Guardianship, as provided for by the 2011 General Assembly, are available from the Council. Similarly, guidance on part time ministries, which have existed in the Church of Scotland since the mid-1990s, but which have increased in number as a result of the current Presbytery Planning exercise, have been issued to Presbytery Clerks. Both sets of guidance can also be accessed on the Partnership Development pages of the Church of Scotland website.</p>

	Task	Progress/Update
5.10	<b>Presbytery Staffing Fund</b>	<p>Five Presbyteries applied to be considered as participants in the Presbytery Staffing Fund pilot scheme. The Presbyteries of Edinburgh, Lothian, Ayr, Glasgow, and Hamilton were all recognised as fulfilling the criteria laid down by the General Assembly of 2012, and were accepted as partners in the pilot scheme.</p> <p>Four of these Presbyteries have employed or are in the process of recruiting local staff using the resources of the Presbytery Staffing Fund. Significant time has been spent on working through logistical issues relating to invoicing of costs, finance, and recruitment protocols. All parties are excited about the possibility of enabling additional resources for mission at a local level. The effectiveness of these Staffing Funds will be evaluated over time to determine whether the hoped-for additional funding has been realised.</p>
5.11	<b>Ecumenical Relations</b> Instruct the Committee on Ecumenical Relations together with the Ministries Council to conduct an audit of ecumenical activity in Presbyteries.	<p>The Council has been working together with the Ecumenical Relations Committee in response to this deliverance. A questionnaire was issued to Session Clerks in January 2013. At the time of going to print the results are being collated with a view to using them to shape a conference with the Church's ecumenical partners in the autumn of 2013. This conference will reflect on what is actually happening on the ground, and offer further direction on how the Church might best work with its partner churches in delivering the ordinances of religion within the context of a territorial ministry.</p> <p>More detail on this can be found within the Report of the Committee on Ecumenical Relations to the General Assembly.</p>

## 5.1 *Go For It* Fund

**5.1.1** In the first 5 months of operation (since July 2012) the *Go For It* Fund has awarded new grants totalling over £0.3 million to local projects, 12 organisations meeting the very widest range of needs.

**5.1.2** *Go For It* is about funding change in Church and community. It aims to encourage creative ways of working which develop the life and mission of the local church and are transformative for both communities and congregations. The focus is very much on 'the local' and any application must be able to demonstrate clearly its association with at least one Church of Scotland congregation. Part of a successful application to *Go For It*

will be the demonstration of a commitment to good partnership working.

**5.1.3** There are five criteria for funding and successful applicants will meet at least two of these:

- meeting identified needs in the community
- nurturing Christian faith within and beyond the church
- tackling poverty and / or social injustice
- developing new ecclesial / Christian communities
- creating work which is genuinely innovative and shares good practice with others

**5.1.4** One of the projects awarded funding in the first Main Grant round, Befriend Motherwell, based at Dalziel

St Andrew's Parish Church, works with isolated older people in the community. They were delighted: "huge thanks for your letter confirming the most helpful and supportive funding from *Go For It* for our project of outreach in Motherwell. We have had a most challenging but rewarding pilot year and look forward now to 2013 and building on the sound base which we have formed."

**5.1.5** As well as distributing larger grants, the fund awarded £30,000 in the first 6 months through its Small Grants programmes to local churches and groups. Carnwath Parish Church was awarded one of the smaller grants to carry out research in their local area. Calling their project Midweek Musings they aimed to carry out really meaningful consultation with their community and use their findings to build activities and programmes that will engage local people.

**5.1.6** The initial task of the Committee was to develop robust systems for application, assessment, reporting and evaluation to ensure a fair, consistent and transparent approach to grant making. Having a rigorous reporting framework linked to evaluation processes will enable all of the projects to report in a way which will allow the Council to amass a body of evidence of the work that has taken place.

**5.1.7** The Committee is now firmly established and it has assessed in the region of 100 small and main grant applications. Through discussion and discernment members have assisted the fund in its early development as a resource for local congregations and partners within the voluntary sector.

**5.1.8** *Go For It* held its first conference, "*Open For Business*", in the Church of Scotland offices in December 2012. The conference attracted 70 participants who were interested in engaging with experienced projects such as PEEK, working with young people in the east end of Glasgow, and Havilah, working in Arbroath alongside folk who are struggling with addiction. It also gave those attending the opportunity to meet with agencies within the Church of Scotland who are supporting new initiatives seeking to get off the ground.

**5.1.9** The conference cemented the approach that *Go for It* wants to take as it develops further; through working together with key partners within the Church of Scotland's structures and with external agencies. The *Go For It* team will continue to forge strong links and partnerships within the work of the Ministries Council, with Mission and Discipleship, Church and Society, and organisations such as Streetspace and the Transformation Team who have experience and are doing good work in the field. Possibilities of working in partnership with Fresh Expressions as a working relationship with the Church of Scotland develops over the next few years are exciting and the *Go For It* fund expects to work closely with the Joint Emerging Church Group.

**5.1.10** *Go For It* aims to be a supportive funder and to that end it has developed a programme of training and learning. Key to this also are structures for networking and peer mentoring and a communications strategy is now being implemented. This latter includes the establishment of a website and regular information bulletins sent out to an ever-widening distribution list.

**5.1.11** In 2013, its first full year of operation, *Go For It* aims to distribute just over £900,000 through its range of different grant types, adhering to its mission and criteria. The work has come a long way in a short space of time and the Council is pleased to be working alongside so many great local projects. A list of those projects supported by *Go For It* in its first phase of work is available on the internet at [http://www.churchofscotland.org.uk/serve/go\\_for\\_it](http://www.churchofscotland.org.uk/serve/go_for_it).

## 5.2 Presbytery Planning

**5.2.1** "Here I am, send me!"; has also been a recurring theme for the work of Presbytery Planning. Members of the Ministries Council have been engaging with Presbyteries across Scotland, from the Borders to the Western isles. The General Assembly of 2010 had instructed Presbyteries to begin an immediate review of Presbytery Plans with a completion date of 31 Dec 2012 set.

**5.2.2** The challenge continues to work towards a sustainable pattern of ministry, planning with purpose, for

variety, with financial responsibility, and with mission at the heart. It has been heartening to engage with Presbyteries as they have wrestled with the task of developing Presbytery Plans, focussed on mission, and applying the eight secondary principles referred to in the Ministries Council Report to the General Assembly of 2011. For all Presbyteries it has been a time for prayer, for engaging with local congregations, and for putting mission at the heart of the planning process. Council members and staff visited across Scotland, listening and responding to requests for additional posts from contingency. A table of how contingency has been allocated is available on the Partnership Development pages of the Church of Scotland website.

**5.2.3** As at 31 December 2012, the Ministries Council had received 36 out of 44 plans and had concurred with 29 of these. As at early March, a further 4 plans had been received and a total of 32 had been concurred with, while continuing conversations with eight Presbyteries. Four Presbyteries had yet to submit plans: Lanark, Aberdeen, Uist and Shetland.

**5.2.4** It is anticipated that the number of PPW posts in the plans will be approximately 40% larger than the current number of PPWs in posts. The Council remains hopeful of avoiding compulsory redundancies as a result of this.

**5.2.5** While the main drivers informing this round of Presbytery Planning were financial, as is reported elsewhere, the other factor which has become ever more evident is the continuing imbalance between the number of ministers retiring and the numbers of those presenting for the Ministry of Word and Sacrament. With a figure of more than 220 vacancies, there will continue to be pressure on numbers, and vacancies may well become longer in the light of this. This means that the challenge of offering ministry in new ways continues to be real up and down the country. The Council will seek to engage with Presbyteries as they begin to implement their plans to offer whatever support may be helpful.

**5.2.6** The table of adjustments to charges in 2012 is available on the Partnership Development pages of the Church of Scotland website.

## **5.3 Chaplaincy**

### **5.3.1 Chaplains' Forum**

**5.3.1.1** The Chaplains' Forum is responsible for ensuring that those from the Church of Scotland who work in chaplaincies are included within the support and care of the Ministries Council. Chaplains work beyond the immediate confines of the Church, but the Forum strives to ensure that they feel they continue to belong within the community of the Church.

**5.3.1.2** In practical terms this is achieved by liaison with staff in the Ministries Council, which organises an annual conference for the full-time university chaplains, an annual retreat for full-time chaplains and day conferences for both full-time and part-time chaplains serving in Healthcare, Prisons, Universities, the Work Place and the Armed Forces.

**5.3.1.3** Chaplaincy remains rooted in its Christian traditions and beliefs, but offers primarily a spiritual care service which also engages with people of faiths other than Christian and people of no faith.

### **5.3.2 Chaplains in Universities**

offer a sympathetic listening and confidential ear

- someone to talk to in a crisis
- a sounding board
- hospital visits for students or someone known to them
- support in emotional or spiritual issues
- space to search for meaning in life
- support when all else fails

**5.3.2.1** Chaplains are also the creative link with many of other faiths, supporting and assisting them in their various activities, as well as offering a space where people of different belief backgrounds regularly come into contact with each other, opening the way for dialogue and friendship.

**5.3.2.2** In one University people are welcome to attend each other's worship, *eg* Muslim Prayers, Jewish Shabbat, Christian Services, Pagan festivals, and also attend each other's societies. In another University interfaith events are held each year, where topics such as *'Our understanding of God'*; *'Our life style'*; *'Our sacred book'* are presented and discussed.

### 5.3.3 Chaplains in Healthcare

offer spiritual care to patients, carers, relatives, staff, volunteers and visitors: to people of all faiths and of none.

Spiritual care begins from where people are:

- accepts them as they are
- listens to them respectfully and confidentially
- can help them find a way forward
- may be religious, but not necessarily so.

**5.3.3.1** Spiritual care is usually given in a one-to-one relationship, is completely person centred, and makes no assumptions about personal conviction or life orientation. Religious care is given in the context of the shared religious beliefs, values, liturgy and lifestyle of a faith community.

### 5.3.4 Chaplains in Prisons

**5.3.4.1** Recovering a sense of self-worth is critical for a person's ability to change. Together with others, Chaplains offer hope and sign-post prisoners to resources upon which they can draw as they seek to address offending behaviour, prepare to re-integrate with families and communities, and make a new future for their lives. The support of Churches and Faith Communities are amongst these resources.

**5.3.4.2** *'Making it at Last'*, the theme of Prisoners Week 2012, celebrated distance travelled, the next steps and the milestones that Chaplains and those working with them are privileged to witness as people, sometimes

through journeying in a new way with faith, are able to look forward. Prisoners Week hugely benefited from prison visits made by the Right Reverend Albert and Mrs Martha Bogle through which many constructive conversations came about. Two national events, a Prisoners Week Launch Service in Dunblane Cathedral and a Prisoners Week Forum webcast from HMP Perth, created a wealth of interest. Plans are underway for 2013. Details are published on [www.prisonersweekscotland.co.uk](http://www.prisonersweekscotland.co.uk)

### 5.3.5 Ministry amongst Deaf People

**5.3.5.1** The Rev Mary Whittaker was appointed in the autumn of 2012 as locum to Aberdeen: St John's Church for the Deaf. She also provides services to deaf Christians in Morayshire and Shetland and the Council remains in discussions with the Presbyteries involved with a view to formalising these arrangements.

**5.3.5.2** The Council also has within its remit the challenge of reviewing the arrangements for ministry amongst Deaf people throughout Scotland within a restricted budget and with limited personnel. It is hoped that progress will be made during 2013-14 in consultation with the Mission & Discipleship Council.

**5.3.5.3** The Council made a submission in October 2012 to the Consultation on the proposed British Sign Language (Scotland) Bill.

	Task	Progress/Update
6	Finance	
6.1	Overall Results	The Council has worked hard in 2012 to ensure that budget targets were met and to ensure that discretionary spending was kept to a minimum. The budget of the Council in 2012 predicted a deficit of £1,523,000 on operational costs excluding the payment of £2.8 million towards pension deficit repair. The actual results of the Council's accounts show that the final position was an operational deficit of £296,000, much better than anticipated. The total deficit was therefore £3,096,000 (including pension deficit repair) as against an anticipated £4,323,000.

	Task	Progress/Update
6.1 cont.		<p>In 2013, it is expected that the operational deficit will reduce to £261,000, although it is hoped that this figure may be reduced further throughout the year. The Council remains on track to break even on operational costs by 2014.</p> <p>The reserves of the Council at 31 December 2012 were £48 million, down from £49 million the previous year.</p>
6.2	Travel Costs	<p>Parish Ministers claim travel costs through the Ministries Council payroll, but the expenses are recharged to the congregation(s). It has become clear to the Council in recent months that there are a number of congregations who have fallen far behind with their payment of travelling expenses. This is not an acceptable position, and one which impacts the Council negatively, as well as penalising those congregations who are paying all their expenses as they fall due. The Council is hugely appreciative of those congregations who do pay on time, and will be working with the congregations who have debts outstanding to ensure prompt repayment.</p> <p>The Stewardship and Finance Department is currently exploring other ways that congregations can pay back their travel costs. One option that is being considered is the setting up of a direct debit system to which it is hoped the majority of congregations will sign up.</p>
6.3	Presbytery Parish Workers (PPWs) Travel Costs	<p>The General Assembly report of 2009 instructed (<i>Section 5.19</i>) that in cases where congregations were unable to meet the expenses for PPWs on Presbytery Plans, the responsibility for funding those expenses would pass from the Council to Presbyteries with effect from 1 January 2010.</p> <p>The cost of travel expenses was not specifically mentioned in this. For the sake of clarity, the Council now invites the General Assembly to instruct Presbyteries as of 1 January 2014, to make provision in those cases where there are insufficient funds locally to cover all costs relating to PPWs, <b>including</b> travel. For the avoidance of doubt, Presbyteries are also responsible for covering the expenses (including travel) for PPWs who serve the Presbytery as a whole.</p>

	Task	Progress/Update
6.4	<b>Pensions</b>	<p>The Council has been working together with the Pension Trustees and the Council of Assembly to address major issues arising out of the triennial valuation of the pension schemes for which the Ministries Council carries responsibility (Ministers' &amp; Missionaries' Scheme; PPW Scheme). A full report on the work undertaken to this point will be presented in a Supplementary Report.</p> <p>In relation to both schemes, the Ministries Council is required to conduct a consultation with all scheme members regarding any proposed changes. The consultation document relating to the Ministers' Scheme will be placed before the General Assembly as part of a Supplementary Report, thereby enabling the Assembly to participate in the consultation. At that point, the Council will seek from the Assembly such powers as may be necessary to complete the consultation, draw up the final shape of any new scheme and implement its provisions by 1 Jan 2014.</p>

#### 6.1 Allowances and Expenses Rates for 2013

##### Stipend Scale (+ Associate Ministers) 2013

Point 1	£25,253
Point 2	£26,905
Point 3	£28,557
Point 4	£30,209
Point 5	£31,035

##### PPW Scales 2013

###### Team Leader Scale

Point 1	£28,000
Point 2	£28,625
Point 3	£29,250
Point 4	£29,875
Point 5	£30,500

###### PPW General Scale

Point 1	£23,000
Point 2	£23,750
Point 3	£24,500
Point 4	£25,250
Point 5	£26,000

##### Deacons Scale

*(Genuine Occupational Requirement)*

Point 1	£24,500
Point 2	£25,252
Point 3	£26,000
Point 4	£26,750
Point 5	£27,500

##### Island Allowance

The inner and outer island allowances are held at 2011 levels:

Outer Island Allowance	£1,566
Inner Island Allowance	£616

##### Travel Expenses 2013

The rate for 2013 will remain at the same level as 2012 which is 45p per mile. Rates for those providing their own car:

#### (a) reimbursed to ministers and PPWs providing their own car for pastoral duties

45p per mile for the first 10,000 miles  
25p per mile for all additional mileage

Ministers also receive capital reimbursement of £80 per month.

#### (b) reimbursement of travel expenses for students, probationers, auxiliary ministers and locums:

45p per mile for the first 10,000 miles  
25p per mile for all additional mileage

#### (c) reimbursement to ministers and PPWs providing their own motor bike for pastoral duties

24p per mile travelled per annum

- (d) **reimbursement to ministers and PPWs providing their own pedal bike for pastoral duties**  
20p per mile travelled per annum

**Recommended Pulpit Supply Fee and Expenses**

Pulpit Supply fees remain at the rates agreed as of 1 April 2012:

One diet of worship on a Sunday at £55 and for any additional diets of worship on a Sunday £15. Travel expenses at 25p per mile.

**Disturbance Allowance 2013**

The Council agreed that the level of disturbance allowance should be held at the 2012 level of £1,740.

**Removal and Disturbance Allowance**

The Council agreed that the removal and disturbance costs of all charges which have an average income base below £30,000 will be met from Council finances, and to give assistance depending on assessment to charges which have an income base between £30,000 and £60,000, by way of a loan in the first instance. A grant may be available to such charges on application to the Finance Committee of the Ministries Council.

**Guardianship Allowance 2013**

A charge in Guardianship will have a Guardianship Allowance of £580 a month deducted from its Ministries and Mission Allocation.

**Vacancy Allowance 2013**

The Vacancy Allowance is undergoing a change in 2013 to reflect the Council's commitment to fund Sunday plus two days of pastoral cover a week.

*Until end June 2013:* £580 per month during the vacancy, £630 for linked changes.

*From 1 July 2013:* £880 per month during vacancy, £930 for linked charges.

Vacancy Allowance is deducted directly from each charge's Ministries and Mission Allocation.

*In the name of the Ministries Council:*

NEIL DOUGALL, *Convener*  
NEIL GLOVER, *Vice-Convener*  
ANNE PATON, *Vice-Convener*  
DEREK POPE, *Vice-Convener*  
DAVID STEWART, *Vice-Convener*  
MARTIN SCOTT, *Secretary*

# MISSION AND DISCIPLESHIP COUNCIL

## May 2013

*Statement of Purpose:  
Resourcing Christ's Mission:  
to enable and empower people to engage in Christ's mission  
through resourcing worship, witness and discipleship  
in the context of the changing contemporary culture of Scotland and beyond*

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### PROPOSED DELIVERANCE

#### **The General Assembly:**

1. Receive the report.
2. Encourage the Church to make use of the wide range of mission website resources – [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk) (Section 5.1).

3. Urge all Presbyteries to recruit Congregational Learning Facilitators and collaborate with other Presbyteries in their area to ensure that there is a network of facilitators to support the ongoing engagement of members with learning and growth in the understanding of faith (Section 8.3).
4. Instruct the Council to produce guidance notes and appropriate forms for the Local Church Review process by 2014 (Section 11.1).
5. Welcome the revision of Future Focus for the benefit of congregations who are seeking clarity and understanding of their opportunities for mission and discipleship, and the development of Future Focus: The Way Ahead, which is a new resource designed to be used without an external facilitator (Section 12.2).
6. Encourage congregations throughout Scotland to become involved in the "More Than Gold" initiative in relation to the Commonwealth Games in Glasgow in 2014 (Section 13.1).
7. Congratulate the Council on the success of the Different Voices Conference and encourage the Council to plan future events of this kind (Section 16.1).
8. Commend the Council for living within its budget for 2012 and its elimination of all accrued debt (Section 19.1).
9. Note with interest the development of the "online presence" of *Life and Work*, as instructed by the General Assembly of 2010 (Section 20.2.2).
10. Recognise the continued contribution of *Life and Work* to the life of the congregations of the Church and its important financial support of the work of the Church and encourage its promotion by congregations (Section 20.2.3).
11. Instruct the Council to form a group with the purpose of seeking new ways of supporting the financing, marketing and promotion of the magazine (Section 20.3.3).
12. Thank all congregations who have engaged so effectively with the Committee on Church Art and Architecture (CARTA) in the early stages of proposals for change in church buildings and encourage other congregations to do so (Section 21.2).
13. Remind congregations of the statutory legislation which requires all congregations to plan for effective inclusion and access of those with disabilities, which is a Gospel priority that should be addressed in any consideration of the appropriate provision of a welcoming space for worship and fellowship (Section 21.4).
14. Instruct the Mission and Discipleship Council to set up a "review process" of the work of CARTA with a remit to investigate the ways in which the Committee may serve the changing needs of the Church in Scotland for building provision and report to the General Assembly of 2014 (Section 21.6.3).
15. Instruct the Legal Questions Committee to consider the implications of the survey regarding the use of Elders as Moderators, and bring forward recommendations on this issue to a future General Assembly (Section 22.2).
16. Welcome the decision of the Council to enable "*Different Voices*" magazine to become a free internet resource (Section 24.1).
17. Welcome the joint partnership of the Mission and Discipleship and Ministries Councils with "Fresh Expressions" and look forward to a report of progress in 2014 (Section 29.1).
18. Instruct the Council, in collaboration with the groups indicated in the Deliverance of 2012, to bring forward for consideration by the General Assembly of 2014 some indicative proposals regarding how young people may become involved more thoroughly in the decision-making processes of the Church at all levels, with final proposals coming to the General Assembly of 2015. (Section 31.1).

19. Thank all Councils and Committees for their participation in the Mission Forum and encourage congregations to examine the reflective papers which have been produced (Section 32.2).
20. Affirm the involvement of young people in the Mission Forum process (Section 32.3).
21. Affirm the direction of the initial exploration of the relationship between mission and interfaith in a multi-cultural Scotland and anticipate a further report in 2014 (Section 35.1).
22. Look forward to the availability of statistics for mission on the website of the Church of Scotland being available for every parish after the census results are published (Section 38.1).
23. Instruct the Council, in collaboration with the Council of Assembly, to prepare proposals in relation to the continued support and development of the provision of accurate statistical information for use by parishes in their mission and outreach (Section 38.2).



## REPORT

### 1. Introduction

**1.1** At a recent conference on preaching and communication of the Gospel, a speaker asked the question "Who paints our picture of the world?" It is obvious that the media, in its various forms, powerfully paints all sorts of pictures of the world we live in, and saturates and shapes our consciousness of what God's creation is all about. Pictures in words, story, image and movement all contribute to our understanding and our interpretation of what is going on around us and within us.

**1.2** In the report of the Council to the General Assembly we intend to use several pictorial images drawn from the Bible as reflective of the work we have undertaken in the fulfilment of the Council's remit. The first of these is that of journey. Journey is a characteristic of the Biblical narrative

from the time of Abraham in Genesis Chapter 12, running right through the Exodus and the Exile. The theme of journey is also part of the New Testament, with Jesus and his journeys throughout Galilee and beyond, and the final journey to Jerusalem. Of particular relevance to Mission and Discipleship, is the story of Cleopas and the road to Emmaus, where Jesus engages in teaching and reflection about the meaning of his life and mission and its impact on his disciples.

**1.3** In the last year the Council was asked to produce a pictorial image to depict its work and life as it fulfils its remit to the General Assembly. One of our Mission Development Workers, Iain Campbell, produced the image above of two figures walking together past various posts. Of course, all images are open to interpretation and no

one may be able to defend their interpretation as the only, or the most important. From the perspective of Mission and Discipleship, the Council believes this image may say several things about the work of the Council as it goes on a journey with congregations and presbyteries in the support of the development of mission and discipleship. Among these may be:

- A journey towards a horizon where the unknown inspires us to trust a God who always leads the church into mission.
- The Council's work is both mission and discipleship. The two are intimately bound together. Those who engage in mission are disciples and mission brings disciples into the Church.
- Rather than the Council doing things for congregations and presbyteries, it works with them in partnership.
- The journey does not stop, and milestones and indicators of distance are but temporary and relative.
- There is no idea that "we have arrived" while the call of God remains.

**1.4** The Gospels use pictures to describe the ministry and mission of Jesus and, in particular, highlight the use by Jesus of parables and pictorial images. For some, the parables of seeds, sowing and growth may be closely associated with the work of mission and discipleship. In all of the Gospel narratives, Jesus uses parables to indicate the fact that we are called upon to sow seed and expect growth, and that there may be some challenges and difficulties (the stony ground). Sometimes there may also be weeds among the seeds and the harvest is uncertain (Matthew chapter 13:3 – 9; Mark 4:5-9; Luke 8:5-15). In other parables Jesus indicates the enormous growth (the mustard seed) that is completely unexpected and cannot be predicted, and the confidence that we all may have that God is in charge (Matthew 13:31; 17:20; Mark 4:31; Luke 13:10; 17:6).

**1.5** This year's report will take one of the hymns (Church Hymnary, 4th edition, number 343) associated with these parables as a structure for the report in the confidence that while the Council's work encourages, supports and nurtures the work of congregations in mission and discipleship, it is God alone who brings the harvest to fruition.

### Hymn – verse 1

The reign of God, like farmer's field  
bears weeds along with wheat;  
the good and bad are intertwined  
till harvest is complete

## 2. Challenges of the year

**2.1** In the last year the Council, as well as working with one of its Team Leaders as Acting Council Secretary, has engaged with a considerable number of challenges which it has had to overcome in fulfilling its remit. In the area of Congregational Learning, the departures of the Team Leader, the Leadership Development Worker and the Interfaith Worker placed particular stresses on this area. Illnesses among other staff also created some difficulty for the Council, which is grateful to the Staffing Group of the Council of Assembly for making it possible for temporary cover to be appointed so that the Council could continue its work.

**2.2** In a time of serious change in its staffing, the Council agreed to a thorough review of the work of Congregational Learning to ensure that it fulfilled its remit. The report of the review was adopted by the Council at its meeting in February with appropriate recommendations. A summary of the developments which will be implemented by the Council in this area is included in this report.

**2.3** Alongside a number of staff changes in the last year, there were some resignations of members of the Council and the Council was grateful to the Nomination Committee of the General Assembly for the number of nominations it produced, and these members have enriched the life of the Council by their willingness to be involved in its work. Rev Colin Sinclair has brought many gifts as the Convener and has ensured that the Council has vigorously and enthusiastically engaged with its role of setting appropriate policy and direction in a number of areas. In particular, an increase in the number of meetings of the Council and the Executive has improved the governance of the Council.

**2.4** The members of staff have continued to offer their gifts and skills to the work of the Council and have all been willing to do extra work in a time of vacancies without a reduction in expectation from congregations and presbyteries. While there has been some necessary restriction on what has been attempted, the core work of the Council has continued and some further developments, for example, the Interfaith and Mission Group, the growth of the Mission Forum, and the online presence of *Life and Work*, have been supported. The Council commends the magnificent work of the staff in sustaining, and indeed developing, the work during this last year.

**2.5** At the time of the General Assembly, the Council is pleased to report the arrival of a new Council Secretary, the Rev Alister Bull, and that progress has been made towards the appointment of both a Team Leader in Congregational Learning and a Learning Development Worker. It is hoped to appoint a “Fresh Expressions” worker in the near future as well, as a result of the co-operation with the Ministries Council. All of these indicate the confidence and expectation of the Council as it prepares to tackle the future challenges of its remit.

**2.6** As a result of the Administration Audit of the Mission and Discipleship Council undertaken on behalf of the Council of Assembly, several recommendations were made and have been seriously considered by the Council. In particular, the Council has acknowledged the need to ensure that there is an agreed focus and purpose which will govern all the future endeavours of the Council. This theological and reflective document will shape the priorities of the Council and ensure that all the work undertaken, either as a project or continuing work of the Council, is compatible with its goals and principles.

#### **Hymn – verse 2**

Like mustard seed, the reign of God  
from tiny seed will spread  
till birds of every feather come  
to nest and there be fed

### **3. Administration and Resources Team**

**3.1** The Administration and Resources Team has demonstrated its ability to give loyal and enthusiastic support to the Council’s work throughout the last year in a time of change and challenge. They have dealt with an enormous range of enquiries and have helped individuals, congregations and presbyteries in a number of ways. The range of enquiries includes contact with other denominations and faith groups (for example, the visit of the Dali Llama), data regarding children’s spirituality, emerging church, music development and international conferences. Some have been short phone calls and others have led to the engagement of staff members in visits and involvement in the life of a congregation. Nearly every one of the presbyteries of the Church of Scotland has been in touch with the Council to make enquiries of some sort and the Council has been in touch with all presbyteries to ensure that they are informed of programmes, conferences and opportunities under the aegis of the Council.

**3.2** The Administration team has provided considerable support to the Music Conference held in March and organised a wide range of support systems to ensure that all who participated received information promptly and were assisted with the numerous enquiries which resulted.

### **4. Pray It Forward Cards**

**4.1** The “Pray it Forward” cards have continued to sell extremely well and have reached an international audience, with orders coming from all over the world. It is hoped that this will be an area of continued development in future, with different forms of these cards being made available to suit a variety of audiences. This resource is available to purchase from [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).

### **5. Resourcing Mission Website**

**5.1** A grant from the K S Brownlie Trust allowed the Council to have its online resource website redesigned and re-launched in March 2013 to enable the Council to respond more rapidly and to deal with the expanding number of resources available through the Council. The

site may be accessed at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk) and through the site, "Starters for Sunday", "Quick Guides", and the web pages for young people area are available. The site will assist the Council in its goal of 'resourcing resourcefulness' in future.

## **6. Session Clerks' Conference – January 2013**

**6.1** The Council has committed time and resources to the support of two vital areas of work. The first has been the provision of a Training Conference for Session Clerks and the second a day conference for Presbytery Adult Trainers.

**6.1.1** Over the latter part of 2012, a large number of applications were received from Session Clerks interested in attending the Conference to be held at the end of January 2013.

**6.1.2** It was agreed that the Conference should be marketed at a subsidised rate to allow as many as possible to attend and nearly 100 Session Clerks were able to participate. The Council is most grateful to all those who gave of their time and insights as speakers and workshop leaders to allow this Conference to be so successful. The Council is also aware that this is an important area of continuing work and it intends to make another similar Conference available for the training of Session Clerks in September 2013. The Congregational Learning group of the Council believes that targeting those in such leadership roles and providing them with essential education and training is a critical priority for the Council in the fulfilment of its remit.

## **7. Presbytery Adult Trainers**

**7.1** The Congregational Learning Council Group arranged a Day Conference for Presbytery Adult Trainers in November and this group of volunteers, together with representatives of the Council, participated enthusiastically in a time of reflection and suggestion with representatives of the Council on various issues such as the Congregational Learning Review, the development of new materials for Eldership training, the possibility of new developments regarding the Eldership and the facilitation

of Future Focus. In that conference it was recognised that an important area of concern for the Church as a whole, and for Elders in particular, is the challenge of assisting those with dementia and their families as they participate in the worship and life of congregations.

**7.2** Presbytery Adult Trainers were given the opportunity to attend a Training Day at the University of Stirling Iris Murdoch Centre for Dementia Research. The training involved practical skills being shared and new insights developed to allow facilitators to raise the awareness of congregations about dementia issues. A module of training in this area will be developed so that a wider audience may be able to benefit from the insights in this field, while being firmly grounded in the context of the life and worship of the Church.

## **8. Review of Congregational Learning**

**8.1** The Council conducted a thorough internal review of the area of Congregational Learning in the last year. The Review Group was convened by the Very Rev John Christie and several members of the Council participated in the process of examination of submissions and proposals.

**8.2** The remit of the review was to look at all aspects of Congregational Learning and examine the budget implications of any proposals. The Review Group itself developed ideas from consultation with the staff of the Council and a questionnaire which was sent to all Councils and Committees of the Church to ascertain their understanding of possible developments in this area. Other Groups were also consulted for their particular perspectives, including the Group on the theology of the Place for Hope and the Presbytery Adult Trainers Network.

**8.3** As a result, a series of recommendations were made to the Council in February which contained proposals for a new structure and way of operation of Congregational Learning (for those interested in the full report it may be accessed at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk)). Among the main points of the report were:

- Its prime focus will be the education and growth of

members of all ages in congregations as they engage in their faith journey from baptism onwards.

- While some particular courses will be developed for members of the Church of specific relevance to the Church of Scotland, care will be taken to acknowledge ecumenical co-operation and the possibility of identifying courses that are readily available from other sources.
- The recruitment of a Team Leader with responsibility for this area of the Council's remit.
- The appointment of a Learning Development Worker to work under the direction of the Team Leader and the Congregational Learning Council Group alongside our existing Children and Young People's Development Worker.
- The Congregational Learning area would rely on a network of 'Congregational Learning Facilitators' who would offer support and assistance to congregations and presbyteries throughout the country (this would incorporate the existing Presbytery Adult Trainers Network).
- While some Congregational Learning Facilitators would have particular interests, for example Future Focus, World Mission initiatives, Church and Society projects, others would work in a general way to support the important issue of the development of individual members of congregations.
- The Council would continue to provide specific training for Session Clerks and others in leadership roles; in particular, the Eldership.
- The structure proposed is designed to enable the Council to live within its budget and facilitate the learning of members through a network of trained and supported volunteers.
- All Presbyteries have a crucial role in encouraging the recruitment of Congregational Learning Facilitators, to ensure a network which covers the geographical spread of Scotland and Presbyteries beyond.

## 9. Royal Highland Show

9.1 Once again the Council has been involved as the leading agency in the provision of a presence representing the churches in Scotland at the Royal Highland Show in

June. The Council has reaffirmed its conviction that this event is important and a strategic one, and that it will take the lead with ecumenical representatives and other Councils in providing a vigorous and energetic witness to the Gospel at the Royal Highland Show in future.

## 10. Why Believe?

10.1 The Why Believe? Group undertook two apologetics conferences in 2012 which were appreciated by all who attended. The Group produced a leaflet called "God, Jesus and Truth" and is developing a series of short articles for the website [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk) to help parents and grandparents address questions asked by teenagers, in language that is comprehensible and understandable. The Group has also continued to place suitable books on themes related to apologetics in University and Public Libraries.

10.2 It has become clear to the Council that the Why Believe? Group would benefit from becoming more closely associated with the responsibility that the Council has for addressing the challenge of apologetics (providing a reasoned case for Christian belief) in contemporary Scotland. The Group will be supported by the Church Without Walls team and will assist the Council in its efforts to produce literature and online materials which engage, facilitate and encourage the membership of the Church in the important issue of mission in a digital environment.

## 11. Local Church Review

11.1 As a result of proposals made by the Panel on Review and Reform, the General Assembly instructed the Council to produce guidance for congregations undertaking the Local Church Review process. Work has commenced on this large undertaking and it is hoped to produce guidelines for 2014, by which time we will have feedback from Presbyteries.

## 12. Future Focus

12.1 During 2012 the Church Without Walls team has continued to deliver Future Focus to congregations.

**12.2** At the General Assembly of 2012, a question was asked regarding the availability of Future Focus as a resource to enable congregations to investigate and reflect upon the missionary character of their life and witness without the services of an external facilitator. The Council is grateful to congregations who have tried this method and given feedback of their experience. The new resource is called Future Focus: The Way Ahead and is freely available to download from [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).

**12.3** The Church Without Walls and Faith Expression teams, working together, having produced a stand-alone form of Future Focus, used the opportunity to revise the materials thoroughly to better reflect the nature and ethos of the Church of Scotland.

**12.4** The Council commends the Future Focus process in either format to Commissioners and invites them to make Presbyteries and congregations aware of this imaginative tool for planning for growth and development in advancing the mission of the Church, particularly in the context of Local Church Review.

### **13. Commonwealth Games**

**13.1** The Council has continued its support of the "More Than Gold" charity in co-operation with the Presbytery of Glasgow to ensure that the Church is represented appropriately at the Commonwealth Games through its funding support of a staff member and the participation of one of the Mission Development Workers. The importance of the spiritual aspect of the opportunity to welcome visitors from all over the Commonwealth has been recognised and the Council is confident that an effective and creative programme of support and outreach will be offered to all in 2014. For further information look on the website at [www.morethangold2014.org.uk](http://www.morethangold2014.org.uk).

### **14. Scottish Storytelling Centre**

**14.1** The Centre played its full part in 2012, the Year of Creative Scotland. Its own promotions included storytelling, literature, music, dance, visual arts and digital media. It also ran the International Storytelling Festival.

**14.2** Less publicised is the work of storytellers, professional and voluntary, in local communities across Scotland. This is evidenced through the Centre's work with children in faith communities, schools and family centres; through visits to care homes and community centres; through animation of local heritage, natural and historic; through nurturing stories of resilience, recovery and comfort in health care contexts. Storytelling is an effective way in which people can share experience and be affirmed, and the church has a special place and opportunity to foster a society that shares more often and meaningfully.

**14.3** Another major initiative, launched in November 2012 at the Storytelling Centre, was Scotland's Pilgrim Journeys, developed by the newly formed Scotland's Churches Trust. The six pilot routes, named for Ninian, Columba, Margaret, Mungo, Cuthbert and Andrew, were researched and interpreted through the contributions of the Scottish Storytelling Centre. The renaissance of pilgrimage is a distinctive twenty first century faith expression with immense potential for churches willing to journey in faith and mission. Full details are available on [www.scotlandspilgrimjourneys.com](http://www.scotlandspilgrimjourneys.com).

**14.4** Currently a joint group of the Council of Assembly and Mission and Discipleship is looking at how the ongoing work of the Centre fits within the work of the Church and is appropriately funded.

### **15. Saint Andrew Press**

**15.1** The agreement with Hymns Ancient and Modern to undertake the work involved in the development of Saint Andrew Press continues, and profit from the sales of books under this imprint was received by the Council in the past year. Several new titles have been published and a process of consideration by the Resources Group of suggested titles has been operational and proved satisfactory.

#### **Hymn – verse 3**

Though hidden now, the reign of God  
from tiny seed will spread  
from deep within it, rises up  
like yeast in swelling bread.

**16. Different Voices Conference**

**16.1** In the light of the success of the Conference on Worship (“Weaving Worship”) held in Paisley Abbey two years ago, and the increased awareness of the popularity of resources on music, the Council agreed to encourage the Faith Expressions team to arrange a national Church Music Conference in Edinburgh in March 2013. At the time of writing of this report, it is expected that over 210 delegates will take part, and it is hoped that this Conference will enable a network of individuals interested in various forms of Church music, for different contexts, to be developed and supported in future.

**17. National Youth Assembly 2012**

**17.1** 150 young people from across the Church of Scotland, with over 70 attending for the first time, participated in the National Youth Assembly held in the Westpark Centre in Dundee in August 2012. A wide variety of workshops and debates were offered and members of the Council were also present to hear from the young people directly and to learn from their particular experiences and perspectives. The event itself relied on a very well organised team, led by the Children and Young People’s Development Worker, and plans are now in place for the National Youth Assembly of 2013, to be held once again in Dundee in August. The Programme has been arranged in conjunction with a group of young people who have been involved in the event before, and it is hoped that there will be further work in this area done in due course.

**18. Youth Representation at Ecumenical Events**

**18.1** The Council has been happy to co-operate with the World Mission Council and enable a number of young people to attend events in the World Church which concern and involve members of the Church in the under-30 age range. It is the hope of the Council that the young people who have the privilege of this opportunity will be invited by Presbyteries and local congregations to share their experiences on their return, so that others may be encouraged to look beyond the local and see the variety and challenge of being part of the World Church.

**19. Council Finances**

**19.1** The Council has achieved its goal of paying off the total deficit of the Council, accrued over past years, by the time of the General Assembly through the sale of investments and careful stewardship of its budget allocation. It intends, with the support of the Finance Team, to live within its budget allocation for 2013, as directed by the General Assembly and the Council of Assembly Finance Group.

**19.2** The savings made this year on salaries and on the reduction of some programmes will not continue in 2013 and, therefore, the Council hopes for an increase in its budget so that it may develop new and exciting plans for children’s and young people’s work in the area of Congregational Learning with the support of the General Assembly for 2014 and beyond.

**20. Resources Group**

**20.1** The Resources Group of the Council has been active throughout the year, giving advice to the Council as it seeks to engage with the wider Church in a number of ways which reflect the growth and development of online and electronic means of communication. The group has given invaluable assistance in providing the background necessary for the launch of the Council’s new web resource entitled Resourcing Mission ([www.resourcingmission.org.uk](http://www.resourcingmission.org.uk)). This enables the Council to promote its services including resources in print and other forms, encourage the sales of tickets for events and provide online booking processes for other events run by the Council. The website is developing an area for young people, which is designed to engage them with the Council’s area of responsibility and encourage them to become aware of the opportunities of service in the wider Church.

**20.2 Life and Work**

Circulation figures	Circa 23,200
Surplus	Circa £70,000
Online Presence	Launched Spring 2013

**20.2.1** In the General Assembly of 2010, as a result of a review of *Life and Work*, initiated by the General Assembly in 2009, the Council was given encouragement to explore new ways of utilising this resource on behalf of the Church. The Section of Deliverance read as follows:

*"Instruct the Mission and Discipleship Council to seek ways of enabling the magazine to be published in other forms in addition to the current media, and to review this after an appropriate period."*

**20.2.2** The Resources Group, in collaboration with the Editor of *Life and Work* and the Acting Council Secretary, invited a number of firms to bid for the contract to provide "an online presence" for *Life and Work*. Following a thorough process of examination of proposals and interview, the contract was given to Adept, a Media Resource Company, with an excellent reputation for the development of websites and online presence facilities for Christian organisations. With the professional help of the Law Department, the contract was drawn up; its fruition is the newly launched website of *Life and Work* ([www.lifeandwork.org](http://www.lifeandwork.org)). It is envisaged that further development and investment could include online access to previous *Life and Work* editions. In time, new revenue streams from online subscriptions, advertisements and other online sales might be realised.

**20.2.3** It is hoped that this online presence of the magazine will enable congregations to access information on current events and generate advertising revenue to assist the Council in defraying the cost of this important new development. The Council is aware of the additional demands that this will make on the *Life and Work* team and commends them for their willingness to be engaged in a fresh opportunity for creativity and challenge.

### **20.3 Future Development of *Life and Work***

**20.3.1** Over the years *Life and Work* has produced a surplus for the former Board of Communication and, later on, for the Publications Committee of the Council and this was used to defray the deficit in Saint Andrew Press. The surplus is now used to continue the work of the Council.

The Council recognises that, as with all other printed media communications, the magazine is facing a great challenge to maintain its readership and sales.

**20.3.2** In the light of the decline in advertising revenue and the reduction in subscription figures affecting printed titles universally, the Council believes that a significant investment in marketing and promotion of the magazine is timely, necessary and deserved. This will examine not just how the printed magazine may continue as a congregational resource for congregations, but also consider ways of ensuring its sustainability, through reaching newer, wider and younger audiences that demand dynamic, relevant and creative content in their varied electronic devices.

**20.3.3** The Council is, therefore, recommending that the General Assembly agree to the formation of a group with a remit regarding the financing, marketing and development of the magazine and how this may be vigorously and energetically promoted on behalf of the Church. The group would include those with particular expertise in both print and electronic media, those with online marketing and brand development expertise, and a representation of younger members of the Church. It would be expected that the group would report to the General Assembly in 2014 on progress, with a final report and recommendations for change and implementation of new initiatives in 2015.

## **21. Committee on Church Art and Architecture (CARTA)**

**21.1** A few headline figures for the information of the General Assembly:

- 64 Projects involving one or more visits by members of the Committee considered
- 24 Projects approved in the course of 2012
- 8 Projects approved under powers without visit required
- 11 Stained glass projects considered and responded to
- 8 Requests concerning the disposal of communion ware responded to

- 7 Requests for advice responded to, some involving visits  
6 Organ reports commissioned and considered

**21.2** The workload of CARTA continues to be demanding since many congregations have responded positively to the advice in the General Assembly Report of 2012 to involve CARTA at an early stage in discussion of proposals for alterations, adaptations and reordering. CARTA welcomes this and also appreciates the invitations from congregations to visit their buildings when major alterations have been completed. It is often to these buildings that CARTA directs others, so that they can see for themselves what can be achieved and learned from the experience of those responsible for these successful projects.

**21.3** As instructed by the General Assembly of 2012, representatives of CARTA have met with representatives of the General Trustees and produced information and guidance notes for the benefit of congregations who wish to recognise the impact of ecological initiatives on the Church's architectural heritage. This is available at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).

**21.4** CARTA strongly encourages all congregations to bear in mind the importance of making their buildings both readily accessible and welcoming to those with disabilities, and commends the use of self-audit tools for this purpose. An information leaflet entitled "Open Church: making better access" can be found at [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0006/3030/open\\_church.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0006/3030/open_church.pdf); information and advice on the topic from the Law Department is also available at [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0014/5081/law\\_equality.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0014/5081/law_equality.pdf). CARTA is happy to offer specific advice on the kinds of alterations needed to make our churches exemplars of good practice with regard to the inclusion of disabled people.

**21.5** CARTA is developing a series of brief online guides for congregations, designed to provide succinct and readily digested information on a variety of topics. These will complement the information that can be found at [http://www.churchofscotland.org.uk/resources/subjects/art\\_and\\_architecture\\_resources](http://www.churchofscotland.org.uk/resources/subjects/art_and_architecture_resources).

**21.6** CARTA's remit, as part of the Mission and Discipleship Council, includes the stimulation of "critical reflection and development of places and practice of worship." So, recognising that innovative worship practices may require access to different configurations of worship space as well as additional facilities, CARTA applies one major test to all proposals that are brought to it for consideration:

*"How will this particular development assist the congregation in its worship and mission in the 21st century?"*

This is also an aspect of good stewardship.

### **21.7 Review of Remit of CARTA and its Purpose**

**21.7.1** Given the desire of many congregations to be creative in their approaches to worship and to witness more effectively within their communities, CARTA believes that its work will continue to grow. It is convinced, however, that it needs to adopt a more pro-active role if it is to stimulate critical reflection and development of places of worship. One way is to use the Mission and Discipleship Council's "Equip Days" as well as articles in church magazines and on the website to publicise imaginative projects that CARTA has supported and encouraged.

**21.7.2** Once Presbytery Plans are finally agreed and begin to be implemented through readjustments and new patterns of ministry, there is likely to be a further increase in the workload of CARTA. So, if the Church is not to put at risk its current privileged status – its "ecclesiastical exemption" from certain elements of the normal planning process, then it is essential that CARTA continues to be able to offer independent and professionally informed advice to individual congregations as well as the Church as a whole, and that it is in a position to demonstrate to the secular authorities that its advice is being heeded.

**21.7.3** CARTA, therefore, requests the General Assembly, through the Mission and Discipleship Council, to set up a review of how it operates, including its composition and resourcing. This review would examine and make proposals regarding the way CARTA operates in relation

to Presbyteries and the Local Church Review process, as well as its collaborative, yet independent, advisory role in relation to the General Trustees. Such a review is timely, in CARTA's view, if it is to stimulate and support congregations to develop their buildings for the purposes of worship and mission in the 21st century.

## **22. Elders as Moderators of their own Kirk Sessions**

**22.1** At the General Assembly of 2012, the Council received an instruction to undertake a survey of all those Elders who had been trained to act as Moderators of their Kirk Sessions, and the Presbyteries and Ministers who had been involved, to establish the pattern of usage. It was hoped that this might identify the issues which need to be addressed so that these Elders might be used productively in future. Three training sessions have been held since November 2010, with attendance reaching 182 in total. However, only 34 responses were received from those who have been trained.

**22.2** The Council resolved to use a simple survey document by e-mail to all Elders who had been trained, all Ministers of congregations where Elders had received training and all Presbyteries where there were Elders who had been trained. The results of the survey may be viewed in detail on the website [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk). Some difficulties were encountered in using the electronic survey as those who had not exercised their skills could not be registered, but a number of written submissions were made and noted, in addition to the online responses.

**22.3** It is clear that there are some issues for the Church to consider in relation to Elders acting as Moderator of their own Kirk Session. At present, the Mission and Discipleship Council is responsible for this training but did not organise any training of Elders in 2012 due to the lack of use being made of those who had been trained.

**22.4** It is important that the General Assembly distinguishes this type of training and the particular function of this training from that of Elders who are trained

to be Interim Moderators in vacancies. The survey revealed a certain amount of confusion about the distinction. When an Elder is trained as an Interim Moderator, he or she does so under the direction of the Ministries Council and the role is distinctly different, as he or she is not a member of that Kirk Session. Elders acting as Moderators of their own Kirk Session are selected and trained differently.

**22.5** It is clear that the situation which currently operates creates confusion, and expectations are not being fully met, causing serious disappointment among those who have undertaken training. The Council recommends to the General Assembly that the Legal Questions Committee be invited to look into this situation and bring appropriate recommendations, guidance and/or alterations of the current legislation to the General Assembly.

## **23. Online Worship Resources**

### **23.1 Starters for Sunday**

**23.1.1** In the years before the Mission and Discipleship Council was formed in 2005, under the Panel on Worship, an initiative was developed to provide exegetical and homiletical support for Ministers and Leaders of Worship on the Church of Scotland website. This resource, based on the lectionary, became known as "Starters for Sunday", and in recent years has been developed to become the most popular part of the Church of Scotland website, achieving more than 30,000 "hits" per month. The Council is indebted to those who have provided material for this resource and can assure the Assembly that it is much appreciated, not just by the worship leaders and Ministers of the Church of Scotland, but by many throughout the world, who find it invaluable in their preparation.

### **23.2 Preachers' Perspectives and Readers' Reactions**

**23.2.1** Alongside "Starters for Sunday", a new resource was introduced in the last year with the provision of 12 articles from individual preachers on their perspectives and experience of preaching and worship. While there has been no restriction on their content or particular prescription given, the articles they have provided have produced an enormous amount of discussion, debate

and interest among the regular users of the website. "Preachers' Perspectives" will be kept as part of the website archive and will be used with groups who are training to be leaders of worship in future. As a result of the success of this additional resource, a further series of "Readers' Reactions" has been introduced to allow the users of the website to have the benefit of the perspective of some of their number on books on preaching and worship. It is hoped that these will assist and sustain those who are keen to become more aware of the information available and the insights that authors have contributed to the practice of worship and preaching.

## 24. *Different Voices Magazine*

**24.1** As a result of a decision of the Council, "*Different Voices*" magazine has become an online resource and is now available free to all who wish to use it. The magazine is designed to stimulate discussion and reflection on a wide variety of musical interests in the worship of the Church, and has been much appreciated by its readership. The authors of various articles have given generously of their talent and skill, and have engaged with a number of the vital concerns of congregations regarding music and its importance in shaping and creating the atmosphere of worship. The magazine is available at [http://www.churchofscotland.org.uk/worship/music\\_for\\_worship/different\\_voices](http://www.churchofscotland.org.uk/worship/music_for_worship/different_voices) to download.

## 25. Equip Events

**25.1** Following the success of previous events where attendees are introduced to various aspects of the Council's work, it is proposed to have further events in other geographical areas to allow a wide range of congregations to engage with the Council and raise questions about how the Council may collaborate and support local developments through "resourcing resourcefulness".

## 26. Research

**26.1** The Council has undertaken a significant investigation into why people have become un-churched, focussing on the Highlands where the problem has been

particularly acute, and the results of the work have been incorporated in a number of publications and noted in the media. This research will continue to be undertaken by the Mission Development Worker in the north, who has been active in the support and development of a number of conferences and retreats in rural areas to encourage and support congregations.

## 27. Quick Guides

**27.1** The Council has commenced the production of a number of short and easily accessible resources to assist congregations when they commence consideration of particular aspects of mission, discipleship and worship. While these are brief and only aim to give a snapshot of particular issues, they are intended to assist congregations in the initial stages of exploration and investigation of an issue or project proposal. "Quick Guides" will include introductory information and "How to ..." guides and it is expected that they will be a continuing growth area of the work of the Council. These are available for free download at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).

## 28. Table Talk

**28.1** It is hoped by the time of the General Assembly that a new resource, 'Table Talk for Scotland' will be available. Produced by the Ugly Duckling Company ([www.table-talk.org](http://www.table-talk.org)), the writing team included staff from Mission and Discipleship, and Church and Society Councils. It is a means of enabling conversations about the issues that really matter in Scotland. Designed to be used in social situations, its unthreatening format makes it particularly accessible to those outside of the church.

## 29. Emerging Church and Fresh Expressions Partnership

**29.1** The Council, jointly with the Ministries Council, has formulated plans for their involvement in the Fresh Expressions Partnership. This will offer the Church of Scotland an opportunity to benefit directly from the experience of other denominations which have developed innovative programmes of new "Church" growth and

planting. The Council expects a staff appointment by the time of the General Assembly to take primary responsibility for the promotion, support and encouragement of the work in this area.

**29.2** The background and context to this work can be found in the Joint Emerging Church Group Report, which can be found in the Ministries Council Report (section 4).

### **30. Violence Against Women**

**30.1** As directed by the General Assembly of 2012, the Church's opposition to violence against women has been incorporated into the work of the Council in the following ways:

- The topic was part of the Youth Assembly Programme in August 2012.
- The issue was highlighted in the prayers during Lent featured in "Starters for Sunday".
- A 'Quick Guide' has been produced for the use of congregations which will identify resources, principles and agencies which may assist congregations in dealing with this issue.

#### **Hymn – verse 4**

The reign of God is come in Christ  
the reign of God is near.  
Ablaze among us, kindling hearts,  
the reign of God is here.

### **31. Young People and Decision Making**

**31.1** In 2012 the Council was directed by the General Assembly to take the lead in a working party designed to examine the work which had been completed on young people and decision-making processes, with the involvement of the Church and Society Council, the Legal Questions Committee, and the General Assembly Arrangements Committee. The Council has attempted to fulfil this directive by calling together representatives of the groups named and has begun to consider the important issue of how young people may indeed be meaningfully and strategically involved in the decision-making processes of the Church.

**31.2** In the initial meetings, it was clear that this is an extremely complex and challenging area and there will be some hurdles to overcome if this is to become a reality. The group has also come to the conclusion that while the involvement of young people in the General Assembly and its deliberations is important, there is also a major paradigm shift required to allow the voices of young people to be heard in the decision making of **all** Councils and Groups within the Church, as well as in local congregations and presbyteries. Therefore, the work will take some time to complete and it is hoped that some reflections and indications of possibilities will be made available to the General Assembly of 2014, with firm proposals formulated in time for consideration and debate at the Assembly of 2015.

**31.3** In the meantime, however, the Council is committed to listening attentively to the voice of young people and has held two consultative conferences with young people, involving representatives of other Councils of the Church, to develop work with young people in a way that is relevant, engaging and appropriate. The Council is most grateful to those who have participated in the work so far, and looks forward to creative initiatives as a result. The Council believes that through reflection, discussion and attentive listening, the voice of young people will be heard and will assist the Church in its development and growth.

### **32. Mission Forum**

**32.1** The Mission Forum was a responsibility given to the Council from its inception in 2005 and a number of developments have taken place over the years. The purpose of the Forum was to ensure that Mission is at the forefront of the life of the Church and that fresh understanding and new approaches may be developed in line with the Gospel and the needs of contemporary society.

**32.2** In 2012, under the leadership of the Council Convener, a new process has begun with the enthusiastic support and co-operation of the other Councils and Committees of the Church, as directed by the General Assembly. Each meeting of the Forum has reflected on

papers and questions regarding the various aspects of Mission and some of these are available for the benefit of congregations and commissioners at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk). The Forum has developed a process of reflection and engagement in this process and used as a framework five particular questions:

- Why mission?
- What is mission?
- What is the context for mission today?
- How do we interact in mission?
- In what spirit do we do mission?

**32.3** As a result of discussion at the Youth Assembly, a number of the young people have engaged with the work of the Forum in a parallel process, which will enrich the final report. Their questions, concerns and insights help the Church to better understand the complexities and challenges of addressing effectively, with young people, mission issues from the perspective of their generation.

**32.4** It is hoped that a full report on the work of the Forum will be available for consideration by the General Assembly in 2014.

### 33. Place of Doctrine

**33.1** The General Assembly in 2012 directed the Council of Assembly and the Mission and Discipleship Council to review the work which had been done on where and how the reflection on doctrine and theological matters should be undertaken by the Church. This was based on work which had been undertaken as a result of two directives of the General Assemblies of 2010 and 2011.

**33.2** The full report of the group, which was convened by the Rev Professor David Fergusson, Principal of New College, is available within the joint report with the Council of Assembly (section 21). The proposals made in the report will ensure that a group is available to provide the in-depth and thorough work necessary for the Church to be sustained and supported in this area.

**33.3** In outline, the proposals are to form a “Theological Forum”, which will have a representation of academics,

ministers, elders and members of the Church of Scotland and a representative of the Ecumenical Relations Committee. The Theological Forum will have the power to co-opt members as it sees fit to address the particular areas under consideration and will report directly to the General Assembly, and be accountable to the Council of Assembly for its budget and the fulfilment of its remit. Several features of the work which has been undertaken in doctrinal and theological areas since 2005 in the Council will continue in the Forum, including the need for consultation with the membership of the Church regarding doctrinal and theological statements and the strategic importance of such statements being expressed in language that is comprehensible to the membership.

### 34. Asexuality

**34.1** At the 2012 General Assembly, the Council was instructed to prepare a report on the issue of asexuality, a matter which had been drawn to the attention of the General Assembly in 2009.

In order to understand this issue, the Council believes the following definition may be of some assistance:

*Asexuality is a sexual orientation. Unlike heterosexuality, where people are sexually attracted to the opposite sex, or homosexuality, where people are sexually attracted to the same sex, asexual people are not sexually attracted to anyone. It is not an inability to have sex, it's not celibacy or abstinence, it's not a temporary 'dry spell', and it's not fear of sex.*

*Asexuality is not something you can switch on and off on a whim, asexuality is not a choice. Most asexual people will tell you that they've always been this way and that they've never known anything different.*

*Asexuality does not mean 'not having sex'. Certainly you can practice abstinence and choose to become celibate, but asexuality and celibacy are not the same thing.*

Reference: Asexuality: a brief Introduction published AsexualityArchive.com

**34.2** On the basis of this definition, the Faith Expression group commenced exploration of this issue. The group explored with the proposer of the motion at the General Assembly of 2009, some of the particular concerns and issues. These might be summarised as follows:

- No Christian denomination actively affirms, supports or discusses the area of asexuality.
- The Church might rightly be seen as discriminatory if it does not affirm asexuality as an orientation.
- Not all those who are asexual are single people.
- There is a need to undertake positive affirmation of the proportion of the population who are asexual.
- Negative ideas which are often expressed in the words “suffering from asexuality” should be confronted and rejected.

**34.3** These issues will be considered and a report made to the General Assembly in 2014 as directed. In particular, attention will be given to what is the appropriate theological response of the Church to those who are by definition ‘asexual’.

### **35. Interfaith and Mission**

**35.1** At the General Assembly of 2012, the Council was given an instruction to produce a major report on the practice of mission in an environment of interfaith, dialogue and multi-culturalism. The group appointed by the Council (listed in Appendix II), indicates the wide range of expertise, interest and experience which the Council has drawn upon to undertake this important work. While it is anticipated that the group will produce a report for consideration by the General Assembly of 2014, the progress so far has indicated that there are four areas of particular challenge and engagement to be considered. They are as follows:

- How has the context of mission in Scotland changed and developed since the production of the report presented to the General Assembly on interfaith issues in 1993? It is important for the Church to understand the particular context and significant questions of the contemporary environment in which the Church engages with its mission.

- How do we support and assist Christians in their desire to be confident witnesses to the Gospel while recognising the appropriate boundaries and necessary respect for others of a different faith position?
- What are the best working practices that might be suggested to those who wish to engage in mission in this context?
- What are the theological principles about which the Church may agree and disagree regarding the particular demands of engaging in mission in this context?

**35.2** While there has been lively discussion, honest debate and open exchange of ideas, perspectives and viewpoints on these issues, the group believes that there is a great deal more required before a full report may be presented to the General Assembly. It is their hope that a report, based on the questions indicated above, will be available for consideration by the General Assembly of 2014.

### **36. Place for Hope**

**36.1** The Council, through its Faith Expression area, was invited to explore, with a group of those involved in the Place for Hope project, some of the main theological foundations of the work of Place for Hope. The result is a paper expressing some of the basic principles of the work and ethos of the Place for Hope within the Church – this can be found at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk). It presents a discussion of the importance of a theological understanding of the ministry of reconciliation and how destructive conflict diminishes community and reduces a congregation's ability to engage in mission effectively. It offers an insight into the process adopted by the Place for Hope, which may assist congregations and others within the Church in understanding the principles which support and guide the operation of this important initiative of the Church. There will obviously be developments of perspectives in future, but it is offered at the present time as a basis for comprehending the theological and ecclesiological background of its operation.

### **37. Eldership Reflections**

**37.1** As a result of the debate about the development of Ordained Local Ministers in 2011, the Mission and

Discipleship Council formed a group of Elders, with a small representation of Ministers, to consider the future role of the Eldership and the various models of the Eldership which may serve the Church in the future.

**37.2** What became clear from the research done on behalf of the Group was that the ministry of the Eldership is “diaconal” and has developed in a number of ways and changed and adapted according to the needs of the Church since its inception at the time of the Reformation. A full summary of the statements on the doctrinal understanding of the Eldership and its historical significance and growth may be viewed on [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).

**37.3** The group was aware that many different forms of service are available to the Church in the office of the Elder. The challenge to the group was to find a means whereby these various models might be reflected upon and engaged with appropriately throughout the Church of Scotland. While the current model of Elders and districts developed out of the post-Napoleonic War period of industrial expansion in the cities of Scotland, it is clearly not the only model that is available for congregations to adopt. The Group has no wish to suggest, in a post-modern culture, that “one size fits all”, but would want to share the experience of various Kirk Sessions and groups of Elders to allow the variety and different models to enrich the Church as a whole.

**37.4** The group was also concerned that, while a lot of work had been undertaken on the subject of the Eldership prior to the re-organisation of the central administration of the Church in 2004/5, little had been done to bring that work to fruition in practice. Therefore the group set about looking at how various understandings of the Eldership might be considered by Kirk Sessions as they engage with the contemporary challenge of looking after the spiritual and temporal needs of congregations. The group was also aware that some of the recent changes in civil legislation, whereby Elders on the Kirk Session are deputed to act as Trustees, dictate that the role becomes even more challenging and important.

**37.5** A reflective paper was produced for use with Kirk Sessions based on some of the research which had been completed. Before it was issued, however, it became clear to the group that the most important issue of concern was to listen attentively to Elders and members of Kirk Sessions and reflect on their experience. If any new models or understandings are to be developed, they must be congruent with the life and experience of Kirk Sessions in a contemporary context.

**37.6** The reflective document is now available at [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk) for those Kirk Sessions who wish to use it for education and development. The group decided its priority was to arrange a series of consultations throughout Scotland in April 2013. These took place in Edinburgh, Glasgow, Cumnock, Perth, Inverness and Aberdeen. Two Elders were invited from each Kirk Session in these areas and a small representation of Ministers from Presbyteries in these areas was also encouraged to participate. A set of questions was devised and tested in a series of meetings arranged by members of the group in their home congregations, or in congregations which volunteered to be part of the experiment. The questions may be viewed on [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).

**37.7** The responses from these consultations will shape a discussion paper for Kirk Sessions in 2013/14 and it is hoped that it will be possible to bring forward some material to the Assembly in 2014 for approval. It is the hope of the Council that this will be an opportunity for the Church to realise more fully the potential of the Eldership as an agent of mission and leadership within the Church of Scotland. At a time of change and decline in the number of full-time Ministers of Word and Sacrament, the role of the Elder is of crucial importance. The Council wishes to highlight the work which has been undertaken and hopes that it might result in a flexible and varied model of Eldership in future, fit for the purpose of leadership within congregations.

**37.8** Once the result of the full consultation process is known and the approval of the General Assembly of 2014 is given for any proposals, the Council, through

Congregational Learning, will provide the courses of education and vocational development of Elders which are required if the Church is to utilise the Eldership appropriately. Initial reactions indicate that there is a real desire for Elders to be engaged (as is the case in most professions of these times) in continuing vocational development. If required, the Council will provide courses in the support of Elders from the time before they are ordained and throughout their years of service.

### **38. Statistics for Mission**

**38.1** In the summer, when the Scottish Census 2011 results are available, a statistical profile for each parish will be available through the Church of Scotland website. Close co-operation with the IT and Media Departments of the Church offices, and the National Record Office, has encouraged the Council group responsible for this work to believe that the statistics will be available in an accessible form for each parish shortly after the General Assembly. The Council is grateful to the Ministries Council and all others for the co-operation which has made this important initiative possible. The Council urges any remaining Presbyteries who have not sent in details of their parish boundaries to do so as soon as possible to allow us to ensure that our information is complete

**38.2** The Council believes that when this work is completed, there will be a need for some other group/council/committee covering the whole of the Church to take on board the ongoing work of updating and progressing the data and statistics which we are certain will be invaluable for the whole Church in its mission and strategic planning. It may be that such a group would sit independently but be representative of all Councils such as the Council of Assembly. This is not of immediate importance, but some thought and preliminary discussion ought to take place so that the General Assembly may be clear about what the next steps will be regarding responsibility, budget, and future planning.

**38.3** The Church is indebted to those who have offered their talents, skills and professional expertise in the production of this work to allow it to advance to this stage.

### **39. Conclusion**

**39.1** There is a story from the 16th Century of Sir Francis Drake planning an expedition. He gathered a group of sailors together and told them that if they came with him, they would see some of the most marvellous sights that they could ever imagine, exotic fruit, foreign peoples, amazing landscapes and priceless treasures. All of this could be theirs if they signed up for the trip. Yet no one signed on the dotted line. The next day Drake tried again. This time he spoke of how they would encounter storms that might terrify them, winds that would blow them off course and waves that would threaten to drown them. Danger would be their constant companion. He concluded by declaring that if they could handle these things, the joys of exploration would exceed their wildest dreams. The response was that everyone signed up.

**39.2** The response was not because the two groups were different. It all related to the format of the message. The first time he spoke of rewards and the second time he spoke of challenges. In one, he offered comfort and in the other he promised suffering. In the first, he tempted them with physical things, and in the second he offered them an experience unlike any other. It appears that Drake discovered what Jesus knew about human nature – that for us to follow him in the path of mission and discipleship, that path must shape us, build our character and change the way we view the world.

**39.3** In presenting this report, the Council is aware that words alone are insufficient to describe its work with congregations and presbyteries throughout the country. Such accounts do not adequately reflect the level of enthusiasm and commitment which is often demonstrated by members of congregations when they are involved in projects of creative and imaginative mission and discipleship. The Council is aware of the energy, dedication and vision in small and large congregations throughout the country, which support the continued revelation of the message of the Gospel. It is the privilege of the Council, with individuals and groups, to participate in the memorable work described by Archbishop Oscar Romero when he said, *"Our task is to put feet on the Gospel."*

**39.4** The Council is excited and encouraged by the requests for assistance and information it has received, as together we explore the meaning of mission and discipleship in the early 21st Century. As we continue to go on the journey with Jesus, a journey that has its roots in the Old Testament, and is characterised by the surprising and challenging nature of the Grace of God, we know that the Council will doubtless face its challenges and difficulties. In the journey that Mission and Discipleship has taken and will take in the future, there will be difficulties to surmount, problems to solve and sometimes enormous blockages to remove and tough decisions to be made. This is the nature of what we are called to do, in obedience to the invitation of Jesus, and we are assured that the God Jesus relied upon will bring that journey to fruition. With the support of the General Assembly and the involvement of so many in our work, we are confident that there is much that can be achieved in the future. This confidence is based on the abiding trust that we may have in the God who called Abraham, brought his Son into the world and commissioned the Church to follow in his teachings. As St Paul writes in I Corinthians 3: v 6-9 (New International Version):

*I planted the seed, Apollos watered it, but God made it grow.  
So neither he who plants nor he who waters is anything,  
but only God who makes things grow.  
The man who plants and the man who waters have  
one purpose,  
and each will be rewarded according to his own labour.  
For we are God's fellow workers; you are God's field,  
God's building.*

*In the name of the Council*

COLIN SINCLAIR, *Convener*  
DAVID CAMERON, *Vice-Convener: Church Without Walls*  
RODDY HAMILTON, *Vice-Convener: Faith Expression*  
JOHN HAWTHORN, *Vice-Convener: Congregational Learning*  
NIGEL J ROBB, *Acting Council Secretary*  
(until 12 February 2013)  
ALISTER BULL, *Council Secretary* (from 13 February 2013)  
LESLEY HAMILTON-MESSER, *Team Leader:*  
*Church Without Walls*

*In the name of the Committee on Church Art and Architecture*

GRAEME ROBERTS, *Convener*  
IAN PATERSON, *Vice-Convener*  
NIGEL J ROBB, *Team Leader: Faith Expression*

## ADDENDUM

### David Cameron

David has brought to the role of Council Vice-Convener a long and enthusiastic association with the work of Church Without Walls. His commitment to its principles, and his belief in the vital importance of mission to the life and future of the Church, and, in particular, to the work of the Council, have been matched by the passion and energy he has shown throughout his years of service to the Council.

Tenacious but courteous in debate in Executive and Council meetings, David has had no hesitation in promoting the work of Church Without Walls, encouraging the Council to explore in detail how it can best support the mission and witness of congregations throughout Scotland.

With his background in industry and parish ministry, David has given generously of his time and energy as a Vice-Convener, and now returns to his parish on the edge of the Forth in a full time capacity. The Council wishes him well as he engages with a fresh set of opportunities and challenges, and is immensely grateful for the gifts he has so freely given to the work of the Council and invites the General Assembly to commend him for his service.

*In the name of the Council*

COLIN SINCLAIR, *Convener*  
RODDY HAMILTON, *Vice-Convener: Faith Expression*  
JOHN HAWTHORN, *Vice-Convener: Congregational Learning*  
NIGEL J ROBB, *Acting Council Secretary*  
(until 12 February 2013)  
ALISTER BULL, *Council Secretary* (from 13 February 2013)  
LESLEY HAMILTON-MESSER, *Team Leader:*  
*Church Without Walls*

*In the name of the Committee on Church Art and Architecture*

GRAEME ROBERTS, *Convener*  
 IAN PATERSON, *Vice-Convener*  
 NIGEL J ROBB, *Team Leader: Faith Expression*

### **Nigel Robb**

When the post of Council Secretary became unexpectedly vacant, there was really only one person capable of stepping up to take on the daunting task of steering the Council through the uncharted waters that lay ahead – the Rev Nigel Robb. Nigel filled the role of Acting Council Secretary for what turned out to be 16 months, while at the same time continuing to lead the Faith Expressions team; later still he also oversaw the work of Congregational Learning.

During that time Nigel played a vital role in holding the staff team together, working extremely hard to ensure that through a difficult period the work of Mission and Discipleship continued as effectively as possible.

Nigel's capacious grasp of the work of the Council enabled him to have a key role in helping to shape the new structure, one that put the focus of our work more clearly on supporting congregations in their call to mission and discipleship. His many years of experience within the Church Offices, and his finely tuned grasp of the harsher financial climate in which we must now work, helped the Council to face up to the challenge of transition and to bring this period of the Council's life to a significant and satisfactory conclusion. We thank Nigel for his willingness to provide the expert leadership that was needed and invite the General Assembly to commend him for his service.

*In the name of the Council*

COLIN SINCLAIR, *Convener*  
 DAVID CAMERON, *Vice-Convener: Church Without Walls*  
 RODDY HAMILTON, *Vice-Convener: Faith Expression*  
 JOHN HAWTHORN, *Vice-Convener: Congregational Learning*  
 ALISTER BULL, *Council Secretary (from 13 February 2013)*  
 LESLEY HAMILTON-MESSER, *Team Leader:*  
*Church Without Walls*

*In the name of the Committee on Church Art and Architecture*

GRAEME ROBERTS, *Convener*  
 IAN PATERSON, *Vice-Convener*

## **APPENDIX I**

### **COMMITTEE ON CHURCH ART AND ARCHITECTURE MEETING DATES FOR 2013**

27 June, 26 September, 5 December

## **APPENDIX II**

### **CO-OPTED MEMBERS ON GROUPS AND COMMITTEES**

#### **Pray Now Group**

Rev Carol Ford  
 Rev Peggy Roberts  
 Rev Tina Kemp  
 Rev Mark Foster  
 Rev Adam Dillon  
 Rev Mary Ann Rennie  
 Ms Ishbel McFarlane

#### **'Why Believe?' Group**

Church of Scotland: Mrs Alison Carter, Prof Joe Houston,  
 Rev Jock Stein, Dr Donald Bruce,  
 Dr Paul Nimmo  
 Salvation Army: Mr John Coutts  
 Scottish Episcopal: Prof Wilson Poon  
 Free Church: Rev David Robertson  
 Baptist: Rev Andy Scarcliffe  
 Methodist: Dr Gerald Bostock  
 Roman Catholic: Dr Victoria Harrison

#### **Statistics for Mission**

Mr Andy Whittet  
 Mr David Stewart  
 Mr Douglas Vallance  
 Mr Norman Jamieson  
 Rev Dr Fiona Tweedie  
 Dr David Lewis

**Scots Language Group**

Rev Dr Robert K MacKenzie

Mr Jamie Stewart

Rev James Campbell

Rev James Merilees

**Interfaith and Mission Group**

Mrs Rosemary Dowsett

Dr Martin Whittingham

Rev Mahboob Masih

Rev Ken Ross

Dr David Smith

Rev Malcolm Duff

Mr John Kennedy

Rev David Black



# SOCIAL CARE COUNCIL

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly

1. Receive the Report.
2. Note the difficult financial environment and market place in which the Council is operating and the need to achieve cost savings in order to achieve long term sustainability.
3. Share the Council's regret and concern that cuts to pension contributions and conditions of service for its committed staff group are necessary and support its determination to pursue all possible ways to increase income for services provided.
4. Welcome the Church of Scotland Guild's support of the Heart for Art Project and commend the initiative to the Church as an example of local churches being able to partner CrossReach in transforming lives in their communities.
5. Support the Social Care (Self Directed Support) (Scotland) Act 2013 which will give individuals choice and control over the services they require and urge Local Authorities to provide adequate funding to meet personal needs and outcomes.
6. Note the funding constraints placed upon Local Authorities and funders but make clear that the Council cannot meet increased costs from existing resources nor absorb cuts in funding and at the same time continue to provide current levels of service.
7. Note the success of the first CrossReach week and commend it as an annual event in the life of the church.
8. Commend the Daisy Chain Project as an excellent example of early intervention with families that will potentially reduce the spend on reactive services at a later date. Encourage the Scottish Government to note the positive outcomes of the project and the unmet need as a result of its limited funding.

#### Remit of the Council

The remit of the Social Care Council (operating as CrossReach) is:

- as part of the Church's mission, to offer services in Christ's name to people in need;
- to provide specialist resources to further the caring work of the Church;
- to identify existing and emerging areas of need, to guide the Church in pioneering new approaches to relevant problems and to make responses on issues arising within the area of the Council's concern through appropriate channels such as the Church's Church and Society Council, the Scottish Executive and the like;
- to conduct an annual review of progress made in discharging the remit and provide a written report to the General Assembly;

- to oversee an appropriate corporate management and support service to deliver the above and be responsible for funding all salaries and related costs;
- to set and review terms and conditions of staff and establish appropriate internal governance systems.

#### Mission statement

In Christ's name we seek to retain and regain the highest quality of life which each individual is capable of experiencing at any given time.

#### Values

- We will accept and respect everyone for their own individual worth.
- We will consult with and involve individuals and/or their representatives in issues that affect them.

- We will ensure that the reasons for our actions are transparent and that we act with integrity.
- We will treat everyone with fairness and consistency and be accountable for our actions.
- We will seek to serve and support everyone in a spirit of grace, humility and compassion.

### **Report outline**

This report provides an overview of the work of CrossReach under the following headings:

1. Our services
2. Our finances
3. Our 2012 highlights
4. Our staff
5. Our quality
6. Our opportunities and challenges

Addendum Retirement of Convener

Appendix 1 CrossReach anthem

### **1. Our Services**

In over 70 locations our services are being provided in the name of the Church of Scotland to some of the most vulnerable people in Scotland over a wide range of specialist areas of social care. Managed under 3 main sections, Adult Care Services; Children and Family Services and Services to Older People, all of our services are caring in Christ's name, many 24 hours a day, 365 days a year.

#### **Adult Services**

##### *Criminal Justice*

Dick Stewart Service (Glasgow)

##### *Homeless People*

Cale House (Inverness)

Cunningham House (Edinburgh)

Kirkhaven Project (Glasgow)

#### **Learning Disabilities**

Eskmills (Edinburgh)

The Bungalow (Stonehaven)

Threshold Edinburgh

Threshold Glasgow

Threshold West of Scotland (Hamilton)

#### *Mental Health*

Allarton (Glasgow)

Gaberston House (Alloa)

Lewis Street (Stornoway)

Morven Day Services (Kilmarnock)

#### *Substance Misuse*

Axis Forward Project (Dundee)

Beechwood House (Inverness)

Bridge Project Uists (Eochar)

Clova Support Services (Arbroath)

Lifestyle Centre (Stornoway)

Rainbow House (Glasgow)

Rankeillor Initiative (Edinburgh)

Whiteinch Move on Service (Glasgow)

#### **Children and Family Services**

Ballikinrain School (Balfron)

Geilsland School (Beith)

The Daisy Chain (Glasgow)

The Mallard (Glasgow)

CrossReach Counselling: Lothian

CrossReach Counselling: Moray

Postnatal Depression Services: Glasgow

Postnatal Depression Services: Lothian

Tom Allan Centre (Glasgow)

Perth Prison Visitor Support and Advice Centre (Perth)

Simpson House (Edinburgh)

Sunflower Garden Project (Edinburgh)

Make it Happen (Edinburgh)

#### **Services to Older People**

##### *Dementia*

Adams House (Elderslie)

Auchinlee (Campbeltown)

Cameron House (Inverness)

Cumnor Hall (Ayr)

Rubislaw Park Care Home – (Dementia Care) (Aberdeen)

St Margarets House (Polmont)

The Elms Care Home (Edinburgh)

Williamwood House (Glasgow)

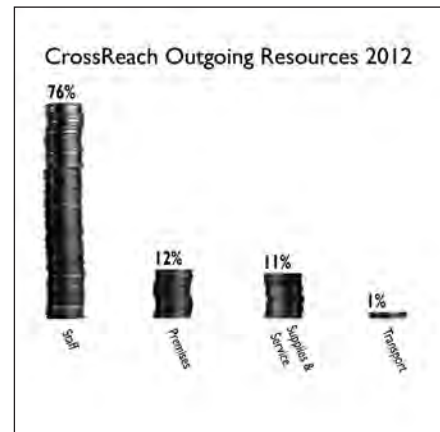
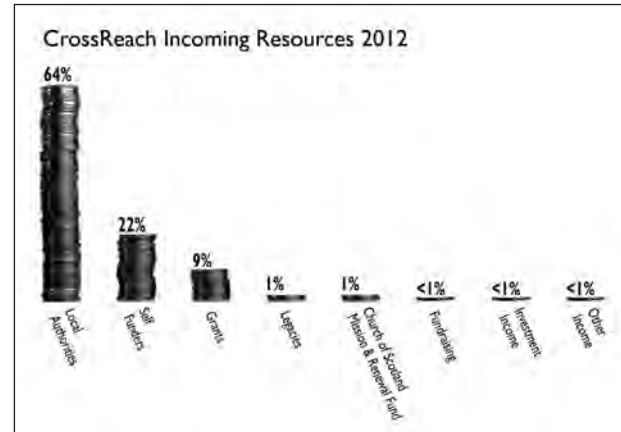
*Older People*

Achvarasdal (Thurso)  
 Balmedie House (Balmedie)  
 Bellfield (Banchory)  
 Belmont Castle (Meigle)  
 Budhmer House (Portree)  
 Clashfarquhar (Stonehaven)  
 Eastwoodhill (Glasgow)  
 Glasgow Housing & Support Services  
 Inverack (Dunoon)  
 Kinloch Day Care & Support Services (Auchtermuchty)  
 Morlich House (Edinburgh)  
 Oversteps (Dornoch)  
 Queens Bay Lodge (Edinburgh)  
 Rubislaw Park Care Home (Aberdeen)  
 South Beach House (Ardrossan)  
 The Oasis Bankfoot Day Care Service  
 The Oasis Garelochhead Day Care Service  
 The Oasis The Tryst Day Service (Pitlochry)  
 Walter & Joan Gray Care Home (Scalloway)  
 Well Hall (Hamilton)  
 Whinnieknowe (Nairn)

For further details and addresses of all our services visit our website at [www.crossreach.org.uk](http://www.crossreach.org.uk)

**2. Our Finances**

1.35% of our funding in 2012 came from the Church of Scotland Ministries and Mission Fund. The remaining 98.65% came from local authorities, health boards and other funding bodies, fund raising, legacies and investment income and from individuals who use our services. Effectively, for every £1 received from the Church we provide £75 of service.



## 2012 – A Challenging Year

In our report to the Assembly in 2012 we highlighted the progress made to reduce the Council's overall deficit from £5.6m in 2008 to £0.24m by the end of 2011. This progress was in line with our strategic aim to achieve a break even target by the end of 2012. In addition the Council's overdraft has been reduced from £8.5m at the start of 2011 to £4.4m at the end of 2012., with a planned objective to significantly reduce further in the current year.

2012 proved to be an extremely challenging year and an end of year deficit of **£1.5m** (exclusive of adjustments for impairment, onerous leases and prior year accounting adjustments) reflects the very difficult financial environment and market place, in which the organisation is operating.

Despite the tireless efforts of all managers throughout the year two main factors affected a negative performance against budget:

- An unexpected reduction in referrals to some services resulting in reduced occupancy.
- A reduction in the amount of budgeted legacies received of 60% (£0.752m).

It was established during the financial year that these cost pressures would continue into future years. Along with other anticipated cost pressures it was projected that our overall deficit could be in excess of £2.5m by 2014 if no action was taken. The Council, therefore, commissioned a Strategic Budget Review to look at all aspects of the budget including:

1. The levels and cost of sickness absence
2. The need for cost efficiencies
3. Affordability of current conditions of services
4. Challenges faced by employees in relation to increase costs and no costs of living
5. Affordability of existing pension schemes in light of the requirement to be competitive in the social care market place and thus retain as many services and jobs as possible.

Whilst the Council is determined to pursue all possible ways to increase income for services provided they reluctantly agreed that a number of steps would have to be taken to effect savings in order to achieve long term stability. Consultations with staff were, therefore, initiated to consider a range of proposals including:

- The payment of a 1% cost of living rise from July 2013 following three years of no percentage increase in salaries
- The introduction of a revised absence policy
- Introduction of reduced absence allowances in any 12 month period
- Rationalisation of paternity and adoption entitlements in line with statutory requirements.
- The closure of the current CrossReach Church of Scotland Final Salary Pension Scheme and the current CrossReach Money Purchase Pension Scheme and the introduction of new Money Purchase Pension Scheme in line with current affordability.

## 3. Our 2012 Highlights

Despite the financial pressures faced throughout 2012 identified in the previous section we have continued to provide quality services. This section records some of our highlights from 2012, achieved in a challenging financial environment, and competitive market place.

### 3.1 Adult Care

#### The Bungalow

The Bungalow is a specialist unit for young adults with learning disabilities and complex physical needs situated in the centre of Stonehaven. The staff group have created a unique environment for the residents and are committed to achieving continual improvement in the quality of service. As a result of a generous legacy, improvements have been made to the building over the past year which have enabled us to increase the capacity from 4 to 5 young adults, build a new kitchen, a new garden lounge and landscape the gardens.

#### Recovery Volunteers

An exciting initiative over the past year has been the support and training given to service users within Substance Misuse

and Mental Health to pursue volunteering opportunities within CrossReach. These “wounded healers” provide an inspirational model for a form of care in which both the volunteer and the service user find healing, hope, confidence and the chance of renewal. It is a model of care that is not so much about fixing the broken lives of others but rather a ministry of “walking with people” as they are empowered to take more positive control of their own lives in the light of their experiences, however dark”. The evidence from volunteering will also enable the completion of Scottish Vocational Qualification (SVQ) units and build towards a Level 2 Award. This will improve employability and increase positive outcomes.

### **Morven Day Services**

Morven Day Services situated in North West Kilmarnock offers a range of quality day services for people with mental health problems living in East Ayrshire. This service has developed into providing 5 distinct services offering varied therapeutic programmes which boost confidence, self esteem and provide a focus to daily life. In a supported environment people with mental health problems can learn new skills and meet and make new friends. The centre celebrated its 20th anniversary in 2012 and the thanksgiving events celebrated and reinforced the vital role this service offers to the community. Many service users gave “testimony” of their appreciation of the centre, the safe and secure atmosphere, the commitment of staff and the importance of this ‘life saving’ resource. We are conscious of the great need for more of these centres across Scotland if the resource was available

#### **Resident – Morven Day Services Kilmarnock**

*I have been attending the Morven Centre for over two years now and I can honestly say without fear of contradiction that it has been a life saver to me. Long may the centre stay open.*

### **Eskmills**

One of the significant developments over recent years has been the transition from a residential model of support to a housing support model for people with learning

disabilities. This has been achieved over the last year at the Eskmills project in Edinburgh. This initiative enables people to have their own tenancies and receive support tailored to their own individual needs and wishes. This is a significant part of the process towards the implementation of self directed support where individuals are given their own budgets to purchase the care and support that they wish. Again empowering clients to take positive control of their own lives.

### **Tynepark**

We were disappointed that after providing a service for people with mental health problems at Tynepark in Haddington for 30 years we did not secure the contract following a retendering exercise. An event was held to mark the closure and sincere thanks are due to the staff and those who attended the service for contributing to the success of the service over the years.

### **Lifestyle**

The Lifestyle Centre in Stornoway held a service to mark its 20th anniversary in September 2012. The centre offers a drop in facility, individual counselling and group work for people with alcohol or drug misuse or individuals connected to people with such issues. The centre has been extremely well supported both financially and practically by the wider Church community on the Island. This is a good example of ecumenical working together in practical service.

## **3.2 Services to Older People**

### **Heart for Art**

We are delighted that the Guild has adopted Heart for Art as one of its Guild projects from 2012 to 2015.

The decline in a person with dementia’s ability can affect the way society views them – seeing the dementia rather than the person with dementia. Being engaged with art opens up opportunities for creative expression. Through the process of creating an image or participating in a gallery tour a person with dementia can access long or short term memories. Heart for Art provides a forum for someone with dementia to access emotions, self exploration, thoughts and hope and dreams. Art can speak where words fail!

Heart for Art, a pioneering project, will focus on creative art with groups being held in local Churches. This helps people with dementia to connect with society as an equal. Qualified staff along with volunteers are on hand to offer support and encouragement to enable active participation. The initial group was established in Stamperland Church in Netherlee and members are creating outstanding pieces of visual art including painting, drawing and hand made decorations. The Church of Scotland in Garelochhead in conjunction with Oasis Day Care Service has commenced Heart for Art as has Broughty Ferry New Kirk.

This is an excellent example of local churches working in partnership with CrossReach to transform lives in their own communities.

#### **Adams House**

Adams House in Elderslie, a specialist home for people with Dementia, have opened a dedicated room where holistic care is provided to people at the end stage of dementia. When people with dementia enter this stage of life they often lose the ability to speak or recognise those around them. This is distressing for families who have no way of knowing how or what their relative is feeling. It is also challenging for carers too. The aim of the initiative is to create a peaceful end to life by reducing the anxiety and agitation people with dementia often show. It uses affordable techniques involving calming but meaningful activities that can be delivered in the care home both by staff and family members. A generous donor enabled three specialist chairs to be purchased which are an integral part of the holistic care provided.

#### **Williamwood House (Glasgow), Cameron House (Inverness) and St Margaret's Polmont**

In a pioneering move 30 Years ago the then Board of Social Responsibility, opened the first home in Scotland dedicated to providing residential care for people with dementia. Williamwood House has recently celebrated its 30 year anniversary and continues to provide quality care

to people with dementia. After the successful opening of Williamwood House Cameron House, was opened in Inverness and St Margaret's in Polmont as specialist dementia units – both of whom reached their 25 year anniversary in 2012. The growing number of people being diagnosed with the illness is reflected in the fact that the Council now runs 8 such homes throughout Scotland.

The subject of dementia is not limited to residential care but an understanding of the challenges is important in all walks of life. This is particularly the case in individual churches throughout Scotland, many of whom have sought advice from our staff. It was appropriate, therefore, that the first "Toolkit for Churches" series of articles launched by the Convener in our Circle of Care newsletter focussed on dementia.

#### **Digital Reminiscing**

Staff at the Elms residential home in Edinburgh recognised that some families found visiting difficult because conversation was limited due to their relative's dementia. Having explored various options the staff team agreed, in consultation with families, to fundraise to buy a digital reminiscing computer and software. A silent auction was held which raised nearly £4,000. The software has 3 main categories which trigger interaction and memories and its easy to use programmes work via touch screen technology. It draws on carefully selected photographs, television shows, music and film clips from the 1930's onwards. All are specifically chosen for people with cognitive impairment, encouraging them to reminisce and share their memories. Any Church looking for a fund raising opportunity could do no better than fund raise for this software for a CrossReach home in their area!

#### **Resident – Queens Bay Home For Older People, Edinburgh**

*I have no complaints. I feel honoured to be allowed to stay here.*

### 3.3 Children and Family Services

#### Young person – Ballikinrain School Balfron

*Good care home to be living in.*

Prior to his retirement after 40 years of committed service to both CrossReach and children's work across Scotland the Director of Children and Families, Mr Chris McNaught along with the Director of Adult Care Services explored areas of synergy between some services in the Children and Families and Adult Care sections. As a result of this a 12 month pilot has been established under a temporary Director of Children and Family Services. The pilot will bring together a range of services under a single section and explore the opportunities which we believe will arise from them working together. This is consistent with our strategic plan to seek to integrate services and develop 'hub working'. This new Children and Family Services section will include:

- **Counselling and Post Natal Depression Projects**
- **Geilsland Residential School, Beith**
- **Ballikinrain Residential School, Balfron**
- **The Mallard** (residential and short breaks for children and young people with disabilities)
- **Simpson House Counselling** (counselling in Edinburgh for people affected by their own or others drug misuse)
- **Sunflower Garden Project** (working with children who are affected by drug or alcohol misuse in their families)
- **Make it Happen** (an early intervention initiative designed to identify children and young people that may be at risk in East Edinburgh)
- **The Daisy Chain** (early years hub)
- **The Perth Prison Visitor and Support Centre**

#### Client – Simpson House Counselling

*The Counselling service at Simpson House has been a lifesaver for me. It has allowed me to move forward with my life and reap the rewards from it.*

#### Visitor – Perth Visitors Centre

*The 'staff' in Perth are sooo friendly and helpful as you walk in the door. It is lovely to come in to a warm friendly place before or after a prison visit. Thank you CrossReach. Long may you continue.*

#### Geilsland

CrossReach has run a residential school on the Geilsland site for 48 years. In light of the state of the fabric across the complex and the appropriateness of the existing on – campus residential provision the Council commissioned a Council Member/Staff Review Group to consider the future of Geilsland. In light of the recommendations made by the Review Group the Council have now agreed to move the residential provision from Geilsland into smaller houses in the community. These houses will accommodate 4/5 young people and will more readily reflect their needs and achieve the outcomes to which we are committed. This change reflects the current trend in the provision of children's services and is the preferred option of purchasing authorities. In addition to the residential provision it is proposed that an education service is established based on 7 experiential activities of employability and training:

Painting and Decorating  
Joinery  
Environmental  
Physical Education  
Hospitality  
Grounds Maintenance  
Car Valeting

This education model reflects our aim to seek to equip young people for employment on leaving the residential school environment. The recently launched "Include Me in Work Plan" is working with employers to find local placements for young people whilst in the school and to find employment opportunities for them when they leave care.

### **Mind and Soul**

Representatives from CrossReach participated in the Mind and Soul conference. The conference which explored christianity and mental health was well attended from Churches and communities across Scotland. CrossReach staff ran workshops on Heart for Art which were extremely well received and the recently appointed Director of Children and Family Services was a contributor to one of the main workshops. The conference was sponsored by Premier Radio.

### **Daisy Chain Project**

In our Report to the Assembly last year we highlighted the launch of a pioneering new parenting scheme funded through the Early Years Early Action Fund. Now called the Daisy Chain Project it is an example of our strategic aim of developing multi – service hubs as part of the organisation's drive towards integrated services. The project, based in Govanhill has been hugely successful in its first year. It focuses on improving the health, early literacy and language skills of vulnerable children in the Govanhill area. It particularly wants to help those who find it difficult to access other means of support. Whilst its main focus is on vulnerable children the hub model of working has enabled us to bring together, alongside the children and family specialism, post natal depression; substance misuse and criminal justice to work in an integrated way with families and sign – post them to other services which can be of help to them. Some of the reported outcomes of the project are:

- 60% of families were reported to be less isolated as a direct result of their involvement in the project.
- 30% of families were identified as being significantly less isolated.
- 60% were reported to be better nurtured and able to thrive as a result of the support provided by the project... 30% showed significant improvement in relation to this outcome. Many parents report a difference in their relationship with their child and staff observed real changes in this area.
- 80% of children assessed were identified as engaging more in education. This is very much attributed to the

structure of the sessions which provide continuity and consistency for the children, allowing them to focus and predict next steps.

- 10% of those children were reported as being significantly safer due to the stability and input of the project.
- 50% of children were observed as healthier due to the wide selection of fresh fruit and healthy snacks provided.

This project is an excellent example of early intervention where spending in this way can save significantly higher funding of reactive services at a later date. In view of the limited funding the project is only able to open three days a week and has a limited capacity. The service runs on a 'first come, first served' policy with many families being turned away resulting in significant unmet need for vulnerable families.

In view of the success of the project the funding was extended for a further period of 6 months. We are now in the process of submitting funding applications and holding discussions with potential funders in order to continue this pioneering and successful project.

### **3.4 CrossReach Week**

One of the main highlights of 2012 was the first ever CrossReach week. The Moderator, the Rt Reverend Albert Bogle approached the Council with the request that he might spend a week of his moderatorial year with CrossReach.

The week started with a service of celebration in the Dalziel St. Andrews Church in Motherwell. Over 300 people joined the CrossReach family in a varied service of celebration which was also streamed to many others.. Some of the people who are supported by our services spoke of the difference CrossReach has made in their lives. The service marked the debut of the CrossReach anthem "Bring Me In" specially commissioned and written by Kirk Elder Iain Jamieson. An uplifting anthem which highlights the inclusivity of CrossReach, it is available on CD at £3 with all profits from the sale going to the work

of CrossReach. The words of the anthem are included in Appendix 1 of the report and a sound clip can be accessed through the website.

<http://www.youtube.com/watch?v=49SyJAGzJbE>

The service of celebration launched a Moderatorial whistle stop tour of CrossReach services throughout the country. It commenced with a visit to the children from the **Sunflower Garden Project** a project for children whose parents have alcohol or drug misuse problems. This service which is a crucial service in the lives of the children that it supports has recently been successful in gaining funding to expand its volunteer workforce (details of volunteering opportunities in this rewarding area of work can be found on [www.crossreach.org.uk/volunteer](http://www.crossreach.org.uk/volunteer)). The meeting with the mothers helped through their post natal depression at our **Post Natal Depression Project** in Edinburgh also provided an opportunity to meet some of the volunteer counsellors on whom the service is significantly dependant and who are a much valued resource.

Relationships with other Christian social care partners have been developing over the past year or two and the Moderator, was able to host a reception and give words of encouragement to those seeking to make a difference in Christ's name throughout Scotland. A visit to **The Mallard** in Glasgow brought the first day to a conclusion and the Moderator in a meeting with the young people, their families and staff described the service as a "colony of Heaven".

One of the declared aims of the week was to raise income for the Sunflower Garden Project. The Moderator was set a challenge to visit services throughout Scotland using 4 different means of transport for which we sought sponsorship from our partners and suppliers. This involved a full day of travelling commencing at the **Daisy Chain** project in Govanhill followed by a barbecue prepared by the boys from the **Geilsland Residential School** (mentioned previously in this report) at Perth airfield, and finally a visit to **Balmedie House**, north of Aberdeen,

a care home for older people which celebrated its 75th anniversary in 2012.

A lunch and tour of Perth Prison preceded a visit to the **Perth Prison Visitors Support and Advice Centre**, located in the grounds of the prison. This project which supports people visiting prisoners has seen the numbers of people coming to the centre before a prison visit rise to over 6,000 every year. The success of this project is very dependant on the wide range of partnerships with other agencies and church volunteers. The day concluded with a visit to **Adams House** in Elderslie, a specialist unit for people with dementia. The highlight of this visit was being able to join the group "You Are My Sunshine" – Singing for the Brain, a singing group for people with dementia. The group gives people the experience of taking part in a stimulating and meaningful activity. Because the sing-along takes place in a friendly environment that supports social interaction and a sense of belonging it can reduce any feeling of loneliness and isolation.

An opportunity for us to reach out to our current and potential partners and supporters was made possible through a lunch hosted by the Moderator at Hopetoun House. It became clear during this event that many of our partners are delighted to be associated with CrossReach and the work that it does for people and communities throughout Scotland. In the evening the Moderator hosted dinner for invited guests to learn more about CrossReach. The meal was prepared by Chef of the Year 2011, Neil Forbes. A highlight of the event was that 3 boys from Geilsland and 1 from Ballikinrain were involved with Neil in the preparation of the meal in his own kitchen and then assisted him to serve and wait upon the invited guests at the Moderator's flat.

The week drew to a close with a "Highland Fling" which included a tour of **Whinnieknowe** a home for older people in Nairn. A choir entertained the Moderator with the CrossReach anthem and both staff and service users were encouraged by the visit. Finally the Moderator met a number of people who shared how **Beechwood House**,

a residential unit providing rehabilitation, community outreach and support for people with alcohol and drug related issues had helped them get their lives back on track. This vital service in the Inverness area is sadly operating under capacity due to funding constraints experienced by statutory commissioners, despite having a waiting list.

The week proved to be an outstanding success particularly in view of the fact that the costs of the entire week were covered by sponsorship and donations. We are delighted that the Moderator, Rt Rev'd Lorna Hood has agreed to continue this initiative and will join us for the 2013 CrossReach week in October of this year. Could your church join us in celebrating CrossReach week?

#### 4. Our Staff

The success of the many services which we provide is a direct result of the commitment and enthusiasm of our staff. Our services are further enhanced by their quest for excellence, their willingness to develop themselves through continuous learning, and their passion to put the people who use our services at the centre of all they do. It is for this reason that the Council were hugely reluctant to consider any savings plans that would impact further on staff. However, given the reduced levels of funding, the increasing cost pressures and the fact that our staffing accounts for 76% of our costs there was no alternative other than to consider impact on services and major job losses.

##### 4.1 Staff in post at 1 February 2013 is as follows:

	Full Time		Part Time		Total		Full Time Equivalent	
	2012	2013	2012	2013	2012	2013	2012	2013
Operations Staff	551	533	861	896	1412	1429	1134.55	1130.83
Relief Staff			623	581	623	581	132.87	130.28
Executive, Office Support Staff	64	62	13	18	77	80	72.11	71.02
	615	595	1497	1495	2112	2068	1339.53	1332.13

## 4.2 Qualifications

The annual CrossReach Service of Celebration in 2012 held in the Assembly Hall recognised staff who had gained the following qualifications over the previous year. This brings the total number of whole time equivalent staff who are appropriately qualified to 65.88%:

Award	No. of Staff Awarded
SVQ – Health and Social Care Level II	9
SVQ – Health and Social Care Level III	77
SVQ – Health and Social Care Level IV	16
Management Award	3
HNC in Social Care	8
Honours Degree in Social Work	2
PDA in Supervision	9
Assessor and Verifier Award	3
Others	4
Total	131

## 4.3 Awards

At the Service of Celebration 23 staff were recognised for achieving 20 years service, 5 for achieving 30 years service and the following annual awards were presented:

**Ian Manson award for Excellence** – The Elms  
**Ian Manson award for Adult Learner of the Year** – John Duncanson, Threshold Glasgow  
**Ian Manson award for CrossReach Employee of the Year: joint winners** – Margaret McEwan, Rubislaw and Susan McGregor, Threshold Glasgow

## External Awards

Staff achievements have also been recognised externally over the past year. At the Scottish Care Home Awards our three finalists were winners in their individual categories.

**Cale House** (a privately built housing block in Inverness which supports up to 22 single homeless people) were awarded the Scottish Care: Carer of the Year Team – Housing and Support Services Award.

**The CrossReach Homecare and Support Team** – Perth were joint winners in the Care at Home Team of the Year.

**Mrs Alison Fenton** of the People Development Section won the Trainer of the Year Award.

In the Scottish Social Services Care Accolades Awards the **Heart for Art Project** was a finalist in the “one to watch” category designed to allow organisations at the start of something new and exciting the chance to demonstrate excellence.

## 4.4 Employee Survey

All CrossReach employees were given the opportunity to participate in a survey to tell us how they feel we are performing against our People Charter. This was the first survey for a number of years and the response rate was 28.5%.

Questions covered employee support and development, knowledge and accessibility of policies and procedures, consultation, involvement and information sharing as well as salaries and terms and conditions. An organisation-wide employee survey had not been undertaken for some years and this was the first time employees had been surveyed on these question themes.

Some key results from the survey revealed that:

- 89% of respondents agreed (strongly, moderately or slightly) that they are treated by their senior team as they would expect and in line with the Christian Ethos and values.
- 93.6% of respondents agreed (strongly, moderately or slightly) that they are aware of the organisation's objectives and know how their service can contribute to them.
- 95.4% of respondents would recommend CrossReach to friends and family as a service.

89.6% of respondents agreed (strongly, moderately or slightly) that CrossReach is committed to providing the best affordable conditions of service available.

73.5% of respondents agreed (strongly, moderately or slightly) that CrossReach is committed to providing the best affordable salaries possible.

The lower percentage of staff who consider that CrossReach is committed to providing the best affordable salaries is of concern to the Council particularly in light of the savings exercise affecting staff. A further survey on the same themes will be undertaken and direct comparisons made. However, in view of the lower than desired response rate more consideration will be given to the timing of the survey and the publicity preceding its circulation.

## 5. Our Quality

### 5.1 Care Inspectorate

CrossReach has 57 services which are registered with the Care Inspectorate who inspect on four inspection themes:

- Quality of Care and Support;
- Quality of Environment (where applicable);
- Quality of Staffing;
- Quality of Management and Leadership.

Grades are awarded for each inspection theme and range from 1 – unsatisfactory through to 6 – Excellent.

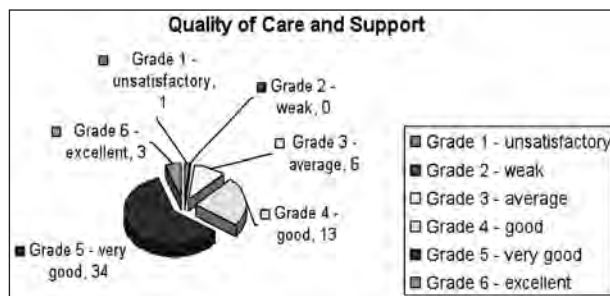
As at 31 January 2013 our results were:

#### Quality of Care and Support

87.7% of our registered services inspected on this theme achieved a grade of at least 4 = Good, with 65% receiving Very Good (5) or Excellent (6).

The following Services received a Grade 6 – Excellent:

- Adams House
- Oasis Garelochhead
- Cameron House

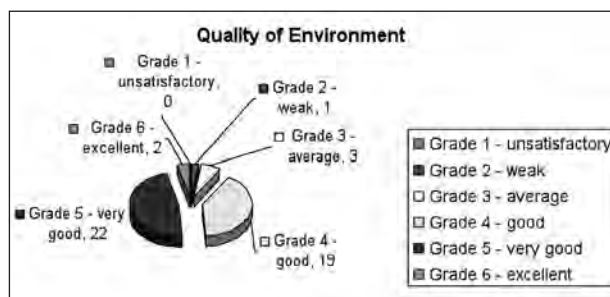


#### Quality of Environment

91.5% of our registered services inspected on this theme achieved a grade of at least 4 – Good, with 51.1% achieving Very Good or Excellent.

The following Services received a Grade 6 – Excellent:

- Oasis Garelochhead
- Rainbow House

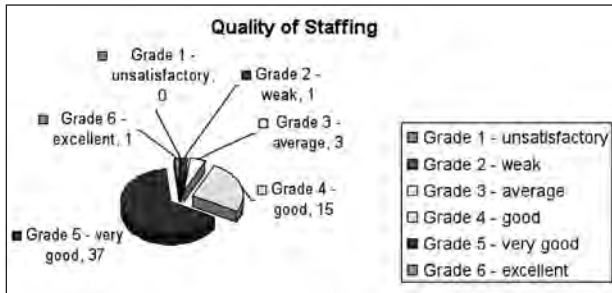


#### Quality of Staffing

92.9% of our registered services inspected on this theme achieved a grade of at least 4 – Good, with 66.7% achieving Very Good or Excellent.

The following Service received a Grade 6 – Excellent:

- Oasis Garelochhead

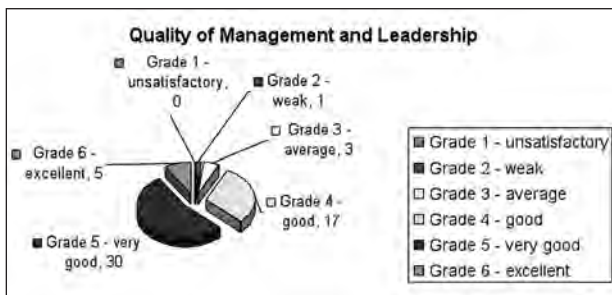


### Quality of Management and Leadership

92.9% of our registered services inspected on this theme achieved a grade of at least 4 – Good, with 62.5% achieving Very Good or Excellent.

The following Services received a Grade 6 – Excellent:

- Oasis Garelochhead
- Threshold Edinburgh
- Inverreck
- Cameron House
- Whinnieknowe



### 5.2 Customer Service Excellence

We now have 33 Services who have gained the Customer Service Excellence Award which is a Government Standard for quality accreditation. The standard tests areas that research has indicated are a priority for customers. There are 5 criteria to the Customer Service Excellence

assessment namely:

- Customer Insight
- The Culture of the Organisation
- Information and Access
- Delivery
- Timeliness and Quality of Service

After the initial in-depth assessment for the Award there is an annual update assessment to ensure our quality and customer service still merits the award, which all our services have passed.

The breakdown of the Services who have achieved Customer Service Excellence is:

Children and Families	1 Service
Adult Services	8 Services
Services to Older People	24 Services

### 5.3 Service User Survey

Although the results of our most recent Service User Survey are positive we are committed to improving where we can the quality of life for our service users. Action plans are being developed at local and organisational level to identify further improvements and to increase the strength of positive response.

Below are 4 key areas and the responses received:

- 98.7% agreed they feel supported and well cared for in the service
- 98.7% agreed the staff are polite and friendly
- 96.8% agreed their quality of life is better because of the service
- 99% agreed overall they are satisfied with the service they receive

## 6. Our Opportunities and Challenges

### 6.1 Personalisation and Self Directed Support

Personalisation strives to promote an individual's human right to greater choice and control over their care and support. The Scottish Government intends to use the new **Social Care (Self Directed Support) (Scotland) Act 2013** as the mechanism through which to implement such choice and control for people of all ages who require social care across Scotland. There are four options listed in the legislation which allow a person to choose how their 'Individual Budget' is spent to meet their needs and outcomes and who will support them to do so. Duties will be placed on all Local Authorities not only to outline and offer the Self Directed Support options to each individual, but also to promote the availability and variety of support on offer from themselves and other providers.

Whilst the Council continues to welcome the whole principle of Personalisation and supporting legislation, the agenda presents major challenges and opportunities. It is important that the interests of service users remain paramount throughout. The new Personalisation Development and Change Group established under the Head of Service (Business Development) offers a proactive way of ensuring this. The group will seek to encourage and hold to account the capacity of the organisation to face the challenges ahead, build on the opportunities and existing best practice and fully adapt to the changing landscape of social care.

In the same way we will urge Local Authorities to maintain the integrity and safety of the process for individuals who require support. This can be achieved by providing adequate funding to meet personal support needs and outcomes; by ensuring sufficient information on Self Directed Support is available and accessible; and through collaborating and partnering with individuals and providers to design and deliver a personal, local and innovative range of support.

### 6.2 Financial Sustainability

As a result of the decline in legacy income over the past

two years (referred to earlier in this report) adjustments have been made to future years' budgets to achieve a lesser reliance on this income to provide operational services. This can only be achieved by effecting other savings and seeking to ensure that operational income covers operational expenditure as far as possible. We are operating in a volatile financial environment and in order to maintain financial sustainability and continue to provide innovative services it is essential that this shortfall in income is addressed. This constitutes a major challenge and we will be developing a revised legacy policy and exploring other areas where individuals can support our work on a regular financial basis. The work at the Bungalow in Stonehaven and planned refurbishment of Bellfield in Banchory are examples of how we can make legacies serve our mission.

### 6.3 Toolkit for Churches

In our report to the Assembly last year we committed to produce a 'Toolkit for Churches' offering guidance for those wishing to deliver social care projects at a local level. Whilst progress has been made, it has, regrettably, not been possible to complete it given the resources required to complete the Strategic Budget Review over the past year. The discussions to date have focussed on the significant opportunities either for local congregations to develop local services with the support of CrossReach or partner with CrossReach to support services in their area.

### 6.4 Budhmor – Portree – Skye

The home for Older People Portree, Skye has been well supported over recent years by the local community and some mainland congregations who have held numerous fund raising activities in support of the home which requires significant refurbishment. Land adjacent to the home has been acquired with the long term plan of increasing the capacity and addressing the state of the existing building. Sadly at present we do not have sufficient resources available to achieve these plans but we remain committed to exploring opportunities and continuing to support the local community fundraising efforts.

### 6.5 Strategic Direction

Our three year strategic plan is due for review in the coming year. These are challenging times for social care providers not least due to the fast moving political changes, funding constraints and changing needs of people who use our services. Initiatives like Personalisation (Self Directed Support) and the Integration of Health and Social Care represent major opportunities for many of those people who use our services. As a service user led organisation we must ensure that we are equipped to meet these challenges on their behalf. The continuing funding constraints will also require us to explore a range of alternative funding streams. In order to ensure that CrossReach continues to be relevant and pioneering in its approach. A group has been set up as a sub group of the Council to enable staff and Council members to consider our long term vision and mission on behalf of the Church.

We are committed, as one of the Councils of the Church to ensure that our long term vision is driven by the strategic objectives of the whole church and as such our plans will focus on these overall objectives making disciples

- exercising priority for the poor
- serving the vulnerable
- promoting reconciliation
- caring for creation
- engaging with society
- discovering and encouraging life in all its fullness
- celebrating our place in the world church
- enabling ministry in every part of Scotland
- renewing Church structures and practices
- empowering young people
- developing leadership
- releasing the gifts of all the people of God

### 6.6 Partnership Opportunities

Over the past year we have had meetings with representatives from the Priorities Areas Forum which have been encouraging. The discussions resulted in our staff and representative council members spending a day with Priority Areas staff visiting some of our respective projects in Glasgow. Discussions at the end of the day

identified some areas of common mission and interest which will be taken forward over the coming year as part of our strategic aim to work more collaboratively with other Councils of the Church.

### 6.7 Funding Constraints

We are very much aware of the funding constraints placed upon Local Authorities and statutory funders and are committed, as far as possible, to work with them to achieve the best possible outcomes for people who use our services. Indeed we have over recent years achieved major cost efficiencies to ensure that we are providing best value. However, in order to maintain the quality of our services we cannot meet additional cost pressures from our existing resources nor accept funding cuts. This will be an ongoing challenge over the coming year and we will have to seriously consider the viability of services if funders seek cost savings or the provision of additional services within existing funding.

### 7. Appreciation

The Council appreciates the support received from the whole Church. This is evidenced in many ways through volunteering, giving, legacies, prayer and many other ways. This support makes a real difference to the lives of many of the most vulnerable people throughout Scotland.

*In the name of*

SYDNEY S GRAHAM, *Convener*

IAN HUGGAN, *Vice-Convener*

RICHARD FRAZER, *Vice-Convener*

PETER BAILEY, *Chief Executive Officer and Council Secretary*

### ADDENDUM

Rev Sydney S Graham completes his term of office as Convener of the Social Care Council at this Assembly.

Syd's involvement with the then Board of Social Responsibility stretches back to 2002 when he first joined the Board. His passion for the most vulnerable in Scotland was very evident and he quickly became involved in a

number of areas of the Council's work, undertaking a range of responsibilities including Vice-Convener of the Social Care Council.

In Syd's convenership the Council has benefitted from two distinct but complementary skill sets. Firstly, through his vast experience in senior positions within the social work field in local authority (culminating in his appointment as Depute Director of Social Work in Strathclyde Regional Council), his insight, professional knowledge and understanding have been of immense benefit to the Council. Secondly, his experience as a parish minister has brought a wealth of knowledge of the church, church structures and the needs of local communities which has been invaluable over times of structural change in the Council and throughout the organisation.

Under his convenership the Council has addressed a number of difficult issues not least of which has been the financial situation. He has throughout this period displayed leadership skills which have also encouraged the Council to look to the future and seek new initiatives and opportunities, be innovative and be true to its calling to serve in Christ's name. Initiatives established throughout his period as Convener are currently thriving.

A man of boundless energy, enthusiasm and deep love for things of the Kingdom, Syd has served the Council tirelessly, steering it through some years of major change both internally and in the external social care world. Syd himself would be the first to recognise that he would not have been able to achieve this without the support of his wife Edna and the Council wishes to express its appreciation to her for all the sacrifices that she has made.

The Council records its sincere thanks and appreciation to Syd for his long and outstanding service to the Council and wishes him God's richest blessing as he retires as Convener.

## APPENDIX 1

### CrossReach Anthem

#### "Bring Me In"

By Ian Jamieson

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*Bring me in,  
bring me in,  
bring me in and let us walk together  
here  
Bring me in,  
bring me in and let us love together  
here*

Take these hands,  
take yours and mine,  
take my heart,  
let love entwine  
and make a new thing  
of you and me  
the seeds that we sow here are flowering within me.  
You set me free  
from all my chains,  
I sense your arms around me  
you include me in

*Bring me in...*

I was lost  
Then I was found,  
you picked me up  
when I fell down.  
When I was last,  
you placed me first  
When I was in darkness, your love lit me up.

You saw the me  
beneath my skin.  
I sense your arms around me,  
you include me in.

*Bring me in...*

Take my love  
and share it round,  
walking in it's harmony,  
waking to its sound,  
and I will sing  
our song out loud,  
when I thought I'd lost it all I turned around to find  
the path was clear  
I found my way.  
I sense your arms around me  
you include me in

*Bring me in...*



# ASSEMBLY ARRANGEMENTS COMMITTEE

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Approve the Order of Business for the first two days (Order of Proceedings).
3. Appoint Mr Roy Pinkerton to edit the verbatim record.
4. Invite commissioners to submit to the first meeting of the Business Committee nominees for consideration to serve on the Selection Committee (Section 4).
5. Encourage commissioners intending to move amendments and counter-motions to arrange to have these printed in the Assembly papers (Section 7).
6. Approve the principle that, except in extenuating circumstances, expenses will only be paid to commissioners to the Commission of Assembly who have attended the entire sitting of the Commission (Section 12).

#### SCOTTISH BIBLE SOCIETY

7. Urge the Scottish Bible Society to pursue its current efforts highlighting the Bible's key role in Church and community.
8. Support the Society in its desire to work in partnership with congregations to improve Biblical literacy and confidence in the Bible.
9. Commend the Society's global outreach to the generosity of congregations and members.
10. Appoint Rev Sandy Gunn and Rev Dr Norman Maciver to the Society's Council of Church Representatives and invite nominations for additional representatives to be sent to the Society.

### REPORT

#### 1. The Very Rev Albert O Bogle

Albert Bogle's warmth and enthusiasm were evident from the beginning of his year in office and he maintained the same level of energy and commitment throughout. He came to the moderatorial chair from a long ministry in Bo'ness and with a breadth of experience in various forms of worship and in international development work.

Every Moderator's year brings variety and new experiences. Albert embraced these with his customary vibrancy and was warmly welcomed in Scotland and further afield.

Albert and Martha visited the Royal Navy, spent a week with CrossReach and with Prison Chaplains and also visited the Presbyteries of Ardrossan, Kincardine and Deeside,

Orkney and Wigtown and Stranraer. They encountered a range of Church and civic settings, bringing to each their depth of experience and knowledge and always, a passion for the Gospel.

Wider travel to Korea, to Zambia and South Africa gave further opportunities for preaching to large numbers, engagement with individuals, fostering the Church's relationships with its partners and we are indebted to Albert and Martha for the care and commitment they brought to their many tasks carried out on our behalf.

We express the grateful thanks of the Church to Albert and Martha and wish them a happy return to Bo'ness where we know a warm welcome awaits them.

## **2. Presbytery Representation**

The Presbytery returns show that there are in all the Presbyteries 1,112 Charges, whether vacant or not, and that there are 176 other ministers (excluding retired ministers) who are members of Presbyteries. Representation is calculated for each Presbytery in accordance with Act III, 2000 and the total number of Commissions is made up as follows: 353 Ministers, 353 Elders and 30 Deacons.

## **3. Business Committee**

In terms of Standing Order 15 it is proposed that the Convener and acting Vice-Convener of the Assembly Arrangements Committee, respectively the Rev Janet Mathieson and the Rev Dr Derek Browning, act as Convener and Vice-Convener of the Business Committee. The names of others nominated to serve on this Committee will be found in the Order of Proceedings.

## **4. Selection Committee**

In accordance with Standing Order 18, it should be noted that the Business Committee will be pleased to receive nominations, from commissioners, to serve on the Selection Committee. The Business Committee, at its first meeting, will then consider all of the nominations and bring forward the names of those who will serve on the Selection Committee if called upon.

## **5. Heart and Soul 2013**

Heart and Soul 2012 was a great success as around 7,000 people gathered in Princes Street Gardens to join in worship, share their stories, learn of each other's work and support each other's journey.

This year's event builds on two years of hard work and commitment from a wide and varied team and offers encouragement, challenge, outreach, support and enjoyment for commissioners and many others from around Scotland and beyond. Congregations and organisations have been invited to engage with Celtic themes in this year which marks the 1450th anniversary of St Columba landing in Iona, so that the deep roots of our Church can be demonstrated in the deep faith of the present.

## **6. Assembly Services**

The Assembly Service has been arranged in St Giles' Cathedral on Sunday 19 May at 10.00 am with the Gaelic Service that day at 12.30 pm in Greyfriars Tolbooth and Highland Church. The Assembly Communion Service will be on Monday 20 May at 9.30 am in the Assembly Hall.

## **7. Notices of Motion and Assembly Papers**

The Committee again draws attention to the fact that commissioners wishing to move amendments or counter-motions to deliverances can have these printed in Assembly papers. As a courtesy to other commissioners, and for the convenience of the Assembly, the Committee asks that this be done wherever possible. Clearly situations can arise in the course of a debate where someone wishes to make a motion and such spontaneity is part of the life of the Assembly. However, where people have considered and prepared texts, particularly if these are substantial, it is extremely helpful to have them in the order paper. Certainly, the availability of the screens means that motions can appear fairly quickly in writing and the "behind the scenes team" works hard to provide this service. However, when something complex (and clearly considered) is suddenly introduced it can take time to get it up on the screen and further time for reading and assimilation. There will again be five sets of papers – covering (1) Saturday and Monday, (2) Tuesday, (3) Wednesday (4) Thursday and (5) Friday. For the first set of papers notices of motion should be sent to the Principal Clerk's Office at "121" by Friday 10 May. For the second and subsequent sets they should be handed in to the Clerks' table by 12 noon on the Monday, Tuesday, Wednesday and Thursday of the Assembly.

## **8. The Blue Book**

The relative size and cost of the Blue Book continues to be a matter of concern. The Committee believes commissioners are best served when reports are offered in as brief and accessible a format as possible. We are pleased that many Councils are making use of the website for the dissemination of additional material and we hope

that that trend will continue to the point where more significant reductions in size and cost can be made in relation to the Blue Book itself.

9. ePUB Files

Continuing attempts to save paper and to make the reports of Councils and Committees accessible, they have again been converted into ePUB files which can be downloaded onto a variety of electronic reader systems. These are posted on the Church of Scotland website and on the DVD supplied with the Blue Book. The results of the pilot project with a small group of Kindle users who received Reports and Daily papers for last year’s General Assembly direct, shows that this format gives some advantages but also has some limitations. The Committee continues to develop this use of technology as it looks to the future.

10. Consultations with other Committees

During the course of the year since May 2012, members of the Committee have taken part in consultations and joint working with other Committees and groups.

Members of the Committee worked with members of the Legal Questions Committee in reviewing Regulations V, 1962 (Duties of the Moderator of the General Assembly) and Regulations I, 1999 (Nomination of the Moderator of the General Assembly). The proposed revision of these Regulations appears in the Report of the Legal Questions Committee.

At the request of the Assembly Arrangements Committee the Legal Questions Committee is bringing forward an amendment to Standing Orders in relation to the use of Electronic Voting. This, of course, comes about as a result of the successful introduction, at last year’s Assembly, of the new voting handsets.

Members of the Committee also took part in the Group concerned with issues of Young People and Decision Making led by the Mission and Discipleship Council and continue to be involved in these discussions.

Members of the Committee have also contributed to the Panel on Review and Reform’s deliberations on Communication and are involved in this work on an on-going basis.

11. Commissioners’ Subsistence and Travelling Expenses

The Committee recommends the following rates for payment of expenses:

Overnight subsistence		
Not exceeding	£60.00	for each night
Daily out-of-pocket expenses		
Not exceeding	£15.00	per day
Mileage rate, when no public transport is available		
	25p	per mile

Commissioners may wish to note a change in regulations which allows those staying in Edinburgh to be reimbursed for daily travel costs.

12. Attendance

Changes to attendance requirements for commissioners at last year’s General Assembly resulted in noticeably better attended sessions throughout the Assembly.

Commissioners are reminded that, in order to receive reimbursement of expenses, attendance should be registered using the voting handset, for each part (or segment) of a session when a commissioner is present *ie* on each morning, afternoon and evening of Assembly business. Attendance must be recorded at 10 parts in order for expenses to be paid.

The Committee is confident that this overall increase in diligence has resulted in greater participation in and engagement with matters before the Assembly and is beneficial both to the decision-making process and to the life of the Church.

The Committee now wishes to extend this principle and to make clear that this level of diligence is both expected

and required of those engaging in important decision and policy making processes of the Church. In particular, at Commissions of Assembly, when commissioners are engaged in judicial process, required to deal with what is often complex material and expected to come to considered and important decisions, attendance must be for the entirety of the sitting. Expenses will only be reimbursed when commissioners have attended for the duration of the sitting of the Commission.

### **13. Stewarding at the General Assembly**

The Committee, and indeed the Church, is indebted to those many volunteers who act as Stewards throughout General Assembly week, under the leadership of the Chief Steward and his Depute. The Committee has implemented procedures to ensure information held about stewards complies fully with Data Protection legislation.

### **14. General Assembly Hall**

The Assembly Hall Sub-Committee was established in May 2008 to assist the Assembly Arrangements Committee in matters relating to the care and maintenance of the Assembly Hall and all arrangements in connection with the letting of the Hall.

In 2012 the Assembly Arrangements Committee extended this remit to include matters relating to the care and maintenance of the Moderator's flat.

Although the Assembly Hall is most importantly thought of as the venue for the General Assembly it also acts as a venue for a whole variety of other events during the rest of the year.

Attracting a wider range of events to hire the Hall is extremely important as it provides much needed revenue to fund improvements and reduce maintenance costs.

Following the introduction of the new staging and lighting in 2011 there has been a slow but consistent increase in the use of the Hall. Nonetheless in the current economic climate there are real challenges in obtaining higher levels of revenue when competing in Edinburgh against a large number of 'state of the art' conference venues.

To seek additional business Edinburgh First which organises the letting of the Hall on our behalf has recently completed a comprehensive marketing review. The purpose was to attract more business from a wider variety of events for which the specific facilities, provided by the Hall, should make it a very suitable venue. In addition the Sub-Committee, by using bespoke publicity material produced by Edinburgh First, is now seeking ways to promote the greater use of the Hall by the selective targeting the Church's own numerous contacts.

It is pleasing to report that the number of requests to view the Hall, and to hear about its significant history in the life of the Church, has increased over the last year. This is particularly relevant as far as overseas visitors are concerned. It is only too easy to forget how others view the historical importance of the Hall and it is therefore a pleasure to be able to open the Hall to such visitors. The Committee is currently considering a range of ideas to promote the Hall as a visitor attraction.

By spending a limited budget prudently, the Property Sub-Committee has maintained the fabric of the Hall to a high standard and introduced some overdue improvements, none of which is particularly significant in itself but cumulatively make a real difference. Perhaps the most notable changes involve the introduction of a replacement hearing induction loop and the gradual removal of blackened roof glass to provide more daylight into the Hall in line with its original design.

By the use of voluntary support a large percentage of the routine maintenance work is now completed without cost. This produces significant financial savings which enable the Sub-Committee to use its budget in a much more effective manner. As a result the overall financial cost of the maintenance and upkeep of the Hall has been reduced for yet another year.

Before the Sub-Committee's remit was extended, to include responsibility for the Moderator's flat, much work was completed to improve and modernise its facilities to ensure that it would continue to act as suitable residence for the Moderator during an extremely busy year. It is, however, important to ensure the flat remains

fit-for-purpose as a cost-effective facility from which the Moderator is able to entertain the Church's guests.

*In the name of the Committee*

JANET S MATHIESON, *Convener*  
DEREK BROWNING, *Acting Vice Convener*  
JOHN P CHALMERS, *Secretary*

## APPENDIX A REPORT OF THE SCOTTISH BIBLE SOCIETY

'The same good news that came to you is going out all over the world. It is bearing fruit everywhere by changing lives, just as it changed your lives from the day you first heard and understood the truth about God's wonderful grace.'

*Colossians 1:6 (NLT)*

2012 will be remembered by many of us as a great year of celebrations. The Queen's Diamond Jubilee, the Olympics and the Paralympics all seemed to bring a stronger sense of community. The reports of the happy atmosphere, the warm welcome given to visitors from all over the world and the enthusiastic support given to athletes from all nations chimed so much with values we find in the Bible.

One celebration that centred on the Bible took place in China with the printing of the 100 millionth Bible by the Amity Printing Company in Nanjing, China. During the celebrations a factory worker who is blind told his story of how he came to faith in Christ through hearing the Bible being read out to him as he transcribed it into Braille.

In the same way that we can reflect on the adaptability of the Queen's reign over the years, the regeneration of a London suburb in order to host the Games and a sporting legacy that will hopefully inspire generations to come, we are reminded and encouraged of God's power and the Bible's enduring message that is relevant for today to all people, of all backgrounds, of all nations.

Thanks to the prayers and generous financial gifts of congregations, volunteers and donors, we are able to

support projects around the world, including:

- Providing Bibles to thousands of people in China, Iraq, Ghana and Togo.
- Making the Word of God available in formats that people can use – Braille Bibles for the blind in Costa Rica, radio broadcasts for those who cannot read in Cambodia, large print Bibles for elderly Romanians.
- Supporting literacy programmes that use Scripture to help people learn to read and write in Benin and Papua New Guinea.
- Giving children hope through the Bible in places like Georgia where there are over 5,000 displaced children due to war, and the thousands of children from poor families being treated for cancer in Nicaragua.

In Scotland, we continue to work with churches and communities to encourage more Bible engagement. During our first ever **WILD about the WORD** weekend families, couples and individuals came to explore the Bible and enjoy the great outdoors. You only need to read some of the feedback to know that people had fun, enjoyed Bible study together and found a deeper understanding of God's Word: "WILD about the WORD opened my mind more to how to focus on God's Word."

**Bibleworld Mobile** travelled 2,447 miles around Scotland introducing 7,395 children to the Bible. One of the thank you letters we received from a pupil said, "Religion is not my best subject but Bibleworld made it fun...it taught me about how much people would do just to read a Bible, it shows how much we take for granted."

Our latest community event **Bring your Bible to Brunch** was launched in conjunction with Bible Sunday. One church told us, "God's timing, as always, is incredible! Over several months our church has been trying to discern how we are to develop as a thriving and relevant church in today's society. Bring your Bible to Brunch helped us to do this and after the first event, there was a desire for further brunches. This inspirational idea has allowed our church to experience and benefit from it."

With God's help, we want to see the Bible continuing to change lives for generations to come here in Scotland and around the world.



# CENTRAL SERVICES COMMITTEE

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Note the report and evaluation of the staff survey of 2012 and support the actions taken in response to the findings arising from the survey. (Section 2.1)

## REPORT

### 1. Introduction

**1.1** The Central Services Committee's (CSC) remit relates primarily to managing the Church Offices in George Street, overseeing the delivery of central services to departments within these Offices and operating as one of the employing agencies of the Church.

**1.2** The Committee includes in its membership the Secretary to the Council of Assembly, the General Treasurer, the Solicitor of the Church and the Head of Human Resources and Information Technology. It receives regular reports from the Facilities Manager and from the Property, Health and Safety Manager. The Committee meets once a year with Heads of Department, a welcome opportunity to discuss matters of interest and concern.

### 2. Human Resources (HR)

#### 2.1 Staff Survey

**2.1.1** Last year's General Assembly instructed the Committee to bring to this year's Assembly a full report and evaluation of the staff survey of 2012 including follow up from the staff focus groups and a full break down of the processes, procedures and action taken by the Committee and the Senior Management Team (SMT) as a result.

**2.1.2** The Committee was deeply concerned at the headlines alleging a high incidence of bullying and harassment within the Kirk which appeared in the press on the opening day of the General Assembly in 2012.

The Convener explained at the Assembly that the reports related to findings from an extensive CSC staff survey and that these should be seen in context. The bullying and harassment issue clearly required to be addressed but it was also important that the other findings from the staff survey received attention. The Convener emphasised that the Committee was determined to ensure that no member of staff should suffer from bullying and gave the Assembly an assurance that the matter would be investigated as a matter of priority. It is therefore appropriate that much of the Committee's work in the last year has related to this area of work as we, along with the Senior Management Team, have sought to ensure that our staff members feel supported.

**2.1.3** As an immediate response to the bullying issue, the Secretary to the Council of Assembly wrote to all staff on 28 May 2012 outlining the Committee's zero tolerance approach to bullying and harassment and offering support where required. Heads of Department were instructed to hold team meetings to discuss the survey findings and to convey information on sources of help and advice; they used a standard briefing note to ensure that a consistent message of support was given. Staff were given access to a confidential bullying advice line offered by ACAS and were reminded also of the availability of the then newly-appointed Chaplain to the Church Offices. The Secretary to the Council of Assembly also wrote to the Editor of The Herald to correct some of the inaccuracies

that had appeared in its reports. Union representatives were involved in the discussions about these responses. Later actions are reported below in a summary of the Committee's responses to the Staff Survey.

**2.1.4** As reported to the Assembly in 2012, the Committee decided to undertake a staff survey in order to obtain information on staff perceptions of the workplace and to identify their concerns and needs. A Staff Survey Steering Group was established in April 2012 and was made up of seven staff members. These included a union representative, Senior Management Team representatives and staff from various grades and departments. A representative from ACAS, who had been engaged to deliver the survey, was also included in Group meetings. The Group's remit was to administer the staff survey and the subsequent Staff Focus Groups and to report results to the Central Services Committee, the Senior Management Team and the staff. The Group met on twelve occasions between April and October 2012. Communication bulletins were issued to staff after each meeting and a dedicated mailbox was set up to facilitate e-mail enquiries.

**2.1.5** The survey itself achieved a highly commendable 92% response rate, with 209 questionnaires returned out of a possible 227. Headline results were issued to staff in May 2012. Following further analysis more detailed results were issued at the end of June. The Steering Group then offered face to face meetings with staff to explain the results in detail and to discuss the arrangements for the focus groups which would constitute the next stage in the process.

**2.1.6** The headline results reflected the following views:

- (a) **Job Satisfaction:** Staff responded positively to questions on the amount and variety of work, the sense of achievement they feel, and on work/life balance. Areas for improvement included promotion prospects and pay (lower grades).
- (b) **Influence and Control:** Comments were generally positive with people feeling they had a lot or some

influence over aspects of their jobs. Fewer people at lower grades were satisfied.

- (c) **Workplace Relations:** Negative views were expressed about the SMT, especially among longer serving employees. Encouragingly, the staff view of line managers and supervisors was generally positive. There was a generally positive view of the trade union. E-mail and informal meetings with managers were seen as the most helpful communication channels. Staff were generally satisfied with the feedback they received about performance, recognition, training and opportunities to discuss personal development.

**2.1.7** In the period from late August to early September 2012, six focus groups were organised. All members of staff were invited to volunteer for participation in these, and thirty-four took part. All the groups were facilitated by ACAS. Each group addressed up to three questions deriving from the survey results. For each question, the group discussed what needed to be done and ways to achieve this. The Steering Group reported on the outcomes of the focus group sessions to the SMT in late September. Further analysis was carried out before presentation to the Central Services Committee in October. The Steering Group made a series of recommendations in light of the findings.

**2.1.8** On considering the recommendations, the Committee:

- was pleased with the engagement by staff in the survey and the subsequent focus groups, and expressed its thanks to everyone who participated;
- took note of the cultural issues highlighted in the report which were holding back staff from maximising their contributions;
- instructed the SMT to take action to address the issues highlighted, stressing the need for quick action where possible;
- noted that some issues would take longer than others to address, and may require further clarification in consultation with staff;

- urged everyone to communicate better; and
- thanked the Steering Group members for their commitment and hard work.

**2.1.9** Since that time a number of actions have been undertaken to address the issues, involving staff as much as possible. These include the following:

- in the interests of better communication, a staff briefing is prepared after every SMT meeting. We experimented with holding dedicated team meetings to discuss these briefings but took note of feedback that staff did not find these helpful and now simply place the notes on a new SMT section of the staff Intranet. Managers are, however, encouraged to include discussion of the issues in regular team meetings.
- photographs of the SMT members are now displayed across the building and are available on the SMT section of the intranet (staff had expressed some confusion about who the senior managers were).
- a new Harassment Policy and a new Grievance Procedure were agreed with Unite and are now in place.
- we created the role of Harassment Advisor so that staff would have easy access to confidential and expert support in any case of bullying. Fourteen staff members volunteered to undertake the training for this and eight are now trained and in place. The Committee is very grateful to the individuals who have volunteered to support their colleagues in this way. The other support mechanisms set up in 2012 remain in place so that staff have a range of options.
- we organised bullying and harassment awareness sessions in partnership with the trade union and required all staff to attend. Almost all have now done so and a catch-up session is planned for those who missed the first round of training.
- twelve staff members volunteered to become part of the job evaluation team.
- a Staff Suggestion Scheme – ‘Good Ideas’ – was launched in January.
- a guidance note on e-mail etiquette, which was prepared by the staff who make up the Administrators’ Forum, was endorsed by the SMT and issued to all staff.

It sets out good practice for communication.

- 360° appraisals are being introduced for all members of the SMT and Heads of Department. This involves asking a number of people from a range of groups to comment anonymously on aspects of performance and behaviour. The results are analysed and structured and used to provide managers with personal feedback on their effectiveness and their impact on staff and colleagues. HR will then work with the individuals to identify their personal development needs. This will sit alongside the performance appraisal process and will ensure a stronger focus on the development of staff in these crucial roles.
- the Committee’s Vice-Convener, the General Treasurer and the Head of HR and IT undertook seventeen information-sharing sessions on pensions during the autumn of 2012. Staff feedback showed that this approach was effective and the Committee intends to use it again when dealing with significant issues.

**2.1.10** Both the Committee and the Senior Management Team are committed to improving staff relations and will continue to monitor progress over the coming months. A follow-up staff survey is planned for 2014.

## **2.2 Learning and Development**

**2.2.1** The Committee is delighted to report on a most successful Learning at Work week held in November 2012. The theme ‘Growth’ focussed on five ‘Cs’ – Communicate, Creativity, Courage, Collaborate and Culture. A target was set for 50% of the staff to attend at least one event through the week, to improve on the 30% in previous years. The target was almost reached, with 47% attendance achieved.

**2.2.2** One of the week’s activities was to engage all employees in the creation of a piece of collaborative art. Each department received a small blank canvas and was invited to decorate it in a way which represented its sphere of work. The twenty completed canvases are now on display in the ground floor corridor of the Church Offices.

**2.2.3** We aim in this event to encourage staff and managers to work – and learn – together. We were

encouraged, as before, by the enjoyment that staff clearly derived from the week and by the commitment shown by a number of staff volunteers who helped the Learning and Development Adviser and the Union Learning Representatives to prepare for the week.

### **2.3 Pay Award**

The Committee received a pay award claim from Unite of 3% across all pay scales. This matter was given careful consideration and, following negotiation and consultation with the staff, it was agreed that an increase of 1% could be afforded. This was implemented with effect from 1 January 2013.

### **2.4 Pensions**

All Employing Agencies have been reviewing pension provision in the light of the likely results of the 2012 triennial valuation and of increasing pressure on resources. The first indication of the results is likely to be available in the Spring and it is intended that a full Supplementary Report on this matter will be brought to the General Assembly.

## **3. Information Technology**

The roll-out of the Windows 7 operating system and Office 2010 suite of applications to all Church Office and Presbytery Clerks' computers was completed in 2012. An upgraded e-mail facility has been put in place which allows improved connectivity from remote locations. An improved wireless facility has been installed in the Church Offices giving visitors and staff access to the Internet throughout the building. A video conference facility was installed towards the end of 2012 and has already resulted in significant savings in travel costs for some Councils and Committees.

## **4. Central Properties Department**

**4.1** The Central Properties Department has continued to develop its wide ranging brief to provide a proactive and professional property service.

### **4.2 Remit**

The Central Properties Department has responsibility for the following:

- management of properties owned by certain of the Councils and Departments of the Unincorporated Councils and Committees;
- delivery of new build projects for Ministries Council;
- delivery of major refurbishment programmes;
- management of facilities and procurement of work equipment;
- health and safety for the Central Services Committee and other Councils of the Church.

### **4.3 Arbitrations**

The department has the responsibility for managing the administration of the arbitration process in cases of readjustment. Since the last report, no arbitrations have been required.

### **4.4 Major Works**

In the last year two major building projects have been completed:

- construction of new sanctuary and associated facilities at Glasgow: Robroyston;
- construction of new church building for the congregation at Dunfermline: East St Paul's.

At the time of writing, work is progressing on a number of projects, including:

- identification of a site for a New Charge on the west side of Inverness and the development of a suitable design for the new church building;
- remodelling and upgrading of existing buildings for the Glasgow: Wallacewell New Charge;
- upgrading of the fire alarm, automatic detection system and emergency lighting system within the Church Offices, in liaison with the Facilities Manager.

### **4.5 Furlough Housing**

The stock of Furlough Housing is managed on behalf of the World Mission Council. The properties are maintained and managed to a high standard and the Committee understands that Mission Partners very much appreciate both the comfort and convenience of their temporary homes and the warm welcome and ready assistance they receive from Central Properties staff.

#### 4.6 Health and Safety

The Central Services Committee has an obligation, as an employer, to comply with the Health and Safety at Work Act 1974. The Committee has the services of suitably qualified personnel through the Central Properties Department. The health and safety strategy, as in previous years, continues to be developed in key areas to address the particular risks faced by the Central Services Committee. The strategy is one of development, audit and review to ensure appropriate revision of the policy as and when required. There are many strands to the health and safety process but it may be worth noting the following:

##### 4.6.1 Statutory Testing

The scheduled testing in accordance with statutory requirements, *eg* electrical installations, gas appliances, asbestos management *etc* are on-going. Over the preceding year these have been retendered in accordance with good practice.

##### 4.6.2 Training

The programme of health and safety training was further developed through 2012 and delivered as required.

##### 4.6.3 Accidents and Incidents

In the period covered by this report, no incidents required to be reported to the HSE. A number of non-reportable accidents occurred but were of a minor nature. These were dealt with as they arose and, where necessary, in conjunction with the appropriate Council/Department. It is worthy of note that the accident level, which was already low, has fallen further. Staff are to be congratulated on this result.

##### 4.6.4 Safety Committee

The Safety Committee meets on a regular basis and has developed a useful role in the oversight of health and safety within the Offices.

##### 4.6.5 Commitment

The Committee is encouraging a positive and inclusive approach to health and safety and significant advances have been made. The Committee is committed to working in partnership with staff, the union, Councils and

Departments in continuing the development of the policy, to deliver a healthy and safe environment for all staff, volunteers, visitors, contractors and others.

## 5. Facilities Management

### 5.1 Environmental and Waste Management

Staff continue to support the recycling regime in the Church Offices. A new waste contract was set up to assist with the target of becoming a 'Zero to Landfill' office. The Offices received a Certificate of Environmental Achievement for participation in a paper shredding and recycling programme.

### 5.2 Energy Management

The Energy Management Group continues to identify opportunities for reducing energy consumption in the Church Offices. As an example, we took the opportunity, when the emergency lighting in the Church Offices was being improved, to install motion sensitive lighting in circulation areas. A staff 'Green Group' has been very active. They introduced 'Jumper Days', encouraging staff to wear warm sweaters to work and turn down the heating and also organised several swap shops, to encourage recycling of unwanted goods. Unfortunately, although these initiatives are good in themselves, they have not been able this year to reduce significantly our consumption of gas and electricity. We will continue to work with staff and suppliers to try to tackle the challenge.

### 5.3 Maintenance Works

Essential maintenance is undertaken in the Offices as the need arises, to meet insurance requirements and to ensure that the building remains safe for those who use it. The roof is regularly inspected and repair work has been completed. A drain survey was carried out after water was discovered in the lift pit area. A blockage was identified and cleared and the lift pit has been repainted. A programme of minor re-decoration and re-carpeting to office areas was started in 2012, after a gap of several years, and will continue this year. Upgrading of some offices with new lighting, partitioning and modernisation of office furniture has been completed.

#### 5.4 Café Lounge

Staff members continue to use the Café Lounge in the basement level for breaks and lunch. Vending facilities providing hot drinks, cold drinks and confectionery are provided for staff and visitors' use.

#### 5.5 Property Lets

Anta continues to rent the shop premises at 117-119 George Street. We were pleased this year to be able to offer ground floor accommodation in 123 George Street to Palcrafts UK Ltd for use as a shop to sell Fair Trade Palestinian products; it opened for business on 24 January 2013. The leasing arrangement will run until January 2015 in the first instance. Various security alterations were made to the alarm and access control systems to ensure a safe and secure working environment for staff from Palcrafts and the Church Offices. Room 414 within the Offices is leased as a small office to the Royal Caledonian Education Trust, a charity with close links to the Church of Scotland. The licence runs on a month by month basis, with an option for either party to terminate on one month's written notice. It has been good to be able to maximise the use of the Church Offices in this way.

### 6. Property

The Committee received in the course of the year an Internal Audit report on the management of the property portfolio of the Unincorporated Councils and Committees. Although not all of these properties fall within the remit of the Central Services Committee it noted with interest the recommendation that an integrated property strategy be devised and looks forward to working with the Council of Assembly as it takes the matter forward.

### 7. Law Department

7.1 The Law Department over the past year has been particularly busy as it seeks to provide advice and support on a number of challenging issues for the Church. In recognition of this, an additional solicitor has been recruited for a two year period, bringing the complement of solicitors to 8.27 (FTE).

7.2 Work has continued in implementing the three year Departmental plan which seeks to build on the Department's role in providing legal services so as to resource the whole Church in the delivery of its strategic objectives. Initiatives have included the issuing of a questionnaire to Presbytery Clerks and the development of a new detailed feedback form which is issued at the conclusion of all transactions.

7.3 The Department aims to be pro-active and has been working on strategies to provide helpful general information for congregations and to encourage the seeking of more specific advice, where required, at the earliest possible opportunity. A number of new circulars on legal topics and styles of documentation have been prepared and can be downloaded from the Church's website:

[http://www.churchofscotland.org.uk/resources/subjects/law\\_circulars](http://www.churchofscotland.org.uk/resources/subjects/law_circulars)

The Solicitor of the Church participated in the Session Clerks' Conference held in January and training on Data Protection has also been developed and delivered to all staff in the Church Offices by one of the solicitors.

7.4 The Committee was very pleased to learn of the recognition of the work of the Department in the form of the awarding of the 2012 title of In-house Lawyer of the Year to Mrs Janette Wilson, Solicitor of the Church.

### 8. Financial Management

The Committee takes seriously its responsibility for managing a substantial budget. It is grateful to the managers of the various departments under its control who work so hard to contain costs and eliminate deficits. We are pleased to report that all of our departments – Central Properties, Facilities, Human Resources, Information Technology and Law – performed to budget or achieved slight underspends. We were grateful to the Council of Assembly who facilitated a special grant this year to enable us to tackle urgent fire safety improvements in the Church Offices.

## 9. Staffing

The Committee recognises the hard work and commitment of the staff of the Central Services Committee and commends them to the notice of the Assembly. Much of the work they do for the wider Church goes unrecognised but they play an essential part in the mission and service of God to which we are all called. They deserve our recognition and our thanks.

*In the name of the Committee*

ANGUS MACPHERSON, *Convener*

PHILIP CRAIG, *Vice-Convener*

BILL STEELE, *Vice-Convener*

PAULINE WILSON, *Administrative Secretary*



# COMMITTEE ON ECUMENICAL RELATIONS

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the report.
2. Note the formation of a Single Congregation Local Ecumenical Parish at St Ninian's, Stonehouse under the provisions of Act XI, 2012.
3. Approve the delegates to Assemblies, Synods and Conferences of the other Churches as detailed in Appendix I.
4. Note the appointment of representation to ecumenical bodies as detailed in Appendix II.

### REPORT

#### A. And now what are you waiting for? (ACTS 22:14-16)

##### Section I

1. **A note of urgency:** In Acts 22, Paul gives an account of his dramatic conversion on the Damascus Road and Ananias' words to him afterwards, *"And now what are you waiting for? Get up, be baptized and wash your sins away, calling on his name."* (NIV) There is a sense of urgency in Ananias' words. There is a task to be done and Paul is the one to do it. What is he waiting for?

2. "And now what are you waiting for?" has been chosen as the theme for the Assembly of the Conference of European Churches (CEC) which is to meet in Budapest in July 2013. It is a question that is being directed to the churches of Europe – what are we waiting for? There is a task to be done, a task of witness and mission, of taking up the Gospel imperative to seek the unity to which the churches committed themselves in the *Charta Oecumenica* in 2001 (<http://www.ceceurope.org/introduction/charta-oecumenica/>) as together they face the challenges of a changing Europe.

3. It is a question that is being addressed to us – what are we waiting for? There is a task to be done, a task of mission in a changing Scotland, a changing United Kingdom, a changing Europe and a changing world.

For too long the churches have struggled with a lack of direction consonant with the changing times in which we live. Precious time has been spent on a demanding preoccupation with internal structures and processes, all of which needed adaptation for a new age. New tensions have arisen between churches, as within them, for example, on matters of ethics such as end of life issues, economic issues, and issues related to human sexuality. Now there is the sense emerging of a new beginning, a new clarity of purpose, a recovery of vision. This is particularly evident in relation to the ecumenical bodies to which we belong, each of which is undertaking varying degrees of restructuring. It is not a sense that the tensions have disappeared, more that there is now a renewed appreciation of the need to handle them in ways that do not destroy the commitment to deepening the fellowship between churches and continuing the search for making visible the unity which is Christ's gift to the church.

##### Section II

4. World Council of Churches Programme Executive for North America, Ms Natasha Klukach, addressing the Members' Meeting of ACTS last October, warned against our tendency to put too much faith in getting structures right and reminded us of the importance of relationships. She asked us to be clear about what the ecumenical structures had given us: a way of talking to one another,

focal points in the ecumenical movement, endurance of ideas, values and vision, connection to different parts of the ecumenical movement, opportunity for engagement and a good and visible starting point for inter faith relations. They have enabled advances in dialogue, a common understanding of power and privilege, a greater appreciation of the importance and value of diversity of voice, a deeper attention to the presence of women and youth and those too often on the margins of society and the church and the recognition of and addressing of the cries for justice from the oppressed. This they have done as they have increased the recognition in the churches of each other as fellow pilgrims through patient dialogue.

5. But it is also the case that structural and institutional life can derail the ecumenical purpose. In order to address this, Natasha Klukach drew the Members' Meeting back to the fundamentals of the ecumenical movement in a reflection on the givenness of unity as not an optional extra. Therefore, we will always have to reflect on the values of our common life. The new statement on unity that is to be presented at the Assembly of the World Council of Churches in Busan, South Korea later this year, states:

*To be a credible sign, our life together must reflect the qualities of patience, generosity, attentive listening to one another, mutual accountability, inclusivity, a willingness to stay together, not saying "I have no need of you". Only as Christians are renewed and inspired by God's Spirit will the church bear authentic witness to the possibility of reconciled life for all people, for all creation.*

In many discussions in this past year, it is that going back to fundamental principles, recovering in our past the vision and motivation for renewed engagement in the present, that has been a prominent feature. Just as Jesus, when he was asked which was the greatest commandment, replied from the depth of his tradition on the nature of love, so we find in our rich heritage of faith and in the witness of our fathers and mothers in the ecumenical movement values and qualities of Christian living that still resonate with us in our day.

6. **Action of Churches Together in Scotland (ACTS).** At last year's Annual General Meeting, the Convener of ACTS, Rev Dr Douglas Galbraith, quoted Rev Lindsey Sanderson, then still Associate Secretary of ACTS:

*In Scotland, relationships between the churches have developed considerably in the last 21 years. However, for many people, both locally and nationally, it feels like those relationships have reached a plateau; some people even feel a sense of decline. There is a paradoxical cosiness in our relating which often results in warm personal relationships but discourages us from holding each other to account for the policies and actions of our churches.*

7. In the past year, ACTS has been engaged in a visioning process which has sought, among other things, to address the cosiness that lacks a cutting edge in our engagement with one another. With papers from the General Secretaries of ACTS and Churches Together in Britain and Ireland (CTBI), the Convener of our Ecumenical Relations Committee and a session at the October residential meeting of the Members' Meeting led by Natasha Klukach of the World Council of Churches, the **Members' Meeting** began to move away from the preoccupation with finance and property related to Scottish Churches House to a refocusing on the nature of the commitment of the churches to the ecumenical journey. It has involved a going back to fundamental values, rehearsing the meaning of the word "ecumenical" as having to do with "the whole inhabited earth". It has involved a re-examination of the nature of the commitment of the churches to a "churches together" model of relating, and discovering that it is not enough just to agree with one another. Rather, the ecumenical instruments provide for the churches a space in which they can take counsel with one another, a space in which they can explore areas in which they are sometimes deeply divided, a safe space of listening and sharing, of giving account of themselves and a space that encourages the deepening of relationships through deepened understanding of one another.

8. Out of the discussion came the decision to form a small group to think through the implications for the structure of ACTS of a shift in emphasis. It was suggested that ACTS would do specific pieces of work through commissions of people with appropriate experience and expertise. The work would be owned by churches through a clear process of reception that would encourage a deepening of fellowship and understanding. At the time of writing, this process of discernment of the way forward for ACTS has still to be completed but there is now a sense of urgency which is invigorating and affirming of those who have worked tirelessly through the difficult times to keep alive the ecumenical vision in the churches.

9. The Members' Meeting has been kept informed about developments in relation to Scottish Churches' House. At the end of January it was reported that Scottish Churches House was to be leased for ten years to Fusion Group UK, a Grangemouth based Events, Travel and Hospitality Company. Fusion had given an undertaking to be sensitive to the history and character of the house which will be marketed as 'Old Churches House' and retain many of the current features. It plans to provide a restaurant, conference and events space, office accommodation, B&B and holiday letting. It would be pleased to offer services to groups and individuals already familiar with the house. ACTS undertook to do some remedial work to the chapel and heating system in preparation for Fusion's tenancy which would begin on 1st March.

10. It is worth noting that as ACTS was reflecting on its vision for the future, **Scottish Friends of Ecumenism**, a group of individuals who have been life-long supporters of the Ecumenical Movement, were giving thought to their future. They too went back to fundamental biblical and ecumenical principles in a paper which was widely distributed. The Committee on Ecumenical Relations studied the document which recorded the commitment and enthusiasm of those who have been part of the history of ecumenism in Scotland and who remain fired by a vision that is as fresh and inspiring today as it was in the beginning. It was also a document that spoke with

urgency. Many of the Scottish Friends are becoming elderly. They want to hand the baton on in some way that keeps the ecumenical flame alive, not just in church structures but among men and women, young and old, in congregations. At the time of writing, their consultation process is ongoing and a residential meeting is planned for February 2013 in Kinnoull, Perth. What is clear is that never again should there be such a clear split made between what has been described as "institutional ecumenism" and "participative ecumenism" as there has been in the recent past. The churches need to hear the prompting and comments of critical friends, committed individuals who care deeply about the Gospel imperative that the Church should be one, even as Jesus and the Father are one, for the sake of the world.

11. There has also been a series of meetings with **young ecumenists** – young people mainly in their twenties, who have attended ecumenical events at national and international levels and who want to find a way of encouraging ecumenical involvement among a wider spectrum of young people in the churches. They have formed themselves into a loose network and aim to hold up to three gatherings a year. As a beginning, they will form the nucleus of a young people's group to use the Bible Study material produced by the World Council of Churches as preparation for its Assembly in Busan, South Korea, in October 2013. Both ACTS and the Committee on Ecumenical Relations have given support to this initiative, responding again to a sense of urgency. The waiting time is over and one channel for the continued participation of young people has been opened up, a new channel of energy and enthusiasm to continue the journey into a new generation.

12. Last September, Lindsey Sanderson left her position in ACTS and became the pastor in two United Reformed Churches in East Kilbride. The Committee on Ecumenical Relations joined with others from the member churches of ACTS to express gratitude to Lindsey for all the work she had done for ACTS. She acted as Company Secretary through a very difficult period in the life of the churches

together in Scotland, and did so with much grace and seeming unflappability. The new Interim Associate General Secretary is Rev Ian Boa, formerly minister in the United Free Church in Alloa. The position is “interim” until the conclusion of the visioning process which will make clearer what structure ACTS requires as it moves forward into the next years.

13. An important decision was taken at the November Members’ Meeting. It was agreed that the **National Sponsoring Body for Local Ecumenical Partnerships (NSB)** would become part of ACTS’ core work with a dedicated member of staff. Lindsey Sanderson had supported the work of the NSB, something that was greatly appreciated by the churches involved in the NSB. Ian Boa has been appointed to work one day a week on the NSB. To have this work recognised as core work of ACTS brings a significant aspect of local ecumenism into the heart of ACTS. The NSB will continue to ensure that the churches act as one in the encouragement and supporting of ecumenical partnerships of all kinds and will ensure that continued opportunities are offered to those involved in local ecumenical partnerships to meet, to share experiences and to learn from one another.

14. In the past year, **Stonehouse St Ninian’s** became the first congregation to be recognised as a single congregation local ecumenical partnership using the model constitution approved by the NSB and endorsed with appropriate legislation by last year’s General Assembly. The Committee on Ecumenical Relations and the Ecumenical and World Church Committee of the Scotland Synod of the United Reformed Church approved the new constitution, subject to OSCR approval. The Committee is indebted to Mrs Jennifer Hamilton of the Law Department for her assistance in ensuring registration of the newly united congregation with the Office of the Scottish Charity Regulator. It is anticipated that each existing single congregation LEP will move to the model constitution at a suitable point of review. Other LEPs are referred to elsewhere in this report.

15. **Churches Together in Britain and Ireland (CTBI)** continues to look at ways in which churches across Britain and Ireland can deepen their relationships with one another. This is being done against a background in which each of the national instruments is concentrating more and more on its own national concerns with little thought about how what happens in one part of the United Kingdom and Ireland can affect other parts. The member churches engage with CTBI through networks and at the annual Senior Representatives’ Forum. In May 2013, the annual Networking Conference will be combined with the Senior Representatives’ Meeting for the first time. It is hoped that by doing this there will be a deeper conversation about the work of CTBI and a greater sense of ownership by the member churches.

16. In 2012, the **Senior Representatives’ Forum** was held in the Gorbals. This provided an opportunity for the Church of Scotland to showcase its work among the poorest communities of Scotland. The splendid work, the vision of the leadership and the community focus of the church in the Gorbals, working ecumenically with people of faith and of no faith, was inspiring for all who attended. The Church Representatives were presented with a report of the Good Society Project in which CTBI had undertaken a study of a number of different locations across Britain and Ireland in which churches are making a difference to their communities. This study is offered to the churches as a reflection of the many places in which churches are making a difference, not least in places more often recognised for the depth of their deprivation. For more information see: [www.agoodsociety.org](http://www.agoodsociety.org).

17. The 2013 meeting of Senior Representatives with Network Representatives will consider the way the Networks have been working and whether or not a different model of bringing the churches together for joint work needs to be adopted.

18. “And now what are you waiting for?” The question is addressed to us. Also demanding serious ecumenical engagement within Scotland and within the wider context

of Britain and Ireland is the question of Scotland moving towards a referendum on its future within the United Kingdom. The churches across Britain and Ireland want to talk to us with some urgency. Whether or not Scotland votes for independence, the conversation that has begun here on the kind of Scotland we want to belong to is part of a wider conversation that has ecumenical relevance well beyond Scotland. In the churches, it is a conversation that takes us back to the heart of the Christian faith and its vision for society.

**19. The Conference of European Churches (CEC).** Since the Assembly in Lyon in 2006, CEC has had a Revision Working Group (RWG). The draft report of the RWG was shared with the member churches and the Committee on Ecumenical Relations submitted significant comments. The draft report, together with a summary of the comments from member churches, was then shared with the Central Committee last September and further suggestions for amendment were made prior to the report being revised for acceptance by the Executive Committee. The finalised report was circulated to the member churches in time for formal consideration ahead of the forthcoming Assembly in Budapest. A major part of that Assembly will be a working through of the implications of the proposals in the RWG's report. The Committee on Ecumenical Relations gave consideration to the report at its January meeting. It was heartened to note the extent to which the comments submitted last year had been used to reshape the first part of the report. It was less content with the lack of significant change to the proposed structure of governance and staffing where there was a distinct lack of clarity. A further paper is awaited from the General Secretary spelling out the implications of the proposals for the way in which work will be carried out and the knock-on effects on staffing. The Committee noted the proposal to move the CEC administration centre to Brussels, leaving a hot desk in Geneva. The concerns of the Committee will be fed into wider ecumenical reflections and will be used in briefing the Church of Scotland delegates to the Budapest Assembly. We will seek to catch the urgency of the Assembly's theme: "And now what are you waiting for?"

**20.** The problems and tensions that have grown across Europe in these times of austerity are too large for divided churches and the task for CEC remains one in which the churches find ways of modelling the kind of community we believe God wills for all people: diverse, open and hospitable and judged by the way we treat our most vulnerable citizens. Together with the World Council of Churches, visits have been made in the past year to Greece, a country that is not only hit by punishing austerity, but is also the first frontier for those seeking asylum and refuge in Europe. Greece's problem is our problem and one way of demonstrating that is through the solidarity that CEC shows through its Church and Society Commission and through the Churches Commission on Migrants in Europe. Solidarity was also shown in the decision to hold the Europe Council of the World Communion of Reformed Church in Athens in March 2013. There are too many people across Europe today who are caught in the grip of poverty, too many who are victims of unjust structures, too many who are waiting for the churches, for us, to respond with urgency. The expectation is that the CEC Assembly will answer the question posed to it: that the waiting time will be over, that the churches will enter a period of transition to a new structure, one that will release energy and a renewed sense of purpose.

**21. Community of Protestant Churches in Europe (CPCE)** (previously the Leuenberg Fellowship of Churches). The Community held its Assembly in Florence last September. The Assembly adopted a number of reports that had been amended in the light of comments from the member churches. In the case of **Scripture-Confession-Church** and **Ministry-Ordination-Episkopé**, the Church of Scotland submitted comments. In relation to Scripture-Confession-Church, the Assembly asked member churches to accept the results of the study document and take the relevant issues into consideration, both internally and in discussions with other churches and traditions. It also identified some issues that required further consideration under the title of "Church Fellowship". In relation to Ministry-Ordination-Episkopé, the Assembly adopted the report and asked that accompanying resource material be

used in the member churches and that the statement be considered and used both internally and in discussion with other churches and traditions. The Church of Scotland also contributed a response to the draft of a document "Stand up for Justice". The revised document was welcomed by the Assembly and is to be used as a guiding contribution to the process of reflecting, commenting and acting on socio-ethical issues. The Assembly wished to establish a freely accessible digital archive of socio-ethical statements of member churches. The Church of Scotland was also involved in a consultation on training for the ordained ministry. A report was received as a guiding contribution for a common understanding of a good theological training. It is commended that member churches take this document into account whenever they are engaging in a reform of training. Issues requiring further work were identified at the end of the report and the CPCE Council has been asked to take these forward.

**22.** The Ecumenical Relations Committee is considering how the Church of Scotland might relate to these documents and the decisions taken by the Assembly. It is concerned by an expectation that documents adopted by the Assembly of CPCE become defining documents for further work with an assumption that they have been officially endorsed by the member churches. Apart from formal approval being given to the proposed Concordat in 1973, at no time in the 30 year history of the Leuenberg Fellowship of Churches has the General Assembly of the Church of Scotland been asked formally to receive or adopt a report of CPCE and its predecessor body. There is a distinct feeling that the reports do not address our particular culture, but are rather, addressed to the very particular relationship of Reformed, Lutheran and United churches of Continental Europe. There is some discomfort with an organisation that seems intent on building up a "protestant" power-block in Europe to engage with Roman Catholic and Orthodox blocks and there is concern about how the work of CPCE relates to the vision and commitment to the work of CEC. As the Committee continues to give these issues consideration it welcomes the continued opportunity to engage with CPCE and feed in our concerns

through the election of Rev Dr John McPake to the CPCE Council. It also recognises the value of CPCE for providing space and support for minority churches in Europe. It has been important for us on account of the Leuenberg Agreement in relation to the recognition of members and ministries with Lutheran and United Churches.

**23. The World Communion of Reformed Churches (WCRC).** The question, "And now what are you waiting for?" reached a climax for the WCRC when it became clear that financial constraints, exacerbated by the unfavourable exchange rate of both the US dollar and the Euro, made it impossible for WCRC to retain its presence in Geneva. Last year, the Executive Committee took the decision to relocate the administrative offices to Hannover from the end of 2013. It is anticipated that this will save the organisation in the region of CHF 200,000 (£134,000) per annum. It was not an easy decision as there is much to be said for the synergy that comes from sharing a home with other ecumenical bodies, not least given the primary declared purpose of the World Alliance of Reformed Churches (the predecessor body of WCRC) to be a means of enabling Reformed Churches to engage in the wider ecumenical movement. The new offices will be in the Calvin Institute, the offices of the Reformed Alliance of Germany.

**24.** A search process was put in place by the Executive Committee to bring a nomination for General Secretary to its meeting in Accra in May 2013. Very Rev Dr Sheilagh Kesting was asked to chair the Search Committee. Rev Dr Setri Nyomi finishes his term as General Secretary in April 2014. The Committee on Ecumenical Relations wishes to record the thanks of the Church of Scotland to Dr Nyomi for the energetic leadership he has given to WARC and WCRC during his term of office. He was instrumental in enabling the coming together of the World Alliance of Reformed Churches and the Reformed Ecumenical Council to form the World Communion of Reformed Churches in 2010. He visited Scotland several times for different events, including attendance at the General Assembly. We wish him well in his future ministry and thank him for his words of encouragement and challenge over the years.

**25. The World Council of Churches (WCC).** Like the other main ecumenical bodies, the WCC has been going through a period of transition. The governance structures have been reviewed and the Assembly in Busan in October will be asked to endorse a proposed new structure which will draw a clearer distinction between management and policy making. Financial constraints and questions about its strategic mission have also led to a review of the offices. A variety of options were considered before it was decided to develop the site on which the current building is situated. When Natasha Klukach was in Scotland, she spoke of her involvement in a small working group considering the future of the Ecumenical Centre. Having looked at what the current structure had given them, their conversation turned in a different, more exciting direction. They spoke about who came to work in the building every day, the places in the building where there was special energy and life, places where interaction was difficult in a practical way and what parts of the building help its occupants to communicate well who they are, what they do and the kind of feeling they hope visitors will have. In other words, the focus turned to the qualities that inform who we are, what we do – a going back to fundamental principles in order to recover what lies at the heart of the ecumenical pilgrimage. This kind of conversation is perhaps another small indication that the ecumenical movement as we have known it is beginning to find a new way forward after years of struggle and preoccupation with structures.

**26.** It is not that nothing has been happening during these years of struggle. The theme for the WCC Assembly is “God of life, lead us to justice and peace”. The WCC has continued the practice of recent Assemblies of having a prayer as its theme and the Assembly will allow the member churches to harvest the fruits of the past seven years since the Assembly in Porto Alegre, Brazil, and will receive a new consensus document on “The Church: Towards a Common Vision”, a new statement on Unity, a new statement on mission, “Together Towards Life: Changing Perspective on Mission and Evangelism in Changing Landscapes”, the call for a just peace from

the International Ecumenical Peace Convocation held in Jamaica in 2011 plus reports of what the churches have been able to do through the agency of the WCC to support churches in countries torn apart by poverty and conflict.

**27.** With the Assembly in Busan, Rev Graham McGeoch will come to the end of his term as a member of the Central Committee and the Executive Committee. He also served on the Continuation Committee on Orthodox Relations. The Committee wishes to express its thanks to Graham for being a wonderful ambassador for the Church of Scotland, greatly respected by those who served with him on these Committees and the staff of the Council. He was meticulous in keeping the work of the Council before the Committee and in encouraging contact between the WCC and the Church of Scotland, wherever possible.

## **B. God of life, lead us to justice and peace**

### **Section III**

**28.** Much of this report has tried to pick up on the sense of urgency that is implied in the question “And now what are you waiting for”, the theme chosen for the CEC Assembly, and how the churches, individually and through the various ecumenical instruments, are responding to that call. In many cases, the recovery of a sense of purpose, the return of energy and something of the sense of excitement and joy that comes from ecumenical engagement has flowed out of a reflection on the past, a calling to mind of the visions that fired the ecumenical movement in the beginning, a focussing again on the Gospel values that tell us whose we are, what we can do together and what we might become in the future. It is not surprising that such an exercise should bring us to the prayer that is the theme of the World Council of Churches Assembly. “God of life, lead us to justice and peace”. The delivery of new structures better shaped for the 21st century will be to no avail if they do not lead to the outworking of our search for a common understanding of the unity of the Church in a common witness to justice and peace throughout the *oikumene*, the whole inhabited earth.

29. It is into this widest of all perspectives that we place the work of **local ecumenism**. Much continues to happen at local level that breaks down barriers, empowers the voiceless and unites congregations of different Christian traditions in common worship and witness. In some places, that has been embodied in more formal ecumenical structures – a covenanted partnership or uniting into a single congregation local ecumenical partnership. The National Sponsoring Body continues to facilitate ecumenical reviews of local ecumenical partnerships (LEPs). In these cases, the NSB works with the appropriate denominational bodies to ensure that LEPs are not over-reviewed.

30. **Livingston Ecumenical Parish** has its own Sponsors' Council which has been accompanying the Ecumenical Parish Council on a difficult process of change. It has become clear that the parent denominations are unable to continue the higher level of ministerial support the Parish has enjoyed in recent years. The Ecumenical Parish Council itself has also been working on a mission strategy that seeks to bring people across the parish together for worship on Sundays while continuing their daily work in the six centres. The Sponsors' Council monitored the process adopted by the Parish Council, supported them through it and encouraged them to implement the decision. The Sponsors' Council further advised that the Ecumenical Parish should move to adopt, at the earliest opportunity, the Model Constitution approved by the National Sponsoring Body. One consequence of this will be to transfer the Ecumenical Parish from the oversight of the Livingston Sponsors' Council to the National Sponsoring Body and a repealing of the Act anent Livingston 1997.

31. Work has continued with the Ministries Council on how to work ecumenically to fulfil the provisions of **Article III of the Declaratory Articles**. In 2010, the General Assembly invited the Committee on Ecumenical Relations and the Ministries Council to undertake a consultation with ecumenical partners in Scotland with a view to exploring ways in which the responsibilities to provide a territorial ministry throughout Scotland could be delivered in co-operation with other churches.

32. In 2012, the General Assembly instructed the Ecumenical Relations Committee together with the Ministries Council to conduct an audit of ecumenical activity in Presbyteries. The text of a questionnaire was agreed and sent out to Session Clarks in January 2013. The results of the survey will be analysed and the resulting information will become the basis of a conference with Presbyteries and ecumenical partners later in 2013. The purpose of the survey is to identify those areas where there already is energy for co-operation between denominations and where there is the possibility of delivering the provisions of the Third Article through and with other churches. It will also identify those areas which we find difficult to cover. A full joint report on the outcomes of the conference will be brought to the General Assembly of 2014.

33. Also, in response to an instruction from the General Assembly of 2012, a copy of the survey was shared with Ecumenical Partners with an invitation that they might use it, or something similar, in their churches. In this way, it is hoped to have as comprehensive a picture as possible of ecumenical activity in Scotland when it comes to the conference.

34. The National Sponsoring Body for Local Ecumenical Partnerships is receiving regular progress reports on the work and will receive the results of the surveys as a valuable resource for its future work.

35. One of the intentions in any ecumenical partnership is that together the churches can better serve their communities, drawing on the gifts and strengths of each and making best use of limited resources, both financial and people. In May last year, the Moderator of the **Presbytery of Annandale and Eskdale** signed a Learning Agreement with the Galloway District of the Glasgow and Galloway Diocese of the Scottish Episcopal Church. This is the first agreement of its kind and it commits the two denominations to undertake education courses jointly, sharing each other's materials. Already, there is evidence of the Agreement spilling over into other Presbyteries in the

region and to other denominations. The first anniversary of the Agreement is to be marked by a review of how it has been working. This is a new model of presbytery level ecumenical working that is to be commended for use in other places.

37. This past year saw another in the biennial series of conversations with the **Church of England** on issues that affect us as national churches. Notes were shared on how the two churches are addressing issues related to public policy, international engagement, internal management structures, and mission challenges. In addition, the tripartite Faith and Order conversations continue with the Church of England and the Scottish Episcopal Church. The focus this past year was on the various international bilateral agreements involving Anglicans and Reformed Churches and the question as to whether such Agreements can be translated into a context other than the ones for which they were originally cast. It was agreed to meet again in 2013 with the aim of agreeing a basis for the further development of relations between the three churches. It was felt important to develop a statement of what the three churches hold in common in terms of their faith and order (along the lines of the agreements on faith and ministry in ecumenical agreements such as the *Reuilly Common Statement*). In addition to the common statement, two sets of protocols would be drawn up, one for the Church of Scotland with the Church of England and one for the Church of Scotland with the Scottish Episcopal Church indicating how the relationship between the churches might develop in the future in practical ways.

38. **The Joint Commission on Doctrine** (Church of Scotland-Roman Catholic Church) has decided to take a look at the new WCC consensus document, "The Church: Towards a common Vision". As it does so, it is organising one of its occasional conferences to mark the 50th anniversary of the Second Vatican Council and the 30th anniversary of the publication of the consensus document Baptism, Eucharist and Ministry (BEM). Both these things were greeted with great excitement at the time, but what

now? The opportunity to revisit allows us to recapture some of the excitement and see where there is unfinished business. The Decree on Ecumenism of Vatican II was a milestone in the ecumenical movement, making possible closer co-operation, and ultimately the inclusion of the Roman Catholic Church in first the Faith and Order Commission of the World Council of Churches and, later, the Commission of World Mission and Evangelism. It was that movement that made BEM the first genuinely consensus document since the Ecumenical Councils of the early church. It cannot be an exercise in nostalgia, any more than the other examples of reflecting on the past in this report. Rather, it is another opportunity to grasp the urgent challenges of today through recovery of insights of the faithful in past ages. It is an opportunity to evaluate where we have fallen short in delivering the vision articulated by those who have gone before us, and so to come to a place where we can recast that vision for today's world and better serve the communities in which we are set, in the name of the God who calls us into a ministry of reconciliation.

**God of life, lead us into justice and peace.**

*In the name of the Committee*

ALAN D FALCONER, *Convener*  
ALISON P MCDONALD, *Vice-Convener*  
SHEILAGH M KESTING, *Secretary*

## ADDENDUM

### Rev Dr Alan D Falconer, Convener

Rev Dr Alan Falconer comes to the end of his term as Convener of the Ecumenical Relations Committee. Dr Falconer brought with him immense experience from his time on the staff at the Irish School of Ecumenics in Dublin to his ten years as Director of the Faith and Order Commission of the World Council of Churches and his more recent years as minister of St Machar's Cathedral in Aberdeen. To each discussion he brought an encyclopedic ecumenical memory spanning back many decades, enabling the Committee to see how its work

today continued to build on the foundations laid by those who have travelled this way before us. He brought a learned and scholarly mind to the work of the Committee, shared a theology shaped by keen biblical scholarship and the wisdom of poets. His style was relaxed and unhurried, allowing all to feel valued in their contribution to the discussion.

In addition to his contribution to the work of the Committee, as Convener of Ecumenical Relations, he faithfully served as the voting representative on the ACTS Members' Meeting where he gave invaluable insight in the process of refocusing the purpose of ACTS as an instrument that could better hold the churches to account in their ecumenical commitment to one another.

The Committee thanks Alan for his time as Convener and wishes him and Marjorie every blessing to enjoy a more complete retirement than they have been able to enjoy thus far!

*In the name of the Committee*

ALISON P MCDONALD, *Vice-Convener*  
SHEILAGH M KESTING, *Secretary*

## APPENDIX I DELEGATES TO OTHER CHURCHES

The following have been appointed as delegates to the Assemblies, Synods and Conferences of other Churches:

*Presbyterian Church in Ireland* – The Moderator, Chaplain and Elder

*Presbyterian Church of Wales* – The Moderator

*United Reformed Church* – The Moderator

*Church of England* – Very Rev D K Arnott

*United Reformed Church Scotland Synod* – Very Rev Dr S M Kesting

*Scottish Episcopal Church* – Very Rev D K Arnott

*Methodist Synod* – Rev C Sinclair

*United Free Church of Scotland* – Rev A McDonald

*Baptist Union of Scotland* – Rev A Paton

## APPENDIX II ECUMENICAL BODIES

The following serve on Assemblies and Committees of the ecumenical bodies of which the Church is a member:

### World Council of Churches

*10th Assembly (November 2013)* Very Rev Dr S M Kesting,

Mr I McLarty,

Miss M Weibye

*Executive Committee*

Rev G McGeoch

*Faith and Order Commission*

Rev Dr P H Donald

### World Alliance of Reformed Churches/ Reformed Ecumenical Council

*Uniting General Council (2010)* Rev Dr A Falconer, Rev A G Horsburgh, Very Rev Dr S M Kesting, Mr I McLarty, Rev Dr L Schluter

### World Communion of Reformed Churches

*Europe Council* Rev A G Horsburgh

### Conference of European Churches

*14th Assembly (July 2013)* Very Rev Dr S M Kesting, Mr A Kimmitt, Rev A McDonald, Rev A Stevens

*Central Committee*

Very Rev Dr S M Kesting

*Church and Society Commission*

Rev E Aitken

### Community of Protestant Churches in Europe (Leuenberg Church Fellowship)

*7th General Assembly (September 2012)* Rev Dr J L McPake

### Churches Together in Britain and Ireland

*Board of Trustees* Very Rev Dr S M Kesting

*Senior Representatives' Forum* Rev J P Chalmers,

Very Rev Dr S M Kesting

### Action of Churches Together in Scotland

*Members' Meeting*

Voting member: Convener of the Committee on Ecumenical Relations (alternate voting member: Convener

of the Council of Assembly), non-voting members: Secretaries of the Mission and Discipleship Council, Church and Society Council and the Ecumenical Officer (alternate non-voting members: Secretary of the Ministries Council, General Secretary of the Guild and the Moderator of the Youth Assembly)

*Networks:*

*Church Life*

Dr B Fraser, Mrs L McEwan,  
Rev A Paton, Mrs N Summers

*Church and Society*

Rev E Aitken, Mr D Bradwell,  
Dr M Macdonald, Mr A Shaw,  
Mr I Whyte

*Faith Studies*

Rev E Cranfield, Rev S Fulcher,  
Rev R Hamilton, Rev M McPherson

*Mission*

Rev D Cameron,  
Mrs L Hamilton-Messer,  
Rev J Reid, Mr J K Thomson

*Finance Committee*

Mr A McDowall

**Joint Liturgical Group**

The Very Rev Dr G I Macmillan,  
Rev N J Robb



# LEGAL QUESTIONS COMMITTEE

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Insert new Standing Order 55 as set out in the Report, and re-number (section 1).
3. Delete existing Standing Orders 102 and 103 and insert new Standing Order 102 as set out in the Report, and re-number (section 2).
4. Pass an Act amending Act VIII 2003 Anent Vacancy Procedure as set out in Appendix A (section 3 and Appendix A).
5. Approve the Overture regarding the Appeals Act as set out in Appendix B and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013 (section 4.1 and Appendix B).
6. Pass as an Interim Act the Appeals Act as set out in the text of the Overture in Appendix B and instruct the Selection Committee to bring the names of the Conveners and Vice-Conveners referred to in sections 9 and 16 of the Act to a future session of the General Assembly (section 4.4 and Appendix B).
7. Delete existing Standing Order 56 and insert a new Standing Order 56 as set out in the Report (section 4.2)
8. Pass an Act amending Act V 2004 Anent Intimation of Appeals as set out in Appendix C (section 4.3 and Appendix C).
9. Authorise the Clerks to make necessary adjustments to the text of the Acts and Regulations which are required as a direct consequence of the Appeals Act.
10. Approve the Regulations concerning the Nomination of the Moderator of the General Assembly as set out in Appendix D (section 5 and Appendix D).
11. Approve the Regulations concerning the Office of the Moderator of the General Assembly as set out in Appendix E (section 5 and Appendix E).
12. Approve the proposal to alter the style and titling of the Acts and Regulations of the General Assembly and authorise the Clerks to revise the titles of all Acts and Regulations to reflect this change (section 6).
13. Instruct the Committee in consultation with the Ministries Council to conduct a comprehensive review of the provisions of Act II 2000 as to ministerial practising certificates with a view to bringing a report and amending legislation to the General Assembly of 2014 (section 7).

### REPORT

#### 1. Matters Relating to Stipend – New Standing Order 55

The Legal Questions Committee have examined concerns expressed by the Ministries Council that proposals coming from the floor of the Assembly might, without reference to budgetary implications or without wider consultation, affect the terms and conditions of ministers relating to stipend. This is, in fact, a possibility which is not fully

covered by the existing Standing Order 54. The Committee believes that this is a matter which requires attention and accordingly sets before the Assembly a new Standing Order 55 that would prevent any sudden change in the terms and conditions of ministers relating to stipend.

#### *New 55 and re-number*

#### **55. Matters Relating to the Stipend**

*It shall not be competent for the Assembly, without due*

*notice of motion in the hands of Commissioners in print and in proper form (for example, as a Proposed Deliverance, Notice of Motion, or Crave of a Petition), to debate any proposal which might impact directly on or which might bring about binding changes to the terms and conditions of ministers which relate to stipend or stipend scales.*

## **2. Voting and Electronic Voting – New Standing Order 102**

Following the success at the General Assembly of 2012 of the new electronic voting system, the Assembly Arrangements Committee agreed to consider the possibility of extending the use of electronic voting and of giving the Moderator greater discretion in using the system to determine the mind of the General Assembly. At the request of the Assembly Arrangements Committee, the Legal Questions Committee now places before the General Assembly the proposal to delete Standing Orders 102 and 103 and replace these with a new Standing Order 102 which would read:

### **102. Voting**

*The Moderator may, in any circumstances and at his or her sole discretion, ascertain the mind of the Assembly by asking the Commissioners to stand in their places, and shall intimate to the Assembly on which side there is in his or her opinion a majority. Unless the opinion of the Moderator so intimated is at once challenged, it shall become the decision of the Assembly. If any Commissioner challenges the opinion of the Moderator, the Assembly shall proceed to take an electronic vote using a system approved by the Assembly Arrangements Committee. Alternatively, it shall be open to the Moderator, again at his or her sole discretion and in any circumstances, to ascertain the mind of the Assembly by recourse to the use of electronic voting. After all votes have been counted the Moderator shall intimate the result of the voting which will become the decision of the Assembly. In no circumstances shall a second vote be taken on a matter which has already been the subject of a vote by electronic voting. The Business Committee shall ensure that Commissioners are familiar with the method of electronic voting and will appoint tellers to assist Commissioners, where necessary, with the process of*

*casting votes and to assist the Assembly with the process of voting by paper ballot which shall be a competent alternative to the taking of a vote by electronic means in the event of a failure in the electronic voting system.*

## **3. Conflict of Interest and Membership of Nominating Committees**

Over a number of years both the Ministries Council and the Principal Clerk's Office have been asked difficult questions about conflicts of interest in relation to membership of Nominating Committees. These have mainly arisen when, in all good faith, a vacant congregation has elected an individual to their Nominating Committee who either works in the congregation or is an employee of the congregation. This has led to concerns that in effect an individual may well be in a position to influence the appointment of the person who will become their line manager. On a few occasions too, there have been concerns that ministerial members of a congregation, elected to serve on a Nominating Committee, have exercised an undue influence on the work of the Committee. The Legal Questions Committee has given this matter consideration and believes that a small amendment to Act VIII 2003 anent Vacancy Procedure, preventing the election of those with such a conflict of interest or who, by virtue of their ministerial standing, might exercise undue influence, is justified. The amendment contained in Appendix A would exclude ministers and members of the diaconate of the Church of Scotland, employees of the vacant charge or employees of the Ministries Council who work in the vacant charge from serving on the Nominating Committee.

## **4. Review of Judicial Proceedings**

**4.1** As instructed by the 2012 General Assembly, the Committee has completed its review of the Church's judicial appeals procedures and now brings its conclusions and proposals to the General Assembly.

**4.1.1** The Committee is grateful to the Presbyteries who took up its invitation to submit comments for consideration. Just over one half of Presbyteries submitted comments and the overwhelming majority of those comments concurred

with the principles set out in the Committee's report to the General Assembly of 2012. Several very helpful suggestions were made by Presbyteries.

**4.1.2** The Committee, in carrying out its review, has consulted with the Assembly Arrangements Committee and with the current Chair of the Judicial Commission, and the Committee has benefited from their perspectives and experiences. The Committee thanks them for giving time to this work.

**4.1.3** The Committee has continued to hold before it the need to ensure that the courts of the Church, when acting in a judicial capacity, continue to operate to the highest standards of integrity and in accordance with natural justice, that confidence in the Church's legal process is maintained and that proceedings before any Court are clearly understood by all parties involved.

**4.1.4** The Committee proposes that there be only one procedure for the conduct of appeals, whether taken before the Commission of Assembly or the Judicial Commission. This will make for consistency of process in all cases and ease of understanding for all parties bringing appeals. While the work of the Judicial Commission as presently constituted is concerned only with the hearing of appeals, the Commission of Assembly as presently constituted has a wider remit. The Committee therefore proposes that an Appeals Committee of the Commission of Assembly be created, and that the Judicial Commission simply be re-formed. The Appeals Committee of the Commission of Assembly will be formed from approximately one quarter of the members of the full Commission, and will be the body which hears cases and appeals.

**4.1.5** The proposed appeal procedure will involve the use of written pleadings and contain firm guidelines about the submission of evidence.

**4.1.6** There will be included, at an early stage in the procedure, an Appeal Management Hearing conducted by a Convener and Vice-Convener of the Appeals Committee/Judicial Commission which is hearing the appeal, at which

various procedural matters may be considered, such as matters of competency and relevancy, evidence which could be agreed and whether a factual investigation needs to take place. The purpose of the Appeal Management Hearing is to ensure that the parties are fully prepared to proceed to the appeal hearing and to ensure that the arguments and evidence are presented to Appeals Committee/Judicial Commission in as orderly and as clear a manner as to facilitate for everyone present a good understanding of the subject matter of the appeal.

**4.1.7** The proposed appeal procedure also introduces a new way of disposing of appeals. Appellants' written arguments will require to specify what they want the Appeals Committee/Judicial Commission to do. At the conclusion of the appeal hearing, the Appeals Committee/Judicial Commission will retire to consider its decision and, once it has reached its decision, the decision will be committed to writing and read out in the presence of the parties to the appeal. There will also be given a brief oral summary of the main reasons for the decision, with written reasons to follow within a specific timescale.

**4.1.8** The Committee is considering the provision of styles of notice of appeal, grounds of appeal and written arguments for use by parties to an appeal.

### **Proposed New Appeals Structure**

**4.1.9** The Committee proposes a new Appeals Act ("the Act") as set out in Appendix B.

**4.1.10** The Act makes a distinction between appeal cases which are broadly personal in their nature, and all other appeals. The Act defines this new category of 'personal cases' as cases which involve the consideration of allegations against an individual which, if established, could adversely affect that individual's holding of an office in the Church or otherwise lower him or her in the estimation of other members of the Church [section 1 of the Act]. Appeals falling into this new category will be taken before a re-formed Judicial Commission, in addition to the existing categories of appeal which presently come before the Judicial Commission. Appeals which presently

come before the Commission of Assembly, but with the exception of appeals falling into the new category of 'personal cases', will be taken before a new Appeals Committee of the Commission of Assembly [section 4 of the Act].

**4.1.11** The new Act proposes that the Appeals Committee of the Commission of Assembly will comprise ten ministers, ten elders and one deacon, all selected at random from the members of the Commission of Assembly, which members of the Commission of Assembly will be appointed by the method of appointment currently in use. The Appeals Committee of the Commission of Assembly will have a Convener and Vice-Convener and an alternate for each, all nominated by the Nomination Committee and appointed by the General Assembly [sections 7, 8 and 9 of the Act].

**4.1.12** The Act proposes that the Judicial Commission will be reduced in size and will comprise thirteen persons, seven of whom will be ministers or deacons and six of whom will be elders, all selected from a pool of forty ministers, deacons and elders nominated by the Nomination Committee and appointed by the General Assembly. There will be four persons, nominated by the Nomination Committee and appointed by the General Assembly, who will be eligible to be selected to act as Convener and Vice-Convener of a Commission, thus making it possible for the Judicial Commission to operate with two teams in order that the hearing of appeals can be expedited [sections 14, 15, and 16 of the Act].

**4.1.13** The Act provides one procedure for the hearing of appeals before both the Appeals Committee of the Commission of Assembly and the Judicial Commission. This procedure is set out in Schedule 2 ("the Schedule") of the Act.

**4.1.14** An appeal begins with intimation to both the clerk of the Court against whose decision the appeal is being taken and to the Principal Clerk [Rule 1 of the Schedule].

**4.1.15** The procedure then provides for the submission to the Principal Clerk of written grounds of appeal consisting of brief specific numbered propositions stating the grounds on which it is argued that the appeal should be allowed. These grounds must be intimated to the respondent in the appeal and the respondent may also lodge with the Principal Clerk grounds of appeal. The court against whose decision the appeal is brought requires to submit to the Principal Clerk all documentation relative to the proceedings being appealed against [Rules 2, 3 and 4 of the Schedule].

**4.1.16** Once grounds of appeal have been lodged with the Principal Clerk, the Principal Clerk will fix a date for an Appeal Management Hearing, the purpose of which is to consider procedural and practical matters and to ascertain that the parties are ready to proceed to a hearing of the appeal. The Appeal Management Hearing will be conducted by the Convener and Vice-Convener of the Appeals Committee or Judicial Commission, whichever is to hear the appeal, and will fix the date of the Appeal Hearing [Rules 5 and 6 of the Schedule].

**4.1.17** The parties to an appeal must submit to the Principal Clerk, at least fourteen days prior to the date of the Appeal Hearing, written arguments expanding on their written grounds of appeal by giving a statement of the facts on which the parties base their appeal and the propositions of law they are relying on. The written arguments must state the disposal of the matter the parties are seeking and must be accompanied by all documents founded on in the written arguments, all productions referred to and all legal authorities cited. No new grounds of appeal may be raised in either the written arguments or at the Appeal Hearing itself, unless allowed by the Convener or Vice-Convener of the Appeal Hearing. The introduction of new material at the Appeal Hearing itself is limited to new information that has come to light in the period after the lodging of written arguments [Rules 7 and 10 of the Schedule].

**4.1.18** At the conclusion of the Appeal Hearing the Appeals Committee/Judicial Commission will retire to consider its decision, which decision will be committed to

writing and then read out in the presence of the parties. At the same time, a brief oral summary of the main reasons for the decision will also be given. Written reasons for the decision will follow within fourteen days and be intimated to the parties [Rule 13 of the Schedule].

**4.2** Given the changes being made to the rules of procedure for the Appeals Committee of the Commission of Assembly, Standing Order 56 is no longer appropriate. It is suggested that it be clarified that the rules of procedure for the Appeals Committee of the Commission of Assembly will in future be as set out in Schedule 2 to the Appeals Act, with Standing Orders 57 to 59 continuing to apply where either the General Assembly or the Commission is hearing a matter falling within their jurisdiction.

The proposed amendment to the Standing Orders is as follows:

#### **Existing Standing Order 56**

**56. Commission of Assembly.** *In sections 57-59 references to the General Assembly shall be taken to refer where appropriate to the Commission of Assembly and all references shall be so construed mutatis mutandis.*

#### **Suggested new Standing Order 56**

**56. Commission of Assembly.** *The rules of procedure for the Appeals Committee of the Commission of Assembly shall be as set out in Schedule 2 to the Appeals Act 2013. Standing Orders 57-59 apply where a matter is being brought before the Commission of Assembly in terms of those powers of the Commission of Assembly not being exercised by the Appeals Committee, or before the General Assembly, being a petition, a reference or an appeal on a matter of doctrine. In Standing Orders 57-59 references to the General Assembly shall be taken to refer where appropriate to the Commission of Assembly and all references shall be so construed mutatis mutandis.*

**4.3** Also consequent on the adoption of a new procedure for Commissions and Appeals, Act V 2004 anent Intimation of Appeals requires amendment to the effect that it will now apply only to appeals that come from a Kirk Session and are to be heard at a Presbytery. This also presents an

opportunity to clarify a particular area of law by deleting the reference in Section 1 of Act V 2004 to “*failure to apply the law of the Church correctly*” and substituting the words, “*an error in Church law*”. This would be consistent with practice in Civil Law. Finally, the opportunity has also been taken to amend ground (b) to refer to a “material” irregularity in process. Both of these changes to the legal grounds for appeal are consistent with the terms of the Appeals Act. The amending Act is to be found in Appendix C.

**4.4** The Committee commends these changes to the Church's judicial appeals procedures as both necessary and desirable. Although it believes that Barrier Act procedure is required, the Committee urges this Assembly to pass an Interim Act which will give immediate effect to them. To delay would be to deprive the Church of the immediate benefit of robust, effective and efficient procedures, leaving it vulnerable to criticism and, perhaps, external review.

### **5. Nomination and Office of Moderator**

**5.1** The 2012 Assembly agreed that the way in which the Moderator is nominated should be changed to reflect developing circumstances and expectations. It approved the recommendations of the Committee and the Assembly Arrangements Committee and instructed the preparation of appropriate legislation. The Committees' recommendations flowed from the concerns and advice of the existing Committee to Nominate the Moderator, former Moderators and past and current officials of the Church.

**5.2** At present the Committee to Nominate the Moderator considers itself too large to meet prospective moderators and confines itself to listening to short speeches by their supporters. It meets only twice. In accordance with the principles approved by the 2012 Assembly, the Moderator would be nominated by a committee of fifteen directly elected by the immediately preceding Assembly. Reduction in the size of the nominating committee allows for much greater flexibility and efficiency and, most importantly, allows those tasked with the nomination to actually meet with prospective

moderators and to explore their vision for the Church and their year of office. This necessitates a new method of selecting its membership. The proposed system is based upon the tried and tested formula of electing a Nominating Committee in a Vacant Charge and will ensure that the nominating committee reflects the composition of the Assembly and is refreshed much more frequently than at present while allowing for the wisdom of past moderators to be drawn upon. Recommendations for Moderator, which can be made by any Church member, will be considered by a differently-composed nominating committee each year thereby engendering confidence that the nomination process is not the province of any particular strand within the life of the Church and encouraging a wider range of people to get involved.

5.3 Again in accordance with the principles approved by the 2012 Assembly, the regulations concerning the office of Moderator have been revised. These take account of developing challenges and opportunities. In particular, the Church and its Councils and Committees are encouraged to deploy the Moderator during and after her or his year of office.

5.4 The Committee is grateful to the Assembly Arrangements Committee for its considerable assistance.

5.5 The Regulations are annexed in Appendices D and E.

## **6. Nomenclature of Acts and Regulations**

6.1 The Committee, having regard to general accessibility and understanding, brings to the Assembly a proposal to revise the style used in the nomenclature of the Acts and Regulations of the General Assembly. While the old Scottish word “anent” has served the Church well for many years, and while it is a term held in great affection by those who work regularly with the law of the Church, it has to be conceded that it is a term which has dropped out of common usage today. Many people, even those who are familiar with the ways of the Church, find it difficult to understand our continued use of this term in the title of contemporary legislation.

6.2 Another problem, however, is associated with the way in which we name the Acts and Regulations and that is the habit of giving more prominence to the year in which the Act was passed rather than the purpose for which the Act exists. Primary indexing is therefore by date rather than purpose and unless you are an “insider” this is often difficult to follow. The Committee is of the view that this is an opportune time to make, what it believes, will be a helpful change in “house style.”

6.3 This year, for instance, the proposed “Act I 2013 anent Appeals” is, instead, presented with the title “Appeals Act 2013” and the Committee seeks permission for the Clerks to be authorised to revise, in similar vein, the titles and style of all previous Acts and Regulations of the General Assembly.

6.4 This recommendation comes at a time when the complete corpus of the Church’s legislation is being re-indexed and prepared for publication on the Church of Scotland website in a more accessible pdf format. This proposed change will make indexing a little easier, but more importantly it will make the Church’s legislation easier to navigate and more accessible.

## **7. Ministerial Practising Certificates**

7.1 During the past year, the Committee has been working with the Ministries Council to address two particular issues of concern arising in relation to ministers’ Practising Certificates, being the situations where (i) a minister has retired early due to ill-health, and (ii) a minister has demitted in the interests of peace of the Church and has entered into a legally binding agreement with Presbytery and the Ministries Council. In both of these cases, amending legislation making provision for Qualified Practising Certificates is being brought to the Assembly by the Ministries Council and is referred to in that Council’s report.

7.2 It is apparent that there is some overall confusion as to how Practising Certificates are managed and who should be allowed to hold Practising Certificates. The

Committee wishes to make the law clearer and more straightforward to operate, and suggests that a wider review of the questions of the relevant provisions of Act II 2000 is required. The Committee will work closely with the Ministries Council on this over the next year with a view to bringing a report and amending legislation to the General Assembly of 2014.

## **8. Solemnisation of same sex marriages and religious registration of civil partnerships**

**8.1** On 25 July 2012 the Scottish Government announced its intention to introduce same sex marriage and religious civil partnerships. Consequently, on 12 December 2012, a draft bill was published and a further period of consultation, ending on 20 March 2013, was announced. The Committee has met with the Cabinet Secretary for Health and Wellbeing as well as civil servants and, at the time of writing, is finalising the Church's response. This will build upon the Church's response of 1 December 2011 to the Scottish Government's 2011 consultation:

[[http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0018/8811/0120685\\_Church\\_of\\_Scotland\\_Response.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0018/8811/0120685_Church_of_Scotland_Response.pdf)].

**8.2** The Committee remains committed to preserving the space needed for the Church to make its own decisions in accordance with its presbyterian polity and in God's time. Broadly, it considers that the scheme proposed by the Government should allow the Church to address this difficult issue without the threat of state interference with its right to regulate itself in matters spiritual. The Government "entirely accepts it is possible to be opposed to same sex marriage without being homophobic" (2012:1.08)<sup>1</sup> and has committed itself to preserve existing rights "to freedom of thought, conscience, religion and expression" (2012: 1.06) and to provide protections "for

some in society who may have concerns about same sex marriage" (2012: 1.05). The Government proposes to introduce different routes by which an individual celebrant might become legally entitled to solemnise a same sex marriage or register a civil partnership. Given the circumstances of the Church of Scotland, it seems most likely that a minister or deacon would be able to conduct a same sex marriage or register a civil partnership only if the Church decided to allow its ministers and deacons to do so and the individual minister or deacon wished to do so. The intention of this two stage 'opt in' is that neither the Church nor any individual minister or deacon would be legally required to solemnise same sex marriages or register civil partnerships (2012: 3.09). However, much of the Government's proposed scheme will be contained in as yet unpublished regulations and ministerial guidance. All or any of the components may be repealed or withdrawn or challenged in the European Court of Human Rights. Moreover the Committee is contending for simpler and less ambiguous language in the protections offered to ministers and deacons who do not wish to solemnise same sex marriage or to register civil partnerships. The scheme proposed by the Scottish Government does not appear to be consistent with the exemption proposed by the UK Government in its proposed amendment to the Equality Act 2010.

**8.3** Additionally, the Committee is arguing for more comprehensive protections. It believes that the circumstances under which a minister or deacon may lawfully refuse to solemnise a same sex marriage or register a civil partnership are too narrowly defined in the proposed amendment to the Equality Act 2010 and do not allow for the circumstance in which he or she may be acting to preserve the peace of his or her congregation. The Committee believes that individuals, such as organists or church officers who might currently be involved in religious marriage ceremonies, should be no less protected than ministers and deacons. Church courts and committees and their members who might in certain circumstances be responsible for deciding how buildings should be used should not be left unprotected.

<sup>1</sup> Paragraphs 1.08, 1.06 and 1.05 quoted in this paragraph are found in the Scottish Government Consultation paper "The Marriage and Civil Partnership (Scotland) Bill: A Consultation" dated December 2012 available at: <http://www.scotland.gov.uk/Resource/0041/00410328.pdf>

The Committee has also expressed concern about armed forces chaplains who are government employees and might be asked to solemnise same sex marriages or to register religious civil partnerships furth of Scotland.

**8.4** The Committee is also seeking protection for others who might face dismissal from their employment or other sanctions unless they support same sex marriage. In particular, it has expressed concern that public servants, such as teachers, registrars and hospital chaplains, will not be granted protection.

**8.5** The Committee is pleased to note that deacons will be permitted to solemnise marriages in Scotland on the same basis as ministers.

## **9. Support and Training – Judicial Proceedings Panel**

The Committee is acutely aware that the operation of disciplinary procedures is painstaking and complex work. It is therefore of the utmost importance that those who are called upon to carry out investigations are well prepared for the task. To that end those who have agreed to serve on the Judicial Proceedings Panel have all attended an introductory training event to familiarise themselves with the procedures and demands of this work and they have agreed to continue training together to equip themselves for this task. The Legal Questions Committee will provide on-going training and support as required.

## **10. Support and Training – Presbytery Clerks**

**10.1** At last year's Assembly the Committee flagged up its intention to provide more support and training for Presbytery Clerks. The Committee has even proposed that in the longer term there might be the possibility of developing a qualification for those who do this important work. As a start, however, members of the Committee provided an introductory training event for new Presbytery Clerks and used the Presbytery Clerks' Forum as a way of introducing Clerks to some of the changes in legislation which would impact on all Presbyteries. The Forum discussed other training needs and the Legal

Questions Committee and the Principal Clerk's office will focus on developing the Forum as a place for sharing best practice and developing the skills and understanding needed for this work.

**10.2** In particular the Forum discussed the development of a low level protocol for dealing with complaints that arise in congregational life. Currently, between informal intervention and full-on disciplinary investigation there is no recognisable or consistent process for dealing with complaints or complainants; the Clerks have set up their own group to explore this need and the Legal Questions Committee will do all that it can to support the development of good practice in this area.

## **11. Examination of Records**

In accordance with the arrangements set in place by the General Assembly of 2000 the Legal Questions Committee has examined the relevant records of Assembly Councils and Committees. These have been found, generally, to be in order with suggestions for improvements in consistency of pagination and other minor matters being made to the Convener and Secretary of each Council and Committee.

*In the name of the Committee*

ALAN J HAMILTON, *Convener*  
SHEILA M KIRK, *Vice-Convener*  
JOHN P CHALMERS, *Secretary*

## **APPENDIX A ACT AMENDING ACT VIII 2003 ANENT VACANCY PROCEDURE**

*Edinburgh, [18] May 2013, Sess 1*

The General Assembly hereby enact and ordain that Act VIII 2003 as amended shall be further amended as follows:

*Amend section 14(2) by adding a new section 14(2)(c) and re-numbering the remaining sub-sections of section 14(2) accordingly:*

"For the avoidance of doubt, a member of a vacant charge shall not be eligible for nomination to serve on a Nominating Committee, if he or she is:

- (a) a minister (including a retired minister) of the Church of Scotland,
- (b) a member of the diaconate of the Church of Scotland,
- (c) an employee of the vacant charge, or
- (d) an employee of the Ministries Council who works in the vacant charge."

## APPENDIX B

### OVERTURE REGARDING THE APPEALS ACT

The General Assembly adopt the Overture the tenor whereof follows, and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk not later than 31 December 2013.

The General Assembly, with consent of a majority of Presbyteries, enact and ordain as follows:

#### Part 1: General

##### 1. Definitions & Interpretation

In this Act:

"appeal" includes "dissent and complaint", unless otherwise provided, and "Appellant" includes "complainer";

"Appeals Committee" means the committee established from time to time from the members of the Commission of Assembly in accordance with Part 2 of this Act;

"Clerks of Assembly" means the Principal Clerk and the Depute Clerk;

"Commission" means the Appeals Committee of the Commission of Assembly or the Judicial Commission, as appropriate in the context;

"Commission of Assembly" means the Commission of Assembly which was established in terms of Act VI 1997;

"Court" does not include the General Assembly nor the Commission of Assembly but shall include any other body, including a Presbyterian Commission, against whose decision an appeal is being taken;

"Judicial Commission" means the Judicial Commission which is re-established in terms of this Act;

"Jurisdiction Committee" means a committee of three persons consisting of (i) a Convener or Vice-Convener of the Appeals Committee of the Commission of Assembly, (ii) a Convener or Vice-Convener of the Judicial Commission, and (iii) the Procurator;

"Personal Case" means a case which involves the consideration of allegations against an individual which, if established, could adversely affect that individual's holding of an office in the Church or otherwise lower him or her in the estimation of other members of the Church;

"Parties" means the Appellant and the Respondent (as later defined) and "Party" means either one of them;

"Schedule" means the schedule of 2 parts attached to this Act;

##### 2. Right to appeal from decisions

- (1) As from the date of this Act, and subject to the exclusions and qualifications in sections 2(3) and 2(4) below, a person with a legitimate interest who is aggrieved by a decision of a Court ("the Appellant") may within fourteen days of the decision intimate an appeal against that decision.
- (2) Such an appeal shall be intimated in accordance with the Rules of Procedure set out in Schedule 2 to this Act.
- (3) Such an appeal may be taken only upon one or more of the following legal grounds: (a) an error in Church law; (b) breach of the principles of natural justice or material irregularity of process; (c) decision influenced by incorrect material fact; and (d) the severity of any sanction imposed.
- (4) The right of appeal conferred in section 2(1) does not apply where the Acts and Regulations of the General Assembly specifically provide another appeal procedure.
- (5) The Court against whose decision an appeal is being taken under this Act shall have power, on its own initiative or on the application of an interested person, to regulate matters relating to the decision, including giving interim effect to the decision, pending the determination of the appeal.

### 3. Establishment of the Appeals Committee of the Commission of Assembly and the Judicial Commission

- (1) The Appeals Committee of the Commission of Assembly hereby established and the Judicial Commission is hereby re-established and both are authorised, to act for and on behalf of the General Assembly in the hearing of certain appeals, and adjudicating finally on such appeals, all as specified in this Act.
- (2) For this purpose the General Assembly delegate to the said Commissions all powers necessary to act in such cases as if the General Assembly themselves were acting, including *inter alia* power, where necessary, to require the attendance of witnesses, to examine witnesses on oath or affirmation, and to call for the production of all documents and productions connected with or relevant to the appeal.
- (3) It is declared that this delegation of all powers to act and to adjudicate finally is in accordance with the Articles Declaratory of the Constitution of the Church of Scotland in Matters Spiritual, as interpreted by the Church in this Act.
- (4) Nothing in this Act shall affect the ongoing establishment of the Commission of Assembly in terms of Act VI 1997 and in particular the right of the Commission of Assembly to exercise its powers in terms of section 5(1) of that Act, provided always that in relation to cases and appeals, the whole provisions of this Act, which have the effect of constituting an Appeals Committee of the Commission of Assembly to hear such cases and appeals, shall prevail.

### 4. Jurisdiction of the Appeals Committee of the Commission of Assembly and the Judicial Commission

- (1) As from the date of this Act, sittings of the Appeals Committee of the Commission of Assembly and of the Judicial Commission shall be arranged to hear cases as set out in this section.
- (2) The Appeals Committee of the Commission of Assembly shall hear the following cases:

- (i) all appeals, apart from those delegated to the Judicial Commission in accordance with section 4(3) below or to the Ministries Appeal Panel in accordance with Act VI 2007;
  - (ii) all references in terms of Act VII 2003 (Act Anent Appraisal & Adjustment);
  - (iii) all petitions which seek review of judgements of Presbyteries on the grounds that the Petitioners could not have come by appeal or have been obstructed in so doing by the Presbytery concerned, apart from those delegated to the Judicial Commission in accordance with section 4(3) below or to the Ministries Appeal Panel in accordance with Act VI 2007; and
  - (iv) all other appeals except for those mentioned in sub-sections (i), (ii) and (iii) above.
  - (v) For the avoidance of any doubt, the Appeals Committee of the Commission of Assembly shall not hear any appeal in a Personal Case.
- (3) The Judicial Commission shall hear the following cases:
- (i) Appeals under Act III 2001, being appeals against the decisions of Presbyterial Commissions in cases relating to discipline of Ministers, Licentiates, Graduate Candidates & Deacons, except in matters of doctrine;
  - (ii) Appeals in all cases arising under Act I 1988 (Act Anent Congregations in an Unsatisfactory State);
  - (iii) Appeals in all cases arising under Act IV 2007 (Act Anent Bullying), Act V 2007 (Act Anent Discrimination) and Act I 2010 (Act Anent Discipline of Elders, Readers, Office Bearers); and
  - (iv) Appeals in Personal Cases.
  - (v) For the avoidance of doubt, the Judicial Commission shall not hear appeals to the Ministries Appeal Panel in accordance with Act VI 2007.
- (4) If there is (i) any uncertainty or dispute as to which Commission shall hear a case or appeal, or (ii) any dispute as to whether a case or appeal to be heard

before the Commission of Assembly is one which should be referred to its Appeals Committee or to the full Commission of Assembly, the Principal Clerk shall refer the matter to the Jurisdiction Committee and that Committee shall decide, in alternative (i), by which Commission the case or appeal shall be heard, and in alternative (ii), whether the case or appeal should be referred to the Appeals Committee or to the full Commission of Assembly, its decision in all such matters being final.

- (5) Save for the provisions of this section, nothing in this Act affects the terms of Act VI, 2007 (Act Anent The Ministries Appeal Panel).
- (6) All cases in which an appeal was intimated to and received by the Principal Clerk prior to the date of this Act coming into force shall continue to be dealt with in accordance with the terms of Act VI 1997 (Act Anent the Commission of Assembly) or Act II 1988 (Act Anent the Judicial Commission), as appropriate.
- (7) Decisions of the Appeals Committee of the Commission of Assembly and of the Judicial Commission shall be final and there shall be no appeal from a decision of either the Appeals Committee of the Commission of Assembly or the Judicial Commission.

## **5. Reference to General Assembly**

It is declared that the General Assembly themselves shall not hear or dispose of any appeals save for appeals in matters of doctrine as referred to in section 4(3)(i) nor shall the decisions of the Appeals Committee of the Commission of Assembly or the Judicial Commission be subject to review by the General Assembly; provided that any case or appeal in which, in the opinion of the relevant Commission, an important issue of principle is at stake may be referred by that Commission to the General Assembly.

## **6. Rules of Procedure**

All appeals intimated under this Act shall follow the rules of procedure set out in Schedule 2.

## **Part 2: The Commission of Assembly and the Appeals Committee of the Commission of Assembly**

### **7. Appointment of Commissioners for the Commission of Assembly**

- (1) At their closing session each year, the General Assembly shall appoint Commissioners for the Commission of Assembly comprising the following persons:
  - (i) one tenth of the ministers and elders commissioned by Presbyteries to the General Assembly in that year, such Commissioners to be designated by the appointing Presbyteries in accordance with the rules set out in Schedule 1 to this Act; and
  - (ii) one in ten or part of ten of the members of the Diaconate commissioned by Presbyteries to the General Assembly in that year, such members to be selected at random by the Clerks of Assembly.
- (2) From the Commissioners appointed to the Commission of Assembly there shall be selected the members to serve on the Appeals Committee of the Commission of Assembly, in terms of section 8 below.
- (3) Act VI 1997 shall from the date of this Act be amended so that the Commissioners appointed to the Commission of Assembly shall be appointed in accordance with the provisions of this section 7 and Schedule 1 to this Act.

### **8. Constitution of the Appeals Committee of the Commission of Assembly**

- (1) Throughout the year following each General Assembly, in order that cases or appeals falling within its jurisdiction may be heard, an Appeals Committee of the Commission of Assembly shall be constituted as required. Whenever a sitting of the Appeals Committee of the Commission of Assembly is required, the Clerks of Assembly shall select the following persons from the Commissioners appointed in accordance with section 7, to be members of that Appeals Committee:

- (i) Subject to the provisions of section 23(1), ten ministers, ten elders and one deacon, all selected at random from the Commissioners appointed to the Commission of Assembly; and
    - (ii) A Convener and a Vice-Convener, from those appointed under section 9 below.
  - (2) In addition, the following members *ex officio*s of the General Assembly in that year, shall hold the same offices in the Appeals Committee of the Commission of Assembly as they did in the General Assembly: the Clerks of Assembly, the Procurator and the Law Agent.
- 9. Convener and Vice-Convener of the Appeals Committee of the Commission of Assembly**
- (1) The General Assembly, on the nomination of the Nomination Committee, and in accordance with the Standing Orders of the General Assembly, shall appoint a Convener and a Vice-Convener of the Appeals Committee of the Commission of Assembly and an alternate Convener and Vice-Convener, all of whom shall be qualified to practise as lawyers or shall be persons experienced in the law and practice of the Church.
  - (2) Subject to section 9(3) below, each sitting of the Appeals Committee of the Commission of Assembly shall be moderated by either a Convener or a Vice-Convener so appointed.
  - (3) In the event that (i) neither the Convener nor the Vice-Convener nor their alternates is able to attend a sitting of the Appeals Committee of the Commission of Assembly, or (ii) both the Convener and Vice-Convener disqualify themselves from the hearing of a particular appeal, the Appeals Committee of the Commission of Assembly may choose their own convener from their own number to moderate that sitting (or the hearing of a particular appeal within that sitting, as the case may be), provided always that the same person shall continue to act as convener throughout the hearing of any given appeal.
  - (4) The person who moderates a sitting (or hearing) of the Appeals Committee of the Commission of Assembly shall have a casting vote.

## **10. Quorum**

The quorum of the Appeals Committee of the Commission of Assembly shall be fifteen persons.

## **11. Sittings**

Sittings of the Appeals Committee of the Commission of Assembly shall be arranged as follows:

- (a) Sittings shall take place as required, during the months of June, August, October, December, February and April.
- (b) Sittings shall be called by the Principal Clerk.

## **12. Report to the General Assembly**

The Minutes of all sittings of the Appeals Committee of the Commission of Assembly shall be submitted to the General Assembly in the Volume of Reports, or in the Order of Proceedings, or in the Daily Papers, and laid on the table, without discussion, provided that the General Assembly may consider and deal with any allegation that the Appeals Committee of the Commission of Assembly has acted in excess of the powers conferred by this Act.

## **13. Relation to Legislation**

- (1) The Appeals Committee of the Commission of Assembly shall act in accordance with the Constitution of the Church and the Acts of the General Assembly and nothing in this Act shall be construed as conferring power to contravene or amend existing legislation, or to legislate.
- (2) The Appeals Committee of the Commission of Assembly shall not have power to review any decision of the General Assembly, except for a decision made under Act VII 2003 (Act Anent Appraisal & Adjustment) where the Appeals Committee of the Commission of Assembly is satisfied that the relevant circumstances have significantly changed.
- (3) The Appeals Committee of the Commission of Assembly shall be accountable to the General Assembly, which may quash any decision made by the Appeals Committee of the Commission of Assembly which exceeds the powers conferred by this Act.

### Part 3: The Judicial Commission

#### 14. Appointment of a pool of Persons for Sittings of the Judicial Commission

- (1) There shall be a pool of persons, from which there shall be drawn the members to serve on the Judicial Commission.
- (2) The pool shall comprise forty ministers, elders and deacons nominated by the Nomination Committee and appointed by the General Assembly.
- (3) The persons in the pool to serve on the Judicial Commission shall not remain in the pool for more than four years, and no person who has formerly been in the pool, shall be eligible for reappointment until after the lapse of one year, except upon special cause shown.
- (4) In the event of a person in the pool to serve on the Judicial Commission who is due to retire being then engaged in the hearing of an appeal, he or she shall continue in office, but only until the Judicial Commission has recorded its decision in the appeal in question.
- (5) The Procurator of the Church shall not be eligible for inclusion in the pool for the Judicial Commission but may be requested to attend a sitting of the Judicial Commission if it is so determined at the Appeal Management Hearing referred to in Schedule 2.

#### 15. Constitution of the Judicial Commission

Whenever a sitting of the Judicial Commission is required, the Clerks of Assembly shall select the following persons:

- (i) Subject to the provisions of section 23(1), thirteen persons, seven of whom shall be ministers or deacons and six of whom shall be elders, all selected at random from the pool; and
- (ii) A Convener and Vice-Convener, from those appointed under section 16 below.

#### 16. Conveners & Vice-Conveners of the Judicial Commission

- (1) The General Assembly, on the nomination of the Nomination Committee, and in accordance with the Standing Orders of the General Assembly,

shall appoint two persons to be Conveners and two persons to be Vice-Conveners of the Judicial Commission, all of whom shall be qualified to practise as lawyers or shall be persons experienced in the law and practice of the Church.

- (2) Subject to section 16(3) below, each sitting of the Judicial Commission shall be chaired by either a Convener or a Vice-Convener so appointed.
- (3) In the event that (i) none of the Conveners or Vice-Conveners is able to attend a sitting of the Judicial Commission, or (ii) both the Convener and Vice-Convener disqualify themselves from the hearing of a particular appeal, the Judicial Commission may choose their own convener from their own number to chair that sitting (or the hearing of a particular appeal within that sitting, as the case may be), provided always that the same person shall continue to act as convener throughout the hearing of any given appeal.
- (4) The person who chairs a sitting (or hearing) of the Judicial Commission shall have a casting vote.

#### 17. Quorum

The quorum of the Judicial Commission shall be ten persons.

#### 18. Sittings

Sittings of the Judicial Commission shall be arranged as follows:

- (a) Sittings shall take place as required, during the months of June, August, October, December, February and April.
- (b) Sittings shall be called by the Principal Clerk.

#### 19. Report to the General Assembly

A Minute of proceedings of the Judicial Commission shall be incorporated in a written report to the General Assembly, but shall not be subject to review by the General Assembly.

#### 20. Relation to Legislation

The Judicial Commission shall act in accordance with the Constitution of the Church and the Acts of the General Assembly and nothing in this Act shall be construed

as conferring power to contravene or amend existing legislation, or to legislate.

#### **Part 4: Provisions Applicable to Both Commissions**

##### **21. Clerks**

- (1) The Clerks of Assembly shall act as Clerks to the Commissions, but the duties may be carried out by one of them.
- (2) If neither of them is present at a sitting, the Commission shall appoint a substitute, whether or not a member of that sitting of the Commission, to act as Clerk of the Commission during that sitting, and the oath *de fide* shall be administered to him or her and recorded.

##### **22. Priority of meetings**

- (1) When a sitting of a Commission coincides with an ordinary meeting of a Presbytery or Kirk Session of which any member attending a Commission is a member, such Presbytery or Kirk Session has permission to meet, but the priority for such member is to attend the Commission in question, and the Presbytery or Kirk Session shall not in the absence of such member transact any business which might be prejudicial to his or her interests.
- (2) Decisions of the Commissions shall be complied with as if they were decisions of the General Assembly.

##### **23. Other provisions as to membership of Commissions**

- (1) No member of any Court whose decision is under appeal, nor any person who has taken part in the cause at any stage, nor any person with an interest in the outcome of the cause, shall act as a member of a Commission when an appeal in such a cause is being heard.
- (2) No member of a Commission who has not been present during the whole proceedings in the appeal shall vote or take any part in the decision of the Commission in question or be consulted for the purposes of production of written reasons for the decision.

#### **Part 5: General**

##### **24. Intimation of decisions**

Intimation of all decisions of courts of the Church in relation to which there is a right to appeal shall be made to the parties by sending to them forthwith (1) a copy of the decision (2) an extract minute in respect of the decision and (3) a copy of the section or sections of the relevant legislation in terms of which an appeal may be intimated.

##### **25. Amendments**

Act III 2001 (Act Anent Discipline of Ministers, Licentiates, Graduate Candidates and Deacons) is amended as follows:

*Delete sections 19 (1) to (6) and substitute the following as section 19(1); also consequentially renumber section 19 (7) as section 19 (2):*

"If either the Special Committee of Presbytery or the Respondent is dissatisfied with any decision of the Presbyterial Commission, they may appeal to the Judicial Commission in terms of the Appeals Act 2013. No right of appeal or dissent-and-complaint shall be allowed in respect of any act or decision done or taken in terms of this Act, otherwise than in accordance with the provisions of this Act or the Appeals Act 2013."

##### **26. Repeal and Amendment**

- (1) Act II 1988 is hereby repealed but where an appeal in a case to be heard by the Judicial Commission was intimated to and received by the Principal Clerk before the date of this Act, such proceedings shall continue until final disposal in accordance with the law in force immediately before the date of this Act.
- (2) Act VI 1997 is from the date of this Act to be interpreted so as to apply only to matters brought to it not comprising cases or appeals, all cases and appeals falling within its jurisdiction being from the date of this Act heard by the Appeals Committee of the Commission of Assembly and governed by the terms of this Act. Where an appeal in a case to be heard by the Appeals Committee of the Commission of Assembly was intimated to and received by the

Principal Clerk before the date of this Act, such proceedings shall continue until final disposal in accordance with the law in force immediately before the date of this Act.

## **SCHEDULE 1**

### **Rules for Presbyteries appointing Commissioners to the Commission of Assembly**

1. To ascertain the number of appointees for each Presbytery, the number of ministers and elders commissioned to the General Assembly shall be divided by ten and taken up or down to the nearest whole number, provided that every Presbytery shall appoint at least one minister and one elder.
2. When the formula produces an even number, the Presbytery shall appoint ministers and elders in equal numbers.
3. When the formula produces an odd number:
  - (a) in odd years (*ie* 2013, 2015 *etc*) Presbyteries with odd numbers (*ie* Presbyteries 1, 3, *etc*) shall appoint a number of ministers exceeding the number of elders by one and Presbyteries with even numbers shall appoint a number of elders exceeding the number of ministers by one; and
  - (b) in even years (*ie* 2014, 2016 *etc*) Presbyteries with even numbers shall appoint a number of ministers exceeding the number of elders by one, and Presbyteries with odd numbers shall appoint a number of elders exceeding the number of ministers by one.

## **SCHEDULE 2**

### **Rules of Procedure**

#### **1. Intimation of Appeal**

1.1 The Appellant shall intimate the appeal to both the clerk of the Court against whose decision the appeal is being taken and to the Principal Clerk.

1.2 The Principal Clerk shall forthwith notify (i) the other person or persons involved in the appeal ("the

Respondent") of the fact that an appeal has been intimated and (ii) both the Appellant and the Respondent of the date by which Grounds of Appeal (as specified in Rule 2 below) must be lodged.

#### **2. Lodging of Grounds of Appeal by Appellant**

2.1 Within four weeks of the date upon which the appeal was intimated in terms of Rule 1 above, the Appellant shall lodge Grounds of Appeal with the Principal Clerk, and intimate a copy of those Grounds to (i) the Clerk of the Court or the Secretary of the Presbyterian Commission, as the case may be, against whose decision the appeal is being taken, and (ii) the Respondent in the Appeal.

2.2 The Grounds of Appeal shall consist of brief specific numbered propositions stating the grounds on which it is argued that the appeal should be allowed, and identifying for each ground the relevant subsection of section 2(3) of this Act.

#### **3. Lodging of Grounds of Appeal by Respondent**

3.1 A Respondent who wishes a review of any part of the decision may also, within four weeks of the date upon which the appeal was intimated in terms of Rule 1, lodge with the Principal Clerk Grounds of Appeal against any part of the decision which has been appealed, those Grounds also to comply with the requirements of Rule 2.2 above.

3.2 The Respondent shall forthwith send a copy of any such Grounds of Appeal to the Appellant and intimate a copy of those Grounds to the Clerk of the Court or the Secretary of the Presbyterian Commission, as the case may be, against whose decision the appeal is being taken.

#### **4. Documents from previous proceedings**

4.1 The Clerk of the Court or the Secretary of the Presbyterian Commission, as the case may be, against whose decision is being taken shall transmit to the Principal Clerk all documents relative to the proceedings being appealed against as shall be required for the hearing of the appeal.

## 5. Appeal Management Hearings

**5.1** In any appeal, once the Appellant's Grounds of Appeal have been lodged, and save where the Convener with the agreement of the Parties decides to dispense with an Appeal Management Hearing, the Principal Clerk shall fix a date for an Appeal Management Hearing.

**5.2** The date of the Appeal Management Hearing shall be at least 28 days after the date upon which the Appellant's Grounds of Appeal were lodged. The Principal Clerk shall intimate the date of the Appeal Management Hearing to both Parties, giving at least 14 days' prior written notice of the date.

**5.3** The purpose of the Appeal Management Hearing shall be to determine whether the Parties are ready to proceed to a hearing of the appeal, and to consider other procedural and practical matters in respect of the appeal.

**5.4** The Appeal Management Hearing shall be conducted by the Convener and Vice-Convener of the Commission which is to hear the appeal. The Clerks of Assembly shall act as clerks to the Appeal Management Hearing.

**5.5** An Appeal Management Hearing shall consider the following matters:

- (a) the Parties' state of preparation for the Appeal Hearing;
- (b) setting of a date and duration for the Appeal Hearing;
- (c) productions required, with the presumption that the productions at the Appeal Hearing shall be those which were before the Court against whose decision the appeal is being taken, unless a Party is allowed to lodge additional material on cause shown;
- (d) whether the Parties may agree certain productions and evidence, and whether a Joint Minute agreeing any facts may be lodged;
- (e) whether the timetable for the lodging of the Written Arguments (as defined below) is apt, or requires to be varied in any way, for example to provide that Parties will exchange drafts of their Written Arguments by a certain date;

- (f) whether or not the Appeal Hearing should be held in private;
- (g) whether or not a factual investigation of any points is necessary or appropriate, in which case a committee or reporter may be appointed by the Principal Clerk for this purpose;
- (h) whether there should be evidence led at the Appeal Hearing, the presumption being that this will not occur;
- (i) whether the Procurator should attend the Appeal Hearing;
- (j) whether any Party has any objection to any person in the pool for the Commission sitting when the appeal is being heard, which objection may only be made on cause shown and, if sustained, shall disqualify the person or persons objected to from sitting in that appeal;
- (k) whether either Party wishes to raise any issue of competency or relevancy which might require to be discussed at the outset of the Appeal Hearing; and
- (l) any other matter concerning the Appeal Hearing, the decision of the Convener or Vice-Convener as to what should be considered being final.

**5.6** The Parties or their representatives shall wherever possible attend the Appeal Management Hearing in person, provided that if the Convener or Vice-Convener so agrees, the Appeal Management Hearing may take place by conference call or other appropriate medium.

**5.7** At the Appeal Management Hearing the Convener or Vice-Convener shall have power to make any order or determination which is just and reasonable and/or which he or she thinks appropriate to secure the expeditious disposal of the appeal, which order or determination shall be final.

## 6. Date of Appeal Hearing

**6.1** If the date of the Appeal Hearing has not been fixed at an Appeal Management Hearing, the Principal Clerk shall give to the Parties at least 42 days' notice (or such shorter period as may be agreed by the Parties) of the date fixed for the Appeal Hearing.

**6.2** The Principal Clerk shall also give notice of the date fixed for the Appeal Hearing to the members of the Commission for that Appeal Hearing, along with copies of all appropriate papers.

## **7. Written Arguments prior to Appeal Hearing**

**7.1** At least 14 days prior to the date of the Appeal Hearing, both the Appellant and the Respondent(s) shall lodge with the Principal Clerk and intimate to the other Party a document comprising their written argument for the purposes of the appeal ("Written Argument").

**7.2** The Written Argument submitted by the Appellant is to be an expansion of the Grounds of Appeal already submitted and is to set out for each ground of appeal, a succinct and articulate statement of the facts founded upon and the propositions of law being advanced.

**7.3** The Written Argument submitted by the Respondent shall set out the basis upon which the Respondent is challenging the appeal. It shall set out, in respect of the challenge to each ground of appeal, a succinct and articulate statement of the facts founded upon and the propositions of law being advanced.

**7.4** Each Written Argument shall also (i) specify what disposal of the matter is sought by that Party, and (ii) be signed by or on behalf of the Party submitting it.

**7.5** Each Written Argument when lodged shall be accompanied by (i) all documents referred to or founded upon in the Written Argument, (ii) subject always to any order or determination made at the Appeal Management Hearing in terms of Rule 5.5 c) above, all productions, or copies thereof, referred to or founded upon in the Written Argument, and (iii) all legal authorities, or copies thereof, listed in the Written Argument.

**7.6** Each Party shall, when lodging its Written Argument and accompanying papers, send copies to the other Party.

**7.7** No new grounds of appeal may be raised either in Written Argument or at the Appeal Hearing itself, save

that on application to the Convener or Vice-Convener at the Appeal Hearing itself, the Convener or Vice-Convener shall have sole discretion to allow consideration of any additional grounds of appeal on cause shown.

## **8. Appeal Hearings**

**8.1** At the Appeal Hearing the following shall apply:

- (a) Each Written Argument and supporting documents shall constitute the principal submissions of each Party;
- (b) unless it otherwise directs, the Commission will expect each Party to rely upon its Written Argument without reading it over to the Commission;
- (c) each Party may, subject to control of the Convener, Vice-Convener or acting Convener of the Commission, make comment supplementary to the Written Argument;
- (d) each Party may respond to any Written Argument lodged by the other Party; and
- (e) each Party shall answer any points raised by any member of the Commission.

**8.2** The rules of civil evidence in Scots law shall apply and the standard of proof in any examination of evidence shall be the balance of probabilities. Any witnesses who are called shall be required by the Convener, Vice-Convener or acting Convener to take the oath or affirm before giving evidence.

## **9. Timing at Appeal Hearings**

**9.1** The Appellant and the Respondent have a duty to co-operate with each other and with the Commission to ensure the completion of the Appeal Hearing within the time allocated by the Commission.

**9.2** The Commission may, at any point during the Appeal Hearing, set a timetable for completion by a Party of any submissions permitted in terms of Rule 8.1 above.

## **10. New information at Appeal Hearings**

**10.1** On cause shown, the Commission may permit either Party to introduce at the Appeal Hearing new information that has come to light in the period since their Written Argument was lodged.

**10.2** Where the Commission permits the introduction of new information, it may at its discretion permit the lodging of new documents in support of the new information.

**10.3** A Party who wishes to introduce new information and lodge additional documents shall send a copy of the information and documents to the Principal Clerk and to the other Party as soon as the documents and information come into that Party's possession.

**10.4** A Party who has sent new information and documents to the Principal Clerk shall apply at the Appeal Hearing to allow it to be introduced or lodged, as the case may be.

## **11. Miscellaneous provisions as to running of Appeal Hearings**

**11.1** An Appeal Hearing shall proceed from day to day until concluded, provided always that it shall be in the power of the Commission, if in its opinion the justice of the case demands it, or for any other reason which may appear to be sufficient, to adjourn the Appeal Hearing either on its own motion, or at the request of either Party on cause shown, and subject to such conditions as it may think proper to impose.

**11.2** The Commission may decide at any stage of the Appeal Hearing that all or part of the proceedings shall be taken in private, provided that if a decision on this matter was taken at the Appeal Management Hearing, a different decision shall be reached at the Appeal Hearing only on cause shown.

**11.3** In appeals where it was deemed necessary at the Appeal Management Hearing to hear evidence, witnesses shall be cited in ordinary form by the Clerk of the Commission to appear at the Appeal Hearing. Such witnesses shall be examined on oath or affirmation, as the Commission shall direct, by the Party calling them. Thereafter the witness may be cross-examined by the other Party and the Party calling the witness may thereafter re-examine the witness on any new matter brought out in cross-examination. On the conclusion of the Parties' examination of a witness, any member of the

Commission may put questions to the witness on his or her own behalf, or on the suggestion of either Party.

## **12. Recording of Appeal Hearings**

**12.1** All Appeal Hearings (including for the avoidance of any doubt, the evidence of any witnesses called to appear) shall be audio recorded and the recordings retained by the Clerks of Assembly for at least ten years.

## **13. Decision of the Commission**

**13.1** Upon completion of all submissions by both Appellant and Respondent, and once all supplementary comment has been made, responses given, answers stated, and evidence led (if any), the Commission shall retire to consider its decision.

**13.2** Upon conclusion of the Commission's deliberations, the decision of the Commission shall be committed to writing, read over to the Commission, and signed by the Convener, Vice-Convener or acting convener. The Convener, Vice-Convener or acting Convener shall then read over the decision of the Commission in the presence of both Parties. Also in the presence of the Parties, the Convener, Vice-Convener or acting convener shall give a brief oral summary of the main reasons for that decision and shall confirm whether the decision was taken unanimously or by majority vote.

**13.3** Any decision of the Commission may include instructions issued to a Court or to the Parties.

**13.4** Within fourteen days after the end of an Appeal Hearing, the Convener, Vice-Convener or acting convener of the Commission, in consultation through the Principal Clerk with all Commissioners present throughout the Appeal Hearing, shall produce written reasons for the decision of the Commission. The Principal Clerk shall within twenty one days of the end of the Appeal Hearing send a copy of the written reasons to the Parties.

**13.5** The written reasons for the decision of the Commission shall be held by the Principal Clerk who upon request shall make them available for public inspection.

**14. No further appeal**

**14.1** The decision of the Commission and any instructions issued by the Commission shall be final and binding on the Parties and no further appeal shall be available.

**15. Dispensing etc powers of the Commission**

**15.1** On application to it during an Appeal Hearing, the Commission may relieve a Party from the consequences of failure to comply with the provisions of this Act shown to be due to mistake, oversight or some other excusable cause and that on such conditions as the Commission thinks fit.

**15.2** On application to it during an Appeal Hearing, the Commission may also allow a Party to amend its grounds of appeal or Written Argument where the need for amendment is shown to be due to mistake, oversight or some other excusable cause and that on such conditions as the Commission thinks fit.

**15.3** At any time during the appeal process, the Commission may determine, either on its own motion or following motion of a Party, that it would be in the interests of the justice for the appeal proceedings to be sisted, whether to allow for mediation or otherwise.

**16. Expenses**

**16.1** Subject to the provisions of Act III 2001 (Act Anent Discipline of Ministers, Licentiates, Graduate Candidates and Deacons) as to expenses, the Parties at their own cost may employ Counsel or Solicitors to act on their behalf, or may conduct their case themselves or delegate one of their number to do so.

**16.2** A Presbytery whose decision is appealed against shall be entitled, if it so desires, to have the assistance of an Assessor or Assessors appointed by the Legal Questions Committee.

**16.3** The expenses of the Commission members and of the proceedings of the Commission shall be defrayed out of the General Purposes Fund of the Church unless and until the General Assembly shall determine otherwise.

**17. Intimations/sending of information**

**17.1** Where any document or other information requires to be intimated or sent to any person, that intimation or sending may take place by email.

**APPENDIX C****ACT AMENDING ACT V 2004 ANENT  
INTIMATION OF APPEALS**

*Edinburgh, [18] May 2013, Sess. 1*

The General Assembly hereby enact and ordain that Act V, 2004 as amended shall be further amended as follows:

1. *Amend section 1 (i) by deleting the words “(a) failure to apply the law of the Church correctly;” and substituting the words “(a) an error in Church law; and (ii) by deleting the words “(b) irregularities of process, including breaches of the principles natural justice;” and substituting the words “breach of the principles of natural justice or material irregularity of process;”.*
2. *Delete the existing section 6 and substitute the following:*

**“Interpretation**

In this Act “court” means a Kirk Session only.”

**APPENDIX D****REGULATIONS CONCERNING THE NOMINATION OF  
THE MODERATOR OF THE GENERAL ASSEMBLY**

*Edinburgh, [18] May 2013, Sess. 1*

**Definitions**

1. In these Regulations, the following definitions apply:
  - (1) ‘the Committee’ shall mean the nominating Committee referred to in Regulation 2;
  - (2) ‘commissioner’ shall mean a minister, deacon or elder appointed in terms of sections 2-4 of Act III 2000 whose name appears on the Roll of Commissioners for the relevant General Assembly;
  - (3) ‘minister’ includes both a minister within the meaning of section 1(1) of Act III 2000 and an Ordained Local Minister within the meaning of section 2 of Act IX 2011;

- (4) 'deacon' shall mean a person holding the office of deacon within the meaning of section 1 of Act VIII 2010;
- (5) 'elder' shall mean a person ordained to that office (whether or not he or she is a member of a Kirk Session) who is neither a minister nor a deacon; and
- (6) 'the Moderator-Designate' shall mean the person nominated by the Committee to be Moderator of the next General Assembly.

#### **Election of a Committee to nominate the Moderator**

2. The Moderator of the General Assembly shall be nominated by a Committee of up to fifteen persons, comprising up to eight ministers and deacons and up to seven elders. All members of the Committee shall be elected by the immediately preceding General Assembly from among its commissioners.
3. The Committee shall be convened by the immediate past-Moderator of the General Assembly whom failing by another former Moderator of the General Assembly who was a commissioner and was present at the immediately preceding General Assembly. Where the Committee is convened by another former Moderator, the same former Moderator shall not convene the Committee in consecutive years. The Convener of the Committee shall not be a member of the Committee. The clerk to the Committee, who shall not be a member of the Committee, shall be the Principal or Depute Clerk whom failing another suitable person selected by the Committee from outwith its membership.
4. The Assembly Arrangements Committee shall be responsible for organising the elections to the Committee, with the Business Committee being responsible for overseeing the detailed election arrangements during the General Assembly week. The Assembly Arrangements Committee shall produce such guidance as to the election procedure as it considers appropriate which shall be communicated to commissioners prior to the General Assembly. The initial election procedure ("the Procedure") shall be as specified in the Schedule hereto, with the Assembly Arrangements Committee having power to alter or modify the Procedure from time to time as it may deem necessary.
5. There shall be two constituencies of candidates for the Committee as follows:
  - (1) ministers and deacons of whom there shall be up to eight on the Committee; and
  - (2) elders of whom there shall be up to seven on the Committee.
6. Where there are more than eight candidates in the ministers and deacons' constituency or more than seven candidates in the elders' constituency an election shall be held. Each commissioner listed on the Roll of Commissioners shall be entitled to vote for up to eight of the candidates in the constituency of ministers and deacons and up to seven of the candidates in the constituency of elders.
7. Once voting has closed:
  - (1) The eight candidates in the ministers and deacons' constituency and the seven candidates in the elders' constituency, in each case with the most votes, shall be declared to have been elected.
  - (2) In the event of a tie, lots shall be drawn.
8. No-one may be a member of the Committee more than once in any three year period.
9. In the event of the death, resignation or supervening incapacity of persons on the Committee such that the number of ministers and deacons on the Committee drops below six or the number of elders drops below five, steps shall be taken to bring the number of ministers and deacons back up to six or the number of elders back up to five, as the case may be, as follows:
  - (1) where there has been a contested election, the candidate or candidates with the next highest

- number of votes in the relevant constituency shall be co-opted as replacements;
- (2) where there has not been a contested election, or where the number of unsuccessful candidates is insufficient, the Committee shall co-opt such ministers, deacons or elders as are required. No-one may be co-opted unless he or she was a commissioner at the preceding General Assembly.

#### **Process at the Committee to nominate the Moderator**

10. The Committee shall receive recommendations from any member of the Church of Scotland, including members of the Committee. The Committee shall take reasonable steps to publicise its willingness to receive recommendations, which recommendations may be submitted to any member of the Committee or to the Department of the General Assembly.
11. The Committee itself shall decide how best to proceed in its task in a fair and efficient manner having due regard to confidentiality at all stages. The quorum for meetings of the Committee shall be 9 persons.
12. In considering persons recommended to it, the Committee shall:
  - (1) consider the circumstances of the Church;
  - (2) having sought the advice of the immediate three past Moderators, consider the gifts, experience and other qualities which each person might bring to the post of Moderator and so benefit the Church and the kingdom of God;
  - (3) prepare a short-list from among the recommendations which it has received;
  - (4) obtain the consent of each person on the short list to be nominated as Moderator, if chosen, together with a full curriculum vitae and such other information as it considers to be helpful;
  - (5) meet with all persons on the short list; and
  - (6) select its nominee from among those on the short-list or, if this is not possible, prepare another short-list from which to select its nominee.
13. Unless there are exceptional circumstances, the Committee shall inform the Principal Clerk of the name of the Moderator-Designate no later than 31 October of the year in which it was elected. Thereafter, the name of the Moderator-Designate shall be made public by the Principal Clerk.
14. In the event of the death, resignation or supervening incapacity of the Moderator-Designate, the Convener of the Committee shall call an extraordinary meeting of the Committee for the purpose of nominating another person to be Moderator. The Committee shall follow regulations 11 and 12 insofar as they are able to do so in the circumstances and shall nominate another person to be Moderator from among those recommended in terms of regulation 10.
15. In the event of any difficulty inhibiting process in terms of these regulations, the Committee shall have a general discretionary power to take any other steps appropriate in the circumstances to fulfil the intention of these regulations.
16. Regulations I 1999 are hereby repealed.

### **SCHEDULE TO THE REGULATIONS CONCERNING THE NOMINATION OF THE MODERATOR OF THE GENERAL ASSEMBLY PROCEDURE FOR ELECTIONS TO THE COMMITTEE**

#### **Proposal of Candidates**

1. During each General Assembly, commissioners may propose a candidate or candidates to serve on the Committee. The Assembly Papers shall include a Proposal Form for proposing the names of candidates to serve on the Committee. Proposals shall proceed as follows:
  - (1) Only those whose names appear on the Roll of Commissioners may propose candidates;
  - (2) No commissioner may propose more than one candidate for each of the two constituencies;
  - (3) Those who propose candidates shall have established that their proposed candidate is both willing and able to serve on the Committee;

- (4) Each Proposal Form must be signed by two commissioners, as a proposer and seconder, and by their candidate(s);
- (5) In signing the Proposal Form the candidate shall sign statements to confirm that (a) they are willing and able to serve on the Committee and (b) they have not served on the Committee in either of the previous two years;
- (6) Proposals shall be closed at 12 noon on the Monday of the General Assembly week, whereupon the Clerks will make arrangements for the list of candidates, together with their commissioner number and the names of their proposers and seconds, to be printed and published in the Assembly Papers; and
- (7) With the Proposal Form all candidates shall submit a short candidate's statement of no more than 50 words, which shall be printed and published along with the list of candidates.

#### **Ballot Paper(s)**

2. Where voting is required, it shall take place by written ballot. The Ballot Paper(s) shall be prepared as follows:
  - (1) The Clerks shall publish the names of candidates in the form of Ballot Paper(s), one for each constituency where an election is required. On the Ballot Paper(s) the name of each candidate shall be stated together with their commissioner number. The names of the candidates shall be listed in order of Presbytery number as per the Roll of Commissioners.
  - (2) Each Ballot Paper shall be numbered with a unique identifying number, being the commissioner number of the commissioner receiving the Paper.
  - (3) Save where specific alternative arrangements are made, the Ballot Paper(s) shall be collected by the commissioners in person on the Tuesday morning of the General Assembly week upon production by each commissioner of their Assembly pass.
  - (4) If a Ballot Paper is spoiled, a commissioner may receive a fresh one upon applying to the

Assembly Office at least one hour prior to close of voting and producing for inspection both the spoiled paper and their Assembly pass.

- (5) Ballot Paper(s) shall be submitted to the Assembly Office by 5pm on the Wednesday of the General Assembly week, at which time voting shall close.

#### **Election results**

3. Once voting has closed:
  - (1) The Panel of Tellers shall count the votes recorded on all timeously submitted Ballot Paper(s).
  - (2) The results of the election, including the votes cast for each candidate and confirmation of the names of the fifteen commissioners elected to the Committee, shall be published in the Assembly Papers.

### **APPENDIX E REGULATIONS CONCERNING THE OFFICE OF THE MODERATOR OF THE GENERAL ASSEMBLY**

*Edinburgh, [18] May 2013, Sess. 1*

1. The Moderator of the General Assembly shall:
  - (1) preside over the General Assembly and perform those duties as stated in the Standing Orders;
  - (2) visit presbyteries according to the Scheme of Visitation approved by the General Assembly and shall normally undertake visitation overseas, in each case having regard to the needs and resources of the Church and its presbyteries;
  - (3) perform such duties as may be directed by the General Assembly, and represent the Church of Scotland on historic and national occasions, as they may arise;
  - (4) where appropriate, act as a spokesperson for the Church. Where a particular matter lies within the remit or area of responsibility of a particular Council or Committee of the General Assembly, that Council or Committee shall determine whether the Moderator is the best person to speak on its behalf on that matter. Only if the

- Council or Committee decides otherwise, or if the Moderator is unavailable, will it nominate a different spokesperson;
- (5) on such occasions as the Moderator is asked to express an opinion on any matter of national or public importance or one which lies within the remit or area of responsibility of a particular Council or Committee, he or she shall be mindful of the views of the General Assembly and of its Councils and Committees and so far as possible consult with the Conveners of such Councils and Committees. Notwithstanding such consultation the Moderator shall accept instructions as to the content of any statement only from the General Assembly;
  - (6) support the work of the Councils, Committees and other groups within the Church as requested and having regard to his or her other commitments. All Councils and Committees shall consider whether the support of the Moderator would assist them in their work and in their dealings with outside bodies. The Moderator shall be briefed by all Councils and Committees about their work at the start of and during his or her moderatorial year as appropriate. Where possible, all Councils, Committees and other groups within the Church who wish to involve the Moderator in their work during his or her moderatorial year should make a formal request to the Principal Clerk before 15 November of the preceding year;
  - (7) undertake such other duties as he or she may choose during his or her term of office having regard to the needs and resources of the Church. The Moderator may consult with the Councils and Committees of the Church to identify a particular aspect of the life and witness of the Church in which his or her involvement would be particularly helpful taking account of his or her skills, interests and experience;
  - (8) unless exceptional circumstances arise, adhere to the budget approved by the General Assembly for the expenses and other costs of his or her moderatorial year. Those Councils, Committees or other groups who wish to involve the Moderator in their work will bear his or her expenses unless there are exceptional circumstances;
  - (9) attend meetings of the Council of Assembly during the year immediately after his or her moderatorial year. Councils and Committees shall consider whether the immediate past-Moderator can assist them in their work and involve him or her where appropriate;
  - (10) convene the Committee to Nominate the Moderator in the year following his or her moderatorial year;
  - (11) save in exceptional circumstances, reside in the Moderator's official residence ("the Official Residence") during his or her moderatorial year. The Moderator-Designate shall take up occupation of the Official Residence on the first Saturday in May preceding the commencement of his or her moderatorial year ("the Entry Date"), and as Moderator shall vacate the Official Residence on the date occurring two weeks prior to the Entry Date for the Moderator-Designate in the succeeding year, at which time alternative accommodation for the remainder of the current Moderator's moderatorial year shall be agreed. During periods of the Moderator's absence, maintenance work may be carried out in the Official Residence; and
  - (12) normally be expected to work from an office provided for the Moderator's use within the Department of the General Assembly.
2. The provisions contained in these Regulations generally apply during the moderatorial year of the Moderator in question, except where expressly stated otherwise.
  3. Regulations V(2) 1962 are hereby repealed.



# SAFEGUARDING COMMITTEE

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the report.
2. Commend to the whole Church the update report on *Managing the Safe Inclusion of Those Who Pose a Risk*. (See Appendix 1).
3. Endorse the extension of Covenants of Responsibilities to include those who pose a risk to adults. (Section 5 and Appendix 1).
4. Support the development of a proportionate approach to the long-term management of Covenants of Responsibilities. (Section 5 and Appendix 1).
5. Remind Presbyteries of their duty of care to Safeguarding Panel members. (Section 5 and Appendix 1).
6. Instruct the Safeguarding Committee to consult with Presbyteries about their future support for Safeguarding Panels and report to General Assembly in 2014. (Section 5 and Appendix 1).

### REPORT

*'Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me.'* St Matthew 25:40

#### 1. Introduction

**1.1** The Safeguarding Committee is pleased to present this report about safeguarding activity in congregations, Councils and CrossReach services. Safeguarding is an essential and permanent part of the Church. The Church's safeguarding mission statement is to *'Ensure a Safe Church for All'*. This means preventing harm and abuse of children, or adults at risk, and ensuring that if harm does occur, the Church takes a timely and appropriate response.

**1.2** In the Gospel of St Matthew chapter 25, the sheep and the goats are known by their action or inaction towards the vulnerable. They are also called to be God's people for the long term. Christianity is not for the weak of heart, but for those who are filled with God's call to care for the vulnerable in our midst at all times. Vigilance and stamina are required in the Church. The ongoing maintenance and development of Safeguarding is

therefore a long-term commitment which the Church has entered into to fulfil both its civil and spiritual obligations.

**1.3** The Church's key safeguarding message always bears repeating:

*'If harm or abuse is suspected or witnessed, or it is reported to you, you must immediately report it to your Safeguarding Coordinator or line manager.'*

**1.4** Similarly, if there is a member of your congregation who you suspect, or know, has committed sexual offences against children or adults, you **must** seek advice from the Safeguarding Service. This will enable the Church community to be protected and the offender to be safely included in worship.

**1.5** The Church is dependent upon approximately 2,000 skilled volunteers to deliver safeguarding in congregations. The Church is grateful to all the Safeguarding Coordinators, Trainers and Presbytery Contacts and for the support which the Presbyteries provide.

1.6 Safeguarding is firstly about prevention and secondly, responding, and this Safeguarding Committee Report is structured around these themes of prevention and responding to situations where harm or abuse is reported. The Church seeks to minimise the likelihood of harm occurring. This preventative work includes a range of Safeguarding Training programmes, structures for safe recruitment of paid staff and volunteers through the Protecting Vulnerable Groups Scheme (PVG Scheme), adhering to published safeguarding policies and procedures and working with individuals that are known to pose a risk to vulnerable groups in the Church. Further details about this preventative work with sex offenders, safe recruitment and training can be found later in this report.

1.7 Responding is about providing immediate safeguarding advice and guidance when harm is suspected, witnessed or reported. The majority of such advice concerns current cases of harm or abuse.

## **2. Prevention**

2.1 The Safeguarding Committee is responsible for ensuring that the Church has robust systems in place to safeguard children and adults at risk. More information about those structures and what is meant by harm and abuse can be found in Safeguarding Handbook 1, June 2011 ([http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0013/7105/safeguarding\\_handbook\\_1.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0013/7105/safeguarding_handbook_1.pdf)).

2.2 Over the past 18 months safeguarding policies, procedures and guidance have all been updated. There are now four complementary Safeguarding Handbooks published between June 2011 and March 2013. A fifth handbook about 'managing those who pose a risk' is in preparation. These Safeguarding Handbooks cover policy, procedures and identifying harm and abuse; safe recruitment; best practice in safeguarding; details about the large range of Church safeguarding training programmes; and supporting congregations with those who pose a risk. All are available to download from the Safeguarding Service website [http://www.churchofscotland.org.uk/about\\_us/safeguarding\\_service](http://www.churchofscotland.org.uk/about_us/safeguarding_service).

Paper copies have been distributed to 1,800 key Safeguarding volunteers in the Church.

2.3 The Safeguarding Committee is confident that there is a robust policy and procedural basis to safeguarding in the Church. Safeguarding is dependent on the vigilance and participation of the people on the ground who deliver the service. The Safeguarding Committee is extremely grateful for their commitment. Details about how we support these volunteers can be found later in this report and in the Safeguarding Handbooks referred to above.

## **3. Safe Recruitment**

3.1 This is a key preventative measure in our safeguarding system. It is about ensuring that the Church only continues to employ, or recruit, paid staff and volunteers who do not pose a risk to members of the Church and service users. As reported in 2011 and 2012, the Church has embarked upon implementing the government's policy of ensuring that all paid staff and volunteers join the PVG Scheme over the next 3 years.

3.2 From November 2012 to October 2013 Safeguarding Coordinators are concentrating on making sure that all paid staff and volunteers working with children, and protected adults (*eg* as formal pastoral care visitors) who have never had a Disclosure Scotland check, join the PVG Scheme. From November 2013 all those volunteers who work with children, who have been Disclosure Scotland checked under the old system, will then begin to join the PVG Scheme.

3.3 The Safeguarding Committee recognises that this is a major task for Safeguarding Coordinators and appreciates the vital role that they are undertaking to ensure a safe church for all.

3.4 In recognition of the large volume of applications to join the PVG Scheme, the capacity of the Safeguarding Service has been increased by 1.5 administrative staff for 18 months. The Church of Scotland has more volunteers that need to join the PVG Scheme than any other organisation in Scotland.

#### 4. Safeguarding Training: raising and maintaining awareness and vigilance.

4.1 The Church continues to provide three main safeguarding courses for volunteers in congregations:

- 4.2 (1) The Introductory Course for volunteers and paid staff doing Regulated Work with Children and/or Protected Adults which is a 3 hour course that is currently not mandatory, but strongly encouraged.
- (2) Safeguarding Coordinator training – a whole day or two evening course mandatory for all Safeguarding Coordinators but available to Safeguarding Panel members and Ministers requiring more information about managing safeguarding within their churches.
- (3) Kirk Session training – a 2.5 hour course for Kirk Sessions, including ministers, to support them in their trustee roles, recruiting, managing and supporting the volunteers and staff they employ to do Regulated Work. Whilst not specifically designated 'mandatory', Presbyteries have been instructed to ensure Kirk Sessions make best use of this course.

4.3 The responsibility for providing and resourcing safeguarding training has been gradually moved from that of the Safeguarding Service, supported by Presbyteries, to that of Presbyteries, supported by the Safeguarding Service. We have stopped providing large quantities of printed materials for every course participant, and now supply trainers with reusable course materials. This is a more economical and environmentally responsible approach in line with best practice in other Councils and Departments.

4.4 In 2012 the Safeguarding Service embarked on a new on-going programme of safeguarding road shows which are taken out to Presbyteries. These are training and safeguarding-updating opportunities for Safeguarding Trainers, Presbytery Safeguarding Contacts and some Safeguarding Coordinators.

#### 5. Supporting congregations with the safe inclusion of those who pose a risk

5.1 The Church has a policy and procedure for managing those who pose a risk. The report, *For of Such is the Kingdom of Heaven*, was approved by the Church's General Assembly in 2009. The Safeguarding Committee Sub Group report in appendix 1 outlines how this policy and procedure is being implemented and developed. Supporting congregations with the safe inclusion of sex offenders is recognised by the police and local authority criminal justice services as being a significant contribution to wider public safety too.

5.2 The necessity and value of facilitating safe inclusion in worship for sex offenders who wish to attend church continues to be evident in the work that we are doing. Given recent media coverage of high profile individuals engaged in child abuse there is a greater need than ever for the Church to have a measured, professional and caring approach in this area of work.

5.3 Each case that is referred to the Safeguarding Service is very different and the bespoke approach that is adopted allows for a proportionality of approach in the confidential process that is undertaken in keeping everyone safe. A significant number of referrals come from criminal justice professionals, with whom we work closely, to introduce safely, or in some cases re-introduce, an offender to worship. In some cases the offender is a vulnerable person in their own right and the Church can make a valuable contribution towards keeping people safe not only within the Church, but the community as a whole.

5.4 Inevitably some offenders decide that they no longer wish to attend church under the formality and structure of a Covenant of Responsibilities. Where this is the case individuals are reassured they can review their decision again at any future time.

5.5 Experience suggests that there are congregations with knowledge of an offender but no contact has been made with the Safeguarding Service. It is essential where

information or concern exists about an offender that a referral is made to the Safeguarding Service. This will allow support and guidance to be offered to the Safeguarding Panel and will offer protection to vulnerable individuals in the congregation.

**5.6** In 2012 a number of offenders with a Church connection have been referred to the Safeguarding Service and successfully managed by congregations. This has involved professional tripartite relationships being formed with criminal justice professionals managing the offender in the community, the Safeguarding Service and Safeguarding Panels. In keeping with the risk levels in these cases additional pastoral support is in place for Safeguarding Panel members.

**5.7** With the developing availability of video conferencing this technology has been successfully introduced and it is envisaged it will be used more frequently in the future as the service that is provided across the Church develops. Extremely positive relations exist with criminal justice professionals at all levels across Scotland where mutual learning and training have been undertaken. This in turn benefits all those across the Church charged with keeping people safe.

## **6. Safeguarding Enquiries**

**6.1** Safeguarding enquires are about prevention: situations where harm is **not** reported but guidance is required to keep vulnerable groups safe from abuse. In 2012, safeguarding advice was provided for 985 telephone and email enquiries with the majority of these being about the PVG Scheme and safe recruitment. Managing and processing PVG Scheme Certificates and/or self-declaration forms containing conviction and non-conviction information is more complex in comparison to the previous Disclosure Scotland system.

## **7. The Safeguarding Advisory Group**

**7.1** This group meets monthly and complements measures in place to ensure safe recruitment. The

Safeguarding Advisory Group is a blend of experienced volunteers and professionals who risk assess applicants for paid and voluntary posts where there is information that might have a bearing on their suitability to take up, or remain in post. The Safeguarding Advisory Group is managing an increasing volume of work with the transfer of staff to the PVG Scheme.

## **8. Responding**

### **8.1 Safeguarding referrals**

**8.2** Responding to referrals, when harm or abuse is witnessed, suspected or reported to the Safeguarding Service, is at the sharp end of our safeguarding system. Three members of the Safeguarding Service provide this service for congregations, CrossReach, The Boys' Brigade, The Girls' Brigade and all Councils and Departments within the Church. Verbal and written advice and guidance is provided in each case. No one agency has a monopoly of safeguarding expertise. The Safeguarding Service works closely with the police and social work services. Similarly, the Safeguarding Service works with The Boys' Brigade UK when harm or abuse in The Boys' Brigade is suspected, witnessed or reported. Discussions are currently under way to put a service agreement in place to clarify roles and responsibilities for safeguarding between Boys' Brigade companies, Boys' Brigade UK and The Church of Scotland. The Safeguarding Committee will report on progress with this task in 2014. Similarly, there are service agreements in place with CrossReach and Ministries Council.

**8.3** The Church's response to suspected, witnessed or reported harm can only happen if there is effective recognition of harm and then good reporting. Sometimes that recognition, or reporting, of harm, does not happen for many years or even decades after abuse has occurred. This is called historical abuse – where an adult reports that they were abused as a child. The Safeguarding Committee reports on the introduction of the Church's historical abuse policy and procedure in a supplementary report that is in Part 2 General Assembly Reports and Supplementary Reports.

## 9. Conclusion

**9.1** The Safeguarding Committee is responsible for ensuring that the Church has an effective service in place to protect vulnerable groups in the Church. The Safeguarding Service continues to work with other agencies including the Police Scotland, local authority criminal justice social work services, other Christian churches and voluntary organisations such as Stop It Now.

**9.2** With regard to safeguarding strategy and development, the Safeguarding Committee's priorities are to:

- Continue to strengthen the structures for preventing abuse.
- Maintain the capacity of the Safeguarding Service to respond when harm or abuse is reported.
- Implementing the historical abuse policy and procedure (see the Supplementary Report).
- Ensure the transfer of all paid staff and volunteers working with vulnerable groups to the PVG Scheme.
- Further enhance work with those who pose a risk.
- Establishing service agreements with organisations and Councils which receive a safeguarding service.

**9.3** The Safeguarding Committee appreciates the support from General Assembly in this high risk area of activity for the Church. The Safeguarding Committee gratefully acknowledges the ongoing financial and moral support for the work of the Safeguarding Committee and the Safeguarding Service. Harm and abuse can be minimised but not eliminated. Consequently safeguarding remains an essential and permanent part of the Church. The Safeguarding Committee once again acknowledges the skilful and dedicated work of the volunteers that deliver safeguarding at grass roots in our congregations and Social Care services. The Safeguarding Committee and the Safeguarding Service remain committed to supporting the Church with this vital work.

*In the name of the Committee*

RANALD MAIR, *Convener*  
KAREN K CAMPBELL, *Vice Convener*  
RICHARD CROSSE, *Head of Safeguarding*

## APPENDIX 1

Safeguarding Committee Update Report: *'Managing the Safe Inclusion of Those Who Pose a Risk'*.

### Background

In 2009 the Joint Report, *"For of such is the Kingdom of Heaven"*, advocated that the Church should be, and is, a safe place for everyone. The report was primarily an explanation of the principles of the primacy of the survivor of sexual abuse as well as those who are vulnerable to current or the potential of future abuse. A significant part of this report was reserved for the important theological concept of forgiveness and the practical way in which The Church of Scotland incorporates sex offenders into congregations.

The General Assembly affirmed this significant step in expressing the safeguarding responsibility which all members of the Church are challenged to engage with as part of their discipleship journey. Everyone has the right to live safely, but also to ensure that everyone else is safe as well. Safeguarding the most vulnerable in our Church must continue to be of primary importance as we uphold the Gospel imperative of taking care of the most vulnerable people in our midst.

Throughout the 121st Psalm there is the theological concept of The Lord being the keeper. This Hebrew word *shomer* (שומר) is a biblical word for safeguarding and as such, this protection is part of God's blessing on us. We also are called to bless people in the same way and ensure that God's blessing is with all people.

The Safeguarding Committee Sub Group was set up to review the progress of the policy adopted in 2009 and to suggest any required developments to practice that may be necessary. It concentrated on the issue of proportionality; primarily from a theological stance, but also in the practical way in which the Church engages with protecting vulnerable people and works alongside the statutory authorities in managing sexual offenders in the community.

### New Developments

In conjunction with further developments in society over the last 4 years the Church has gained experience in managing sexual offenders. The principles with which we have worked with for many years have been tested and refined. The contribution the Safeguarding Service makes towards protecting the public in our communities, can include contributing to formal Multi Agency Public Protection Arrangements (MAPPA). The Safeguarding Service may be party to the decisions which affect a society, when a sex offender is reintegrated into a Church community. Consequently there is an increased awareness of the offenders who are in our midst and who wish to continue or begin their discipleship within a parish church.

The Safeguarding Committee is mindful that in the community managing sex offenders affords a level of protection to all groups in society. It is important to acknowledge that the issue of sexual abuse can affect everyone, regardless of gender or age. As these community arrangements are developing, it is imperative that the Church works in parallel, and partnership, with the criminal justice authorities to ensure a consistent and proportionate approach.

This has focused our minds as we have undertaken our discussions about how best to proceed with this important area of work. The Church has been assured by Criminal Justice professionals that if someone presents a risk to adults which means there is a risk in the Church environment which requires formal management, we would be advised to ensure that this individual also participated in a Covenant of Responsibilities (Covenant).

The Safeguarding Committee is fully participating with these organic developments to ensure that the Safeguarding Service is up to date in its professional practice as the General Assembly would expect. There are questions and challenges which arise regularly and it is important to keep the principals of forgiveness and proportionality at the heart of such practice. One of the purposes of this report is to ask the Church to affirm the

developments and the proposals which the Safeguarding Committee perceives are required to encourage the Church to be a safe place for all people.

What is now evident is that we are in a far less clear and easy to define position than we were 4 years ago. As we develop confidence and competence in this area of work we would want to affirm that there are more subtleties to contend with than was first imagined, including Human Rights Legislation in relation to the scope, the permanency and the length of Covenants. The report will consider the following issues:

- In the development of our thinking what are the important theological imperatives which we must hold at the heart of our practice?
- What response should the Church make in managing those who pose a sexual risk to vulnerable adults?
- Is it right, or practical, that someone should continue to participate in a Covenant for the rest of their life?
- If so, what is a proportionate response to the issue of Covenants?
- What support should there be for Safeguarding Panel members who primarily support the person who is engaging with a Covenant?
- What involvement should the Presbytery now have in relation to the management of sex offenders in congregation and the support of Safeguarding Panels within congregations?

### Working with those who have Offended against Adults

The Committee would wish to affirm the existing theological work which has already been completed in relation to the safeguarding of children and extend this protection to adults. God calls us to imagine and create a community which is safe for young and old to live safely, especially in the light of the painful experiences which have taught us the imperative of safeguarding the vulnerable people in our society against predatory people who would seek them harm.

Zechariah 8, verses 4-6 also has an important message for the Christian community.

*"Once again shall old men and old women sit in the streets of Jerusalem, each leaning on a stick because of their great age; and the streets of the city shall be full of boys and girls, playing in the streets... even if it may seem impossible to the survivors of this nation on that day, will it also seem impossible to me?"*

The Bible requires us to ensure that the Church cares for everyone who is vulnerable to abuse, no matter what age they are. The Church must seek to ensure that all people, no matter what their ages, will be cared for by appropriate people within its fellowship. This is a natural extension of our commitment which places children at the heart of our concern about the protection of the vulnerable. Adults who are vulnerable, for whatever reason, must be given the opportunity of being part of a Christian community, where they have the assurance of the love of God which demands that we protect them to the best of our ability.

The Safeguarding Service is now regularly working with the Criminal Justice Authorities to ensure that those who have been convicted of sexual offending are not allowed to be in situations in our churches where they might abuse vulnerable people.

The Safeguarding Committee is proposing that if a Criminal Justice Professional refers an offender to us who wishes to attend Church, who has committed sexual offences against an adult and where it is agreed that there is a need for formal management in terms of that offender attending Church, adults should be protected in the same way as children. This would mean that this sexual offender would be required to participate in a Covenant to ensure that those who are vulnerable, and this includes the offender themselves, are protected as far as the Church is able.

The Safeguarding Committee affirms that it is imperative that those who are also a significant risk to adults must participate in a Covenant.

The current process where individuals who have sexually offended against a child participate in a Covenant remains unaltered.

### Proportionality

The Safeguarding function in the Church has always sought to be fair, just and compassionate, while putting the most vulnerable at the heart of our thinking, to ensure that those who pose a risk will be required to consider and practice the constraints which their choices and actions have imposed on them.

In Christ, we are assured that in His person and work, the rules of faith are not only affirmed, but completed, in loving God and neighbour, and we value the saving grace of Christ, while seeing and valuing the image of Christ within each of his creations.

There are some sex offenders whose offending was a significant time ago and they have shown no indication that they are at risk of reoffending. There are also some sex offenders whose offence was regarded as low risk to begin with, and have shown no sign of reoffending. Our faith, and current legislation, require a proportionate response in relation to these sex offenders, who have complied with the Covenant for a longer period of time and have co-operated willingly with the Safeguarding Panel and Safeguarding Service, thus displaying a commitment to explore their Christian faith.

In the letter to the Galatians, the Church was trying to find a way to address itself to being a community under grace, living out the Gospel and finding a way to exercise discipline. Galatians says that:

*"Brothers and sisters, if a person is discovered in some sin, you who are spiritual restore such a person in a spirit of gentleness. Pay close attention to yourselves, so that you are not tempted too. Carry one another's burdens, and in this way you will fulfil the law of Christ."* Galatians 6:1-2

Like the Galatians, the discipleship journey of someone who is participating with a Covenant ensures that the whole Church lives the life of a community under grace. It is in the painful area of balancing risk with human dignity that we now find ourselves and, therefore, we must address ourselves to facing a future which might not be painless but functional and more proportionate.

### **Covenant of Responsibilities**

In a very real sense, everyone who enters a church building to worship has agreed to a Covenant – albeit an ‘unwritten’ Covenant. In other words, there are certain Christ-like standards of behaviour which are expected of everyone who participates in the faith community. Such behaviour includes treating others with love, dignity and respect. Those with a history of sexual offending have clearly stepped over a line which shows that they are unable, at that point, to respect and accept these important Gospel imperatives of love and care. Hence, the need for a formal, written Covenant arises – a written Covenant which will clearly underline the behaviour expected of them in the Church context. Such a Covenant has the dual purpose of protecting both the vulnerable from abuse and the offender themselves from temptation.

### **Covenant of Responsibilities – a Change of Practice?**

In the last 4 years we have been challenged by the issue of Proportionality; whether it is appropriate to ensure someone participates in a Covenant for life and what this Covenant in the long term will look like. The Church as a whole, has a continued responsibility to ensure that the congregations of the Church are safe places while not insisting on apparently harsh requirements for someone who is not deemed, on the face of it, to be a risk, at that time or for a significant period of time in the past.

To allow a proportionate response in managing those who pose a risk, the protocol which the Sub Group is proposing to a Covenant, where offending took place against an adult, is thus. A Covenant would be introduced where:

The individual is a Registered Sex Offender

AND

In the view of the Criminal Justice Authorities, there is a public protection risk to the Church that requires to be formally managed

OR

any other person who the Criminal Justice Authorities advise us of, who they believe represents a significant risk in terms of their association with the Church that requires to be managed by a formal process.

It would be hoped that over the longer term period, people participating with a Covenant should prove that they can and are able to model and practice acceptable behaviour which the Church would hope for in a Christian. At this point the Safeguarding Service might consider a different kind of Covenant which would reflect their active and committed participation in the process.

Galatians says that:

*“Brothers and sisters, I offer an example from everyday life: When a covenant has been ratified, even though it is only a human contract, no one can set it aside or add anything to it.”*  
Galatians 3:15

It is proposed that if someone has participated willingly and appropriately with a Covenant, whether their offending has involved adults or children, and has recognised and shown that their faith includes a requirement of discipline in their faith journey to ensure that others are safe in their presence, it might be possible to allow someone to be more responsible for their behaviour and conduct in a church setting. We must not underestimate the support which the Church provides for people participating in Covenants of Responsibilities, because they too can be vulnerable.

It is proposed that the model of St Paul’s oversight of congregations might be used. The local congregation would continue to monitor, encourage and support someone participating in a Covenant, but the oversight from the Safeguarding Service would be provided on a needs basis. This oversight would be delivered in two stages.

A move from a STAGE 1 face-to-face review of the Covenant to a STAGE 2 verbal review of the Covenant by telephone could be made. This would be under strict guidelines at a minimum of 1 year after the original face to face Covenant

was put in place. This proposal would be evidence based with a risk assessment of the person participating in the Covenant and would be combined with the structured professional judgement of the Safeguarding Service.

This would be a tripartite arrangement, where the annual meeting would not happen and only be reintroduced if one party were to ask for a meeting to take place. This might occur if the Safeguarding Panel became aware of behaviour which concerned them, or the Safeguarding Service are made aware of concerns or that the person participating in the Covenant asks for the support of the face-to-face Covenant to be reintroduced for a good reason.

The Safeguarding Panel within the congregation would be aware of the indicators which might suggest an increased level of risk. In the case of a change of Safeguarding Panel Personnel, there would be a handover with these issues being communicated to the succeeding group. Sensitivity, confidentiality and corporate memory are vital for Safeguarding practice to work effectively.

It must be noted that for some people, this face-to-face Covenant, with an agreed review period co-ordinated by the Safeguarding Service, would be appropriate because of 3 significant factors.

- The Criminal Justice Authorities have expressed concern.
- The Congregational Safeguarding Panel or the Safeguarding Service has raised concerns.
- The person participating in the Covenant feels the meeting is an important factor in their 'recovery' and they benefit from the guidance and structure offered.

There is the possibility of further refinements to the whole process and the Safeguarding Committee will engage in discussions with the Criminal Justice Authorities to ensure that we maintain our proportionate approach to the whole area of safeguarding those who pose a risk.

The Committee is firmly of the opinion that once someone has a Covenant, then it will remain a written document for life. It may be altered over a period of time, but, once in place, it will remain live. The power and effectiveness

of the Covenant will remain in order to ensure that sex offenders on such Covenants are always made aware of the need for Christ-like behaviour towards all people, in their discipleship journey. We believe that this is a proportionate and balanced way forward.

### **Safeguarding Panels**

Being a member of a Safeguarding Panel is an important role and all the more so when managing a Covenant, which can be a stressful and demanding commitment. It is proposed that all Safeguarding Panel members who are managing individuals who pose a risk should have access to confidential support.

Currently ministers have a full range of pastoral support available through the Ministries Council and Presbyteries. It is only right, therefore, that all members of Safeguarding Panels should have such access to pastoral support.

The Safeguarding Committee intends to use the existing Ministries Council Support Service which will be able to work confidentially with Safeguarding Panel members on an individual basis or a meeting of the group together, depending on the need. This will involve a cost for using the service. In reviewing where best the safeguarding resources can be applied without further strain on already stretched Church resources, it is believed that currently what is being proposed may be more cost-effective.

### **Presbytery**

Currently, the Safeguarding Service and the Safeguarding Panel within the congregation are the two bodies who are aware that a sex offender is participating with a Covenant. Within this Presbyterian Church there are Presbytery Safeguarding Contacts, but there is, at present, no one at a Presbytery level with a remit to be aware of those congregations who are managing a Covenant, and who may be able to provide pastoral support for the Safeguarding Panels, if requested.

More consideration of this will take place in the next year and it is proposed that the Safeguarding Committee bring proposals to the General Assembly of 2014.

This area of work is still at an important evolutionary stage and because guidance from both professionals working in the field and in the Church is imperative it is proposed that a voluntary standing group called the Managing Risk Group be formed. This group would offer a place for discussion, debate, reference and reflection and would work alongside the Safeguarding Service and the Safeguarding Committee. Amongst other issues it might consider this group could also assist the Committee in developing proposals in relation to Presbytery support for Safeguarding Panels within their bounds.

**Conclusion**

The Safeguarding Committee affirms the Gospel imperative to place the most vulnerable people at the heart of our mission and discipleship and to ensure that everyone who is vulnerable to abuse and assault is protected to the best of the Church's ability.

We also affirm that those who are participating in Covenants of Responsibilities and have proven, through time that they recognise the Gospel imperative of the primacy of the vulnerable, as well as the potential for sin within their own person, may be considered to be monitored by way of St Paul's model of Oversight. The Covenant will remain in place for life and it may be modified over time. The Oversight model of a written or standard Covenant may be revoked at any time if there are concerns expressed from any of the 3 parties involved. We believe that this is a robust and proportionate approach to the complex area of managing those who pose a sexual risk to the most vulnerable people of every age in the Church.

The Committee is committed to keeping the General Assembly informed of developments in safeguarding and will continue to report any changes or insights which are valuable in making sure the Church is a safe place for all.

# WORLD MISSION COUNCIL

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the report.
2. Give thanks for the life and witness of Mission Partners who have died, acknowledge with gratitude those who have completed their period of service overseas, and uphold in prayer all who continue to serve.
3. Encourage congregations to read and study the report, use the worship service and learn more about faith in Africa and the Caribbean and the continuing work of the Church of Scotland with its partners in those areas.
4. Encourage congregations and presbyteries to engage in the David Livingstone bicentenary events taking place during 2013.
5. Instruct the World Mission Council to work with the Church and Society Council on advocacy issues which are of concern to our partners, especially in Africa and the Caribbean.
6. Instruct the World Mission Council to work with the Guild, Church and Society Council, and other partners to raise awareness within congregations and presbyteries on issues of human trafficking. *(Section 1)*
7. Instruct the World Mission Council to explore with the Ministries Council the possibility of sending and receiving candidates for ministry training to and from partner churches. *(Section 2)*
8. Encourage congregations and presbyteries to be welcoming of those arriving from other countries and seeking worship space. *(Section 2)*
9. Instruct the World Mission Council to engage with the Presbyterian Church of South Sudan and other partners to support community and peace building initiatives in South Sudan. *(Section 3)*
10. Instruct the World Mission Council to engage with PROCMURA and other partners to support peace building initiatives between Christians and Muslims. *(Section 3)*
11. Instruct the World Mission Council to work with partners in supporting strategies to tackle violence against women. *(Section 3)*
12. Instruct the World Mission Council to engage with the Church and Society Council to inform congregations and presbyteries on the effect of climate change and ways to reduce their contribution to it. *(Section 4)*
13. Instruct the World Mission Council to engage with Christian Aid and the Church and Society Council to keep the wider church informed on issues of trade regulations and taxation and encourage congregations and presbyteries to read and take action on Christian Aid's report '*Paying our dues – how tax dodging punishes the poor.*' *(Section 5)*
14. Instruct the World Mission Council to engage with the Church and Society Council, Christian Aid, and other partners to promote widely the *Enough Food for everyone IF...* campaign. *(Section 5)*
15. Welcome the Council's continued commitment to the HIV Programme and encourage the whole church to be active in efforts to eliminate stigma and in offering support to those living with HIV. *(Section 5)*
16. Thank all congregations which have participated in "Souper Sunday" services for helping to raise more than £250,000 for the Church of Scotland HIV Programme since 2010, and commend the 2013 Souper Sunday service to the Church. *(Section 5)*
17. Urge Church of Scotland members to offer their skills and expertise through the Professional Volunteer Programme to support partners worldwide. *(Section 6)*

18. Give thanks for the life and witness of Tabeetha School in offering educational opportunities and in building bridges amongst communities in Jaffa. *(Part 2)*
19. Urge all members and friends to pray for the situation in Syria, and instruct the Council to continue to be in touch with Christian partners there and, in association with the Church and Society Council, help amplify the issues and support opportunities for a just and peaceable end to the conflict. *(Part 2)*
20. Welcome the engagement of the Church in Scotland with the Church in China over the past year and encourage Scottish Christians to continue to pray for and build friendships with Christians and congregations in China and to support the work of the Amity Foundation and the China Christian Council. *(Part 2)*
21. Welcome the Council's commitment to support minorities, especially Christians, and to the repeal of the Blasphemy Act, in Pakistan, and instruct the Council to continue its efforts in association with Church and Society and other partners. *(Part 2)*
22. Give thanks for the award of Tamgha-e-Quaid-e-Azam, ('Medal of the Great Leader'), to Miss Catherine Nicol, OBE, from the President of the Islamic Republic of Pakistan, "in recognition of dedicated services with selfless devotion to human rights and public service". *(Part 2)*
23. Pass an Act concerning Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, in terms of Appendix V.
24. Pass an Act concerning the Minister of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, in terms of Appendix VI.

## PART 1: LIFE IN FULLNESS

*"Africa is everything, huge in area, huge in diversity. The greatest of mistakes is to reduce it to some single stereotype... Many millions of people still hold to forms of religious belief and ritual that existed before the long marches of Livingstone, Stanley and their contemporaries 'opened' Africa to an influx of late Victorian modernity... One cannot generalize about them without grave peril of becoming wildly unrealistic."*<sup>1</sup>

This year the World Mission Council invites the Church of Scotland to throw itself wholeheartedly into all things African and Caribbean. March 2013 marked the bicentenary<sup>2</sup> of the birth of that missionary explorer who is most associated with Africa, David Livingstone, so it is appropriate to focus this year on the church in Africa

and the people of Africa. Many people of the Caribbean trace their history either to Africa, having been taken from there as slaves, or to Asia, when they were brought to work as indentured labourers; both share a legacy of exploitation. While the Church of Scotland history in Africa is well documented, it is not so well known that some of its earliest outreach was in the Caribbean, specifically Jamaica, starting in the early 1800s.

A key part of the preparation of this report was consultation with our partners in these regions. From them we heard of their current situation: what empowers them as well as what limits them; where they find support and what drains them of life. Our partners in sub-Saharan Africa and the Caribbean, all of whom seek to pursue life in fullness for their members and wider societies, identified some key issues:

- Faith
- Peace building and conflict
- Climate change
- Socio-economics: debt, trade, tax and health

<sup>1</sup> Adrian Hastings, *The Construction of Nationhood: Ethnicity, Religion and Nationalism*. Cambridge University Press, 1997, p185. Quoted by Afe Adogame in a lecture to WMC. June 2012.

<sup>2</sup> See: [www.davidlivingstone200.org](http://www.davidlivingstone200.org); [www.nts.org.uk/Property/David-Livingstone-Centre/](http://www.nts.org.uk/Property/David-Livingstone-Centre/); [www.livingstoneonline.ucl.ac.uk](http://www.livingstoneonline.ucl.ac.uk); <http://livingstone.library.ucla.edu/>

One overarching issue is that of justice. Martin Luther King Jr said, “peace is not merely the absence of tension, it is the presence of justice.” As we focus on aspects of the challenges and opportunities our partners see and experience in their own contexts today, the need for justice is an overarching necessity to allow for human flourishing and the possibility of life in fullness.

As the opening quotation indicates, there is great peril in generalisation, but that cannot be avoided in such a short report. Africa and the Caribbean are not uniform, yet there are parallels: both are rich, diverse, multi-layered and multi-cultured. Both are places of incredible beauty; both have dynamic Christian communities; both are suffering, at first hand, the effects of climate change; both have experienced conflict; both have been colonised, and are being exploited commercially; both are rich in natural and human resources. Inevitably this report has more on Africa than the Caribbean; and even in Africa the focus is on sub-Saharan Africa rather than the Maghreb, running along the North, because this reflects the reality of the Council’s links in these two regions.

At the end of this report is a portfolio of actions you can take to engage in solidarity and love with the church and people of Africa and the Caribbean. Please use them widely.

## 1. Setting the scene: Slavery – the open sore on the face of Africa

In 2004 the World Alliance of Reformed Churches (WARC) met in General Council in Ghana. The entire group went to visit the slave castles on the coast.

*At the Elmina Castle, the Dutch merchants, soldiers, and Governor lived on the upper level, while the slaves were held in captivity one level below. We entered a room used as a church, with words from Psalm 132 on a sign still hanging above the door (“For the Lord has chosen Zion...”). And we imagined Reformed Christians worshipping their God while directly below them, right under their feet, those being sold into slavery languished in the chains and horror of those dungeons. For more than two centuries in that*

*place this went on. In angry bewilderment we thought, “How could their faith be so divided from life? How could they separate their spiritual experience from the torturous physical suffering directly beneath their feet? How could their faith be so blind?”* WARC 24th General Council (2004) *Letter from Accra*.

The trans-Atlantic slave trade remains the single greatest exploitation of human beings perpetrated by other human beings. While many figures are discussed, there is a general consensus that at least 11 million slaves, and perhaps as many as 25 million<sup>3</sup>, left the continent between the 15th and 19th century, with up to 20% dying on board ships during the notorious “middle passage” from Africa to the Americas. Many slaves captured from the African interior died on the long journey to the coast. It is estimated that the forced removal of up to 25 million people made Africa’s population stagnate or even decline.

In 2007, the WARC Executive Committee was hosted by the Presbyterian Church in Trinidad and Tobago. On Nelson Island, where all the arriving slaves were processed, the Rev Dr Roderick Hewitt, former Moderator of the United Church in Jamaica and the Cayman Islands, led an act of remembrance.<sup>4</sup> He recalled the misery of all those millions of stolen African people, those who died from raiding attacks in Africa, those who died en route to trading posts, those who died in the castles and on the middle passage, and those who survived the journey and ended in slavery in the Caribbean. The agony of people in chains, being bought and sold and used to build the wealth of Europe and the Americas, is a legacy still felt today by the people of Africa and the Caribbean.

“Dr Livingstone, I presume...”

It may have been something of this understanding that David Livingstone grasped. He had grown up in a Scotland which had fully engaged in the debate over slavery and

<sup>3</sup> <http://news.bbc.co.uk/1/hi/world/africa/6445941.stm>

<sup>4</sup> Rev Dr Roderick Hewitt, *Lest We Forget*. [http://warc.jalib.de/warcjsp/news\\_file/refworld58\\_1.pdf](http://warc.jalib.de/warcjsp/news_file/refworld58_1.pdf)

must have picked up something of the half-century of opposition which had been fomenting in the churches. The Rev Robert Walker, well known to visitors of the National Gallery as the skating minister, should be better known for his strong opposition to the slave trade. In Ghana he is certainly so remembered.

Robert Walker asked the Presbytery of Edinburgh to be zealous 'in the great and generous cause of humanity,' and petitioned them to support William Wilberforce's campaign at Westminster to bring an end to this 'abominable trade in human beings'. His plea was accepted and the Presbytery petitioned Parliament (the very first to go from a Church court in Scotland).<sup>5</sup> Scotland punched above its weight in the petitioning years of 1788 and 1792 providing roughly 33% of the petitions from Great Britain and Ireland. Many were from the Churches.

Livingstone believed that men and women from every nation were souls for whom Christ had died, and hence were equal in the eyes of God who had created them in God's image and had come to redeem them through the Cross; they were of infinite value whatever their race or colour. This 'gospel anthropology' meant that Livingstone regarded slavery as '*an open sore on the face of Africa*' which any responsible Christian must work to eradicate.

Three words are carved into the base of Livingstone's statue at Victoria Falls: Christianity, Commerce, Civilisation. He was convinced that increased commerce would undermine the slave trade, raise the standard of living, and bring a commercial trading society – which then was understood to be the basis for peace and 'civilisation'. Livingstone's vision was for the gospel idea of life in fullness, of Africans being enriched and emancipated by this process, the reverse of what would actually happen years later in the scramble for Africa by European powers when exploitative commercialisation resulted in enriching Europe and impoverishing the African peoples. In the year of

Livingstone's death (1873), the Sultan of Zanzibar outlawed the slave trade in all his territories, persuaded by John Kirk who had been influenced by Livingstone in Africa. An early success, though not one Livingstone lived to see.

In evangelism, Livingstone produced few individual conversions. He was restless, peripatetic, and driven to seek what was over the next horizon. Yet he took his faith wherever he went. Following his death, and from his inspiration, the Free Church started the *Livingstonia Mission* and the Church of Scotland the *Blantyre Mission*, both now part of the Church of Central Africa Presbyterian. Livingstone had a natural empathy for African peoples. He learned their languages and became their voice against Boer settlers, the British Cape Government, and Arab slavers. Significantly, African nations, on independence, revered his memory by retaining place names associated with Livingstone while at the same time altering nearly all other European names to African ones.

## 2. Faith: "my faith ... found its African heart and soul."

Christianity in Africa can be traced to the 1st century, in Alexandria, along the Maghreb, and going south into Ethiopia. By the end of the 2nd century the scriptures and liturgy had been translated from Greek into some local languages. After the 7th century, through trade and assimilation, Islam came to dominate the north. Traditional religions remained dominant in the south. The mission movement of the last two hundred years has made a significant impact on the people of Africa and the Caribbean. 37% of baptisms in Africa today are of adults – leading to the observation that people are likely converting from another faith tradition.<sup>6</sup> Today around half the African continent is Christian. In the Caribbean it is significantly higher, perhaps reaching over 80%. Some of the first missionaries in the Presbyterian Church of Ghana were black ministers from Jamaica, and not western missionaries, and these West Indian roots retain a special significance for the Church in Ghana.

<sup>5</sup> Iain Whyte, *Scotland and the Abolition of Black Slavery 1756-1838* (Edinburgh University Press, 2006), Ch3

<sup>6</sup> Philip Jenkins, *The Next Christendom* (OUP 2011) p241

As Christianity has taken root within Africa, there has been a consequent indigenisation of the faith and a development from a European inculturation to an African one. One experience can speak for countless others. Until his death in June 2008, Kwame Bediako (known to many in the Church of Scotland for his time teaching at New College) was Professor of Theology at the Akrofi Christaller Institute for Theology, Mission and Culture, Akropong, Ghana. As a young man Kwame Bediako grew up believing it was only possible to pray in English, sing hymns in English, read the Bible in English and worship God in English because, as far as he knew, God only spoke English. As his faith deepened he began to wonder if it was possible to worship in his native language, Twi. Bediako said that it was a moment of revelation when it suddenly dawned upon him, not only did God understand Twi, God **had always** understood Twi. In that moment, Bediako said, "my faith did not just find its African voice, it found its African heart and soul too."

Faith and life are inseparable in Africa and the Caribbean. The two conjoin and intermingle. Lesley Balaj, a Council member who formerly worked in Malawi reflects:

*We are all familiar with the Scottish Harvest Thanksgiving, offering part of our harvest to God once all has been gathered in. A ceremony of harvest that we do not celebrate in Scotland is 'First Fruits'. Members of the congregation bring a maize stalk to church, when the maize is fresh and just ready for boiling and eating as corn on the cob. During the service, the congregation dance down the aisles with their offering to lay it at the chancel. This is a spectacular event, full of joy and vibrancy. Everyone is happy as the proper harvest is drawing near and the hunger is passing, at least for a while.*

*While living in Malawi, I remember one service in particular. In the afternoon, a visitor came to my home, bringing maize stalks. Because I had no maize garden, I was considered one of the poor and the church wished to help me. It was a gift from a community which may be financially poor, but has a heart to take care of others.*

Many have experienced or seen the exuberant worship of the church in Africa and the Caribbean, and there is just as strong a solemn and reflective tradition. The Church is many things to many people. Some of the key words for faith in Africa and the Caribbean today are: joyful, supernatural, growing, conservative, and vulnerable. Rev Alex Maulana, General Secretary of the Church of Central Africa Presbyterian, Blantyre Synod, characterises it in this way: "Christianity in Africa is a life-giving entity to many people. When life seems not to make sense, Christianity makes it have sense. In a nutshell, Christianity is a measuring rod or tape for our daily living. No Christianity means no God and therefore no existence for the African." The Council is pleased that, by the time of the General Assembly, the Moderator will have had an opportunity to experience this reality and to worship with and learn from friends and partners in the United Church of Zambia on Palm Sunday and the Uniting Presbyterian Church in Southern Africa on Easter Sunday.

As more people become Christian in Africa, some question the depth and character of this Christianity. For those who fear that Christianity is a veneer on Africa, that it is superficial and is dangerously close to syncretism, Professor Andrew Walls pithily notes that it is no different from the way Christianity has taken root in any other culture. It was the case in Europe, China, and now in Africa and Asia, that people ask: "Do we have to reject our entire history and culture when we become Christians?" In every culture, Christianity adopts symbols from existing religious imagery, and incorporates them into its own rituals.

Rev. John Yor Nyiker, General Secretary of the Presbyterian Church of South Sudan says that Christianity can be in conflict with traditions and norms of the African people, as well as the Arab culture which affected Christianity in various ways in Sudan, especially in funerals, marriages and different Church-related occasions. "For Christianity to be rooted in the hearts of people, it has to be incultured into people's traditional and cultural ways such as songs, drums, and dancing which effectively motivates worshippers in the Churches."

In the Caribbean, there is a well-developed church life, with many denominations and congregations covering the broad spectrum of Christian worship, and offering opportunities for participation, discipleship and involvement. In Zambia, with fewer pastors and much larger areas to cover, opportunities for discipleship and learning can be challenging. Glen Lund, a Mission Partner with the United Church of Zambia, wrote about a minister in charge of a parish who also served 50 outlying communities in rural Zambia, a reality not unusual in many parts of Africa. Rev Muimui Sinyama told him: "If you were a hard working minister, you might manage to visit each community once a year. As you travelled you would hold services whatever day of the week it was. While you were with a small group, you would perform whatever duties were required (confirmations, baptisms, weddings etc.) packing them into the time available. Training programmes would be done intensively during the brief visit." There are opportunities for those training to be ministers to spend a summer placement with an international partner and to learn something of what it means to minister in a very different context.

One positive contribution is support from partners for the Theological Education by Extension programme in Zambia (TEEZ). This brings simple, solid theological training to the grassroots members of the Zambian churches. TEEZ provides all-age courses to congregations in subjects such as evangelism, biblical studies, leadership and preaching. TEEZ also develops and teaches courses on important social issues like incest and domestic abuse. The TEEZ team takes their training to the people in remote locations all over Zambia. Glen adds, "the life of the church is in the hands of the local Christians who maintain the weekly witness of Christ within the United Church of Zambia tradition in all parts of the country."

It has been argued that it is impossible to understand African political life without grasping the complex religious alignments of the continent. Christian and Muslim are the largest groups today, but there are practitioners of local religions as well as many religious minorities. In

Ghana, there have been positive experiences of engaging with political leaders, as highlighted by the Rev Godwin Osiakwa of the Evangelical Presbyterian Church: "The Church has a very powerful voice in every aspect of our community life and this is clearly seen even within the political culture and other socio-economic engagements of our people. Governments therefore listen to the voice of the Church and greatly value the Church's input or interventions in very challenging social issues." In Malawi, a Presbyterian elder, Joyce Banda, became President last year. She sees her faith as a guide for her work as President of the country in pursuing social justice.

After criticising political leaders, some Churches have found themselves ostracised, with politicians turning to independent pastors for religious affirmation. Charles Taylor in Liberia gathered around him religious leaders supportive of his brutal practices. So too, leaders in Kenya, Uganda, Rwanda and elsewhere have used one kind of church against another. In 1991, the then Zambian President declared the country a Christian nation; afterwards there were allegations of funds being diverted to independent churches which were supportive of the President's party. Jenkins notes, "We can imagine a future in which cooperative churches are enlisted in the service of government under the rhetoric of creating a Christian society, complete with appropriate moral legislation. Repressive regimes could benefit enormously..."<sup>7</sup>

Within Christianity in sub-Saharan Africa, the Pentecostal and independent churches are gaining momentum and members, as is true all over the world. Generally speaking these churches have worship services which are vibrant; there is movement and exuberant praise which has strong attractions for many. If there is a criticism, it has been that many of these churches have been passive regarding social and political issues, unwilling to speak out about social injustices. Yao Yeboah, Director for the Social Services of the Pentecostal Church in Ghana, sees things changing. He notes the development of social services, schools,

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<sup>7</sup> Philip Jenkins, *The Next Christendom* (OUP 2011) p188

health institutions, poverty alleviation programmes, and cooperative credit unions in the Pentecostal Group in Ghana, as well as an increased willingness to join with the Ghana Christian Council and the Bishops Conference of the Catholic Church in commenting on social issues.

Religious life in the Caribbean is no less complex. In Trinidad and Tobago there is a significant Hindu minority (26%), with 6% Muslim, and 66% Christian. Only 2% say they have no religious affiliation. The State has developed four different legal systems to govern marriage for the different groups: the Christian/Civil code, the Hindu, the Muslim and the Orisha. The Presbyterian Church in Trinidad and Tobago reports that mutual respect is a hallmark of relationships between religions in Trinidad and Tobago and Christianity has been shaped by its interaction with the other faith groups.

### Migration

The Rev Godwin Osiakwa of the Evangelical Presbyterian Church, Ghana highlights another trend in the global church today:

*“The impact of the Church in Africa and the Caribbean can be seen in the way missionaries are now leaving the shores of our regions into other parts of the world, with the liberating message of Jesus Christ. It is, however, our expectation that as we continue to collaborate with one another in various aspects of our ministerial engagements, the north and the south will receive the needed mutual empowerment that can help sustain the witness of the Gospel of Jesus Christ indiscriminately within our global parameters”.*

Many countries now have experience of hosting migrants from different parts of Africa. The Presbytery of Europe identified 15% of their worshipping community originating in Africa. The Scots International Church in Rotterdam has a congregation that is one third Dutch, one third African, with the final third from a mix of countries, including significant numbers from the Caribbean. In Malta, St Andrew’s congregation are partnering with local Maltese

institutions to support those who make the perilous sea journey from Africa in ramshackle boats to seek a better life. ‘Out of Africa...into Malta’ is being supported by the Guild. There are members of partner Presbyterian churches in Ghana who have created congregations in different parts of the UK; the Presbyterian Church in East Africa has a congregation in London, and one in Glasgow; and there are members of partner churches worshipping in congregations of the Church of Scotland. This movement of African and Caribbean believers into Europe, generally to seek work, and bringing with them their faith, is also impacting on the life and witness of the host societies. It is for us to welcome the stranger into our midst and become friends.

### 3. Building Peace: “war has taught us... NO to violence and YES to peace!”

‘Jesus is the Prince of Peace’ was the major theological motif of the London Missionary Society (LMS, now the Council for World Mission based in Singapore) which sent David Livingstone to Africa in 1840. For Livingstone, ‘peace’ meant both spiritual peace with God through faith in Christ, and physical peace between communities.

African Christianity finds resonance with the biblical story of creation in which God created humanity in relationship, and in the New Testament vision of the restoration of all things to God. Dr Afe Adogame, a Nigerian Christian and Senior Lecturer in World Christianity at the University of Edinburgh, emphasises the centrality of this concept – called “ubuntu” – which focusses on the inherent humanness and humaneness of every person in relationship to each other and to God. Dr Adogame emphasises the need to keep peace and ubuntu closely intertwined, essential as they are to grasping an understanding of an African worldview and achieving life in fullness for all people and communities. Many churches in Africa and the Caribbean are at the heart of attempts to address local conflicts and promote peace and justice to their communities experiencing conflict, change, and a loss of identity in a turbulent world.

The Government of South Sudan is facing many challenges in trying to build a country from scratch. One key issue is the widespread instability due to inter-ethnic and inter-tribal clashes. In recent years attacks have become more frequent and violent with thousands of people being killed and many more wounded or abducted, and buildings, including churches, burned down. The Church communities in South Sudan speak of their desire for peace and their willingness to play their part in seeking to overcome historic tensions between the different tribal groups. The WMC wants to play its part in working with the Presbyterian Church of South Sudan as well as with their other international partners to support community and peace building efforts.

In the Caribbean, there is a strong historical seam of pursuing life in fullness through seeking justice and equality. Rev Adrian Sieunarine of the Presbyterian Church in Trinidad and Tobago emphasised the idealistic hope of these new nations in the heady days of freedom gained from colonial masters. He highlighted their National Anthem which boasts that “every creed and race” shall “find an equal place” in Trinidadian society, a distinct antithesis from the colonial administration built on separation and difference. This links closely with the concept of ubuntu, emphasising life in fullness for all in the society through the inclusion of all in the society, of seeking the good of the community as well as the individual.

European colonialism was devastating in its impact on the people of Africa and the Caribbean. Some suggest that colonialism is long past and independent countries have had many years to develop. Tim Butcher, a long time Africa analyst, takes a different view, arguing that western colonists took away the tribal structures which had worked well locally and replaced them with western colonial administrations located in a distant central bureaucracy which led to a breakdown in order and structure. *“All aspects of sovereignty were stripped from the people of Africa and they have never, to this day, fully got it back. Instead it was hijacked by elites who publicly claimed they were working in the interests of their people, but were*

*in fact only driven by self-interest.”*<sup>8</sup> Richard Robbins gives an interesting analogy: *“Think of a country such as Canada, which has been trying for hundreds of years, with mixed success, to accommodate only two linguistic groups –English and French – and you get an idea of the problems of African states with far greater cultural and linguistic divisions.”*<sup>9</sup>

Political corruption, financial corruption, lack of respect for rule of law, human rights violations, misrule, are all identified as problems in Africa and the Caribbean. The role multi-national corporations play in extracting mineral resources from Africa, often resulting in rebel factions rising up around the mining sites with local people being terrorised, is another key challenge. In addition, recent research has highlighted the role of climate change in fuelling conflict in Africa. Across the continent, conflict was about 50% more likely in unusually warm years, suggesting to the researchers<sup>10</sup> that strife arises when the food supply is scarce in warm conditions. Life in fullness is a near impossible challenge in such situations.

Many partners highlighted conflict within their churches, and between faith communities. A significant fact for Africa is that the number of Muslims is nearly equal to that of Christians, and there is a strong competition between these two major religions. Europe came through its own long and costly religious conflicts over centuries and “it is unlikely that a parallel change in Africa or Asia would be much more rapid.”<sup>11</sup> Some partners noted that when their churches commented on issues of conflict within their society, and critiqued their leadership, political leaders would point to division and conflict within the church and tell them to keep out of societal issues until they could heal their own divisions.

One of the most creative actions in challenging political leaders to bring a conflict to an end was in Liberia. Leymah

<sup>8</sup> Tim Butcher, *Blood River*, Chatto & Windus, 2007. p334

<sup>9</sup> Richard H. Robbins, *Global Problems and the Culture of Capitalism*, (Allyn and Bacon, 2002), p302

<sup>10</sup> <http://news.bbc.co.uk/1/hi/sci/tech/8375949.stm>

<sup>11</sup> Philip Jenkins, *The Next Christendom* (OUP 2011) p192

Gbowee a Lutheran, helped organise the Women in Peace building Network (WIPNET). They declared: "In the past we were silent, but after being killed, raped, dehumanized, and infected with diseases, and watching our children and families destroyed, war has taught us that the future lies in saying NO to violence and YES to peace! We will not relent until peace prevails." Joining forces with the Liberian Muslim Women's Organisation they created Women of Liberia Mass Action for Peace. Armed only with white T-shirts and the courage of their convictions, they went out into the streets and demanded a resolution to the country's civil war. They organised non-violent protests, including withholding sexual relations; they prayed and sang outside the fish market for months and eventually extracted a promise from Charles Taylor, the president, to attend peace talks. Working together, over 3,000 Christian and Muslim women mobilised their efforts, and as a result, the women were able to pressurise the politicians into a peace deal for Liberia, after a 14-year civil war, and helped bring to power the country's first female head of state. All of this can be seen in the film, "Pray the Devil back to Hell".

PROCMURA (Programme for Christian-Muslim Relations in Africa), which works across the whole of Africa, has been seeking to complement local efforts to bring Christian and Muslim communities together to engage constructively with one another in addressing the underlying problems and not just skim over the surface of deep divisions. In January 2013, Christian and Muslim women participated in a PROCMURA initiative on peace and development. Highlighting illiteracy as posing the greatest challenge yet in the development of the girl-child, they "vowed to work together to ensure that education is taken more seriously since that forms the foundational base of eradicating different areas of discrimination against women". They also highlighted the need for women to be included in more interfaith discussions and leadership development.

Women usually suffer the worst effects of poverty. Women lag far behind men in access to land, credit and decent jobs, even though a growing body of research shows that

enhancing women's economic options boosts national economies. Violence and lack of status mean many women are unable to use their skills to the full within their wider communities. Empowering women has been the key to successfully changing situations and attitudes in many parts of the world. The multiple barriers that prevent women from seizing economic opportunities must be addressed, and the churches should be in the forefront of this activity. We are all made in the image of God.

As is the case in many countries, Mozambique is facing the challenge of violence against women, both within society and the Church. After many years of civil war in Mozambique, the population has a higher percentage of women and children because so many men were killed during the civil war, yet women generally have a lower literacy rate and social standing than men. The Women's Association of the Evangelical Church in Mozambique (IECM) has been engaging with the government to seek to have it recognise the importance of women and the role they can play in society. Like the Guild in Scotland, the Women's Association has been at the cutting edge of church life in Mozambique. The Council is hoping to cooperate with other Councils and agencies in the Church of Scotland to work together with the IECM to support a project to address women's rights and domestic abuse in Mozambique. The IECM recently elected as its Moderator (a four year position with some executive functions) the Rev Luidia da Consolada, a woman under 30, who brings with her a very informed perspective on these issues and the commitment of her church to engage with them.

In Zambia, the United Church of Zambia (UCZ) has created the Tamar Campaign, a gender justice programme which empowers lay Church leaders to read the Bible as a tool for raising awareness in social justice issues, especially on gender abuse and violence. The UCZ is also cooperating with theological training institutions in Tanzania and Malawi to explore how local lay leaders can use e-learning to raise awareness and counter gender injustice, especially concerning gender abuse and violence.

#### 4. Climate change: “the land is sinking”

The Genesis story of creation lays out an image of right relationship with the earth we inhabit. Today we can see that the people of the world are not living in equilibrium with the natural world. “Scenes so lovely must have been gazed upon by angels in their flight,” was David Livingstone’s comment on first seeing *Mosi-oa-Tunya* (the smoke that thunders) which he renamed the *Victoria Falls*.

Our partner churches in Africa and the Caribbean identified climate change as one of the major challenges to peace and long term prosperity for their nations. In the Caribbean, fishermen are noticing that “the land is sinking”. In a few decades it is predicted that villages in southern Trinidad will have to be relocated because of the loss of land and vegetation; these will be underwater as rising sea levels cause inundation and erosion on the banks of the Guaracara River. The habitats of various species are so badly affected that some are expected to disappear from the area altogether.

Africa is particularly vulnerable because of its very high dependence on agriculture for the livelihoods of its people. 65%<sup>12</sup> of sub-Saharan Africans rely on agriculture to make a living and only a small proportion of their land is irrigated, making small scale farmers heavily dependent on rainfall for their harvests. Farmers, often the first to see what the future holds, are recognising that the world is heating up, the seasons are shifting and rainfall patterns are changing. Droughts used to occur in East Africa every decade or so; now they are being experienced every two or three years. Glacier reduction on Mount Kilimanjaro has contributed to the drying up of riverbeds and a subsequent loss of bio-diversity. In other areas rising sea levels and increased rainfall are leading to more frequent flooding. All these shifts are resulting in an unprecedented threat to food security.

The great irony is that the people most at risk from climate change live in countries that have contributed least to

the build-up of greenhouse gases that are causing global warming. Poor countries are also limited in their ability to adapt to the change. They have fewer resources to dedicate to research into areas like the development of drought resistant seed varieties and alternative cultivation methods, but great efforts are being made to address the problems that daily become more apparent.

Charles Agboklu, Climate Change Officer of the Evangelical Presbyterian Church, Ghana, writes that, in August 2012, fishermen in four villages on the south east coast witnessed unprecedented tidal waves, resulting in damage to nets and canoes and many families being made homeless. Three metres of coastline is being lost every year to erosion in that area. At the same time, in the north of the country, farmers are experiencing many more difficulties as the desert is moving southward. These experiences have led the Evangelical Presbyterian Church, Ghana to work with the Church of Scotland to develop Eco Congregations in Ghana, and this is part of a growing environmental movement in African and Caribbean churches.

Both the Presbyterian Church of Ghana and the Evangelical Presbyterian Church, Ghana have joined an interfaith tree nursery project. Highlighting the challenges of land degradation and the threat of desertification, Christians and Muslims joined together to study current approaches to tree planting and growing in dry lands, and develop nursery management skills. 23,900 seedlings were planted. 32 acres of vegetation cover has been restored, which helps mitigate the negative effects of climate change, especially in northern Ghana, where studies have clearly shown that climate variability contributes to poverty through food insecurity and seasonal migration. This project also challenges the threat of desertification from the southward drift of the Sahara desert. Additionally, two new nurseries have been developed and these seedlings (oil palm, melina, teak, moringa, casia, mahogany and mango) will be the basis for 2013 tree planting activities. Of equal importance is the fact that local communities have acquired new skills.

<sup>12</sup> Fact Sheet: *The World Bank and Agriculture in Africa*

The response of countries like Ghana serves to highlight the uncomfortable truth that responsibility for this failure of the stewardship of God's creation lies squarely with the developed nations of the world, who have yet to take seriously enough the need to reduce their damaging carbon emissions and to promote a more sustainable use of energy. Here in Scotland, the Church of Scotland has engaged in the national debate, supporting the Climate Change (Scotland) Act and the Stop Climate Chaos Scotland Coalition. At local level, congregations are being encouraged to take action by measuring their carbon footprint and taking practical steps to reduce it and by joining the Eco-Congregation Scotland movement. Worship resources are available through initiatives like Creation Time, keeping the need to care for creation at the forefront of our congregational life. For many in the Church, however, this remains the preserve of eco-enthusiasts and is not regarded as central to our Christian calling and witness. This is the attitude that must change if we are to act in obedience to Christ's commandment to love our neighbour as we love ourselves and seek life in fullness for all parts of the world.

## 5. Socio-Economics: Debt, Trade, Tax and Health

Livingstone saw Africa as beautiful, rich in natural resources and wildlife, and he recognised too the potential in its people, identifying their needs as the hope of the Gospel, freedom from slavery, and the opportunity to prosper through peaceful trade – in other words, life in fullness.

In the ensuing century some of that vision became reality. The Gospel did take root and the African Church has grown in witness and service, despite current challenges posed by internal conflict or external oppression. The slave trade was ultimately abolished, although the spectre of trade in humanity continues to overshadow Africa, both in its traditional form and in new ones such as piracy and human trafficking. International commerce was successfully pursued and great wealth was generated, but Africans were not the beneficiaries. The straight lines drawn on the map of Africa reflected the carving up of one continent by another, as the colonial powers of Europe exploited Africa's resources for their own financial and political gain.

## Economic

The current global economic crisis, the recent inflation of food prices, the displacement of people through conflict and the unequal distribution of power and resources all contribute to the unjust situation which means that many people in Africa and the Caribbean are struggling to feed their families and to obtain necessary healthcare, welfare and education. Helen Scott, Mission Partner in Malawi, highlighted the situation there last year:

*"There is a serious lack of fuel – long lines of vehicles wait at fuel stations. The problem with the black market fuel is that the price is astronomical and some add water (or something) to it and then the engine seizes up, so it is a risk. As transport gets more difficult, then prices go up or goods become scarce. The country feels a bit fragile, but folks are trying to carry on as best they can."*

Through the final years of last century, church members joined with many campaigners as they fought for, and were partially successful in gaining, the cancellation of the unjust and unpayable debts which shackled so many African and Caribbean countries. Jubilee Scotland continues to focus our attention on these debts and their negative impact on the lives of the poorest in our world; and the Trade Justice Movement is challenging unfair trade rules. Christian Aid spearheaded both campaigns, and currently is highlighting another injustice which is having a major impact on developing countries – tax.

Tax dodging by some multinational corporations is currently a major barrier to development, with Christian Aid<sup>13</sup> estimating that transfer mispricing, which sometimes takes place when goods or services are sold between branches of the same transnational company at an artificially high or low rate, and false invoicing are currently costing poor countries US\$160 billion every year. (The current UK Development Assistance figure is around US\$12 billion). Further background and a theological rationale for the Church's involvement in this issue can be

<sup>13</sup> <http://www.christianaid.org.uk/ActNow/trace-the-tax/index.aspx>

found in the Christian Aid report *Paying Our Dues – how tax dodging punishes the poor*.<sup>14</sup> The importance of tax revenues to any Government, especially those in nations struggling to pay for health, education and infrastructure projects, is obvious.

Tim Butcher, in his book “Blood River,” laments, “*Generations of Africans have suffered the triumph of disappointment over potential, creating the only continent on the planet where the normal rules of human development and advancement simply don’t exist.*”<sup>15</sup> Rapacious dictators and western corporations have ensured the wealth of Africa has benefitted the few rather than the many. Western aid to Africa and the Caribbean is a panacea in comparison to the impact that legitimate trade could have. Today, China, India and others are growing in influence and economic activity all over Africa and the Caribbean. Chinese companies are bringing Chinese workers to build roads on African government contracts, are buying up farms and starting up businesses in both regions. Does this mark a turning point for Africa or will it be more of the same but with different exploiters? The answers to these questions are not yet clear.

In the Caribbean, economic growth is likely to be fragile, according to the Economist Intelligence Unit. The Caribbean had followed a western financial model, and Roderick Hewitt of the United Church in Jamaica and Cayman Islands reflects on how, for Jamaica, the crash “demonstrated how compromised parts of the church became in fusing their designer prosperity gospel with a corrupt financial system that was built on greed and deception. Instead of preaching fidelity to good stewardship of money that eschews greed, some of our church leaders, in their addiction to the love of money, led many Christians astray. Jeremiah puts it well: *Everyone is after the dishonest dollar, little people and big people alike. Prophets and priests and everyone in between twist the word and doctor the truth.*”<sup>16</sup>

The World Bank sees the economic outlook for sub-Saharan Africa as positive, with growth of 5.6% forecast for 2013. Fast-growing economies have included resource-rich countries such as Ghana, Mozambique, and Nigeria, as well as other economies such as Rwanda and Ethiopia. One key sector has been Africa’s use of technology. The mobile phone market is now larger than that of the EU or the United States, with some 650 million subscribers. In Kenya, coffee producers are using text messaging to discern the price of coffee in the local market before committing themselves to going to town to sell their beans.

Internet bandwidth has grown 20-fold as hundreds of thousands of kilometres of new cables have been laid across the continent to serve an increasing number of its 1 billion citizens. The new access is changing lives, driving entrepreneurship, and delivering innovation and home-grown solutions for Africa. A central issue will be whether this is an inclusive revolution which benefits all the people and offers life in fullness for entire societies and not just elites. Khalid Malik, at the UN’s Human Development Report Office, believes it is the start of a new revolution in accountability: “Thanks to technology and the spread of education, more and more people are being empowered at lower and lower levels of income than ever before, so they think and act as if they were in the middle class, demanding human security and dignity and citizens’ rights. This is a tectonic shift. The Industrial Revolution was a 10-million-person story. This is a couple-of-billion-person story.”<sup>17</sup>

The United Church of Zambia established the Community Development and Social Justice Department (CDSJD) with a vision of providing sustainable spiritual and physical growth for people and their environment. The Church of Scotland supports the work of the CDSJD in empowering the poor, especially women. Under this project, women

<sup>14</sup> <http://www.christianaid.org.uk/images/ChristianAidTaxReport.pdf>

<sup>15</sup> Tim Butcher, *Blood River*, Chatto & Windus, 2007. p3

<sup>16</sup> Patricia Sheerattan-Bisnauth (ed). *Power to Resist and Courage to*

*Hope*. WARC & CANAC, 2009, p36. Available at: [http://warclab.de/warcjasp/news\\_file/POWER\\_TO\\_RESIST.pdf](http://warclab.de/warcjasp/news_file/POWER_TO_RESIST.pdf)

<sup>17</sup> [www.nytimes.com/2013/02/03/opinion/sunday/friedman-the-virtual-middle-class-rises.html?\\_r=0](http://www.nytimes.com/2013/02/03/opinion/sunday/friedman-the-virtual-middle-class-rises.html?_r=0)

are organised into groups of 20 and are taught business skills, encouraged to save their income and helped with capital support from the group savings to start or boost their business. General and financial literacy skills are also taught within the groups and leadership capacity is enhanced through a rotational leadership system that allows every member of the group to exercise their leadership skills.

The Presbyterian Reformed Church in Cuba (PRCC) reports that Cuban society is facing increasing violence due to the scarcity of economic resources, which is having a negative impact on people's willingness to act ethically. The USA embargo on Cuba, and the work of Cuban-American organisations against Cuba, is also perceived by the PRCC as impacting negatively on the whole society. The PRCC believes that there must be deeper theological reflection on this commercial and financial blockade against Cuba. PRCC, due to the economic conditions, has lost many trained clergy who have moved elsewhere in the hope of a brighter future.

The United Church in Jamaica and the Cayman Islands and the Government of Jamaica have joined forces in the Mount Olivet Boys' Home to provide a place of hope for young boys who have been abused or neglected. Boys at the home bear the scars of their life circumstances. Established in 1973, the home now provides refuge for 28 boys, with an average age of 12. The WMC Stamp Project in 2011 highlighted this work. The home is committed to offering love, care, comfort and help which will enable these young men to lead meaningful and productive lives and make positive contributions to society and the world.

### Health and HIV

Health continues to be a major challenge all over the world. Health and physical wellbeing are essential to living life in fullness. It has been estimated that 40% of Malawi's non-governmental health provision comes from faith based organisations. Churches and church clinics, and many mission hospitals are at the forefront of caring for the wider community.

A country's maternal mortality statistics are often an indicator of the level of basic health provision and many sub-Saharan nations feature high in the league tables. However initiatives such as the Nkhoma Safe Motherhood Programme (part of Nkhoma Hospital of the Church of Central Africa Presbyterian in Malawi, where 3000 babies are born every year) are making a difference. "We have been advocating for expectant mothers to come to the hospital or nearest health centres to deliver and not go to a Traditional Birth Attendant," reported Ellen Chizimba, the nurse in charge of the maternity ward. She continued, "Last year the number of maternal deaths was at 7; we haven't had a maternal death so far and we are approaching the end of the year. Thank God!" Ellen is dedicated to the work of the Programme, which the Council has supported through a grant from the Scottish Government. She felt the new opportunities helped mothers deliver more safely. "It really pains me to see women coming in late, or to see those who tried to conduct the deliveries alone at home or on the street when they can get the best treatment at the hospital."

The effects of global warming go beyond the environmental and economic, and are impacting people's health. Rising temperatures and increased rainfall have extended the breeding grounds for malaria-carrying mosquitoes, and mission partners in Malawi describe the current fight against malaria as "a battlefield". Worldwide 250 million cases of malaria are recorded each year, resulting in one million deaths. 90% are in Africa, mainly in children under five years of age. "It is one of the clearest scandals of poverty in a world in which there are effective and affordable ways to help children and adults avoid infection," said John Chettleborough of Christian Aid. Christian Aid currently works with 148 partner organisations addressing HIV issues. It now plans to encourage many of these to also work at combating malaria through increasing awareness, and promoting improved prevention and treatment.<sup>18</sup> The World Health

<sup>18</sup> <http://www.christianaid.org.uk/getinvolved/fundraise/church-malaria-scheme/index.aspx>

Organisation states that in countries that have achieved high coverage of their populations, with bed nets and treatment programmes, recorded cases and deaths due to malaria have fallen by 50%. These nets provide protection from malaria-carrying mosquitoes, especially for children and pregnant women who are particularly vulnerable.

One of the greatest challenges facing African communities over the last 30 years has been the spread of HIV, a condition for which there is still no vaccine or cure. The advent of antiretroviral medication has had a significant effect, allowing people to live with HIV (rather than dying with AIDS.) With early diagnosis and proper treatment, it has become a life-long condition rather than a death sentence. However, the provision of life-long medication is dependent not only on the generosity of international donors through the Global Fund to fight AIDS, TB and Malaria, but also on the availability of hospitals and clinics for those who need to access them. Neither of these is assured.

HIV remains a complex challenge; its links with poverty have been well rehearsed – lack of education and awareness due to illiteracy, poor health education or facilities, lack of employment opportunities leading to migrant working or risky behaviour – all can contribute to the spread of HIV. Furthermore, the stigma and discrimination experienced so often by those living with HIV is not conducive to encouraging others to go for testing to 'know their status.'

There are some optimistic signs that the epidemic in some sub-Saharan African countries is stabilising. This has been due to concerted education and treatment campaigns, many of which have seen admirable coordination between government and non-government agencies, including churches. One major success story has been the significant drop (25% between 2005 and 2010) in the number of babies being born with HIV.

However, there are no grounds for complacency. The Church of Scotland is still the only UK denomination which has a dedicated HIV Programme. In 2010 it was relocated within the World Mission Council, with funding agreed

until 2013. This has been a very happy arrangement, with many mutual benefits, and the Council has now agreed to make the HIV programme an integral part of its on-going work.

The HIV Programme continues to support the work of our partner churches as they tackle various aspects of the challenge of HIV: community awareness-raising, peer education, support groups for people living with HIV, hospital clinics, home-based care, caring for orphans and vulnerable children, skills training and micro-credit for those living with HIV. Seeking greater independence from international donors is becoming increasingly necessary as international funds become more difficult to access. At Lovemore Children's Home in Zimbabwe, a poultry project was set up to breed chickens and sell them and their eggs to bring in income locally. The Home cares mainly for boys aged 6-18; they are street children, many of whom are HIV+, and all are vulnerable.

Since its inception in the Presbytery of Lothian in 2010, "Souper Sunday" has now raised more than a quarter of a million pounds across Scotland and beyond. The Council gives thanks for the awareness raising and financial generosity of the churches in Scotland that currently enable support for 35 projects in 17 countries. This is certainly giving opportunities for people to live life in fullness.

## **6. Playing our part: sharing the good news in each other's lives and communities**

Conflict, climate change, economic injustice, socio-economic and health challenges are part of everyday life for far too many people around the world. It is essential that the systemic unfairness of economic and social structures are challenged and changed. A significant part of WMC's work is to partner with the Church and Society Council, Christian Aid, and other organisations, as together we seek to inspire and resource the Church in Scotland to act to make the world fairer and more just and to seek to allow every person to have the opportunity to live life in fullness.

In January this year, the Church of Scotland, together with Christian Aid and around 100 other agencies and faith groups joined together to launch the 'Enough food for everyone IF...' campaign. The key message is that the world produces enough food for everyone, but not everyone has enough food. We have an opportunity in 2013 to make a difference and seek the beginning of the end of global hunger. At the launch event in Glasgow, the Moderator and the Conveners of both the World Mission and Church and Society Councils endorsed the involvement of Church members and encouraged as many as possible to take part in the various events to highlight the need to ensure a fairer distribution of the world's food resources.

The World Mission Council sees a key role for congregations and Presbyteries to be in the vanguard of engagement with the world church. It is as Christians in Scotland journey and share with Christians in other countries that we learn from each other the things that bring life and health and joy and we can accompany each other in trouble and sadness. There are all kinds of opportunities for the church in Scotland and the churches internationally to make connections and develop links of friendship and support. There is learning to be offered and received on each side of the relationship. It is through our engagement and involvement with our partners that we are able to share the realities of everyday life with those with whom we are in relationship around the world. We encourage all in the Church to share the journey of faith with the church around the world, to walk the road together, to welcome visitors, to develop relationships, to become friends, and share the good news in each other's lives and communities, learning with and from one another, and finding Christ within that shared fellowship.

Benbecula Congregation is twinned with Jerusha Kanyua Congregation from the Presbyterian Church in East Africa, Kenya. Following two successful visits, one to Kenya and the other to Benbecula, the Kenyan partners wrote: "Friendship is cyclic. The seed was sown in 1922 when Dr Irvine set up the Scottish Mission where we live. It

was watered and nurtured through communication by members and new-found friends. The current generation is only refurbishing the foundation stone; a job well done! The likes of Erin Warner, 15 years old from Benbecula, are the conduit for the real twinning. We must give them the necessary infrastructure! We appreciate our today because we believe in a tomorrow. What a joy shall it be for us to meet them that were ahead of us on earth, those that finished the race in faith, including Dr Irvine; those present now scratching our heads as we figure out the best direction this twinning should take; those future generations for whom this twinning is all about. How wonderful shall it be for the twins to meet in heaven."

Further information on work with partners in specific countries is available on the Church of Scotland website or by contacting the World Mission Department in the Church Offices. In this year with Africa and the Caribbean, we urge churches to invite a speaker, organise events to focus on Africa and the Caribbean, host some of the African or Caribbean visitors the WMC is planning on bringing to Scotland. In everything that they do in the coming church year, churches are urged to keep Africa and the Caribbean in the forefront of prayers, activities and thinking.

Mission begins in the heart of God who "so loved the world." The gift of Jesus Christ to the world is the visible realisation of that love. It is essential, therefore, to understand mission as primarily *God's mission*, not the Church's mission, and to see it essentially as an expression of God's gracious love. This has been neatly summed up in the saying "*it is not that the Church of God has a mission but that the God of mission has a Church.*" As the ministry of Jesus Christ involved reaching out to the marginalised and excluded, bringing good news to the poor, liberty to the captives, healing to the sick, and freedom to the oppressed, so the Church's participation in that mission must involve love that similarly shows itself in radical, transformative action. A key focus of the World Mission Council is to encourage individuals, congregations, presbyteries and church organisations in Scotland to journey together with those from other countries. Just as on the road to

Emmaus, as we walk together and share the good news in each other's lives and communities, and learn with and from one another, so we will find Christ within our shared fellowship. There are opportunities to be a mission partner and go for a longer period to walk alongside our partners. There are also short term possibilities through the Professional Volunteer Programme, run in collaboration with Challenges Worldwide, which has so far led to a number of volunteers taking up placements. The WMC wants to see more Church of Scotland people take up the challenge to work with our partners and urges anyone feeling so called to be in touch.

Below is a portfolio of options (available at [www.churchofscotland.org.uk](http://www.churchofscotland.org.uk), with further information to help you get as involved as possible) for one particular aspect of our common task – opportunities to develop links and friendships with fellow Christians in Africa and the Caribbean. This will give some ideas about how to be effective, to be active, and to be engaged. Whatever the understanding, experience or available time, the ideas below can help churches and individuals to engage with the church in Africa and the Caribbean and do whatever each is able to support justice for all and the realisation of life in fullness.

### **Pray/Worship**

- Allocate one Sunday this year to focus on Africa & Caribbean using the WMC service materials.
- Learn to sing some African & Caribbean hymns, especially those in CH4, in the local language.

### **Give**

- Take part in the congregational challenge to "Plant a forest in Africa & the Caribbean".
- Prayerfully and actively support our Church of Scotland HIV Programme; hold a Souper Sunday service followed by a congregational lunch; support World Aids Day (Dec 1).
- Support a malaria bed net programme with one of our partners.
- Fund a scholarship for a key member of one of our partner churches to enhance their education and take

the opportunity to build a supportive relationship during their study period.

### **Read**

- The State of Africa by Martin Meredith.
- Half a Yellow Sun by Chimamanda Ngozi Adichie.
- Whiteman by Tony D'Souza.
- Blood River by Tim Butcher.
- The Next Christendom by Philip Jenkins.

### **Support**

- Christian Aid's campaign on tax justice. ([www.christianaidscotland.org.uk](http://www.christianaidscotland.org.uk))
- The work of the Trade Justice Movement. ([www.tradejusticemovement.org.uk](http://www.tradejusticemovement.org.uk))
- Buy and promote Fairtrade goods wherever possible ([www.fairtrade.org.uk](http://www.fairtrade.org.uk)) and seek to be registered as a Fairtrade church.
- Actively support the work of Jubilee Scotland including the Break the Chains campaign and the Defuse the debt crisis campaign. ([www.jubileescotland.org.uk](http://www.jubileescotland.org.uk))
- Activate church members to take part in the mass 'moment' being arranged around the G8 by the 'Enough food for everyone IF... Campaign' [www.enoughfoodif.org](http://www.enoughfoodif.org)

### **Write**

- Send a Christmas card to one of our partners (see website for information).
- Write to your MSP, MP, MEP to advocate for our partners (check website for latest action).

### **Meet**

- Invite WMC members or partner church members to visit your congregation to share their experiences.
- Spend your ministerial student summer placement with one of our partner churches.
- Spend your study leave with one of our partner churches.
- Become a Professional Volunteer ([www.challengesworldwide.org](http://www.challengesworldwide.org))

### **Learn**

- Encourage your Sunday School to use the WMC Africa Resource pack.

- Explore the possibility of developing a twinning relationship with a congregation and community in the Caribbean or Africa
- Hold an Africa and Caribbean night with food and activities (see website for information)
- Hold a Games night at your church which helps participants learn about unjust trade world ([www.makepovertyhistory.org](http://www.makepovertyhistory.org))

- Visit the David Livingstone Museum and use the bi-centenary websites to learn more ([www.davidlivingstone200.org](http://www.davidlivingstone200.org))

Watch these films.

- Pray the Devil back to Hell.
- The Imam and the Pastor.
- One God One Nation.
- Blood in the Mobile.

## PART 2

In the past two years the Council's reports have focussed on the Middle East, particularly Israel and the Occupied Palestinian Territory (Invest in Peace<sup>19</sup>), and on Asia, particularly China (Love never Ends<sup>20</sup>). These reports have been well used, and can still be read and the hymns sung and the suggested actions pursued. We are a church in a world-wide network of relationships and our previous reports remain valuable resources for congregational learning and study. Below the Council notes some recent key issues outside our focus on Africa and the Caribbean.

### **Tabeetha School, Jaffa, Israel**

2013 marks the 150th anniversary of the founding of Tabeetha School by Jane Walker-Arnott. The Church of Scotland inherited the school in 1912 and has managed it since then. Over 60% of the 320 pupils come from Christian families, with the remainder mostly Muslim, along with a few Jewish and international pupils. Jane Walker-Arnott started the school in response to a need to help poor girls in Jaffa gain a good education, and today the school seeks to continue this legacy. As part of this commitment, the Council is supporting the school in developing its bursary scheme to encourage wider access to the benefits Tabeetha can offer. With the surrounding culture predominantly Jewish or Muslim, it is important

that Tabeetha continues to offer an education based firmly on Christian values and the pupils have the opportunity to reach their fullest potentials in an environment characterised by inclusion, justice and equality.

### **Syria**

The situation in Syria is increasingly desperate. Our partners report shortages of electricity, water, fuel and many daily needs, which add to the pain of the killing and displacement. The Christian community in Syria reports extremist groups coming from outside the country and threatening the very fabric of religious co-existence which has characterised Syria for centuries. The Rev Joseph Kassab added: "The majority of people have stopped discussing which side is to be blamed. The call for freedom and democracy is 'luxury talk' when people ask only to stop the killing and destruction."

In Lebanon, the Presbyterian Synod of Syria and Lebanon and the Middle East Council of Churches (MECC) have been active in supporting relief and humanitarian action. In Jordan, the Orthodox Churches and the Lutheran World Federation, as the lead agency for a consortium of Church agencies, including Christian Aid, have done the same. The Council sent financial support to help with these efforts, but the problem is only getting worse. Refugees are pouring in. A number of NGOs are providing some food stuffs, bedding and clothing and the MECC is taking children into their kindergarten, and young men to study in their electronics programme.

<sup>19</sup> Middle East: [www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0019/9028/investinpeace.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0019/9028/investinpeace.pdf)

<sup>20</sup> Asia: [www.churchofscotland.org.uk/speak\\_out/make\\_a\\_difference\\_locally/campaigns/love\\_never\\_ends](http://www.churchofscotland.org.uk/speak_out/make_a_difference_locally/campaigns/love_never_ends)

There was a welcome from our partners on hearing of the Gathering for Syria, coordinated by the Church of Scotland in St Giles Cathedral last autumn, to pray for and offer solidarity to the Syrian people for a just end to the conflict. The Synod wrote to us: "Thank you for keeping Syria in your prayers and thoughts. We really need that in this difficult time. Indeed we appeal for prayer so that God would have mercy, forgiveness, and end this tragic situation. We want food, electricity, heating fuel. We want to live with dignity."

### **China**

Resources were produced to facilitate the 2012-13 "Year of China". Building partnerships with Amity Foundation and the China Christian Council continues to be a priority for WMC, for example by publicising opportunities for Scottish Christians to visit China, giving grants to support local community and church programmes and joining in the celebrations, with the Scottish Bible Society, of the printing of 100 million Bibles at Amity Printing Company in November 2012.

The Church of Scotland and Scottish Churches China Group continue to be active members of the Churches Together in Britain and Ireland China Forum and worked together to host an important visit by a delegation from the Amity Foundation to bring four senior Chinese government officials to visit Scotland. Cooperation with other Councils and Committees was especially appreciated during this visit when Ministries, Church and Society, and Social Care Councils helped the Chinese visitors appreciate how church, society and state in Scotland related and worked together. The visitors from China found the work being done by the Church of Scotland both interesting and impressive.

### **Pakistan**

Pakistan remains of significant concern. In June 2012, the WMC hosted a meeting at the request of the Governor of Sindh, Dr Ishrat Ul Ebad Khan, who was on an official visit to Scotland, which led to the Moderator meeting with the Pakistan High Commissioner Wajid Shamsul Hasan in London and representatives from WMC meeting

with Humza Yusuf MSP, Minister for External Affairs and International Development in the Scottish Government. At each of these meetings WMC, was able to raise the question of Pakistan's Blasphemy Laws and how non-Muslims in Pakistan are discriminated against and sometimes persecuted by the misuse and abuse of these laws. The Convener also chaired a session at the special hearing on Pakistan's Blasphemy Laws convened by the WCC in Geneva.

The Council was delighted to hear that Miss Catherine Nicol OBE was awarded the Tamgha-e-Quaid-e-Azam, or Medal of the Great Leader, from the President of the Islamic Republic of Pakistan. This civil award is conferred by the Government of Pakistan on those who rendered "dedicated services with selfless devotion in human rights and public service." Miss Nicol is a worthy recipient for her lifetime of service to Pakistan and its people.

### **Overseas Charges**

The charge of Greyfriars St Ann's, Port of Spain, linked with Arouca and Sangre Grande, Trinidad and Tobago has had extensive conversations with the Council and the Presbytery of Europe and a consensus has been reached that they would be best supported and supervised within the Presbytery of Europe. This would remove the last remaining congregation under the auspices of the Act anent Overseas Charges, which may now be repealed.

Two Acts are required in order to effect the necessary changes and these are annexed as Appendices V and VI. The Act in Appendix V makes provision for the charge to move into the Presbytery of Europe and be governed by Act VIII 2007 Anent the Church of Scotland in Europe (as amended). The second Act, set out at Appendix VI, provides that the current minister shall continue in office as a minister of the United Church of Jamaica and the Cayman Islands, not of the Church of Scotland. He shall however become a member of the Presbytery of Europe, and subject to the law and discipline of the Church of Scotland as if he were a minister thereof, until such time as he may retire or the pastoral tie be dissolved, whichever is earlier.

## PART 3

With the previous Strategic Plan due to expire in 2012, the Council established a Review Group with instructions not to produce a detailed action plan that defined the limits of the Church's engagement with the wider world, but instead to prepare an adaptable strategic framework that would allow for flexibility of implementation and so liberate and empower, rather than inhibit, the work of the Council and its staff. For this to work it was essential that the overall strategic aim of the Council be clearly defined.

The starting point was to understand the nature and direction of mission in the 21st Century. After his resurrection Jesus sent his disciples out into the world to share the good news about himself, making disciples and being his witnesses, "to the ends of the earth." This was the beginning of "world mission." With its starting point in Jerusalem, it was to radiate out in all directions and into all the world, led and empowered by the promised Holy Spirit.

In more recent centuries (in particular the 18th and 19th centuries) the "direction" of mission was often perceived as being **from** the "Christian West" **to** places like Africa, Asia, etc. In the mid-20th Century, as mainline denominations in "the West" began to decline, the centre of gravity of the church shifted in many respects from North to South. The "direction" of mission was then perceived by some to have reversed – that is **from** Africa or Asia or South America **to** "the West" – hence the phrase "mission in reverse".

However, in the new "global village" we are beginning to recognise that the true, and original, direction of mission is from God to the world (Missio Dei). As has been said, *"It is not that the Church of God has a mission but that the God of mission has a Church."* Putting it simply, the whole world church is invited to participate in God's mission to the whole world.

The Church of Scotland may once have perceived itself to be a big church in a small country, but today it is a small church in a big world, yet still an integral part of a global church that has many different branches, rooted in many different cultures, expressing the life of God's Spirit in many different ways, yet sharing in the one mission of God. This self-understanding implies that the Church of Scotland's

default method of sharing in the mission of God to the whole world must be to work in partnership with others.

Partnerships may exist at many different levels, hence the need to develop flexible and varied models both of partner relationships and of service opportunities with the world church. It is also essential to break away from a "donor mindset" to one of working "shoulder to shoulder" with our partners. The strategic framework attempts to provide an environment conducive to building such relationships around the whole world, and not just in those areas with which we have an historical connection through the sending of missionaries.

From this basis, the Council reflected on and agreed its new strategic framework, as follows:

The Strategic Aim of the World Mission Council is to enable the Church of Scotland, as part of the holy catholic or universal Church, to participate effectively in the Mission of God in the world, following the example and priorities of Jesus Christ and seeking the guidance of the Holy Spirit.

The World Mission Council seeks to fulfil that aim through the following strategy:

- Engaging in a process of attentive accompaniment with the Church of Scotland's partners worldwide. (That is, listening to and walking with our partners on the journey of faith.)
- Developing flexible models of partner relationships and service opportunities with the world church.
- Maximising the available human and financial resources.
- Maximising the benefits to the Church in Scotland of involvement in the world church and communicating these benefits to the members and congregations of the Church of Scotland.

Having articulated its strategic direction, the Council reviewed its remit and found it necessary to rework certain parts of it to allow for the full implementation of the strategic framework. The renewed remit appears in the report of the Council of Assembly and the World Mission Council asks for the consideration and agreement of the remit by the General Assembly.

## PART 4

Saying it with people is a central part of the Council's mission. We say it through Faithshare visits, short term visitors either coming to Scotland to share their life, experiences, hopes and fears with congregations, presbyteries or committees here in Scotland or through groups from Scotland going out to visit friends and partners in other countries.

We say it with mission partners going out to work with churches and support them in meeting local needs that they have identified as priorities for their people. In the appendices to our report, we list all the Mission Partners presently serving and note and give thanks for those who have passed away. There is also a list of all the Faithshare visits which have taken place in 2012, and the twinning relationships which the Council has helped facilitate. Life in fullness is the aim of all the Council's work around the world. You can read this report, the appendices and more about other parts of the world on the Church of Scotland website: [www.churchofscotland.org.uk](http://www.churchofscotland.org.uk)

*In the name of the Council*

ANDREW R C MCLELLAN, *Convener*  
 IAIN D CUNNINGHAM, *Vice-Convener*  
 CHRISTINE SIME, *Vice-Convener*  
 IAN W ALEXANDER, *Council Secretary*

Appendices	(I-IV on the web)
Appendix I	Deaths
Appendix II	Mission Partners
Appendix III	Faithshare Visits
Appendix IV	Twinings

### APPENDIX V

**[ ] Act Concerning Greyfriars St Ann's, Port of Spain  
 linked with Arouca and Sangre Grande,  
 Trinidad & Tobago**

*Edinburgh, [ ] May 2013 Sess. [ ]*

The General Assembly hereby enact and ordain as follows:

1. With immediate effect, the charge of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago shall be a charge of the Presbytery of Europe, and the provisions of Act VIII 2007 (or any legislation replacing that Act) shall apply as far as possible to those charges.
2. The Presbytery of Europe shall determine, in its Standing Orders, all questions relating to the charge's relationship with the Presbytery and superintendence by the Presbytery, and all questions relating to the allocation of the costs of that membership and superintendence.
3. Act VI 2001 anent Overseas Charges (as amended) is repealed.
4. Act VIII 2007 anent the Church of Scotland in Europe (as amended) is hereby amended as follows:
  - (1) In section 1, by deletion of the existing second sentence defining the term 'Europe', and the substitution of a sentence reading: "For the avoidance of doubt, this Act applies to the charges of Christ Church, Warwick, Bermuda, St Andrew's Colombo, Sri Lanka and Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad and Tobago as provided in Act II 2008 and Act [ ] 2013, and the jurisdiction of the Presbytery of Europe and the Europe Committee shall extend over those charges."
  - (2) In section 1, by the deletion of the sentence defining 'Sanctioned Charge' and the substitution of: "A Sanctioned Charge" shall mean (1) a sphere of pastoral duty to which a minister or ministers based in Europe is or are inducted or (2) the congregation of Christ Church, Warwick, Bermuda or (3) the congregation of St Andrew's Colombo, Sri Lanka, or (4) the congregations of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad and Tobago, said Charges

being as specified in Schedule 2 annexed hereto as from time to time amended as provided for in this Act.’

- (3) By the addition to Schedule 2 of reference to the charge of Greyfriars St Ann’s, Port of Spain linked with Arouca and Sangre Grande, Trinidad and Tobago.

## **APPENDIX VI**

### **[ ] Act Concerning the Minister of Greyfriars St Ann’s, Port of Spain linked with rouca and Sangre Grande, Trinidad & Tobago.**

*Edinburgh, [ ] May 2013 Sess. [ ]*

The General Assembly hereby enact and ordain as follows:

1. Without prejudice to the settled law and practice of the Church of Scotland, with effect from the passing of this Act, the Reverend Garwell Bacchas shall continue in office as minister of Greyfriars St Ann’s, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago upon the same terms and conditions as pertain at present.
2. The Reverend Garwell Bacchas shall retain his status as a minister in the United Church of Jamaica and the Cayman Islands. For the avoidance of doubt, he shall not become a minister of the Church of Scotland; however, he shall be granted full membership of the Presbytery of Europe with all the rights, privileges and duties associated therewith and in particular shall be authorised to moderate the Kirk Session of Greyfriars St Ann’s, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago. He shall at all times be subject to the law and discipline of the Church of Scotland as if he were a minister of the same.
3. Upon the earlier of (i) the dissolution of the pastoral tie between the Reverend Garwell Bacchas and the congregations of Greyfriars St Ann’s, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, and (ii) the retrial of the Reverend Garwell Bacchas, in either case he shall lose his membership of Presbytery and right to moderate the Kirk Session and shall not retain any ministerial status within the Church of Scotland nor shall he be entitled to a Practising Certificate or Certificate of Eligibility in terms of Act II 2000 (or any legislation replacing that Act).



# COMMITTEE ON CHAPLAINS TO HM FORCES

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Reaffirm the support of the Church of Scotland for all who serve in Her Majesty's Forces as Chaplains, and thank them for their outstanding service to Royal Navy, Army and Air Force personnel and their families.
3. Acknowledge with particular gratitude the dedicated service of Chaplains on operations in Afghanistan and the immeasurable support shown by their own families.
4. Commend to the prayers of all members of the Church of Scotland not just our Chaplains but all who serve in HM Forces and their families.
5. Recognise the on-going sense of uncertainty and anxiety that continues to prevail among so many military personnel facing reduction and redundancy, and the extra burden this brings to those with responsibility for pastoral care.
6. Commend to eligible ministers of the Church consideration of service as a Chaplain to HM Forces – Regular, Reserve and Cadet Forces.

### REPORT

#### 1. Introduction

One of the joys and privileges of military chaplaincy is the opportunity it presents to work and worship alongside colleagues from a whole range of denominations of the Church. Ironically there have been far fewer opportunities for chaplains from different branches of chaplaincy but from the same Church to meet together – except, in our case, fleetingly at the General Assembly. The Church of Scotland Committee on Chaplains to HM Forces has long been anxious to see more provision for our chaplains from the Royal Navy, Army and Royal Air Force simply to get together and is glad to report that the first tri-service conference held last September at Amport House, the Armed Forces Chaplaincy Centre, proved popular enough to merit an annual slot in the calendar. Church of Scotland chaplains from the three services studied, talked, prayed and dined together and a visit to the Falklands Memorial Chapel at Pangbourne College provided a vivid reminder of how chaplains can co-operate in times of conflict as well as conference.

The conflict in Afghanistan continues to demand the very highest commitment from our chaplains. Over the last year the increase in so-called “green on blue” attacks on NATO troops can only have heightened tension amongst members of HM Forces working alongside their Afghan counterparts. It is in such an uncertain context that chaplains continue to minister, and in which their ministry continues to be so highly valued.

Uncertainty is not restricted to those on operational duty – at home many members of the Armed Forces are facing redundancy, sometimes voluntarily and sometimes compulsorily, as a result of on-going reductions. Those ministering to them and to their families in this context too need to be highly sensitive and supportive.

These days there is a great deal of support available to veterans and their families, whatever the reasons for their having left the Armed Forces. Every local authority in Scotland has signed up to the Military Covenant as a means of channelling such support, and many have

appointed Veterans Ambassadors as a primary link. Parish ministers who are anxious to offer support to those no longer serving in the Armed Forces but uncertain as to how to proceed should not hesitate to seek out their local representative as well as drawing on the resources and advice which organisations like SSAFA, the Royal British Legion (Scotland), Scottish Veterans' Housing Association, Veterans' First Point and many other organisations offer.

## 2. Recruitment

Whatever else is happening in the wider military world, the need to continue to recruit chaplains to HM Forces remains strong. Since last year's General Assembly four new regular chaplains have been recruited to the Royal Army Chaplains' Department, which is encouraging. But we are very short of TA chaplains in Scotland and vacancies also exist for service with Army Cadet Forces. The Royal Navy and the Royal Air Force are anxious to recruit both for their regular and reserve forces. There are currently no potential chaplains "in the pipeline" for regular service across the board. Initial inquiries can be made without any obligation and in strictest confidence to the Convener or Secretary.

*In the name of the Committee*

NEIL N GARDNER, *Convener*  
JACKIE G PETRIE, *Vice-Convener*  
JOHN K THOMSON, *Secretary*

## APPENDIX I CHAPLAINCY IN THE ROYAL NAVY

As an Island nation, our prosperity and security is totally dependent on our ability to access the sea. The UK is reliant on a stable global market for the raw materials, energy and manufactured goods which underpin our way of life and, in a globalised world, we must have the ability to respond to any event that threatens our economy or national interests. That is why the Royal Navy is globally deployed and has a range of versatile ships, submarines and aircraft operated by highly professional Sailors,

Aviators and Royal Marine Commandos. The Royal Navy continues to police the use of the sea in partnership with allies and retains the unique ability to influence events at sea, on land and in the air providing real flexibility of choice to both military and political leaders.

The Royal Navy is:

**Preventing Conflict** – The Royal Navy prevents conflict by being globally deployed in order to deter threats by reassuring regional powers and stabilising potential hotspots. The coercive nature of a credible military force at sea has significant worth in re-enforcing political will.

**Providing Security at Sea** – The Royal Navy is at sea every day, working with international partners to provide global maritime security where it is needed.

**Promoting Partnerships** – The Royal Navy promotes stable and co-operative relationships with friendly and neutral nations around the world through working together, training together and determining common understanding.

**Providing Humanitarian Assistance** – The Royal Navy provides humanitarian aid and relief from the sea without the need to draw on a country's infrastructure or resources.

**Protecting our Economy** – The Royal Navy contributes to the stability and economic prosperity of the UK by being deployed around the globe in order to protect trade routes and guard the flow of energy resources into our ports.

**Ready to Fight** – The Royal Navy is ready to fight and win in combat at sea, on land or in the air.

These are enabled by:

Our Sailors, Aviators and Marines who are a highly skilled and efficient force. They are the life blood of our service, able to adapt to whatever the mission demands and are key to delivering success anywhere in the world.

The Royal Navy has always recognised the essential part that the spiritual and pastoral dimension plays in our

lives and those of our people and their families. The unique demands placed upon the Service in the maritime environment and the responsibility placed upon us in the war-fighting environment require us to develop deep reserves of resilience, resolve and courage.

Yet while crises and warfare have always been an intrinsically human endeavour, nurturing the spiritual and pastoral dimension is becoming even more important. The complex and rapidly changing battle space of modern warfare and crisis engagement bombards our people with a wealth of information and as a consequence they are often expected to take vital decisions. Although it is what our people are trained for, the demand for quick-decisions means today's sailors, marines and officers must rely upon, not only the rules, regulations and command direction, but on their own moral instinct.

It was the privilege of the Naval Service to host the Moderator and his wife in February of this year. The Moderator visited Commando Training Centre Royal Marines, Britannia Royal Naval College, HMS RALEIGH and they took part in a 'Thursday War' at sea as a guest of the Navy's training organisation. Mr Bogle and his wife met a wide cross-section of Royal Navy and Royal Marines personnel, bringing the good wishes and support of the General Assembly and the wider church.

In a dynamic and uncertain world, the Naval Chaplaincy Service directly contributes to the moral component of warfare – both the maintenance of morale which in turns promotes offensive spirit and determination to meet the aim and courage in adversity, be that danger or moral dilemma.

As 'friend and adviser to all on board' Chaplains will continue to live out their vision for 'Naval Service Personnel prepared and sustained spiritually, emotionally and morally throughout their Service life'.

In the past year, Church of Scotland Chaplains continue to serve with pride at sea, with the Royal Marines deployed on operations and at home in a variety of support, training and reserve roles.

The Naval Chaplaincy Service currently has vacancies for Church of Scotland Ministers, in both full-time and part-time as Reservists. If you are interested or keen to know more then please contact the Chaplain Recruiter; The Reverend Richard Ellingham on 023 9262 5552. All enquires will be treated with the strictest of confidence. The upper age limit is 49 for full-time and slightly higher should you be interested in joining the Reserves.

### **Church of Scotland Naval Chaplains**

#### **Rev Scott J Brown QHC BD**

As the Chaplain of the Fleet, Scott continues to lead the Naval Chaplaincy Service, and is based at Navy Command Headquarters in Portsmouth.

#### **Rev Dr Scott J S Shackleton BA BD PhD Royal Navy**

Scott is Brigade Chaplain, 3 Commando Brigade Royal Marines, and is also covering 45 Commando Royal Marines in Arbroath. He is responsible for the coordination and care of chaplaincy services currently delivered to 45 Commando, 30 Commando, Commando Helicopter Force and elements of Commando Logistic Regiment. This includes deployment to the Gulf on Exercise COUGAR which is an amphibious exercise alongside our French and US allies.

#### **Rev Stan Kennon BA BD Royal Navy**

Stan works with a team of 3 at Britannia Royal Naval College (BRNC), Dartmouth and delivers Initial Officer Training for the Royal Navy. He is also responsible to the Royal Navy for the coordination of Multi-faith religion to ensure that the needs of the service are met.

#### **Rev Mark F Dalton BD DipMin Royal Navy**

Mark continues to serve the Navy's Hydrographic Squadron, based in Plymouth. He is currently deployed in HMS PROTECTOR.

#### **Rev Mark Davidson MA BD STM Royal Navy**

Mark continues to serve with the ships and submarines of the Faslane Flotilla.

### **Rev Dr Marjory A Maclean LLB BD PhD Royal Naval Reserve**

Marjory continues to serve at HMS SCOTIA, the Royal Naval Reserve unit at Rosyth.

## **APPENDIX 2 CHAPLAINCY IN THE ARMY**

Church of Scotland Chaplains exercise their ministry within the Royal Army Chaplains' Department (RACHD) as Regular Chaplains; Chaplains to the Territorial Army and to the Army Cadet Force, and as Officiating Chaplains. The work at home in support of deployed unit personnel and families is considerable, and the involvement of TA, ACF and Officiating Chaplains in ministering to the wider military community, either routinely, or in response to grief and tragedy, is witness both to the demands of conflict and to the ethos of the RACHD in meeting the spiritual, pastoral and moral needs of the soldier and his or her family.

The Rev Dr David Coulter QHC continues his leadership role as the Deputy Chaplain General. We bid farewell to the Rev Angus MacLeod as he returned to Parish ministry at St Columba's Pont Street in London. In his place, the Rev Benjamin Abeledo has assumed the post of Deputy Assistant Chaplain General for 51 (Scottish) Brigade, with responsibility for day to day chaplaincy across Scotland. With the disbandment of Headquarters 2 Division in 2012, there is no longer an Assistant Chaplain General Scotland post and chaplaincy cover is coordinated from Headquarters Support Command based in Aldershot.

Church of Scotland Chaplains continue to play a significant role on operations. Their continuous presence is a reminder of the role being played by Scottish soldiers. In March this year the Rev Paul van Sittert (1 SCOTS) returned with 4 Mechanized Brigade from its deployment to Afghanistan (October-April 2012-13.) Rev Louis Kinsey TA Chaplain to 205 (Scottish) Field Hospital is to be congratulated for being mentioned in the 2012 New Year's Honours List and awarded the Queen's Volunteer Reserves Medal (QVRM).

Rev Geoff Berry, Rev Christopher Kellock, Rev Nicola Frail and Rev Neil McLay were commissioned as Regular chaplains in the Royal Army Chaplains Department in 2012. The Rev Colin Jones, from the Presbyterian Church in Ireland was also commissioned as a Regular Chaplain. Rev Stephen Blakey (Lothian & Borders Bn) Rev Shuna Dicks (2 Highlanders Bn) and Rev David Logan (Black Watch Bn) and Rev Alen McCulloch (Cornwall – The Rifles) were commissioned as Army Cadet Force Chaplains.

Throughout the year the Army has again received excellent support from the Moderator of the General Assembly. The Right Rev Albert O. Bogle has continued to encourage congregations to support the Firm Base initiative, whereby the military seeks to optimise support for military personnel from the key agencies in the civilian world (Health, Education, Social Services, Church etc) while simultaneously encouraging military engagement within the civilian community.

The work of our Chaplains however is best conveyed by their own reflections:

Rev Geoff Berry, chaplain to the Highlanders (4 SCOTS)

*The start of a new ministry is always a time of self-discovery as God leads us outside our comfort zone. Just over a year ago, I was a Parish Minister with a steadily expanding congregation and a rapidly expanding waist-line. Now I'm the Padre... with a small congregation in the Garrison Church and a much diminished waistline as we focus on our preparation for an autumn deployment to Afghanistan. It is the incredible privilege of Army Chaplaincy that as you spend time with them in the field, around barracks and just generally being there these highly motivated, very fit and skilled individuals open up to you with very searching questions, genuinely wanting to explore their faith.*

Rev Nicola R Frail, 9 Regt Army Air Corps

*The heart of pastoral ministry though remains the same whether it is a conversation with a pilot, a garage fitter or a combat medical technician as I seek to bring the love of Christ*

*to a broad range of people and situations. I feel enormously privileged to be in a position to offer spiritual, pastoral and moral support to service personnel and their dependents. This is the all-souls ministry to which military chaplains are called and in an increasingly secular society we are tremendously fortunate to be able to continue this work in service to God.*

Rev Louis Kinsey 205 (Scottish) Field Hospital (Volunteers).

*Army medics from 205 (Scottish) Field Hospital (Volunteers), and soldiers with other military trades and roles, continue to take temporary, sacrificial leave of family and friends in the UK in order to deploy to Afghanistan. Newspaper headlines barely report the on-going work of surgery and other medical treatment that is part and parcel of everyday life for medical Unit personnel serving there. The ministry of chaplaincy continues to be about providing support and Christian love to all, and about sharing the Gospel. It is a ministry that requires thought. It's an extraordinary ministry for ordinary ministers, and the uniforms are free!*

Rev Fraser Stewart 1st Btn the Highlanders, Army Cadets Force

*Miracle work for the year involved a young man of the OTC who had no suit for the annual Mess dinner. "Where could he get one? Perhaps a charity shop?" As he was 6' 7" no luck there. As the padre was 5' 7" no chance of a loan. However a fellow officer was found of requisite height with both Mess dress and a suit and all was well. Why was the padre approached? For a miracle? In desperation? Or because he knew John the Baptist's words "Whoever has two coats must give to the man who has none."?*

Finally the conclusion of Padre Hector Mackenzie Chaplain to 3PARA who said:

*It is apparent that there is no such thing as a period of rest and recovery in today's busy Army and if there is it is very limited. In these circumstances there is great truth and relevance in the words of Jesus "Come to me all of you who are weary and heavy-laden and I will give you rest." It is our privilege as Chaplains to be there to point them to Jesus who*

*alone can provide rest for our weary souls. Please continue to pray for us and those to whom we minister, especially that we too as serving Chaplains may have time to find rest for our souls among the demands placed on us. Thank you all for your continued support and interest in this ministry.*

This reflects the work of chaplaincy over the year. Although the Regular Army, the Territorial Army, the Army Cadet Force and Officiating Chaplains to the Military will all have their own specific context, the challenges and opportunities are the same. The reflections from the chaplains themselves do define the ethos of military chaplaincy.

Recruiting to the Department remains a priority if these challenges and commitments are to be met. Prospective applicants for this rewarding and exciting ministry are most warmly encouraged to contact the Convenor or Secretary of the Committee. There is always a requirement for new Regular Chaplains, and specific vacancies within other categories are identified in the list below.

## CHURCH OF SCOTLAND ARMY CHAPLAINS

### REGULAR ARMY

Rev Benjamin J A Abeledo, CF  
Headquarters 51 (Scottish) Brigade  
Forthside  
Stirling  
FK7 7RR

Rev James W Aitchison, CF  
4th Regiment Royal Artillery  
Allanbrooke Barracks  
Topcliffe  
Thirsk  
North Yorks  
YO7 3EQ

Rev David Anderson, CF  
Scots Dragoon Guards  
Wessex Barracks  
Fallingbostal  
BFPO 38

Rev Geoff Berry CF  
4th Battalion the Highlanders  
Oerbke-Lager  
Fallingbostel  
BFPO 38

Rev Daniel Connolly, CF  
39 Engr Regt (Air Support)  
Kinloss Barracks  
Kinloss  
Forres  
IV36 3XL

Rev Dr David G Coulter QHC, CF  
Deputy Chaplain General  
MOD Chaplains (Army)  
Headquarters Land Forces  
2nd Floor Zone 6  
Ramillies Building  
Marlborough Lines  
Andover  
SP11 8HJ

Rev John C Duncan, CF  
3rd Bn The Yorkshire Regiment  
Battlesbury Barracks  
Warminster  
Wiltshire  
BA12 9DT

Rev Dr James Francis, CF  
School of Signals  
Blandford Camp  
Blandford  
Dorset  
DT11 8RH

Rev Nicola Frail CF  
9 Army Air Corp  
Dishforth  
Thirsk  
YO7 3EZ

Rev Christopher Kellock, CF  
7 Royal Horse Artillery  
Merville Barracks  
Roman Way  
Colchester  
CO2 9NT

Rev David V F Kingston, CF  
Headquarters Colchester Garrison  
Gryphon House  
Merville Barracks  
Colchester  
CO2 7UT

Rev Stewart A MacKay, CF  
2nd Bn The Parachute Regiment  
Merville Barracks  
Colchester  
Essex  
CO2 7UT

Rev Hector M MacKenzie, CF  
3rd Bn The Parachute Regiment  
Merville Barracks  
Colchester  
Essex  
CO2 7UT

Rev Seoras L Mackenzie, CF  
3rd Bn The Black Watch,  
The Royal Regiment of Scotland  
Fort George  
Ardersier  
Inverness  
IV1 2TD

Rev Rory N MacLeod, CF  
39 Regiment, Royal Regiment of Artillery  
Albemarle Barracks,  
Harlow Hill  
Newcastle-upon-Tyne  
NE15 0RF

Rev Duncan J MacPherson, CF  
Headquarters Hereford Garrison  
Hereford  
HR4 7DD

Rev Neil McLay CF  
Queen Royal Hussars  
Husaren Strasse  
Sennelager  
33104 Sennelager  
BFPO 16

Rev Paul van Sittert, CF  
1st Bn The Royal Regiment of Scotland  
Dreghorn Barracks  
Edinburgh  
EH13 9QW

#### **And from The Presbyterian Church in Ireland**

Rev M Henderson, CF  
2 RIFLES  
Abercorn Barracks  
Ballykinler  
Downpatrick  
Down  
BT30 8DG

Rev N G McDowell, CF  
Headquarters Station  
Alexander Barracks  
British Forces Post Office 808

Rev Mrs H M Rendell, CF  
1st Infantry Training Battalion  
Infantry Training Centre  
Vimy Barracks  
Catterick  
North Yorkshire  
DL9 3PS

Rev Dr S P Swinn, CF  
Headquarters 12 Mechanised Brigade  
Ward Barracks  
Salisbury  
SP4 9NA

Rev S W Van Os, CF  
Training Support Unit  
DCLPA  
Worthy Down  
Winchester  
SO21 2RG

#### **Territorial Army (Group A)**

Rev Stephen A Blakey, CF (V)  
6th Bn The Royal Regiment of Scotland (Volunteers)  
Walcheran Barracks  
122 Hotspur Street  
Glasgow  
G20 8LQ

#### **Vacancy**

7th Bn The Royal Regiment of Scotland (Volunteers)  
Queens Bks  
131 Dunkeld Rd  
Perth  
PH1 5BT

#### **Vacancy**

105 Regiment, Royal Regiment Artillery (Volunteers)  
301 Colinton Road  
Edinburgh  
EH13 0LA

Rev Christopher J Rowe, CF [V]  
32 (Scottish) Signal Regiment (Volunteers)  
21 Jardine Street  
Glasgow  
G20 6JU

**Vacancy**

225 General Support Medical Regiment (Volunteers)  
 Oliver Barracks  
 Dalkeith Road  
 Dundee  
 DD4 7DL

Rev Louis Kinsey, TD, CF (V)  
 205 (Scottish) Field Hospital (Volunteers)  
 Graham House  
 Whitefield Road  
 Glasgow  
 G51 6JU

**Vacancy**

Scottish Transport Regt (Volunteers)  
 Bothwell House  
 Elgin Street  
 Dunfermline  
 KY12 7SB

Rev Alan Cobain, CF (V)  
 71 Engineer Regiment (Volunteers)  
 RAF Leuchars, St Andrews  
 Fife  
 KY16 0JX

**Territorial Army (Group B)**

Rev Roderick D M Campbell, OStJ, TD, CF [V]  
 Argyll & Sutherland Highlanders Bn, ACF,  
 Royal Regiment of Scotland  
 Harfield House  
 Bonhill House  
 Dumbarton  
 G82 2DG

Rev David Logan CF (V)  
 Black Watch Bn, ACF,  
 Royal Regiment of Scotland  
 Queens Barracks  
 131 Dunkeld Road  
 Perth  
 PH1 5BT

Rev William McLaren, CF (V)  
 Angus & Dundee Bn, ACF,  
 Royal Regiment of Scotland  
 Barry Buddon  
 Carnoustie  
 Angus  
 DD7 7RY

Rev Ecilo Selemani, CF (V)  
 Glasgow & Lanark Bn, ACF,  
 Royal Regiment of Scotland  
 Gilbertfield Road  
 Cambuslang  
 Glasgow  
 G72 8YP

Rev Cameron Mackenzie, CF (V)  
 Lothian & Borders Bn, ACF,  
 Royal Regiment of Scotland  
 Drumshoreland House  
 Broxburn  
 West Lothian  
 EH52 5PF

Rev Ivan C Warwick, TD, CF (V)  
 Rev Fraser Stewart, CF (V)  
 1 Bn The Highlanders, ACF,  
 Royal Regiment of Scotland  
 Gordonville Road  
 Inverness  
 IV2 4SU

Rev Thomas Bryson, CF (V)  
 Rev Shuna Dicks, CF (V)  
 2 Bn The Highlanders, ACF,  
 Royal Regiment of Scotland  
 Cadet Training Centre  
 Rocksley Drive  
 Boddam  
 Aberdeenshire  
 AB42 3BA

Rev Roderick I T MacDonald, CF (V)  
West Lowland Bn, ACF,  
Royal Regiment of Scotland  
Fusilier House  
Seaforth Road  
Ayr  
KA8 9HX

Rev Ivan C Warwick, TD, CF (V)  
Orkney Independent Battery, ACF  
Territorial Army Centre  
Weyland Park  
Kirkwall  
KW1 5LP

Rev Keith T Blackwood, CF (V)  
Shetland Independent Battery, ACF  
Territorial Army Centre  
Fort Charlotte  
Lerwick  
ZE1 0JN

Rev Alen J R McCulloch CF (V)  
Cornwall ACF (The Rifles)  
7 Castle  
Canyke Road  
Bodmin  
Cornwall  
PL31 1DX

### **Officiating Chaplains to the Military**

Rev R Alexander Whiteford  
Inverness  
Fort George & Cameron Barracks

Rev Angus R Mathieson  
Edinburgh Garrison & the PRU

Rev Neil N Gardner  
Edinburgh Universities Officers' Training Corps

Rev Stephen A Blakey  
HQ (Scottish) Brigade  
Tayforth University Officers' Training Corps

Rev Thomas A Davidson Kelly  
Glasgow  
Army Personnel Centre

Rev Karen Watson  
Edinburgh  
Personnel Recovery Unit

Rev William McLaren  
225 GS Med Regt (V)

## **APPENDIX 3 CHAPLAINCY IN THE ROYAL AIR FORCE**

The Royal Air Force continues to implement changes in post SDSR. Government cutbacks mean that by 2015, the number of personnel will reduce to 33,500 and further reduce to 32,500 by 2020. As the commitment in Afghanistan continues, there are indeed extra pressures facing personnel during this period. Gapping has highlighted some of these pressures where turnaround from operational tours has increased in some areas. Given the current international security issues, operational tempo may continue for some time post Herrick.

In an ever changing and challenging environment, the Chaplains' Branch continues to play a pivotal role in ensuring that people are cared for within the RAF Community. Most importantly, the demand for chaplains on operations remains as high as ever; junior chaplains in particular, have made notable contributions in what has been their first experience of deployments.

Currently there are 62 chaplains serving and whilst there are no redundancies planned, we will lose several experienced chaplains within the next 2 years through retirement. Recruiting therefore remains of paramount importance, please encourage ministers to prayerfully consider this crucial vocation.

The Chaplain in Chief, The Venerable Ray Pentland, has been awarded the CB in the Queen's New Year's Honours List. We offer him many congratulations!

**Rev Sheila Munro RAF  
RAF Lossiemouth**

Sheila is part of a valued member of the Chaplaincy team. This has been clearly evident when ministering to those deeply affected by the Tornado tragedy in July. The spiritual and pastoral support given has been greatly appreciated by many.

**Rev Craig Lancaster RAF  
RAF Leuchars**

Craig has quickly established himself at RAF Leuchars. He has recently completed his first 'Out of Area' tour in Afghanistan and received praise for his endeavors.

**Rev Jonny Wylie RAF  
RAF Honnington**

Recently promoted, Jonny has already left his mark in a positive way as Senior Chaplain in an extremely pressurized training environment. His ministry has been valued enormously.

**Rev Gordon Craig Principal AFCC, Principal CSFC Chaplain**  
Gordon left the Chaplains' Branch in 2012 after more than 23 years' service to become Chaplain to the Oil

and Gas Industry. Highly valued as a Senior Chaplain, he was appointed as Group Captain Ops and Training and Principal CSFC Chaplain in 2009. Gordon was also a member of the Chaplaincy Board. In 2011, he became Principal of Amport House, the Armed Forces' Chaplaincy Centre. His contributions were many, but in particular, his expertise in the training world was of enormous benefit to others, especially 'New Entrant Chaplains.'

**Presbyterian Church of Ireland Chaplains****Rev David Edgar RAF  
RAF Brize Norton**

After 23 years' service, David is due to leave the Chaplains' Branch in June 2013. He has made a significant contribution to the branch over this period; his role as a Senior Chaplain at RAF Lyneham and Brize Norton in particular deserves special mention, he guided the stations through sometimes difficult and significant changes. His pastoral skills were greatly utilized and appreciated by many personnel. We wish David every blessing in his next phase of ministry.

# THE CHURCH OF SCOTLAND TRUST

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly

1. Receive the Report and thank the members of the Trust for their diligence.
2. Re-appoint Mr W F Stuart Lynch and the Very Rev Dr Andrew R C McLellan as members of the Trust from 1st June 2013.

### REPORT

The Church of Scotland Trust, which was established by Act of Parliament in 1932, submits its Eighty first Report to the General Assembly.

#### 1. The Work of the Trust

##### (a) General

The function of the Church of Scotland Trust is to hold properties outwith Scotland and to act as a trustee in a number of third party trusts. During the year it has dealt with various matters which have arisen regarding these properties and trusts. Matters of particular significance are noted hereafter.

##### (b) Third Party Trusts

The Trust is currently trustee of 51 third party trusts which benefit different areas of the Church's work. In 2007 the Trust instigated a Rolling Review Programme for these trusts. The Trust's Secretary and Clerk undertakes a review of the trusts annually, producing reports on half the third party trust portfolio to each of the February and September Trust meetings.

##### (c) Israel

The Trust continues to be consulted by the World Mission Council regarding ongoing and future developments relating to property in Israel. The Trust is represented on the Designated Supervisory Group set up to monitor the management of the Wellness Centre Project at The Scots Hotel, Tiberias. The Trust is pleased to note that the Wellness Centre has been completed and is now open for business. At the time of writing the Designated

Supervisory Group has still to write a report on any lessons learnt for the management of the project and to make suggestions for any changes required to the Guidance provided by the Tiberias Review Group.

##### (d) Pakistan

The Trust is disappointed to report that apart from the transfer of one property in 2001 by the World Mission Council it has not yet been able to transfer all of the Church of Scotland's property interests in Pakistan to a suitable body in terms of the Church of Scotland Trust Order Confirmation Act 1958. Despite its best endeavours, the Trust continues to find this objective extremely difficult to achieve.

The Trust is pleased to report that its sole attorney in relation to its interests in Pakistan, Dr Peter David, a Pakistani Christian resident in the UK, has agreed to an extension to his term of appointment to 31st December 2015. Representatives of the Trust and the World Mission Council aim to meet with Dr David at least quarterly to monitor progress. The Trust would like to record its appreciation for all the work undertaken by Dr David on its behalf. Dr David's understanding of Pakistani culture, his insight into the working of Pakistani Government departments and Court system and his vast network of friends, colleagues and officials are invaluable in progressing the aims of the Trust in Pakistan. Twice during the year Trust representatives have met Qamar Rafiq, Dr David's Administrative Assistant in Pakistan and the Trust is enormously grateful to Qamar for all the work he undertakes on behalf of the Church of Scotland.

Relationships with the Bishop of Sialkot and his Diocesan Council have been extremely difficult for many years. The Bishop retired on 4 August 2012 as recorded in a document signed by him and the Moderator of the Church of Pakistan. Thereafter the Bishop denied that he had retired, refusing to acknowledge the authority of the Synod of the Church of Pakistan. The Bishop obtained a stay order from the Pakistani courts against the Synod which resulted in the Synod being unable to appoint a Commissary Bishop and organise the election of a replacement Bishop. The Trust and the World Mission Council, through Dr David, have provided assistance and support to the Synod where they can. The court recently lifted the stay order but the Trust has just received news that the retired Bishop of Sialkot has appealed this decision to lift the stay order. It is hoped the Trust will be able to report to the Assembly next year that a new Bishop of Sialkot has been appointed.

As reported for a number of years, the Trust continues to be a party to a number of court cases involving its property interests in Pakistan. During the year two cases have been resolved in favour of Church of Scotland parties. The Trust is legally represented in these cases but, due to the nature of the Pakistan legal system, it is anticipated that the remaining cases will be ongoing for some time.

## **2. Accounts for 2012**

The Trust's Accounts for the year to 31st December 2012 have been independently examined and copies thereof are available on request from the General Treasurer.

## **3. Membership**

In accordance with the constitution of the Trust, the following two members retire by rotation on 31st May 2013 but are eligible for re appointment: Mr W F Stuart Lynch and the Very Rev Dr Andrew R C McLellan. It is suggested to the General Assembly Mr W F Stuart Lynch and the Very Rev Dr Andrew R C McLellan be re appointed as members of the Trust from 1st June 2012.

The Rev Alan Dunnnett has intimated his resignation from the Trust with effect from 31st May 2013 and members would like to record their appreciation for his contribution to the work of the Trust since 2005.

*In the name and by authority of The Church of Scotland Trust*

ROBERT BRODIE, *Chairman*  
CHRISTOPHER N MACKAY, *Vice-Chairman*  
JENNIFER M HAMILTON, *Secretary & Clerk*

**REPORT OF THE CHURCH HYMNARY TRUSTEES**  
**A registered Scottish Charity (Scottish Charity No. SC002769)**  
**to**  
**THE GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND**  
**in respect of the year ended 31 December 2012**  
**May 2013**

**PROPOSED DELIVERANCE**

**The General Assembly:**

1. Receive the Report.

**REPORT**

**1. Church Hymnary 4th Edition:**

**1.1** In the year to 30 September 2012 the sales of the various editions were as follows:

Words: 4167 copies compared with 5007 (2011)  
Full Music Edition: 923 copies compared with 1093 (2011)  
Melody Edition: 458 copies compared with 717 (2011)  
Large Print Edition: 578 copies compared with 952 (2011)

**1.2** Sales are continuing to show a decline over the period reflecting the fact that CH4 has already become widely established in the church.

**1.3** The commission due to the Trust calculated in respect of the year to 30 September 2012 in respect of CH4 was £6934.18 compared with £8507.48 in the previous year. From this royalties were payable to the authors of £6087.31 of which the Trust bore £4087.31.

**1.4** In addition sales of the Hymnary under the title Hymns of Glory, Songs of Praise amounted to 1300 copies in all (2012 – 343 copies). The total commission payable to the Trust was £768.11 and no royalties were payable by the Trust. The sales have risen but the royalties have remained much the same. This is because the publishers have undertaken a campaign to reduce slow moving stock.

**2. Electronic Words edition.**

We have been advised by the publishers that the electronic edition of the words will be available during March 2013. This will be a downloadable version of the words which will enable churches holding a CCLI licence to project or reproduce the hymns in locally produced service sheets.

**3. Variation of the Trust**

The variation of the Trust has now taken place and the new objects of the Trust have been adopted following on approval given by the Office of the Scottish Charity Regulator. The change to the objects has now been intimated to them.

The Trust is also now about to adopt new terms for its Trust Deed in order to reflect the current situation more accurately.

**4. Chairman**

Lord Penrose intimated at the November meeting that he was to resign as Chairman of the Trust after 15 years of service in that capacity. During his period in office not only has CH4 been produced but the Trust has undertaken and completed a comprehensive reorganisation of its

powers and objects. The Trustees are extremely grateful for his wisdom and also for the time and effort that he has devoted to the Trust over the years and wish to record their warm appreciation.

*In the name of the Trustees*

DAVID M BECKETT, *Interim Chairman*  
JOHN M HODGE, *Secretary and Treasurer*

# DELEGATION OF THE GENERAL ASSEMBLY

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report of the Delegation of the General Assembly and thank it for its work.
2. Continue the appointment of the Delegation with the same powers as hitherto – the Principal Clerk of the General Assembly to be Chairman and the Depute Clerk of the General Assembly to be Vice-Chairman.

### REPORT

The Delegation has to report that during 2012 it granted, in virtue of the powers conferred upon it by the General Assembly, 8 additional Model Deeds of Constitution.

The present amended Model Deed of Constitution was approved and adopted by the General Assembly on 21 May 1994 for issue to each congregation whose temporal affairs were then administered by a Congregational Board under the Model Deed and for granting to each congregation thereafter adopting it. Some amendments to it have subsequently been approved to take account of changes required by charity legislation.

The General Assembly of 2003 also permitted congregations to adopt, as an alternative to the Model Deed of Constitution, the Unitary Constitution either by Resolution of the congregation or by Basis of Adjustment. 47 congregations adopted the Unitary Constitution during 2011 compared to 44 in 2010. The numbers electing to

be constituted in terms of the Unitary Constitution thus continue to be substantially higher than those adopting the Model Deed. This no doubt reflects the wish to manage congregational affairs in a more stream-lined way. Having one decision making body rather than two also sits more easily with the responsibilities imposed on those who are also automatically charity trustees.

A number of the congregations adopting either form of constitution have done so prompted by the Deliverance of the General Assembly of 2008 instructing congregations to review their constitutions. The Delegation once again expresses the hope that those congregations who have not yet held such a review will do so in the course of this year.

*In the name and on behalf of the Delegation*

JOHN P CHALMERS, *Chairman*  
JANETTE S WILSON, *Secretary*



# GENERAL TRUSTEES

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report and Accounts of the General Trustees.
2. (a) Appoint Mr Donald W Thomas as a General Trustee (1.3).  
(b) Re-appoint Rev Dr James A P Jack as Chairman and Mr Iain C Douglas as Vice-Chairman for the ensuing year and authorise the payment of remuneration of £1,575 to each of them for the past year (1.4).
3. Commend the new Insurance Scheme offered by the Church of Scotland Insurance Company Ltd, instruct all Financial Boards and Courts to insure all ecclesiastical buildings for which they are responsible through the new Scheme and instruct all Financial Boards and Courts to take up the covers for public liability, employers' liability, breach of duty and trustee indemnity and the contents cover provided by the new Scheme (6.2.1).

### REPORT

#### 1. Introduction and Composition of Trust

1.1 The Church of Scotland General Trustees submit to the Assembly their eighty-sixth Report since the passing of the Church of Scotland (Property and Endowments) Act 1925.

1.2 The Trustees report the retirement, under the age rule, at this Assembly of four of their number, Rev Alistair G C McGregor, Dr Larry A L Rolland, Mr Archie C Findlay and Mr Anthony B Bryant. Mr McGregor became a General Trustee in 2004 bringing his legal skills as a former QC as well as his experience as a parish minister at Edinburgh: Leith North to the work of the General Trustees and his service on both the Fabric and Chairman's Committees. Mr Findlay who was appointed in 2006 and Mr Bryant who became a Trustee in 2007 have given their considerable expertise in land and estate management to the service of the Trustees and congregations in connection with the good stewardship of glebeland, both serving as Factor Members on the Glebes Committee. Dr Rolland is a distinguished Architect and Past President of the Royal Incorporation of Architects in Scotland and Past President of the Royal Institute of British Architects. Since his appointment in 1979, he has scrutinised hundreds of

plans for the repair and improvement of churches, halls and manses throughout Scotland and it is difficult to over-estimate his contribution to the now widely-held view that congregational buildings can be both places of worship and centres for congregational and community use without compromising design.

1.3 The Trustees recommend that Mr Donald W Thomas CIPFA be appointed as a full member of the Board. Mr Thomas who (as reported to last year's Assembly) was appointed as an Advisory Member brings considerable accounting and auditing expertise from a long career in local authority service. He has already made a valuable contribution to the work of the Trustees' Finance Committee.

1.4 The Trustees recommend that Rev James A P Jack BSc BArch BD DMin RIBA ARIAS and Mr Iain C Douglas RD BArch FRIAS be re-appointed as Chairman and Vice-Chairman respectively for the ensuing year and that for their services and expenses as Chairman and Vice-Chairman for the past year they should each receive remuneration of £1,575 as authorised by Section 38 (1) of the 1925 Act.

1.5 The Trustees are the major property-holding corporation for the Church of Scotland with a range of legal and fiduciary duties given to them under Parliamentary and General Assembly legislation. As their name suggests, the Trustees have to fulfil these duties for the benefit of the whole of the Church of Scotland. They must therefore engage with the various agencies of the Church at congregational, regional and national level – Financial Boards, Kirk Sessions, Presbyteries, the central Councils and Committees and the General Assembly – with a view to acting in the best interests of the Church as a whole. As a separate Scottish registered charity, the Trustees also have to exercise proper stewardship as charity trustees. This requires them to ensure that the assets entrusted to them (primarily glebeland, churches, halls and manse and the endowments and investments derived from them) are used to fulfil the Trustees' charitable objectives which are to support parish ministry and to support congregations in the provision of suitable buildings so that the work and witness of the Church of Scotland is enabled.

## **2. Fabric Funds**

### **2.1 Central Fabric Fund**

2.1.1 The Fund provides grants and loans to congregations towards the cost of repairing and improving the buildings for which they are responsible. As at 31 December 2012, the capital of the Fund stood at £13,097,000 out of which the Trustees voted new loans totalling £3,545,000. The vast majority of loans are repayable with interest at 5% per annum but the Trustees occasionally offer loans with an interest rate of 3% per annum or at nil where special circumstances justify this. The continuing depressed nature of the housing market is reflected by the fact that during 2012 the Trustees were asked to make only one bridging loan for the purchase of a replacement manse. The Trustees' policy is that they are in a position to make bridging loans from the Fund so long as there is a concluded bargain for the manse which is being sold.

2.1.2 Grants from the Fund are financed by a combination of periodic transfers of surpluses on the Trustees' General

Fund, interest charged on loans, investment income, an annual allocation from the Ministries & Mission Fund and the half-share which the Trustees receive from the 10% Levy on property sale proceeds. In 2012, standard grants totalling £1,827,000 were voted (2011 – £1,193,000).

2.1.3 In accordance with the Assembly's direction, the Trustees continue to support the repair and improvement of buildings used by congregations in Scotland's most deprived urban and rural areas. By the end of 2012, the Trustees made available priority grants totalling £420,000 (2011 – £513,000). Following the presentation by the Mission & Discipleship Council to last year's Assembly of initial research into the measurement of rural deprivation, the Trustees along with the Ministries Council are continuing to work with the Mission & Discipleship Council on refining the research with a view to the Trustees being better able to focus financial assistance where it is most needed.

2.1.4 As reported to the 2010 and 2011 Assemblies, the Trustees continue to support both financially and in personnel terms the Chance To Thrive Project and the eight pilot congregations which are taking part.

2.1.5 A detailed breakdown of grants and loans made from the Fund during 2012 is shown in Appendix 1 and a comparison of grants and loans with those voted in the two previous years is contained in Appendix 2.

2.1.6 During 2012, the Trustees received £80,000 representing their one-half share of the Levy charged on property sales. The other half of the monies raised by the Levy has been credited to the *Go for It* Fund.

## **2.2 Consolidated Fabric Fund**

2.2.1 The Fund has two distinct elements:

- (a) capital and accrued revenue derived principally from the sale of redundant properties and from the transfer from time to time of monies from congregations' holdings in the Consolidated Stipend Fund. Both capital and revenue are available for congregations

- to meet a wide variety of fabric-related costs in relation to churches, halls and manses;
- (b) the capitalised value of heritable assets comprising churches, halls and manses which is now required by accounting regulations. It is emphasised that this figure does not represent money in the bank nor is it an indication of market value. Nevertheless, the Trustees are satisfied that the 2012 year-end total capitalised value of £420,694,000 is a fair and reasonable assessment of the value of buildings vested in them on the basis detailed in their Annual Report and Financial Statements.

At the end of 2012, the value of the Fund amounted to £467,056,000 represented by the value of the Consolidated Fabric Fund holdings of £46,362,000 and the capitalised value of the Trustees' heritable assets of £420,694,000. The 2012 figures for the three categories of heritable assets (excluding glebeland) reflect the purchase and sale of assets throughout the year combined with the annual revaluation process. Further details including a comparison with the 2011 figures are contained in Appendix 3.

**2.2.2** Since the General Assembly of 2003, financial boards have had the authority to advise the General Trustees if they wish to make changes to the investment mix of their capital holdings in the Fund in light of specific local requirements for the monies such as a major repair or alteration project. More detailed information as to the investment mix is contained in the Trustees' Annual Report and Financial Statements. All requests for investment changes should be sent in writing to the Secretary's Department.

**2.2.3** The Trustees remind congregations that with the support of Presbytery, surplus capital in their holdings in the Fund can be re-allocated across to the Consolidated Stipend Fund and three such allocations dealt with in 2012 can be seen in Appendix 6.

### **3. Fabric Matters**

**3.1** Appendix 4 contains examples of the sort of matters dealt with by the Fabric Committee during 2012 indicating the wide range of project costs and buildings issues faced by congregations around the country. All demonstrate the working out of one of the Trustees' strategic objectives which is to assist congregations in the provision of suitable buildings.

#### **3.2 Listed Places of Worship VAT Grant Scheme**

As reported to last year's Assembly, the Trustees in their own name and also through the Scottish Churches Committee acting in concert with the Church of England successfully lobbied the UK Government for an improvement in the operation of the Scheme under which congregations could apply for reimbursement of the amount of VAT which they had incurred in respect of a variety of fabric-related costs in relation to repairs at listed places of worship. The Government took the opportunity of the debate on the matter to remove what had been a useful concession, namely, the zero-rating of alterations to listed buildings but this was balanced by the extension to the scope of the Scheme to cover not just repairs to listed places of worship but alterations as well. The Government has committed itself for the lifetime of this Parliament to make available sufficient monies to meet the increased scope of the Scheme and it has also re-introduced the thirty-day turnaround process for dealing with claims. The current regime is therefore one which congregations should be aware of and should endeavour to take advantage of where appropriate. Detailed information about the operation of the Scheme including application forms can be viewed and downloaded from the website [www.lpwscheme.org.uk](http://www.lpwscheme.org.uk).

#### **3.3 Care of Ecclesiastical Properties**

**3.3.1** Historic Scotland and the Heritage Lottery Fund continue to operate the Joint Scheme for Repair Grants for Places of Worship. At the beginning of the year, the Trustees were advised that all applications to the Scheme would require to be submitted through the Heritage Lottery Fund Scotland office in Edinburgh and also that

in addition to the end of February and end of August deadlines for submission of applications, an additional deadline of 7 June 2013 had been introduced. The Trustees are pleased that the Joint Scheme is continuing and that there is no reduction in the maximum cumulative grant available of £250,000.

**3.3.2** Last year's introduction of a simplified Property Register has been accompanied by visits to various Presbyteries by the Secretary to the Trustees' Fabric Committee to explain the working of the new Register. The Trustees have been pleased at the positive response to the new Register and are happy to hold further "teach-in" sessions under the aegis of Presbyteries.

**3.3.3** Last year's Assembly emphasised to congregations and Presbyteries the value of operating the five-yearly property inspection procedure as a tool to ensure that ecclesiastical buildings are properly maintained and repair costs are kept to a minimum. The Trustees will continue to monitor how the system is being operated but in the meantime would wish to thank Presbyteries for reporting diligence in terms of the Care of Ecclesiastical Properties legislation. At the time of preparing this Report in 40 out of 44 Presbyteries the properties of 209 congregations had been inspected (whether by Presbytery property committee or professionally) in the twelve months to 30 June 2012. In the same period, 1222 Property Registers out of 1329 had been examined and 811 Manse Condition Schedules had been examined.

#### **3.4 Strategic Review of Buildings**

As reported to the Assembly last year, the Trustees are continuing to engage with Presbyteries, Ministries Council and Mission & Discipleship Council with a view to a presentation of a Joint Report to next year's Assembly.

#### **3.5 Energy**

##### **3.5.1 Conservation and Procurement**

The Trustees have continued to assist congregations in conservation of energy and reduction in carbon use through the practical advice given by their Heating Consultant, Mr Andrew W MacOwan. He carries out

independent surveys of heating systems giving advice on improving efficiency, saving energy costs and improving standards of comfort. The Trustees will meet around one-third of the cost of such surveys. During 2012, Mr MacOwan carried out 37 surveys comprising 11 initial and 26 repeat surveys of churches and halls as well as 4 manse surveys which compares to a total of 29 surveys in 2011 comprising 13 initial and 16 repeat church and/or hall surveys and 7 manse surveys.

**3.5.2** On the Report of the Mission & Discipleship Council last year, the Assembly instructed the Trustees in collaboration with the Committee on Church Art and Architecture to examine the impact of 'ecological initiatives' on the Church's architectural heritage. Representatives of the Trustees and CARTA have met and have produced material (which will be available on the Church's website) with sound, practical advice for all congregations to consider when undertaking work at their buildings.

**3.5.3** As reported to previous Assemblies, the Trustees' Fabric Committee is willing to make available grants from the Central Fabric Fund towards the cost of installing renewable energy sources such as solar panels but will expect congregations to supply relevant information as to performance and cost so that the Committee can monitor the efficiency and effectiveness of such works.

## **4. Stipend Matters**

### **4.1 Consolidated Stipend Fund**

The capital of the fund is derived largely from the sale of glebeland but also from transfers out of the Consolidated Fabric Fund and from the investment of new monies by individual congregations. Around 1,400 congregations have holdings in the Fund and it is the second-largest Fund under the Trustees' administration. The General Assembly and the Ministries Council have agreed that the Fund should be operated as a permanent endowment for investment purposes. Professional advice has consistently indicated that the Fund should be invested primarily in equities which, over the long term, have generated both capital growth and income yield. For many years, the

equity investment has been placed through the Growth Fund of the Investors Trust. At the time of the writing of this Report, the Trustees are considering the terms of an independent, professional review of their investment strategy for the Fund and they would anticipate being in a position to confirm their investment strategy at the Assembly. At the end of 2012, the Stipend Fund had a capital value of £62,402,000 (2011 – £59,206,000).

**4.2** With the concurrence of the Ministries Council, the Trustees have agreed a dividend rate of £0.1861 for 2013 which represents a fractional increase on the dividend rate of £0.1857 for 2012. Statistics showing the historical income and dividend position are set out in Appendix 5.

## **5. Glebes**

**5.1** General Assembly legislation directs that income from glebe rents as well as capital receipts upon sale are credited to the Consolidated Stipend Fund with the endowment income helping congregations to meet their parish ministry costs. This is a reflection of the historical position that glebeland formed part of a minister's living. Net rental income in 2012 was £354,000 (2011 – £364,000). Unsurprisingly, the depressed nature of the housing development market continues to be reflected in the low level of glebe sales, proceeds of which totalled £172,000 compared with £397,000 in 2011 and £285,000 in 2010. Congregations should remember that upon the recommendation of Presbytery and with the concurrence of the Ministries Council, surplus stipend capital may be reallocated for fabric purposes in appropriate circumstances.

**5.2** Reference has already been made in this Report to assisting congregations in the provision of suitable buildings as one of the Trustees' main objectives. The other principal objective is the support of parish ministry primarily through the efficient administration of the Consolidated Stipend Fund. Significant increases in the value of the Consolidated Stipend Fund will be generated mainly through glebe sales. As indicated to last year's Assembly, the Trustees remain committed to maximising

the value of glebeland by promoting its development, ensuring that glebe rents reflect the market and seeking best value upon sale. Ministers, congregations and Presbyteries should give active consideration to the future of glebeland as development potential is a major consideration for the Trustees in determining whether glebeland should be retained or sold.

## **6. Insurance Matters**

### **6.1 The Church of Scotland Insurance Company Ltd**

**6.1.1** The Church of Scotland Insurance Company Ltd is owned by the Trustees and is authorised and regulated by the Financial Services Authority. The Company can arrange cover for all classes of insurance and continues to insure the vast majority of Church of Scotland congregations as well as the congregations of other denominations.

**6.1.2** During 2012, one new fire claim was submitted and four fire claims with outstanding elements were carried forward from previous years. The total amount paid in respect of fire claims in 2012 was £226,297 with a further amount outstanding of £31,000 at year end. Over 600 new intimations of other claims were received in 2012 with close to half emanating from the 3 January storm event. The total value of other claims which have occurred in 2012 at the time of writing this report is £1,803,484 (paid and outstanding). The Directors propose to distribute a total of £1,000,000 under Gift Aid to the General Trustees.

**6.1.3** The Trustees again wish to record their appreciation of the significant financial contribution made by the Company towards the Trustees' work. None of the General Trustees who are directors of the company receive any remuneration for their services.

**6.1.4** In accordance with current accounting requirements, the 2012 Annual Accounts of the Company have been consolidated with those of the Trustees.

### **6.2 A New Insurance Scheme For Congregations**

**6.2.1** The Insurance Company's Board has given very considerable thought to the strategic direction of the

Company and the services which it should provide. It has had intensive negotiations with the several Re-insurers with whom the Company historically has been involved. It has chosen to change its business model to improve the service it can provide to congregations and to extend the scope of cover it can arrange both under the Church Scheme and for non-Scheme business. As a consequence it will cease underwriting in its own name and operate solely as a broker. This process of transition will be completed by the end of 2013. The Company believes that this approach is in the best interests of the congregations and the Trustees and ensures the Company is well positioned to react to future changes in the insurance market.

This approach which has had the full support of the General Trustees has produced not only an improved and extended scope of cover but is also bearing down on the costs of insurance. The salient feature of the new Scheme is that it will provide a comprehensive package-type cover so that individual Financial Boards will no longer have to decide which insurance contingencies to put in place.

As existing church scheme policies fall due for renewal in February, May, August and November 2013, each congregation will receive the benefit of significant enhancements –

- accidental damage will be included as standard;
- contents of churches and halls will be covered away from the premises up to £15,000 per item and £30,000 in total;
- loss of revenue, money, personal accident, theft of contents, glass and frozen foods covers will be provided automatically;
- a full range of Liability covers – Personal Liability, Breach of Duty and Trustee Indemnity are offered as standard;
- theft of external metals will also now be included automatically for all scheme policies (subject to terms).

These enhancements are being provided at no additional cost so no congregation will experience a rise in premiums at the renewal date. Indeed, under the new Scheme, the

majority of congregations will see their premiums reduce in 2013. In addition the various policy documents have been radically updated to reflect these improvements in cover and to make them easier to read and understand. As part of the renewal process, the Insurance Company is writing to all congregations to explain the changes in detail and information is available on the Company's website at [www.cosic.co.uk](http://www.cosic.co.uk).

The Trustees believe that this new Scheme is a major step forward and offers an excellent product at competitive cost and positions the scheme very favourably in the marketplace. A further advantage is that after the initial transition period, there will be a reduction in the compliance and administrative burdens on the Company. The Trustees have therefore no hesitation in commending the new Scheme to all congregations.

## **7. Determinations under Act VII 1995**

The Trustees report that under the powers delegated to them by Act VII 1995 (as amended by Act XIII 1996 and IV 1998) they have made 31 Determinations as set out in Appendix 7.

## **8. Finance**

### **8.1 Accounts**

The General Trustees' Accounts for the year 2012 as audited by the Auditor of the Church will be laid on the table at the Assembly. Copies of the Annual Report and Financial Statements are available from the Secretary. The Trustees intend that the firm of registered auditors appointed to audit the Accounts of the Unincorporated Councils and Committees for 2013 should also be appointed to audit their Accounts for that year.

*On behalf of the General Trustees*

JAMES A P JACK, *Chairman*  
 IAIN C DOUGLAS, *Vice-Chairman*  
 DAVID D ROBERTSON, *Secretary and Clerk*

**APPENDIX 1**  
**SYNOPSIS OF CENTRAL FABRIC FUND GRANTS AND LOANS VOTED IN 2012**

		Churches/Halls		Manse		Total	
		no	amount	no	amount	no	amount
Grants	Priority	19	£382,000	4	£38,000	23	£420,000
	Standard	122	£1,150,000	32	£677,000	154	£1,827,000
							<u>£2,247,000</u>
Loans	5%	27	£1,540,000	3	£40,000	30	£1,580,000
	3%	2	£115,000	1	£225,000	3	£340,000
	Interest free	10	£1,088,000	4	£230,000	14	£1,318,000
							<u>£3,238,000</u>
Bridging Loans				1	£307,000	1	<u>£307,000</u>

**APPENDIX 2**  
**CENTRAL FABRIC FUND**

Comparative figures for loans and grants voted over the past three years:

	2010 £	2011 £	2012 £
Interest-bearing Loans	4,253,000	2,358,000	1,920,000
Interest-free Loans	205,000	205,000	1,318,000
Bridging Loans	657,500	280,000	307,000
Standard Grants	1,480,000	1,193,000	1,827,000
Priority Grants	431,500	513,000	420,000

**APPENDIX 3**  
**VALUE OF HERITABLE ASSETS VESTED IN THE**  
**GENERAL TRUSTEES**

	<b>2011</b>	<b>2012</b>
	<b>£</b>	<b>£</b>
Glebeland:	31,467,500	32,556,000
Churches:	198,798,938	155,579,000
Halls:	27,538,100	20,148,000
Manses:	<u>251,928,405</u>	<u>244,967,000</u>
	<u>509,732,943</u>	<u>453,250,000</u>

The Trustees would emphasise that these figures do not represent money in the bank nor are they an indication of market value. Nevertheless, the Trustees are satisfied that the 2012 year-end total capitalised value of £453,250,000 is a fair and reasonable assessment for accounting purposes of the value of properties vested in them on the basis detailed in their Annual Report and Financial Statements, copies of which are available from the Secretary. The significant reduction in the assessment of the value of the buildings is attributable to the revaluation basis adopted by the Trustees.

**APPENDIX 4**  
**SAMPLE OF MATTERS DEALT WITH BY THE TRUSTEES'**  
**FABRIC COMMITTEE DURING 2012**

Acharacle – The Trustees made available a grant of £10,000 towards the cost of the restoration of the windows at the church. The work involved the manufacture of new frames and glass replacement where necessary.

Applecross, Lochcarron and Torridon – The Trustees made available a grant of £10,000 towards the cost of a number of fabric repairs to the church at Lochcarron. The Trustees, in addition, provided useful advice regarding the brief for the architect and on the specification for the works.

Barvas – This congregation on the Isle of Lewis undertook a major refurbishment of the church building including

re-slatting the roof, re-rendering the walls and the demolition of the old wall around the church together with the construction of a new wall. The Trustees were very pleased to make available a grant and loan towards the cost of the works and one of the architect members provided useful advice on the works specification.

Bathgate: St John's – This church required major repairs to its steeple and the Trustees were pleased to make available a grant of £12,000 towards the cost.

Dornoch Cathedral – This church required a number of repairs to its fabric, including works to the roof, windows and rainwater goods. Through one of its architect members, the Trustees provided useful guidance on a brief for the architect and the specification of works. The Trustees made available a grant of £5,000 towards the cost of professional fees.

Dundee: Menzieshill – Although the level of grant assistance has been modest, the Trustees worked with the office-bearers as they have tackled significant property-related issues and the Trustees have been gratified to see a new confidence emerge.

Dunnichen, Letham and Kirkden – This congregation undertook a major scheme of works at the church in Letham to include substantial refurbishment of the sanctuary together with a replacement heating system. The Trustees were pleased to be able to make available a loan of £50,000 and a grant of £10,000 towards the cost of the works.

Edinburgh: Priestfield – The church building underwent major refurbishment works including the creation of a double access glazed door into the north vestibule giving direct access to the lounge, formation of a fully equipped service kitchen with a serving counter extending into the lounge and the provision of independent quick response electric heating. Works also included the restoration of internal stairwells and vestibules within the towers and redecoration. The Trustees have made available grants and loans totalling £65,000 towards the cost of the works over several years.

Fraserburgh: Old – This congregation undertook a number of repairs to its church throughout the year including work to repair the gable wall and the refurbishment of an important stained glass window. The Trustees made available a grant of £10,000 towards the cost of the works to the gable wall and a grant of £2,000 to assist with professional fees.

Glasgow: Castlemilk – To assist with professional fees and preparatory work including a full asbestos survey prior to demolition of the former Castlemilk West sanctuary, the Trustees made available a grant of £23,000 from the Priority Areas Budget.

Irvine: Fullarton – To assist the congregation in taking forward the project for comprehensive renewal of the church the Trustees made available a grant for professional fees of £30,500 from the Priority Areas Budget.

Kelso: North & Ednam – This congregation put forward proposals for the conversion of hall buildings at Bowmont Street in Kelso and the Trustees made available a grant of £5,000 towards the cost of architects and other professional fees.

Kinlochleven – The Trustees made available a grant of £6,000 towards the cost of the removal and replacement of harling to the belltower and gable as well as other works including the replacement of flashing on the roof, replacement slates, removal of lead and cleaning and refurbishment of coping stones.

Kirkmichael, Straloch & Glenshee – The church at Kirkmichael required extensive repairs to the roof, stairs, dormer windows and the east gable wall. Leadwork, guttering and rainwater goods in general were completely overhauled at costs totalling £61,660. The Trustees were pleased to be able to make available a grant of £10,000 towards the cost of the works.

Norrieston – A number of repairs were carried out to this church and church hall in order to counteract significant water ingress at the vestry and tower. Other works

included the replacement of missing slates, re-pointing of stonework where necessary and the replacement of the boiler. The Trustees made available a grant of £15,000 from the Valentine Bequest towards the cost of the works.

Port of Menteith – This beautiful A-listed church has been the subject of a restoration funded partly by Historic Scotland and the Heritage Lottery Fund which has now been completed. The Trustees were delighted to make available a grant of £18,600 towards the cost of a replacement heating system in the sanctuary.

Wick: St Fergus – The Trustees, on the advice of the Trustees' Heating Consultant, approved the installation of a new heating system in the church including the replacement of the existing gas boilers by energy efficient condensing units.

## APPENDIX 5 CONSOLIDATED STIPEND FUND

Capital	Total Value	Value of Share
31 December 2008	£53,365,154	£3.5154
31 December 2009	£58,962,655	£3.8557
31 December 2010	£64,498,524	£4.1706
31 December 2011	£59,206,116	£3.8220
31 December 2012	£62,402,389	£4.0482

Revenue	Income	Shares Issued at 31 December	Rate of Dividend
2008	£3,306,958	15,180,264	£0.2095
2009	£2,891,692	15,292,347	£0.2173
2010	£2,882,992	15,323,115	£0.1871
2011	£2,854,521	15,349,101	£0.1852
2012	£2,899,637	15,414,898	£0.1881

During 2012 the sum of £567,615 was admitted to the Fund in exchange for 141,748 shares.

## APPENDIX 6

### DETERMINATIONS MADE UNDER REGULATIONS V 1995

These Regulations provide a mechanism to reallocate the capital held by the General Trustees for the benefit of congregations in the Consolidated Fabric and Stipend Funds. The following reallocations were made during 2012:

- (a) Eaglesham – £39,012 from stipend to fabric
- (b) New Machar – £156,500 from stipend to fabric
- (c) Perth: Craigie and Moncrieffe – £300,000 from fabric to stipend

## APPENDIX 7

### DETERMINATIONS MADE UNDER ACT VII 1995

**1. General Sales:** In the following cases, the General Trustees made determinations authorising the sale or let of the property concerned and directed that the proceeds should be credited to the benefit of the congregation in the Consolidated Fabric Fund:- Alloa: Ludgate – former North church; Banchory-Devenick and Maryculter/Cookney – former Banchory-Devenick church; Brydekirk – church hall; Drumoak-Durris – ground at church hall; Edinburgh: Craiglockhart – manse; Edinburgh: St Andrew's & St George's West – former St George's West church; Edinburgh: Stockbridge – St Stephen's Centre; Edinburgh:

Tron Kirk – hall; Glasgow: Govan and Linthouse – former manse; Glasgow: St Margaret's Tollcross Park – manse; Hamilton: Burnbank – church and hall; Helensburgh: Park – manse; Kilmarnock: Kay Park – Old High church and halls; Kilmarnock: South – former Shortlees church and hall; Kirk o' Shotts – former manse; Langton and Lammermuir – church at Longformacus; Mid Deeside – church and hall; Musselburgh: St Clement's and St Ninian's – former St Ninian's church and hall; North Knapdale – former manse; Perth: Letham St Mark's – former retirement house; Renfrew: Old – (1) Old church; (2) church hall; (3) manse; Saddell and Carradale – Carradale manse; Stevenston: Livingstone – manse; Tiree – Kirkapol church; Whitburn: Brucefield – former manse

**2. Glebe Sales:** In the following parishes, the General Trustees made determinations authorising the sale of Glebe subjects and directed that the proceeds should be credited to the benefit of the congregation in the Consolidated Stipend Fund:- Isla Parishes; Kilmarnock: Riccarton.

**3. Miscellaneous:** The General Trustees made the following miscellaneous determination: Glasgow: Drumchapel Drumry St Mary's (Dissolved) – sale of (1) church and hall and (2) manse and transfer of balances to the Central Fabric Fund.

# CHURCH OF SCOTLAND GUILD

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the report.
2. Commend the work of the Guild and its theme for 2013-14 "A Fellowship to Build." (1)
3. Congratulate the Guild on the success of its 125th anniversary celebrations and the many events and initiatives undertaken over the year. (2)
4. Encourage congregations where there is no Guild to consider forming one. (3)
5. Pray for the success of the Partnership Projects for 2012-15. (6)
6. Commend the Guild on the remarkable success of its 2009-12 Project Partnerships. (6.6)
7. Welcome the on-going work of the Guild on the issues of Domestic Abuse and Human Trafficking. (9.4, 9.5)
8. Note the developing work of the Guild's Golden Age Project and look forward to receiving a full report at the General Assembly of 2014. (7)
9. Note and approve the continuation of the pilot project on Committee structures for another year, with final proposals to be reported to the General Assembly of 2014. (8)

### REPORT

#### 1. A Fellowship to Build

1.1 The 2013-14 session of the Guild will be built around the theme, "A Fellowship to Build", the second theme in our strategy for 2012-15, "Whose we are and Whom we Serve".

1.2 Given the nature of the Guild and the friendships, relationships and common causes that it generates, there can surely be no more appropriate theme than this one.

1.3 Fellowship means so much. It means more than friendship; more than shared purpose; more than just being together. It is all of these and more and when it is founded on Christian beliefs and nurtured through the sharing of worship, prayer and action it is a hugely invigorating and energising force.

1.4 The Guild is, at its core, **about** fellowship. The aim for the next year is to build on that existing fellowship, both strengthening it where it already exists and extending it to embrace new people and new situations.

#### 125! Kirkcudbright Presbyterial Council...

had an exhibition at the Threave Gardens Visitor Centre, which included Archibald Charteris' writing desk! The event was visited by many people and seen by all visitors to the gardens. They also held a celebratory meeting in the centre. A great, public celebration of the Guild!

**The Guild... think again!**

#### 2. A year of celebration

2.1 The past year has seen the Guild celebrate its 125th anniversary. We have recognised throughout this year that the value of such a celebration lies not in looking back, but in using it as a marker along a journey: a milestone at which we can stop and reflect on where we have been, but more importantly look at our map, take a brief rest and then head on with new renewed confidence and enthusiasm.

**2.2** We may stand on the shoulders of giants, but we also need to recognise that the strength of the Guild has always lain in its ability to sustain its qualities of faith and fellowship yet apply these in ways that work for the time in which the different generations serve.

**2.3** The Guild of today is called to work in its world and much of what we have seen over the past year has affirmed that idea.

**125! One Presbyterial Council...**

...planned a dinner with 125 guests... 180 turned up! Another had 220 good friends at theirs. **The Glasgow City Group** held a service of celebration in the Cathedral, with Very Rev David Lunan as Preacher.

**The Guild... think again!**

### **3. Looking Ahead**

**3.1** The Guild, like the church as a whole, faces a number of challenges. These involve numbers, demographics, leadership and money.

**3.2** It is something of a contradiction that these challenges are arising when so many people speak so positively about the work of the Guild and how it contributes to the church, locally and nationally.

**3.3** The fellowship that members experience. The financial, practical and worshipful contribution that Guilds make as part of their congregations. The huge impact of the Partnership Projects. The personal and collective growth that arises from the study and discussion within groups.

**3.4** All of these point to a tremendously positive experience and one which could be shared by so many more people, both women and men.

**3.5** Over the next year, the Guild wants to work alongside Presbyteries and Congregations to explore ways in which we can bring the good news of the Guild to more and more people.

**3.6** Of course, we live in an age when membership and regular attendance at organisations is less of a feature of many lives, for many reasons. We live in a time when the commitment required to take on formal leadership roles is maybe less than it has been in the past.

**3.7** However, the Guild can still offer so much to so many. We recognise that we need to be able to appeal to different people in different places in different ways.

**3.8** The session 2013-14 will see us talk much about the building of fellowship and we dearly want to share that fellowship with others.

**3.9** We want people to think again about the Guild and to maybe change some perceptions so that more can share the good things that we get from and give to the Guild.

**3.10** To that end, the Guild intends to contact every Presbytery with a view to exploring ways in which it can bring its message to every part of the country... reinforcing the Guild where it is strong and letting others know a little more about what the Guild can do for them.

**125! Perth Presbyterial Council...**

...attended the Perth Show and provided tea and chat for people there... very welcome as the weather was less than kind!

**The Guild... think again!**

### **4. Annual Meeting 2012**

**4.1** The first national celebration of the 125th anniversary took place in the Caird Hall in Dundee on 25 August.

**4.2** Two thousand people gathered together to hear the Moderator encourage us to "break some windows" (!) and to challenge the status quo where we see the need for the church to face difficult issues.

**4.3** We heard also from Jennifer Rees Larcombe, whose retreat centre and support programmes “Beauty from Ashes” help to mend broken hearts and broken lives, offering hope and restoration to people who have little expectation of either.

**4.4** The afternoon was devoted to celebrating the Guild, with a parade of Presbyterian Councils and the singing of the hymn “Inspire us, Lord”, written by Diane Cumming and the winning entry in our hymn writing competition, “Verses 1 to 5”. (This was one of around 100 hymns contributed by members of the Guild... another statement of the fantastic energy and qualities that our members have to offer).

**4.5** We look forward now to the 2013 meeting on 7 September, again in the Caird Hall.

#### **125! General Assembly 2012... A Songs of Praise Evening**

Over 600 people gathered in the Assembly Hall in May of last year to celebrate the end of one strategy and its attendant projects and to begin to look ahead to the next. It was an evening of colour and sound and energy and celebration. What a start to the 125 year!

**The Guild... think again!**

## **5. Heart and Soul**

**5.1** The Guild took part in the Heart and Soul event in Princes Street Gardens and welcomed members from across the country to its stall. It was really good to see the interest that people showed in the event in general and in the Guild stall in particular.

**5.2** This year, the Guild is privileged and excited to be taking a lead role by organising the opening session at the Ross Bandstand. We are always keen to reinforce the importance of the Guild as an organisation **within** the Church of Scotland and being part of this event allows us to do that in a very public and rewarding way.

#### **125! Some special events!**

A picnic to Wamphray – birthplace of Archibald Charteris. Planted 125 bulbs in church grounds in shape of cross. Gave everyone £1 and asked to turn it into £5. Large Council organised Songs of Praise.

**The Guild... think again!**

## **6. Partnership Projects**

**6.1** The Partnership Project Scheme is one of the most important parts of the work of the Guild. It is important on many levels.

**6.2** The scheme allows the Guild membership to be involved with and learn about the work of charities at home and abroad that are dealing with some of the most challenging situations in which people find themselves. Through that process, we can find opportunities to develop a faithful, theological understanding of these issues and play a part in supporting the incredible work that is being done by our partners.

**6.3** Over the period 2012-2015, we are working with:

- **Heart for Art**, with Crossreach and looking at the use of art therapy in the care of those with dementia.
- **A Passage from India**, in partnership with the Priority Areas Committee and dealing with micro-financing of enterprises within Urban Priority Areas in Scotland.
- **Mary's Meals**, working in Liberia, one of the poorest countries in the world, to provide food and resources for school children.
- **Out of Africa into Malta**, run by the Presbytery of Europe in co-operation with the World Mission Council and addressing issues faced by refugees escaping from a range of tragic circumstances and coming to Malta to seek hope.
- **Comfort Rwanda**, whose work is to extend a project in which those who were responsible for the terrors of genocide in that country are building new homes for their victims.
- **The Julius Project**, an initiative of Scottish Churches'

Housing Action, recognising the problems faced and support required by people entering social housing tenancies following a period of homelessness.

**6.4** Each of these demonstrates a different outworking of mission and service, but together they represent the core of the Guild, working in worship, prayer and action; being alongside those in need and challenging the wider church to live out its faith amongst the poor and the disadvantaged.

**6.5** In Liberia, Rwanda, Malta and Scotland, the projects touch the lives of many and it is a privilege for the Guild to be able to share in the tasks that our funds support.

Later in this report, we record the funds raised already for these six projects.

**6.6** As we look forward to working with the current six projects, we also give thanks for the previous ones, whose work retains a place in our thinking and in our prayers. The final totals for these are shown in Appendix IV and the grand total of almost £ 790 555, with over £ 100 000 raised for each project for the first time, speaks volumes for the efforts of our membership and their supporters in times of financial constraint. Well done to all!

#### **125! The list goes on...**

One group launched a 125 prayer shawl ministry, whilst another planted a tree in the church grounds and still another donated a new pulpit fall to the church to mark the 125th anniversary

**The Guild... think again!**

## **7. The Golden Age Project**

**7.1** Last year, we reported that we would be embarking on this piece of work, intended to look at the place of older people in the church.

**7.2** The intention is to look at how we work **with** older people rather than seeing them as people **for whom** and **to whom** we do things.

**7.3** We are delighted to be working with our colleagues in the Church and Society Council on this, along with the Charity Faith in Older People (FiOP) and the University of Aberdeen.

**7.4** Particular thanks go to Dr Harriet Mowat, who is leading the research work, to Maureen O'Neill of FiOP and Professor John Swinton from the University for their support.

**7.5** There are many others, though, who are involved, none more so than the congregations who have taken the task of working out the project in practical ways in their own places. In Aberdeen, Kilmarnock and Edinburgh we have some seven Church of Scotland congregations taking part. We are also pleased to say that we have the Episcopal Diocese of Moray, Ross and Caithness on board, offering both a rural and an ecumenical dimension to the project.

**7.6** The local groups are looking at a wide range of initiatives, including the establishment of "Wisdom Groups", the place of storytelling, working with widowers, alternative worship timings and patterns, communicating with older people, care issues, end of life issues, mentoring of younger people and we look forward to the production of materials founded in real, practical work that will help resource the work of the wider church in years to come. The intention is to produce printed material and dvd resources in time for the Assembly of 2014.

#### **125! and on.**

One group collected 125 items for local food banks and one endeavoured to write sending greetings and prayers to 125 other Guilds – which of course encouraged responses!

One group held 125 days of prayer, while...

**The Guild... think again!**

## **8. Committees**

**8.1** Last year, we reported the institution of a pilot project that allows all of our national representatives to be

part of the National Executive as well as members of our constituent committees.

**8.2** We continue to evaluate this way of working in terms of its operational processes, the experience of individual members and the costs in terms of time and money relative to the previous system.

**8.3** It is our intention that we should bring to the Assembly of 2014 a firm view on how we should proceed with regard to our structure.

**125! and on...**

**Edinburgh Presbyterial Council** undertook to write to all churches within their Presbytery without a Guild, offering, in 2013, to come and talk to their congregations about the Guild or supply an item for their magazines.

**The Guild... think again!**

## **9. On-going work**

**9.1** The Guild is often about new ideas and new areas of work, but we are also very conscious of the need to continue to support and be involved with work that has been on-going.

**9.2** In this vein, we continue to play an important role in a number of groups.

These include:

### **9.3 Church of Scotland**

**9.3.1** The Guild has constitutional representation on the Church and Society Council and on Mission and Discipleship. We have also accepted invitations to send representatives to attend the Social Care and World Mission Councils, both of whom have been regular partners with the Guild on Projects over many years and who deal with issues and relationships close to the work of the Guild.

**9.3.2** Indeed, in the past year, we have sent delegates to conferences in both Taiwan and Ghana in co-operation with the World Mission Council.

**9.3.3** Additionally, the General Secretary attended the meeting of the Presbytery of Europe in Malta in October 2012, both addressing the Presbytery on the work of the Guild and being able to visit the Out of Africa into Malta Project.

**9.3.4** The Guild also sends representatives to the Priority Areas Forum and led a session at a Candidates' Conference for the Ministries Council earlier this session.

**9.3.5** We value all of these contacts greatly and look forward to continuing to develop our work with other Church of Scotland Councils and Departments in the future.

### **9.4 The Inter-faith Group on Domestic Abuse**

**9.4.1** The Guild joins with those from many Christian denominations, the Jewish community and Islamic groups to promote awareness of domestic abuse and to help those in faith communities address the matter.

**9.4.2** We are also part of the Scottish Women's Aid Interfaith Network and were well-represented at their "Stop It" conference in February of this year.

### **9.5 Human Trafficking**

**9.5.1** The Guild continues to be represented on the ACTS anti-human trafficking group and has contributed to that group's work both internally and in its relationship with the Scottish Parliament.

### **9.6 Scottish Women's Convention**

**9.6.1** Again, we are represented on this body and have been well represented at conferences and meetings organised by it.

**125! and on...**

**Ardrossan Presbyterial Council** held a children's art competition in November and 125 days of prayer from January until May, while **Dumfries** has turned its energies to two community based projects working with vulnerable groups.

**The Guild... think again!**

## 10. Leadership within the Guild

**10.1** As with all Councils and Departments, the work of the Guild depends enormously on the contribution of elected office-bearers.

**10.2** Over this past session, we have greatly appreciated the part played by Marjorie Paton as National Vice-Convener, notably her work with regard to the planning of the 2013 Annual Meeting and her support for the National Convener, Mary Ford.

**10.3** Our National Committees all see their conveners complete their terms of office this year, and we thank Janette Henderson (Marketing and Publicity); Kay Keith (Finance and General Purposes); Margaret Cupples (Projects and Topics) and Helen Banks (Programmes and Resources) for all that they have done within their own areas and across the wider work of the Guild.

**10.4** The Guild also records its good wishes to Marjorie Paton of Lundin Links and Kay Keith of Dunscore, who have been elected as National Convener and Vice Convener respectively for the 2013-14 session.

## 11. Staffing

**11.1** We report and very much welcome the appointment of Fiona Punton to the post of Associate Secretary, following a review of her post as Information Officer.

**11.2** Over the past session, we have welcomed Wayne Morris to the post of office administrator.

**11.3** We welcome both of these changes and recognise the contribution all of the staff make to the running of the organisation.

**11.4** We also continue to greatly appreciate the work

of both Alice Finlayson (Finance Officer) and Lesley Blyth (Administration Assistant).

**11.5** Without the flexibility and commitment of all of our staff, we would not be able to offer the levels of support and service to the membership that they rightly expect.

*In the name of the Guild*

MARY FORD, *National Convener*  
IAIN WHYTE, *General Secretary*

## APPENDIX I MEMBERSHIP

The membership numbers for the Guild at the time of writing were:

Members	24,867
Groups	934

## APPENDIX II FINANCE

General Fund Income	£	General Fund Expenditure	£
Members' contributions	201,995	Management and admin	188,321
Sales of goods	28,585	Objects expenditure	50,353
Donations and grants	18,951	Cost of sales	30,655
Project support	20,305		
Other	5,899		
<b>Total</b>	<b>275,735</b>	<b>Total</b>	<b>269,329</b>

### APPENDIX III DONATIONS TO THE WORK OF THE CHURCH

Sums given by Guilds in 2012 were as follows:

To Ministries and Mission funds via congregations	£92,438.79
To Congregational funds	£340,483.31
To work of the Church (including projects)	£256,069.36
To work outwith the Church	£97,316.68
<b>Total</b>	<b>£786,308.14</b>

### APPENDIX IV PROJECT DONATIONS 2009-2012

Crossreach: On the Other Side	£156,922.70
HIV/AIDS Project: A New Hunger	£114,880.87
International Justice Mission: Terrify No More	£166,816.28
Ministries Council: A Place for Hope	£103,047.50
Mission Aviation Fellowship: Mission Run	£144,751.15
World Mission Council: Interfaith Support	£104,137.04
<b>Total</b>	<b>£790,555.54</b>

### PROJECT DONATIONS TO 18 FEBRUARY 2013

Comfort Rwanda: Building a Better Rwanda	£15,946.86
Crossreach: Heart for Art	£26,523.63
Mary's Meals: Making a difference in Liberia	£15,203.86
Ministries Council (Priority Areas): Passage from India	£4,916.05
Scottish Churches Housing Action: Julius Project	£11,411.61
World Mission Council: Out of Africa into Malta	£11,780.01
<b>Total</b>	<b>£85,782.02</b>

### ADDENDUM

#### Mary Ford, National Convener

The members of the Guild and the staff in the Guild office owe a big debt of gratitude to Mary Ford, who has guided the Guild so ably in her year as National Convener. Mary has led the Guild from the front and nothing has been too much trouble for her. She has travelled the length and breadth of Scotland speaking to groups, some large and some small. It has been an exceptionally busy year, not only with many celebrations for our 125th anniversary, but also with an on-going review of the constitution and trying new methods of working. Her conduct of committee meetings has been assured and her meaningful worship at the beginning has underpinned all her work. We thank Mary for her year of very hard work and we thank her husband, Alan, for being such a great support and back up. May they both enjoy their retirement beginning in June.

MARJORIE PATON, *National Vice-Convener*  
IAIN WHYTE, *General Secretary*



# TRUSTEES OF THE CHURCH OF SCOTLAND HOUSING AND LOAN FUND FOR RETIRED MINISTERS AND WIDOWS AND WIDOWERS OF MINISTERS

May 2013

## PROPOSED DELIVERANCE

### The General Assembly:

1. Receive the Report and thank the Trustees and Staff.
2. Re-appoint Mr J G G Lees as a Trustee.

## REPORT

### 1. Aim of the Fund

**1.1** The Fund exists to support retired Church of Scotland ministers, and widows, widowers, and separated or divorced spouses of Church of Scotland ministers, in need of help with housing. The Trustees endeavour to provide assistance by way of either a house to rent or a house purchase loan in accordance with guidelines set, and regularly reviewed by the Trustees. Guidance Notes incorporating these guidelines are available on the Church of Scotland website or can be requested from the Secretary at the Church offices. The Secretary is always happy to meet with potential applicants to discuss their particular situation, and the assistance which the Trustees may be able to provide to them.

**1.2** The Trustees own, and regularly acquire, houses for leasing at concessionary rents to those with insufficient resources to enable them to purchase houses for themselves. Alternatively, loans at favourable rates of interest are granted up to 70 per cent of a house purchase price, subject to an overriding normal maximum of £25,000 for Standard Loans, and £115,500 for Shared Appreciation Loans.

### 2. Housing Transactions: 2012

**2.1** Assistance provided during 2012 to ministers, widows and widowers, and separated and divorced spouses, is detailed in Appendix 1 annexed to this Report.

The percentage of those eligible to apply, and who were granted assistance, is similarly shown in Appendix 1. All those who applied and who fell within the financial parameters of the Fund were provided with assistance.

**2.2** The Trustees owned 266 houses at the end of 2012. The houses purchased and those sold by the Trustees during that year, are detailed in Appendix 2, which also shows the average price of the houses so purchased, and the average price of the houses disposed of. At the end of 2012, nine houses were still being marketed for sale.

**2.3** Apart from leases granted prior to 1989 (where rents continue at unchanged rates of 70 per cent of fair rents for ministers and 35 per cent for widows or widowers of ministers), rents charged for houses provided by the Fund are at a level of 50 per cent of market rent for ministers, and 25 per cent for widows and widowers of ministers.

### 3. Rents

**3.1** The Trustees considered carefully the level of annual rent increase, in the light of an inflation figure of 4.82% (as at 31st December 2011). The Trustees were however mindful that the Pension Trustees had not been able to apply a discretionary increase to those with pensions earned up to 1997. Many of the Fund's tenants are in this category.

**3.2** The Trustees therefore decided that rents should be increased by half of the inflation figure *ie* 2.4%.

3.3 Whilst the Trustees will, of course, continue to implement their obligations of general maintenance and repair, attendance to such items may have to be restricted to matters which are urgent and necessary. Tenants have been advised of this in writing.

#### 4. Loan Transactions: 2012

4.1 The Fund provides loans by way of Standard Loans, Shared Appreciation Loans, and Short Term Bridging Loans.

4.2 Standard Loans are granted up to a normal maximum limit of £25,000 at a rate of interest of four per cent for ministers and two per cent for surviving widows or widowers of ministers.

4.3 Shared Appreciation Loans, which link loan repayment values over their term to the value of the property concerned over the same period, may be granted up to a normal maximum limit of £115,500. Currently rates of interest for such loans are two and a half per cent for ministers and one and a quarter per cent for widows or widowers of ministers.

4.4 Short Term Bridging Loans are granted for a specific period, and in specific circumstances, at the discretion of the Trustees. Interest is charged at a rate equivalent to that permitted by H.M. Revenue & Customs without liability for benefit-in-kind taxation. At the time of writing this was 4%.

4.5 Details of each of the three types of loan outstanding as at 31st December 2012 are given in Appendix 3.

#### 5. Donations, Bequests etc

5.1 The Trustees have to report that during 2012 they received a total sum of £102,705 by way of donations, bequests and gifts.

#### 6 Funds

6.1 The net expenditure on house purchases less house sales during 2012 was £111,085. The net increase in long-term loans during 2012 was £120,000.

6.2 Investments at market value, and cash deposits, at 31st December 2012 amounted to £4,322,470.

#### 7. The Future

7.1 Those Ministers who are within five years of retirement are encouraged to contact the Fund if they feel they may need to avail themselves of the Fund's assistance. Similarly the Trustees always welcome an initial approach from those who are within five to ten years of retirement. Such approaches not only assist the Trustees with financial forecasting, but can help to alleviate some of the anxieties which ministers and their spouses may experience in respect of housing as they contemplate their future after retirement. Details of commitments for the provision of either a house to rent, or a loan, during the next five years, and approved at 31st December 2012, which will require to be met from funds can be found at Appendix 4. The number of ministers due to retire within a five to ten year period from 31st December 2012 and whose names have been placed on the Preliminary Applications List for assistance can also be found at Appendix 4.

7.2 In December 2012 the Trustees considered carefully the parameters for granting assistance with housing to rent, and assistance by way of housing loans, taking into account the current state of the housing market, the numbers of ministry due to retire, and equally the Fund's obligations towards the Church and the proper and appropriate stewardship of its resources. As a result, it was agreed that the parameters for 2013 be maintained at the 2012 levels so that the **maximum** price for a house to rent remains at £165,000 and the **maximum** price, or value, of a house in respect of which a loan would be given, remains similarly at £165,000. The Trustees remain satisfied that such parameters will enable appropriate housing to be purchased for rental, or with the aid of Fund loans, in the current housing market for those who are eligible for assistance from the Fund. Applicants for whom assistance is to be granted by way of a house to rent are reminded that the figure of £165,000 is a **limit, and not a target**, and separately they are requested to consider, first, the Fund's vacant properties before the Trustees will be prepared to purchase a house for them.

**8. Diligence**

**8.1** The Trustees confirm that the Staff have routinely and progressively monitored their stock of rental housing, and housing over which loans have been secured, and have continued to support all of their tenants and borrowers. No significant problems have been identified or encountered.

**9. Budget Allocation**

**9.1** To meet their commitments the Trustees will draw down, in 2013, the sum of £500,000 from Congregational Contributions.

**10. Staff**

**10.1** The Trustees wish to place on record their indebtedness to the work of the Staff of the Fund, and in particular the care and support afforded by Staff to all those who apply to, or have been assisted by, the Fund.

*In the name of the Trustees*

J G GRAHAME LEES, *Chairman*

IAN TAYLOR, *Deputy Chairman*

LIN J MACMILLAN, *Secretary*

## APPENDIX 1

Assistance provided	2012	2011
Number of Ministers retiring (and eligible to apply to the Fund)	47	56
Percentage assisted with a house to rent	8.5%	14.3%
Percentage assisted with a house purchase loan	8.5%	23.2%
Total percentage assisted	17.0%	37.5%
Percentage of individuals eligible to apply who fell within the Fund's financial parameters and who received assistance	100%	96%
Instances of assistance provided*		
Retiring Ministers	7	17
Ministers already retired	3	4
Widow(er)s	3	2
Spouses	3	1
Total	16	24

\* Assistance may be provided in a different calendar year to that in which the Minister actually retires

Tenants as at 31st December	2012	2011
Ministers	163	171
Widow(er)s	76	73
Spouses	11	9
Commercial rental	4	4
Vacant	12	8
Borrowers as at 31st December		
Ministers **	90	82
Widow(er)s	50	53
Spouses	0	0

\*\* Five Ministers have dual loans

## APPENDIX 2

<b>Rental Housing</b>				
	<b>2012</b>		<b>2011</b>	
Total number of houses owned at 1st January	265		269	
Houses purchased during year	10		9	
Total cost of purchases		£1,290,279		£1,390,195
Average house price		£129,028		£154,466
Houses sold during year	9		12	
Total amount realised		£1,179,194		£1,844,222
Average proceeds		£131,022		£153,685
Houses bequeathed/gifted during year	0		0	
House relinquished during the year	0		1	
Houses relet during year	2		4	
Total number of houses owned at 31st December	266		265	
Average market rent of property purchased during year	£6,540		£7,193	
Average rent of new tenancies – Ministers/Spouses	£3,192		£3,671	
Average rent of new tenancies – Widow(er)s	£1,510		£1,500	

## APPENDIX 3

<b>Housing Loans</b>				
	<b>2012</b>		<b>2011</b>	
Long term loans outstanding at 1st January	139		140	
Value of loans outstanding		£5,874,200		£5,433,150
New loans granted during year	4		11	
Additional loans granted during year	0		0	
Value of loans granted		£265,500		£902,000
Loans fully repaid during year	7		12	
Loans partially repaid during year	1		2	
Value of loans repaid		£145,500		£460,950
Long term loans outstanding at 31st December	136		139	
Value of long term loans outstanding		£5,994,200		£5,874,200

Short term Bridging Loans outstanding at 1st January	3		4	
Value of Bridging Loans outstanding		£353,000		£175,000
Bridging Loans granted during year	2		6	
Value of Bridging Loans granted		£44,000		£508,000
Bridging Loans repaid during year	5		7	
Value of Bridging Loans repaid		£397,000		£330,000
Short term Bridging Loans outstanding at 31st December	0		3	
Value of Bridging Loans outstanding at 31st December		£0		£353,000

## APPENDIX 4

<b>Outstanding Commitments at year end</b>				
	<b>2012</b>		<b>2011</b>	
For next 5 years				
Houses to rent	27		25	
Housing Loans	15		15	
Value of outstanding commitments		£5,428,000		£4,918,000
<b>Preliminary Applications</b>				
	<b>2012</b>		<b>2011</b>	
For those retiring between 5-10 years	4		8	

# THE CHURCH OF SCOTLAND INVESTORS TRUST

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Appoint Miss C Y Alexander as Vice-Chairman of the Investors Trust from 1 June 2013.
3. Approve the reduction of Chairman and Vice Chairman's term of office from 4 years to 3 years.
4. Approve the appointment of Mr R D Burgon, Mr D Campbell, Mrs J Henderson and Dr F D Tosh.
5. Approve the re-appointments of Miss C Y Alexander, Mr A A Aitchison and Mr J G Wilson as members of the Investors Trust from 1 June 2013.
6. Receive the Annual Report and Financial Statements of the Investors Trust for 2012.

### REPORT

The Church of Scotland Investors Trust, which was established by the Church of Scotland (Properties and Investments) Order Confirmation Act 1994, submits its seventeenth Report to the General Assembly.

#### 1. Introduction

The function of the Investors Trust is to provide investment services to the Church of Scotland and to bodies and trusts within or connected with the Church. The Investors Trust offers simple and economical facilities for investment in its three Funds: Growth Fund; Income Fund; Deposit Fund. Investors receive the benefits of professional management, regular portfolio supervision, spread of investment risk and economies of scale.

The bulk of the Church of Scotland's investments are held on a long term basis, for the purpose of generating recurring income and growth in capital to support the Church's work. An increase or decline in the capital value of investments does not necessarily have a corresponding effect on income receivable.

Ethical considerations form an integral part of the investment management process and the Trustees have given guidance to the investment managers, taking into

account views expressed by the General Assembly. At their own meetings, the Trustees regularly review and consider matters arising in respect of ethical investment. Investment is avoided in any company whose management practices are judged by the Trustees to be unacceptable. In particular, investment is avoided in any company substantially involved in gambling, tobacco products, alcohol, armaments and in other activities which are felt to harm society more than they benefit it. In general, investment is sought in companies that demonstrate responsible employment and good corporate governance practices, have regard to environmental performance and human rights and act with sensitivity to the communities in which they operate.

#### 2. Investment Performance and Outlook

The total value of funds invested through the Church of Scotland Investors Trust increased from £ 314.8 million as at 31 December 2011 to £326.6 million at 31 December 2012. This was mainly the result of a strong performance from equities, particularly in the last quarter of 2012.

Overall, the financial markets continued to be affected by the traumas of the financial crisis and concerns for the lack of growth in the major economies.

The major markets for the Growth Fund, UK and Overseas equities, grew by 12.3% and 12.0% respectively. Total Return in 2012 was 10.2% against the composite benchmark of 10.1% (adjusted to mirror the ethical guidelines of this fund). Over the last 5 years the Growth Fund achieved a total return of 1.9% versus a benchmark return of 3.1%.

Following the transition of assets from Baillie Gifford in early 2012, our new Fund Managers, Royal London Asset Management, saw the Income Fund achieve an 11.6% return against the benchmark of 8.8%, thus giving a total return for 2012 of 14.4% against the benchmark of 11.1%. Over a five year period, the Income Fund has seen a total return of 6.3% versus a benchmark 9.0%.

For the year ahead, the US and Europe face a difficult period and the outlook for the UK economy is particularly uncertain. Perhaps the only certainty is that interest rates are not expected to rise in the year ahead.

### 3. Income Distributions

Company dividend payments continued to grow in 2012 which made it easier for the Growth Fund to achieve its forecast income and, as a result, the annual payout of 16.5p has been maintained for 2012. This represents a yield of 4.67% on the unit price as at 31 December 2012. Companies have significant levels of cash on their balance sheets which they are reluctant to invest at present; this may be a factor in keeping economic growth lower than hoped, but should be positive for dividend payouts. Nevertheless, given that the yield on the UK All Share Index is 3.34%, maintenance of the current level of distribution on the Growth Fund will be a significant challenge.

The Trustees had already indicated that it was their intention to reduce the risk profile of the Income Fund and it was expected that this would mean a reduction in income. During 2012 the management of the Income Fund was duly transferred to Royal London Asset Management although the actual transfer of assets was somewhat delayed. This delay meant that the fund missed one of the

quarterly distributions of the Royal London Ethical Bond Fund which represents some 70% of the Income Fund. As a result, the income earned by the Income Fund in 2012 was significantly lower than the previous year. However, the Trustees had always intended to use some of the reserves accumulated in previous years to smooth the expected reduction in income and, as a result, the distribution for 2012 has been set at 56p which represents a yield of 5.09% on the unit price at 31 December 2012. Given the continued extremely low level of interest rates, a further reduction in distribution is virtually inevitable for 2013.

The average rate for 2012 declared by the Deposit Fund was 1.25% whilst base rate averaged 0.5%. The fund Managers, within investment parameters set by the Trustees, followed a strategy of placing funds out for longer periods to take advantage of the higher yields available. The average rate payable in 2013 will, as usual, depend on money market rates but there are no expectations that official interest rates will increase in 2013.

### 4. Office Bearers

Mrs I J Hunter has conveyed her intention to retire as Vice Chairman. It is recommended that Miss C Y Alexander, be appointed Vice Chairman.

In order to help reduce the average period served by Trustees, it is recommended that the term of office of the Chairman and Vice-Chairman be reduced from 4 years to 3 years.

### 5. Membership

In accordance with the terms of the Constitution, the following three members retire by rotation at 31 May 2013: Miss C Y Alexander, Mr A A Aitchison and Mr J G Wilson, all three having indicated they seek re-election. It is recommended to the General Assembly that Miss C Y Alexander, Mr A A Aitchison and Mr J G Wilson be re-appointed members as from 1 June 2013.

In accordance with good practice and in line with a suggestion from the General Assembly 2012, the

Investors Trust welcomed nominations for Trusteeship and advertised in Life and Work. The Trustees were impressed with the wealth of skills and experience presented by candidates. From the nomination process and in accordance with the terms of the Constitution, it is recommended that Mr R D Burgon, Mr D Campbell, Mrs J Henderson and Dr F D Tosh be appointed members from 1 June 2013.

Mr S R Auld retired as a Trustee on 3 September 2012 after sixteen years' service to the Investors Trust. The Trustees will miss his cheerful and considered contributions to their deliberations.

## **6. Annual Report and Financial Statements for 2012**

Copies of the 2012 Annual Review and the Annual Report and Financial Statements for the year to 31 December 2012 are available to download from The Church of Scotland website or can be obtained from the Secretary.

*In the name and by the authority of  
The Church of Scotland Investors Trust*

A W T GIBB, *Chairman*  
I J HUNTER, *Vice-Chairman*  
N LAING, *Secretary*



# THE IONA COMMUNITY BOARD

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report and thank the Board.
2. Congratulate the Iona Community on its 75th anniversary
3. Express appreciation of the contribution of its members and associate members, to the life of the churches and local communities.
4. Commend the ecumenical vision and witness of the Iona Community and its contribution to the renewal of the Church and its worship.
5. Commend the Iona Community's work with people living in poverty and encourage its partnership working with other agencies.

### REPORT

#### 1. General

The Board is pleased to report another year of faithful service by the Iona Community. The work of the Community is that of its members dispersed around the country and beyond who are united by its five-fold Rule. Membership of the Iona Community is renewed annually with members accounting to one another in Family Groups for their keeping of the Rule. In so doing, members also renew their commitment to a wider movement seeking a more just and equal society, a fairer, more sustainable way of living and a progressive renewal of the Church and its worship.

*If you oppress the poor, you offend the One who made them.*  
(Proverbs 14:31)

In most nations today the gap between rich and poor is widening. Across Europe during this recession there is a discernible trend to portray benefits systems as a burden rather than a safety net and investment which provides social security for all citizens through contributions in national insurance and taxation. Part of this attack has been to characterise poverty as a matter of individual responsibility and blame. People living in poverty or with

a disability have been increasingly stigmatised. This has directly affected a number of our members and many of the people the Iona Community works alongside.

In this short report it is not possible to give an account of how Iona Community members act out their commitment and their growing concern about inequality across Scotland and further afield. However, it is hoped that their corporate commitment and concern can be seen in the priorities of the Community's work.

It has been a privilege for the Community to work alongside people on low incomes and benefits. In many instances we have done so in partnership at local and national level with the Church of Scotland Priority Areas Team and Faith in Community Scotland. The Community also collaborates with Church Action on Poverty and Christian Aid in awareness-raising and campaigning for fairer taxation and tax justice, and for effective financial regulation. Further joint initiatives are planned.

#### 2. The Abbey and the MacLeod Centre

Although 2012 was a year of deepening economic crisis and austerity across Europe and in many other parts of

the world people still travel to Iona in great numbers. The Abbey maintained its high occupancy rate and bookings for the MacLeod Centre were a marked improvement on 2011.

Two weeks are especially worthy of comment. Early in the season, the Iona Community hosted a joint conference at the Abbey with Historic Scotland. Papers were presented on the archaeology and history of Iona and on the influence of the Columban mission, reflecting international expertise and new developments in research. The conference was a great success and will inform the new visitor facilities to be opened in 2013 by Historic Scotland.

In marked contrast, but with equal success and lasting effect, a summer week at both of the Iona centres and at Camas, hosting families from priority areas of Scottish cities. This was a joint venture between Iona Community members and The Church of Scotland Priority Areas Team and – to judge by the excellent video made of the week – laughter, fun and deep enjoyment were its hallmarks, especially for the children.

Many of our guests come from overseas as do our volunteers. One hundred and eight ‘vollies’ came to work with us, from sixteen different countries, including Japan and Paraguay, South Africa and Finland.

The year began with a full complement of our Resident Staff (those who head up our departments and stay between one to three years). This had a positive impact for staff and guests alike. The Community is grateful to all our staff for the warm welcome and generous hospitality shown to guests who come to share the common life.

### **3. Prayer Circle**

The Iona Prayer Circle is part of the healing ministry of the Iona Community. Its roots are firmly based in the beginnings of the Community, from when people first began to send in requests for prayers for healing to the fledgling Community in 1939. Prayers have continued ever since. These prayers are brought together during a simple service held on a Tuesday night in the Abbey. Intercession

is made for people and places where there is need of healing of any sort. Prayer requests come from people visiting the Island and from further afield through people contacting the Abbey through phone or letter. People and places needing longer term prayer are placed onto lists which are sent out to the many intercessors worldwide. These intercessors pray faithfully, many choosing to pray at 9pm on a Tuesday evening and so be a part of what is happening on Iona.

An important part of the Prayer Circle is the contact that is maintained through letter and email to the Co-ordinator. These communications are often in response to the theme explored in the bi-monthly prayer letter.

Prayer Circle Week is a time when members of the circle come together, along with other guests from a Gathering Week, to explore all aspects of spirituality and prayer, often using the arts.

Through discussions at Prayer Circle weeks and through the many emails and letters it has become clear is that there is a real hunger for finding different ways to pray other than the familiar liturgical model used in so many churches. Many of the prayer circle weeks of recent years have helped people to experiment with prayer forms from other cultures, faiths and traditions. The week held at the MacLeod Centre in 2012 was no exception when we explored the Breath of God focusing very much on embodied prayer and ideas from the Native American tradition.

### **4. Camas Adventure Centre**

A significant percentage of the groups visiting Camas come from poorer communities and much care is taken to form lasting working relationships with them. Camas staff spend the winter months visiting groups and ensuring that financial constraints do not prevent anyone from enjoying the Camas experience. 2012 was a fun year with fantastic weather enjoyed by guests, visitors and staff amongst whom there was an overwhelming sense of support, sunshine, laughter and that special ‘something’ which is unique to Camas.

The majority of Youth Groups consisted of either marginalised young people or those who could provide leadership back in their communities. Within the schools section, three groups were from special needs backgrounds and Hartlepool College sent a group of young people who had been excluded or had other difficulties within the education system.

The focus of the programme was development of community through engagement with all guests on an individual basis, allowing them to feel welcome, safe and able to explore the Camas environment.

New Activities included coast-eering, scrambling around the islands at high tide, and rock climbing over at a crag on Knockvologan. Camping with the aid of 'a loo with a view' at Market Bay became a regular feature in most programmes.

Arts and crafts remain a strong part of the programme. Sessions on improvised music making also featured – inspired by a staff training session led by Iona Community member, Jane Bentley. There were also frequently team problem-solving challenges and games of Hide and Seek in the bracken.

Camas was successful in raising £2000 from the Co-op and £9350 from the National Lottery. Grant funding enables the continued development of the programme and facilities at Camas.

The Iona Community was fortunate to have a very dedicated staff group this year. Volunteers came from Scotland, England, Canada and Sweden.

## 5. Work with Young People

The Iona Community's work with young people is centred on schools, colleges, church youth groups, and events in our centres on Mull and Iona.

Sessions in schools included a workshop at Notre Dame High School in Greenock following up on a previous visit which focussed on asylum seekers and refugees in Scotland. At Bellahouston Academy a labyrinth was

created in the assembly hall enabling all S1 pupils to learn and experience the value of taking time to reflect.

Work with an English language class of asylum seekers at Anniesland College included involvement in an inter-college Art Competition on Equality and Diversity. The meanings of the words *equality* and *diversity* were explored, translated into the students' native languages then brought to life in a community arts banner. They won first prize!

A key role of the Youth Team, Chris Long and Ben Raw, is liaising with groups both prior to and after visiting our centres. This form of partnership working has been particularly successful with the SiMY project in Townhead which has led to the start up of an Arts Club, and with St Paul's Youth Club, Provanmill where the aim is to enable young people to explore new sports.

Work with local church groups has included a monthly presence at Carnwadric Church Youth Fellowship, a worship weekend at St Matthew's Church, Perth, participation in the Priority Areas group week at Camas, the Student Christian Movement conference in Edinburgh and the Church of Scotland National Youth Assembly.

In addition to this core youth work, for the last three years Laura McAleese has been delivering anti-sectarianism workshops in prisons across the Central Belt. During 2012 she reworked the training material into a stand-alone pack which Prison Staff themselves can use. Work included: obtaining permissions for use of third-party materials (documentaries, etc), providing complete user guides and train the trainers notes, producing a well-presented final product.

The evaluation of "*Can you hear the bigots sing?*" has consistently shown a significant increase in understanding of sectarianism and a reduction in sectarian attitudes among the prisoners attending the programme. Prisoners whose sectarian attitudes have contributed to their offending behaviour, are selected by prison staff to take part in the programme, which is demonstrating a real impact both on offending behaviour and personal responsibility.

## 6. Wild Goose Resource Group

Graham Maule continues to be chief catalyst par excellence for our monthly HOLY CITY event which began its new season in Glasgow on Sunday October 7th, a move to the first Sunday of each month from the last. HOLY CITY's 2012-13 theme is *Promising Lands: Rough Guides to contemporary faith in a small nation and a wee world*. Through workshops and liturgy, we are exploring the roads and turnings we need to take on the journey to desirable social, political, ecological, economical and spiritual destinations.

In addition to the regular event, in November, Irish poet, theologian and group worker Pádraig Ó Tuama, returned for a third year to lead us in an inspiring week of events in poetry, conflict and peacemaking, and an urban retreat, *'Angry Jesus and Other Stories'*.

Graham Maule and Jo Love have together and independently led workshops and sings from Dunoon to Dundee and Stirling to Swanwick. Jo completed her secondment at Cranhill Church in May and began some creative locum duties with young people at St Paul's, Provanmill in June. In the autumn, she embarked on a project with Girls' Brigade Scotland, piloting some fresh ideas for exploring spirituality with both girls and leaders.

John Bell was invited to speak at the Solas Festival at Wiston Lodge near Biggar, and WGRG again had a presence at Greenbelt. In addition to working in the UK, Ireland, the US and Canada, John travelled to South America where he led sessions in Buenos Aires for Anglican Priests. He also visited local projects in Paraguay, including a village from where for several years now young people have travelled to volunteer on Iona.

John has worked with the BBC on various broadcasts, including a programme recorded on Iona, one of a series of three summer services exploring the spirituality of islands on Britain's coastline.

Members of the group facilitated programmed weeks on Iona in 2012, including the Church of Scotland Priority

Areas Holiday Week and 'What is This Place, Who are These People' with invited experts in participative liturgical renovation, looking at the places where we worship and those who gather there.

New Publications in 2012 included:

*THE TRUTH THAT SETS US FREE*, songbook and CD – provocative but biblical, singable but not simplistic, eclectic but full of integrity.

*SPARE CHANGE AND GILT-EDGED GRACE*, Liturgy Booklet. A liturgy exploring the relationship between faith and wealth.

### 6.1 Wild Goose Publications

In common with most of the book trade it has been another difficult year financially for Wild Goose Publications, but trading seemed to improve somewhat towards the end of 2012 and there has certainly been no lack of good new material to publish. As always, several new books were produced and also some original downloads.

Sales of downloads and e-books are still increasing and work continues on converting backlist titles to these formats, in addition to making sure that new books are available in e-book format soon after publication.

One of the year's new books, *Dazzling Darkness* by Rachel Mann, achieved a place in the *Church Times* top ten and also created quite a lot of interest online. Another title, *God in the Dark*, by Peter Longson, obtained a good review in the same magazine, as did also *Ready or Not*, by Ruth Harvey. The theme of darkness (in its various forms) seemed to hit home with a lot of readers this past year, perhaps a reflection of the times we live in.

The work of Wild Goose Publications is widely appreciated:

*The Iona Community have a wide range of worship resources which can be used for all sorts of different occasions and situations. These are often refreshingly different to the liturgical and worship resources available from single denominations. The material is thoroughly ecumenical, and*

*is infused with a strong element of ethical responsibility.  
(The Arthur Rank Centre)*

## 7. Membership

The work of the Iona Community is where its members and associates are in local church and community.

Phil Jakob is Director of Music at the Roman Catholic Cathedral and Diocese of Hallam, South Yorkshire. Phil's work and witness is hugely influenced by his membership. He is a member of the Diocese Justice and Peace Commission and chairs South Yorkshire Churches Together.

Dr Susan Dale established a free drop-in counselling service in the traumatised town of Machynlleth, Wales, following the murder of April Jones. The Listening Point has been generously supported by members and associates groups.

David McNeish is training for ministry with the Church of Scotland and studying at New College. Juggling this with the joyful chaos of family life with three primary school age children has made him appreciate why accountability for the use of time is part of the Rule. It has helped David find a rhythm of working that includes knowing when not to work. Membership of the Iona Community has been an uncomfortable encouragement, challenging David to ground everything in love that is incarnate and not distant.

Twenty one people were hallowed into membership at Community Week in August. There are currently 270 Members, a slight decrease on last year due to the suspension of the New Members Programme until 2014. In December 2011 the Council agreed to set up a Membership Review Group to consider all aspects of membership in light of the challenges of the continuing increase in applications to join the Community. The consultation process with members and associate members has prompted lively discussion and appears to be engendering renewed commitment as the Community

looks forward to its 75th anniversary in 2013.

Considerable growth is evident too in the various 'Iona inspired networks' in a growing number of countries around the world. The Dutch Iona Group, for example, now has seventy members who meet regularly in local family groups.

The Community retains strong links with the Corrymeela Community in Northern Ireland, the Wellspring Community in Australia and others around Britain.

A Plenary on the theme of health and well being took place in York and the Annual General meeting was held in Glasgow. Summer and Autumn Community Weeks on Iona focused on the gender relations operational in all kinds of institutions including the Church and the Iona Community. In the context of the Community's justice and peace commitment, members explored ways to combat discrimination, to be in solidarity with women and girls suffering oppression around the world and to support action for change.

Every 31st day of its monthly prayer cycle, the Community remembers those who have died since its formation in 1938 and prays 'tell them we love them and miss them'. Last year the names of Revd David Levison, who had a varied and exciting ministry and was committed to the ecumenical movement; Revd Robert Currie, who was a faithful parish minister in Clydebank, Dowanhill, Glasgow, associate minister at Paisley Abbey and hospital chaplain; Revd Hugh Drummond, long serving parish minister and passionate peace campaigner with Scottish Clergy Against Nuclear Arms, were added to that list. In the communion of the saints, an ever-present reality for the Iona Community, we are not divided. We give great thanks.

*In the name of the Board.*

ALLAN GORDON, *Convener*  
PETER MACDONALD, *Leader*



# NOMINATION COMMITTEE

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.
2. Encourage Presbyteries and Congregations to consider prayerfully the talents of those known to them and to nominate those who may be able to contribute helpfully to the work of the Church.
3. Appoint Dr Sally Bonnar, Elder at Perth: North, as Convener of the Social Care Council. (Section 6)
4. Appoint the Rev Colin Sinclair to a second term, for three years, as Convener of the Mission and Discipleship Council. (Section 6)
5. Appoint the Very Rev Professor Iain R Torrance as Convener of the Theological Forum. (Section 6)
6. Make alterations to Standing Committees and Councils as set forth in the Report. (Section 6)

### REPORT

#### 1. Background

The remit of the Nomination Committee is to identify ministers, deacons, elders and members with particular skills and experience for serving on the Church's Councils and Committees. The names of those identified are recommended to the General Assembly and we are pleased that all of the available positions will be filled. It remains encouraging that the people whose names appear in Section 6 are prepared to serve the Church in this way and we commend their willingness to place their time and their talents at the Church's disposal. However, we remain concerned at the relatively low number of names being suggested and at the difficulty the Committee sometimes then faces in matching nominees with the vacancies.

#### 2. Committee

2.1 The Assembly of 2012 agreed a reduction in the Committee's membership to twenty-six. As planned, the Committee met in August 2012 as well as for its traditional two day meeting in January 2013. The earlier meeting allowed the Committee to discuss and agree its work plan for the year; it ensured that the annual recruitment exercise was launched in good time; and it

allowed members of the Committee to meet each other and start to build effective working relationships: no easy task in previous years when there had been only the one annual opportunity to meet. It was also hoped that earlier planning would lead to improvements in the response rate to the call for nominations.

2.2 The Panel on Review and Reform used the phrase "unheard voices" in its Report to the 2012 Assembly. It seemed to the Committee that there is a mood in the Church – based more on perception than reality – that the Councils and Committees are peopled by a small group who simply move from one appointment to another. Although the remit merely requires the Nomination Committee to bring 'names', we believe that the strategy should be to try to identify people from every quarter of the Church, people who are representative of our diverse membership and people who would bring new skills and life experiences to inform the work of the Church. The August meeting of the Committee made time for discussion of its own role, ethos and strategy. The areas for consideration were:

- how do we widen access and why do some people decline nomination?

- how do we achieve balanced membership? (avoiding quotas but being aware of geography; age; gender; life experience; minister/elder/member; disability)
- honing the nomination process (looking at the application form; mailing; advertising; self-application and/or nomination by another; references; timetable)
- what information do we provide for potential nominees (about Council/Committee work; time commitment; skills gaps)
- the statistics: what data do we need? How do we use them to inform our work? Is there other monitoring which would be helpful?
- the role of Council and Committee conveners and secretaries in bringing nominations.

2.3 Although there were no clear answers to some of these tricky questions, it was useful to explore them. The meeting agreed, as last year, that the Nomination Committee should be concentrating on encouraging the wider Church to submit names for consideration rather than relying heavily on Councils and Committees themselves, or Nomination Committee members, to suggest the names of people they know personally. The Committee's task should be to undertake a sifting process, examining names that are submitted to the Committee and, in reaching decisions, taking into account the need to ensure a balance of geography, gender and age among those who will go on to play an important part in the Church's decision-making structures.

### 3. Statistical Information

3.1 The Committee provides some statistical details to the Assembly as a means of highlighting and encouraging the engagement of the Church as a whole with the Nomination Committee process.

3.2 Approximately 3,000 letters inviting nominations were sent out. These went to Ministers, Session Clerks, Presbytery Clerks, the National Office of the Guild, members of the Nomination Committee and Secretaries of Assembly Councils and Committees.

3.3 These letters produced a total of 174 nominations in advance of the meeting, broken down as follows:

- 31 nominations from 25 Ministers (compared with 30 from 26 last year and 25 from 25 in 2011), with 23 being approached;
- 3 nominations from 3 Kirk Sessions (compared with 15 from 15 last year and 22 from 21 in 2011), with 1 being approached;
- 20 nominations from 14 Presbyteries (compared with 12 from 6 last year and 16 from 6 in 2011), with 9 being approached;
- 6 nominations from the Guild (compared with 2 in 2012 and 2011), with 5 being approached;
- 2 nominations from Nomination Committee members (compared with 3 in 2012 and 2011), with 2 being approached;
- 112 nominations from Councils and Committees (compared with 61 last year and 46 in 2011), with 85 being approached.

3.4 A further 26 nominations were put forward during the course of the January meeting, these names coming from members of the Nomination Committee and from Councils and Committees in order to fill particular gaps where specific skills and experience were required. 134 potential vacancies required to be filled this year.

3.5 The response rate from Ministers, Kirk Sessions and Presbyteries is still disappointingly low and the Committee continues to give thought as to how this could be improved. The Nomination Committee will continue to monitor the situation but meantime urges all who are asked to put names forward to take the request seriously, to consider, prayerfully, the skills and experience of people known to them and to submit as wide a variety of names as possible. In an attempt to encourage this process, a Nomination Form will be issued during the Assembly to each Commissioner and we challenge Commissioners to bear in mind during the various Reports and debates the people they know who may be able to make a useful contribution – and to give us their names.

#### 4. Charity Governance

**4.1** The General Assembly decided in 2010 to designate the voting members of the Council of Assembly as charity trustees for the Unincorporated Councils and Committees (The Church of Scotland, Scottish Charity Number SC011353). The Nomination Committee was charged by the Assembly with implementing an open recruitment process for new Trustees. The Special Committee on the Review of Charity Governance set out the process to be followed and identified the basic skills required; a skills audit of existing trustees, conducted by the Council itself in 2010, highlighted the skills gaps which the recruitment process would attempt to fill.

**4.2** For the third year, therefore, the Nomination Committee arranged for an advertisement to be placed in *Life and Work*; an advertisement was also placed in *Ministers' Forum*. The opportunity was highlighted on the Church's website and drawn to the attention of Session Clerks. Interviews for shortlisted candidates were held in December. The Nomination Committee provided the chairman and members of the interview panel and the Convener and Secretary of the Council of Assembly attended as observers. The nomination for a new member of the Council of Assembly brought in this report is that of the successful candidate from that process. The Nomination Committee wishes to thank the applicants for Council of Assembly membership, who so willingly submitted themselves to a rigorous recruitment exercise. In terms of Standing Order 115, one retiring member of the Council could be nominated for re-election and the Committee considered how this provision sat alongside the requirement that Council members be appointed in open recruitment. It decided to nominate for re-election a member who had undergone an open recruitment process when first appointed and who had served only a two year term in the first instance. The Committee hopes that the General Assembly will support this solution to the problem.

**4.3** The Committee also noted that two Conveners of major Councils were due to retire this year and that their

successors would become members of the Council of Assembly and charity trustees for the Unincorporated Councils and Committees. It therefore engaged with those Councils to ensure that their processes for identifying nominations for Conveners were robust and transparent and that due account was taken of the skills and qualities needed for charity trusteeship as well as for convening a major Council. We are grateful for the ready cooperation shown by the Social Care Council and the Mission and Discipleship Council in facilitating this involvement by the Nomination Committee. The Committee wishes to draw the Assembly's attention to the nomination as Convener of the Social Care Council of Dr Sally Bonnar, an Elder from Perth: North and a former Vice-Convener of the Council. The Rev Colin Sinclair was nominated last year at short notice to serve a one-year term as Convener of the Mission and Discipleship Council and has accepted nomination for a further term of three years. The Committee is pleased to commend both to the Assembly.

#### 5. Vice-Convener

**5.1** The Committee's Vice-Convener, Iain McLarty, has tendered his resignation from the Committee with effect from the General Assembly. Mr McLarty is undertaking a postgraduate course of study in Copenhagen and is understandably finding it increasingly difficult to balance the demands of the Committee's work with his commitments elsewhere. The Committee thanks him for his effective contribution to its work over a number of years and wishes him well in his studies. We note that he will remain actively involved in Church matters not least through his support for the National Youth Assembly.

**5.2** The Committee gave consideration to the role of Vice-Convener at its January meeting and invited nominations from among the membership. The Committee then considered the nominations and voted unanimously to recommend that Rev Kenneth Stott, Minister at Dundee: Chalmers Ardler, be recommended to the Assembly for appointment as Vice-Convener for the usual term of three years.

## 6. Nominations for Appointment to Councils and Committees

The Committee recommends the following appointments:

### Arbitration Panel

*Minister Appointed* Michael Gargrave (Glasgow: Clincarthill)  
*Members Appointed* John Rice (Larkhall: Trinity), Jack Tasker (Clydebank: Kilbowie St Andrew's)

### Assembly Arrangements Committee

*Vice-Convener Resigned* Lorna Hood  
*Vice-Convener Appointed* Derek Browning (Edinburgh: Morningside)  
*Minister Retiring* Neil Gardner  
*Minister Resigned* James Gibson  
*Ministers Appointed* Neil Gardner\* (Edinburgh: Canongate), Fiona Smith (Inverness: Ness Bank)  
*Member Appointed* Judith Pearson (Aberdeen: Queen's Cross)

Janet Mathieson, *Convener*  
 Derek Browning, *Vice-Convener*

### Audit Committee

*Convener Reappointed* David Watt (Airdrie: New Wellwynd) (1 year)  
*Members Retiring* Roy Alexander, Charles Scott  
*Members Appointed* Ian Laing (Edinburgh: Queensferry) (2 years), Charles Scott\* (Glasgow: Cathedral (St Mungo's or High))

David Watt, *Convener*

### Central Services Committee

*Vice-Conveners Reappointed* Philip Craig (Prestwick: Kingcase) (1 year), Bill Steele (Alvie and Insh) (1 year)  
*Minister Retiring* Rosemary Frew  
*Minister Appointed* Rosemary Frew\* (Kirkcaldy: Abbotshall)  
*Member Retiring* Fergus McLellan  
*Member Appointed* Bob Scott (Innerleithen)

Angus Macpherson, *Convener*  
 Philip Craig, Bill Steele, *Vice-Conveners*

### Chaplains to HM Forces Committee

*Ministers Retiring* Clifford Acklam, Iain Barclay, Scott Rae  
*Ministers Appointed* Gordon Craig (UK Oil and Gas Chaplain), John Murdoch (Largo and Newburn I/w Largo: St David's), Scott Rae\* (Muirkirk I/w Old Cumnock: Trinity)  
*Members Retiring* Margery Paterson, Jo Young  
*Members Appointed* Catherine Latimer (Balerno), Jo Young\* (Perth: St John's Kirk)

Neil Gardner, *Convener*  
 Jackie Petrie, *Vice-Convener*

### Church Art and Architecture Committee

*Vice-Convener Resigned* John Paterson  
*Vice-Convener Appointed* David Logan (Forfar: St Margaret's)  
*Minister Appointed* Harry Mowbray (Blairgowrie)  
*Members Retiring* Sarah Jane Bogle, Edward Hawke  
*Members Appointed* Edward Hawke\* (Quarter), Ian Robb (Montrose: Old and St Andrew's)

Graeme Roberts, *Convener*  
 David Logan, *Vice-Convener*

### Church and Society Council

*Ministers Retiring* Valerie Allen, Janice Faris, Matthew Ross  
*Ministers Appointed* Valerie Allen\* (Arbroath: Old and Abbey), William Burnside (Stromness with Graemsay), Peter Nimmo (Inverness: Old High St Stephen's), John Povey (Kirk of Calder), Matthew Ross\* (Cockpen and Carrington I/w Lasswade and Rosewell)  
*Members Retiring* Eleanor Anderson, Calum MacKellar, Iain Mitchell, Glenn Walker  
*Member Removed* Catherine Hay  
*Members Appointed* John McConnachie (Bellie), Iain Mitchell\* (North Queensferry), Glenn Walker\* (Carluke: St John's)

Sally Foster-Fulton, *Convener*  
 Christopher Wigglesworth, *Vice-Convener*

### Council of Assembly

*Minister Retiring* Richard Baxter  
*Member Retiring* Elizabeth Fox

*Members Appointed* Elizabeth Fox\* (London: St Columba's),  
Anne Lamont (Edinburgh: Leith North)

Grant Barclay, *Convener*  
Iain Johnston, *Vice-Convener*

### **Ecumenical Relations Committee**

*Convener Retiring* Alan Falconer  
*Convener Appointed* Alison McDonald (Musselburgh:  
Northesk)  
*Vice-Convener Appointed* Peter Donald (Inverness: Crown)  
*Ministers Retiring* Stephen Fulcher, Matthew Ross  
*Minister Appointed* Matthew Ross\* (Cockpen and  
Carrington l/w Lasswade and Rosewell)  
*Member Resigned* Virginia Russell  
*Members Appointed* Lilly Stevenson (Dalbeattie), Angus  
Swan (Balerno)

Alison McDonald, *Convener*  
Peter Donald, *Vice-Convener*

### **Judicial Commission**

*Chairman Retiring* Aileen Nimmo  
*Chairman Appointed* Robert Brodie (Edinburgh: St Andrew's  
and St George's West)  
*Vice-Chairman Retiring* Alasdair MacFadyen  
*Vice-Chairman Appointed* Marjory MacLean (Abernyte l/w  
Inchture and Kinnaid l/w Longforgan)  
*Ministers Retiring* Neil Combe, Elinor Gordon, Ian McLean,  
Ian Murray  
*Ministers Appointed* Christine Goldie (Bearsden: Westerton  
Fairlie Memorial), Bruce McNicol (formerly Jedburgh: Old  
and Edgerston), Fiona Smith (Inverness: Ness Bank), Stuart  
Smith (Glasgow: Partick Trinity)  
*Elders Retiring* Robert Carr, Alexander Corner, Myrtle Gillies,  
Jamie Grant, Marshall Halliday, Douglas Risk, Richard Scott  
*Elders Appointed* Robin Braidwood (Dumfries: Maxwelltown  
West), John Crichton (Bothwell), Angus Hogg (Dunfermline:  
Abbey), Mrs Isabell Montgomerie (Ochiltree), Mr Nigel  
Orr (Torphichen), James Wallace (Kirkwall: St Magnus  
Cathedral)

Robert Brodie, *Chairman*  
Marjory MacLean, *Vice-Chairman*

### **Legal Questions Committee**

*Member Retiring* Murdo Macleod  
*Member Appointed* James McLean (Edinburgh: St Cuthbert's)

Alan Hamilton, *Convener*  
Sheila Kirk, *Vice-Convener*

### **Life and Work Advisory Group**

*Minister Retiring* Martin Allen  
*Minister Appointed* James Stewart (Perth: Letham St Mark's)  
*Member Retiring* Bill Livingstone  
*Member Appointed* Bill Livingstone\* (Dunfermline: St Ninian's)

David Denniston, *Convener*

### **Ministries Council**

*Ministers Retiring* Ian Aitken, Leslie Milton  
*Ministers Resigned* Robert Hamilton, Donald McCorkindale,  
Jerome O'Brien  
*Ministers Appointed* David Black (Glasgow: Pollokshields),  
Edward Lyons (Penninghame), Leslie Milton\* (Cambuslang),  
Val Ott (Borgue l/w Gatehouse of Fleet), Sarah Ross (Forth:  
St Paul's), Stuart Sharp (Falkirk: Camelon), Terry Taylor  
(Broxburn), James Teasdale (Dalry: St Margaret's)  
*Members Retiring* Leonard Cazaly, Frank Dunn  
*Members Resigned* Helen Brannigan, Alan Dodds, Janet  
Harper, Sandra Holt  
*Members Appointed* Charles Godon (Edinburgh: Juniper  
Green), Michael Newlands (Keith: St Rufus), Anne Noble  
(Bathgate: St John's), Allan Sim (Edinburgh: St Andrew's  
and St George's West)

Neil Dougall, *Convener*  
Neil Glover, Anne Paton, Derek Pope, David Stewart,  
*Vice-Conveners*

### **Mission and Discipleship Council**

*Convener Reappointed* Colin Sinclair (Edinburgh:  
Palmerston Place) (3 years)  
*Vice-Convener Retiring* David Cameron  
*Vice-Convener Appointed* Norman Smith (Edinburgh:  
Granton)  
*Ministers Retiring* Stephen Fulcher, Kenneth Petrie

*Ministers Resigned* John Christie, James Stewart  
*Ministers Appointed* Daniel Manastireanu (Bishopton),  
 Fiona Maxwell (Neilston) (3 years), Abi Ngunga (Peterhead:  
 St Andrews)  
*Members Retiring* Esme Duncan, Brian Fraser  
*Members Appointed* Craig Durning (Glasgow: Ruchill  
 Kelvinside), Elspeth McCallum (Glasgow: Partick Trinity),  
 Lilly Stevenson (Dalbeattie)

Colin Sinclair, *Convener*  
 Roderick Hamilton, John Hawthorn, Norman Smith,  
*Vice-Conveners*

### **Committee to Nominate the Moderator**

*Members Retiring* Jean Brannigan, Elspeth Dale  
*Members Appointed* Elspeth Dale\* (Kilmarnock: New Laigh  
 Kirk), Gavin Drummond (Forfar: St Margaret's)

### **Nomination Committee**

*Vice-Convener Resigned* Iain McLarty  
*Vice-Convener Appointed* Kenneth Stott (Dundee: Chalmers  
 Ardler)  
*Ministers Retiring* Alistair Donald, Agnes Moore  
*Ministers Appointed* Mark Nicholas (Gorebridge), Muriel  
 Willoughby (Alloa: Ludgate (Associate))  
*Members Retiring* Elva Carlisle, Myrtle Gillies, Dorothy  
 Kinloch  
*Members Appointed* Irene Crosthwaite (Larbert: East),  
 Marian Macintyre (Sandwick, Cunningburgh and Quarff),  
 Elspeth Smith (Cupar: Old and St Michael of Tarvit)

James Dewar, *Convener*  
 Kenneth Stott, *Vice-Convener*

### **Personnel Appeal Group**

*Member Removed* Sheila Gunn  
*Member Appointed* Eilidh Wiseman (Edinburgh: St Catherine's  
 Argyll)

### **Panel on Review and Reform**

*Minister Retiring* Gordon McCracken  
*Minister Appointed* Gordon McCracken\* (Peterhead: Old)

Donald Campbell, *Convener*  
 Jack Holt, *Vice-Convener*

### **Safeguarding Committee**

*Vice-Convener Reappointed* Karen Campbell (Edinburgh:  
 Marchmont St Giles') (1 year)  
*Member Retiring* Bill Gillis  
*Member Appointed* Sheila Ritchie (Glasgow: Maryhill)

Ranald Mair, *Convener*  
 Karen Campbell, *Vice-Convener*

### **Social Care Council**

*Convener Retiring* Sydney Graham  
*Convener Appointed* Sally Bonnar (Perth: North)  
*Ministers Appointed* David Gray (Edzell Lethnot Glenesk  
 I/w Fern Careston Menmuir), Ramsay Shields (Milngavie:  
 St Luke's)  
*Members Retiring* Adrian Bark, Jan Patterson, Matthew  
 Struthers, Bill Usher  
*Members Resigned* John Adamson, Peter Barber-Fleming,  
 Virginia Russell  
*Members Removed* Kenneth McLachlan, Emma Worsfold  
*Members Appointed* Adrian Bark\* (Troon: St Meddan's),  
 Martha Bogle (Bo'ness: St Andrew's), Mary Ford (Glasgow:  
 Springburn), Brenda Graham (Edinburgh: Liberton Kirk),  
 Kathleen MacPherson (Lenzie Union), Jan Raitt (Edinburgh:  
 Greyfriars, Tolbooth and Highland Kirk), Angus Swan  
 (Balerno), William Usher\* (Burnside Blairbeth)

Sally Bonnar, *Convener*  
 Ian Huggan, Richard Frazer, *Vice-Conveners*

### **Theological Forum** *[subject to the General Assembly establishing this new committee]*

*Convener Appointed* Iain Torrance  
*Ministers Appointed* Glenn Chestnutt (Gourock: St John's)  
 (4 years), David Fergusson (University of Edinburgh)  
 (3 years), Doug Gay (University of Glasgow) (3 years),  
 Frances Henderson (Hoddum, Kirtle-Eaglesfield  
 and Middlebie) (3 years), Donald MacEwan (Chaplain,  
 University of St Andrews) (4 years), Robin Sydserff  
 (Edinburgh: St Catherine's Argyll) (2 years)

*Members Appointed* Jamie Grant (Highland Theological College) (2 years), Anette Hagan (Edinburgh: Mayfield Salisbury) (4 years), Moyra McCallum DCS (Aberdeen: Woodside) (2 years)

Iain Torrance, *Convener*

### **World Mission Council**

*Ministers Retiring* Susan Brown

*Ministers Appointed* Susan Brown\* (Dornoch Cathedral), Alison Burnside (Flotta I/w Hoy and Walls I/w Orphir and Stenness), [Alistair Donald (Chaplain, Heriot-Watt University), Aftab Gohar (Grangemouth: Abbotsgrange), Clarence Musgrave (formerly Jerusalem: St Andrew's) *subject to the General Assembly increasing the Council's membership by four*]

*Members Retiring* Jennifer Dodds, Leon Marshall, James Mitchell

*Members Appointed* Mukami McCrum (Linlithgow: St Michael's), Douglas Short (North Queensferry), [Valerie Macniven (Edinburgh: Greenbank) *subject to the General Assembly increasing the Council's membership by four*]

Andrew McLellan, *Convener*

Iain Cunningham, Christine Sime, *Vice-Conveners*

\* denotes second term

*In the name of the Committee*

JAMES DEWAR, *Convener*

IAIN MCLARTY, *Vice-Convener*

PAULINE WEIBYE, *Secretary*



# CHURCH OF SCOTLAND PENSION TRUSTEES

## May 2013

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report.

### REPORT

#### 1. Schemes Statistics

As at 31 December 2012 the three Church of Scotland Pensions Schemes had a total combined membership of 5555 with assets under management of approximately £350 million.

#### 2. Schemes' Overview

**2.1** Discussions with the respective Employing Agencies and the Pensions Working Group took place in advance of the valuation at 31 December 2012 on the future pension provision for the Church generally and on the ways which might be used to deal with the schemes' deficits.

**2.2** 2012 saw a continuation of slow economic growth, both in the UK and globally. Markets showed concerns over political uncertainty in Europe and the issue of a sovereign debt default and exit from the Eurozone of Greece. In the event politicians and policymakers took sufficient action to support markets which led to a supportive environment for risk assets.

The broad based benchmark for equities used by the schemes returned 12% during the year while corporate bonds also posted strong returns, helping the benchmark index for bonds return nearly 8%. Government bonds delivered lower returns as the premium attached to the safety was less valued by markets in an environment where policymakers were supporting riskier assets; the over 15 year index linked gilt index returning negative 1% over the year. The fund's holdings in diversified growth assets returned 12% over the year while the property assets delivered near zero returns.

The yield on the over 15 year gilt index showed volatility and ended the year close to 3%, having started the year at almost exactly the same level. This is the key input into the discount rate used to value liabilities.

The Investment Group, and indeed the Trustees as a whole, has continued to consider the allocation of the assets of the schemes, in an attempt both to gain the best advantage for the growth of the funds and to reduce the effect of risk and volatility on the Church generally. This work continues with independent investment advice being taken on a framework to assist in the setting of long term investment strategy, given the competing aims of maximising potential investment returns and ensuring an acceptable degree of risk.

**2.3** As regards increases to pensions in payment from 1 January 2013 each pension is split into three parts. Increases to any pension earned in respect of service periods between April 1997 and April 2005 and since April 2005 are dictated by law and, accordingly, the Trustees applied increases of 2.2% and 2.2% (the figure being the same) to each of the respective tranches. The third tranche is pension which was earned in respect of service prior to April 1997. This portion only increases at the discretion of the Trustees except in the case of the Scheme for Presbytery and Parish Workers (previously the National Mission Scheme) where increases are built into the rules. After taking advice from the Schemes Actuary the Trustees decided once again not to award any discretionary increase. As mentioned at the 2012 General Assembly to

have done so would have increased the scheme deficits by some millions of pounds. Given the pressure on the budgets of the employing agencies this would not have been prudent.

**2.4** In the Scheme for Ministers and Overseas Missionaries the standard annuity was not increased and in the Widow's and Orphan's fund the favourable funding position of that fund enabled the Trustees to increase the maximum benefits by 2.7%.

### **3. Trustees and Staff**

**3.1** Mr Arthur J Priestley, Vice-Chairman, retires as of this General Assembly and is not seeking re-election. Arthur has been involved with the Church pension scheme, on and off, for around 20 years having served on the Retirement Scheme committee before becoming a Pension Trustee in 2002. Arthur's attention to detail and his leading of the Risk Group has kept us safe from

accidental error and ensured that all the risks we run are identified and dealt with satisfactorily. We will be sorry to lose him and his skills and the Trustees wish to record their appreciation for his service over the years.

**3.2** With the departure of the two long standing employees last year we have boosted the staffing in the Pension Department with a new Secretary Nancy Harper, and Marshall Paterson, Andrew McKenna and Fiona McCulloch. A further member of staff, replacing one who left service, is in hand. In addition we have a Consultant, John Ellam, helping to organise the data for the new administration system which should be fully functional just after the end of this year.

*In the name of the Trustees*

W JOHN McCAFFERTY, *Chairman*  
ARTHUR J PRIESTLY, *Vice-Chairman*  
STEVEN D KANEY, *Secretary*

# THEOLOGICAL COMMISSION ON SAME-SEX RELATIONSHIPS AND THE MINISTRY

May 2013

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## PREFACE

The General Assembly of 2011 appointed a Theological Commission to bring a Report to the General Assembly of 2013, and gave to the Commission a remit to provide:

- a) 'a theological discussion of issues around same-sex relationships, civil partnerships and marriage';
- b) an examination of whether the Church should permit ministers to bless same-sex relationships 'involving life-long commitments', and to provide a 'form of a blessing', or liturgy, if so agreed, and;
- c) 'an examination of whether persons, who have entered into a civil partnership... should be eligible for... ordination... as ministers of Word and Sacrament or deacons in the context that no member of Presbytery will be required to take part in such ordination or induction against his or her conscience'.

The seven members of the Theological Commission represent a broad spectrum of views within the Church of Scotland, with the Commission equally representing those holding to a Revisionist position on issues of human sexuality (that the Church ought to regard as eligible for ordination as ministers of Word and Sacrament or deacons those who have entered into a civil partnership) and those holding to a Traditionalist position (that the Church ought not to regard as eligible for ordination as ministers of Word and Sacrament or deacons those who have entered into a civil partnership). In this context, the primary task of the Convener is to ensure that the remit given to the Commission has been fulfilled.

In submitting the Report, the Commission is conscious of the complexity of the discussion and the range of matters addressed. The Report seeks to outline the terms of the contemporary discussion on issues of human sexuality, and establishes that the primary context within which this discussion takes place is the Church of Scotland understood as an integral part of the 'One Holy Catholic and Apostolic Church'. Thereafter, it contends that it is within this context that ordination to the ministry of Word and Sacrament, and to the Diaconate, is to be understood. Equally, it is within this context that the authority of the Scriptures of the Old and New Testaments is to be understood, and the interpretation of the Scriptures takes place. Having addressed these matters, the Report specifically addresses the Revisionist Case for affirming that the Church ought to regard as eligible for ordination as ministers of Word and Sacrament or Deacons those who have entered into a civil partnership, before hearing the Traditionalist Case for not so affirming. In the presentation of each Case, the particular members of the Theological Commission who wish to adhere to each Case are named.

The Report of the Theological Commission does not offer a definitive recommendation in favour of one Case, or the other. Rather, it invites the General Assembly to weigh carefully all of the matters before it conscious of the extent to which the decision to be made will shape the identity of the Church of Scotland within the communion of the 'One Holy Catholic and Apostolic Church'.

The backdrop against which the Report has been prepared is a fluid one in which there is a real prospect that the Civil Law with respect to issues of human sexuality will change. In May 2011, there existed no commitment on the part of the Scottish Government or the United Kingdom Government to make provision for the marriage of those in same-sex relationships. In a very short period of time the backdrop has changed such that, even as this Report is being submitted, the Scottish Government and the United Kingdom Government have proposed Bills which, if enacted, would make such a provision. Both of these Bills include clauses which are intended to safeguard any individual religious celebrant who does not wish to officiate at the marriage of persons in a same-sex relationship. If it is the case that the General Assembly decides to affirm the Revisionist Case, it shall only do so 'in the context that no member of Presbytery will be required to take part in such ordination or induction against his or her conscience'. That is, the General Assembly shall require to be satisfied

that safeguards, akin to those offered within the respective Bills with regard to marriage, have been provided to members of any Presbytery who are so minded. The discussion with respect to these matters is complex and does not feature within the main Report. Rather, the discussion of legal matters will be found in a separate Legal Appendix which will be published in the Supplementary Reports.

## DELIVERANCE

### The General Assembly:

1. Receive the Report.
2. **EITHER**
  - a) i) Acknowledge that the question of the ordination of those in same-sex sexual relationships who are also in a Civil Partnership is a matter to which liberty of conscience, guaranteed by the Church on matters that do not enter into the substance of the faith, applies.
  - ii) Approve the Overture anent Civil Partnerships, Ordinations and Appointments, and Services of Recognition, set out in Appendix XXX to the Report, and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013;  
*(Appendix XXX will be published in the Supplementary Reports. The principles that will be incorporated into the Overture are set out in Appendix I.)*
  - iii) Instruct the Legal Questions Committee to take all necessary steps to ensure the protections set out in the Overture anent Civil Partnerships, Ordinations and Appointments, and Services of Recognition, in order to enable the Overture, if enacted in 2014, to come into force on a date to be determined by the General Assembly;
  - iv) Approve, in principle, the liturgical material set out in Section 6.14 of the Report, to be authorised for use in the event of the Overture being enacted by the General Assembly of 2014;
  - v) Instruct all Courts, Councils and Committees of the Church not to make decisions in relation to the acceptance of persons in a same-sex relationship for training, ordination and induction as ministers of Word and Sacrament or Deacons, including transfer from another denomination, until 31 May 2014, except as provided for in 2. vi);
  - vi) Notwithstanding the terms of 2. v), allow the induction into pastoral charges of ministers of Word and Sacrament and the appointment of ministers of Word and Sacrament and Deacons ordained before 31 May 2009 who are in a same-sex relationship, and;
  - vii) During the moratorium set out in 2 v), instruct all Courts, Councils and Committees of the Church not to issue press statements or otherwise talk to the media in relation to the acceptance of persons in a same-sex relationship for training, ordination and induction as ministers of Word and Sacrament or Deacons.

### OR:

- b) i) Depart from the trajectory chosen by the General Assembly of 2011.
- ii) Instruct the Ministries Council and the Legal Questions Committee in collaboration to address the pastoral, procedural and legal implications on i) the selection process ii) discipline, and iii) the position of ministers of Word and Sacrament and Deacons in same-sex relationships who were ordained and/or inducted prior to 31 May 2009; and to report with any necessary Act or amendment of Acts to the General Assembly of 2014.

- iii) Reaffirm the view of the General Assembly 2011 that homophobia is a sin, while maintaining that it is not homophobic to express the view that homosexual acts are contrary to God's revealed will.
  - iv) Reaffirm the duty of the Church to minister to people regardless of their sexual orientation, recognising in particular the burden often felt by homosexual Christians striving to maintain celibacy because of their understanding of Scripture.
  - v) Recognise that a homosexual orientation, in itself, is not a barrier to leadership in the Church, including the ministry of Word and Sacrament, the Diaconate and the Eldership.
3. Thank and discharge the Theological Commission.

## REPORT

### 1. Introduction: The Contemporary Debate

#### 1.1 The Task of the Theological Commission

The task of the Theological Commission on Same-Sex Relationships and the Ministry was that set by the General Assembly of 2011 in response to the Report of the Special Commission on Same-Sex Relationships and the Ministry received in that year, with the Special Commission itself having been established by the General Assembly of 2009.<sup>1</sup> The terms under which the Special Commission was established arose out of a Case referred to the General Assembly by a Commission of Assembly in March 2009, and were as follows:

For the sake of the peace and unity of the Church the General Assembly:

Appoint a Special Commission composed of nine persons, representative of the breadth and unity of the Church, to consult with all Presbyteries and Kirk Sessions and to prepare a study on Ordination and Induction to the Ministry of the Church of Scotland in the light of the issues (a) addressed in the report welcomed by the General Assembly of 2007: "A challenge to unity: same-sex relationships as an issue in theology and human sexuality", and (b) raised by

the case of *Aitken et al v the Presbytery of Aberdeen*, and to report to the General Assembly of 2011.<sup>2</sup>

The work of the Special Commission may be said to be characterised by a concern to listen to, and to represent, the voice(s) of the whole Church, and to offer to the Church the means by which to seek a balanced resolution of the 'contentious matters of human sexuality' before it.

In order to set the task of the Theological Commission in context we may recall the core of the deliverances of the Special Commission approved by the General Assembly. In receiving the Report of the Special Commission, the General Assembly adopted the following 'as the proper approach' with respect to the 'pastoral care of homosexual Christians':

It is contrary to God's will that Christians should be hostile in any way to a person because he or she is homosexual by orientation and in his or her practice. In other words we view homophobia as sinful. We do not include in the concept of homophobia both the *bona fide* belief that homosexual practice is contrary to God's will and the responsible statement of that belief in preaching or writing.

<sup>1</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/1-23/43.

<sup>2</sup> *Minutes of the General Assembly of the Church of Scotland 2009*, 104-08; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/3.

It is the duty of the Church to welcome, minister, and reach out to people regardless of their sexual orientation and practice. The Church should strive to manifest God's love to all of his people.

In particular, the Church should recognise the heavy burden which a homosexual orientation continues to place on some who find it difficult or impossible to reconcile their orientation with their understanding of God's purposes as revealed in the Bible. There is a particular need for the Church to reach out pastorally to them and to make them welcome.<sup>3</sup>

The Theological Commission wishes to affirm the 'pastoral' approach advocated by the Special Commission, and to affirm that a pastoral concern for each person made in the image of God should be evident throughout any theological endeavour which seeks to address the contentious matters before the Church. Irrespective of our view on issues of human sexuality, the Special Commission properly highlights the need for all of the Church's debates to be animated by a pastoral concern. The Theological Commission, albeit that the nature of its task is necessarily different, in presenting its Report, calls the Church to maintain and to develop that pastoral concern.

Thereafter, in seeking to address the question of the 'eligibility of homosexual Christians to hold office', the General Assembly affirmed the answer given by the Special Commission, namely:

People who are homosexual by orientation are not barred by their orientation from membership of the Church or from taking up leadership roles in the Church, including the ministry of Word and Sacrament, the diaconate and eldership.<sup>4</sup>

That is; the General Assembly affirmed that the identification of a person's orientation as homosexual did not, in and

of itself, disbar that person from receiving a vocation to serve within the Church in the offices of; the ministry of Word and Sacrament, the Diaconate and the Eldership, and further affirmed 'the unlawfulness of discrimination in the Church on the grounds of sexual orientation in terms of the Act anent Discrimination (Act V 2007)'. The Theological Commission wishes to affirm the position adopted by the General Assembly in 2011, and to note that such an affirmation is consonant with the desire to pursue its theological task ever mindful of our pastoral concern for each person made in the image of God.

The General Assembly of 2009 established a moratorium instructing 'all Courts, Councils and Committees of the Church not... to make decisions in relation to contentious matters of human sexuality, with respect to Ordination and Induction to the Ministry of the Church of Scotland, until 31 May 2011'; with the terms of that moratorium further clarified by a Commission of Assembly in November 2009.<sup>5</sup> The General Assembly of 2011 extended that moratorium, with one significant modification, in the following terms:

Instruct all Courts, Councils and Committees of the Church not to make decisions in relation to contentious matters of same-sex relationships, accept for training, allow to transfer from another denomination, ordain or... induct any person in a same-sex relationship until 31 May 2013.<sup>6</sup>

As noted, the General Assembly modified its moratorium to the extent that it provided that:

During the moratorium... allow the induction into pastoral charges of ministers and deacons ordained before 31 May 2009 who are in a same-sex relationship.<sup>7</sup>

<sup>3</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

<sup>4</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

<sup>5</sup> *Minutes of the General Assembly of the Church of Scotland 2009*, 104-108; *Reports to the General Assembly of the Church of Scotland 2010*, 27/1-27/2.

<sup>6</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

<sup>7</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

That is, the General Assembly affirmed that the position of those ministers of Word and Sacrament and members of the Diaconate ordained prior to 31 May 2009 was to be safeguarded. The Theological Commission wishes to affirm the position adopted by the General Assembly in 2011, and to affirm that such a provision ought to be maintained irrespective of the outcome of the debate on Same-Sex Relationships and the Ministry within the Church of Scotland.

The experience of the Special Commission led it to conclude that, notwithstanding the very considerable terrain that it had covered, it had not provided 'a sustained theological addressing of the matters before the Church', and called for the General Assembly to establish a Theological Commission with the task of so providing which it duly did. Thereafter, the Theological Commission was given the following remit:

Resolve to consider further the lifting of the moratorium on the acceptance for training and ordination of persons in a same-sex relationship, and to that end instruct the Theological Commission to prepare a Report for the General Assembly of 2013 containing:

- (i) a theological discussion of issues around same-sex relationships, civil partnerships and marriage;
- (ii) an examination of whether, if the Church were to allow its ministers freedom of conscience in deciding whether to bless same-sex relationships involving life-long commitments, the recognition of such life-long relationships should take the form of a blessing of a civil partnership or should involve a liturgy to recognise and celebrate commitments which the parties enter into in a Church service in addition to the civil partnership, and if so to recommend liturgy therefor;
- (iii) an examination of whether persons, who have entered into a civil partnership and have made life-long commitments in a Church ceremony,

should be eligible for admission for training, ordination and induction as ministers of Word and Sacrament or deacons in the context that no member of Presbytery will be required to take part in such ordination or induction against his or her conscience.<sup>8</sup>

That is, the General Assembly of 2011 resolved to explore a Revisionist understanding of same-sex partnerships which, if finally agreed, would see the ordination to the ministry of Word and Sacrament, and to the Diaconate, of persons in same-sex partnerships, albeit that the General Assembly of 2011 had not itself finally resolved so to do.<sup>9</sup>

<sup>8</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

<sup>9</sup> We recall that, in so resolving, the General Assembly chose not to adopt the following alternative offered by the Special Commission: (a) Resolve to consider further the implementation of an indefinite moratorium on the acceptance for training and ordination of persons in a same-sex relationship thus maintaining the traditional position of the Church, and to that end:

(1) instruct the Ministries Council and the Legal Questions Committee in collaboration to address the pastoral and procedural implications of such a moratorium on (i) the selection process, (ii) discipline, and (iii) the position of ministers who were ordained and inducted prior to May 2009; and to report to the General Assembly of 2012.

(2) instruct the Theological Commission to continue the process of discernment initiated by the Report received by the General Assembly of 2007: "A Challenge to Unity: Same-sex relationships as an Issue in Theology and Human Sexuality", taking account of the further work of the *Working Group on Human Sexuality*, with respect to Being Single and Marriage, and to report to a future General Assembly. Further, the General Assembly chose not to adopt the following alternative moved from the floor of the Assembly:

(1) Instruct the Theological Commission to continue the process of discernment initiated by the Report received by the General Assembly of 2007: "A Challenge to Unity: Same-sex relationships as an issue in Theology and Human Sexuality", taking account of the further work of the *Working Group on Human Sexuality*, with respect to Being Single and Marriage:

(2) Further instruct the Theological Commission to give full consideration to the Report of the Special Commission on Same-Sex relationships and the Ministry received by the General Assembly of 2011 and to prepare a further report for the General Assembly of 2013 containing:

If the Church were finally so to resolve, such a decision would be complemented by legislation to safeguard the conscience of those who hold to a Traditionalist understanding of same-sex partnerships.

It should be noted that the Theological Commission has continued to use the established terms “Traditionalist” and “Revisionist” as shorthand markers of the theological views held within the Church in respect of same-sex partnerships, whilst recognising their inadequacy in terms of expressing the highly nuanced spectrum of views within the Church, as evidenced in the “Report on the Consultation exercise” undertaken by the Special Commission.<sup>10</sup>

## 1.2 Civil Partnership within Scotland

The wider context within which the Church of Scotland addresses issues of human sexuality is that of

- 
- (i) a theological discussion of issues around same-sex relationships, civil partnerships and marriage;
  - (ii) an examination of whether, if the Church were to allow its ministers freedom of conscience in deciding whether to bless same-sex relationships involving life-long commitments, the recognition of such lifelong relationships should take the form of a blessing of a civil partnership or should involve a liturgy to recognise and celebrate commitments which the parties enter into in a Church service in addition to the civil partnership and, if so, to recommend liturgy therefor;
  - (iii) an examination of whether persons, who have entered into a civil partnership and have made lifelong commitments in a Church ceremony, should be eligible for admission for training, ordination and induction as ministers of Word and Sacrament or deacons in the context that no member of Presbytery will be required to take part in such ordination or induction against his or her conscience; and to report to the General Assembly of 2013.
- (3) Meantime, continue the moratorium on the acceptance for training and ordination of persons in same-sex relationships thus maintaining the traditional position of the Church and instruct the Ministries Council and the Legal Questions Committee in collaboration to address the pastoral and procedural implications of further continuing the moratorium on (i) the selection process, (ii) discipline and (iii) the position of ministers who were ordained and inducted prior to May 2009; and to report to the General Assembly of 2013.

<sup>10</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/5-23/14.

contemporary Scotland itself, and within that context attitudes to these issues have changed considerably in recent decades. It might be judged that this is nowhere more evident than with respect to civil partnerships. The introduction of civil partnerships from 5 December 2005 (as a result of the Civil Partnership Act 2004 (c.33)<sup>11</sup>) provided legal recognition for same-sex couples, and can be said to be an established feature within the realm of contemporary social norms.<sup>12</sup> That this is so, and that it has impacted upon the attitudes of ministers and office-bearers within the Church of Scotland, may be deduced from the responses to the Special Commission's Consultation Exercise undertaken in the preparation of their Report. Thus, in answer to the question: *Should a person in a same-sex relationship be permitted to be an ordained minister within the Church?* 38.2% of 'Individual members of Kirk Sessions' responding said: Yes; whilst 56.2% said: No. (With respect to 'Individual members of Presbyteries', the figures were, Yes: 35.4%, and No: 57.8%.) Thereafter, in answer to the question: *Should a person in a civil partnership be permitted to be an ordained minister within the Church?* 46.2% of 'Individual members of Kirk Sessions' responding said: Yes; whilst 47.0% said: No. (With respect to 'Individual members of Presbyteries', the figures were, Yes: 45.2%, and No: 47.3%.) Further, in answer to the question: *Should a person in a same-sex relationship be permitted to have a leadership role within the Church?* 47.3% of 'Individual members of Kirk Sessions' responding said: Yes; whilst 45.2% said: No. (With respect to 'Individual members of Presbyteries', the figures were, Yes: 43.3%, and No: 47.8%.) Finally, in answer to the question: *Should a person in a civil partnership be permitted to have a leadership*

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<sup>11</sup> <http://www.legislation.gov.uk/ukpga/2004/33/contents>

<sup>12</sup> The General Register Office for Scotland records the following figures for the number of Civil Partnerships registered in Scotland: 2005 – 84; 2006 – 1047; 2007 – 688; 2008 – 525; 2009 – 498; 2010 – 465; 2011 – 554 (2011 – Provisional). The General Register Office for Scotland records the following figures for the number of Marriages registered in Scotland: 2005 – 30,881; 2006 – 29,898; 2007 – 29,866; 2008 – 28,903; 2009 – 27,524; 2010 – 28,480; 2011 – 29,135 (2011 – Provisional): <http://www.gro-scotland.gov.uk/statistics/theme/vital-events/general/bmd-preliminary/2011.html>

*role within the Church?* 55.0% of 'Individual members of Kirk Sessions' responding said: Yes; whilst 37.8% said: No. (With respect to 'Individual members of Presbyteries', the figures were, Yes: 50.1%, and No: 41.7%.)<sup>13</sup> Whatever we may make of these statistics, we may reasonably deduce that the provision for civil partnerships has significantly impacted upon the perception of persons in same-sex relationships within the Church of Scotland. Thus, we may suggest that the reality of civil partnerships requires a coherent theological and pastoral response from the Church as a whole insofar as we know the reality of persons sharing in civil partnerships within the life of the Church, and within contemporary Scotland.

### 1.3 The Present Position of the Church of Scotland

The Church of Scotland continues to hold formally to a Traditionalist position on the teaching of the Church in respect of same-sex partnerships, and it would require legislation under the Barrier Act for the Church to depart from that Traditionalist position and to adopt a Revisionist position. That the Special Commission held that the Traditionalist position continues to be the position of the Church of Scotland is indicated when they state:

We are aware that some have argued that the Church has not taken a formal position on homosexual practice. While this may be so, we are of the view that the Church has never formally departed from the traditional teaching of the wider church on homosexuality and our debates have proceeded on that basis.<sup>14</sup>

Given this basis, we recall that in 2009, and thereafter in 2011, the General Assembly formally established, and then extended, a moratorium with respect to those in same-sex relationships who had been ordained and inducted prior

to 31 May 2009.<sup>15</sup> The action of the General Assembly in so doing may be said to constitute an acknowledgement that, notwithstanding the formal position of the Church, it had sustained the decision of a Presbytery to induct a person in a same-sex relationship. However, with respect to *Aitken et al v the Presbytery of Aberdeen*, the General Assembly, whilst upholding the decision of Presbytery and refusing the Dissent and Complaint, affirmed 'for the avoidance of doubt that [the General Assembly's] decision does not alter the Church's standards of ministerial conduct'.<sup>16</sup>

### 1.4 The Task of the Theological Commission: Summary

The task undertaken by the Theological Commission has been the examination of the theological issues relating to a potential change in the status of same-sex partnerships within the Church of Scotland. That is; should the Church of Scotland affirm a Revisionist position on same-sex partnerships and depart from the Traditionalist position?

In summary, we note that the task of the Theological Commission is threefold, to provide:

- (a) 'a theological discussion of issues around same-sex relationships, civil partnerships and marriage';
- (b) an examination of whether the Church should permit ministers to bless same-sex relationships 'involving life-long commitments', and to provide a 'form of a blessing'; or liturgy, if so agreed, and;
- (c) 'an examination of whether persons, who have entered into a civil partnership... should be eligible for... ordination... as ministers of Word and Sacrament or deacons in the context that no member of Presbytery will be required to take part

<sup>13</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/9-23/10.

<sup>14</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/28 n.41.

<sup>15</sup> *Minutes of the General Assembly of the Church of Scotland 2009*, 104-108; *Reports to the General Assembly of the Church of Scotland 2011* II, 24-25.

<sup>16</sup> *Minutes of the General Assembly of the Church of Scotland 2009*, 89-94: The General Assembly:

- (a) refuse the Dissent and Complaint of Rev Ian Aitken and others against the Presbytery of Aberdeen and sustain the decision of the Presbytery of Aberdeen of 6 January 2009 on the basis that they followed the vacancy procedure set out in Act VIII 2003.
- (b) affirm for the avoidance of doubt that this decision does not alter the Church's standards of ministerial conduct.

in such ordination or induction against his or her conscience.<sup>17</sup>

In one sense, the task of the Theological Commission, as set out above, appears to be relatively straightforward. However, as need hardly be said, appearances can be deceptive, and the scale of the task set has proven to be considerable. In terms of the Commission's working practice, it was determined that we might best serve the needs of the Church at this time by a recollection of the very considerable body of work in which the Church of Scotland has already addressed many of the issues above, albeit not in the comprehensive form asked of the Theological Commission.

## 1.5 The Contemporary Debate

### 1.5.1 The Contemporary Debate: 1993, 1994 and 1995

In terms of establishing where to begin, the Commission concluded that the contemporary debate within the Church of Scotland may be said to have commenced with Reports to the General Assembly of the then Panel on Doctrine and the then Board of Social Responsibility in 1993, 1994 and 1995. These Reports may be said to have marked a watershed in terms of the exploration of issues relating to marriage and human sexuality.<sup>18</sup> The content and import of these Reports is summarised in the Report of the Working Group on Human Sexuality, received by the General Assembly in 2012.<sup>19</sup> Here it is noted that the 1993 Panel on Doctrine Report 'offered three contributions pertinent to a theology of marriage: on "Marriage and

Heterosexuality in History and Christian Traditions: Some Signposts", "A Reformed Theology of Marriage",<sup>20</sup> and a Church of Scotland response to the Roman Catholic understanding of marriage presented within the Joint Commission on Doctrine'. The latter took up the work of the Joint Commission on Doctrine, received by the General Assembly in 1991 with reference to 'inter-church marriages',<sup>21</sup> where it was affirmed that:

The Church of Scotland and the Roman Catholic Church affirmed much common theological ground: that marriage is instituted by God as a covenant of love made by husband and wife that is ordered "to the wellbeing of the spouses and to the procreation and education of children".<sup>22</sup>

With respect to the 1994 Panel on Doctrine Report,<sup>23</sup> the Working Group on Human Sexuality noted:

In 1994, the Panel on Doctrine offered its Report "On the Theology of Marriage". At its heart, the Report broadly reaffirmed the traditional view of marriage. However, it also offered an appraisal of non-marital sexual relationships and ventured the view that such relationships might possibly possess 'qualities of which [those related] sincerely believe God approves'.<sup>24</sup> There was a reluctance either to condemn extra-marital sex or same-sex relationships, or to offer a strong affirmation of marriage *exclusively*... In 1994 the General Assembly also heard a report from the Board of Social Responsibility on "Human

<sup>17</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

<sup>18</sup> *Reports to the General Assembly of the Church of Scotland 1993*, (Panel on Doctrine) 195-230; *Reports to the General Assembly of the Church of Scotland 1993 II*, 16; *Reports to the General Assembly of the Church of Scotland 1994*, (Panel on Doctrine) 257-285; *Reports to the General Assembly of the Church of Scotland 1994 II*, 23; *Reports to the General Assembly of the Church of Scotland 1994*, (Board of Social Responsibility) 500-524; *Reports to the General Assembly of the Church of Scotland 1995*, (Panel on Doctrine) 219-253; *Reports to the General Assembly of the Church of Scotland 1995 II*, 16.

<sup>19</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/21-5/54.

<sup>20</sup> *Reports to the General Assembly of the Church of Scotland 1993*, (Panel on Doctrine) 216-223; *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/23.

<sup>21</sup> *Reports to the General Assembly of the Church of Scotland 1991*, (Panel on Doctrine) 233-254; *Reports to the General Assembly of the Church of Scotland 1993*, (Panel on Doctrine) 223-229.

<sup>22</sup> *Reports to the General Assembly of the Church of Scotland 1991*, (Panel on Doctrine) 233.

<sup>23</sup> *Reports to the General Assembly of the Church of Scotland 1994*, (Panel on Doctrine) 257-285.

<sup>24</sup> *Reports to the General Assembly of the Church of Scotland 1994*, (Panel on Doctrine) 280.

Sexuality"; dissent from three members of the Board was recorded. Both reports – from the Panel on Doctrine and Board of Social Responsibility – were received, but the General Assembly took no view as to which of either, or any of the dissenting views, best reflected the opinion of the General Assembly and mind of the Church.<sup>25</sup>

As noted, the 1993 and 1994 Reports may be said to have marked a watershed in terms of the exploration of issues relating to marriage and human sexuality, and the reality of this watershed is perhaps best indicated by the inclusion within the 1994 Panel on Doctrine Report of a statement of Dissent by a minority of Panel members, and the subsequent explanation of the reasons for that Dissent.<sup>26</sup>

In concluding that the 1993 and 1994 Reports represented such a watershed, it should not be thought that the Commission took no cognisance of the understanding of human sexuality expressed in the Church prior to these Reports.<sup>27</sup> Indeed, the Commission clearly noted that such expressions were present and that they were primarily Traditionalist in character. Rather, in regarding these Reports as marking a watershed, the Commission sought to begin from the point at which a spectrum of views began to be expressed.

Thus, the general themes used in the 1993 and 1994 Reports signal the emergence within the Church of the understandings of marriage and human sexuality marked by the terms "Traditionalist" and "Revisionist", albeit that the terms are not presented in that polarising fashion. Equally, the 1995 Panel on Doctrine Report, and the

subsequent expression of that in *Marriage Today?*<sup>28</sup>, may be said to have established within the consciousness of many within the Church the view that there is a spectrum of opinion in relation to matters of human sexuality, beyond the simple polarity of Traditionalist and Revisionist. That is not to take a view, at this stage, on whether, or not, the "spectrum of views" approach is a legitimate understanding of the Christian faith's teaching on matters of human sexuality. Rather, it is to say that, in practice, these Reports tended towards establishing the position that there was such a "spectrum of views". That this understanding has been significant and influential within the Church is perhaps best reflected in the consultation exercise, and in the subsequent findings, undertaken by the Special Commission, as noted above.<sup>29</sup> In these findings we see reflected a broad spectrum of understanding and the implicit, as well as explicit, claim by those who hold them that their particular understandings are consonant with the Christian faith.

As indicated, the Theological Commission noted the impact of the 1990s' Reports and the watershed they represent, and subjected these to critical study. In terms of the debate within the Church of Scotland, it was noted that there was a relative lull in the decade thereafter, albeit that this period witnessed "The Section 28 Controversy" in 1999-2000, and the Joint Report of the Board of Social Responsibility and the Committee on Education on this subject.<sup>30</sup> The Joint Report may be thought of as necessarily reactive and to represent an attempt to bind the 'spectrum of views' together for the sake of the unity of the Church, with the Board and the Committee themselves reflecting different points on the spectrum in relation to the issue.<sup>31</sup>

<sup>25</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/23-5/24.

<sup>26</sup> *Reports to the General Assembly of the Church of Scotland 1994*, (Panel on Doctrine) 285; Panel on Doctrine (Dissenting Members), *Church of Scotland Panel on Doctrine Report on the Theology of Marriage (1994): Why Dissent?* (1994).

<sup>27</sup> Macdonald, Finlay A.J., *Confidence in a Changing Church* (Edinburgh: Saint Andrew Press, 2004), 145-166, provides a helpful summary of the understandings formally adopted within the Church of Scotland from the 1950s onwards.

<sup>28</sup> Panel on Doctrine, *Marriage Today?* (Edinburgh: Church of Scotland, 1995).

<sup>29</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/5-23/14.

<sup>30</sup> *Reports to the General Assembly of the Church of Scotland 2000 II*, (Department of Education and the Board of Social Responsibility) 36/23-36/27 & 36-37.

<sup>31</sup> Macdonald, Finlay A.J., *Confidence in a Changing Church*, 157-160.

### 1.5.2 The Contemporary Debate: The Blessing of Civil Partnerships

Thereafter, the debate may be said to have been rejoined in the Report of the Legal Questions Committee in 2006 in relation to proposals to permit ministers of Word and Sacrament to mark the occasion of a civil partnership with a subsequent Service of Blessing.<sup>32</sup> The Barrier Act procedure thereafter led to the defeat of the proposals, with 9 Presbyteries Approving and 36 Disapproving of the proposed legislation, albeit that, in terms of the individual numbers of members voting (1001-1561), the result was considerably closer.<sup>33</sup> Equally, the extent to which the outcome of the Barrier Act procedure may be said to have resolved the issue was set in context by the Opinion of the then Principal Clerk, the Very Rev Finlay A J Macdonald, given at the General Assembly of 2007.<sup>34</sup>

<sup>32</sup> *Reports to the General Assembly of the Church of Scotland 2006*, (Legal Questions Committee) 6.4/9-6.4/11 & 6.4/15.

<sup>33</sup> *Reports to the General Assembly of the Church of Scotland 2007*, (Returns to Overtures) 22/1-22/3.

<sup>34</sup> In the context of the Report on the Returns to Overtures, he stated: 'There were two proposals before last year's General Assembly. The Legal Questions Committee asked the Assembly to declare that "a minister or deacon who conducts any service marking a civil partnership does not commit a disciplinary offence in terms of Act III 2001 (as amended)". The proposal also made explicit that "no minister or deacon shall be compelled to or obliged to conduct such a service against his or her conscience". A counter-proposal asked the General Assembly to instruct that "no minister or deacon shall conduct any service marking a civil partnership". Before putting the matter to a vote the General Assembly agreed that, whichever proposal was successful, the matter would be referred to presbyteries under the Barrier Act. When a vote was taken the Legal Questions Committee's proposal carried. However, the proposal did not receive the consent of a majority of presbyteries. This means that Presbyteries have failed positively to affirm that "a minister or deacon who conducts any service marking a civil partnership does not commit a disciplinary offence in terms of Act III, 2001 (as amended)". However, it does not follow from that failure that a minister or deacon who so acts does commit a disciplinary offence. For that to have become the position it would have been necessary for the unsuccessful Overture from last year's Assembly to have prevailed, gone done under the Barrier Act, received the support of a majority of presbyteries and been converted into a standing law of the Church this year. In effect, the Church is back where it was before

### 1.5.3 The Contemporary Debate: The Working Group on Human Sexuality

Having reflected on the significance of the question of civil partnerships, and the significance of the decision not to authorise the Blessing of these, the Theological Commission turned thereafter to reflect on the contribution made by the Working Group on Human Sexuality. Established in 2005, and taking up work initiated by the Panel on Doctrine, the Commission acknowledges its indebtedness (and the indebtedness of the Church of Scotland) to the Working Group for the three Reports which offer to the Church one of the most balanced and thoughtful series of Reports to address the range of questions raised by issues of human sexuality. The initial Report in this series; *A challenge to unity: same-sex relationships as an issue in theology and human sexuality*, received by the General Assembly in 2007, may be regarded as having set a benchmark in terms of the manner in which the issues were comprehensively and sensitively articulated.<sup>35</sup> Equally, the Commission observed that the issues raised were placed within the context of the unity of the Church, with it being acknowledged that they raised profound questions with respect to the integrity of the communion professed in the creedal affirmation of our belief in: 'One Holy Catholic and Apostolic Church'. The process initiated by the Report urged the Church to enter into a 'prayerful dialogue' with respect to this particular '*challenge to unity*', and the Report was widely disseminated within the Church, albeit that there was no formal method for reporting on the responses engendered by the dialogue.<sup>36</sup> That process was overshadowed by the impact of *Aitken et al. v. the Presbytery of Aberdeen* in 2009, and the deliverance accepted by the General Assembly in

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last year's General Assembly, with the uncertainty highlighted by the Legal Questions Committee remaining. There is no law of the Church specifically authorising ministers to mark civil partnerships and no law specifically forbidding it: *Minutes of the General Assembly of the Church of Scotland 2007*, 51.

<sup>35</sup> *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/9-4/39; *Reports to the General Assembly of the Church of Scotland 2007 II*, 8.

<sup>36</sup> *Reports to the General Assembly of the Church of Scotland 2007 II*, 8.

2009 which established the Special Commission on Same-Sex Relationships and the Ministry may be understood as a recalling of the Church to the process initiated in 2007 by *A challenge to unity: same-sex relationships as an issue in theology and human sexuality*, albeit that the context had been significantly altered by the decision of the General Assembly in *Aitken et al. v. the Presbytery of Aberdeen*.<sup>37</sup>

The Theological Commission suggests that the intention of the General Assembly of 2009, in accepting the deliverance, was to provide the Church with the opportunity to reflect upon one of the most serious challenges to the 'unity and peace' of the Church ever faced. For Traditionalists within the Church, issues of human sexuality, as presented in the current debate, have become a matter of critical theological concern. Equally, the debate is perceived to be one in which the very status of the Scriptures of the Old and New Testaments is threatened and their teaching undermined.<sup>38</sup> From that perspective; if the Church as a whole were to depart from the teaching of Scripture, as understood by Traditionalists, in relation to issues of human sexuality, it would thereby distance itself from the reality of what it means to be an integral part of the 'One Holy Catholic and Apostolic Church', and the Church of Scotland could no longer affirm that it 'adheres to the Scottish Reformation; receives the Word of God which is contained in the Scriptures of the Old and New Testaments as its supreme rule of faith and life; and avows the fundamental doctrines of the Catholic faith founded thereupon'.<sup>39</sup> For some Revisionists within the Church, issues of human sexuality have also become a matter of critical theological concern, albeit in a sense diametrically opposite from that understood by Traditionalists, insofar as a refusal by the Church to acknowledge the givenness and expression of a person's sexuality can be interpreted as a denial of that which is understood by Revisionists as

God-given. Equally, the self-same Scriptures appealed to by Traditionalists are those appealed to by Revisionists, who also wish to affirm that they 'receive... the Word of God which is contained in the Scriptures of the Old and New Testaments'. The opportunity to reflect together upon these issues is one that takes us to the heart of what it is to be part of the 'One Holy Catholic and Apostolic Church'. The task of the Theological Commission is, in part, to continue the process initiated by '*A challenge to unity*', and to ask, in addressing issues of human sexuality: What does it mean to be part of the 'One Holy Catholic and Apostolic Church'?

As noted above, the Working Group on Human Sexuality produced a series of three Reports and we have rightly directed attention to the reception of *A challenge to unity: same-sex relationships as an issue in theology and human sexuality*. Perhaps inevitably, the reception of the second Report: *Being Single: In Church and Society* in 2009,<sup>40</sup> was overshadowed by *Aitken et al. v. the Presbytery of Aberdeen* and the establishing of the Special Commission on Same-Sex Relationships and the Ministry. Insofar as this was the case, this is to be regretted inasmuch as the Report offers a theological analysis of the human person which, whilst ever conscious of issues of human sexuality, raises profound questions as to the nature of human personhood. That is, the Report raises questions relating to the nature of human personhood and human relationships which are explicitly founded on the prior acknowledgement that:

God is God in relationship. As Father, Son and Holy Spirit, God is Trinity, three persons in perichoresis, the notion being that there is relationship, sharing, mutuality love and togetherness within the Godhead.<sup>41</sup>

Thus, the Christian apprehension of God is founded on the revelation of the nature of God unveiled in and through the person of Jesus Christ and by the Holy Spirit.

<sup>37</sup> *Minutes of the General Assembly of the Church of Scotland 2009*, 89-94, 104-108.

<sup>38</sup> Pannenberg, Wolfhart, "Revelation & Homosexual Experience", *Christianity Today* (11 November 1996), 35-37.

<sup>39</sup> *Articles Declaratory of the Constitution of the Church of Scotland: Article I.*

<sup>40</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Working Group on Human Sexuality) 4/58-4/102.

<sup>41</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Working Group on Human Sexuality) 4/78.

Thereafter, each person who bears the image of God is open to the divinely-created possibility of living their lives in communion with the God so revealed.

#### 1.5.4 The Contemporary Debate: *Believing in Marriage*

The final Report of the Working Group on Human Sexuality: *Believing in Marriage* was received by the General Assembly in 2012.<sup>42</sup> Given the significance of the discussion on marriage at this time, we may recall the conclusions of the Report in extended form as a guide to our further reflections. Indeed, we may suggest that the Church requires to hold this Report, and all of the various Reports referenced, within its collective memory in seeking to discern the will of God at this time. Thus, the Report seeks to set an understanding of marriage within the context of contemporary Scottish life and experience. Thereafter, it reflects upon the debates within the Church of Scotland, before setting marriage within the perspective(s) of the Old Testament and the New Testament. The Report states:

In summary, we find marriage in the Old Testament in creation accounts, in stories of God's people, in law, wisdom and in prophecy. There is no explicit overarching theology of marriage, and it is not straightforward to harmonise the disparate accounts and emphases. However, certain themes do carry weight within Old Testament perspective. The one-flesh procreative union of a man and woman is presented as basic to God's created order, its goodness reflected in celebrations of love and family. God's covenant is expressed in the promise of offspring, and his covenant blessing is known, and his purpose realised to a great extent in child-bearing and family life. Prophetic discourse, in exploring God's covenantal relationship with Israel, describes God as the faithful husband to an often wayward wife, and implies that human marriage should reflect God's faithfulness and exclusivity. And legal material was

given, embedded within a variety of narratives, which among other things made provision for divorce.<sup>43</sup>

Thereafter, in summing up the perspective of the New Testament and comparing it with that of the Old Testament, the Report states:

There are clearly both continuities and discontinuities between Old and New Testament perspectives on marriage. There is clear continuity when the gospels explicitly interpret Genesis 2:24 as an indication of the Creator's intent that marriage be monogamous and for life; and although the New Testament primarily addresses Christian disciples, it understands the call to marital faithfulness to be universal, and adultery to be a mark of general rebellion against the Creator.<sup>44</sup>

In seeking to understand the nature of the discontinuity, the Report states:

However, whereas the Old Testament uniformly sees marriage and procreation as signs of God's blessing and human virtue, both in the order of Creation and amongst the covenant people, the New Testament moves in a different direction. First, there is a departure from the assumption that marriage is for all – living in the light of Christ may have different implications for disciples. Second, there is almost silence on the issue of procreation – no longer is this a significant means of God fulfilling his promises to his people. Disciples are called into relationship with God in Christ, and with each other, and that relationship stands apart from, and perhaps even in tension with, the 'normal' social order of family life. This differing attitude can in part be explained by how the people of God are to be constituted in the light of the gospel. No longer is belonging seen as genealogical. It is not birth but belief that defines who belongs. It

<sup>42</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/21-5/54.

<sup>43</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/29.

<sup>44</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/37.

is primarily mission and not procreation that ensures the growth of God's people, although this is not to deny that the divine covenant has always included the children of believers. Further, whereas the Mosaic Law assumes an intention to regulate the social order of Israel as a whole, the New Testament assumes that God's people will exist as a minority differentiated from the wider social order, a differentiation existing even within the same family structure.<sup>45</sup>

In identifying the underlying rationale for the expression of discontinuity, the Report suggests that this is expressed in terms of particular 'theological motifs'. Thus:

The theological motifs governing marriage also change. The New Testament views both Creation, and God's covenant relationship to his people, in the light of Christ. As the Old Testament compares marriage to God's covenant with Israel, the New Testament compares marriage to Christ's relationship with his Church. Furthermore, the theme of an expected marriage between Yahweh and his people is drawn into the New Testament and presented as part of the self-understanding of Jesus. The kingdom of God is compared to a marriage-feast thrown in honour of the coming bridegroom (Matthew 9:14-15, 22:1-2; 25:1, Mark 2:18-20, Luke 5:33-35). Jesus himself is portrayed explicitly as this expected bridegroom, whose return is delayed.<sup>46</sup>

With respect to the Reformed and Scottish Reformed understanding of marriage, the Report contends that:

The principal change which took place in the theological understanding of marriage at the Reformation was the Reformers' departure from teaching that marriage had sacramental status. Though 'instituted by God' and 'a good and holy

ordinance of God', marriage is not a sacrament, wrote Calvin.<sup>47</sup> There is no clear institution by Christ. It is not an outward ceremony appointed by God to confirm a promise.<sup>48</sup> Alongside Calvin's theological argument was a clear concern, as he saw it, that all sorts of errors and customs had intruded into the church's understanding and practice.<sup>49</sup>

Equally, it notes that:

Marriage not being fundamental to the faith, it received no mention in the Scots Confession of 1560, but it was certainly present in the First Book of Discipline (also of 1560), designed to shape church, state and discipleship. There was a high view of marriage, in common with what was to be found in Calvin. Divorce was permissible, though only on grounds of adultery, and re-marriage possible only under certain conditions.<sup>50</sup>

In seeking to summarise the present state of the Church's understanding of the nature of marriage the Report draws upon a perceived ecumenical consensus, as exemplified in the work of 'the Joint Commission on Doctrine connecting the Church of Scotland and the Roman Catholic Church'. Thus, the Report states:

<sup>47</sup> Calvin, John, *Institutes of the Christian Religion* (London: SCM, 1960), 4.19.34, citing; Genesis 2.21-24 and Matthew 19.4-12.

<sup>48</sup> Calvin, John, *Institutes of the Christian Religion* 4.19.34.

<sup>49</sup> Calvin, John, *Institutes of the Christian Religion*, 4.19.37.

<sup>50</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/38-5/39. We note that the *Marriage Act 1567* (c.16), which was not finally repealed until the *Marriage (Scotland) Act 1977* (c.15), may be said to have established the legal basis for marriage within Scotland. (See; Brown, K.M., et al., (ed's) *The Records of the Parliaments of Scotland to 1707* (St Andrews: University of St Andrews, 2007-2012): <http://www.rps.ac.uk/trans/A1567/12/15> (hereafter: <http://www.rps.ac.uk/>.) Further, we note that the Scottish Parliament enacted legislation consonant with this in the *Adultery Act 1563* (c.10): (<http://www.rps.ac.uk/trans/A1563/6/10>) Thereafter, Parliamentary legislation established desertion as a ground of divorce in the *Divorce for Desertion Act 1573* (c.1): (<http://www.rps.ac.uk/trans/A1573/4/2>)

<sup>45</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/37.

<sup>46</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/37.

There is a broad common understanding that marriage is part of God's created order, given for all times and places; that marriage is for the mutual love of husband and wife, and for the bearing and rearing of children; and that marriage makes public the consent of both parties. Both traditions also recognise that there is a sense in which some marriages are Christian marriages, reflecting the faith and discipleship of husband and wife; and that it is particularly appropriate for Christians to marry in a service of Christian prayer.<sup>51</sup>

In seeking to identify the specifically Christian character of marriage, the Report continues:

The Christian understanding of marriage is that it is a universal human institution originating as part of God's created order... This may give rise to the question: what is meant then by *Christian marriage*? For it cannot at any deep level simply mean a marriage which begins with a church ceremony, or one conducted by a minister. Instead, there seems some sense in understanding Christian marriage as the marriage of Christians, in that Christians, followers of Christ, endeavour by grace through faith to live generous, loving and self-sacrificing lives in marriage as in the other arenas of life, work, family, society and church. Just as our humanity is fully revealed and completed in Christ, so too are our marriages – they are intended to be understood and lived out within Christ's love for his Church. Thus we may say that Christian marriages are the marriages shared by Christian people...Where both husband and wife are Christian, the profound mutual, covenantal dimension for their discipleship in marriage is clear, and for Christians married to non-Christians, there is a straightforward sense that it is as followers of Christ that they live out their marriages. While marriage makes moral demands on all husbands and wives,

the Christian spouse is called to behave in marriage not only as a spouse but as a disciple of Christ.<sup>52</sup>

Thereafter, in seeking to draw together its conclusions, *Believing in Marriage* states:

Marital love, seen covenantally, displays the hallmarks of faithfulness, exclusivity, self-giving and forgiveness, and belongs for Christians to their life of discipleship, depending on the help of the Spirit... Other forms of partnership may well display the characteristics of married love, and be marriage-like in every way but for the public expression and witnessing of the commitment to permanence. Marriage offers the additional possibility of church solemnisation, which allows for the making of promises within the context of Christian prayer and acknowledgment of our calling to discipleship. And while extending marriage to same-sex couples is beginning to be debated in society and the church, this would constitute a major break with Scripture and church practice through the ages.<sup>53</sup>

The Theological Commission acknowledges its indebtedness to the Working Group on Human Sexuality; in particular with respect to *Believing in Marriage*. In drawing on the insights of *Believing in Marriage*, the Commission acknowledges that this Report expresses the mind of the Church on this matter at this time, and is consonant with the Church of Scotland's Response to the Scottish Government's: *The Registration of Civil Partnerships – Same Sex Marriage: A Consultation*.<sup>54</sup> In the Response, it is stated:

The Church has only ever taught that marriage is the union of a man and a woman. Scriptural references to marriage, whether literal or metaphorical, all operate under this understanding. Furthermore the point

<sup>51</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/41.

<sup>52</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/42.

<sup>53</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/53-5/54.

<sup>54</sup> (Edinburgh: Scottish Government, September 2011).

is established within the Reformed tradition of the Church, not least in its subordinate standards. The Church sees itself as part of the catholic or universal Church within which there is agreement, across confessional divides, that marriage is between one man and one woman.<sup>55</sup>

### 1.5.5 The Contemporary Debate: Marriage within Scotland

The issues raised in *The Registration of Civil Partnerships – Same Sex Marriage: A Consultation* may be said to further indicate the extent to which attitudes to issues of human sexuality have changed within contemporary Scotland in recent decades. Equally, the Response of the Church of Scotland to the *Consultation* reflects the Church's current understanding of the nature of marriage.<sup>56</sup> Subsequent to this initial consultation, the Scottish Government intimated its intention to legalise same-sex marriage.<sup>57</sup> Any proposed legislation would require to take cognisance of the implications of such a proposal in relation to the Equality Act 2010 (c.15),<sup>58</sup> the Marriage (Scotland) Act 1977 (c.15),<sup>59</sup> and the Civil Partnership Act 2004 (c.33).<sup>60</sup> In particular, we note that the Scottish Government has indicated that it is not within the competence of the Scottish Parliament to provide the protection of the rights of any individual religious

celebrant who does not wish to officiate at the marriage of same-sex partners, and that such protection requires legislative provision by the United Kingdom Parliament.<sup>61</sup> The Scottish Government's further consultation on a draft Marriage and Civil Partnership (Scotland) Bill, and the necessary amendments to the Equality Act 2010 (c.15),<sup>62</sup> to allow same-sex marriage in Scotland is in process at the time of the writing of this Report.<sup>63</sup>

### 1.6 The Contemporary Debate: A Summary of Theological Issues

Our summary of the previous Reports received by the General Assembly has enabled us to recollect the debate on issues of human sexuality within the Church of Scotland to date. The particular theological matters identified in so doing, excepting marriage and civil partnership, are (at least) three-fold:

- (a) The identity of the Church of Scotland as a Church within the communion of the 'One Holy Catholic and Apostolic Church';
- (b) The ministry of Word and Sacrament and the ministry of the Diaconate within the Church of Scotland, understood as expressions of ministry within the 'One Holy Catholic and Apostolic Church';
- (c) The authority of the Scriptures of the Old and New Testaments within the Church of Scotland, interpreted within the context of the 'One Holy Catholic and Apostolic Church'.

The particular theological matters identified are not to be understood as an exhaustive list of all of the matters highlighted within the previous Reports received by the General Assembly, or raised within the debates of the Church. Rather, they are to be understood as those which

<sup>55</sup> <http://www.actsparl.org/official-responses/church-of-scotland.aspx?page=2>

<sup>56</sup> <http://www.actsparl.org/official-responses/church-of-scotland.aspx?page=2>

<sup>57</sup> *Same sex marriage to be legalised* (Edinburgh: Scottish Government, July 2012): <http://www.scotland.gov.uk/News/Releases/2012/07/same-sex25072012>  
*Registration of Civil Partnerships, Same Sex Marriage: Consultation Analysis* (Edinburgh: Scottish Government, July 2012): <http://www.scotland.gov.uk/Publications/2012/07/5671/downloads>  
*Consultation on the registration of civil partnership and same sex marriage – responses from organisations* (Edinburgh: Scottish Government, July 2012): <http://www.scotland.gov.uk/Publications/2012/07/9221/0>

<sup>58</sup> <http://www.legislation.gov.uk/ukpga/2010/15/contents>

<sup>59</sup> <http://www.legislation.gov.uk/ukpga/1977/15>

<sup>60</sup> <http://www.legislation.gov.uk/ukpga/2004/33/contents>

<sup>61</sup> *Same sex marriage to be legalised* (Edinburgh: Scottish Government, July 2012): <http://www.scotland.gov.uk/News/Releases/2012/07/same-sex25072012>

<sup>62</sup> <http://www.scotland.gov.uk/Publications/2012/12/9433/downloads>

<sup>63</sup> *Same sex marriage* (Edinburgh: Scottish Government, December, 2012): <http://www.scotland.gov.uk/News/Releases/2012/12/ssm12dec>

might reasonably be said to be comprehended within the terms of the remit of the Theological Commission insofar as the Commission sought to address the issues of human sexuality within the context of the 'One Holy Catholic and Apostolic Church'. The Commission's attempt to address these issues requires us to consider more fully the nature of the 'One Holy Catholic and Apostolic Church', in order that we may place issues of human sexuality within a more comprehensive ecclesiological framework.

### 1.7 'One Holy Catholic and Apostolic Church': The Nicene Creed

The creedal affirmation; 'we believe One Holy Catholic and Apostolic Church' is found in the Nicene Creed, with the Creed itself the result of the process of creedal formulation during the 4th and 5th Centuries A.D., as evidenced in the four Ecumenical Councils of Nicaea (325 A.D), Constantinople (381 A.D.), Ephesus (431 A.D.) and Chalcedon (451 A.D.).<sup>64</sup> In terms of the reception of the Nicene Creed within the Church of Scotland, the General Assembly of December 1566 received the *2nd Helvetic Confession* (1566),<sup>65</sup> and ordered that it be published under the authority of the Assembly.<sup>66</sup> The *2nd Helvetic Confession* (XI.17) affirms, with respect to the reception of the Creeds of the four Ecumenical Councils:

And, to say many things with a few words, with a sincere heart we believe, and freely confess with open mouth, whatever things are defined from the Holy

Scriptures concerning the mystery of the incarnation of our Lord Jesus Christ, and are summed up in the Creeds and decrees of the first four most excellent synods convened at Nicaea, Constantinople, Ephesus and Chalcedon.

The historic General Assembly convened at Glasgow in November 1638 approved all Acts of the General Assembly previously set aside,<sup>67</sup> and in so doing reaffirmed its reception of the *2nd Helvetic Confession*, and, consequently; the Nicene Creed.<sup>68</sup>

## 2. The identity of the Church of Scotland as a Church within the communion of the 'One Holy Catholic and Apostolic Church'

### 2.1 The Church of Scotland as a Member of the 'One Holy Catholic and Apostolic Church'

In identifying the communion professed in the creedal affirmation of our belief in: 'One Holy Catholic and Apostolic Church', as a significant element in the theological framework within which we seek to understand issues of human sexuality, we may begin by exploring the theological identity of the Church of Scotland.

In so doing, a principal point of reference is to be found in the *Articles Declaratory of the Constitution of the Church of Scotland in Matters Spiritual* [hereafter; *Articles Declaratory*].<sup>69</sup> Thus, we note *Article I* where it affirms that the Church of Scotland understands itself to be an integral member 'of the Holy Catholic or Universal Church'; whose worship is Trinitarian in character; which receives the Word of God as the constitutive source of its 'faith and life', and; which 'avows the fundamental doctrines of the Catholic faith' founded upon the Word of God.

<sup>64</sup> See; Kelly, J.N.D., *Early Christian Creeds* (3rd ed.) (London: Longman & Co., 1972); Kelly, J.N.D., *Early Christian Doctrines* (5th ed.) (London: A&C. Black, 1977); Seitz, Christopher R., (ed.) *Nicene Christianity* (Grand Rapids, MI: Brazos Press, 2001); Young, Frances M., *The Making of the Creeds* (London: SCM, 1991), and; Young, Frances M., *From Nicaea to Chalcedon* (2nd ed.) (London: SCM, 2010).

<sup>65</sup> See; Presbyterian Church (U.S.A.), *The Constitution of the Presbyterian Church (U.S.A.) (Part I): The Book of Confessions* (Louisville, KY: Office of the General Assembly, 2004), 51-116, or; Beeke, Joel R. & Ferguson, Sinclair B. (ed's), *Reformed Confessions Harmonized* (Grand Rapids, MI: Baker Books, 1999), x-xi, and; *passim*.

<sup>66</sup> *Acts and Proceedings of the General Assemblies of the Kirk of Scotland: 1560-1618* (Edinburgh: Maitland Club, 1839): <http://www.british-history.ac.uk/report.aspx?compid=58934>

<sup>67</sup> *Acts of the General Assembly of the Church of Scotland: 1638-1842* (Edinburgh: Church of Scotland, 1843): <http://www.british-history.ac.uk/report.aspx?compid=60083>

<sup>68</sup> Wotherspoon, H.J. & Kirkpatrick, R.S. (ed's), *A Manual of Church Doctrine according to the Church of Scotland*, (2nd ed.) (London: 1960), 65-66.

<sup>69</sup> [http://www.churchofscotland.org.uk/about\\_us/church\\_law/church\\_constitution](http://www.churchofscotland.org.uk/about_us/church_law/church_constitution); Weatherhead, James L., *The Constitution and Laws of the Church of Scotland* (Edinburgh: Church of Scotland, 1997), 159-161.

In seeking to expand upon what it is that the Church of Scotland understands itself to be as an integral member 'of the Holy Catholic or Universal Church', we have recourse to the affirmation of the Creed where we confess belief in 'One Holy Catholic and Apostolic Church'. These creedal marks of the Church are not to be understood as the possession of the Church (of Scotland, or; of any Church) in and of itself, rather it is Christ, through the Holy Spirit, who makes the Church to be 'One Holy Catholic and Apostolic', and calls the Church to be faithful to its vocation as the community which is the embodiment of these marks.

## 2.2 One

In relation to these marks, we note that the vocation to be One is particularly expressed in *Article VII*, where it is affirmed:

The Church of Scotland, believing it to be the will of Christ that His disciples should be all one in the Father and in Him, that the world may believe that the Father has sent Him, recognises the obligation to seek and promote union with other Churches in which it finds the Word to be purely preached, the sacraments administered according to Christ's ordinance, and discipline rightly exercised.

*Article VII* specifically embodies the High Priestly Prayer of Christ in John 17, as well as the distinctively Reformed 'notes' of the Church found in the *Scots Confession* (XVIII, XXV). That is, the distinctively Scottish affirmation that there are three 'notes of the true Kirk'; 'the Word to be purely preached, the sacraments administered according to Christ's ordinance, and discipline rightly exercised'. Further, the *Scots Confession* (XVI) links the unity of the Church to the unity of the Trinity, when it confesses:

As we believe in one God, Father, Son, and Holy Ghost, so we firmly believe that from the beginning there has been, now is, and to the end of the world shall be, one Kirk.

The identity of the Church of Scotland as an integral member 'of the Holy Catholic or Universal Church' is rooted

in the identity of the Triune God, as it is mediated to us in the economy of salvation through the person of Jesus Christ and by the Holy Spirit. *The Scots Confession* reminds us that the vocation of the Church is in response to the High Priestly Prayer of Jesus the Son that we may be 'one', and to seek to realise this in order 'that the world may believe'. (John 17: 20-26)

Thus, the vocation to be One is rooted in the very nature and being of the Triune God, as discerned within the life of the 'One Holy Catholic and Apostolic Church'.

## 2.3 Holy

Thereafter, in relation to the vocation to be Holy, the Church as the community for whom Christ gave himself up in order that we might be 'holy' (Ephesians 5: 25-27), and which confesses 'Jesus is Lord' through the Holy Spirit (1 Corinthians 12: 3) may be said to especially realise this aspect of its vocation in the Lord's Supper, where we pray:

Almighty God, to whom all hearts are open, all desires known, and from whom no secrets are hidden: cleanse the thoughts of our hearts by the inspiration of your Holy Spirit, that we may perfectly love you, and worthily magnify your holy name; through Christ our Lord.<sup>70</sup>

And thereafter proclaim:

Holy, holy, holy Lord, God of power and might,  
heaven and earth are full of your glory.  
Hosanna in the highest.

Blessed is He who comes in the Name of the Lord:  
Hosanna in the highest.<sup>71</sup>

The Church whose vocation it is to be Holy is one that, in the gifts of bread broken and wine outpoured, shares in the communion of the body of Christ and of the blood of Christ. In the act of communion the Church acknowledges

<sup>70</sup> Panel on Worship, *Book of Common Order of the Church of Scotland* (Edinburgh: Saint Andrew Press, 1994), 122.

<sup>71</sup> Panel on Worship, *Book of Common Order of the Church of Scotland*, 133.

that Christ has given himself up in order that we might be 'holy,' and understands its vocation to be Holy as one in which it is called to live out its vocation in the world having prayed:

And here we offer and present to you our very selves,  
To be a living sacrifice, dedicated and fit for your acceptance;  
through Jesus Christ our Lord.<sup>72</sup>

Thus, the vocation to be Holy is rooted in our worship of the Triune God within the life of the 'One Holy Catholic and Apostolic Church'.

## 2.4 Catholic

Further, in relation to the vocation to be Catholic, we may recall the teaching of the *Scots Confession* (XVI) where it confesses:

This Kirk is Catholic, that is, universal, because it contains the chosen of all ages, of all realms, nations, and tongues... who have communion and society with God the Father, and with His Son, Christ Jesus, through the sanctification of His Holy Spirit.

In similar vein, the *Scots Confession* (XVI) confesses of the 'one Kirk':

It is therefore called the communion... of saints, who, as citizens of the heavenly Jerusalem, have the fruit of inestimable benefits, one God, one Lord Jesus, one faith, and one baptism.

In this, we are recalled to our baptism, in company with the peoples of 'all nations,' in the name of the Father, the Son, and the Holy Spirit, (Matthew 28: 18-20) with that baptism understood in terms of the death and resurrection of Christ. (Romans 6: 1-14)

The self-understanding of the Church of Scotland as an integral member 'of the Holy Catholic or Universal Church' implies that this Church is not, in itself, autonomous,

and that as a consequence it ought to have regard in its decision-making to the mind of the Church catholic in as full and open a manner as it is possible to realise. Catholicity implies an openness to the hearing of the voice(s) of the Church in the process of discerning the voice of the Spirit.

Thus, the vocation to be Catholic is rooted in our communion with the Triune God in whose name we are baptised within the life of the 'One Holy Catholic and Apostolic Church'.

## 2.5 and Apostolic

Finally, in relation to the vocation to be Apostolic, we may identify two aspects in which fidelity to that vocation may be understood; a) fidelity to the apostolic teaching, and; b) fidelity to the apostolic mission.

In relation to fidelity to the apostolic teaching, this aspect is rooted in the Pentecost experience of the Church which receives the apostolic teaching, (Acts 2: 42) and is founded upon that teaching, (Ephesians 2: 20; Revelation 21: 14) and which is in turn entrusted to guard the deposit of faith. (2 Timothy 1: 12-14) This deposit of faith ultimately finds its source in the Lord Jesus Christ, and the apostolic transmission of this deposit to, and the reception by, the body of Christ (1 Corinthians 11: 23-26; 1 Corinthians 15: 3-5) establishes one sense in which we say of the Church that it stands in succession to the Apostles and is thereby Apostolic in its nature.

In relation to fidelity to the apostolic mission, this aspect is rooted in the calling of the Apostles to join the community of the Lord Jesus and then in the sending out of the Apostles by the same Lord Jesus. (Mark 3: 13-19; John 13: 20, 17: 18, 20: 21) Equally, and once more, it is rooted in the Pentecost experience of the Church, empowered by the Holy Spirit to bear witness 'to the ends of the earth'. (Luke 24: 45-49; Acts 1: 8) Further, this apostolic mission ultimately finds its source in the commission of the Lord Jesus Christ 'to make disciples of all nations', once more, in the name of the Father, the Son, and the Holy Spirit. Thus, the apostolic mission is rooted in the mission of the Triune

<sup>72</sup> Panel on Worship, *Book of Common Order of the Church of Scotland*, 134.

God. (Matthew 28: 18-20) This establishes a further sense in which we say of the Church that it stands in succession to the Apostles and is thereby Apostolic in its nature.

Thus, the vocation to be Apostolic is rooted in our fidelity to their teaching, and in our discernment of the mission of the Triune God within the life of the One Holy Catholic and Apostolic Church.

## 2.6 Church

The reality understood to be 'One Holy Catholic and Apostolic' is the Church into which we are baptised in name of the Father, the Son, and the Holy Spirit. Thus:

By water and the Holy Spirit,  
God claims us as his own,  
washes us from sin,  
and sets us free from the power of death.  
Here we know that we are made one with Christ  
crucified and risen  
members of his body,  
called to share in his ministry in the world.<sup>73</sup>

As those baptised into the 'One Holy Catholic and Apostolic Church', we pray the prayer of Invocation:

Send down your Holy Spirit to bless us and these your  
gifts of bread and wine,  
that the bread which we break may be for us the  
communion of the body of Christ,  
and the cup of blessing which we bless the communion  
of the blood of Christ.<sup>74</sup>

Thus, it is within the reality of the Church that we participate in the Body of Christ and within that same reality that we celebrate the presence of Christ. It is through the invocation of the Spirit and the realisation of communion that we manifest what it is to be 'one in Christ Jesus'. (1 Corinthians 10: 16-17; 11: 23-26; 12: 12-13; Galatians 3: 27-28)

<sup>73</sup> Panel on Worship, *Book of Common Order of the Church of Scotland*, 86.

<sup>74</sup> Panel on Worship, *Book of Common Order of the Church of Scotland*, 133-134.

The Church, and the vocation which is given to it, may be understood as the creation of the Word of God:

The Church of Jesus Christ is ordered from beyond its empirical being and existence by the power of the Word of God. By that word it is called and formed to be the community in the midst of the world which is given to share already in the new creation and its new order through the Communion of the Spirit.<sup>75</sup>

The Church thus created has its origin in the divine economy and initiative, and its vocation is one in which it is called to exercise a ministry of reconciliation. (2 Corinthians 5: 17-21) This ministry of reconciliation is given to the Church, 'but because the life of the Church has to be carried out within the conditions of our erring and sinful world it cannot but partake of sin and error, it also has a variable element liable to error. Therefore it must ever be renewed and reformed by reference back to the creative Word of God'.<sup>76</sup> That is, within the 'One Holy Catholic and Apostolic', the Church of Scotland is to be understood as an *ecclesia reformata, semper reformanda* ("a reformed Church is always requiring to be reformed").<sup>77</sup>

## 2.7 *Ecclesia reformata, semper reformanda*

In affirming that the Church of Scotland is an *ecclesia reformata, semper reformanda*, we affirm that the self-understanding of the Church of Scotland as a Reformed church denotes that it is rooted in a particular history; that of the Scottish Reformation, with the Church that evolved up to, and beyond, 1560 being understood as an *ecclesia reformata*. Article I of the *Articles Declaratory* articulates the nature of that *ecclesia reformata*:

The Church of Scotland is part of the Holy Catholic or Universal Church... [and]... adheres to the Scottish

<sup>75</sup> Wotherspoon, H.J. & Kirkpatrick, R.S. (ed's), *A Manual of Church Doctrine according to the Church of Scotland*, 103.

<sup>76</sup> Wotherspoon, H.J. & Kirkpatrick, R.S. (ed's), *A Manual of Church Doctrine according to the Church of Scotland*, 104.

<sup>77</sup> Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 19.

Reformation; receives the Word of God which is contained in the Scriptures of the Old and New Testaments as its supreme rule of faith and life; and avows the fundamental doctrines of the Catholic faith founded thereupon.

Further, the self-understanding of the Church of Scotland as an *ecclesia reformata, semper reformanda* denotes that it is rooted in a particular theological identity expressed in the *Scots Confession* (1560),<sup>78</sup> and in the *Westminster Confession of Faith* (1647),<sup>79</sup> which we may characterise as 'Reformed' in terms of its particular theological distinctive,<sup>80</sup> and Presbyterian in terms of its government.<sup>81</sup>

<sup>78</sup> <http://www.rps.ac.uk/trans/A1560/8/3>; Hazlett, W. Ian P., "The Scots Confession 1560: Context Complexion and Critique", *Archiv für Reformationgeschichte* 78 (1987), 294. See also: *Confession of Faith Ratification Act 1560 (c.1)* (*Scots Confession*) <http://www.legislation.gov.uk/aosp/1560/1>; Henderson, G.D. (ed.), *Scots Confession* (Edinburgh: Church of Scotland, 1937); Bulloch, James, *Scots Confession* (Edinburgh: Church of Scotland, 1984); Hazlett, Ian, "Confession Scotica, 1560", in; Mühlhling, Andreas & Opitz, Peter (ed's) *Reformierte Bekenntnisschriften 1559-1563 (2/1)* (Neukirchen-Vluyn: Neukirchener Verlagsgesellschaft, 2008), 209-300; Hazlett, Ian, "A New Version of the Scots Confession, 1560", *Theology in Scotland* 17/2 (2010), 33-66.

<sup>79</sup> [http://www.churchofscotland.org.uk/about\\_us/our\\_faith/westminster\\_confession\\_of\\_faith](http://www.churchofscotland.org.uk/about_us/our_faith/westminster_confession_of_faith); Act anent the Approbation of the Confession of Faith (27th August 1647, s.23); *Catechisms and Confession of Faith Ratification Act 1649 (c.16)*; *Confession of Faith Ratification Act 1690 (c.7)*: <http://www.legislation.gov.uk/aosp/1690/7>; *Protestant Religion and Presbyterian Church Act 1707 (c.6)*; <http://www.legislation.gov.uk/aosp/1707/6>; Heron, Alasdair, I.C. (ed.) *The Westminster Confession in the Church Today* (Edinburgh: Saint Andrew Press, 1982).

<sup>80</sup> Hazlett, W. Ian P., "The Scots Confession 1560: Context Complexion and Critique", 301, states that, with respect to the *Scots Confession*: 'The basic theology of the Confession is anchored implicitly and sometimes explicitly in the constitutive Reformation doctrines of Scripture alone, faith alone, grace alone, and Christ alone. Everything else, positive and negative, follows from that.' See; Hazlett, W. Ian P., "The Scots Confession 1560: Context Complexion and Critique", 301. With reference to 'Scripture alone', the *Scots Confession* may be said to reflect 'constitutive Reformation' distinctives in the Preface and Chapters XVIII and XIX; with reference to 'faith alone' in Chapters III, XIII and XXV; with reference to 'grace alone' in Chapters VIII and XII, and; with reference to 'faith alone' in Chapters VI-XI inclusive.

<sup>81</sup> Free Church of Scotland, *Confession of Faith and Subordinate Standards (The Form of Presbyterian Church-Government and of*

To affirm the theological identity of that *ecclesia reformata* is not, of course, to exhaust the theological identity of an *ecclesia reformata, semper reformanda*. Rather, it is to state that the core of the theological identity of this particular *ecclesia reformata* is rooted in its communion within the 'One Holy Catholic and Apostolic Church', and that this *ecclesia reformata* understands itself to be an *ecclesia... semper reformanda*. The task of reforming within a Church reformed is, at once a recollection of an historical Reformed identity, and an imperative to reform that which has been reformed.

Therefore, the vocation of the Church of Scotland to be 'One Holy Catholic and Apostolic' is rooted in the reality of the Church as an *ecclesia reformata, semper reformanda*. This Church is the creation of the Word of God and the life of the Church of Scotland, and its life renewed, is rooted in the life of the Triune God.

### **3. The ministry of Word and Sacrament and the ministry of the Diaconate within the Church of Scotland, understood as expressions of ministry within the 'One Holy Catholic and Apostolic Church'**

#### **3.1 The Act of Ordination**

The Church of Scotland affirms, in the "Preamble" to the service of Ordination that:

In this act of ordination the Church of Scotland, as part of the Holy Catholic or Universal Church worshipping One God, Father, Son, and Holy Spirit, affirms anew its belief in the Gospel of the sovereign grace and love of God.<sup>82</sup>

That is, the Church of Scotland intends that the ministry of Word and Sacrament and the ministry of the Diaconate are to be understood as ministries within the context of the 'One Holy Catholic and Apostolic Church'. The expression

*Ordination of Ministers*) (Edinburgh: Free Church of Scotland, 1973), 169-187; Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 157.

<sup>82</sup> Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 163.

of those ministries within the Church of Scotland reflects the historical particularity, and the Reformed dimension of the theological identity, of the Church.

Insofar as the ministry of Word and Sacrament and the ministry of the Diaconate are understood as ministries within the context of the 'One Holy Catholic and Apostolic Church', the act of Ordination signifies the intention of the Church to incorporate within the continuity of its life those persons who are authorised to proclaim the Word and to live out the ministry of διακονία ("diakonia"/"service") in response to the Word.<sup>83</sup>

### 3.2 The ministry of Word and Sacrament

The first recorded Act of the General Assembly of the Church of Scotland (20th December 1560) records consideration being given to establishing those 'maist qualified for the ministring of the word of God and sacraments, and reiding of the commoun prayers publicklye in all kirks and congregations', and may be said to ground the ministry of Word and Sacrament in the historical particularity of the Reformed Church in Scotland.<sup>84</sup>

### 3.3 The First Book of Discipline (1560)

This historical particularity, in its Reformed identity, is given expression in *The First Book of Discipline* (1560), where it is affirmed with respect to 'Lawfull Election' that:

In a Church reformed, or tending to reformation, none ought to presume either to preach, either yet to minister the sacraments till that orderly they be called to the same. Ordinarie Vocation consisteth in Election, Examination and Admission.<sup>85</sup>

<sup>83</sup> World Council of Churches, *Baptism, Eucharist & Ministry* (Faith & Order Paper No. 111) (Geneva: WCC, 1982), 30, states: 'The Church ordains certain of its members for the ministry in the name of Christ by the invocation of the Spirit and the laying on of hands (I Tim. 4: 14; II Tim. 1: 6); in so doing it seeks to continue the mission of the apostles and to remain faithful to their teaching.' ("Ministry" (s.39))

<sup>84</sup> *The Booke of the Universal Kirk: Acts and Proceedings of the General Assembly of the Kirk of Scotland from the Year MDLX (1560-1618)* (ed. A. Peterkin) (Edinburgh: Maitland Club, 1839): <http://www.british-history.ac.uk/report.aspx?compid=58922>

<sup>85</sup> Cameron, James K. (ed.), *The First Book of Discipline* (Edinburgh: Saint Andrew Press, 1972), 96.

Further, *The First Book of Discipline* states that: 'It appertaineth to the people and to every severall Congregation to elect their Minister', with the minister to 'be examined as well in life and manners, as in doctrine and knowledge'.<sup>86</sup> In the course of which the minister 'must give declaration of their giftes, utterance and knowledge by interpreting some place of Scripture to be appointed', and provide an appropriate confession of their faith.<sup>87</sup> In turning to the "Admission of Ministers", the *Book* affirms again that this 'must consist in consent of the people, and Church whereto they shall be appointed, and approbation of the learned Ministers appointed for their examination'.<sup>88</sup>

### 3.4 The Second Book of Discipline (1581)

In turning to *The Second Book of Discipline* (1581), we see that it maintains the emphasis from *The First Book of Discipline* on 'Lawfull Election' when it states that the first element of the 'ordinarie and outward calling' to any office of the Kirk is 'electioun'. Thereafter, it complements 'electioun' with an equivalent emphasis on 'ordination'.<sup>89</sup> Thus, *The Second Book of Discipline* may be said to have established the basis of the subsequent development of the doctrine and practice of Ordination within the Church of Scotland.

What then is intended by 'Ordinatioun' within *The Second Book of Discipline*? J. Kirk suggests that:

In defining procedures for admitting candidates to ecclesiastical office, the third chapter of the book strongly emphasized the concept of vocation or divine calling, an idea deeply rooted in renaissance and reformation thought and not confined to a calling to the ministry. Each individual as a member of society had a variety of functions to perform to which he had been called by God and through which he could serve both his creator and his community.<sup>90</sup>

<sup>86</sup> Cameron, James K. (ed.), *The First Book of Discipline*, 96.

<sup>87</sup> Cameron, James K. (ed.), *The First Book of Discipline*, 97-98.

<sup>88</sup> Cameron, James K. (ed.), *The First Book of Discipline*, 101.

<sup>89</sup> Kirk, James (ed.), *The Second Book of Discipline* (Edinburgh: Saint Andrew Press, 1980), 179.

<sup>90</sup> Kirk, James (ed.), *The Second Book of Discipline*, 65.

Thus, the use of 'Ordinatioun' within *The Second Book of Discipline* is to be understood in the context in which every person is seen as called to fulfil a vocation within an ordered society, and this is specifically so with reference to those who are called to hold an office within the Church. That is: 'Vocatioun or calling is commoun to all that sould bear office within the kirk'.<sup>91</sup> With respect to the nature of that calling within the Church, the *Book* distinguishes between two callings. Initially, there is the extraordinary calling such as came to prophets and apostles, which 'in kirkis establishid and weill reformat hes na place'. Thereafter:

The uther calling is ordinar quhilk, besyd the calling of God and inward testimony of guid conscience, hes the lauchfull approbatioun and outward jugement of men according to Goddis word and ordour establischild in his kirk.<sup>92</sup>

Both of these callings, though distinct, are outward callings, but as noted there is also 'the inward testimony of guid conscience', and the *Book* affirms that:

Nane aucht to presume to entir in ony office ecclesiasticall without he have this good testimony of conscience befor God wha onlie knawis the hartis of men.<sup>93</sup>

The distinction between the outward calling and 'the inward testimony' follows Calvin's when he writes:

I am speaking of the outward and solemn call which has to do with the public order of the church. I pass over that secret call, of which each minister is conscious before God, and which does not have the church as witness. But there is the good witness of our heart that we receive the proffered office not with ambition or avarice, not with any other selfish desire, but with a sincere fear of God and a desire

to build up the Church. That is indeed necessary for each one of us (as I have said) if we would have our ministry approved by God.<sup>94</sup>

Thus, *The Second Book of Discipline* states that:

Ordinatioun is the separatioun and sanctifeing of the persone appointit of God and his kirk eftir he be weill tryit and fund qualifeit... The ceremonyis of ordinatioun ar fasting and earnest prayer, and the imposition of hands of the elderschippe.<sup>95</sup>

With respect to 'the imposition of hands' by the 'elderschippe', James Kirk suggests that: 'By "eldership" is understood the assembly of ministers, doctors and elders from several contiguous congregations,<sup>96</sup> with this reflecting *The Second Book of Discipline's* affirmation that the power to elect a minister lies with 'this kind of assemblie' as constituted by its pastors and elders.<sup>97</sup>

How then are we to understand the core of the doctrine of Ordination within *The Second Book of Discipline*? James Kirk suggests that we should interpret 'the imposition of hands not as an act but as a sign of ordination'. That is, the 'imposition' is integral to the 'act', with the 'act' itself referring to the whole action whereby a calling is brought to completion, with this 'act' being complemented by the process of 'Election'.<sup>98</sup> Therefore, in the act of Ordination the Church bears witness to the grace of God; in which the 'sign' complements the process of 'election' and, taken together, constitute the 'act'.

### 3.5 The Form of Presbyterian Church-Government (1645)

*The Form of Presbyterian Church-Government* states the doctrine of Ordination as understood by the Westminster Assembly, with it defined as 'the solemn setting apart of a person to some publick church office' subsequent to a 'lawful calling'. It states:

<sup>94</sup> Calvin, John, *Institutes of the Christian Religion*, 4.3.11.

<sup>95</sup> Kirk, James (ed.), *The Second Book of Discipline*, 180.

<sup>96</sup> Kirk, James (ed.), *The Second Book of Discipline*, 66.

<sup>97</sup> Kirk, James (ed.), *The Second Book of Discipline*, 201.

<sup>98</sup> Kirk, James (ed.), *The Second Book of Discipline*, 72.

<sup>91</sup> Kirk, James (ed.), *The Second Book of Discipline*, 178.

<sup>92</sup> Kirk, James (ed.), *The Second Book of Discipline*, 178.

<sup>93</sup> Kirk, James (ed.), *The Second Book of Discipline*, 178.

Every minister of the word is to be ordained by imposition of hands, and prayer, with fasting, by those preaching presbyters to whom it doth belong.<sup>99</sup>

Thus, we see that *The Form of Presbyterian Church-Government* essentially reproduces the doctrine of Ordination as developed in *The First Book of Discipline* and expressed in *The Second Book of Discipline*. Further, it affirms that: 'Ordination is the act of a presbytery,' such that: 'The power of ordering the whole work of ordination is in the whole presbytery,' and no single congregation can 'assume to itself... sole power in ordination'.<sup>100</sup>

### 3.6 The Ministry of the Diaconate

The contemporary form of the ministry of the Diaconate within the Church of Scotland is rooted in the proposal by Professor A.H. Charteris in 1887 to establish 'the scriptural office of the diaconate for women', with the first deaconess being appointed in 1888, and the ministry of the Diaconate being opened to men in 1988.<sup>101</sup> Thereafter, the Panel on Doctrine Report of 2001:

[A]rgued for an understanding of ministry grounded in the dynamic unity of witness and service, in the speaking which is also a listening for the Word, and in the serving which is also a receiving of Christ's service. The church's speaking, its proclamation of the gospel in preaching and in the sacraments, always exists in relationship with its serving, its obedient response of faith. The distinction between them is always relative, never a separation, since the church's proclamation is also part of its response of faith; and its service is also a form of witness... The Panel sees in this distinction a very strong grounding

for the ministry of deacons. There is an underlying unity between kerygmatic and diaconal forms of ministry, yet each has its own particular focus, the former in witness, the latter in service... This is not something exclusive to deacons, but belongs to the whole church. The office of Deacon is grounded here, though, in leading and guiding the church's character as *diakonos* or servant. The office of Deacon is therefore quite distinct from the ministry of Word and sacrament – a point we cannot stress too strongly. Equally it is complementary to the ministry of Word and sacrament, and always related to it – this also we cannot stress too strongly.<sup>102</sup>

Thereafter, in the light of this, the Panel argued that it would be 'appropriate for the church to have an office of full-time diaconal service, and that this should be an ordained office,<sup>103</sup> sharing in the oversight of the church's service', and reflecting 'the distinctive character of their office'. The General Assembly accepted this proposal and in 2002 passed an Act permitting the Ordination of Deacons.<sup>104</sup>

The 'Office of Deacon' is presently defined in the following terms:

A Deacon is a man or woman who, under a Call from God, has pledged himself or herself to the service of Jesus Christ and His Church and has been selected, trained and ordained to exercise ministry... according to the doctrine and discipline of the Church of Scotland. The Office of Deacon is recognised by the Church to be a distinctive, lifelong status within the ministry of the Church and to be agreeable to the Word of God.<sup>105</sup>

<sup>99</sup> Free Church of Scotland, *Confession of Faith and Subordinate Standards (The Form of Presbyterian Church-Government and of Ordination of Ministers)*, 180.

<sup>100</sup> Free Church of Scotland, *Confession of Faith and Subordinate Standards (The Form of Presbyterian Church-Government and of Ordination of Ministers)*, 180-181.

<sup>101</sup> Levison, Mary I., et al., "Diaconate, Deacons, Deaconesses", in; Cameron, Nigel M. de S., et al., (ed.s), *Dictionary of Scottish Church History and Theology* (Edinburgh: 1993), 240-242.

<sup>102</sup> *Reports to the General Assembly of the Church of Scotland 2001*, (Panel on Doctrine), 13/18-13/19.

<sup>103</sup> *Reports to the General Assembly of the Church of Scotland 2001*, (Panel on Doctrine) 13/19, 13/19 n.37.

<sup>104</sup> Act VII (2002) Act anent Ordination of Deacons.

<sup>105</sup> Act VIII (2010) Consolidating and Amending Act anent Deacons, s.1.

With respect to the ‘procedure leading to act of ordination’ to the Diaconate, this is understood to be ‘the same as’ for a minister of Word and Sacrament, *mutatis mutandis* (“with things changed that need to be changed”), albeit that provision is made for the Ordination of a deacon to be led by a Deacon.<sup>106</sup> The extent to which this offers a sufficient statement of the nature of the act of Ordination with respect to ‘the distinctive character’ of the ministry of the Deacon may be open to question.<sup>107</sup> Nevertheless, the ministry of the Deacon is to be understood, in its ‘distinctive character’, as complementing, and being complemented by, the ministry of Word and Sacrament, within the context of the ‘One Holy Catholic and Apostolic Church’.

### 3.7 A Contemporary Expression of the Doctrine of Ordination

Therefore, the doctrine of Ordination to the ministry of Word and Sacrament and to the ministry of the Diaconate within the Church of Scotland is, as stated, to be understood within the context of the ‘One Holy Catholic and Apostolic

Church’, and as an expression of the historical particularity and the Reformed identity of the Church, and the developing understanding of the ministry of the Diaconate. That historical particularity and Reformed identity are expressed, as we have seen, in: *The First Book of Discipline*; *The Second Book of Discipline*, and; *The Form of Presbyterian Church-Government*, and in contemporary developments with respect to the ministry of the Diaconate.

With respect to the understanding of the doctrine of Ordination itself, the principal development that ought to be noted is the decision of the General Assembly in 2004 to depart from holding that the sign of Ordination ought to be imposed by ministers of Word and Sacrament only (‘by those preaching presbyters to whom it doth belong’). Rather, the Church holds that all ordained members of Presbytery may now participate in the laying-on of hands.<sup>108</sup> In so doing it might reasonably be argued that the Church has recovered an element integral to the Scottish Reformed tradition.<sup>109</sup>

The outworking of the doctrine of Ordination has been a feature of a number of Reports to the General Assembly, with the most recent being those received in 2000 and 2001.<sup>110</sup> In the 2000 Report, the Panel on Doctrine set out a series of four criteria through which the Church might discern the nature and identity of ordained ministries. In so doing, it sought to identify those ministries which sustain the very integrity of the Church as the ‘One Holy Catholic and Apostolic Church’, and to continue a distinctive emphasis in its thinking on this matter with reference to the nature of the ministry of the Church, when it noted:

This ministry or service which we have spoken of is given not to a few within the Church, but to the

<sup>106</sup> Act VIII (2010) Consolidating and Amending Act anent Deacons, s.8 (b) states: ‘The procedure leading to the act of ordination shall be the same as the procedure described in section 29 of Act VIII 2003 for ministers of Word and Sacrament, *mutatis mutandis*.’ Act III (2004) Act Anent Ordinations by Presbyteries, s.2 states: ‘The ordination of a deacon shall be led by a minister or deacon who shall, if the Moderator of the Presbytery be an elder, be appointed by the Presbytery from among its ministerial or diaconal members.’

<sup>107</sup> *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/1-13/27; *Reports to the General Assembly of the Church of Scotland 2001*, (Panel on Doctrine) 13/1-13/24, along with the Report; “Deacons of the Gospel” (*Reports to the General Assembly of the Church of Scotland 2001*, (Ministry) 17/3-17/8) may be said to offer one point of departure for an exploration of ‘the distinctive character’ of the ministry of the Deacon within the Church of Scotland. Equally, a theology of the ministry of the Diaconate (and the other ministries of the Church), in the context of the mission of the whole people of God and of the mission of the Triune God, is set out in a series of Reports which may be helpfully revisited in this regard: *Reports to the General Assembly of the Church of Scotland 1985*, (Panel on Doctrine) 143-161; *Reports to the General Assembly of the Church of Scotland 1988*, (Panel on Doctrine) 125-136; *Reports to the General Assembly of the Church of Scotland 1989*, (Panel on Doctrine) 191-204, and; *Reports to the General Assembly of the Church of Scotland 1990*, (Panel on Doctrine) 194-196.

<sup>108</sup> Act III (2004) Act anent Ordinations by Presbyteries.

<sup>109</sup> Ainslie, J.L., *The Doctrine of Ministerial Order in the Reformed Churches of the Sixteenth and Seventeenth Centuries* (Edinburgh: T.&T. Clark, 1940), 189.

<sup>110</sup> *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/1-13/27; *Reports to the General Assembly of the Church of Scotland 2001*, (Panel on Doctrine) 13/1-13/24.

Church itself, the body of Christ. This is an insight that the Church has regained in the modern age, and throughout its relatively short life the Panel on Doctrine has been consistent in giving it voice. In 1965 it wrote:

To the Church, as the Servant People of God, there is committed a mission and ministry to the whole world, exercised through the witness, work and intercession of its members in accordance with the manifold gifts which the Holy Spirit bestows. This general ministry belongs to the whole fellowship of the Church as the body of Christ.<sup>111</sup>

Thus, with reference to the criteria through which the Church might discern the ordained ministries, it initially contended that:

Ordained ministries should be those which are concerned not just for one part of the Church's life and activity, but for the Church as such, for its character as the Church. They are ministries whose concern is to keep the Church faithful to its nature and calling.<sup>112</sup>

That is, the Panel on Doctrine sought to place the 'ordained ministries' within the context of the Church, and to understand those 'ministries' within that context with reference to the character, nature and vocation of the Church. Thereafter, it developed this approach in contending that:

The fact that such ministries are concerned with the Church's fidelity to its nature and calling means that they are answerable to the Church – the whole Church. They are therefore understood to be

ministries of Christ's Church, the Church Catholic, not simply the local Church... [T]his does not mean that when the Church of Scotland ordains it presumes that the ordained person is authorised to conduct his/her ministry outside its discipline; nor does it imply unlimited authorisation to exercise a ministry within the Church of Scotland. It is still for the Church to determine the sphere in which the ministry operates, with a concern for order.<sup>113</sup>

That is, the Panel on Doctrine sought to locate 'the local Church' within the context of 'the Church Catholic', with those two perspectives on the nature and identity of the Church mutually informing one another. Thus, in principle, the ministry of 'the local Church' is the ministry of 'the Church Catholic', and the ministry of 'the Church Catholic' is the ministry of 'the local Church'. Further, the Panel contended that:

Such ministries, being answerable to the wider Church, are recognised and authorised by the wider Church. Ordination is therefore consequent upon the testing of vocation by the wider Church.<sup>114</sup>

Finally, the Panel contended that the 'ordained ministries' are particularly 'concerned with the Church's fidelity to its nature and calling', with that 'nature and calling' having an enduring character. Thus:

Since the Church is one throughout history, and not simply throughout the world, this also implies that ordained ministries are enduring, and not temporary expedients. This does not mean that a particular ministry must be exercised in exactly the same manner eternally, nor that ordained ministries do not adapt to changing circumstances. They can and must be flexible in their methods and forms, since the Church lives in history. But an ordained ministry

<sup>111</sup> *Reports to the General Assembly of the Church of Scotland 1965*, (Panel on Doctrine) 703; *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/8-13/9.

<sup>112</sup> *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/3.

<sup>113</sup> *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/3.

<sup>114</sup> *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/3.

will be concerned with the Church's fidelity to its nature and calling, and these do not change. Equally it recognises that persons are called to ministry, and a person's character and personal integrity are presumed to endure through time.<sup>115</sup>

Therefore, the Church of Scotland intends that the 'ordained ministries'; and within this; the ministry of Word and Sacrament and the ministry of the Diaconate, be shaped by a concern for the 'the Church's fidelity to its nature and calling'; with that 'nature and calling' understood within the context of the 'One Holy Catholic and Apostolic Church'. Equally, our understanding of the nature of the ministry of Word and Sacrament and the nature of the ministry of the Diaconate, and of Ordination to the ministry of Word and Sacrament and to the ministry of the Diaconate, must be shaped within the context of the 'One Holy Catholic and Apostolic Church'.

#### **4. The authority of the Scriptures of the Old and New Testaments within the Church of Scotland, interpreted within the context of the 'One Holy Catholic and Apostolic Church'**

##### **4.1 The Authority of the Scriptures of the Old and New Testaments**

In seeking to comprehend the nature of the authority of the Scriptures of the Old and New Testaments within the Church of Scotland, a principal point of reference is, once more, to be found in the *Articles Declaratory*,<sup>116</sup> where it affirms in *Article I* that:

The Church of Scotland adheres to the Scottish Reformation; receives the Word of God which is contained in the Scriptures of the Old and New Testaments as its supreme rule of faith and life; and avows the fundamental doctrines of the Catholic faith founded thereupon.

Further, we note that *Article II* states:

The principal subordinate standard of the Church of Scotland is the Westminster Confession of Faith approved by the General Assembly of 1647, containing the sum and substance of the Faith of the Reformed Church.

Thus, the Church of Scotland is to be understood as a Church which 'receives the Word of God which is contained in the Scriptures of the Old and New Testaments as its supreme rule of faith and life', and that 'the sum and substance of the Faith of the Reformed Church' is stated in the *Westminster Confession of Faith*. That is; the Scriptures are to be understood as authoritative with respect to 'faith and life'.

##### **4.2 Scripture and Confession**

At this point, let us ask: What is the relationship of the Church of Scotland to the *Westminster Confession of Faith*? The Ecumenical Relations Report on the "Church of Scotland-Free Church of Scotland Dialogue" received by the General Assembly in 2009 explores this issue, and we shall frame our discussion within its context.<sup>117</sup> The context of the Dialogue was shaped, in part, by the common 'subordinate standard'; the *Westminster Confession of Faith*, albeit that the Church of Scotland and the Free Church of Scotland understand their relationship to the *Westminster Confession of Faith* in different terms.

Thus, the Report makes reference to the "Preamble" to the service of Ordination to the ministry of Word and Sacrament, where it states:

The Church of Scotland holds as its subordinate standard the Westminster Confession of Faith, recognising liberty of opinion on such points of doctrine as do not enter into the substance of the Faith, and claiming the right, in dependence on the promised guidance of the Holy Spirit, to

<sup>115</sup> *Reports to the General Assembly of the Church of Scotland 2000*, (Panel on Doctrine) 13/3.

<sup>116</sup> [http://www.churchofscotland.org.uk/about\\_us/church\\_law/church\\_constitution](http://www.churchofscotland.org.uk/about_us/church_law/church_constitution); Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 159-161.

<sup>117</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/13-6.3/21.

formulate, interpret, or modify its subordinate standards; always in agreement with the Word of God and the fundamental doctrines of the Christian faith contained in the said Confession – of which agreement the Church itself shall be sole judge.<sup>118</sup>

Thereafter, it notes that:

The relationship of the Church of Scotland to the *Westminster Confession of Faith* as constituted in 1929, and thereafter, differs from the relationship which existed before 1929. This is exemplified with respect to the *Preamble* cited above, with its reference to “recognising liberty of opinion on such points of doctrine as do not enter into the substance of the Faith”, and the 1929 Formula which is set out in terms consistent with *The Church of Scotland Act on the Formula* (1910). The latter, as found in the *Basis and Plan of Union* (1929), follows on from the *Preamble* and affirms, in relation to the *Westminster Confession of Faith*, that:

I believe the fundamental doctrines of the Christian faith contained in the Confession of Faith of this Church.<sup>119</sup>

Thus, the relationship of the Church of Scotland to the *Westminster Confession of Faith* may be said to be conditioned by the recognition of ‘liberty of opinion on such points of doctrine as do not enter into the substance of the Faith’, which, in effect, sums up and expresses the series of Acts embedded in the *Basis of Union* (1929).<sup>120</sup> In seeking to exemplify the nature of that relationship, the

Report suggests that the terms of the *Formula* in the *Basis of Union* may be contrasted with the terms of the *Formula* which obtained before then:

[E]ssentially that of 1889, as modified in 1901 and 1903, and construed in terms consistent with the *Act for Settling the Quiet and Peace of the Church* 1693 (c.38). This affirmed, in relation to the *Westminster Confession of Faith*, that:

I declare the Confession of Faith, approved by former General Assemblies of this Church, and ratified by law in the year 1690, to be the confession of my faith, and I own the doctrine therein contained to be the true doctrine, which I will constantly adhere to.<sup>121</sup>

The Report notes that the 1889 *Formula*; where it declares the *Westminster Confession of Faith* ‘to be the confession of my faith’ is essentially different in character from that found in the *Basis of Union*.<sup>122</sup>

Therefore, our conception of the Church’s relationship to the *Westminster Confession of Faith* is informed by the recognition of ‘liberty of opinion on such points of doctrine as do not enter into the substance of the Faith’. In affirming this, we ought to note that such ‘liberty of opinion’ is not to be understood as an unqualified ‘liberty’, and we recall the Panel on Doctrine’s Report of 1984 at this point. The Report states:

At the General Assembly in 1983, during the report of the Panel on Doctrine, as a result of questions put to the Procurator, it was made plain that neither the Church nor the individual elder, ordinand or minister is at liberty to depart from the First of the Declaratory Articles. In adherence to this Article the Church’s identity is secure... permissible liberty of opinion in

<sup>118</sup> Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 163.

<sup>119</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/15; Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 165.

<sup>120</sup> Act I (1929): the *United Presbyterian Church Declaratory Act* (1879); the *Free Church Declaratory Act* (1892); the *Free Church Declaratory Act* (1894); the *United Free Church Act anent Spiritual Independence of the Church* (1906), *The Church of Scotland Act on the Formula* (1910); as well as the *Articles Declaratory* themselves.

<sup>121</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/15-6.3/16; Mair, William, *Digest of Church Laws* (3rd ed.) (Edinburgh: Wm. Blackwood & Sons, 1904), 530-532.

<sup>122</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/16.

assent to the Confession of Faith of this Church does not apply to the First Article Declaratory.<sup>123</sup>

Thus, the significance of the place of *Article* I ought to be reckoned with in our understanding of the nature of our 'liberty of opinion', and this should further inform our conception of the Church of Scotland's relationship to the *Westminster Confession of Faith*.

#### 4.3 'The Word of God which is contained in the Scriptures of the Old and New Testaments'

Thereafter, the Report addresses the relationship of the Word of God to Scripture, and we note that within the context of the Dialogue, this relationship was discussed with reference to the *Westminster Confession of Faith* (I.1):

Therefore it pleased the Lord, at sundry times, and in diverse manners, to reveal Himself, and to declare His will unto the Church; and afterwards, for the better preserving and propagating of the truth... to commit the same wholly unto writing: which maketh the Holy Scripture to be most necessary; those former ways of God's revealing His will unto His people being now ceased.<sup>124</sup>

In seeking to clarify the relationship of the Word of God to Scripture as understood within the Church of Scotland, reference was made to the following exposition:

*The Confession of Faith* here recognises the Holy Scriptures as the written Word of God to men in and through which it is God Himself who speaks in person, but it recognises also that Revelation was precedent to the Scriptural record. Thus in regard to the New Testament the Revelation was mediated and apprehended, the Christian faith existed and was stated and believed and taught, before the various scriptures it contains were in being... The Faith did not make its first appearance in a written but in an

oral form: it existed, was preached, believed, and transmitted for some time before it began to have expression in inspired writings. When these writings appeared, they did not supersede the unwritten Faith which the Apostolic witnesses communicated to the Church, nor did they add to it. They are a photograph of that Faith in the process of transmission, and thus became the standard of reference for verifying the content of the Faith.<sup>125</sup>

That is, the Apostolic faith, founded on the revelation of the God 'who speaks in person' in the Word of God, was first received by its hearers 'in an oral form' (that is; in the Apostolic preaching), prior to it being set forth in the Scriptures of the New Testament. Thereafter, the Scriptures serve to 'describe the normative content of the Christian faith' within the context of the Church.

In addressing the relationship of the Word of God to Scripture, particular attention was paid to the meaning of 'contained', with reference to; 'the Word of God which is contained in the Scriptures of the Old and New Testaments', with this form of words being as found in the *Shorter Catechism* (1648).<sup>126</sup> For some within the Church of Scotland, this form of words is to be equated in meaning with that found in the *Larger Catechism* (1648),<sup>127</sup> where the *Catechism* affirms that: 'The holy scriptures of the Old and New Testament are the word of God'.<sup>128</sup>

<sup>125</sup> Wotherspoon, H.J. & Kirkpatrick, R.S. (ed's), *A Manual of Church Doctrine according to the Church of Scotland*, 56-57; *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/16.

<sup>126</sup> Free Church of Scotland, *Confession of Faith and Subordinate Standards (Shorter Catechism)*, Answer 2, 115. We note an early form of the 'contained in' formula as evidenced in the *Coronation Oath Act 1567* (c.8) which refers to 'his most holy word revealed and contained in the New and Old Testaments'. See: <http://www.rps.ac.uk/trans/A1567/12/7>

<sup>127</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/17-13/18.

<sup>128</sup> Free Church of Scotland, *Confession of Faith and Subordinate Standards (Larger Catechism)*, Answer 3, 51. See also: *Westminster Confession of Faith* I.1.

<sup>123</sup> *Reports to the General Assembly of the Church of Scotland 1984*, (Panel on Doctrine) 183.

<sup>124</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/14.

Equally, others within the Church of Scotland contend that the framers of Article I intended to avoid this equation of meaning,<sup>129</sup> and that, in expressing an understanding of the relationship between the Word of God and Scripture:

This *Article* does not make a verbal identification of the words of Scripture with the Word of God, but states that the Word of God is “contained in” the Bible, thus leaving scope for the application of the phrase “as interpreted by the Church” [*Article VIII*], and also for liberty of opinion.<sup>130</sup>

In recognition of the fact that the above statement may be understood as leaving the relationship of the Word of God to Scripture defined by negation, the Report affirms that:

The Word of God and Scripture relate to one another in a constant and unbroken relationship in which they mutually inform one another.<sup>131</sup>

In seeking to understand how we might express this affirmation more fully, we may refer to the concept of the three-fold form of the Word of God: 1) The Word of God as revealed in Jesus the Christ; 2) The Word of God as written in the Scriptures of the Old and New Testaments, and; 3) The Word of God as proclaimed in the Church.<sup>132</sup> This

conception of the nature and manifestation of the Word of God is inherently complementary in character, and seeks to express the coherence of the Word of God in the integrity of the inter-relationship between the revelation; the written expression, and; the proclamation of the Word. This understanding of the three-fold form of the Word of God is given expression in the Panel on Doctrine’s 1973 Report:

The Word of God is always one and the same. But it has different forms. It is God’s Revelation in Christ, it is Christ. The Word is communicated to men in and through the witness of the prophets and of the apostles. The witness of the prophets and of the apostles are the holy Scriptures usually referred to as the written Word of God. The Word of God, however, comes to men also viva voce. It comes to men in and through the Church’s proclamation... The Word of God, then, has three forms: the Word made flesh, the written Word, and the proclaimed Word.<sup>133</sup>

Any formula expressing the nature of our understanding of the Word of God may properly be said to be provisional in nature, and thus open to reform. In the light of this, it may be said that the conception of the three-fold form of the Word of God gives expression to an understanding which is inherently open to such reform, with the complementary forms of the Word of God necessarily referring back to the Word of God as revealed in Jesus the Christ, with Scripture and Proclamation bearing witness to the particular form of the Word who is the Christ.

or the proclamation of the Church based on Scripture. The written Word of God we know only through the revelation which fulfils proclamation or through the proclamation fulfilled by revelation. The preached Word of God we know only through the revelation attested in Scripture or the Scripture which attests revelation.’ Equally, he affirms that it is the Word of God revealed in Jesus the Christ which ‘underlies the other two’. *Church Dogmatics* I/1, 121. See also; Barth, Karl, *Church Dogmatics* I/2 (Edinburgh: T.&T. Clark, 1956), 457-740, in relation to the nature of Scripture.

<sup>133</sup> *Reports to the General Assembly of the Church of Scotland 1973*, (Panel on Doctrine) 221.

<sup>129</sup> Sjölander, Rolf, *Presbyterian Reunion in Scotland 1907-1921* (Edinburgh: T.&T. Clark, 1962), 167-182; Murray, Douglas M., *Freedom to Reform* (Edinburgh: T.&T. Clark, 1993), 43-91; Murray, Douglas M., *Rebuilding the Kirk: Presbyterian Reunion in Scotland 1909-1929* (Edinburgh: Scottish Academic Press, 2000), 63-114; *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/17, and; Riddell, J.G., *What We Believe* (Edinburgh: Church of Scotland, 1937), 170-190.

<sup>130</sup> Weatherhead, James L., *The Constitution and Laws of the Church of Scotland*, 19; *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/17.

<sup>131</sup> *Reports to the General Assembly of the Church of Scotland 2009*, (Ecumenical Relations) 6.3/17.

<sup>132</sup> Barth, Karl, *Church Dogmatics* I/1 (Edinburgh: T.&T. Clark, 1975), 88-124. We note that in Barth’s exposition of the three-fold form of the Word of God, he reverses the order and begins with the proclamation of the Word by the Church: ‘The revealed Word of God we know only from the Scripture adopted by Church proclamation

#### 4.4 The Authority of the Scriptures of the Old and New Testaments: Summary

What then, specifically, of the *authority* of the Scriptures of the Old and New Testaments within the Church of Scotland? The exposition of the relationship of the Church of Scotland to the *Westminster Confession of Faith* has been founded on an understanding of the inherent authority of the Scriptures of the Old and New Testaments within the Church. Thereafter, in addressing the relationship of the Word of God to the Scriptures of the Old and New Testaments, as understood within *Article I*, the exposition of the three-fold form of the Word of God placed the Scriptures in a context which affirms the inherent *authority* of those Scriptures. That is, the authority of the Scriptures of the Old and New Testaments within the Church of Scotland may be said to reside in the relationship of the Scriptures to the Word of God inherent in the revelation of the Word in Jesus Christ, and to the Word inherent in the proclamation of the Church. To that extent, the authority of the Scriptures of the Old and New Testaments within the Church of Scotland is expressed in a form which, whilst not necessarily identical, is consonant with that expressed elsewhere within the context of the 'One Holy Catholic and Apostolic Church'.<sup>134</sup>

#### 4.5 The Interpretation of the Scriptures of the Old and New Testaments

In seeking to address questions with respect to the authority of the Scriptures of the Old and New Testaments

within the Church of Scotland, we have affirmed that the self-understanding of the Church as one which receives the Word of God as the constitutive source of its 'faith and life' implies that primacy ought to be given to the discernment of the Word of God in the complementary forms in which it has been revealed, transmitted and proclaimed to us. So to state, is not to imply that the task of engaging with the Word of God can be short-circuited by appeal to an otherwise unexamined tradition, still less that it can be trumped by an appeal to a source other than the Word of God. Rather, it is to state that the tradition of the Church, of which we are all heirs, shall best be served by engaging with the Word of God which has given it birth, and which holds the promise of re-birth.

In this regard, we may differentiate the question of the *authority* of the Scriptures of the Old and New Testaments, from that of the *interpretation* of the Scriptures of the Old and New Testaments. In so differentiating, we guard against the assumption that a profession of adherence to the *authority* of the Scriptures necessarily secures the exclusive veracity of any particular *interpretation* of the Scriptures. That is, a claim, whether by Traditionalist or Revisionist, to uphold the *authority* of the Scriptures does not, in and of itself, guarantee that the subsequent *interpretation* of the Scriptures offered, by Traditionalist or Revisionist, will be a sufficient reading of any specific Scriptural text. Thus, we may suggest that the task of interpretation, in relation to issues of human sexuality, places the interpreter between Scylla and Charybdis, where the necessity of fidelity to the Scriptures is held in tension with the hearing of the, often myriad, voices of the contemporary Church.

As an aid to the interpreter, it may be suggested that 'the rule of faith and love' is the surest guide. Thus, we hear a voice in the *2nd Helvetic Confession* (1566) where it affirms:

[W]e hold that interpretation of the Scripture to be orthodox and genuine which is gleaned from the Scriptures themselves (from the nature of the language in which they were written, likewise according to

<sup>134</sup> So, for example, a significant expression of the authority of the Scriptures of the Old and New Testaments within the context of the 'One Holy Catholic and Apostolic Church' is that found in Richard Hooker's *Ecclesiastical Polity* (2 Vol's) (J.M. Dent & Sons, 1907), *passim*, which expounds the authority of the Scriptures of the Old and New Testaments within the context of the authority of Tradition and the authority of Reason. See; Atkinson, Nigel, *Richard Hooker and the Authority of Scripture, Tradition and Reason* (Carlisle: Paternoster Press, 1997). Equally, we note that there are other Reformed expressions of the authority of the Scriptures of the Old and New Testaments which are essentially triadic in nature, albeit differently nuanced from that of Karl Barth. See; Vanhoozer, Kevin J., *Is There a Meaning in This Text?* (Leicester: Inter-Varsity Press, 1998), 455-457, where a 'Trinitarian' hermeneutic is presented as the conclusion of this study.

the circumstances in which they were set down, and expounded in the light of like and unlike passages and of many and clearer passages) and which agree with the rule of faith and love, and contributes much to the glory of God and man's salvation.<sup>135</sup>

In seeking to hear that 'voice', and thereafter engage in the act of interpretation we may helpfully recall the contribution of the Panel on Doctrine's 1998 Report on "The Interpretation of Scripture".<sup>136</sup> In particular, we note the context out of which the Report emerged given that it is essentially the same context as that which confronts the Church today:

The roots of this report are to be found in the Panel's study of *Christian Marriage* (Assembly Reports, 1994 and 1995) – a study which exposed quite deep division amongst Church people, who sincerely believed they were being faithful to the insights of Holy Scripture.<sup>137</sup>

That the essential context remains the same is surely indicative of the degree of difficulty of the interpretative task that confronts the Church of Scotland today, whilst nevertheless holding us firmly to that task. That is, we are held to the task by the fact that a Church which seeks to be faithful to the authority of the Scriptures of the Old and New Testaments, understood within the context of the 'One Holy Catholic and Apostolic Church', can do no other than engage in the interpretation of those Scriptures, irrespective of the degree of difficulty.

That said, we note that the 1998 Report itself did not explore the nature of the interpretative task with respect to issues of human sexuality themselves. Rather, it sought to offer insight into the task through an extensive exploration of the history of interpretation and its

relevance to the contemporary task faced by the Church, excepting that relating to issues of human sexuality. In this context we note a consistent theme, expressed throughout the Report, is that each act of interpretation is a reading of the text of the Scriptures through a particular set of lenses, and that no act of interpretation takes place without the interpreter viewing the light revealed in the Scriptures through those lenses.<sup>138</sup> Equally, the Report offered 'Guidelines for Biblical Interpretation' which remain immediately relevant to the general nature of the interpretative task facing the Church today.<sup>139</sup> The 'Guidelines' are not, in themselves, an infallible guide to the interpretation of the Scriptures. Rather, they offer the interpreter a framework within which to address, and be addressed by, the Word of God within the community of the Church, whose very life depends upon that Word. The

<sup>138</sup> *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/6-7.

<sup>139</sup> *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/32-34. The 'Guidelines' below are supplemented by a fuller commentary in the text:

I. Be attentive

Each of these four guidelines concerns the nature of the biblical text as a literary work.

*Determine what kind of passage you are reading and read to gain a sense of the whole.*

*Be aware that different kinds of texts make different kinds of claims.*

*Locate the passage in the overall story-line of Scripture.*

*Be aware of how one text may allude to, repeat, fulfil or modify another.*

II. Be open

Each of these four guidelines concerns the role of context: one's contemporary context, the original context, the diverse contexts of interpretation in Church history and, finally, the canonical context.

*Acknowledge your prejudices and presuppositions.*

*Determine what the authors could have meant in the original context.*

*Become familiar with the history of biblical interpretation.*

*Relate difficult passages to simpler ones.*

III. Be obedient

Each of these four guidelines concerns the "fusion" of biblical text and contemporary context, of biblical canon and the community of faith.

*Read in the believing community.*

*Distinguish the descriptive from the prescriptive.*

*Prayerfully perform the Scriptures.*

*Use Scripture to form, inform and reform your heart, mind and imagination.*

<sup>135</sup> *2nd Helvetic Confession*, II.1.

<sup>136</sup> *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/1-11/40.

<sup>137</sup> *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/4.

Report concludes with words that we may choose to echo as we turn again to the task of interpretation:

In the Church we are presented with a variety of inherited interpretations of Scripture, which influence us through our participation in an ongoing, varied tradition of worship, scholarship and Christian service. Different strands of our Church of Scotland community will tend to interpret Scripture in different ways, depending on which facets of the tradition have most direct impact on them. We struggle to express the sense that we are a community of faith, sharing the depths of a common Gospel. There is a measure of agreement in essentials, yet diversity may often be a positive gift of God's grace as we are invited to love God in freedom with all our heart and mind and strength. Both unity and diversity may be gifts of God, or they may be coerced unities and faithless diversities. The ultimate unity of the Church is the unity in Christ which is the gift of the Spirit, a plural unity which may in some measure reflect the self-differentiated mystery of God, Father, Son and Spirit. It is through exploration of different insights in dialogue, respecting and engaging with difference in constructive tension, that the Church as a whole, in Scotland and throughout the world, can move forward into a new phase of expressing discipleship in the coming decades.<sup>140</sup>

## **5. The identity of the Church of Scotland within the communion of the 'One Holy Catholic and Apostolic Church': Addressing Issues of Human Sexuality**

The identity of the Church of Scotland within the communion of the 'One Holy Catholic and Apostolic Church', as expressed in our exploration of; the theological identity of the Church of Scotland; the ministry of Word and Sacrament and the ministry of the Diaconate within the Church of Scotland, and; the authority of the

Scriptures of the Old and New Testaments within the Church of Scotland, makes no claim to be exhaustive. Nevertheless, it offers a statement of that which might be judged to constitute the substratum of any ecclesiology of the Church of Scotland (and of any understanding of the ministry of Word and Sacrament and of the ministry of the Diaconate, and the authority of the Scriptures of the Old and New Testaments) irrespective of the issues of human sexuality before us.

Issues of human sexuality, by their very nature, admit of no simple solution. Nevertheless, we ought not to turn away from the task of addressing them for they take us to the very heart of the claim of the Church of Scotland to be a Church whose identity is rooted within the 'One Holy Catholic and Apostolic Church'. It is to that task that we now turn.

Following the remit given to the Theological Commission, in which the Commission was instructed to prepare a Report as a consequence of the General Assembly having resolved 'to consider further the lifting of the moratorium on the acceptance for training and ordination of persons in a same-sex relationship', we shall give consideration to a Revisionist exposition of the basis upon which the Church of Scotland ought to accept 'for training and ordination... persons in a same-sex relationship'. Thereafter, we shall give consideration to a Traditionalist exposition of the basis upon which the Church of Scotland ought not to accept 'for training and ordination... persons in a same-sex relationship'.

## **6. Addressing Issues of Human Sexuality within the communion of the 'One Holy Catholic and Apostolic Church': The Revisionist Case**

### **6.1 Introduction**

This part of the Report has been prepared by those members of the Theological Commission who were heartened by the decision of the 2011 Assembly to set the Church of Scotland on a trajectory towards full acceptance of gay and lesbian people in committed relationships into all forms of ministry, and who remain convinced that this is the right way to proceed.

<sup>140</sup> *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/39.

It is addressed primarily to commissioners at the General Assembly of 2013, those who will have to decide whether or not this trajectory should be followed to the next stage, but in full awareness of the many other people, within our Church and far beyond its bounds, who will be reading the Report with everything from mild curiosity to anxious concern.

Some of this wide readership will have clearly formed views already about the matter under contention. For some of these people, on both sides of the debate, the Assembly's decision will determine whether or not they can remain within the Church of Scotland, and none of the arguments presented here will alter that. There will be others, however, whose commitment to their Church is such that they will want to find a way to remain, with integrity, even if their position is not upheld. For them, Appendix I outlines the nature of the Overture, which will be presented in the Supplementary Reports, and which will attempt to be as generous as possible, within the limits of justice, to those who will be most seriously affected if the Revisionist view prevails. In the discussions of the Commission this has become known as the "mixed economy" proposal, and that shorthand term is likely to be deployed in the ensuing debate. It is an acknowledgement that the Commission's remit, from the outset, presumed that a Revisionist outcome of the Church's present disagreement must be accompanied by measures to protect those on the other side of the argument, and do so for the foreseeable future after the enactment of such an Overture. An "unmixed" Revisionist scheme, without such protections, is not proposed anywhere in this Report, as it would go further than our remit instructed.

For some, the deciding factor will be knowing that the same degree of fidelity and commitment is expected in homosexual as in heterosexual relationships for those in positions of authority within the Church. For them, the section on liturgy will be most relevant.

There are many in the Church whose every inclination is to be open and welcoming towards gay and lesbian

people, some of whom may be friends, fellow Christians or family members. They want to be able to celebrate with them and support them in their loving, committed relationships, but assume, possibly without ever having questioned this assumption, that to do so would mean going against the teaching of Scripture. The section on Biblical interpretation is most likely to be helpful to them.

Nor must it be forgotten that some of the people reading this Report and taking part in the debate will themselves be gay, lesbian or bisexual,<sup>141</sup> in ministry or in the process of discerning God's call, in a loving relationship or open to the possibility of making such a commitment in future. This is not, and never has been, about 'them' and 'us'. It is about members of the one body of Christ honouring their own God-given nature and calling, while respecting and making space for others who are different.

Inevitably, it is those people at both extremes of the spectrum of opinion who find it easiest to articulate their views, and these are the views which tend to gain media coverage. It is clear, however, both from the results of the consultation exercise conducted by the Special Commission and from the debate of the General Assembly in 2011, that there is within the ministry and eldership of the Church of Scotland a wide range of beliefs, opinions, uncertainties and concerns. It is unhelpful and inaccurate to try to polarise the debate, as if there were two clear positions, 'for' or 'against' the trajectory which the Church agreed, in 2011, to continue exploring.

It is to be hoped that the detailed theological argument and Biblical analysis presented throughout this Report will make clear, if nothing else, the complexity of the issues being addressed. Despite every attempt to suggest otherwise, no single view can be propounded as the opinion of 'the Church', whether historically or in the present day.

<sup>141</sup> We use these terms for convenience, while recognising their limitations. Human sexual orientation does not fit neatly into discrete categories; rather it is a continuum on which each person is placed somewhere between the heterosexual and the homosexual extremes.

## 6.2 Revision and Re-visioning

When the General Assembly of 2011 discussed the Report of the Special Commission on Same-Sex Relationships and the Ministry, it resolved to establish a Theological Commission whose remit included theological exploration around same-sex relationships, civil partnerships and marriage. The Special Commission in its discussion had, despite acknowledging the limitations, continued to distinguish the different approaches to the issue as “Traditionalist” and “Revisionist”. Perhaps it would have been more accurate to designate the latter as Revisionist approaches (plural). The Revisionist stances emerge from a variety of perspectives and attitudes. Some have sought to examine the issue as participants in same-sex relationships, and are seeking to discern resonances with their experience in Scripture and church history. Others approach the issue because of the questions posed to the Church by many in our society and in our Church – often as an issue of equality and justice – and are seeking a deeper understanding. Others, from their reading of Scripture, have found themselves dissatisfied with the interpretations that have been offered, and are wrestling further with texts and contexts.

Revisionism, according to the *Shorter Oxford English Dictionary*, is “a careful or critical examination or perusal with a view to correcting or improving”. It is a revisiting of the issue, by exploring again text and context. The root of ‘revision’ means to see again. While such a revisiting may lead to reaffirming a previous understanding, it can also lead to embracing a different understanding and approach, and to a change of direction. Theological enterprise and Christian living are subject to what St. Paul understands when he says that ‘we see through a glass darkly, but then we shall see face to face’. (1 Corinthians 13:12) We are constantly called to see again, to revise, to be Revisionist, as a mark of faithfulness.

Our reflection is the result of an exploration conducted within the Reformed tradition and thus engages with the Bible. It does so in the light of the Panel on Doctrine Report: *The Interpretation of Scripture*, received by the General Assembly of 1998. We have also been conscious of

the work undertaken by other Churches and communions of Churches as they have sought to examine attitudes to persons in same-sex relationships. Such deliberations have been taking place over the last forty years, and yet agreement, or agreement to live with the acceptance of different attitudes, has been difficult to achieve.

Clearly, as we have attempted to examine again carefully and critically attitudes to same-sex relationships and the call to the ministry of Word and Sacrament, we have taken full account of other recent Reports to the General Assembly: *A Challenge to Unity: same sex relationships as an issue in theology and human sexuality* (2007); *Being Single: in Church and Society* (2009); and *Believing in Marriage* (2012). These Reports have given a detailed profile and exposition of attitudes and practices with regard to human relationships and human sexuality in our contemporary society. They have revisited the Scriptures and Christian traditions, seeking guidance for human relating, and noted the diversity of responses by Christians to current developments regarding sexual practice in committed relationships outside marriage, and even homosexual orientation and lifestyle.<sup>142</sup>

## 6.3 Reflecting God’s Loving Nature

The Report: *Being Single: In Church and Society*, places human relating in the context of God’s loving nature. As is clear from the earlier sections of our Report to General Assembly, these recent Reports and the discussion on the nature and mission of the Church, are located within an understanding of God as Divine Trinity.

God is God in relationship. As Father, Son and Holy Spirit, God is Trinity, three persons in perichoresis, the notion being that there is relationship, sharing, mutuality, love and togetherness in the Godhead.

Ecumenical reports on the interpretation of Scripture have, for the past 50 years, emphasised that all our reading

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<sup>142</sup> Reports to the General Assembly of the Church of Scotland 2009, (Working Group on Human Sexuality) 4/70-4/72: “Late twentieth century developments”.

of Scripture is shaped by thematic, or hermeneutic lenses.<sup>143</sup> Such lenses are the result of seeking to find themes around which all other themes coalesce – locating a centre out of which text and context are understood and find coherence. The particular hermeneutical lens of this section of our present Report centres on the Divine Trinity – relating, love, justice, sharing, mutuality.<sup>144</sup>

For human beings to relate in love to one another is to reflect God's loving nature.

The Report *Believing in Marriage* points out that the Old Testament generally uses the same vocabulary for divine and human love, and that:

It is used of everything from mundane love of things to the raw emotion that drives people into each other's arms to the most exalted divine relationship with humankind.<sup>145</sup>

The primacy of love is perhaps most memorably affirmed in 1 John 4:

Beloved, let us love one another, because love is from God; everyone who loves is born of God and knows God. Whoever does not love does not know God, for God is love.<sup>146</sup>

The writer of the letter emphasises that it is God who embodies love and expresses the very ideal of relationship, an ideal that cascades into the best of human relationships of every kind.

We know what love is because we know God. The love of God is not a projection onto God of the best of the human experience of love. Rather, human love is a response to the love of God, as Dietrich Bonhoeffer movingly put it when commenting on 1 Thessalonians 4:9, with its exhortation to love:

It is God's own undertaking to teach such love. All that human beings can add is to remember this divine instruction and the exhortation to excel in it more and more. When God had mercy on us, when God revealed Jesus Christ to us as our brother, when God won our hearts by God's own love, our instruction in Christian love began at the same time. When God was merciful to us, we learned to be merciful with one another. When we received forgiveness instead of judgement, we too were made ready to forgive each other. What God did to us, we then owed to others.<sup>147</sup>

God is found where love is, and reveals love to be utterly above and beyond any manner of expressing it in word or action. This section of the Report examines the issue of same-sex relationships, therefore, in the context of an understanding of God as Trinity, of human relating, and of human sexuality.

## 6.4 The Primacy of Relationship

Relationship and love take us to the very core of the Christian tradition.<sup>148</sup> At its heart is the God who is described as Three and/in One, and who has, since the dawn of creation, reached out to be known to his creatures, within the limits of our capacity to understand. The Scriptures offer us hints as to the nature of God, and

<sup>143</sup> See section 6.7 below.

<sup>144</sup> See Vischer, Lukas (ed.), *The Fourth World Conference on Faith and Order* (London: SCM, 1964). This understanding of the Divine Trinity is also the central focus – circle or lens – of the Faith and Order report: World Council of Churches, *The Church: Towards a Common Vision* (Geneva: WCC, 2013), which is to be sent to the Churches for response and reception. See especially paragraphs 1, 25 & 45, though the whole document takes this as its hermeneutical or relational centre.

<sup>145</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/28. The exception to this is the word group derived from *racham* ('to be compassionate').

<sup>146</sup> 1 John 4: 7-8 (New Revised Standard Version).

<sup>147</sup> Bonhoeffer, Dietrich, *Life Together and Prayerbook of the Bible* (Minneapolis, MN: Fortress Press, 1996).

<sup>148</sup> The same point is made in; *Reports to the Church of Scotland General Assembly 2012*, (Working Group on Human Sexuality) 5/42: 'Marriage witnesses that all humanity was created for relationship – and is intended for faithful, self-giving love.' The group also quite independently described their report in the same way as we have described ours; 'this report is, at least in part, about love'. 5/24.

as Christians we believe that the fullest and truest picture we have of the eternal God is in the person of Jesus Christ, whom we encounter through the record of Scripture, and the continuing presence of his Spirit in our inner being, in the world and in the Church. Nevertheless, to speak of God at all is to enter the realms of mystery, where our faltering language and concepts seek to find ways to express the inexpressible, and we forget this at our peril.<sup>149</sup>

Through the pages of Scripture and beyond it, God is revealed as Father, Son and Spirit. The people of God in different ages have struggled to find words to articulate this. They have glimpsed that God manifests God's self as Creator, as Son and as Spirit, noting the distinctions within the Godhead, while simultaneously emphasising the oneness of God.<sup>150</sup>

This sense of the oneness of and the differentiation within God is above all found in the hymns of the New Testament, and especially the Ephesian hymn where the activity of God – Father, Son and Spirit – is affirmed, with the writer using the device of a single sentence to proclaim the unity of God.<sup>151</sup> God is spoken of as One, but also as differentiated within this unity. Some passages of Scripture speak of the Father, others of the Son and others of the Spirit. It is not without significance that these are relational terms. The Son cannot exist without the Father – indeed Jesus points to his relationship of union with his Father as the way for human relating in his famous farewell prayer,<sup>152</sup> and goes on to speak of the Spirit who will draw people into union with God and each other.<sup>153</sup>

<sup>149</sup> This report is not the place to try to offer a full discussion of the nature of God, or of the various attributes of God adumbrated in classical theologies. It can only offer some hints in the context of an exploration of human relating.

<sup>150</sup> Clearly, the developed understanding of God as Divine Trinity is only hinted at in the pages of Scripture, but elaborated by the Fathers of the Early Church.

<sup>151</sup> Ephesians 1: 3-14.

<sup>152</sup> On John 17, see; Appold, Mark, *The Oneness Motif in the Fourth Gospel* (Tubingen: J.C.B. Mohr, 1976).

<sup>153</sup> See; Brown, Raymond, *The Gospel according to St John* (Volume II) (London: Chapman, 1966). That God is Trinity is well expressed in

This relationship of Father, Son and Spirit is spoken of as one whereby each exists for and in the other. The testimony of the Church throughout the ages has been the insight that exhibited within God is a mutuality and interdependence, a bondedness, whereby each has their own identity, an identity primarily described in terms of a relationship of love.

St Augustine affirmed:

You see the Trinity  
When you see the eternal love;  
For the Three are the One Loving  
The Beloved and their Love.<sup>154</sup>

The Scottish medieval theologian, Richard of St. Victor, develops this further:

Love is, in fact, gift and exchange. If God is love, there meet in him a plurality of persons without which there could be neither gift nor exchange.<sup>155</sup>

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the writing of Johannes Wollebius, the 17th century Swiss Reformed theologian, though it is clear also in the strong emphasis given to the Trinity by Calvin; it also lies at the core of the Ecumenical Creeds, and Calvin's *Institutes of the Christian Religion* is posited upon the order of the *Apostles' Creed*, as are the Reformed Confessions of Faith, and our own *Articles Declaratory*.

<sup>154</sup> St Augustine, *De Trinitate*, in; Burnaby, John (ed.), *Augustine: Later Works* (London: SCM, 1955). See also; Torrance, Thomas F., *Israel: People of God - God, Destiny, Suffering* (London: CCJ Occasional Papers, 1978). The classic development of this understanding is evident in Zizioulas, John, *Being as Communion* (New York, NY: St Vladimir's Press 1985). See also; Moltmann, Jurgen, *Jewish Monotheism and the Christian Trinitarian God* (Philadelphia, PA: Fortress Press 1981); Volf, Miroslav, *Exclusion and Embrace* (Nashville, TN: Abingdon Press 1996), and; Fiddes, Paul, *Participating in God: A Pastoral Doctrine of the Trinity* (London: DLT, 2000). For the development of this understanding within the ecumenical movement, see; Falconer, Alan D., "The Holy Trinity – a living reality linked to the whole of our human existence", in; O'Grady, John and Scherle, Peter (ed's) *Ecumenics from the Rim: explorations in honour of John D'Arcy May* (Munster: LIT Verlag, 2007), 53-60; and Fiddes, Paul, *Participating in God: A Pastoral Doctrine of the Trinity*.

<sup>155</sup> Zinn, Grover, *Richard of St Victor: Book 3 of The Trinity* (London: SPCK, 1979) xv.

Love is being-for-the-other, being-with-the-other. An early hymn of the Church describes this as Jesus' self-emptying for the sake of humanity, the fullest expression of being-for-others.<sup>156</sup> Such kenosis, or self-emptying, is costly and sacrificial, as the hymn emphasises. That way of being through love is shared with humanity through Jesus, who draws us into the relationship of divine love, binding us to God's self and to each other.<sup>157</sup> Geddes MacGregor affirms:

The divine power should be conceived as the infinite power that springs from creative love. That is the power that is infinite, being infinitely creative and therefore infinitely sacrificial... It is the power of sacrificial love. God does not control his creatures; he graciously lets them be... The divine almightiness consists in God's possession of an unlimited capacity for creative love, so that not only does he bring creatures into being to let them be, he creatively restores whatever seeks such restoration, so that the redeemed might indeed well be called a new creation, that is, a re-creation.<sup>158</sup>

### 6.5 In the Image of God

To be made in the image of God is to assert that humanity is created *imago Dei Trinitatis* ("in the image of God the Divine Trinity"). Humanity is created in and for relationship and love. To be 'human' has at its core the seal and sign of mutuality and interdependence with others. To reflect the image of God involves living that relationship of mutuality and love.<sup>159</sup> Each human being is distinct and

distinctive, and yet our very identity is bound up with others. 'I' cannot exist without – or outside – relationship with 'the other'. Indeed 'my' very identity is shaped by such relationships. Such is affirmed in the important British Council of Churches report, *The Forgotten Trinity*:

If God is essentially relational then all beings shares in relation: there is a relational content built into the nature of being. To be is to exist in relation to other beings.<sup>160</sup>

Such relating is meant to be an expression of love. However, human beings have not lived in the light of this love, but have departed from God's love through self-love, self-absorption, self-obsession. Human beings have marginalized persons and groups of people, placing them on the edge of society, excluding them, and at times demeaning or declaring them to be enemies. The Bible witnesses to the sin of men and women, to the 'fall of humanity', the severing of the relationship with God through human initiative. From God's side this relationship is never broken. Thus Scripture also reveals the drama of salvation through the activity of God. Thus the Image of God is seen to be a true description of Jesus Christ. That is the force of St Paul's reflection in Romans 5:12-21, where the contrast is made between human life in Adam and human life in Christ. Human beings share in this Image of God through and in Christ.

Otto Weber emphasises that:

[T]he "image of God" is clearly not a concept of being or quality, but of relationship.<sup>161</sup>

<sup>156</sup> Philippians 2: 6-11.

<sup>157</sup> See Markus Barth's exposition of the Ephesian Hymn in his magisterial commentary on the Epistle: Barth, Markus, *The Letter to the Ephesians* (Volume I) (New Haven, CT: Yale University Press, 1976).

<sup>158</sup> MacGregor, Geddes *He Who Lets Be: A Theology of Love* (New York, NY: Seabury Press, 1975). The Chief Rabbi of Great Britain and Northern Ireland, Dr Jonathan Sacks states that *hesed* is one of the Torah's most important framing devices: God is 'He who cares'. See Sacks, Jonathan, *To Heal a Fractured World* (London: Continuum, 2005).

<sup>159</sup> This theme of *Imago Dei Trinitatis* was prominent in the World Alliance of Reformed Churches' Report, *On a Theological Basis of Human Rights* (Geneva: WARC, 1976), and the World Council of Churches, Faith and Order Commission's work on Ecclesiology and Ethics, especially *Costly Commitment*, (Geneva: WCC, 1976).

<sup>160</sup> A group of distinguished British theologians from every tradition was chaired by Professor James Torrance, and another member was Prof Alastair Heron. The report originally published by the British Council of Churches in 1989 has been re-issued, with a selection of papers, by Churches Together in Britain and Ireland. Churches Together in Britain and Ireland, *The Forgotten Trinity* (London: CTBI, 2011). For a further exploration of this theme see; De Gruchy, Steve, "Human Being in Christ: resources for an inclusive anthropology", in; Germond, Paul, & De Gruchy, Steve (ed's), *Aliens in the Household of God* (Cape Town: Davis Philip, 1997), 233-269.

<sup>161</sup> Weber, Otto *Foundations of Dogmatics* (Grand Rapids, MI: Wm. B. Eerdmans, 1981), 561.

Karl Barth says:

True human nature can only be understood in and through Jesus Christ.<sup>162</sup>

And Jurgen Moltmann has concluded:

If we start from God's relationship to human beings then what makes the human being God's image is not his possession of any particular characteristic or other – something which distinguishes him above other creatures – it is his whole existence. The whole person, not merely his soul; the true human community, not only the individual; humanity as it is bound up with nature, not simply human beings in their confrontation with nature – it is these which are the image of God and his glory.<sup>163</sup>

## 6.6 Of Love and Justice

Because of God's love, human beings never lose the designation of being in the image of God. If Jesus Christ is the paradigm of what it means to be a human being, the kind of person Jesus was, as illustrated in his birth, life, death and resurrection, becomes illustrative of what it means to be human.<sup>164</sup> It is clear from the Gospel accounts that Jesus in parable and in action focussed on the plight of the marginalized in society, emphasising the importance of justice and the inclusion of those who had been placed on the edge of society. Even those considered enemies by his contemporaries – the Romans and the Samaritans – are placed at the centre of God's loving activity, as is evident in the Parable of the Good Samaritan, and the encounters with the Samaritan woman at the well at Sychar, and with the Roman centurion, among others.

The Christian community seeks to express the Word of God

in language, in worship and in ways of behaviour consonant with the love of God.<sup>165</sup> Such love is expressed in every aspect of human living. The divine love, like the highest human love which it calls into being, is not to be confused with mere sentiment.<sup>166</sup> It includes the divine qualities of mercy and forgiveness, but also God's purity, judgement and righteousness. It makes costly demands of lover and beloved. It is characterised by self-giving, not self-seeking, and is offered unconditionally and consistently, regardless of whether it is spurned, ignored or reciprocated. It takes us, as human beings, far beyond the normal bounds of human loving. Our forgiveness of others is to be as unlimited as the forgiveness we have received;<sup>167</sup> we are to return hatred with love,<sup>168</sup> and treat enemies with the compassion and respect which we would normally show only to our closest family and friends.<sup>169</sup> God's love is expressed most fully in the birth, life, death and resurrection of Christ. This is what both inspires our human loving, and makes it possible through the Holy Spirit.

In this is love, not that we loved God but that he loved us, and sent his son to be the atoning sacrifice for our sins. Beloved, since God loved us so much, we also ought to love one another. No-one has ever seen God; if we love one another, God lives in us, and his love is perfected in us.<sup>170</sup>

This is the hermeneutical or relational centre not only for interpreting Scripture, but for all human living.

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<sup>165</sup> The interdependence and inter-relationship between Word, worship and discipleship is well expressed in the marks of the Church in the *Scots Confession* (1560), and in the *Articles Declaratory of the Church of Scotland*.

<sup>166</sup> This is most poetically expressed in 1 Corinthians 13.

<sup>167</sup> Matthew 18: 21-35 (Parable of the unforgiving servant); Matthew 6:12-15 (Lord's Prayer and commentary); Mark 11: 25 (Teaching on prayer).

<sup>168</sup> Romans 12:20, quoting Proverbs 25:21-22: 'If your enemies are hungry, feed them; if they are thirsty, give them something to drink; for by doing this you will heap burning coals on their heads.'

<sup>169</sup> Matthew 5: 38-48; Luke 6: 27-36.

<sup>170</sup> 1 John 4: 10-12.

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<sup>162</sup> See Karl Barth, *Christ and Adam: Man and Humanity in Romans 5*, *Scottish Journal of Theology* (Occasional Papers 5) (Edinburgh: Oliver & Boyd, 1963), 43, and in; Niebuhr, Reinhold, *The Nature and Destiny of Man* (New York, NY: Scribner, 1991), especially Volume II, 76f.

<sup>163</sup> Moltmann, Jurgen, *God in Creation: An Ecological Doctrine of Creation* (London: SCM, 1985), 221.

<sup>164</sup> See Migliore, Daniel, *Faith Seeking Understanding* (Grand Rapids, MI: Wm. B. Eerdmans 1991), 123.

## 6.7 The Hermeneutical Lens

Whether consciously or not, everyone who reads Scripture for guidance on matters of faith, does so through their own interpretative, or hermeneutic lens. The term was used by the Special Commission in its Report when referring to Revisionist perspectives.<sup>171</sup> However, the identification of 'relational' or 'hermeneutical circles' was an aspect of the famous and influential Faith and Order report on 'Tradition, tradition and traditions'.<sup>172</sup> It emphasised that all interpreters are subject to interpreting through particular hermeneutical or interpretative lenses.

There is nothing new about reading Scripture through the hermeneutic lens of love.<sup>173</sup> On the contrary, it is what Jesus himself did when he agreed with some of his Jewish contemporaries that the whole of the Torah and the teaching of the prophets could be summed up in the two commandments, 'Love God... and your neighbour as yourself'.<sup>174</sup> A similar attitude is implied by his refusal to let legalism stand in the way of compassion,<sup>175</sup> and his relativisation of one of the most important requirements of the Jewish law, when he said: 'The sabbath was made for humankind, and not humankind for the sabbath'.<sup>176</sup> Paul likewise sets love as the criterion for judging the validity of fluent speech, inspired preaching, wise teaching, faith,

charitable giving and even martyrdom, all of which are empty unless grounded in love.<sup>177</sup>

Of the early Church Fathers, it was Augustine of Hippo (354-430) who emphasised most clearly the centrality of love to a true understanding of Scripture. His reflections are particularly apposite to our current situation when he points out the foolishness of arguing over the interpretation of Scripture, when that very conflict shows that we have failed to grasp its central truth:

There are so many meanings to be extracted from these words; so how foolish it is, then, to be in a hurry to assert which of them Moses really meant, and with destructive controversies to offend against the spirit of love, when it was for the sake of love that Moses said all the things we are trying to elucidate.<sup>178</sup>

For him, the goal of exegesis was not right doctrine, but right living, according to the spirit of love. The way to deal with difficult passages was to 'meditate on what we read until an interpretation be found that tends to establish the reign of charity'.<sup>179</sup> If a literal interpretation ran counter to that rule, then a figurative one must be applied:

Whoever, therefore, thinks that he understands the divine scriptures or any part of them so that it does not build the double love of God and of our neighbour does not understand it at all. Whoever finds a lesson there useful to the building of charity, even though he has not said what the author may be shown to have intended in that place, has not been deceived.<sup>180</sup>

Unknown to Augustine, the same conclusion had been reached four centuries earlier by the respected Pharisee,

<sup>171</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/32; 'all readers interpret Scripture and nobody reads Scripture without lenses'.

<sup>172</sup> World Council of Churches, Faith and Order, *Fourth World Conference on Faith and Order – Montreal 1963* (Geneva: WCC, 1963).

<sup>173</sup> See; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/34, quoting Anna Karin Hammar: '[T]he church starts to change its teaching when it realises that that teaching violates "the primacy of love". When expressions of faith no longer reflect justice or mercy, the church needs to renew its study of Scripture and Tradition.' "Staying Together? On Ecumenism,, Homosexuality and Love", *Ecumenical Review* 56 (2004), 448-458.

<sup>174</sup> Matthew 22: 34-40; Mark 12: 28-34; Luke 10: 25-28.

<sup>175</sup> For example, his justification of healing the man with the paralysed hand without waiting until the Sabbath was over (Matthew 12: 9-14; Mark 3: 1-6; Luke 6: 6-11).

<sup>176</sup> Mark 2: 27.

<sup>177</sup> 1 Corinthians 13: 1-3.

<sup>178</sup> St Augustine *Confessions* (Harmondsworth: Penguin, 1962), 12.25.35, 301.

<sup>179</sup> St Augustine *On Christian Doctrine* (New York, NY: Bobbs-Merrill, 1958) XXXV, 30.

<sup>180</sup> St Augustine *On Christian Doctrine* (New York, NY: Bobbs-Merrill, 1958) XXXV, 30.

Rabbi Hillel, Jesus' older contemporary, who preached a version of the Golden Rule and maintained that all *midrash*, or Biblical exegesis, must be guided by the principle of compassion:

It was said that one day a pagan had approached Hillel and promised to convert to Judaism if he could summarize the entire Torah while he stood on one leg. Standing on one leg, Hillel replied, 'What is hateful to yourself, do not to your fellow man. That is the whole of the Torah, and the remainder is but commentary. Go study it.'<sup>181</sup>

In the Gospel Jesus stresses the importance of holding word and action together. He notes that while the Scribes and Pharisees interpret the law, they do not seem to be living it. They disconnect word from being. After noting a number of injunctions from the law, Jesus lays before these authorities the following charges:

[You] have neglected the weightier matters of the law: justice and mercy and faith. It is these you ought to have practised without neglecting the others.<sup>182</sup>

### 6.8 The Gift of Love

While it is the Christian task to love neighbour and stranger and every person given to us by providence, including those with whom we most profoundly disagree, it is God's gift to humans to feel affectionate love particularly for certain people, and – as many people delight to discover – to feel intense, exclusive love for one other person. Such loving relationships take time to grow and develop. But such growth requires patience and discernment. They are subject to the same features of life as other relationships – disappointment and forgiveness, trust and distrust. It is often only in retrospect that it is possible to acknowledge

that each has become a gift to the other, mediating to the other the grace of God.

Where feelings of romantic love are reciprocated, and both parties are free and willing to take the risk of commitment, their love will, if they are fortunate, grow and deepen, finding expression in a whole variety of ways.<sup>183</sup> These range from distracted thought to life-long comfortable routines, from poetic words to extravagant gift-giving, from thirsting for the sight and sound of the other to the excitement and encouragement of touch – and sometimes sexual touch. To divorce these expressions of love from the context of a loving relationship is at best to rob them of their significance and at worst to indulge in the foolish feeding of base appetites.<sup>184</sup> To presume that any one of these types of expression must feature in every relationship of two people in love fails to recognise the infinite variety of human spirits and the possible bonds between them. Not every lover will resort to poetry; and not every loving couple will engage in explicitly sexual activity. Our discussion here does not privilege or presume any single expression of love.<sup>185</sup>

A member of this Church finds herself loving. No matter who she is – young, old, gay, straight, any other adjective you like – she may be stunned by the identity of her beloved, by the strength of her feelings, by the realisation

<sup>181</sup> B Shabbat, 31a, in; Cohen, A. (ed.) *Everyman's Talmud* (London: Dent, 1932). This Jewish approach has recently been reaffirmed by Jonathan Sacks in *To Heal a Fractured World* where he asserts that the primary modes of interpreting the Torah are through the central focus of steadfast love, right relating, justice and peace.

<sup>182</sup> Matthew 23: 23.

<sup>183</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/24, is on similar territory when it says: 'We are aware, of course, of the difficulty of putting into prose something which may best be expressed in experience, in commitment over time, in emotion, in touch, in music, or if in words, in poetry.'

<sup>184</sup> '[I]t (lust) is the antithesis of love in that it seeks sexual experience as an end in itself, rather than as a means to deepening a relationship in the context of personal commitment'. (*Reports to the General Assembly of the Church of Scotland 1994*, (Board of Social Responsibility) 504.

<sup>185</sup> *Reports to the General Assembly of the Church of Scotland 1994*, (Board of Social Responsibility) 505-506, sees sexuality as part of our humanity, expressed in many different ways. *Reports to the General Assembly of the Church of Scotland 2009*, (Working Group on Human Sexuality) 4/81 links sexuality and spirituality.

that this is not something she has chosen to do and feel. That sense of the sheer givenness of that love, of the sheer providence of it, is just the same whether she is young, old, gay, straight, any other adjective you like. It may or may not be possible for a committed relationship to develop from these first powerful stirrings of love, but the Church's mandate, in the name of the one in whom all our human loving has its source, is to take love seriously, every time, and not to make presumptions about the exact shape and content of a particular partnership.

### 6.9 Integrity and Consistency

It is encouraging to find such a widespread understanding in the Church – across the divide of this debate on sexuality – of the genuine existence of the phenomenon of homosexual orientation.<sup>186</sup> Undoubtedly those of a homosexual orientation have experienced marginalization and rejection by both Church and society in the past. There is now a growing awareness that our sexuality is more complex than the simple assigning of categories would suggest. Rather than labelling people as 'gay' or 'straight' or 'bisexual', it is more helpful to think of a broad spectrum of sexuality, on which each person has a place which is relatively firmly established from an early stage in life.<sup>187</sup> Each unique human individual has countless characteristics, and the nature and strength of his or her sexual instinct is as varied as any other feature or gift he or she may display.

The Report of the Special Commission acknowledges more explicitly than ever before that there are already, and always have been gay and lesbian people in the Church, giving valuable service in every role including ordained ministry.<sup>188</sup>

So when 'the Church' prays, reads, reflects, looks, listens and thus uses every God-given tool at its disposal to discern where God is and therefore where we need to be, it is not a case of 'us' (heterosexuals) deciding what to do about 'them' (lesbian, gay, bisexual, transsexual and any other of the labels we insist on using for people made in God's image and called into Christ's service). Rather, it is a case of 'us', members of the one body of Christ, recognising our God-given diversity and learning to value those parts of ourselves that we would rather not think about, whether that be our capacity for same-sex attraction or our tendency to judge and exclude those who are different.

This is not an apologia for a boundless diversity, for diversity spilling into lifestyles the whole Church would abhor, or for diversity without discipline. The Christian disciplines of grace, compassion, integrity and unselfishness demand as much from those in same-sex relationships as from those in straight ones, and Paul's warnings against confusing freedom with licence are as relevant now as ever.<sup>189</sup>

There is a general agreement that there is room within the Church's family for relationships that are exclusive, intimate and fervent, provided there is no occurrence of the kind of genital intercourse that raises the question on which the Church is so hopelessly conflicted.<sup>190</sup> This section of the Report contends that the theological challenge is for the Church to look more and more at that bigger picture, to the relationship that is rightly prior to the many possible expressions of it; for our problem seems

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(Special Commission on Same-Sex Relationships and Ordination) 23/40; 'we wish to acknowledge the value of the service which homosexual Christians have given and give to our Church through their ministry'.

<sup>189</sup> 1 Corinthians 6: 12: 'All things are lawful for me, but not all things are beneficial.' Galatians 5: 13-14: 'You were called to be free, brothers and sisters, only do not use your freedom as an excuse for self-indulgence, but through love become slaves to one another.'

<sup>190</sup> James B. Nelson, "Where are We? Seven Sinful Problems and Seven Virtuous Possibilities", in; Ellison, Marvin, & Douglas, Kelly, *Sexuality and the Sacred*, 95-104, makes this point in the context of Biblical interpretation. While there is no explicit biblical guidance on same-sex genital expression, he notes that the Bible 'pointedly celebrates instances of same-sex emotional intimacy'.

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<sup>186</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/28.

<sup>187</sup> As early as 1948, the Kinsey Report suggested a seven-point scale ranging from exclusively homosexual to exclusively heterosexual. Gudorf, Christine, "The Erosion of Sexual Dimorphism: challenges to religion and religious ethics", in; Ellison, Marvin, & Douglas, Kelly, (ed's), *Sexuality and the Sacred* (Louisville, KY: Westminster/John Knox Press, 2010), 149, notes growing acceptance of the Kinsey spectrum and recognition of sexual orientation as a 'relatively stable' aspect of individual personalities.

<sup>188</sup> *Reports to the General Assembly of the Church of Scotland 2011*,

to lie with only one of those expressions, one that may not characterise every relationship of every pair of lovers. And if every other kind of expression causes us no difficulty, nor the love itself that is so much more significant and reflective of Christ's nature, it does not need to seem a large step to allow that one last form of expression. Perhaps it is a difficult step, if the debate has started with a focus on some particular types of bodily activity, and extrapolated out to the relationships that include them. The dynamic seems different, though, when love and relationship come first, and sexual intimacy is just one consequence that appears rather far down the train of the argument.

For as long as humans have been born of every shape, size and physical attribute, some people have struggled to understand why God made them the way they are. They have been troubled by things we see now as morally neutral, like left-handedness or black skin.<sup>191</sup> They have been troubled by things we see as disadvantages needing particular support, like an addictive personality or a physical impairment or a dysfunctional family background. The Church in its expression of the compassion of Christ has always tried to enable everyone to fulfil whatever potential they have, and especially their ability to love.<sup>192</sup> We should not suppress that potential, not lightly.<sup>193</sup> To impose

celibacy on those who have not chosen it involves loss on a huge scale and on many different levels. We are called as Christians to 'mourn with those who mourn', but would surely forfeit the right to do so if we are the ones who have imposed a loss that many Christians, for Biblical as well as pastoral reasons, consider cruel and unnecessary.<sup>194</sup> It is not a demand that should be made lightly.

The Church is looking now at a trajectory of thought that is seen, in this understanding of the Gospel, as a final step needed to complete the big journey of acceptance and inclusion undertaken by almost the whole of the Church of Scotland during the recent phases of this debate. This section of the Report calls for a consistency of approach to match and perfect and complete the honesty and integrity and unity of so much on which we already agree.

There are two further areas in which consistency is required and may sometimes be lacking.

The first concerns the consistency of treatment, professionally and pastorally, of those who have answered, or come to feel, a vocation to ministry, but whose lives are overshadowed by the current debate. In a comparable way, in the 1960s, the issue of women's ordination was brought to the attention of the General Assembly when Mary Lusk managed to focus the question on the existence of a sense of calling to ministry that was so strong it could not be dismissed by the weight of the Church's existing practice. The Church needs to address the challenge of those who can find no other language than the language of vocation to explain both the same-sex relationship in which they find themselves and their conviction that they are being called to one of the ministries of the Church. The trajectory opened for exploration by the 2011 General Assembly enables the tension of their situation to be resolved.

whether they must suppress their loving potential or seek to channel it towards 'loyal, loving, total body-mind-spirit relationship'.

<sup>194</sup> Romans 12: 15. See; *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/36 on the recognition among traditionalist writers of the extent of what they are asking by advocating celibacy for people of same-sex orientation and the need for sensitive pastoral care.

<sup>191</sup> MacLean, Marjory A, "The Left-Handed Minister" in, MacLean, Marjory A, *Speaking from the Heart: Essays on being the Church of Scotland* (Edinburgh: Shoving Leopard, 2010) 103-110. Chalke, Steve, *A Matter of Integrity: The Church, Sexuality, Inclusion and an Open Conversation* (London: Oasis, 2013): <http://www.oasisuk.org/article.aspx?menuid=31887>, makes a similar point: '[D]oes the 'norm' necessarily infer the 'ideal'? Or is it like the 'norm' of being right-handed, which never implies any failing of those who are born left-handed?'

<sup>192</sup> *Reports to the General Assembly of the Church of Scotland 1994*, (Social Responsibility) 507- 511, discusses sexuality in relation to elderly people and people with learning and physical disabilities. In every case, it stresses the importance of encouraging and facilitating appropriate sexual expression within loving relationships.

<sup>193</sup> *Reports to the General Assembly of the Church of Scotland 1994*, (Panel on Doctrine) 264, discusses the 'givenness' of same-sex orientation, part of the 'God-given createdness which is ours to make the best of.' Theological difference comes in at the point of deciding what this means for people of homosexual or bisexual orientation:

The second area in which consistency could become a problem concerns the requirement, if the Traditionalist approach is followed, that some ministers, but not others, should be required to make a commitment to lifelong celibacy. For those few people called to celibacy, it is an honourable vocation, and one with a long Christian pedigree.<sup>195</sup> And many heterosexual ministers, like others who happen to be single, widowed or divorced, live contentedly celibate lives for shorter or longer periods of time. We need to be counter-cultural in resisting the widely propagated view that an active sex life is essential to personal fulfilment at every stage of a person's life. It is, however, a very different matter to impose celibacy on someone who has not chosen or been called to it.

Both Jesus and Paul commended those who were able to focus on the work of the kingdom unencumbered by family ties, but both also made clear that this was not for everyone. The Reformers departed decisively from the medieval Church with its insistence, theoretically at least, on clerical celibacy, doing so on the basis of their interpretation of 1 Timothy 4:3. Martin Luther was very forceful on this subject,<sup>196</sup> and Calvin no less vehement when he described the prohibition of marriage to priests as a 'pestiferous tradition' which 'has not only deprived the church of fit and honest pastors, but has introduced a fearful sink of iniquity, and plunged many souls into the gulf of despair.'<sup>197</sup> We are not suggesting for a moment that Luther or Calvin could have contemplated their advice being applied to same-sex couples, but heterosexual ministers, whether single or married, might do well to ask how differently they would have felt about their call to ministry, and what their response might have been if accepting their vocation had meant renouncing for ever the possibility of marriage and family life.

## 6.10 The Interpretation of Scripture

One of the many strengths of the research carried out by the Special Commission which reported to the General Assembly in 2011 was the wide range of responses which was offered to each question in the survey sent out to every Presbytery and Kirk Session in the land. And one of the most significant aspects of its findings was the wide variety of opinion – theological and otherwise – on the issues under discussion. People are not simply 'for' or 'against' the recognition of same-sex relationships; they do not either 'accept' or 'reject' the authority of Scripture. Some do have very strong and clear opinions, and those, inevitably, are the voices which tend to be the loudest and most strident, but it is important to recognise the subtlety and complexity of the process of discernment taking place in the centre ground, for example among those people who were drawn to the motion which very nearly carried in 2011, not to tie the present Theological Commission into either of the two proposed trajectories,<sup>198</sup> and those who abstained from the eventual vote.<sup>199</sup>

Nowhere is this subtlety and complexity more evident than in the crucial area of the interpretation of Scripture. As Reformed Christians, as members, Elders, Deacons and ministers of Word and Sacrament of the Church of Scotland, we take as our starting point the recognition of 'the word of God contained in the Scriptures of the Old and New Testament' as our 'supreme rule of life and faith', but within that deliberately ambiguous formulation there is room for many different approaches to discerning the will of God,<sup>200</sup> using the many different resources which an

<sup>198</sup> The Very Rev. Dr. Finlay McDonald's proposed amendment to Section 7 was defeated by 393 votes to 347.

<sup>199</sup> 294 Commissioners voted for Section 7a and 351 for Section 7b; this leaves 99 unaccounted for. Most, but not all, of these Commissioners would have been present for the debate and chose to abstain.

<sup>200</sup> This is part of the carefully chosen wording of the *Articles Declaratory*. The phrase 'contained in' leaves space for that 'liberty of opinion' which is to be allowed on those matters which are not 'of the substance of the faith', another phrase left deliberately undefined. See; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/36.

<sup>195</sup> For a discussion of this, see *Reports to the General Assembly of the Church of Scotland 2009*, (Working Group on Human Sexuality) 4/82.

<sup>196</sup> See, for example, Martin Luther, "The Estate of Marriage" (1522) in *Luther's Works* (Volume 45) Philadelphia, PA: Fortress Press, 1962), 38-46.

<sup>197</sup> John Calvin, *Institutes of the Christian Religion*, 4.12.23: "Of the Celibacy of Priests".

infinitely imaginative Creator has provided;<sup>201</sup> the written words of Scripture; the inner conviction of the Holy Spirit; human reason and experience; Church tradition, to name but a few.<sup>202</sup>

There are those who instinctively recoil from the idea of same-sex partnerships, but do not take a literalist or even a particularly 'high' view of Scripture. They are less likely to be influenced by Biblical exegesis than by meeting gay and lesbian couples, hearing their stories and discovering how 'ordinary' their lives are.<sup>203</sup> There are other faithful Christians whose every instinct is to be open and affirming, but who feel they cannot condone same-sex partnerships without going against the teaching of Scripture. They need to be assured that no one side in the debate has a monopoly on the word 'Biblical'; any more than one faction can claim sole right to be described as 'inclusive'. Widely differing, and sometimes irreconcilable views are held by people who have all read and studied the Biblical material, and who, in good faith, understand its message differently.

The Theological Commission has no mandate, nor any desire, to recall, or replace, the Reports the General Assembly

have received in recent years on the interpretation of Scripture.<sup>204</sup> The present debate is conducted, therefore, by people whose approaches to the Bible, while different, seek to discern the Word of God in text and context. Neither this Commission, nor indeed the Church as a whole, applies one box of interpretative tools to one agreed list of relevant passages in the hope of resolving this long debate into one set of authoritative answers.

The variables affecting people's reading of the Bible on this and any other issue are many, and just a few might be:

- (a) How many passages – and which ones – are believed to express the word God has to speak on a particular subject;
- (b) whether the reader expects any passage to bear a 'plain meaning', or always to be liable to interpretative debate;
- (c) what facts, beliefs and deductions (hermeneutical tools) the reader brings to a text in deciding what it signifies;
- (d) whether the reader believes it is legitimate to disregard a text as irrelevant to the current debate – and that may happen on the grounds of a deep, earnest, principled belief that the writer was mistaken, or writing only for his own age, or working with an incomplete understanding of the sciences modern people use to make convincing interpretations;
- (e) whether the identity and situation of the readers and hearers of a passage is regarded as affecting its authority from one age to another.

In our Church some people believe that there is only one correct interpretation of a particular passage; and it is the one they themselves believe. Other people believe

<sup>201</sup> The same point is made in the report, *Believing in Marriage*: 'While no theology can proceed without critical exegesis of texts and passages, theology also goes beyond exegesis, finding truth across Scripture as a whole, while also aware of the contributions to our thought made by reason, experience and tradition.' *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5.25.

<sup>202</sup> *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/10, recognises difference of opinion on 'the extent to which Scripture is one element among any when it comes to making up one's theological conviction and response to any issue'. It also warns Revisionist and Traditionalist Christians alike against assuming 'that those with whom they disagree theologically are neglecting a resource precious to themselves'.

<sup>203</sup> John, Jeffrey, *Permanent, Faithful, Stable*, 54: 'Knowing an ordinary gay couple is the best antidote to prejudice... As one 'out' priest put it, "Once it dawned on the parish that having a partner didn't mean orgies at the vicarage but having arguments about who goes to Tesco's and who walks the dog, they stopped minding. They realized that we were the same as them.'"

<sup>204</sup> *Reports to the General Assembly of the Church of Scotland 1973*, (Panel on Doctrine) 220-235; *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/1-11/40; *Reports to the General Assembly of the Church of Scotland 1994*, (Panel on Doctrine) 257-285; *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) sections 4.11-4.14; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) sections 8.7-8.16.

that there is more than one possible interpretation of the passage; and the one they themselves believe is one of those possibilities. Both attitudes are reflected on both sides of the homosexuality debate.

So, for example, among those who, like the authors of this section of the Report, believe that God is calling the Church in this generation to acceptance and affirmation of stable, committed, faithful same-sex partnerships, there are different reasons for believing that this stance is consistent with, or indeed demanded by the witness of Scripture.

Some would say that the passages most often quoted are not relevant to discussion of stable relationships between people of same sex orientation, because such concepts were unknown to the biblical authors.<sup>205</sup> Others have no hesitation in accepting that those passages which deal specifically with homosexual behaviour condemn it unequivocally,<sup>206</sup> but would argue that there is a broader, and more important, trajectory in Scripture as a whole towards inclusion and welcome.<sup>207</sup> An example often cited is the Council of Jerusalem, recorded in Acts 15, where a long and bitter dispute was concluded with the acceptance of Gentiles into the Church. As we have noted, the public ministry of Jesus was itself characterised by the

affirmation of those on the margins of society, an attitude which often resulted in condemnation by the respectable religious people of his day. Indeed he affirmed, in his answer to the duplicitous lawyer (Luke 10: 25-42) that a true understanding of the law and the prophets must be undertaken through the prism of love.

A third argument, consistent with either, but not both of the previous two, is that the written words of Scripture must be weighed against the many other ways in which God communicates with us and leads us into truth: human reason and experience; the inner conviction of the Spirit; and the living presence of Christ in the Church itself. God, who has been reaching out to make contact with human beings since the dawn of creation, did not suddenly stop having anything new to say in the late 4th Century, when the canon of the Christian Bible was fixed.<sup>208</sup> For those who hold this view, any future communication can be expected to be consistent with the essential nature of God revealed in Scripture, and supremely in Christ; but, on past form, the Church can also expect to discover that her understanding has been partial and distorted, that imbalances need to be corrected, and that some of what has been thought to be the Word of God has, in fact, been very human words based on prejudice and fear.

When the Panel on Doctrine reported in 1998, it offered some twelve guidelines for interpreting Scripture. These identified a variety of approaches to the text, which have been adopted widely by scholars and churches as they have sought to discern the Word of God.<sup>209</sup> The Report further invites the interpreter to be conscious of the presuppositions and questions he or she brings to the

<sup>205</sup> *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/20-4/29 & 23/26-23/27.

<sup>206</sup> This was the view taken by members of the Special Commission. See; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/30, most particularly with regard to the New Testament passages (23/33). Members of the Working Group on Human Sexuality also record their 'weariness' with those who 'tortuously attempt to repudiate the (scriptural) writer's clear intention to condemn behaviour as bad'. *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/27.

<sup>207</sup> Section 3 of Affirmation Scotland's statement of Theological Conviction ([www.affirmationscotland.org.uk](http://www.affirmationscotland.org.uk): "What we believe") expands on this, speaking of Jesus' 'courageous hospitality'. In its resolution in favour of marriage equality, the United Church of Christ states that 'the message of the Gospel is the lens through which the whole of Scripture is to be interpreted', and says this is a message that 'always tends towards inclusion'. (Quoted in; Ellison, Marvin, & Douglas, Kelly, *Sexuality and the Sacred*, 402).

<sup>208</sup> Johnson, William Stacy, *A Time to Embrace* (Grand Rapids, MI: Wm. B. Eerdmans, 2006), 151, states that Scripture is not merely to be read backwards: 'if it is to be a living word for today, we must read it forwards through our own history... If the meaning of Scripture is limited to what ancient minds could have imagined, there is no such thing as a Word of God that is living and active (Heb. 4: 12)'.

<sup>209</sup> See the various reports in Flesseman van Leer, Ellen, (ed.), *The Bible: Its Authority and Interpretation in the Ecumenical Movement* (Geneva: WCC, 1998).

text, so that the text may speak out to the contemporary situation rather than the contemporary situation determining the meaning of the text. The interpreter is then invited to distinguish between that which is descriptive and that which is prescriptive:

Not all biblical stories describe practices that are intended to be normative for the Church today (for example, ritual sacrifice). Bring a text's intended meaning to bear on your situation today by distinguishing between the principle and the specific cultural application.<sup>210</sup>

### 6.11 Reflections on specific passages of Scripture

There are, at most eight passages in the Christian canon of Scripture which may refer explicitly to homosexual practice.<sup>211</sup> As we seek to view again – to review – these passages we do so by employing the guidelines approved by General Assembly. We shall explore those passages which have become key to the contemporary discussion of persons in same sex relationships.

The first passage, concerning the story of Lot and the destruction of Sodom,<sup>212</sup> and the lesser known but somewhat similar account of the unnamed householder in Gibeah, who gave hospitality to a travelling Levite and his concubine, contain so many anomalies that it is hard to see how they can be considered relevant to the current debate.<sup>213</sup> It is by no means clear that the 'sin of Sodom,' which made it a byword for depravity in future generations was primarily to do with homosexual practice.<sup>214</sup> Ezekiel's use of Sodom to condemn the even greater wickedness of Jerusalem demonstrates that alternative explanations were already in circulation before the canon of the Hebrew Bible was closed:

As I live, says the Lord God, your sister Sodom and her daughters have not done as you and your daughters have done. This was the guilt of your sister Sodom: she and her daughters had pride, excess of food and prosperous ease, but did not aid the poor and needy. They were haughty, and did abominable things before me; therefore I removed them when I saw it.<sup>215</sup>

Some commentators have suggested that the offence which so outraged Lot (and his anonymous Gibeon counterpart) was the demand that he should betray his guests by handing them over to the mob – a breach of the sacred duty of hospitality.<sup>216</sup> As Gareth Moore notes, the story of Lot immediately follows that of the visit of the angels or messengers to Abraham and Sarah:

Just as Abraham is rewarded for his hospitality by the promise of posterity, so, we are led to understand, the cities of the plains are completely destroyed, without hope of posterity, because of their flagrant inhospitality.<sup>217</sup>

It could be argued that this was what Jesus had in mind, when he referred to the people of Sodom and Gomorrah in the context of God's punishment of those who do not welcome the Twelve on their mission.<sup>218</sup> This would explain Lot's willingness to hand over his virgin daughters in the place of his guests, although his behaviour does not reflect well upon him by modern standards of morality, and sits uneasily with the story-teller's judgement that he was, and remained a 'righteous man'.<sup>219</sup>

<sup>210</sup> *Reports to the General Assembly of the Church of Scotland 1998*, (Panel on Doctrine) 11/32.

<sup>211</sup> The exact number depends on the translation and interpretation of certain key words, as discussed below.

<sup>212</sup> Genesis 18:16-19:29.

<sup>213</sup> Judges 19.

<sup>214</sup> Deuteronomy 29: 23; Ezekiel 16: 44-58; Matthew 10: 15; Matthew 11: 23-24; Luke 10: 12; Romans 9: 29; 2 Peter 2: 6-10; Jude 7; Revelation 11: 8.

<sup>215</sup> Ezekiel 16: 48-50.

<sup>216</sup> John, Jeffrey, *Permanent, Faithful, Stable*, 10-11. See also; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/33; *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/27; and; Moore, Gareth A *Question of Truth: Christianity and Homosexuality* (London: Continuum, 2003), 70.

<sup>217</sup> Moore, Gareth, *A Question of Truth*, 70.

<sup>218</sup> Matthew 10:15; Luke 10:12

<sup>219</sup> The explanation does not fit quite so well with the story in Judges 19, where the visiting concubine is offered to the mob along with the

Even if, as seems likely, sexual immorality in all its many forms was part of the general lawlessness and depravity which caused God, in the story, to decide on Sodom's destruction, there is much in the tale to point to its mythic quality.<sup>220</sup> It was common in ancient societies (and more understandable then than when the same thing happens now) for natural disasters to be explained as punishment by an angry deity. Likewise, it is characteristic of such tales for the villains to be portrayed as utterly depraved and the heroes entirely blameless. The presence of angelic beings, Abraham's repeated bargaining with God, and the transformation of Lot's wife into a pillar of salt, are all standard elements of ancient folk tale. To identify a literary genre does not, of course, detract from the moral usefulness of the story, but it should caution against any over-literal interpretation.<sup>221</sup>

The most disturbing aspect of both stories concerns not historicity or theology, but the underlying morality, which allows young women to be offered to a violent mob intent on rape, with no hint of condemnation on the story-teller's part. This alone, quite apart from other considerations, makes it impossible to read these ancient tales as a guide to modern sexual morality.

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host's virgin daughter. This may suggest a shared literary motif, or; say something about the inferior status of women to men in ancient society.

<sup>220</sup> Two of the New Testament references cite Sodom's immorality as the reason for its destruction, but neither singles out homosexual practice for special condemnation. '[I]f he rescued Lot, a righteous man greatly distressed by the licentiousness of the lawless... then the Lord knows how to rescue the godly from trial, and to keep the unrighteous under punishment until the day of judgement – especially those who indulge their flesh in depraved lust, and who despise authority'. (2 Peter 2: 7-10) 'Likewise, Sodom and Gomorrah and the surrounding cities, which... indulged in sexual immorality and pursued unnatural lust.' (Jude 7)

<sup>221</sup> John, Jeffrey, *Permanent, Faithful, Stable*, 11, quotes the statement made by the Church of England's House of Bishops *Issues in Human Sexuality* (London: Church House Publishing, 1991): '[I]n such texts as this the situation is far too remote from our own in human terms for any ethical transfer to be made.'

The remaining six passages – two from the Old Testament and four from the New Testament – are more straightforward, and cannot easily be dismissed by those who maintain that faithful, committed, loving same-sex relationships are consistent with the teaching of Scripture. Leviticus 18: 22 states that no man is to 'lie with a male as with a woman', because 'it is an abomination'. Leviticus 20: 13 prescribes the death penalty for any who have committed such an abomination. Romans 1: 24-27 cites female and male homosexual activity not as a cause of God's anger, but as a consequence of his 'giving them over to shameful passions' because of their failure to honour him. 1 Corinthians 6: 9 includes 'sexual perverts' in a long list of wrongdoers who will not be part of God's Kingdom.<sup>222</sup> 1 Timothy 1: 10 states that the Law is good when used, as intended, against a similarly long and varied list of offenders, including 'sexual perverts'. And finally, Jude 7 makes reference to the story of Sodom and Gomorrah, identifying the people's offence as 'sexual immorality' and 'unnatural lust'.

There are different ways in which the problem posed by these texts can be addressed, and it is not the purpose of this paper to choose one over against another; only to demonstrate that people of equal intellect, faith and personal integrity may – and do – read the same passages of Scripture and come to different conclusions on their meaning as well as their applicability to the current debate.<sup>223</sup>

The first factor which needs to be taken into account is the original Scriptural context of the passage being examined. This was understood from the earliest days of the Reformation, as Martin Luther advised:

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<sup>222</sup> So Revised Standard Version. New Revised Standard Version has 'sodomites'. See later discussion of the Greek term '*arsenokoites*'.

<sup>223</sup> The General Assembly of 1998 affirmed that there are a 'variety of valid ways of interpreting Scripture, always under the guidance of the Holy Spirit'. See; *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/21.

One must deal openly with the scriptures. From the very beginning the word has come to us in different ways. It is not enough simply to look and see whether this is God's word, whether God's word has said it; rather we must look and see to whom it has been spoken, whether it fits us. That makes all the difference between night and day.<sup>224</sup>

The texts from Leviticus are part of the "Holiness Code" which was concerned to reinforce everything that set Israel apart as holy to the Lord, and differentiated her people from those of the Gentile nations round about.<sup>225</sup> Male homosexual intercourse was one of many forbidden sexual practices associated with the people of Egypt and Canaan, and with pagan temple worship in particular. It is included as part of a long list of sexual and other practices, ranging from bestiality, and sex during a woman's menstrual period, to consulting mediums, eating meat with blood in it, cutting one's skin as a mark of mourning and wearing clothes of mixed fabric, which make a person ritually unclean.<sup>226</sup> No-one, it can be argued, suggests that Christians are required to observe all these prohibitions, or that the death penalty should be applied where the holiness code demands it. Jesus himself had no qualms about making himself ritually unclean when compassion moved him to touch people with leprosy or a woman with vaginal bleeding. It could be regarded as arbitrary and inconsistent to select some, but not all of the Levitical prohibitions as universally applicable.

The key issue with regard to 1 Corinthians 6: 9 and 1 Timothy 1: 10 is how to translate the two Greek words, *arsenokoites*, which appears in both passages, and *malakos*, which is

used only in 1 Corinthians. *Arsenokoites* is particularly difficult to interpret, as the word is unknown elsewhere. The component parts '*arsen*' and '*koites*', mean 'male' and 'bed' respectively, which is why it has been assumed to refer to sexual intercourse between men. Some of the English translations – for example, 'sodomites' (NRSV) – fail to reflect the ambiguity of the term.<sup>227</sup> One suggestion is that the condemnation applies to the Roman practice of an older man keeping a younger boy for sexual purposes; another is that it refers to men who exploit other people by means of sex.<sup>228</sup> The word '*malakos*' means 'soft', and is used elsewhere to denote effeminacy. It is usually taken in the New Testament context to refer to the passive partner in a male homosexual relationship, but again other suggestions have been made: that it refers to young male prostitutes or even simply those who enjoy decadent living.<sup>229</sup> Whatever the validity of these alternative translations, the nature of the other terms in these two lists of offenders, those who have no place in God's kingdom, must be taken into account. Can we honestly put loving, faithful, committed same-sex partners, one or both of whom may have responded to a call to Christian ministry, in the same category as 'idolaters, adulterers, thieves, drunkards, murderers, slave traders and perjurers'?

Jude 7 refers back to the story of Sodom and Gomorrah, and is the only place outside Genesis where the sins of these towns are specifically identified as sexual in nature. They are accused of 'sexual immorality' or fornication

<sup>224</sup> Martin Luther, "How Christians should regard Moses" in; Lull, Timothy (ed), *Martin Luther's Basic Theological Writings* (Philadelphia, PA: Fortress Press, 1989), 145.

<sup>225</sup> From Leviticus 19:2: 'You shall be holy, for I, the Lord your God, am holy.'

<sup>226</sup> Rogers, Jack, *Jesus, the Bible and Homosexuality: Explode the Myths; Heal the Church* (Louisville, KY: Westminster/John Knox Press, 2009), 69, points out that the Hebrew word, *toevah*, translated as 'abomination' refers here to something that makes a person ritually unclean.

<sup>227</sup> This is an extremely rare word. According to Paul Germond, "Heterosexism, Homosexuality and the Bible", in; Germond, Paul, & de Gruchy, Steve (eds), *Aliens in the Household of God*, 224, the few occurrences outside the New Testament do not expressly convey such a meaning; in Classical and Patristic discussions of homosexuality, the word never appears; the homosexual interpretation of the word seems to date from the 13th century.

<sup>228</sup> See; Paula Gooder, "Sexuality in the New Testament", in; Groves, Philip (ed.), *The Anglican Communion and Homosexuality: a resource to enable listening and dialogue* (London, SPCK, 2008), 143. See also; Rogers, Jack, *Jesus, the Bible and Homosexuality*, 70.

<sup>229</sup> Paula Gooder, "Sexuality in the New Testament", in; Groves, Philip (ed.), *The Anglican Communion and Homosexuality: a resource to enable listening and dialogue*, 143.

(*ekporneusasai*) and 'perversion' or 'unnatural lust', literally 'going after other flesh'. What makes this complicated is the presence of angels, both in Jude and in the original story. Jude's real concern is with the false teachers who have infiltrated the Church community, but he emphasises God's condemnation of them by citing those angels who did not keep to their own place in heaven, and the men of Sodom who expressed 'unnatural lust' for Lot's male, angelic visitors.<sup>230</sup> What is not entirely clear is whether their lust was 'unnatural' because the visitors were male, or because they were angels, or both.<sup>231</sup>

It is generally agreed that Romans 1: 26-27 is the clearest and most significant of the Biblical references to homosexual practice.<sup>232</sup> It is certainly the only place where any sort of theological argument is given, though the primary object of Paul's condemnation is Gentile idolatry and not homosexual behaviour, which is just one example of the depths to which men and women can sink when they have rejected God, and God has abandoned them to their own basest instincts. It is not the 'unnatural' sexual activities themselves which cause God's anger; rather they, along with all the other examples of wickedness and disordered passion, are evidence of God's wrath already at work in the world. Nevertheless, most commentators agree that these verses do refer to homosexual – including lesbian – activity, which is seen as contrary to God's will for human beings. Other suggestions have been made by serious scholars: namely, that what Paul is condemning here is not homosexual behaviour *per se*, but the kind of practice that went on in Gentile temple worship; or anal intercourse between women and men, or women taking the active role in sex and thus transgressing gender role boundaries.<sup>233</sup> These remain minority views.

<sup>230</sup> Presumably the heavenly beings in Genesis 6, who had sex with human women and produced giant offspring.

<sup>231</sup> Paula Gooder, "Sexuality in the New Testament", in; Groves, Philip (ed.), *The Anglican Communion and Homosexuality: a resource to enable listening and dialogue*, 148, and; Rogers, Jack, *Jesus the Bible and Homosexuality*, 72.

<sup>232</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/33.

<sup>233</sup> Paula Gooder, "Sexuality in the New Testament", in; Groves, Philip

Despite all these various considerations – some more widely accepted, some more controversial than others – the majority view among scholars is that most, if not all, of the Biblical texts which mention homosexual practice are against it.<sup>234</sup> However, that is not the end of the discussion, because the context of 21st Century knowledge and understanding must also be brought to bear.

It has persuasively been argued that the Biblical authors had no concept of innate homosexual orientation, something which is now accepted by most people across the spectrum of opinion in the current Church of Scotland debate.<sup>235</sup> The Report of the Special Commission raises the pertinent question:

What would Paul, with his understanding of the redemptive work of God, have thought if he had the knowledge of science which is now available to the Church and if he had encountered and heard the voice of homosexual Christians?<sup>236</sup>

This question is of particular relevance to the key passage in Romans 1: 18ff. The primary sin here is idolatry, but just as Gentiles have wilfully ignored God's self-revelation in nature and chosen to worship idols, Paul argues, so

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(ed.), *The Anglican Communion and Homosexuality: a resource to enable listening and dialogue*, 145, and; Rogers, Jack, *Jesus, the Bible and Homosexuality*, 75.

<sup>234</sup> This is emphasised by Paula Gooder, "Sexuality in the New Testament", in; Groves, Philip (ed.), *The Anglican Communion and Homosexuality: a resource to enable listening and dialogue*, 150. It is also accepted in both; *Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality), and; *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination).

<sup>235</sup> The 2007 report (*Reports to the General Assembly of the Church of Scotland 2007*, (Working Group on Human Sexuality) 4/15-4/16, section 4.7.2/4.7.7) is less definite on this than the 2011 report (*Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/28, which states: 'We were united in the view that a homosexual orientation was not a matter of sin and was not a bar to ordination.'

<sup>236</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/33.

women and men have wilfully chosen to go against nature by indulging in homosexual activity. His argument loses much of its force if same-sex attraction is, in fact, 'natural', whether to the individual as part of fallen humanity or as part of the God-given diversity of creation. And again, it has to be asked whether faithful, committed, same-sex Christian couples can legitimately be compared to the people whom Paul describes as:

[F]illed with every kind of wickedness, evil, covetousness, malice. Full of envy, murder, strife, deceit, craftiness, they are gossips, slanderers, God-haters, insolent, haughty, boastful, inventors of evil, rebellious towards parents, foolish, faithless, heartless, ruthless.<sup>237</sup>

That was certainly not the impression given by those people who were brave enough to meet with members of the Special Commission, and tell their stories in a way that moved their hearers and caused them, whatever their theological differences, to come to a unanimous view 'on the importance of the Church's duty to welcome and provide pastoral care to homosexual Christians and seekers after God.<sup>238</sup> Had Paul been witness to such testimony, it is at least arguable that his response might have been similar to the Jewish Christians' astonished realisation that God's Spirit – not for the first time – was unmistakably at work in the unlikeliest of people and places.<sup>239</sup>

<sup>237</sup> Romans 1: 29-31. Steve Chalke, *A Matter of Integrity: The Church, Sexuality, Inclusion and an Open Conversation*: <http://www.oasisuk.org/article.aspx?menuId=31887>, makes precisely the same point: 'Even the most superficial reading of this list of characteristics demonstrates that they just do not describe homosexual Christians nor, for that matter, the vast majority of other gay and lesbian people seeking to live within a faithful, monogamous, life-long intentioned relationship. Thus, their situation simply cannot be what Paul had in mind.'

<sup>238</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and Ordination) 23/20.

<sup>239</sup> Acts 10: 44-48: 'The circumcised believers who had come with Peter were astounded that the gift of the Holy Spirit had been poured out even on the Gentiles... Then Peter said, "Can anyone withhold the water for baptising these people who have received the Holy Spirit just as we have?"'

## 6.12 The Threefold Nature of the Word

The mention of Gentile Christians, and the radical move within the early Church towards unconditional acceptance of Gentile believers, leads on to another factor that needs to be taken into account when considering what the Word of God has to say about homosexual practice. The Panel on Doctrine in 1993 outlined the threefold nature of the Word of God in Reformation Doctrine:

The Word of God is always one and the same. But it has different forms... the Word made flesh, the written Word, and the proclaimed Word.<sup>240</sup>

Jesus Christ, the incarnate Word of God, is encountered through Scripture, but also in the Church, through preaching, and through the continued guidance and direction of the Holy Spirit whom he promised would continue teaching his followers after his death and help them to make sense of what was currently too difficult for them to understand and too much for them to bear.<sup>241</sup>

It is possible to look at these three manifestations of God's Word, and see a trajectory towards ever-widening inclusion and acceptance.<sup>242</sup> God's interest in, and concern for the Gentile nations is evident already in the Old Testament, it is a recurrent strain in the Gospels and by the time of the events recorded in the Book of Acts it has become an unstoppable flood. Jesus of Nazareth, sometimes against his first instinctive response,<sup>243</sup> but much more often in full knowledge of what he was doing and how others would react, kept pushing

<sup>240</sup> *Reports to the General Assembly of the Church of Scotland 1973*, (Panel on Doctrine), 220-235; "Reformation Doctrine of the Word of God".

<sup>241</sup> John 14: 25-26; 15: 26; 16: 12-13.

<sup>242</sup> See; Johnston, William Stacy, *A Time to Embrace*, 73: 'Advocates of gay legitimization see the drama of creation, reconciliation and redemption as a story of ever-widening grace. Given that God has reached out to all of us in grace, by what authority do we withhold that grace and acceptance for others?'

<sup>243</sup> Matthew 15: 26 & Mark 7:28; when Jesus quotes a proverb about not giving children's food to the dogs in order to rebuff a Canaanite woman, then changes his mind when he sees the extent of her faith.

back boundaries and reversing even his closest friends' assumptions about who was, and was not welcome in his kingdom. And the work of the Spirit in the Church has been, slowly – sometimes extremely slowly – but surely, to break down barriers that should never have been allowed to exist within the community of faith. It has often only been with hindsight that Christians have realised how wrong they were to read their own prejudices into the words of Scripture, however sincerely it was done at the time.<sup>244</sup> Slavery, apartheid and the exclusion of women from ministry have all been justified in different times and cultures with the same fervour and with very similar sorts of argument as those used now to prevent people in same-sex relationships from taking a full and equal place in the ministry of the Church of Scotland.

In terms of the Church's formal understanding of the Doctrine of Scripture, as articulated in its most recent Reports, many positions on the painful issue of same-sex relationships and ordination must be legitimate ones to hold within our Church's sphere of debate upon it.

In years to come, with the benefit of hindsight, it may be obvious to everyone what God was saying loudly and clearly to twenty-first century Christians whose spiritual ears were not tuned in to hear. And we share Paul's hope in a different sort of reality where all will be made clear; where we shall know fully even as we are fully known. For now, however, the glass is misty and contradictions remain. Our task is to continue tackling these difficult issues with all the integrity and humility we can muster, in full communion and co-operation with those whose conclusions may differ from our own but whose integrity is not in question and whose voice may even turn out to be God's Word for us.

Frustrating as it is to see endless committees going over the same ground year after year without coming to a firm conclusion, and essential as it will be very soon to reach

a decision, not least for the sake of those whose personal integrity, family life, vocation and livelihood are at stake, there may yet be wisdom for us in Gamaliel's advice (Acts 5: 39) to 'wait and see', trusting that if this new thing is of God it will last, and if not it will cease to be an issue. And in the meantime, everyone participating in this debate and contributing to the Church's future decisions can rejoice in belonging as surely within the Body of Christ as the friend who deeply disagrees with them.

### 6.13 Conclusion

The Church has an opportunity, and we believe a responsibility, to speak a united word of affirmation to gay and lesbian ministers, an affirmation that includes the most important aspects of their living and their loving. One expression of love – dominant in some relationships, incidental in others and absent in still others – remains in contention between sincere protagonists in the debate. The Church has been well served by ministers, elders and deacons who are gay or lesbian. In response to the call of God which has been addressed to them, and affirmed by the Church and by congregations through normal processes of discernment, they have served Church and community with just the same enthusiasm and passion for the Gospel as have other people exercising these ministries and offices. Their wisdom and experience has benefited the Church, and should continue to do so. For those who are in a committed, faithful same sex relationship, sharing a mutuality of giving and receiving, we would argue that such relationships should be recognised when a civil partnership has been entered.

Not everyone will agree with this stance, of course, but we wish to hold two principles in tension: it should be affirmed to those on one side of the discussion that the body of our Church's doctrine has room for their beliefs; while those on the other side must be assured of the protection of their liberty of opinion. That will bring us back where we started, to the godly relationships expected of us all, and the love that thinks always of the other's good.

<sup>244</sup> Rogers, Jack, *Jesus, the Bible and Homosexuality*, 17-34, makes much of this line of argument, in his second section, entitled 'A pattern of misusing the Bible to justify oppression'.

In an ideal, or at least a different, world from this one, the Theological Commission might have been able to present a unified report offering the Church of Scotland clear answers to the urgent theological, practical and pastoral questions which we were charged with addressing in the areas of same-sex relationships, civil partnerships and marriage, ordination and ministry, and the deeper, underlying issues of Scriptural authority, Biblical interpretation and the implications of being part of 'One Holy Catholic and Apostolic Church'. However, in that ideal, or different, world, there would have been no need for a Theological Commission to be appointed in the first place: had the questions even been raised, the answers would be clear and uncontentious.

In this world, which God created and has never stopped loving, matters are more complex. Human beings made in God's image are not just male or female, gay or straight. Some would describe themselves as bisexual; others would contend that we are all placed somewhere on a continuum between exclusively heterosexual and exclusively homosexual orientation.

Within the Church of Scotland, and within the 'One Holy Catholic and Apostolic Church' of which we are a part, it is simply not the case that those who accept the authority of Scripture are unanimously opposed to loving, faithful, same-sex sexual relationships, while those who wish to affirm such relationships do so in defiance of clear Biblical teaching. The detailed Biblical and theological arguments which underpin all sections of this Report demonstrate, if nothing else, that well-informed, committed Christian people, of equal intelligence and integrity, approaching the same texts with the same desire to discern God's will through the guidance of God's Spirit, may come to conclusions which are diametrically opposed to one another.

What the Report may not reflect so clearly is the wide range of opinion, conviction and uncertainty between the two positions characterised as "Traditionalist and "Revisionist". There are 'evangelical' Christians, with a very 'traditional' approach to Biblical authority, who regard the affirmation

of permanent, monogamous homosexual relationships as part of the Biblical imperative to love one another as we are loved by God. Equally, there are Christians of a broadly 'liberal' persuasion, who are opposed to, or uncomfortable with, same-sex relationships for personal and sociological reasons. There are many who are uncertain, torn between 'head' and 'heart'; others who, while holding to one view or the other, regard other issues, such as the alleviation of poverty, or the struggle for justice, as infinitely more important. And there are more still, on all sides of this contentious issue, who grieve for the hurt caused to persons made in the image of God, and for the harm done to the Church's witness in the world, by the protracted, and at times bitter, debate within the Church on issues of human sexuality.

The Theological Commission has been unable to come to a united conclusion on this matter. It would have been unrealistic to expect otherwise. The question then becomes one of how far it is possible to live with a profound difference of opinion on issues of human sexuality, when that difference has exposed a deep-seated division within the 'One Holy Catholic and Apostolic Church'. Those who have argued the Traditionalist case want the Church to accept that their reading of Scripture is the only admissible one, and insist that issues of human sexuality are to be determined by appeal to Biblical exegesis alone. Those who have put forward the Revisionist case, while equally convinced of the validity of their argument, and its Scriptural foundation, wish to allow for the profound complexity of the experience of each person made in the image of God and to affirm that in that very complexity the image is revealed more fully.

In other words, while the supporters of the Traditionalist viewpoint wish the whole Church to be required to adopt their position, and while there is a logic to that stance, those of us who share the Revisionist approach have fashioned the alternative as one that owes more to the principles of liberty of opinion and diversity of view than to a demand for universal acceptance of our arguments or our conclusions. Our hope is that our proposed practical

solution commends itself to people who take different views on the controversial issue that was before us.

Clumsy as the title may be, the 'Revisionists' have no qualms about being so designated: to 're-vision' the unchanging truths and valued traditions of the Christian faith is, we believe, an essential part of the Church's calling in every generation. As Reformed Christians within the 'One Holy Catholic and Apostolic Church', we affirm the fundamental role of the Scriptures of Old and New Testament in revealing the nature of God, recording the spiritual journey of God's people, and mediating to us by the Spirit the presence of the risen Lord Jesus Christ, the Word incarnate. However, we also recognise the importance of reading the Scriptures in context: specific passages in the context of the Biblical story as a whole; each passage in its literary and historical context; and all of it in the context of contemporary knowledge and understanding and the present leading of God's Spirit.

It is our contention that everyone who reads the Scriptures of the Old and New Testaments does so through some hermeneutical lens, or indeed a complex set of lenses, and that this is dangerous only if unacknowledged. Our chosen lens, with good historical and Scriptural precedent, is the lens of love, understood not in some weak, sentimental way, but as part of the essential nature of God, the Divine Trinity. Human beings, we believe, were created, in God's own image, in such a way that we become most fully ourselves in loving relationship with God and with each other. Our reading of Scripture, taken as a whole, leads us to affirm the primacy of relationships, both within the Godhead, and in our moral evaluation of human behaviour. In the area of sexuality, relational qualities of mutuality, trust, respect, faithfulness, commitment and forgiveness matter far more than whether or not genital activity has taken place.

We are in full agreement with our Traditionalist colleagues that God's love is inseparable from God's justice, but whereas they see justice in terms of divine condemnation of sinful behaviour, we focus on God's bias to the poor,

the inclusion of the marginalised, the overturning of structures of oppression and the special judgement reserved for those who are so busy worrying about the speck in their sister or brother's eye that they fail to notice the plank in their own. There is also an important issue of justice with regard to the imposition of celibacy on some, but not upon all, of those called to ministry in the Church.

God speaks to us powerfully in the ancient texts of the Scriptures of the Old and New Testaments, but God's Word is not confined to the pages of Scripture, however sacred. In its three dimensions – incarnate, written and proclaimed – the Word of God seems to us to have been leading God's people over the centuries on a journey through ever-increasing circles of inclusion and acceptance. The trajectory chosen by the General Assembly of 2011 for the Church of Scotland to pursue may be seen as the next stage in that journey of grace.

It will be up to the General Assembly in 2013 to decide whether God is calling the Church of Scotland to stand still until this contentious issue is brought before it again, as it surely will be, or to continue along the trajectory, which has been emerging and gaining acceptance over recent decades, towards a Church that is genuinely inclusive and welcoming of all human beings made, in their glorious diversity, in the image of God, the Divine Trinity.

Ultimately, any individual's view on this issue will be influenced by their approach to the authority and interpretation of the Bible, their understanding of the ability of the Church to reform its practice and law in this contentious area, and their view of the extent to which it is possible to allow liberty of opinion on these matters. Reading what our Traditionalist colleagues have written, listening to their passionate articulation of it throughout the lifetime of the Commission's work, examining those views against the perspective of recent Reports to the General Assembly on the Church's use of the Bible, and above all taking into account the gifts, callings and existing ministries of gay Christians in the Church, the Commission members who have prepared this section of

the Report are satisfied that the case for moving along the trajectory outlined by the General Assembly of 2011 has been made and that our proposals are consistent with the constitutional standards of the Church.

All members of the Theological Commission share a deep concern for the unity and peace of the Church. Whatever the eventual outcome of the debate, it is our hope and prayer that the manner in which it is conducted and the Church's response to its conclusions will reflect well on the one whose most fervent prayer for us was, 'that they may be completely one', not for our own sake, but 'so that the world may know that you have sent me and have loved them even as you have loved me'. (John 17: 23)

#### **6.14 Liturgy for Recognition and Blessing of a Civil Partnership**

##### **6.14.1 Remit from the General Assembly of 2011**

The wording of our remit with regard to the recommendation of liturgy was somewhat ambiguous, and so we begin by outlining our understanding of the task entrusted to us, before proceeding to our response.

It should be noted, for the avoidance of doubt, that those members of the Theological Commission who believe homosexual relationships to be contrary to the Word of God have had no part in this discussion as they could not, in good conscience, accept the premise that the Church, or any members of it, even on a voluntary basis, would be allowed to bless something that they believe to be sinful.

The relevant section of our remit from the General Assembly reads as follows:

An examination of whether, if the Church were to allow its ministers freedom of conscience in deciding whether to bless same-sex relationships involving life-long commitments, the recognition of such life-long relationships should take the form of a blessing of a civil partnership or should involve a liturgy to recognise and celebrate commitment which the parties enter into in a church service in addition to

the civil partnership, and if so to recommend liturgy therefor.<sup>245</sup>

Discussion of the nature of any church service and recommendation of appropriate liturgy is based on a two-fold premise:

- a) the Church allows ministers to bless same-sex relationships involving life-long commitments
- b) ministers have freedom of conscience whether or not to do this

The question which then needs to be addressed is whether this (voluntary) recognition of life-long, committed same-sex relationships should take the form of:

- a) a civil partnership followed by a religious blessing, or
- b) a civil partnership plus a Church service in which a life-long commitment is 'entered', as well as being 'recognised and celebrated'

On a literal reading of the remit, it is only if the second option is chosen that a liturgy is required. We have assumed, however, that it would be helpful to suggest a form of service for each option, or, indeed, for the slightly different approach which we will propose.

Our problems with the two options suggested arise from the legal differences between civil partnership and marriage, which are discussed in more detail below.

We wish, therefore, to suggest a third way: registration of a civil partnership followed by a Service of Recognition and Blessing. This would be a religious service making explicit what was implicit in the couple's decision to enter into a civil partnership; marking and celebrating the commitment they have already made and asking God's blessing on them in their life together.

For the sake of equity, since a civil marriage is acceptable for heterosexual ministers with or without a religious blessing, the religious service would not be compulsory

<sup>245</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

for those in a civil partnership seeking ordination, but it is to be hoped that most would be pleased to take advantage of this opportunity to affirm their commitment and seek God's blessing in a service of worship.

#### 6.14.2 Nature and Scope of a Service of Recognition and Blessing

From the results of the consultation process undertaken by the Special Commission, it is clear that for those respondents who were open to the possibility of people in a same-sex relationship being accepted for ordination, the existence of a civil partnership was a significant factor in determining their response. This is presumably because the civil partnership was taken as an indicator of stability, fidelity and commitment in the relationship. There may also, however, have been an assumption of equivalence between civil partnership and civil marriage, and so it is important to be aware of the similarities and the differences between the two.<sup>246</sup>

A civil partnership does have many features in common with marriage. It is legally binding, and confers similar rights and carries similar responsibilities in areas such as tax, pensions, benefits, inheritance, housing, employment and care of children. It can be entered only by people who are not already married or in a civil partnership, and can be dissolved only through a court action. Rules about age, consanguinity and affinity apply to civil partnerships, as they do to marriage.<sup>247</sup>

There are also some significant differences, and these impact on the type of religious service we would wish to offer to same-sex couples who have registered their civil partnership according to the law of the land.

In the first place, registration of a civil partnership is a purely secular matter, and there is no religious equivalent, as there is for marriage. Ministers are not authorised to register civil partnerships, and registration may not take place as part of a religious ceremony or in a venue normally used as a place of worship. If a ceremony is held to accompany the registration, this must not include religious words or prayers.<sup>248</sup> There is therefore a clear role for a Service of Recognition and Blessing to provide the spiritual element which would otherwise be lacking and which would be important for Christian couples who believe that God is intimately involved with them at this crucial juncture in their lives, and who wish to affirm their commitment to each other and to their shared journey of Christian discipleship in the context of worship.

Secondly, all that is legally required for a civil partnership to be registered, once appropriate application has been made, is for the couple to check the details on the form and to sign it. They do not have to make any declaration of fidelity or lifelong commitment, and although Registrars may offer a ceremony to mark the start of the Partnership, this varies in content from region to region, and, as a non-statutory element, is not compulsory.

It is stated in the guidance notes issued to registrars that civil partnerships are intended to be 'stable, long-term relationships, which will be recognised by law and acknowledged by society', but a Service of Recognition and Blessing would enable this implicit understanding to be made explicit, whilst allowing Christian partners to affirm the covenant nature of their relationship, and their commitment to Biblical principles of fidelity and self-giving love, modelled on God's love for us in Christ, and made possible by the presence of God's Spirit in our lives.<sup>249</sup>

<sup>246</sup> It was not part of the Theological Commission's remit to consider the question of whether a same-sex relationship may be regarded as 'marriage'. If the Civil Law changes in this respect, it may be an issue to which the Church has to return in future.

<sup>247</sup> "Registering a Civil Partnership in Scotland" (RCP1): <http://www.gro-scotland.gov.uk/regscot/registering-a-civil-partnership-in-scotland.html> See also; Equality Network, "Civil Partnership in Scotland" (Edinburgh: Equality Network, 2005).

<sup>248</sup> "Civil Partnerships" (T10) (Edinburgh, General Register Office for Scotland, December 2006): 'Registrars may wish to invite the couple to add readings etc. to a basic ceremony, but the couple should be reminded that the words must be appropriate, secular and seemly.'

<sup>249</sup> "Civil Partnerships" (T10).

### 6.14.3 Suggested Order of Service

Worship resources for blessing same-sex relationships and civil partnerships are widely available from other denominations and organisations, and the worship leader is free to avail him/herself of elements of these, or to create new forms of words, so long as the service meets the criteria set out above.<sup>250</sup> There should be nothing in the service to suggest that any commitment is being created or any status conferred further to the civil partnership itself.

The Service of Recognition and Blessing may take place during public worship on a Sunday, or on a separate occasion. The two essential elements which must be included are: (1) a statement about the nature of a civil partnership and its implications for Christian partners; (2) an affirmation by the couple of their intention that the partnership should be lifelong, faithful and exclusive.

(i) **Scripture Sentence(s), such as the following:**

O give thanks to the Lord, for he is good.  
His steadfast love endures for ever. Psalm 107: 1

This is the day that the Lord has made;  
let us rejoice and be glad in it! Psalm 118: 24

Unless the Lord builds the house,  
they labour in vain that build it.

<sup>250</sup> See; Cherry, Kitteredger, & Sherwood, Zalmon (ed's), *Equal Rites: Lesbian and Gay Worship, Ceremonies and Celebrations* (Louisville, KY: Westminster/John Knox Press, 1995); Cotter, Jim, *Quiverful*, (Aberdaron: Cairns Publications, 1999); Cotter, Jim, *The Service of My Love: The Celebration and Blessing of Civil Partnerships* (Aberdaron: Cairns Publications, 2009); Heppenstall, Annie, *The Blessed Path: a Wedding/Partnership Ceremony* (Glasgow: Wild Goose Publications, 2012); Marshall, Paul V. *Same Sex Unions: Stories and Rites* (New York, NY: Church Publishing Inc., 2005); Episcopal Church (USA) Standing Commission on Liturgy and Music, *I Will Bless You and You Will Be a Blessing: Resources for the Witnessing and Blessing of a Lifelong Covenant in a Same-Sex Relationship* (New York, NY: Church Publishing Inc., 2013), and; Uniting Network Australia, *Sacred Union Ceremony* (Enmore, NSW: UNA, 2010): [www.unitingnetworkaustralia.org.au](http://www.unitingnetworkaustralia.org.au). See also; Affirmation Scotland ([www.affirmationscotland.org.uk](http://www.affirmationscotland.org.uk)); Changing Attitude ([www.changingattitude.org.uk](http://www.changingattitude.org.uk)); and; Oasis UK ([www.oasisuk.org/InclusionResources](http://www.oasisuk.org/InclusionResources)).

Our help is in the name of the Lord  
who made heaven and earth. Psalm 127: 1

Many waters cannot quench love,  
neither can floods drown it. Song of Solomon 8: 7

Jesus said, "This is my commandment:  
love one another as I have loved you." John 13: 34

As the Father has loved me, so I have loved you.  
Remain in my love. John 15: 9

Dear friends, let us love one another,  
because love comes from God. 1 John 4: 7

This is what love is about: not that we have loved God,  
but that he loved us, and sent his Son to be the means  
by which our sins are forgiven. 1 John 4: 10

God is love, and those who live in love live in God  
and God lives in them. 1 John 4: 16

We love because God first loved us. 1 John 4: 19

Three things endure: faith, hope and love;  
and the greatest of these is love. 1 Corinthians 13: 13

(ii) **Call to Worship**

Grace and peace to you from God our Father and the  
Lord Jesus Christ.

Let us worship God.

(iii) **Hymn**

(iv) **Statement about Civil Partnership**

We have come together in the presence of God to  
celebrate the commitment  
made by N..... and N..... when they entered a civil  
partnership.

We come to share their joy, and to promise them our  
love and our support.

We come to ask God's blessing on them and on their  
life together.

We come to claim the blessing that is ours through  
them.

N..... and N..... have entered into a civil partnership according to the law of the land.

They have done so because of their love for and loyalty to each other.

Now, in faith, they come before God and this gathering of God's people

to affirm their commitment to lifelong fidelity and self-giving love,

rooted in God's love for us, made known to us in Jesus Christ our Lord.

We love, because God first loved us.

N..... and N....., the civil partnership into which you have entered

is a legally binding agreement.

It is also a solemn covenant, which you have chosen to affirm here

in the presence of God and before your family and friends.

By it, you have promised to love, respect and cherish one another,

to support one another in good times and in bad,

in poverty and in wealth, in sickness and in health,

and to remain faithful to each other for the rest of your lives,

letting nothing short of death come between you.

**(v) Affirmation by Family and Friends** (*all stand*)

Will you, the family and friends of N.... and N....,

gathered here to celebrate with them today,

continue to uphold and support them in their life together?

WE WILL, WITH THE HELP OF GOD

OR

Will all of you, by God's grace,

do everything in your power to uphold and care for

N..... and N.....

as they proclaim their love and affirm their commitment to each other?

WE WILL, WITH THE HELP OF GOD

**(vi) Prayer of Approach**

Gracious God, we thank you for all the gifts of your love, and for the many ways in which human loving can be expressed and find fulfilment, in relationships of commitment and trust. We praise you for your guidance in the lives of N.... and N...., for the joy they have found in each other, and for the love and trust they bring to the happiness of this day. And since we know that without you nothing is strong, nothing is holy, we pray that you will enrich them with your grace as they re-affirm their commitment to each other and to your way of love. Grant that your joy may be in them, and that their joy may be full, through Jesus Christ our Lord. Amen.

OR

Gracious God, we give you thanks and praise for all your gifts of goodness and grace. We praise you for your gift of love, binding us together in families and friendships, churches and communities, enriching our lives, enfolding us all our days. Especially we thank you for the love which has grown and flourished between N..... and N....., and for the trust that has led them here to reaffirm their commitment to the faithful, lifelong partnership into which they have entered. May your Spirit of love sanctify their joy and deepen their love. Guide them by your grace, surround them with your presence, and keep them in your love, through Jesus Christ our Lord. Amen.

OR

Loving God, without your grace no promise is sure. Strengthen N..... and N..... by the gift of your Holy Spirit as they seek your blessing on their partnership and on their life together. Grant them grace to keep the promises they have made, and strength to remain faithful always to each other and to you. Fill them with your joy, and guide them by your Word to follow you all the days of their life together; through Jesus Christ our Lord. Amen.

**(vii) Affirmation by the Couple, who face each other with right hands joined**

In the presence of God, and before these witnesses,  
I, N....., affirm my love for you, N.....,  
and my commitment to our partnership.  
I promise to love and respect you, to be faithful and loyal to you,  
for as long as we live.

OR

I, N....., affirm my love for you N.....,  
and my commitment to our partnership.  
In the presence of God, and before these witnesses,  
I promise to be a loving, faithful and loyal partner to you  
as long as we both shall live.

OR

Before God, and in the presence of our families and friends,  
I N....., declare my love for you, N.....,  
and I affirm my commitment to you as my life partner.  
I promise you my love, my loyalty and my trust  
for as long as we both shall live.

OR

In the presence of God and before these witnesses,  
I, N....., affirm my commitment to you, N.....,  
as your life partner.  
All that I am I give to you, and all that I have I share with you.  
Whatever the future holds, I will love you and be faithful to you,  
as long as we both shall live.

**(viii) Symbolic Action, such as the exchange of rings or the lighting of a candle. If rings are being exchanged, the minister may introduce this as follows:**

As a token of the covenant which you have entered,  
and here affirmed,  
rings will be given and received.

OR

May these rings be a symbol of unending love and faithfulness,  
to remind you of the covenant into which you have entered.

*A prayer, such as the following, may be said:*

God of steadfast love, by your blessing may these rings be to N.... and N.... a symbol of their love for each other and the covenant into which they have entered. May they remain faithful to each other always in unbroken love. Amen.

OR

Bless these rings, O Lord, that they may be to N.... and N.... a symbol of everlasting love. As they give them, and as they wear them, may they abide in your peace, continue in your favour, live and grow old together in your love. Amen.

*The couple may choose to use words such as these as each ring is given:*

N....., I give you this ring as a sign of all that we have promised and all that we shall share.

OR

N....., as a symbol of this covenant and of our life together, I give you this ring.

**(ix) Blessing of the Couple (who may kneel)**

N.... and N....., may God's richest blessing be upon you both.

May God give you joy in your life together  
and grace to keep the promises you have made.

OR

N.... and N....., may the riches of God's grace be upon you,  
that you may continue together in faith and love  
and receive the blessings of eternal life.

The Lord bless you and keep you;  
the Lord make his face to shine upon you and be gracious unto you.  
The Lord lift up his countenance upon you and give you peace.

OR

May the Lord bless you and guard you;  
may the Lord make his face shine on you and be gracious to you;  
may the Lord look kindly on you and give you peace.

**(x) Scripture Readings***Suitable passages might include:*

Ruth 1: 14-18	Ruth's pledge to Naomi
1 Samuel 18: 1-4	Jonathan's covenant with David
1 Samuel 20: 16-17, 41-42	David and Jonathan's parting
Psalms 100	God's love and faithfulness
Psalms 121	God our protector
Psalms 127: 1-2	God's protection and provision
Psalms 133	Living together in unity
Ecclesiastes 4: 9-12	Strength in partnership
Song of Songs 8: 6-7	The power of love
Jeremiah 31: 31-34	God's new covenant
Matthew 5: 1-12	The beatitudes
Matthew 5: 14-16	Light for the world
Matthew 7: 21, 24-29	Building on firm foundations
Matthew 10: 37-39	Discipleship above family
Mark 12: 28-34	The greatest commandment
Luke 6: 20-26	The beatitudes
Luke 6: 27-38	Love for enemies
John 13: 31-35	A new commandment
John 15: 1-8	Vine and branches
John 15: 9-17	Love one another
Romans 8: 28-39	God's love in Christ
Romans 12: 1-2, 9-21	Let love be genuine
1 Corinthians 13: 1-13	About love
Galatians 5: 13-14, 22-26	The fruit of the spirit
Ephesians 3: 14-21	To know the love of Christ
Ephesians 4: 25-32	A new way of living
Philippians 1: 9-11	Prayer for love to grow
Philippians 2: 1-11	Christ's humility and greatness
Philippians 4: 4-9	Rejoice in the Lord always
Colossians 3: 1-4, 12-17	Clothe yourselves with love
1 John 4: 7-21	God is love

**(xi) Address****(xii) Prayers of Thanksgiving & Intercession**

Almighty God, we thank you for all the many ways in which love comes into our lives, and for the opportunities for joy and fulfilment that covenanted partnership brings. Bless N..... and N..... who have freely entered into partnership together, and have here affirmed their love and their commitment to each other. Confirm them in their happiness; keep them faithful and true to each other, ready always to forgive and be forgiven. As they grow together in love, may each be to the other a companion in joy, a comfort in sorrow, and a strength in need. May your presence in their home make it a place of welcome and sharing, of security and peace. Bless their families and friends, who have given them love and friendship through the years, and who have promised their continuing support in the years ahead. We pray for your whole human family, and for those who suffer while we rejoice. Bring near the day when all people will live in peace and in the knowledge of your love. Eternal God, we remember those who were close to us, who have passed through death into life everlasting. Bring us with them at the last to the Father's house, the family of God complete in the glory of your presence; through Jesus Christ our Lord. Amen.

OR

Gracious God, for the promise, for the hope, for the joy of this day, we praise you. Bless N..... and N..... with the strength of your Spirit, that they may build a life of peace and fulfilment on the foundations of commitment and love.

May they be sustained by the love and support that surround them here.

May they always remain open-hearted, courageous and strong.

Give them generosity of spirit, understanding of each other, warm and loyal friendship.

Grant that they may go forward from this day delighting in their life together.

May their love grow, and in time to come may it prove able to heal and to help, to overcome difficulties, and to bring reconciliation.

So may all see in them a symbol of your love from which nothing can separate us and which nothing can overcome.

Be with them now and remain with them for ever. Amen.

OR

Most holy God, we give you thanks for the joy and privilege of sharing

with N..... and N..... in their happiness today.

We pray that your blessing may continue to sustain them

throughout their life together,

and that their love may grow and deepen with the passing years.

Keep guard over the covenant they have made, and make them strong within your holy love.

Bless the home that they share, and defend it from evil.

May it be a place where Christ is known and loved,

where his perfect love casts out all fear,

and where his cross brings reconciliation and peace.

May it be a place of happy welcome and loving, joyful service.

Grant N..... and N..... all that they need to live well, and give them a generous heart and a kindly spirit.

Faithful God, remember in your love each family represented here.

May those who made vows to each other in the past renew their commitment

and find their love strengthened.

Lead us safely through this life, O God,  
and when our journey here is ended and our service complete,  
bring us with all your people, into the fullness of your eternal joy,  
through Jesus Christ our Lord. Amen.

### (xiii) The Lord's Prayer

### (xiv) Hymn

### (xv) Benediction

Go in peace.

Be joyful in the love of God.

And may the blessing of God almighty,

Father, Son and Holy Spirit,

rest upon you and remain with you all,

this day and for evermore. Amen.

OR

May the peace of God, which is beyond all human understanding,

guard your hearts and your thoughts in Christ Jesus,

and may the blessing of God almighty,

Father, Son and Holy Spirit,

be upon you and remain with you always. Amen.

ALAN FALCONER

J MARY HENDERSON

MARJORY A MacLEAN

## 7. Addressing Issues of Human Sexuality within the communion of the 'One Holy Catholic and Apostolic Church': The Traditionalist Case

### 7.1 Introduction

The purpose of this section of the Report is to lay out the biblical and theological arguments for what the Special Commission on Same-Sex Relations and the Ministry (henceforth 'Special Commission') called the "Traditionalist" position.<sup>251</sup> We offer this as a contribution towards the

<sup>251</sup> It should be noted, however, that it is not 'tradition' that leads us to this position but the teaching of Holy Scripture and therefore the title "Traditionalist" is something of a misnomer.

work of the Theological Commission, from the Traditionalist side. We shall begin by doing three things: first, examine the nature and scope of the presenting issue; second, summarise the current position of the Church of Scotland; and third, summarise the main biblical and theological arguments for the Traditionalist position. Thereafter, we shall “show our working” by laying out our exegesis of the relevant Scriptural passages, in support of the argument.

## 7.2 The Presenting Issue

The issue of same-sex relations and the ministry is one that is currently exercising the minds of Christians in many churches throughout the world. On the one hand, it can appear on the surface level to be a very simple issue, given that every single reference to homosexual acts in the entire Bible is negative and condemnatory, as everyone on the Theological Commission recognises. On the other hand, it is a profoundly difficult and complex issue because it concerns the personal sexual identity of Christian men and women and their sense of ‘call’ to the ministry. For those on the Traditionalist side, this complexity necessitates a much deeper understanding of the inner struggle faced by many homosexual Christians than has sometimes been demonstrated. It also necessitates a careful, prayerful, thoughtful and compassionate approach to the issue. For those on the Revisionist side, the necessity is for clear evidence that they are not simply bowing to the pressure exerted in our society by the “politically-correct” equality and non-discrimination lobby but have truly thought through the issue biblically and theologically, not least through a willingness to engage honestly with the biblical references concerning homosexual acts.

Perhaps the most important preliminary point to make is that the biblical and theological issue at stake here concerns homosexual acts, not homosexual orientation. There are many Christians whose sexual orientation is homosexual and to whom we owe a duty of pastoral care and not condemnation. Anyone who has known the pain and struggle of homosexual Christians coming to terms with their sexual identity, or heard them tell of the hostile reaction they experienced when they finally worked up the

courage to tell other Christians, will recognise the need for wisdom before we speak at all. It is also undoubtedly the case that many homosexual Christians have not found the Church to be a safe place in which to speak of their sexuality. Many would testify to an experience of rejection by and separation from those Christian leaders whose ministry they valued. The Church has a particular responsibility to those homosexual Christians who, because of their reading of Scripture, have chosen celibacy, with all the loneliness and pain which this can bring.

The issue of same-sex relations is very different from the matter of homosexual orientation. The issue here is whether the decision to engage in homosexual acts can ever be the right decision for a Christian to make or whether those of a homosexual orientation are required by God to remain celibate. The care and compassion which the Church ought to show towards those of homosexual orientation is perfectly compatible with holding to the view that marriage, properly understood, is between one man and one woman, with the corresponding conviction that sexual acts should only take place within marriage. That is the issue we shall be exploring in the biblical and theological arguments below.

Unfortunately, whatever conclusion the Church finally reaches on this issue, it will bring hurt and pain in its wake. If the Revisionist trajectory is upheld, many Christians will feel that the Church has called ‘good’ what the Bible calls ‘sin’ and will feel the need to leave the Church. If that trajectory is abandoned and the Church’s traditional position is upheld, many of a homosexual orientation who sense a strong call to ministry, will feel hurt and rejected and some of them will inevitably go to a Church where they believe that their call might be affirmed. The only way to avoid a disruption might be to argue that the Church is not of a settled mind on this matter and therefore requires a prolonged period of reflection and prayer before coming to a final conclusion. That would, of course, leave some waiting, perhaps for several years, to know if their sense of call will ever be affirmed by the Church. It would leave others saying that once again the Church has ‘fudged’ the issue and failed to give clear and decisive moral leadership.

### 7.3 The Current Position of the Church

The Traditionalist position is the current position of the Church of Scotland in respect of same-sex relationships, as was made clear at the 2011 General Assembly. At that General Assembly, however, the Church tentatively chose a different 'direction of travel' by opting for resolution 7b of the Special Commission's deliverances, being a trajectory towards the eventual approval of the ordination, induction and appointment of ministers of Word and Sacrament and Deacons living in a same-sex relationship. Nevertheless, although it approved the 'trajectory', the General Assembly took seriously the comments of Lord Hodge, the Convener of the Special Commission, who said that at the heart of this matter were serious biblical and theological issues which the Special Commission had neither the time nor the expertise to investigate thoroughly. Hence the General Assembly of 2011 decided not to make a final decision on the chosen trajectory until a Theological Commission had studied all the relevant biblical and theological arguments. The Theological Commission was duly appointed and instructed to Report to the General Assembly of 2013.

Many of us were disappointed by the trajectory chosen in 2011, especially given that the Special Commission's own survey and Report seemed to point in a much more orthodox direction. We have also been disappointed that, despite the clear statements made at the 2011 General Assembly by Lord Hodge (and confirmed by the Procurator), some have persisted with the notion that the Traditionalist view does not, in fact, represent the current position of the Church. That being the case, we were pleased that the General Assembly of 2012 approved both the Report of the Legal Questions Committee and the Report on Marriage by the Working Group on Human Sexuality.

The Legal Questions Committee reported that it had co-ordinated the Church of Scotland's response to the Scottish Government's consultation on same-sex marriage. The wording of the Report confirmed that, despite the trajectory taken in 2011, the Church's position remains unchanged. Hence the Committee could say, 'In May 2011, the Assembly made clear that the Church has not

departed from the traditional Christian position on same-sex relationships although it is thinking about doing so and will debate the issue further in May 2013.'<sup>252</sup> Despite those who say that the Church 'does not have a position' on this controversial matter, this is clear evidence that it does.

The Report on marriage was the third report to be produced by the Working Group on Human Sexuality. The first was on same-sex issues, the second on singleness and the third on marriage. These Reports together represent the most serious and sustained theological work in which the Church has engaged on matters of human sexuality. The three Reports are carefully written, demonstrate a recognition of the range of positions held within the Church and must be taken together in order to get their full impact. In terms of our own work as a Theological Commission, a key sentence in the final Report stresses the theological work which would be required in order to change the Church's position on same-sex relationships: 'Scripture, church practice and theological reflection has defined marriage as being between men and women – and any move to regarding same-sex marriage as a legitimate Christian understanding would be a fundamental shift.'<sup>253</sup> Given the broadly-based membership of the Working Group and given the trajectory chosen in 2011, it is encouraging that such a position was taken. It is also encouraging that no-one at the 2012 General Assembly questioned this, or attempted any amendment or counter-motion.

The reception of the Marriage Report was an encouragement to many of us, since it seemed that the Church had moved back to its more orthodox centre of gravity. This was not only important for the Church of Scotland as the established Church but for her place in the 'One Holy Catholic and Apostolic Church'. To depart from the view that sexual acts must be confined to a man and a woman joined in marriage, would have been

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<sup>252</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Legal Questions Committee) 704/7.

<sup>253</sup> *Reports to the General Assembly of the Church of Scotland 2012*, (Working Group on Human Sexuality) 5/49.

to separate the Church of Scotland from the Church catholic, as the Marriage Report itself made clear. Those on the Theological Commission who support the tentative trajectory we are examining have not produced any new biblical or theological argument that would justify a change in the Church's present position. We believe, therefore, that the General Assembly ought to reaffirm the orthodox position of the Church and so maintain the unity of the Church catholic.

#### 7.4 Biblical and Theological Arguments

We begin by laying out the arguments for the Traditionalist position. First, we shall say something about theological method, second, we shall discuss the doctrine of God and then third, we shall summarise the biblical and theological conclusions we have reached on the basis of the exegetical work which follows.

##### 7.4.1 Theological Method

Since our task is to provide the biblical and theological arguments for the Traditionalist position, it is important to lay down the theological method which underlies this paper. To that end, we must consider the origin of Scripture, the nature of Scripture and the interpretation of Scripture.

##### 7.4.1.1 The Origin of Scripture

While fully recognising the humanity of the biblical authors and the contextual nature of what they wrote, we affirm that Scripture has its origins in God. The apostle Paul says in 2 Timothy 3:16 that 'all Scripture is God-breathed' and the apostle Peter, in 2 Peter 1:21, says that 'men spoke from God as they were carried along by the Holy Spirit.' The conclusion we must draw from this is that the Scriptures are not simply an interesting record of what religious people have believed from time to time in the history of the Judaeo-Christian continuum, rather they have their origins in God and so carry the full authority of God as he spoke (and continues to speak) by his Spirit through the human authors.

##### 7.4.1.2 The Nature of Scripture

It follows from this conviction concerning the origins of Scripture that the Scriptures are, in the words of our

Church's 'principal subordinate standard', the *Westminster Confession of Faith*: 'the Word of God written.' This is also the view of Scripture held by the Church of Scotland according to its *Articles Declaratory*: 'The Church of Scotland adheres to the Scottish Reformation; receives the Word of God which is contained in the Scriptures of the Old and New Testaments as its supreme rule of faith and life; and avows the fundamental doctrines of the Catholic faith founded thereupon.'<sup>254</sup> The *Westminster Confession of Faith* elaborates on this view: 'The authority of the holy Scripture, for which it ought to be believed and obeyed, dependeth not upon the testimony of any man or Church, but wholly upon God (who is truth itself), the Author thereof; and therefore it is to be received, because it is the Word of God.'<sup>255</sup>

Some have argued more recently, particularly since Dr Douglas Murray's Chalmers Lectures of 1991, that when the *Articles Declaratory* speak about the Word of God 'contained in' the Scriptures of the Old and New Testaments, it means that not all of Scripture is the Word of God.<sup>256</sup> This is an entirely novel argument, with no historical credibility. The expression 'contained in the Scriptures of the Old and New Testaments' has been used in the doctrinal and constitutional documents of the Church of Scotland since it was used by the Westminster Divines in the seventeenth century. The second question of the *Shorter Catechism* reads: 'What rule hath God given to direct us how we may glorify and enjoy him?' The answer is: 'The Word of God, which is contained in the Scriptures of the Old and New Testaments, is the only rule to direct us how we may glorify and enjoy him.' In the *Westminster Confession of Faith*, written by the same divines, the wording is reversed: 'Under the name of holy Scripture, or the Word of God written, are now contained all the Books of the Old and New Testament.' Clearly these

<sup>254</sup> Weatherhead, James L., *The Constitution and Laws of the Church of Scotland, 159-161: Articles Declaratory of the Constitution of the Church of Scotland: Article I.*

<sup>255</sup> *Westminster Confession of Faith* I.4.

<sup>256</sup> Murray, Douglas M., *Freedom to Reform* (Edinburgh: T & T Clark, 1993).

expressions are interchangeable in the minds of the Divines, the latter being less subject to late 20th century misinterpretation.

The intention of the Divines in using the expression 'contained in' was to deny that the Apocryphal books were to be viewed as the Word of God. Only the sixty six books 'contained' in the Scriptures of the Old and New Testaments were to be regarded as the Word of God. Surely no-one would argue that the Westminster Divines did not believe all of Scripture to be the Word of God? Since the Church of Scotland adopted the *Westminster Confession of Faith* and its associated Catechisms and Documents in 1647, the Church has affirmed that all of Scripture is the Word of God written.

#### **7.4.1.3 The Interpretation of Scripture**

In our Reformed tradition, following Calvin, the key to understanding and interpreting Scripture has always been to recognise the important and integral relationship between Word and Spirit. It was the Holy Spirit who brought the Scriptures into existence (origins), it was the Holy Spirit who enabled the church to recognise Scripture as Scripture (canonicity), it is the Holy Spirit who helps us to understand the meaning of Scripture (illumination) and it is the Holy Spirit who enables the preaching of Scripture (empowerment). This being the case, the 'text' must be read in an attitude of prayer and worship, seeking the mind of the Holy Spirit, recognising that the Spirit will never contradict what has been given to us in Scripture.

We also believe, following the Reformers and our Reformation tradition, that the Scriptures are to be interpreted using certain core methods. First, there must be an examination of the original Hebrew and Greek texts by grammatico-historical exegesis. Second, there should follow a thorough investigation of the literary, social, cultural and historical background to the text. Third, the text should be examined in context, taking account of the place of the text in the canonical book and in the Bible as a whole, seeking to understand the intention of the author and the theological structure of the argument

being presented. Fourth, there ought to be a recognition that difficult passages must be read in the light of clearer passages. Fifth, like the Reformers we should begin with a commitment to the fundamental unity of Scripture as the Word of God and hence part of our interpretation will involve comparing Scripture with Scripture.

We recognise, of course, that even using these principles, Christians will disagree. There are many subjects on which honest and faithful exegetes have come to differing conclusions. In the New Testament, for example, there are strands of teaching on baptism, on the relation between church and state, on eschatology, on marriage and divorce, on women's ordination and many other matters, where Christians have gone to Scripture, believing it to be the Word of God and reached contradictory positions. These are differences 'within the family' and should not bring separation of fellowship. On the subject of homosexual acts, however, we face an entirely different situation. In both Old and New Testaments, homosexual acts are universally condemned. There is not one positive reference to homosexual acts in the entire Bible, rather such acts are regarded as sinful. This is what makes the issue of homosexual acts quite different from all of the matters on which Christians legitimately disagree. To give approval to homosexual acts as being valid within a Christian lifestyle is not, therefore, a matter of the interpretation of Scripture but is rather a rejection of the teaching of Scripture.

#### **7.4.2 The Doctrine of God**

As with all theological issues, the key to understanding the matter before us begins with our doctrine of God. God reveals himself to us in Scripture in many ways. The most significant of these is the fact that he is Trinity: Father, Son and Holy Spirit. He also reveals himself to be the Creator of all things and therefore distinct from the world (the Creator-creature distinction). Our *Confession of Faith* summarises the teaching of Scripture about God in this way: 'infinite in being and perfection, a most pure spirit, invisible, without body, parts, or passions; immutable, immense, eternal, incomprehensible, almighty, most wise, most holy, most free, most absolute; working all things according to the counsel of His own immutable and most

righteous will, for His own glory;’ When the *Confession* then goes on to describe the character and nature of God it speaks in the following way, ‘most loving, gracious, merciful, long-suffering, abundant in goodness and truth, forgiving iniquity, transgression, and sin; the rewarder of them that diligently seek Him; and withal, most just, and terrible in His judgements, hating all sin, and who will by no means clear the guilty.’<sup>257</sup>

This is a very balanced statement, describing God as loving, gracious, merciful and long-suffering while, at the same time, pointing out that he is holy and just, hates sin and will judge the guilty. The importance of this to the current debate cannot be over-emphasised. We know and affirm that God is love, as the Scripture says (1 John 4:7-21, especially verses 8 and 16). Indeed, we can go further and say that God’s love is an ‘agape’ love, the kind of love which is lavished on those who do not deserve it. Despite our sin, God our heavenly Father lavishes his love upon us, not least in sending his Son to die on the cross.

There is a tendency, however, to speak of the ‘love of God’ as if that were his only attribute and to subsume (or ignore) everything else. For example, there are those who argue that, since God is love, much of the Old Testament cannot be true. They argue that when God tells his people to slaughter the Amalekites, or when he acts in a severe and judgemental way, then we must conclude that the Israelites only *thought* that God was saying and doing these things but that they were mistaken. Such confusion arises because of a misunderstanding of God’s love. As J.I. Packer says, ‘sentimental ideas of his love as an indulgent, benevolent softness, divorced from moral standards and concerns, must therefore be ruled out from the start. God’s love is a holy love.’<sup>258</sup>

We must never make the mistake of placing the love of God over against his other attributes, or over against his law. This was the mistake made by those who advocated ‘situation ethics’ and who argued that love was more

important than anything else, suggesting that in some cases adultery might be a Christian virtue, so long as it was done for love. One of the arguments of the pro-homosexual lobby is that, so long as two people love one another, there can be nothing wrong with them entering into a physical relationship, even if they are of the same sex. We also have an increasingly common problem today where young couples live together either before marriage or outside marriage. It doesn’t matter about the formalities they say, so long as we love each other.

When we take the love of God, the holiness of God and the justice of God together, we can see that there is no incompatibility between saying that God loves human beings but that there are certain actions of human beings which he unreservedly condemns, including homosexual acts. When people today interpret God’s love to mean a weak toleration (or even approval) of human sin, they have made the mistake of emphasising one aspect of the nature of God to the detriment of other aspects of his nature and character. Robert Gagnon puts it like this: ‘Love and reproof are not mutually exclusive concepts. If one fails to reprove another who is engaged in self-destructive or community-destructive behaviour, or any conduct deemed unacceptable by God, one can hardly claim to have acted in love either to the perpetrator or to others affected by the perpetrator’s actions. Without a moral compass love is mere mush. Without taking into account God’s will for holy living, love turns into affirmation of self-degrading and other-degrading conduct. This means that true love of one’s neighbour does not embrace every form of consensual behaviour.’<sup>259</sup>

### 7.4.3 Biblical and Theological Arguments

At the end of this section of the Report, we have provided a substantial exegetical study of the Scriptures of the Old and New Testaments in relation to the issues before us. The following is a brief summary of that exegetical work.

<sup>257</sup> *Westminster Confession of Faith* II.1.

<sup>258</sup> Packer, James I., *Knowing God* (London: Hodder & Stoughton, 2005), 137.

<sup>259</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, (Nashville, TN: Abingdon Press, 2011), 34.

#### 7.4.3.1 *The Unity of Scripture*

On the matter of human sexuality, there is a demonstrable unity within Scripture. God created human beings as male and female and the expression of human sexuality blessed by God is that exercised between one man and one woman, within the relationship of marriage. In the Scriptures we find examples of every variety of human sexuality, yet only that celebrated within marriage receives the approval of God. This should not surprise us since, even in terms of the human body, homosexual acts constitute 'a violation of the anatomical and procreational sexual complementarity of male and female in creation.'<sup>260</sup>

#### 7.4.3.2 *Same-sex relations or homosexual acts*

It is clear from the Scriptures that all sexual acts outside marriage are equally unacceptable to God. In other words, same-sex relationships, or homosexual acts, are not singled out by God, or the authors of Scripture, for special treatment. God is not more opposed to those in same-sex relationships than to those who engage in adultery or incest. Consequently the Church cannot treat same-sex relations as though they were a special case deserving special treatment. The underlying principle is that all expressions of human sexuality apart from that between one man and one woman in the relationship of marriage are equally condemned by Scripture.

#### 7.4.3.3 *The Old Testament*

In our study of the Old Testament, we have looked at all the key references to human sexuality and have viewed homosexual practice in the light of that wider picture. That is to say, we have not limited our study of the Old Testament to texts which directly mention homosexual practice. When we do look at those passages which speak of homosexual acts, in the light of the overall Old Testament teaching on human sexuality, we have to conclude that in every case these acts are condemned as sinful and unacceptable to God. The narrative evidence, as well as the case law, indicates that sexual acts are a good

gift of a good God, to be enjoyed only within the context of marriage between one man and one woman.

#### 7.4.3.4 *The New Testament*

When we turn to the New Testament we find the same teaching as in the Old Testament. Chapter 1 of Paul's letter to the Romans is particularly striking. There can be no mistaking what Paul is saying here in verses 24-27:

Therefore God gave them up in the lusts of their hearts to impurity, to the dishonoring of their bodies among themselves, because they exchanged the truth about God for a lie and worshiped and served the creature rather than the Creator, who is blessed forever! Amen. For this reason God gave them up to dishonorable passions. For their women exchanged natural relations for those that are contrary to nature; and the men likewise gave up natural relations with women and were consumed with passion for one another, men committing shameless acts with men and receiving in themselves the due penalty for their error.

Homosexual acts are described here as contrary to what is 'natural' and Paul describes them as 'shameless acts.' In order to soften or undermine the clear teaching of these verses, some have suggested that Paul was arguing against abusive homosexual relationships of various kinds, rather than homosexual acts *per se*. This is specious and without foundation in the face of such unambiguous teaching, following on as it does from similar clear and unambiguous teaching in the Old Testament.

The other critical New Testament passage is 1 Corinthians 6: 9-11:

Do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practice homosexuality, nor thieves, nor the greedy, nor drunkards, nor revilers, nor swindlers will inherit the kingdom of God. And such were some of you. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God.

<sup>260</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, 86.

Notice that those who practise homosexuality are listed among idolaters, adulterers, thieves and others. The suggestion that those who engage in homosexual acts ought to be recognised as respectable members (even ministers) of the Church can surely not be justified from this passage of Scripture. Nevertheless, this passage gives hope because it indicates that there is the possibility of transformation through Christ, by the Holy Spirit.

### 7.5 Summary

Given the biblical and theological arguments presented above and spelled out in detail below, we reject all arguments which seek to justify or condone homosexual acts, since they stand contrary to the clear and universal teaching of Scripture. The arguments we have in mind include the following:

First, we find homosexuals claiming, 'this is the way God made me' and, on that basis, insisting on the right to express their sexuality in a same-sex relationship. The same kind of argument could be used by heterosexuals to justify a promiscuous lifestyle, or by paedophiles who are attracted to children. Simply the possession of certain sexual desires does not imply the right to express these, especially in relationships which Scripture condemns. The honourable choice of celibacy by those of homosexual orientation is the appropriate response to homosexual desire just as celibacy or a faithful marriage relationship is the appropriate response of heterosexuals to heterosexual desires.

Second, it is argued that Paul knew nothing of long-term, stable homosexual relationships and, if he were living today, the existence of such relationships, plus modern scientific knowledge would have persuaded him that he had been wrong in his teaching on homosexuality. This argument is misguided both historically and theologically. Historically, it is clear that stable homosexual relationships were well known in Roman times and theologically, this argument undermines the fact that God's knowledge is comprehensive, such that his revelation, while never complete, is always true.

In the light of the biblical and theological arguments mentioned above (and spelled out in detail below), we make the following affirmations:

- (a) The Scriptures condemn homosexual acts in unequivocal and forthright terms. Such acts cannot, therefore, be regarded as acceptable behaviour by those who claim to be Christians.
- (b) Everyone on the Theological Commission (on both sides of this debate) agrees that there is not one positive reference to homosexuality in the entire Bible. This agreement is significant.
- (c) The Scriptures have nothing to say about homosexual orientation and there is no barrier to a celibate homosexual being accepted for Christian service.
- (d) The Church, in faithfulness to God's Word, must provide pastoral care for those who struggle with homosexual desires but must also discipline those who flagrantly disobey God by engaging in homosexual acts.

The Church of Scotland, in partnership with orthodox Christianity from the very beginning, has insisted that sexual acts belong in a relationship between one man and one woman joined together in marriage. Chastity outside marriage and faithfulness within marriage is and ought to remain the Church's position.

## 7.6 Exegetical Evidence

### 7.6.1 Introduction

Having summarised our arguments, we shall now exegete those passages of Scripture which deal with issues of human sexuality, particularly those which refer to homosexuality and homosexual acts, in order to discover what God's Word says on this matter. It should be noted that, in a Report to General Assembly, it is not possible to lay out the exegetical work in great detail, due to the constraints of space. For those who wish to examine this issue in more depth we recommend the work of Robert Gagnon.<sup>261</sup> This almost 500 page volume has become the

<sup>261</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*.

definitive work on the subject, commended by scholars across the theological spectrum, such as James Barr, Brevard Childs, C.E.B. Cranfield, C.K. Barrett, James D.G. Dunn, I. Howard Marshall and others.

Before embarking on the exegesis itself, there are certain explanatory notes required, in order to explain our understanding of God's law in relation to Christian decision-making.

### 7.6.2 The Old Testament and the Law of God<sup>262</sup>

The key hermeneutical question on which our study is based can be expressed in this way: How do we, as Christians, make use of the Old Testament law in guiding moral or ethical decision making? We begin with the follow six observations:

- (a) The Old Testament, in all its parts, has authority and relevance for Christians in all times and places, albeit that we recognise the distinctions made in the *Westminster Confession of Faith* between the moral, ceremonial and judicial aspects of the law.
- (b) On the matter of the law, there is a unity between the Scriptures of the Old and New Testaments. This unity is not in any way undermined by the fulfilment of the law in Christ (Romans 10:4). Jesus himself indicated that not even the smallest letter or stroke of a pen would pass from the law until heaven and earth disappear (Matthew 5:18). Indeed, the apostles recognised that the underlying purpose of the law might be applied to new circumstances (1 Corinthians 9:7-12), as the *Confession* underlines.<sup>263</sup>
- (c) The priority of God's grace in giving the law further unites both Testaments. The law of God is not viewed as a burden to weigh people down but as a gracious gift to be celebrated (see Psalms 19 and 119). Having made his covenant with Israel through Abraham, God gives the law 430 years later through Moses. The

giving of the law does not undermine the promises made in the covenant, rather it is a spelling out of how the covenant people ought to live before God (Galatians 3).

- (d) The mission of Israel is central to our understanding of the Old Testament. God has chosen, elected, the people of Israel to achieve his purposes of grace and redemption in the midst of the other nations and to be a blessing to all the nations. God's election of Israel leads directly to an ethical demand upon the elect people. The mission given to Israel will be achieved through obedience to the law.
- (e) The function of the law in relation to Israel must be understood. Having brought his people up from slavery in Egypt, God calls them to be a priestly nation, a holy people. The gift of the law serves the people in their priestly and holy service offered to the nations. Israel, through obedience to the law becomes a light to the nations.
- (f) Israel is a model, or paradigm, for all the nations and peoples of the earth. The role of the law within Israel similarly serves as a model for the lifestyle and ethics of the nations. The law cannot thus be confined to Israel but has a relevance to all peoples.

In Scripture, then, we find that what we call 'law' is far more than merely legal texts. The material covered by the description *torah* includes narrative, genealogy as well as what might be called legal texts. The purpose of *torah* is the formation of a worldview, a way of relating story, symbol and acts. The categories of legal material that we find in the Old Testament may be described by the following terms: criminal, case, family, cultic, compassionate. These categories are woven together as part of the way of life of the nation. If we begin with these categories, representing the different types of legal material as found in the text, it is then possible to analyse the social function of these texts within the nation of Israel. We then strive to understand the objectives of the law within Israel and can finally be in a position to hold onto the objective of the law as given while applying the law to the changed situation in which we find ourselves.

<sup>262</sup> For a full discussion of this theme see; Wright, Christopher J.H., *Old Testament Ethics for the People of God*, (Nottingham, Inter-Varsity Press, 2004), 281-326: Chapter 9 'Law and the legal system'.

<sup>263</sup> *Westminster Confession of Faith* XIX.4

### 7.6.3 The Old Testament and Human Sexuality

In this section of the Report we will consider the Old Testament and human sexuality and will view homosexual practice in the light of that wider picture. While recognising the literary and historic differences between the texts of the Old Testament, we intend to read the Old Testament as a whole, rather than as a collection of texts, since it comes to us as one canonical text. We will not limit our study of the Old Testament to texts which directly mention homosexual practice, although we will, as required, consider those texts in our study.

#### 7.6.3.1 Torah

Torah, or the Pentateuch, is properly the foundation of all biblical revelation. The two later sections of the Hebrew canon, the Prophets and the Writings, respond to Torah, indeed without Torah neither the rest of the Old Testament nor the whole of the New Testament would make any sense. Torah is presented to us deliberately with this purpose of shaping a foundation for our understanding of Yahweh. Torah includes what we think of as 'law' but, being more than this, is a communication from Yahweh of himself giving instruction to humanity that we might order our lives according to Yahweh's purposes for us.<sup>264</sup> The term 'Torah' is thus used to describe a collection of books: Genesis, Exodus, Leviticus, Numbers and Deuteronomy. This is a brief and narrow definition of Torah. In his short history of Judaism, *Torah Through The Ages*, Jacob Neusner writes:

I select among the principal symbolic components of any Judaism the symbol of Torah... That symbol is available in any Judaism, for all Judaisms appeal to the opaque symbols represented, in verbal terms, by the words "God," "Torah," and "Israel." These ciphers stand in secular language for the "world-view," "way of life," and "social entity" that comprise a religion.<sup>265</sup>

<sup>264</sup> Van Gemenen, Willem A., *New International Dictionary of Old Testament Theology and Exegesis*, (Volume 4) (Grand Rapids, MI: Zondervan, 1996), 893. See also; Brown, Francis, Driver, Samuel R. & Briggs, Charles A., *A Hebrew and English Lexicon of the Old Testament*, (1962 Reprint) (London: Oxford University Press, 1907), 435.

<sup>265</sup> Neusner, Jacob, *Torah Through The Ages: A Short History of Judaism*, (London: SCM Press, 1990), xi.

Here Neusner does not limit the definition of Torah to Law, or legal text. A world-view, way of life or social entity is a far broader concept than Law, although it often may include what we would consider Law. 'Torah' is a word with a wide range of meanings, it is important then when studying biblical texts, especially Genesis to Deuteronomy, not to fall into an overly simple reading of all texts as legal texts. Much of the material in Genesis to Deuteronomy is narrative, which is difficult to read as Law. It is not the position of our exposition that all the material that may be called 'Torah' is Law or legal text. We do, however, note the use of the term 'Torah' in Psalm 119 where it is used 25 times and is often used together with the phrase 'of the LORD', as in verse 1: 'Blessed are those whose way is blameless, who walk in the law of the LORD!' 'Torah' thus describes a word of Yahweh, delivered orally or in writing which, having its origin in Yahweh, derives an authority from him. Thus 'Torah' may be in the form of Law or narrative or poetry or parable. In whichever form it comes to us, it is Torah and has the backing of the authority of Yahweh.

#### 7.6.3.1.1 Genesis 1-2

All that Genesis will teach us about humanity is set in the context of creation as described in Genesis 1-2. Genesis 1 describes creation as the work of one God for his glory and Genesis 2 complements this with a more anthropocentric presentation of creation. From Genesis 1:26-27 the male female distinction is taken to reflect something of the image of God. This is built into the fabric of human creation and is not to be confused or treated as a consequence of the Fall. The command given in verse 28, 'Be fruitful and multiply' would suggest that propagation of the species is commended by God, which is a result of an exercise of human sexuality.<sup>266</sup>

In 2:18-25 we have an explanation of the existence and power of the male-female bond within marriage.<sup>267</sup> For

<sup>266</sup> All Biblical references are from the English Standard Version.

<sup>267</sup> So in; von Rad, Gerhard, *Genesis* (Revised Edition) (London: SCM Press, 1972), 84-85.

von Rad the point of the account is to explain the human condition, the powerful attraction between male and female. Gordon Wenham helpfully adds to the work of von Rad, writing that marriage is to be between a male and a female, specifically and exclusively.<sup>268</sup> This unique relationship of marriage also exists for harmony and intimacy. Intimacy is the theme to which the Old Testament will return most prominently in Song of Songs. Marriage between a male and a female is the high standard to which relationships between male and female aspire. When commenting on this verse in Matthew 19:6, the Lord Jesus adds that any destruction of this male female relationship, presumably by any non-married sexual activity, destroys, or seriously mars, an element of God's creative activity.

Humanity has been created male and female. There is a powerful attraction between male and female which has been built into human creation. When this attraction is expressed within marriage between a male and a female, there is harmony and intimacy, a reflection of the harmony and intimacy enjoyed and experienced by the Triune God, whose image is impressed upon both male and female.

#### 7.6.3.1.2 Genesis 3

The Fall described in Genesis 3 is vital to our understanding of the biblical story, which can be read in terms of a fourfold outline: Creation, Fall, Redemption, and Final Judgement. The Fall does not control this outline and is not the highest peak on this range; it does, however, make a significant contribution to the overall shape and outline. If we are tempted to omit the Fall from this outline, we must answer the question, 'From what are we being redeemed?' In 3:1-5 we read of the temptation placed before Eve and then in 3:6 the human pair enter into sin. By this sin, God, who is creator and generous provider, is rejected. In Genesis 3:7 we find that as soon as the innocent harmony between the male and the female is shattered, the skimpy coverings they make for themselves are emphasised. Not

yet are they trying to conceal themselves from God, here they are trying to conceal themselves from one another, in particular to conceal parts of their bodies associated with sexual behaviour.

This contrasts with the situation before the Fall, where we read in Genesis 2:25, 'And the man and his wife were both naked and were not ashamed.' If shame is a reaction to being exposed or unmasked, then there was previously no shame. After sin, however, they know they are naked. They have not at this moment become sexually aware, there is no suggestion in the text either that they were sexually unaware before 3:7 or that they only become sexually aware after 3:7. One of the consequences of sin is a new tension between the male and the female in the area of sexuality. Human sexuality is not the only casualty of the Fall, but it does not escape the baneful effects of human rebellion against our Creator.

This new tension between male and female is further expressed in the words spoken by the Lord God to the woman in Genesis 3:16 (emphasis added), 'To the woman he said, "I will surely multiply your pain in childbearing; in pain you shall bring forth children. *Your desire shall be for your husband, and he shall rule over you.*"' This verse reinforces the loss of harmony and fellowship between male and female which we see played out in our lives day and daily. The consequences of the Fall, then, affects human sexuality. There is now no expression of human sexuality free from the stain of sin. This does not mean that all human sexuality is entirely sinful, or as sinful as it could be. By grace, although broken, the image of God is still borne by humans and so in Christ our sexuality can be redeemed and renewed.

#### 7.6.3.1.3 Genesis 18

Genesis 19 has become a major crux in discussion of human sexuality and must receive a fuller treatment than other Genesis texts. Since it is a unit of text with Genesis 18, we begin there. The opening section, 18:1-15, records the promise of a child to Abraham and Sarah and corresponds to the close of the text 19:30-38, with

<sup>268</sup> Wenham, Gordon, *Genesis Volume 1-15* (Word Biblical Commentary 1) (Dallas, TX: Word, 1987), 69.

the birth of children to Lot.<sup>269</sup> These verses also describe how Abraham received the three visitors. His example of hospitality in his welcome of the visitors, followed by that of Lot (19:2-3), will stand in contrast to that offered by the men of Sodom.

In 18:16-21 we learn that the Lord is about to do something and it involves Sodom. There is no mention made here of what the sin of Sodom might be, which should cause us to hesitate to locate the sin of Sodom in one particular element of chapter 19. Verses 22-33 set up the tension in chapter 19, which is focused on the survival or otherwise of Lot and his family. The survival of Lot is seen in the context of Abraham exclaiming in Genesis 18:25, 'Far be it from you to do such a thing, to put the righteous to death with the wicked, so that the righteous fare as the wicked! Far be that from you! Shall not the Judge of all the earth do what is just?' Thus the very nature and being of Yahweh are at stake in the crime and punishment, destruction and rescue narrative being played out before Abraham.

#### 7.6.3.1.4 *Genesis 19*

Lot's invitation and the provision offered (verse 2), is briefer and more simple than that offered by Abraham. The refusal of the offer of hospitality is unexpected and different from the somewhat parallel passage in Judges 19. There is something different happening in this visit to Sodom, in contrast to the earlier visit to Abraham at Mamre. Lot is insistent (verse 3), and the text is very strongly worded. Does Lot know what will happen to the visitors if they remain on the street? That would certainly be parallel to Judges 19. If the matter in hand were merely the refusal of hospitality by the people of the city, then once Lot has offered hospitality his duty is fulfilled and there is no need to press the visitors to come in off the streets. In 19:4 the phrase, 'the men of the city' is emphatically all the male inhabitants of the city. Apart from Lot there is no one righteous in the city.

In 19:5 we come to the heart of the sin of Sodom. The phrase, 'that we may know them' cannot refer to any ignorance on the part of the men of the city as to the identity of the visitors, who entered publicly through the city gate. Since 'יָדָע' 'to know' is frequently used in Genesis of sexual intercourse, this seems the likeliest meaning here (see 4:1, 17, 25; 24:16).<sup>270</sup> The response of Lot to this request by the men of the city, the offer of his virgin daughters, indicates his understanding of their request for knowledge of the visitors to be a sexual request. Von Rad very colourfully writes:

One must think of the heavenly messengers as young men in their prime, whose beauty particularly incited evil desire (Gu.). In Canaan, where civilization at that time was already old, sexual aberrations were quite in vogue. At any event the Canaanites seemed dissolute to the migrating Israelites, who were bound to strict patriarchal customs and commands. This was especially true of the Canaanite cult of the fertility gods Baal and Astarte, which was erotic and orgiastic at times. (Lev 18.22ff.; 20.13-23).<sup>271</sup>

The sin of Sodom is sexual sin. There is a breach of traditions of hospitality, but there is more, there is improper sexual desire which falls under the judgement of God. In 19:6-7, Lot's words cannot be directed against a breach of hospitality, he clearly understands the desire of the mob to be sexual. The offer of his daughters (verse 8), must be intended to shock the first audience, as it shocks us. We cannot in any way condone Lot's offer of his daughters to the mob.<sup>272</sup> Lot is not free from sin and so is not rescued from Sodom because of his goodness or righteousness, but by the mercy of the Lord (19:16).

Lot has taken a wrong turn in settling in Sodom and the consequences of this error are now played out when judgement falls upon Sodom. There is here no condoning

<sup>269</sup> The close parallels in content and theme of these two passages functions to tie the two chapters closely together.

<sup>270</sup> Wenham, Gordon, *Genesis Volume 16-50*, (Word Biblical Commentary 2) (Dallas, TX: Word, 2000), 55.

<sup>271</sup> von Rad, Gerhard, *Genesis*, 217.

<sup>272</sup> von Rad, Gerhard, *Genesis*, 218-219.

of heterosexual violence in contrast to a condemnation of homosexual violence, both are abhorrent. With 19:9-11 the attack reaches its climax, as the mob ignore Lot and push forward seeking to tear down the door that they might achieve their wicked objectives. The two visitors save Lot, striking the men of Sodom with blindness. As elsewhere in Scripture (Isaiah 6:10; John 9), this physical blindness is accompanied by intellectual or spiritual blindness. The men of Sodom cannot see physically or spiritually where they are going.

Lot, the only righteous man in Sodom, is to be saved and his family with him, as is made clear in 19:12-14. Finally with 19:15-29, the narrative carries on to its conclusion with no further references to or additional explanation of the sin of Sodom. The summary of the incident is stated in verse 29: 'So it was that, when God destroyed the cities of the valley, God remembered Abraham and sent Lot out of the midst of the overthrow when he overthrew the cities in which Lot had lived.' This verse concludes the crime and punishment, destruction and rescue cycle. The one who executes judgement upon Sodom, for sexual sin and for breach of hospitality sin, is God. This is not a human verdict but a Divine verdict. Chapters 18 and 19 form a unit of text in which Yahweh is the major actor: he hears the outcry against Sodom, he comes in judgement, he acts to rescue Lot. The sin of Sodom is both sexual and also a rejection of hospitality. There is no justification for the attempt to suggest that the homosexual element in this story held no interest for the author.<sup>273</sup> The sexual crime in view at Sodom is homosexual, and it is condemned.

### 7.6.3.1.5 Exodus

The first and principal text in Exodus relating to human sexuality is 20:14, 'You shall not commit adultery.' The giving of the Decalogue is described in chapters 19-24. This was a key event in the life and history of the nation of Israel, the Sinai meeting of Yahweh with his people.<sup>274</sup> The Decalogue itself is given in Exodus 20:1-17.

<sup>273</sup> John, Jeffrey, *Permanent, Faithful, Stable, Christian Same-Sex Partnerships*, 10.

<sup>274</sup> Durham, John I., *Exodus* (Word Biblical Commentary 3) (Dallas, TX: Word, 1987), 278.

In 20:14 we have one of the more simple statements of the 'ten words.' The verb used is *nāku*, which elsewhere is used of a man with the wife of another man, of a woman (more rarely) and figuratively of idolatry. Gary H. Hall notes, 'ANE The vb. *nāku* appears with the meaning "to have illicit sexual intercourse" in Akk.'<sup>275</sup>

Adultery refers to sexual intercourse (i) between a man and another man's wife (Leviticus 18:20; 20:10, Deuteronomy 22:22); (ii) between a man and a fiancée of another man (Deuteronomy 22:23-27) and (iii) between a wife and a man who is not her husband (Hosea 4:13, Ezekiel 16:32). Adultery is consistently condemned in the Old Testament and the punishment of death illustrates the serious nature of the offence. Adultery is a sin not only against another human but against Yahweh.<sup>276</sup> Adultery is sexual sin, an offence against marriage.<sup>277</sup> It also has a metaphorical, or figurative, use for idol worship. In both senses what is important is that the adulterer is turning away from commitment to Yahweh. To make this point clear: sexual sin against marriage is a rejection of Yahweh.

We should note the introduction to the Decalogue in Exodus 20:1, 'And God spoke all these words, saying...'. Thus Childs can say, 'the Book of the Covenant (Ex. 20.22) is introduced as a speech of God to Moses for the people.'<sup>278</sup> We do not limit this introduction to the Decalogue to the first commandment only but to all the commandments. This is God's command, the Word of God for his people. In a characteristically forthright manner Calvin comments on the interpretation of the commandments:

<sup>275</sup> See; Brown, Francis, Driver, Samuel R. & Briggs, Charles A., *A Hebrew and English Lexicon of the Old Testament*, 610, and; Van Gemeren, Willem A., *New International Dictionary of Old Testament Theology and Exegesis*, (Volume 3) (Grand Rapids, MI: Zondervan, 1996), 2.

<sup>276</sup> Durham, John I., *Exodus*, 294.

<sup>277</sup> Note that in Jeremiah 3 adultery is in parallel to, and synonymous with, whoredom/prostitution, as one example where adultery is taken as an offence against marriage in its widest sense.

<sup>278</sup> Childs, Brevard S., *The Book of Exodus*, (Louisville, KY: Westminster Press, 1974) 393.

Obviously, in almost all the commandments there are such manifest synecdoches that he who would confine his understanding of the law within the narrowness of the words deserves to be laughed at. Therefore, plainly a sober interpretation of the law goes beyond the words; but just how far remains obscure unless some measure be set. Now, I think this would be the best rule, if attention be directed to the reason of the commandment; that is, in each commandment to ponder why it was given to us... Finally, from this same thing we must derive an argument on the other side, in this manner: if this pleases God, the opposite displeases him; if this displeases, the opposite pleases him; if he commands this, he forbids the opposite; if he forbids this, he enjoins the opposite.<sup>279</sup>

Thus if we interpret the commandment only to forbid adultery, as defined earlier, we have not yet fully interpreted the commandment of the Lord. In this we follow the example of the Lord Jesus in Matthew 5:27-30. Since adultery is a sexual sin against marriage, we understand that what is forbidden by the commandment is all sexual activity outside of marriage between one man and one woman. Positively, included in the commandment is respect and honour for the marriage bond, as the only right setting for the full expression of human sexuality. More recently than Calvin, John Currid writes:

This commandment is not only designed to condemn adultery, but judges all forms of sexual impurity. It is the exemplar, or paradigm – that is, a standard to be applied to all types of sexual relationships. Thus, when the Mosaic law code expounds upon this commandment, it condemns and prohibits acts of homosexuality (Lev. 18:22), incest (Lev. 18:6-18), bestiality (Exod. 22:19) and fornication (Exod. 22:16). The law's demand is for appropriate sexual behaviour in all areas.

This statute is striking in the light of pagan sexual practices. Leviticus 18 lists many of these depravities, such as temple prostitution, incest and adultery. Israel is to act differently. Sexual purity is one of the marks of being set apart.<sup>280</sup>

The commandment puts a clear distinction between Israelite sexual behaviour, the sexual behaviour of 'a kingdom of priests and a holy nation' (Exodus 19:6), and the other nations. All expressions of human sexuality apart from within marriage between one man and one woman are under the ban of the commandment. Positively, humans are to treasure and prize highly the marriage bond and the expression of human sexuality enjoyed within it. In summary, then, Yahweh has given this commandment to his people. Yahweh gave this commandment at a crucial high point in the life of his people. The commandment forbids, or prohibits, all sexual activity outside marriage. The commandment commends marriage as the relationship within which humanity can celebrate and enjoy Yahweh's gift of human sexuality.

#### 7.6.3.1.6 *Exodus 22:16-19*

These verses appear in what is called the Covenant Code, Exodus 20:22-23:33. In 22:16, 'seduces' can be rendered "persuade" a woman, or, "seduce" a virgin.<sup>281</sup> The idea is not a violent, rape-like, attack upon a woman, but a seductive persuasion in which the woman finally agrees to sexual activity. The provision of this verse may be for both the woman's father and the woman herself.<sup>282</sup> Protection and provision for an unmarried young woman is offered here. Verse 18 has no relation to human sexuality but verse 19 reintroduces a form of sexual behaviour which is expressly forbidden.

#### 7.6.3.1.7 *Exodus 32:6*

The final word in this verse has connotations of sexual play, 'the vb. is used in connection with the worship of

<sup>279</sup> Calvin, John, *Institutes of the Christian Religion*, 2.8.8.

<sup>280</sup> Currid, John D., *Exodus Chapters 19-40*, (Volume 2) (Auburn, MA: Evangelical Press, 2001), 47.

<sup>281</sup> Brown, Francis, Driver, Samuel R. & Briggs, Charles A., *A Hebrew and English Lexicon of the Old Testament*, 834.

<sup>282</sup> Durham, John I., *Exodus*, 327.

the golden calf (NIV indulge in revelry). This usage... more likely it refers to a sexual orgy.<sup>283</sup> We should note the use of the verb in Genesis 26:8, with marital connotations and in Genesis 39:14 and 17, with extra-marital connotations. A consequence of the sin of idolatry before the Golden Calf is sexual license and sin. Sexual sin is never free from a rejection of Yahweh.

#### 7.6.3.1.8 *Leviticus 18*

Leviticus 18 is a second major crux in any consideration of the Old Testament and human sexuality. It is important that we do not take one or two verses of this chapter out of context but consider the whole chapter. The wider context of Leviticus 17-27 is usually taken as a distinct section within the book and may be described as 'Prescriptions for Practical Holiness'<sup>284</sup> or 'Laws on Holy Living'.<sup>285</sup> The purpose of this section of the book is to apply the separation or distinction between the holy and unholy, between Yahweh and all that opposes Yahweh, to the daily lives of the chosen people of Yahweh. A key feature of Leviticus 18 is the repeated use of the phrase, 'I am the Lord your God' (verses 2, 4 and 30) forming a frame for this chapter. Describing such self-introductory formulae Hartley writes:

These self-introductory formulae function to locate the authority of a passage, law or summons to obedience in the name of the giver of that word, namely Yahweh. That is, a formula raises the authority of a law or a series of law above the socio-political sphere to the divine sphere. Consequently, in obeying these laws the people express their loyalty to Yahweh.<sup>286</sup>

Leviticus 18 cannot be some culturally conditioned set of sexual prohibitions. The imprint of the nature and authority of Yahweh is written large over each part of this chapter. Submission to these sexual prohibitions is a response to redemption, a display of the image of God and a joyful, loving thanksgiving to Yahweh.

In 18:22, homosexual practice is forbidden: 'You shall not lie with a male as with a woman; it is an abomination.' This includes all homosexual practice, rather than just abusive or violent or exploitative homosexual practice. Homosexual practice is described as 'an abomination', which means it is something 'that God abhors'.<sup>287</sup> It is 'literally something detestable and hated by God'.<sup>288</sup> We should not imagine that these words were written lightly, nor should they be interpreted, or dismissed, casually.

Leviticus 18 opens, in verses 1-5, with an injunction to obey Yahweh's commands. Verses 6-18 prohibit sexual activity between close relations, verse 19 prohibits sexual activity during menstrual period, verse 20 prohibits adultery with a neighbour's wife, verse 21 prohibits offering children as sacrifices to false gods, verse 22 prohibits homosexual practice, verse 23 prohibits bestiality and the chapter concludes in verses 24-30 with exhortations to obey these laws. This demonstrates that homosexual practice is not the only expression of human sexuality which is prohibited for the people of Yahweh. In our contemporary society there is no desire to lift prohibitions on incest or bestiality and so, to remove the prohibition on homosexual practice, requires the interpreter to take verse 22 out of its context and treat it as a special case.

#### 7.6.3.1.9 *Leviticus 20*

The seriousness of homosexual acts is highlighted in the punishment prescribed in Leviticus 20:13 for those who engage in such acts: 'If a man lies with a male as with a woman, both of them have committed an abomination; they shall surely be put to death; their blood is upon them.' This verse comes in a section, 20:10-21, which

<sup>283</sup> Van Gemenen, Willem A., *New International Dictionary of Old Testament Theology and Exegesis*, (Volume 3), 797.

<sup>284</sup> Wenham, Gordon J., *The Book of Leviticus* (New International Commentary on the Old Testament) (Grand Rapids: Wm. B. Eerdmans, 1979), xi.

<sup>285</sup> Hartley, John E., *Leviticus*, (Word Biblical Commentary 4) (Dallas, TX: Word, 1992), viii.

<sup>286</sup> Hartley, John E., *Leviticus*, 292.

<sup>287</sup> Hartley, John E., *Leviticus*, 297.

<sup>288</sup> Wenham, Gordon J., *The Book of Leviticus*, 259.

describes various expressions of sexual immorality and the punishments required for them. In verses 10-16, the punishment is death, in 17-21, the punishment is to be cut off from the people, or to bear their own sin. It is this element of punishment which is an addition in 20:13 from chapter 18. Offences that bear the death penalty as punishment are religious offences and offences against ordered family life. The death penalty is a maximum penalty which reflects the abhorrent nature of the offence, particularly that the offence is abhorrent to Yahweh.

We do not seek to apply the death penalty today, hoping that an offender may yet come to faith and repentance in the Lord Jesus Christ, acknowledging their sin and receiving forgiveness. However, we must recognise that our God considers such sexual sin as an offence against his nature and his holiness and his appointing such punishment for this sin cannot be ignored or treated lightly.<sup>289</sup>

Quite apart from the clear teaching of these passages, the simple anatomical facts ought to have been sufficient to establish homosexual acts as an abomination. As Gagnon notes:

Apart from Scripture, the clearest indications as to God's design for human sexuality comes from the anatomical fit and functional capacity of male and female sex organs. On the one hand, there is an obvious and "natural" fittedness of the male penis and the female vagina. This fittedness is confirmed not only by the dimensions of the two organs but also by the tissue environment of the vagina (its relative sturdiness against rupture and its cleanliness when compared to the rectal environment), the capacity of both penis and vagina for mutual sexual stimulation (penial glands and the clitoris), and their capacity for procreation. Neither the male anal cavity (the orifice for expelling excrement) nor the mouth (the orifice for taking in food) are likely candidates for what God intended as a receptacle for the male penis.<sup>290</sup>

Given that the books of Numbers and Deuteronomy do not add to our discussion of human sexuality in Torah, we can conclude our study of this foundational section of the Old Testament in this way; human sexuality has been created by God to be enjoyed between one man and one woman. All expressions of human sexuality outside marriage are condemned by God. Homosexual practice is one of those expressions of human sexuality which is an abomination to God and therefore receives from him the severest punishment.

### 7.6.3.2 The Historical Books

This section of the canon includes the former Prophets: Joshua, Judges, 1 & 2 Samuel and 1 & 2 Kings, together with the books of Ruth, 1 & 2 Chronicles, Ezra, Nehemiah and Esther.

#### 7.6.3.2.1 The Former Prophets

The books of Joshua, Judges, 1 & 2 Samuel and 1 & 2 Kings are taken together in the Hebrew canon as the Former Prophets, which gives us some insight into the historical perspective from which they were written. All history is written from a perspective. The history written in these texts is written from a divine perspective. The story being told is the story of Yahweh's involvement in the life of his people, in particular it speaks of Yahweh's faithfulness to his covenant promises in the face of continued and persistent rejection of Yahweh and his covenant by his people. In this context, we find described all of human life, and a full range of expression of human sexuality, including prostitution (Joshua 2), unmarried promiscuity (Judges 16), rape (2 Samuel 13) and polygamy (1 Kings 11). Consistently in these books, the only expression of human sexuality that is approved of is that shared between one man and one woman within marriage, all other forms of human sexuality are portrayed as part of the cause of the exile.

#### 7.6.3.2.2 Judges 19

There are some similarities between this text and Genesis 19. No one comes out of this story well, not the Levite, not the old man, not the men of Gibeah. Yes, there is an offence against the practice of hospitality here, however,

<sup>289</sup> Wenham, Gordon J., *The Book of Leviticus*, 281-284.

<sup>290</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, 181.

this is not the only offence. The men of Gibeah demand in 19:22, 'Bring out the man who came into your house, that we may know him.' The man of the house responds in 19:24 by offering his virgin daughter and the concubine of the Levite, 'Let me bring them out now. Violate them and do with them what seems good to you, but against this man do not do this outrageous thing.' As in the case of Sodom, in Genesis 19, what lies behind this story is a sexual offence, that of homosexual practice.

In verse 23, the old man describes the desires of the mob for homosexual activity saying, 'do not act so wickedly... do not do this vile thing.' On this passage, Robert Gagnon quotes Susan Niditch:

In Judges 19, the unwelcome attack has the additional negative feature of homosexuality... The threat of homosexual rape is thus a doubly potent symbol of cultural, non-civilized behaviour from the Israelite point of view... homosexual rape is not merely an attack against an individual. It threatens proper family-concepts and... the greater community of Israelites... the Benjamites' rape of a female is hypothetically less of an abomination than the homosexual attack.<sup>291</sup>

We should disagree with Niditch, no rape is less of an abomination than any other rape, however, the main point is well made. While Israel knew of homosexual practice, as the people of Yahweh such sexual behaviour was forbidden them and was abominable to Yahweh. Homosexual behaviour is an attack against Israel being the people of God and this element of the narrative in Judges 19-21 cannot be denied.

### 7.6.3.2.3 *Ruth*

Ruth is clearly a harvest tale and is appropriate for that setting. We regard as baseless the claim that Ruth and Naomi were involved in a lesbian relationship.<sup>292</sup> Similarly,

we are not persuaded by those who argue that, in chapter 3, Ruth enticed Boaz into a pre-marital sexual relationship, since there is no compelling evidence that the relevant phrase in 3:2, 7, 'Then go and uncover his feet and lie down,' has any sexual connotations.

### 7.6.3.2.4 *David and Jonathan*

The relevant texts are found in 1 Samuel 18-23. These texts have been read by some as describing a homosexual relationship between David and Jonathan. However, there is no necessary element of the text requiring this reading. There is always a danger of reading into a text what you want to take from it and without an explicit statement of homosexual activity between David and Jonathan it seems better to read these texts as celebrating the glory of a non-sexual friendship between two men. As Gagnon notes:

Why were the narrators unconcerned about a hint of homosexual scandal? The answer is obvious: nothing in the stories raised any suspicion that David and Jonathan were homosexually involved with one another. Only in our day, removed as we are from ancient Near Eastern conventions, are these kind of specious connections made by people desperate to find the slightest shred of support for homosexual practice in the Bible.<sup>293</sup>

### 7.6.3.2.5 *David and Bathsheba*

This narrative and its tragic consequences are recorded in 2 Samuel 11-19. David commits adultery and murder and is judged by Yahweh. This dreadful account highlights Yahweh's judgement and punishment of heterosexual offences. The Old Testament is not only against homosexual sexual activity, although it is against homosexual sexual activity, the Old Testament is pro-marriage and against all forms of human sexuality outside marriage.

### 7.6.3.2.6 *Polygamy*

There are four major figures in the Old Testament story

<sup>291</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, 96.

<sup>292</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, 154 n.249.

<sup>293</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, 154.

who engage in polygamy: Abraham, Jacob, David and Solomon. The Old Testament story is not simply that of a progression from polygamy to monogamy. Rather, the Old Testament records for us the failures of these major figures, as examples for us. In none of these cases is polygamy commended when it is practised, nor is the outcome of polygamy approved or held in any sense to be good. Neither polygamy nor concubinage are commended in Scripture and these practices do not challenge the consistent rejection of all sexual behaviour outside marriage presented in the Old Testament.

#### 7.6.3.2.7 *Chronicles*

1 & 2 Chronicles retell the story of the people of Israel from the rise of Saul to the exile. The contrast in perspective between Samuel, Kings and Chronicles is marked. Chronicles is a more humanly focused account of the monarchy in Israel and Judah, yet not without theological significance. For our purposes, Chronicles does nothing to lift the unremitting opposition of the Old Testament to any and all forms of human sexual activity outside marriage. The relevant narratives are sufficiently parallel to the Samuel and Kings accounts, upon which we have already commented.

#### 7.6.3.2.8 *Ezra and Nehemiah*

These may be described as revival texts. They are set post-exile and describe the return from exile and the initial re-establishment of Jerusalem and Israel. Ezra 9 and 10 take up the challenge of inter-marriage between the people of Israel and the surrounding nations. Ezra 9:1 uses the term 'abominations', familiar from Leviticus 18:22, 20:13 and Ezekiel 16. This suggests that the problem here is not merely marrying outside the clan but adopting the sexual practices and customs of non-Israelite peoples. For Israel, human sexuality is to be restricted to that between one man and one woman within the relationship of marriage, all else falls under the term 'abomination.' Both Ezra and Nehemiah (Nehemiah 10:30 and 13:23-31) adopt a zero tolerance approach to any expressions of extra-marital human sexual activity, which is by now no more than we would expect in the Old Testament.

#### 7.6.3.3 *The Wisdom or Poetic Books*

The five books of Job, Psalms, Proverbs, Ecclesiastes and Song of Songs are grouped together under this heading. We note that Job and Psalms do not add to our consideration of human sexuality within the Old Testament.

##### 7.6.3.3.1 *Proverbs*

Chapters 2, 5 and 7 of Proverbs have much to say about the dangers of the 'forbidden woman' (2:16; 5:3; 7:5). The woman is described in 2:16 as an 'adulteress',<sup>294</sup> which may imply that she is married although, in the light of Exodus 20:14, this is not a necessary conclusion. The implication is that the son being given the advice is not married but is a young man just beginning to make his way in the world. We might therefore imagine two consenting adults engaging in sexual activity, which here is repeatedly and strenuously described as 'iniquities' and 'lack of discipline' (5:22-23) and as 'costing him his life' (7:23, 27). Such behaviour is not the way of Yahweh and is a rejection of wisdom.

##### 7.6.3.3.2 *The Liturgical texts*

There are five books which have been associated with five liturgical seasons; Songs with Passover, Ruth with Pentecost, Ecclesiastes with Tabernacles, Lamentations with the fall of Jerusalem and Esther with Purim. In the Christian canon, we read Ruth and Esther as historical texts, Songs as a poetic text and Lamentations as a Prophetic text. This should not negate insights for exegesis gained from their liturgical use by the framers of the Hebrew canon.

##### 7.6.3.3.3 *Ecclesiastes*

Ecclesiastes, is a text that engages in a search for meaning. All that happens 'under the sun' is considered and the author longs to escape from 'vanity,' or emptiness, 12:13-14. The wise life is one lived in obedience to God, keeping his commandments. All will come to judgement, implying that only what is in keeping with God's commandments will endure the judgement. The author writes in 2:8 of experimenting with self-indulgence but in 2:11 this

<sup>294</sup> 'Adulteress' is the term used in most common English versions for the term in 2:16b.

self-indulgence with extra-marital sexual partners is condemned as 'vanity and a striving after wind, and there was nothing to be gained under the sun'. Tabernacles, in common with the other harvest festivals emphasises dependence upon Yahweh for all life; a theme in keeping with a submission to God's commandments.

#### **7.6.3.3.4 *Song of Songs***

Passover is a celebration of the Exodus, in particular the specific event of Yahweh passing over the houses of the Israelites while visiting death on the houses of the Egyptians. The Old Testament celebration of Passover and as it is taken up in the New Testament at the Lord's Supper is a celebration of the particular salvation we each one enjoy following the gracious work of the Lord for us. This salvation occurs within an intimacy of relationship between the Lord and those he will save. Human sexuality is a powerful expression of the most intimate relationship we enjoy and is therefore the highest and best metaphor to describe the relationship we have with our Saviour God.

There is nothing in the text of Song of Songs which requires us to believe that the Lover and the Beloved are not married. Indeed, starting from Torah and its profound rejection of all unmarried human sexual activity, it is unimaginable that we should find within the canon a warm commendation of sexual promiscuity. Song of Songs does not promote sexual licence of any kind but upholds the highest understanding of human sexuality as the appropriate picture for our intimate relationship with our God. It hardly needs saying that the relationship celebrated in the Song is only a male female relationship.

#### **7.6.3.4 The Prophets**

The books in our canon described as the Prophets are Isaiah, Jeremiah and Ezekiel, together with Lamentations, Daniel and the 12 so called minor Prophets. We can here take Ezekiel and Hosea as two examples from this part of the canon.

##### **7.6.3.4.1 *Ezekiel 16***

The purpose of the chapter is made clear in verse 2, 'Son of man, make known to Jerusalem her abominations,' using the same term for abominations as found in Leviticus

18:22 and 20:13. The rejection of Yahweh by Jerusalem is described by the Lord saying, in 16:15, that Jerusalem, 'played the whore'. Jerusalem is also likened to Sodom, in verses 48-51. Once again the same term 'abomination' is used to describe the sin of Sodom and the sin of Jerusalem. Sodom is the standard example of wickedness throughout the Old Testament. As we saw earlier, their wickedness included the abomination of homosexual practice, although this was not the only sin of Sodom, as is made clear in 16:49-50. When Jerusalem is being charged with unfaithfulness to Yahweh, this is the example used to illustrate the seriousness of the charge against Jerusalem. Indeed as Gagnon writes:

The passage [Ezekiel 16] does not explicitly state that the "abomination" consisted of a failure to attend to the poor and needy. Since the Hebrew word for "abomination" (*tôcêbâ*) is the same word used in the Levitical prohibitions for homosexual intercourse, it is conceivable that Ezekiel is alluding to the same. The overtone of sexual immorality in the surrounding allegory lends support for such an interpretation.<sup>295</sup>

##### **7.6.3.4.2 *Hosea***

Hosea is a more compact prophetic condemnation of the children of Israel, using marital unfaithfulness as expressed in prostitution as the core metaphor for the unfaithfulness of the people. Engaging in marital unfaithfulness is the appropriate picture for rejection of Yahweh.

In this section of Scripture, then, we find that the prophets use Torah as the foundation upon which they charge the people of Israel and Judah with unfaithfulness to Yahweh. Marriage remains the only commended expression of human sexuality, all other forms of human sexuality add to the sin of the people as a whole. Sexual immorality is used as a standard metaphor for unfaithfulness to Yahweh.

##### **7.6.3.5 Old Testament Conclusion**

Torah, the first five books of the Old Testament, have a foundational role within the Old Testament. All the other books and parts of the Old Testament respond to Torah.

<sup>295</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and Hermeneutics*, 80-81.

The Old Testament can be viewed as a fourfold account of the relationship between God and his creation (Creation, Fall, Redemption and Final Judgement).<sup>296</sup> God is Creator and has both authority over his creation and the responsibility to guide and direct his creation. The Fall is a crisis point in the narrative. As a consequence of the Fall, creation is not what it once was, humanity has fallen into sin and the image of God within us has been damaged. If there was no Fall, then neither Redemption nor Final Judgement make any sense. Redemption is an undoing of the effects of the Fall, preparing human beings for God's eschatological future. Our reflections upon human sexuality must take place within this Old Testament framework.

Our human sexuality has suffered because of human sin. All human sexuality now is victim to selfishness, greed, manipulation. Our expressions of human sexuality are not wholly sinful and are not as warped as they could be, but none of them are free from the effects of our sinful natures. God's purpose, expressed in covenant and grace within the Old Testament is to redeem and, within that redemption, to renew our human sexual activity.

Our human sexuality has been created by God and is a good gift of God. God has designed humanity and intends our human sexuality to be celebrated and enjoyed within marriage, between one man and one woman. The Old Testament recognises that humans have never submitted to this foundational instruction of God and every possible expression of human sexuality is reported within the pages of the Old Testament. It is simply not true that the Old Testament is only against homosexual practice. The Old Testament does call homosexual practice an abomination, but this is done as part of a rejection of all forms of human sexuality outside marriage, between one man and one woman.

The missional purpose of the Old Testament is that through Abraham, through the people of God living as

the people of God, the blessing of God would go out to all nations. The exercise of our human sexuality is part of our living as the people of God. What we do with our bodies is not a private matter but will influence our communities and our living together as God's people. The message of the Old Testament is clear; we are to submit the exercise of our human sexuality to that intended by God, to be celebrated and enjoyed, between one man and one woman, within the relationship of marriage.

#### 7.6.4 New Testament Passages

The New Testament Church adopted Old Testament standards of sexual behaviour, including what those standards said about sexual immorality in general and homosexual activity in particular, in lists of behaviours unacceptable to God.

##### 7.6.4.1 The Lord Jesus and the Gospels

It is often argued that, because Jesus does not specifically condemn homosexuality, it must be acceptable to him. That view, however, overlooks the fact that Jesus said, in Matthew 5:17, 'Do not think that I have come to abolish the Law or the Prophets; I have not come to abolish them but to fulfill them.' As a first century Jewish male, Jesus would have been thoroughly aware of the content of the Scriptures of the Old Testament, in particular the five books of Torah. His silence on the subject would have been understood by his contemporaries to mean that he was in total agreement with the teaching of Scripture.<sup>297</sup>

This is demonstrated by Matthew 5:27-32, where Jesus deals with adultery and divorce. In these antitheses, the Lord Jesus is not revising the Torah but is calling his disciples to lives of holiness, 'Jesus, who wishes to instil holiness, does demand more than the decalogue.'<sup>298</sup> The

<sup>297</sup> The four Gospels do not claim to record every word spoken by the Lord Jesus and so we cannot assume that the absence of comment on homosexual activity in the four Gospels means that the Lord Jesus never at any time commented on this subject.

<sup>298</sup> Davies, W.D. & Allison, Dale C., *The Gospel According to Saint Matthew* (Volume 1: Introduction and Commentary on Matthew I-VII) (Edinburgh: T.&T. Clark, 1988), 522.

<sup>296</sup> See comment on Genesis 3, 20/74.

way of discipleship as taught by Jesus is not simply that of a first-century Jewish Rabbi but is an upholding of the law. As Davies and Allison write of the purpose of 5:21-48:

Its primary function is, quite simply, two-fold: to show, through six concrete examples, (i) what sort of attitude and behaviour Jesus requires and (ii) how his demands surpass those of the Torah without contradicting the Torah.<sup>299</sup>

It is also of interest to note that verses 27-28 apply both to men and women, which would have been unusual in the ancient world:

In the ancient world generally it was held that a married man could have sexual adventures as long as they did not involve a married woman (which would mean violating the rights of her husband). A woman, however, was expected to have no such relations; she should be chaste before marriage and faithful after it. The command Jesus cites makes no distinction; people of both sexes were to remain faithful.<sup>300</sup>

The teaching of the Lord Jesus on lust and adultery is radically counter cultural and calls the disciple of the Lord Jesus to the highest understanding of Torah in behaviour and motive. The divorce logion, Matthew 5:31-32, which has parallels in Matthew 19:9, Mark 10:11-12 and Luke 16:18, similarly does not contradict the teaching of Torah but calls the disciples of the Lord to the highest levels of obedience. Divorce, of course, is not commanded in Torah but was permitted under certain circumstances, as we see in Deuteronomy 24:1-4. In Matthew 5:32, 'sexual immorality', referring to sexual practice outside marriage, is given as the permitted cause for divorce. Jesus appears to be saying that, whatever culturally acceptable causes for divorce may be in vogue, divorce is not acceptable for a Christian disciple. Indeed, a disciple is not commanded to

divorce a sexually immoral partner, but may do so. Divorce can never be a casually considered option for a disciple. Of interest is the comment of Davies and Allison in the course of their six pages of exposition of the two verses in Matthew 5:31-32:

According to Erasmus and most Protestant scholars since his time, Matthew allows the innocent party to divorce and remarry in the event of adultery. According to the almost universal patristic as well as Roman Catholic opinion, Matthew permits only separation for adultery, not remarriage...In our judgement, the issue cannot, unfortunately, be resolved on exegetical grounds: Matthew's words are simply too cryptic to admit of a definitive interpretation.<sup>301</sup>

It is this exegetical fact that gives rise to a legitimate range of Christian opinion on divorce and remarriage. Other passages in the Old Testament and New Testament are not so cryptic and permit no breadth of interpretation on sexual ethics. At the very least, we can say of Jesus that he fully supports and upholds the teaching of Torah about the restriction of sexual practice to within marriage.

The Old Testament law books prescribe the death penalty for homosexuality (Leviticus 20:13), adultery (Leviticus 20:10) and prostitution (Leviticus 21:9). While Jesus condones neither practice, the Gospels record instances where Jesus did not demand the death penalty for people practising adultery or prostitution. There is no recorded instance of him overturning the law's requirement for homosexual conduct. It is clear from Jesus' teaching (on divorce, for example) that the only valid outlet for human sexual behaviour (thoughts as well as actions) belongs within the relationship of one man and one woman joined in marriage.

Speaking of the Mosaic Law, Josephus writes:

The Law recognises no sexual connections except

<sup>299</sup> Davies, W.D. & Allison, Dale C., *The Gospel According to Saint Matthew*, 508.

<sup>300</sup> Morris, Leon, *The Gospel according to Matthew* (Leicester: Apollos, 1992). 117-118.

<sup>301</sup> Davies, W.D. & Allison, Dale C., *The Gospel According to Saint Matthew*, 529.

for the natural union of man and wife, and that only for the procreation of children. But it abhors the intercourse of males with males, and punishes any who undertake such a thing with death.<sup>302</sup>

It is likely that this represents a widely held Jewish view of human sexuality at the time of the Lord Jesus. There is no evidence in the Gospels or elsewhere that the Lord Jesus held any different opinion on this matter.

#### 7.6.4.2 Acts 15 and Galatians 2

At the Council in Jerusalem, the requirement of circumcision being placed by some upon Gentile converts is discussed by the apostles and others. This is described by Peter as, 'placing a yoke upon the neck of the disciples...' (Acts 15:10). In Galatians 2, Paul rebukes Peter publicly for his withdrawal from table fellowship with Gentile believers (Galatians 2:11-14), in particular Paul asks Peter, 'how can you force the Gentiles to live like Jews?' (2:14). N.T. Wright on this passages writes:

Paul is clear as to the implication of Peter's withdrawal. Peter is saying, in effect, to the ex-pagan Christians, "if you want to be part of the real family of God, you are going to have to become Jewish." He is "compelling them to Judaize" (2:14c) – the very thing which the "agitators" are trying to do to the Galatians.<sup>303</sup>

It is a matter of contemporary debate whether Second Temple Judaism considered Sabbath observance, food regulations and circumcision as markers of Jewish ethnicity or as works of the law required for salvation. Whatever our decision on this exegetical debate, the conclusion of the Jerusalem council in Acts 15 is clear, as the apostle James concludes the council with the decision to write to Gentile believers, 'to abstain from the things polluted by idols, and from sexual immorality, and from what has been strangled, and from blood.' (Acts 15:20) The restrictions upon sexual behaviour, as we have described them from our study of the Old Testament, were to be maintained by Christian

believers, whether Jews or Gentiles.

#### 7.6.4.3 Romans 1:18-32

Dealing as it does with both male homosexual behaviour and lesbianism, Romans 1:24-27 is the most substantial and overt discussion on homosexual practice in the New Testament, if not in the Bible. As such, it is widely considered by members of the 'One Holy Catholic and Apostolic Church,' of which our Church is a part, to be important in informing Christian ethics. In the passage, homosexual activity is shown to be (i) the result of sin, (ii) an indication of how far someone has strayed from God and (iii) a punishment from God.

Homosexual practice is presented in Romans 1 as both shameful and unnatural. Human wickedness (unrighteousness) is contrasted with God's righteousness and is apparent in humanity's refusal to honour God (1:21). Romans 1 shows God to be:

A righteous God who creates human beings for obedience to his purposes, grants them freedom to rebel, stands in righteous judgement of their rebellion, and manifests his "wrath" by allowing them to suffer the just consequences of their sin.<sup>304</sup>

These aspects of God must be held in tension with the image Paul develops later in the letter of a merciful God.

Human beings are alienated from God as a result of their basic rebellion against him, which is demonstrated in their refusal to honour him. All other depravities and moral perversion grow out of this basic rebellion. In his wrath, God abandons the rebellious to their own devices. This is the import of the expression, 'God gave them up' in verses 24, 26 and 28. The usual meaning of the Greek word translated in Romans 1 as 'gave up' or 'abandoned' (*paradidōmi*) is to abandon to imprisonment, slavery, death, abandonment or judgement and so Paul's use of the term would have indicated to his original readers how serious the matter was.<sup>305</sup> The key question here is

<sup>302</sup> Hays, Richard B., *The Moral Vision of the New Testament* (Edinburgh: T.&T. Clark, 1996), 387.

<sup>303</sup> Wright, N.T., *Justification: God's Plan and Paul's Vision* (London: SPCK, 2009), 94.

<sup>304</sup> Hays, Richard B. *The Moral Vision of the New Testament*, 396.

<sup>305</sup> Gagnon, Robert J. *The Bible And Homosexual Practice: Texts and*

God's restraint of sin. Some commentators have taken the repeated refrain 'God gave them up' (ὁ θεὸς παρέδωκεν) to mean that, in those instances, God withdrew his restraining common grace and allowed sin full and free reign in the lives of those individuals, effectively permitting them to become what they truly wanted to be in their hearts. The tenth commandment tells us not to covet and the apostle Paul suggests elsewhere that sin responds by producing covetous desire in us (Romans 7:7-9). Such covetous desire includes unnatural sexual desire.

The rebellion (ungodliness and unrighteousness) which Paul speaks of in Romans 1:18 is not individual rebellion but the rebellion of the whole of humanity; thus when he speaks of homosexuality as unnatural, he means what he says. He is not getting into a discussion as to what might or might not seem natural to any one individual, he is saying that homosexuality is against the creation order for all people. He is not discussing the question of orientation, a concept foreign to the New Testament.

The condition of those Paul is describing in these verses is highlighted in verses 21-23: 'For although they knew God, they did not honor him as God or give thanks to him, but they became futile in their thinking, and their foolish hearts were darkened. Claiming to be wise, they became fools, and exchanged the glory of the immortal God for images resembling mortal man and birds and animals and reptiles.' It was not ignorance of God that caused their rebellion and rejection; rather it was their rebellion against and rejection of God that caused them to be ignorant.

Paul illustrates his point by reference to homosexual behaviour. The creation narrative points to male and female as normative, thus the practice of homosexuality is a rejection of Creator God and creative order. He uses this illustration to demonstrate the growing power of sin in the life of the unbeliever or apostate as the antithesis of the power of the Holy Spirit in the life of the believer. Paul decries the unnatural desire of female for female or

male for male as substituting truth for untruth. There is a progression here: first, a turning away from the truth and the believing of lies; second an intellectual confusion, in which fools think that they are truly wise, then a collapse into idolatry. Following this, God gives them up and leaves them mired in sin. Homosexual acts are recognised to be part of this desperate, fallen condition from which men and women need to be redeemed.

Nevertheless, Paul indicates that there is an answer to the rebellious human heart, in the gospel. As he reminds us in Romans 6, since Jesus lived, died and rose again, believers have been brought from death to life and are no longer 'slaves to sin,' no longer in the grip of the results of the Fall. This shift from death to life described by Paul, the movement from 'slavery to sin' or 'slavery to righteousness,' is a gift from God and a grace-enabled calling for every Christian. As Gagnon says:

A transformed existence that entails death to self and life for God is both a free gift and a grace-empowered requirement for those adopted into God's family.<sup>306</sup>

#### 7.6.4.4 1 Corinthians 6

Corinth had a reputation for commercial prosperity but also for sexual immorality. The Greek language at the time had a word (*korinthiazesthai*) that translates as 'to live like a Corinthian,' meaning to live a life of drunken and immoral debauchery. At an earlier time, Corinth had a temple to Aphrodite, the Greek goddess of love, beauty and sexuality and a great many prostitutes (perhaps thousands) lived in the city, many of whom belonged to this temple. The immoral legacy of Aphrodite's temple lived on.

In verse 9 Paul is giving examples of those who will not inherit the Kingdom of God. In this list he uses two terms which are of particular relevance in our study. One of the difficulties is that neither Greek nor Hebrew had a word equivalent to our word 'homosexual'. *Malakoi* (translated here as 'male prostitutes') is pejorative slang for the passive

partner in homosexual activity. *Arsenokoitai* (literally 'men who sleep or lie with males' and translated 'homosexual offenders') is thought to be a Greek translation of the Hebrew *mishkav zakur* ('lying with a male' as in Leviticus 20:13: 'If a man lies with a man as one lies with a woman, both of them have done what is detestable. They must be put to death; their blood will be on their own heads.')

In 6:9-11, Paul warns the Corinthian Christians they will incur the judgement of God if they continue in sinful lifestyles. They will have no place in God's kingdom: 'Do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practice homosexuality, nor thieves, nor the greedy, nor drunkards, nor revilers, nor swindlers will inherit the kingdom of God. And such were some of you. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God.' Notice, some of the Corinthians had been delivered from the sins described in these verses. For our purposes, it is interesting to see that among these are some who were homosexual offenders.

Corinthian society had both male prostitutes (boys and young men who gave themselves sexually to older men for money) and homosexuals (people in same-sex relationships). Paul's warning is a call to Christians to separate themselves from such practices. Such relationships in Corinth, and elsewhere in the first Century world, were not unknown and were often publicly recognised. Indeed many same-sex relationships of the time could be described as long-standing and exclusive. In his warning against homosexual practice, Paul is warning against all kinds of same-sex relationship whatever their public standing or acceptance.

According to Hellenistic philosophy, the spirit was important, not the body. This led some to believe that the body could be used in any way, without damaging or endangering the spirit. This way of thinking meant the body could be given over to uninhibited sensual pleasure without consequence. Paul, in 6:12-20, challenges this view

stating that the body is for God and is the temple of the Holy Spirit, therefore, the body is holy and set apart for God. The body, Paul argues, belongs to God and should be used in the way God wants bodies to be used. He states that, contrary to public opinion and common understanding, to sin sexually is to sin against the body. He reminds the Corinthians of the great cost to God of their redemption and urges them instead of sinning against their own bodies, to use their bodies to honour God. As he says in 6:20, 'for you were bought with a price. So glorify God in your body'.

#### 7.6.4.5 1 Timothy 1:8-11

In these verses, Paul<sup>307</sup> reinforces the importance of the law of God and lays out the various vices to be condemned:

Now we know that the law is good, if one uses it lawfully, understanding this, that the law is not laid down for the just but for the lawless and disobedient, for the ungodly and sinners, for the unholy and profane, for those who strike their fathers and mothers, for murderers, the sexually immoral, men who practice homosexuality, enslavers, liars, perjurers, and whatever else is contrary to sound doctrine, in accordance with the glorious gospel of the blessed God with which I have been entrusted.

This again shows clearly that homosexual behaviour is sin. It is not singled out for special treatment and there is no indication that it is any worse than any other sin, no more nor less sinful than either murder or gossip but we cannot escape the fact that it is clearly presented as sinful. Paul writes out of pastoral concern for his reader, identifying sinful behaviour for what it is. He is not judging from some lofty moral high ground, of that we can be confident because elsewhere he states that he is a greater sinner than anyone else (1 Timothy 1:15). At the same time, he does not in any way trivialise or condone any form of sexual immorality, including homosexual behaviour.

<sup>307</sup> It has become common in contemporary scholarship to dispute the Pauline authorship of 1 Timothy. Since the exposition of the verses here does not depend upon this question we will not seek to defend Pauline authorship here.

### 7.6.5 New Testament Conclusion

The New Testament passages we have considered stand in a high degree of continuity with the Old Testament and its teaching on human sexuality.

There is nothing in the New Testament to suggest any change in treating human sexuality as a gift of God which is to be celebrated within the relationship of marriage between one man and one woman. It is in this context that same-sex relationship or homosexual activity is discussed. While it is possible to claim that the low level of comment on homosexual activity in the New Testament demonstrates that this was not a major concern of the early Church, it is equally possible to claim that this low level of comment arises because the condemnation of homosexual activity was not a contentious matter in the early Church.

The New Testament vision of the Christian life is of human life being transformed by the presence of the Spirit and the experience of forgiveness through the death and resurrection of the Lord Jesus. This transformation of life was expected to reach to every part of a disciple's humanity, including the expression of human sexuality. While in the world there was much promiscuity and sexual licence, it was not to be so among the disciples. Rather, disciples were to be made holy with the same holiness that belongs to God; (1 Peter 1:14) those becoming the children of God were to live in sexual purity, exercising sexual restraint outside the marriage relationship between one man and one woman.

### 7.7 Conclusion

The Church of Scotland affirms Scripture as its primary standard for decision-making, against which to measure the adequacy, or otherwise, of any potential decisions made within the courts of the Church, including its supreme court, the General Assembly. It also affirms the *Westminster Confession of Faith* as its 'principal subordinate standard'. The *Confession* provides a summary of what the Church understands Scripture to teach.<sup>308</sup> All decisions

made by the Church ought therefore to be in accord with the Scriptures of the Old and New Testaments and with the *Westminster Confession of Faith*. Indeed, the *Articles Declaratory of the Church of Scotland* state clearly that, although the Church has the inherent right to formulate or modify its doctrinal position, any such modification must be 'always in agreement with the Word of God and the fundamental doctrines of the Christian Faith contained in the said Confession'.<sup>309</sup> We do not believe that the Revisionist trajectory is in agreement with the Scriptures, nor with the *Confession* and therefore it is at odds with 'the fundamental doctrines of the Catholic faith' founded upon the Scriptures.<sup>310</sup> For these reasons, we believe that the General Assembly of the Church of Scotland ought not to affirm the Revisionist trajectory.

In writing this section of the Report, we have been motivated by a commitment to the authority of the God and Father of our Lord Jesus Christ speaking, by the Holy Spirit, through the Scriptures of the Old and New Testaments, and would call the Church of Scotland to a renewed hearing of the "Preface" of the *Scots Confession* (1560), where the *Confession* affirms:

[T]hat if any man will note in our Confession any chapter or sentence contrary to God's Holy Word, that it would please him of his gentleness and for Christian charity's sake to inform us of it in writing; and we shall give him satisfaction from the mouth of God, that is, from Holy Scripture, or else we shall alter whatever he can prove to be wrong.

This has been our position throughout the debate within the Theological Commission. In continuity with the humble spirit of this first *Confession* of the Church of Scotland we desire to believe what is revealed by God in his Word and as members of a Theological Commission

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Article II.

<sup>309</sup> *Articles Declaratory of the Constitution of the Church of Scotland:*

Article V.

<sup>310</sup> *Articles Declaratory of the Constitution of the Church of Scotland:*

Article I.

<sup>308</sup> *Articles Declaratory of the Constitution of the Church of Scotland:*

have sought to understand Scripture and Christian theology better, as it bears upon the matter before us.

We offer the following considerations as the foundation upon which the General Assembly ought to decide to depart from the Revisionist trajectory: 1) Biblical and Theological Basis; 2) Ecumenical Basis, and 3) The Unity and Peace of the Church.

### 7.7.1 Biblical and Theological Basis

The primary remit of the Theological Commission was to examine the biblical and theological issues which have a bearing on the matter of same-sex relationships and the ministry. The Convener of the Special Commission, Lord Hodge, in giving his Report to the General Assembly of 2011, said that the Special Commission was convinced that these issues were vital to enable the Church to reach a decision on these matters and hence advocated the setting up of the Theological Commission and said that no final decision should be made until the Report of the Theological Commission was presented to the General Assembly of 2013. The General Assembly of 2011 resolved 'to consider further the lifting of the moratorium on the acceptance for training and ordination of persons in a same-sex relationship'.<sup>311</sup> However, this resolution should not be understood as the Church of Scotland having already chosen a definitive trajectory which cannot thereafter be reversed. The Report of the Special Commission states:

We emphasise that, if the General Assembly of 2011 adopts either of these trajectories, there is always the possibility that the later General Assembly, which considers the further work which we have recommended, may take a different view.<sup>312</sup>

Having given ourselves to the study of these biblical and

theological issues, we believe that the General Assembly of 2013 should indeed take 'a different view' and reject the trajectory tentatively chosen in 2011. We have set out above our understanding of how that study bears upon the matter of same-sex relationships and the ministry. We have also spent considerable time in reading and discussing the arguments presented by those on the Theological Commission who seek to persuade the Church to abandon her long held position on this matter. Our conclusion is that the biblical and theological arguments overwhelmingly lend themselves to an affirmation of the Church's present position and that the arguments for continuing the Revisionist trajectory are insufficiently compelling for the Church to change that position. We therefore invite the Church to depart from the Revisionist trajectory.

### 7.7.2 Ecumenical Basis

The Church of Scotland understands itself to be part of the 'One Holy Catholic and Apostolic Church' and it is clear that the overwhelming majority of members of the 'One Holy Catholic and Apostolic Church' worldwide remain persuaded that the Traditionalist position is the one that is in accordance with Scripture. We fear that to depart from the Traditionalist position would severely impair the communion of the Church of Scotland with fellow Christians in the 'One Holy Catholic and Apostolic Church', and be viewed as a departure from Scriptural teaching by many who regard the Church of Scotland as the 'mother Church' of world Presbyterianism. Many of the ecumenical partners of the Church of Scotland were horrified by the decision of the General Assembly of 2011, as indeed were a significant number of the ecumenical delegates present at the Assembly and would be appalled if the Revisionist trajectory were to be continued. Equally, we believe that our communion with other members of the 'One Holy Catholic and Apostolic Church' would be impaired, including: the Roman Catholic Church, the Orthodox Churches, the United Free Church of Scotland, the Free Church of Scotland, the Scottish Baptist Union, as well as many within the Anglican Communion. Thus, given that a decision to affirm the Revisionist trajectory would severely impair the communion of the Church of Scotland within

<sup>311</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

<sup>312</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/42.

the 'One Holy Catholic and Apostolic Church', the General Assembly ought not to affirm the Revisionist trajectory.

### 7.7.3 The Unity and Peace of the Church of Scotland

It is clear from the debates at the General Assemblies of 2009 and 2011 that the Church of Scotland is deeply divided on issues of human sexuality. Indeed, the Report of the Special Commission states:

The responses to the consultation exercise show that the Church is very divided on the issue of same-sex relationships. We, the members of the Special Commission, are agreed that the responses do not give strong support for a radical shift in position on the ordination of people involved in same-sex relationships. Certainly, they give no basis for a regime which would require a congregation, against its wishes, to accept as its minister a person who was in a same-sex relationship.<sup>313</sup>

Since the General Assembly of 2011, our Church has suffered greatly from disharmony and disunity arising directly from the decision to choose the Revisionist trajectory. Some ministers, elders and members have already left the Church of Scotland and others will do so if the Revisionist trajectory is upheld. The Church is thus faced with a Disruption, something which has not occurred since 1843.

In the act of Ordination, a prospective minister of Word and Sacrament, or a Deacon, is asked, amongst others, the following question:

Do you promise to seek the unity and peace of this Church; to uphold the doctrine, worship, government and discipline thereof; and to cherish a spirit of love towards all your brothers and sisters in Christ?<sup>314</sup>

Similarly, in the act of Ordination a prospective Elder is asked:

Do you believe the fundamental doctrines of the Christian faith; do you promise to seek the unity and peace of this Church; to uphold its doctrine, worship, government and discipline; and to take your due part in the administration of its affairs?<sup>315</sup>

In these vows the prospective Elder, Deacon and minister of Word and Sacrament is asked to promise that they will seek 'the unity and peace of this Church'. We believe that the 'unity and peace of this Church' is threatened by the prospect of the affirmation of the Revisionist trajectory, and we would urge all Elders, Deacons and ministers of Word and Sacrament to take into consideration the significance of this matter in the making of any decision in relation to matters of human sexuality.

### 7.7.4 Conclusion

In the light of the Biblical, Theological and Ecumenical Bases, and in the light of a consideration of the Unity and Peace of the Church of Scotland, and given that the Theological Commission is not persuaded, unanimously or by a majority, that the Church ought to depart from the Traditionalist position in relation to matters of human sexuality, we therefore conclude that the General Assembly of 2013 ought to depart from the Revisionist trajectory.

GORDON KENNEDY

JANE McARTHUR

ANDREW T B MCGOWAN

## 8. The identity of the Church of Scotland within the communion of the 'One Holy Catholic and Apostolic Church': Towards a Conclusion on Issues of Human Sexuality

### 8.1 Divergence in Interpretation

In the addressing of issues of human sexuality within the context of this Report it will be evident to the reader that the interpretations offered in: "(6) Addressing Issues

<sup>313</sup> *Reports to the General Assembly of the Church of Scotland 2011*, (Special Commission on Same-Sex Relationships and the Ministry) 23/37.

<sup>314</sup> Weatherhead, James L, *The Constitution and Laws of the Church of Scotland*, 164.

<sup>315</sup> Panel on Worship, *Book of Common Order of the Church of Scotland*, 337.

of Human Sexuality within the communion of the 'One Holy Catholic and Apostolic Church': The Revisionist Case", and; 7) "Addressing Issues of Human Sexuality within the communion of the 'One Holy Catholic and Apostolic Church': The Traditionalist Case", are at variance with one another. Equally, it will be evident that the theological method through which these divergent interpretations might be reconciled does not immediately present itself. That said, the Revisionist and Traditionalist interpretations each hold that they offer a particular and compelling account of the nature of the God who is Love (1 John 4: 16), and whose Son 'was incarnate... for our salvation', and whose Spirit is 'the Lord and Giver of Life', known in the life of the Church where the Word is proclaimed and the Sacraments celebrated.<sup>316</sup> Within the life of the Church of Scotland we affirm that an account of that character ought to inform our understanding of what it is to be the Church. In so doing, we further affirm that the Scriptures of the Old and New Testaments ought to lie at the heart of such an account, and that the interpretations offered by Revisionist and Traditionalist require to be tested against the canon of Scripture.

## 8.2 The Implications of our Decision in relation to Issues of Human Sexuality

In reviewing the contents of this Report it will again be evident that the course taken has necessarily involved the addressing of a very considerable body of material which, whilst not immediately related to the addressing of issues of human sexuality, may be said to be required by the remit of the Theological Commission.<sup>317</sup> In addition, the Commission in the course of its discussions traversed a very considerable terrain in seeking to set the addressing of issues of human sexuality in the widest possible theological context. Thus, we have addressed, amongst other matters; the identity of the Church of Scotland as a Church within the communion of the 'One Holy Catholic and Apostolic Church', alongside; the ministry of Word and

Sacrament and the ministry of the Diaconate within the Church of Scotland understood as expressions of ministry within the 'One Holy Catholic and Apostolic Church', and; the authority of the Scriptures of the Old and New Testaments within the Church of Scotland, as interpreted within the context of the 'One Holy Catholic and Apostolic Church'. In so doing, we have sought, as stated, to set the addressing of issues of human sexuality within a context in which the implications of the answers we offer in response to the raising of these issues will be seen most clearly. So, for example, if the Church of Scotland were to affirm the Revisionist Case, it ought to do so having taken cognisance of the implications of this affirmation for the identity of the Church of Scotland as a Church within the communion of the 'One Holy Catholic and Apostolic Church'. Equally, if the Church of Scotland were to affirm the Traditionalist Case, it ought to do so having taken cognisance of the implications of this affirmation for the identity of the Church of Scotland as a Church within the communion of the 'One Holy Catholic and Apostolic Church'.

## 8.3 The identity of the Church of Scotland within the communion of the 'One Holy Catholic and Apostolic Church': The General Assembly of 2013

The Church of Scotland has now in the providence of God been brought to a point of decision with respect to the issues of human sexuality before us, and in the decision of the General Assembly of 2013, the Church may decide to continue upon the trajectory established by the decision of the General Assembly of 2011, or the Church may decide to depart from that trajectory, or to do otherwise as the General Assembly may so will. In the light of this, we trust that the nature of the decision before the Church has been helpfully clarified by this Report. Equally, the prevailing view of the majority within the Theological Commission is that it would be good for the health of the Church if a decision, in principle, were to be taken now and not further delayed. In coming to this point, we acknowledge our dependence upon the God and Father of our Lord Jesus Christ, 'trusting in the promised renewal

<sup>316</sup> Nicene Creed.

<sup>317</sup> *Reports to the General Assembly of the Church of Scotland 2011 II*, 24-25.

and guidance of the Holy Spirit',<sup>318</sup> and deeply conscious of the extent to which the decision to be made will shape the identity of the Church of Scotland within the communion of the 'One Holy Catholic and Apostolic Church'.

*In the name of the Commission*

JOHN L McPAKE, *Convener*  
ALAN D FALCONER  
J MARY HENDERSON  
GORDON KENNEDY  
JANE McARTHUR  
ANDREW T B McGOWAN  
MARJORY A MacLEAN  
JOHN P CHALMERS, *Secretary*

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<sup>318</sup> *Articles Declaratory of the Constitution of the Church of Scotland:*  
*Article 1.*

**APPENDIX I: THE PRINCIPLES OF THE PROPOSED OVERTURE** (See Deliverance, Section 2a(ii))

This summary sets out the key principles that will be set within the framework of the Overture which is to follow in the Supplementary Reports. This Appendix will therefore have to be carefully read in conjunction with the Overture when it is published. This summary, however, highlights the changes to Church law and practice which, if approved, the Overture would bring about.

**1.1** An individual who is of homosexual orientation, but not living in a same-sex relationship would be eligible to be ordained to the ministries of Word and Sacrament or the Diaconate and be inducted or introduced to a pastoral charge or appointment, on the same terms and with the same status as any other minister of Word and Sacrament or member of the Diaconate.

**1.2** An individual who is of homosexual orientation and living in a Civil Partnership would be eligible to be ordained to the ministry of Word and Sacrament or to the Diaconate and be inducted or introduced to a pastoral charge or appointment, on the same terms and with the same status as any other minister of Word and Sacrament or member of the Diaconate.

**1.3** A Presbytery could not ordain, induct or introduce a person of homosexual orientation, where that individual acknowledges that he or she is in a same-sex sexual relationship that is not a Civil Partnership.

**1.4** In the following circumstances a Kirk Session would be able, in advance, to require that applicants must affirm that they are not in a same-sex sexual relationship:

- (a) Where an appointment is as; a member of a team ministry, a locum, an ordained local minister of Word and Sacrament, a probationer minister, a Deacon, or as a student on placement, and is being made locally, or by a national body, to that congregation, or to a group of congregations, including the one whose Kirk Session wishes to impose the requirement.
- (b) Where in the normal course of events a vacancy is to be filled. This restriction may be applied by any Kirk Session or by any one of the Kirk Sessions in a linked charge.

**1.5** When a Charge is vacant the Kirk Session may impose a requirement that the Interim Moderator appointed by the Presbytery must be able to affirm that they are not in a same-sex sexual relationship and in the case of a linked Charge the Kirk Session of any one of the congregations in the linkage can impose this requirement.

**1.6** If following an appointment made in terms of section 4.4 above the requirement is broken and the person can no longer affirm that they are not in a same-sex sexual relationship, the Presbytery shall, if requested to do so by the Kirk Session, sever the pastoral tie or take other appropriate steps to end the appointment.

**1.7** Protections of conscience are also included so that:

- (a) Courts of the Church and individuals would be able to express, in sermons or elsewhere, their opposition to the principles enshrined in this legislation.
- (b) A member of a Presbytery would be able to decline, on grounds of opposition to the principles of this legislation, to attend ordinations, inductions or introductions within the bounds of the Presbytery.

**1.8** Limits to the expression of conscience are also defined so that:

- (a) No Court of the Church or individual would be able to campaign against the ordination, induction, appointment or continuation of existing service of any individual on grounds relating to his/her sexual orientation or lawful sexual activity; nor harass him or her, or his/her Civil Partner, or any member of a congregation, Kirk Session or Presbytery making such an appointment.
- (b) No member of a Court or committee of the Church would be excused any other duties or responsibilities in respect of their membership of that Court or committee as a matter of conscience in terms of this legislation.

**1.9** A subsequent change of policy by a Presbytery or Kirk Session would not prejudice the interests or affect the tenure of anyone previously ordained, inducted or introduced in terms of this legislation.

**1.10** A minister would be able to conduct within the bounds of his/her parish, or within the bounds of another parish with the permission of the minister of that parish, a service recognising the recent occurrence of a Civil Partnership ceremony; but no minister would be obliged to conduct such a service or to give permission to another minister to do so within the bounds.

**1.11** Such a service would be confined to the recognition of the Civil Partnership and intercession for the partners, and would not be designed or understood to create any further commitment or confer any further status.

# JOINT REPORT OF THE COUNCIL OF ASSEMBLY AND MISSION AND DISCIPLESHIP COUNCIL ON THE PLACE OF DOCTRINE AND THEOLOGICAL REFLECTION IN THE LIFE OF THE CHURCH OF SCOTLAND

May 2013

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## PROPOSED DELIVERANCE

### The General Assembly:

1. Receive the Report
2. Endorse the principles set out in the report and approve the institution of the Theological Forum.
3. Instruct the Nomination Committee of the General Assembly to bring forward names for the membership of the Theological Forum to the General Assembly at a later session of the General Assembly.
4. Instruct the Council of Assembly, in collaboration with the Mission and Discipleship Council, to make appropriate arrangements for the budget and staffing support of the Theological Forum to allow the Forum to assume its role by September 2013, or as soon after as is possible.
5. Instruct the Theological Forum to take up consideration of the issues of asexuality in the light of the work previously undertaken by the Faith Expression Group of the Mission and Discipleship Council and report to the General Assembly of 2014.
6. Encourage the Theological Forum to bring to the General Assembly of 2014 a list of possible topics and issues for its future consideration.
7. Thank the working group.

## REPORT

### 1. Introduction

**1.1** The General Assembly has in recent years approved a number of deliverances on the place of doctrine in the Church. In 2010 the Assembly agreed to:

*Instruct the Mission and Discipleship Council and the Council of Assembly, in consultation with the Committee on Ecumenical Relations and other interested parties, to review the place and priority of doctrinal reflection within the Church and to report to the General Assembly of 2011.*

Following an initial report in 2011, further discussion and consultation were requested. As a result, the General Assembly of 2011 agreed to:

*Instruct the Mission and Discipleship Council, in consultation*

*with the Council of Assembly, to seek ways to strengthen doctrinal work within the structure of the General Assembly.*

Following an interim report included in the Supplementary Report of the Council of Assembly to the General Assembly of 2012, the following deliverance was agreed:

*Note progress on the place and priority of theological reflection and doctrine in the Church of Scotland.*

### 1.2 Working Group

It was decided that the most effective way of fulfilling the deliverances was to establish a working group. The group comprised members appointed by the Council of Assembly and the Mission and Discipleship Council, with an external convener appointed jointly by both Councils.

The full membership is listed in Appendix 1. We were fortunate that Rev Professor David Fergusson agreed to serve as convener and we are grateful to him for his skilful leadership of the group.

## 2. Background

2.1 The group reviewed past and current practice of theological expression in the Church of Scotland. In particular, it noted the decision of the General Assembly in 1960 to establish a Panel on Doctrine. The original remit of the Panel included the following:

- To receive from the General Assembly remits on matters concerning doctrine and to make suitable arrangements for the fulfilling of them.
- To inform the General Assembly when any doctrinal matter appears to require clarification and to receive the authority of the General Assembly to make suitable arrangements for dealing with it.
- To examine Proposed Deliverances involving doctrine coming before the General Assembly.
- To ensure that there is adequate co-ordination between Committees of the General Assembly dealing with similar doctrinal interests.
- To make available to Committees of the General Assembly, on request, guidance and help in doctrinal matters.
- To consult with Committees of the General Assembly concerning communications involving doctrine from bodies outside the Church of Scotland, such as the World Council of Churches and the World Presbyterian Alliance, and to make, if thought advisable, suitable arrangements for the wider circulation of these.

2.2 In subsequent years, the Panel tackled a range of remits relating *inter alia* to the status of the Westminster Confession, ordination of women, baptism, the eldership, marriage, Freemasonry, and the Toronto Blessing. In addition to responding to General Assembly remits, the Panel had fulfilled other functions for the Church. For example, it had provided members for working groups with more occasional tasks (cf. the *Motherhood of God and Ministers of the Gospel* reports) and had developed within

its ranks the skills and knowledge of those who were able subsequently to represent the Church of Scotland on key ecumenical bodies (eg the Leuenberg Conversations and Faith and Order). In addition, the Panel on Doctrine had succeeded in engaging with the universities; some academic staff had exercised a leading role.

2.3 Yet it must also be recognized that other important theological work has been undertaken throughout the history of the Church of Scotland before and during the time of the Panel on Doctrine. The Baillie Commission (*The Interpretation of God's Will in the Present Crisis*) had a major impact during the war years, and after the 1960s other reports with significant theological content were undertaken, for example the *Committee of Forty Report* in the 1970s, the *Ministers of the Gospel Report* (2000) and the *Church Without Walls Report* (2001). Further theological initiatives have also been undertaken by various Boards and Councils of the General Assembly including those that have considered the auxiliary ministry, the diaconate, mission and evangelism in a multi-faith society and world, and the theology of the land of Israel.

2.4 The Group also studied the current practice of the Church in relation to doctrinal work. After a review of the central administration of the Church, the remits of the Panel on Doctrine and the Panel on Worship were united in 2005, a new body being placed under the aegis of the Mission and Discipleship Council. The task of 'congregational resourcing' was prioritised as a key aim of subsequent work on worship and doctrine within the Council.

2.5 During the lifetime of the Mission and Discipleship Council several reports on theological matters have been approved and adopted by the General Assembly. These have been prepared by working groups and subsequently revised after scrutiny by the Council. Recent reports have dealt with the practice of communion and human sexuality (including same sex relationships, singleness and marriage). Several representatives of the Council, with members of the Safeguarding Committee, participated in the research, interviews, road shows and consultation

process which produced the report *Of Such is the Kingdom of Heaven* (2009). This report expressed the Church of Scotland's theology of safeguarding and articulated the doctrinal basis of the provision of a safe church for all. Each of these reports was developed through presentations to the Mission and Discipleship Council. On occasion, there was also valuable input from representatives of the Youth Assembly.

**2.6** In 2009–10, the Mission and Discipleship Council conducted an extensive review of its processes and practice during the previous four years. As a result of that review, the study of theology alongside worship was re-affirmed at that time as a vital aspect of the remit of the Council. This area, along with the work of the Committee on Church Art and Architecture, was designated 'Faith Expression' and involves collaboration with those engaged in Congregational Learning and Church Without Walls in order to address the challenges of the 21st century church from a sound historical and theological basis.

### 3. Consultation

**3.1** As instructed, the group consulted with a number of those concerned with theological reflection and understanding in the Church of Scotland, including representatives of the Ecumenical Relations Committee. A full list of those consulted can be found in Appendix 2. The principal questions asked of each person and group consulted are listed in Appendix 3.

**3.2** In this consultative process, several themes and concerns were discernible, especially the following:

- The desire to have one single body which ecumenical groups and partners might access directly on doctrinal issues.
- The need for accountability in all statements regarding the doctrine of the Church.
- The requirement that theological reflection and doctrinal understanding shape the work of every Council.
- The need for theological expertise to be widely available for the work of each Council.

- A claim that many of the reports produced by the Panel on Doctrine had not been sufficiently accessible to the wider Church, partly as a result of the technical language employed.
- The apparent increase in the use of special commissions in recent years.
- The lack of understanding externally, and to an extent internally, of the term 'Faith Expression'.

## 4. Conclusions

**4.1** The Group reached the following conclusions:

**4.1.1** The current location of theological work has arguably led to a loss of visibility and a perception that the significance of this work had declined. The Panel on Doctrine enjoyed a higher profile at the General Assembly, accompanied by a sense that it served the work of the whole Church rather than one Council only. While these perceptions may be misplaced in some respects, there is little doubt that they are widely held.

**4.1.2** Furthermore, some of the valuable spin-offs from the Panel's work have been lost as a result of recent arrangements. These included the formation of individuals with theological expertise to serve on ecumenical bodies, and the wider engagement with the universities.

**4.1.3** While the Panel on Doctrine had served an important function for over forty years, its return should not be viewed as a simple remedy for any shortcomings of the present set of arrangements. There was a perception amongst some that the Panel on Doctrine had, on occasion, become the province of specialists using language that was not wholly accessible. Despite some notable exceptions, its reports had not generally made a significant impact at a congregational level. At the same time, the remits received by the Panel had not always reflected important emphases in modern theology and church life, for example in ecology, social justice, mission and inter-faith issues. In reporting directly to the General Assembly, moreover, it did not have the advantage of

having its reports filtered through a wider body such as the Mission and Discipleship Council. This had proved a useful arrangement more recently in the work of Faith Expression.

**4.1.4** The Group also noted the important ways in which *ad hoc* bodies have contributed to the theological understanding of the Church. A central theological grouping which functioned as a standing committee of the General Assembly should not suppress important theological work undertaken in a more occasional way within the Councils of the Church.

**4.1.5** Issues of financial resources were also raised within the Group. At present, it is likely that the cost of resourcing theological work within the Mission and Discipleship Council is less than the former Panel on Doctrine. On the other hand, it might be argued that the absence of the Panel has led to an increase in the number of 'special commissions' with their own additional resource demands. A new body dedicated to theological work would require the support of a secretary. This person could be appointed from within the nominated membership of the group. This arrangement had originally obtained within the Panel on Doctrine with successive parish ministers assuming secretarial responsibility. After 1994, a new arrangement was established whereby a full-time secretary within the offices of the Church served the Panel on Doctrine, the Panel on Worship and the Committee for Artistic Matters. On balance, the Working Group is inclined towards this latter provision as a way of ensuring consistent and professional support for any new body, while also realising the benefits that arise from the involvement of a secretary with related work in other areas which would support other Councils in the exploration and supply of theological and doctrinal information. It is hoped that, in general, any new set of arrangements should be cost-neutral to ensure that no additional financial burden is created by the General Assembly.

**4.1.6** In considering the different functions that any new theological body would fulfil, the Group was conscious

that there was no 'one-size-fits-all' model available to the Church. The General Assembly requires a theological body that can give expression in a contemporary context to its doctrinal standards, which are both catholic and reformed. It also requires a theological body which can articulate a theological vision that informs the Church's strategy across all its work, particularly with respect to mission in an increasingly post-Christian society. The coherent expression of Christian belief in the face of secular criticism and in an increasingly multi-faith society will also be required. Other tasks will include responding to issues of belief and practice which arise at particular moments in the life of the Church; many of these will be of an ethical nature. In addition, there is a need for a theological body to produce 'knowledge exchange' that can stimulate wider reflection and discussion throughout the Church. To this end, more accessible reports and publications may be required from time to time. By contrast, other work will inevitably be more technical and specialist, particularly if it requires engagement with those complex doctrinal issues which have historically divided the churches. The diversity of requirements is such that we should not expect any new theological commission to limit itself to any one function or faction.

## **5. Recommendations**

### **5.1 Remit**

A new body to be known as the Theological Forum should be established by the General Assembly to resource, express and challenge the theology that informs the life and work of the Church. In particular, the remit of the Theological Forum will be:

- (a) To articulate and develop the doctrinal understanding of the Church in accordance with Holy Scripture and with reference to the confessional standards of the Church of Scotland;
- (b) To express the theological vision of the Church in its worship, fellowship, witness and mission in and beyond contemporary Scotland;

- (c) To respond to particular theological requests as and when these arise from the General Assembly, the Council of Assembly and the ecumenical partners of the Church;
- (d) To draw to the attention of the General Assembly theological matters which the Theological Forum considers to be of pressing contemporary relevance;
- (e) To stimulate wider theological reflection throughout the Church on key doctrinal, ethical and apologetic matters through the provision of appropriate materials and other activities.

## 5.2 Membership

**5.2.1** The Theological Forum shall comprise a Convener, Vice-Convener and ten members to be appointed by the General Assembly on the nomination of the Nomination Committee; the membership being selected to provide an appropriate balance of (a) ministers of Word and Sacrament, (b) members of academic staff from the Divinity Schools (or equivalent) of Institutions of Higher Education in Scotland (c) elders and (d) members drawn from the wider membership of the Church chosen for their particular expertise, experience or provenance; together with one additional member appointed by the Committee on Ecumenical Relations.

**5.2.2** The Council of Assembly and the Mission and Discipleship Council understand that the Nomination Committee is able to nominate individuals for membership of the Theological Forum in its Report should the Assembly so approve.

## 5.3 Principles of Operation

**5.3.1** For the purposes of staffing and resourcing the Theological Forum will be situated within the Department of the General Assembly. This provision will signal the manner in which the Forum is intended to serve the whole Church while also providing its work with some oversight and feedback. The new Forum would report directly to the General Assembly and the role exercised by the Council of Assembly would be one of general oversight as in the

case of other Councils and Committees of the General Assembly. The post of Forum Secretary would be created to serve the new body. It is recommended that this individual should be a member of staff of the Department of the General Assembly, responsible to the Secretary to the Council of Assembly.

**5.3.2** It is expected that the work of the Forum would largely be carried out by discrete and smaller working groups which would also be free to co-opt members with expertise on the relevant subject matter. These working groups should make extensive use of virtual forms of communication to minimise face-to-face meetings and hence to restrict costs.

**5.3.3** While it is expected that the Theological Forum would be the obvious location for new remits that arise at the General Assembly, its existence should not preclude the tackling of theological work by other Councils. Indeed, it is anticipated that the new Forum would be able to offer some support and expertise for such work, as well as for the wider service of ecumenical bodies.

## 6. Programme of Work

**6.1** We propose that the on-going work on theological issues in relation to asexuality undertaken by the Faith Expression Group of the Mission and Discipleship Council is transferred to the Theological Forum with an instruction to complete it by 2014 and to report to the General Assembly of that year.

**6.2** We further propose that the Theological Forum should bring to the 2014 General Assembly a list of possible topics and issues for its future consideration.

*In the name of the Councils*

GRANT BARCLAY, *Convener, Council of Assembly*  
 PAULINE WEIBYE, *Secretary, Council of Assembly*  
 COLIN SINCLAIR, *Convener, Mission and Discipleship Council*  
 ALISTER BULL, *Secretary, Mission and Discipleship Council*  
 NIGEL ROBB, *Acting Secretary, Mission and Discipleship Council (November 2011 to February 2013)*

## APPENDIX 1

### MEMBERSHIP OF THE WORKING GROUP

Rev Professor David Fergusson	Principal of New College
Very Rev Dr Andrew McLellan	Member of Council of Assembly
Mrs Isobel Hunter	Member of Council of Assembly
Mr Andrew Kimmitt	Member of Council of Assembly
Miss Dorothy Kinloch	Appointed by the Mission and Discipleship Council
Rev Roderick Hamilton	Member of Mission and Discipleship Council
Rev Dr Karen Campbell	Appointed by Mission and Discipleship Council
<i>In attendance</i>	
Rev Alastair Cherry	Acting Team Leader, Faith Expression
Rev Nigel Robb (Secretary)	Acting Council Secretary, Mission and Discipleship

## APPENDIX 2

### PEOPLE CONSULTED

Rev Dr Alistair May	Member of the Faith Expression working party on human sexuality and former member of Panel on Doctrine
Rev Dr John McPake	Former Convener of the Panel on Doctrine
Rev Dr Donald MacEwan	Member of the Faith Expression working party on human sexuality and former member of the Panel on Doctrine
Dr Paul Nimmo	Lecturer in Theology at New College and member of the Faith Expression working party on human sexuality

Very Rev Dr Sheilagh Kesting	Secretary to the Ecumenical Relations Committee
Rev Dr Peter McEnhill	Member of the Ecumenical Relations Committee and representative on the Mission and Discipleship Council
Rev Alison McDonald	Vice Convener of the Ecumenical Relations Committee
Rev Alexander Horsburgh	Member of the Ecumenical Relations Committee
Very Rev John Christie	Former Convener of the Safeguarding Committee and the Board of Parish Education and Convener of the joint working party on theology of safeguarding
Rev John Chalmers	Principal Clerk

## APPENDIX 3

### QUESTIONS ASKED OF THOSE CONSULTED

1. How do you understand the present situation of the work of doctrinal reflection in the remit of the Mission and Discipleship Council?
2. The 2011 deliverance of the General Assembly implies the need for 'strengthening doctrinal work'. Please tell us in what ways it needs to be strengthened? How would you suggest that it be done?
3. The 2010 deliverance expresses a need to examine 'the place and priority of doctrinal reflection'. What might be changed? Why would this benefit the church at large?
4. Have you any further observations to assist the group in its deliberations?

# JOINT REPORT OF THE CHURCH AND SOCIETY COUNCIL, THE COMMITTEE ON ECUMENICAL RELATIONS AND THE LEGAL QUESTIONS COMMITTEE ON THE IMPLICATIONS FOR THE CHURCH OF SCOTLAND OF INDEPENDENCE FOR SCOTLAND

May 2013

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## PROPOSED DELIVERANCE

### The General Assembly:

1. Call on the Scottish Government to publish any draft Constitution which it may propose for an independent Scotland in advance of a referendum on independence.
2. Urge that, in recognition of the historic and continuing role of the Christian faith in Scottish society, any constitutional arrangements which may be made for an independent Scotland must continue to recognise the Claim of Right, should recognise that human realms are under the authority of God, and should also recognise the role of religion in general and the Church of Scotland in particular.
3. Establish an interfaith conversation to propose how recognition of religion should be addressed in the constitutional arrangements for Scotland following upon a vote for independence, to report to the General Assembly in 2014.
4. In the event of Scottish independence, believes:
  - a. that the Queen (and her heirs and successors) should be the head of state of Scotland.
  - b. that the monarch should have a Scottish coronation to symbolise her or his role as Queen or King of Scots, including the obligations to uphold Scottish religious life and traditions, and in particular her or his role with regard to the Church of Scotland.
  - c. that the lawfulness of the Articles Declaratory should be acknowledged in any constitutional settlement.
  - d. that in any constitutional settlement the relationship between church and state should be affirmed by recognising that the role of the Church of Scotland in civic life should be maintained, in particular the provision of prison chaplains, the conduct of marriages, and the appointment of Church Representatives on Local Authority Education Committees.
  - e. Scotland should become a member of the Council of Europe and should accede to the European Convention on Human Rights, which includes the right to religious freedom.
  - f. that the plurality of views and beliefs about religious matters should be addressed appropriately in any new constitutional settlement.

## REPORT

*"The Lord is exalted over all the nations, his glory above the heavens." (Psalm 113:4)*

### 1. Introduction

1.1 Throughout the history of Scotland, the Church has

played a key part in debates about the shaping of the governance of Scotland and Scottish society and, after 1707, of the United Kingdom. Its role in society and its relationship with the state is recognised in law. The Church of Scotland Act 1921 recognises the lawfulness

of the Church's Articles Declaratory, which contain the affirmation that: *"The Church and the State owe mutual duties to each other, and acting within their respective spheres may signally promote each other's welfare."*

1.2 Throughout the 20th century, the Church of Scotland's General Assembly and, in particular, its Church and Nation Committee, remained closely involved in debates and deliberations concerning Scotland's constitutional future. This involvement was shaped both by the Kirk's evaluation of its historic role within Scotland and the UK and by its awareness of its changing role within Scottish society. It was also informed by the Church of Scotland's developing ecumenical commitments and its commitments to upholding freedom of religion and belief for people of other faiths and none. The Church, along with its ecumenical partners and a range of civil society organisations, played a key part in the Constitutional Convention which led to the re-establishment of the Scottish Parliament in 1999. Since then, it has continued to be active in constructive dialogue with both the Scottish and Westminster Governments on a wide variety of social, political and moral issues.

## 2. The Prospect of a Referendum in 2014

2.1 On 5th May 2011, elections to the Scottish Parliament resulted in an overall majority for the Scottish National Party (SNP). As such, the Scottish Government has a democratic mandate to hold a referendum on Scottish independence, a stance accepted by the UK Government. The Scottish Government has publicly stated its wish to hold a referendum in 2014, and indeed in terms of an Order under Section 30 of the Scotland Act 1998, the Westminster Parliament has made provision for the Scottish Parliament to legislate for such a referendum which must take place before 31 December 2014.

2.2 The Church of Scotland's General Assembly resolved in 2011 not to take a position for or against independence. It will, however, engage fully in encouraging and enabling thoughtful debate about Scotland's constitutional future, as well as participating fully in that debate, mindful of its

historic role, sensitive to its changing role and committed to its ecumenical role.<sup>1</sup>

2.3 The forthcoming referendum is already engaging the interests and passions of people in Scotland. The Church welcomes this opportunity to reflect on how best to seek the welfare of Scotland and its neighbours, within and beyond the United Kingdom. The prospect or possibility of an independent Scotland raises important questions of political theology. Old and valuable answers to these questions are encoded in the laws, rituals and institutions of Scotland and the UK and these may remain hidden from or unheard by, most of the people, most of the time. At key symbolic moments such as a Coronation, or at times when major constitutional change is proposed, those questions and answers are seen and heard anew. The key role played by Christianity at these moments challenges the often religion-free portrait of Scottish and British life which is routinely portrayed by the media. This is enhanced by the new contributions from other faith communities. The celebration of diverse Scotland through, for example, the Scottish Executive's "One Scotland, many cultures" initiative of 2004 encompassed a recognition of the strength and significance of the contribution of faith to 21st Century Scotland. Indeed, the Christian community helped shape Scotland before Scotland shaped itself. For example, the Reformers' vision for a school in every parish not only forms the basis of Scotland's distinctive education system but was a cornerstone of the Scottish enlightenment which had a profound global impact. This challenge, while it may provoke some to argue for a reduced role for Christianity, also offers the Kirk opportunities for education, for witness and for dialogue.

## 3. The Possible Implications of Independence for the Church of Scotland

3.1 The prospect of independence draws attention to how the Church of Scotland is recognised in law by the pre and post-Union Parliaments. Pre-Union statutes affecting

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<sup>1</sup> See Appendix I for relevant Deliverances of the 2011 and 2012 General Assemblies

the Kirk have not fallen into *desuetude* (repealed by disuse) so these would still apply following any repeal of the Treaty of Union. If post-Union laws relating to Scotland continue to be in force unless they are specifically repealed or replaced (which was the case when Ireland was partitioned by the Government of Ireland Act 1920 and the Irish Free State (now the Republic of Ireland) acknowledged by the Irish Free State (Agreement) Act 1922 and has continued since then), then the fact of independence *per se* would mean little or no change to the legal position of the Church of Scotland, or for that matter other denominations such as the Scottish Episcopal Church and the Roman Catholic Church in Scotland. There are other British denominations with congregations in Scotland (such as the Methodist Church and the United Reformed Church), for whom the practical results and questions may be different.

3.2 The Church of Scotland already has practical experience of working across jurisdictions, especially in its World Mission Council and Presbytery of Europe, for example, in the management of buildings, where the Church of Scotland Trust (for properties outwith Scotland) is a separate body from the Church of Scotland General Trustees.

3.3 What could have implications for the Church would be the introduction of a constitutional settlement in an independent Scotland which might bring changes to the relationship between church and state and the relationship between an independent Scotland and the monarchy.

## 4. Church and State

4.1 It is often noted that the Union with England Act 1707, section XXV, guarantees for all time the Reformed and Presbyterian polity of the Church of Scotland within the United Kingdom. Less well known, but still in force, is another Act of the pre-Union Parliament of Scotland: Protestant Religion and Presbyterian Church Act 1707, securing the Reformed and Presbyterian polity of the Church of Scotland, irrespective of Union. Various other Acts of the pre-Union Parliament affecting the

Church of Scotland remain in force, largely guaranteeing Presbyterian church government in the aftermath of the Claim of Right of 1689.

4.2 Following the Union, the Church of Scotland Courts Act 1863 was passed to address the issue of the legality and authority of the courts of the Church. This clearly shows civil jurisprudential thought as regarding the Church deriving authority from law rather than from the Gospel, a matter only fully addressed in 1921.

4.3 The main current Act of Parliament recognising the status of the Church of Scotland is the Church of Scotland Act 1921. This recognises the Articles Declaratory as lawful (including the independence of the Church in matter spiritual), the lawfulness of other Christian churches and the jurisdiction of the civil courts in other matters. Although effectively a constitutional matter, for the reason that this Act solely relates to Scotland, it is not included as a matter reserved to Westminster under the terms of the Scotland Act 1998.

4.4 The 1921 Act facilitated the reunion of the Church of Scotland and the United Free Church of Scotland in 1929. This created the modern Church of Scotland, which is recognised in law and understands itself as a national Church, though not established in the way the Church of England is within England. The call to be a national Church is not one of privilege, prestige or superiority, but a call to ensure that the whole of Scotland is served, not just those areas where the church is well-attended or well-financed. Article III of the Articles Declaratory describes the Church of Scotland as “a national Church”, not **the** national Church.

4.5 In addition to the 1921 Act and other Acts noted above, there are further legal provisions affecting the Church of Scotland. Section 3(2) of the Prisons (Scotland) Act 1989 provides that a Church of Scotland minister or licentiate be appointed as Chaplain in every Scottish prison. The Marriage (Scotland) Act 1977 section 8(1) specifically mentions ministers of the Church of Scotland as able to officiate at weddings, though celebrants from other denominations, religions and traditions are not precluded.

The Church of Scotland has had a statutory obligation to be represented on local government education committees since 1929. At present this duty is expressed under Section 31 of the Local Government etc. (Scotland) Act 1994. This states that the selection of the Church of Scotland representatives is “in such manner as may be determined by the General Assembly of the Church.”

4.6 All these provisions are understood by the Church of Scotland to exist as recognition of the service of the Church of Scotland to the State rather than as privileges given by the State to the Church for the benefit of the Church. There is no doubt however, that for many they are perceived as privileges for their own sake. The Church needs to take account of that perception when reflecting on whether it would wish to argue for these roles to be maintained in a new constitutional settlement.

## 5. Faith in the Context of New Constitutional Arrangements

5.1 The preceding section of this report describes the position of the Church of Scotland within the present constitution of the United Kingdom. If Scotland became independent, then, unless new arrangements were made, these existing constitutional arrangements would continue. What the Church requires to address is the substantive position which the Church should have in the constitutional arrangements of an independent Scotland.

5.2 There is no state which does not have a Constitution, but the United Kingdom, New Zealand and Israel do not have a written constitution, in the sense of a single codified document in which all of its constitutional arrangements are committed to writing. In countries with a written constitution, it is the constitution (as interpreted by the courts) which is supreme, whereas in states without a written constitution, sovereignty lies elsewhere, such as, in the United Kingdom in Parliament. There is no imperative legal necessity for an independent Scotland to have a written Constitution. The question of whether it should is a decision which cannot be taken lightly. It would have huge implications as to issues of clarity as

opposed to flexibility and the possibility of evolutionary change. That is a debate which should be approached carefully and thoughtfully. The Church of Scotland has not taken a position on this.

5.3 The SNP published a draft constitution in 2002 and further draft versions are now being discussed and distributed by academics and civil society groups. Recent statements by the current Scottish Government suggest that they do not propose to publish a new draft prior to the referendum; instead they plan to hold a constitutional convention in the event of independence.<sup>2</sup> Should this occur, the Church needs to be ready to engage in this process. Whether or not this results in a written constitution, it is still critical to have a debate on the appropriate constitutional arrangements which would govern an independent Scotland. However, this debate cannot wait until after the referendum.

5.4 In considering the constitutional arrangements which would apply in an independent Scotland (whether or not enshrined in a written constitution) the Church urges the Scottish Government and other parties to take account of the following:

1. A majority of people living in Scotland identify themselves with the Christian tradition and with one of the Christian Churches.
2. Recognition of religion and of majority religious traditions need not and should not result in harmful prejudice or disadvantage to those who are non-religious or from minority religious traditions.
3. In the relationship between Church and State, one should not think in terms of winners and losers, but rather in terms of partnership.
4. Inspiration should be drawn from the example of the *Articles Declaratory and the Church of Scotland Act 1921* and their creative reformulation of church-state relations, which helped to heal the deep wounds of the Disruption in Scottish society and recognised the legitimacy of a range of Christian churches.

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<sup>2</sup> <http://www.scotland.gov.uk/Resource/0041/00413757.pdf>

5. We should seek a similarly creative formulation for our very different times, one which recognises tradition, respects diversity, and promotes unity. Such a formulation should do this, without explicitly or implicitly banishing religion to the realm of 'private' opinion or the barren legalism of "equalities legislation". Finding a way to express this which could unite the people of Scotland, might be a gift to the wider world as well, given the difficulties these questions raise in many countries. Being able to express the role of faith in a secular rather than a secularist<sup>3</sup> state would focus on common ground for human living based on plurality of belief rather than a competitive debate the conclusion of which is necessarily exclusive. The starting point for the Church could be the thinking behind the 2011 Church and Society report on One Scotland Many Cultures, with its theme of radical hospitality. The recent constitutional changes to Church/State relationships in Norway may also offer a model for this process.<sup>4</sup>
6. While a state's constitutional arrangements claim, express and define the political *sovereignty* of a state, they can also acknowledge and recognise the *accountability* of a state to a transcendent religious or ethical norm. The Claim of Right offers an insight into how this might be articulated. Any proposed Scottish constitution should recognise that most people in Scotland acknowledge a source or sources of law, right, truth and goodness, to which they believe positive laws, including a constitution, even when enacted by due democratic process, are both accountable and subordinate.
7. Any constitutional arrangements should continue to acknowledge the value placed on religious belief and practice by many of Scotland's people. While affirming a willingness to learn from the insights and traditions of all world religions, these arrangements should explicitly include recognition of the value and wisdom of the Christian tradition and its long influence upon Scotland. The arrangements should acknowledge the belief of many of Scotland's people that the State is accountable to God, from whom its power and authority derives. That creates a legitimate context for that belief to continue to be expressed in constitutional and civil rituals, ceremonies and institutions. This does not exclude the recognition or inclusion of other non-religious and minority religious beliefs, in ways to be determined by due democratic process.<sup>5</sup> If Scotland were to become independent, it would be best served by constitutional arrangements which were neither 'religious' nor 'secular' – but which were 'pluralist' in that they *recognised* religion without establishing it. In that sense, the constitution would be articulating what is the case in Scotland at present. This would avoid the extremes of imposing religious

<sup>3</sup> A secular society is one which would acknowledge a role in public life for religion as well as non-religion. A secularist state would seek to confine religion to being only a matter of private choice and personal devotion

<sup>4</sup> Since 1981, the Church of Norway has been gaining increasing autonomy. This process culminated in May 2012, when the Norwegian Parliament passed legislation which effectively loosened the ties between the institutions of the State and the Lutheran Church which have been in place since the 16th century. The Evangelical Lutheran Church of Norway is no longer the 'official religion' of the State, although the King will remain a member of the Lutheran Church. Article 2 of the Norwegian Constitution now states that Norway's values are based on its Christian and humanist heritage. Responsibility for the appointment of bishops will now pass from the State to the church. A new order for appointing bishops was approved by the General Synod in April 2012. It will be used when the first vacancy arises

The legal framework will continue to change as church law is updated in the light of the 2012 legislation. It is expected to take up to 2017. The government continues to provide funding for the Church of Norway – as it does for other faith-based institutions – and all clergy remain civil servants. Talk is not about 'separation' from the State but of a 'changed relationship'. Norway has become a secular State in

which support is given to all faith communities to the same level as support of the Church of Norway, currently 2/3 local funding, 1/3 State funding – because everyone is taxed in the same way

<sup>5</sup> The work of the philosopher Professor Alain de Botton (Religion for Atheists, published by Hamish Hamilton in 2012) offers some insights into how this might be approached

beliefs and practices on those who do not support them and of purging religious influences and rituals from a culture which has been deeply shaped by them and where many still accept and endorse them.

8. Any constitutional settlement should secure a democratic, civil and plural Scotland, in which religion was neither imposed upon nor excluded from public life, but its presence and influence in the public sphere negotiated in democratic forums.

## 6. Religious Freedom and Spiritual Independence

6.1 Article 9 of the European Convention on Human Rights provides for freedom of thought, conscience and religion; an independent Scotland should continue to uphold such values.

6.2 In the case of the Church of Scotland, its understanding of religious freedom has been shaped by long and often bitter historical experience and was given a distinctive articulation in the *Articles Declaratory*, in particular Article IV, which speaks of “the separate and independent government and jurisdiction of this Church in matters spiritual”. This refers to questions of doctrine, worship, government and discipline. The recognition afforded under the Church of Scotland Act 1921 should also be guaranteed under any future constitutional settlement.

## 7. Recognition of Religion in a Pluralist Society

7.1 Such proposed continuing legal recognition of the Church of Scotland raises three important questions for the Church and the State.

- a. How such recognition relates to the recognition of other Christian Churches in Scotland – in particular the Roman Catholic Church, but in general all other churches?
- b. How such recognition of the Kirk and potentially of other Christian Churches, relates to the recognition of other religious traditions – in particular, Judaism, Islam, Hinduism, Sikhism, Buddhism, but in general all other faith traditions? The starting point for this would be

the faith communities at present recognised by the Scottish Inter-Faith Council.

- c. How such recognition of the Kirk, of Christianity and of religion relates to those in Scotland who are opposed to such recognition?

7.2 A key theological, pastoral and civic challenge for the Church of Scotland is whether it can use the challenge of these debates to produce, in dialogue with its ecumenical and interfaith partners, a new articulation of how religion can be recognised within a modern liberal democracy, which is as creative, constructive and enduring as the 1921 formula has been.

## 8. The Headship of State

8.1 The Church of Scotland, like wider Scottish society, numbers both monarchists and republicans within its ranks. However, officially and corporately, the Church of Scotland remains firmly committed to the retention of the monarchy. In 1952, the Queen took the Accession Oath to uphold Presbyterian government, doctrine and worship in Scotland at the meeting of the Privy Council immediately following her accession. This follows the Claim of Right of 1689 and is reiterated in the provisions of the Treaty of Union 1707.

8.2 Reformed political theology in Scotland, from Knox, Melville and Buchanan onwards, has combined a conservative tradition of support for monarchy with a radical affirmation of the rights of the people to remove and replace their monarch or leader. For Scotland, monarchs have always been Kings or Queens of Scots, **not** of Scotland: sovereignty lying with the people, not the state, thus their having to rely upon the consent of the people to rule (Cf. The Declaration of Arbroath and Robert the Bruce). The key theological principle at stake has been the sovereignty of God, as the ultimate sovereignty beneath which all other sovereignties find their place. This was memorably expressed by Andrew Melville to King James VI with the words: “There are two kings and two kingdoms in Scotland: there is King James, the head of the Commonwealth; and there is Christ Jesus, the King

of the Church, whose subject James the Sixth is, and of whose kingdom he is not a king, not a lord, not a head, but a member." Those who rule are accountable to God to promote good and to restrain evil.

**8.3** This submission and accountability to God is symbolised in our current constitutional arrangements by the rituals of coronation and by rites of worship and prayer on certain key civic occasions as well as daily in the Westminster Parliament. The near monopoly of the Church of England on certain of these rites is (arguably) already problematic for many in the United Kingdom.

**8.4** The Scottish Government's draft proposals for Scottish independence include the retention of the Monarchy. The political relationship between Scotland and England would thus effectively revert to the position between 1603 and 1707 of a personal union between Scotland and England, *ie* two separate, sovereign states sharing a single monarch. (A more contemporary example is that the Queen is simultaneously Queen of sixteen different sovereign states.)<sup>6</sup>

**8.5** The question arises as to whether an independent Scotland which still held to the Union of the Crowns would need to devise an alternative coronation for offering the Scottish Crown to a monarch and (if the *status quo* prevailed) an alternative Privy Council ritual for the monarch's pledge to uphold the Presbyterian governance of the Church of Scotland? If a single common coronation was to remain, the likelihood is that current arrangements would need to be revised and reformed to reflect a changed constitutional settlement.

<sup>6</sup> Given that the Queen is expected to remain as Head of State in an independent Scotland, the question of a personal representative may also arise. All countries outside the UK where the Queen is Head of State (such as Canada) have a Governor-General – the personal representative of the Queen. The role of the Lord High Commissioner to the General Assembly of the Church of Scotland could be affected by such a development, but the decision on the appointment of Lord High Commissioner is not one for the Church nor is it fundamental to the work of the Church

**8.6** The retention of a personal union through a joint monarchy would require agreed rules of succession. The succession to the Throne is currently governed by the provisions of the Act of Settlement 1701, an Act of the pre-Union Parliament of England which was incorporated into Scots Law through the Act of Union in 1707 and to which changes are being negotiated by the Commonwealth Heads of Government. The nature of the Act of Settlement and the case for its reform, raise sensitive ecumenical issues which the Church of Scotland needs to address along with its ecumenical partners as well as complex issues of international diplomacy among all the nation states of which the Queen is monarch.

## 9. Conclusion

**9.1** These are serious issues for the church and for the state, and need careful further consideration. The Assembly is encouraged to use the questions raised in this report to ensure that this work is carried forward with appropriate ecumenical and interfaith partners.

## 10. Appendix

**10.1** The General Assembly of 2011 passed this Deliverance: Instruct the Church and Society Council, jointly with the Legal Questions Committee and the Committee on Ecumenical Relations to:

- (a) Consider the implications for the Church of Scotland of the prospect of independence for Scotland and in particular, what recognition, if any, the Church of Scotland should seek in a revised constitutional settlement which might supersede the 1707 Treaty of Union.
- (b) Bring a report to a future General Assembly, advising on progress made and whether further work is needed.

**10.2** This is a report of this work.

**10.3** In May 2012, in the Deliverance to the Report of the Church & Society Council, the General Assembly of the Church of Scotland agreed to:

- Instruct the Church and Society Council to help the Church to engage at a civic, political and local level with questions related to the constitutional future of Scotland, and particularly how independence might impact on the poorest and most vulnerable people.
- Urge local congregations to consider hosting community referendum meetings in a neutral space to allow free debate about all the issues.
- Confirm that the Church will remain impartial with regard to the question in the forthcoming referendum.

**10.4** The Church of Scotland is thus neutral, but far from uninterested, on the question of independence for Scotland.

*On behalf of the Church and Society Council, the Committee on Ecumenical Relations and the Legal Questions Committee*

SALLY FOSTER-FULTON, *Convener*

EWAN AITKEN, *Secretary*

ALAN D FALCONER, *Convener*

SHEILAGH M KESTING, *Secretary*

ALAN J HAMILTON, *Convener*

JOHN P CHALMERS, *Secretary*

# MINUTES OF THE PROCEEDINGS OF THE NATIONAL YOUTH ASSEMBLY OF THE CHURCH OF SCOTLAND 2012

*The National Youth Assembly met in the West Park Conference Centre in Dundee, 10th-13th August 2012.*

The National Youth Assembly brings together a diverse group of young people in the Church of Scotland and aims to give them a voice in the wider Kirk. Through small group discussion followed by debate in the style of the General Assembly, the NYA determines how it wishes to respond to current issues. These issues are presented by speakers from relevant organisations, who serve to facilitate informed discussion. This year's topics were: 'Tax Evasion & Avoidance', 'HIV', and 'Domestic Abuse', all under the umbrella of the theme, 'Breaking Barriers'.

Our first debate topic, 'Tax Evasion & Avoidance' was introduced by Matt Grady and Catherine Falconer of Christian Aid. The Assembly engaged with this topic with surprising enthusiasm, but ultimately determined that its members lacked the hard facts necessary to put the principles into action. For this reason, the elected Youth Assembly Representatives have been charged with the compilation of a guide for ethical living. Although not directly relevant to the topic, there also was significant desire from delegates to discuss the Living Wage.

The second debate topic was 'HIV' and was presented by Marjorie Clark, Coordinator for the Church of Scotland HIV Programme. Many delegates were surprised to learn a thing or two and this led to the Assembly's call for improved education on the matter in schools. Marjorie remained at the Centre for the debate to act in an advisory capacity and provided invaluable guidance.

The third and final topic was 'Domestic Abuse', introduced by Fiona Buchanan and Ellie Hutchinson from Scottish Women's Aid. This was arguably the most emotionally charged debate and very much resonated with the 'HIV' topic section 22, acknowledging the power of language.

The NYA received input from other parties throughout the weekend, as well: the Scottish Youth Parliament gave a talk on what it means to be an MSYP as a precursor to our upcoming partnership with them; we were given an introduction to the Mission Forum, which resulted in the creation of a Youth Mission Forum with seven of our number joining; as part of our worship on the Sunday morning, we received a talk from the Rev Dr Marjory MacLean, who has long been a dear friend of the NYA; and on the Monday we were joined by the Moderator of the General Assembly, the Very Rev Albert Bogle.

Along with the business side of things, delegates also enjoyed a great deal of time in fellowship, worship and workshops. Two sessions which received particularly positive feedback were a workshop on 'The Theology of the Apology' and a pair of late night sessions on gender issues and sexuality. The NYA has always been a safe environment for young Christians to explore new or sensitive ideas and the reception these sessions received is resounding evidence of that.

We also had our usual gala dinner night, this year splitting the money raised between a project the Church of Scotland HIV Programme supports in Kenya and a new initiative called the COSY Collective. This is a fund to which those under the age of 25 will be able to apply to help finance projects they are involved with in their local areas.

In the last few years there has been significant progress in how the NYA deliverance is taken forward after the event. This year has seen an increase in the number of elected representatives from 9 to 19. This was done to accommodate the ever-increasing workload and to open up the role to those who could not necessarily commit to attending the General Assembly. In order to best utilise their skills and interests, the reps have been split into three smaller working groups, each focusing on one topic from the deliverance.

Before closing this report, I would like to thank everyone who made the National Youth Assembly 2012 what it was. Every individual in attendance brought something different and it could not have been the same without them. I would particularly like to thank Suzi Farrant, who despite being flung into the deep end when she took on the role of Children and Young People Development Worker within the Mission and Discipleship Council, inherited a half-planned event and made it into something wonderful. She has been a true delight to work with over the year.

It has been a genuine honour to be Moderator of the National Youth Assembly 2012. I have enjoyed seeing the NYA evolve over the years and I very much look forward to seeing what it will become.

EUAN PATTERSON, *Moderator*

### **Tax Evasion & Avoidance**

The National Youth Assembly:

1. recognises that generosity is a spiritual gift. Delegates challenge individuals to pay taxes with a spirit of generosity and in full transparency.
2. challenges individuals to pay taxes to a full extent with transparency willingly as a moral and legal responsibility.
3. seeks to approach issues of Church and society with an attitude of positive transformation. The NYA will encourage a "We can" spirit, not just a "We need to" spirit.
4. believes that openness leads to understanding and that the issue of taxes and finance need to be discussed in public without using jargon, in an accessible way in a conversation led by the Church of Scotland.
5. believes that there is an absence of adequate financial education in the school curriculum and urges the government to address this.
6. commends to the wider Church the Christian Aid campaigns on tax evasion and unfair avoidance<sup>1</sup>

as well as the joint 2010 report of the Church of Scotland and Christian Aid.<sup>2</sup>

7. encourages congregations to engage with Christian Aid campaigns and education resources in regard to tax justice and to consider an annual awareness raising event similar to "Souper Sunday".
8. encourages the Church and Society Council to continue to be vocal and active on issues surrounding the scandal of tax evasion and unfair avoidance, and more fundamentally, the culture surrounding it.
9. commits to bringing issues of tax evasion and unfair avoidance to the Scottish Youth Parliament.
10. encourages congregations to consider boycotting companies who avoid tax unfairly and to campaign on this issue.
11. believes it is imperative that the Church of Scotland and its members work towards investing and banking only with corporations whose investments are ethical.
12. notes the importance of taking a global approach to tackling tax evasion and unfair avoidance and encourages the Church of Scotland to work with other churches and ecumenical bodies on this issue.
13. commends the work of Christian Aid in regard to transparency within trade.
14. affirms the work the Church already does in relation to fair trade and commits further to promoting it including using fairly traded products in all churches.
15. believes tax incentives should be offered on ethical products.
16. instructs the elected youth reps to research and compile existing information and resources and to prepare and make available to the COSY family an "Idiot's Guide to Living Ethically".

### **HIV**

The National Youth Assembly:

1. believes that Jesus loves everyone equally and unconditionally. The NYA believes that the whole

<sup>1</sup> eg "Trace the Tax" Christian Aid Campaign:  
<http://www.christianaid.org.uk/ActNow/trace-the-tax/>

<sup>2</sup> "Paying our dues: How tax dodging punishes the poor" can be accessed online: <http://www.christianaid.org.uk/images/ChristianAidTaxReport.pdf>

Church should show this unconditional love towards those living with HIV.

2. opposes stigma of all kinds and encourages congregations to engage with the issue of HIV with the aim of reducing discrimination against those affected.
3. encourages congregations to pray for healing, care and justice for all infected and affected by HIV.
4. commends the work of the Church of Scotland HIV Programme and offers their support for future projects.
5. instructs its youth reps to consider fundraising events for the HIV Programme such as an NYA reunion event.
6. asks the Church of Scotland HIV Programme to reinstate and expand the Peer Education programme. The NYA encourages delegates to be involved with this programme.
7. encourages the HIV Programme to develop theological materials for raising awareness of issues around HIV to facilitate open discussion and help people gain a deeper understanding.
8. commends the work of the World Mission Council in tackling the multiple difficulties faced by all individuals living with HIV and instructs the youth reps to seek advice from them on how the NYA can have influence in regard to this issue.
9. instructs its Scottish Youth Parliament Reps to take the issue of HIV to the Scottish Youth Parliament with the aim of standardising and improving education in schools.
10. instructs the youth reps to seek advice from the Scottish Churches Parliamentary Office with a view to lobbying the UK Government to place the issue of HIV higher on their agenda.
11. instructs the youth reps to draft a petition to the UK Government to encourage financial contributions to the Global Fund<sup>3</sup> to fight AIDS, TB and Malaria.
12. instructs its youth reps to research whether the UK Government is actively seeking the removal of restrictions on people who are living with HIV from entering and residing in certain territories or countries and to campaign for this to happen if it does not already. This should be done with a view to reporting back to delegates.
13. encourages Church members to lobby their MEPs on issues of needle exchange in Europe and on making HIV a major issue of policy in the coming Parliamentary session.
14. encourages individual churches and presbyteries to be in partnership with NHS Trusts and other local organisations to raise awareness of the reality of HIV.
15. encourages the Church and Society Council and the HIV Programme to examine the work of pharmaceutical companies providing ARV drugs, and to lobby appropriately for their responsible ethical production and distribution.
16. requests that the "Idiot's Guide to Ethical Living"<sup>4</sup> includes sections on the behaviour of companies in regards to ARV drugs/breast milk and monopolising/contamination of clean water supplies.
17. believes that ignorance about HIV is the root problem of the stigma associated with HIV. The NYA encourages its members, congregations and schools to utilise HIV resources from the HIV Programme and relevant charities to facilitate regular, open discussion amongst youth and inter-generational groups.
18. believes education around HIV issues should focus on global implications and social justice in addition to those of personal issue.
19. encourages delegates to lead their congregations in events such as "Souper Sunday"<sup>5</sup> and encourages alternatives such as "Sundae Sunday" or "Softplay Sunday" in order to raise awareness in all age groups within local communities and organisations.
20. commits to taking action for World Aids Day on 1st December be this on a small or large scale – for example selling ribbons, holding events, raising

<sup>3</sup> Global Fund website: <http://www.theglobalfund.org/en/>

<sup>4</sup> See Deliverance 1, *Tax Avoidance and Evasion 11th August 2012*, section 16

<sup>5</sup> "Souper Sunday" website: <http://www.soupersunday.info/>

awareness using social media, writing to MPs/MSPs/MEPs, or prayer.<sup>6</sup>

21. highlights the problem of isolation experienced by those living with HIV and urges churches to reach out to those in their communities for whom this is a reality.
22. acknowledges the power of language, and urges the Church to be more sensitive and aware of its rhetoric surrounding the issue of HIV.
23. encourages congregations to be more involved with the issues surrounding HIV and Aids by having dedicated and informed prayer days.

## Domestic Abuse

The National Youth Assembly:

1. believes that all forms of domestic abuse are wrong regardless of gender, age, sexual orientation or any other factor.
2. affirms the Church's conviction that domestic abuse "must be seen to be addressed specifically within the fuller agenda of violence against women" (General Assembly 2012).<sup>7</sup> However, the NYA also notes that the adopted definition of domestic abuse by the Church still recognises that domestic abuse is perpetrated against men and draws awareness to this fact.
3. urges the youth reps and Scottish Youth Parliament reps to lobby the Scottish Government to include violence perpetrated against men within their definition of domestic abuse.<sup>8</sup>
4. urges its male delegates<sup>9</sup> to sign the Amnesty International White Ribbon Campaign.<sup>10</sup>

<sup>6</sup> World Aids Day website: <http://www.worldaidsday.org/>

<sup>7</sup> Church and Society Report to the General Assembly 2012 on Domestic Abuse, p2: [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0009/9585/Domestic\\_Abuse\\_2012.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0009/9585/Domestic_Abuse_2012.pdf)

<sup>8</sup> This is in reference to the definition found in the Scottish Government's "National Strategy to address domestic Abuse in Scotland, p3": (<http://www.scotland.gov.uk/Publications/2003/09/18185/26437>)

<sup>9</sup> This campaign may also be signed by females.

<sup>10</sup> <http://www.whiteribboncampaign.co.uk/>

5. recognises that domestic abuse affects children, as well as men and women, and commits to challenging it within their own communities through open discussion.
6. recognises the fact that domestic abuse is not limited to physical abuse and takes a number of different forms which are each a damaging reality.
7. draws attention to the Church's 2003 report<sup>11</sup> on domestic abuse and believes that promoting this to the wider Church could bring positive change.
8. believes that delegates and the wider Church should show a Christ like compassion for those affected by domestic abuse.
9. believes that the grace of Christ offers forgiveness to abusers.
10. believes that no individual should feel trapped in an abusive marriage or relationship by shame or religious expectation.
11. acknowledges the reality of domestic abuse in the Church community, including in ministers' relationships, and believes that awareness must be raised at a congregational level and that provision of pastoral care and support should be provided.
12. urges churches to be more vocal in their communities about the support and pastoral care that is available for both victims and perpetrators, and to raise awareness of the issue of domestic abuse.
13. recognises that the reaction of congregations to individuals and their families who are experiencing or have experienced domestic abuse can be either healing and helpful or incredibly damaging and therefore, the NYA encourages congregations and individuals to examine their reactions and be sensitive on this issue.
14. believes it is imperative that ministers, elders, deacons and lay leaders are better equipped to effectively respond pastorally to domestic abuse.

<sup>11</sup> This is in reference to the definition found in the Scottish Government's "National Strategy to address domestic Abuse in Scotland, p3": (<http://www.scotland.gov.uk/Publications/2003/09/18185/26437>)

15. encourages congregations & Kirk Sessions to provide long term pastoral care to those who have suffered domestic abuse as they attempt to continue with their lives.
16. encourages congregations to explore appropriate boundaries and responsibilities within relationships and marriage.
17. acknowledges the Guild's prayer resources<sup>12</sup> and encourages the Church to research further resources for ministries in regard to dealing with domestic abuse both within and outwith their ministries and parishes with the overall aim of awareness raising and preventing it from occurring.
18. commends and encourages continued partnership with Scottish Women's Aid, The Guild, the Church and Society Council, the Safeguarding Committee and Church members on their work done on raising awareness of and combating domestic abuse.
19. encourages the youth reps to work with the Mission and Discipleship Council in engaging with the Domestic Abuse Action Plan<sup>13</sup> produced by the Church and Society Council.
20. encourages the Church and Society Council to lobby local government in regard to education enabling individuals to recognise and tackle abusive relationships with strategies for how to seek help.
21. believes that the media should take a more responsible attitude towards domestic abuse and gender stereotypes whilst recognising that initial progress is already being made.
22. instructs the youth reps to explore the idea of organising an interfaith event during the 16 days of Activism on Violence in conjunction with the Mission and Discipleship Council and the Church's Interfaith Worker.

<sup>12</sup> Church of Scotland Guild, "16 Days of Prayer":  
[http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0006/8376/sixteen\\_days.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0006/8376/sixteen_days.pdf)

<sup>13</sup> More details of the Action Plan found in the 2012 report p 3&4:  
[http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0009/9585/Domestic\\_Abuse\\_2012.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0009/9585/Domestic_Abuse_2012.pdf)



# SPECIAL COMMISSION ANENT MINISTERIAL TENURE AND THE LEADERSHIP OF THE LOCAL CHURCH

May 2013

## PROPOSED DELIVERANCE

### The General Assembly

1. Receive the report.
2. Instruct the Commission to bring a final report to the General Assembly of 2014 with proposals for processes to bring in –
  - a. continuing ministerial review and development
  - b. training and support for elders
  - c. a capability policy for ministers
3. Instruct the Commission to work with the Ministries Council, the Mission and Discipleship Council, other Church Councils and Committees, Ecumenical Partners, the Church's Training Providers and para-church organisations in the delivery of these aims.
4. Instruct the Ministries Council, in consultation with the Legal Questions Committee, to bring forward amendments to Act VII, 2003 which more accurately conveys the meaning and purpose of that which is currently called "reviewable tenure".

## REPORT

The Commission was established by the General Assembly of 2011 with this remit:

- *explore the theological, historical and legal issues surrounding current patterns of ministerial tenure, how these patterns underpin the mission of the local church and what changes to them might render that mission more effective;*
- *explore the corresponding issues concerning congregations' right of call, how this serves the mission of the local church and what aspects of that right may best be emphasised to render that mission more effective;*
- *examine the work in other denominations in these areas, including the Church of England's "Common Tenure";*
- *explore the broader questions of leadership for the local church including that offered by Kirk Sessions, financial courts and the Presbytery;*
- *bring forward to the General Assembly of 2013 initial recommendations regarding future patterns of leadership for local congregations which would facilitate mission including forms of ministerial tenure which would best serve the mission of the local church and which would reflect:*
  - *the balancing of ministers' rights and responsibilities, including the provision of a capability policy for office holders;*
  - *the balance between freedom to exercise an individual approach to ministry and the need within a Presbyterian ecclesiology to be accountable for that ministry;*
  - *the basis on which a congregation is given the right to call and retain a minister;*
  - *the role and nature of the kirk session in terms of shared leadership;*
  - *such other matters relating to the broad task which the Commission may deem to be appropriate.*

The Commission brought an Interim Report<sup>1</sup> to the General Assembly of 2012 which reaffirmed *“the Church’s long held belief and practice that inducted Ministers are office holders and not employees and instruct the Special Commission to continue to develop its thinking on tenure based on this premise.”* The General Assembly concurred.

While this in some ways simplified our work by removing one avenue of exploration it did leave the Commission with the still considerable task of exploring what office holding means in the church of today.

As we sought to develop our understanding of the contemporary setting we attempted to find a historical and theological perspective on our concept of tenure. The Commission is grateful to the Rev Professor David Fergusson of New College for the time he and some of his colleagues gave to this piece of research. The conclusion reached was that there are very few pieces of writing which describe or explain the Church’s historic understanding of tenure and what it means to hold office or to be an office holder. Tenure and office holding seem to have been our customary approach for many years in the appointment of ministers to charges but not many have seen the need to write about the subject. The paper “Ministers of the Gospel” accepted by the General Assembly in 2000 contains significant theological reflection on the nature of the Ministry of Word and Sacrament. These insights will be helpful in future work around the issues of tenure and Call.

### **1. Consulting the Presbyteries**

The Commission’s remit says that we should explore *issues surrounding current patterns of ministerial tenure, how these patterns underpin the mission of the local church and what changes to them might render that mission more effective.*

Accordingly, during the last year and with appropriate academic guidance on how to conduct social research (eg how to format groups and structure questions), the

Commission engaged in a series of “focus groups” with elders and ministers from a representative sample of Presbyteries around the country – Shetland, Aberdeen, Melrose and Peebles, Argyll, Lochaber, Inverness, Dumbarton, Wigtown and Stranraer. The Commission is grateful to those who took part – their insights have been very helpful as we have developed our thinking.

It has become clear from these meetings that ministerial tenure is not viewed as the “rock in the road” which is preventing the Church from exercising mission. Occasionally a minister may resist parish appraisal making the implementation of the Presbytery Plan more awkward but it is also true that there are many examples of ministers who agree to readjustment when there is no compulsion on them to do so.

On balance, the elders in these focus groups were more in favour than ministers of “unrestricted tenure” on the basis that they preferred continuity of relationship. They were also aware that to have a minister inducted on this basis gave security to a congregation which reviewable tenure did not. Some ministers in charges with reviewable tenure spoke positively of their situation as the review deadline gave a sense of pace and focus to the work of the congregation’s leadership. Others, however, clearly valued the security which unrestricted tenure offered to them and their family.

One further aspect of these focus group discussions which has informed our thinking is that the term “reviewable tenure” is widely misunderstood. Many of those who argue that all ministers should be inducted on this basis seem to have concluded that it is a management tool allowing the Church to remove a minister from a setting if they have not proved to be “a success” and then permitting the congregation to call a replacement. Reviewable Tenure is a tool for readjustment allowing the Presbytery to reshape the pattern of parish church life as communities change, grow or decline. It is the shape, existence or vocation of the parish church which is being reviewed not the performance of the minister. One of our recommendations

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<sup>1</sup> See [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0016/11293/Blue\\_Book\\_Vol\\_2\\_2012\\_Inners\\_Final.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0016/11293/Blue_Book_Vol_2_2012_Inners_Final.pdf)

is that the Church takes out this misleading term to replace it with something like “Reviewable Charge” or “Reviewable Right of Call” which makes this distinction clear to all concerned.

## 2. Lessons from others

Last year's General Assembly agreed to supplement our membership with colleagues who were knowledgeable and skilled in the fields of human resources, the management of change and academic level theology. With their assistance and in continuing partnership with the Ministries Council, we have begun the task of addressing the two matters mentioned above.

The Commission has also fulfilled its remit by examining the Church of England's “Common Tenure”<sup>2</sup> which has now been in operation for just over two years. It is probably too early for our neighbours to assess the effectiveness of this measure which is now used in all new clerical appointments. It is certainly not an approach which could be directly imported to the Church of Scotland as we do not have the possibility of introducing Parliamentary Measures<sup>3</sup> at Westminster nor do we have the hierarchical system of oversight which allows both the creation and the monitoring of the “terms of service” which underpin Common Tenure.

However, apart from Common Tenure we have received considerable assistance from the Church of England in considering issues ranging from capability to Continuing Ministerial Development and we are grateful to our Anglican brothers and sisters for their generosity.

The United Reformed Church (URC) has also been ready to provide materials and share experience. Their governance structures are closer to our own and it may be that we can make more direct use of their good practice.

Beyond the Church, we have also consulted with the Director of Judicial Studies for Scotland because of his rare and thus invaluable experience in engaging with a body of professionals (judges, sheriffs and JPs) who are also ‘office holders’. He described for us their approach to continuing professional development which succeeds in having high rates of participation not because the training events are compulsory but because they are relevant to the task and are of a quality which ensures that even the more reluctant are drawn in by the recommendation of their peers.

## 3. The Next Stage

As well as a description of our work and the input that others have made, we now feel able to offer the Church an outline of a fresh approach to ministerial tenure and the leadership of the local church. We are asking for the General Assembly to support the tack we are taking and to give us a further year to develop these ideas into practical proposals for action which can then be pursued by others.

## 4. Tenure-in-Context

After listening to views from around the country, the Commission is firmly of the view that the correct place to root our work is in a discussion about the well-being of the local church and Christ's call to mission. In other words neither the tenure of a minister nor the place of an elder on a Kirk Session are isolated subjects which can be studied apart from our understanding of the living, worshipping and witnessing Christian community. The calling and ordaining of leaders for the local church are practices which the church has chosen to adopt for the well-being of the Gospel's cause and they must be considered in their service to that setting. We look forward to discussing these issues with the Ministries Council and those in the Mission and Discipleship Council who are studying the eldership.

To some extent this conclusion has moved us on from the remit given to us to develop “forms of ministerial tenure”. The arid and isolated discussion of bases of tenure should, we believe, be replaced with a new sense of what it means

<sup>2</sup> See <http://www.churchofengland.org/clergy-office-holders/common-tenure.aspx>

<sup>3</sup> See <http://www.parliament.uk/business/bills-and-legislation/secondary-legislation/churchmeasures/>

to be called to leadership within the Christian family. This is as much about a change of culture as it is about mechanical process. It will be the work of many years and many people.

The Church is called to be involved in Christ's mission and so wherever we find ourselves we are caught up in a dynamic vocation as we are sent out to our neighbours. While mission is the common cause it is a cause that takes different forms in different places and as communities and times change. The Church's work is "mission-in-context" – being the living Body of Christ in the places and times where we ourselves live, work, study, and relax. The shared vocation of all Christians is the expression of the gospel in word and action – always in ways which are appropriate to where and when we are called to serve.

In this regard, it is also worth commenting on the fact that the Church of Scotland has shown a reluctance to concede that there are different types of parish ministry, (to say nothing of the different forms of serving as a Minister of Word and Sacrament, for example, the work of chaplains). Some work has been done in this regard with ministers in Priority Areas but in the other 1000+ parishes there seems to be a view that parish ministry is parish ministry. Surely we can agree that "one size does not fit all"?

The Commission believes that it would be an important forward step if we could own the fact that, for example, ministry in a small rural congregation makes different demands on a minister's time and talents than, say, a large suburban congregation. One is not better or more important than the other – they are simply different. If we could name these different settings and tease out what they mean for ministry we could have a more nuanced discussion about the concept of 'Call' in general and in particular. There is, for example, research<sup>4</sup> around congregational numbers which speaks of family (under 50 active members), pastoral (50-150 active members),

programme (150-350 active members) and corporate (350+ active members) types of congregation. The task of leadership varies enormously between these different sizes of congregation and the settings in which they are placed.

Layered on top of this is the knowledge that at certain stages of the journey each type of congregation needs a step change as it finds itself in evolving or new circumstances. The insights of Interim Ministry have much to teach us about these turning points. The "Interim" tasks focus on story, identity, resourcing, relationships and ministry but the practice of Interim Ministry has perhaps too often been confined to conflicted settings. Some of the latest thinking<sup>5</sup> around Interim Ministry suggests that it has also changed from being a process which helped a congregation find the right minister to one which helps the congregation find a new way of working in these days of continual flux.

If we believe in the dynamic vocation of mission-in-context it follows that those who have positions of leadership in that church cannot simply stand still. There must be learning and growing and moving. Elders, both teaching and ruling, hold office in a church which, when true to its Master, is constantly attempting to discern what He would do and say in the setting(s) where the local congregation lives, works and witnesses.

Tenure – the holding of the office of Minister (or indeed a ruling elder) in such a local church – must be a dynamic concept. Ministers are not simply called at the start of their ministry to a charge as if that was the last time the issue of being in the right place was considered. They are called to a congregation through the vacancy process but at their induction they not only accept the Call but agree to the commitment to *"study to approve yourself a faithful minister of the gospel among this people"*.<sup>6</sup>

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<sup>4</sup> Alban Institute: "How to Minister Effectively in Family, Pastoral, Program, and Corporate Sized Churches" by Roy M Oswald

<sup>5</sup> Anthony B Robinson in "Congregations Issue 4 2012", the Alban Institute

<sup>6</sup> Basis and Plan of Union

Being faithful to the Gospel is to be continually seeking the renewal of life. If the Gospel asks for a living response it follows that a Call does not remain on the same basis as day one. The Call is not on the same basis after five years or ten years as it was at the induction social. If it is unchanged then in five or ten years things have not moved forward and we would want to ask, "Is that consistent with a discipleship view of the Christian life?" The world has changed, the place has changed, and the relationship between minister and congregation has changed. So, surely, the contributions which the minister does and will subsequently make to the shared life of the church must move on at every stage of the journey. Such a developmental understanding of church life also impinges on the work of the Kirk Session and the role of the individual elder and church leader.

Many ministers know this intuitively and they seek to adapt their practice as the years move on. It is as someone set in the midst of a moving, changing Christian community which is itself located in a moving, changing world that the Minister of Word and Sacrament holds office and the elder sits on the Kirk Session.

It is the responsibility of someone holding office in that dynamic setting to consider if their Call is still "live and appropriate", asking questions such as:

- Do I have the skills to lead the church on the next stage of its journey and, if not, can I acquire them?
- If I have the skills, do I have the enthusiasm, the sense of purpose that keeps ministry from being a chore?
- Is my work here done? Have I achieved what I was called to do?
- Have I come to the view that the congregation now needs a different person for the new setting which I have helped to create – and do they need a new challenge to refresh and develop their vocation?
- Is my relationship with the congregation one where they are still open to leading and challenge or has it settled into complacent complicity?

For the Minister of Word and Sacrament we believe there are pivotal moments when the discernment of Call to a particular setting should be exercised.

The first and perhaps most obvious one is at the end of training even if candidates need to find work as quickly as possible. Our enquiries suggest that many candidates have only limited preparation in "reading" a congregation and so have little foreknowledge of that to which they may be called. There is also a question of the candidate's ability to "read themselves" as they seek to discern the Call. Equally, one does not have to read many Parish Profiles to understand that Nominating Committees (and presumably Kirk Sessions) have only a limited idea of the specific nature of the Call they are charged to issue.

For those in service it seems to the Commission that there may be several turning points when the issue of Call becomes focused and pressing eg

- after a major period of change in congregation or parish;
- before parish readjustments;
- at key moments in their personal life when change might be more possible or desirable, such as physical health and fitness decline; or
- when approached by another congregation.

However, away from these often seemingly unplanned moments, Local Church Review is an obvious setting for ministers to reconsider their Call to the charge where they have served.

Local Church Review asks the leadership of the local congregation to reflect on their journey, their setting, and their vocation. It asks for a clear expression of "What's next?" as they share in the mission of Jesus Christ to their parish and beyond. This in turn raises the issue of resources – buildings and money, certainly, but mainly people – their numbers, talents, and availability. Here surely is a good time for the minister of the parish to reflect on his or her calling too. The Commission notes, however, that there are no specific questions asked of the minister in the charge, nor were there in the former Quinquennial Visitation process.

It seems to the Commission that this vital discernment process receives little support or encouragement from the Church at large and that to many ministers it appears as potentially unsettling or a threat best avoided.

While it is a straightforward exercise for the Commission to identify the dynamic, changing nature of Call and some of the turning points where discernment of Call is (or should be) a particularly pressing or promising concern, the Church will need to effect a major change of thinking if Call is to be a “live” issue for all concerned within a mission-in-context Church.

These are some recommendations about how this change might be affected:

- the nature of the Church’s calling as mission-in-context must be named constantly and held up by all those who lead in any way. This is a theme which should run through all channels of communication – sermons, magazines, websites, conferences, Assembly reports *etc.*;
- the issuing of the Call to leadership – from the Enquiry Process to the local finding of elders and the “new” minister should reflect the setting of such a Call in a moving, changing church within a moving, changing world;
- the Church must own the fact that Ministry varies from setting to setting and from time to time in the same setting. The core tasks are always present but the make-up of the working week, the priority given to different tasks in terms of energy and the set of skills which would make ministry effective vary enormously.

In their preparation and training, and throughout their service, Ministers should be offered the support and resources which would encourage reflection on God’s Call as they journey. A well-established culture of ‘Continuing Ministerial Development’, which might include day or residential conferences, or spiritual direction, would encourage ministers to refresh their ministries on a regular basis, exploring topics related to their practice of ministry, covering not only academic but also organisational, spiritual and pastoral topics. It can only be to the benefit of ministers and the good of the church that ministers are given opportunities to resource their work and refresh their calling throughout their ministry.

- the vows of ordination and induction as well as the liturgy within which they are set should reflect the dynamic

nature of Call. This is the start of a shared journey together: a stage on the road, nothing more, nothing less;

- the Church should allocate sufficient financial and staff resources to allow Ministers to rethink their Call and move parish or work setting, retrain for new service, or indeed leave ministry altogether if their heart is no longer in the task. Money and time spent in helping the Church to have the right minister in the right place at the right time would be a good stewardship of the Church’s limited wealth.

The Commission believes that Ministers who hold office in a moving, changing church are best served by the re-consideration of their contribution to the life and witness of the Christian community. The Church needs to make space for such reflection, it needs to provide opportunities where service is appreciated and it must make available the time, and resources which would allow its ministers to refresh their sense of calling and the development of their gifts.

The Ministries Council has previously developed and piloted a process of Accompanied Self-Appraisal for Ministers. However, when this was “rolled out” very few ministers took up the offer of such support. The Commission is of the view that some form of review system and associated Continuing Ministerial Development (CMD) process would be beneficial to all ministers. Questions about how, when and by whom such a review is carried out are sensitive but require to be addressed. Some of our ecumenical partners have already developed schemes for their own use and we hope that their insights and experience can be used by the Kirk.

It should also be made clear that we are not suggesting that ministers are “marked on their performance” – this is a process of guided reflection not an examination.

Currently only a minority of ministers engage with any structured form of review. There are no doubt complex reasons why this is so but we are firmly of the view that a comprehensive engagement with this type of process would be helpful both to Ministers and the Church of Scotland.

It is also the case that while there are clear tests of competence for those moving through training the Church has no Capability Policy for those ministers once they are in service. This we believe is a situation which must be remedied. Again, other churches have such procedures which, among other things, treat carefully (and separately) incapacity and underperformance.

The Commission's aim in raising the issues of review, continuous development and capability is not firstly directed at "weeding out the problem cases". Rather we are concerned that the Church makes the best use of its talented and committed ministry and that those who have given their life to this calling experience the exercise of that vocation as something which grows and develops as they gain experience and reflect on their new insights.

This, of course, is not completely original thinking. At the General Assembly of 2000 the "Ministers of the Gospel" report concludes that the Church *requires a clear capacity and commitment among all ministers of the Gospel to deep reflection, genuine collaboration and continuing formation as persons in Christ and practitioners in ordained ministry.*

Our concern is that the Church which set this high ideal should support and encourage the great majority of faithful, diligent ministers in their quest to be the best ministers that they can be. This would be good for them and for the Church.

The Commission's view is that review and continual development processes should be organised as closely as possible to the life of the local church. Ideally, they should be the responsibility of Presbyteries but the size of so many of these courts suggest that they could not carry forward this task by themselves. This is a time for Presbyteries to consider how they might collaborate to achieve these ends.

## 5. Future Work for the Commission

The Commission's challenge for the next year (if the Assembly agrees) is to develop the thinking described above so that the Church can be offered ways in which she can instruct initiatives to deliver these processes across the country. In other words, we intend bringing to the General Assembly of 2014 a set of deliverances for consideration which would describe in detail what should be created, who should create it and when the work should be done.

Even this preparatory stage will need to be a shared exercise. The Commission has been encouraged by the openness of others to work as partners in the coming months. If the Assembly instruct us to go forward we would be working with the Councils of the Church, the Universities which train ministers, para-church organisations and ecumenical contacts.

*In the name of the Commission*

WILLIAM C HEWITT, *Convener*  
GEORGE J WHYTE, *Clerk*



# COMMISSION OF THE GENERAL ASSEMBLY SEPTEMBER 2012

## May 2013

*At Edinburgh, and within Palmerston Place Church, the tenth day of September 2012 at 10.00 am, which day the Commission of Assembly appointed by the last General Assembly in terms of Act VI, 1997, being met, was constituted with prayer.*

In terms of section 5 of Act VI, 1997, and in the absence of the Rt Rev Albert Bogle, the Commission appointed the Rev Jan Mathieson as their Moderator for the meeting. The Commission further appointed the Rev Lorna Hood as Business Convener for the meeting.

### **Voting**

On the proposal of the Business Convener the Commission of Assembly agreed unanimously to suspend Standing Orders and use the Electronic Voting System in favour of taking a vote by standing.

### **Appeal of Irvine: Girdle Toll and Irvine: Old against the Presbytery Plan of the Presbytery of Irvine and Kilmarnock.**

The Commission of Assembly took up consideration of an Appeal in terms of Act VII, 2003 in the names of Mr Eric Greig representing Irvine: Girdle Toll and Mr David Whitelaw representing Irvine: Old against the Presbytery Plan of the Presbytery of Irvine and Kilmarnock to link the charges of Irvine: Girdle Toll and Irvine: Old.

The Depute Clerk read the relevant part of Standing Order 72.

Parties were called.

There appeared Mr Eric Greig representing Irvine: Girdle Toll and Mr David Whitelaw representing Irvine: Old. There appeared for the Presbytery the Rev Andrew Black, the Rev Colin Strong and the Rev Grant Barclay.

The Commission received the report of the Investigating Committee appointed in terms of Act VI, 1997, section 5(1) (d)(iii) which was convened by the Rev Alastair Symington.

Mr David Stewart, the Rev Alison Meikle and the Rev Angus Mathieson were present representing the Ministries Council.

Parties were heard.

Questions were asked.

Parties were removed.

*It was moved and seconded:*

The Commission of Assembly:

Uphold the Appeals by Irvine: Girdle Toll and Irvine: Old and recall that part of the Presbytery Plan relating to the linking of Irvine: Girdle Toll and Irvine: Old and instruct the Presbytery of Irvine and Kilmarnock to review the Presbytery Plan in so far as it relates to the linking of the two congregations and further reassess all possible adjustments within all of the Irvine Parishes.

*It was moved and seconded as a counter-motion:*

The Commission of Assembly:

Dismiss the Appeals by Irvine: Girdle Toll and Irvine: Old and uphold the proposal to link the Charges of Irvine: Girdle Toll and Irvine: Old as contained in the Irvine and Kilmarnock Presbytery Plan.

The Depute Clerk read the relevant part of Standing Order 72.

On a vote being taken between the motion and the counter-motion there voted for the motion 56 and for the counter-motion 16 and the Commission of Assembly resolved accordingly.

Parties were recalled and judgement intimated.

*The Commission adjourned at 11.25 for 15 minutes.*

**Appeal of W G Aitken, I Boyd, Mrs A A T Aitken and J G Aitken on behalf of themselves and others against a decision of the Presbytery of West Lothian.**

The Commission of Assembly took up consideration of the Appeal of W G Aitken, I Boyd, Mrs A A T Aitken and J G Aitken against a decision of the Presbytery of West Lothian of the 5 June 2013 to dismiss complaints made against a minister.

The Depute Clerk read the relevant part of Standing Order 72.

Parties were called.

There appeared W G Aitken, I Boyd, Mrs A A T Aitken and J G Aitken for the Appellants. There appeared the Rev Thom Riddell, the Rev Norman MacRae, and the Rev Duncan Shaw for the Presbytery of West Lothian.

The Rev James MacEwan and the Rev Frank Bardgett were in attendance for the Investigating Committee appointed in terms of Act VI, 1997, section 5(1) (d)(iii).

Parties were heard.

Questions were asked.

Parties were removed.

*It was moved and seconded:*

The Commission of Assembly:

Whilst expressing great sympathy to all the relatives of the deceased, dismiss the Appeal against the decision of the Presbytery of West Lothian of 5 June 2012.

*It was moved and seconded as a counter-motion:*

The Commission of Assembly:

1. Uphold the Appeal and recall the decision of the Presbytery of West Lothian of the 5 June 2012 and

instruct the Presbytery, acting under its general powers of superintendence, to establish a Committee of three persons, in consultation with "A Place for Hope", to meet with all parties with a view to i) taking appropriate pastoral steps to establish reconciliation and ii) learning lessons in relation to this kind of complaint.

2. For the avoidance of doubt this complaint should not be pursued in terms of Act III, 2001 anent the Discipline of Ministers, Licentiatees, Graduate Candidates and Deacons (as amended).

The Depute Clerk read the relevant part of Standing Order 72.

On a vote being taken between the motion and the counter-motion there voted for the motion 34 and for the counter-motion 38 and the Commission of Assembly resolved accordingly.

Parties were recalled and judgement intimated.

*The Commission of Assembly suspended its meeting from 13.08 – 14.00.*

**Appeal of Scone: Old against decisions of the Presbytery of Perth.**

The Commission of Assembly received the Report of the Committee on Overtures and Cases, which was given in by the Principal Clerk as Convener.

*It was moved and seconded:*

The Commission of Assembly:

1. Receive the Report.
2. Approve the report and recommendation that the Appeal be not heard.
3. Instruct the Presbytery to review its procedures in relation to Act VII, 2003 anent Appraisal and Adjustment so that such confusion in practice is avoided in the future.
4. Instruct the Presbytery to initiate conversations through *A Place for Hope* involving a wide range of participants with a view to creating the ground in which this union can take root.

Mr Mike Moir, on behalf of the congregation of Scone: Old made the case against the Committee that the Appeal should be heard.

The Commission agreed unanimously to receive the report.

On a vote being taken, there voted for section 2 of the deliverance 48 and against 23 and the Commission of Assembly resolved accordingly.

On a vote being taken, there voted for section 3 of the deliverance 68 and against 1 and the Commission of Assembly resolved accordingly.

On a vote being taken, there voted for section 4 of the deliverance 63 and against 1 and the Commission of Assembly resolved accordingly.

*The Commission adjourned at 14.45 for 15 minutes.*

**Appeal of Catriona Harrison, David Hughes, David Robb and Pat Robb (members of the Stewartry of Strathearn) against a decision of the Presbytery of Perth.**

The Commission of Assembly took up consideration of an Appeal in the name of Catriona Harrison, David Hughes, David Robb and Pat Robb against a decision of the Presbytery of Perth to recall the Basis and Plan of Union of the Stewartry of Strathearn.

The Depute Clerk read the relevant part of Standing Order 72.

Parties were called.

Catriona Harrison, David Hughes, David Robb and Pat Robb appeared for the appellants. The Rev Graham McWilliams, Mrs Rosemary Johnston and the Rev Alan Reid appeared for the Presbytery of Perth.

The Rev Rosie Frew and Mr Douglas Hamill were in attendance for the Investigating Committee appointed in terms of Act VI, 1997, section 5(1) (d)(iii).

Mrs Frew spoke briefly to her report.

Parties were heard.

Questions were asked.

Parties were removed.

*It was moved and seconded:*

The Commission of Assembly:

Uphold the Appeal and recall the decision of the Presbytery of Perth of 12 June 2012 and instruct the Presbytery of Perth to reconsider the terms of the Basis of Union (including the covenant) of the 14 March 2000 for the Stewartry of Strathearn under the provisions of Act VII, 2003 anent Appraisal and Adjustment (as amended).

The Depute Clerk read the relevant part of Standing Order 72.

On a vote being taken there voted for the motion 50 and against 18; the Commission of Assembly resolved accordingly.

Parties were recalled and judgement intimated.

This being all the business, the Sederunt was closed with prayer at 16.10.

*Palmerston Place Church,  
Edinburgh,  
10 September 2012.*

**Note:** *The successful motions and, therefore, the judgment of the Commission were in the following terms:*

**Appeal of Irvine: Girdle Toll and Irvine: Old against the Presbytery Plan of the Presbytery of Irvine and Kilmarnock.**

Uphold the Appeals by Irvine: Girdle Toll and Irvine: Old and recall that part of the Presbytery Plan relating to the linking of Irvine: Girdle Toll and Irvine: Old and instruct the Presbytery of Irvine and Kilmarnock to review the Presbytery Plan in so far as it relates to the linking of the two congregations and further reassess all possible adjustments within all of the Irvine Parishes.

**Appeal of W G Aitken, I Boyd, Mrs A A T Aitken and J G Aitken on behalf of themselves and others against a decision of the Presbytery of West Lothian.**

1. Uphold the Appeal and recall the decision of the Presbytery of West Lothian of the 5 June 2012 and instruct the Presbytery, acting under its general powers of superintendence, to establish a Committee of three persons, in consultation with "A Place for Hope", to meet with all parties with a view to i) taking appropriate pastoral steps to establish reconciliation and ii) learning lessons in relation to this kind of complaint.
2. For the avoidance of doubt this complaint should not be pursued in terms of Act III, 2001 anent the Discipline of Ministers, Licentiates, Graduate Candidates and Deacons (as amended).

**Appeal of Scone: Old against decisions of the Presbytery of Perth.**

**Report of the Committee on Overtures and Cases**

The Commission of Assembly:

1. Receive the Report.

2. Approve the report and recommendation that the Appeal be not heard.
3. Instruct the Presbytery to review its procedures in relation to Act VII, 2003 anent Appraisal and Adjustment so that such confusion in practice is avoided in the future.
4. Instruct the Presbytery to initiate conversations through *A Place for Hope* involving a wide range of participants with a view to creating the ground in which this union can take root.

**Appeal of Catriona Harrison, David Hughes, David Robb and Pat Robb against a decision of the Presbytery of Perth.**

Uphold the Appeal and recall the decision of the Presbytery of Perth of 12 June 2012 and instruct the Presbytery of Perth to reconsider the terms of the Basis of Union (including the covenant) of the 14 March 2000 for the Stewartry of Strathearn under the provisions of Act VII, 2003 anent Appraisal and Adjustment (as amended).

*Extracted by me from the records of the Commission of Assembly, this tenth day of September 2013*

JOHN P CHALMERS, *Principal Clerk of the General Assembly*

# COMMISSION OF THE GENERAL ASSEMBLY OCTOBER 2012

## May 2013

*At Edinburgh, and within the Church of Scotland Assembly Hall, the thirty-first day of October 2012 at 11.15 am which day the Commission of Assembly appointed by the last General Assembly in terms of Act VI, 1997, being met, was constituted with prayer.*

In terms of section 5 of Act VI, 1997, and in the absence of the Rt Rev Albert Bogle, the Commission appointed the Rev Jan Mathieson as their Moderator for the meeting. The Commission further appointed the Rev Lorna Hood as Business Convener for the meeting.

### **Voting**

On the proposal of the Business Convener the Commission of Assembly agreed unanimously to suspend Standing Orders and use the Electronic Voting System in favour of taking a vote by standing.

**Appeal of Mr Malcolm Bannatyne, Mrs Catherine Bannatyne, Mr Tom Craig, Mrs Catherine Craig, Mr William Leggat, Mr Andrew Spiers, Mrs Pearl Spiers and Mr Dmitri Ross against the Presbytery of Hamilton.**

The Commission of Assembly took up consideration of an Appeal in the names of Mr Malcolm Bannatyne, Mrs Catherine Bannatyne, Mr Tom Craig, Mrs Catherine Craig, Mr William Leggat, Mr Andrew Spiers, Mrs Pearl Spiers and Mr Dmitri Ross against the Deliverance of the Presbytery of Hamilton dated 4 September 2012.

The Depute Clerk read the relevant part of Standing Order 72.

Parties were called.

There appeared Mr James Campbell, Mr Tom Craig, Mr Robert Lawrie, Mr William Leggat, Mr Adam O'Brien, Mr Jack Skinner and Mr Dmitri Ross for the appellants. There appeared for the Presbytery of Hamilton Mr Tom McDougall, Rev Dr John McPake, Rev Shaw Paterson (Presbytery Clerk), Rev Tom Riddell and the Rev Keith Ross.

Rev William Hewitt, Convener, the Rev Sandra Black and Mr Andrew Wilkin, were in attendance as the Investigating Committee appointed in terms of Act VI, section 5(1) (d)(iii).

On a point of order the Commission sought clarification on the status of document A23 submitted in support of the Appeal. The Principal Clerk and the Procurator reminded the Commission that in coming to its decision the recommendations and inferences contained in document A23 should be set aside and that whether the appeal was upheld or dismissed it would be for the Commission alone to determine the implications that lay behind its decision.

*It was then moved, seconded and unanimously agreed:*

The Commission note that paper A23 forms no part of the written pleadings in the case and resolve to disregard its contents.

Parties were heard.

Questions were asked.

Parties were removed.

Following advice from the Procurator on the matters to which the Commission should pay particular attention, parties were recalled to answer further questions.

Parties were again removed

The Depute Clerk read the relevant part of Standing Order 72.

*It was moved and seconded:*

The Commission of Assembly:

1. Uphold the Appeal to the extent of instructing the Presbytery of Hamilton to consider whether any allegation of disciplinary misconduct requires to be investigated that has not previously been considered.

2. Instruct the Presbytery of Hamilton to:
  - (a) Provide mentoring for the minister of Flowerhill.
  - (b) Appoint assessor elders to the Kirk Session of Flowerhill for a period to be determined by the Presbytery.

*It was moved and seconded as an amendment: add new section 2 and renumber:*

2. Instruct that such an investigation be conducted by an Investigating Committee made up of one member from the Presbytery of Hamilton and two others from neighbouring Presbyteries.

On a vote being taken there voted for the amendment 51 and against 9, accordingly the amendment carried.

*It was moved and seconded as an amendment: delete section 1 and replace it with the words:*

Uphold the appeal and instruct the Presbytery to reinvestigate the complaint to determine if there is a *prima facie* case to proceed to further investigation in respect of allegations of dishonesty or bullying.

On a vote being taken there voted for the amendment 36 and against 22, accordingly the amendment to the amended motion carried.

*It was moved and seconded as an amendment to the amended motion delete section 1 and replace it with the words:*

Uphold the appeal and instruct the Presbytery to investigate all sections of the complaint.

On a vote being taken there voted for the amendment to the amended motion 16 and against 45 accordingly the amendment to the amended motion fell.

*It was moved and seconded as an amendment, add a new section 3(c):*

Ensure additional pastoral support is available to all parties to the original complaints and to current and former members of Flowerhill Church, where possible.

On a vote being taken there voted for the amendment 43 and against 11, accordingly the amendment carried.

*The motion as amended was then put before the Commission and there voted for the motion 53 and against 3, accordingly the motion carried.*

Parties were recalled and judgment intimated.

This being all the business, the Sederunt was closed with prayer at 4.20 pm.

*The Assembly Hall, Edinburgh, 31 October 2012*

**Note:** *The motion as amended and, therefore, the judgment of the Commission was in the following terms:*

1. Uphold the Appeal and instruct the Presbytery to reinvestigate the complaint to determine if there is a *prima facie* case to proceed to further investigation in respect of allegations of dishonesty or bullying.
2. Instruct that such an investigation be conducted by an Investigating Committee made up of one member from the Presbytery of Hamilton and two others from neighbouring Presbyteries.
3. Instruct the Presbytery of Hamilton to:
  - (a) Provide mentoring for the minister of Flowerhill.
  - (b) Appoint assessor elders to the Kirk Session of Flowerhill for a period to be determined by the Presbytery.
  - (c) Ensure additional pastoral support is available to all parties to the original complaints and to current and former members of Flowerhill Church, where possible.

*Extracted by me from the records of the Commission of Assembly, this thirty first day of October 2012*

REV JOHN P CHALMERS, *Principal Clerk of the General Assembly*

## MINISTRIES APPEAL PANEL

### May 2013

*At Edinburgh, and within the Church Offices, 121 George Street, the seventh day of December 2012 the Ministries Appeal Panel met and was duly constituted with prayer.*

**Sederunt:** The Rev Bruce McNicol, Convener, the Very Rev David K Arnott, the Rev Jennifer Macrae and Mr Robin Stimpson.

**Apology:** Ms Carole Hope, Vice-Convener.

**In attendance:** The Principal Clerk.

The Ministries Appeal Panel took up consideration of the Appeal of Mrs Ann Knox in terms of Act X, 2004 section 6(6) against the decision of the National Assessment Conference and the Assessment Task Group of the Ministries Council not to accept her as a Candidate in Training for the ministry of the Church of Scotland.

Mrs Knox appeared for herself accompanied by the Rev Alan Sorensen.

There appeared for the Ministries Council the Rev Dr Martin Scott, the Rev Anne S Paton and the Rev Marjory McPherson.

Parties were heard.

Questions were asked.

Parties were removed.

Following deliberation the Ministries Appeal Panel resolved to adjourn its hearing in order for an additional paper to be distributed to all parties. The Panel and the Parties agreed to reconvene on Friday 14 December at 11.00am.

*At Edinburgh, and within the Church Offices, 121 George Street, the fourteenth day of December 2012 the Ministries Appeal Panel reconvened and was duly constituted with prayer.*

**Sederunt:** The Rev Bruce McNicol, Convener, the Very Rev David Arnott, the Rev Jennifer Macrae and Mr Robin Stimpson.

**In attendance:** The Principal Clerk.

Parties were heard.

Questions were asked.

Parties were removed.

Following deliberation the Ministries Appeal Panel resolved unanimously to dismiss the Appeal and uphold the decision of the National Assessment Conference and the Assessment Task Group of the Ministries Council in so far as the Appeal related to overturning the decision not to accept Mrs Knox as a Candidate in Training for the ministry of the Church of Scotland. Nonetheless, in view of an irregularity in the process the Panel agreed unanimously that Mrs Knox should be granted a fourth attendance at a National Assessment Conference.

Parties were recalled and judgement intimated.

The meeting was closed with prayer.

BRUCE McNICOL, *Convener*  
JOHN P CHALMERS, *Clerk*



# CHURCH OF SCOTLAND ASSEMBLY REPORTS

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# The Church of Scotland **General Assembly** **2013**



SUPPLEMENTARY REPORTS – PART II

*St Columba 1450<sup>th</sup> Anniversary*



# GENERAL ASSEMBLY 2013

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## LEGAL QUESTIONS COMMITTEE

### STATISTICAL RETURNS

#### APPENDIX F

##### PERSONS AND AGENCIES IN SCOTLAND FOR 2011

The membership statistics shown in the following tables may be stated thus:

	Removals by Death	11,156	
Less	Admissions by profession	1,617	9,539
	Removals by Certificate	3,073	
Less	Admissions by Certificate	2,413	660
	Other Removals	7,047	
Less	Restoration	1,750	5,297
	Total decrease		<b>15,496</b>

#### CONGREGATIONAL STATISTICAL RETURNS – YOUNG PEOPLE

Returns from Presbyteries showed:

- (1) that the number of children and young people aged 17 years and under who are involved in the life of congregations is 65,034.
- (2) that the number of people aged 18 years and over, whose names are not on the Communion Roll, but who are involved in the life of congregations is 15,543.
- (3) that the number of children who receive Holy Communion in terms of Act V, 2000, Section 15 is 3,032.

## APPENDIX G

### All Presbyteries – Congregational Statistical Return

On Roll as at 31st December 2012

On Roll as at 31st December 2012																							
PRESBYTERIES	On Roll as at 31st December 2011	COMMUNICANTS								On Roll as at 31st December 2012	+Inc or -Dec	Union +Inc/- Dec	Number of Notices of removal sent	Number on Supple- mentary Roll	OFFICE BEARERS				BAPTISMS			Weddings	Funerals
		REMOVALS				ADMISSIONS									Elders M	Elders F	Not Elders M	Not Elders F	No. During Year	Of Which Adults	Thanks- giving and Blessing Services		
		By Death	By Cert	Other- wise	To Union	By Profess- ion	By Cert	By Restor- ation	New Union														
Aberdeen	16,227	495	204	311	–	54	108	113	–	15,492	-735	–	33	1,186	651	644	72	162	140	15	11	172	1,011
Abernethy	1,169	29	5	2	–	3	11	16	–	1,163	-6	–	3	37	37	54	8	28	12	1	3	32	58
Angus	14,447	390	85	153	–	57	77	94	–	14,047	-400	–	10	1,678	419	504	57	110	126	11	13	132	715
Annandale and Eskdale	5,395	132	35	24	–	12	15	14	–	5,245	-150	–	9	937	209	232	12	47	68	2	7	123	265
Ardrossan	9,977	275	68	333	1	32	51	40	–	9,423	-554	-1	10	610	405	465	37	71	129	11	5	103	12,992
Argyll	7,859	203	42	93	–	23	39	34	150	7,767	-92	150	14	730	384	305	81	162	93	7	2	113	479
Ayr	19,510	507	140	260	–	108	131	107	–	18,949	-561	–	519	2,298	762	805	82	230	219	19	7	292	1,300
Buchan	12,299	294	91	89	–	21	58	17	–	11,921	-378	–	18	1,235	381	340	71	224	80	5	1	64	447
Caithness	1,320	39	6	–	–	2	4	2	–	1,283	-37	–	2	192	89	64	27	60	26	1	–	34	148
Dumbarton	13,613	341	114	125	–	48	56	44	–	13,181	-432	–	16	1,138	553	639	80	158	255	11	9	244	734
Dumfries and Kirkcudbright	10,414	290	52	279	–	27	44	38	–	9,902	-512	–	13	1,636	375	340	59	158	165	3	1	142	531
Dundee	13,319	384	97	46	412	40	80	37	412	12,949	-370	–	13	936	540	515	50	136	162	5	5	77	713
Dunfermline	6,984	189	72	96	–	41	55	70	–	6,793	-191	–	15	1,442	338	363	29	69	102	17	13	114	557
Dunkeld and Meikle	5,049	135	35	10	–	4	28	23	–	4,924	-125	–	13	374	186	164	25	47	43	8	3	96	247
Duns	3,081	72	18	21	–	8	11	31	–	3,020	-61	–	7	294	125	117	35	45	51	4	2	40	169
Edinburgh	28,995	831	271	666	–	133	236	144	–	27,740	-1,255	–	48	1,994	1,318	1,444	163	271	379	21	31	273	1,748
England	2,216	52	13	11	–	10	5	13	–	2,168	-48	–	11	711	79	93	21	28	65	6	–	43	133
Falkirk	13,874	319	55	169	–	38	63	23	–	13,455	-419	–	9	1,254	453	484	93	205	111	15	5	88	754
Glasgow	36,950	1,082	287	644	214	269	240	156	634	36,022	-928	420	87	3,946	1,900	1,990	386	689	633	47	46	367	3,263

## On Roll as at 31st December 2012

PRESBYTERIES	On Roll as at 31st December 2011	COMMUNICANTS								On Roll as at 31st December 2012	+Inc or -Dec	Union +Inc/- Dec	Number of Notices of removal sent	Number on Supple- mentary Roll	OFFICE BEARERS				BAPTISMS			Weddings	Funerals
		REMOVALS				ADMISSIONS									Elders M	Elders F	Not Elders M	Not Elders F	No. During Year	Of Which Adults	Thanks- giving and Blessing Services		
		By Death	By Cert	Other- wise	To Union	By Profess- ion	By Cert	By Restor- ation	New Union														
Gordon	13,824	327	66	115	–	29	70	17	–	13,432	-392	–	18	1,551	533	427	33	96	115	5	13	119	480
Greenock & Paisley	20,795	519	111	1,016	–	90	187	52	–	19,478	-1,317	–	20	2,491	1,006	947	122	206	268	24	14	170	1,327
Hamilton	26,947	741	235	223	746	135	144	79	800	26,160	-787	54	64	4,176	1,360	1,303	223	462	363	45	17	213	1,896
Inverness	5,471	161	53	228	–	26	42	19	–	5,116	-355	–	11	528	306	173	61	121	67	5	8	90	314
Irvine and Kilmarnock	10,487	257	80	288	–	52	54	29	898	10,895	408	898	34	2,070	440	444	75	185	129	17	6	107	693
Jedburgh	6,445	153	34	30	–	2	29	21	–	6,280	-165	–	6	147	152	200	26	39	85	8	6	63	356
Kincardine and Deeside	8,075	205	103	194	–	25	30	49	–	7,677	-398	–	33	852	206	208	27	40	72	3	3	94	369
Kirkcaldy	8,869	310	76	156	871	30	59	25	871	8,441	-428	–	16	1,202	299	418	53	169	98	13	–	95	638
Lanark	7,232	154	62	113	–	34	33	24	–	6,994	-238	–	44	878	250	241	36	66	82	8	6	62	404
Lewis	1,024	–	–	–	–	–	–	–	–	1,024	–	–	–	–	–	–	–	–	–	–	–	–	–
Lochaber	1,228	48	11	7	–	1	6	3	–	1,172	-56	–	4	220	58	75	16	38	21	–	6	38	112
Lochcarron – Skye	737	7	25	35	–	6	1	6	–	683	-54	–	1	35	30	12	17	31	5	–	1	18	54
Lothian	15,302	391	101	257	–	61	104	79	–	14,797	-505	–	32	1,642	506	568	87	166	201	13	21	177	915
Melrose and Peebles	7,362	160	39	333	–	7	42	32	–	6,911	-451	–	9	770	244	207	35	78	47	4	6	61	361
Moray	9,684	–	–	–	–	–	–	–	–	9,684	–	–	–	–	–	–	–	–	–	–	–	–	–
Orkney	2,789	66	13	14	–	5	8	18	–	2,727	-62	–	2	185	131	129	22	50	23	2	2	35	163
Perth	14,594	353	93	109	1,185	52	76	40	–	13,022	-1,572	-1,185	29	966	432	449	29	41	136	7	8	91	509
Ross	2,058	62	20	25	–	11	12	9	–	1,983	-75	–	9	145	138	111	40	99	44	1	–	50	273
Shetland	1,418	39	4	1	–	1	1	–	–	1,376	-42	–	3	68	71	83	12	43	12	–	5	37	151
St Andrews	10,615	311	54	231	7	28	77	36	–	10,153	-462	-7	30	1,045	379	443	67	123	97	12	3	149	575
Stirling	14,759	424	92	82	–	27	72	64	–	14,324	-435	–	39	1,749	568	587	72	176	161	4	3	174	794
Sutherland	803	16	7	30	–	5	8	1	–	764	-39	–	–	242	45	65	23	29	28	–	3	53	97
Uist	489	9	6	2	–	9	2	5	–	488	-1	–	2	–	43	13	19	13	12	2	2	12	35
West Lothian	9,300	239	42	41	–	42	30	100	–	9,150	-150	–	11	1,725	385	393	56	183	173	29	4	108	696
Wigtown and Stranraer	5,650	145	56	185	–	9	14	26	–	5,313	-337	–	9	400	150	144	23	80	49	–	2	47	222
Totals	428,655	11,156	3,073	7,047	3,436	1,617	2,413	1,750	3,765	413,488	-15,167	329	1,276	45,715	16,936	17,202	2,562	5,434	5,147	411	303	4,612	37,698

**THE CHURCH OF SCOTLAND**  
**All Presbyteries – Congregational Statistical Return**  
**On Roll as at 31st December 2012**

PRESBYTERIES	Number of Congregations	Children 17 and under	People 18+ Not on Roll	Children receiving Communion
Aberdeen	37	2,007	375	143
Abernethy	11	167	219	20
Angus	34	1,106	143	108
Annandale and Eskdale	20	414	96	24
Ardrossan	28	1,183	146	15
Argyll	60	576	254	17
Ayr	49	2,794	305	51
Buchan	36	1,426	110	36
Caithness	13	172	334	–
Dumbarton	34	1,562	504	40
Dumfries and Kirkcudbright	37	749	200	17
Dundee	37	1,641	267	56
Dunfermline	24	1,052	379	83
Dunkeld and Meikle	21	569	126	1
Duns	22	167	96	2
Edinburgh	80	4,652	1,177	474
England	8	130	46	24
Falkirk	36	2,295	194	82
Glasgow	138	11,997	2,167	446
Gordon	29	1,242	364	124
Greenock & Paisley	50	5,296	388	223
Hamilton	82	7,896	893	196
Inverness	25	1,074	1,016	35
Irvine and Kilmarlock	30	1,930	446	113
Jedburgh	16	552	91	32
Kincairdine and Deeside	19	740	108	36
Kirkcaldy	29	821	129	108
Lanark	24	1,253	198	135
Lewis	11	–	–	–
Lochaber	15	229	151	–
Lochcarron – Skye	9	95	373	1
Lothian	47	1,510	474	130
Melrose and Peebles	26	558	220	23
Moray	30	–	–	–
Orkney	20	245	68	2
Perth	37	1,221	182	68
Ross	21	424	1,132	–
Shetland	14	193	109	–

PRESBYTERIES	Number of Congregations	Children 17 and under	People 18+ Not on Roll	Children receiving Communion
St Andrews	35	570	129	10
Stirling	46	1,644	532	39
Sutherland	14	159	513	10
Uist	8	203	581	7
West Lothian	26	2,216	266	101
Wigtown and Stranraer	21	304	42	–
Totals	1,409	65,034	15,543	3,032

## COMPARATIVE STATISTICS FROM 2001 TO 2012

	2001	2002	2003	2004	2005	2006
Congregations	1,543	1,546	1,546	1,541	1,523	1,513
Communicants						
Removals by Death	14,307	14,217	14,136	13,465	13,084	12,557
Removals by Certificate	6,056	5,923	5,584	4,824	4,185	4,398
Removals otherwise	7,769	14,826	8,434	7,210	6,903	7,827
Total Removals	28,132	34,966	28,154	25,499	24,172	24,782
Admission on Profession	2,998	2,786	2,610	2,661	2,394	2,424
Admission by Certificate	5,202	10,556	4,550	3,962	3,507	3,572
Admission by Resolution	3,042	2,819	2,369	2,513	2,421	2,209
Total Admissions	11,242	16,161	9,529	9,136	8,322	8,205
Total on rolls	590,824	571,698	553,248	535,834	520,940	504,363
Elders	43,499	42,992	42,071	41,621	41,218	40,651
Baptisms	9,170	8,732	8,065	7,745	7,375	7,337
Total Population	5,062,011	5,054,800	5,057,400	*	5,094,800	5,116,900
Adult	4,024,963	4,034,236	4,049,158	*	4,035,773	4,130,913
Children at School Age	760,174	752,096	744,414	*	727,678	717,530
Children born	52,102	51,046	51,751	*	54,476	55,168
	2007	2008	2009	2010	2011	2012
Congregations	1,487	1,464	1,454	1,441	1,427	1,414
Communicants						
Removals by Death	12,478	11,826	11,218	11,454	10,488	11,156
Removals by Certificate	4,203	3,553	3,685	3,394	3,332	3,073
Removals Otherwise	5,703	5,995	5,763	6,096	5,821	7,047
Total Removals	22,384	21,374	20,666	20,944	19,641	21,276
Admissions by Profession	2,115	1,989	2,017	1,928	1,828	1,617
Admissions by Certificate	3,354	2,941	2,707	2,467	2,365	2,413
Admissions by Resolution	2,371	1,849	1,836	1,868	1,591	1,750
Total Admissions	7,840	6,779	6,560	6,263	5,784	5,780
Total on Rolls	489,118	471,894	464,355	445,646	432,343	413,488
Elders	38,534	36,360	36,215	36,519	34,572	34,138
Baptisms	6,950	6,154	6,198	5,787	5,452	5,147
* Total Population	5,144,200	5,168,500	Figures Not Available	5,222,100	5,254,800	Figures Not Yet Available
Adult	4,161,258	4,189,133		4,184,261	4,218,391	
Children of School Age	707,742	696,395		680,325	676,013	
Children born	57,003	59,531		59,395	59,826	

\* Calculation date changed during 2004.

## STATISTICS ANENT MINISTRY

### APPENDIX H

<b>A. AT HOME</b>	<b>As at 31.12.07</b>	<b>As at 31.12.08</b>	<b>As at 31.12.09</b>	<b>As at 31.12.10</b>	<b>As at 31.12.11</b>	<b>As at 31.12.12</b>
Number of Charges at December	1,179	1,160	1,149	1,134	1,109	1,101
Number of Ministers serving charges	M 786 F 198	M 766 F 200	M 734 F 206	M 724 F 215	M 687 F 218	M 652 F 205
<b>Total</b>	<b>984</b>	<b>966</b>	<b>940</b>	<b>939</b>	<b>905</b>	<b>857</b>
Number of Guardianships					4	9
Number of Vacant Charges	195	194	209	195	200	223
<b>B. ABROAD</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Number of Ordained Ministers	11	5	4	3	3	19
Number of Vacancies for Ministers	0	4	1	0	0	0
<b>C. STUDENTS COMPLETING COURSES</b>						
New College, Edinburgh	M 6 F 2	M 10 F 1	M 9 F 5	M 3 F 1	M 2 F 0	M 4 F 4
Trinity College, Glasgow	M 6 F 4	M 4 F 4	M 0 F 2	M 2 F 3	M 2 F 0	M 3 F 2
St Mary's College, St Andrews	M 1 F 1	M 1 F 1	M 0 F 0	M 0 F 1	M 0 F 1	M 2 F 2
Christ's College, Aberdeen	M 2 F 1	M 1 F 1	M 1 F 1	M 1 F 2	M 1 F 0	M 0 F 2
Highland Theological College, Dingwall	M 0 F 0	M 1 F 0	M 4 F 0	M 1 F 1	M 1 F 0	M 0 F 1
<b>Total number completing</b>	<b>23</b>	<b>24</b>	<b>22</b>	<b>15</b>	<b>7</b>	<b>20</b>

# SUPPLEMENTARY REPORT OF THE COUNCIL OF ASSEMBLY MAY 2013 PROPOSED DELIVERANCE

## **The General Assembly:**

1. Receive the Report.
2. Approve the total to be contributed by congregations in 2014 of £46,980,000, based on the projection of congregational income for 2014, and its disposition among local congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund. (Sections 2-4 and Appendix I)
3. Note the indicative budget for 2014, the summary of operating results for 2012 and the five year rolling budget for 2014-2018. (Section 5 and Appendices II, III and IV)
4. Receive the 2012 Report and Accounts of the Unincorporated Councils and Committees of the General Assembly. (Section 7.2)

## **REPORT**

### **1. The Co-ordinated Budget**

1.1 One of the Council's key budgetary objectives continues to be to maximise the resources available to congregations while ensuring that the ministry and mission of the Church as a whole are adequately resourced and are sustainable. For several years the Council was able to present budgets which significantly reduced the proportion of their ordinary annual income which most congregations were required to contribute, but in 2012 the scales used to calculate individual congregations' contributions were increased, principally to allow for an increase in stipends and salaries after a two year 'freeze'. The same scales were used for 2013, and this allowed for an increase in budgets for Councils and Committees of 1% as congregations who were below their scale figure contributed more. At the same time the Council of Assembly has continued to monitor closely the finances of all Councils. Final projected deficits for 2013 were in line with the indicative figures

given at the 2012 General Assembly, with the exception of CrossReach, which anticipates difficult trading conditions in 2013 while its strategic budget review measures are phased in. The Ministries Council's operating budget is now close to breaking even, leaving the funding of the pension scheme deficit to be met from its reserves.

1.2 This year the Council presents a budget which maintains the amount asked of congregations in 2014 at the 2013 total of £46,980,000. It is hoped that this will not require a change in the scales used to calculate contributions, but this cannot be confirmed until the detailed analysis of income reported in congregations' annual accounts has been completed in July. Some additional contributions will come from congregations whose contributions have not yet reached the scale figure, or whose average income over the relevant three year period has increased. However, it is estimated that

this will be offset by the fall in the aggregate income base caused by the effects of Presbytery Planning reducing income when congregations are united or dissolved, and the loss of assessable income from the few congregations whose ministers, and some of whose members, have left the Church. The early indications are that congregational income increased by 0.7% in 2012 principally due to the continued generous financial givings of members and the Council remains deeply grateful for this commitment. However, it is clear that Church finances will continue to be delicately balanced, with uncertainty in a number of areas. What remains evident is that the Church is only able to sustain the level of ministries and mission which its members are prepared to support through their offerings; careful stewardship of the Church's limited resources remains paramount.

**1.3** The remit of the Council of Assembly requires it "to bring recommendations to the General Assembly concerning the total amount of the Church's Co-ordinated Budget for the following financial year and the disposition thereof amongst Local Congregational Expenditure, the Parish Ministries Fund, and the Mission and Renewal Fund". The Council's recommendations for total congregational contributions for 2014, and the allocation of these, are to be found in Appendix I.

**1.4 The Parish Ministries Fund** receives 86% of congregational contributions (including endowment income) and is used for the following work of the Church:

- the National Stipend Fund, which pays the stipends and other costs of parish ministers.
- support and development of ordained parish ministry.
- the salaries and other costs of ordained deacons, associate ministers, community ministers, interim ministers, the readership, parish assistants and specialist workers employed or appointed by the Ministries Council in the context of Presbytery Plans. Parish staff employed locally by congregations are not paid from the Parish Ministries Fund.
- recruitment and education for ministers, including the employment of probationers.

- supporting chaplaincies and emerging ministries, including new charge development.

**1.5 The Mission and Renewal Fund** receives 14% of congregational contributions and is used to support the work of the General Assembly's Councils and Committees, excluding the Ministries Council:

- **Mission and Discipleship Council:** promoting an overall focus for mission and developing resources for congregations.
- **Church and Society Council:** engaging in the national, political and social issues affecting Scotland and the world today.
- **Social Care Council:** offering services and specialist resources in Christ's name to further the caring work of the Church to people in need.
- **World Mission Council:** working internationally to share the gospel, support theological education and encourage holistic ministry.
- **Support and Services Departments:** includes the Departments of the General Assembly, Stewardship and Finance, Law, Safeguarding, Human Resources, Information Technology, Communications, Facilities Management and Central Properties.

**1.6** After the General Assembly has approved the total amount of congregational contributions for 2014, and the proportionate sharing among Local Congregational Expenditure, Parish Ministries and the Mission and Renewal Fund, the Council of Assembly is required by its remit "to determine the allocation of the total budgets for the following financial year for the Parish Ministries Fund and the Mission and Renewal Fund amongst the relevant Agencies of the General Assembly and Ecumenical Bodies".

**1.7** Appendix II shows indicative figures for Projected Gross Expenditure for each Council and how this is to be funded, using contributions from congregations, income from external sources and annual income from investments, with any resulting deficit being met from the capital reserves of the individual Councils. This shows that, with the exception of the Ministries Council as mentioned

above, all Councils are planning to break even in 2014. Since the 2009 General Assembly, Councils have been rigorously prioritising their work and developing financial plans to ensure that their annual expenditure is set at a level which is sustainable in the long term, bearing in mind the funds likely to be available from congregations and other sources of income. The projected operating deficits for 2013 for the five main Councils reported to last year's General Assembly totalled £3,267,000, but this figure was revised to £5,244,000 when detailed budgets for 2013 were prepared and approved by the Council of Assembly in December 2012. The main reason for the increase was CrossReach's transitional budget for 2013 showing a deficit of £1,812,000 compared with the original break-even budget, due to operational difficulties in a few services. CrossReach has implemented a range of cost-saving measures but these are phased and the full benefit will not be seen until 2014. The total deficit is projected to fall by £2,224,000 to £3,020,000 for 2014, with only the Ministries Council projecting a deficit for 2014, due almost entirely to the funding of the past service pension deficit. The Council of Assembly has once again been greatly encouraged by the actions taken by Councils in managing budgets efficiently. The Finance Group will continue to monitor the finances of all Councils through the regular review of monthly management accounts and reserves. The final determination of detailed individual budgets for 2014 will not be approved by the Council of Assembly until the final quarter of 2013, using management accounts for the first three quarters of the year and forecasts for the final quarter. The preparation and management of budgets is now a key performance objective for senior staff with budgetary responsibility within Councils and Departments, and it is clear that this is contributing to an improvement in the culture of accountability, ensuring that there is more effective stewardship of the Church's resources.

1.8 Appendix III details the actual operating results for 2012 compared with these budgets. This shows a total operating deficit of £4,496,000 compared with the budgeted total of £4,595,000, a favourable variance of

£99,000. This shows a further improvement compared with an operating deficit in 2012 of £5,405,000 against a budgeted deficit of £5,730,000, and an operating deficit of £7,593,000 in 2011. Within these totals the main reasons for the variances were:

- **Ministries Council:** a faster than anticipated reduction in numbers of ministers and Presbytery and Parish Workers meant that employment costs were £1,200,000 less than budgeted. A number of congregations made additional contributions towards ministry costs and these are once again greatly appreciated.
- **Mission and Discipleship Council:** a number of staff vacancies led to an underspend on salary costs with a knock-on effect on planned project costs.
- **World Mission Council:** a fall in legacies and the distribution of accumulated restricted revenue funds were partly offset by savings in staff and programme costs in the Middle East.
- **Social Care Council:** operational difficulties at a few services, due to lower than expected occupancy and higher agency staff costs, were compounded by a sharp fall in legacies. A strategic budget review was carried out during the year but the full benefit of the measures approved will not be seen until later in 2013 and into 2014
- **Church and Society Council:** the deficit was below budget as staffing costs were contained following the review of the Council's work in 2011. The detailed budget for 2013 shows a break-even position.
- **Support and Services Departments:** the total deficit was well below budget, with favourable variances in Human Resources, Information Technology and Stewardship and Finance, due to non-recurring costs savings, and in the Law and Facilities Management Departments due to increased revenue.

With the recent changes in the process for approving detailed annual budgets and the ongoing improvement in the quality and timeliness of monthly management accounts, further progress in budget performance should continue to be made.

## 2. Congregational Income

**2.1** Details of provisional 2012 Congregational Income are contained in Appendix I. These show that there was a modest increase of 0.7% in total Ordinary Income, with offerings up by 1.5%, while Gift Aid tax recovered decreased by 6.7% due to the effect of the first full year of the lower 25% rate for claims, following the ending of the transitional relief in 2011. Thanks are due once again to the commitment and generosity of so many members and adherents in continuing to support the work of the Church through their offerings in the current subdued financial climate.

**2.2** Other Congregational Income increased again in 2012, partly due to an increase in income from weddings and funerals. Income from the use of church premises by outside organisations continues to grow steadily, and, as the first £20,000 of such income each year is not assessed for Ministries and Mission Contributions, with only half of the balance being assessable, this is an increasingly valuable resource for congregations. Greater use of church premises benefits both the finances and the mission of congregations as well as their local communities.

**2.3** The introduction in April 2013 of the Gift Aid Small Donations Scheme should benefit almost all congregations by up to £1,250 per annum, and guidance on the operation of the Scheme has been sent out to treasurers. It is estimated that this should add at least £1,000,000 per annum to congregational income by 2014.

**2.4** Ministries and Mission contributions for Councils and Departments have not been increased for 2014, but a few minor adjustments have been made to 2013 budgets. As a result, Councils and Departments will require to prioritise their work and keep strict control of their spending in 2014, in spite of the continuing deployment of the limited reserves held in the Mission and Renewal Reserve Fund to support the budget.

**2.5** In addition to the normal detailed analysis of congregations' annual accounts carried out to determine

the assessable income for Ministries and Mission contributions, improvements currently being made to the systems within the Stewardship and Finance Department will allow additional data to be extracted and collated from 2012 accounts. This will give a more comprehensive picture of the current state of congregations' finances by looking at income trends, sustainability and reserves, and will be of great benefit in preparing future budgets.

## 3. National Stewardship Programme

**3.1** Year 2 feedback forms from 476 congregations indicate that in 2012:

- 125 churches embarked upon a Giving for Growth (money-based) programme.
- 252 churches embarked upon a Christian Stewardship Season (3 years – time, money, talents) programme.
- 33 churches used material from another Church.
- 55 churches devised their own programme, approved by their Presbytery.
- 11 churches stated they were not taking part in the National Stewardship Programme. Many reasons are given for refusal to participate – Presbytery Planning, a current vacancy, economic climate, theological opposition, and occasionally the age-profile of a congregation.

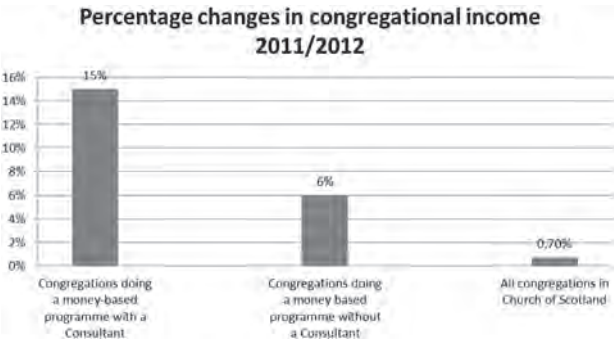
**3.2** The impact of a stewardship programme can be measured in many ways. Information received from the Year 2 feedback form indicates that in 2012:

- 230 churches noticed an increase in offerings
- 165 churches reported an increase in new Gift Aid Declarations.
- 105 churches reported a return to worship for some of their members
- Other churches reported a renewed interest in Bible study or prayer, and others reported additional abilities and skills being used to enable the ministry and mission of the church.

A number of churches have provided more detailed reports on the impact of the National Stewardship Programme on their congregational life, and some of these churches

are being featured on a monthly e-card, distributed to Ministers, Presbytery Clerks, Stewardship Representatives and Session Clerks.

3.3 Year 2 feedback forms clearly indicate a direct correlation between the value a congregation derives from a stewardship programme and whether a Consultant was used to provide assistance to that congregation during their stewardship programme. For example, almost all of those churches using the expertise of a Consultant rated their stewardship programme as being “very” or “quite worthwhile”. However, those churches who did not use a Consultant indicated that the programme had more varied degrees of success. In addition, those congregations completing a stewardship programme on the theme of money (with the expertise of a Consultant) clearly demonstrate a greater increase in income than those doing the same programme without the encouragement of a Consultant. The table below shows the percentage changes in total congregational income from 2011 to 2012, clearly highlighting the impact a Consultant can have in enabling and equipping a congregation.



**4. 2014 Co-ordinated Budget**

**4.1 2014 Income Disposition**

4.1.1 One of the key elements in the Co-ordinated Budget process is the determination of the “Income Disposition”, which is the allocation of estimated congregational Ordinary Income among Local Congregational Expenditure,

the Parish Ministries Fund and the Mission and Renewal Fund. It should be noted that this deals only with the ordinary income of congregations and does not include extraordinary income, such as legacies, restricted income not available to meet regular expenditure, fabric project receipts etc, which are assumed to be used exclusively to meet local congregational expenditure.

**4.1.2 The Council of Assembly proposes that the amount of the Budget to be met by congregations in 2014 should be maintained at the 2013 total of £46,980,000.** As a result, it will be seen in Appendix I that local congregational expenditure in 2014 is projected to be 53.2% of total Ordinary Income.

**4.2 Parish Ministries Fund**

From Appendix II it will be noted that the total budget for the Parish Ministries Fund and other Ministries Council costs for 2014 is £48,729,000 (2013 – £48,517,000). After deducting income from external sources of £3,224,000 and annual income from investments of £1,603,000, the amount to be met by congregations is £40,077,000, an increase of 0.3% on 2013. This leaves an operating deficit to be met from reserves of £192,000 (2013 – £367,000) and shows clearly that Ministries Council are close to eliminating their operating deficit in 2014. After deducting vacancy allowances, which are due to increase from 1 July 2013 to cover Sunday worship plus two days’ pastoral cover for all congregations, the amount to be met by congregations represents 39.6% of the Income Disposition compared with 40.6% in 2013. In addition, following the decision taken by the 2007 General Assembly, the Ministries Council is continuing to make annual direct contributions from its reserves towards the past service deficits of the Ministers and National Mission Pension Schemes. Following the triennial actuarial valuation carried out at 31 December 2009 this contribution, comprising the seventh year of a planned eight year repayment period, is estimated at £3,035,000 for 2014. The triennial valuation for 31 December 2012 is currently being carried out and further information on pensions is contained in a Joint Report within the Order of Proceedings.

### 4.3 Mission and Renewal Fund

The Mission and Renewal Fund's share of the Income Disposition will fall from 7.5% in 2013 to 7.2% in 2014, after releasing £1,468,000 from the Fund's annual income and reserves, which are held to support the budget and assist with containing the total amount required from congregations. No Council is projecting a deficit for 2014, although balancing its budget will remain a severe challenge for the Social Care Council. In Support and Services, there are budgeted deficits in the Department of the General Assembly, due to staffing pressures; the Safeguarding Office, due to the cost of implementation of the Protection of Vulnerable Groups legislation; and the Facilities Management Department, due to the cost of upkeep of the Church Offices, where additional spending is needed to meet health and safety requirements. The Reserve Fund still stands at a level above that required to meet working capital requirements and the Council of Assembly will continue to use this limited resource to support the work of the Church. Additional funds have been provided in 2014 for the Department of the General Assembly, while the grant to the General Trustees' Central Fabric Fund has been reduced.

## 5. Five Year Rolling Budgets from 2014 to 2018

Five Year Rolling Budgets are indicative in nature and are intended to allow longer term strategies and planning of resources to be developed. The Rolling Budget from 2014 to 2018 is shown in Appendix IV. As the process for strategic planning continues to evolve, it will allow decisions on the future allocation of resources for the Church's ministry and witness in the longer term to be made within an agreed framework of core priorities and after proper evaluation of work.

## 6. Conclusion

**6.1 The committed offerings of members have continued to hold up well in the current financial climate and it is hoped that the National Stewardship Programme will begin to realise the potential for many congregations to increase their giving. All Councils continue to take**

**action to balance their planned expenditure with their current income, aware that reserves cannot be used regularly to support budgets. As previously reported, Presbytery planning, investment returns and pensions costs will continue to be major influences on the Church's finances.**

**6.2 The Council of Assembly's Budget proposals for 2014 give stability for congregations to allow them to maintain their local work and plan their finances while providing a consistent level of funding to meet the costs of the ministries, mission and wider work of the Church. They also enable the Council to take a further step towards balancing the budget to ensure long-term sustainability.**

## 7. Audit Committee

### 7.1 Internal Audit

**7.1.1** During 2012 Deloitte continued with their three year plan, begun in 2010, to review the adequacy and effectiveness of the main systems and internal controls operating within the Unincorporated Councils and Committees of the Church. Six reviews were completed, covering the following areas:

- continuing assessment of the financial control framework within the Stewardship and Finance Department and at the Social Care Council;
- human resources management;
- property, facilities and estates management;
- Mission and Discipleship Council governance and management;
- Social Care Council governance and management;
- Scottish Storytelling Centre governance and financial arrangements.

**7.1.2** As a result of these reviews eight high priority recommendations were made, and these are being actively followed up to minimise the potential exposure to risk. Following discussions with senior staff and the Audit Committee, a number of other recommendations were made to improve systems and controls and the implementation of these is now being undertaken.

**7.1.3** Deloitte reported once again that generally there was an adequate framework of control over the systems which they examined. They noted that the system for monitoring outstanding recommendations from previous reports showed that more progress was being made in some areas than others and the Committee has agreed that this needs to be given continuing attention. The Committee was encouraged that improvements were clearly seen in the control of key business processes at CrossReach and noted that there was a need for a clear and structured property and procurement strategy.

## **7.2 Annual Accounts for 2012**

As in previous years, separate sets of Accounts for 2012 have been produced for each of the following:

- The Unincorporated Councils and Committees
- The Church of Scotland Pension Trustees
- The Church of Scotland Investors Trust
- The Church of Scotland General Trustees
- The Church of Scotland Trust.

The Council of Assembly is responsible, on behalf of the General Assembly, for preparing and approving the Report and Accounts of the Unincorporated Councils and Committees, which comprise Ministries Funds, Mission and Renewal Funds, and Other Funds; approval was given at the Council meeting in April 2013. The Assembly is invited to receive the 2012 Report and Accounts of the Unincorporated Councils and Committee. The Pension Trustees is an unincorporated body constituted by the General Assembly and the other three bodies are statutory corporations. These four bodies are responsible for producing and approving their own Accounts.

*In the name of the Council*

GRANT BARCLAY, *Convener*  
IAIN JOHNSTON, *Vice-Convener*  
PAULINE WEIBYE, *Secretary*

## APPENDIX I

### CO-ORDINATED BUDGET STATISTICS 2011 TO 2014

	2011 Actual £'000	2011 Increase %	2012 Provisional £'000	2012 Increase %	2013 Projected £'000	2013 Increase %	2014 Projected £'000	2014 Increase %
<b>CONGREGATIONAL INCOME</b>								
Offerings	60,488	1.2	61,425	1.5	62,039	1.0	62,659	1.0
Tax Recovery on Offerings	11,263	0.6	10,510	(6.7)	11,115	5.8	11,781	6.0
<b>Total Offerings</b>	<b>71,751</b>	<b>1.1</b>	<b>71,935</b>	<b>0.3</b>	<b>73,154</b>	<b>1.7</b>	<b>74,440</b>	<b>1.8</b>
Other Ordinary Income	19,547	7.5	20,000	2.3	20,400	2.0	20,808	2.0
<b>Total Ordinary Income</b>	<b>91,298</b>	<b>2.4</b>	<b>91,935</b>	<b>0.7</b>	<b>93,554</b>	<b>1.8</b>	<b>95,248</b>	<b>1.8</b>
<b>EXPENDITURE</b>								
<b>Available to Congregations</b>	47,687	2.0	47,122	(1.2)	48,574	3.1	50,668	4.3
<b>Parish Ministries Fund</b>	38,167	1.6	39,390	3.2	39,957	1.4	40,077	0.3
Less: Vacancy Allowances	(1,379)		(1,527)		(2,000)		(2,400)	
	36,788	1.3	37,863	2.9	37,957	0.2	37,677	(0.7)
<b>Mission and Renewal Fund</b>	6,823	11.9	6,950	1.9	7,023	1.1	6,903	(1.7)
<b>Total Expenditure</b>	<b>91,298</b>	<b>2.4</b>	<b>91,935</b>	<b>0.7</b>	<b>93,554</b>	<b>1.8</b>	<b>95,248</b>	<b>1.8</b>
<b>INCOME DISPOSITION</b>								
	%		%		%		%	
Available to Congregations	52.2		51.2		51.9		53.2	
Parish Ministries Fund	40.3		41.2		40.6		39.6	
Mission and Renewal Fund	7.5		7.6		7.5		7.2	
	100.0		100.0		100.0		100.0	

## APPENDIX II

### 2014 CO-ORDINATED BUDGET

#### Requirements for Parish Ministries Fund and Mission and Renewal Fund

	Projected Total Expenditure	=	To be met by Congregations	+	Income from External Sources	+	Annual Income from Councils' Investments	+	2014 Deficit to be met from Councils' Reserves		Final Budgeted 2013 Deficit
	£'000		£'000		£'000		£'000		£'000		£'000
<b>Parish Ministries Fund</b> (see Report para 4.2)	41,315	}	40,077		3,822		1,603		192		548
Other Ministries Council costs	4,379										
Past Service Pension Scheme Deficit 2009	3,035		–		–		–		3,035		2,900
<b>Ministries Council Totals</b>	<b>48,729</b>		<b>40,077</b>		<b>3,822</b>		<b>1,603</b>		<b>3,227</b>		<b>3,448</b>
<b>Mission &amp; Renewal Fund</b> (see Report para 4.3)											
Mission & Discipleship Council	1,783		759		760		264		–		–
World Mission Council	3,208		1,184		1,075		1,156		(207)		(16)
Social Care Council	48,387		657		47,318		412		–		1,812
Church & Society Council	495		410		56		29		–		–
Support & Services Committees and Departments	6,000		4,681		1,206		–		113		201
Special Contributions:											
General Trustees – Central Fabric Fund	250		250		–		–		–		–
Christian Aid	85		85		–		–		–		–
Faith in Community (Scotland)	75		75		–		–		–		–
Ecumenical Contributions	270		270		–		–		–		–

	Projected Total Expenditure	=	To be met by Congregations	+	Income from External Sources	+	Annual Income from Councils' Investments	+	2014 Deficit to be met from Councils' Reserves		Final Budgeted 2013 Deficit
	£'000		£'000		£'000		£'000		£'000		£'000
To be met from Mission & Renewal Fund Income/Reserves	22		(1,468)		981		54		455		239
CSC Past Service Pension Scheme Deficit 2009	–		–		–		–		–		252
<b>Mission &amp; Renewal Fund Totals</b>	<b>60,575</b>		<b>6,903</b>		<b>51,396</b>		<b>1,915</b>		<b>361</b>		<b>2,488</b>
<b>Grand Totals</b>	<b>109,304</b>		<b>46,980</b>		<b>55,218</b>		<b>3,518</b>		<b>3,588</b>		<b>5,936</b>
<b>Total to be met by Congregations</b> (before deducting Vacancy Allowances)			<b>46,980</b>								

Notes: Income from external sources comes from the provision of services (*eg* CrossReach fees), legacies, donations, endowment income etc.

### APPENDIX III

#### SUMMARY OF 2012 OPERATING RESULTS

	Total Budgeted Expenditure – £'000	Total Budgeted Income = £'000	Budgeted Operating (Deficit)/ Surplus = £'000	Actual Operating (Deficit)/ Surplus £'000	Favourable/ (Unfavourable) Variance from Budget £'000
Ministries Council	49,213	44,890	(4,323)	(2,469)	1,854
Mission & Discipleship Council	1,847	1,869	22	154	132
World Mission Council	3,316	3,271	(45)	(99)	(54)
Social Care Council	49,077	49,077	–	(1,933)	(1,933)
Church & Society Council	535	497	(38)	(29)	9
Support & Services Committees and Departments (including the General Assembly, Ecumenical Relations, Safeguarding Office and Support Departments)	5,815	5,604	(211)	(120)	91
	<u>109,803</u>	<u>105,208</u>	<u>(4,595)</u>	<u>(4,496)</u>	<u>99</u>

Note: These figures are taken from the 2012 management accounts and do not include any gains or losses on investments or property, property impairments and provisions, the effects of changes to the funding position of the pension schemes or the results of subsidiary companies.

**APPENDIX IV**  
**FIVE YEAR ROLLING BUDGET 2014 TO 2018**  
**(based on annual inflation of 2% for 2015 to 2018)**

	2014 £'000	2015 £'000	2016 £'000	2017 £'000	2018 £'000
<b>AVAILABLE TO CONGREGATIONS</b>	<b>50,668</b>	<b>51,484</b>	<b>52,488</b>	<b>53,511</b>	<b>54,556</b>
<b>PARISH MINISTRIES FUND</b>	40,077	40,879	41,696	42,530	43,381
Less: Vacancy Allowances	(2,400)	(2,448)	(2,497)	(2,547)	(2,598)
	<b>37,677</b>	<b>38,431</b>	<b>39,199</b>	<b>39,983</b>	<b>40,783</b>
<b>MISSION AND RENEWAL FUND</b>	8,371	8,538	8,709	8,883	9,061
Less: To be met from M & R Fund Income/Reserves	(1,468)	(1,300)	(1,300)	(1,300)	(1,300)
	<b>6,903</b>	<b>7,238</b>	<b>7,409</b>	<b>7,583</b>	<b>7,761</b>
<b>CONGREGATIONAL ORDINARY INCOME</b>	<b>95,248</b>	<b>97,153</b>	<b>99,096</b>	<b>101,078</b>	<b>103,099</b>
<b>INCOME DISPOSITION</b>	%	%	%	%	%
Available to Congregations	53.2	53.0	53.0	52.9	52.9
Parish Ministries Fund	39.6	39.6	39.6	39.6	39.6
Mission & Renewal Fund	7.2	7.4	7.4	7.5	7.5
	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Note: The budget figures for Congregational Income are for Ordinary Income only (eg offerings, tax recovered and other regular income). They exclude other sources of income (eg legacies, fabric fund project income and most income from the use of premises) which are available to be used solely for Congregational Expenditure.

**JOINT REPORT  
OF THE  
COUNCIL OF ASSEMBLY, CENTRAL SERVICES COMMITTEE,  
MINISTRIES COUNCIL, SOCIAL CARE COUNCIL AND  
WORLD MISSION COUNCIL ON PENSION PROVISION  
MAY 2013  
PROPOSED DELIVERANCE**

**The General Assembly:**

1. Receive the Report.
2. Note the proposals for changes to the Staff Pension Scheme for employees of the Central Services Committee and the Social Care Council. (Sections 3.3.1 and 3.3.2)
3. Note the broad parameters of the proposed changes to the Pension Scheme for Presbytery and Parish Workers employed by the Ministries Council. (Section 3.3.3)
4. Note the broad parameters of the proposed changes to the Pension Scheme for Mission Partners employed by the World Mission Council. (Section 3.3.3)

## **REPORT**

### **1. Introduction**

The Employing Agencies of the Church – Ministries Council, Social Care Council, World Mission Council and the Central Services Committee – have kept pension arrangements for staff and Ministers under constant review in recent years as successive triennial actuarial valuations have identified fluctuating funding positions and, since 2003, a trend of increasing deficits. The 2009 valuation resulted in a pensions deficit of £29.1m across the various schemes and the Council of Assembly, with its responsibility for finance, has been working with the Employing Agencies and the Pension Trustees since then to ensure that the deficit repayments could be managed and in the case of the Social Care Council, employer contributions afforded. The results of the latest valuation, as at 31 December 2012,

are awaited but early discussions with the Pension Trustees – reported to the 2012 General Assembly – indicated that the overall deficit would increase significantly. The Council of Assembly and the Employing Agencies are therefore faced with the knowledge that, in spite of pension deficit repayments totalling over £11m over the last three years, the deficit has not shrunk but will have grown. In addition, the Trustees have made it clear that the cost of future pension provision would continue to increase if no changes were made. Prudence requires us to review pension arrangements in order to ensure that deficits can be repaid, liabilities managed and future pension provision protected as far as possible. The General Assembly will be aware that this is a problem across the private, public and voluntary sectors and is by no means unique to the Church of Scotland.

## 2. Background

**2.1** The Council of Assembly set up a Pensions Working Group in 2009 to monitor pension arrangements and to coordinate the Church's responses to the growing problem. This has membership from all the Employing Agencies and representatives of the Pension Trustees are also regularly invited to attend. The proposals which are reported to the General Assembly in this report emerged from discussions within that group and at meetings of the individual Employing Agencies.

**2.2** There are currently four main pension schemes which provide benefits to staff, Parish Ministers and Mission Partners of the Church. These are:

- a. the Church of Scotland Pension Scheme for Staff (the "Staff Scheme") which has two sections, one for staff employed by the Central Services Committee (broadly, the staff employed in the Church Offices) and one for some of those employed by the Social Care Council.
- b. the Church of Scotland Pension Scheme for Ministers and Overseas Missionaries (the "Ministers' Scheme") whose membership comprises parish ministers and mission partners employed by the World Mission Council.
- c. the Church of Scotland Pension Scheme for Presbytery and Parish Workers (the "PPW Scheme" and some other categories of nationally employed staff.
- d. the Social Care Council defined contribution scheme offered to all staff employed since 2003.

Some staff in the Social Care Council's residential schools are members of a multi-employer local authority scheme or Teachers' Pension Scheme.

**2.3** The various Employing Agencies contribute to pensions at different rates, depending on their employment priorities and resources, as do PPWs and Parish Ministers, and benefits therefore also vary. There is a strict legislative and regulatory environment surrounding pensions and the Pension Trustees are subject to the close scrutiny of The Pensions Regulator. The situation is therefore complex.

**2.4** There are two main types of pension scheme operated by employers for their staff:

- a. Defined benefit (DB) – the pension an employee receives on retirement is a proportion of their final salary (or sometimes of average earnings) or a standard annuity and is guaranteed, for the life of the member and their spouse or partner, by the employer. Such schemes are often referred to as 'final salary' or 'CARE' (Career Average Revalued Earnings) schemes.
- b. Defined contribution scheme (DC) – the benefits an employee receives on retirement depend on the total value of the contributions paid in by both employer and employee and the investment performance of such contributions. These are often referred to as 'money purchase' schemes.

**2.5** In the Church, the Ministers' Scheme, the Staff Scheme and the PPW Scheme are, broadly speaking, DB schemes; the scheme for post-2003 Social Care employees is a DC scheme. The main difference between the two types of scheme is the financial risk assumed by employers. In a DB scheme, the risk is borne entirely by the employer since there is a guarantee that the pension will be paid for life, and often also for the lifetime of a dependent spouse or partner and sometimes for a dependent child. This means that the employer has to set up a fund of assets to ensure that there will always be resources to meet liabilities for decades into the future. In DC schemes, the member accumulates a 'pot' of savings and uses it to purchase a pension from the market at the time of retirement. There is a risk that the value of the pot may not be sufficient to buy the kind of pension the member would wish to have but the risk is borne by the member; once the pot is paid over and the retirement benefits purchased, the employer has no continuing liability.

**2.6** The rules for the Ministers' Scheme are slightly different from those of the Staff Scheme and the Ministries Council is reporting separately to the Assembly on its proposals for the future. Ministries Council also has responsibility for the PPW Scheme, but since the relationship with PPWs is a straightforward employer-employee contractual

relationship and governed by the same decision-making processes as relationships with other Employing Agencies, the pension proposals are reported in this joint report.

**2.7** In terms of pensions legislation, it is for the Statutory Employer(s) to determine pension arrangements, in consultation with staff and pension trustees as appropriate, and, of course, in full compliance with the law. The Statutory Employers in the Staff Scheme are deemed to be the Central Services Committee and the Social Care Council for their own staff groups and the Rules of these Schemes provide for decisions therefore to lie with these bodies as Employing Agencies. Similarly, the Statutory Employer for the PPW Scheme is the Ministries Council and the Scheme Rules again provide for decisions to lie with that Council. The Statutory Employer for Mission Partners is the World Mission Council. However, because the members are not in a separate scheme, but are part of the Ministers' and Overseas Missionaries' Scheme, the World Mission Council has reviewed the decisions and processes of Ministries Council and agreed to adhere to these. While the World Mission Council has taken its lead from the Ministries Council in relation to the overall shape of the proposals for change in the Ministers' Scheme, it is conducting its consultation with Mission Partners directly, using the same material as was prepared for the Ministries Council consultations.

### 3. Proposals

**3.1** In the light of the concerns of the Pension Trustees about the likely results of the 2012 valuation and in discussion and liaison with the other Employing Agencies and the Council of Assembly, the Central Services Committee reached the conclusion that the present structure of the Staff Pension Scheme for its employees was not affordable or sustainable in the long term. The Ministries Council considered both of the Schemes for which it bears responsibility and concluded that regretfully neither was affordable or sustainable in its current shape; the World Mission Council concurred. The Social Care Council has faced some acute financial challenges in recent years and was conscious that the increasing financial risk

attached to its DB scheme was now unsustainable; it was also faced with the realisation that the costs attached to implementation of the Government's plans for auto-enrolment into occupational pension schemes and the cost of sustaining the level of employer's contribution to its DC scheme were also unaffordable and unsustainable under the current system. The Employing Agencies were aware that *not* to replace final salary as the basis for pensions could continue to have a negative and destabilising impact on the Church's finances. The Central Services Committee, the Ministries Council and the World Mission Council were also acutely aware that such employment costs are funded by contributions from members across the whole Church and they were conscious that the additional funding required by seeking to continue the existing Schemes was likely to be around an extra £2m per annum. They were reluctant to seek that level of additional funding from congregations at a time when many members are themselves coping with financial pressures. The Social Care Council has the added burden of trying to remain competitive in the market and could lose social care contracts – and essential funding from local authorities – if pension costs remain high in comparison with those offered by competitors. That would place services at risk. All agencies reached their decisions after considerable research, analysis and external advice, and with no little regret for the likely impact on staff.

**3.2** It is a requirement of pensions legislation and employment law that any proposals to change pension arrangements should be subject to full consultation with staff and their representatives. All agencies have therefore developed specific proposals and have either embarked on or are very shortly to commence such consultation. The results of the consultations were not available at the time of preparation of this report. It should be noted that the proposals may well change as a consequence of feedback from the staff affected.

**3.3** The specific proposals are:

#### **3.3.1 Central Services Committee**

- The CSC Scheme should be closed to future accrual of service on 31 December 2013. Benefits earned up to this

date would be secure, and the CSC would continue to fund the CSC Scheme to ensure it can pay these benefits when they fall due.

- From 1 January 2014, all CSC employees would be automatically enrolled into a new Defined Contribution arrangement. The CSC would contribute to the new scheme on employees' behalf. Staff would have the option to contribute also but would not be required to do so.
- Changes are also being proposed to benefits payable in the event of death in service, on early retirement due to ill health and to current Additional Voluntary Contributions arrangements.

In summary, the effect on staff would be a move from a non-contributory DB pension scheme where the Church presently contributes 21.8% of salary, to a DC scheme where the Church would contribute 9% of salary for all staff and up to an extra 5% for staff who also wish to contribute up to 5%; the Church would also meet the costs of insuring death in service benefits and, of course, of the administration of the DB Scheme, the total cost estimated at 2 – 3% of salary.

### 3.3.2 Social Care Council

- The Social Care DB Scheme should be closed to future accrual on 31 July 2013. Benefits earned up to this date would be secure, and the Social Care Council would continue to fund the Scheme to ensure it can pay these benefits when they fall due
- The Social Care DC Scheme would be closed to further contributions on 31 July 2013, with contributions up to that date continuing to be managed by the existing provider
- From 1 August 2013 all employees who are currently members of one of the existing main pension schemes will have the opportunity to join a new DC scheme from 1 August 2013. Employees would have two contribution options:
  - a. Employer contributions of 5% of basic salary and employee contributions of 3% (the latter optional until September 2017 and thereafter compulsory);

or

- b. Employer contributions of 7% of qualifying earnings and employee contributions of 1% (the latter optional until September 2017 and thereafter compulsory).
- Changes are also being proposed to ill-health retirement benefits but not to current death in service benefits.
  - Existing employees who are not already members of one of the main pension schemes will be automatically enrolled in the new DC arrangements with the contribution option as outlined in a) above.

In summary, employer contributions for staff who are currently members of the DB scheme would reduce from 18.8% and of the DC scheme from 10% to the above employer contributions.

### 3.3.3 Ministries and World Mission Councils

The Ministers' and Overseas Missionaries' Scheme is the subject of a separate report and commissioners will have received a copy of the full Consultation Booklet relating to the proposals alongside the Ministries Council's Supplementary Report. The consultation process is currently under way and the General Assembly will be asked to delegate powers to the Ministries Council to complete this and implement any new Scheme by 1 Jan 2014.

- The shape of the proposed new PPW Scheme is still under discussion within the Ministries Council. In the past year, PPWs have been through a quite separate process of consultation over new terms and conditions of employment, which are now in the process of being implemented. The Council decided that it was not appropriate to begin a second process of consultation with PPWs before the first one was fully implemented (on 1 June 2013). The Council meets on 5 June to agree the shape of the proposals and these will go out for consultation with staff on 17 June 2013. The PPW Scheme proposals will be for a DC Scheme, but the precise parameters are not as yet clear, so cannot be reported at this time.

**3.4** The General Assembly is invited to note the proposals for changes to Central Services Committee and Social Care Council staff pension arrangements and to note the broad parameters of the proposed pension arrangements for Ministries Council and World Mission Council employees.

*On behalf of the Council of Assembly, the Central Services Committee, the Ministries Council, the Social Care Council and the World Mission Council*

GRANT BARCLAY, *Convener, Council of Assembly*  
PAULINE WEIBYE, *Secretary, Council of Assembly*

ANGUS MACPHERSON, *Convener, Central Services Committee*  
PAULINE WILSON, *Administrative Secretary, Central Services Committee*  
NEIL DOUGALL, *Convener, Ministries Council*  
MARTIN SCOTT, *Secretary, Ministries Council*  
SYD GRAHAM, *Convener, Social Care Council*  
PETER BAILEY, *Secretary, Social Care Council*  
ANDREW MCLELLAN, *Convener, World Mission Council*  
IAN ALEXANDER, *Secretary, World Mission Council*

# SUPPLEMENTARY REPORT OF THE MINISTRIES COUNCIL MAY 2013 PROPOSED DELIVERANCE

## The General Assembly:

1. Receive the Report.
2. Note the proposals for changes to the Ministers' and Overseas Missionaries' Pension Fund, affirm the move to a defined contributions scheme and instruct the Ministries Council to complete the consultation process currently under way. *(Section 1 and Pension Consultation Booklet [Appendix 1])*
3. Give powers to the Council to make such adjustments as may be appropriate in the light of feedback from the consultation process on future pension provision and instruct the Council to implement the new scheme from 1 January 2014.
4. Instruct the Council to adopt a policy for future recommendation for stipends and salaries whereby these will be linked to [1] any increase in income coming to the Ministries Council from congregational contributions; and [2] the overall sustainability of the Council's finances. The terms of such a link will be agreed annually in consultation with the Council of Assembly. *(Section 2)*
5. Affirm the Council's intention where possible to increase stipends and salaries broadly in line with inflation. *(Section 2)*
6. Approve the Regulations and Schedule anent the Manse Adjudication Committee as set out in Appendix 2. *(Section 3 and Appendix 2)*
7. Affirm the need for inspection of the manse of the charge in a vacancy and the completion of a Manse Condition Schedule and pass an Act amending Act VIII 2003 (as amended) as set out in Appendix 3. *(Section 4 and Appendix 3)*

## REPORT

### 1. Future Pension Provision

**1.1** The Ministries Council has primary responsibility for the oversight of two main pension schemes: [a] The Ministers' and Overseas Missionaries' Pension Scheme; and [b] the PPW Pension Scheme (formerly the National Mission Scheme). Along with other employing agencies of the Church (CrossReach; the Central Services Committee; World Mission Council), the Council has been considering the current and future pensions arrangements which are provided for Ministers and PPWs. This is necessary because

a valuation of the Schemes must take place by law every three years and this determines the funding position of the scheme and the level of contributions to be paid into the scheme for the subsequent three years (2014 – 2016). It is particularly crucial this year, however, because of the anticipated outcome of that triennial valuation.

**1.2** At the General Assembly 2012, the Chair of the Pensions Trustees gave notice to commissioners that he anticipated the combined estimated deficit of the Church's pension funds would be in the region of £50 million at the

point of the next triennial valuation (31 Dec 2012). The final outcome of this valuation process will not be known until later in the year, but the Ministers’ & Missionaries’ Pension Scheme (= Ministers’ Scheme) is the biggest of these funds and thus carries the largest deficit. This means that since 2009, despite the Council paying over £2.5M into the fund every year to reduce the deficit, far from decreasing, it will instead likely have increased substantially.

**1.3** Based on the financial information available to it, the Ministries Council considered this situation carefully at its meeting on 24 October 2012 and agreed regretfully, but unanimously that the present structure of scheme benefits will *not be affordable or sustainable* in the long term. It set up a group to consider the matter in detail, in partnership with other relevant bodies, and reports and recommendations were brought to the meetings of Council in December 2012 and February 2013.

**1.4** In order to effect the changes the Council believes are essential, it is a legal requirement that the Council (which is legally viewed as the ‘employer’ even though Parish Ministers are office holders) conducts a full consultation with Scheme Members. In order to do this, Member Representatives needed to be nominated and elected (where necessary) by Scheme Members. Given that no representative body for Scheme Members existed, the Council put forward a proposal of 12 Area Groupings with two Member Representatives coming from each of these areas. This was sounded out with Scheme Members in a series of 5 regional information and briefing days, attended by around half the Ministers of the Church, and it was clear from those events that there was widespread support for proceeding in this manner. As a result, at the time of writing, all but one of the 12 groupings had nominated two Member Representatives as requested, thus alleviating the need for election processes to be run.

**1.5** A timeline has been mapped out and the key dates in this are outlined in the following table:

19 April	Closing date for election of Regional Member Representatives
24 April	Training day for Regional Member Representatives (Edinburgh)
29 April	Formal 60-day consultation period begins
6 – 9 May	Meetings held across the country with scheme members: <i>(conducted in cooperation with Regional Member Representatives)</i>
18 – 24 May	General Assembly <i>(see below)</i>
26 June	Meeting with Regional Member Representatives to receive further feedback and comments from the process to this point
28 June	Formal 60-day consultation period ends
	<i>Following subject to instruction of the General Assembly:</i>
July – August	The Council reviews the proposal in light of the responses: prepare final proposals for discussion and agreement at Council Conference
28 – 29 Aug	Council Conference agrees final shape of new Scheme
1 Jan 2014	New Scheme is implemented

**1.6** As the timeline above indicates, the Council has made provisional arrangements for the completion of the consultation period and firming up the proposals for implementation on 1 January 2014. This is subject to the General Assembly giving powers to undertake this work and to complete and implement any new Scheme.

**1.7** The Council remains committed to providing the best pension benefits it can for Ministers, but it is obliged to ensure that the cost of that provision is affordable and sustainable for the Church in the long term. The consultation documents sent out to Scheme Members (and potential members) are printed in a booklet which accompanies this Report (and is referred to below as Appendix 1). The

Council welcomes comments which commissioners may wish to make on this booklet either on the floor of the General Assembly or in writing to the Council Secretary, Rev Dr Martin Scott ([msscott@cofscotland.org.uk](mailto:msscott@cofscotland.org.uk)). In welcoming comments and being open to their receipt in this way, however, the Council is clear that its legal duty is to consult with Scheme Members, whose views will be taken fully into account.

*In the name of the Ministries Council*

NEIL DOUGALL, *Convener*  
NEIL GLOVER, *Vice-Convener*  
ANNE PATON, *Vice-Convener*  
DEREK POPE, *Vice-Convener*  
DAVID STEWART, *Vice-Convener*  
MARTIN SCOTT, *Secretary*

## APPENDIX 1

**See accompanying booklet: *Proposed Pension Changes for Members of the Church of Scotland Pension Scheme for Ministers and Overseas Missionaries.***

### 2. Stipend and Salary Policy

2.1 The General Assembly 2011 instructed the Council to bring a report to the General Assembly 2012 reviewing the shape and scale for stipends and salaries. In 2012 the Ministries Council reported: 'Stipends and salaries were increased by 2% across the board, but those at the lower end of the scales received a slightly higher percentage increase due to the removal of one point of the scale.'

2.2 In its main report this year (*section 1.7.5*), the Council reported on the steps it had taken to move to a 5 point scale for Ministers and PPWs. That report recorded the Council's regret that, for the majority of ministers who are at the top of the scale, that meant no stipend increase, and for PPWs it was in the context of a review of terms and conditions which had required them to make significant sacrifices.

2.3 Having achieved its intention of adopting a five point scale, the Council is now in a position to articulate a future policy for stipends and salaries. The Council believes that the church should now aim to maintain as far as possible the current value of stipends and salaries. That means that stipends and salaries should now increase broadly in line with inflation.

2.4 Ministers and PPWs, along with most workers in Scotland, have seen a real decrease in the value of their stipends and salaries in recent years. Given the turbulent economic times we have been living through, it would be foolish to think that the church would be unaffected. Indeed, given our commitment to the Incarnation, it would be wrong to expect the Church's workforce to be shielded from the economic pain being felt by the people among whom they serve. Having been through this painful period, however, the Council believes that the church needs to be much more intentional in increasing stipends and salaries broadly in line with inflation.

2.5 For ministers at the top of the stipend scale, there has been no increase in stipend in three out of the last four years. When inflation is taken into account, today's maximum stipend is worth only 87% of what it was in 2008. Ministers therefore have had to cope with a 13% devaluation of their stipend.

2.6 For PPWs the changes have been even more painful. As detailed in the main report, the Council regretfully reached the conclusion that the salary package offered to PPWs was not sustainable. In reaching this conclusion, the Council took into account factors both internal and external to the Church. The Council is grateful to all its employees who, despite the sacrifices involved, accepted altered salary scales and the removal of Housing Allowance. Having done so, the Council believes it would lack integrity if it did not now strive to maintain the real value of these new salary scales by increasing them in future years broadly in line with inflation.

2.7 In order to achieve the goal of increasing stipends and salaries broadly in line with inflation the Council believes three things need to happen:

**2.7.1** The absolute connection between an increase in congregational contributions and any increase in stipends and salaries needs to be modified. This instruction was given by the General Assembly in 2010 as one of the steps needed to deal with the large annual operational deficits the Council was running. Since that time the operational deficit has been almost removed and financial controls strengthened. Therefore the Ministries Council, along with the Council of Assembly, believes that it would be in order to replace the 2010 instruction with the following: *Instruct the Council to adopt a policy for future recommendation for stipends and salaries whereby these will be linked to [1] any increase in income coming to the Ministries Council from congregational contributions; and [2] the overall sustainability of the Council's finances. The terms of such a link will be agreed annually in consultation with the Council of Assembly.*

**2.7.2** Presbytery Plans assume there will be 1000 people (FTE) deployed for ministry. Currently there are around 950 in post. It is hoped that soon the appointment of additional PPWs to fill posts in Presbytery Plans will begin. Despite this, however, all indications are that, with the likely number of Ministerial retirements, for the foreseeable future the Church will not have 1000 people available for deployment. The Council would hope to consider using some of the funds which may be available to ensure there are inflation-related rises in stipends and salaries.

**2.7.3** There is a real need for many more congregations and their Ministers to engage fully with the Church's National Stewardship Programme by accessing the support of the stewardship consultants and the new materials and resources which are now available. While the Council is seeking some greater flexibility in its way of working, the main driver for increased stipends and salaries remains the offerings which members make as part of their Christian commitment. Ministry costs money. The Council is not ashamed of this fact and it believes that the Church should not be either. Worshippers recognise that costs increase. While acknowledging that many members' income may be fixed or declining, some salaries, pensions and benefits are increasing (and many of these are linked in some way

to inflation.) The Church should not be reluctant to ask people to review their giving, so that Ministers and PPWs can also receive a cost of living increase in their stipends and salaries on a regular basis.

### **3. Manse Adjudication Committee (MAC) Regulations**

**3.1** The General Assembly 2012 instructed the Ministries Council to bring forward Regulations to cover the work of the Manse Adjudication Committee (MAC). This followed upon a number of cases in which the existing Guidelines had proved inadequate where Ministers seeking permission to have their own property designated as the Manse of the charge had already pre-empted the work of the Committee.

**3.2** A request to live outside of the Parish Manse in a property designated as the Manse in its stead, can only be made where genuinely exceptional circumstances exist. It is the role of the MAC to determine whether such circumstances do actually exist. As office holders, Parish Ministers are entitled to live in the Parish Manse and have a duty to occupy it. On the basis of this historic position, HM Revenue and Customs do not make a charge against tax for benefit in kind. The General Assembly took cognisance of this background in putting in place a mechanism whereby in exceptional circumstances the need to live outside the Parish Manse might be assessed and governed. That mechanism is the MAC and the Ministries Council is responsible for ensuring its proper operation.

**3.3** In presenting a case for designating a Minister's own home as the Manse of the charge, three key factors are taken into consideration. These remain unchanged and are outlined in the *Schedule*, which forms part of Appendix 2 (*below*), but briefly, they are:

- (a) That the Minister's Own House is suitable to serve as the Manse of the Charge.
- (b) That there will not be an adverse impact on the financial position of the congregation(s) of the Charge as a result of the designation of the Minister's own house as the Manse of the Charge.

- (c) That there are exceptional circumstances justifying the Minister's request.

**3.4** The proposed Regulations (*below Appendix 2*) primarily seek to make the existing Guidelines binding, but in one particular area make specific something which until now had merely been assumed. A Minister wishing to make application to have his or her own property designated as the Manse of the charge must either [1] be resident in the Parish Manse; or [2] make such application and have a determination made by the MAC *prior* to induction. For the avoidance of doubt, the MAC will not hear a case where the Minister has already moved into his or her own property *prior* to making application or during the application process.

**3.5** The Council has drawn up these proposed Regulations in partnership with the General Trustees and the Principal Clerk's Office. They are presented with a view to immediate adoption and implementation from 1 June 2013. A Flowchart offering an easy overview of the process of application is available on request from the Secretary of the Ministries Council.

## APPENDIX 2

### Regulations anent the Manse Adjudication Committee

#### A. Definitions

##### 1. In these Regulations:

**"Appeal"** means an appeal to the Appeals Committee of the Commission of Assembly against the decision of the MAC either as a tribunal of first instance or as an intermediate appeal tribunal.

**"Charge"** means a congregation or linked congregations in full status or a Church Extension or New Charge congregation.

**"the General Trustees"** means The Church of Scotland General Trustees incorporated by the Church of Scotland (General Trustees) Order Confirmation Act 1921.

**"Kirk Session"** means the Kirk Session of the Charge, and/or the Financial Board of the Charge, being a Congregational Board, Deacons' Court or Board of Managers.

**"MAC"** means the Manse Adjudication Committee referred to in section B below.

**"MAC Hearing"** means a hearing of the MAC to determine whether the Minister's Own House shall be designated as the Manse of the Charge.

**"Manse of the Charge"** means whichever of the Parish Manse or the Minister's Own House as shall, in accordance with these Regulations, be designated as the house which is to serve as the Manse of the Charge and in which the Minister of the Charge is to reside.

**"Minister"** means the minister who at the time of making an application to the Manse Adjudication Committee is currently inducted to a Charge or is considering induction to a Charge.

**"Own House"** means any residential property owned solely or jointly and severally by the Minister or in which the Minister is otherwise entitled to reside.

**"Parish Manse"** means the manse of the Charge provided for the occupation of the Minister and which he or she would normally be expected to occupy in the performance of his or her duties.

**"Presbytery"** means the Presbytery of the bounds unless the context otherwise requires.

#### B. Manse Adjudication Committee: Powers and Constitution

1. Any application by a Minister to designate his or her Own House as the Manse of the Charge in place of the Parish Manse shall be made to the MAC which shall have power to designate the Minister's Own House as the Manse of the Charge.

2. Where the Parish Manse falls within the scope of Act VII 1995 (*ie* the title to the Parish Manse is held in the

name of the General Trustees or it contains a clause placing the trustees in whom it is vested under the control of the General Assembly so far as disposal is concerned), then:

- (a) the MAC shall comprise three representatives of the General Trustees, one of whom shall be the Convener, and three representatives of the Ministries Council;
- (b) the Secretary and Clerk to the General Trustees and the Secretary to the Ministries Council (or their Deputies) shall attend each meeting of the MAC and shall be entitled to advise on questions of fact or procedure and to put questions to those appearing before the MAC, but they shall not take part in the making of decisions; and
- (c) the Secretary and Clerk to the General Trustees (or his or her Deputy) shall act as the Clerk to the MAC.

3. Where the Parish Manse does not fall within the scope of Act VII 1995, then:

- (a) the MAC shall comprise six representatives of the Ministries Council, one of whom shall be appointed as Convener;
- (b) the Secretary to the Ministries Council (or his or her Deputy) shall attend each meeting of the MAC and shall be entitled to advise on questions of fact or procedure and to put questions to those appearing before the MAC, but he or she shall not take part in the making of decisions; and
- (c) the Secretary to the Ministries Council (or his or her Deputy) shall act as the Clerk to the MAC.

### **C. Pre-MAC Hearing Procedures**

1. A Minister who wishes his or her Own House to be designated as the Manse of the Charge shall in the first instance consult with the Kirk Session.

2. In the event of the Kirk Session agreeing in principle to the Minister's Own House being designated as the Manse of the Charge, the Minister and the Kirk Session shall make a joint submission to the Presbytery or, where the Kirk Session does not agree to the Minister's request, the Minister alone may make a submission to the Presbytery.

3. The Presbytery shall meet separately with the Minister and the Kirk Session. The Presbytery shall, after such further investigation as it deems appropriate, and on the basis of the factors set out in Part 1 of the Schedule, and taking account of the reports referred to in section C4 below, make a decision as to whether or not to support the Minister's application to the MAC to have the Minister's Own House designated as the Manse of the Charge.

4. There must be submitted to the Presbytery written reports from an independent Chartered Surveyor or Letting Agent advising on the level of market rent which will require to be paid in respect of the Minister's Own House and on the level of rent which is likely to be received for the Parish Manse, taking into account factoring and other charges which may be incurred in respect of the letting of the Parish Manse. The written reports shall accompany any subsequent application to the MAC.

5. In the event of

- (a) the Presbytery not agreeing that the Minister's Own House should be designated as the Manse of the Charge, the Minister, with or without the support of the Kirk Session, shall be entitled to submit an application to the MAC. In this case the application to the MAC shall be characterised as taking the matter to an intermediate appeal tribunal, the Minister bringing the matter forward as an appeal or a dissent-and-complaint against the Presbytery's decision; or
- (b) the Presbytery agreeing that the Minister's Own House should be designated as the Manse of the Charge, the Minister, with or without the support of the Kirk Session, shall be entitled to submit an application to the MAC. In this case the application to the MAC shall be characterised as an application to a tribunal of first instance.

### **D. MAC Hearing and MAC Decision**

1. The Minister shall apply to the MAC for a decision as to whether or not the Minister's Own House shall be designated as the Manse of the Charge.

2. In determining whether or not the Minister's Own House shall be designated as the Manse of the Charge, the MAC shall be satisfied all of the factors set out in Part 1 of the Schedule have been appropriately addressed, taking also into consideration the independent reports referred to in section C4 above.

3. The MAC Hearing shall proceed in accordance with the Rules of Procedure set out in Part 2 of the Schedule.

4. Save where (i) the Minister has not been inducted to the Charge and is seeking prior approval to his or her Own House being designated as the Manse of the Charge, or (ii) the Parish Manse is deemed by an independent Chartered Surveyor to be uninhabitable, the MAC shall deal with an application and shall hold a MAC Hearing only where the Minister is, both at the time of the application and continuously up to and throughout the MAC Hearing, residing in the Parish Manse. Save as aforesaid, where a Minister is not residing in the Parish Manse or has moved into his or her Own House in advance of the decision by the MAC, the application shall automatically be refused.

### **E. Post-MAC Hearing Procedure**

1. The Clerk to the MAC shall forthwith notify the Minister, Kirk Session and Presbytery in writing of the decision of the MAC which may be an interim decision pending the production of such further evidence as the MAC shall require.

2. Within 14 days of the date of intimation of the MAC decision, any of the parties attending or represented at the MAC Hearing shall be entitled to submit an Appeal to the Appeals Committee of the Commission of Assembly.

3. An Appeal must be made on the basis of a ground of appeal specified in the Appeals Act 2013.

4. In the event of an Appeal, a representative of the MAC shall be entitled to be heard by the Appeals Committee of the Commission of Assembly, along with the Minister, the Kirk Session and the Presbytery.

5. The Appeals Committee of the Commission of Assembly shall then determine the matter in accordance with the terms of the Appeals Act 2013.

6. In the event that the MAC decides that the Minister's Own House shall be designated as the Manse of the Charge (and no Appeal is taken to the Appeals Committee of the Commission of Assembly or an Appeal is unsuccessful), then:

- (a) that shall be deemed to be approval for the Parish Manse to be let under a Short Assured Tenancy, the terms of which will require to be approved by the General Trustees or, if the title to the Parish Manse is held in the name of local trustees, by the Kirk Session;
- (b) the Solicitor of the Church shall act on behalf of the Kirk Session in the preparation of a Lease Agreement between the Minister and the Kirk Session in respect of the Minister's Own House; and
- (c) the Minister's Own House shall be inspected on behalf of the Presbytery every five years in terms of the Act anent Care of Ecclesiastical Properties 2007.

7. In the event that the MAC decides that the Parish Manse shall be designated as the Manse of the Charge (and no Appeal is taken to the Appeals Committee of the Commission of Assembly or an Appeal is unsuccessful), then the Minister must reside in the Parish Manse which shall continue to be the Manse of the Charge.

8. At any time, the Minister may only cease to occupy the Parish Manse once there exists a final decision of the MAC (which is not subject to an Appeal or which has been the subject of an unsuccessful Appeal) that the Minister's Own House shall be designated as the Manse of the Charge.

### **F. Miscellaneous**

1. These Regulations shall not apply to the situation where a husband and wife are both ordained ministers of the Church of Scotland, are inducted to different charges and are living together in the Parish Manse of one of the charges.

## SCHEDULE

### PART 1

#### **Factors for determining whether the Minister's Own House shall be designated as the Manse of the Charge**

- (a) That the Minister's Own House is suitable to serve as the Manse of the Charge taking into account:
  - (i) The location which must be within a reasonable distance of the Charge and the sphere of ministry;
  - (ii) The size and internal layout of accommodation;
  - (iii) The condition and state of repair; and
  - (iv) The potential availability of office and meeting facilities at a church or hall within the Charge.
- (b) That there will not be an adverse impact on the financial position of the congregation of the Charge as a result of the designation of the Minister's Own House as the Manse of the Charge taking into account the following factors:
  - (i) The requirement to pay a full market rent for the Minister's Own House;
  - (ii) The requirement to pay Council Tax, Water Rates, etc for the Minister's Own House;
  - (iii) The requirement to pay an agreed share of the repair and maintenance costs of the Minister's Own House; and
  - (iv) The likelihood that there may be periods when the Parish Manse is un-let and no rent is being received to offset the payment of the full market rent for the Minister's Own House to the Minister.
- (c) That there are exceptional circumstances justifying the Minister's request that his or her Own House should be designated as the Manse of the Charge. In coming to its view the MAC shall:
  - (i) Consider such supporting evidence as might reasonably be made available, including medical or social work reports and photographs; and
  - (ii) Recognise that the following situations may constitute exceptional circumstances:

- Where a Minister is within less than 12 months of retirement; or
- Where the Parish Manse is not suitable for occupation by a person with a disability or particular health issue, such person being the Minister or an immediate member of his or her family, and cannot be made suitable for such occupation.

### PART 2

#### **MAC Hearing Procedures**

1. The MAC shall be deemed to be acting in a judicial capacity so that the rules of natural justice will apply.
2. The Minister, representatives of the Kirk Session and representatives of the Presbytery shall be given the opportunity to make verbal submissions and to speak to any written evidence lodged in support of the application.
3. Professional advisers shall not be permitted to represent the Minister at a MAC Hearing.
4. The Minister, representatives of the Kirk Session and representatives of the Presbytery and any other witness permitted by the MAC shall be heard separately and after giving evidence shall be asked to withdraw from the MAC Hearing but may be recalled in the event of the MAC seeking further information.
5. In coming to a decision as to whether to designate the Minister's Own House as the Manse of the Charge, the MAC shall consider the factors set out in Part 1 of the Schedule, and the independent reports referred to in section C4 above.

#### **4. Manse Condition Schedule**

- 4.1 As already noted above (3.2), remuneration of a Parish Minister is a stipend and the provision of a manse, which the Minister has a duty to occupy. Whether this duty is a blessing or a bane owes much to the way in which congregations look after the property which they provide for the purpose of occupation. For this reason, it is vital

that congregations take steps to ensure that the condition of the manse is regularly assessed (normally once a year through a visit) and in particular, that a full and detailed inspection of the property is undertaken during any vacancy.

**4.2** On inspection during a vacancy, a Manse Condition Schedule must be completed, agreed by the Financial Board or Kirk Session, and a schedule of works drawn up to address any outstanding issues. This Condition Schedule should be submitted to Presbytery along with the Vacancy Schedule and it is the responsibility of Presbytery to ensure that any necessary works are completed in advance of the induction of a new Minister to the charge.

**4.3** In recent years, it has been a matter of growing concern for both the Council and the General Trustees that the condition of some manses has deteriorated. Following full consideration in 2011-2012 of all the issues around the retention of manses as a significant part of ministerial remuneration, the General Assembly reaffirmed the imperative for Parish Ministers to occupy the manse. It is therefore the corporate responsibility of congregations and Presbyteries to ensure that the conditions in which Ministers and their families are asked to live (and work)

meet the standards required. The Manse Condition Schedule is a vital part of maintaining this provision.

**4.4** In the light of this, the Council asks the General Assembly to reaffirm, through a small amendment to the relevant section of Act VIII 2003, the importance of the completion of a Manse Condition Schedule in every vacancy.

### APPENDIX 3

#### ACT AMENDING ACT VIII, 2003 ANENT VACANCY PROCEDURE

*Edinburgh, [XX] May 2013, Session XX*

The General Assembly hereby enact and ordain that Act VIII, 2003 as amended shall be further amended as follows:

1. Amend section 10(1) by adding the following sentence at the end:

For the avoidance of doubt, the Vacancy Schedule submitted to Presbytery shall include a recently completed Manse Condition Schedule following inspection of the manse of the charge.

**SUPPLEMENTARY REPORT  
OF THE  
CHURCH AND SOCIETY COUNCIL  
MAY 2013  
PROPOSED DELIVERANCE**

**The General Assembly:**

1. Receive the Report.

**Truth and lies about poverty** (*See Section 1 of the Supplementary Report of the Church and Society Council*).

2. Welcome the publication of the report *The lies we tell ourselves: ending comfortable myths about poverty*, and commend it to congregations for study and action.
3. Reaffirm that poverty is a scandal and instruct the Church and Society Council, in consultation with the Priority Areas Committee, to continue to work with ecumenical partners to find new ways to challenge the myths, lies and spin in debates about poverty, in society and in the church.

**Human rights: what does God require of us? Justice informed by love** (*See Section 2 of the Supplementary Report of the Church and Society Council*).

4. Affirm the conclusions of the report *Human rights: what does God require of us? Justice informed by love* that the basis of human rights is relational: our duty and responsibilities to one another sits alongside our personal desires and needs, based on love-informed justice that comes from God.
5. Affirm the Universal Declaration of Human Rights and European Convention on Human Rights in upholding our commitment, because of our faith in a God of love, to love our neighbours, who are every person, in every place and in all times.
6. Instruct the Church and Society Council to develop human rights resources for study by congregations, presbyteries and with ecumenical and inter faith partners.
7. Instruct the Church and Society Council to do further work on the connections between climate justice and human rights.
8. Instruct the Church and Society Council to work with Christian Aid and others to promote just access to safe, clean water for every person, in every place, in every time.
9. Instruct the Church and Society Council to engage in public discourse about the UK Human Rights Act, a UK Bill of Rights and the UK and Scotland's future relationship with regard to the Council of Europe.

## REPORT

### 1. Truth and lies about poverty

1.1 In March 2013 the Church and Society Council collaborated in the publication of a report *The lies we tell ourselves: ending comfortable myths about poverty*. An electronic copy of this report is available from the Church of Scotland website ([www.churchofscotland.org.uk](http://www.churchofscotland.org.uk)) and can be requested by email (contact [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk)).

1.2 *The lies we tell ourselves* was written in response to a growing perception that public attitudes, and the attitudes of church-goers, are hardening against the poorest and most vulnerable in society. This change in attitude is related to myths and lies about poverty being shared and repeated by some politicians and journalists. These lies have become common assumptions which we start believing and sharing ourselves. The report exposes the truth behind some of these myths. It is also a call to action for all of us to speak out where we see lies and spin being used to denigrate our neighbours on the basis that they are poor.

1.3 For example, it is often argued that poor people are lazy and they do not want to work. Our report points out that the majority of children living in poverty are from families where there is a working parent. Politicians have often used an example of areas where there are households where three generations have not worked. The Department for Work and Pensions has no evidence of such a household. Another argument deployed by politicians is that the welfare budget is out of control and has to be reined in if we are to control the deficit. Our report shows that overall UK Government spending on social security has remained fairly stable for the last 20 years (around 12% of GDP). Benefit fraud is at an historic low. Health outcomes for the least well off are much worse, implying there is no easy life on benefits. Frequency of drinking alcohol is highest among full-time workers, and lowest among the unemployed.

1.4 We thank our partners in this initiative, the Methodist Church in Britain, the United Reformed Church and the Baptist Union of Great Britain. We hope to develop this relationship and to continue to explore ways where we can keep the Gospel bias to the poor on the agenda of both society and the church.

### 2. Human rights: what does God require of us? Justice informed by love

The following report *Human rights: what does God require of us? Justice informed by love* is a summary. The full report is available from the Church of Scotland General Assembly web pages – [www.churchofscotland.org.uk](http://www.churchofscotland.org.uk) – and can be obtained in electronic format or paper copies, free of charge, by contacting the Church and Society offices on 0131 240 2275 or by e-mail from – [churchandsociety@cofscotland.org.uk](mailto:churchandsociety@cofscotland.org.uk)

#### 2.1 Introduction

2.1.1 At the heart of a Christian understanding of human rights is the Gospel call to love God who loved us first and to love each other, unconditionally. In the framework of human rights, relationship is key to any claims. Our duty to one another must always sit alongside our personal responsibilities, desires and needs.

2.1.2 This Christian view of human rights should underpin, inform and challenge the legal interpretation of human rights. We use the idea of “love-informed justice”<sup>1</sup> to describe this new understanding and show how it is based in scripture and relevant to the world around us.

2.1.3 This report takes as its point of departure the passages in Mark 12:28-34 where Jesus instructs us to love God and to love our neighbour as ourselves, and the story of the Good Samaritan in Luke’s Gospel (10:29-37). Human rights cannot be seen outwith that obligation to love and

<sup>1</sup> *Justice in Love* by Nicholas Wolterstorff, published by Eerdmans in 2011.

care for each other. Throughout our sacred stories, we see radical hospitality lived out (Deuteronomy 14:28-29); we see God's bias for the poor expressed (Isaiah 61:1) and we are called to go and do likewise. The parable of the Good Samaritan is pivotal, for it is in discovering who is our "neighbour" that we are truly able to treat that neighbour in a "right" manner.

**2.1.4** People of faith have an important contribution to make to the discussion of human rights, in particular by widening the discourse from narrow legalities to consider what might be the nature of human rights in the wider context of our relations with each other in community.

**2.1.5** We suggest this means two things; firstly, human rights do not exist in the abstract or as commodities to be possessed by individuals unconnected to those around them, but are manifestations of just human relationships with God and with each other; and secondly, that human rights are an expression of how we understand the role in society of a vision of justice informed by God's love.

**2.1.6** Around the manifestations of religious faith, the issue of human rights remains contentious. Some are concerned that there may appear to be a hierarchy of human rights in which the right to live one's life shaped by faith is ranked lower than the perceived competing human rights of others.

**2.1.7** It is not the function of this report to attempt to reach conclusions about specific cases. Instead it will explore some theological first principles for understanding what we mean by human rights and for setting them in the context of the human relationships that make them real.

**2.1.8** The debate about human rights therefore begins not by asking what our rights as individuals are but, rather, as expressions of our nature as relational beings with God and with others; asking what are our obligations to all human beings are. In living out those obligations, we shall 'act justly, love mercy, and walk humbly with God' (see Micah 6:8).

## **2.2 The expression of justice in the language of human rights**

**2.2.1** Laws are human constructs and therefore imperfect. We live in an imperfect world in which injustice and inequality mar the ideal of a people who reflect the image of God. The ideal of a people who lead lives which reflect God's image is sometimes expressed in the concept of *shalom*<sup>2</sup> or 'peace with justice' which the Hebrew and Christian Scriptures point to as being at the heart of all right relationships. The realities of life often serve to appear to negate or impair the existence of *shalom*. Our call is to participate in God's mission of *shalom* by acting justly, loving mercy, and walking humbly with God, which Jesus incarnated in the most profound way.

**2.2.2** In Christian morality, a society is just insofar as its members are enjoying those things to which they have a right.<sup>3</sup> Rights are intimately grounded in what is required to show respect for the worth of human beings. Hence, to treat a person with less respect than they are worth is to wrong them.

**2.2.3** When we meet others, they have claims on how we treat them, with the right to expect us to act with respect for their innate worth. If we fail to do this, we deny their essential dignity and so we wrong them. The concept of 'being wronged' underlines the relational nature of human rights. It enables the victims of human rights violations, such as torture, to point to the effects on them, and to the need for social justice for the oppressed.

**2.2.4** From the perspective of the lawyer, the analysis is seen in functional terms.<sup>4</sup> Rights are characterised as having correlative (complementary) obligations or duties.

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<sup>2</sup> Steve de Gruchy, *Ten Theological Theses on Mission and Development* in *International Congregational Journal*; Fall 2005, Vol. 5 Issue 1, p27.

<sup>3</sup> See, for example, *Justice: Rights and Wrongs*, Nicholas Wolterstorff, published by Princeton University Press in 2008, pages 4-10.

<sup>4</sup> See the detailed analysis by W. N. Hohfeld, *Fundamental Legal Conceptions as Applied in Judicial Reasoning and Other Legal Essays* (Yale University Press: 1919), pages 50-64.

However, because law is at its root a society's means of aspiring to justice, the lawyer and the theologian both should have the same departure point; challenging society is to engage with human rights in both their moral and legal expression.

### 2.3 The moral context of human rights

**2.3.1** Central to the Christian perspective is the neighbour dimension of the moral order, which concentrates on rights sitting in the context of a neighbour dimension rather than individual rights; the person who has been wronged is centre-stage, rather than how I am affected by my obligation. The one who is the recipient of my denial of his or her dignity as a human being is the important person.<sup>5</sup>

**2.3.2** Rights provide boundary markers for the pursuit of life-goods (meaning that which one needs for life eg water, food, shelter) in the contested space of competing and conflicting interests in society: "I am never to seek to enhance the good in someone's life, my own or another's, or that of many others, at the cost of wronging someone or other, depriving her of that to which she has a right. I am never to pursue 'life-goods' at the cost of demeaning someone".<sup>6</sup> Love-informed justice, the recognition of the recipient or neighbour as the focus of the moral order, was central to the thought of Israel's writers; "God holds us accountable for doing justice...that when we fail to do justice, we wrong God. We not only fail in our obligations to God. We wrong God, deprive God of that to which God has a right".<sup>7</sup>

**2.3.3** The Gospels continue the narrative of primary justice, specifically including social and religious outcasts (in addition to the vulnerable quartet the Hebrew Scriptures identifies, that is, the poor, widows, orphans and the stranger). Jesus is the embodiment of God's love-informed justice and expounds love for one's enemies as well as one's neighbour and God. Justice is not supplanted by love in the New Testament: *agape* (divine love in action) seeks both to

promote a person's good (love) and to secure due respect for others worth (justice); it seeks both ends in themselves.

**2.3.4** This is the starting point for the Christian community entering and contributing to debates about the reality of human rights from a faith perspective: not to defend faith but to live it by witnessing to God's worth in our neighbour and enemy, and by living the ideal that rights are made real in our relationship with our neighbour, not as buffers between us and our neighbour.

### 2.4 The law of human rights

**2.4.1** In the Old Testament there is no boundary between religion and the law. The Tablets that Moses delivered on Mount Sinai were not just an inner rule. They were a code to be enforced. 'Human rights' emerged more recently as part of enlightenment thinking and values. It is these values which inspired the authors of The United Nations Universal Declaration on Human Rights (UDHR),<sup>8</sup> the foundation human rights document of the twentieth century.

**2.4.2** The UDHR represents a compromise between different countries and different values. It sets out not only an internationally acceptable expression of moral values, but also a code of legal obligations. Morality is the root of law and without morality, law becomes arbitrary regulation. But law requires more than morality; ideally, law is morality that can be enforced. The relationship between morality and the law is complex. Consensus can be as powerful as coercion. For example, Calvin's Geneva sought to legally enforce Christian morality whilst Hitler sought to sever all links with any 'morality' in a meaningful sense, where the Church was subordinate to the State. The law lost its quality of rational humanity deserving recognition. It is important to remember that not all Christians in Germany were acquiescent to the Nazi regime; the impact of the 1934 Barmen Declaration<sup>9</sup> has had a lasting consequence upon theology of peace and reconciliation both in Germany and internationally.

<sup>5</sup> Wolterstorff, *Justice: Rights and Wrongs*, page 9.

<sup>6</sup> Wolterstorff, *Justice: Rights and Wrongs*, page 5.

<sup>7</sup> Wolterstorff, *Justice: Rights and Wrongs*, page 91.

<sup>8</sup> [www.un.org/en/documents/udhr/index.shtml](http://www.un.org/en/documents/udhr/index.shtml) (accessed 28 March 2013).

<sup>9</sup> The Barmen Declaration is available to read at <http://clclibrary-org.tripod.com/Barmen.htm> (accessed 28 March 2013).

**2.4.3** Following on from the UDHR, the European Convention on Human Rights (ECHR),<sup>10</sup> has become the primary legal articulation of human rights in the legal systems of the member states of the Council of Europe. The ECHR imposes legal obligations upon the signatory states. Both the UDHR and the ECHR were created in the aftermath of the Second World War and were powerfully informed by a sense of justice, drawing on values which were rooted in faith.

**2.4.4** The creation of such rights and duties is not without controversy. We can all believe in human rights as a concept, but once that concept takes a legal form the law will throw up hard cases and debate for example over voting rights for prisoners.<sup>11</sup> Because the ECHR is a legal document, its language is conceived of in terms of 'rights' as interpreted by judges rather than of an expression of neighbourliness. As Lord Justice Sumption has pointed out:

"...very many human rights issues are in reality not issues between the state and its citizens. They are issues between different groups of citizens, whose resolution by democratic processes will not necessarily lead to the same answer everywhere".<sup>12</sup>

**2.4.5** The current thinking of the Court as to how that balance may require to be struck is illustrated in its recent decision in the conjoined cases of *Eweida and Others v the United Kingdom*.<sup>13</sup> These cases concern the right to wear a cross or religious symbols whilst at work and apparent conflicts between faith of employees and instruction of employers.

<sup>10</sup> The full text of the European Convention on Human Rights is available at [www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/Convention\\_ENG.pdf](http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/Convention_ENG.pdf) (accessed 28 March 2013).

<sup>11</sup> Case reference *Hirst v. the United Kingdom (no. 2)* (74025/01), 6 October 2005.

<sup>12</sup> Jonathan Sumption: 'Judicial and Political Decision-Making: The Uncertain Boundary': The F A Mann Lecture 2011, Lincoln's Inn, 9 November 2011.

<sup>13</sup> European Court of Human Rights application numbers 48420/10, 59842/10, 51671/10 and 36516/10

**2.4.6** These developments have created challenges for churches and have necessitated a rethinking of theology in the twenty-first century. It challenges us to return to the first principles and review our understanding of human rights.

## 2.5 The limitations of the legal approach

**2.5.1** The cases of *A & Ors v. Secretary of State for the Home Department*<sup>14</sup> concerned whether evidence obtained by torture in a foreign jurisdiction should be admissible in a British Court. This case was found on the deep relational understanding that all of society is eroded when the inherent human dignity of one is undermined. The case of *Donoghue v Stevenson*<sup>15</sup> was specifically decided on a Gospel understanding of neighbourliness being paramount in our responsibilities to others.

**2.5.2** These decisions depended not on written laws, but were derived directly from moral reasoning, grounded in the insights of the Gospel and beginning with the question who is my neighbour and what are my obligations to my neighbour? The right and the obligation lay in the neighbourliness of strangers. It is love-informed justice. The impact of human rights law derives not just from written laws but from the powerful influence that the moral values of society have on judges in the exercise of their discretion.

**2.5.3** The parable of the Good Samaritan illustrates our responsibility to each other in the narrative of an outsider travelling from Jerusalem to Jericho. He expresses our duty in archetypal form. The person to whom we owe responsibility is simply every person. However in a global world our duty of care, the duty of love-informed justice to our neighbour becomes a duty to every person, everywhere, in every time. Our responsibility neither rests

<sup>14</sup> For information, see <http://swarb.co.uk/a-and-others-v-secretary-of-state-for-the-home-department-no-2-hl-8-dec-2005/> (accessed 28 March 2013).

<sup>15</sup> For information, see <http://www.scottishlawreports.org.uk/resources/dvs/donoghue-v-stevenson-report.html> (accessed 28 March 2013).

on reciprocity nor contract. Nor is it limited by nation. It inheres in our common humanity. Just as the Samaritan was the quintessential outsider, hated and scorned, so human rights, if they mean anything, cannot be only for those whom we affirm and approve. To mean anything significant they need to be for the unpopular, for the dispossessed and indeed those who do not respect the rights of others. They also need to be for those with no voice, including future generations of humanity. Their very essence is what is due to our neighbour on account of 'common humanity.' That is their moral basis.

## 2.6 Who is my global neighbour? A case study

**2.6.1** If we accept that human rights are a manifestation of love-informed justice for our neighbour, then we are challenged to accept our obligations to our global neighbours, now and in the future. While we might never meet our neighbour, we are increasingly aware of both their living and their suffering, some of which is a consequence of our actions. An example is access to water.

**2.6.2** In 2010, the United Nations recognised that without water 'life cannot be lived to the full and all other human rights are inaccessible.' The resolution, adopted by consensus by the United Nations Human Rights Council in 2010, affirms that the right to water and sanitation are part of existing international law. Yet a lack of secure access to safe water kills more children annually than AIDS, malaria and measles combined, while the lack of sanitation affects 2.6 billion people, or 40% of the global population.<sup>16</sup>

**2.6.3** In parts of the world climate change is making secure access to water uncertain. Although the recognition to the right to water is a huge step forward this has yet to be carried through into law and so suffering remains. For example the residents of Shimulala village in Zambia's copper belt have been campaigning against the multinational Konkola Copper Mines who the community

claimed have poisoned the Shimulala river, their source of clean water, with mine waste. This has stripped them of their livelihoods and forced them to buy expensive water to survive. The villages want compensation for the destruction of their water supply and for such extractive industries to declare what they pay in tax to the Zambian government. Tax justice would ensure the \$160 billion deprived from developing countries in tax revenue could be contributed to provide essential services such as clean water and sanitation.

**2.6.4** In Bolivia the glaciers of the High Andes are receding,<sup>17</sup> creating uncertainty about future water supply. Yet the people of Bolivia contribute relatively little greenhouse gas emissions compared to the most developed countries; we are contributing indirectly to the problems of water supply in Bolivia. This is an issue of climate justice, a growing area of the human rights debate. The people of Bolivia are our neighbours and if one of the consequences of climate change is to put at risk their water supply, then love-informed justice should lead us to add our voices to the call for climate justice.

## 2.7 Human rights and inter faith relationships

**2.7.1** The notion of universal human rights makes us consider the importance of inter faith relationships. There is a large area of common ground with Judaism based on a common sharing of Hebrew Scriptures and equally many Muslims see a basis in the Qur'an for human rights. While admitting the poor record of all religious institutions, including the churches, in defending the rights of others, there is, nonetheless, a basis for fundamental rights at the heart of all the major world faiths. Hans Kung appeals to the "spiritual force" in religion "which could change the face of the earth for better".<sup>18</sup> The Church and Society Commission of the Conference of European Churches has done considerable work on human rights and religious

<sup>16</sup> *Hungry for Justice*, Andrew Hogg (Editor), and others. Published by Christian Aid in 2010. Available to download from <http://www.christianaid.org.uk/images/hungry-for-justice.pdf> (accessed 28 March 2013).

<sup>17</sup> For information see <http://www.sciencedaily.com/releases/2013/01/130122101907.htm> (accessed 28 March 2013).

<sup>18</sup> *Theology for the Third Millennium* by Hans Küng, published by Knopf Doubleday in 1990, page 242.

freedom in the context of the end of communism in Eastern Europe, including the production a training manual for use in Churches.<sup>19</sup> Making, for example, the theology of radical hospitality and the celebration of difference a human reality, would do much more to make sense of human rights than court-based competitive arguments. But these ideas are not exclusive to Christianity.

### 2.7.2 Rabbi David Rosen ends an extended comment on human rights thus:

“In its fundamental affirmation of universal sanctity of human life and dignity resultant from the concept of the image of God in all persons, we find the very foundation for as well as transcendental value of universal human rights.”<sup>20</sup>

### 2.7.3 The Muslim thinker Tariq Ramadan argues for a mutual respect, going beyond mere toleration, between free and equal human beings, autonomous and independent nations, or civilisations, religions and cultures:

“It begins with the recognition that the presence of the other within my own conception of the world is both a fact and a necessity ... Pluralism is a precondition for humility and a defence against potential excesses ... The verse ‘Had God so willed, He would have made you a single community’ The relationships created by diversity are the place of neighbourliness, the expression of God’s justice.”<sup>21</sup>

### 2.7.4 We have to move outside our own community to experience with empathy and the warmth of positive regard, our common humanity with others in our differences.

This is the opposite of an individualism and laziness that cannot be bothered to meet and come to like others. There is a strong case for a joint ‘three faiths’ approach to human rights issues in the Middle East. When Christians engage in the promotion of human rights it will be wisest to recognise how much common ground we share with people of all faiths and none, especially in standing with the poor, widows, orphans and the stranger, rather than being concerned with defending our own corner.

## 2.8 Human rights in the public square

**2.8.1** According to the gospel of Luke (4:18-19,) in the first words attributed to Jesus at the beginning of his ministry, he quotes Isaiah 61:1

“The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord’s favour.”

**2.8.2** He invites those listening to come and do this with him. The Kingdom of God is God’s goal for us and we are called to live our lives pointing to it, here in the present. Justice, forgiveness, reconciliation and equity is ours to strive for in every relationship. This remains the framework that shapes the Church’s public engagement in respect of human rights. We have a distinct call to speak out against injustice and for the oppressed. It is from within this framework that we speak truth to power, not trying to throw our weight around with regard to “rights” for ourselves, but in throwing our weight behind those who struggle for justice.

**2.8.3** Such engagement will include listening to and learning from other views. This acknowledges that in many areas of rights – for example gender, disability, race and sexuality – the institutions of the Church have had to be challenged by secular understandings of human rights in order better to love our neighbours and our members. We criticise the systemic injustice that causes the poor and vulnerable to be deprived of their rights to flourish. It is for the human rights of these most vulnerable and oppressed that we are called to use our God-given voice, action, support and love.

<sup>19</sup> For information see <http://csc.ceceurope.org/issues/human-rights/> and for the training manual visit <http://csc.ceceurope.org/issues/human-rights/csc-human-rights-training-manual/> (accessed 28 March 2013).

<sup>20</sup> *Judaism and Human Rights* by David Rosen, available at [www.rabbidavidrosen.net/Articles/Judaism/Judaism%20and%20Human%20Rights.doc](http://www.rabbidavidrosen.net/Articles/Judaism/Judaism%20and%20Human%20Rights.doc) (accessed 28 March 2013).

<sup>21</sup> *The Quest for Meaning* by Tariq Ramadan, published by Allen Lane in 2010, page 73.

## 2.9 Conclusion

**2.9.1** We have shown how there are two key themes for a Christian approach to human rights; firstly, human rights do not exist in the abstract or as commodities to be possessed by individuals unconnected to God and those around them, but are manifestations of just human relationships with God and with each other; and secondly, that human rights are an expression of how we understand the role in society of a vision of justice informed by love.

**2.9.2** The law has a valuable part to play in shaping, defining and enacting those rights, but to limit our conception of human rights to any legal system is not of itself sufficient to give full expression to love-informed justice. Law is not, of itself, moral: it is, at its best, the means by which a society aspires to justice.

**2.9.3** Humanity's worth lies in the reality of God. Human rights are fundamentally an expression of relational justice. Micah's imperative to 'act justly, love mercy and walk humbly

with God' should drive the creation and definition of legally enforceable human rights, and not the other way round. For a Christian, the foundation of such justice is the nature of God, who created and loves humanity and, through Jesus, calls us to love our neighbour unconditionally. The Christian interpretation of human rights extends beyond the realm of law and morality, rooted in love-informed justice; a call to live in *shalom*. If the Church is to engage with the complex realities of living justly in a world where resources are increasingly under pressure then it must embrace an understanding of human rights framed in an active belief in loving one's neighbour as oneself. This means that we are impelled to love every person, in every place, including the generations that are to come.

*In the name of the Council*

SALLY FOSTER-FULTON, *Convener*  
CHRISTOPHER WIGGLESWORTH, *Vice-Convener*  
EWAN AITKEN, *Secretary*

**REPORT  
OF THE  
CHALMERS LECTURESHIP TRUST  
MAY 2013  
PROPOSED DELIVERANCE**

**The General Assembly:**

1. Receive the Report.
2. Invite the Trustees to bring nominations of new Trustees to a future General Assembly.

**REPORT**

**1. Chalmers Lectures 2008-12**

The Rev Dr Johnston Mackay delivered his lectures entitled *The Kirk and The Kingdom – A Century of Tension in Scottish Social Theology 1830-1929*, in both St Andrews and Edinburgh in the academic term of 2011-2012. These lectures were published by Edinburgh University Press with the help of subvention funding obtained from the Hope, Baird and Chalmers Trusts. The Trustees are grateful to Dr Mackay for a piece of work that helps the people of today's Scotland and today's Church of Scotland to understand something more of the social history and social theology of the 19th Century. Dr McKay unearths the practical social theology of the 19th Century Church in Scotland and asserts that the Church was not lacking in commitment to improving the conditions of those living in urban poverty and deprivation. The example of theologians like Robert Flint and the parish minister Frederick Lockhart Robertson led to the idea that religion could not be complacent about the need for social action. These lectures are a significant contribution to the Church's understanding of itself.

**2. Lectures marking the anniversary of the Scottish Reformation**

The Trustees are also pleased to report that three other lectures were underwritten by the Trust; these were delivered by the Rev Dr Doug Gay, the Rev Douglas Galbraith and the Rev Dr Ian Hazlett to mark the celebration of the 450th anniversary of the Scottish Reformation.

**3. Chalmers Lectures 2012-6**

The Trustees have agreed that the Chalmers Lectures for the ensuing period should be delivered by the Rev Dr Doug Gay and accordingly have invited him to deliver lectures in the Academic Term of 2015-2016. Dr Gay has been asked to present a series of lectures exploring new ways in which the Church's life can be expressed while continuing to embrace an appropriate institutional life. These lectures might also address the question of what an appropriate structure of institutional Church life would look like in a modern Scotland. Delivered in the aftermath of the independence referendum these lectures

will contribute to our understanding of the place of the Church in our national life whatever that may be, come 2015. Furthermore, the Trustees have invited Dr Gay to give serious consideration to how these lectures might creatively be delivered and disseminated giving particular thought to how that would be done in this digital age. It will also be important, however, that the lectures can be published as a stand-alone book.

#### **4. Trustees**

Following the resignation from the Trust of the Rev Jean Montgomery it is the intention of the Trustees to meet in the near future to make a new appointment and also fill a vacancy that exist on the Trust. These new appointments will be reported to the Assembly in due course. Thanks to Miss Montgomery are duly recorded.

*In the name of the Trust*

JOHN P CHALMERS, *Chairman*

**REPORT  
OF THE  
COMMITTEE ON OVERTURES AND CASES  
MAY 2013  
PROPOSED DELIVERANCE**

**The General Assembly:**

1. Receive the Report.
2. Approve the actions of the Committee.

**REPORT**

In terms of Standing Order 68 the Committee has considered one Overture from the Presbytery of Lothian and has resolved to transmit it to the General Assembly. Standing

Order 72 does not apply in this case.

*In the name and by the authority  
of the Committee*

JOHN CHALMERS, *Convener*

# LEGAL APPENDIX CONSEQUENT UPON THE REPORT OF THE THEOLOGICAL COMMISSION ON SAME-SEX RELATIONSHIPS AND THE MINISTRY

MAY 2013

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### AMENDED DELIVERANCE

#### 1. Introduction

1.1 In the course of its work the Theological Commission invited the Principal Clerk to prepare a Legal Appendix which would outline the implications for the Church of Scotland of following either of the proposals (*ie* Revisionist or Traditionalist) set out in the Commission's Report. Some of these implications concern Church Law and procedure and others arise in the interface between Church Law and Civil Law. Insofar as it is possible to do so, this Appendix seeks, in accessible language and without reference to the merits of the theological arguments, to summarise the points of law with which Commissioners to the General

Assembly will have to be familiar if they are to make informed decisions.

1.2 The Commission also invited the Principal Clerk to put together a legal drafting group which had the specific remit of:

- (a) preparing the detailed wording of the Overture referred to in Section 2a) of the Deliverance, and
- (b) considering whether or not anything more than Section 2b) of the Deliverance as printed, was required and, in particular whether the Traditionalist proposal would be better served by use of a Declaratory Act, Overture and Interim Act.

The legal drafting group consisted of the Rev Dr John McPake, the Rev Gordon Kennedy, the Rev Dr Marjory MacLean (all members of the Theological Commission), the Principal Clerk, the Depute Clerk, the Solicitor of the Church, the Procurator, the Legal Drafting Officer, the Rev George Cowie and the Rev Alan Hamilton. It met twice and was principally involved in helping to frame the Overture relating to Section 2a) of the Deliverance and in framing the Declaratory Act and Overture which appear as Appendices B and C of this Legal Appendix.

**1.3** It is the fervent hope of the Theological Commission that this Legal Appendix, offered in the names of the Convener and the Principal Clerk, gives the General Assembly a clear understanding of the legal framework which will be required as a consequence of adopting either of the proposals outlined in the Commission's Report. In this way, it is to be hoped that the General Assembly will be able to come to a mind solely on the merits of the theological arguments set out in the Commission's Report. By clarifying such matters it is hoped that the Assembly can focus its mind on the theological discourse, with some confidence that whatever the mind of the Church is on these matters the appropriate legislation and safeguards can be put in place.

**1.4** As a consequence of the work of the Legal Drafting Group and on the advice of the Church's Legal Advisers (namely the Principal Clerk, the Solicitor and the Procurator) the content of this Legal Appendix has prompted the Convener, with the support of the Theological Commission, to offer the General Assembly a number of proposed amendments to the Deliverance as printed on page 20/6 and 20/7; these amendments are included at the end of this Appendix and for clarity an updated version of the whole Deliverance as proposed by the Theological Commission is included on pages 61-63.

**1.5** Finally for the sake of completeness this Legal Appendix offers in Section 8 a note of other options which might be proposed as amendments. It is important that any Commissioner proposing amendments which would

require detailed alternative legislation should seek the advice of the Principal Clerk's Office so that the required material can be prepared and printed in good time before the General Assembly hears the Commission's Report.

**1.6** The following is a summary of the main points with which Commissioners to the General Assembly should be familiar.

## **2. Understanding Church Law and Practice**

### **2.1 The Implications of adopting Section 2a) of the Deliverance**

**2.1.1** Section 2a) of the Deliverance invites the General Assembly to confirm the Revisionist trajectory as approved by the General Assembly of 2011. This would pave the way for the "mixed economy" referred to in Section 6.1, page 20/37 of the Report. The principles to be enshrined in the Overture referred to in Section 2a) of the Deliverance are as set out in Appendix I to the Report (Reports page 20/93). The detailed Overture in its draft form is now contained in Appendix A to this Legal Appendix.

**2.1.2** The principles to be contained in the Overture have not changed, but the expression of these principles, in legal terms, has now been refined to the point that those members of the Theological Commission who support Section 2a) of the Deliverance are comfortable with presenting this legislation in this form to the General Assembly. If approved, this Overture would require to be sent down to Presbyteries for consideration under the Barrier Act (see Section 3 below).

**2.1.3** For the avoidance of doubt, if the Overture is enacted, its provisions will only apply to the ordained ministries of Word and Sacrament and the Diaconate. If the Church decides to follow the Revisionist trajectory, amending legislation in relation to the Eldership and Readership will be brought to a future General Assembly.

### **2.2 The Implications of adopting Section 2b) of the Deliverance**

**2.2.1** Section 2b) of the Deliverance invites the General Assembly to depart from the trajectory chosen by the

General Assembly of 2011 and instead to affirm the traditional understanding that no individual who is in a same-sex sexual relationship (and, for these purposes, a Civil Partnership is taken to be a same-sex sexual relationship) is eligible to be ordained to ministry within the Church of Scotland. Nonetheless, Section 2b) of the Deliverance acknowledges that the Church has to deal with the reality of those in same-sex sexual relationships who were ordained and/or inducted prior to 31 May 2009 when the General Assembly first imposed a moratorium on the training, ordination and induction of Ministers and the training and ordination of Deacons in same-sex relationships.

**2.2.2** In the Report, Section 2b) ii) of the Deliverance dealt with this by instructing the Ministries Council and the Legal Questions Committee in collaboration to address the pastoral, procedural and legal implications on (i) the selection process (ii) discipline, and (iii) the position of Ministers of Word and Sacrament and Deacons in same-sex relationships who were ordained and/or inducted prior to 31 May 2009; and to report with any necessary Act or amendment of Acts to the General Assembly of 2014.

**2.2.3** Having given further consideration to this matter, in the light of the opinion of the Church's Legal Advisers, those members of the Theological Commission who support Section 2b) of the Deliverance present the substance of Section 2b) ii) as a Declaratory Act (Appendix B) and an Overture (Appendix C). By approving the Declaratory Act the Church would place beyond doubt its understanding of the position of persons in same-sex sexual relationships; by passing the Overture it would also make legal provision for those persons who were ordained and/or inducted prior to 31 May 2009 and who are in same-sex sexual relationships. The content of this Overture would also require it to be sent down to Presbyteries under the Barrier Act (see Section 3 below) but, since it seeks to provide that those who were ordained and/or inducted before 31 May 2009 and are in same-sex sexual relationships should, with immediate effect, be afforded the same status as any other Minister of Word and Sacrament or Deacon, the Assembly

is invited to pass this measure as an Interim Act, bringing this legislation into force at once.

**2.2.4** For the avoidance of doubt, if the Declaratory Act set out in Appendix B is enacted, its provisions will only apply to the ministries of Word and Sacrament and the Diaconate. If the Church decides to follow the Traditionalist trajectory, amending legislation in relation to the Eldership and Readership will be brought to a future General Assembly.

### **3. What is an Overture and Why the Barrier Act? What is an Interim Act?**

**3.1** Barrier Act procedure applies to proposed innovative Acts on doctrine, worship, discipline and government of the Church which are to be 'binding Rules and Constitutions to the Church'.<sup>1</sup> Before coming into effect any proposed Act which, in the opinion of the General Assembly, falls into any of these categories must first be approved as an Overture by the General Assembly and then sent down to Presbyteries for their consideration, with each Presbytery having one vote. It is the view of the Church's Legal Advisers that Barrier Act procedure should apply to legislation which would enable the permissions and protections contained in the Revisionist Overture to be enacted.

**3.2** It is also the view of the Church's Legal Advisers that legislation protecting the position of Ministers of Word and Sacrament and Deacons ordained and/or inducted prior to 31 May 2009 and who are in same-sex sexual relationships also requires Barrier Act procedure, but as has been said above (see Section 2.2.3), this could be given immediate effect by way of the passing of an Interim Act. Such an Act would be binding until the General Assembly of 2014 and would either then be confirmed or fall depending on whether or not the legislation was approved by a majority of Presbyteries.

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<sup>1</sup> [http://www.churchofscotland.org.uk/about\\_us/church\\_law/barrier\\_act](http://www.churchofscotland.org.uk/about_us/church_law/barrier_act)

**3.3** In any event therefore, a decision to approve the terms of the Revisionist Overture at this General Assembly would not lead to the immediate enactment of this legislation. The Overture would only be converted into an Act, which would become the law of the Church of Scotland, if it succeeded in attracting the approval of this General Assembly, a majority of Presbyteries and the approval of the General Assembly of 2014. The Overture would fail if it did not achieve a majority at any one of these three stages. The same principles would apply to the Traditionalist Overture. That, in summary, is the substance and the effect of the Barrier Act.

#### **4. What is a Declaratory Act and why does the Barrier Act apply to any part of the Traditionalist Proposal?**

**4.1** The Traditionalists on the Commission seek to state clearly and succinctly what they believe is already the position of the Church of Scotland. A Declaratory Act is a vehicle used by the Church to declare doctrinal standards or to clarify or consolidate practice. Declaratory Acts do not make new law; instead, their effect is to declare what the law already is. By using this mechanism, if there was any doubt about the Church's position on any matter a Declaratory Act would place it beyond dispute.

**4.2** However, if the Traditionalist position is affirmed by the General Assembly as the position of the Church of Scotland, then the status of those persons who were ordained and/or inducted prior to 31 May 2009 and who are in same-sex sexual relationships requires to be clarified. In recognition of the fact that those persons have been ordained and/or inducted into their respective ministries, and that to seek to apply a retrospective ruling on their status might be considered unjust, it is important that provision be made for them to continue their ministry on the same terms and with the same status as any other minister. It is this accommodation within the Church which requires a short piece of legislation; but since this too is an innovation allowing for a limited element of mixed economy within the Church, it requires Barrier Act procedure for it to be enacted. This short piece of legislation would apply to

those Ministers of Word and Sacrament and Deacons who were ordained and/or inducted prior to 31 May 2009 and who are in same-sex sexual relationships.

**4.3** The Overture to accompany the Traditionalist proposal is contained in Appendix C to this Legal Appendix and Section 2b) of the Deliverance has been amended to take account of the presentation of the Declaratory Act (Appendix B) and the Overture (Appendix C). It is important to note, however, that a further section of Deliverance (new 2b) iv)) has been included which, if approved, would turn the Overture into an Interim Act, thus giving immediate effect to the protections intended in the Overture.

#### **5. Extent of Powers**

**5.1** In relation to all the matters referred to in Sections 2, 3 and 4 above it should be noted that not even Overtures approved under the Barrier Act and Declaratory Acts passed by previous General Assemblies can prevent a future General Assembly from giving fresh consideration to the matters that they enshrine in law.

#### **6. The Mixed Economy and the Implications of Civil Law**

**6.1** As is stated in both the Report and in this Legal Appendix, during the discussions within the Theological Commission, the model to implement the Revisionist trajectory, in accordance with the remit described in section 7b) of the Deliverance of the Special Commission's Report to the 2011 General Assembly, became known as the "mixed economy" solution. The term "mixed economy" in this context describes the desire that both Traditionalist and Revisionist views and beliefs on this issue might be accommodated within the legal framework of the Church of Scotland. This model does, however, throw up particular issues in Civil Law.

**6.2** The Overture contained in Appendix A defines the parameters of discrimination that the General Assembly might seek to apply within the Church of Scotland. In particular the Overture seeks to give Kirk Sessions the power to impose a requirement that in their context they

would not elect or otherwise appoint a Minister of Word and Sacrament or a Deacon who was in a Civil Partnership. In order to apply this requirement (and in defence of any subsequent claim of discrimination under the Civil Law), a Kirk Session would be relying on the protections against claims for workplace discrimination provided for religious bodies which are contained in Schedule 9 to the United Kingdom *Equality Act 2010* ("the Act").

**6.3** There are two ways in which the Act protects religious bodies against claims for workplace discrimination. The first is "the compliance principle" which permits certain categories of discrimination where the requirement in question is applied so as to comply with the doctrines of the religion.<sup>2</sup> This test has been said to be an objective one, rather than subjective and reliant upon the motivation of the employer. With the Revisionist position, given the extensively reasoned competing views within the Church as to the acceptability of clergy in same-sex sexual relationships, it is difficult to argue that there are doctrinal reasons for a congregation's refusal to appoint someone who is in a Civil Partnership, and is not celibate, as a minister of Word and Sacrament or Deacon. The Traditionalist position may be different, although even here it may be difficult to argue in a court of law that the position is "doctrinal" as understood in terms of the compliance principle. The Traditionalist Declaratory Act does allow members of the Church the right to teach and preach on matters of human sexuality as Scripture and conscience shall lead them, those who were ordained and/or inducted before 2009 are to be allowed to remain within ministry and, of course, the Articles Declaratory allow liberty of opinion in points which do not enter into the substance of the Faith. Protection under the compliance principle may, therefore, be difficult to claim in relation to this particular matter whichever of the competing views prevails after conclusion of the Church's legislative process.

**6.4** The second means of protection in Schedule 9 of the Act is known as "the non-conflict principle". This is engaged

where, because of the nature or context of the employment, the requirement in question is applied so as '*to avoid conflicting with the strongly held religious convictions of a significant number of the religion's followers*'.<sup>3</sup> This avoids the difficulty of identifying a particular doctrine, and appears to be worded so as to avoid debates as to whether the statistical majority of a religion's followers hold particular views. It envisages that, within a religious organisation, there may be differing views, of varying strength, on an issue and it is this principle of the Act which has been used by other churches in the United Kingdom to apply preconditions on gender and on sexual orientation to particular appointments in particular contexts.

**6.5** The wording of this principle does not specifically mention geographic or local factors. It is therefore uncertain that it protects those seeking to apply a discriminatory requirement within a church whose general position is not to bar clergy with a particular characteristic. Since the point has never been judicially tested, no one can guarantee that it would be watertight as a defence should a legal challenge be made. Following careful consideration, the Church's Legal Advisers commend to the Assembly the view that the level of risk involved in the enacting of the proposed Overture is such that it should not prevent the Assembly from making and implementing a decision on this matter purely on the merits of the theological argument.

**6.6** A Letter of Comfort from the Equalities Office records the views of United Kingdom Government officials as follows:

- That the Equalities Office understands that the Church of Scotland is considering adopting a "mixed economy", whereby congregations content to appoint as minister a person with the relevant characteristic may do so but those who wish not to do so need not.
- That congregations in the latter category will be protected against civil claims for discrimination.
- That the means of protecting the latter category of

<sup>2</sup> Equality Act 2010, Schedule 9 Pt.1, paragraph 2(1), (2).

<sup>3</sup> Equality Act 2010, Schedule 9, Pt.1, paragraph 2(6).

congregation is via the wording in Schedule 9 para 2(6) to the *Equality Act 2010*.

- That this provision offers such protection so long as the requirement is being applied to accord with the strongly held religious convictions of a significant number of the followers of the religion in that congregation.
- That although the Act is less specific, the Equalities Office takes that view because protection of individual congregations in those circumstances was the express intention behind the inclusion of this wording at the time of the drafting of the Equality Bill, now the *Equality Act 2010*.

Of course, until such times as this opinion is tested in a court of law it will remain, like all other legal opinions, just that – an opinion. Nonetheless, this interpretation of the Act (and similar wording in the Employment Equality (Sexual Orientation) Regulations 2003 which it replaced) has been adopted by other denominations for more than 10 years; moving forward therefore becomes a matter of risk assessment rather than legal analysis.

**6.7** In this regard it is important to note that both the Traditionalist and the Revisionist Overtures present an element of risk of legal challenge if adopted by the Church of Scotland and the risks of both proposals have to be assessed. In estimating the level of any risk consideration has to be given to at least two particular elements:

- (i) the likelihood of a challenge being made, and
- (ii) the likelihood that a challenge, if made, will be successful.

In each case (iii) the resulting impact is also relevant. The net risk is an amalgam of these elements. It is very difficult to differentiate the net risks of either of the choices set before the General Assembly by the Commission. The possibility of a challenge is real whichever path is followed; however in the view of the Church's Legal Advisers this level of risk is sufficiently low that it should not deter the Assembly from coming to its decision purely on the basis of the theological material that it has before it.

**6.8** The Assembly should bear in mind that it would not be inconsistent with the past policy of the Church to indemnify and defend those who might, *in extremis*, find themselves facing a civil claim for discrimination.

**6.9** The Procurator will be prepared, if asked, to say more on this matter at the General Assembly.

## **7. What of the Independent Jurisdiction of the Church of Scotland?**

**7.1** In the past the Church might have considered this to be a matter belonging to its own jurisdiction, as set out in the *Articles Declaratory of the Constitution of the Church of Scotland Act 1921*.<sup>4</sup> Now, however, the Church's Legal Advisers consider that the Act may not provide an answer for the Church should our internal procedures be argued not to comply with Civil Law as contained in the *Equality Act 2010*, which in turn seeks to implement European law. This view is consistent with the opinions expressed in the House of Lords in the *Percy* case that claims arising from breaches of discrimination law would not be regarded as being matters of a spiritual nature.

**7.2** Nor is there a single claim to a concise understanding of the *Articles Declaratory of the Church of Scotland* that would settle this matter. One school of thought is strongly of the opinion that Scripture, *Confession* and the Church's limited scope to alter its fundamental doctrines are the defining characteristics of the Church of Scotland, whilst holding that it is a constitutional and inalienable right belonging to the Church itself to be the sole judge in matters of doctrine. The alternative school of thought goes further, placing greater stress on 'liberty of opinion', and does not see the Church as being constitutionally frozen in time. Rather they see the Church as having the inherent capacity to modify its self-understanding by Acts of the General Assembly and by consuetude. There does not therefore appear to be much comfort or clarity in trying to

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4 <http://www.legislation.gov.uk/ukpga/Geo5/11-12/29>

use legal analysis of the *Articles Declaratory of the Church of Scotland* as a route to resolving this issue.

## 8. Other Options

**8.1** In the course of consultation with the Church's Legal Advisers the Commission also heard of two other approaches to this matter which might, in the course of the debate, be considered by the General Assembly.

**8.2** One of these would be to arrange the "mixed economy" approach around a legal provision which would regard the Traditionalist position as each congregation's default position, while allowing Kirk Sessions the ability to "opt-in" to the policy of allowing the appointment of a Minister of Word and Sacrament or a Deacon in a Civil Partnership. This would also require the adoption of an Overture, but it would be couched in different terms and it would put the onus on Kirk Sessions actively to consider their policy at the time of a vacancy.

**8.3** The other option which has surfaced is that of simply complying in full with the *Equality Act 2010* and adopting a position where no Kirk Session would have the option of either opting-in or opting-out of a general policy of non-discrimination. This too would require the adoption of an Overture which would invite the Church to affirm that persons who are in a same-sex sexual relationship and who have made a life-long commitment in a Civil Partnership should be eligible for ordination to the Ministries of the Church of Scotland.

**8.4** Neither of these options is being promoted by the Commission, but the Assembly should be aware that some thought has been given to the legal framework required by such proposals and, if necessary, the Principal Clerk's Office would give advice to any Commissioner who sought information on how to pursue either of these lines or any other significant variations of approach.

JOHN L McPAKE, *Convener*  
JOHN P CHALMERS, *Principal Clerk*

## APPENDIX A

### OVERTURE ANENT CIVIL PARTNERSHIPS, ORDINATIONS AND APPOINTMENTS, AND SERVICES OF RECOGNITION

The General Assembly adopt the Overture, the tenor whereof follows, and transmit the same to Presbyteries for their consideration under the Barrier Act, directing that returns be sent to the Principal Clerk not later than 31 December 2013.

*The General Assembly, with the consent of a majority of Presbyteries, hereby enact and ordain as follows:*

#### Definitions

1. In this Act:
  - (a) "Appointment" means an appointment by an employing agency of the Church to a congregation or group of congregations as a member of a team ministry, a locum, an ordained local minister, a probationer minister or Deacon or a student on placement;
  - (b) "employing agency" includes a Kirk Session or the financial court of a congregation or group of congregations;
  - (c) "linked charge" has the meaning given in section 10 of Act VII 2003 (Act Anent Appraisal and Adjustment) (as amended);
  - (d) "a member of a team ministry" means a Minister or Deacon, other than the inducted minister of a congregation or group of congregations, who is working in the congregation or congregations.

#### Principles of this Act

2. Subject to the provisions of this Act:
  - (a) A person shall not be barred from being selected or trained for, or ordained to the ministries of Word and Sacrament or the Diaconate, or from being inducted or introduced to a pastoral charge or Appointment, by virtue of his or her sexual orientation.
  - (b) A person shall not be eligible to be selected or trained for, or ordained to the ministries of Word and

Sacrament or the Diaconate, or to be inducted or introduced to a pastoral charge or Appointment, if he or she is in a sexual relationship outwith the confines of either marriage or Civil Partnership.

**3. Notwithstanding section 2 of this Act:**

- (a) A Kirk Session of a vacant congregation may resolve, in advance of the advertisement of the vacancy, to impose a requirement that the nominee must not be in a Civil Partnership and shall inform the Nominating Committee, or its members in a Nominating Committee of a linked charge, that it has so resolved. Such a resolution shall be binding upon the Nominating Committee.
- (b) A Kirk Session may resolve, in advance of an Appointment by an employing agency of the Church to that congregation or to a group of congregations including that one, to impose a requirement that the person appointed must not be in a Civil Partnership.
- (c) A Kirk Session may resolve to impose a requirement that an Interim Moderator appointed by the Presbytery must not be in a Civil Partnership or a same-sex sexual relationship.

**4.** Where a Kirk Session makes a resolution in terms of subsections 3(a), (b) or (c) above, the making of that resolution shall be publicised appropriately.

### **Consequences of subsequent Civil Partnership**

**5.** Where a Kirk Session has exercised its rights in terms of subsections 3(a), (b) or (c) above and the person then appointed at any time subsequently enters into a Civil Partnership, the Presbytery or other employing agency shall, if requested to do so by the Kirk Session, take appropriate steps to end the appointment of that person (including if appropriate severance of the pastoral tie).

### **Protections of Conscience & Limits to that Protection**

**6.** The following protections of conscience shall apply, subject to the proviso and conditions stated, and subject also to the provisions of sections 7 and 8:

- (a) Courts of the Church and individuals may express their opposition to the principles enshrined in this Act, provided always that any such expression of opposition must not contravene other laws of the Church, including without limitation Act IV 2007 anent Bullying (as amended) and Act V 2007 anent Discrimination (as amended).
- (b) A member of a Presbytery may decline, on the sole ground of opposition to the principles enshrined in this Act, to attend ordinations, inductions or introductions within the bounds of the Presbytery and shall take all possible steps to give notice of such intention to the Presbytery Clerk at least seven days in advance. If required, the Presbytery shall invoke the provisions of Act VI 2002 anent Cooperation between Presbyteries (as amended) in order to effect an ordination, induction or introduction.

**7.** For the avoidance of doubt, no Presbytery may refuse to sustain a call on the ground that a person is in a Civil Partnership.

**8.** No member of a Court or committee of the Church shall be excused as a matter of conscience any other duties or responsibilities in respect of their membership of that Court or committee.

### **Change of policy**

**9.** A change of policy by a Kirk Session shall not prejudice the interests or affect the tenure of anyone previously ordained, inducted or introduced in terms of this Act. Where a Kirk Session resolves to change its policy, it shall send written notification to the Presbytery. Where the Presbytery learns of a change of policy by a minister or Kirk Session it shall thereafter take an urgent pastoral and superintendence interest in the well-being of the minister and congregation.

### **Disciplinary Standards**

**10.** The standards of conduct in their personal relationships required of persons ordained to the ministries of Word and Sacrament and the Diaconate shall be enforced by Presbyteries consistently regardless of sexuality and in conformity with the provisions of this Act.

### Services recognising Civil Partnerships

11. A minister may conduct within the bounds of his or her parish, or within the bounds of another parish with the permission of the minister thereof, a service recognising the occurrence of a Civil Partnership ceremony; but no minister shall be obliged to conduct such a service or to give permission to another minister to do so within the bounds.

12. A Deacon may, with the consent of and under the direction of the relevant parish minister, conduct a service recognising the occurrence of a Civil Partnership ceremony, but no Deacon shall be obliged to conduct such a service.

13. Such a service as is referred to in sections 11 and 12 shall be confined to the recognition of the occurrence of a Civil Partnership ceremony and to intercession for the couple, and shall not be designed or understood to create any further commitment or confer any further status.

### Interpretation

14. The provisions of sections 2, 3 and 5 of this Act give effect to the strongly held religious convictions of a significant number of the followers of the Church of Scotland.

## APPENDIX B

### DECLARATORY ACT ANENT THE DOCTRINE OF THE CHURCH OF SCOTLAND WITH RESPECT TO SAME-SEX SEXUAL RELATIONSHIPS AND THE MINISTRY

*Edinburgh, xx May 2013, Sess yy*

The General Assembly declare as follows:

1. No individual who is in a same-sex sexual relationship shall be eligible for selection or training as a candidate, nor for ordination, induction or appointment to ministry within the Church of Scotland. For the avoidance of doubt, no individual who is in a civil partnership shall be eligible for selection or training as a candidate, nor for ordination, induction or appointment to ministry within the Church of Scotland.

2. For the avoidance of doubt, any member of the Church shall have the right to teach and preach on matters of human sexuality as Scripture and conscience shall lead them.

3. The standards of conduct required of ministers in their personal relationships shall be enforced by Presbyteries consistently with the provisions of this Act.

### 4. Interpretation

- (1) "ministry" and "ministers" in this Act includes members of the Diaconate.
- (2) The provisions of this Act shall apply equally to office-holders and to ministers and Deacons who are employees.
- (3) Acts VIII 2003 anent Vacancy Procedure (as amended), X 2004 anent Recruitment and Selection for the Full-Time Ministry and Eligibility for Ordination (as amended), VIII 2010 (the Consolidating and Amending Act anent Deacons) and IX 2011 anent the Ordained Local Ministry (as amended) shall all be interpreted consistently with this Act.

## APPENDIX C

### OVERTURE ANENT MINISTERS AND DEACONS WHO WERE ORDAINED AND/OR INDUCTED BEFORE 31 MAY 2009

The General Assembly adopt the Overture, the tenor whereof follows, and transmit the same to Presbyteries for their consideration under the Barrier Act, directing that returns be sent to the Principal Clerk not later than 31 December 2013.

*The General Assembly, with the consent of a majority of Presbyteries, hereby enact and ordain as follows:*

1. Without prejudice to the terms of the Declaratory Act Anent the Doctrine of the Church of Scotland with respect to Same-Sex Sexual Relationships and the Ministry (Act [ ] of 2013), Ministers of Word and Sacrament and Deacons

who were ordained and/or inducted before 31 May 2009 and who are in same-sex sexual relationships shall have the right to remain as ministers or Deacons of the Church of Scotland on the same terms and with the same status as any other minister or Deacon.

2. Ministers of Word and Sacrament or Deacons who wish to exercise their right under section 1 above shall inform their Presbytery Clerk.

### AMENDED DELIVERANCE

The Convener has given notice of motion that on the Report of the Theological Commission on Same-Sex Relationships and the Ministry, he will move the following amendments to the Deliverance:

1. Amend section 1 of the Deliverance by adding the words, *“of the Theological Commission and the Legal Appendix”*

2. Amend section 2a) ii) by replacing, *“XXX to the Report”* with the words, *“A to the Legal Appendix”*.

3. Withdraw section 2b) ii) of the Deliverance and replace it with the following sections:

2b) ii) Pass the Declaratory Act Anent the Doctrine of the Church of Scotland with respect to Same-Sex Sexual Relationships and the Ministry in the terms set out in Appendix B.

2b) iii) Approve the Overture Anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013.

2b) iv) Pass as an Interim Act the said Overture Anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C.

and renumber.

**All such that the amended Deliverance of the Theological Commission on Same-Sex Relationships and the Ministry will read as follows:**

#### The General Assembly:

1. Receive the Report of the Theological Commission and the Legal Appendix.

#### 2. EITHER

- a) (i) Acknowledge that the question of the ordination of those in same-sex sexual relationships who are also in a Civil Partnership is a matter to which liberty of conscience, guaranteed by the Church on matters that do not enter into the substance of the faith, applies.
- (ii) Approve the Overture anent Civil Partnerships, Ordinations and Appointments, and Services of Recognition, set out in Appendix A to the Legal Appendix, and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013;
- (iii) Instruct the Legal Questions Committee to take all necessary steps to ensure the protections set out in the Overture anent Civil Partnerships, Ordinations and Appointments, and Services of Recognition, in order to enable the Overture, if enacted in 2014, to come into force on a date to be determined by the General Assembly;
- (iv) Approve, in principle, the liturgical material set out in Section 6.14 of the Report, to be authorised for use in the event of the Overture being enacted by the General Assembly of 2014;
- (v) Instruct all Courts, Councils and Committees of the Church not to make decisions in relation to the acceptance of persons in a same-sex sexual relationship for training, ordination and induction as ministers of Word and Sacrament or Deacons, including transfer from another denomination, until 31 May 2014, except as provided for in 2.(vi);
- (vi) Notwithstanding the terms of 2.(v), allow the induction into pastoral charges of ministers of

Word and Sacrament and the appointment of ministers of Word and Sacrament and Deacons ordained before 31 May 2009 who are in a same-sex sexual relationship, and;

- (vii) During the moratorium set out in 2.(v), instruct all Courts, Councils and Committees of the Church not to issue press statements or otherwise talk to the media in relation to the acceptance of persons in a same-sex sexual relationship for training, ordination and induction as ministers of Word and Sacrament or Deacons.

**OR:**

- b) (i) Depart from the trajectory chosen by the General Assembly of 2011.
- (ii) Pass the Declaratory Act Anent the Doctrine of the Church of Scotland with respect to Same-Sex Sexual Relationships and the Ministry in the terms set out in Appendix B.
- (iii) Approve the Overture Anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C and transmit the same to Presbyteries under the Barrier Act, directing

that returns be sent to the Principal Clerk by 31 December 2013.

- (iv) Pass as an Interim Act the said Overture Anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C.
- (v) Reaffirm the view of the General Assembly 2011 that homophobia is a sin, while maintaining that it is not homophobic to express the view that homosexual acts are contrary to God's revealed will.
- (vi) Reaffirm the duty of the Church to minister to people regardless of their sexual orientation, recognising in particular the burden often felt by homosexual Christians striving to maintain celibacy because of their understanding of Scripture.
- (vii) Recognise that homosexual orientation, in itself, is not a barrier to leadership in the Church, including the ministry of Word and Sacrament and the Diaconate.

- 3. Thank and discharge the Theological Commission.

**SUPPLEMENTARY REPORT  
OF THE  
CHURCH HYMNARY TRUSTEES  
MAY 2013  
PROPOSED DELIVERANCE**

**The General Assembly:**

1. Receive the Report.
2. Appoint the Right Honourable Lord Brodie as Chairman of the Trust and appoint the Reverend Ann Inglis to be a Trustee.

**REPORT**

**Chairman**

Following the resignation of Lord Penrose the Trustees wish to propose to the General Assembly that The Right Honourable Lord Brodie be appointed as a Trustee and as Chairman of the Trust. In addition, the Trustees recommend

that the Reverend Ann Inglis be appointed to the Trust.

*In the name of the Trustees*

David M Beckett, *Interim Chairman*  
John M Hodge, *Secretary and Treasurer*

## AMENDMENTS TO VOLUME OF REPORTS

Delete section 13 of the **Church and Society Council's Report** (p3/34-p3/37) and substitute the following text:

### 13. The Inheritance of Abraham? A report on the 'promised land'

#### 13.1 Preface

**13.1.1** Since the publication of the General Assembly reports in April 2013, the Church and Society Council's report *The Inheritance of Abraham? A report on the 'promised land'* has been the subject of international controversy. Whilst no stranger to controversy, working as we do on difficult issues at the interface of religion and politics, we have become aware that some of the language used in the report to describe attitudes and beliefs held by some members of the Christian and Jewish communities have caused worry and concern in parts of the Jewish community in Israel and beyond. This was never our intention. We can be robust in putting our point across, but in this instance we acknowledge that some of the words we have chosen may have been misunderstood, which created an anxiety in the Jewish community. It is in this light that we are happy to offer this clarification.

**13.1.2** The Church and Society Council welcomes dialogue with Scotland's and Britain's Jewish community for whom the land of Israel is understandably special and may be considered part of their self identity. Talking has helped increase both our faiths' understanding, and has underlined the importance for continued dialogue. This is not about Christianity taking one side and Judaism the other. Both our faiths have a widespread and diverse membership, with a wide range of views on theological as well as political matters. What can bring us together is our commitment to understanding and engagement, and our willingness to work together, and to keep on talking.

**13.1.3** The Council would also like to record its appreciation to the Council of Christians and Jews for facilitating and supporting this recent dialogue.

#### 13.2 Context

**13.2.1** The Church of Scotland has an historic presence in Israel. We work closely with partner organisations in Israel and the Occupied Palestinian Territory, including Jewish, Muslim and Christian groups. In recent years the General Assembly has received a number of reports on the political and humanitarian situation. In our Reformed Christian tradition there is a very strong connection between theology and ethics, belief and actions. Our understanding of politics, justice, peace and human relationships is deeply rooted in our faith tradition. Paramount in this is scripture, the revealed word of God in the Bible. We also frequently explore the issue of hermeneutics – the rigorous scrutiny of a text to work out what it means and says to us today. The Church of Scotland frequently and passionately debates, internally and externally, what our belief and tradition mean in the world today. We have in the past acknowledged changes, such as the role of women in Church leadership. Debate is part and parcel of our way of being in the Church.

**13.2.2** In considering the report *The inheritance of Abraham? A report on the 'promised land'* we encourage readers, whether they are Commissioners to the General Assembly, members of the Church of Scotland or those around the world who wish to debate our views, to understand that our previous positions and reports on the political, humanitarian and theological issues on Israel and the Occupied Palestinian Territories are still valid and continue to form part of the Church's approach. For example, the 2003 report *Theology of Land and Covenant* is not negated or replaced by *The inheritance of Abraham?*. There may be tensions between the two – *The inheritance of Abraham* goes further than *Theology of Land and Covenant*. Some may say that the two are not compatible. We believe that over the intervening years a whole new range of conversations and developments warranted a fresh approach. We deliberately included a reference to *Theology and Land and Covenant* in the first sentence of

*The Inheritance of Abraham?* to underline that this is not a new topic of conversation and that the insights of this report complement and grow out of the understanding reached in 2003.

**13.2.3** The key conclusions of this report are that the Church of Scotland does not agree with a premise that scripture offers any peoples a divine right to territory, and that the current situation in Israel and the Occupied Palestinian Territory is characterised by an inequality in power. These key points should be read in the light of what we already believe:

- That the country of Israel is a recognised State and has the right to exist in peace and security.
- That there should be a Palestinian State, recognised by the United Nations, that should have the right to exist in peace and security.
- We reject racism and religious hatred. We condemn anti-Semitism and Islamophobia. We support initiatives to make Scotland, and the Church of Scotland, a place of welcome and hospitality.
- We will always condemn acts of terrorism, violence and intimidation.
- We are committed to dialogue and conversation. We are particularly concerned to make sure that those who are on the margins and whose voices are rarely heard get the opportunity to be listened to. We specifically stand in solidarity with Christians who live in Israel and the Occupied Palestinian Territory.

**13.2.4** We have been reminded of some important issues in preparing for this Assembly, especially given that what is brought to the Assembly is also in the Public Square:

- How we talk about one another is important. We recognise that there is a range of opinions on politics and theology in Christianity, Judaism and in other faiths. We need to take care not to put labels on groups or inadvertently misrepresent diverse opinion.
- When we are discussing sensitive issues we should be careful how we define words and take care to unpack ideas fully, to avoid confusion or misunderstanding.

**13.2.5** The Church of Scotland is increasingly disappointed at the current situation in Israel and the Occupied Palestinian Territory. We are especially concerned at the recent actions of the Government of Israel in its support for settlements, for the construction of the security barrier or “the Wall” within Occupied Territory, for the blockade of Gaza and for the anti-boycott law. We assert our sincere belief that to be critical of the policies of the Israeli Government is a legitimate part of our witness and we strongly reject accusations of anti-Semitic bias. We regularly engage with and critique policies of all Governments where we deem them to be contrary to our understanding of God’s wish for humanity.

### **13.3 Report: The Inheritance of Abraham? A report on the ‘promised land’**

**13.3.1** Ten years ago the General Assembly received the report *Theology of Land and Covenant*, from the Board of World Mission, Church and Nation Committee and the Panel on Doctrine ([www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0009/13230/Theology\\_of\\_Land\\_and\\_Covenant.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0009/13230/Theology_of_Land_and_Covenant.pdf)). This report concluded with encouragement for us to listen more to others, “enriched by new insights through continuing questions that need to be faced”. Since 2003, two new insights have been noted by the General Assembly: in 2007, in the report *What Hope for the Middle East?* ([http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0005/3776/middle\\_east\\_07.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0005/3776/middle_east_07.pdf)) the Church of Scotland responded to a declaration from Church leaders in Jerusalem, and endorsed their criticism of Christian Zionism and encouraged members of the Church of Scotland to reject it, and in 2009 Christians in the Holy Land came together and produced *Kairos Palestine: a moment of truth*, offered as a word of faith, hope and love from the heart of Palestinian suffering ([www.kairospalestine.ps](http://www.kairospalestine.ps)).

**13.3.2** With the co-operation and support of the World Mission Council, we present this report in 2013 as our latest reflection on the ‘questions that need to be faced’, as the political and humanitarian situation in the Holy Land continues to be a source of pain and concern for us all.

### 13.3.3 Land and the Bible: three different understandings

The phrase “the land of Israel” has a range of understandings amongst Judaism, Christianity and Islam. Our knowledge and understanding of the world is rooted in scripture. However, we acknowledge that there can be diverse, and sometimes contradictory, interpretations of what scripture means. With regard to the Holy Land and the Bible, we outline three different understandings:

1. A territorial guarantee
2. A land held in trust
3. A land with a universal mission.

#### 13.3.3.1 A territorial guarantee

**13.3.3.1.1** This idea presents scripture as making unconditional, literal promises referring to specific, identifiable territorial areas for the Israelites. Such texts as the following have been cited to support this view:

- Genesis 12:7 “To your offspring I will give this land.” (All translations are from the New Revised Standard Version.)
- Genesis 13:15-17 “For all the land that you see I will give to you and to your offspring for ever. I will make your offspring like the dust of the earth ... walk through the length and the breadth of the land, for I will give it to you.”
- Genesis 15:18-21 “On that day the LORD made a covenant with Abram, saying, “To your descendants I give this land, from the river of Egypt to the great river, the river Euphrates...”
- Genesis 17:7-8 “I will establish my covenant between me and you, and your offspring after you ... for an everlasting covenant, to be God to you and to your offspring after you. And I will give ... the land where you are now an alien, all the land of Canaan, for a perpetual holding.”

**13.3.3.1.2** These verses contain the promise of God to give the land to Abraham and his descendants. There are no ‘so long as...’ or ‘until...’ clauses in them. Alone, they can be read to show that God promises the land to the Israelites unconditionally. This interpretation reflects some of the key aspects of contemporary Zionist positions.

**13.3.3.1.3** In the early 19th century, some influential Christians, encouraged by the mores of the colonial and imperial age which pervaded all aspects of life, including the Church of Scotland, led to the development of a political idea to create a new homeland for Jewish people in Palestine. It may well have been a Kirk minister, the Rev Alexander Keith, who coined the phrase “a land without people, for a people without land.” This view of the land of Palestine was linked from the 1840s to a literalistic view of Hebrew Biblical prophecy being fulfilled and the widely held attitude that European colonialism meant that a land was ‘empty’ if western power and culture were not present. This attitude, repugnant to our thinking today and to that of many others of all three of the monotheistic faiths, was widely accepted. It was taken up by the 7th Earl of Shaftesbury’s evangelical circle with dreams of restoring the Jewish people to the Holy Land. This in turn led to the Balfour Declaration of 1917, when the British Government agreed to a policy of a Jewish homeland in Palestine.

**13.3.3.1.4** Interestingly, some Jewish leaders, like Ahad Ha’Am (active at the end of the 19th and the beginning of the 20th centuries) resisted this literalist view, and recognised the need for Zionist Jews moving to Palestine to treat the indigenous Palestinians with respect and good judgement.

#### Kairos Palestine (2.3.1):

Our land is God’s land, as is the case with all countries in the world. It is holy inasmuch as God is present in it, for God alone is holy and sanctifier. It is the duty of those of us who live here, to respect the will of God for this land. It is our duty to liberate it from the evil of injustice and war. It is God’s land and therefore it must be a land of reconciliation, peace and love. This is indeed possible. God has put us here as two peoples, and God gives us the capacity, if we have the will, to live together and establish in it justice and peace, making it in reality God’s land: “The earth is the Lord’s and all that is in it, the world, and those who live in it” (Psalm 24:1).

**13.3.3.1.5** Naim Ateek<sup>1</sup> a contemporary Christian thinker in Israel has written that: “the sole ambition of Zionists, Christians and Jews alike, has been the acquisition of the land for the Jewish people.” He characterises Christian Zionism as a movement: “that understands the modern state of Israel as the fulfilment of biblical prophecy and thus deserving of political, financial and religious support.”

**13.3.3.1.6** Politically powerful in the USA, Christian Zionism has enjoyed the backing of Presidents Reagan and Clinton, as well as tele-evangelists and novelists like Jerry Falwell and Hal Lindsay. Clarence Wagner is a representative voice. He sees the modern State of Israel as the fulfilment of God’s promise to Abraham, as well as the fulfilment of biblical prophets such as Ezekiel who spoke about ‘the barren mountains of Israel’ becoming fruitful and ‘the ruined towns’ being rebuilt as the people returned from Exile. The following extract is taken from his *12 Keys to Understanding Israel in the Bible*:<sup>2</sup>

“Truly, the return of the Jews from over a hundred nations of the world is a modern-day miracle. Large waves of immigrants began to come in the 1880s. Since those early days, the deserts have been reforested, the rocky fields made fertile, the swamps drained and planted, the ancient terraces rebuilt, and the ruined cities of old re-established. Israel is now a nation of over six million people, that is a food exporting nation, that boasts high levels of literacy, health, education and welfare, high technology and agricultural development... We, who believe the Bible is God’s Word and every promise of God will come to pass, must stand and support Israel’s right to its land. It is a Divine right. We cannot say on the one hand that we believe there is a God who has revealed His perfect will in His Holy Scriptures, and on the other hand, deny Israel its right to the land God promised her.”

<sup>1</sup> Ateek is a former Canon of St George’s Anglican Cathedral in Jerusalem and head of the Sabeel Ecumenical Liberation Theology Centre

<sup>2</sup> *12 Keys to Understanding Israel in the Bible* by Clarence Wagner is published by *Bridges for Peace* (2003)

**13.3.3.1.7** This statement gives rise to questions and observations, among them:

- i) How do we understand biblical texts that tell us that occupation of a land must go hand in hand with obedience to God’s law and God’s concern for justice?
- ii) Did the prophets not warn that pursuit of power and wealth would lead to inequality, injustice and the loss of land, as it did in the Exile?
- iii) What land is being discussed? Is it the land of David and Solomon, or Judah, or the Northern Kingdom of Israel?
- iv) Do any of the Hebrew Bible accounts really sanction future occupation of the land and the driving out of the people already there?
- v) Justice is a major theme in both the Hebrew Bible and the New Testament. For example “What does the Lord require of you but to do justice, and to love kindness and to walk humbly with your God?” (Micah 6:8) and “Strive first for the kingdom of God and his righteousness...” (Matthew 6:33). Are these not a challenge to the policies of the current Government of Israel?<sup>3</sup>
- vi) How could Christians support the violation of human rights in the name of alleged divinely conferred exclusive rights to a specific area of land?

**13.3.3.1.8** This understanding of Scripture and contemporary social and political relations in Israel raises several issues. Those who hold to it, both Christian and Jewish, seem to ignore those texts which say that the occupation of the land must go hand in hand with obedience to God’s law and God’s concern for justice. Did the Hebrew Bible (The Christian Old Testament) really sanction future occupation of land which involved the displacement of some 750,000 people already living there, and the present injustices and humanitarian issues we see today?

<sup>3</sup> For instance, in the building of illegal settlements; the continuing policy of driving out of Palestinians from East Jerusalem; disregard of UN resolutions and violation of international law; and the daily provocation and humiliation of the Palestinian people

### 13.3.3.2 A land held in trust

**13.3.3.2.1** A second still literalistic view is that the land is granted to God's chosen people as a gift, but that it is given conditionally to the Jewish people; on this understanding the land is God's, given in trust to be cared for and lived in according to God's instruction. Walter Brueggemann<sup>4</sup> says in *Reverberations of Faith*:<sup>5</sup>

"The great articulation of land theology in the Old Testament is found in the book of Deuteronomy. The importance of the collection of sermonical addresses and commandments is to assert the non-negotiable conditions of land possession, conditions that are worked out in policy and public action but are understood theologically as the commandments of [Jehovah]. At the centre of the land-ethic is the 'year of release' in Deuteronomy 15:1-18 which provides cancelling debts among the poor in community so that they may participate viably and with dignity in public. The same legal provision is writ large in the provision of the jubilee year in Leviticus 25. These laws on the year of release and jubilee year have the intention of curbing an unfettered economy by subordinating economic transactions to the needs and requirements of the civic community...The covenantal tradition of Moses and the prophets knows that no community can hope to occupy land peaceably and justly unless the claim of the neighbour is honoured in the face of exploitative possibility. Israel's own sad experience is taken to attest to the truth of that advocacy."

**13.3.3.2.2** Munib Younan<sup>6</sup> has pointed to the widely accepted view of scholars that the idealised biblical

conquest narratives were put into their present form only centuries later, with the writers "intent on justifying their own status in the land on the basis of nationalistic perspectives." In his book *Witnessing for Peace: In Jerusalem and the World*<sup>7</sup> he urges us to read the Pentateuch in the light of the prophets. The land is a gift, not a right, and one which brings with it obligations, most particularly to practise justice and to dwell equitably with the stranger. The Presbyterian Church in Canada's 2012 General Assembly reached a similar conclusion: "For neither ancient nomadic peoples nor modern corporations is the land a free gift without the responsibility."<sup>8</sup>

**13.3.3.2.3** According to the Declaration of the Establishment of the State of Israel of 14 May 1948, the intention was to create a just society:

"The State of Israel will be open for Jewish immigration and for the ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure the complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations."

**13.3.3.2.4** This formal acceptance of the equality of all its citizens potentially created a tension from the start with some who held to an ethno-nationalist understanding of Zionism. This has, in some cases, led to the limiting of civil liberties, for example, in relation to land expropriation and the imposition of military government on Palestinians in Israel until 1966.

<sup>4</sup> Brueggemann is a Christian scholar of the Hebrew Bible in the United States and a minister in the United Church of Christ

<sup>5</sup> *Reverberations of Faith: A Theological Handbook of Old Testament Themes* by Walter Brueggemann is published by Westminster/John Knox Press (2002)

<sup>6</sup> Bishop of the Evangelical Lutheran Church in Jordan and the Holy Land

<sup>7</sup> *Witnessing for Peace: In Jerusalem and the World* by Munib Younan is published by Augsburg Books (2003)

<sup>8</sup> (See the report of the International Affairs Committee, General Assembly 2012 Acts and Proceedings, page 275, [www.presbyterian.ca/download/aand](http://www.presbyterian.ca/download/aand))

Despite an independent judiciary, liberal-democratic values have been violated in immigration, citizenship, education, economics, and most of all in land policies.

**13.3.3.2.5** It has to be recognized that the enormity of the Holocaust has often reinforced the belief, at least in certain circles in the West, that Israel is entitled to the land unconditionally. There is guilt among Western Christianity about the centuries of anti-Semitism that led to discrimination against Jewish people, culminating in the total evil of the Holocaust.

**13.3.3.2.6** One contemporary commentator who faces these two issues is Mark Braverman, an American Jew who grew up sharing the beliefs of some in his community. In his book *Fatal Embrace*<sup>9</sup> he writes:

“As a Jew born into a religiously observant family in post-World War II America, I was raised in a potent combination of Rabbinic Judaism and political Zionism. I grew up immersed in the Zionist narrative of return to the Jewish homeland. I was taught that a miracle – born of heroism and bravery – had blessed my generation. The State of Israel was not a mere historical event – it was redemption from millennia of marginalisation, demonisation and murderous violence. The legacy of this history was a sense of separateness – a collective identity of brittle superiority for having survived, despite the effort ‘in every age’ – so reads the Passover liturgy – to eradicate us. The ideology and mythology of the birth of the State of Israel partook of this legacy of separateness, vulnerability and specialness. I embraced it.”

**13.3.3.2.7** His attitude was radically changed by visiting Palestine in 2006 and seeing the reality, the range and the reach of the injustices on the ground and his horror that these were being done by the State of Israel which, at the

time, he equated as therefore being done in his name. He is clear about the fact that Christian people have to repent of the wrongs done to the Jewish people, but this does not mean that the church cannot criticise the policies of the Israeli Government in the Occupied Palestinian Territory today: “Christian people must not sell out the Palestinian people because of repentance for the Holocaust, ‘sensitivity’ to Jewish feelings, and fear of being labelled anti-Semitic.” While we are firm in our condemnation of all forms of racial hatred, criticising the present policies of the State of Israel must not be confused with or equated to anti-Semitism.

**13.3.3.2.8** This view of the problem facing those wishing to speak out but fearing being seen as anti-Semitic is echoed in the words of Marc H Ellis, retired University Professor of Jewish Studies at Baylor University, where he was the Director of the Centre for Jewish Studies who said:

“It seems late in the Israel/Palestine political game – and it is late indeed – but the mainstream Churches are breaking what I have called the interfaith ecumenical deal. That deal is usually referred to as the interfaith ecumenical dialogue, the post-Holocaust place where Jews and Christians have mended their relationship. Israel was huge in this dialogue. Christians supported Israel as repentance for anti-Semitism and the Holocaust. Then as Israel became more controversial with their abuse of Palestinians, Christians remained silent. Non-support and, worse, criticism of Israeli policies, was seen by the Jewish dialoguers as backtracking to anti-Semitism. That’s where the dialogue became a deal: Silence on the Christian side brings no criticism of anti-Semitism from the Jewish side.”<sup>10</sup>

### **13.3.3.3 A land with a universal mission**

We believe that an adequate Christian understanding of the ‘promised land’ must take into account two further

<sup>9</sup> *Fatal Embrace: Christians, Jews, and the Search for Peace in the Holy Land* by Mark Braverman is published by Synergy Books (2010)

<sup>10</sup> (<http://mondoweiss.net/2012/11/exile-and-the-prophetic-the-interfaith-ecumenical-deal-is-dead.html>)

points, in addition to the conditional nature of promises in the Hebrew Bible:

- i. There are different meanings attached to “land” in different contexts and in the theological and political agendas of the various authors of the Hebrew Bible.
- ii. The New Testament contains a radical re-interpretation of the concepts of “Israel”, “temple”, “Jerusalem”, and “land”.

### 13.3.3.3.1 The Hebrew Bible

The boundaries of the land are described in different ways in different situations. Abraham’s descendants, “numerous as the stars in the sky”, will receive “all these lands”, and through them “all nations on earth will be blessed” (Genesis 26:4). This suggests a more inclusive picture than “the land of Canaan” (Genesis 12:5) or even “from the river of Egypt to the great river, the Euphrates” (Genesis 15:18). The lack of detailed archaeological evidence supports the view that the range of scriptural material makes it inappropriate to try to use the Hebrew scripture to determine an area of land meant exclusively for the Jewish people.

The prophetic writings especially were developing a different understanding.<sup>11</sup> In Judges, Samuel and Kings, force is used to achieve Israel’s goals. This is continued by the Maccabees in the 2nd century BCE and the Zealots in CE 1st century. That tradition implied a special, privileged position in relation to God. But the prophetic tradition stood against this. Narrative of the Babylonian captivity demonstrated that God was not confined to one land or concerned only for one people.

For Christians the book of Jonah is a key text for understanding the Hebrew Bible’s promise of the land to Abraham and his descendants. Written at a time when the people were turning inwards, the book presents Jonah as a nationalist to drive home the point: God’s universal, inclusive love is for all. For Christians, God in Jonah is merciful, gracious,

a liberator of the oppressed and sinful who looks for just living. The people of God even included the hated Assyrians. So to Christians, Jonah suggests a new theology of the land, because God was not confined within the land of Israel but extended his reach to include the land of Assyria. In saying this, we recognise that a Jewish theological interpretation of Jonah may not go as far as a Christian one, perhaps being more contextualised in time terms.

### Kairos Palestine (2.3):

We believe that our land has a universal mission. In this universality, the meaning of the promises, of the land, of the election, of the people of God, open up to include all of humanity, starting from all the peoples of this land.

### 13.3.3.3.2 New Testament

For Christians, the New Testament is even clearer about a process in the unfolding of God’s purposes of good for humanity, Hebrews 1:1-2: “Long ago God spoke to our ancestors in many and various ways by the prophets, but in these last days he has spoken to us by a son whom he appointed heir to all things.”

Previous experiences of land, including the peaceful returns from exile, were stages towards a wider future. This is the Christian understanding through our reading and interpretation of the New Testament. Christians believe that the Good News of Jesus is inclusive.

John’s gospel speaks of Jesus being lifted up and drawing all people to himself (John 12:32). Jesus’ cleansing of the Temple means not just that the Temple needs to be reformed, but that the Temple which, by its order, kept some people separate from others, is finished. Stephen’s speech in Acts 7 makes it clear that God is no longer confined to the place of the Temple. God is in all places and for all people. Temple and land give way to a new understanding so Paul can say that all the barriers that separated people one from another are down – “there is neither Jew nor Greek, bond nor free, male or female, but all are one in Christ Jesus.”

11 Naim Ateek explores this matter in his book *Justice and Only Justice*, arguing that from Amos in the 8th century BC, God’s purposes begin to be thought of as inclusive and universal.

If Jesus is indeed the Yes to all God's promises<sup>12</sup> then for Christians the promise to Abraham about land is fulfilled through the impact of Jesus. Jesus gave a new direction to his followers, one which did not feature nor was it confined to a special area of land for them. From the day of Pentecost his followers were sent to work for a different kind of kingdom.

### 13.3.4 The challenge of a new kingdom?

**13.3.4.1** To Christians in the 21st century, promises about the land of Israel should not be intended to be taken literally, or as applying to a defined geographical territory; they are a way of speaking about how to live under God so that justice and peace reign, the weak and poor are protected, the stranger is included, and all have a share in the community and a contribution to make to it. The 'promised land' in the Bible is not a place so much as a metaphor of how things ought to be among the people of God. This 'promised land' can be found – or built – anywhere.

**13.3.4.2** Jesus' vision of the kingdom is not for one limited area of territory, it is a way of anticipating how things can be if people are obedient to God. Metaphor and symbol are often used by the Biblical writers. Words such as 'widow', 'stranger', 'orphan', 'wilderness', 'neighbour', 'Egypt', 'exodus' and 'exile' have profound symbolic reference. So Walter Brueggeman comments on the poetry of Isaiah 2:

"Exile is a sense of not belonging, of being in an environment hostile to the values of the community and its vocation. Babylon refers to a concentration of power and value which is dominant and which is finally hostile to the covenant faith of this community. The empire regularly seeks to domesticate such a community and characteristically ends in oppression. Homecoming is a dramatic decision to break with imperial rationality and to embrace

a place called home where covenantal values have currency and credibility. The juxtaposition of exile, Babylon and homecoming means that this poetry of Isaiah 2 is not aimed simply at geographical, spatial possibility but at relational covenant reality."

**13.3.4.3** Bethlehem Bible College, from an historic Baptist and evangelical stance, has recently been hosting *Christ at the Checkpoint* conferences (see [www.christatthecheckpoint.com](http://www.christatthecheckpoint.com)). At the most recent, participants were challenged to move away from seeing the Middle East through the lens of "end times" prophecy and instead look to follow Jesus in the prophetic pursuit of justice, peace and reconciliation. The evangelical leaders in the Palestinian Baptist community are engaging with *Kairos Palestine*, and the non-geographic nature of God's promises:

#### **Kairos Palestine (3.4.3):**

Our Church points to the Kingdom, which cannot be tied to any earthly kingdom. Jesus said before Pilate that he was indeed a king but "my kingdom is not from this world". St Paul says: "The Kingdom of God is not food and drink but righteousness and peace and joy in the Holy Spirit" (Romans 14:7). Therefore religion cannot favour or support any unjust political regime, but must rather promote justice, truth and human dignity.

**13.3.4.4** From this last perspective, the desire of those who seek to acquire the land of the Palestinians is wrong. The fact that the land is currently being taken by settlement expansion, the separation barrier, house clearance, theft and force makes it doubly wrong to seek biblical sanction for this.

**13.3.4.5** Church leaders from South Africa, following a visit to Israel and the Occupied Palestinian Territory in the autumn of 2012, observed similarities to the concluding years of the apartheid regime in South Africa.<sup>13</sup> There are many members

12 2 Corinthians 1:20 "For in him every one of God's promises is a 'Yes'..."

13 <http://www.kairospalestine.ps/sites/default/Documents/South%20African%20church%20delegation%20to%20the%20occupied%20territories%20of%20Palestine.pdf>

of the Jewish community in Israel and abroad concerned with injustice in Israel and the Occupied Palestinian Territory who would fundamentally disagree with that description<sup>14</sup> but it is challenging that those who remember the reality of apartheid first hand and the consequences of international campaigns on their own nation concur with proposals to consider economic and political measures involving boycotts, disinvestment and sanctions against the state of Israel focused on illegal settlements, as the best way of convincing Israeli politicians and voters that what is happening is wrong. They argue that Christians around the world should not contribute in any way to the viability of illegal settlements. This raises particular questions for the Church of Scotland as we seek to respond to the question: "What does the Lord require of you...?"

### 13.3.5 Conclusion

**13.3.5.1** From this examination of the various views in the Bible about the relation of land to the people of God, it may be concluded that Christians should not be supporting any claims by any people to an exclusive or even privileged divine right to possess particular territory. We believe that it is a misuse of the Hebrew Bible (the Christian Old Testament) and the New Testament to use it as a topographic guide to settle contemporary conflicts over land. In the Bible, God's promises extend in hope to all land and people.

**13.3.5.2** This theological approach is what we bring from our Christian perspective to the place of dialogue with people of other faith communities grappling with the issues of land in Israel and the Occupied Palestinian Territory. It does not judge the faith of others nor suggest that one perspective supersedes another but it does challenge the manifestations of faith expressed by some on the question of land in these troubled places.

**13.3.5.3** In the context of the present situation in Israel and the Occupied Palestinian Territory we remain

committed to the following principles, previously set out and agreed by the General Assembly:

- That the current situation is characterised by an inequality in power and therefore reconciliation can only be possible if the Israeli military occupation of the West Bank and East Jerusalem, and the blockade of Gaza, are ended.
- The Church of Scotland condemns violence, terrorism and intimidation no matter the perpetrator.
- The Church of Scotland affirms the right of Israelis and Palestinians to live within secure and fixed boundaries in states of their own.
- The Israeli settlements in East Jerusalem and the West Bank are illegal under international law. The Church of Scotland, individuals and civil organisations should urge the UK Government and the European Union as a matter of urgency to put pressure on Israel to cease from the expansion of these settlements.
- The Church of Scotland must remain in dialogue and fellowship with ecumenical partners and the UK Jewish community, the Muslim community in Britain and other faith communities to support concerns for justice and peace.
- The Church of Scotland should do nothing to promote the viability of the illegal settlements on Palestinian land.
- The Church of Scotland should support projects which prioritise peace-building, poverty alleviation and the Palestinian economy.
- The Church of Scotland rejects racism and religious hatred. We condemn anti-Semitism and Islamophobia. We support initiatives to make Scotland, and the Church of Scotland, a place of welcome and hospitality.
- That human rights of all peoples should be respected, and this includes the right of return and/or compensation for Palestinian refugees.
- That negotiations between the Government of Israel and the Palestinian Authority about peace with justice must resume at the earliest opportunity and the Church of Scotland should continue to put political pressure on all parties to commence such negotiations, asking all parties to recognise the inequality in power which characterises this situation.

<sup>14</sup> <http://www.haaretz.com/weekend/week-s-end/an-israeli-and-a-palestinian-scathed-by-south-africa-apartheid-rhetoric-1.428234>

- That there are safe rights of access to the sacred sites for the main religions in the area.

In Appendix 6 of the **Report of the World Mission Council** (p8/21, section 3, line 5) “retrial” should read “retiral”.

The following is a corrected Proposed Deliverance of the **Joint Report of the Church and Society Council, the Committee on Ecumenical Relations and the Legal Questions Committee on the Implications for the Church of Scotland of Independence for Scotland**. The version in print in the volume of Reports (22/1) omitted section 1 shown here.

## PROPOSED DELIVERANCE

### The General Assembly:

1. Receive the Report.
2. Call on the Scottish Government to publish any draft Constitution which it may propose for an independent Scotland in advance of a referendum on independence.
3. Urge that, in recognition of the historic and continuing role of the Christian faith in Scottish society, any constitutional arrangements which may be made for an independent Scotland must continue to recognise the Claim of Right, should recognise that human realms are under the authority of God, and should also recognise the role of religion in general and the Church of Scotland in particular.
4. Establish an interfaith conversation to propose how recognition of religion should be addressed in the constitutional arrangements for Scotland following upon a vote for independence, to report to the General Assembly in 2014.
5. In the event of Scottish independence, believes:
  - a. that the Queen (and her heirs and successors) should be the head of state of Scotland.
  - b. that the monarch should have a Scottish coronation to symbolise her or his role as Queen or King of Scots, including the obligations to uphold Scottish religious life and traditions, and in particular her or his role with regard to the Church of Scotland.
  - c. that the lawfulness of the Articles Declaratory should be acknowledged in any constitutional settlement.
  - d. that in any constitutional settlement the relationship between church and state should be affirmed by recognising that the role of the Church of Scotland in civic life should be maintained, in particular the provision of prison chaplains, the conduct of marriages, and the appointment of Church Representatives on Local Authority Education Committees.
  - e. Scotland should become a member of the Council of Europe and should accede to the European Convention on Human Rights, which includes the right to religious freedom.
  - f. that the plurality of views and beliefs about religious matters should be addressed appropriately in any new constitutional settlement.

# The Church of Scotland **General Assembly** **2013**



DELIVERANCES

*St Columba 1450<sup>th</sup> Anniversary*



## COUNCIL OF ASSEMBLY

### The General Assembly:

1. Receive the Report and Supplementary Report.
2. Approve the revised remit of the Council set out in Appendix 1 to the Report.
3. Instruct Presbyteries to report on the implementation of the National Stewardship Programme.
4. Welcome the UK Government's introduction of the Gift Aid Small Donations Scheme.
5. Approve the change to the remit of the Mission and Discipleship Council set out in Appendix 4 to the Report.
6. Note the plans to consult on the review of the Panel on Review and Reform and report in 2014.
7. Approve an increase in the membership of the World Mission Council by four, to a total of 32.
8. Approve changes to the remit of the World Mission Council set out in Appendix 5 to the Report.
9. Note the Council's confirmation of nominations to the Judicial Proceedings Panel.
10. Approve the total to be contributed by congregations in 2014 of £46,980,000, based on the projection of congregational income for 2014, and its disposition among local congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund.
11. Note the indicative budget for 2014, the summary of operating results for 2012 and the five year rolling budget for 2014-2018.
12. Receive the 2012 Report and Accounts of the Unincorporated Councils and Committees of the General Assembly.
13. Encourage the Council to work in conjunction with other Councils and Committees of the Church to ensure that all matters pertaining to the budget to be approved by the General Assembly be collated into a single report for discussion and decision.

JOHN P CHALMERS  
*CI Eccl Scot*

## PANEL ON REVIEW AND REFORM

### The General Assembly:

1. Receive the Report.
2. Amend the second section of the remit of the Panel on Review and Reform to read "Through such interaction, consultation and discussion with congregations, Presbyteries, Councils and Agencies of the Church as may be decided upon by the Panel, formulate and bring before successive General Assemblies:
  - (a) a clear statement of the long-term vision of the Church, and
  - (b) paths and developments which might be followed by congregations, Presbyteries, Councils and Agencies of the Church to make such a vision a reality."
3. Instruct the Panel on Review and Reform to consider which planning concepts, such as 'future scenarios', can provide mission strategies for the Church in the digital age and report to the General Assembly of 2014.
4. Instruct the Society, Religion and Technology project, in collaboration with other interested parties, to explore some of the wider theological and sociological issues which underlie the trends identified in the Panel on Review and Reform's initial work on the digital age.

5. Invite the Church and Society Council to monitor the United Kingdom and Scottish governments' progress towards a fully integrated digital society and report to the General Assembly any issues of concern, especially with regard to the digital divide.
6. Encourage the Panel, working collaboratively with other Councils and Committees, to explore pathways towards developing the use of digital technology in pursuance of the vision of the Church of Scotland.
7. Encourage the Panel on Review and Reform, in continuing consultation with the Mission and Discipleship Council, to identify ways that nurture Church growth in a sustainable manner.
8. Instruct the Panel on Review and Reform to undertake a detailed study on Consensus and Communication across the Church and report to the General Assembly of 2015, with an interim report to the General Assembly of 2014.

JOHN P CHALMERS  
*CI Eccl Scot*

## CHURCH AND SOCIETY COUNCIL

### **The General Assembly:**

1. Receive the Report and Supplementary Report.

### **Campaigns**

2. Confirm that the Church and Society Council has the authority and responsibility for campaigns which fall within its remit, so that the Council can sign up to appropriate campaigns on behalf of the whole Church of Scotland throughout the year, where there is already existing General Assembly policy in support.

### **Welfare reform**

3. Note the measures which the Scottish Government has taken to alleviate the hardship caused by the welfare reforms and urge the Scottish Government to introduce legislation to ensure that no council tenants shall be evicted for rent arrears resulting from the Welfare Reform Act (the so called "Bedroom Tax"), where the Director of Housing is satisfied that affected tenants are doing all they can reasonably be expected to in order to avoid falling into arrears.

### **Responding to Climate Change Project**

4. Express serious concern that international action has had almost no impact in stemming the increase of greenhouse gases in the atmosphere, and urge the UK and Scottish Governments to take further action to meet the UK target of a reduction in the emission of greenhouse gases by 80% by 2050, and to press for similar action internationally.
5. Congratulate Eco-Congregation Scotland on making its 100th congregational award and commend the charity to all Church of Scotland congregations and encourage them to become members of Eco-Congregation Scotland.
6. Urge members of each congregation to minimise their energy use and hence their carbon footprint, particularly in buildings and in their use of transport
7. Encourage those with appropriate gifts to explore maximising local food production.
8. Urge all congregations to take action to manage energy use in buildings more efficiently in order to reduce their consumption and carbon footprint.
9. Call on the Scottish Government to give communities across Scotland a proper share of the benefits of Scotland's renewable energy and to work with community groups to identify how community-owned renewables might help resolve fuel poverty across the country.

**Referendum oversight and franchise**

10. Encourage all campaign groups involved in the independence debate to maximise the opportunities for citizens of all backgrounds to engage in questions about the referendum.
11. Encourage congregations to use all opportunities to raise the issues of the gospel and social justice in the debate about the referendum and possible future constitutional arrangements.
12. Support the role of the Electoral Commission in overseeing the referendum on Scottish independence, and urge all sides to work in consensus to ensure a fair and legal vote.
13. Welcome the involvement of independent international monitors to confirm that the election is free, fair and is run to the highest possible standards.
14. Support the right of voting for 16 and 17 year olds for the referendum on independence and for all future elections.

**Education**

15. Thank students and staff of Cumbernauld College and Kilmarnock College for their work to develop a new website to support school and further education chaplaincy in Scotland.
16. Encourage congregations to find out about 'Serve Your Local School' and for them to note that a toolkit has been prepared to help.
17. Instruct the Church and Society Council, through the Standing Committee on Education, to continue to develop work in five key areas: Religious Observance, Religious and Moral Education, chaplaincy in schools and colleges, representatives on Local Authority Committees and effective representation in public debate.
18. Instruct the Council to investigate the impact of the implementation of Curriculum for Excellence and resource reductions on the delivery of meaningful core Religious and Moral Education for all pupils in S1 to S6 and report to the General Assembly of 2014.

**Nuclear Weapons**

19. Welcome the Iona to Westminster Pilgrimage for Peace and Economic Justice 2013 as an act of witness against nuclear weapons; encourage the pilgrims in their 756 mile walk from 19 May to 20 July; and invite those along the route to find ways of supporting the pilgrimage.

**Prayer for Israel and Palestine**

20. Commend the ACT Palestine Forum prayer vigil, marked on the 24th day of each month, encourage congregations to note this initiative and invite all members of the Church of Scotland to participate in the World Week of Prayer for Peace in Palestine and Israel (22-28 September 2013).

**Enough Food For Everyone If**

21. Note that the world produces enough food for everyone but not everyone has enough food, commend the 'Enough Food For Everyone If' campaign and instruct the Church and Society Council, working with the World Mission Council, Christian Aid, the Mission and Discipleship Council and others to promote the campaign to local congregations.
22. Instruct the Council, in consultation with the Social Care Council and the Priority Areas Committee, to assess the impact of HMG's recent and pending changes for 2013 to the benefits system on the poorest in our communities and report on the same to the General Assembly of 2014.
23. Instruct the Council to investigate the issue of food security in Scotland and report to the General Assembly of 2016.
24. Commend the work of the various feeding and food provision projects being undertaken in many parts of the nation, encourage congregations to support initiatives in their area and consider using such projects as an opportunity for an ecumenical expression of the Gospel lived out before the people of Scotland.

**The Inheritance of Abraham? A report on the promised land**

25. Dispute claims that scripture offers any peoples a privileged claim for possession of a particular territory.
26. Note that the current situation is characterised by an inequality in power and therefore reconciliation can only be possible if the Israeli military occupation of the West Bank and East Jerusalem, and the blockade of Gaza, are ended, and on that basis encourage all parties and the international community to renew peace negotiations.
27. Condemn acts of terrorism, violence and intimidation whether committed by individuals, organisations or governments.
28. Reaffirm the historic position of the Church of Scotland that Israel is a country which is recognised within the international community of States, with all the rights and responsibilities attendant on that status.
29. Reaffirm the historic commitment of the Church of Scotland to a State of Palestine with the same rights and responsibilities recognised within the international community of States, with all the rights and responsibilities attendant on that status.
30. Reject racism and religious hatred and condemn anti-Semitism and Islamophobia.
31. Support ongoing commitment to dialogue and conversation, with particular concern to make sure that those who are on the margins and whose voices are rarely heard get the opportunity to be listened to, especially Christians who live in Israel and the Occupied Palestinian Territory.
32. Instruct the Church and Society Council to publicise resources to encourage wide discussion of the report *The Inheritance of Abraham* and its concluding principles.
33. Encourage the appropriate committees in Presbyteries to consider the report *The Inheritance of Abraham* and bring it to the notice of their Presbytery.
34. Urge the UK Government and the European Union to do all that is within their power to ensure that human rights are respected in Israel and the Occupied Palestinian Territories.
35. Urge the UK Government and the European Union to do all that is within their power to ensure that international law is upheld in Israel and the Occupied Palestinian Territories.
36. Urge the UK Government and the European Union to use pressure to stop further expansion of Israeli settlements and remove existing illegal settlements in the Occupied West Bank.
37. Urge the United Nations to reinforce the actions agreed by the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) and the protections afforded under the status of Non-Member Observer State to the State of Palestine.

**Bolivia**

38. Welcome the opportunities for collaboration on a variety of key issues and instruct the Church and Society Council to work with Christian Aid Scotland to develop links with the *Instituto Superior Ecueménico Andino de Teología*.
39. Instruct the Church and Society Council to provide resources to assist congregations in finding out about work that Christian Aid is doing in Bolivia and linking the activity to the life of congregations in Scotland.

**Pastoral Care in Hospitals**

40. Acknowledge the difficulties and constraints resulting from data protection legislation that may be faced by ministers in providing spiritual support to hospital patients from within their parishes and by hospital chaplains, instruct the Council to explore how spiritual care can best be offered to patients within the framework of existing data protection requirements, and report to the General Assembly of 2014.

**Funeral Costs**

41. Instruct the Council to investigate the rapidly increasing costs of funerals, particularly burials, and how this is impacting on the bereaved and those conducting funerals and report to the General Assembly of 2014.

**Thanks and Distribution**

42. Thank all those who assisted the Council in the preparation of the report and instruct the Council to write to Members of the Scottish Parliament, Members of Parliament representing Scottish constituencies, Members of the European Parliament representing Scotland, relevant Scottish and UK Government Ministers and others involved in the issues raised in the report.

**Truth and lies about poverty**

43. Welcome the publication of the report *The lies we tell ourselves: ending comfortable myths about poverty*, and commend it to congregations for study and action.
44. Reaffirm that poverty is a scandal and instruct the Church and Society Council, in consultation with the Priority Areas Committee, to continue to work with ecumenical partners to find new ways to challenge the myths, lies and spin in debates about poverty, in society and in the church.

**Human rights: what does God require of us? Justice informed by love**

45. Instruct the Council to consider the merits of a 'Citizen's Income' and to report their conclusions to a future General Assembly.
46. Affirm the conclusions of the report *Human rights: what does God require of us? Justice informed by love* that the basis of human rights is relational: our duty and responsibilities' to one another sits alongside our personal desires and needs, based on love-informed justice that comes from God.
47. Affirm the Universal Declaration of Human Rights and European Convention on Human Rights in upholding our commitment, because of our faith in a God of love, to love our neighbours, who are every person, in every place and in all times.
48. Instruct the Church and Society Council to develop human rights resources for study by congregations, presbyteries and with ecumenical and inter faith partners.
49. Instruct the Council to share its report on human rights with Non-Governmental Organisations working on human rights issues, and to devise ways of sharing those Organisations' resources and thinking on human rights with the Church.
50. Instruct the Church and Society Council to do further work on the connections between climate justice and human rights.
51. Instruct the Church and Society Council to work with Christian Aid and others to promote just access to safe, clean water for every person, in every place, in every time.
52. Instruct the Church and Society Council to engage in public discourse about the UK Human Rights Act, a UK Bill of Rights and the UK and Scotland's future relationship with regard to the Council of Europe.

JOHN P CHALMERS  
*CI Eccl Scot*

## MINISTRIES COUNCIL

### The General Assembly:

1. Receive the Report and Supplementary Report.
2. Note the initial findings of the group considering factors which may influence those under 45 in exploring a vocation to the Parish Ministry and instruct the Council to report further in 2014.
3. Note that 2013 marks the 125th Anniversary of the founding of the Diaconate; give thanks for and affirm the distinctive ministry of the Diaconate; and instruct the Council to work together with the Diaconate Council in the promotion of and recruitment to the work of the Diaconate.
4. Instruct the Council, in collaboration with Diaconate Council, to review training provision for candidates for Diaconal ministry and report to the General Assembly of 2014.
5. Welcome the ongoing development of *Place for Hope* in relation to reconciliation, mediation and conflict transformation and instruct the Council to support the project in its move towards independent charitable status.
6. Note the outcomes of the consultation with Presbyteries on the future of continuing ministerial development and instruct the Council to work together with the Special Commission anent Ministerial Tenure and the Leadership of the Local Church in bringing forward proposals for the future shape of continuing ministerial development.
7. Instruct the Council, in conjunction with the Council of Assembly, to draw up national guidelines for ministers, deacons, parish workers, elders and others on a) the use of Social Media and b) the use of all electronic communications relating to Church matters; and Report to the General Assembly of 2014.
8. Recognise all that the Ministries Council is seeking to do to understand the alarming decline in ministerial recruitment and address the small numbers of people presenting themselves for Ministry of Word and Sacrament, invite the Ministries Council to contact all ministers of the Church with a view to seeking to establish the churches who, over the last thirty years, have produced the most Candidates for Ministry of Word and Sacrament; and instruct the Ministries Council to engage with those churches on this matter and to prepare an analysis on the reasons why recruitment has significantly declined/reduced and report back to the 2014 General Assembly.
9. Note the progress made in reviewing the Enquiry & Assessment Scheme and instruct the Council to bring to the General Assembly 2014 further details and such legislative amendments as may be necessary to implement the changes.
10. Instruct the Council to prepare material which publicises and promotes the ministries of the Church to young people in ways that encourage them to consider the possibility that they might be the ones to say “send me”.
11. Pass an Act amending Act XV 2002 anent Long-Term Illness of Ministers in Charge (as amended) as set out in Appendix 1 to the Report with the following amendments to sections (2) and (3): (A) in section (2)(i) add at the end “including pulpit supply and appointment as a part-time Locum”; (B) in section (2)(iii), (a) delete the word “its” on the second last line and substitute “the”, and (b) add the words “of the Report (“the Advice”)” at the end of that section; and (C) in section (3) delete the words “advice from the Council” where they appear in the second last line and substitute “the Advice from the Occupational Health Report”.
12. Pass an Act amending Consolidating Act II 2000 Act Anent Ministry (as amended) as set out in Appendix 2 to the Report.
13. Pass an Act amending Act VI 2007 anent the Ministries Appeal Panel (as amended) as set out in Appendix 3 to the Report.
14. Welcome the report of the Joint Emerging Church Group and invite all congregations by the year 2020 to begin to establish a new experience or expression of Church in each Parish appropriate to its local context informed by the Vision and Strategy document, *A Time to Grow*.

15. Note the work carried out on the Priority Areas Action Plan and instruct the Council to bring a report on its interim review of this work to the 2014 General Assembly.
16. Encourage Presbyteries to work together with the Council in its review of the provision of primary support to those engaged in the ministries of the Church and instruct the Council to bring forward proposals for a future structure for support.
17. Commend the work of the *Go For It* Fund in establishing appropriate means for resourcing local congregations, pray for its continued successful development in the coming year, and encourage congregations to consider making application for funding.
18. Instruct the Council to investigate the possibility of allowing congregations within the Presbytery of Europe and the Presbytery of England to make application to the *Go For It* Fund.
19. Note the progress made in Presbytery Planning and instruct Presbyteries to work together with the Council in the implementation of plans.
20. Welcome the development of the work of Work Place Chaplaincy Scotland (WPCS), note the establishment of WPCS as a self-standing ecumenical charity and the transfer of staff from the Church's employment to the direct employment of WPCS, and instruct the Council to monitor the Service Level Agreement established between the two bodies.
21. Note the move to establish two-day locums as the normal practice in a vacancy with effect from 1 July 2013 and instruct the Council to monitor the implementation of the new arrangements.
22. Congratulate the congregations of Perth: Riverside New Charge Development and Glasgow: Garthamlock & Craigend East Church Extension Charge on the significant milestone of being raised to full status on 1 December 2012 and 1 January 2013 respectively.
23. In relation to Presbytery Parish Workers (PPWs) who serve the Presbytery as a whole and in cases where local parties are unable to cover the costs of expenses (including travel costs) for PPWs, instruct Presbyteries to ensure that sufficient funds are available to reimburse the Council with effect from Jan 1 2014.
24. Note the proposals for changes to the Ministers' and Overseas Missionaries' Pension Fund, affirm the move to a defined contributions scheme, instruct the Ministries Council to complete the consultation process currently under way.
25. Give powers to the Council to make such adjustments as may be appropriate in the light of feedback from the consultation process on future pension provision and instruct the Council to implement the new scheme from 1 January 2014.
26. Instruct the Council to adopt a policy for future recommendation for stipends and salaries whereby these will be linked to [1] an increase in income coming to the Ministries Council from congregational contributions; and [2] the overall sustainability of the Council's finances. The terms of such a link will be agreed annually in consultation with the Council of Assembly.
27. Affirm the Council's intention to recommend to the Council of Assembly that, where possible, stipends and salaries should increase broadly in line with inflation.
28. Approve the Regulations and Schedule anent the Manse Adjudication Committee as set out in Appendix 2 to the Supplementary Report.
29. Affirm the need for inspection of the manse of the charge in a vacancy and the completion of a Manse Condition Schedule and pass an Act amending Act VIII 2003 (as amended) as set out in Appendix 3 to the Supplementary Report.

JOHN P CHALMERS  
*Cl Eccl Scot*

## MISSION AND DISCIPLESHIP COUNCIL

### The General Assembly:

1. Receive the Report.
2. Encourage the Church to make use of the wide range of mission website resources – [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).
3. Urge all Presbyteries to collaborate with the Council in the development of a network of Congregational Learning Facilitators.
4. Instruct the Council, working in collaboration with the Council of Assembly, to ensure maximum use of the new Resourcing Mission and Life & Work websites through high profile links and redirection to information and resources from the main Church of Scotland website.
5. Instruct the Council to produce guidance notes and appropriate forms for the Local Church Review process by 2014.
6. Welcome the revision of Future Focus for the benefit of congregations who are seeking clarity and understanding of their opportunities for mission and discipleship, and the development of Future Focus: The Way Ahead, which is a new resource designed to be used without an external facilitator.
7. Encourage congregations throughout Scotland to become involved in the “More Than Gold” initiative in relation to the Commonwealth Games in Glasgow in 2014.
8. Congratulate the Council on the success of the Different Voices Conference and encourage the Council to plan future events of this kind.
9. Encourage the Council to work collaboratively with other Councils of the Church, youth workers, young people and other experts in the field to think strategically about youth and children’s work within the Church of Scotland. In conjunction with this, create a national network of people who work with children and young people within the Church.
10. Commend the Council for living within its budget for 2012 and its elimination of all accrued debt.
11. Note with interest the development of the “online presence” of *Life and Work*, as instructed by the General Assembly of 2010.
12. Recognise the continued contribution of *Life and Work* to the life of the congregations of the Church and its important financial support of the work of the Church and encourage its promotion by congregations.
13. Instruct the Council to form a group with the purpose of seeking new ways of supporting the financing, marketing and promotion of the magazine.
14. Thank all congregations who have engaged so effectively with the Committee on Church Art and Architecture (CARTA) in the early stages of proposals for change in church buildings and encourage other congregations to do so.
15. Remind congregations of the statutory legislation which requires all congregations to plan for effective inclusion and access of those with disabilities, which is a Gospel priority that should be addressed in any consideration of the appropriate provision of a welcoming space for worship and fellowship.
16. Instruct the Mission and Discipleship Council to set up a “review process” of the work of CARTA with a remit to investigate the ways in which the Committee may serve the changing needs of the Church in Scotland for building provision and report to the General Assembly of 2014.
17. Instruct the Legal Questions Committee to consider the implications of the survey regarding the use of Elders as Moderators, and bring forward recommendations on this issue to a future General Assembly.
18. Welcome the decision of the Council to enable “*Different Voices*” magazine to become a free internet resource.
19. Welcome the joint partnership of the Mission and Discipleship and Ministries Councils with “*Fresh Expressions*” and look forward to a report of progress in 2014.

20. Instruct the Council, in collaboration with the groups indicated in the Deliverance of 2012, to bring forward for consideration by the General Assembly of 2014 some indicative proposals regarding how young people may become involved more thoroughly in the decision-making processes of the Church at all levels, with final proposals coming to the General Assembly of 2015.
21. Thank all Councils and Committees for their participation in the Mission Forum and encourage congregations to examine the reflective papers which have been produced.
22. Instruct the Council, through its Mission Forum, to consult with the Theological Forum as it continues to explore the why, what, where, who and when of mission.
23. Affirm the involvement of young people in the Mission Forum process.
24. Affirm the direction of the initial exploration of the relationship between mission and interfaith in a multi-cultural Scotland and anticipate a further report in 2014.
25. Look forward to the availability of statistics for mission on the website of the Church of Scotland being available for every parish after the census results are published.
26. Instruct the Council, in collaboration with the Council of Assembly, to prepare proposals in relation to the continued support and development of the provision of accurate statistical information for use by parishes in their mission and outreach.

JOHN P CHALMERS  
*Cl Eccl Scot*

## SOCIAL CARE COUNCIL

### **The General Assembly:**

1. Receive the Report.
2. Note the difficult financial environment and market place in which the Council is operating and the need to achieve cost savings in order to achieve long term sustainability.
3. Share the Council's regret and concern that cuts to pension contributions and conditions of service for its committed staff group are necessary and support its determination to pursue all possible ways to increase income for services provided.
4. Instruct the Social Care Council to enter or re-enter discussions with the Council of Assembly to find whether it might be possible to increase the contribution made by the Church to the Council's work to repair some of the damage already caused to the pension fund of the Council's staff.
5. Welcome the Church of Scotland Guild's support of the Heart for Art Project and commend the initiative to the Church as an example of local churches being able to partner CrossReach in transforming lives in their communities.
6. Support the Social Care (Self Directed Support) (Scotland) Act 2013 which will give individuals choice and control over the services they require and urge Local Authorities to provide adequate funding to meet personal needs and outcomes.
7. Note the funding constraints placed upon Local Authorities and funders but make clear that the Council cannot meet increased costs from existing resources nor absorb cuts in funding and at the same time continue to provide current levels of service.

8. Note the success of the first CrossReach week and commend it as an annual event in the life of the church.
9. Commend the Daisy Chain Project as an excellent example of early intervention with families that will potentially reduce the spend on reactive services at a later date. Encourage the Scottish Government to note the positive outcomes of the project and the unmet need as a result of its limited funding.

JOHN P CHALMERS  
*CI Eccl Scot*

## ASSEMBLY ARRANGEMENTS COMMITTEE

### **The General Assembly:**

1. Receive the Report.
2. Approve the Order of Business for the first two days.
3. Appoint Mr Roy Pinkerton to edit the verbatim record.
4. Invite commissioners to submit to the first meeting of the Business Committee nominees for consideration to serve on the Selection Committee.
5. Encourage commissioners intending to move amendments and counter-motions to arrange to have these printed in the Assembly papers.
6. Approve the principle that, except in extenuating circumstances, expenses will only be paid to commissioners to the Commission of Assembly who have attended the entire sitting of the Commission.

### **SCOTTISH BIBLE SOCIETY**

7. Urge the Scottish Bible Society to pursue its current efforts highlighting the Bible's key role in Church and community.
8. Support the Society in its desire to work in partnership with congregations to improve Biblical literacy and confidence in the Bible.
9. Commend the Society's global outreach to the generosity of congregations and members.
10. Appoint Rev Sandy Gunn and Rev Dr Norman Maciver to the Society's Council of Church Representatives and invite nominations for additional representatives to be sent to the Society.

JOHN P CHALMERS  
*CI Eccl Scot*

## CENTRAL SERVICES COMMITTEE

**The General Assembly:**

1. Receive the Report.
2. Note the report and evaluation of the staff survey of 2012 and support the actions taken in response to the findings arising from the survey.

JOHN P CHALMERS  
*CI Eccl Scot*

## COMMITTEE ON ECUMENICAL RELATIONS

**The General Assembly:**

1. Receive the Report.
2. Urge that the Committee considers use of the model of the Global Christian Forum for developing relationships with different parts of the body of Christ in Scotland.
3. Approve the delegates to Assemblies, Synods and Conferences of the other Churches as detailed in Appendix I.
4. Note the appointment of representation to ecumenical bodies as detailed in Appendix II.

JOHN P CHALMERS  
*CI Eccl Scot*

## LEGAL QUESTIONS COMMITTEE

**The General Assembly:**

1. Receive the Report.
2. Insert new Standing Order 55 as set out in the Report, and re-number.
3. Delete existing Standing Orders 103 and 104 and insert new Standing Order 103 as set out in the Report, and re-number.
4. Pass an Act amending Act VIII 2003 Anent Vacancy Procedure as set out in Appendix A with the addition to Appendix A of a new section: “(e) the spouse of any former minister of the charge”.
5. Approve the Overture regarding the Appeals Act as set out in Appendix B and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013.
6. Pass as an Interim Act the Appeals Act as set out in the text of the Overture in Appendix B and instruct the Selection Committee to bring the names of the Conveners and Vice-Conveners referred to in sections 9 and 16 of the Act to a future session of the General Assembly.
7. Delete existing Standing Order 56 and insert a new Standing Order 56 as set out in the Report.
8. Pass an Act amending Act V 2004 Anent Intimation of Appeals as set out in Appendix C.

9. Authorise the Clerks to make necessary adjustments to the text of the Acts and Regulations which are required as a direct consequence of the Appeals Act.
10. Approve the Regulations concerning the Nomination of the Moderator of the General Assembly as set out in Appendix D to be effective from 1 January 2014.
11. Approve the Regulations concerning the Office of the Moderator of the General Assembly as set out in Appendix E.
12. Approve the proposal to alter the style and titling of the Acts and Regulations of the General Assembly and authorise the Clerks to revise the titles of all Acts and Regulations to reflect this change.
13. Instruct the Committee in consultation with the Ministries Council to conduct a comprehensive review of the provisions of Act II 2000 as to ministerial practising certificates with a view to bringing a report and amending legislation to the General Assembly of 2014.
14. Instruct the Committee, jointly with the Ministries and Church and Society Councils, Ecumenical Relations Committee and Theological Forum, to explore the possibility of ministers and deacons ceasing to act as Civil Registrars for the purpose of solemnizing marriages and report to the General Assembly of 2015.

JOHN P CHALMERS  
*CI Eccl Scot*

## SAFEGUARDING COMMITTEE

### The General Assembly:

1. Receive the Report.
2. Commend to the whole Church the update report on *Managing the Safe Inclusion of Those Who Pose a Risk*.
3. Endorse the extension of Covenants of Responsibilities to include those who pose a risk to adults.
4. Support the development of a proportionate approach to the long-term management of Covenants of Responsibilities.
5. Remind Presbyteries of their duty of care to Safeguarding Panel members.
6. Instruct the Safeguarding Committee to consult with Presbyteries about their future support for Safeguarding Panels and report to General Assembly in 2014.

JOHN P CHALMERS  
*CI Eccl Scot*

## WORLD MISSION COUNCIL

### The General Assembly:

1. Receive the Report.
2. Give thanks for the life and witness of Mission Partners who have died, acknowledge with gratitude those who have completed their period of service overseas, and uphold in prayer all who continue to serve.
3. Encourage congregations to read and study the report, use the worship service and learn more about faith in Africa and the Caribbean and the continuing work of the Church of Scotland with its partners in those areas.

4. Encourage congregations and presbyteries to engage in the David Livingstone bicentenary events taking place during 2013.
5. Instruct the Council to:
  - (i) undertake an ecumenical consultation with the Church of Bangladesh and other member Churches in the Bangladesh Group to raise awareness and campaign for significantly improved workplace safety, conditions and pay for garment workers;
  - (ii) ensure that resources are available which will enable the Church of Bangladesh to develop its advocacy in respect of garment factory workers in Bangladesh.
6. Instruct the World Mission Council to work with the Church and Society Council on advocacy issues which are of concern to our partners, especially in Africa and the Caribbean.
7. Instruct the World Mission Council to work with the Guild, Church and Society Council, Mission and Discipleship Council and other partners to raise awareness within congregations and presbyteries on issues of human trafficking.
8. Instruct the World Mission Council to explore with the Ministries Council the possibility of sending and receiving candidates for ministry training to and from partner churches.
9. Encourage congregations and presbyteries to be welcoming of those arriving from other countries and seeking worship space.
10. Instruct the Council to explore ways of receiving the contribution to church life and mission offered by Christians from other countries arriving in Scotland.
11. Instruct the World Mission Council to engage with the Presbyterian Church of South Sudan and other partners to support community and peace building initiatives in South Sudan.
12. Instruct the Council to work with partner churches to develop a liturgy for a naming ceremony for use in Scotland for African children.
13. Instruct the World Mission Council to engage with PROCURA and other partners to support peace building initiatives between Christians and Muslims.
14. Instruct the Council to engage with the Presbyterian Reformed Church in Cuba and others to support measures to entreat the USA to lift its embargo on Cuba and promote the re-engagement of Cuba on the world stage.
15. Instruct the World Mission Council to work with partners in supporting strategies to tackle violence against women and girls.
16. Instruct the World Mission Council to engage with the Church and Society Council to inform congregations and presbyteries on the effect of climate change and ways to reduce their contribution to it.
17. Instruct the World Mission Council to engage with Christian Aid and the Church and Society Council to keep the wider church informed on issues of trade regulations and taxation and encourage congregations and presbyteries to read and take action on Christian Aid's report *'Paying our dues – how tax dodging punishes the poor.'*
18. Instruct the World Mission Council to engage with the Church and Society Council, Christian Aid, and other partners to promote widely the Enough Food for everyone IF... campaign.
19. Welcome the Council's continued commitment to the HIV Programme and encourage the whole church to be active in efforts to eliminate stigma and in offering support to those living with HIV.
20. Thank all congregations which have participated in "Souper Sunday" services for helping to raise more than £250,000 for the Church of Scotland HIV Programme since 2010, and commend the 2013 Souper Sunday service to the Church.
21. Instruct the Council to prepare resources on HIV-competence to be e-mailed to every congregation, with a view to educating every elder and minister.

22. Urge Church of Scotland members to offer their skills and expertise through the Professional Volunteer Programme to support partners worldwide.
23. Give thanks for the life and witness of Tabeetha School in offering educational opportunities and in building bridges amongst communities in Jaffa.
24. Urge all members and friends to pray for the situation in Syria and Lebanon, and instruct the Council to continue to be in touch with Christian partners there and, in association with the Church and Society Council, help amplify the issues and support opportunities for a just and peaceable end to the conflict.
25. Instruct the Council, in consultation with the Church and Society Council to urge Her Majesty's Government through the UN and the international community to seek a just and peaceable end to the conflict in Syria and to seek the protection of minorities in any new political settlement.
26. Welcome the engagement of the Church in Scotland with the Church in China over the past year and encourage Scottish Christians to continue to pray for and build friendships with Christians and congregations in China and to support the work of the Amity Foundation and the China Christian Council.
27. Welcome the Council's commitment to support minorities, especially Christians, and to the repeal of the Blasphemy Act, in Pakistan, and instruct the Council to continue its efforts in association with Church and Society and other partners.
28. Give thanks for the award of Tamgha-e-Quaid-e-Azam, ('Medal of the Great Leader'), to Miss Catherine Nicol, OBE, from the President of the Islamic Republic of Pakistan, "in recognition of dedicated services with selfless devotion to human rights and public service".
29. Support the Korean churches in their efforts for healing, reconciliation and peaceful reunification; and instruct the Council to work with CTBI and other partners in seeking to offer support for the healing of the historical wound of the Korean people caused by the national division under the Cold War System.
30. Pass an Act concerning Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, in terms of Appendix V.
31. Pass an Act concerning the Minister of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, in terms of Appendix VI.

JOHN P CHALMERS  
*Cl Eccl Scot*

## COMMITTEE ON CHAPLAINS TO HER MAJESTY'S FORCES

### **The General Assembly:**

1. Receive the Report.
2. Reaffirm the support of the Church of Scotland for all who serve in Her Majesty's Forces as Chaplains, and thank them for their outstanding service to Royal Navy, Army and Air Force personnel and their families.
3. Acknowledge with particular gratitude the dedicated service of Chaplains on operations in Afghanistan and the immeasurable support shown by their own families.
4. Commend to the prayers of all members of the Church of Scotland not just our Chaplains but all who serve in HM Forces and their families.

5. Recognise the on-going sense of uncertainty and anxiety that continues to prevail among so many military personnel facing reduction and redundancy, and the extra burden this brings to those with responsibility for pastoral care.
6. Commend to eligible ministers of the Church consideration of service as a Chaplain to HM Forces – Regular, Reserve and Cadet Forces.
7. Urge all Presbyteries (and where appropriate with neighbouring Presbyteries) to engage with their local authority's Armed Forces Community Covenant Group and appoint, where possible, a Church champion from the Presbytery to be part of the group.

JOHN P CHALMERS  
*CI Eccl Scot*

## THE CHURCH OF SCOTLAND TRUST

### **The General Assembly:**

1. Receive the Report and thank the members of the Trust for their diligence.
2. Re-appoint Mr W F Stuart Lynch and the Very Rev Dr Andrew R C McLellan as members of the Trust from 1st June 2013.

JOHN P CHALMERS  
*CI Eccl Scot*

## CHURCH HYMNARY TRUSTEES

### **The General Assembly:**

1. Receive the Report and Supplementary Report.
2. Appoint the Right Honourable Lord Brodie as Chairman of the Trust and appoint the Reverend Ann Inglis to be a Trustee.

JOHN P CHALMERS  
*CI Eccl Scot*

## DELEGATION OF THE GENERAL ASSEMBLY

### **The General Assembly:**

1. Receive the Report of the Delegation of the General Assembly and thank it for its work.
2. Continue the appointment of the Delegation with the same powers as hitherto – the Principal Clerk of the General Assembly to be Chairman and the Depute Clerk of the General Assembly to be Vice-Chairman.

JOHN P CHALMERS  
*CI Eccl Scot*

## GENERAL TRUSTEES

### **The General Assembly:**

1. Receive the Report and Accounts of the General Trustees.
2.
  - (a) Appoint Mr Donald W Thomas as a General Trustee.
  - (b) Re-appoint Rev Dr James A P Jack as Chairman and Mr Iain C Douglas as Vice-Chairman for the ensuing year and authorise the payment of remuneration of £1,575 to each of them for the past year.
3. Noting the Report of the Ministries Council on the very high energy bills of manses, instruct Presbyteries to ensure that every manse condition schedule includes an energy performance certificate for the property and instruct congregations to take appropriate action within reasonable time.
4. Commend the new Insurance Scheme offered by the Church of Scotland Insurance Company Ltd, instruct all Financial Boards and Courts to insure all ecclesiastical buildings for which they are responsible through the new Scheme and instruct all Financial Boards and Courts to take up the covers for public liability, employers' liability, breach of duty and trustee indemnity and the contents cover provided by the new Scheme.

JOHN P CHALMERS  
*CI Eccl Scot*

## CHURCH OF SCOTLAND GUILD

### **The General Assembly:**

1. Receive the Report.
2. Commend the work of the Guild and its theme for 2013-14 "A Fellowship to Build."
3. Congratulate the Guild on the success of its 125th anniversary celebrations and the many events and initiatives undertaken over the year.
4. Encourage congregations where there is no Guild to consider forming one.
5. Pray for the success of the Partnership Projects for 2012-15.
6. Commend the Guild on the remarkable success of its 2009-12 Project Partnerships.
7. Welcome the on-going work of the Guild on the issues of Domestic Abuse and Human Trafficking.
8. Note the developing work of the Guild's Golden Age Project and look forward to receiving a full report at the General Assembly of 2014.
9. Note and approve the continuation of the pilot project on Committee structures for another year, with final proposals to be reported to the General Assembly of 2014.

JOHN P CHALMERS  
*CI Eccl Scot*

## TRUSTEES OF THE CHURCH OF SCOTLAND HOUSING AND LOAN FUND FOR RETIRED MINISTERS AND WIDOWS AND WIDOWERS OF MINISTERS

### **The General Assembly:**

1. Receive the Report and thank the Trustees and Staff.
2. Re-appoint Mr J G G Lees as a Trustee.

JOHN P CHALMERS  
*CI Eccl Scot*

## THE CHURCH OF SCOTLAND INVESTORS TRUST

### **The General Assembly:**

1. Receive the Report.
2. Appoint Miss C Y Alexander as Vice-Chairman of the Investors Trust from 1 June 2013.
3. Approve the reduction of Chairman and Vice Chairman's term of office from 4 years to 3 years.
4. Approve the appointment of Mr R D Burgon, Mr D Campbell, Mrs J Henderson and Dr F D Tosh.
5. Approve the re-appointments of Miss C Y Alexander, Mr A A Aitchison and Mr J G Wilson as members of the Investors Trust from 1 June 2013.
6. Receive the Annual Report and Financial Statements of the Investors Trust for 2012.

JOHN P CHALMERS  
*CI Eccl Scot*

## THE IONA COMMUNITY BOARD

### **The General Assembly:**

1. Receive the Report and thank the Board.
2. Congratulate the Iona Community on its 75th anniversary.
3. Express appreciation of the contribution of its members and associate members, to the life of the churches and local communities.
4. Encourage the Iona Community to engage with groups such as the Scottish Churches Scheme and the Scottish Pilgrim Routes Forum to encourage the rediscovery of pilgrimage for the pilgrim people in the 21st Century seeking new ways to touch the hearts of all.
5. Commend the ecumenical vision and witness of the Iona Community and its contribution to the renewal of the Church and its worship.
6. Commend the Iona Community's work with people living in poverty and encourage its partnership working with other agencies.

JOHN P CHALMERS  
*CI Eccl Scot*

## NOMINATION COMMITTEE

### The General Assembly:

1. Receive the Report.
2. Encourage Presbyteries and Congregations to consider prayerfully the talents of those known to them and to nominate those who may be able to contribute helpfully to the work of the Church.
3. Appoint Dr Sally Bonnar, Elder at Perth: North, as Convener of the Social Care Council.
4. Appoint the Rev Colin Sinclair to a second term, for three years, as Convener of the Mission and Discipleship Council.
5. Appoint the Very Rev Professor Iain R Torrance as Convener of the Theological Forum.
6. Make alterations to Standing Committees and Councils as set forth in the Report, subject to the following alterations:

*Add the following:*

### Church and Society Council

*Member Resigned* Gill Bishop

### Ecumenical Relations Committee

*Member Resigned* Fiona Buchanan

*Member Appointed* Anikó Schuetz (Edinburgh: Morningside United)

### Judicial Proceedings Panel

*Ministers Appointed* Hugh Conkey (Newtonhill), Alan Garrity (Bermuda retired), Jane Howitt (Galashiels: St John's), Sheila Kirk (Deer), John McPake (East Kilbride: Mossneuk), Fraser Penny (Dunkeld), Alan Reid (Kinross)

*Members Appointed* Alexander Bolland (St Andrews: St Leonard's), Robert Hynd (Glasgow: Hyndland), Helen McLeod (Forfar: St Margaret's), Aileen Nimmo (Edinburgh: Mayfield Salisbury), William Windram (Bowden and Melrose)

### Theological Forum

*Vice-Convener Appointed* Frances Henderson (Hoddum, Kirtle-Eaglesfield and Middlebie)

*Members Appointed* Liz Grant (Edinburgh: St Catherine's Argyle), Lindsay Sawyer (Edinburgh: High (St Giles'))

### World Mission Council

*Member Resigned* Fiona Buchanan

*Member Appointed* Anikó Schuetz (Edinburgh: Morningside United)

JOHN P CHALMERS

*CI Eccl Scot*

## CHURCH OF SCOTLAND PENSION TRUSTEES

### The General Assembly:

1. Receive the Report.
2. Amend the wording of the appendix to the 1997 report of the Church of Scotland Pension Trustees to add the words "defined benefit" before the words pension schemes.

3. Appoint the Chairman and Vice Chairman of the Church of Scotland Pension Trustees or substitutes therefor as members ex officio of any Governance Committee of the Defined Contribution schemes of the Church.
4. Note the retirement of Arthur J Priestly as Vice Chairman and the appointment of Graeme Caghey as Vice Chairman of the Church of Scotland Pension Trustees.

JOHN P CHALMERS  
CI Eccl Scot

## THEOLOGICAL COMMISSION ON SAME-SEX RELATIONSHIPS AND THE MINISTRY

### The General Assembly:

1. Receive the Report of the Theological Commission and the Legal Appendix.
2. In the event of the General Assembly agreeing to transmit to Presbyteries either of the Overtures referred to in the Deliverance of the Theological Commission or any other Overture, agree:
  - (i) to instruct the Principal Clerk, the Procurator and the Solicitor of the Church to prepare a modified version of the Legal Appendix explaining the implications of approval or disapproval of the successful Overture, such background information to accompany the Overture in the "Remits to Presbyteries";
  - (ii) In line with the procedure used by the Special Commission in consulting with Presbyteries and in keeping with the voting procedure used by the General Assembly, instruct that a ballot paper be produced to accompany the Overture in the "Remits to Presbyteries" and instruct every Presbytery to establish their response to the successful Overture by use of such a ballot paper.

**Note:** Section 2 of the Deliverance was agreed to before section 3 of the Deliverance was considered. When section 3 came to be considered, it was determined that no Overture would be sent to Presbyteries this year, and therefore section 2 of the Deliverance is not applicable this year. In terms, however, of section 3 of the Deliverance, the Legal Questions Committee, in bringing the Overture to next year's Assembly, will take account of the principles agreed in section 2.

3. (i) Affirm the Church's historic and current doctrine and practice in relation to human sexuality; nonetheless permit those Kirk Sessions who wish to depart from that doctrine and practice to do so.
- (ii) Instruct the Legal Questions Committee to bring an Overture to the General Assembly of 2014 which enacts the following principles of section 3.(i) above:

### Principles of the Overture:

1. Would not require the Church to abandon its traditional position.
2. But would allow individual congregations – by decisions of their Kirk Sessions – to depart from the Church's traditional position.
3. Would allow ministers and deacons (current and prospective) who are in civil partnerships to be selected for training and to be trained. Would also allow them to be ordained/inducted into a Charge the Kirk Session of which had decided to depart from the Church's traditional position.
4. Would cover inducted ministers and ministers and deacons working in other roles in congregations.

5. Would not enable one congregation to depart from traditional position where others in a linking do not wish to do so.
6. Would enable a Kirk Session to change its mind. But a minister or deacon who had been appointed to a congregation whose Kirk Session had decided to depart from the traditional position would not be prejudiced by a change of mind by the Kirk Session.
7. Would preserve liberty of opinion and responsible expression. Would not permit harassing or bullying.
8. Preserves right of members of presbyteries – whatever views – to engage or not in ordinations/inductions.
  - (iii) Instruct the Theological Forum to explore the relevant ecclesiological issues informing the principles of the “mixed economy” as set out in the Report of the Theological Commission and report to the General Assembly of 2014.
  - (iv) Instruct all Courts, Councils and Committees of the Church not to make decisions in accordance with section 3.(i) above until the position in relation to the proposed Overture has been finally determined by a future General Assembly.
4. Thank and discharge the Theological Commission.

JOHN P CHALMERS  
*CI Eccl Scot*

## JOINT REPORT OF THE COUNCIL OF ASSEMBLY AND MISSION AND DISCIPLESHIP COUNCIL ON THE PLACE OF DOCTRINE AND THEOLOGICAL REFLECTION IN THE LIFE OF THE CHURCH OF SCOTLAND

### The General Assembly:

1. Receive the Report.
2. Endorse the principles set out in the report and approve the institution of the Theological Forum.
3. Instruct the Nomination Committee of the General Assembly to bring forward names for the membership of the Theological Forum to the General Assembly at a later session of the General Assembly.
4. Instruct the Council of Assembly, in collaboration with the Mission and Discipleship Council, to make appropriate arrangements for the budget and staffing support of the Theological Forum to allow the Forum to assume its role by September 2013, or as soon after as is possible.
5. Instruct the Theological Forum to take up consideration of the issues of asexuality in the light of the work previously undertaken by the Faith Expression Group of the Mission and Discipleship Council and report to the General Assembly of 2014.
6. Encourage the Theological Forum to bring to the General Assembly of 2014 a list of possible topics and issues for its future consideration.
7. Thank the working group.

JOHN P CHALMERS  
*CI Eccl Scot*

## **JOINT REPORT OF THE CHURCH AND SOCIETY COUNCIL, THE COMMITTEE ON ECUMENICAL RELATIONS AND THE LEGAL QUESTIONS COMMITTEE ON THE IMPLICATIONS FOR THE CHURCH OF SCOTLAND OF INDEPENDENCE FOR SCOTLAND**

### **The General Assembly:**

1. Receive the Report.
2. Call on the Scottish Government to publish any draft Constitution which it may propose for an independent Scotland in advance of a referendum on independence.
3. Urge that, in recognition of the historic and continuing role of the Christian faith in Scottish society, any constitutional arrangements which may be made for an independent Scotland must continue to recognise the Claim of Right, should recognise that human realms are under the authority of God, and should also recognise the role of religion in general and the Church of Scotland in particular.
4. Establish an interfaith conversation to propose how recognition of religion should be addressed in the constitutional arrangements for Scotland following upon a vote for independence, to report to the General Assembly in 2014.
5. In the event of Scottish independence, believes:
  - a. that the Queen (and her heirs and successors) should be the head of state of Scotland.
  - b. that the monarch should have a Scottish coronation or investiture to symbolise her or his role as Queen or King of Scots, including the obligations to uphold Scottish religious life and traditions, and in particular her or his role with regard to the Church of Scotland.
  - c. that the lawfulness of the Articles Declaratory should be acknowledged in any constitutional settlement.
  - d. that in any constitutional settlement the relationship between church and state should be affirmed by recognising that the role of the Church of Scotland in civic life should be maintained, in particular the provision of prison chaplains, the conduct of marriages, and the appointment of Church Representatives on Local Authority Education Committees.
  - e. Scotland should become a member of the Council of Europe and should accede to the European Convention on Human Rights, which includes the right to religious freedom.
  - f. that the plurality of views and beliefs about religious matters should be addressed appropriately in any new constitutional settlement.

JOHN P CHALMERS  
*Cl Eccl Scot*

## **SPECIAL COMMISSION ANENT MINISTERIAL TENURE AND THE LEADERSHIP OF THE LOCAL CHURCH**

### **The General Assembly:**

1. Receive the Report.
2. Instruct the Commission to bring a final report to the General Assembly of 2014 with proposals for processes to bring in –
  - a. continuing ministerial review and development
  - b. training and support for elders
  - c. a capability policy for ministers.
3. Instruct the Commission to work with the Ministries Council, the Mission and Discipleship Council, other Church Councils and Committees, Presbyteries, Ecumenical Partners, the Church's Training Providers and para-church organisations in the delivery of these aims.
4. Instruct the Ministries Council, in consultation with the Legal Questions Committee, to bring forward amendments to Act VII, 2003 which more accurately conveys the meaning and purpose of that which is currently called "reviewable tenure".

JOHN P CHALMERS  
*CI Eccl Scot*

## **JOINT REPORT OF THE COUNCIL OF ASSEMBLY, CENTRAL SERVICES COMMITTEE, MINISTRIES COUNCIL, SOCIAL CARE COUNCIL AND WORLD MISSION COUNCIL ON PENSION PROVISION**

### **The General Assembly:**

1. Receive the Report.
2. Note the proposals for changes to the Staff Pension Scheme for employees of the Central Services Committee and the Social Care Council.
3. Note the broad parameters of the proposed changes to the Pension Scheme for Presbytery and Parish Workers employed by the Ministries Council.
4. Note the broad parameters of the proposed changes to the Pension Scheme for Mission Partners employed by the World Mission Council.

JOHN P CHALMERS  
*CI Eccl Scot*

## CHALMERS LECTURESHIP TRUST

**The General Assembly:**

1. Receive the Report.
2. Invite the Trustees to bring nominations of new Trustees to a future General Assembly.

JOHN P CHALMERS  
*Cl Eccl Scot*

## COMMITTEE ON OVERTURES AND CASES

**The General Assembly:**

1. Receive the Report.
2. Approve the actions of the Committee.

JOHN P CHALMERS  
*Cl Eccl Scot*

## SELECTION COMMITTEE

**The General Assembly:**

1. Receive the Report.
2. Appoint the following additional Convener and Vice-Convener of the Judicial Commission:

Convener: Morag Mylne

Vice Convener: The Very Rev Dr David Lunan

3. Appoint the following two Conveners and Vice-Conveners of the Appeals Committee of the Commission of Assembly:

Convener: Lord Brodie

Vice-Convener: Rev Matthew Z Ross

Convener: Carole Hope

Vice-Convener: Rev Peter Graham

JOHN P CHALMERS  
*Cl Eccl Scot*

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## LEGISLATIVE ACTS OF THE GENERAL ASSEMBLY 2013

### I ACT AMENDING ACT VIII 2003 ANENT VACANCY PROCEDURE

*Edinburgh, 18 May 2013, Session I*

The General Assembly hereby enact and ordain that Act VIII 2003 as amended shall be further amended as follows:

*Amend section 14(2) by adding a new section 14(2)(c) and re-numbering the remaining sub-sections of section 14(2) accordingly:*

“For the avoidance of doubt, a member of a vacant charge shall not be eligible for nomination to serve on a Nominating Committee, if he or she is:

- a) a minister (including a retired minister) of the Church of Scotland,
- b) a member of the diaconate of the Church of Scotland,
- c) an employee of the vacant charge,
- d) an employee of the Ministries Council who works in the vacant charge, or
- e) the spouse of any former minister of the charge.”

### II THE APPEALS ACT (INTERIM) (ACT II 2013)

*Edinburgh, 18 May 2013, Session I*

The General Assembly hereby enact and ordain as follows:

#### Part 1: General

##### 1. Definitions & Interpretation

In this Act:

“appeal” includes “dissent and complaint”, unless otherwise provided, and “Appellant” includes “complainer”;

“Appeals Committee” means the committee established from time to time from the members of the Commission of Assembly in accordance with Part 2 of this Act;

“Clerks of Assembly” means the Principal Clerk and the Depute Clerk;

“Commission” means the Appeals Committee of the Commission of Assembly or the Judicial Commission, as appropriate in the context;

“Commission of Assembly” means the Commission of Assembly which was established in terms of Act VI 1997;

“Court” does not include the General Assembly nor the Commission of Assembly but shall include any other body, including a Presbyterial Commission, against whose decision an appeal is being taken;

“Judicial Commission” means the Judicial Commission which is re-established in terms of this Act;

“Jurisdiction Committee” means a committee of three persons consisting of (i) a Convener or Vice-Convener of the Appeals Committee of the Commission of Assembly, (ii) a Convener or Vice-Convener of the Judicial Commission, and (iii) the Procurator;

“Personal Case” means a case which involves the consideration of allegations against an individual which, if established, could adversely affect that individual’s holding of an office in the Church or otherwise lower him or her in the estimation of other members of the Church;

“Parties” means the Appellant and the Respondent (as later defined) and “Party” means either one of them;

“Schedule” means the schedule of 2 parts attached to this Act.

## **2. Right to appeal from decisions**

- (1) As from the date of this Act, and subject to the exclusions and qualifications in sections 2(3) and 2(4) below, a person with a legitimate interest who is aggrieved by a decision of a Court (“the Appellant”) may within fourteen days of the decision intimate an appeal against that decision.
- (2) Such an appeal shall be intimated in accordance with the Rules of Procedure set out in Schedule 2 to this Act.
- (3) Such an appeal may be taken only upon one or more of the following legal grounds: (a) an error in Church law; (b) breach of the principles of natural justice or material irregularity of process; (c) decision influenced by incorrect material fact; and (d) the severity of any sanction imposed.
- (4) The right of appeal conferred in section 2(1) does not apply where the Acts and Regulations of the General Assembly specifically provide another appeal procedure.
- (5) The Court against whose decision an appeal is being taken under this Act shall have power, on its own initiative or on the application of an interested person, to regulate matters relating to the decision, including giving interim effect to the decision, pending the determination of the appeal.

## **3. Establishment of the Appeals Committee of the Commission of Assembly and the Judicial Commission**

- (1) The Appeals Committee of the Commission of Assembly hereby established and the Judicial Commission is hereby re-established and both are authorised, to act for and on behalf of the General Assembly in the hearing of certain appeals, and adjudicating finally on such appeals, all as specified in this Act.
- (2) For this purpose the General Assembly delegate to the said Commissions all powers necessary to act in such cases as if the General Assembly themselves were acting, including *inter alia* power, where necessary, to require the attendance of witnesses, to examine witnesses on oath or affirmation, and to call for the production of all documents and productions connected with or relevant to the appeal.
- (3) It is declared that this delegation of all powers to act and to adjudicate finally is in accordance with the Articles Declaratory of the Constitution of the Church of Scotland in Matters Spiritual, as interpreted by the Church in this Act.
- (4) Nothing in this Act shall affect the ongoing establishment of the Commission of Assembly in terms of Act VI 1997 and in particular the right of the Commission of Assembly to exercise its powers in terms of section 5(1) of that Act, provided always that in relation to cases and appeals, the whole provisions of this Act, which have the effect of constituting an Appeals Committee of the Commission of Assembly to hear such cases and appeals, shall prevail.

## **4. Jurisdiction of the Appeals Committee of the Commission of Assembly and the Judicial Commission**

- (1) As from the date of this Act, sittings of the Appeals Committee of the Commission of Assembly and of the Judicial Commission shall be arranged to hear cases as set out in this section.
- (2) The Appeals Committee of the Commission of Assembly shall hear the following cases:
  - (i) all appeals, apart from those delegated to the Judicial Commission in accordance with section 4(3) below or to the Ministries Appeal Panel in accordance with Act VI 2007;
  - (ii) all references in terms of Act VII 2003 (Act Anent Appraisal & Adjustment);

- (iii) all petitions which seek review of judgements of Presbyteries on the grounds that the Petitioners could not have come by appeal or have been obstructed in so doing by the Presbytery concerned, apart from those delegated to the Judicial Commission in accordance with section 4(3) below or to the Ministries Appeal Panel in accordance with Act VI 2007; and
  - (iv) all other appeals except for those mentioned in sub-sections (i), (ii) and (iii) above.
  - (v) For the avoidance of any doubt, the Appeals Committee of the Commission of Assembly shall not hear any appeal in a Personal Case.
- (3) The Judicial Commission shall hear the following cases:
- (i) Appeals under Act III 2001, being appeals against the decisions of Presbyterial Commissions in cases relating to discipline of Ministers, Licentiates, Graduate Candidates & Deacons, except in matters of doctrine;
  - (ii) Appeals in all cases arising under Act I 1988 (Act Anent Congregations in an Unsatisfactory State);
  - (iii) Appeals in all cases arising under Act IV 2007 (Act Anent Bullying), Act V 2007 (Act Anent Discrimination) and Act I 2010 (Act Anent Discipline of Elders, Readers, Office Bearers); and
  - (iv) Appeals in Personal Cases.
  - (v) For the avoidance of doubt, the Judicial Commission shall not hear appeals to the Ministries Appeal Panel in accordance with Act VI 2007.
- (4) If there is (i) any uncertainty or dispute as to which Commission shall hear a case or appeal, or (ii) any dispute as to whether a case or appeal to be heard before the Commission of Assembly is one which should be referred to its Appeals Committee or to the full Commission of Assembly, the Principal Clerk shall refer the matter to the Jurisdiction Committee and that Committee shall decide, in alternative (i), by which Commission the case or appeal shall be heard, and in alternative (ii), whether the case or appeal should be referred to the Appeals Committee or to the full Commission of Assembly, its decision in all such matters being final.
- (5) Save for the provisions of this section, nothing in this Act affects the terms of Act VI, 2007 (Act Anent The Ministries Appeal Panel).
- (6) All cases in which an appeal was intimated to and received by the Principal Clerk prior to the date of this Act coming into force shall continue to be dealt with in accordance with the terms of Act VI 1997 (Act Anent the Commission of Assembly) or Act II 1988 (Act Anent the Judicial Commission), as appropriate.
- (7) Decisions of the Appeals Committee of the Commission of Assembly and of the Judicial Commission shall be final and there shall be no appeal from a decision of either the Appeals Committee of the Commission of Assembly or the Judicial Commission.

## **5. Reference to General Assembly**

It is declared that the General Assembly themselves shall not hear or dispose of any appeals save for appeals in matters of doctrine as referred to in section 4(3)(i) nor shall the decisions of the Appeals Committee of the Commission of Assembly or the Judicial Commission be subject to review by the General Assembly; provided that any case or appeal in which, in the opinion of the relevant Commission, an important issue of principle is at stake may be referred by that Commission to the General Assembly.

## **6. Rules of Procedure**

All appeals intimated under this Act shall follow the rules of procedure set out in Schedule 2.

**Part 2: The Commission of Assembly and the Appeals Committee of the Commission of Assembly****7. Appointment of Commissioners for the Commission of Assembly**

- (1) At their closing session each year, the General Assembly shall appoint Commissioners for the Commission of Assembly comprising the following persons:
  - (i) one tenth of the ministers and elders commissioned by Presbyteries to the General Assembly in that year, such Commissioners to be designated by the appointing Presbyteries in accordance with the rules set out in Schedule 1 to this Act; and
  - (ii) one in ten or part of ten of the members of the Diaconate commissioned by Presbyteries to the General Assembly in that year, such members to be selected at random by the Clerks of Assembly.
- (2) From the Commissioners appointed to the Commission of Assembly there shall be selected the members to serve on the Appeals Committee of the Commission of Assembly, in terms of section 8 below.
- (3) Act VI 1997 shall from the date of this Act be amended so that the Commissioners appointed to the Commission of Assembly shall be appointed in accordance with the provisions of this section 7 and Schedule 1 to this Act.

**8. Constitution of the Appeals Committee of the Commission of Assembly**

- (1) Throughout the year following each General Assembly, in order that cases or appeals falling within its jurisdiction may be heard, an Appeals Committee of the Commission of Assembly shall be constituted as required. Whenever a sitting of the Appeals Committee of the Commission of Assembly is required, the Clerks of Assembly shall select the following persons from the Commissioners appointed in accordance with section 7, to be members of that Appeals Committee:
  - (i) Subject to the provisions of section 23(1), ten ministers, ten elders and one deacon, all selected at random from the Commissioners appointed to the Commission of Assembly; and
  - (ii) A Convener and a Vice-Convener, from those appointed under section 9 below.
- (2) In addition, the following members *ex officiis* of the General Assembly in that year, shall hold the same offices in the Appeals Committee of the Commission of Assembly as they did in the General Assembly: the Clerks of Assembly, the Procurator and the Law Agent.

**9. Convener and Vice-Convener of the Appeals Committee of the Commission of Assembly**

- (1) The General Assembly, on the nomination of the Nomination Committee, and in accordance with the Standing Orders of the General Assembly, shall appoint a Convener and a Vice-Convener of the Appeals Committee of the Commission of Assembly and an alternate Convener and Vice-Convener, all of whom shall be qualified to practise as lawyers or shall be persons experienced in the law and practice of the Church.
- (2) Subject to section 9(3) below, each sitting of the Appeals Committee of the Commission of Assembly shall be moderated by either a Convener or a Vice-Convener so appointed.
- (3) In the event that (i) neither the Convener nor the Vice-Convener nor their alternates is able to attend a sitting of the Appeals Committee of the Commission of Assembly, or (ii) both the Convener and Vice-Convener disqualify themselves from the hearing of a particular appeal, the Appeals Committee of the Commission of Assembly may choose their own convener from their own number to moderate that sitting (or the hearing of a particular appeal within that sitting, as the case may be), provided always that the same person shall continue to act as convener throughout the hearing of any given appeal.
- (4) The person who moderates a sitting (or hearing) of the Appeals Committee of the Commission of Assembly shall have a casting vote.

**10. Quorum**

The quorum of the Appeals Committee of the Commission of Assembly shall be fifteen persons.

**11. Sittings**

Sittings of the Appeals Committee of the Commission of Assembly shall be arranged as follows:

- (a) Sittings shall take place as required, during the months of June, August, October, December, February and April.
- (b) Sittings shall be called by the Principal Clerk.

**12. Report to the General Assembly**

The Minutes of all sittings of the Appeals Committee of the Commission of Assembly shall be submitted to the General Assembly in the Volume of Reports, or in the Order of Proceedings, or in the Daily Papers, and laid on the table, without discussion, provided that the General Assembly may consider and deal with any allegation that the Appeals Committee of the Commission of Assembly has acted in excess of the powers conferred by this Act.

**13. Relation to Legislation**

- (1) The Appeals Committee of the Commission of Assembly shall act in accordance with the Constitution of the Church and the Acts of the General Assembly and nothing in this Act shall be construed as conferring power to contravene or amend existing legislation, or to legislate.
- (2) The Appeals Committee of the Commission of Assembly shall not have power to review any decision of the General Assembly, except for a decision made under Act VII 2003 (Act Anent Appraisal & Adjustment) where the Appeals Committee of the Commission of Assembly is satisfied that the relevant circumstances have significantly changed.
- (3) The Appeals Committee of the Commission of Assembly shall be accountable to the General Assembly, which may quash any decision made by the Appeals Committee of the Commission of Assembly which exceeds the powers conferred by this Act.

**Part 3: The Judicial Commission****14. Appointment of a pool of Persons for Sittings of the Judicial Commission**

- (1) There shall be a pool of persons, from which there shall be drawn the members to serve on the Judicial Commission.
- (2) The pool shall comprise forty ministers, elders and deacons nominated by the Nomination Committee and appointed by the General Assembly.
- (3) The persons in the pool to serve on the Judicial Commission shall not remain in the pool for more than four years, and no person who has formerly been in the pool, shall be eligible for reappointment until after the lapse of one year, except upon special cause shown.
- (4) In the event of a person in the pool to serve on the Judicial Commission who is due to retire being then engaged in the hearing of an appeal, he or she shall continue in office, but only until the Judicial Commission has recorded its decision in the appeal in question.
- (5) The Procurator of the Church shall not be eligible for inclusion in the pool for the Judicial Commission but may be requested to attend a sitting of the Judicial Commission if it is so determined at the Appeal Management Hearing referred to in Schedule 2.

**15. Constitution of the Judicial Commission**

Whenever a sitting of the Judicial Commission is required, the Clerks of Assembly shall select the following persons:

- (i) Subject to the provisions of section 23(1), thirteen persons, seven of whom shall be ministers or deacons and six of whom shall be elders, all selected at random from the pool; and
- (ii) A Convener and Vice-Convener, from those appointed under section 16 below.

**16. Conveners & Vice-Conveners of the Judicial Commission**

- (1) The General Assembly, on the nomination of the Nomination Committee, and in accordance with the Standing Orders of the General Assembly, shall appoint two persons to be Conveners and two persons to be Vice-Conveners of the Judicial Commission, all of whom shall be qualified to practise as lawyers or shall be persons experienced in the law and practice of the Church.
- (2) Subject to section 16(3) below, each sitting of the Judicial Commission shall be chaired by either a Convenor or a Vice-Convenor so appointed.
- (3) In the event that (i) none of the Conveners or Vice-Conveners is able to attend a sitting of the Judicial Commission, or (ii) both the Convenor and Vice-Convenor disqualify themselves from the hearing of a particular appeal, the Judicial Commission may choose their own convenor from their own number to chair that sitting (or the hearing of a particular appeal within that sitting, as the case may be), provided always that the same person shall continue to act as convenor throughout the hearing of any given appeal.
- (4) The person who chairs a sitting (or hearing) of the Judicial Commission shall have a casting vote.

**17. Quorum**

The quorum of the Judicial Commission shall be ten persons.

**18. Sittings**

Sittings of the Judicial Commission shall be arranged as follows:

- (a) Sittings shall take place as required, during the months of June, August, October, December, February and April.
- (b) Sittings shall be called by the Principal Clerk.

**19. Report to the General Assembly**

A Minute of proceedings of the Judicial Commission shall be incorporated in a written report to the General Assembly, but shall not be subject to review by the General Assembly.

**20. Relation to Legislation**

The Judicial Commission shall act in accordance with the Constitution of the Church and the Acts of the General Assembly and nothing in this Act shall be construed as conferring power to contravene or amend existing legislation, or to legislate.

**Part 4: Provisions Applicable to both Commissions****21. Clerks**

- (1) The Clerks of Assembly shall act as Clerks to the Commissions, but the duties may be carried out by one of them.
- (2) If neither of them is present at a sitting, the Commission shall appoint a substitute, whether or not a member of that sitting of the Commission, to act as Clerk of the Commission during that sitting, and the oath *de fidei* shall be administered to him or her and recorded.

**22. Priority of meetings**

- (1) When a sitting of a Commission coincides with an ordinary meeting of a Presbytery or Kirk Session of which any member attending a Commission is a member, such Presbytery or Kirk Session has permission to meet, but the priority for such member is to attend the Commission in question, and the Presbytery or Kirk Session shall not in the absence of such member transact any business which might be prejudicial to his or her interests.
- (2) Decisions of the Commissions shall be complied with as if they were decisions of the General Assembly.

**23. Other provisions as to membership of Commissions**

- (1) No member of any Court whose decision is under appeal, nor any person who has taken part in the cause at any stage, nor any person with an interest in the outcome of the cause, shall act as a member of a Commission when an appeal in such a cause is being heard.
- (2) No member of a Commission who has not been present during the whole proceedings in the appeal shall vote or take any part in the decision of the Commission in question or be consulted for the purposes of production of written reasons for the decision.

**Part 5: General****24. Intimation of decisions**

Intimation of all decisions of courts of the Church in relation to which there is a right to appeal shall be made to the parties by sending to them forthwith (1) a copy of the decision (2) an extract minute in respect of the decision and (3) a copy of the section or sections of the relevant legislation in terms of which an appeal may be intimated.

**25. Amendments**

Act III 2001 (Act Anent Discipline of Ministers, Licentiates, Graduate Candidates and Deacons) is amended as follows:

*Delete sections 19 (1) to (6) and substitute the following as section 19(1); also consequentially renumber section 19 (7) as section 19 (2):*

*"If either the Special Committee of Presbytery or the Respondent is dissatisfied with any decision of the Presbyterial Commission, they may appeal to the Judicial Commission in terms of the Appeals Act 2013. No right of appeal or dissent-and-complaint shall be allowed in respect of any act or decision done or taken in terms of this Act, otherwise than in accordance with the provisions of this Act or the Appeals Act 2013."*

**26. Repeal and Amendment**

- (1) Act II 1988 is hereby repealed but where an appeal in a case to be heard by the Judicial Commission was intimated to and received by the Principal Clerk before the date of this Act, such proceedings shall continue until final disposal in accordance with the law in force immediately before the date of this Act.
- (2) Act VI 1997 is from the date of this Act to be interpreted so as to apply only to matters brought to it not comprising cases or appeals, all cases and appeals falling within its jurisdiction being from the date of this Act heard by the Appeals Committee of the Commission of Assembly and governed by the terms of this Act. Where an appeal in a case to be heard by the Appeals Committee of the Commission of Assembly was intimated to and received by the Principal Clerk before the date of this Act, such proceedings shall continue until final disposal in accordance with the law in force immediately before the date of this Act.

**Schedule 1****Rules for Presbyteries appointing Commissioners to the Commission of Assembly**

1. To ascertain the number of appointees for each Presbytery, the number of ministers and elders commissioned to the General Assembly shall be divided by ten and taken up or down to the nearest whole number, provided that every Presbytery shall appoint at least one minister and one elder.
2. When the formula produces an even number, the Presbytery shall appoint ministers and elders in equal numbers.
3. When the formula produces an odd number:

- (a) in odd years (*ie* 2013, 2015 *etc*) Presbyteries with odd numbers (*ie* Presbyteries 1, 3, *etc*) shall appoint a number of ministers exceeding the number of elders by one and Presbyteries with even numbers shall appoint a number of elders exceeding the number of ministers by one; and
- (b) in even years (*ie* 2014, 2016 *etc*) Presbyteries with even numbers shall appoint a number of ministers exceeding the number of elders by one, and Presbyteries with odd numbers shall appoint a number of elders exceeding the number of ministers by one.

## Schedule 2

### Rules of Procedure

#### 1. Intimation of Appeal

- 1.1 The Appellant shall intimate the appeal to both the clerk of the Court against whose decision the appeal is being taken and to the Principal Clerk.
- 1.2 The Principal Clerk shall forthwith notify (i) the other person or persons involved in the appeal (“the Respondent”) of the fact that an appeal has been intimated and (ii) both the Appellant and the Respondent of the date by which Grounds of Appeal (as specified in Rule 2 below) must be lodged.

#### 2. Lodging of Grounds of Appeal by Appellant

- 2.1 Within four weeks of the date upon which the appeal was intimated in terms of Rule 1 above, the Appellant shall lodge Grounds of Appeal with the Principal Clerk, and intimate a copy of those Grounds to (i) the Clerk of the Court or the Secretary of the Presbyterian Commission, as the case may be, against whose decision the appeal is being taken, and (ii) the Respondent in the Appeal.
- 2.2 The Grounds of Appeal shall consist of brief specific numbered propositions stating the grounds on which it is argued that the appeal should be allowed, and identifying for each ground the relevant subsection of section 2(3) of this Act.

#### 3. Lodging of Grounds of Appeal by Respondent

- 3.1 A Respondent who wishes a review of any part of the decision may also, within four weeks of the date upon which the appeal was intimated in terms of Rule 1, lodge with the Principal Clerk Grounds of Appeal against any part of the decision which has been appealed, those Grounds also to comply with the requirements of Rule 2.2 above.
- 3.2 The Respondent shall forthwith send a copy of any such Grounds of Appeal to the Appellant and intimate a copy of those Grounds to the Clerk of the Court or the Secretary of the Presbyterian Commission, as the case may be, against whose decision the appeal is being taken.

#### 4. Documents from previous proceedings

- 4.1 The Clerk of the Court or the Secretary of the Presbyterian Commission, as the case may be, against whose decision is being taken shall transmit to the Principal Clerk all documents relative to the proceedings being appealed against as shall be required for the hearing of the appeal.

#### 5. Appeal Management Hearings

- 5.1 In any appeal, once the Appellant’s Grounds of Appeal have been lodged, and save where the Convener with the agreement of the Parties decides to dispense with an Appeal Management Hearing, the Principal Clerk shall fix a date for an Appeal Management Hearing.
- 5.2 The date of the Appeal Management Hearing shall be at least 28 days after the date upon which the Appellant’s Grounds of Appeal were lodged. The Principal Clerk shall intimate the date of the Appeal Management Hearing to both Parties, giving at least 14 days’ prior written notice of the date.

- 5.3 The purpose of the Appeal Management Hearing shall be to determine whether the Parties are ready to proceed to a hearing of the appeal, and to consider other procedural and practical matters in respect of the appeal.
- 5.4 The Appeal Management Hearing shall be conducted by the Convener and Vice-Convener of the Commission which is to hear the appeal. The Clerks of Assembly shall act as clerks to the Appeal Management Hearing.
- 5.5 An Appeal Management Hearing shall consider the following matters:
- a) the Parties' state of preparation for the Appeal Hearing;
  - b) setting of a date and duration for the Appeal Hearing;
  - c) productions required, with the presumption that the productions at the Appeal Hearing shall be those which were before the Court against whose decision the appeal is being taken, unless a Party is allowed to lodge additional material on cause shown;
  - d) whether the Parties may agree certain productions and evidence, and whether a Joint Minute agreeing any facts may be lodged;
  - e) whether the timetable for the lodging of the Written Arguments (as defined below) is apt, or requires to be varied in any way, for example to provide that Parties will exchange drafts of their Written Arguments by a certain date;
  - f) whether or not the Appeal Hearing should be held in private;
  - g) whether or not a factual investigation of any points is necessary or appropriate, in which case a committee or reporter may be appointed by the Principal Clerk for this purpose;
  - h) whether there should be evidence led at the Appeal Hearing, the presumption being that this will not occur;
  - i) whether the Procurator should attend the Appeal Hearing;
  - j) whether any Party has any objection to any person in the pool for the Commission sitting when the appeal is being heard, which objection may only be made on cause shown and, if sustained, shall disqualify the person or persons objected to from sitting in that appeal;
  - k) whether either Party wishes to raise any issue of competency or relevancy which might require to be discussed at the outset of the Appeal Hearing; and
  - l) any other matter concerning the Appeal Hearing, the decision of the Convener or Vice-Convener as to what should be considered being final.
- 5.6 The Parties or their representatives shall wherever possible attend the Appeal Management Hearing in person, provided that if the Convener or Vice-Convener so agrees, the Appeal Management Hearing may take place by conference call or other appropriate medium.
- 5.7 At the Appeal Management Hearing the Convener or Vice-Convener shall have power to make any order or determination which is just and reasonable and/or which he or she thinks appropriate to secure the expeditious disposal of the appeal, which order or determination shall be final.
- 6. Date of Appeal Hearing**
- 6.1 If the date of the Appeal Hearing has not been fixed at an Appeal Management Hearing, the Principal Clerk shall give to the Parties at least 42 days' notice (or such shorter period as may be agreed by the Parties) of the date fixed for the Appeal Hearing.
- 6.2 The Principal Clerk shall also give notice of the date fixed for the Appeal Hearing to the members of the Commission for that Appeal Hearing, along with copies of all appropriate papers.
- 7. Written Arguments prior to Appeal Hearing**
- 7.1 At least 14 days prior to the date of the Appeal Hearing, both the Appellant and the Respondent(s) shall lodge with the Principal Clerk and intimate to the other Party a document comprising their written argument for the purposes of the appeal ("Written Argument").

- 7.2 The Written Argument submitted by the Appellant is to be an expansion of the Grounds of Appeal already submitted and is to set out for each ground of appeal, a succinct and articulate statement of the facts founded upon and the propositions of law being advanced.
- 7.3 The Written Argument submitted by the Respondent shall set out the basis upon which the Respondent is challenging the appeal. It shall set out, in respect of the challenge to each ground of appeal, a succinct and articulate statement of the facts founded upon and the propositions of law being advanced.
- 7.4 Each Written Argument shall also (i) specify what disposal of the matter is sought by that Party, and (ii) be signed by or on behalf of the Party submitting it.
- 7.5 Each Written Argument when lodged shall be accompanied by (i) all documents referred to or founded upon in the Written Argument, (ii) subject always to any order or determination made at the Appeal Management Hearing in terms of Rule 5.5 c) above, all productions, or copies thereof, referred to or founded upon in the Written Argument, and (iii) all legal authorities, or copies thereof, listed in the Written Argument.
- 7.6 Each Party shall, when lodging its Written Argument and accompanying papers, send copies to the other Party.
- 7.7 No new grounds of appeal may be raised either in Written Argument or at the Appeal Hearing itself, save that on application to the Convener or Vice-Convener at the Appeal Hearing itself, the Convener or Vice-Convener shall have sole discretion to allow consideration of any additional grounds of appeal on cause shown.

## **8. Appeal Hearings**

- 8.1 At the Appeal Hearing the following shall apply:
  - a. Each Written Argument and supporting documents shall constitute the principal submissions of each Party;
  - b. Unless it otherwise directs, the Commission will expect each Party to rely upon its Written Argument without reading it over to the Commission;
  - c. Each Party may, subject to control of the Convener, Vice-Convener or acting Convener of the Commission, make comment supplementary to the Written Argument;
  - d. Each Party may respond to any Written Argument lodged by the other Party; and
  - e. Each Party shall answer any points raised by any member of the Commission.
- 8.2 The rules of civil evidence in Scots law shall apply and the standard of proof in any examination of evidence shall be the balance of probabilities. Any witnesses who are called shall be required by the Convener, Vice-Convener or acting Convener to take the oath or affirm before giving evidence.

## **9. Timing at Appeal Hearings**

- 9.1 The Appellant and the Respondent have a duty to co-operate with each other and with the Commission to ensure the completion of the Appeal Hearing within the time allocated by the Commission.
- 9.2 The Commission may, at any point during the Appeal Hearing, set a timetable for completion by a Party of any submissions permitted in terms of Rule 8.1 above.

## **10. New information at Appeal Hearings**

- 10.1 On cause shown, the Commission may permit either Party to introduce at the Appeal Hearing new information that has come to light in the period since their Written Argument was lodged.
- 10.2 Where the Commission permits the introduction of new information, it may at its discretion permit the lodging of new documents in support of the new information.
- 10.3 A Party who wishes to introduce new information and lodge additional documents shall send a copy of the information and documents to the Principal Clerk and to the other Party as soon as the documents and information come into that Party's possession.

10.4 A Party who has sent new information and documents to the Principal Clerk shall apply at the Appeal Hearing to allow it to be introduced or lodged, as the case may be.

**11. Miscellaneous provisions as to running of Appeal Hearings**

11.1 An Appeal Hearing shall proceed from day to day until concluded, provided always that it shall be in the power of the Commission, if in its opinion the justice of the case demands it, or for any other reason which may appear to be sufficient, to adjourn the Appeal Hearing either on its own motion, or at the request of either Party on cause shown, and subject to such conditions as it may think proper to impose.

11.2 The Commission may decide at any stage of the Appeal Hearing that all or part of the proceedings shall be taken in private, provided that if a decision on this matter was taken at the Appeal Management Hearing, a different decision shall be reached at the Appeal Hearing only on cause shown.

11.3 In appeals where it was deemed necessary at the Appeal Management Hearing to hear evidence, witnesses shall be cited in ordinary form by the Clerk of the Commission to appear at the Appeal Hearing. Such witnesses shall be examined on oath or affirmation, as the Commission shall direct, by the Party calling them. Thereafter the witness may be cross-examined by the other Party and the Party calling the witness may thereafter re-examine the witness on any new matter brought out in cross-examination. On the conclusion of the Parties' examination of a witness, any member of the Commission may put questions to the witness on his or her own behalf, or on the suggestion of either Party.

**12. Recording of Appeal Hearings**

12.1 All Appeal Hearings (including for the avoidance of any doubt, the evidence of any witnesses called to appear) shall be audio recorded and the recordings retained by the Clerks of Assembly for at least ten years.

**13. Decision of the Commission**

13.1 Upon completion of all submissions by both Appellant and Respondent, and once all supplementary comment has been made, responses given, answers stated, and evidence led (if any), the Commission shall retire to consider its decision.

13.2 Upon conclusion of the Commission's deliberations, the decision of the Commission shall be committed to writing, read over to the Commission, and signed by the Convener, Vice-Convener or acting convener. The Convener, Vice-Convener or acting Convener shall then read over the decision of the Commission in the presence of both Parties. Also in the presence of the Parties, the Convener, Vice-Convener or acting convener shall give a brief oral summary of the main reasons for that decision and shall confirm whether the decision was taken unanimously or by majority vote.

13.3 Any decision of the Commission may include instructions issued to a Court or to the Parties.

13.4 Within fourteen days after the end of an Appeal Hearing, the Convener, Vice-Convener or acting convener of the Commission, in consultation through the Principal Clerk with all Commissioners present throughout the Appeal Hearing, shall produce written reasons for the decision of the Commission. The Principal Clerk shall within twenty one days of the end of the Appeal Hearing send a copy of the written reasons to the Parties.

13.5 The written reasons for the decision of the Commission shall be held by the Principal Clerk who upon request shall make them available for public inspection.

**14. No further appeal**

14.1 The decision of the Commission and any instructions issued by the Commission shall be final and binding on the Parties and no further appeal shall be available.

**15. Dispensing etc powers of the Commission**

- 15.1 On application to it during an Appeal Hearing, the Commission may relieve a Party from the consequences of failure to comply with the provisions of this Act shown to be due to mistake, oversight or some other excusable cause and that on such conditions as the Commission thinks fit.
- 15.2 On application to it during an Appeal Hearing, the Commission may also allow a Party to amend its grounds of appeal or Written Argument where the need for amendment is shown to be due to mistake, oversight or some other excusable cause and that on such conditions as the Commission thinks fit.
- 15.3 At any time during the appeal process, the Commission may determine, either on its own motion or following motion of a Party, that it would be in the interests of the justice for the appeal proceedings to be sisted, whether to allow for mediation or otherwise.

**16. Expenses**

- 16.1 Subject to the provisions of Act III 2001 (Act Anent Discipline of Ministers, Licentiates, Graduate Candidates and Deacons) as to expenses, the Parties at their own cost may employ Counsel or Solicitors to act on their behalf, or may conduct their case themselves or delegate one of their number to do so.
- 16.2 A Presbytery whose decision is appealed against shall be entitled, if it so desires, to have the assistance of an Assessor or Assessors appointed by the Legal Questions Committee.
- 16.3 The expenses of the Commission members and of the proceedings of the Commission shall be defrayed out of the General Purposes Fund of the Church unless and until the General Assembly shall determine otherwise.

**17. Intimations/sending of information**

- 17.1 Where any document or other information requires to be intimated or sent to any person, that intimation or sending may take place by email.

**III ACT AMENDING ACT V 2004 ANENT INTIMATION OF APPEALS**

*Edinburgh, 18 May 2013, Session I*

The General Assembly hereby enact and ordain that Act V, 2004 as amended shall be further amended as follows:

- 1. *Amend section 1 (i) by deleting the words "(a) failure to apply the law of the Church correctly;" and substituting the words "(a) an error in Church law; and (ii) by deleting the words "(b) irregularities of process, including breaches of the principles natural justice;" and substituting the words "breach of the principles of natural justice or material irregularity of process;"*
- 2. *Delete the existing section 6 and substitute the following:*  
**"Interpretation**  
 In this Act "court" means a Kirk Session only."

**IV ACT CONCERNING GREYFRIARS ST ANN'S, PORT OF SPAIN LINKED WITH AROUCA AND SANGRE GRANDE, TRINIDAD & TOBAGO**

*Edinburgh, 21 May 2013, Session IV*

The General Assembly hereby enact and ordain as follows:

- 1. With immediate effect, the charge of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago shall be a charge of the Presbytery of Europe, and the provisions of Act VIII 2007 (or any legislation replacing that Act) shall apply as far as possible to those charges.

2. The Presbytery of Europe shall determine, in its Standing Orders, all questions relating to the charge's relationship with the Presbytery and superintendence by the Presbytery, and all questions relating to the allocation of the costs of that membership and superintendence.
3. Act VI 2001 anent Overseas Charges (as amended) is repealed.
4. Act VIII 2007 anent the Church of Scotland in Europe (as amended) is hereby amended as follows:
  - (1) In section 1, by deletion of the existing second sentence defining the term 'Europe'; and the substitution of a sentence reading: "For the avoidance of doubt, this Act applies to the charges of Christ Church, Warwick, Bermuda, St Andrew's Colombo, Sri Lanka and Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad and Tobago as provided in Act II 2008 and Act IV 2013, and the jurisdiction of the Presbytery of Europe and the Europe Committee shall extend over those charges."
  - (2) In section 1, by the deletion of the sentence defining 'Sanctioned Charge' and the substitution of: "'A Sanctioned Charge" shall mean (1) a sphere of pastoral duty to which a minister or ministers based in Europe is or are inducted or (2) the congregation of Christ Church, Warwick, Bermuda or (3) the congregation of St Andrew's Colombo, Sri Lanka, or (4) the congregations of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad and Tobago, said Charges being as specified in Schedule 2 annexed hereto as from time to time amended as provided for in this Act.'
  - (3) By the addition to Schedule 2 of reference to the charge of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad and Tobago.

## **V ACT CONCERNING THE MINISTER OF GREYFRIARS ST ANN'S, PORT OF SPAIN LINKED WITH AROUCA AND SANGRE GRANDE, TRINIDAD & TOBAGO**

*Edinburgh, 21 May 2013, Session IV*

The General Assembly hereby enact and ordain as follows:

1. Without prejudice to the settled law and practice of the Church of Scotland, with effect from the passing of this Act, the Reverend Garwell Bacchas shall continue in office as minister of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago upon the same terms and conditions as pertain at present.
2. The Reverend Garwell Bacchas shall retain his status as a minister in the United Church of Jamaica and the Cayman Islands. For the avoidance of doubt, he shall not become a minister of the Church of Scotland; however, he shall be granted full membership of the Presbytery of Europe with all the rights, privileges and duties associated therewith and in particular shall be authorised to moderate the Kirk Session of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago. He shall at all times be subject to the law and discipline of the Church of Scotland as if he were a minister of the same.
3. Upon the earlier of (i) the dissolution of the pastoral tie between the Reverend Garwell Bacchas and the congregations of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, and (ii) the retiral of the Reverend Garwell Bacchas, in either case he shall lose his membership of Presbytery and right to moderate the Kirk Session and shall not retain any ministerial status within the Church of Scotland nor shall he be entitled to a Practising Certificate or Certificate of Eligibility in terms of Act II 2000 (or any legislation replacing that Act).

**VI ACT AMENDING ACT XV 2002: ACT ANENT LONG-TERM ILLNESS OF MINISTERS IN CHARGE**

*Edinburgh, 22 May 2013, Session V*

The General Assembly hereby enact and ordain that Act XV, 2002 as amended shall be further amended as follows:

*Insert a new section 12 and renumber the remaining sections accordingly:*

**Qualified Practising Certificates**

- (1) When a minister's pastoral tie has been dissolved in terms of this Act, or where a minister has retired early from a charge or other employment with the Church of Scotland on the grounds of ill-health, the minister may apply to Presbytery for issue of a Qualified Practising Certificate (Ill Health) under this Act. For the avoidance of doubt, no Presbytery shall issue an unrestricted Practising Certificate to a minister in such circumstances other than as provided by section 12(3) below.
- (2) If a minister holds a Qualified Practising Certificate (Ill Health), then the following shall apply:
  - (i) The minister may undertake certain functions of the ministry, being the conduct of occasional services and/or other occasional unpaid ministerial duties, including pulpit supply and appointment as a part-time Locum.
  - (ii) The minister will retain the status of minister of the Church of Scotland and the right to a seat in Presbytery.
  - (iii) To enable the Church to fulfil its duty of care towards the minister and also to congregations and members of Presbytery, the eligibility of the minister to apply for a vacant charge or for other employment with the Church shall be subject to the Council receiving a satisfactory Occupational Health Report from the Church's Occupational Health Physician which declares beyond reasonable doubt that the minister in question is fit to perform the duties of a Parish Minister or of the relevant employment within the Church of Scotland, as the case may be. Such a Report will be called for by the Council who will hold its contents in confidence, but will advise Presbytery as to the conclusion(s) and recommendation(s) of the Report ("the Advice").
- (3) A minister holding a Qualified Practising Certificate (Ill Health) may at any time apply for an unrestricted Practising Certificate in terms of Act II 2000 (Consolidating Act Anent the Ministry) as amended, but no Presbytery shall issue an unrestricted Practising Certificate to a minister who has previously been issued with a Qualified Practising Certificate (Ill Health), nor to any minister whose pastoral tie has been dissolved in terms of this Act, or who has retired early from a charge or other employment with the Church of Scotland on the grounds of ill-health, without first receiving and considering the Advice from the Occupational Health Report as specified in section 12(2)(iii).
- (4) Each Presbytery shall maintain a list of Ministers holding a Qualified Practising Certificate (Ill Health) and shall send that list to the Principal Clerk of the General Assembly on 30 June each year, or as soon as possible thereafter. Any changes in the course of the year shall be intimated as they occur.
- (5) The procedures for the annual review of Practising Certificates, as outlined in Sections 6 and 9 of Act II 2000 (Consolidating Act Anent the Ministry) as amended, shall apply *mutatis mutandis* to Qualified Practising Certificates (Ill Health). The provisions of sections 10, 11, 12 and 13 of Act II 2000 as amended shall apply also to Qualified Practising Certificates (Ill Health). Otherwise the provisions of Act II 2000 as amended as to Practising Certificates shall not apply to Qualified Practising Certificates (Ill Health).

## VII ACT AMENDING ACT II 2000: CONSOLIDATING ACT ANENT MINISTRY

*Edinburgh, 22 May 2013, Session V*

The General Assembly hereby enact and ordain that Act II, 2000 as amended shall be further amended as follows:

1. *In section 3(2), after “provided” add the words “or a Qualified Practising Certificate in terms of section 5(2) of this Act.”*
2. *In the existing section 5(2), (i) add the word “unrestricted” before the words “Practising Certificate” in the first line of that section and (ii) delete the second sentence and substitute the following:*  
  

“For the avoidance of doubt, a Presbytery may not issue a qualified Practising Certificate excluding the award of a seat in Presbytery except (i) at the request of the Minister, or (ii) in terms of section 18 of this Act. The only other type of qualified Practising Certificate which a Presbytery may issue is a Qualified Practising Certificate (Ill Health) in terms of section 12 of Act XV 2002 (Act Anent Long-Term Illness of Ministers in Charge) as amended and in that case the minister holding such a Certificate shall, for the avoidance of doubt, be entitled to a seat in Presbytery.”
3. *Amend section 8 of this Act by adding at the start the words “Subject to the provisions of this Act and that of Act XV 2002 (Act Anent Long-Term Illness of Ministers in Charge) as amended, as to Qualified Practising Certificates,”.*
4. *In section 10, add at the end: “It shall be the duty of a minister who holds a Qualified Practising Certificate of whatever type and who moves to the bounds of another Presbytery to issue to exhibit said Certificate to the Clerk of that Presbytery.”*
5. *Amend section 17 by adding the words “or current Qualified Practising Certificate” after the words “current Practising Certificate” where they appear in the second line.*
6. *Insert a new section 18 and renumber the remaining sections accordingly:*

### **Qualified Practising Certificates**

- (1) In addition to an unrestricted Practising Certificate in terms of sections 5 to 17 of this Act, a Presbytery may issue a Qualified Practising Certificate, being one of (i) at the request of the minister, as referred to in section 5(2) of this Act, (ii) a Qualified Practising Certificate (Demission with Legally Binding Agreement) in terms of this section 18 of this Act or (iii) a Qualified Practising Certificate (Ill Health) in terms of section 12 of Act XV 2002 (Act Anent Long-Term Illness of Ministers in Charge).
- (2) Where a minister has agreed to demit in the interests of peace of the Church and has entered into a legally binding written agreement with the Presbytery and the Ministries Council (a “Legally Binding Agreement”) in terms of which he or she agrees to specified limitations upon his or her eligibility to perform the duties of a minister for a specified period, the Presbytery shall issue to that minister a Qualified Practising Certificate (Demission with Legally Binding Agreement) under this Act.
- (3) If a minister holds a Qualified Practising Certificate (Demission with Legally Binding Agreement) then the following shall apply to that minister:
  - (i) The minister may undertake only those functions of the ministry which are defined in his or her Legally Binding Agreement.

- (ii) The minister will retain the status of minister of the Church of Scotland but shall not be entitled to a seat in Presbytery or to apply for vacant charges.
  - (iii) The minister shall be entitled to a review (or reviews) of the terms and conditions of the Legally Binding Agreement after expiry of a period (or periods) specified within the Legally Binding Agreement.
- (4) The Ministries Council will ensure that an appropriate review (or reviews) is/are conducted at the point(s) indicated in the Legally Binding Agreement and upon satisfactory fulfilment of the terms and conditions specified in the Legally Binding Agreement, the minister shall be eligible to apply for an unrestricted Practising Certificate. The Ministries Council shall inform the Presbytery of the outcome of all reviews and shall make recommendation(s) to Presbytery as to the issue of an unrestricted Practising Certificate. No Presbytery shall issue an unrestricted Practising Certificate to a minister who has previously been issued with a Qualified Practising Certificate (Demission with Legally Binding Agreement) without first receiving a recommendation from the Ministries Council in favour of issue of an unrestricted Practising Certificate. The minister shall have a right of appeal to the Ministries Appeal Panel in respect of any recommendation from the Ministries Council with which he or she is aggrieved.
- (5) Each Presbytery shall maintain a list of Ministers holding a Qualified Practising Certificate (Demission with Legally Binding Agreement) and shall send that list to the Principal Clerk of the General Assembly on 30 June each year, or as soon as possible thereafter. Any changes in the course of the year shall be intimated as they occur.
- (6) The procedure for the annual review of Practising Certificates, as outlined in sections 6 and 9 of this Act, shall not apply to Qualified Practising Certificates (Demission with Legally Binding Agreement) on the basis that while holding such a Certificate, the minister in question shall have his or her status reviewed as provided for in the Legally Binding Agreement and shall only be eligible to apply for an unrestricted Practising Certificate in terms of section 18(4) above. The provisions of sections 10, 12 and 13 of this Act shall apply to Qualified Practising Certificates (Demission with Legally Binding Agreement). Otherwise the provisions of this Act as to Practising Certificates shall not apply to Qualified Practising Certificates (Demission with Legally Binding Agreement).

## **VIII ACT AMENDING ACT VI, 2007 ANENT THE MINISTRIES APPEAL PANEL**

*Edinburgh, 22 May 2013, Session V*

The General Assembly hereby enact and ordain that Act VI, 2007 as amended shall be further amended as follows:

2. *Amend section 5 by adding the following words at the end:*

“The Ministries Appeal Panel shall also hear appeals by ministers in respect of recommendations made by the Ministries Council in terms of section 18 of Act II 2000 (Consolidating Act Anent Ministry) with which the minister in question is aggrieved.”

## **IX ACT AMENDING ACT VIII, 2003 ANENT VACANCY PROCEDURE**

*Edinburgh, 22 May 2013, Session V*

The General Assembly hereby enact and ordain that Act VIII, 2003 as amended shall be further amended as follows:

1. *Amend section 10(1) by adding the following sentence at the end:*

For the avoidance of doubt, the Vacancy Schedule submitted to Presbytery shall include a recently completed Manse Condition Schedule following inspection of the manse of the charge.

– B –  
**REGULATIONS OF  
THE GENERAL ASSEMBLY 2013**

**I NOMINATION OF THE MODERATOR OF THE GENERAL ASSEMBLY REGULATIONS**

*Edinburgh, 18 May 2013, Session I*

**Note: These Regulations take effect from 1 January 2014.**

**Definitions**

1. In these Regulations, the following definitions apply:

- (1) 'the Committee' shall mean the nominating Committee referred to in Regulation 2;
- (2) 'commissioner' shall mean a minister, deacon or elder appointed in terms of sections 2-4 of Act III 2000 whose name appears on the Roll of Commissioners for the relevant General Assembly;
- (3) 'minister' includes both a minister within the meaning of section 1(1) of Act III 2000 and an Ordained Local Minister within the meaning of section 2 of Act IX 2011;
- (4) 'deacon' shall mean a person holding the office of deacon within the meaning of section 1 of Act VIII 2010;
- (5) 'elder' shall mean a person ordained to that office (whether or not he or she is a member of a Kirk Session) who is neither a minister nor a deacon; and
- (6) 'the Moderator-Designate' shall mean the person nominated by the Committee to be Moderator of the next General Assembly.

**Election of a Committee to nominate the Moderator**

2. The Moderator of the General Assembly shall be nominated by a Committee of up to fifteen persons, comprising up to eight ministers and deacons and up to seven elders. All members of the Committee shall be elected by the immediately preceding General Assembly from among its commissioners.
3. The Committee shall be convened by the immediate past-Moderator of the General Assembly whom failing by another former Moderator of the General Assembly who was a commissioner and was present at the immediately preceding General Assembly. Where the Committee is convened by another former Moderator, the same former Moderator shall not convene the Committee in consecutive years. The Convener of the Committee shall not be a member of the Committee. The clerk to the Committee, who shall not be a member of the Committee, shall be the Principal or Depute Clerk whom failing another suitable person selected by the Committee from outwith its membership.
4. The Assembly Arrangements Committee shall be responsible for organising the elections to the Committee, with the Business Committee being responsible for overseeing the detailed election arrangements during the General Assembly week. The Assembly Arrangements Committee shall produce such guidance as to the election procedure as it considers appropriate which shall be communicated to commissioners prior to the General Assembly. The initial election procedure ("the Procedure") shall be as specified in the Schedule hereto, with the Assembly Arrangements Committee having power to alter or modify the Procedure from time to time as it may deem necessary.

5. There shall be two constituencies of candidates for the Committee as follows:
  - (1) ministers and deacons of whom there shall be up to eight on the Committee; and
  - (2) elders of whom there shall be up to seven on the Committee.
6. Where there are more than eight candidates in the ministers and deacons' constituency or more than seven candidates in the elders' constituency an election shall be held. Each commissioner listed on the Roll of Commissioners shall be entitled to vote for up to eight of the candidates in the constituency of ministers and deacons and up to seven of the candidates in the constituency of elders.
7. Once voting has closed:
  - (1) The eight candidates in the ministers and deacons' constituency and the seven candidates in the elders' constituency, in each case with the most votes, shall be declared to have been elected.
  - (2) In the event of a tie, lots shall be drawn.
8. No-one may be a member of the Committee more than once in any three year period.
9. In the event of the death, resignation or supervening incapacity of persons on the Committee such that the number of ministers and deacons on the Committee drops below six or the number of elders drops below five, steps shall be taken to bring the number of ministers and deacons back up to six or the number of elders back up to five, as the case may be, as follows:
  - (1) where there has been a contested election, the candidate or candidates with the next highest number of votes in the relevant constituency shall be co-opted as replacements;
  - (2) where there has not been a contested election, or where the number of unsuccessful candidates is insufficient, the Committee shall co-opt such ministers, deacons or elders as are required. No-one may be co-opted unless he or she was a commissioner at the preceding General Assembly.

#### **Process at the Committee to nominate the Moderator**

10. The Committee shall receive recommendations from any member of the Church of Scotland, including members of the Committee. The Committee shall take reasonable steps to publicise its willingness to receive recommendations, which recommendations may be submitted to any member of the Committee or to the Department of the General Assembly.
11. The Committee itself shall decide how best to proceed in its task in a fair and efficient manner having due regard to confidentiality at all stages. The quorum for meetings of the Committee shall be 9 persons.
12. In considering persons recommended to it, the Committee shall:
  - (1) consider the circumstances of the Church;
  - (2) having sought the advice of the immediate three past Moderators, consider the gifts, experience and other qualities which each person might bring to the post of Moderator and so benefit the Church and the kingdom of God;
  - (3) prepare a short-list from among the recommendations which it has received;
  - (4) obtain the consent of each person on the short list to be nominated as Moderator, if chosen, together with a full curriculum vitae and such other information as it considers to be helpful;
  - (5) meet with all persons on the short list; and
  - (6) select its nominee from among those on the short-list or, if this is not possible, prepare another short-list from which to select its nominee.

13. Unless there are exceptional circumstances, the Committee shall inform the Principal Clerk of the name of the Moderator-Designate no later than 31 October of the year in which it was elected. Thereafter, the name of the Moderator-Designate shall be made public by the Principal Clerk.
14. In the event of the death, resignation or supervening incapacity of the Moderator-Designate, the Convener of the Committee shall call an extraordinary meeting of the Committee for the purpose of nominating another person to be Moderator. The Committee shall follow regulations 11 and 12 insofar as they are able to do so in the circumstances and shall nominate another person to be Moderator from among those recommended in terms of regulation 10.
15. In the event of any difficulty inhibiting process in terms of these regulations, the Committee shall have a general discretionary power to take any other steps appropriate in the circumstances to fulfil the intention of these regulations.
16. Regulations I 1999 are hereby repealed.

## **SCHEDULE TO THE REGULATIONS CONCERNING THE NOMINATION OF THE MODERATOR OF THE GENERAL ASSEMBLY**

### **PROCEDURE FOR ELECTIONS TO THE COMMITTEE**

#### **Proposal of Candidates**

1. During each General Assembly, commissioners may propose a candidate or candidates to serve on the Committee. The Assembly Papers shall include a Proposal Form for proposing the names of candidates to serve on the Committee. Proposals shall proceed as follows:
  - (1) Only those whose names appear on the Roll of Commissioners may propose candidates;
  - (2) No commissioner may propose more than one candidate for each of the two constituencies;
  - (3) Those who propose candidates shall have established that their proposed candidate is both willing and able to serve on the Committee;
  - (4) Each Proposal Form must be signed by two commissioners, as a proposer and seconder, and by their candidate(s);
  - (5) In signing the Proposal Form the candidate shall sign statements to confirm that (a) they are willing and able to serve on the Committee and (b) they have not served on the Committee in either of the previous two years;
  - (6) Proposals shall be closed at 12 noon on the Monday of the General Assembly week, whereupon the Clerks will make arrangements for the list of candidates, together with their commissioner number and the names of their proposers and seconds, to be printed and published in the Assembly Papers; and
  - (7) With the Proposal Form all candidates shall submit a short candidate's statement of no more than 50 words, which shall be printed and published along with the list of candidates.

#### **Ballot Paper(s)**

2. Where voting is required, it shall take place by written ballot. The Ballot Paper(s) shall be prepared as follows:
  - (1) The Clerks shall publish the names of candidates in the form of Ballot Paper(s), one for each constituency where an election is required. On the Ballot Paper(s) the name of each candidate shall be stated together with their commissioner number. The names of the candidates shall be listed in order of Presbytery number as per the Roll of Commissioners.
  - (2) Each Ballot Paper shall be numbered with a unique identifying number, being the commissioner number of the commissioner receiving the Paper.

- (3) Save where specific alternative arrangements are made, the Ballot Paper(s) shall be collected by the commissioners in person on the Tuesday morning of the General Assembly week upon production by each commissioner of their Assembly pass.
- (4) If a Ballot Paper is spoiled, a commissioner may receive a fresh one upon applying to the Assembly Office at least one hour prior to close of voting and producing for inspection both the spoiled paper and their Assembly pass.
- (5) Ballot Paper(s) shall be submitted to the Assembly Office by 5pm on the Wednesday of the General Assembly week, at which time voting shall close.

### **Election results**

3. Once voting has closed:
  - (1) The Panel of Tellers shall count the votes recorded on all timeously submitted Ballot Paper(s).
  - (2) The results of the election, including the votes cast for each candidate and confirmation of the names of the fifteen commissioners elected to the Committee, shall be published in the Assembly Papers.

## **II OFFICE OF THE MODERATOR OF THE GENERAL ASSEMBLY REGULATIONS**

*Edinburgh, 18 May 2013, Session I*

1. The Moderator of the General Assembly shall:
  - (1) preside over the General Assembly and perform those duties as stated in the Standing Orders;
  - (2) visit presbyteries according to the Scheme of Visitation approved by the General Assembly and shall normally undertake visitation overseas, in each case having regard to the needs and resources of the Church and its presbyteries;
  - (3) perform such duties as may be directed by the General Assembly, and represent the Church of Scotland on historic and national occasions, as they may arise;
  - (4) where appropriate, act as a spokesperson for the Church. Where a particular matter lies within the remit or area of responsibility of a particular Council or Committee of the General Assembly, that Council or Committee shall determine whether the Moderator is the best person to speak on its behalf on that matter. Only if the Council or Committee decides otherwise, or if the Moderator is unavailable, will it nominate a different spokesperson;
  - (5) on such occasions as the Moderator is asked to express an opinion on any matter of national or public importance or one which lies within the remit or area of responsibility of a particular Council or Committee, he or she shall be mindful of the views of the General Assembly and of its Councils and Committees and so far as possible consult with the Conveners of such Councils and Committees. Notwithstanding such consultation the Moderator shall accept instructions as to the content of any statement only from the General Assembly;
  - (6) support the work of the Councils, Committees and other groups within the Church as requested and having regard to his or her other commitments. All Councils and Committees shall consider whether the support of the Moderator would assist them in their work and in their dealings with outside bodies. The Moderator shall be briefed by all Councils and Committees about their work at the start of and during his or her moderatorial year as appropriate. Where possible, all Councils, Committees and other groups within the Church who wish to involve the Moderator in their work during his or her moderatorial year should make a formal request to the Principal Clerk before 15 November of the preceding year;

- (7) undertake such other duties as he or she may choose during his or her term of office having regard to the needs and resources of the Church. The Moderator may consult with the Councils and Committees of the Church to identify a particular aspect of the life and witness of the Church in which his or her involvement would be particularly helpful taking account of his or her skills, interests and experience;
  - (8) unless exceptional circumstances arise, adhere to the budget approved by the General Assembly for the expenses and other costs of his or her moderatorial year. Those Councils, Committees or other groups who wish to involve the Moderator in their work will bear his or her expenses unless there are exceptional circumstances;
  - (9) attend meetings of the Council of Assembly during the year immediately after his or her moderatorial year. Councils and Committees shall consider whether the immediate past-Moderator can assist them in their work and involve him or her where appropriate;
  - (10) convene the Committee to Nominate the Moderator in the year following his or her moderatorial year;
  - (11) save in exceptional circumstances, reside in the Moderator's official residence ("the Official Residence") during his or her moderatorial year. The Moderator-Designate shall take up occupation of the Official Residence on the first Saturday in May preceding the commencement of his or her moderatorial year ("the Entry Date"), and as Moderator shall vacate the Official Residence on the date occurring two weeks prior to the Entry Date for the Moderator-Designate in the succeeding year, at which time alternative accommodation for the remainder of the current Moderator's moderatorial year shall be agreed. During periods of the Moderator's absence, maintenance work may be carried out in the Official Residence; and
  - (12) normally be expected to work from an office provided for the Moderator's use within the Department of the General Assembly.
2. The provisions contained in these Regulations generally apply during the moderatorial year of the Moderator in question, except where expressly stated otherwise.
  3. Regulations V(2) 1962 are hereby repealed.

### **III MANSE ADJUDICATION COMMITTEE REGULATIONS**

*Edinburgh, 22 May 2013, Session V*

#### **A. Definitions**

1. In these Regulations:

"Appeal" means an appeal to the Appeals Committee of the Commission of Assembly against the decision of the MAC either as a tribunal of first instance or as an intermediate appeal tribunal.

"Charge" means a congregation or linked congregations in full status or a Church Extension or New Charge congregation.

"the General Trustees" means The Church of Scotland General Trustees incorporated by the Church of Scotland (General Trustees) Order Confirmation Act 1921.

"Kirk Session" means the Kirk Session/s of the Charge, and/or the Financial Board of the Charge, being a Congregational Board, Deacons' Court or Board of Managers.

“MAC” means the Manse Adjudication Committee referred to in section B below.

“MAC Hearing” means a hearing of the MAC to determine whether the Minister’s Own House shall be designated as the Manse of the Charge.

“Manse of the Charge” means whichever of the Parish Manse or the Minister’s Own House as shall, in accordance with these Regulations, be designated as the house which is to serve as the Manse of the Charge and in which the Minister of the Charge is to reside.

“Minister” means the minister who at the time of making an application to the Manse Adjudication Committee is currently inducted to a Charge or is considering induction to a Charge.

“Own House” means any residential property owned solely or jointly and severally by the Minister or in which the Minister is otherwise entitled to reside.

“Parish Manse” means the manse of the Charge provided for the occupation of the Minister and which he or she would normally be expected to occupy in the performance of his or her duties.

“Presbytery” means the Presbytery of the bounds unless the context otherwise requires.

#### **B. Manse Adjudication Committee: Powers and Constitution**

1. Any application by a Minister to designate his or her Own House as the Manse of the Charge in place of the Parish Manse shall be made to the MAC which shall have power to designate the Minister’s Own House as the Manse of the Charge.
2. Where the Parish Manse falls within the scope of Act VII 1995 (*ie* the title to the Parish Manse is held in the name of the General Trustees or it contains a clause placing the trustees in whom it is vested under the control of the General Assembly so far as disposal is concerned), then:
  - (a) the MAC shall comprise three representatives of the General Trustees, one of whom shall be the Convener, and three representatives of the Ministries Council;
  - (b) the Secretary and Clerk to the General Trustees and the Secretary to the Ministries Council (or their Deputies) shall attend each meeting of the MAC and shall be entitled to advise on questions of fact or procedure and to put questions to those appearing before the MAC, but they shall not take part in the making of decisions; and
  - (c) the Secretary and Clerk to the General Trustees (or his or her Depute) shall act as the Clerk to the MAC.
3. Where the Parish Manse does not fall within the scope of Act VII 1995, then:
  - (a) the MAC shall comprise six representatives of the Ministries Council, one of whom shall be appointed as Convener;
  - (b) the Secretary to the Ministries Council (or his or her Depute) shall attend each meeting of the MAC and shall be entitled to advise on questions of fact or procedure and to put questions to those appearing before the MAC, but he or she shall not take part in the making of decisions; and
  - (c) the Secretary to the Ministries Council (or his or her Depute) shall act as the Clerk to the MAC.

#### **C. Pre-MAC Hearing Procedures**

1. A Minister who wishes his or her Own House to be designated as the Manse of the Charge shall in the first instance consult with the Kirk Session.
2. In the event of the Kirk Session agreeing in principle to the Minister’s Own House being designated as the Manse of the Charge, the Minister and the Kirk Session shall make a joint submission to the Presbytery or, where the Kirk Session does not agree to the Minister’s request, the Minister alone may make a submission to the Presbytery.

3. The Presbytery shall meet separately with the Minister and the Kirk Session. The Presbytery shall, after such further investigation as it deems appropriate, and on the basis of the factors set out in Part 1 of the Schedule, and taking account of the reports referred to in section C4 below, make a decision as to whether or not to support the Minister's application to the MAC to have the Minister's Own House designated as the Manse of the Charge.
4. There must be submitted to the Presbytery written reports from an independent Chartered Surveyor or Letting Agent advising on the level of market rent which will require to be paid in respect of the Minister's Own House and on the level of rent which is likely to be received for the Parish Manse, taking into account factoring and other charges which may be incurred in respect of the letting of the Parish Manse. The written reports shall accompany any subsequent application to the MAC.
5. In the event of
  - (a) the Presbytery not agreeing that the Minister's Own House should be designated as the Manse of the Charge, the Minister, with or without the support of the Kirk Session, shall be entitled to submit an application to the MAC. In this case the application to the MAC shall be characterised as taking the matter to an intermediate appeal tribunal, the Minister bringing the matter forward as an appeal or a dissent-and-complaint against the Presbytery's decision; or
  - (b) the Presbytery agreeing that the Minister's Own House should be designated as the Manse of the Charge, the Minister, with or without the support of the Kirk Session, shall be entitled to submit an application to the MAC. In this case the application to the MAC shall be characterised as an application to a tribunal of first instance.

**D. MAC Hearing and MAC Decision**

1. The Minister shall apply to the MAC for a decision as to whether or not the Minister's Own House shall be designated as the Manse of the Charge.
2. In determining whether or not the Minister's Own House shall be designated as the Manse of the Charge, the MAC shall be satisfied all of the factors set out in Part 1 of the Schedule have been appropriately addressed, taking also into consideration the independent reports referred to in section C4 above.
3. The MAC Hearing shall proceed in accordance with the Rules of Procedure set out in Part 2 of the Schedule.
4. Save where (i) the Minister has not been inducted to the Charge and is seeking prior approval to his or her Own House being designated as the Manse of the Charge, or (ii) the Parish Manse is deemed by an independent Chartered Surveyor to be uninhabitable, the MAC shall deal with an application and shall hold a MAC Hearing only where the Minister is, both at the time of the application and continuously up to and throughout the MAC Hearing, residing in the Parish Manse. Save as aforesaid, where a Minister is not residing in the Parish Manse or has moved into his or her Own House in advance of the decision by the MAC, the application shall automatically be refused.

**E. Post-MAC Hearing Procedure**

1. The Clerk to the MAC shall forthwith notify the Minister, Kirk Session and Presbytery in writing of the decision of the MAC which may be an interim decision pending the production of such further evidence as the MAC shall require.
2. Within 14 days of the date of intimation of the MAC decision, any of the parties attending or represented at the MAC Hearing shall be entitled to submit an Appeal to the Appeals Committee of the Commission of Assembly.

3. An Appeal must be made on the basis of a ground of appeal specified in the Appeals Act 2013.
4. In the event of an Appeal, a representative of the MAC shall be entitled to be heard by the Appeals Committee of the Commission of Assembly, along with the Minister, the Kirk Session and the Presbytery.
5. The Appeals Committee of the Commission of Assembly shall then determine the matter in accordance with the terms of the Appeals Act (Act II 2013).
6. In the event that the MAC decides that the Minister's Own House shall be designated as the Manse of the Charge (and no Appeal is taken to the Appeals Committee of the Commission of Assembly or an Appeal is unsuccessful), then:
  - (a) that shall be deemed to be approval for the Parish Manse to be let under a Short Assured Tenancy, the terms of which will require to be approved by the General Trustees or, if the title to the Parish Manse is held in the name of local trustees, by the Kirk Session;
  - (b) the Solicitor of the Church shall act on behalf of the Kirk Session in the preparation of a Lease Agreement between the Minister and the Kirk Session in respect of the Minister's Own House; and
  - (c) the Minister's Own House shall be inspected on behalf of the Presbytery every five years in terms of the Act anent Care of Ecclesiastical Properties 2007.
7. In the event that the MAC decides that the Parish Manse shall be designated as the Manse of the Charge (and no Appeal is taken to the Appeals Committee of the Commission of Assembly or an Appeal is unsuccessful), then the Minister must reside in the Parish Manse which shall continue to be the Manse of the Charge.
8. At any time, the Minister may only cease to occupy the Parish Manse once there exists a final decision of the MAC (which is not subject to an Appeal or which has been the subject of an unsuccessful Appeal) that the Minister's Own House shall be designated as the Manse of the Charge.

**F. Miscellaneous**

1. These Regulations shall not apply to the situation where a husband and wife are both ordained ministers of the Church of Scotland, are inducted to different charges and are living together in the Parish Manse of one of the charges.

**Schedule**

**Part 1**

**Factors for determining whether the Minister's Own House  
shall be designated as the Manse of the Charge**

- (a) That the Minister's Own House is suitable to serve as the Manse of the Charge taking into account:
  - (i) The location which must be within a reasonable distance of the Charge and the sphere of ministry;
  - (ii) The size and internal layout of accommodation;
  - (iii) The condition and state of repair; and
  - (iv) The potential availability of office and meeting facilities at a church or hall within the Charge.
- (b) That there will not be an adverse impact on the financial position of the congregation of the Charge as a result of the designation of the Minister's Own House as the Manse of the Charge taking into account the following factors:

- (i) The requirement to pay a full market rent for the Minister's Own House;
  - (ii) The requirement to pay Council Tax, Water Rates, *etc* for the Minister's Own House;
  - (iii) The requirement to pay an agreed share of the repair and maintenance costs of the Minister's Own House; and
  - (iv) The likelihood that there may be periods when the Parish Manse is un-let and no rent is being received to offset the payment of the full market rent for the Minister's Own House to the Minister.
- (c) That there are exceptional circumstances justifying the Minister's request that his or her Own House should be designated as the Manse of the Charge. In coming to its view the MAC shall:
- (i) Consider such supporting evidence as might reasonably be made available, including medical or social work reports and photographs; and
  - (ii) Recognise that the following situations may constitute exceptional circumstances:
    - Where a Minister is within less than 12 months of retirement; or
    - Where the Parish Manse is not suitable for occupation by a person with a disability or particular health issue, such person being the Minister or an immediate member of his or her family, and cannot be made suitable for such occupation.

## **Part 2**

### **MAC Hearing Procedures**

1. The MAC shall be deemed to be acting in a judicial capacity so that the rules of natural justice will apply.
2. The Minister, representatives of the Kirk Session and representatives of the Presbytery shall be given the opportunity to make verbal submissions and to speak to any written evidence lodged in support of the application.
3. Professional advisers shall not be permitted to represent the Minister at a MAC Hearing.
4. The Minister, representatives of the Kirk Session and representatives of the Presbytery and any other witness permitted by the MAC shall be heard separately and after giving evidence shall be asked to withdraw from the MAC Hearing but may be recalled in the event of the MAC seeking further information.
5. In coming to a decision as to whether to designate the Minister's Own House as the Manse of the Charge, the MAC shall consider the factors set out in Part 1 of the Schedule, and the independent reports referred to in section C4 above.

## GENERAL ASSEMBLY 2013

### LIST OF MEMBERS OF COUNCILS AND COMMITTEES

#### COUNCIL OF ASSEMBLY

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>		Fiona Mathieson Alexander Millar	
<b>Members</b> Stephen Brown Donald Carmichael*  <b>Ex Officiis</b> Conveners of: Church and Society Ministries Mission and Discipleship Panel on Review & Reform Social Care World Mission Non-voting – Secretary to the Council General Treasurer Solicitor Principal Clerk Secretaries of: Church and Society Ministries Mission and Discipleship Social Care World Mission	Catherine Coull	Isobel Hunter Andrew Kimmitt Murdo Macmillan*	Elizabeth Fox* Anne Lamont

Grant Barclay, *Convener*  
Iain Johnston, *Vice-Convener*

AUDIT COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>			
<b>Members</b>	Ian Laing		Charles Scott*

David Watt, *Convener*

PANEL ON REVIEW AND REFORM

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> John Ferguson Bryan Kerr	Janet Foggie* Caroline Lockerbie	David Rankin	Gordon McCracken*
<b>Members</b>		Marshall Halliday Nicola Whyte	

Donald Campbell, *Convener*  
Jack Holt, *Vice-Convener*

COMMITTEE TO NOMINATE THE MODERATOR

<b>Assembly Appointed Members</b> Roy Weston (2010) Elspeth Dale (2013) Gavin Drummond (2013)	<b>Former Moderators</b> Albert Bogle David Arnott John Christie
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**PRESBYTERY REPRESENTATIVES**

1. Alistair Keil	13. Bryan Kerr	27. Harry Mowbray	38. David Anderson
2. John Povey	14. Peter McEnhill	28. David Souter	39. Angus Bethune
3. Margaret Jeffrey	16. Elisabeth Spence	29. Gordon McBean	40. John Sterrett
4. Jane Howitt	17. Karen Harbison	30. Michael Goss	41. Heather Stewart
5. Norman Whyte	18. Fergus Buchanan	31. Maureen Simpson	42. Donald Macrae
6. Neil Combe	19. Alistair Gow	32.	43.
7. Edward Clarke	22. Andrew Sarle	33. David Harvey	44.
8. David Gibson	23. Stuart Davidson	34. Robert Fowlie	45. Iain MacDonald
9. Lesley Allen	24. Norman Grant	35. Robert Anderson	46.
10. Neil McNaught	25. Robert McAlpine	36. Sheila Wallace DCS	47. Susan Pym
11. George Lind	26. James Redpath	37.	48. Ian Manson
12. Stephen Smith			

**NOMINATION COMMITTEE**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Christine Clark Euan Glen Iain Goring	Matthew Bicket Alan Birss Colin Caskie Marion Dodd John McPake	Catherine Beattie Richard Houston John Urquhart	Mark Nicholas Muriel Willoughby
<b>Members</b> Duncan Alexander Janet Cameron Janette Henderson Violet Service	Ann Lyall DCS Amanda Philip	Sheila MacLeod	Irene Crosthwaite Marian Macintyre Elspeth Smith

James Dewar, *Convener*  
Kenneth Stott, *Vice-Convener*

**JUDICIAL COMMISSION**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Robert Allan David Arnott John Chambers George Cowie Jeremy Middleton Val Ott Wilma Pearson Andrea Price Lindsay Schlüter Laurence Whitley	Grant Barclay Derek Brown Catherine Collins Alexander Forsyth Scott McKenna Jennifer Macrae Colin Renwick	Robert Anderson Fiona Douglas Ranald Gauld Malcolm Rooney	Christine Goldie Bruce McNicol Fiona Smith Stuart Smith
<b>Elders</b> Andrew Bell Christopher Macrae Dennis Malcolm Struan Robertson Alan Thomson	David Alexander Colin Scott Mackenzie Leslie Moffat	Bruce Anderson Jean Broadwood Steuart Dey Stuart Gardiner Andrew Hodge Robert Hynd	Robin Braidwood John Crichton Angus Hogg Isabell Montgomerie Nigel Orr James Wallace

Robert Brodie, Morag Mylne *Conveners*  
 David Lunan, Marjory MacLean, *Vice-Conveners*

**JUDICIAL PROCEEDINGS PANEL**

<b>Ministers</b> Dorothy Anderson David Clark Hugh Conkey George Cowie John Ferguson Alan Garrity Jane Howitt Sheila Kirk John McPake Fraser Penny Alan Reid Thomas Riddell	<b>Members</b> John Anderson Elizabeth Ashmole Alexander Bolland Morag Crawford DCS Alan Dewar Richard Henderson Robert Hynd Nigel Lawrie Richard McFarlane Helen McLeod Catherine Mappin Anne Mulligan DCS Aileen Nimmo Judith Pearson William Windram
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**ARBITRATION PANEL**

<b>Ministers</b> Ian Black H Taylor Brown Michael Gargrave Elizabeth Kenny Hilary McDougall Eleanor McMahon Alistair Malcolm Betty Smith	<b>Members</b> Diane Ashton George Grant Patricia Kingston George Lawson Arthur McDonald Alan Muat Michael Ramsay John Rice Fred Stephen Jack Tasker Bill Wishart
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Colin Wallace, *Secretary*

MINISTRIES APPEAL PANEL

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>		David Arnott Jennifer Macrae*	
<b>Members</b>		Robin Stimpson	

Bruce McNicol, *Convener*  
Carole Hope, *Vice Convener*

PERSONNEL APPEAL PANEL

<b>Members</b> Alan Dunnett Mary Haddow David McClements Alistair McGregor	Norma Shippin Sheilagh Stewart Maureen Stitt Eilidh Wiseman
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Solicitor of the Church, *Secretary*

SAFEGUARDING APPEAL PANEL

<b>Members</b> Eleanore Anderson Maureen Bowman Mary Coles	Moirra Goudie Alan Miller Hugh Wright
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Solicitor of the Church, *Secretary*

**LIFE AND WORK ADVISORY GROUP**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>		Sheilagh Kesting* Anne Paton	James Stewart
<b>Members</b> Lorna Finlay Thomas Gray			Bill Livingstone*

David Denniston, *Convener***IONA COMMUNITY BOARD**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> James Black			
<b>Members</b> Fiona Cunningham	William Findlay	Alan Kimmitt* Morag Michael	

Allan Gordon, *Convener***THE CHURCH OF SCOTLAND TRUST**

<b>Ministers</b> John Chalmers Andrew McLellan	<b>Members</b> Angus Bethune John Hodge Stuart Lynch Thomas Watson
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Robert Brodie, *Chairman*  
Christopher Mackay, *Vice-Chairman*  
Jennifer Hamilton, *Secretary and Clerk*

PENSION TRUSTEES

Trustees Appointed by the General Assembly	Member Nominated Trustees for the Pension Scheme for Staff	Member Nominated Trustees for the Pension Scheme for the former Board of National Mission	Member Nominated Trustees for the Pension Scheme for Ministers and Overseas Missionaries
John Brindle Graeme Caughey Robert Coulter John McCafferty Hamish Scott	John Chalmers Gordon Jamieson Corrinne Luca	Alexander Falconer Lewis Rose	Colin Brockie Karen Campbell

John McCafferty, *Chairman*  
Graeme Caughey, *Vice-Chairman*  
Steven Kaney, *Secretary*

CHURCH OF SCOTLAND INVESTORS' TRUST

Members	
Alan Aitchison Catherine Alexander Norval Bryson Robert Burgon David Campbell Michael Dick Brian Duffin	Alistair Gibb Jane Henderson Rodger Nisbet Donald Tosh Tom Walker Grant Wilson Gordon Young

Alistair Gibb, *Chairman*  
Catherine Alexander, *Vice-Chairman*

HOUSING AND LOAN FUND

Ministers	Members
Dorothy Anderson Catherine Collins Henry Findlay	Marianne Baird Malcolm Doig James Erskine Iain Mowat Ronald Wright

Grahame Lees, *Chairman*  
Ian Taylor, *Deputy Chairman*  
Lin Macmillan, *Secretary*

**GENERAL TRUSTEES**

<b>Ministers</b> John Cairns David Clark James Cutler Lorna Hood Valerie Watson Ronald Yule	<b>Elders</b> Robert Balfour Wattie Barbour Stewart Brymer Gavin Burnett William Cruickshank Roger Dodd William Hall Alan Kennedy Nigel King Peter King	 William Lawrie Kenneth Macaldowie William McInnes Ian Smith Gordon Stirling Donald Thomas Stewart Toy Roger Trueman Ian Trushell Raymond Young	<b>Advisory Members</b> Ian Douglas Laura Dunlop John Hume Michael Hunter John Rhind James Stewart Rosalind Taylor Iain Thomson
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James Jack, *Chairman*  
Iain Douglas, *Vice-Chairman*  
David Robertson, *Secretary and Clerk*

**ASSEMBLY ARRANGEMENTS COMMITTEE**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> William Hogg Shaw Paterson		Joanne Hood	Neil Gardner* Fiona Smith
<b>Members</b> Ron Steel	Simon Bolam*	Ella Gill David Nicholson DCS*	Judith Pearson

Janet Mathieson, *Convener*  
Derek Browning, *Vice-Convener*

CENTRAL SERVICES COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Iain Paton*			Rosemary Frew*
<b>Members</b> Allan Dearing Mary Sweetland		David Brackenridge	Bob Scott

Angus Macpherson, *Convener*  
Philip Craig, Bill Steele, *Vice-Conveners*

CHAPLAINS TO HER MAJESTY’S FORCES COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> David Almond Colin Brockie Alex Forsyth* Graham Smith	Louis Kinsey David Young	Philip Majcher*	Gordon Craig John Murdoch Scott Rae*
<b>Members</b> Richard Campbell-Doughty John Craw DCS	Mike Britchfield Douglas Hunter Neil Morrison James Wardrop*	Rosemary Hoskins Ronald Proctor	Catherine Latimer Jo Young*

Neil Gardner, *Convener*  
Jackie Petrie, *Vice-Convener*

**ECUMENICAL RELATIONS COMMITTEE**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>	Lindsay Schlüter*		Matthew Ross*
<b>Members</b>			Anikó Schuetz Lilly Stevenson Angus Swan

Alison McDonald, *Convener*  
Peter Donald, *Vice-Convener*

**LEGAL QUESTIONS COMMITTEE**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> George Cowie	Alistair May Duncan Shaw		
<b>Members</b> Robert Hynd	Jill Bell* Ian MacLagan	Christopher Dunn* Alan Saunderson Robin Stimpson	James McLean

Alan Hamilton, *Convener*  
Sheila Kirk, *Vice-Convener*

**SAFEGUARDING COMMITTEE**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>	Bryce Calder		
<b>Members</b> Elizabeth Garrity		Joy Gillies	Sheila Ritchie

Ranald Mair, *Convener*  
Karen Campbell, *Vice-Convener*

### THEOLOGICAL FORUM

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>	Robin Sydserff	David Fergusson Doug Gay	Glenn Chestnutt Donald MacEwan
<b>Members</b>	Jamie Grant Liz Grant Moyra McCallum DCS	Lindsay Sawyer	Anette Hagan

Iain Torrance, *Convener*  
Frances Henderson, *Vice-Convener*

### CHURCH AND SOCIETY COUNCIL

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Ruth Halley Elaine MacRae* Alan Miller Iain Murdoch Jayne Scott	Alexander Fraser* John Laidlaw	Shuna Dicks Sigrid Marten	Valerie Allen* William Burnside Peter Nimmo John Povey Matthew Ross*
<b>Members</b> Jason Lingiah Hazel Watson Rhoda Wright	Rona Mackie Black	Kathleen Aspinwall Finlay Buchanan Anne Goodall John Kennedy Catriona Ross Sheena Wurthmann*	John McConnachie Iain Mitchell* Glenn Walker*

Sally Foster-Fulton, *Convener*  
Christopher Wigglesworth, *Vice-Convener*

**MINISTRIES COUNCIL**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Colin Brough Alison Meikle Andrea Price Jim Reid* Graham Taylor	Glenn Chestnutt Catherine Collins Keith Graham Mhorag Macdonald Scott Raby Lindsay Schlüter Graham Smith	Rolf Billes Jill Clancy* Jane Howitt Marjory MacLean Graham Nash* Julie Woods John Young	David Black Edward Lyons Leslie Milton* Val Ott Sarah Ross Stuart Sharp Terry Taylor James Teasdale
<b>Members</b> Marion Buchanan DCS Richard Campbell	Leslie Moffat Sandra Palmer	Mary Cartwright Alan Imrie Alan Naylor	Charles Godon Michael Newlands Anne Noble Allan Sim

Neil Dougall, *Convener*Neil Glover, Anne Paton, Derek Pope, David Stewart, *Vice-Conveners***MISSION AND DISCIPLESHIP COUNCIL**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Gary Caldwell Daniel Carmichael Mairi Lovett	Elizabeth Crumlish Robert Milne	Martin Fair Kenneth Mackenzie Gillean Maclean Fiona Maxwell Jamie Milliken John Paterson James Robertson	Daniel Manastireanu Abi Ngunga
<b>Members</b> Pamela Mitchell	Helen-May Bayne Robert McQuistan Christopher Macrae Alan Watson	Lynne McEwen Darren Philip	Craig Durning Elspeth McCallum Lilly Stevenson

Colin Sinclair, *Convener*Roderick Hamilton, John Hawthorn, Norman Smith, *Vice-Conveners*

**CHURCH ART AND ARCHITECTURE COMMITTEE**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Bill Hogg Alison Mehigan		Allan McCafferty	Harry Mowbray
<b>Members</b> Brian Robertson	Paul Faris Kenneth Field Graeme Roberts Michael Taitt Roger Trueman	James Alexander* Campbell Duff* Paul Goode Raymond Young	Edward Hawke* Ian Robb

Graeme Roberts, *Convener*  
 David Logan, *Vice-Convener*

**SOCIAL CARE COUNCIL**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Douglas Irving*		Richard Begg Thomas Riddell Hugh Stewart	David Gray Ramsay Shields
<b>Members</b> Kay Keith Mary Landels* Susan Pym Hazel Scott Bill Steele William Wallace	David Brough Stuart Lynch* Eric Young	Thomas Chadwick* Clare Fleming* Douglas Hope Irene McGugan Ian Russell*	Adrian Bark* Martha Bogle Mary Ford Brenda Graham Kathleen MacPherson Jan Raitt Angus Swan Bill Usher*

Sally Bonnar, *Convener*  
 Richard Frazer, Ian Huggan, *Vice-Conveners*

**WORLD MISSION COUNCIL**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Catherine Buchan*	Russell Barr Robin Hill Alan Miller	Joanne Evans-Boiten Sandor Fazakas Bruce Ritchie	Susan Brown* Alison Burnside Alistair Donald Aftab Gohar Clarence Musgrave
<b>Members</b> John Crispin Grahame Henderson Campbell Jackson Roy Nelson Eileen Robertson	Valerie Brown Ailsa Henderson* Christopher Hoskins	Lesley Balaj John McArthur* Fraser Simm	Mukami McCrum Valerie Macniven Anikó Schuetz Douglas Short

Andrew McLellan, *Convener*  
Iain Cunningham, Christine Sime, *Vice-Conveners*

## NOTES

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## NOTES

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## NOTES

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# The Church of Scotland **General Assembly** **2013**



PART III

A – ROLL OF MEMBERS

B – MINUTES OF PROCEEDINGS

C – CASES WITH DELIVERANCES

D – STANDING ORDERS

*St Columba 1450<sup>th</sup> Anniversary*



**SECTION A**

**ROLL OF MEMBERS**

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## ROLL AND STANDING ORDERS

ASSEMBLY OFFICE-BEARERS		
Title	Name	No
<i>Moderator</i>	Rt Rev Albert O Bogle *	836
<i>Moderator-Designate</i>	Rev E Lorna Hood *	837
<i>Chaplains</i>	Rev Eleanor J McMahon *	838
	Rev Arthur Sherratt *	839
<i>Principal Clerk</i>	Rev John P Chalmers	840
<i>Depute Clerk</i>	Rev Dr George J Whyte	841
<i>Procurator</i>	Ms Laura Dunlop QC †	842
<i>Law Agent</i>	Mrs Janette S Wilson †	843
<i>Precentor</i>	Rev Dr Douglas Galbraith	844
<i>Chief Steward</i>	Mr Simon Bolam	
<i>Assembly Officer</i>	Mr David McColl †	
<i>Assistant Assembly Officer</i>	Mr Craig Marshall †	
BUSINESS COMMITTEE		
<i>Convener Nominate</i>	Rev Janet S Mathieson †	845
<i>Vice-Convener Nominate</i>	Rev Dr Derek Browning †	846

\* Communications should be delivered to the Moderator's Room, not to boxes.

+ Communications should be delivered to the Clerks' Desk, not to boxes.

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18	Dumbarton	3	Lothian
29	Dundee		
24	Dunfermline	4	Melrose and Peebles
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27	Dunkeld and Meikle		
5	Duns	45	Orkney
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47	England		
48	Europe	39	Ross
22	Falkirk	26	St Andrews
		46	Shetland
16	Glasgow	23	Stirling
33	Gordon	40	Sutherland
14	Greenock and Paisley		
		43	Uist
17	Hamilton		
		2	West Lothian
37	Inverness	9	Wigtown and Stranraer

## ROLL OF COMMISSIONERS

### 1. Presbytery of Edinburgh

#### Minister

1. Rev James D Aitken, Edinburgh: St Michael's
2. Rev William D Brown, Edinburgh: Murrayfield
3. Rev Karen K Campbell, Edinburgh: Marchmont St Giles'
4. Rev David W Denniston, Edinburgh: St Cuthbert's
5. Rev James S Dewar, Edinburgh: Juniper Green
6. Rev Dr Linda J Dunbar, Edinburgh: Muirhouse St Andrew's
7. Rev Louise J Duncan, Edinburgh: Balerno
8. Rev Prof David A S Fergusson FRSE, Principal of New College, University of Edinburgh
9. Rev Mark M Foster, Edinburgh: Dean
10. Rev Dr Richard E Frazer, Edinburgh: Greyfriars Highland & Tolbooth
11. Rev Michael W Frew, Edinburgh: Slateford Longstone
12. Rev Tom Gordon, (Marie Curie Hospice)
13. Rev Keith E Graham, Edinburgh: Stenhouse St Aidan's
14. Rev W Peter Graham, (Presbytery Clerk)
15. Very Rev James Harkness KCVO CB OBE DD, (Chaplain General)
16. Rev Elizabeth M Henderson, Edinburgh: Richmond Craigmillar
17. Rev Dr James A P Jack, Edinburgh: Duddingston
18. Very Rev Finlay A J Macdonald DD, (Principal Clerk)
19. Rev Fiona M Mathieson, Edinburgh: Carrick Knowe
20. Rev Stewart M McPherson, Edinburgh: Corstorphine Craigsbank
21. Rev Andrew R M Patterson, Edinburgh: Portobello Old
22. Rev Colin A M Sinclair, Edinburgh: Palmerston Place
23. Rev Norman A Smith, Edinburgh: Granton
24. Rev Donald M Stephen, (Edinburgh: Marchmont St Giles')
25. Rev Lezley J Stewart, Edinburgh: Currie
26. Rev John C C Urquhart, Edinburgh: Craigmillar Park
27. Rev Patricia Watson, Edinburgh: Drylaw
28. Rev Ian J Wells, Edinburgh: Ratho
29. Rev Dr John N Young, Edinburgh: Liberton

#### Elder

30. Mrs Judith Aitken, Edinburgh: Morningside United
31. Mrs Kirstine Baxter, Edinburgh: Mayfield Salisbury
32. Mr James R Byers, Edinburgh: Corstorphine St Ninian's
33. Lord John Coulsfield, Edinburgh: St Cuthbert's
34. Dr John Crispin, Edinburgh: Murrayfield
35. Mrs Audrey Downie, Edinburgh: Polwarth
36. Mr Jo Elliot, Edinburgh: Greyfriars Tolbooth & Highland
37. Dr Alison Elliot OBE LLD DD FRSE, Edinburgh: Greyfriars Tolbooth & Highland
38. Mr Charles R Godon, Edinburgh: Juniper Green
39. Mr Allan Gordon, Edinburgh: St Michael's
40. Mrs Helen Hannan, Edinburgh: Inverleith St Serf's
41. Miss Hazel Hastie, Edinburgh: Drylaw
42. Ms Doreen Jansch, Edinburgh: Kaimes Lockhart Memorial
43. Mrs Helen OW Kneale, Edinburgh: Portobello St James'
44. Mr David Laing, Edinburgh: Bristo Memorial Craigmillar
45. Mr Jason Lingiah, Edinburgh: Barclay Viewforth
46. Mr Hugh McDiarmid, Edinburgh: Newhaven
47. Mr Norman McLaren, Edinburgh: Carrick Knowe
48. Mr D Ian McPherson, Edinburgh: Granton
49. Mr Alistair I Munro, Edinburgh: Stenhouse St Aidan's
50. Mr Ian Murray, Edinburgh: Priestfield
51. Mrs Maureen I Mutch, Edinburgh: Craigentinny St Christopher's
52. Mrs Norma Packham, Edinburgh: Liberton Northfield
53. Mr Eric Proven, Edinburgh: Queensferry
54. Captain Richard A Smith, Edinburgh: Broughton St Mary's
55. Mr David A Stewart, Edinburgh: Corstorphine St Anne's
56. Mr Michael G D Thomson, Edinburgh: Greenside
57. Mr Graeme Williamson, Edinburgh: St Stephen's Comely Bank
58. Mrs Georgena Wylie, Edinburgh: Cramond

#### Deacon

59. Mr Mark Evans DCS, Head of Spiritual Care, NHS Fife
60. Miss Anne Mulligan DCS, Hospital Chaplain
61. Miss Norma Ronald MBE DCS, Edinburgh: Morningside

**2. Presbytery of West Lothian****Minister**

- 62. Rev John K Collard, Whitburn: Brucefield
- 63. Rev Christopher Galbraith, Bathgate: Boghall
- 64. Rev Dr Angus Kerr, Whitburn: South
- 65. Rev Sandi McGill, Avonbridge I/w Torphichen
- 66. Rev Dr Brenda Robson, Armadale
- 67. Rev Duncan Shaw, Bathgate: St John's
- 68. Rev Terry Taylor, Broxburn

**Elder**

- 69. Mr Hugh R Brown, Broxburn
- 70. Mr Derek R Henderson, Linlithgow: St Michael's
- 71. Mrs Alison Quilter, Whitburn: South
- 72. Mrs May Rae, Torphichen
- 73. Mrs Margaret Samuel, Bathgate: Boghall
- 74. Mr James White, Avonbridge
- 75. Mr Ian Wilson, Whitburn: Brucefield

**Deacon**

- 76. Mrs Kay McIntosh DCS, Kirk of Calder

**3. Presbytery of Lothian****Minister**

- 77. Rev Geoff T Berry, Army Chaplain
- 78. Very Rev John B Cairns LLD DD, (Aberlady I/w Gullane)
- 79. Rev Christine M Clark, Aberlady I/w Gullane
- 80. Rev Alan R Cobain, Tyne Valley Parish
- 81. Rev Dr David J Graham, Dirleton I/w North Berwick: Abbey
- 82. Rev Ruth D Halley, Penicuik: North
- 83. Rev Kristina M Herbold Ross, Cockenzie & Port Seton: Chalmers Memorial
- 84. Rev Keith L Mack, Dalkeith: St John's & King's Park
- 85. Rev John Mitchell, Bonnyrigg
- 86. Rev Gordon Stevenson, Dunbar
- 87. Rev John Vischer, Garvald & Morham I/w Haddington: West

**Elder**

- 88. Mr A Billy Bell, Garvald & Morham
- 89. Mr Ian G L Bulloch, Cockenzie & Port Seton: Chalmers Memorial

- 90. Mr J Donald M Hardie OBE DL, Humbie
- 91. Ms June E Johnston, Tyne Valley
- 92. Mr C Peter Kimber, Dirleton
- 93. Mrs Mary J Low, Dunbar
- 94. Mr John D McCulloch DL, Presbytery Clerk
- 95. Mr T Duncan Morgan, Cockenzie & Port Seton: Chalmers Memorial
- 96. Mr Iain J Thomson, Bonnyrigg
- 97. Mr Michael D Watson, Dalkeith: St John's & King's Park
- 98. Mr Barry J White, Aberlady

**4. Presbytery of Melrose and Peebles****Minister**

- 99. Very Rev A David K Arnott, (St Andrews: Hope Park I/w Strathkinness)
- 100. Rev Barry Hughes, Ordained Local Minister
- 101. Rev Malcolm Jefferson, Lyne & Manor I/w Peebles: St Andrew's Leckie
- 102. Rev Victoria J Linford, Stow: St Mary of Wedale & Heriot
- 103. Rev Robert B Milne, Broughton I/w Skirling I/w Stobo & Drumelzier I/w Tweedsmuir
- 104. Rev Samuel Siroky, Ettrick & Yarrow

**Elder**

- 105. Mr Andrew Campbell, Stobo & Drumelzier I/w Ettrick & Yarrow
- 106. Mr Keith Cleland, Ettrick & Yarrow
- 107. Mrs Yvonne Elliot, St Andrew's Leckie
- 108. Mr William Hermiston, Stow & Heriot
- 109. Mrs Isobel Hunter, Skirling
- 110. Mrs Lorraine Mulholland, Eddleston

**5. Presbytery of Duns****Minister**

- 111. Rev Stephen A Blakey, Bonkyl & Preston I/w Duns I/w Edrom: Allanton
- 112. Rev Norman R Whyte, Ayton & Burnmouth I/w Foulden & Mordington I/w Grantshouse & Houndwood & Reston
- 113. Rev Dr Adam J J Hood, Berwick-upon-Tweed: St Andrew's Wallace Green & Lowick

**Elder**

- 114. Mr Robert Cockburn, Leitholm

115. Mr Allan W Rodger, Berwick-Upon-Tweed: St Andrew's  
Wallace Green & Lowick  
116. Mr George Wood, Duns

### **6. Presbytery of Jedburgh**

#### **Minister**

117. Rev Frank Campbell, Ale & Teviot  
118. Rev Jenny M Earl, Kelso Country Churches I/w Kelso:  
Old & Sprouston  
119. Rev Charles J Finnie, Hawick: Burnfoot

#### **Elder**

120. Mr R Scott Elliot, Hawick: Burnfoot  
121. Mrs Winnie Robson, Kelso: North & Ednam  
122. Mr Robert Scott, Hawick: Trinity

### **7. Presbytery of Annandale and Eskdale**

#### **Minister**

123. Rev Morag A Dawson, Dalton I/w Hightae I/w St Mungo  
124. Rev C Bryan Haston, Presbytery Clerk  
125. Rev I Scott McCarthy, Langholm, Eskdalemuir, Ewes  
and Westerkirk  
126. Rev Alexander C Stoddart, Lockerbie: Dryfesdale,  
Hutton & Corrie

#### **Elder**

127. Mrs Margo R Burns, Hightae  
128. Mr Charles W Conchie, Lockerbie: Dryfesdale, Hutton  
& Corrie  
129. Mr Eric T Dempster, Wamphray  
130. Mr Tom Scott, Langholm, Eskdalemuir, Ewes & Westerkirk

### **8. Presbytery of Dumfries and Kirkcudbright**

#### **Minister**

131. Rev Willem J Bezuidenhout, Kirkmichael, Tinwald &  
Torthorwald  
132. Rev Dr Maurice S Bond, Dumfries: St Michael's & South  
133. Rev Neil G Campbell, Dumfries: Northwest  
134. Rev James F Gatherer, Colvend, Southwick & Kirkbean  
135. Rev William W Kelly, Dumfries: Troqueer  
136. Rev Valerie J Ott, Gatehouse of Fleet I/w Bogue  
137. Rev Sally Russell, Corsock & Kirkpatrick Durham I/w  
Crossmichael & Parton

#### **Elder**

138. Mrs Gwen Corson, Bogue  
139. Mr J Peter Davis, Buittle & Kelton  
140. Mrs Audrey Grieve, Balmaclellan & Kells  
141.  
142. Mr Robert MacSporran, Dalry  
143. Mr Geoffrey Monk, Balmaghie  
144. Mr Bill Riddick, Dumfries: Maxwelltown West

### **9. Presbytery of Wigtown and Stranraer**

#### **Minister**

145. Rev Eric Boyle, Kirkcowan I/w Wigtown  
146. Rev Alexander I Currie, Glasserton & Isle of Whithorn  
I/w Whithorn: St Ninian's Priory  
147. Rev Melvyn J Griffiths, Kirkmaiden I/w Stoneykirk  
148. Rev Tom M McWhirter, New Luce I/w Old Luce

#### **Elder**

149. Mr James Halliwell, Kirkmaiden  
150. Mr Martin G Marsh, Kirkcowan  
151. Mrs Nicola B A Steel, Presbytery Clerk  
152. Mrs Moira D Wood, Portpatrick

### **10. Presbytery of Ayr**

#### **Minister**

153. Rev David A Albon, Mauchline I/w Sorn  
154. Rev Kenneth C Elliott, Presbytery Clerk  
155. Rev George R Fiddes, Prestwick: St Nicholas'  
156. Rev James Crichton, (Crosshill I/w Dalrymple)  
157. Rev John S Lochrie, (St Colmon)  
158. Rev Robert Mayes, Dundonald  
159. Rev Ian K McLachlan, Barr I/w Dailly I/w Girvan: South  
160. Rev Stephen Ogston, St Colmon (Arnsheen Barrhill &  
Colmonell)  
161. Rev John W Paterson, Lugar I/w Old Cumnock: Old  
162. Rev Alastair H Symington, (Troon: Old)

#### **Elder**

163. Mr Neville Clark, Girvan: South  
164. Mr William Duffy, Annbank  
165. Mrs Moureen Jones, Old Cumnock: Old  
166. Mrs Pam Kavanagh, Dundonald  
167. Dr David Lewis, Alloway

168. Dr Keith Martin, Mauchline  
 169. Mrs Carole Stewart, Ayr: St Leonard's  
 170. Miss Moira D Wilson, Tarbolton  
 171. Miss Marion Wyllie, Lugar  
 172. Mr Gordon Macdonald, Prestwick: Kingcase

### **11. Presbytery of Irvine and Kilmarnock**

#### **Minister**

173. Rev Susan M Anderson, Kilmarnock: St John's Onthank  
 174. Rev Dr Grant Barclay, Kilmarnock: St Kentigern's  
 175. Rev Ian W Benzie, Irvine: St Andrew's  
 176. Rev David S Cameron, Kilmarnock: New Laigh Kirk  
 177. Rev David Donaldson, Caldwell I/w Dunlop  
 178. Very Rev David W Lacy DLitt, Kilmarnock: Kay Park Parish  
 179. Rev James McNaughtan, Kilmarnock: St Andrew's & St Marnock's  
 180. Rev Alex M Welsh, Hospital Chaplain

#### **Elder**

181. Mrs Susan Deans, Kilmaurs: St Maur's Glencairn  
 182. Mr I Steuart Dey, Presbytery Clerk  
 183. Mrs Jane Johnston, Kilmarnock: St John's Onthank  
 184. Mr George Knight, Caldwell  
 185. Mrs Morag G Lindsay, Kilmarnock: St John's Onthank  
 186. Ms Claire M McDougall, Irvine: St Andrew's  
 187. Mrs Margo McMurdo, Dunlop  
 188. Mr Matthew G Speirs, Kilmarnock: St Andrew's & St Marnock's

#### **Deacon**

189. Mr Colin Ogilvie DCS, Kilmarnock: New Laigh Kirk

### **12. Presbytery of Ardrossan**

#### **Minister**

190. Rev Angus Adamson, Brodick I/w Corrie I/w Lochranza & Pirnmill I/w Shiskine  
 191. Rev Ian S Currie, (United Charge of Bute)  
 192. Rev Alexander B Noble, Saltcoats: North  
 193. Rev James R Teasdale, Dalry: St Margaret's  
 194. Rev Tanya Webster, Ardrossan: Park  
 195. Rev Jeanette Whitecross, Kilwinning: Old

#### **Elder**

196. Mr Robert Hunter, Saltcoats: St Cuthbert's  
 197. Dr Nigel Lawrie, Largs: Clark Memorial  
 198. Mr William Mackay, Dalry: Trinity  
 199.  
 200. Mr R Allan Richardson, Beith  
 201. Mr Alan K Saunderson, Presbytery Clerk

### **13. Presbytery of Lanark**

#### **Minister**

202. Rev David S Carmichael, Lesmahagow: Abbeygreen  
 203. Rev Helen E Jamieson, Presbytery Clerk  
 204. Rev Bryan Kerr, Lanark: Greyfriars  
 205. Rev R Russell McLarty, Chance To Thrive Project  
 206. Rev Sarah L Ross, Forth: St Paul's

#### **Elder**

207. Mr Graham Chapman, Lanark: Greyfriars  
 208. Mr William Love, Lanark: St Nicholas'  
 209. Mrs Anna Lumsden, Lanark: Greyfriars  
 210. Mr Allan MacPherson, Lesmahagow: Abbeygreen  
 211. Mrs Rita Sleight, Carnwath

### **14. Presbytery of Greenock & Paisley**

#### **Minister**

212. Rev Gordon Armstrong, Paisley: Oakshaw Trinity  
 213. Rev Alan D Birss, Paisley: Abbey  
 214. Rev Dr Glenn A Chestnutt, Gourrock: St John's  
 215. Very Rev John C Christie, (Interim Minister)  
 216. Rev R Douglas Cranston, Kilmacoll: St Columba  
 217. Rev Drausio Goncalves, Paisley: St Columba Foxbar  
 218. Rev Kenneth N Gray, Bridge of Weir: Freeland  
 219. Rev Maureen Leitch, (Barrhead: Bourack)  
 220. Rev Andrew T MacLean, Langbank I/w Port Glasgow: St Andrew's  
 221. Rev Fiona E Maxwell, Neilston  
 222. Rev Peter G Gill, Paisley: Wallneuk North  
 223. Very Rev Alexander McDonald DUniv, (Ministries Council)  
 224. Rev Dr Peter McEnhill, Kilmacoll: Old  
 225. Rev Robert G McFarlane, Paisley: St Mark's Oldhall  
 226. Rev Eileen M Ross, Linwood  
 227. Rev Ivan C Warwick, Paisley: St James'

**Elder**

- 228. Miss Mary Barr, Lochwinnoch
- 229. Mr James Breingan, Inchinnan
- 230. Mrs Fiona B Cameron, Kilmacolm: St Columba
- 231. Mr Alan Campbell, Barrhead: Arthurlie
- 232. Mr Kenneth Carmichael, Paisley: St Luke's
- 233. Mrs Helen Eckford, Port Glasgow St Andrew's
- 234. Mrs Ann Knox, Gourrock: St John's
- 235. Mr Iain Langlands, Bishopton
- 236. Miss Elizabeth McFarlan, Paisley: St James'
- 237. Mr Campbell McGregor, Renfrew: North
- 238. Mr Jack McHugh, Bridge of Weir: Freeland
- 239. Dr Ian Morrice, Kilmacolm: Old
- 240. Miss Lynn Ross, Linwood
- 241. Mr Barry Streets, Skelmorlie & Wemyss Bay
- 242. Mr Douglas Vallance, Inverkip
- 243. Mr Denis Wadsworth, Elderslie

**Deacon**

- 244. Mr William Wishart DCS, Paisley: St Ninian's Ferguslie

**16. Presbytery of Glasgow****Minister**

- 245. Rev Dr Graham K Blount, Glasgow: St Enoch's Hogganfield
- 246. Rev Sarah Brown, Glasgow: Castlemilk
- 247. Rev Richard Cameron, Glasgow: Scotstoun
- 248. Rev P Jill Clancy, Glasgow: Tron St Mary's
- 249. Rev Douglas W Clark, Lenzie: Old
- 250. Rev Alison Davidge, Glasgow: Calton Parkhead
- 251. Rev Alan A Ford, Glasgow: Springburn
- 252. Rev Dr Daniel Frank, Glasgow: Wallacewell
- 253. Rev Alexander M Fraser, Glasgow: Knightswood  
St Margaret's
- 254. Rev Fiona M E Gardner, Glasgow: Temple Anniesland
- 255. Rev Peter M Gardner, Glasgow: Renfield St Stephen's
- 256. Rev James Gemmell, Bishopbriggs: Kenmure
- 257. Rev Neil M Glover, Cambuslang: Flemington Hallside
- 258. Very Rev William C Hewitt, Presbytery Clerk
- 259. Rev David P Hood, Glasgow: Merrylea
- 260. Rev Thomas C Houston, (Glasgow: Priesthill & Nitshill)
- 261. Rev Howard R Hudson, Glasgow: Bridgeton St Francis  
in the East

- 262. Rev Margaret H Johnston, Glasgow: Kinning Park
- 263. Rev H Martin J Johnstone, Priority Areas Secretary
- 264. Rev Joseph A Kavanagh, Mearns
- 265. Rev Scott R M Kirkland, Maxwell Mearns Castle
- 266. Very Rev David W Lunan DD, (Presbytery Clerk)
- 267. Rev George C MacKay, Stamperland
- 268. Rev Campbell MacKinnon, Glasgow: Balshagray  
Victoria Park
- 269. Rev Calum MacLeod, Glasgow: Cardonald
- 270. Rev David S M Malcolm, Glasgow: Queen's Park
- 271. Rev Mark Malcolm, Chryston
- 272. Rev Dr John W Mann, Glasgow: St James' (Pollock)
- 273. Rev Dr Alistair S May, Rutherglen: Stonelaw
- 274. Rev David McLachlan, Glasgow: Langside
- 275. Rev T Alastair McLachlan, (Craignish I/w Kilbrandon &  
Kilchatton I/w Kiln)
- 276. Very Rev John D Miller DD, (Glasgow: Castlemilk East)
- 277. Rev Esther J Ninian, Newton Mearns
- 278. Rev Muriel B Pearson, Glasgow: Cranhill
- 279. Rev Tom Pollock, Glasgow: Sherbrooke St Gilbert's
- 280. Rev Colin C Renwick, Glasgow: Jordanhill
- 281. Rev Jeanne N Roddick, Greenbank
- 282. Rev Christopher J Rowe, Glasgow: Colston Milton
- 283. Rev Elisabeth G B Spence, Glasgow: Ibrox
- 284. Rev Graham M Thain, Glasgow: St David's Knightswood
- 285. Rev Ainslie Walton, (University of Aberdeen)

**Elder**

- 286. Mr Graeme Barrie, Glasgow: Lochwood
- 287. Mr Hugh Biggans, Kirkintilloch: St Mary's
- 288. Mr John Boyle, Glasgow: Broomhill
- 289. Mrs Jean Brannigan, Glasgow: Partick South
- 290. Mrs Rhoda Brash, Glasgow: Langside
- 291. Mr David Bremner, Mearns
- 292. Mr Stuart Bruce, Glasgow: Govanhill Trinity
- 293. Mrs Joan Darling, Milton of Campsie
- 294. Dr Alastair K Denholm, Williamwood
- 295. Mrs Betty Dunn, Lenzie: Union
- 296. Mr Gilbert French, Kirkintilloch: St Columba's
- 297. Mr William Gray, Torrance
- 298. Mr Raymond Hall, Lenzie: Old
- 299. Mr Max Hartman, Glasgow: Merrylea

300. Mr Raymond Jenkins, Glasgow: King's Park  
 301. Mrs Carol Johnston, Kirkintilloch: Hillhead  
 302. Ms Christine Johnston, Kilsyth: Anderson  
 303.  
 304. Mr Graeme Lipsett, Maxwell Mearns Castle  
 305. Mrs Isabel McDermott, Glasgow: Scotstoun  
 306. Miss Maureen McNabb, Glasgow: Cardonald  
 307. Mr William Meldrum, Lenzie: Union  
 308. Mrs Jan Millar, Greenbank  
 309. Ms Elspeth Millen, Glasgow: Govan & Linthouse  
 310. Mr David Moir, Glasgow: Jordanhill  
 311. Miss Catherine Morrison, Glasgow: Knightswood St Margaret's  
 312. Mr Mathew Morton, Glasgow: Hyndland  
 313. Mrs Margaret Munck, Glasgow: Maryhill  
 314. Mr Ian H Proudfoot, Glasgow: Newlands South  
 315. Mrs Maureen Reid, Glasgow: Kelvinside Hillhead  
 316. Miss Ann W Ritchie, Glasgow: Gorbals  
 317. Mr George D Snowden, Glasgow: Kelvin Stevenson Memorial  
 318. Mr Jamie Stuart, Glasgow: High Carntyne  
 319. Mr John H Stuart, Glasgow: Lansdowne  
 320. Mr Brian Tainsh, Glasgow: Ibrox  
 321. Miss Annie Taylor, Glasgow: Cardonald  
 322. Mr Patrick J May, Williamwood  
 323. Mr James B Webster, Glasgow: Kinning Park  
 324. Mr Andrew Wilkin, Kirkintilloch: St David's Memorial Park  
 325. Mr Garry Williams, Glasgow: Partick Trinity  
 326. Dr Sheena Wurthmann, Netherlee

#### **Deacon**

327. Mrs Mary S Gargrave DCS, Glasgow: Carnwadric  
 328. Mrs Dot Getliffe DCS, Glasgow: Shettleston New

### **17. Presbytery of Hamilton**

#### **Minister**

329. Rev Allan B Brown, Shotts: Calderhead Erskine  
 330. Rev David W G Burt, Hamilton: Hillhouse  
 331. Rev Sharon E F Colvin, (Airdrie: Jackson)  
 332. Rev George M Donaldson, Caldercruix, Longriggend  
 333. Rev Paul G R Grant, Stonehouse: St Ninian's

334. Rev F Derek Gunn, Airdrie: Clarkston  
 335. Rev Mark Lowey, East Kilbride: South  
 336. Rev Gordon R Mackenzie, Chapelhall  
 337. Rev Norman MacLeod, (Hamilton: St Andrew's)  
 338. Rev Alan McKenzie, Bellshill: Macdonald Memorial  
 339. Rev Fiona L J McKibbin, Uddingston: Old  
 340. Rev Dr John L McPake, East Kilbride: Mossneuk  
 341. Rev Iain C Murdoch, Wishaw: Cambusnethan Old & Morningside  
 342. Rev Gordon R Palmer, East Kilbride: Claremont  
 343. Rev Derek W Hughes, Motherwell: Dalziel St Andrew's  
 344. Rev Ann S Paton, East Kilbride: Old  
 345. Rev Derek H N Pope, Motherwell: North  
 346. Rev Ecilo Selemani, Coatbridge: Townhead  
 347. Rev Douglas Wallace, East Kilbride Stewartfield  
 348. Very Rev Hugh R Wyllie DD, (Hamilton: Old)

#### **Elder**

349. Mr David Alexander, Uddingston: Viewpark  
 350. Mr Scott Bennie, Strathaven: Rankin  
 351. Mr Martin Blue, Coatbridge: Townhead  
 352. Mr Peter Chirside, Bargeddie  
 353. Ms Joy Codona, Airdrie: Clarkston  
 354. Mrs Barbara Curtin, Wishaw: St Mark's  
 355. Mr David Findlay, Calderbank  
 356. Mr Bob Freer, Blantyre: Old  
 357. Miss Frances Gilmour, Larkhall: Trinity  
 358. Miss Margret L Graham, Larkhall: Trinity  
 359. Mr William G Hawthorne, Airdrie: Clarkston  
 360. Mrs Isabel Hendrie, Kirk o' Shotts  
 361. Mrs Alison MacAuslane, Uddingston: Old  
 362. Mr Angus McConnell JP, East Kilbride: Old  
 363. Dr Margaret Miller, Strathaven: Avendale  
 364. Mr Thomas Mills, Bellshill: Orbiston  
 365. Mr Douglas Pearson, Uddingston: Burnhead  
 366. Mrs Ann Pickering, Newarthill & Carfin  
 367. Mr George Robertson, Hamilton: Old  
 368. Mr William Scott, Hamilton: St Andrew's

#### **Deacon**

369. Mrs Marjory Burns, (Bellshill Churches Group)

**18. Presbytery of Dumbarton****Minister**

- 370. Rev David W Clark, Presbytery Clerk
- 371. Rev Alan J Hamilton, Bearsden: Killermont
- 372. Rev Roderick G Hamilton, Bearsden: New Kilpatrick
- 373. Rev Andrew P Lees, Baldernock
- 374. Rev Dr Ian McEwan, Bearsden: Baljaffray
- 375. Rev Gregor McIntyre, Clydebank: Faifley
- 376. Rev Alastair E Ramage, Auxiliary Minister
- 377. Rev Ramsay B Shields, Milngavie: St Luke's

**Elder**

- 378. Mrs Janice Dinning, Dalmuir: Barclay
- 379. Mr David Linley, Bearsden: Baljaffray
- 380. Mr Graham Mill, Milngavie: St Paul's
- 381. Mrs June Richardson, Bearsden: Baljaffray
- 382. Mrs Elizabeth Stewart, Dalmuir: Barclay
- 383. Mr Douglas Thomson, Bonhill
- 384. Mr Hamish Thomson, Baldernock
- 385. Mrs Maureen Walker, Cardross

**19. Presbytery of Argyll****Minister**

- 386. Rev Andrew Barrie, Rothesay: Trinity
- 387. Rev Louis C Bezuidenhout, Cumloddan, Lochfyneside & Lochgair
- 388. Rev Dugald J R Cameron, Kilmore & Oban
- 389. Rev David Carruthers, Ardrishaig I/w South Knapdale
- 390. Rev Christine Fulcher, Saddell & Carradale I/w Southend
- 391. Rev Elizabeth A Gibson, Glenorchy & Innishael I/w Srathfillan
- 392. Rev Robert K Mackenzie, Lochgoilhead & Kilmorich I/w Strachur & Strathlachlan
- 393. Rev David Mitchell, Kilfinan I/w Kilmodan & Colintrave I/w Kyles
- 394. Rev Dr Kenneth R Ross, Kilbrandon & Kilchattan I/w Craignish I/w Kilniver & Kilmelford

**Elder**

- 395. Mr Alastair Gow, Ardrishaig
- 396. Mrs Doreen Henderson, Kilmore & Oban
- 397. Mr Ian MacLagan, Presbytery Clerk
- 398. Mr Neil I Maclean, Glenarary & Inveraray

- 399. Mr Cliff Moisey, Salen & Ulva
- 400. Mrs Mary Sandilands, Kilniver & Kilmelford
- 401. Mrs Elizabeth Speirs, Rothesay: Trinity
- 402. Mr Sinclair Sutherland, Kilfinan
- 403. Mr Douglas Weatherhead, Iona

**22. Presbytery of Falkirk****Minister**

- 404. Rev Robert S T Allan, Falkirk: Old & St Modan's
- 405. Rev Ian W Black, Grangemouth: Zetland
- 406. Rev Helen Christie, Haggs
- 407. Rev Melville D Crosthwaite, Larbert: East
- 408. Rev Aftab Gohar, Grangemouth: Abbotsgrange
- 409. Rev Elinor J Gordon, Cumbernauld: Kildrum
- 410. Very Rev Sheilagh M Kesting DD, Ecumenical Officer
- 411. Rev Joyce A Keyes, Cumbernauld: Abronhill
- 412. Rev John Murning, Denny: Old
- 413. Rev Jerome O'Brien, Polmont: Old
- 414. Rev Stuart Sharp, Falkirk: Camelon

**Elder**

- 415. Mr Stephen Alexander, Polmont: Old
- 416. Mr Matthew Baxter, Falkirk: St Andrew's West
- 417. Mr Kelvin Cairns, Larbert: East
- 418. Mr D Christopher Dunn, Cumbernauld: Kildrum
- 419. Mrs Janice Guthrie, Falkirk: Camelon
- 420. Miss Julia Marshall, Grangemouth: Zetland
- 421. Mrs Wendy Marshall, Grangemouth: Abbotsgrange
- 422. Mr Robert M McCheyne, Haggs
- 423. Mrs Catherine McKim, Cumbernauld: Abronhill
- 424. Mrs Janet Rhodes, Denny: Old
- 425. Mr Hamish Scott, Falkirk: Old & St Modan's

**23. Presbytery of Stirling****Minister**

- 426. Rev Iain M Goring, Balfron I/w Fintry
- 427. Rev Calum Jack, Stirling; North
- 428. Rev Colin G McIntosh, Dunblane: Cathedral
- 429. Rev James N R McNeil, Alva
- 430. Rev Lee Messeder, Killearn
- 431. Rev Alex M Millar, Presbytery Clerk
- 432. Rev Alan F Miller, Stirling; Church of the Holy Rude I/w Stirling: Viewfield Erskine

433. Rev Graham Nash, Cambusbarron: The Bruce Memorial  
 434. Rev Gillian Weighton, Bridge of Allan  
 435. Rev Muriel F Willoughby, Alloa: Ludgate

#### **Elder**

436. Dr Jenni E Barr, Dunblane: Cathedral  
 437. Mrs Maureen Birrell, Stirling: North  
 438. Mrs Fiona J Boyd, Fintry  
 439. Mrs Lesley Christie, Bridge of Allan  
 440. Ms Ann Jeffrey, Cambusbarron: The Bruce Memorial  
 441. Mr Ian McVean, Balfron  
 442. Miss Eileen Pritchard, Stirling: Viewfield  
 443. Mrs Val Rose, Alloa: Ludgate  
 444. Dr Andrew I Weir, Killearn  
 445. Mr Iain M White, Stirling: Church of the Holy Rude

#### **Deacon**

446. Mrs Jean T Porter DCS, Stirling: St Mark's

### **24. Presbytery of Dunfermline**

#### **Minister**

447. Rev Elizabeth A Fisk, Dunfermline: St Ninian's  
 448. Rev Peter S Gerbrandy-Baird, Aberdeen: St Fillan's  
 449. Rev Norman M Grant, Cairneyhill I/w Limekilns  
 450. Rev Elizabeth S S Kenny, Presbytery Clerk  
 451. Very Rev Andrew C McLellan CBE DD, (HM Inspector of Prisons)  
 452. Rev MaryAnn Rennie, Dunfermline: Abbey  
 453. Rev Christine Sime, Dalgety  
 454. Rev Elisabeth M Stenouse, Lochgelly & Benarty: St Serfs

#### **Elder**

455. Mr Alan Fowlie, Dunfermline: St Ninian's  
 456. Mrs Faye Buchan, Dunfermline: St Ninian's  
 457. Mrs Fay Colyer, Dunfermline: Gillespie Memorial  
 458. Mrs Catherine E Duncan, Aberdeen: St Fillan's  
 459. Mrs Isobel MacFarlane, Dalgety  
 460. Mr Douglas Millar, Dunfermline: Abbey  
 461. Mr Derek Peters, Cairneyhill I/w Limekilns  
 462. Mr Charles Stoddart, Cairneyhill I/w Limekilns

#### **Deacon**

463. Mrs Elizabeth Philip DCS, Dunfermline: East

### **25. Presbytery of Kirkcaldy**

#### **Minister**

464. Rev Alex R Forsyth, Markinch  
 465. Rev Anthony J R Fowler, Kirkcaldy: Templehall  
 466. Rev Gilbert C Nisbet, Leven  
 467. Rev Marc Prowe, Kirkcaldy: Linktown I/w Auchtertool  
 468. Rev James Reid, Kinghorn Parish  
 469. Rev Alexandra M Rosener, Glenrothes: Christ's Kirk

#### **Elder**

470. Mrs Mary Cook, Glenrothes: St Margaret's  
 471. Mr Norman Cooper, Kennoway, Windygates & Balgonie: St Kenneth's  
 472. Mr Bryan Gould, Markinch  
 473. Miss Isabel W Ireland, Leven  
 474. Miss Dorothy T Murray, Kirkcaldy: St Bryce Kirk  
 475. Mrs Wilma A D Page, Glenrothes: Christ's Kirk

#### **Deacon**

476. Mrs Jacqueline Thomson DCS, Buckhaven & Wemyss

### **26. Presbytery of St Andrews**

#### **Minister**

477. Rev Dr Ann Allison, Crail I/w Kingsbarns  
 478. Rev Arthur A Christie, Anstruther I/w Cellardyke I/w Kilrenny  
 479. Very Rev Alan D McDonald DLitt DD, Cameron I/w St Andrews: St Leonard's  
 480. Rev John A H Murdoch, Largo & Newburn I/w Largo: St David's  
 481. Rev Dr George G Nicol, Falkland I/w Freuchie  
 482. Rev Iain F Paton, (Elie I/w Kilconquhar & Colinsburgh)  
 483. Rev James G Redpath, Presbytery Clerk  
 484. Rev Jan J Steyn, Cupar: St John's & Dairsie United

#### **Elder**

485. Mr Alistair Aird, Crail  
 486. Mrs Jane McDonald, Anstruther I/w Cellardyke I/w Kilrenny  
 487. Miss Elaine Dowie, St Andrews: Hope Park & Martyn  
 488. Mr William Imlay, Newport-on-Tay  
 489. Mr Andrew Kennedy, Cupar: St John's & Dairsie United  
 490.

491. Mr Iain A McCrone, Freuchie  
492.

### **27. Presbytery of Dunkeld and Meigle**

#### **Minister**

493. Rev Bruce Dempsey, Bendochy I/w Coupar Angus:  
Abbey  
494. Rev Michael J Erskine, Alyth  
495. Rev Mary M Haddow, Pitlochry  
496. Rev Peggy Roberts, Caputh & Clunie I/w Kinclaven

#### **Elder**

497. Mr David J A Brough, Alyth  
498. Mr Robert Cormack, Bendochy  
499. Mr James H F Mitchell, Pitlochry  
500. Mrs Virginia M Wilkie, Pitlochry

### **28. Presbytery of Perth**

#### **Minister**

501. Rev Alfred G Drummond, Scottish General Secretary,  
Evangelical Alliance  
502. Rev Carolann Erskine, Perth: Craigie & Moncreiffe  
503. Rev Douglas M Main, Errol I/w Kilspindie & Rait  
504. Rev Graham McWilliams, Comrie I/w Dundurn  
505. Rev Hugh O'Brien, Perth: North  
506. Rev Philip W Patterson, Almondbank Tibbermore I/w  
Methven & Logiealmond  
507. Rev Dr Stuart D B Picken, Ardoch I/w Blackford  
508. Very Rev James A Simpson DD, (Dornoch Cathedral)

#### **Elder**

509. Mr Kenith Barclay, Perth: Letham St Mark's  
510. Mr Alexander Baxter, Perth: St Leonard's-in-the-Fields  
511. Mrs Elizabeth Black, Perth: Craigie & Moncreiffe  
512. Miss Ruth Buchan, Auchterarder  
513. Mr William A Clark, Crieff  
514. Mrs Irene Hutchison, Almondbank Tibbermore  
515. Mr Roy L Spiers, Ardoch  
516. Mrs Jo Young, Perth: St John's Kirk

#### **Deacon**

517. Mr Kenneth D Mackay DCS, Perth: Letham St Mark's

### **29. Presbytery of Dundee**

#### **Minister**

518. Rev Colin M Brough, Dundee: Fintry  
519. Rev Dr Fiona C Douglas, University Chaplain  
520. Rev Donna M Hays, Fowlis & Liff I/w Lundie & Muirhead  
521. Rev William McLaren, Dundee: Stobswell  
522. Rev Marion J Paton, Dundee: St David's High Kirk  
523. Rev David J Randall, (Macduff)  
524. Rev Dr James M Rogers, (Gibraltar & Costa del Sol)  
525. Rev Charles G Taylor, Dundee: Broughty Ferry St Luke's  
& Queen Street  
526. Rev James L Wilson, Dundee: Whitfield

#### **Elder**

527. Mr Malcolm Bell, Monifieth  
528. Miss Catherine Coull, Dundee: Chalmers Ardler  
529.  
530. Miss Shona Hutt, Invergowrie  
531. Mr Gordon McBean, Dundee: Lochee  
532. Mrs Margaret McVean, Lundie & Muirhead  
533. Mr Alan J Philip, Dundee: Barnhill St Margaret's  
534. Mr Alex L Strang, Auchterhouse  
535. Mr Tim A P Xenophontos-Hellen, Dundee: Downfield  
Mains

#### **Deacon**

536. Miss Janie M Martin, (Dundee: Chalmers Ardler)

### **30. Presbytery of Angus**

#### **Minister**

537. Rev Jane M Blackley, Brechin: Gardner Memorial I/w  
Farnell  
538. Rev Dr Martin Fair, Arbroath: St Andrew's  
539. Rev Michael S Goss, Barry I/w Carnoustie  
540. Rev David Logan, Forfar: St Margaret's  
541. Rev Dr Ian A McLean, Montrose: Old & St Andrew's  
542. Rev John K Orr, Kirriemuir: St Andrew's I/w Oathlaw  
Tannadice  
543. Rev Malcolm I G Rooney, The Glens and Kirriemuir: Old

#### **Elder**

544. Mrs Kay Cessford, Farnell  
545. Mr Alan Esslemont, Friockheim Kinnell

546. Mrs Celia Gray, Dun & Hillside  
 547. Mrs Linda Gray, Forfar: Lowson Memorial  
 548. Mrs Evelyn Hood, The Isla Parishes  
 549. Mrs Margaret Jamieson, Carnoustie: Panbride  
 550. Mrs Elizabeth Kidd, Brechin: Gardner Memorial

### **31. Presbytery of Aberdeen**

#### **Minister**

551. Rev Marian Cowie, (Aberdeen: Midstocket)  
 552. Rev George S Cowie, Aberdeen: South Holburn  
 553. Rev Duncan C Eddie, Aberdeen: Holburn West  
 554. Rev Dr John A Ferguson, Peterculter  
 555. Rev Dr Norman Maciver, (Aberdeen: Newhills)  
 556. Very Rev Prof Alan Main TD DD, (University of Aberdeen)  
 557. Rev Manson C Merchant, Dyce  
 558. Rev Michael Phillippo, (Auxiliary Minister)  
 559.  
 560. Rev Michael R R Shewan, Aberdeen: Summerhill  
 561. Rev Prof John Swinton, University of Aberdeen  
 562. Very Rev Prof Iain R Torrance TD DD, (Princeton Theological Seminary)  
 563. Rev Elizabeth Youngson, Aberdeen: Mastrick

#### **Elder**

564. Mr Ian J Anderson, Aberdeen: Summerhill  
 565. Mrs B Jean Bell, Aberdeen: Mastrick  
 566. Mr Brian D Cheyne, Dyce  
 567. Mr Gordon Cooper, Aberdeen: Craigiebuckler  
 568. Mrs Hazel Hewitt, Aberdeen: St Nicholas, Kincorth  
 569. Miss Patricia Moir, Aberdeen: South Holburn  
 570. Miss Judith Norton, Aberdeen: St Machar's Cathedral  
 571. Mrs Mary Notman, Aberdeen: Ferryhill  
 572. Mr Alexander Riddell, Aberdeen: St Machar's Cathedral  
 573. Mrs Maureen Simpson, Aberdeen: Rubislaw  
 574. Mr Alan P Smith, Aberdeen: Queen's Cross  
 575. Mr David Wood, Newhills  
 576. Mr David Wyness, Aberdeen: St Nicholas Kincorth

### **32. Presbytery of Kincardine and Deeside**

#### **Minister**

577. Rev Hugh Conkey, Newtonhill  
 578. Rev Kenneth I Mackenzie, Braemar & Crathie  
 579. Rev Dr Flora J Munro, Portlethen

580. Rev Frank Ribbons, Aboyne & Dinnet I/w Cromar  
 581. Rev Dennis S Rose, Arbuthnott, Bervie & Kinneff

#### **Elder**

582. Mr Frank Dunn, Stonehaven Fetteresso  
 583. Mr John Gillespie, Arbuthnott, Bervie & Kinneff  
 584. Mr Allan Harrison, Braemar & Crathie  
 585. Mrs Sheila Robertson, Cromar  
 586. Mr Adrian Sims, Aboyne & Dinnet

### **33. Presbytery of Gordon**

#### **Minister**

587. Rev Alexander Buchan, (North Ronaldsay with Sanday)  
 588. Rev Isabel C Buchan, Barthol Chapel I/w Tarves  
 589. Rev John A Cook, Howe Trinity  
 590. Rev Dr Mary M Cranfield, Culsalmond & Rayne I/w Daviot  
 591. Rev G Euan D Glen, Cluny I/w Monymusk  
 592. Rev T Graeme Longmuir, Inverurie: St Andrew's  
 593. Rev Douglas G McNab, New Machar

#### **Elder**

594. Mrs Anne M Campbell, Inch-Leslie-Premnay-Oyne  
 595. Mr Marc I Falconer, Inverurie: West  
 596. Mrs Alice Kemp, Howe Trinity  
 597. Mrs Moira J Lee, New Machar  
 598. Mrs Valerie A Mitchell, Methlick  
 599. Mrs Pamela H V Pack, Daviot  
 600. Mrs Somersal Shepley, Howe Trinity

### **34. Presbytery of Buchan**

#### **Minister**

601. Rev Robert A Fowlie, Longside  
 602. Rev Kevin Gruer, Turriff: St Ninian's & Forglen  
 603. Rev Sheila M Kirk, Deer  
 604. Rev Peter B Park, Fraserburgh: Old  
 605. Rev Stephen J Potts, Auchaber United I/w Auchterless  
 606. Rev Dr David S Ross, Prison Chaplain  
 607.

#### **Elder**

608. Mr George W Berstan, Presbytery Clerk  
 609. Mr Robert M Esson, Cruden  
 610. Mr Gordon Hay, Longside

611. Mrs Muriel McGregor, Auchaber United  
 612. Mr Norman Ogston, Turriff: St Ninian's & Forglen  
 613. Mr Kenneth Sim, Sandhaven  
 614.

### 35. Presbytery of Moray

#### Minister

615. Rev Jenny Adams, Duffus, Spynie & Hopeman  
 616. Rev Barry J Boyd, Forres: St Laurence  
 617. Rev John Macgregor, Dyke I/w Edinkillie  
 618. Rev Andrew J Robertson, St Andrew's-Lhanbryd & Urquhart  
 619. Rev Hugh M C Smith, Presbytery Clerk  
 620. Rev G Hutton B Steel, Keith: North, Newmill, Boharm & Rothiemay

#### Elder

621. Mr Roy Anderson, Forres: St Leonard's  
 622. Mrs Marjory Barber, Kinloss & Findhorn  
 623. Mrs Ann M C Bowie, Elgin: St Giles' & St Columba's South  
 624. Mrs Simone Herrnkind, St Andrew's-Lhanbryd & Urquhart  
 625. Mrs Sheila Silvestri, Enzie  
 626. Mrs Jean Symon, Lossiemouth: St James'

### 36. Presbytery of Abernethy

#### Minister

627. Rev Catherine A Buchan, Laggan I/w Newtonmore  
 628. Rev Ronald C Whyte, Alvie & Insh I/w Rothiemurchus & Aviemore

#### Elder

629. Mr G Ian Hall, Laggan  
 630. Mr William J Steele, Alvie & Insh

#### Deacon

631. Mrs Sheila Wallace DCS, Boat of Garten, Duthil & Kincardine

### 37. Presbytery of Inverness

#### Minister

632. Rev Reginald F Campbell, Daviot & Dunlichity I/w Moy Dalarossie & Tomatin  
 633. Rev Jonathan Fraser, Associate, Inverness: Hilton

634. Rev Andrew A McMillan, Inverness: Dalneigh & Bona  
 635. Rev Scott McRoberts, Inverness: St Columba  
 636. Rev Peter W Nimmo, Inverness: Old High St Stephen's  
 637. Rev Richard Reid, Auldearn & Dalmore I/w Nairn: St Ninian's

#### Elder

638. Mrs Ingrid Hutchison, Inverness: Hilton  
 639. Dr Russell Lees, Daviot & Dunlichity  
 640. Mr James Main, Nairn: St Ninian's  
 641. Mrs Sheila Proudfoot, Inverness: Ness Bank  
 642. Mr David Smillie, Inverness: Old High St Stephen's  
 643. Mr David Taylor, Inverness: Trinity

#### Deacon

644. Mrs Joyce Mitchell DCS, (Wester Hailes, Edinburgh)

### 38. Presbytery of Lochaber

#### Minister

645. Rev Dr Malcolm A Kinnear, Kinlochleven I/w Nether Lochaber  
 646. Rev Donald G B McCorkindale, Ardgour I/w Morvern I/w Strontian  
 647. Rev Mairi Perkins, Ardgour I/w Morvern I/w Strontian

#### Elder

648. Mrs Kathleen M Cruickshank, Morvern  
 649. Mrs Ella Gill, Presbytery Clerk  
 650. Mrs Mabel W Wallace, Duncansburgh MacIntosh

### 39. Presbytery of Ross

#### Minister

651. Rev Alasdair J MacIennan, (Resolis & Urquhart)  
 652. Rev Kenneth D Macleod, Invergordon  
 653. Rev Donald A MacSween, Kiltearn  
 654. Rev David V Scott, Fearn Abbey & Nigg I/w Tarbat

#### Elder

655. Mr Hector Macdonald, Resolis & Urquhart  
 656. Mr Kenny Mackay, Kilmuir & Logie Easter  
 657. Mrs Caroline Penman, Kilmuir & Logie Easter  
 658. Captain Stuart Tickner, Cromarty

**40. Presbytery of Sutherland****Minister**

659. Rev Hilary M Gardner, Auxiliary, Kincardine, Croick & Edderton  
 660. Rev John MacPherson, Assynt & Stoer  
 661. Rev Ian W McCree, (Clyne I/w Kildonan, Loth & Helmsdale)

**Elder**

662. Mr Stuart McLelland, Assynt & Stoer  
 663. Mrs Mary J Stobo, Presbytery Clerk  
 664. Mr Herbert J Wallace, Lairg I/w Rogart

**41. Presbytery of Caithness****Minister**

665. Rev Stuart Farnes, Wick: Pulteneytown & Thrumster  
 666. Rev Alastair H Gray, Bower I/w Halkirk I/w Watten

**Elder**

667. Mr Lyall Rennie, Canisbay  
 668. Mrs Heather Stewart, Wick: St Fergus

**Deacon**

669. Mr John Craw DCS, (Caithness Presbytery)

**42. Presbytery of Lochcarron – Skye****Minister**

670. Rev Dr Ben Johnstone, Strath & Sleat  
 671. Rev Hector M Mackenzie, Army Chaplain  
 672. Rev David Macleod, Applecross, Lochcarron & Torridon

**Elder**

673. Mr Robert Anderson, Lochalsh  
 674. Mr Steve J Fennell, Strath & Sleat  
 675. Mr Archie Macinnes, Strath & Sleat

**43. Presbytery of Uist****Minister**

676. Rev Donald Campbell, Kilmuir & Paible  
 677. Rev Jacqueline G Petrie, (South Uist)

**Elder**

678. Ms Sylvia Norton, Benbecula  
 679. Mr Hamish Taylor, Manish-Scarista

**44. Presbytery of Lewis****Minister**

680. Rev William J Heenan, Stornoway: St Columba  
 681. Rev Thomas S Sinclair, Presbytery Clerk  
 682.

**Elder**

683. Mr Murdo Afrin, Stornoway: St Columba  
 684. Mr Malcolm Graham, Knock  
 685. Mr Donalasdair M Smith, Kinloch

**45. Presbytery of Orkney****Minister**

686. Rev G Fraser H Macnaughton, Kirkwall: St Magnus Cathedral  
 687. Rev Stephen Manners, South Ronaldsay & Burray  
 688. Rev James Wishart, Presbytery Clerk

**Elder**

689. Mr David Grieve, Kirkwall: East  
 690. Mrs Margaret Laughton, South Ronaldsay & Burray  
 691. Mrs Annie C Omand, East Mainland

**46. Presbytery of Shetland****Minister**

692. Rev Irene A Charlton, Nesting & Lunnasting I/w Whalsay & Skerries  
 693. Rev Richard M Charlton, Auxiliary, Nesting & Lunnasting I/w Whalsay & Skerries  
 694. Rev Robert M MacGregor, Delting I/w Northmavine

**Elder**

695. Mrs Joyce Simm, Delting  
 696. Mr Laurence J Sutherland, Tingwall  
 697. Mr Andrew J Williamson, Whalsay & Skerries

**47. Presbytery of England****Minister**

698. Rev Scott J Brown, Royal Navy Chaplain of The Fleet  
 699. Rev Dr David Coulter, Deputy Chaplain General  
 700. Rev Alistair Cumming, Presbytery Clerk  
 701. Rev Kleber de Oliveira Machado, Corby: St Ninian's  
 702. Rev Philip J Majcher, London: Crown Court

703. Very Rev John H McIndoe DD, (London: St Columba's  
I/w Newcastle: St Andrew's)

704. Rev John McMahon, Hospital Chaplain

**Elder**

705. Dr Hunter Adam, Guernsey: St Andrew's

706. Mrs Marion L Bruce, Corby: St Ninian's

707. Mr Westley J Bruce, Corby: St Ninian's

708. Ms Elizabeth Fox, London: St Columba's

709. Mrs Liliias G Gillies, London: St Columba's

710. Mr Ian Russell, London: St Columba's

711. Mr George Thain, Jersey: St Columba's

**48. Presbytery of Europe**

**Minister**

712. Rev Robert A Calvert, Rotterdam

713. Rev John Cowie, Amsterdam

714. Rev Barry W Dunsmore, Warwick, Bermuda: Christ  
Church

715. Rev Willie B McCulloch, Rome: St Andrew's

716. Rev Jim Sharp, OLM Pastoral training and support

**Elder**

717. Mrs Eileen Jackson, Costa del Sol

718. Mrs Pat Lang, Warwick, Bermuda: Christ Church

719. Mrs Alison Sabetti, Rome St Andrew's

720. Mr Baafi Sekyere, Amsterdam

721. Mr Ruud Witte, Rotterdam

**49. Presbytery of Jerusalem**

**Minister**

722. Rev Colin D Johnson, Tiberias: St Andrew's

**Elder**

723. Mr John Gang, Tiberias: St Andrew's

## DELEGATES FROM OTHER CHURCHES

### UNITED KINGDOM & IRELAND

#### *The Presbyterian Church in Ireland*

724. Rt Rev Dr Roy A Patton, Moderator

725. Rev Dr Michael A Barry, Chaplain

726. Mr Alastair Vance, Elder

#### *The Presbyterian Church of Wales*

727. Rev Dafydd Andrew Jones, Moderator

#### *The United Reformed Church*

728. Rev Dr Michael Jagessar, Co-Moderator and Secretary for Racial Justice and Multicultural Ministry

729. Rev Melanie Smith, Chaplain

#### *United Reformed Church National Synod of Scotland*

730. Rev Robin Hine, Secretary – Synod of Scotland Ecumenical and World Church Committee

#### *The Baptist Union of Scotland*

731. Rev Alan Berry

#### *The Church of England*

732. Rev Dr Malcolm Brown, Director of Mission and Public Affairs, Archbishops' Council

#### *The Methodist Church in Scotland*

733. Rev Lily P Twist, Chair of the Methodist Synod in Scotland

#### *Religious Society of Friends – General Meeting for Scotland*

734. David James

#### *The Roman Catholic Church Bishops' Conference of Scotland*

735. Rt Rev Stephen Robson, Auxiliary Bishop of St Andrews and Edinburgh

#### *The Salvation Army*

736. Major Alan Dixon, Assistant to the Secretary for Scotland

#### *The Scottish Episcopal Church*

737. Rt Rev Dr Gregor D Duncan, Bishop of Glasgow and Galloway

#### *The United Free Church of Scotland*

738. Rev Ian F R Lloyd, Moderator

#### *The Congregational Federation in Scotland*

739. Rev Susan Durham, Children and Youth Work Co-ordinator

## DELEGATES FROM ECUMENICAL BODIES

#### *Action of Churches Together in Scotland*

740. Rev John Butterfield, Trustee

#### *Churches Together in Britain and Ireland*

741. Rev Bob Fyffe, General Secretary

#### *Churches Together in England*

742. Rev Dr David Cornick, General Secretary

## DELEGATES FROM OTHER COUNTRIES

### AFRICA

#### *Presbyterian Church of East Africa, Kenya*

743. Rev Thegu Mutahi

#### *Blantyre Synod, CCAP, Malawi*

744. Rev Alex Benson Maulana

#### *Igreja Evangelica de Cristo em Mocambique*

745. Rev Constantino Mugema

#### *Presbyterian Church of Nigeria*

746. Rev Ndukwe Nwachukwu Eme

*Presbyterian Church of South Sudan*  
747.

*United Church of Zambia*  
748. Rev Peggy Mulambya-Kabonde

## AMERICAS

*Presbyterian Church in Canada*  
749. Rev Donald Muir

*Sinodo de Iglesia Evangelica, Guatemala*  
750. Rev Lizardo Lopez

*Presbyterian Church (USA)*  
751. Rev Dr Neal Presa

## ASIA

*The Presbyterian Church of Korea*  
752. Rev Dr LEE Hong Jung

*The Presbyterian Church in Singapore*  
753. Rev TAN Cheng Huat

*Presbyterian Church in Taiwan*  
754. Rev CHANG Andrew Te-Chien

*CLAAS UK*  
755. Mr Nasir Saeed

## CARRIBEAN

*Presbyterian Reformed Church in Cuba*  
756. Rev Daniel Izquierdo Hernandez

*Presbyterian Church of Trinidad and Tobago*  
757. Rev Adrian Sieunarine

## EUROPE

*Evangelical Church of the Czech Brethren*  
758. Mrs Martina Sklenarova

*Evangelical Lutheran Church of Finland*  
759. Ms Kristiina Rintakoski

*Evangelische Kirche in Deutschland (EKD)*  
760. Rev Michael Mehl

*Tavola Valdese, Italy*  
761. Pastor Bruno Gabrielli

*Church of Norway*  
762. Mrs Berit Hagen Agoy

*Igreja Evangelica Presbiteriana de Portugal*  
763. Rev Maria Eduarda Titosse

*Russian Orthodox Church*  
764. Rev Dr George Zavershinskiy

## MIDDLE EAST

*Diocese of the Episcopal Church in Jerusalem and the Middle East*  
765. Rev Na'el Abu Rahmoun

*Middle East Council of Churches*  
766. Dr Bernard Sabella

*National Evangelical Synod of Syria and Lebanon*  
767. Dr Mary Mikhael

## PACIFIC

*The Presbyterian Church of Australia*  
768. Very Rev Bob Thomas

*Uniting Church in Australia*  
769. Rev Prof Andrew Dutney

## VISITORS

## AFRICA

*United Church of Zambia*  
770. Rev Alice Mulenga

*Presbyterian Church of South Sudan*  
771.

## ASIA

*Church of South India*  
772.

## GREETINGS FROM PARTNER CHURCHES NOT ATTENDING GENERAL ASSEMBLY 2013

### AFRICA

#### *Presbyterian Church of Ghana*

May the Lord grant you success in your preparations and good deliberations during the Assembly.

### AMERICAS

#### *The United Church of Canada*

We wish you God's blessing as you gather.

### ASIA

#### *Church of Bangladesh*

We wish you to have a successful Assembly.

#### *China Christian Council*

Receive our sincere wishes for the success of the Assembly, may the ministry of the Church of Scotland be blessed abundantly by God's grace.

#### *Hong Kong Christian Council*

We trust the Lord will richly bless your meeting and all those who attend.

#### *The Presbyterian Church in the Republic of Korea*

We pray that your Assembly will be a rich and inspirational time of discerning the Spirit's call to live fully in our time and be God's prophetic people in the challenges we face.

#### *United Mission to Nepal*

We pray that it is a time of fruitful discussion and interaction for all.

#### *Trinity Theological College, Singapore*

We wish God's blessings upon your 2013 General Assembly.

#### *The Church of Christ in Thailand*

May the Lord continue to bless your works for His Kingdom wherever His Spirit might lead you.

### CARRIBEAN

#### *The United Church in Jamaica and the Cayman Islands*

We wish you a very productive and fulfilling Assembly.

### EUROPE

#### *Verenigde Protestantse Kerk in België*

We wish you God's blessing and we pray that He may guide the decisions of your Assembly.

#### *Evangelical Lutheran Church in Denmark*

We wish you smooth planning and a fruitful GA in May.

#### *Kosciol Ewangelicko-Reformowany, Poland*

We wish you a fruitful meeting and may the Holy Spirit inspire you all in your decisions.

#### *Transylvanian Reformed Church District, Romania*

May our Lord richly bless the organisers and the attendants of the General Assembly.

#### *Transcarpathian Reformed Church, Ukraine*

We wish you wisdom and strength for the time of Assembly.

### MIDDLE EAST

#### *Near East School of Theology, Lebanon*

Your Church and the Assembly will be in our prayers.

### PACIFIC

#### *Presbyterian Church of Aotearoa New Zealand*

Our Church greatly values our long historical links with the Church of Scotland. We convey our hopes and the assurance of our prayers for your forthcoming Assembly.

## APOLOGIES RECEIVED FROM THE FOLLOWING CHURCHES

### AFRICA

Evangelical Presbyterian Church, Ghana

Presbyterian Church of Ghana

Synod of Livingstonia, CCAP, Malawi

Uniting Presbyterian Church in Southern Africa

Presbyterian Church of South Sudan

### AMERICAS

The United Church of Canada

**ASIA**

Church of Bangladesh  
 China Christian Council  
 Church of South India  
 Hong Kong Christian Council  
 The Presbyterian Church in the Republic of Korea  
 United Mission to Nepal  
 Trinity Theological College, Singapore  
 The Church of Christ in Thailand

**CARRIBEAN**

The United Church in Jamaica and the Cayman Islands

**EUROPE**

Reformed Evangelical Church in Austria  
 Verenigde Protestantse Kerk in Belgie  
 Reformed Christian Church in Croatia  
 Evangelical Lutheran Church in Denmark  
 United Protestant Church in France  
 Greek Evangelical Church  
 Reformed Church in Hungary  
 Alliance des Eglise Protestantes en Luxembourg  
 Kosciol Ewangelicko-Reformowany, Poland  
 Transylvanian Reformed Church District, Romania  
 Reformed Christian Church in Slovakia  
 Federation of Swiss Protestant Churches  
 Transcarpathian Reformed Church, Ukraine

**MIDDLE EAST**

Sabeel Ecumenical Liberation Theology Centre, I/OPT  
 Evangelical Lutheran Church in Jordan and the Holy Land  
 Near East School of Theology, Lebanon

**PACIFIC**

Presbyterian Church of Aotearoa New Zealand

**CORRESPONDING MEMBERS*****Council of Assembly***

773. Mr Donald N Carmichael

774. Mr Murdo Macmillan – Finance Group  
 775. Mr Iain Johnston – Staffing Group  
 776. Mrs Pauline Weibye – Secretary

***Church and Society Council***

777. Rev Ewan R Aitken  
 778. Rev Sally Foster-Fulton

***Ministries Council***

779. Rev Neil J Dougall  
 780. Rev Dr Martin C Scott

***Mission and Discipleship Council***

781. Rev Alister W Bull  
 782. Rev David C Cameron

***Social Care Council***

783. Saturday – Ian Wauchope  
 Monday – Marlene Smith  
 Tuesday – Peter Bailey  
 Wednesday – Marlene Smith  
 Thursday – tbc  
 Friday – Peter Bailey  
 784. Rev Sydney S Graham

***World Mission Council***

785. Rev Ian Alexander  
 786. Rev Iain D Cunningham

***Committee on Church Art and Architecture***

787. Rev Nigel Robb

***Central Services Committee***

788. Mr Angus Macpherson

***General Trustees***

789. Mr Iain C Douglas

***Church of Scotland Guild***

790. Mr Iain Whyte

***Housing and Loan Fund***

791. Mr J G Grahame Lees – 22 May  
 792. Miss Lin J Macmillan – 18-21 & 23, 24 May

***Panel on Review & Reform***

793. Rev Donald Campbell

***Safeguarding Committee***

794. Mr Richard Crosse – 18-20 &amp; 22-24 May

795. Mr Ranald Mair – 21 May

***Ecumenical Relations Committee***

796. Rev Dr Alan D Falconer

***Life & Work***

797. Mrs Lynne McNeil

***General Treasurer***

798. Mr Iain Grimmond

***Head of HR and IT***

799. Mr Mike O'Donnell

***Parliamentary Officer***

800. Mrs Chloe Clemmons

***Head of Stewardship***

850. Rev Alan W Gibson

**OVERSEAS STAFF ON LEAVE**

847. Rev George C Shand

**YOUTH REPRESENTATIVES*****Youth Representatives appointed at the National Youth Assembly 2012***

801. Miss Lara Coyle

802. Miss Jennifer Hood

803. Mr Robert Kimmitt

804. Mr Michael Mair

805. Mr Andrew Morrison

806. Mr John Haston

807. Miss Esther Nisbet

808. Mr Euan Patterson

809. Miss Jacqueline Stables

810. Miss Kirsty Watson

**PRESBYTERY REPRESENTATION*****Edinburgh***

811. Mr Alastair Ross

***West Lothian***

812. Mr Andrew MacPherson

***Lothian***

813. Mr Ross Watters

***Melrose & Peebles***

814. Mr Jamie Woods

***Jedburgh***

815. Miss Rebecca Young

***Dumfries & Kirkcudbright***

816. Mr Roan Irving

***Wigtown & Stranraer***

817. Miss Nadine Wright

***Ayr***

818. Mr Kieran Wardrop

***Irvine & Kilmarnock***

819. Miss Sara Christie

***Ardrossan***

820. Mr Peter McEleny

***Lanark***

821. Miss Ailsa Fyffe

***Greenock & Paisley***

822. Miss Melissa Colquhoun

***Glasgow***

823. Mr Matthew McKenzie

***Hamilton***

824. Mr Isaac Carswell

***Falkirk***

825. Mr Jamie Lockhart

***Stirling***

826. Miss Anna Krabbenhoft

***Dunfermline***

827. Miss Rachel Walker

***Kirkcaldy***

828. Mr Craig Higgins

***St Andrews***

829. Miss Ruth Prentice

***Dunkeld & Meikle***

830. Mr James Beck

***Perth***

831. Miss Stacy Stewart

***Kincardine & Deeside***

832. Miss Chloe Hutchison

***Buchan***

833. Mr James Hyman

***Inverness***

834. Miss Rachel Hutcheson

***Sutherland***

835. Miss Catriona Muckart

***Presbytery of Moray***

848. Mr Michael Newlands



**SECTION B**

**MINUTES OF THE PROCEEDINGS  
OF THE  
GENERAL ASSEMBLY 2013**

## CONVENED AT EDINBURGH, 18 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 18th day of May 2013 years, at 10.00 am, Session I.*

After public worship in the Assembly Hall, conducted by the Right Rev Albert Orr Bogle BD MTh, Moderator of the General Assembly, the Commissioners elected as members of the General Assembly appointed to be held this day convened, and the General Assembly was duly constituted with prayer.

The Roll of Commissioners was laid on the table.

The General Assembly proceeded to the election of a Moderator, when it was unanimously agreed that the Rev Elizabeth Lorna Hood MA BD be appointed Moderator.

The appointment was intimated to Mrs Hood who was welcomed by the Moderator, and, after the Prayer of Consecration, took the Chair.

Her Majesty's Commission to the Rt Hon Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas, appointing him to represent Her Royal Person in this Assembly, was then read with all due honour and respect and ordered to be recorded.

Her Majesty's Gracious Letter to the General Assembly was also read with all due honour and respect and ordered to be recorded.

His Grace, The Lord High Commissioner addressed the General Assembly in a speech from the Throne, and the Moderator made suitable reply.

A Committee was appointed to prepare an answer to Her Majesty's Gracious Letter, viz:

Mr John Craw DCS	(669)
Mrs Alice Kemp	(596)
Rev Terry Taylor	(68)

Very Rev Albert Bogle, *Convener*

The General Assembly called for the Report of the Standing Committee on Commissions, which was given in by the Principal Clerk, Convener, who reported as follows:-

That all commissions had been received and were in order.

The Standing Orders of the General Assembly were laid on the table.

The General Assembly appointed a Committee for arranging the Order of Business, viz:

Mr Alister Aird	(485)
Rev Susan M Anderson	(173)
Rev Geoff T Berry	(77)
Mr David J A Brough	(497)
Dr John Crispin	(34)
Rev Dr Fiona C Douglas	(519)
Rev Jenny M Earl	(118)
Rev Duncan C Eddie	(553)
Rev Elizabeth A Gibson	(391)
Mrs Ella Gill	(649)
Rev W Peter Graham	(14)
Mrs Audrey Grieve	(140)
Mr Allan Harrison	(584)
Mr Gordon Hay	(610)
Mr Derek R Henderson	(70)
Rev Helen E Jamieson	(203)
Rev Dr Ben Johnstone	(670)
Mrs Pam Kavanagh	(166)
Rev John Macgregor	(617)
Rev G Fraser H Macnaughton	(686)
Rev Colin G McIntosh	(428)
Mrs Catherine McKim	(423)
Rev Philip J Majcher	(702)
Mr David Moir	(310)
Dr Ian Morrice	(239)
Miss Dorothy T Murray	(474)
Ms Sylvia Norton	(678)
Rev Valerie J Ott	(136)
Rev Ann S Paton	(344)

Mrs Caroline Penman	(657)
Mrs Sheila Proudfoot	(641)
Rev MaryAnn Rennie	(452)
Mr Alan K Saunderson	(201)
Mrs Joyce Simm	(695)
Rev Graham M Thain	(284)
Mr Hamish Thomson	(384)
Mrs Jacqueline Thomson DCS	(476)
Mrs Jo Young	(516)

Rev Janet S Mathieson, *Convener*  
Rev Dr Derek Browning, *Vice-Convener*

The General Assembly agreed that the members of the Business Committee should serve as the Panel of Tellers.

The General Assembly appointed a Committee to prepare a Minute on Deceased Ministers, Missionaries and Deacons, viz:

Very Rev Albert Bogle, *Convener*  
*Principal Clerk*  
*Depute Clerk*

The General Assembly called for a Report anent the Celebration of Holy Communion in the Assembly Hall on Monday 20 May 2013 at 9.30 am.

The General Assembly approved the Report.

The General Assembly suspended their sitting at 11.19 am until 11.47 am.

### ASSEMBLY ARRANGEMENTS COMMITTEE

The General Assembly called for the Report of the Assembly Arrangements Committee which was given in by the Rev Janet S Mathieson, Convener.

*It was moved, seconded and agreed-*

#### The General Assembly:

1. Receive the Report.

2. Approve the Order of Business for the first two days.
3. Appoint Mr Roy Pinkerton to edit the verbatim record.
4. Invite commissioners to submit to the first meeting of the Business Committee nominees for consideration to serve on the Selection Committee.
5. Encourage commissioners intending to move amendments and counter-motions to arrange to have these printed in the Assembly papers.
6. Approve the principle that, except in extenuating circumstances, expenses will only be paid to commissioners to the Commission of Assembly who have attended the entire sitting of the Commission.

### SCOTTISH BIBLE SOCIETY

7. Urge the Scottish Bible Society to pursue its current efforts highlighting the Bible's key role in Church and community.
8. Support the Society in its desire to work in partnership with congregations to improve Biblical literacy and confidence in the Bible.
9. Commend the Society's global outreach to the generosity of congregations and members.
10. Appoint Rev Sandy Gunn and Rev Dr Norman Maciver to the Society's Council of Church Representatives and invite nominations for additional representatives to be sent to the Society.

The Moderator welcomed Ms Elaine Duncan, Executive Director, Scottish Bible Society, who addressed the General Assembly.

On behalf of the Directors of the Society, Ms Duncan presented a Bible to the Moderator, who gave thanks for the gift and the work of the Society, wishing it well for the future.

### DELEGATION OF THE GENERAL ASSEMBLY

The General Assembly called for the Report of the Delegation of Assembly which was given in by the Principal Clerk, Chairman.

*It was moved, seconded and agreed-*

**The General Assembly:**

1. Receive the Report of the Delegation of the General Assembly and thank it for its work.
2. Continue the appointment of the Delegation with the same powers as hitherto – the Principal Clerk of the General Assembly to be Chairman and the Depute Clerk of the General Assembly to be Vice-Chairman.

**COMMISSIONS OF ASSEMBLY**

The General Assembly called for the Minutes of the Commissions of Assembly which were laid on the table.

**MINISTRIES APPEAL PANEL**

The General Assembly called for the Minutes of the Ministries Appeal Panel which were laid on the table.

**CHALMERS LECTURESHIP TRUST**

The General Assembly called for the Report of the Chalmers Lectureship Trust which was given in by the Principal Clerk, Chairman.

*It was moved, seconded and agreed-*

**The General Assembly:**

1. Receive the Report.
2. Invite the Trustees to bring nominations of new Trustees to a future General Assembly.

**COMMITTEE ON OVERTURES AND CASES**

The General Assembly called for the Report of the Committee on Overtures and Cases which was given in by the Principal Clerk.

*It was moved, seconded and agreed-*

*The General Assembly:*

1. Receive the Report.
2. Approve the actions of the Committee.

**LEGAL QUESTIONS COMMITTEE**

The General Assembly called for the Report of the Legal Questions Committee which was given in by the Rev Alan Hamilton, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report.
2. Insert new Standing Order 55 as set out in the Report, and re-number.
3. Delete existing Standing Orders 102 and 103 and insert new Standing Order 102 as set out in the Report, and re-number.
4. Pass an Act amending Act VIII 2003 Anent Vacancy Procedure as set out in Appendix A.
5. Approve the Overture regarding the Appeals Act as set out in Appendix B and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013.
6. Pass as an Interim Act the Appeals Act as set out in the text of the Overture in Appendix B and instruct the Selection Committee to bring the names of the Conveners and Vice-Conveners referred to in sections 9 and 16 of the Act to a future session of the General Assembly.
7. Delete existing Standing Order 56 and insert a new Standing Order 56 as set out in the Report.
8. Pass an Act amending Act V 2004 Anent Intimation of Appeals as set out in Appendix C.
9. Authorise the Clerks to make necessary adjustments to the text of the Acts and Regulations which are required as a direct consequence of the Appeals Act.
10. Approve the Regulations concerning the Nomination of the Moderator of the General Assembly as set out in Appendix D.
11. Approve the Regulations concerning the Office of the Moderator of the General Assembly as set out in Appendix E.

12. Approve the proposal to alter the style and titling of the Acts and Regulations of the General Assembly and authorise the Clerks to revise the titles of all Acts and Regulations to reflect this change.
13. Instruct the Committee in consultation with the Ministries Council to conduct a comprehensive review of the provisions of Act II 2000 as to ministerial practising certificates with a view to bringing a report and amending legislation to the General Assembly of 2014.

The General Assembly suspended their sitting at 12.40 pm until 2 pm.

*It was moved, seconded and agreed as an amendment of Section 3:*

*Amend to read:*

Delete existing Standing Orders 103 and 104 and insert new Standing Order 103 as set out in the Report, and re-number.

*It was moved and seconded as an amendment of Section 4:*

*Add at the end:*

with the addition to Appendix A of a new section: “(e) the spouse of any former minister of the charge”.

*On a vote being taken For or Against the amendment, there voted For 436 and Against 111.*

*It was moved and seconded as an amendment of Section 4:*

*Add at the end:*

with the following amendment to Appendix A: *In (a), delete “a minister” and substitute “an ordained minister”, and delete “of the Church of Scotland”.*

*On a vote being taken For or Against the amendment it carried Against.*

*On a vote being taken For or Against Section 4 as amended it carried For.*

*It was moved, seconded and agreed as an amendment of Section 10:*

*Add at the end:*

to be effective from 1st January 2014.

*It was moved and seconded as an amendment of Section 10:*

*Add at the end:*

with the exception of sections 2-9 of the proposed regulations, which shall be replaced by sections 1-3 of Regulation 1 1999.

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 14:*

Instruct the Committee, jointly with the Ministries and Church and Society Councils, Ecumenical Relations Committee and Theological Forum, to explore the possibility of ministers and deacons ceasing to act as Civil Registrars for the purpose of solemnizing marriages and report to the General Assembly of 2015.

*On a vote being taken For or Against the amendment, there voted For 306 and 259 Against.*

*The Deliverance as amended was then agreed.*

## COUNCIL OF ASSEMBLY

The General Assembly called for the Report and Supplementary Report of the Council of Assembly which were given in by the Rev Dr Grant Barclay, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report and Supplementary Report.
2. Approve the revised remit of the Council set out in Appendix 1.
3. Instruct Presbyteries to report on the implementation of the National Stewardship Programme.
4. Welcome the UK Government's introduction of the Gift Aid Small Donations Scheme.
5. Approve the change to the remit of the Mission and Discipleship Council set out in Appendix 4.
6. Note the plans to consult on the review of the Panel on Review and Reform and report in 2014.
7. Approve an increase in the membership of the World Mission Council by four, to a total of 32.
8. Approve changes to the remit of the World Mission Council set out in Appendix 5.
9. Note the Council's confirmation of nominations to the Judicial Proceedings Panel.
10. Approve the total to be contributed by congregations in 2014 of £46,980,000, based on the projection of congregational income for 2014, and its disposition among local congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund.
11. Note the indicative budget for 2014, the summary of operating results for 2012 and the five year rolling budget for 2014-2018.
12. Receive the 2012 Report and Accounts of the Unincorporated Councils and Committees of the General Assembly.

*It was moved and seconded as an amendment of Section 2:*

*Amend to read:*

Approve the revised remit of the Council set out in Appendix 1, with the deletion of section 1 and the amendment of section 7 of the remit to read 'To work with the Panel on Review and Reform in determining implementation of policy decisions arising from the Panel's work.'

*On a vote being taken For or Against the amendment it carried Against.*

## **JOINT REPORT ON THE PLACE OF DOCTRINE AND THEOLOGICAL REFLECTION IN THE LIFE OF THE CHURCH OF SCOTLAND**

The General Assembly called for the Joint Report of the Council of Assembly and the Mission and Discipleship Council on the Place of Doctrine and Theological Reflection in the Life of the Church of Scotland which was given in by the Rev Colin Sinclair, Convener, Mission and Discipleship Council.

*It was moved, seconded and agreed-*

**The General Assembly:**

1. Receive the Report.
2. Endorse the principles set out in the report and approve the institution of the Theological Forum.
3. Instruct the Nomination Committee of the General Assembly to bring forward names for the membership of the Theological Forum to the General Assembly at a later session of the General Assembly.
4. Instruct the Council of Assembly, in collaboration with the Mission and Discipleship Council, to make appropriate arrangements for the budget and staffing support of the Theological Forum to allow the Forum to assume its role by September 2013, or as soon after as is possible.
5. Instruct the Theological Forum to take up consideration of the issues of asexuality in the light of the work previously undertaken by the Faith Expression Group of the Mission and Discipleship Council and report to the General Assembly of 2014.
6. Encourage the Theological Forum to bring to the General Assembly of 2014 a list of possible topics and issues for its future consideration.
7. Thank the working group.

The Rev Professor David Fergusson, Convener of the Working Group, was invited to address the General Assembly and was thanked by the Moderator.

The General Assembly resumed consideration of the Supplementary Report of the Council of Assembly.

## JOINT REPORT ON PENSION PROVISION

The General Assembly called for the Joint Report of the Council of Assembly, Central Services Committee, Ministries Council, Social Care Council and World Mission Council on Pension Provision which was given in by the Rev Dr Grant Barclay, Convener, Council of Assembly.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report.
2. Note the proposals for changes to the Staff Pension Scheme for employees of the Central Services Committee and the Social Care Council.
3. Note the broad parameters of the proposed changes to the Pension Scheme for Presbytery and Parish Workers employed by the Ministries Council.
4. Note the broad parameters of the proposed changes to the Pension Scheme for Mission Partners employed by the World Mission Council.

The Rev Neil Dougall, Convener of the Ministries Council, was invited to address the General Assembly.

The General Assembly took up consideration of Sections 2 and 3 of the proposed Deliverance of the Supplementary Report of the Ministries Council.

*It was moved, seconded and agreed-*

### The General Assembly:

2. Note the proposals for changes to the Ministers' and Overseas Missionaries' Pension Fund, affirm the move to a defined contributions scheme and instruct the Ministries Council to complete the consultation process currently under way.
3. Give powers to the Council to make such adjustments as may be appropriate in the light of feedback from the consultation process on future pension provision and instruct the Council to implement the new scheme from 1 January 2014.

The General Assembly resumed consideration of the

Supplementary Report of the Council of Assembly.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 13:*

- (i) Note that in the financial year of 2011, the variation between congregational income as published by the Office of the Scottish Charity Regulator (OSCR) and Ordinary General Income published by the Stewardship and Finance Department of the Council of Assembly, the latter for the purpose of determining Ministry and Mission contributions, was £41.85m.
- (ii) Note that cumulatively for the five year period from 2007 to 2011 this variation was £200.44m.
- (iii) Note that in 2010 the General Assembly upheld "As a national Church representative of the Christian Faith of the Scottish people it acknowledges its distinctive call and duty to bring the ordinances of religion to the people of every parish in Scotland through a territorial ministry" and that that duty is compromised if the budget for Parish Ministries Fund in 2011 was represented by only 30p in the £1 of all congregational income.
- (iv) Resolve to instruct the Council of Assembly, with the assistance of three co-opted persons with appropriate skills, to review the current method of assessing congregational income and bring to the General Assembly of 2014 recommendations for a revised method of assessment, together with any necessary changes to the regulations, such that Ministries and Mission requirements are adequately resourced to fulfil the aforementioned duty.

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 13:*

- (i) Resolve to appoint a committee of five members who, in consultation with the Council of Assembly,

the Employing Agencies of the Church and the Law Department, will review the scales of remuneration currently available to all those employed in senior posts by the central agencies of the Church and report back to the General Assembly of 2014.

- (ii) Instruct the Committee to consider introducing as a general principle for the Church the concept that, normally, the maximum point on the salary scale should be a sum calculated to be equivalent to that of the maximum point on the ministerial stipend scale plus a manse and associated benefits. This sum to be calculated annually by the Council of Assembly and Ministries Council and reported to the General Assembly and recorded in the audited accounts of the Church.
- (iii) Instruct the Committee in the review to consider how the introduction of such a salary scale for senior posts in the central employ of the Church would relate to the current staff gradings and associated pay scales.
- (iv) Affirm that, should such a scale be implemented, the Council of Assembly and the Employing Agencies of the Church might – in exceptional circumstances, where it is judged that prevailing market conditions demand a salary in excess of such a sum in order to secure such technical and professional expertise that the Church requires – award a salary in excess of this scale. This salary and the reasons for awarding it, together with the post or posts so identified, to be reported by the Council of Assembly and the Employing Agencies of the Church in their annual reports to the General Assembly and recorded in the audited accounts of the Church.
- (v) Consider that the appropriate ‘market conditions’ to be taken into account when considering the need for such enhanced salaries are those generally available for similar positions in other churches in the United Kingdom and elsewhere in the ‘Third’ or charitable sectors.
- (vi) Notwithstanding the above, instruct the Committee to consider whether the maximum salary available to any Minister of Word and Sacrament in the employ of the Church should be the sum calculated to be that which is equivalent to the maximum point on the

ministerial stipend scale plus a manse and associated benefits.

- (vii) For the avoidance of doubt, the General Assembly affirm that, should these proposals be implemented, any post-holders then on a salary in excess of this scale will not have their salaries reduced, but that future salary increases will be restricted until equivalence with this scale is reached.
- (viii) Instruct the Committee, in conjunction with the Council of Assembly, the Employing Agencies of the Church and the Law Department, to bring forward in the report details of any transitional arrangements that would have to be effected in order that the implementation of any revised salary scale would meet the requirements of Church and civil law.
- (ix) Affirm that for those who profess a Christian faith, their daily work is offered as part of their Christian vocation and service to God.
- (x) Instruct the Selection Committee to bring forward the names of five people to serve on this Committee to a future session of this General Assembly.

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 13:*

Encourage the Council to work in conjunction with other Councils and Committees of the Church to ensure that all matters pertaining to the budget to be approved by the General Assembly be collated into a single report for discussion and decision.

*The Deliverance as amended was then agreed.*

The General Assembly adjourned at 5.15 pm to meet again in this Hall this evening at 7 pm, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 18 May 2013, 5.15 pm

## CONVENED AT EDINBURGH, 18 MAY 2013

*At Edinburgh and within the Assembly Hall, the 18th day of May 2013 years, at 7 pm, Session II.*

The General Assembly did again convene and was constituted with prayer.

The Very Rev Albert O Bogle BD MTh, Retiring Moderator, addressed the General Assembly, and was thanked by the Moderator for his distinguished and valued service during his year of office.

The General Assembly received the following Delegates and Visitors:

**Delegates:**

*The Presbyterian Church in Ireland* – Rt Rev Dr Roy A Patton, Moderator; Rev Dr Michael A Barry, Chaplain; Mr Alastair Vance, Elder

*The Presbyterian Church of Wales* – Rev Dafydd Andrew Jones, Moderator

*The United Reformed Church* – Rev Dr Michael Jagessar, Co-Moderator and Secretary for Racial Justice and Multicultural Ministry; Rev Melanie Smith, Chaplain

*United Reformed Church National Synod of Scotland* – Rev Robin Hine, Secretary, Synod of Scotland Ecumenical and World Church Committee

*The Baptist Union of Scotland* – Rev Alan Berry

*The Church of England* – Rev Dr Malcolm Brown, Director of Mission and Public Affairs

*Religious Society of Friends – General Meeting for Scotland* – David James

*The Salvation Army* – Major Alan Dixon, Assistant to the Secretary for Scotland

*The Scottish Episcopal Church* – Rt Rev Dr Gregor D Duncan, Bishop of Glasgow and Galloway

*The United Free Church of Scotland* – Rev Ian F R Lloyd, Moderator

*The Congregational Federation in Scotland* – Rev Susan Durham, Children and Youth Work Co-ordinator

*Action of Churches Together in Scotland* – Rev John Butterfield, Trustee

*Churches Together in Britain and Ireland* – Rev Bob Fyffe, General Secretary

*Churches Together in England* – Rev Dr David Cornick, General Secretary

*Presbyterian Church of East Africa* – Rev Thegu Mutahi, Deputy Secretary General

*Church of Central Africa Presbyterian* – Rev Alex Benson Maulana, General Secretary

*Igreja Evangelica de Cristo em Mocambique* – Rev Constantino Mugema, General Secretary

*Presbyterian Church of Nigeria* – Rev Ndukwe Nwachukwu Eme, Principal Clerk; Rev Mrs Angelina Eme

*United Church of Zambia* – Rev Peggy Mulambya-Kabonde, General Secretary; Rev Alice Mulenga

*Presbyterian Church in Canada* – Rev Donald Muir, Deputy Clerk of the General Assembly

*Presbyterian Church (USA)* – Rev Dr Neal Presa, Moderator; Mrs Grace Presa and Masters Andrew and Daniel Presa

*The Presbyterian Church of Korea* – Rev Dr LEE Hong Jung, General Secretary

*The Presbyterian Church in Singapore* – Rev TAN Cheng Huat, Synod Vice Moderator

*Presbyterian Church in Taiwan* – Rev CHANG Andrew Te-Chien, General Secretary

*CLAAS UK* – Mr Nasir Saeed

*Presbyterian Reformed Church in Cuba* – Rev Daniel Izquierdo Hernandez, Moderator

*Presbyterian Church of Trinidad and Tobago* – Rev Adrian Sieunarine

*Evangelical Church of Czech Brethren* – Mrs Martina Sklenarova, General Secretary of Evangelical Academy Central Office – Head of Division for Education

*Evangelical Lutheran Church of Finland* – Ms Kristiina Rintakoski, Director, Finnish Evangelical Lutheran Mission

*Evangelische Kirche in Deutschland (EKD)* – Rev Michael Mehl, Senior Pastor

*Tavola Valdese* – Pastor Bruno Gabrielli

*Church of Norway* – Mrs Berit Hagen Agoy, General Secretary

*Diocese of the Episcopal Church in Jerusalem and the Middle East* – Rev Na'el Abu Rahmoun  
*Middle East Council of Churches* – Dr Bernard Sabella, Executive Secretary  
*National Evangelical Synod of Syria and Lebanon* – Dr Mary Mikhael  
*The Presbyterian Church of Australia* – Very Rev Bob Thomas, Former Moderator General  
*Uniting Church in Australia* – Rev Prof Andrew Dutney, President

The reception of the Delegates and Visitors being completed, the Moderator welcomed them on behalf of the General Assembly.

The Rt Rev Dr Roy Patton and the Rev Ndukwe Nwachukwu Eme addressed the General Assembly in the name of the Delegates and Visitors and were thanked by the Moderator.

The General Assembly adjourned at 9.21 pm to meet again in this Hall on Monday 20 May at 9.30 am for Holy Communion, and thereafter for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL

EDINBURGH, 18 May 2013, 9.21 pm

CONVENED AT EDINBURGH, 20 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 20th day of May 2013 years, at 9.30 am, Session III.*

After observance of the Lord's Supper in the Assembly Hall, the General Assembly did again convene and was constituted with prayer.

## BUSINESS COMMITTEE

The General Assembly called for the Report of the Business Committee which was given in by the Rev Janet S Mathieson, Convener.

*It was moved and seconded-*

### The General Assembly:

1. Agree the Order of Business for the third to the seventh day.
2. Appoint the following Selection Committee:
 

Mr James White	(74)
Rev Neil G Campbell	(133)
Rev Bryan Kerr	(204)
Rev Alan D Birss	(213)
Mrs Mary S Gargrave DCS	(327)
Mr Ian Maclagan	(397)
Rev Calum Jack	(427)

Mrs Faye Buchan	(456)
Very Rev Alan D McDonald	(479)
Rev Mary Haddow	(495)
Rev Colin Brough	(518)
Rev Dr Ian A McLean	(541)
Rev George S Cowie	(552)
Rev Dr Mary M Cranfield	(590)
Mrs Anne M C Bowie	(623)
Rev Donald McCorkindale	(646)
Mrs Mary J Stobo	(663)
Ms Elizabeth Fox	(708)

Rev Colin Renwick, *Convener*

Rev Elizabeth M Henderson, *Vice-Convener*

3. Note that the Report of the Pension Trustees will be taken at 2pm on Wednesday 22 May 2013.

## THEOLOGICAL COMMISSION ON SAME-SEX RELATIONSHIPS AND THE MINISTRY

The General Assembly called for the Report of the Theological Commission on Same-Sex Relationships and the Ministry which was given in by the Rev Dr John L McPake, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report of the Theological Commission and the Legal Appendix.
2. **EITHER**
  - a) (i) Acknowledge that the question of the ordination of those in same-sex sexual relationships who are also in a Civil Partnership is a matter to which liberty of conscience, guaranteed by the Church on matters that do not enter into the substance of the faith, applies.
  - (ii) Approve the Overture anent Civil Partnerships, Ordinations and Appointments, and Services of Recognition, set out in Appendix A to the Legal Appendix, and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013;
  - (iii) Instruct the Legal Questions Committee to take all necessary steps to ensure the protections set out in the Overture anent Civil Partnerships, Ordinations and Appointments, and Services of Recognition, in order to enable the Overture, if enacted in 2014, to come into force on a date to be determined by the General Assembly;
  - (iv) Approve, in principle, the liturgical material set out in Section 6.14 of the Report, to be authorised for use in the event of the Overture being enacted by the General Assembly of 2014;
  - (v) Instruct all Courts, Councils and Committees of the Church not to make decisions in relation to the acceptance of persons in a same-sex sexual relationship for training, ordination and induction as ministers of Word and Sacrament or Deacons, including transfer from another denomination, until 31 May 2014, except as provided for in 2.(vi);
  - (vi) Notwithstanding the terms of 2.(v), allow the induction into pastoral charges of

ministers of Word and Sacrament and the appointment of ministers of Word and Sacrament and Deacons ordained before 31 May 2009 who are in a same-sex sexual relationship, and;

- (vii) During the moratorium set out in 2.(v), instruct all Courts, Councils and Committees of the Church not to issue press statements or otherwise talk to the media in relation to the acceptance of persons in a same-sex sexual relationship for training, ordination and induction as ministers of Word and Sacrament or Deacons.

**OR:**

- b) (i) Depart from the trajectory chosen by the General Assembly of 2011.
- (ii) Pass the Declaratory Act Anent the Doctrine of the Church of Scotland with respect to Same-Sex Sexual Relationships and the Ministry in the terms set out in Appendix B.
- (iii) Approve the Overture Anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31 December 2013.
- (iv) Pass as an Interim Act the said Overture Anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C.
- (v) Reaffirm the view of the General Assembly 2011 that homophobia is a sin, while maintaining that it is not homophobic to express the view that homosexual acts are contrary to God's revealed will.
- (vi) Reaffirm the duty of the Church to minister to people regardless of their sexual orientation, recognising in particular the burden often felt by homosexual Christians striving to maintain celibacy because of their understanding of Scripture.

- (vii) Recognise that homosexual orientation, in itself, is not a barrier to leadership in the Church, including the ministry of Word and Sacrament and the Diaconate.

3. Thank and discharge the Theological Commission.

The General Assembly suspended their sitting at 12.31 pm until 2 pm.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 2 and renumber:*

In the event of the General Assembly agreeing to transmit to Presbyteries either of the Overtures referred to in the Deliverance of the Theological Commission or any other Overture, agree:

- (i) to instruct the Principal Clerk, the Procurator and the Solicitor of the Church to prepare a modified version of the Legal Appendix explaining the implications of approval or disapproval of the successful Overture, such background information to accompany the Overture in the "Remits to Presbyteries";
- (ii) In line with the procedure used by the Special Commission in consulting with Presbyteries and in keeping with the voting procedure used by the General Assembly, instruct that a ballot paper be produced to accompany the Overture in the "Remits to Presbyteries" and instruct every Presbytery to establish their response to the successful Overture by use of such a ballot paper.

*On a vote being taken For or Against the amendment, there voted For 517 and Against 94.*

*It was moved and seconded as an amendment of Section 2a):*

*Add at the end:*

- (viii) Instruct the Theological Forum to explore the relevant ecclesiological issues informing the principle of the "mixed economy" as set out in the Overture anent

Civil Partnerships, Ordinations and Appointments, and Services of Recognition and report to the General Assembly of 2014.

*On a vote being taken For or Against the amendment, there voted For 547 and Against 89.*

*It was moved and seconded as an amendment of Section 2b):*

*Add at the end:*

- (viii) Instruct the Theological Forum to explore the ecclesiological issues relevant to the Church's unity and diversity with respect to human sexuality; to report to the General Assembly in 2014 and to give guidance to presbyteries and congregations in exploring these issues.

*On a vote being taken For or Against the amendment, there voted For 548 and Against 78.*

*It was moved and seconded as an amendment of Section 2b):*

*Delete sub-section (iii) and amend sub-section (iv) to read:*

Pass an Act anent Ministers and Deacons who were ordained and/or inducted before 31 May 2009 in the terms set out in Appendix C.

*On a vote being taken For or Against the amendment, there voted For 339 and Against 270.*

*It was moved and seconded as a counter-motion to Sections 2a) and 2b):*

- 2d) (i) Affirm the Church's historic and current doctrine and practice in relation to human sexuality; nonetheless permit those Kirk Sessions who wish to depart from that doctrine and practice to do so.
- (ii) Instruct the Legal Questions Committee to bring an Overture to the General Assembly of 2014 which enacts the following principles of (i) above:

**Principles of an Overture:**

1. Would not require the Church to abandon its traditional position.
  2. But would allow individual congregations – by decisions of their Kirk Sessions – to depart from the Church's traditional position.
  3. Would allow ministers and deacons (current and prospective) who are in civil partnerships to be selected for training and to be trained. Would also allow them to be ordained/inducted into a Charge the Kirk Session of which had decided to depart from the Church's traditional position.
  4. Would cover inducted ministers and ministers **and** deacons working in other roles in congregations.
  5. Would not enable one congregation to depart from traditional position where others in a linking or parish grouping do not wish to do so.
  6. Would enable a Kirk Session to change its mind. But a minister or deacon who had been appointed to a congregation whose Kirk Session had decided to depart from the traditional position would not be prejudiced by a change of mind by the Kirk Session.
  7. Would preserve liberty of opinion and responsible expression. Would not permit harassing or bullying.
  8. Preserves right of members of presbyteries – whatever views – to engage or not in ordinations/inductions.
- (iii) Instruct the Theological Forum to explore the relevant ecclesiological issues informing the principles of the "mixed economy" as set out in the Report of the Theological Commission and report to the General Assembly of 2014.

*It was moved, seconded and agreed as an amendment of the counter-motion:*

*Amend sub-section (ii) point 5 as follows:*

*Delete "or parish grouping".*

*It was moved and seconded as an amendment of the counter-motion:*

*Add at the end:*

- (iv) Instruct all Courts, Councils and Committees of the Church not to make decisions in accordance with (i) above until the position in relation to the proposed Overture has been finally determined by a future General Assembly.

*On a vote being taken For or Against the amendment of the counter-motion, there voted For 349 and Against 268.*

*On a vote being taken there voted for the motion 2a) as amended 270, for the motion 2b) as amended 163 and for the counter-motion 2d) as amended 191.*

*On a vote being taken there voted for the motion 2a) as amended 282 and for the counter-motion 2d) as amended 340 and the General Assembly resolved accordingly.*

*The Deliverance as amended was then agreed.*

Dr McPake, on his retiral as Convener, was thanked by the Moderator for his noteworthy service to the Commission and the General Assembly.

The General Assembly adjourned at 6.05 pm to meet again in this Hall tomorrow at 9.30 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 20 May 2013, 6.05 pm

**Note:** The Deliverance on the Report of the Theological Commission as amended was approved in the following terms:

**The General Assembly:**

1. Receive the Report of the Theological Commission and the Legal Appendix.

2. In the event of the General Assembly agreeing to transmit to Presbyteries either of the Overtures referred to in the Deliverance of the Theological Commission or any other Overture, agree:

- (i) to instruct the Principal Clerk, the Procurator and the Solicitor of the Church to prepare a modified version of the Legal Appendix explaining the implications of approval or disapproval of the successful Overture, such background information to accompany the Overture in the “Remits to Presbyteries”;
- (ii) In line with the procedure used by the Special Commission in consulting with Presbyteries and in keeping with the voting procedure used by the General Assembly, instruct that a ballot paper be produced to accompany the Overture in the “Remits to Presbyteries” and instruct every Presbytery to establish their response to the successful Overture by use of such a ballot paper.

3. (i) Affirm the Church’s historic and current doctrine and practice in relation to human sexuality; nonetheless permit those Kirk Sessions who wish to depart from that doctrine and practice to do so.
- (ii) Instruct the Legal Questions Committee to bring an Overture to the General Assembly of 2014 which enacts the following principles of section 3.(i) above:

**Principles of an Overture:**

- 1. Would not require the Church to abandon its traditional position.
- 2. But would allow individual congregations – by decisions of their Kirk Sessions – to depart from the Church’s traditional position.
- 3. Would allow ministers and deacons (current and prospective) who are in civil

partnerships to be selected for training and to be trained. Would also allow them to be ordained/inducted into a Charge the Kirk Session of which had decided to depart from the Church’s traditional position.

- 4. Would cover inducted ministers and ministers and deacons working in other roles in congregations.
- 5. Would not enable one congregation to depart from traditional position where others in a linking do not wish to do so.
- 6. Would enable a Kirk Session to change its mind. But a minister or deacon who had been appointed to a congregation whose Kirk Session had decided to depart from the traditional position would not be prejudiced by a change of mind by the Kirk Session.
- 7. Would preserve liberty of opinion and responsible expression. Would not permit harassing or bullying.
- 8. Preserves right of members of presbyteries – whatever views – to engage or not in ordinations/inductions.
- (iii) Instruct the Theological Forum to explore the relevant ecclesiological issues informing the principles of the “mixed economy” as set out in the Report of the Theological Commission and report to the General Assembly of 2014.
- (iv) Instruct all Courts, Councils and Committees of the Church not to make decisions in accordance with section 3.(i) above until the position in relation to the proposed Overture has been finally determined by a future General Assembly.
- 4. Thank and discharge the Theological Commission.

JOHN P CHALMERS  
*CI Eccl Scot*

## CONVENED AT EDINBURGH, 21 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 21st day of May 2013 years, at 9.30 am, Session IV.*

The General Assembly did again convene and was constituted with prayer.

The minutes of Sessions I and II being printed and in the hands of members, were submitted and approved.

The General Assembly called for the Report of the Committee appointed to prepare a reply to the Most Gracious Letter from Her Majesty the Queen which was given in by the Very Rev Albert Bogle.

The Reply to Her Majesty's Most Gracious Letter was submitted and approved for signature and transmission to Her Majesty.

The Reply was in the following terms:

TO THE QUEEN'S MOST EXCELLENT MAJESTY

May it please Your Majesty

We, Your Majesty's loyal subjects convened in General Assembly, have received with pleasure Your Majesty's gracious letter to us.

We greatly value Your Majesty's continuing pledge to maintain the historic rights and privileges of the Church of Scotland.

Your Majesty and His Royal Highness the Duke of Edinburgh continue to be in our prayers. We rejoice at the remarkable number of public engagements and duties which Your Majesty and His Royal Highness continue to carry out in the course of serving our nation and Commonwealth and the Church of Scotland wishes to commend Your Majesty for all that has been accomplished in the course of Your Majesty's reign.

In particular our prayers will be with Your Majesty when, in Westminster Abbey next month, Your Majesty and

His Royal Highness The Duke of Edinburgh, along with other Members of the Royal Family, will attend a Service to celebrate the 60th Anniversary of Your Majesty's Coronation Service. Our prayers will also be with Your Majesty and His Royal Highness the Duke of Edinburgh as you joyfully anticipate the birth of a child to the Earl and Countess of Strathearn.

We sincerely appreciate Your Majesty's gracious words in commending the work of the Councils and Committees of the Church and, in particular, the work of CrossReach. We are honoured too, by Your Majesty highlighting the important role played by the Church in carrying forward the Christian tradition first established by St Columba on the Island of Iona 1450 years ago.

In this bicentennial year of the birth of David Livingstone we are greatly encouraged by Your Majesty's interest in the Church's projects in Africa. The Church's commitment to addressing the causes of inequality and poverty throughout the world remains steadfast.

At home, Your Majesty's approval of the Church's work to promote the development of Credit Unions is most welcome. This initiative will, we pray, make a practical and sustainable difference to many of the most impoverished and socially excluded people in our society.

It is particularly pleasing that Your Majesty has appointed for a second time the Rt Hon Lord James Alexander Douglas-Hamilton, Baron Selkirk of Douglas as Lord High Commissioner. His gracious presence at our Assembly last year and his informed interest in our proceedings were greatly appreciated and he will be warmly welcomed amongst us again this year.

Finally, we commend to the unfailing care and protection of Almighty God, Your Majesty and His Royal Highness the Duke of Edinburgh and as we begin our deliberations we pray that God will continue to bestow favour upon Your Majesty, that you may long reign over us.

Your Majesty's most faithful and loyal servants.

THE MINISTERS, ELDERS AND DEACONS OF THE CHURCH  
OF SCOTLAND CONVENED IN GENERAL ASSEMBLY

Signed in our name, in our presence and at our appointment  
by

E LORNA HOOD  
*Moderator*

**WORLD MISSION COUNCIL**

The General Assembly called for the Report of the World Mission Council which was given in by the Very Rev Andrew McLellan, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report.
2. Give thanks for the life and witness of Mission Partners who have died, acknowledge with gratitude those who have completed their period of service overseas, and uphold in prayer all who continue to serve.
3. Encourage congregations to read and study the report, use the worship service and learn more about faith in Africa and the Caribbean and the continuing work of the Church of Scotland with its partners in those areas.
4. Encourage congregations and presbyteries to engage in the David Livingstone bicentenary events taking place during 2013.
5. Instruct the World Mission Council to work with the Church and Society Council on advocacy issues which are of concern to our partners, especially in Africa and the Caribbean.
6. Instruct the World Mission Council to work with the Guild, Church and Society Council, and other partners to raise awareness within congregations and presbyteries on issues of human trafficking.
7. Instruct the World Mission Council to explore with the Ministries Council the possibility of sending and receiving candidates for ministry training to and from partner churches.
8. Encourage congregations and presbyteries to be welcoming of those arriving from other countries and seeking worship space.
9. Instruct the World Mission Council to engage with the Presbyterian Church of South Sudan and other partners to support community and peace building initiatives in South Sudan.
10. Instruct the World Mission Council to engage with PROCMURA and other partners to support peace building initiatives between Christians and Muslims.
11. Instruct the World Mission Council to work with partners in supporting strategies to tackle violence against women.
12. Instruct the World Mission Council to engage with the Church and Society Council to inform congregations and presbyteries on the effect of climate change and ways to reduce their contribution to it.
13. Instruct the World Mission Council to engage with Christian Aid and the Church and Society Council to keep the wider church informed on issues of trade regulations and taxation and encourage congregations and presbyteries to read and take action on Christian Aid's report '*Paying our dues – how tax dodging punishes the poor.*'
14. Instruct the World Mission Council to engage with the Church and Society Council, Christian Aid, and other partners to promote widely the *Enough Food for everyone IF...* campaign.
15. Welcome the Council's continued commitment to the HIV Programme and encourage the whole church to be active in efforts to eliminate stigma and in offering support to those living with HIV.
16. Thank all congregations which have participated in "Souper Sunday" services for helping to raise more than £250,000 for the Church of Scotland HIV Programme since 2010, and commend the 2013 Souper Sunday service to the Church.
17. Urge Church of Scotland members to offer their skills and expertise through the Professional Volunteer Programme to support partners worldwide.

18. Give thanks for the life and witness of Tabeetha School in offering educational opportunities and in building bridges amongst communities in Jaffa.
19. Urge all members and friends to pray for the situation in Syria, and instruct the Council to continue to be in touch with Christian partners there and, in association with the Church and Society Council, help amplify the issues and support opportunities for a just and peaceable end to the conflict.
20. Welcome the engagement of the Church in Scotland with the Church in China over the past year and encourage Scottish Christians to continue to pray for and build friendships with Christians and congregations in China and to support the work of the Amity Foundation and the China Christian Council.
21. Welcome the Council's commitment to support minorities, especially Christians, and to the repeal of the Blasphemy Act, in Pakistan, and instruct the Council to continue its efforts in association with Church and Society and other partners.
22. Give thanks for the award of Tamgha-e-Quaid-e-Azam, ('Medal of the Great Leader'), to Miss Catherine Nicol, OBE, from the President of the Islamic Republic of Pakistan, "in recognition of dedicated services with selfless devotion to human rights and public service".
23. Pass an Act concerning Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, in terms of Appendix V.
24. Pass an Act concerning the Minister of Greyfriars St Ann's, Port of Spain linked with Arouca and Sangre Grande, Trinidad & Tobago, in terms of Appendix VI.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

Instruct the Council to:

- (i) undertake an ecumenical consultation with the Church of Bangladesh and other member Churches in the Bangladesh Group to raise awareness and campaign for significantly improved workplace safety, conditions and pay for garment workers;

- (ii) ensure that resources are available which will enable the Church of Bangladesh to develop its advocacy in respect of garment factory workers in Bangladesh.

*It was moved, seconded and agreed as an amendment of Section 6:*

*After 'Church and Society Council' add 'and the Mission and Discipleship Council'.*

*It was moved and seconded as an amendment of Section 8:*

*Add 'Christian' after 'seeking'.*

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 9 and renumber:*

Instruct the Council to explore ways of receiving the contribution to church life and mission offered by Christians from other countries arriving in Scotland.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 10 and renumber:*

Instruct the Council to work with partner churches to develop a liturgy for a naming ceremony for use in Scotland for African children.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 11 and renumber:*

Instruct the Council to engage with the Presbyterian Reformed Church in Cuba and others to support measures to entreat the USA to lift its embargo on Cuba and promote the re-engagement of Cuba on the world stage.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 17 and renumber:*

Instruct the Council to prepare resources on HIV-competence to be e-mailed to every congregation, with a view to educating every elder and minister.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 18 and renumber:*

In order to maximise the available human and financial resources of the Council, in line with its strategy, instruct the Council to conduct a strategic review of the continuation of (a) its operation and (b) its ownership of the Scots Hotel in Tiberias, including consideration of how the assets which it represents might be otherwise deployed by the Council, and report to the General Assembly in 2014.

*On a vote being taken For or Against the amendment it carried Against.*

The General Assembly suspended their sitting at 12.34 pm until 2 pm.

*It was moved, seconded and agreed as an amendment of Section 19:*

*Add 'and Lebanon' after 'in Syria'.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 20 and renumber:*

Instruct the Council, in consultation with the Church and Society Council to urge HMG through the UN and international community to seek a just and peaceable end to the conflict in Syria and to seek the protection of minorities in any new political settlement.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 23 and renumber:*

Support the Korean churches in their efforts for healing, reconciliation and peaceful reunification; and instruct the Council to work with CTBI and other partners in seeking to offer support for the healing of the historical wound of the Korean people caused by the national division under the Cold War System.

*The Deliverance as amended was then agreed.*

## CHURCH OF SCOTLAND GUILD

The General Assembly called for the Report of the Church of Scotland Guild which was given in by Mrs Mary Ford, Convener.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report.
2. Commend the work of the Guild and its theme for 2013-14 "A Fellowship to Build."
3. Congratulate the Guild on the success of its 125th anniversary celebrations and the many events and initiatives undertaken over the year.
4. Encourage congregations where there is no Guild to consider forming one.
5. Pray for the success of the Partnership Projects for 2012-15.
6. Commend the Guild on the remarkable success of its 2009-12 Project Partnerships.
7. Welcome the on-going work of the Guild on the issues of Domestic Abuse and Human Trafficking.
8. Note the developing work of the Guild's Golden Age Project and look forward to receiving a full report at the General Assembly of 2014.
9. Note and approve the continuation of the pilot project on Committee structures for another year, with final proposals to be reported to the General Assembly of 2014.

Mrs Ford on her retiral as Convener was thanked by the Moderator for her noteworthy service to the Guild and the General Assembly.

## SOCIAL CARE COUNCIL

The General Assembly called for the Report of the Social Care Council which was given in by the Rev Sydney Graham, Convener.

*It was moved and seconded-*

### The General Assembly:

1. Receive the Report.
2. Note the difficult financial environment and market place in which the Council is operating and the need to achieve cost savings in order to achieve long term sustainability.
3. Share the Council's regret and concern that cuts to pension contributions and conditions of service for its committed staff group are necessary and support its determination to pursue all possible ways to increase income for services provided.
4. Welcome the Church of Scotland Guild's support of the Heart for Art Project and commend the initiative to the Church as an example of local churches being able to partner CrossReach in transforming lives in their communities.
5. Support the Social Care (Self Directed Support) (Scotland) Act 2013 which will give individuals choice and control over the services they require and urge Local Authorities to provide adequate funding to meet personal needs and outcomes.
6. Note the funding constraints placed upon Local Authorities and funders but make clear that the Council cannot meet increased costs from existing resources nor absorb cuts in funding and at the same time continue to provide current levels of service.
7. Note the success of the first CrossReach week and commend it as an annual event in the life of the church.
8. Commend the Daisy Chain Project as an excellent example of early intervention with families that will

potentially reduce the spend on reactive services at a later date. Encourage the Scottish Government to note the positive outcomes of the project and the unmet need as a result of its limited funding.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 4:*

Instruct the Social Care Council to enter or re-enter discussions with the Council of Assembly to find whether it might be possible to increase the contribution made by the Church to the Council's work to repair some of the damage already caused to the pension fund of the Council's staff.

*The Deliverance as amended was then agreed.*

Mr Graham on his retiral as Convener was thanked by the Moderator for his noteworthy service to the Council and the General Assembly.

The General Assembly suspended their sitting at 4.39 pm until 4.50 pm.

## MISSION AND DISCIPLESHIP COUNCIL

The General Assembly called for the Report of the Mission and Discipleship Council which was given in by the Rev Colin Sinclair, Convener.

*It was moved and seconded-*

### The General Assembly:

1. Receive the Report.
2. Encourage the Church to make use of the wide range of mission website resources: [www.resourcingmission.org.uk](http://www.resourcingmission.org.uk).
3. Urge all Presbyteries to recruit Congregational Learning Facilitators and collaborate with other Presbyteries in their area to ensure that there is a network of facilitators to support the ongoing engagement of members with learning and growth in the understanding of faith.

4. Instruct the Council to produce guidance notes and appropriate forms for the Local Church Review process by 2014.
5. Welcome the revision of Future Focus for the benefit of congregations who are seeking clarity and understanding of their opportunities for mission and discipleship, and the development of Future Focus: The Way Ahead, which is a new resource designed to be used without an external facilitator.
6. Encourage congregations throughout Scotland to become involved in the "More Than Gold" initiative in relation to the Commonwealth Games in Glasgow in 2014.
7. Congratulate the Council on the success of the Different Voices Conference and encourage the Council to plan future events of this kind.
8. Commend the Council for living within its budget for 2012 and its elimination of all accrued debt.
9. Note with interest the development of the "online presence" of *Life and Work*, as instructed by the General Assembly of 2010.
10. Recognise the continued contribution of *Life and Work* to the life of the congregations of the Church and its important financial support of the work of the Church and encourage its promotion by congregations.
11. Instruct the Council to form a group with the purpose of seeking new ways of supporting the financing, marketing and promotion of the magazine.
12. Thank all congregations who have engaged so effectively with the Committee on Church Art and Architecture (CARTA) in the early stages of proposals for change in church buildings and encourage other congregations to do so.
13. Remind congregations of the statutory legislation which requires all congregations to plan for effective inclusion and access of those with disabilities, which is a Gospel priority that should be addressed in any consideration of the appropriate provision of a welcoming space for worship and fellowship.
14. Instruct the Mission and Discipleship Council to set up a "review process" of the work of CARTA with a remit to investigate the ways in which the Committee may serve the changing needs of the Church in Scotland for building provision and report to the General Assembly of 2014.
15. Instruct the Legal Questions Committee to consider the implications of the survey regarding the use of Elders as Moderators, and bring forward recommendations on this issue to a future General Assembly.
16. Welcome the decision of the Council to enable "*Different Voices*" magazine to become a free internet resource.
17. Welcome the joint partnership of the Mission and Discipleship and Ministries Councils with "*Fresh Expressions*" and look forward to a report of progress in 2014.
18. Instruct the Council, in collaboration with the groups indicated in the Deliverance of 2012, to bring forward for consideration by the General Assembly of 2014 some indicative proposals regarding how young people may become involved more thoroughly in the decision-making processes of the Church at all levels, with final proposals coming to the General Assembly of 2015.
19. Thank all Councils and Committees for their participation in the Mission Forum and encourage congregations to examine the reflective papers which have been produced.
20. Affirm the involvement of young people in the Mission Forum process.
21. Affirm the direction of the initial exploration of the relationship between mission and interfaith in a multi-cultural Scotland and anticipate a further report in 2014.
22. Look forward to the availability of statistics for mission on the website of the Church of Scotland being available for every parish after the census results are published.
23. Instruct the Council, in collaboration with the Council of Assembly, to prepare proposals in relation to the continued support and development of the provision of accurate statistical information for use by parishes in their mission and outreach.

*It was moved, seconded and agreed as an amendment of Section 3:*

*Delete Section 3 and substitute:*

Urge all Presbyteries to collaborate with the Council in the development of a network of Congregational Learning Facilitators.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 4 and renumber:*

Instruct the Council, working in collaboration with the Council of Assembly, to ensure maximum use of the new Resourcing Mission and Life & Work websites through high profile links and redirection to information and resources from the main Church of Scotland website.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 8:*

Encourage the Council to work collaboratively with other

Councils of the Church, youth workers, young people and other experts in the field to think strategically about youth and children's work within the Church of Scotland. In conjunction with this, create a national network of people who work with children and young people within the Church.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 20 and renumber:*

Instruct the Council, through its Mission Forum, to consult with the Theological Forum as it continues to explore the why, what, where, who and when of mission.

*The Deliverance as amended was then agreed.*

The General Assembly adjourned at 6.28 pm to meet again in this Hall tomorrow at 9.30 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL

EDINBURGH, 21 May 2013, 6.28 pm

CONVENED AT EDINBURGH, 22 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 22nd day of May 2013 years, at 9.30 am, Session V.*

The General Assembly did again convene and was constituted with prayer.

The minutes of Session III being printed and in the hands of members, were submitted and approved.

The General Assembly resolved to add an explanatory note with regard to the minute of Session III to reflect the detail of a notice of motion in the name of the Very Rev Dr John Cairns which was spoken to, but in the event withdrawn without being seconded.

## **SPECIAL COMMISSION ANENT MINISTERIAL TENURE AND THE LEADERSHIP OF THE LOCAL CHURCH**

The General Assembly called for the Report of the Special Commission anent Ministerial Tenure and the Leadership of the Local Church which was given in by the Very Rev William Hewitt, Convener.

*It was moved and seconded-*

### **The General Assembly:**

1. Receive the Report.
2. Instruct the Commission to bring a final report to

the General Assembly of 2014 with proposals for processes to bring in –

- a. continuing ministerial review and development
  - b. training and support for elders
  - c. a capability policy for ministers.
3. Instruct the Commission to work with the Ministries Council, the Mission and Discipleship Council, other Church Councils and Committees, Ecumenical Partners, the Church's Training Providers and para-church organisations in the delivery of these aims.
  4. Instruct the Ministries Council, in consultation with the Legal Questions Committee, to bring forward amendments to Act VII, 2003 which more accurately conveys the meaning and purpose of that which is currently called "reviewable tenure".

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 3:*

Instruct the Special Commission to consider equality of tenure for all charges.

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved, seconded and agreed as an amendment of Section 3:*

*Add 'Presbyteries' after 'Church Councils and Committees'.*

*The Deliverance as amended was then agreed.*

#### **TRUSTEES OF THE CHURCH OF SCOTLAND HOUSING AND LOAN FUND FOR RETIRED MINISTERS AND WIDOWS AND WIDOWERS OF MINISTERS**

The General Assembly called for the Report of the Trustees of the Church of Scotland Housing and Loan Fund which was given in by Mr Grahame Lees, Chairman.

*It was moved, seconded and agreed-*

#### **The General Assembly:**

1. Receive the Report and thank the Trustees and Staff.
2. Re-appoint Mr J G G Lees as a Trustee.

#### **MINISTRIES COUNCIL**

The General Assembly called for the Report and Supplementary Report of the Ministries Council which were given in by the Rev Neil Dougall, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report and Supplementary Report.
2. Note the initial findings of the group considering factors which may influence those under 45 in exploring a vocation to the Parish Ministry and instruct the Council to report further in 2014.
3. Note that 2013 marks the 125th Anniversary of the founding of the Diaconate; give thanks for and affirm the distinctive ministry of the Diaconate; and instruct the Council to work together with the Diaconate Council in the promotion of and recruitment to the work of the Diaconate.
4. Instruct the Council, in collaboration with Diaconate Council, to review training provision for candidates for Diaconal ministry and report to the General Assembly of 2014.
5. Welcome the ongoing development of *Place for Hope* in relation to reconciliation, mediation and conflict transformation and instruct the Council to support the project in its move towards independent charitable status.
6. Note the outcomes of the consultation with Presbyteries on the future of continuing ministerial development and instruct the Council to work together with the Special Commission anent Ministerial Tenure and the Leadership of the Local Church in bringing forward proposals for the future shape of continuing ministerial development.

7. Note the progress made in reviewing the Enquiry & Assessment Scheme and instruct the Council to bring to the General Assembly 2014 further details and such legislative amendments as may be necessary to implement the changes.
8. Pass an Act amending Act XV 2002 anent Long-Term Illness of Ministers in Charge (as amended) as set out in Appendix 1.
9. Pass an Act amending Consolidating Act II 2000 Act Anent Ministry (as amended) as set out in Appendix 2.
10. Pass an Act amending Act VI 2007 anent the Ministries Appeal Panel (as amended) as set out in Appendix 3.
11. Welcome the report of the Joint Emerging Church Group and invite all congregations by the year 2020 to begin to establish a new experience or expression of Church in each Parish appropriate to its local context informed by the Vision and Strategy document, *A Time to Grow*.
12. Note the work carried out on the Priority Areas Action Plan and instruct the Council to bring a report on its interim review of this work to the 2014 General Assembly.
13. Encourage Presbyteries to work together with the Council in its review of the provision of primary support to those engaged in the ministries of the Church and instruct the Council to bring forward proposals for a future structure for support.
14. Commend the work of the *Go For It* Fund in establishing appropriate means for resourcing local congregations, pray for its continued successful development in the coming year, and encourage congregations to consider making application for funding.
15. Note the progress made in Presbytery Planning and instruct Presbyteries to work together with the Council in the implementation of plans.
16. Welcome the development of the work of Work Place Chaplaincy Scotland (WPCS), note the establishment of WPCS as a self-standing ecumenical charity and the transfer of staff from the Church's employment to the direct employment of WPCS, and instruct the Council to monitor the Service Level Agreement established between the two bodies.
17. Note the move to establish two-day locums as the normal practice in a vacancy with effect from 1 July 2013 and instruct the Council to monitor the implementation of the new arrangements.
18. Congratulate the congregations of Perth: Riverside New Charge Development and Glasgow: Garthamlock & Craigend East Church Extension Charge on the significant milestone of being raised to full status on 1 December 2012 and 1 January 2013 respectively.
19. In relation to Presbytery Parish Workers (PPWs) who serve the Presbytery as a whole and in cases where local parties are unable to cover the costs of expenses (including travel costs) for PPWs, instruct Presbyteries to ensure that sufficient funds are available to reimburse the Council with effect from Jan 1 2014.
20. *Section 20 was considered under the debate on the Supplementary Report of the Council of Assembly.*
21. *Section 21 was considered under the debate on the Supplementary Report of the Council of Assembly.*
22. Instruct the Council to adopt a policy for future recommendation for stipends and salaries whereby these will be linked to [1] an increase in income coming to the Ministries Council from congregational contributions; and [2] the overall sustainability of the Council's finances. The terms of such a link will be agreed annually in consultation with the Council of Assembly.
23. Affirm the Council's intention where possible to increase stipends and salaries broadly in line with inflation.
24. Approve the Regulations and Schedule anent the Manse Adjudication Committee as set out in Appendix 2.
25. Affirm the need for inspection of the manse of the charge in a vacancy and the completion of a Manse Condition Schedule and pass an Act amending Act VIII 2003 (as amended) as set out in Appendix 3.

The General Assembly suspended their sitting at 12.33 pm until 2 pm.

## CHURCH OF SCOTLAND PENSION TRUSTEES

The General Assembly called for the Report of the Church of Scotland Pension Trustees which was given in by Mr John McCafferty, Chairman.

*It was moved and seconded-*

### The General Assembly:

1. Receive the Report.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add new Sections 2, 3 and 4:*

2. Amend the wording of the appendix to the 1997 report of the Church of Scotland Pension Trustees to add the words “defined benefit” before the words pension schemes.
3. Appoint the Chairman and Vice Chairman of the Church of Scotland Pension Trustees or substitutes therefor as members ex officio of any Governance Committee of the Defined Contribution schemes of the Church.
4. Note the retiral of Arthur J Priestly as Vice Chairman and the appointment of Graeme Caghey as Vice Chairman of the Church of Scotland Pension Trustees.

*The Deliverance as amended was then agreed.*

The General Assembly resumed consideration of the Report and Supplementary Report of the Ministries Council.

*It was moved and seconded as an amendment of Section 6:*

*Delete ‘outcomes’ and substitute ‘content’.*

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 7 and renumber:*

Instruct the Council, in conjunction with the Council of Assembly, to draw up national guidelines for ministers, deacons, parish workers, elders and others on a) the use of Social Media and b) the use of all electronic communications relating to Church matters; and Report to the General Assembly of 2014.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 7 and renumber:*

Recognise all that the Ministries Council is seeking to do to understand the alarming decline in ministerial recruitment and address the small numbers of people presenting themselves for Ministry of Word and Sacrament, invite the Ministries Council to contact all ministers of the Church with a view to seeking to establish the churches who, over the last thirty years, have produced the most Candidates for Ministry of Word and Sacrament; and instruct the Ministries Council to engage with those churches on this matter and to prepare an analysis on the reasons why recruitment has significantly declined and report back to the 2014 General Assembly.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 8 and renumber:*

Instruct the Council to prepare material which publicises and promotes the ministries of the Church to young people in ways that encourage them to consider the possibility that they might be the ones to say “send me”.

*It was moved, seconded and agreed as an amendment of Section 8:*

*Add at the end:*

with the following amendments to sections (2) and (3):

- (i) In section (2)(iii), delete the word “its” on the second last line and substitute “the” and add the words “of the Report (“the Advice”)” at the end of that section; and
- (ii) In section (3) delete the words “advice from the Council” where they appear in the second last line and substitute “the Advice from the Occupational Health Report”.

*It was moved, seconded and agreed as an amendment of Section 8:*

*Add at the end:*

with the following amendment to section (2) sub-section (i): *add* ‘including pulpit supply and appointment as a part-time Locum’.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 15 and renumber:*

Instruct the Council to investigate the possibility of allowing congregations within the Presbytery of Europe and the Presbytery of England to make application to the Go For It Fund.

*On a vote being taken For or Against the amendment it carried For.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 18 and renumber:*

Instruct the Council, in consultation with the Legal Questions Committee, to provide nominating committees with instructions concerning the processes they undertake that will ensure that the standards of the Church in proceeding to a call are beyond reproach.

*On a vote being taken For or Against it carried Against.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 20 and renumber:*

Recognise that the Ministries Council’s treatment of PPWs has not been satisfactory.

*On a vote being taken For or Against it carried Against.*

*It was moved, seconded and agreed as an amendment of Section 23 (Section 5 of the Supplementary Report’s Deliverance):*

*Amend to read:*

Affirm the Council’s intention to recommend to the Council of Assembly that, where possible, stipends and salaries should increase broadly in line with inflation.

*The Deliverance as amended was then agreed.*

## **SAFEGUARDING COMMITTEE**

The General Assembly called for the Report of the Safeguarding Committee which was given in by Mr Ranald Mair, Convener.

*It was moved, seconded and agreed-*

### **The General Assembly:**

1. Receive the Report.
2. Commend to the whole Church the update report on *Managing the Safe Inclusion of Those Who Pose a Risk*.
3. Endorse the extension of Covenants of Responsibilities to include those who pose a risk to adults.
4. Support the development of a proportionate approach to the long-term management of Covenants of Responsibilities.
5. Remind Presbyteries of their duty of care to Safeguarding Panel members.
6. Instruct the Safeguarding Committee to consult with Presbyteries about their future support for Safeguarding Panels and report to General Assembly in 2014.

## NATIONAL YOUTH ASSEMBLY

The General Assembly called for a Report from the 2012 National Youth Assembly which was given in by Mr Euan Patterson, Moderator of the National Youth Assembly.

Questions were addressed to Youth Representatives who had attended the National Youth Assembly.

The General Assembly suspended their sitting at 5.50 pm until 6.05 pm.

## PANEL ON REVIEW AND REFORM

The General Assembly called for the Report of the Panel on Review and Reform which was given in by the Rev Donald Campbell, Convener.

*It was moved and seconded-*

### The General Assembly:

1. Receive the Report.
2. Instruct the Panel to consider which planning concepts, such as 'future scenarios', can provide mission strategies for the Church in the digital age and report to the General Assembly of 2014.
3. Instruct the Society, Religion and Technology project, in collaboration with other interested parties, to explore some of the wider theological and sociological issues which underlie the trends identified in the Panel on Review and Reform's initial work on the digital age.
4. Invite the Church and Society Council to monitor the United Kingdom and Scottish governments' progress towards a fully integrated digital society and report to the General Assembly any issues of concern, especially with regard to the digital divide.
5. Encourage the Panel, in continuing consultation with the Mission and Discipleship Council, to identify ways that nurture Church growth in a sustainable manner.
6. Instruct the Panel to undertake a detailed study on Consensus and Communication across the Church and report to the General Assembly of 2015.

## OVERTURE – PRESBYTERY OF LoTHIAN

The General Assembly took up consideration of an Overture from the Presbytery of Lothian anent the Remit of the Panel on Review and Reform.

In terms of Standing Order 52 the General Assembly agreed to treat the Deliverance of the Overture as a new Section 2 of the Deliverance of the Panel on Review and Reform.

The Rev Graham Duffin, Mr John Wilson and Mr John McCulloch appeared in support and were heard.

*It was moved, seconded and agreed:*

### The General Assembly:

1. Receive the Overture.
2. Amend the second section of the remit of the Panel on Review and Reform to read "Through such interaction, consultation and discussion with congregations, Presbyteries, Councils and Agencies of the Church as may be decided upon by the Panel, formulate and bring before successive General Assemblies:
  - (a) a clear statement of the long-term vision of the Church, and
  - (b) paths and developments which might be followed by congregations, Presbyteries, Councils and Agencies of the Church to make such a vision a reality."

The General Assembly resumed consideration of the proposed Deliverance of the Panel on Review and Reform.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

Encourage the Panel, working collaboratively with other Councils and Committees, to explore pathways towards developing the use of digital technology in pursuance of the vision of the Church of Scotland.

*It was moved, seconded and agreed as an amendment of Section 6:*

*Add at the end:*

*‘ with an interim report to the General Assembly of 2014.’*

*The Deliverance as amended was then agreed.*

The General Assembly adjourned at 6.50 pm to meet again in this Hall tomorrow at 9.30 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 22 May 2013, 6.50 pm

**Note:** The terms of the Notice of Motion referred to in the minute of Session V were as follows:

- 2c) (i) Recognise that human beings are endowed with their sexual orientation by God and affirm sexual relationships which are loving, faithful and committed and which are sanctified by marriage or recognised by civil partnership.
- (ii) Commit to supporting such marriages, civil partnerships and the families that are built around them.
- (iii) Consequently, approve the Overture Concerning the Admission to the Ministry of Persons in Civil Partnerships as set out below and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31st December 2013:

## OVERTURE CONCERNING THE ADMISSION TO THE MINISTRY OF PERSONS IN CIVIL PARTNERSHIPS

The General Assembly adopt an Overture the tenor whereof follows, and transmit the same to Presbyteries for their consideration under the Barrier Act, directing that returns be sent to the Principal Clerk not later than 31st December 2013.

*The General Assembly, with the consent of a majority of Presbyteries, hereby enact and ordain as follows:*

1. Persons who are in a Civil Partnership shall be eligible for selection or training as a candidate or for ordination, induction or appointment to ministry within the Church of Scotland on the same terms and conditions as those who are not in a Civil Partnership.
2. Interpretation and consequential amendments:
  - (1) “ministry” and “ministers” in this Act shall include members of the Diaconate.
  - (2) The provisions of this Act shall apply equally to office-holders and to ministers and Deacons who are employees.
  - (3) All Acts, Deliverances, Schemes, and Regulations of the General Assembly shall be so construed that references therein to ministers of the Church of Scotland shall include persons who are in a Civil Partnership.
  - (4) In the Act Anent Discrimination (Act V 2007) (as amended), a new paragraph 1(m) shall be added as follows:
 

“(m) in interpreting this Act, in particular the protected grounds referred to in paragraph 1(a) of this Act and the characteristics referred to in paragraph 1(c) of this Act, protection against discrimination shall be given to persons who are in a Civil Partnership.”

CONVENED AT EDINBURGH, 23 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 23rd day of May 2013 years, at 9.30 am, Session VI.*

The General Assembly did again convene and was constituted with prayer.

The minutes of Session IV being printed and in the hands of members, were submitted and approved.

### **COMMITTEE ON CHAPLAINS TO HER MAJESTY'S FORCES**

The General Assembly called for the Report of the Committee on Chaplains to Her Majesty's Forces which was given in by the Rev Neil Gardner, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report.
2. Reaffirm the support of the Church of Scotland for all who serve in Her Majesty's Forces as Chaplains, and thank them for their outstanding service to Royal Navy, Army and Air Force personnel and their families.
3. Acknowledge with particular gratitude the dedicated service of Chaplains on operations in Afghanistan and the immeasurable support shown by their own families.
4. Commend to the prayers of all members of the Church of Scotland not just our Chaplains but all who serve in HM Forces and their families.
5. Recognise the on-going sense of uncertainty and anxiety that continues to prevail among so many military personnel facing reduction and redundancy, and the extra burden this brings to those with responsibility for pastoral care.
6. Commend to eligible ministers of the Church consideration of service as a Chaplain to HM Forces – Regular, Reserve and Cadet Forces.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 7:*

Urge all Presbyteries (and where appropriate with neighbouring presbyteries) to engage with their local authority's Armed Forces Community Covenant Group and appoint, where possible, a Church champion from the Presbytery to be part of the group.

*The Deliverance as amended was then agreed.*

The Moderator addressed those Chaplains to Her Majesty's Forces who were present. Vice Admiral David Steel CBE, Chief of Naval Personnel and Training and Second Sea Lord, was then invited by the Moderator to address the General Assembly.

### **COMMITTEE ON ECUMENICAL RELATIONS**

The General Assembly called for the Report of the Committee on Ecumenical Relations which was given in by the Rev Dr Alan Falconer, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report.
2. This section was withdrawn.
3. Approve the delegates to Assemblies, Synods and Conferences of the other Churches as detailed in Appendix I.
4. Note the appointment of representation to ecumenical bodies as detailed in Appendix II.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 3 and renumber:*

Urge that the Committee considers use of the model of the Global Christian Forum for developing relationships with different parts of the body of Christ in Scotland.

*The Deliverance as amended was then agreed.*

Dr Falconer on his retiral as Convener was thanked by the Moderator for his noteworthy service to the Committee and the General Assembly.

## **THE IONA COMMUNITY BOARD**

The General Assembly called for the Report of the Iona Community Board which was given in by Mr Allan Gordon, Convener.

*It was moved and seconded-*

### **The General Assembly:**

1. Receive the Report and thank the Board.
2. Congratulate the Iona Community on its 75th anniversary.
3. Express appreciation of the contribution of its members and associate members, to the life of the churches and local communities.
4. Commend the ecumenical vision and witness of the Iona Community and its contribution to the renewal of the Church and its worship.
5. Commend the Iona Community's work with people living in poverty and encourage its partnership working with other agencies.

Rev Peter McDonald, Leader of the Iona Community, was invited to address the General Assembly and was thanked by the Moderator.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 4 and renumber:*

Encourage the Iona Community to engage with groups such as the Scottish Churches Scheme and the Scottish Pilgrim Routes Forum to encourage the rediscovery of pilgrimage for the pilgrim people in the 21st Century seeking new ways to touch the hearts of all.

*The Deliverance as amended was then agreed.*

The General Assembly suspended their sitting at 12.35 pm until 2 pm.

## **CHURCH AND SOCIETY COUNCIL**

The General Assembly called for the Report and Supplementary Report of the Church and Society Council which were given in by the Rev Sally Foster-Fulton, Convener.

The General Assembly resolved to delete section 13 of the Church and Society Council's Report as contained within the Volume of Reports (p3/34-p3/37) and substitute the text printed in Assembly Papers p13-22 and further resolved to delete Sections 19-23 of the proposed Deliverance and substitute with new Sections 19-28 (Assembly papers p 83) and renumber.

*It was moved and seconded-*

### **The General Assembly:**

1. Receive the Report and Supplementary Report.

### **Campaigns**

2. Confirm that the Council has the authority and responsibility for campaigns which fall within its remit, so that the Council can sign up to appropriate campaigns on behalf of the whole Church of Scotland throughout the year, where there is already existing General Assembly policy in support.

### **Responding to Climate Change Project**

3. Express serious concern that international action has not yet succeeded in stemming the increase of greenhouse gases in the atmosphere, and urge the UK and Scottish Governments to take further action to meet the UK target of a reduction in the emission of greenhouse gases by 80% by 2050, and to press for similar action internationally.
4. Congratulate Eco-Congregation Scotland on making its 100th congregational award and commend the charity to all Church of Scotland congregations

and encourage them to become members of Eco-Congregation Scotland.

5. Urge all congregations to take action to manage energy use in buildings more efficiently in order to reduce their consumption and carbon footprint.
6. Call on the Scottish Government to give communities across Scotland a proper share of the benefits of Scotland's renewable energy and to work with community groups to identify how community-owned renewables might help resolve fuel poverty across the country.

#### **Referendum oversight and franchise**

7. Encourage all campaign groups involved in the independence debate to maximise the opportunities for citizens of all backgrounds to engage in questions about the referendum.
8. Encourage congregations to use all opportunities to raise the issues of the gospel and social justice in the debate about the referendum and possible future constitutional arrangements.
9. Support the role of the Electoral Commission in overseeing the referendum on Scottish independence, and urge all sides to work in consensus to ensure a fair and legal vote.
10. Welcome the involvement of independent international monitors to confirm that the election is free, fair and is run to the highest possible standards.
11. Support the right of voting for 16 and 17 year olds for the referendum on independence and for all future elections.

#### **Education**

12. Thank students and staff of Cumbernauld College and Kilmarnock College for their work to develop a new website to support school and further education chaplaincy in Scotland.
13. Encourage congregations to find out about 'Serve Your Local School' and for them to note that a toolkit has been prepared to help.
14. Instruct the Council, through the Standing Committee on Education, to continue to develop work in five

key areas: Religious Observance, Religious and Moral Education, chaplaincy in schools and colleges, representatives on Local Authority Committees and effective representation in public debate.

#### **Prayer for Israel and Palestine**

15. Commend the ACT Palestine Forum prayer vigil, marked on the 24th day of each month, encourage congregations to note this initiative and invite all members of the Church of Scotland to participate in the World Week of Prayer for Peace in Palestine and Israel (22-28 September 2013).

#### **Enough Food For Everyone If**

16. Note that the world produces enough food for everyone but not everyone has enough food, commend the 'Enough Food For Everyone If' campaign and instruct the Council, working with the World Mission Council, Christian Aid and others to promote the campaign to local congregations.

#### **The Inheritance of Abraham? A report on the promised land**

17. Refute claims that scripture offers any peoples a privileged claim for possession of a particular territory.
18. Note that the current situation is characterised by an inequality in power and therefore reconciliation can only be possible if the Israeli military occupation of the West Bank and East Jerusalem, and the blockade of Gaza, are ended, and on that basis encourage all parties and the international community to renew peace negotiations.
19. Condemn acts of terrorism, violence and intimidation whether committed by individuals, organisations or governments.
20. Reaffirm the historic position of the Church of Scotland that Israel is a country which is recognised within the international community of States, with all the rights and responsibilities attendant on that status.
21. Reaffirm the historic commitment of the Church of Scotland to a State of Palestine with the same rights and responsibilities recognised within the

international community of States, with all the rights and responsibilities attendant on that status.

22. Reject racism and religious hatred and condemn anti-Semitism and Islamophobia.
23. Support ongoing commitment to dialogue and conversation, with particular concern to make sure that those who are on the margins and whose voices are rarely heard get the opportunity to be listened to, especially Christians who live in Israel and the Occupied Palestinian Territory.
24. Instruct the Church and Society Council to publicise resources to encourage wide discussion of the report *The Inheritance of Abraham* and its concluding principles.
25. Encourage the appropriate committees in Presbyteries to consider the report *The Inheritance of Abraham* and bring it to the notice of their Presbytery.
26. Urge the UK Government and the European Union to do all that is within their power to ensure that human rights are respected in Israel and the Occupied Palestinian Territories.
27. Urge the UK Government and the European Union to do all that is within their power to ensure that international law is upheld in Israel and the Occupied Palestinian Territories.
28. Urge the UK Government and the European Union to use pressure to stop further expansion of Israeli settlements and remove existing illegal settlements in the Occupied West Bank.

#### **Bolivia**

29. Welcome the opportunities for collaboration on a variety of key issues and instruct the Council to work with Christian Aid Scotland to develop links with the *Instituto Superior Ecueménico Andino de Teología*.
30. Instruct the Council to provide resources to assist congregations in finding out about work that Christian Aid is doing in Bolivia and linking the activity to the life of congregations in Scotland.

#### **Thanks and Distribution**

31. Thank all those who assisted the Council in the preparation of the report and instruct the Council to

write to Members of the Scottish Parliament, Members of Parliament representing Scottish constituencies, Members of the European Parliament representing Scotland, relevant Scottish and UK Government Ministers and others involved in the issues raised in the report.

#### **Truth and lies about poverty**

32. Welcome the publication of the report *The lies we tell ourselves: ending comfortable myths about poverty*, and commend it to congregations for study and action.
33. Reaffirm that poverty is a scandal and instruct the Council, in consultation with the Priority Areas Committee, to continue to work with ecumenical partners to find new ways to challenge the myths, lies and spin in debates about poverty, in society and in the church.

#### **Human rights: what does God require of us? Justice informed by love**

34. Affirm the conclusions of the report *Human rights: what does God require of us? Justice informed by love* that the basis of human rights is relational: our duty and responsibilities to one another sits alongside our personal desires and needs, based on love-informed justice that comes from God.
35. Affirm the Universal Declaration of Human Rights and European Convention on Human Rights in upholding our commitment, because of our faith in a God of love, to love our neighbours, who are every person, in every place and in all times.
36. Instruct the Council to develop human rights resources for study by congregations, presbyteries and with ecumenical and inter faith partners.
37. Instruct the Council to do further work on the connections between climate justice and human rights.
38. Instruct the Council to work with Christian Aid and others to promote just access to safe, clean water for every person, in every place, in every time.
39. Instruct the Council to engage in public discourse about the UK Human Rights Act, a UK Bill of Rights and the UK and Scotland's future relationship with regard to the Council of Europe.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 3 and renumber:*

Note the measures which the Scottish Government has taken to alleviate the hardship caused by the welfare reforms and urge the Scottish Government to introduce legislation to ensure that no council tenants shall be evicted for rent arrears resulting from the Welfare Reform Act (the so called "Bedroom Tax"), where the Director of Housing is satisfied that affected tenants are doing all they can reasonably be expected to in order to avoid falling into arrears.

*It was moved, seconded and agreed as an amendment of Section 3:*

*Delete 'has not yet succeeded' and substitute 'has had almost no impact'.*

*It was moved and seconded as an amendment of Section 4:*

*Delete 'and encourage them to become members of Eco-Congregation Scotland'.*

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add new Sections 5 and 6 and renumber:*

5. Urge members of each congregation to minimise their energy use and hence their carbon footprint, particularly in buildings and in their use of transport
6. Encourage those with appropriate gifts to explore maximising local food production.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 15 and renumber:*

Welcome the Iona to Westminster Pilgrimage for Peace and Economic Justice 2013 as an act of witness against nuclear weapons; encourage the pilgrims in their 756 mile walk from 19 May to 20 July; and invite those along the route to find ways of supporting the pilgrimage.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 15 and renumber:*

Instruct the Council to investigate the impact of the implementation of Curriculum for Excellence and resource reductions on the delivery of meaningful core Religious and Moral Education for all pupils in S1 to S6 and report to the General Assembly of 2014.

*It was moved, seconded and agreed as an amendment of Section 16:*

*After 'Christian Aid', add ', the Mission and Discipleship Council'.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add new Sections 17, 18 and 19 and renumber:*

17. Instruct the Council, in consultation with the Social Care Council and the Priority Areas Committee, to assess the impact of HMG's recent and pending changes for 2013 to the benefits system on the poorest in our communities and report on the same to the General Assembly of 2014.
18. Instruct the Council to investigate the issue of food security in Scotland and report to the General Assembly of 2016.
19. Commend the work of the various feeding and food provision projects being undertaken in many parts of the nation, encourage congregations to support initiatives in their area and consider using such projects as an opportunity for an ecumenical expression of the Gospel lived out before the people of Scotland.

*It was moved, seconded and agreed as an amendment of Section 17:*

*Delete 'Refute' and substitute 'Dispute'.*

*It was moved and seconded as a counter-motion to Sections 24 and 25:*

Instruct the Council to engage in further dialogue with the Scottish Council of Jewish Communities with a view to bringing a new report to the General Assembly of 2014.

*On a vote being taken between the motion and the counter-motion the motion carried and the General Assembly resolved accordingly.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 29 and renumber:*

Urge the United Nations to reinforce the actions agreed by the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) and the protections afforded under the status of Non-Member Observer State to the State of Palestine.

## **JOINT REPORT ON THE IMPLICATIONS FOR THE CHURCH OF SCOTLAND OF INDEPENDENCE FOR SCOTLAND**

The General Assembly called for the Joint Report of the Church and Society Council, the Committee on Ecumenical Relations and the Legal Questions Committee on the implications for the Church of Scotland of Independence for Scotland which was given in by the Rev Sally Foster-Fulton, Convener, Church and Society Council.

*It was moved and seconded-*

### **The General Assembly:**

1. Receive the Report.
2. Call on the Scottish Government to publish any draft

Constitution which it may propose for an independent Scotland in advance of a referendum on independence.

3. Urge that, in recognition of the historic and continuing role of the Christian faith in Scottish society, any constitutional arrangements which may be made for an independent Scotland must continue to recognise the Claim of Right, should recognise that human realms are under the authority of God, and should also recognise the role of religion in general and the Church of Scotland in particular.
4. Establish an interfaith conversation to propose how recognition of religion should be addressed in the constitutional arrangements for Scotland following upon a vote for independence, to report to the General Assembly in 2014.
5. In the event of Scottish independence, believes:
  - a. that the Queen (and her heirs and successors) should be the head of state of Scotland.
  - b. that the monarch should have a Scottish coronation to symbolise her or his role as Queen or King of Scots, including the obligations to uphold Scottish religious life and traditions, and in particular her or his role with regard to the Church of Scotland.
  - c. that the lawfulness of the Articles Declaratory should be acknowledged in any constitutional settlement.
  - d. that in any constitutional settlement the relationship between church and state should be affirmed by recognising that the role of the Church of Scotland in civic life should be maintained, in particular the provision of prison chaplains, the conduct of marriages, and the appointment of Church Representatives on Local Authority Education Committees.
  - e. Scotland should become a member of the Council of Europe and should accede to the European Convention on Human Rights, which includes the right to religious freedom.
  - f. that the plurality of views and beliefs about religious matters should be addressed appropriately in any new constitutional settlement.

*It was moved, seconded and agreed as an amendment of Section 5:*

*In sub-section (b) add 'or investiture' after 'coronation'.*

*It was moved and seconded as an amendment of Section 5:*

*Delete sub-sections 5a and 5b.*

*On a vote being taken For or Against the amendment it carried Against.*

The General Assembly resumed consideration of the Report and Supplementary Report of the Church and Society Council.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 31 and renumber:*

Acknowledge the difficulties and constraints resulting from data protection legislation that may be faced by ministers in providing spiritual support to hospital patients from within their parishes and by hospital chaplains, instruct the Council to explore how spiritual care can best be offered to patients within the framework of existing data protection requirements, and report to a future General Assembly.

*It was moved, seconded and agreed as an amendment of the proposed amendment:*

*Delete "to a future General Assembly" and substitute "to the 2014 General Assembly".*

*The amendment as amended was then agreed.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 26 and renumber:*

Instruct the Council to investigate the rapidly increasing costs of funerals, particularly burials, and how this is impacting on the bereaved and those conducting funerals and report to the General Assembly of 2014.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 34 (Section 4 of the Supplementary Report's Deliverance) and renumber:*

Instruct the Council to consider the merits of a 'Citizen's Income' and to report their conclusions to a future General Assembly.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 36 and renumber:*

Support the right of convicted prisoners to vote and instruct the Council to engage with the appropriate authorities in the UK and Scottish Governments regarding the implementation of the ruling of the European Court of Human Rights.

*On a vote being taken For or Against the amendment, there voted For 143 and Against 214.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 37 and renumber:*

Instruct the Council to share its report on human rights with Non-Governmental Organisations working on human rights issues, and to devise ways of sharing those Organisations' resources and thinking on human rights with the Church.

*The Deliverance as amended was then agreed.*

The General Assembly adjourned at 5.10 pm to meet again in this Hall tomorrow at 9.30 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

## CONVENED AT EDINBURGH, 24 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 24th day of May 2013 years, at 9.30 am, Session VII.*

The General Assembly did again convene and was constituted with prayer.

The minutes of Session V being printed and in the hands of members, were submitted and approved.

**GENERAL TRUSTEES**

The General Assembly called for the Report of the General Trustees which was given in by the Rev Dr James Jack, Chairman.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report and Accounts of the General Trustees.
2. (a) Appoint Mr Donald W Thomas as a General Trustee.  
(b) Re-appoint Rev Dr James A P Jack as Chairman and Mr Iain C Douglas as Vice-Chairman for the ensuing year and authorise the payment of remuneration of £1,575 to each of them for the past year.
3. Commend the new Insurance Scheme offered by the Church of Scotland Insurance Company Ltd, instruct all Financial Boards and Courts to insure all ecclesiastical buildings for which they are responsible through the new Scheme and instruct all Financial Boards and Courts to take up the covers for public liability, employers' liability, breach of duty and trustee indemnity and the contents cover provided by the new Scheme.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 3 and renumber:*

Noting the Report of the Ministries Council on the very high energy bills of manses, instruct the General Trustees to ensure that every manse condition schedule includes an energy performance certificate for the property.

*It was moved, seconded and agreed as an amendment of the proposed amendment:*

*Add at the end:*

and instruct Presbyteries to take appropriate action within reasonable time.

*It was moved, seconded and agreed as an amendment of the proposed amendment (as amended):*

*Delete 'the General Trustees' and substitute 'Presbyteries' and delete 'Presbyteries' and substitute 'Congregations'.*

*On a vote being taken For or Against the amendment as amended it carried For.*

*It was moved and seconded as an amendment of Section 3:*

*Delete 'instruct' and substitute 'recommend' after 'Company Ltd,'.*

*It was moved, seconded and agreed as an amendment of the proposed amendment:*

*Add at the end:*

*and on the third line delete 'instruct' and substitute 'recommend'.*

*On a vote being taken For or Against the amendment as amended it carried Against.*

*It was moved and seconded as an amendment of Section 3:*

*After 'Financial Boards and Courts' in the second line, add 'where possible'.*

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved and seconded as a counter-motion to Section 3:*

Commend the new Insurance Scheme offered by the Church of Scotland Insurance Company Ltd, require all Financial Boards and Courts to insure all ecclesiastical buildings owned by or held in trust by the General Trustees at the cover set by the General Trustees, and that the cover taken up for public liability, employers' liability, breach of duty and contents be not less than the levels set by the General Trustees and that the level of cover for Trustee indemnity be at a level appropriate to the Church taking out that cover and as agreed with the General Trustees.

*On a vote being taken between the motion and the counter-motion the motion carried and the General Assembly resolved accordingly.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 4:*

In view of the impact of climate change, urge the General Trustees to consider the stock of church buildings, particularly those in rural areas, either to make them suitable for wider community use or, where appropriate, for parishes to use energy efficient alternatives.

*On a vote being taken For or Against the amendment it carried Against.*

*The Deliverance as amended was then agreed.*

## THE CHURCH OF SCOTLAND TRUST

The General Assembly called for the Report of the Church of Scotland Trust which was given in by Mr Robert Brodie, Chairman.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report and thank the members of the Trust for their diligence.

2. Re-appoint Mr W F Stuart Lynch and the Very Rev Dr Andrew R C McLellan as members of the Trust from 1st June 2013.

## THE CHURCH OF SCOTLAND INVESTORS TRUST

The General Assembly called for the Report of the Church of Scotland Investors Trust which was given in by Mr Alistair Gibb, Chairman.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report.
2. Appoint Miss C Y Alexander as Vice-Chairman of the Investors Trust from 1 June 2013.
3. Approve the reduction of Chairman and Vice Chairman's term of office from 4 years to 3 years.
4. Approve the appointment of Mr R D Burgon, Mr D Campbell, Mrs J Henderson and Dr F D Tosh.
5. Approve the re-appointments of Miss C Y Alexander, Mr A A Aitchison and Mr J G Wilson as members of the Investors Trust from 1 June 2013.
6. Receive the Annual Report and Financial Statements of the Investors Trust for 2012.

## CHURCH HYMNARY TRUSTEES

The General Assembly called for the Report and Supplementary Report of the Church Hymnary Trustees which were given in by the Rev Colin Renwick, Trustee.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report and Supplementary Report.
2. Appoint the Right Honourable Lord Brodie as Chairman of the Trust and appoint the Reverend Ann Inglis to be a Trustee.

## CENTRAL SERVICES COMMITTEE

The General Assembly called for the Report of the Central Services Committee which was given in by Mr Angus Macpherson, Convener.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report.
2. Note the report and evaluation of the staff survey of 2012 and support the actions taken in response to the findings arising from the survey.

## NOMINATION COMMITTEE

The General Assembly called for the Report of the Nomination Committee which was given in by the Rev James Dewar, Convener.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report.
2. Encourage Presbyteries and Congregations to consider prayerfully the talents of those known to them and to nominate those who may be able to contribute helpfully to the work of the Church.
3. Appoint Dr Sally Bonnar, Elder at Perth: North, as Convener of the Social Care Council.
4. Appoint the Rev Colin Sinclair to a second term, for three years, as Convener of the Mission and Discipleship Council.
5. Appoint the Very Rev Professor Iain R Torrance as Convener of the Theological Forum.
6. Make alterations to Standing Committees and Councils as set forth in the Report, subject to the following alterations:

*Add:*

### Church and Society Council

*Member Resigned* Gill Bishop

## Ecumenical Relations Committee

*Member Resigned* Fiona Buchanan

*Member Appointed* Anikó Schuetz (Edinburgh: Morningside United)

## Judicial Proceedings Panel

*Ministers Appointed* Hugh Conkey (Newtonhill), Alan Garrity (Bermuda retired), Jane Howitt (Galashiels: St John's), Sheila Kirk (Deer), John McPake (East Kilbride: Mossneuk), Fraser Penny (Dunkeld), Alan Reid (Kinross)

*Members Appointed* Alexander Bolland (St Andrews: St Leonard's), Robert Hynd (Glasgow: Hyndland), Helen McLeod (Forfar: St Margaret's), Aileen Nimmo (Edinburgh: Mayfield Salisbury), William Windram (Bowden and Melrose)

## Theological Forum

*Vice-Convener Appointed* Frances Henderson (Hoddum, Kirtle-Eaglesfield and Middlebie)

*Members Appointed* Liz Grant (Edinburgh: St Catherine's Argyle), Lindsay Sawyer (Edinburgh: High (St Giles'))

## World Mission Council

*Member Resigned* Fiona Buchanan

*Member Appointed* Anikó Schuetz (Edinburgh: Morningside United)

## SELECTION COMMITTEE

The General Assembly called for the Report of the Selection Committee which was given in by the Rev Colin Renwick, Convener.

*It was moved, seconded and agreed-*

### The General Assembly:

1. Receive the Report.
2. Appoint the following additional Convener and Vice-Convener of the Judicial Commission:  
*Convener:* Morag Mylne  
*Vice-Convener:* The Very Rev Dr David Lunan

3. Appoint the following two Conveners and Vice-Conveners of the Appeals Committee of the Commission of Assembly:

*Convener:* Lord Brodie

*Vice-Convener:* Rev Matthew Z Ross

*Convener:* Carole Hope

*Vice-Convener:* Rev Peter Graham

Committee on the Printing of the Acts of the General Assembly which was given in by the Principal Clerk, and it was remitted to the Standing Committee under Section 26 of the Standing Orders to revise and print the Acts.

The General Assembly adjourned at 1.20 pm to meet again in this Hall this afternoon at 3.00 pm, whereof public intimation having been made, the Sederunt was closed with prayer.

Protestations were called for but none was taken.

#### COMMITTEE ON PRINTING OF ACTS

ASSEMBLY HALL

The General Assembly called for the Report of the Standing

EDINBURGH, 24 May 2013, 1.20 pm

CONVENED AT EDINBURGH, 24 MAY 2013

*At Edinburgh, and within the Assembly Hall, the 24th day of May 2013 years, at 3.00 pm, Session ult.*

The General Assembly did again convene and was constituted with prayer.

#### DECEASED MINISTERS, MISSIONARIES AND DEACONS

The General Assembly called for the Report anent Deceased Ministers, Missionaries and Deacons, which was given in by the Very Rev Albert Bogle, and was agreed as follows:

##### DATE OF DEATH

2012

May	22	Rev Allan Stewart MacPherson, formerly a Chaplain to Merchiston Castle School
June	17	Rev Alexander Alasdair Francis Cameron, lately of Paisley: Sherwood Greenlaw
	30	Rev Denis Warnock, formerly of Kirkcaldy: Torbain
July	2	Rev John Henry Bindon Taylor, formerly an Associate Minister at Galston
	6	Rev James Alexander Robertson, formerly of Dalkeith Newton
	17	Rev Alexander McRae Houston, formerly of Perth: Tibbermore
	18	Rev William Taylor, formerly of Buckie: North
	29	Rev Thomas Milroy, formerly of Monifieth: St Rule's
August	3	Rev Alistair Norman Dykes, formerly of Galashiels: St Columba's
	16	Rev Robert William Massie, formerly of Monifieth: St Rule's
September	7	Rev Andrew McGill Campbell, formerly of Motherwell: St Margaret's
	10	Rev Edward McBain Haldane Lewis, formerly of Glasgow: Drumchapel St Andrew's

	15	Rev Norman McGathan Bowman, formerly of Edinburgh: Broughton St Mary's
	22	Very Rev Professor Robert Davidson DD, formerly Principal of Trinity College, University of Glasgow
October	5	Rev Duncan Finlayson, formerly of Morven
	11	Rev Gordon Holroyd, formerly of Dingwall: St Clement's
November	3	Rev Eric Ralph Lacey, formerly of Creich linked with Rosehall
	22	Rev George Stuart Young, formerly of Blairgowrie: St Andrew's
	23	Rev Glenn Franklin Wyatt, formerly of Kilmun: St Munn's linked with Strone and Ardentinnay
	28	Rev Charles Raymond Vincent, formerly of Stonehouse
December	10	Rev Ian Arthur Girdwood Easton, formerly of Dumbarton: North
	12	Rev Jean Ramage Mitchell Blackley, formerly of Banton linked with Twechar
	13	Rev William Pollock, formerly of Isle of Mull Parishes
	20	Rev Alexander Slorach, formerly of Kirk of the Lammermuir linked with Langton and Polwarth
	23	Rev Dr Iain Paul, formerly of Wishaw: Craigneuk and Belhaven
	23	Rev Robert Hugh Drummond, formerly of Balmaclellan and Kells
	28	Rev James Kerr Cameron, former Professor of Ecclesiastical History, University of St Andrews
2013		
January	2	Rev Thomas Morton, formerly of Rutherglen: Stonelaw
	11	Rev Douglas Black Blair, formerly of Grangemouth: Dundas
	13	Rev Robert Govan Clarkson, formerly of Dundee: Strathmartine
	17	Rev Everard William Kant, formerly of Kinghorn
	24	Rev John Masson Stewart, formerly of Johnstone linked with Kirkpatrick-Juxta
	29	Rev Malcolm Nicholson Henry, formerly of Perth: Craigie
February	13	Rev Donald Iain MacMillan, formerly of Bearsden: South
	14	Rev Stanley William Peat, formerly of Edinburgh Leith St Serf's
	19	Rev Alexander Sellars Downie, formerly of Ardrossan Park
	22	Rev Howard George Taylor, formerly a Chaplain to Heriot Watt University
	27	Rev Robert Tyre, formerly of Aberdeen: St Ninian's linked with Stockethill
March	18	Rev Andrew Lockhart Stevenson, formerly of Balmerino linked with Wormit
	29	Rev Gerald Brian Macallan, formerly of Kintore
	31	Rev Frank Haughton, formerly of Kirkintilloch: St Mary's
April	25	Rev James Gilfillan, formerly of East Kilbride: Old
May	6	Rev John Walter Evans, formerly of Elgin: High
	14	Rev Christina Anne Macdonald Douglas, formerly of Inveraven and Glenlivet
	15	Rev Dr John Alexander Miller Scott, formerly of Jerusalem: St Andrew's
	20	Rev Henry Alexander Gardner Tait, formerly of Crieff: South and Monzievaird

The General Assembly, upstanding, were led in prayer by the Very Rev Albert Bogle.

The Minutes of Sederunts not yet submitted were held as read and approved.

The Clerks were appointed a Committee to revise the Minutes.

The General Assembly passed an Act appointing a Commission of Assembly in terms of the Act VI 1997.

The General Assembly passed an Act appointing the next General Assembly to be held at Edinburgh on 17 May 2014.

The following people were presented to the General Assembly:

#### COUNCIL OF ASSEMBLY

##### *New Staff Members:*

Rev Alan Gibson, Head of Stewardship  
Elaine Macadie, Finance Manager (Ministries Council)  
Yvonne Winchester, Finance Manager (General Trustees)  
Seonag Mackinnon, Head of Communications

#### MISSION & DISCIPLESHIP COUNCIL

##### *New Staff Members:*

Rev Dr Alister Bull, Council Secretary  
Ron Clarke, Team Leader: Congregational Learning  
Lynn Hall, temporary Senior Administrator, Online Resources

#### SOCIAL CARE COUNCIL

##### *New Staff Members:*

Ronnie Black, Head of Service, Learning Disabilities  
Eoin McDunphy, Business Partner, Payroll and IT  
Iwona Lesniak, Financial Accountant

##### *Staff Members Departing:*

Christine Black, Project Worker, CrossReach Counselling Lothian, 10 years' service  
Janice Buckley, Care Worker, Eastwoodhill, 33 years' service  
Frances Todman, Payroll Assistant, Charis House, 13 years'

service

David Clark, Head of Service, Learning and Disabilities, 14 years' service

Georgina Grant, Care Worker, Oversteps, 13 years' service  
Maureen Mitchell, Support Worker, Threshold Edinburgh, 16 years' service

#### CENTRAL SERVICES COMMITTEE

##### *New Staff Members:*

Gregor Buick, Solicitor, Law Department  
Calum Wilson, Support Assistant, Law Department

#### MINISTRIES COUNCIL

##### *New Staff Members:*

Ms Shirley Grieve, Go For It Fund Coordinator

##### *Ministers recently inducted and introduced to their first charge or appointment:*

Rev Jenny M Adams, Duffus, Spynie and Hopeman  
Rev Andrea M Boyes, Larkhall: Chalmers  
Rev Jonathan Fleming, Erskine  
Rev Christopher Galbraith, Bathgate: Boghall  
Rev Andrew N Haddow, Coldingham and St Abb's l/w Eyemouth  
Rev Ruth D Halley, Penicuik: North  
Rev William J Heenan, Stornoway: St Columba  
Rev Alan W D Kimmitt, Glenrothes: St Columba's  
Rev Mark Y Lowey, East Kilbride: South  
Rev Ada Macleod, Assistant, Glasgow Cathedral (High or St Mungo's)  
Rev Scott A McRoberts, Inverness: St Columba (New Charge)  
Rev Kleber Machado, Corby St Ninian's  
Rev Margaret Shuttleworth, Sauchie and Coalsnaughton  
Ordained Local Ministers recently inducted and introduced to first charge or appointment:  
Rev Mary Duncanson, Presbytery Pastoral Support Minister with Abernethy Presbytery  
Rev Mandy Hickman, Ardrossan: Park  
Rev Iain MacLeod, Glasgow: Renfield St Stephen's  
Rev Morag Muirhead, Fort William: Duncansburgh  
MacIntosh l/w Kilmonivaig

Rev Mairi Perkins, Ardgour and Kingairloch l/w Morvern  
l/w Strontian

Rev Andrew Sarle, Falkirk: Bainsford

*Recently Retired Deacons:*

Mrs Marjory Burns DCS, Bellshill Parish Grouping

Miss Agnes Rennie DCS, Edinburgh: Bristo Memorial  
Craigmillar

*Recently Retired Ministers:*

Rev Marina Brown, Hawick: St Mary's and Old

Very Rev John Christie, Paisley: Oakshaw Trinity

Rev Helen Cook, Kingussie

Rev Marian Cowie, Aberdeen: Midstocket

Rev Brian Dingwall, Upper Donside

Rev Alan Ford, Glasgow: Springburn

Rev David Harper, Troon: St Meddan's

Rev Norman Macleod, Hamilton: St Andrew's

Rev Margaret Muir, Glencaple linked with Lowther

Rev Duncan Murray, Bonkyl and Preston l/w Chirnside l/w  
Edrom: Allanton

Rev W Kenneth Pryde, Foveran

Rev Leslie Steele, Galashiels: Old and St Paul's

Rev John Tait, Edinburgh: Pilrig St Paul's

The Moderator addressed all those who had been

presented to the General Assembly, conveying the good  
wishes of the Assembly to them.

The Moderator addressed the General Assembly.

His Grace addressed the General Assembly and concluded  
with these words: "Right Reverend and well-beloved, your  
labours are now at an end and now, in the Queen's name,  
I bid you farewell."

A verse of the National Anthem was sung.

The Moderator and members of the General Assembly  
having bowed to His Grace, the Moderator, turning to the  
General Assembly, said "Right Reverend: In the name of  
the Lord Jesus Christ, sole King and Head of the Church, I  
now dissolve this General Assembly, and appoint the next  
General Assembly to be held at Edinburgh on the 17th day  
of May 2014."

The members of the General Assembly, prior to lining the  
Quadrangle of the College as His Grace passed from the  
Assembly Hall, concluded their Session at 4.30 pm with the  
Benediction pronounced by the Moderator.

ASSEMBLY HALL  
EDINBURGH, 24 May 2013, 4.30 pm



## SECTION C

### CASES WITH DELIVERANCES

#### **Overture**

*Presbytery of Lothian*

Overture anent the Remit of the Panel on Review and Reform

## OVERTURE

### ANENT THE REMIT OF THE PANEL ON REVIEW AND REFORM

#### From the Presbytery of Lothian

Whereas:

1. We recognise that the second section of the remit of the Panel on Review and Reform reads “To present a vision of what a Church in need of continual renewal might become and to offer paths by which congregations, Presbyteries and Agencies might travel towards that vision”; and
2. That the actions, decisions and recommendations of other Church Councils, Boards, Committees and Agencies taken and made in correct fulfilment of their respective remits, whilst dealing with the more immediate challenges of their specialist areas of responsibility, can materially affect not only the paths towards such a vision of what the Church might become but also the vision itself; thus
3. We believe that such a vision needs not only to be articulated but also to be owned by the whole Church and to be regularly reviewed, including continuing oversight, assessment and reporting of the progress or otherwise towards that vision, and that
4. Without such clarity, oversight and assessment the only picture of the Church of the future will emerge piecemeal via decisions which deal with immediate problems.
5. We further believe that an articulated hoped-for shape, pattern and structure of the Church in the longer term will become increasingly important in the task of inspiring members and others to work for and support the Church with vision and understanding, and that
6. The overall responsibility for this seems to fall within the spirit of the decisions that led to the establishment of the Panel on Review and Reform and requires both time and breadth of vision which cannot be afforded by the other Councils, Committees and Agencies of the Church which, with their limited memberships, are seeking to fulfil their remits and to tackle the pressing demands of the ongoing administration of the various Church functions.

It is humbly overtured by the Reverend the Presbytery of Lothian, to the Venerable the General Assembly to amend the remit of the Panel on Review and Reform in such a way that the long-term vision and strategy of the Church is kept constantly under review;

Or to do otherwise as to your Venerable Court may seem good.

## PROPOSED DELIVERANCE

**The General Assembly:**

1. Receive the Overture.
2. Amend the second section of the remit of the Panel on Review and Reform to read “Through such interaction, consultation and discussion with congregations, Presbyteries, Councils and Agencies of the Church as may be decided upon by the Panel, formulate and bring before successive General Assemblies:
  - (a) a clear statement of the long-term vision of the Church, and
  - (b) paths and developments which might be followed by congregations, Presbyteries, Councils and Agencies of the Church to make such a vision a reality.

## **SECTION D**

### **STANDING ORDERS**

# THE CHURCH OF SCOTLAND

## GENERAL ASSEMBLY 2013

### STANDING ORDERS

#### I. COMMISSIONS

1. **Roll of Presbytery.** Each Presbytery Clerk shall, by 15 January of each year, transmit to the Clerks of Assembly the number of charges, appointments and deacons specified in sections 2 and 4 of Act III 2000 (as amended) – all as at 31 December immediately preceding.

2. **Presbyterial Representation.** The Assembly Arrangements Committee shall meet in January of each year for the purpose of considering the said Rolls and of ascertaining the effect, as regards representation, of any changes in Presbyteries which have occurred in the course of the previous year. The Clerks of Assembly shall immediately thereafter intimate to Presbyteries what will be their representation in the ensuing Assembly.

The decision of the Assembly Arrangements Committee, so intimated to Presbyteries, shall be subject to review by the Assembly on Petition by the Presbytery concerned.

3. **Question Arising.** Should there arise between the month of February and the opening of the Assembly any question regarding representation not provided for in these Orders, the Assembly Arrangements Committee shall have power to dispose thereof.

4. **Furnishing of Commission.** The Clerks of Assembly shall furnish Presbytery Clerks with a copy of the approved form of Certificate of Commission.

5. **Transmission of Certificates.** The names, in alphabetical order, and full postal addresses of Commissioners from Presbyteries, shall be transmitted by Presbytery Clerks to the Clerks of Assembly not later than 31 March in each year so far as they have been elected by that time.

Certificates, endorsed by the Clerk of each Presbytery to the effect that to the best of his knowledge the Elders named therein are bona fide acting Elders and are commissioned by the Presbytery, shall be transmitted by

Presbytery Clerks so as to be in the hands of the Clerks of Assembly not less than one week before the opening of the Assembly.

6. **Committee on Commissions.** The Committee on Commissions shall consist of the Clerks; the Principal Clerk shall be Convener. The Committee shall prepare a report on all Commissions and Certificates transmitted to them for submission to the Assembly at the opening Session. The said Committee shall prepare and print a list of Commissioners.

Along with the said list a copy of the Standing Orders of the General Assembly shall be made available to each member.

The Clerks shall arrange to forward to each Commissioner, at least one week before the opening day of the Assembly, a copy of the volume of Reports and Proposed Deliverances and a copy of all Assembly Papers then available.

7. **Objections.** The Committee on Commissions shall, if called upon, or if it shall appear to it necessary or expedient so to do, hear any person whose Commission is objected to in support of his Commission, and also any person or persons who may object to such Commission.

8. **Late Commissions.** It shall be competent at any time during the sitting of the Assembly to lodge with the Clerks of Assembly Commissions which have not previously been transmitted to them; and such Commissions shall be submitted by the Clerks to the Assembly on the day next after that on which the Commissions have been lodged, and shall be disposed of by the Assembly as may seem proper.

#### II. CONDUCT OF BUSINESS

##### (a) OPENING SESSION

9. **Convening.** The Commissioners elected to serve in the Assembly shall convene on the day and at the hour

fixed for the meeting of the Assembly, and, after prayer by the Moderator of the preceding Assembly, the List of Commissioners shall be laid on the table.

**10. Election of Moderator.** The election of a Moderator shall then be made.

**11. Her Majesty's Commission.** Her Majesty's Commission to the Lord High Commissioner shall then be read and ordered to be recorded.

**12. Her Majesty's Letter.** Her Majesty's Letter to the Assembly shall then be read and a Committee shall be appointed to prepare an answer thereto.

**13. Standing Orders.** The Standing Orders shall be laid on the table.

**14. Committee on Commissions.** The Report of the Committee on Commissions (SO 6) shall be called for and disposed of.

**15. Order of Business.** The Assembly shall appoint a Business Committee, the Convener and Vice-Convener thereof normally to be the Convener and Vice-Convener respectively of the Assembly Arrangements Committee. The Assembly Arrangements Committee shall prepare and submit at the opening session an Order of Business for the first two days.

#### **(b) BUSINESS COMMITTEE**

**16.** The Business Committee shall consist of forty Commissioners including the Convener and Vice-Convener; and the Moderator, Clerks, Procurator and Law Agent shall be additional members, *ex officio*.

**17. First Meeting.** The Business Committee shall meet on the opening day of the Assembly as intimated and thereafter as business may require. At its first meeting it shall consider the Draft Order of Business which shall have been prepared by the Assembly Arrangements Committee for the business of the Assembly subsequent to the first two days, and shall be wholly responsible therefor.

**18. Selection Committee.** Commissioners to the General Assembly shall be free to nominate other commissioners to serve on the Selection Committee. The names of those proposed shall be brought before the first meeting of the Business Committee which, in turn and without being limited to those names proposed by commissioners who

are not among its members, shall nominate a Selection Committee of twenty commissioners, including a Convener and Vice-Convener, whose function it shall be to select and submit to the Assembly for their approval names of persons to serve on all Special Commissions and Committees appointed during the sittings of the Assembly. Such persons need not be commissioners.

**19. Communications.** All letters addressed to the Moderator for the purpose of being communicated to the Assembly shall, in the first instance, be laid before the Business Committee, which shall advise the Moderator as to their disposal.

**20. Paper through Boxes.** Requests for permission to distribute material through Members' boxes should be submitted to the Assembly Arrangements Committee before the commencement of the Assembly, and requests received thereafter shall be submitted to the Business Committee. Any other Committee concerned should be informed and supplied with copies, if available, of the material to be distributed.

#### **(c) DEVOTIONAL EXERCISES**

**21. The Lord's Supper.** The Assembly shall celebrate the Sacrament of the Lord's Supper at a time appointed by the General Assembly at its opening session.

**22. Acts of Worship.** The Moderator shall be responsible to the Assembly for the conduct of all acts of worship, and shall consult the Assembly Arrangements Committee or the Business Committee anent any proposed innovation in such conduct.

#### **(d) MISCELLANEOUS**

**23. Minutes.** The minutes of each day's proceedings, if available, together with the Agenda for the following day or days, intimations of meetings of Committees, and Notices of Motion, shall be printed as the "Assembly Papers", and shall be made available for all members. The Minutes, being taken as read and full opportunity having been given for correction, shall be approved as available. It shall always be in order at the close of any particular item of business to move that the Minute thereanent be adjusted and approved. Before the dissolution of the Assembly

a small Committee, appointed for the purpose, shall be authorised to approve the Minutes not already approved by the Assembly.

**24. Quorum.** The quorum of the Assembly shall be thirty-one, of whom not less than sixteen shall be Ministers. Any Member may at any time call the attention of the Moderator to the fact that there is not a quorum present, and if, on a count being made, it is found that such is the case, it shall be the duty of the Moderator to suspend or adjourn the session.

**25. Tellers.** The Assembly Arrangements Committee shall submit for the approval of the Assembly at their first session a proposed Panel of Tellers. (See SO 104.)

**26. Printing of Acts.** The Committee on Commissions (SO 6) shall arrange for the printing of the Acts of Assembly and shall print in the Assembly Papers of the penultimate day an Interim Report thereon, which shall be considered on the last day of the Assembly.

**27. Examination of Records.** Minutes of the Standing Committees of the Assembly shall be examined by the Legal Questions Committee. The Committee shall report thereon to the General Assembly.

**28. Returns to Overtures.**

(a) A Committee on Overtures and Cases, consisting of the Clerks, Procurator and Law Agent of the Church (with the Principal Clerk as Convener) shall advise any Committee or individual on the procedure to be followed in respect of measures requiring process under the Barrier Act.

(b) For the avoidance of doubt, measures other than Acts of Assembly may be referred for the consideration of Presbyteries, in which case they shall be presented to the General Assembly in the form of an Overture set out as an Act.

(c) For the avoidance of doubt, it is open to the General Assembly to decline to consider any motion of which it believes inadequate notice has been given, considering the nature of its content.

(d) Measures remitted to Presbyteries by an Overture under the Barrier Act shall be accompanied by a note of the voting figures in the General Assembly, the text of the relevant Report and a note by the Clerks explaining any technical or legal matters contained in the Overture.

(e) All Presbyteries shall make a return in respect of every Overture sent down under the Barrier Act. The return shall be made upon the schedule sent electronically to the Presbytery Clerk for the purpose, transmitted to the Clerks of Assembly, and then submitted to the Committee on Overtures and Cases. The Committee shall classify the returns and make a report to the next Assembly. It shall be the duty of the Committee to report not only the number of Presbyteries for and against an Overture, but also the numbers voting in the Presbyteries as reported in the schedule.

(f) The Report of the Committee shall include the text of such Overtures as have been approved by a majority of Presbyteries.

(g) The Assembly Arrangements Committee shall ensure that the Committee's Report classifying returns is taken by the General Assembly no later than session 2 thereof, and in any case before any debate that in the opinion of the Committee on Overtures and Cases would more usefully follow consideration of the Committee's Report.

(h) The Report of the Committee shall be given in to the Assembly by the Principal Clerk, with the reply to the debate on the merits of the measure given by the relevant Convener. Both should be available to answer questions, as appropriate.

**29. Special Commissions and Committees.**

Special Commissions or Committees will only be appointed where the General Assembly has no existing Standing Committee to which the matter under consideration can, in all the circumstances, properly be remitted. In normal circumstances, business proposed by Councils or Committees of the General Assembly or proposed by Commissioners in the course of debate shall be remitted to one or more of the appropriate Standing Committees listed in SO 111. When, from time to time, a Standing Committee requires to co-opt relevant expertise in order to fulfil the work remitted to it by the General Assembly, it should acknowledge the same in its Report to the General Assembly.

**30. Closing of Assembly.**

When the business set down for the last day of the Assembly has been disposed of, the Assembly shall be

closed by addresses by the Moderator to the Assembly and to the Lord High Commissioner, and by an address by the Lord High Commissioner to the Assembly, during an act of worship, and dissolved according to the practice of the Church.

### III. MEMBERS NOT COMMISSIONERS

#### (a) MEMBERS *ex officio*s

31. These are the Moderator of the Assembly, on election, and the immediately preceding Moderator, the Clerks, Procurator, and Law Agent, and also the Convener and Vice-Convener of the Business Committee upon their election. They have all the rights and privileges of Commissioners.

#### (b) CORRESPONDING MEMBERS, DELEGATES AND VISITORS – DEFINITION

32. **Corresponding Members.** Representatives of Departments and Standing Committees as stated in Standing Order No 33.

**Delegates from other Churches.** Representatives of other Churches who come in response to an invitation from the Principal Clerk sent at the request of the World Mission Council or from the Committee on Ecumenical Relations to their Church to send a delegate or delegates to the General Assembly and who are duly accredited by the Courts or equivalent authority of their Churches.

**Visitors.** Visitors from other Churches who come with a Letter of Introduction from Assembly or Presbytery Clerks or equivalent officer of their Church.

#### 33. Corresponding Members

1. (a) The following shall have the right to appoint Corresponding Members in terms of (b) below:

Council of Assembly, Church and Society Council, Ministries Council, Mission and Discipleship Council, Social Care Council, World Mission Council, Committee on Church Art and Architecture, Central Services Committee, Ecumenical Relations Committee, General Trustees, Church of Scotland Guild, Trustees of the Housing and Loan Fund, the Nomination Committee, Panel on Review and Reform, Safeguarding Committee.

(b) Each of the above shall appoint for each day a member or staff-member to act as Corresponding Member, and will advise the Assembly Arrangements Committee not less than one week before the commencement of the General Assembly of the names of the Corresponding Members appointed for each day. The names of Corresponding Members appointed under this Standing Order shall be printed in the Assembly Papers.

2. The Secretaries of the Council of Assembly, the Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission Councils, the Ecumenical Officer, the Editor of Life and Work, the General Treasurer, the Head of Stewardship, the Head of Human Resources, the Convener of the Nomination Committee and the Scottish Churches' Parliamentary Officer shall be Corresponding Members when not Commissioners.

3. The Charity Trustees of the Unincorporated Councils and Committees of the General Assembly who are also Conveners of the Finance, Governance, Staffing and Communication Committees of the Council of Assembly shall also be Corresponding Members when not Commissioners.

34. **Status.** Corresponding Members of Assembly shall be entitled to attend all sessions of the same and to speak on any matter before the Assembly affecting the interests of their Council or Committee, where applicable, but shall not have the right to vote or make a motion.

#### (c) YOUTH REPRESENTATIVES

##### 35. Status

(i) One person between the ages of eighteen and twenty-five on the opening day of the General Assembly shall, if possible, be appointed by each Presbytery to serve as a Youth Representative; each Representative shall be regularly involved in the life and worship of a congregation within the bounds of the Presbytery, and the minister of the congregation shall provide confirmation of this involvement if asked by the Mission and Discipleship Council.

(ii) The National Youth Assembly each year shall appoint ten of its own number, being between the ages of eighteen and twenty-five on the opening day of the following General Assembly, to serve as Youth representatives to that General Assembly.

- (iii) Youth Representatives shall be entitled to speak and move motions but not to vote:
  - during debates on Committee reports
  - during debates on Overtures
- (iv) Youth Representatives shall not be entitled to speak, move motions or vote:
  - during debates on Petitions or cases
  - during debates on matters affecting General Assembly procedure or Standing Orders
- (v) Youth Representatives shall not be members of the Commission of Assembly.

#### **Oversight**

- (vi) The Mission and Discipleship Council shall take responsibility for Youth Representatives and shall extend to them appropriate hospitality.

#### **(d) DELEGATES AND VISITORS**

**36. Reception.** Delegates from other Churches shall be received and welcomed by the Moderator. The Assembly Arrangements Committee is authorised, after consultation with the World Mission Council and the Ecumenical Relations Committee, to recommend to the Moderator to invite two specified delegates to convey greetings briefly after all the delegates have been received and welcomed by the Moderator.

#### **37. Status.**

- (i) Delegates to the Assembly shall have the right to attend all sessions and to speak on all matters before the Assembly, except when the Assembly are exercising judicial functions, but shall not have the right to vote.
- (ii) Visitors shall have the privilege of seats in the Assembly but without the right to speak or vote. As in the case of Delegates, the officials of the World Mission Council, the Ecumenical Relations Committee, or other relevant Council or Committee shall extend appropriate hospitality to Visitors.

**38. Oversight.** The officials of the World Mission Council, the Ecumenical Relations Committee, and other Councils or Committees which may be interested in Delegates, shall see that Invitations to Assembly functions are procured for the Delegates, and that the Members of Assembly shall do everything in their power to make the visits of all the Delegates pleasant and profitable.

#### **(e) NON-MEMBERS**

**39. Guest Speakers.** Where any Committee wishes that one of its members or staff members, not being a Member of Assembly, should have an opportunity of addressing the Assembly in connection with the discussion of its Report, the Convener shall, before the commencement of the debate, (i) obtain the permission of the Convener of the Business Committee, and (ii) inform the Moderator. Where any Committee wishes that a person, not being a Member of Assembly or member or staff member of that Committee, should address the Assembly, the Convener shall submit the name of such person for approval to the Assembly Arrangements Committee before the Assembly opens, or to the Business Committee during the sittings of the Assembly, and the decision of the Assembly Arrangements Committee or Business Committee shall be final, unless the Assembly themselves shall resolve in terms of SO 126 hereof to dispense with the observance of Standing Orders in respect of that particular matter.

**40. Conference Sessions.** The Assembly Arrangements Committee, or the Business Committee, in consultation with other Councils and Committees as appropriate may invite the General Assembly to meet in conference sessions and arrange for guest speakers to address such sessions. Councils and Committees shall also be free to invite guests, whom they consider to have a particular interest in the matter under discussion, to participate in the debate. When the General Assembly is meeting in conference no resolutions shall be framed or decisions taken. Expert speakers invited to address the conference shall be allowed a maximum time of fifteen minutes. All other speeches shall be limited to five minutes.

### **IV. COMMITTEE REPORTS AND OVERTURES**

#### **(a) REPORTS**

**41. Transmission.** Reports of all Committees reporting to the Assembly shall be transmitted to the Clerks of Assembly not later than the first Monday after the third Tuesday in February each year provided that, by arrangement with the Clerk of Assembly, a Statement and Proposed Deliverance on the Budget of the Church, report on Congregational

Statistics as reported by Kirk Sessions through Presbyteries and report on Statistics of Ministry may be submitted at a later date, but in time to be printed and forwarded with the Reports. All Reports shall be accompanied by the Deliverance to be proposed to the Assembly, and when the Proposed Deliverance exceeds two sections each section shall be numbered consecutively.

**42. Printing.** It shall be the duty of the Clerks to arrange for all such Reports and Proposed Deliverances to be printed in the authorised form, to be stitched together, paged, and for a copy to be forwarded to each Member of Assembly at least one week before the day of meeting. All Reports so distributed shall be held as read. Each Committee shall immediately after the rising of the Assembly furnish the publisher of the Reports with the number required for circulation.

**43. Oral Reports and Reports of Sub-Committees.** Oral Reports shall not be received, and no Sub-Committee shall give any Report to the Assembly.

**44. In Retentis.** Reports shall not be engrossed in the Minutes, but two copies of each printed Report certified by one of the Clerks as being that given to the Assembly, shall be kept in retentis; and the Reports thus collected shall be bound up in volume to be preserved among the other Records of the Assembly.

**45. Questions on Reports.** After the Deliverance on the Report of any Committee has been moved and seconded the Assembly, before dealing with any other motions or amendments thereon, shall have opportunity for asking questions on the Report, this being without prejudice to the right of Members to put questions, with the leave of the Assembly, at any subsequent stage.

**46. Questions requiring Notice.** It shall be in order to ask questions of the Convener regarding any matter in the care of the Committee to which no reference is made in the Report but in such cases timeous notice shall be given to the Convener.

**47. Deliverance.** The final Deliverance of the Assembly upon the Report of any Committee shall follow immediately after the consideration of that Report, except in the event of a special reason for the contrary having been approved by the Assembly and recorded in the Minutes.

**48. Late Reports.** Reports of Committees appointed during the sittings of Assembly, if they propose any motion not already printed, shall be put into the hands of the Clerks of Assembly at least one day prior to their being considered, and printed in the "Assembly Papers".

#### **(b) OVERTURES**

**49. Transmissions.** All Overtures from Presbyteries passed on or before 24 April shall be sent to the Clerks of Assembly not later than that date in each year. Overtures from Commissioners shall be lodged with the Clerks not later than noon on the third last day of the meeting of the Assembly, unless the Assembly for special reason decide otherwise.

**50. Printing.** The Clerks shall arrange for the printing of Overtures, at the expense of those promoting them and for their circulation to Commissioners, either with the papers for Cases or in the "Assembly Papers".

**51. Form.** Overtures should contain a brief statement of the matter to be brought before the Assembly together with a Proposed Deliverance, of which the first section shall be "The General Assembly receive the Overture".

**52. When Taken.** Overtures relating to matters under the care of the Committees of the Church whose reports are on the Agenda for one of the first two days of the Assembly shall be assigned by the Assembly Arrangements Committee (unless the Committee on Overtures and Cases decides not to transmit) to the place in the discussion at which they shall be introduced to the Assembly. In other cases this shall be done by the Business Committee. When the Proposed Deliverance of an Overture is capable of being treated as a counter-motion or amendment to the Proposed Deliverance of a Committee, or as a new section of such Proposed Deliverance, it shall be so treated.

**53. Grouping.** Overtures on the same or cognate subjects shall be grouped by the Assembly Arrangements Committee or Business Committee of the Assembly and only one speaker shall be heard introducing each group.

**54. Introduction.** An Overture from a Presbytery may be introduced by any member of that Presbytery, specially appointed for the purpose, at the bar; or by any one of its Commissioners to the Assembly in his or her place as a Commissioner.

**(c) GENERAL**

**55. New or Additional Expenditure.** Any proposal which involves new or additional expenditure must, together with an estimate of such expenditure, be in the hands of Commissioners in print and in proper form (for example, as a Proposed Deliverance, Notice of Motion, or Crave of a Petition), provided that:

(a) if it relates to the income disposition proposed within Co-ordinated Budget for the next calendar year and if the proposal is not submitted in the form of an amendment to the total of the said Budget, it shall provide for and specify the reduction or reductions to be made in other expenditure contained within the said Budget; and

(b) if it involves continuing or recurring expenditure which, if approved, would require to be incorporated in future Co-ordinated and Rolling Budgets, it shall provide for the matter to be remitted in the first instance to the Council of Assembly for consideration and report to the next General Assembly.

**56. Declaratory or Interim Act.** The draft of any proposed Declaratory or Interim Act, as also the draft of any Overture which it is proposed to transmit to Presbyteries in terms of the Barrier Act (other than any Overture printed and circulated in the volume of Reports), shall be printed and laid on the table of the Assembly and circulated among the Members at least one day before a Motion for the passing of such Declaratory or Interim Act, or for the transmission of such Overture to Presbyteries, is made in the Assembly.

**V. CONDUCT OF CASES**

**57. Commission of Assembly.** In Sections 57 – 59 references to the General Assembly shall be taken to refer where appropriate to the Commission of Assembly and all references shall be so construed *mutatis mutandis*.

**(a) LODGING OF PAPERS**

**58. Appeal; Dissent and Complaint; Petition.** The papers in all cases intended to be brought before the Assembly, whether Appeals or Dissents and Complaints against the judgement of inferior courts, or Petitions, should be lodged with the Clerks of Assembly not later than 24 April, and must

be lodged not less than fourteen days before the opening session of Assembly; except in the case of judgements pronounced within sixteen days of the meeting of Assembly, in which case they shall be lodged within forty-eight hours of the judgement being pronounced.

**59. (a). Reference.** In the case of Reference of a matter from an inferior court for the judgement of the Assembly the same limits as to time for lodging of papers in the case shall apply as in SO 58.

**(b). Reference of Matter Previously Considered.** Where the matter of a Reference has previously been under consideration of the Assembly, the Reference shall state the date when the matter was previously before the Assembly and shall narrate the Assembly's Deliverance thereon.

**60. Answers.** It shall be competent for all parties claiming an interest in the subject matter of an Appeal, Dissent and Complaint or Petition to lodge Answers thereto complying with the requirements of SO 60. Answers may be lodged any time after the Appeal, Dissent and Complaint or Petition is received by the Clerks, but not later than seven days before the opening meeting of Assembly. Answers shall be in the form of articulate numbered Answers to the narrative contained in the Appeal, Dissent and Complaint or Petition, indicating in particular matters of fact that are admitted and denied, and shall set forth a concise statement of the Respondent's case, together with a crave specifying the action the Assembly are invited to take thereanent.

**(b) PRINTING OF PAPERS**

**61. Printing.** It shall be the duty of the Clerks on receiving papers that are to come before the Assembly in connection with cases to arrange to have these printed in authorised form, stitched together and paged.

**62. In Private.** Papers relating to business dealt with by Presbyteries in private, or which the Committee on Overtures and Cases (SO 69) consider should be taken in private, shall be printed separately and may be dealt with by the Assembly in private.

**63. Cost of Printing.** In cases of discipline brought before the Assembly by the Judicial Commission, by Reference from a Presbytery, or by complaint by a minority of the Court, the expense of printing shall be borne by the Assembly

Arrangements Committee; in other circumstances by the Complainer or Appellant. In all other use of Commissioners shall be borne by the party having interest in the same or desiring a Deliverance from the Assembly.

**64. In Retentis.** Two copies of every printed paper shall be kept by the Clerks of Assembly to be bound up and retained among the Records of Assembly.

#### (c) CIRCULATION OF PAPERS

**65. Date of Dispatch.** A copy of all papers transmitted to the Clerks of Assembly not later than 24 April shall be forwarded by them to each Member of Assembly at least one week before the opening day of the Assembly.

**66. In Private.** The Clerks of Assembly shall not issue in advance to Members the papers in cases which they think require to be conducted in private, until specially instructed by the Assembly so to do; but shall report such cases to the Convener of the Business Committee, for the information of that Committee, immediately after its appointment.

#### (d) INTIMATION TO PARTIES

**67. Appeal; Dissent and Complaint.** In all cases coming before the Assembly by Appeal or Dissent and Complaint it shall be the duty of the Clerks of Assembly to inform the parties on both sides as soon as possible of the time at which such case is likely to be taken by the Assembly. Such intimation shall, unless in a specific case the Assembly determine otherwise, be regarded as sufficient notice.

The Clerks shall further be bound, on application made to them for the purpose, to supply six copies of all prints made in pursuance of the foregoing Orders to the opposite party or parties in any case, or to his or their duly accredited Agents.

**68. Petition.** In every Petition it shall be the duty of the Petitioner to make such intimation of the Petition as may be necessary having regard to the nature of the Petition. Such intimation shall be made not more than seven days later than the time when the Petition is lodged with the Clerks of Assembly as provided in SO 58 above; and along with the Petition there shall be lodged a certificate signed by the Petitioner or his or her Agent setting forth the names of the parties to whom such intimation has been made or

is to be made. The Assembly may refuse to dispose of any Petition if in their opinion sufficient intimation thereof has not been made.

#### (e) TRANSMISSION TO ASSEMBLY

**69. Committee on Overtures and Cases.** All papers lodged with the Clerks in cases of every sort in terms of the foregoing Orders shall be laid by them before the Committee on Overtures and Cases, which shall consider the same and report to the Assembly.

**70. Decision not to Transmit.** If the Committee on Overtures and Cases shall decide not to transmit to the Assembly any papers in cases duly lodged with the Clerks of Assembly it shall report the same to the Assembly at their first Session, or at the Session next after such decision, with its reasons for not transmitting the papers, and parties shall be entitled to be heard thereon at the bar of the Assembly. Intimation of a decision not to transmit papers shall be made to the parties concerned as soon as possible, and in time to allow of their being represented at the bar when the decision not to transmit is reported to the Assembly.

**71. In Private.** The Business Committee shall, in its first Report, specify any case which in its judgement requires to be conducted in private, and any case which does not appear to it to be of that character although the Clerks of Assembly may have reported it as such. The Assembly shall thereupon determine by a special Deliverance, at what stage in the proceedings the papers in such a case shall be issued to the Commissioners. In every case which the Assembly appoint to be conducted in private the instruction to issue the papers shall be accompanied by a special exhortation to the Commissioners to keep them private.

**72. Proposed Legislation.** All Overtures from Presbyteries or from Commissioners which propose the introduction of new or the amendment of existing Acts (or Regulations) shall contain the precise terms of the legislation which they propose; and the Committee on Overtures and Cases shall not transmit to the Assembly any Overture which is deficient in this respect, provided always that the Clerks and Procurator shall be available to assist with the framing of such proposals.

**(f) HEARING OF CASES**

**73. Announcement.** Before parties are heard in any contentious case the Clerk shall read the following announcement, viz – “The Commissioners are reminded that justice requires that all the pleadings at the bar should be heard by all those who vote in this case, and that their judgement should be made solely on the basis of the pleadings.” Immediately before a vote is taken in such a case, the Clerk shall read the following further announcement, viz – “The Commissioners are reminded that only those who have heard all the pleadings at the bar are entitled to vote in this case.”

**74. Appeal; Complaint; One Appellant.** In cases brought before the Assembly by Appeal, where there is only one appellant (or one set of appellants concurring in the same reasons of Appeal) and only one respondent (or one set of respondents concurring in the same answers to the reasons of Appeal) the case for the appellant (or set of appellants) shall be stated by him or herself or by his or her counsel, who at the same time shall submit such argument upon the case as he or she shall think fit. The party or counsel so stating the Appeal shall be followed by the respondent or his or her counsel who likewise shall submit such arguments upon the case as he or she shall think fit. At the close of the statement for the respondent the appellant shall be entitled to be again heard, and the respondent shall also be entitled to be heard in answer to the second speech for the appellant and if, in his or her final answer, the respondent shall state any fact or submit any argument not adverted to in his or her answer to the opening statement for the appellant, the appellant shall be entitled to a reply upon the new matter introduced in the final answer for the respondent. With the exception of this right of reply, so limited, more than two speeches shall not be allowed to any party at the bar.

**75. Appeal; Complaint; More than one Appellant.** In such cases as those referred to in SO 73 if there is more than one appellant (or set of appellants) insisting on the Appeal, or more than one respondent (or set of respondents) supporting the judgement appealed against, (a) on different grounds, or (b) in separate reasons or answers, each appellant shall be entitled to open and state his separate case, and each respondent shall be entitled

to make his or her separate answer, and the debate shall be closed with a reply for the several appellants; provided always that it shall be competent to the parties, with consent of the Assembly to make any arrangement for conducting the debate other than herein prescribed, if it shall have the effect of limiting, further than is herein done, the number of speeches to be made from the bar.

**76. Appeal; Complaint; Who may appear.** Any Member of an inferior court whose judgement is brought under review of the Assembly may appear at the bar in support of the judgement; but, when Commissioners have been specially appointed by the inferior court to support its judgement, the Assembly shall not hear any Member of such court other than the Commissioners so appointed, unless any Member not so appointed but wishing to be heard can show a separate and peculiar interest to support the judgement; and in all such cases it shall be competent to the Assembly to limit the number of Members of an inferior court who shall be heard in support of the judgement under review.

**77. Dissents and Complaints.** In SO 73 to 75, “Appeal” includes “Dissents and Complaints” and “Appellant” includes “Complainer”.

**78. Petition.** In cases brought before the Assembly as the court of first instance by Petition, the party promoting the application shall be entitled to be heard in support of the same; and the Assembly shall also hear an answer from any party at the bar claiming to be heard whom it shall consider to be a proper respondent, and the debate at the bar shall be closed with a reply from the person promoting the application.

**79. Reference.** In cases brought before the Assembly by reference from a Presbytery the reference shall be stated to the Assembly by a Member of the referring court, specially appointed for the purpose, at the bar if not a Commissioner, or in his or her place as a Commissioner if a Commissioner from the Presbytery. The Assembly shall thereafter hear the parties in the case referred in such order as the nature of the case may seem to require, keeping in view the regulations in SO 73 to 78.

**80. Readjustment Cases.** In cases arising from Act VII, 2003, when a request for determination follows a decision of the Partnership Development Committee not to concur

in the judgement of a Presbytery, the Convener, or other member of the said Committee, shall be heard at the bar if not a Commissioner, or in his or her place as a Commissioner if a Commissioner, immediately after the request for determination has been stated. After the initial statement, and the response by the said Committee when applicable, the General Assembly shall hear at the bar such parties in the case as are not represented by Commissioners, in such order as the nature of the case may seem to require.

## VI. ORDER OF DEBATE

### (a) ORDER OF THE DAY

**81.** When the Assembly have resolved that a case or other piece of business shall be taken up at a certain hour mentioned in the Order of Business, such case or other piece of business shall be taken not later than the hour fixed and the business before the Assembly, if not finished at the hour named, shall be adjourned, provided that, in the case of an Order of the Day following the Report of the Church and Society Council, such unfinished business shall not be taken up. If, in the opinion of the Moderator, it would be in accordance with the general convenience of the Assembly, the Moderator may allow the transaction of the business then actually under discussion to continue for a period of not more than fifteen minutes beyond the specified time, but no fresh business shall be commenced.

### (b) MOTIONS

**82. Right to Move.** Any Commissioner to the Assembly may make a motion upon any matter coming regularly before the Assembly; and on rising to do so he or she shall read the terms of the motion having wherever possible handed the same in writing on the form provided to the Assembly Office or other point of collection intimated to the General Assembly. It shall be in order to move a motion regarding any matter in the care of a Committee to which no reference is made in the Report of that Committee, provided that reasonable notice has been given in writing to the Convener before presentation of the Report. The mover of any counter-motion or amendment may reply to the discussion of his or her motion, immediately before the Convener closes the debate.

**83. Withdrawal.** When a motion has been duly seconded it shall not be competent to withdraw it, or to make any alteration upon it, without the permission of the Assembly.

**84. Priority.** The Deliverance on the Report of a Committee shall take precedence of any other motion on that subject.

**85. Committee Convener.** The Convener of a Committee when a Commissioner, on giving in the Report of that Committee, shall move the Deliverance proposed in terms of SO 40. A Convener, when not a Commissioner, shall be allowed to submit the Report of the Committee, and to give explanations in the subsequent discussion. In such a case the Principal Clerk, whom failing, the Depute Clerk, shall formally move the Deliverance. In all cases the Convener shall have the right of replying to the debate.

**86. Introducer of Overture.** The Introducer of an Overture, if a Commissioner, shall move the Deliverance; and if he or she is not a Commissioner the Principal Clerk, whom failing the Depute Clerk, shall formally move the Deliverance. The Introducer, whether a Commissioner or not, may answer questions or give explanations in the course of the debate and, if a Commissioner, may reply to, the discussion immediately before the relevant Convener closes the debate.

**87. Notice of Motion.** Any Commissioner may, during the sittings of the Assembly, give notice of Motion on any subject due to come regularly before the Assembly, other than a contentious case. Notices of Motion so given in shall be printed in the "Assembly Papers" not later than the day before that on which the business is to be taken. Such printed Notice of Motion shall confer no right of priority of moving same, the Moderator being the sole judge of the order in which Members are entitled to address the Assembly.

### (c) THE DEBATE

**88. The Chair.** Every speaker shall address the Assembly through the Moderator, and the correct address is "Moderator".

**89. In Support.** When a motion or motions have been made and seconded, any Member (including a formal seconder in terms of SO 92) may take part in subsequent debate.

**89. Speeches.** (1) Except as provided in SO 81 and 84, no Member may speak twice on the same question except in explanation, and then only by special permission of the Assembly. (2) Members shall make relevant declarations of interest where the topic of debate makes it appropriate to do so.

**90. Speeches.** (1) Except as provided in SO 81 and 84, no Member may speak twice on the same question except in explanation, and then only by special permission of the Assembly. (2) Members shall make relevant declarations of interest where the topic of debate makes it appropriate to do so.

**91. Point of Order.** Any Member may rise to speak to a Point of Order. A speaker is not to be interrupted unless upon a call to order. When so interrupted he or she shall cease speaking, and shall resume his or her seat until the Point of Order is decided. The Member calling to order shall state the grounds for so doing; and the speaker who has been interrupted may briefly reply in explanation, to show that he or she is not out of order, but no other Member may speak to the Point of Order unless with the permission or at the request of the Moderator, with whom the decision of the point rests, though the Moderator may put the point to a vote of the Assembly.

**92.** There shall be no right of reply to a debate except as provided for by SO 81 and 84.

**93. Limits.** All speeches shall be limited to 5 minutes, with the following exceptions:

- (i) COMMITTEES Convener giving in the Report of his or her Committee and moving thereon (seconding to be formal) 20 minutes  
Movers of Amendments or Counter-Motions (seconding to be formal) 10 minutes
- (ii) OVERTURES Introducing an Overture and when the Introducer is a Commissioner, moving thereon 10 minutes  
Mover of other Motions in relation to Overture (seconding to be formal) 10 minutes
- (iii) PETITIONS Speeches of Petitioners 10 minutes

**94. No Time Limit.** The time limits shall apply, except in the following cases:

- (a) when the Assembly are debating specific proposals for change under Barrier Act procedure;

- (b) when the Assembly are exercising judicial functions;
- (c) in Petitions when, for special reasons, the Committee on Overtures and Cases reports that the circumstances demand an extension, and when the General Assembly adopt that opinion;

- (d) in any other matter when the Assembly Arrangements Committee (in respect of the Order of Business for the first two days) or the Business Committee (in respect of the Order of Business for the subsequent days) declares that, in its opinion, such matter is of exceptional importance, and when the Assembly adopt that opinion.

#### (d) DEALING WITH MOTIONS

**95. Character of Motions.** Motions shall be considered as belonging to one of the following categories, and shall be dealt with as prescribed, viz:

1. The original Motion.
2. Counter-Motions – being Motions contradictory or negative of the original Motion or of a substantial part of the original Motion.
3. Amendments being Motions not substantially contradictory of the original Motion or Counter-Motion, but for making deletions, alterations, or additions thereto without defeating its main object.
4. Amendments of amendments already moved and seconded.

**96. Moderator to Judge.** The Moderator shall be judge of the category to which any Motions shall be considered to belong, and the ruling of the Moderator shall be final.

**97. Grouping of Amendments.** When to any Proposed Deliverance there has been given notice of amendments which differ from each other only slightly in their general tenor, the Moderator shall decide whether or not to permit more than one of such amendments to be moved.

**98. Voting on Amendments.** When an amendment (Category 3) has been proposed it shall be disposed of by the Assembly before any other counter-motion or amendment is proposed. However, it shall be in order for an amendment of an amendment (Category 4) to be proposed, seconded and debated, after which the Moderator shall take a vote “For” or “Against”. When all such Category 4 motions have been so disposed of, the Assembly shall complete its

consideration of the original amendment (Category 3) and the Moderator shall take a vote “For” or “Against” the original amendment amended or unamended as the case may be. For the avoidance of doubt, it is affirmed that the order of debate for Category 3 and Category 4 motions shall be the same except as herein provided and that the provisions of SO 84 shall apply to both.

**99. Voting on Motions.** After all amendments, if any, have been disposed of, the Moderator shall take a vote between all Motions in Categories (1) and (2), and in doing so shall adopt the following procedure. A vote shall be taken in one of the methods provided below, between all the Motions in the order in which they were made, beginning at the first. Each Commissioner may vote for one Motion only. If, on the numbers being announced, one Motion has obtained a clear majority of votes, all the other Motions shall fall; but if no Motion has obtained a clear majority, the Motion having the smallest number of votes shall be struck off and a vote taken between the remaining Motions; and the Assembly may determine.

**100. Voting for Appointments.** In the case of voting for appointments to vacant offices in the Church, where there are more than two nominations the Assembly shall vote separately on all the names proposed, and, unless there be a majority in favour of one over all the others combined, the one having the lowest number shall be dropped, and the Assembly shall again vote on those that remain.

**101. Deliberative Vote.** The Moderator or Acting Moderator in the Chair shall have no Deliberative Vote.

**102. Casting Vote.** If in any division there shall be an equality of votes for two proposals before the Assembly, the Moderator shall have power to give a deciding vote; and if in the course of the voting as provided in SO 98 and 99 above, there should be an equality of votes for the two Motions having fewest votes, the Moderator shall have power to give a deciding vote and the Motion for which the Moderator shall vote shall be retained for the purpose of the next vote of the Assembly.

#### (e) TAKING THE VOTE

**103. Vote by Standing.** The Moderator may, if so minded, ascertain the mind of the Assembly by asking the

Commissioners to stand in their places, and shall intimate to the Assembly on which side there is in his or her opinion a majority. Unless the opinion of the Moderator so intimated is at once challenged it shall become the decision of the Assembly. If any Commissioner challenge the opinion of the Moderator the Assembly shall proceed to take a Vote by Electronic System as provided in SO 104.

**104. Voting by Electronic System.** If the Moderator is not prepared to give an opinion on the result of a vote by standing, or if his or her opinion is challenged, and whenever the Assembly are hearing a case, the Assembly shall proceed to take a vote by electronic system, using a system approved by the Assembly Arrangements Committee. The Business Committee shall ensure that Commissioners are familiar with the method of a vote by electronic system and may appoint tellers to assist Commissioners with the process of casting votes. After all votes have been counted the Moderator shall intimate the result of the voting. In no circumstances shall a second vote be taken on a matter which has already been the subject of a vote by electronic system.

#### (f) DISSENTS

**105. Entering.** Any Commissioner dissatisfied with a judgement of the Assembly, which has not been unanimous, has the right to enter his or her dissent against it; but no dissent can be given in until the matter to which it refers has, for that session, been disposed of, the Minute adjusted, and the Assembly is ready to proceed to other business.

**106. Adhering.** When a dissent has been entered, it is in order for any other Commissioner present when that judgement was pronounced to adhere to such dissent. No other's adherence may be entered.

**107. Reasons.** A person dissenting may do so with or without giving in reasons of dissent. If he or she dissent for reasons given in at the time, or to be afterwards given in, such reasons shall, if received by the Assembly as proper and relevant, and provided they are given in before the close of the next session (or, when made on the last day of the Assembly, before the close of the same session), be recorded in the Minutes.

**108. Answers.** If the Assembly appoint a Committee to prepare answers to reasons of dissent, the Report of the Committee shall, except on the last day of the Assembly, be printed in the “Assembly Papers”; and, as approved by the Assembly, shall be printed in the Minutes, if the reasons of dissent have been so printed.

**109. Record of Dissents.** Reasons of dissent and answers thereto when not entered in the Minutes, shall be kept in a separate Record of Dissents.

## VII. COMMITTEES AND THEIR MEMBERSHIP

### (a) COMMITTEES

**110. Committees.** The Committees of the General Assembly shall be those listed in SO 111 together with such ad hoc Committees as the General Assembly may appoint from time to time. Clerical services for the ad hoc Committees shall normally be provided by the staff of the Principal Clerk’s Department.

**111. Membership.** The Standing Committees of the General Assembly shall have membership as follows, General Assembly appointments being made on the nomination of the Nomination Committee except where otherwise stated.

1. Council of Assembly..... 26  
Convener, Vice-Convener, and 10 members appointed by the General Assembly, one of whom shall have appropriate knowledge and experience of Christian stewardship, the Secretary of the Council of Assembly, the Principal Clerk, the General Treasurer and the Solicitor of the Church as members ex officio (non-voting); the Conveners and Council Secretaries (Secretaries to be non-voting) of the Church and Society, Ministries, Mission and Discipleship, Social Care and World Mission Councils and the Convener of the Support and Services Council.
2. Church and Society Council ..... 32  
Convener, Vice Convener, 28 members appointed by the General Assembly, one of whom will also be appointed to the Ecumenical Relations Committee, and one member appointed from and by the Social Care Council and the Guild. The Nomination

Committee will ensure that the Council membership contains at least 5 individuals with specific expertise in each of the areas of Education, Societal/ Political, Science and Technology and Social/Ethical. This number may include the Convener and Vice-Convener of the Council.

3. Ministries Council..... 47  
Convener, 4 Vice-Conveners, 38 members appointed by the General Assembly, one of whom will also be appointed to the Ecumenical Relations Committee, and 1 member appointed from and by the General Trustees, the Housing and Loan Fund, the Committee on Chaplains to Her Majesty’s Forces and the Diaconate Council. For the avoidance of doubt where a representative of these other bodies is a member of staff, they will have no right to vote.
4. Ministries Appeal Panel..... 5  
Convener, Vice-Convener and 3 members appointed by the General Assembly. At least 1 member shall be legally qualified, at least 1 shall be a minister and at least 1 shall be an elder.
5. Trustees of the Housing and Loan Fund ..... 11  
3 ministers and 1 member appointed by the Ministries Council;  
4 appointed by the General Assembly on the nomination of the Trustees, who having served a term of 3 years shall be eligible for re-appointment;  
3 appointed by the Baird Trust.
6. Committee on Chaplains to H M Forces..... 22  
Convener, Vice-Convener, and 20 members appointed by the General Assembly.
7. Mission and Discipleship Council..... 34  
Convener, 3 Vice-Conveners and 24 members appointed by the General Assembly, one of whom will also be appointed to the Ecumenical Relations Committee, the Head of Stewardship, 1 member appointed from and by the General Trustees, the Guild and the Go For It Committee, and the Convener or Vice-Convener of the Committee on Church Art and Architecture as that Committee shall determine. The Nomination Committee will ensure that the Council membership contains at least 3 individuals

with specific expertise in each of the areas of Congregational Learning, Church Without Walls and Faith Expressions.

8. Committee on Church Art and Architecture ..... 17  
Convener, Vice-Convener and 15 members appointed by the General Assembly.
9. Social Care Council ..... 31  
Convener, 2 Vice-Conveners and 28 members appointed by the General Assembly, one of whom will also be appointed to the Ecumenical Relations Committee.
10. Assembly Arrangements Committee ..... 16  
Convener, Vice-Convener and 10 members appointed by the General Assembly, the Moderator, the Moderator Designate and the Clerks of Assembly, the Convener and Vice-Convener also to serve as Convener and Vice-Convener respectively of the General Assembly's Business Committee.
11. Central Services Committee ..... 13
  - a) Convener, Vice-Convener (Human Resources), Vice-Convener (Property) and 6 members appointed by the General Assembly, together with, *ex officio*s and non voting, the Secretary of the Council of Assembly, the Solicitor of the Church, the General Treasurer and the Head of Human Resources.
  - b) Appeal Group ..... 8  
8 members appointed by the General Assembly with the Solicitor of the Church as Secretary. Members shall not include any former or current members of staff of any of the Church's Employing Agencies (including the Social care Council), nor any current Council or Committee member.
12. Ecumenical Relations ..... 11 plus co-optees
  - a) 5 members appointed by the General Assembly, each to serve as a member of one of the 5 Councils of the Church.
  - b) Convener who is not a member of any of the other Councils and who will act as a personal support for the Ecumenical Officer (EO) and Vice-Convener, appointed by the General Assembly.
  - c) A representative of the United Free Church of Scotland appointed by that Church.
- d) A representative of the Roman Catholic Church in Scotland appointed by the Bishops' Conference and 1 representative from each of 3 churches drawn from among the member churches of ACTS and the Baptist Union of Scotland, each to serve for a period of 4 years.
- e) The Committee shall co-opt Church of Scotland members elected to the central bodies of Churches Together in Britain and Ireland (CTBI), the Conference of European Churches (CEC), the World Council of Churches (WCC), the World Communion of Reformed Churches (WCRC) and the Community of Protestant Churches in Europe (CPCE, formerly the Leuenberg Fellowship of Churches).
- f) The General Secretary of ACTS shall be invited to attend as a corresponding member.
- g) For the avoidance of doubt, while, for reasons of corporate governance, only Church of Scotland members of the Committee shall be entitled to vote, before any vote is taken the views of members representing other churches shall be ascertained.
13. Legal Questions ..... 16  
Convener, Vice-Convener and 10 members appointed by the General Assembly, the Clerks of Assembly, the Procurator and the Solicitor of the Church.
14. Safeguarding ..... 9  
Convener, Vice-Convener and 4 members appointed by the General Assembly, the Council Secretaries of Mission and Discipleship and Social Care, 1 representative from and appointed by each of the Ministries and World Mission Councils, the Solicitor of the Church, the Principal Clerk, whom failing the Depute Clerk, the National Adviser as Secretary to the Committee, with other staff in attendance as required and, up to 6 members coopted by the Committee for their expertise. For the avoidance of doubt it is declared that only Assembly appointed members (including those representing the Ministries and World Mission Councils) will be entitled to vote.

15. World Mission Council..... 28  
Convener, 2 Vice-Conveners, 24 members appointed by the General Assembly, one of which will also be appointed to the Ecumenical Relations Committee, and 1 member appointed by the Presbytery of Europe.
  16. Panel on Review and Reform ..... 11  
Convener, Vice-Convener and 8 members appointed by the General Assembly, together with the Ecumenical Officer (non-voting).
  17. Nomination of Moderator.....4  
The 3 surviving immediate past Moderators, 3 elders appointed by the General Assembly, and 1 representative minister, deacon or elder from every Presbytery in the United Kingdom and from the Presbytery of Europe.  
The Convener shall be the past Moderator present and willing to act whose year of office was the latest. The Secretary shall be the Principal Clerk ex officio.
  18. Judicial Commission ..... 48  
Chairman, Vice-Chairman, and 46 ministers and elders appointed by the General Assembly.  
(The Clerks of Assembly are Clerks of the Judicial Commission though not members thereof.)
  19. General Trustees  
Trustees are appointed as required, by the General Assembly on the nomination of the Trust.
  20. Nomination Committee..... 26  
Convener, Vice-Convener and 24 members appointed by the General Assembly. Notwithstanding SO 115, no member of the Committee, having served a term of 4 years, shall be eligible for re-election until after a period of 4 years, except for special cause shown. The Convener'ship of the Committee shall be for 3 years.
  21. Church of Scotland Trust  
Trustees are appointed as required, by the General Assembly on the nomination of the Trust.
  22. Church of Scotland Investors Trust .....7  
Trustees are appointed as required, by the General Assembly on the nomination of the Trust.  
Convener, Vice Convener, and 5 members appointed by the General Assembly.
  23. Delegation of the General Assembly .....4  
The Clerks of Assembly, The Principal Clerk as Chairman the Procurator and the Solicitor of the Church, ex officio.
  24. Iona Community Board..... 20  
Convener and 5 members appointed by the General Assembly;  
6 members appointed by and from the Iona Community, 2 changing each year;  
The Leader of the Iona Community;  
1 member appointed by and from the Presbytery of Argyll.  
In addition the Board will invite 6 member churches of Churches Together in Britain and Ireland (CTBI) to appoint a representative member to the Board, such members being eligible to serve for a maximum period of 4 years.
  25. Judicial Proceedings Panel..... 30  
A Panel of 30 ministers, elders and deacons appointed by the General Assembly who are suitably experienced in the law and practice of the Church. Appointments shall be for three years with the option of one further year.
- (b) MEMBERS**
- 112. Period of Service.** All Members of each of the Standing Committees shall retire after serving for four years.
- 113. Representatives.** Bodies entitled to appoint representatives shall be permitted to make changes in their representation for special reasons in any year.
- 114. Non-attendance.** The name of a Member shall be removed from any Standing or Special Committee which has met three times or oftener between 1 June and 1 March unless he or she has attended one-third of the meetings held within that period. Attendance at meetings of Sub-Committees shall for this purpose be reckoned as equivalent to attendance at the meeting of the Committee itself.
- 115. Replacement.** When a Minister, Elder, or Member of any Standing or Special Committee is unable to accept the appointment, or where from any cause vacancies occur in Committees during the year, that Committee,

after consultation with the Convener of the Nomination Committee, may appoint a Member to take the place of the Member whose retirement has caused the vacancy. All such appointments, if for a longer period than one year, shall be reported for confirmation through the Nomination Committee to the General Assembly.

**116. Re-election.** A Member retiring from a Council or Committee by rotation, or having his or her name removed for non-attendance, shall not be eligible for re-election to that Council or Committee until the expiry of one year thereafter, unless the Assembly are satisfied, on the Report of the Nomination Committee, on information submitted to it by the Council or Committee concerned, that there are circumstances which make re-election desirable; but where more than one member is due to retire then not more than one-half of the retiring members be so re-elected. No Member shall normally serve for more than two consecutive terms of office. (If possible 20 per cent of the Assembly appointed members of Councils or Committees should be under the age of 35 at the time of their appointment). A Member appointed in the room of one deceased, resigned or removed, or of one appointed as Convener or Vice-Convener, shall serve for the remainder of the period for which the person was appointed whose place he or she takes, and on retiral shall be eligible for re-election if he or she has not served for more than two years. A retiring Convener shall be eligible for re-election as an additional member of the Council or Committee concerned to serve for one year only immediately following tenure of office as Convener.

**117. Eligibility.** No person shall be a Member of more than three Councils or Committees at the same time. Appointments ex officio shall not be reckoned in this number. This rule shall not apply to those for whom the Nomination Committee is prepared to give special reason to the Assembly for their appointments to more than three Committees.

The Nomination Committee shall not nominate for Committees any of its own number except in special circumstances which must be stated to the Assembly.

**118. Secretaries and Deputies.** It shall be the responsibility of the Secretary of each Council and Committee to attend

the meetings thereof, to provide information and advice as requested, and to provide a deputy for any meeting that he or she cannot attend. Members of staff shall not have the right to vote at any meeting.

**119. Expenses.** Expenses incurred by Members of Committee, consisting of travel charges and a sum for maintenance when required shall be defrayed.

#### (c) CONVENERS AND VICE-CONVENERS

**120. Appointment.** Conveners and Vice-Conveners of Councils and Committees shall be appointed by the Assembly. Conveners shall hold office for not more than four consecutive years (in the case of the Nomination Committee, three consecutive years) and Vice-Conveners shall hold office for not more than three consecutive years, unless the Assembly are satisfied that there are exceptional circumstances which make the reappointment of Conveners and Vice-Conveners desirable. The period of reappointment shall be for one year only. If at the time of their appointment they are already members of the Council or Committee another Member shall be appointed in their room for the remainder of the period of their original appointment.

**121. Replacement.** In the event of the death, resignation, or supervening incapacity of the Convener of any Council or Committee, the body concerned, after consultation with the Convener of the Nomination Committee, may appoint an Interim Convener. Such appointment shall be reported by the Committee to the General Assembly and the Assembly shall make such order as the situation may require.

#### (d) NOMINATION COMMITTEE

**122. List of Nominations.** The Nomination Committee shall include in its Report its list of nominations to be submitted to the Assembly. The Report, so prepared, shall be included in the Volume of Reports issued to Members of Assembly.

**123. Nomination of Conveners.** When the Convener or Vice-Convener of a Committee or Council is completing his or her term of office the Council or Committee shall be invited by the Convener of the Nomination Committee to suggest the name of one who may be appointed in

succession. The Nomination Committee shall satisfy itself that an open and transparent process has been followed in identifying the Convener or Vice-Convener so suggested.

**124. Conveners to Attend Meeting.** Conveners of Standing Committees shall be entitled to be present at meetings of the Nomination Committee when the composition of their respective Committees is under consideration, but not to vote.

**125. Amendment to Report.** No amendment to the Report of the Nomination Committee shall be in order of which due notice has not been given.

All notices of proposed amendments on the Report, including such as propose the omission or insertion of any name or names, or the addition of a name or names where the full number eligible has not been nominated by the Committee, must be given in to the Clerks before midday on the third day prior to the closing of the Assembly, signed by the Member or Members giving them.

All such notices of proposed amendment shall, with the names of those signing them, be printed in the “Assembly Papers” issued on the second day prior to the closing of

the General Assembly, and on the morning of the day the Report is to be called for.

## VIII. ALTERATION AND SUSPENSION

**126. Alteration.** Any proposal for alteration of Standing Orders shall be either (a) on the Report of the Legal Questions Committee and printed in the volume of Reports or (b) by Overture and the subject of at least one day’s notice in the “Assembly Papers”. This Standing Order shall not apply to Standing Order 110 which may be amended by the Principal Clerk in accordance with the decisions of the General Assembly.

**127. Suspension.** It shall always be competent for the Assembly, on the Motion of any Commissioner and on cause shown, summarily to dispense with the observance of the Standing Orders, or any part of them, in any particular case: provided that such Motion shall receive the support of not less than two-thirds of those voting on the question when put from the Chair, and that such suspension shall not contravene any Act of Assembly.

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