



The Church of Scotland

**REPORTS, DECISIONS,  
LEGISLATION AND MINUTES**

# **PEACE BE WITH YOU!**

General Assembly 2018

[www.churchofscotland.org.uk](http://www.churchofscotland.org.uk)

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**COMMISSION IN FAVOUR OF  
SIR RICHARD WALTER JOHN MONTAGU DOUGLAS SCOTT  
DUKE OF BUCCLEUCH & QUEENSBERRY  
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 Nineteenth day of May 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 Right Entirely Beloved Cousin, Sir Richard Walter John Montagu Douglas Scott, Duke of Buccleuch & Queensberry, Knight of Our Most Ancient and Most Noble Order of the Thistle, Knight Commander of Our Most Excellent Order of The British Empire shall discharge the great trust of Our High Commissioner to the General Assembly: We by these presents do nominate, constitute and appoint the said Sir Richard Walter John Montagu Douglas Scott, Duke of Buccleuch and Queensberry, to be Our High Commissioner to the said General Assembly of the Church of Scotland. GIVING AND GRANTING unto the said Sir Richard Walter John Montagu Douglas Scott, Duke of Buccleuch and Queensberry, 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 Sir Richard Walter John Montagu Douglas Scott, Duke of Buccleuch and Queensberry, shall in the discharge of this Commission lawfully do or cause to be done: WE HEREBY require and command all the Ministers, the 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 Sir Richard Walter John Montagu Scott, Duke of Buccleuch and Queensberry, 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 Eighteenth day of May 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 Twelfth day of February in the year Two Thousand and Eighteen in the Sixty-Seventh Year of Our Reign.

Per Signaturam Manu Serenissimae Dominae Nostrae Reginae Supra Scriptam



**HER MAJESTY'S LETTER  
TO THE  
GENERAL ASSEMBLY  
TO 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 is good to know that in this year which sees the fiftieth anniversary of the ordination of women as Ministers of Word and Sacrament, the Church is celebrating the contribution that women have made in this role. We are encouraged that in the Church of Scotland women and men play a full and equal part in leadership and service.

We have long been appreciative of the work which the Church does with young people. We are pleased to hear that as 2018 has been designated the Year of Young people by the Scottish Government the Church of Scotland has used this as an impetus to emphasise how important young people are in the Church family and to give them opportunities to express their views and faith.

Every year we remember those who have given their lives in the service of their country. Later this year we will reach the 100th anniversary of the Armistice which ended hostilities in the First World War, and this cannot fail to heighten the nation's sense of the debt we owe to our service men and women. We know that the Great War exacted a heavy price in Scotland and that the Church will play a leading role in our shared remembrance of those who lost their lives in that terrible conflict.

We have long admired the Church of Scotland's concern for those who are lonely and isolated. We know that you will continue to seek partnership with other churches, agencies and faith groups as you pursue this important work.

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 Right Entirely Beloved Cousin, His Grace the Duke of Buccleuch and Queensberry, KT, KBE 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.

In this "Year of Young People" we are delighted that Your Majesty has been blessed with a great-grandson, Prince Louis Arthur Charles. It is always a joy to welcome the safe arrival of a child, and we pray that good health and happiness will be a constant presence in the family of the Earl and Countess of Strathearn.

We celebrate with Your Majesty the marriage of The Earl and Countess of Dumbarton. We pray for them asking that they may have many happy years together.

The appointment of the Duke of Buccleuch and Queensberry as Your Majesty's Lord High Commissioner to our General Assembly has been warmly welcomed. His Grace has entered whole heartedly into preparations for his time in office and brings to us his deep concern for the well-being of Scotland and the Church.

We were glad to hear of Your Majesty's recognition of the fiftieth anniversary of the Church of Scotland's decision to ordain women to the Ministry of Word and Sacrament. This is a significant milestone for the Church as we become a community where men and women take equal parts in our shared work and witness.

As we approach the 100th anniversary of the Armistice which brought an end to the Great War we appreciate Your Majesty's shared remembrance of those who lost their life in the service of our nation.

In General Assembly we seek a renewed sense of our calling to be a Church which serves her neighbours' needs and seeks out the lost and the lonely. We once more commit ourselves to those things which lie at the heart of the Christian life.

Finally, we commend to the unfailing grace 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

Susan Brown  
*Moderator*







The Church of Scotland

# **PEACE BE WITH YOU!**

General Assembly 2018

[www.churchofscotland.org.uk](http://www.churchofscotland.org.uk)



GENERAL ASSEMBLY 2018

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5/1 ..... Legal Questions Committee

6/1 ..... Joint Report of the Ministries Council and the Legal Questions Committee

7/1 ..... Council of Assembly

8/1 ..... Joint Report of the Council of Assembly, Ministries Council, Mission and Discipleship Council, Panel on Review and Reform and Legal Questions Committee on Resourcing the Implementation of Local Church Review

9/1 ..... World Mission Council

10/1 ..... World Mission Council: Special Report on Lessons for Scotland from Christian Faith in Africa

11/1 ..... Ministries Council

12/1 ..... Committee on Ecumenical Relations

13/1 ..... Panel on Review and Reform

14/1 ..... Safeguarding Committee

15/1 ..... Board of the Iona Community

16/1 ..... Church of Scotland Guild

17/1 ..... Church and Society Council

18/1 ..... Registration of Ministries Committee

19/1 ..... General Trustees

20/1 ..... Committee on Chaplains to HM Forces

21/1 ..... Social Care Council

22/1 ..... Theological Forum

23/1 ..... Church of Scotland Pensions Trustees

24/1 ..... Housing and Loan Fund

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28/1 ..... Nomination Committee

29/1 ..... Mission and Discipleship Council

30/1 ..... National Youth Assembly

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## ASSEMBLY ARRANGEMENTS COMMITTEE MAY 2018

### 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 index 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. Remind commissioners of the deadline for submitting nominations for the Committee to Nominate the Moderator.
6. Encourage commissioners intending to move amendments and counter-motions to arrange to have these printed in the Assembly papers.
7. Instruct the Committee to review the efficacy of the role and size of the Business Committee and to report to the General Assembly 2019.
8. Welcome the appointment of Mr William Mearns as Assembly Officer.
9. Approve the Schedule of visits by Moderators of the General Assembly to Presbyteries (Section 13)

#### Scottish Bible Society

10. Urge the Scottish Bible Society to pursue its ongoing efforts to address the challenge of global Bible translation.
11. Support the Society in its desire to work in partnership with congregations to improve people's experience of the Bible and its impact on their life.
12. Encourage congregations to consider using *Bibleworld Books* as a way to improve literacy levels amongst children in their communities.
13. Endorse the Society in its efforts to encourage confidence in the gospel and in providing Scripture resources for mission purposes.

14. Commend the Society's global outreach to the generosity of congregations and members.

## Report

### 1. THE VERY REV DR DEREK BROWNING

For Dr Browning, becoming Moderator at the General Assembly meant moving one chair right. As expected of a former Business Convener, he moderated our meetings with humour and expertise. However, that small shift in Assembly week set the scene for what has been a busy and eventful year.

Derek set “hospitality” as one of his themes and he has used his gifts as a welcoming host to engage with many individuals and many different circles of Scottish society. He commended the “longer table” rather than the “higher wall” and put that spirit of inclusion into practice. He stretched out a hand to many guests and in turn shook Pope Francis’ hand as he was welcomed to a private audience in the Vatican.

Countless small bridges have thus been built while one big bridge (the Queensferry Crossing) was suitably blessed. Having travelled the length and breadth of Scotland he has included a memorably busy week in London at St Andrew’s tide, visits to Northern Ireland, Germany and Sweden as well as a wide ranging set of encounters in Israel, Palestine and Jordan. He has told the Parliament of our commitment to young people and taken the Church’s concerns for a divided society to those in political leadership in Downing Street, Holyrood and Brussels.

As Moderator, Derek has done whatever he has been asked to do with an obvious enthusiasm. He went beyond his comfort zones and was always gracious enough to admit to new insights. He has been meticulous in his preparation and selfless in giving his time and talents to help further the cause of the Church.

The Church of Scotland is in his debt and we wish him well as he returns to the parish of Edinburgh: Morningside.

### 2. PRESBYTERY REPRESENTATION

The Presbytery returns show that there are in all the Presbyteries 1,038 charges, whether vacant or not and that there are 207 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 commissioners is made up as follows: 348 ministers, 348 elders and 28 deacons.

### 3. ELECTION OF COMMITTEE TO NOMINATE THE MODERATOR

Since 2014, revised Regulations have been used to elect the Committee to Nominate the Moderator. A leaflet entitled ‘Nominating the Moderator for the 2019 General Assembly’ has been sent to commissioners explaining the process and its significance. Commissioners are encouraged to submit nominations by the deadline of noon on Monday. Ballot papers will be distributed to commissioners on Wednesday morning, with the ballot closing at 5pm that day. The names of those nominated will be announced on Thursday and will appear in the Friday Daily Papers.

### 4. EFFECTIVENESS OF THE GENERAL ASSEMBLY

In the Committee’s report to the 2016 General Assembly consideration was given to the “functions” and “culture” of the Assembly.

In the “culture” section a plea was made for concise and accessible reports from the Councils and Committees and the need for preparing commissioners was underlined. Some of the preparatory resources, especially the videos, were put in place for the 2017 Assembly.

The report listed the functions in the order they had been placed by those who had been surveyed:

1. Governance
2. Visibility and Profile
3. Legislative Functions
4. Fellowship and encounter

It seems to be widely accepted that the Communications Team has demonstrably raised the Church’s media profile. Many commissioners comment favourably on their experience at the General Assembly of meeting others from across the Church.

However, there is still a concern that the Assembly is not exercising its governance and legislative functions as well as it could and should do.

The Committee has, therefore, taken steps this year to encourage commissioners to take a full part in the

governance and legislative process so that the Assembly really does offer oversight of the Councils and Committees.

A leaflet entitled 'Being a commissioner at the General Assembly' was produced and distributed in the mailing and a short video has been placed on the Church's website. The thinking behind the material is that we should consider the work of our Church in terms of theology and sociology – or to put it more simply, we should ask if the report we are considering fits with what we believe and, if it does, whether the approach being suggested is right for our context.

As commissioners come from all parts of the Kirk they bring wide-ranging perspectives on the work which is done collectively by General Assembly Councils and Committees, the legislation we pass to order our affairs and the distribution of the good things God has entrusted to our care.

We have underlined that commissioners have a right and a duty to speak. They should ask questions about how decisions are made, how priorities are set, to press Conveners on issues of value for money and the effectiveness of their programmes, to follow up from one year to the next. The printed and on-line resources affirm that they have the right to challenge proposals from Councils and Committees and to propose changes to sections of deliverance or indeed to offer alternative proposals.

The Committee has asked the Legal Questions Committee to bring forward an amendment to Standing Orders which will shorten the time taken for some speeches, but which will also take away the stricture that seconding a motion is only a formal step. We hope that this will assist in allowing more voices to be heard and will encourage speakers to get more quickly to the point. The Committee believes that this will increase the focus of the General Assembly on exercising effective oversight of its Councils and Committees.

The Committee has drafted a timetable for the Order of Proceedings which makes provision for morning and afternoon circulation breaks during the main business sessions. We hope that this will allow for more informal discussion of the matters being debated and will be a way in which commissioners can check their questions and motions with others. The catering provision has been supplemented, with the cooperation of the Grassmarket Centre, to cope with large numbers. It should also encourage commissioners to remain in the Hall for all business.

As these changes are necessarily experimental we hope that the Assembly will support them for this year and will expect a report on their effectiveness (or otherwise!) in 2019. The Committee will canvas the views of this year's commissioners.

## 5. NOTICES OF MOTION AND ASSEMBLY PAPERS

The Committee 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) suddenly appears 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 by Friday 11 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.

## 6. LENGTH OF SPEECHES

Last year, the General Assembly agreed to amend Standing Orders to limit Conveners' speeches to 15 minutes. In continuing its broad review of the practice of the General Assembly, the Committee has concluded that business would be further expedited by limiting the time allowed for moving amendments and counter-motions to five minutes, in line with the limit for other speeches. Accordingly the Assembly Arrangements Committee has requested an amendment to SO95(i). This will be dealt with during the report of the Legal Questions Committee.

## 7. BUSINESS COMMITTEE

The Business Committee and Panel of Tellers currently consists of 40 commissioners. The Assembly Arrangements Committee feels that in order to manage business more efficiently there may be scope for reducing the size of the Business Committee. The Assembly Arrangements Committee therefore proposes to consider the matter further in the context of the role of the Business Committee and to bring a proposal to the General Assembly of 2019.

## 8. INFORMATION TECHNOLOGY

The Committee was delighted to note significantly increased use of digital publications during last year's General Assembly, and continues to integrate technological developments to enhance commissioners' engagement and the smooth running of the Assembly.

In recent years WiFi has been provided via New College's broadband facility. To further enhance WiFi provision, the Committee has been working with the Church of Scotland's Information Technology Department to introduce a new dedicated connection for use in the General Assembly Hall and ancillary accommodation.

Statistics demonstrate an overall increased number of downloads, mainly via the dedicated website **www.gapublications.co.uk**. The GA App (introduced in recent years for iOS and Android devices) was an innovative trial, carried out at no expense to the Church. Having reviewed the merits of the various options, it has been decided to discontinue the App development and to focus instead on development of **www.gapublications.co.uk** as a cross-platform, web-based resource. This is a dedicated resource from which all General Assembly papers are accessible, with links to and from the Assembly pages on the main Church website.

The Church is grateful to the late Rev Douglas Aitken who for many years has distilled each day's happenings at the Assembly into a concise and informative daily podcast which has been appreciated within and beyond the Church. We are grateful to those who will continue this helpful facility.

The introductory videos introduced last year to help Commissioners learn more about Assembly procedures, the wider Church and the work of the Councils and Committees, were much viewed and highly appreciated. Some new and

updated material has been added this year. This resource is available to view at **www.gapublications.co.uk** and **www.churchofscotland.org.uk**.

The proceedings of the General Assembly, including Heart and Soul, will be webcast and can be viewed at **www.churchofscotland.org.uk** and **www.gapublications.co.uk**. An option including British Sign Language will be available. As introduced last year, the entire proceedings will be available to view online. Council and Committee reports, indexed by reporting body and date, will be made available within 24 hours and will remain available as a playback option.

## Publications

A unified format for the Assembly Reports (Blue Book) is now in use by all reporting Councils and Committees. This facilitates production in a variety of media using the same source. From 2019 it is anticipated that reporting bodies will be able to set up reports directly using an online media publisher facility, thus reducing the time currently required after writing reports to prepare them for publication.

Last year the reduced uptake for printed copies of the 'Blue Book' resulted in significantly reduced printing and postage costs. This year again, and going forward, it will be assumed that Commissioners do not require a printed Blue Book unless it has been specifically requested.

The changes in the method and timing of creation and delivery of the various publications, including the Remits booklet, means that Volume II will no longer be required, and its publication will be discontinued in due course. The volume currently entitled Volume III will continue to be published as a bound printed reference publication available to the Assembly and Presbytery Clerks.

The Order of Proceedings booklet will continue to be sent in the mailing with the swipe card, and is also available in digital format from **www.gapublications.co.uk**. This year, printed daily papers will not be placed in commissioners' pigeon holes and should be picked up only if required. This system will be monitored and subsequent days' printing requirements adjusted accordingly.

## Commissioner Survey

In the ongoing development of digital content for the General Assembly, the Committee is keen to listen to the experiences



of commissioners, particularly those who have not yet transitioned to the online resources. Offline and online questionnaires will seek feedback during and after Assembly week.

## 9. HEART AND SOUL 2018

For the eighth year, Heart and Soul, with the theme *Peace Be With You!*, will take place in Princes Street Gardens on Assembly Sunday, 20 May. This great celebration of our Church life offers a warm welcome to commissioners, congregations near and far and local residents and visitors who are simply curious to see something of what the Church is about. Last year, it was heart-warming to welcome in the region of 5,000 visitors to this special celebration – an indication of its broad appeal across all age groups. This year, significant changes have been made to the layout of the event. Paths have been created into new villages away from the main avenues, a new outdoor stage has been added and a new large tent added where speakers from different areas of the Church and beyond will be interviewed “In Conversation” on a wide range of topics. There will also be a Youth Tent, providing a central hub for young people, a family picnic area and fun and games for children.

To celebrate this Year of Young People, a special Heart and Soul Youth Night will be staged on Saturday, 19 May, with a mix of live music, worship and fellowship.

It is anticipated that Princes Street Gardens will not be available as a venue for Heart and Soul in 2019 due to planned closure of the gardens for redevelopment work. Active consideration is being given to what happens in 2019 and beyond. Full details of the event can be found at [www.gapublications.co.uk](http://www.gapublications.co.uk) or on the dedicated Heart and Soul website [www.heartandsoul.org.uk](http://www.heartandsoul.org.uk).

## 10. PROPERTY

The Property sub-committee continues to advise the Assembly Arrangements Committee on matters relating to the General Assembly Hall and the Moderator’s flat.

In early 2017, the Committee resumed responsibility for the letting of the General Assembly Hall and prepared a draft business plan for the use of the Hall. With uncertainties over future availability of the General Assembly Hall arising not only from the Council of Assembly’s comprehensive review of

property use, but also from potential plans to refurbish New College, all of which could have impacted on use of the General Assembly Hall, it became unrealistic to finalise that business plan. The Committee is, however, continuing work on a 5-year capital expenditure plan for the General Assembly Hall. Letting income increased substantially during 2017 and it is envisaged that a good level of income will be maintained during 2018. Until the current uncertainties surrounding future availability of the General Assembly Hall are resolved, the Assembly Arrangements Committee will continue to work hard to maximise income from letting the Hall, bearing in mind that a considerable amount of staff time is often required to administer letting arrangements.

## 11. ASSEMBLY OFFICER

The Committee welcomes the appointment of Mr William Mearns as Assembly Officer and wishes him well as he undertakes this role.

## 12. 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 per day.

Mileage rate, when no public transport is available, 25p per mile.

Further details appear on the reverse of the claim form issued to commissioners.

## 13. FASTI ECCLESIAE SCOTICANAE

The *Fasti*, the official record of ministers who have served within the Church of Scotland, was last published in 2000, with Volume XI covering the years 1976 to 1999. The Committee would like to see a Volume XII published for the years 2000 to 2020 and discussions about this have begun with those who might assist. These discussions are complicated by various factors, not least the stricter Data Protection climate and the advent of online publications, but it is still hoped that work can be undertaken to continue this important historical record.

#### **14. SCHEDULE OF MODERATOR'S VISITS TO PRESBYTERIES**

The Regulations governing the duties of the Moderator of the General Assembly (V (2) as amended) require her or him 'to visit Presbyteries according to a Scheme of Visitation sanctioned by the General Assembly'.

As indicated in 2012 when the Schedule for 2012-2022 was approved, it is not presumed that the pattern of ten days over two weekends will be appropriate in every case and the Schedule set out below also includes some joint visits.

##### **2018 – 2019**

Hamilton  
Kirkcaldy  
Annandale and Eskdale  
England

##### **2019 – 2020**

Dundee  
Inverness  
Lanark  
Caithness

##### **2020 – 2021**

West Lothian  
Abernethy  
Shetland  
Perth

##### **2021 – 2022**

Irvine and Kilmaronock  
Sutherland  
Angus  
Edinburgh

##### **2022 – 2023**

Ardrossan  
Kincardine and Deeside  
Orkney  
Wigtown and Stranraer

##### **2023 – 2024**

Falkirk  
Buchan  
Lochcarron-Skye  
Stirling

##### **2024 – 2025**

Aberdeen  
Greenock and Paisley  
Melrose and Peebles, Duns, Jedburgh  
Lewis and Uist

##### **2025 – 2026**

Dunfermline  
Argyll and Lochaber  
Ayr  
Moray

##### **2026 – 2027**

Lothian  
Gordon  
Dumbarton  
Dunkeld and Meikle

##### **2027 – 2028**

Glasgow  
Dumfries and Kirkcudbright  
St Andrews  
Ross

*In the name of the Committee*

JUDITH J H PEARSON, *Convener*  
FIONA SMITH, *Vice-Convener*  
GEORGE J WHYTE, *Secretary*

## Addendum

### Judith Pearson

Judith had agreed to act as Vice-Convenor of the Assembly Arrangements Committee during the time that the Rev Dr Derek Browning would be Convenor. However, when Dr Browning became Moderator in 2017, Judith was called up to the front line. In the run up to last year's Assembly she not only had to get up to speed with these new responsibilities but also with the recruitment of a new Principal Clerk.

She answered these unexpected calls with commitment, competence and good humour.

In chairing the Committee Judith has always ensured that everyone's voice was heard and that our discussions were both amicable and purposeful. The lessons learned and the skills honed as an academic lawyer stood her in good stead as the agenda swung from detailed planning to long term goal setting. Her love for the Church as a serving elder in Aberdeen: Queen's Cross was always evident in the care she took over the decisions made and her constant readiness to be at meetings in Edinburgh.

At the General Assembly she worked tirelessly to ensure that the business was carried through with grace and efficiency.

The Committee and the General Assembly has been well served by Judith Pearson. We thank her for what she has done and wish her well for future service in the Kirk.

*In the name of the Committee*

FIONA SMITH, Vice-Convenor  
GEORGE J WHYTE, Secretary

## Appendix A

### REPORT OF THE SCOTTISH BIBLE SOCIETY

'...for you have been my partners in spreading the Good News about Christ from the time you first heard it until now.'  
*Philippians 1:5 (NLT)*

'Don't go it alone!' seems to be a repeated theme in the Bible. It is so good to have other people with us, whether we are facing tough situations or bursting with joy. When Paul writes

to the Christians in Philippi he delights in the fact that they are his 'partners in spreading the Good News about Christ' (Phil 1:5, NLT).

Partnerships work best when there is shared vision and an agreed common goal. Ensuring people have a Bible in order that they can encounter Jesus Christ and grow in their relationship with him is the vision and goal we look for in our partnerships.

Last year, we reached the mid-point of our multi-year partnership with the Bible Society of Malawi. Our commitment is primarily to support projects, to help children and families in Malawi to receive the Word of God. However, we have also had the opportunity to invest in capacity building, where the exchange of time and talent has seen our staff, board members and volunteers visit Malawi. Equally, we have benefited from colleagues from Malawi visiting Scotland, as well as being able to fund some Malawian staff to attend global Bible Societies' meetings to further their knowledge and development. This two-way expression of partnership helps sustain our global mission. We learn from our colleagues as well as being inspired by their work.

Thanks to the prayers and generous financial gifts of congregations, volunteers and donors, we provided almost ten thousand Bibles for Malawi last year. Other projects we have helped, include:

- Providing Bibles in a language and format people understand – in Argentina, many deaf young people experience great difficulty writing and understanding Spanish grammar, which is why Bibles in Sign Language are vital to educating deaf children about the love of God.
- Distributing Bibles where there is a shortage – in Guinea-Bissau more than 50% of the population is Muslim, yet there is a hunger for God's Word despite the challenge of low income and short supply.
- Responding to global changes – in Jordan the swelling population is due to an influx of refugees desperate for both physical and spiritual food, which is why the Bible Society in Jordan is partnering with local churches to provide relief packages, Scriptures and emotional support.

In Scotland, our partnership with Biblica, the publishers of the New International Version of the Bible, has flourished with projects such as the Community Bible Experience (CBE). In the past year, thirty churches have signed-up to this form of reading the Bible together and discussing it as a group. Over a four-year period since our partnership began on CBE, we have seen over 100 churches in Scotland sign-up. This is hugely encouraging as we seek to help churches, groups and individuals to deepen their understanding of God's Word. The following comment from a participant shows that CBE is doing just that: "This experience has helped me to be more committed to Bible reading and applying it to my own life."

Our *Bibleworld Books* project continues to progress thanks to key partnerships. Firstly, the specially adapted Biblical text used to create a series of books and resources suitable for children to learn the principles of reading, writing and literacy from the Bible, has been shared with us by the American Bible Society. We have combined the text with custom illustrations in a modern, contemporary style and the books, along with some resources for trained volunteers to help the children work through the material, is used in after-school groups. Secondly, the All Souls family of churches in Fife have been a key partner in helping us with the pilot project. Throughout last year, they were in dialogue with head teachers towards opening the door for the resource to be used in after-school clubs. So far, the children and volunteers in our trial groups have given us great positive feedback. Even parents of the children in our trial groups are noticing the difference this project has made, with one parent saying: "Bethan is writing stories at home now and reading more" whilst another parent commented: "Hannah would come home and share some of the spiritual aspects discussed."

We cannot do our work alone and God rarely asks any of us to go it alone in the tasks he gives us. It is our privilege to work with churches across Scotland, of all denominations. It is an honour to partner with other Bible Societies across the world. We are caught up into a global mission that has many local expressions.

Our greatest privilege, of course, is to be called into a partnership with God himself. We should never lose the wonder of God calling each of us to play a part in his mission. But it can be a daunting thought too...which is why we keep our eyes fixed on Jesus. He is the one who will help us keep our vision clear and our goals worthy and honouring of him.

DELEGATION OF THE GENERAL ASSEMBLY MAY 2018

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, the Depute Clerk of the General Assembly to be Vice-Chairman and the Solicitor of the Church to act as Secretary.

Report

The General Assembly of 2016 instructed that from 1 January 2017 the only form of constitution which congregations may adopt and which may be granted by the Delegation should be the Unitary Constitution, and urged those congregations constituted in terms of the Model Deed and other forms of constitution to adopt the Unitary Constitution. 91 congregations adopted the Unitary Constitution in 2017, compared to 56 in 2016.

The Delegation once again expresses the hope that those congregations who have not yet reviewed their constitution will do so in the course of this year.

*In the name and on behalf of the Delegation*

GEORGE J WHYTE, *Chairman*  
MARY E MACLEOD, *Secretary*



## MINUTE OF THE APPEAL HEARING BEFORE THE JUDICIAL COMMISSION

### IN THE MATTER OF AN APPEAL AGAINST A DECISION OF THE PRESBYTERIAL COMMISSION GIVEN ON 11 AUGUST 2017

**HELD AT 121 GEORGE STREET, EDINBURGH  
ON FRIDAY 23 FEBRUARY 2018 AT 10AM**

**Sederunt:** Ms Morag Ross QC, Convener of the Judicial  
Commission  
The Very Rev Bill Hewitt, Vice-Convener of the  
Judicial Commission

Ms Laura Dunlop QC, Procurator

The Rev Dr George J Whyte, Principal Clerk  
Ms Christine Paterson, Acting Depute Clerk

And eleven members of the Judicial Commission  
("the Commission") as per the signed Sederunt  
sheet

#### **For the Appellant:**

Mr David Wilson, Ennova Law

#### **For the Special Committee of Presbytery:**

Mr Ronald Mackay, Burness Paull  
The Rev Alan Reid, Convener of the Special  
Committee  
Mr Richard Henderson, Member of the Special  
Committee  
The Rev Val Ott, Member of the Special  
Committee

**Observer:** Mrs Jennifer Hamilton, Depute  
Solicitor

The Hearing was opened with prayer. Introductions were  
made.

The Convener explained her intention to deal with the appeal  
in various stages, with a decision given at each stage. The  
appeal proceeded in the following stages:

- Ground 1 of the appeal
- Competency challenge to Ground 2 of the appeal
- Ground 2 of the appeal (substantive issues)
- Ground 3 of the appeal

In terms of Rule 8 of the Rules of Procedure set out in  
Schedule 2 to the Appeals Act (Act 1 2014) ("the Act"), the  
following steps were taken in respect of each stage of the  
appeal:

- each Party made comment supplementary to their  
Written Argument and Supplementary Note, and was  
given the opportunity to make response to the Written  
Argument and Supplementary Note lodged by the other  
Party;
- each Party answered questions put to them by members  
of the Commission; and
- the appropriate Party was given the last word.

After each stage of appeal, the Parties were removed and the  
Commission discussed its decision. The Parties were then  
recalled and the decision of the Commission for that stage,  
including a brief oral summary of the main reasons for the  
decision at that stage, was given by the Convener.

The decision of the Commission at each respective stage of  
the appeal was as follows:

#### **Ground 1**

With some reservations, the Commission agreed that this  
ground of appeal was competent but decided not to uphold it  
substantively.

#### **Ground 2 – competency challenge**

The Commission's decision was to repel the competency  
challenge and to allow the Appellant's solicitor to present his  
substantive arguments on that ground.

## **Ground 2 – substantive issues**

The Commission's decision was not to uphold the second ground of appeal.

## **Ground 3**

The Commission's decision was to uphold the third ground of appeal. The Commission was satisfied that the appropriate sanction for the Appellant was not removal of status and the Commission instead substituted a censure of suspension without limit of time, subject to a minimum period of suspension of three years from 11 August 2017.

At each stage of the appeal and for each ground the Convener confirmed that the decision of the Commission was unanimous.

The Convener confirmed that written reasons for the Commission's decision will follow within twenty one days.

The Convener thanked everyone present for their submissions, their questions and their attendance. The Convener noted the profound consequences of this matter for the individuals and the congregations involved and asked that all present remember those persons in their prayers.

The Hearing was closed at 4pm with the saying of the Grace.



## MINUTE OF MINISTRIES APPEAL PANEL SEPTEMBER 2017

*At Edinburgh, and within the Church Offices, 121 George Street, the eleventh day of September 2017 the Ministries Appeal Panel met and was duly constituted with prayer.*

**Sederunt:** Very Rev David Arnott (Convener), Mr Robin Stimpson (Vice-Convener) and Mrs Isabell Montgomerie.

**Apologies:** Rev Robert Allan and Rev Sheila Kirk  
**In attendance:** Ms Christine Paterson, Acting Depute Clerk.

The Ministries Appeal Panel took up consideration of an Appeal in terms of Act IX 2002 section 12 against a decision of the Recruitment Task Group of the Ministries Council not to grant a Certificate of Eligibility.

The Appellant appeared, via online video conference, for himself.

There appeared for the Ministries Council the Rev David Black, the Rev Eleanor McMahon and the Rev Jayne Scott.

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 Recruitment Task Group of the Ministries Council not to grant the Appellant a Certificate of Eligibility.

The judgement was intimated to the parties by email.

The meeting was closed with prayer.

A DAVID K ARNOTT, *Convener*  
CHRISTINE M PATERSON, *Clerk*



## LEGAL QUESTIONS COMMITTEE MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Amend Standing Orders 95(i), 113.12.f) and 123, all as detailed in Section 1 and Appendix A of the Report. (*Section 1 – Amendments to Standing Orders and Appendix A*).
3. Instruct the Committee, in consultation with others, to prepare a new Church Courts Act in line with the terms of this Report and to bring the new Act to a future Assembly for approval (*Section 2*).
4. Pass the Ordination of Ministers of Word and Sacrament and Deacons Act as set out in Appendix B (*Section 3 and Appendix B*).
5. Pass the Parish Ministry Act as set out in Appendix C (*Section 3 and Appendix C*).
6. Approve the Discipline Overture as set out in Appendix D and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31st December 2018 (*Section 4 – Discipline Overture and Appendix D*).
7. Pass the Legal Aid in Disciplinary Proceedings Regulations as set out in Appendix E (*Section 5 and Appendix E*).
8. Pass an Act amending the Appeals Act (Act I 2014) as set out in Appendix F (*Section 6 and Appendix F*).
9. Pass Acts amending the Discipline of Ministry Act (Act III 2001) and the Discipline of Elders, Readers and Office Bearers Act (Act I 2010) as set out in Appendices G and H (*Sections 7 & 8 and Appendices G & H*).
10. Note that the Legal Questions Committee has undertaken a study of the matters which would require to be addressed in any new legislation permitting Ministers and Deacons to officiate at same-sex marriage ceremonies and that this is presented in the report at section 9 with the Opinion of the Procurator annexed at Appendix I.
11. Pass the Virtual Attendance at Meetings Act as set out in Appendix J (*Section 10 and Appendix J*).
12.
  - a) Note that nine Presbyteries have taken part in a pilot Presbytery Review process,
  - b) Agree that a further cycle of Reviews should take place in 2018-2019, and
  - c) Instruct the Committee to report further to the General Assembly of 2019 (*Section 11*).

## Report

### 1. AMENDMENTS TO STANDING ORDERS

**1.1** The report of the Assembly Arrangements Committee contains a proposal at section 5 that the time allowed for a speech from the mover of an amendment or counter motion should be reduced from 10 minutes to 5 minutes, but that seconding should not be formal, so that five minutes would be allowed for such a speech. The corresponding change to Standing Orders, if agreed, is set out in Appendix A.

**1.2** It is proposed that SO 113.12 f) (Ecumenical Relations Committee) be amended by adding the following words at the end: "The Convener shall be entitled to call a meeting of the voting members." Subsection f) as it will appear, if agreed, is set out in Appendix A.

**1.3** It is also proposed that SO 123 be amended, to apply not only to Conveners but also Vice-Conveners, and that it be further amended to include consistent non-attendance as a reason for replacement of both Conveners and Vice-Conveners. The form of the amended Standing Order is set out at Appendix A.

### 2. CONSULTATION ON MEMBERSHIP OF CHURCH COURTS

#### 2.1 Background to the Consultation

**2.1.1** The Assembly of 2017 instructed the Committee to undertake a consultation in relation to the membership of Church Courts. It was noted that the current law of the Church tends to focus on 'entitlements' to membership, rather than reflecting the 'duties and responsibilities' that ought to accompany such membership.

**2.1.2** The report of the Committee highlighted relevant feedback which had been received from Presbyteries when making their returns under the Registration of Ministries Overture. Particular comments had been made to the effect that any individual who holds Presbytery membership ought to be involved in the work of the Presbytery in a positive and active manner. It was argued that this is nothing less than the fulfilment of vows taken at ordination. It was further noted, that where the members of Church Courts serve as charity trustees, there is an expectation, under civil law, that they should be actively involved in decision making processes. This

is relevant to all Kirk Sessions and to those Presbyteries which are registered as charities.

**2.1.3** In accordance with the Assembly instruction, a consultation was undertaken during the Autumn of 2017. Over 130 responses were received, the majority being submitted by Session Clerks, Presbytery Clerks and individual elders.

#### 2.2 Responses to the Consultation Kirk Sessions

**2.2.1** Most returns acknowledged the issue of elders who fail to attend Kirk Session meetings and many recognised that this is at odds with the duties of charity trusteeship. While the Church Courts Act allows Kirk Sessions to take steps to remove such elders after a year of non-attendance, in practice this provision is seldom used. Nevertheless, the majority of responders were reluctant for this to be strengthened in ways which would make the removal of such elders obligatory.

**2.2.2** Some positive suggestions were made regarding steps which might be taken to encourage the ongoing commitment of elders. These included the annual renewal of ordination vows and also the possibility of sabbatical leave being granted. The notion of elders being appointed to serve on Kirk Sessions for fixed-terms received a mixed response. Those favouring the idea generally preferred it to be an option for Kirk Sessions, rather than a requirement. There was also a preference for any such fixed-term appointments to be renewable.

**2.2.3** Most responders favoured revising the 'functions of the Kirk Session' which are listed in the current Act. In particular there was widespread recognition that the historical roles of Kirk Sessions in superintending the moral welfare of parishes and imposing discipline are largely anachronistic.

#### Presbyteries

**2.2.4** Responders were virtually unanimous in stating that membership should entail an obligation to attend meetings and to participate in the wider work of Presbytery. While some wished the roles of retired ministers to be restricted, the majority were content for them to be full members, subject to attending meetings and playing a full part. The consultation sought comments in relation to ministers who are currently entitled to membership by virtue of the posts

that they hold, but who fail to attend meetings or to participate in the wider work of Presbytery. Responders questioned whether such individuals should retain seats in Presbytery and some favoured disciplinary action to address non-attendance.

**2.2.5** Particular comments were received from the Presbytery of International Charges, highlighting discrepancies which occur, in their own case, where some Acts of Assembly refer to the 'Presbytery of the bounds'. Some adjustments to legislation may be helpful, to clarify who might rightly qualify for membership of that particular Presbytery.

**2.2.6** Responders were asked to identify issues that hinder the ability of Presbyteries to lead the Church forward in mission. A broad range of responses was received, including matters such as bureaucracy, finance and the size of Presbyteries, with varying opinions about whether they were too large or too small. Some of these issues perhaps merit being part of wider discussions, for example in the work being undertaken in relation to Presbytery Review.

**2.2.7** There was little agreement among responders of what might be added, or taken away, from the remits of Presbyteries. For example, while some wished fabric matters to be more fully devolved to Presbyteries, others preferred Presbyteries to be entirely relieved of such duties.

**2.2.8** The consultation sought views on how Presbyteries might be held accountable for fulfilling their remits. Suggestions included the further development of Presbytery Review, which would generate 'action plans' similar to those produced in local church review.

## General Assembly

**2.2.9** The consultation generated fewest comments in relation to the General Assembly. This reflected the fact that many responders had little or no direct experience of the Assembly.

**2.2.10** A range of views were expressed about the size of the General Assembly, which consisted of 713 commissioners in 2017. While some responders were content with the current level of membership, others were in favour of a reduction. Most responders were in favour of ministers being granted commissions once every 3 to 5 years. With regards to elder commissioners a suggestion was made that linked

congregations should each be entitled to send a commissioned elder, rather than a single elder being appointed for the whole charge. Generally speaking Presbyteries tend to allocate commissions according to their own rota systems, with some Presbyteries requiring ministers to attain a specified level of attendance at Presbytery meetings to qualify.

**2.2.11** Further comments were received regarding the practical arrangements, dynamics, ethos and public profile of the General Assembly. Some of these are perhaps more relevant to the work of the Assembly Arrangements Committee rather than to this legislative review.

## 2.3 Conclusions

**2.3.1** The Committee seeks authorisation to draft a new Church Courts Act. The new legislation would clearly define the functions of each court, updating these where necessary to reflect what is appropriate at the present time. The draft Act would also address issues of membership of each court, clearly stating the responsibilities which accompany such membership. In bringing revised legislation some specific issues would be addressed such as those raised by the Presbytery of International Charges.

**2.3.2** The Committee is aware that this consultation has raised certain issues which overlap with work being undertaken by the Eldership Working Group (EWG) of the Mission and Discipleship Council. The EWG has been considering issues such as fixed-term appointments of elders which potentially raise theological issues about the Church's understanding of ordination. The Committee therefore asks to do this work in consultation with the EWG. In this regard, consequential amendments would most likely also be required to the Election and Admission of Elders and Deacons Act (Act X 1933).

## 3. THE ORDINATION BY PRESBYTERIES ACT AND THE PARISH MINISTRY ACT

**3.1** In the Committee's report to the 2017 General Assembly, permission was sought to revise the Ministry Act (Act II 2000) in the light of other recent amendments which had taken place. It was proposed that the provisions relating to ordination (and thus which are relevant to a variety of ministries) should be separated from those which relate more specifically to parish ministry. The purpose of the proposed

revision was largely a 'tidying up exercise' which would make Church Law more accessible and logical for those who were using it, rather than introducing changes of substance.

**3.2** In this regard the Committee now proposes the adoption of a new "Ordination by Presbyteries Act" which consolidates previous legislation relating to ordination. It combines the relevant provisions of the Ministry Act with those of the Ordination of Professors and Lecturers Act (Act VII 2010) and those in the Presbytery Ordination Act (Act III 2004). The proposed new legislation also makes specific reference to Deacons, who had previously only been mentioned obliquely by cross-referencing from the Deacons Act (Act VIII 2010).

**3.3** The Committee also proposes the adoption of a new "Parish Ministry Act" which essentially contains the remaining provisions of the former Ministry Act. This has been lightly amended to reflect recent changes in nomenclature which have been adopted in other legislation. Some minor adjustments have also been made, with a view to clarifying certain sections which some users had previously found difficult to read.

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#### **4. REVIEW OF THE DISCIPLINARY ACTS – A DISCIPLINE OVERTURE**

**4.1** The General Assembly of 2014 instructed the Committee to review the Acts of the General Assembly dealing with matters of Discipline, Bullying and Discrimination, with a view to bringing forward one consolidating and cohering Act to a future General Assembly.

**4.2** Owing to the complexity of the task and the time, necessarily, taken to conduct probably the widest and most fruitful consultation exercise throughout our Church on the purpose and content of any prospective Act of the General Assembly, it is only after four years of intensive work by the Working Group, established by the Committee, that we are now able to bring this major piece of legislation to the General Assembly, as the Discipline Overture 2018.

**4.3** At present, there are four relevant Acts: the Discipline of Ministry Act (Act III 2001), the Protection against Bullying Act (Act IV 2007), the Protection against Discrimination Act (Act V 2007) and the Discipline of Elders, Readers and Office Bearers Act (Act I 2010).

**4.4** The proposed new Discipline Act has been drafted generally in accordance with the principles approved by the General Assembly of 2017 (see section 2.7, page 5/3). If approved by the General Assembly and Presbyteries, under Barrier Act procedure, from 2019 there will be one single Act dealing with Discipline in our Church, with one single procedure, designed to allow for a quicker disposal of Disciplinary Cases than hitherto. From the many responses received, during the extensive consultation exercise on this draft Act, there is no doubt that, if that aim is achieved, it will be to the enduring benefit of all of those who become involved in Disciplinary Cases in the future.

#### **Conclusion**

**4.5** The Committee therefore commends the Discipline Overture, together with the Legal Aid Regulations (see section 5 below) to the General Assembly as a Disciplinary Code for our Church fit for the 21st Century.

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#### **5. LEGAL AID REGULATIONS**

**5.1** Currently, the full cost of legal advice or representation by a solicitor (and/or counsel, if sanctioned) for ministers facing disciplinary proceedings under Act III is paid from central Church funds. The cost to the Church is very considerable, and is greatly in excess of the financial resource which is available to those involved in such proceedings in an employment context. On one estimate, ministers receive more than ten times the benefit in terms of legal funding which they might expect to receive in the civil sphere, were they to have access to Employment Tribunals. It is difficult to reconcile this fact with the obligations of the Church to exercise good stewardship of its increasingly scarce resources. The Committee therefore concluded, as reported in 2017, that a new system of ecclesiastical legal aid should replace the current system of full reimbursement of legal costs.

**5.2** The consensus arising from the consultation carried out by the Working Group was that legal assistance should not be restricted to ministers but should also be available to elders and other office-bearers in connection with Act III proceedings. This is reflected in the new scheme, to the extent that where a right or interest which is at stake is of the nature of a civil right, that person will be eligible for assistance.

**5.3** The Legal Aid Regulations set out in Appendix E will place ministers broadly in the same position that they would

be in if they were employees. The new scheme will provide the possibility of legal assistance but will recognise that this may not be free and that those who can pay, should pay. The Regulations are referred to for their terms, but the essential elements of the scheme will be:

- Applicants will apply to a Legal Aid Committee, which will be a Sub-Committee of the Legal Questions Committee, for certificates authorising the grant of legal aid for each stage of the disciplinary process, including any appeal
- The test of whether or not certificates are granted will be two-part and will address both (a) whether, in the whole circumstances of the case, legal representation is necessary to enable the applicant to receive a fair hearing and (b) having regard to the financial resources available to the applicant, whether he or she could, without financial hardship, afford such representation
- The means test applied under (b) above will consider the disposable income and capital available both to the applicant and to his/her spouse or civil partner. It will reflect the income and capital thresholds, and sliding scale of contributions, applied by the Scottish Legal Aid Board. These can be found in Part Two of the Regulations. In calculating “disposable” income and capital essential outgoings such as mortgage/rent payments, Council Tax, payments for dependents etc are disregarded. Detailed provisions for calculation of the appropriate figures are found in Part Three of the Regulations.

**5.4** The Committee believes that its proposals for a new system of ecclesiastical legal aid will provide a transparent, fair and financially justifiable system of access to justice within the Church’s disciplinary framework.

**5.5** For ongoing disciplinary matters where investigatory proceedings are initiated and the Respondent (being a minister) appoints a solicitor before 31 May 2018, the view has been taken that such ministers should be able to continue on the existing basis with their existing solicitor. Transitional amendments to Act III 2001 are included in the proposed amending Act found at Appendix G.

## **6. REDUCTION IN THE SIZE OF THE POOL FOR THE JUDICIAL COMMISSION**

**6.1** The Appeals Act currently provides that there shall be a pool of forty persons from which shall be selected seven

ministers or deacons and six elders to serve on a Judicial Commission. In practice, the Judicial Commission, although meeting twice this year, has not met since 2010 and this seems too large a number of people to retain in the pool when they could be taking on other tasks. It is therefore proposed to reduce the number in the pool from forty to twenty-five and a proposed amending Act is attached in Appendix F.

## **7. INTERIM UPDATING OF ACT III 2001 & ACT I 2010 AS TO SAFEGUARDING OFFENCES**

**7.1** In the course of working on the Discipline legislation, it became apparent that some consequential changes were required to the Discipline of Ministry Act and the Discipline of Elders, Readers and Office Bearers Act to bring Safeguarding offences up to date. Proposed amending Acts are attached at Appendices G & H. These changes are expected to be superseded by the new Discipline legislation, and the proposed Overture already provides for such offences.

## **8. FURTHER MINOR AMENDMENTS TO ACT III 2001 (DISCIPLINE OF MINISTRY)**

**8.1** The terminology in section 22 of Act III 2001 has been found to be slightly loose, in its use of “submitting” an appeal, as opposed to “intimating” or “lodging” it. To clarify this, amendments are proposed to section 22 of Act III 2001 and these appear in the proposed amending Act which is attached at Appendix G.

**8.2** It has also emerged that a provision which used to appear in Act III 2001 regarding the Judicial Commission receiving a Note about an appeal from the Presbyterial Commission has been deleted, perhaps inadvertently. The proposed amending Act attached at Appendix G reinstates this.

## **9. SAME SEX MARRIAGE CEREMONIES**

### **9.1 Introduction**

**9.1.1** The General Assembly of 2017 received a report from the Theological Forum, “An Approach to the Theology of Same Sex Marriage”. The Assembly instructed the Legal Questions Committee to “undertake a study of the matters which would require to be addressed in any new legislation permitting Ministers and Deacons to officiate at same-sex



*marriage ceremonies.*” The Committee understood that, in the absence of a relevant policy decision from the General Assembly, this remit does not extend to writing such legislation at this time.

**9.1.2** The Committee recognised that, in relation to this issue, the Church is concerned to preserve the rights of individuals who wish to abide by historic and current doctrine and practice of the Church in relation to human sexuality. In particular, the Church must ensure that such individuals are not exposed to increased risks of litigation, on the grounds of discrimination, as a consequence of some Ministers and Deacons being allowed to officiate at same-sex marriage ceremonies.

**9.1.3** The Committee began its work by commissioning a formal opinion (‘the Opinion’) from the Procurator. The Opinion (included as Appendix I) provides an overview of the options that are available to the Church under both Civil Law and Church Law. The Opinion identifies potential risks which might arise and recommends steps that might be taken to mitigate against these.

## **9.2 An Overview of Relevant Legislation**

**9.2.1** The Opinion considers The Marriage (Scotland) Act 1977. This civil legislation governs marriage in Scotland and was amended in 2014 to allow marriages to take place between people of the same sex. The Opinion considers the options that are available to religious or belief bodies in this legislation in relation to same sex marriage.

**9.2.2** The Opinion focuses on the provisions of The Equality Act 2010. This legislation provides a legal framework which is intended to protect the rights of individuals and to advance equal opportunities. Prior to the enactment of the above legislation relating to same sex marriage, the Equality Act was amended, providing certain safeguards for individuals who refuse to participate in religious or belief ceremonies which relate to the solemnising of marriages between people of the same sex.

**9.2.3** The Opinion considers the Recognition of Marriage Services Act (Act I 1977). This is the Church’s own legislation which specifies what is required in any marriage service conducted by a Church of Scotland Minister or Deacon.

**9.2.4** The Opinion identifies potential issues in relation to intrusion and also the use of church buildings. In this regard

certain provisions of the Ministry Act (Act II 2000) would also require consideration. (Note: If approved at the 2018 Assembly, this legislation will be revised and renamed ‘The Parish Ministry Act’.)

## **9.3 Conclusions**

**9.3.1** In the light of the analysis undertaken, the final section of the Opinion presents a list of conclusions. The Committee is of the view that these conclusions potentially provide the necessary guidance for the Church at this time if it chooses to permit some of its Ministers and Deacons to officiate at same-sex marriage ceremonies.

**9.3.2** The Opinion identifies that, in such circumstances, the Church might best proceed in accordance with Section 9(1A) of the Marriage (Scotland) Act. Such an approach would maintain the Church’s ‘default’ position on human sexuality, while allowing a limited departure, for specified individuals, who wish to officiate at same sex marriage ceremonies.

**9.3.3** It should be noted that if specified individuals were to be nominated to the Registrar General under section 9(1A) of the Marriage (Scotland) Act, the Registrar under section 9(4) would then determine the period during which the nominees would be empowered to solemnise same sex marriages, being a period of not more than three years. The practicalities of this have been investigated and we understand that the Registrar currently has three groups on different three year cycles, so he would determine which group to put any Church of Scotland celebrants in.

**9.3.4** The conclusions further identify where existing Church legislation would require to be amended and where new legislation would be required. There would be particular needs to ensure that individuals are not compromised who usually have more of a peripheral role at marriage ceremonies (for example Church Officers) and who are not directly participating in the ceremony.

**9.3.5** It should be noted that the scope of the Opinion is limited to Scots Law in so far it focusses on The Marriage (Scotland) Act 1977. Were Ministers or Deacons of the Church of Scotland to be allowed to officiate at same sex marriage ceremonies in England, or in other legal jurisdictions, then further work would need to be undertaken.

**9.3.6** It should be further noted that the Opinion contains an assessment of factors relating to same-sex marriage at



this particular point in time. It is not possible for the Committee to future-proof the advice that it offers to the Church, since civil legislation can be changed by Parliament. The Committee has an ongoing role advising the Church when any such changes are pending, with a view to seeking the best interests of the Church.

**9.3.7** In presenting this report with the Opinion as an Appendix, the Committee is of the view that it has fulfilled the remit given at the 2017 General Assembly.

## **10. VIRTUAL OR REMOTE ATTENDANCE AND PARTICIPATION IN CHURCH MEETINGS**

### **10.1 The deliverances**

**10.1.1** The General Assembly of 2016 passed the following deliverances in this area:

- a) *"Instruct the Committee, in consultation with the Ministries Council and the Mission and Discipleship Council, to explore the opportunities and limitations of the use of remote means of access to church meetings, and where possible bring forward amending legislation which would enable this practice to be used more widely and report to the General Assembly of 2018";*
- b) *"Instruct the Committee, in consultation with the Theological Forum, the Ministries Council and the Mission and Discipleship Council, to review the Vacancy Procedure Act (Act VIII 2003) with reference to the place, practical operation and inclusiveness of the congregational vote in our understanding of the right to call and to report to the General Assembly of 2018"; and*
- c) *"Instruct the Committee, jointly with the Mission and Discipleship Council and the Theological Forum, to research the implications for the Church of Scotland of the development of online church and report to the General Assembly of 2018".*

**10.1.2** This report will focus on deliverance (a) above only. A draft Act is appended to enable remote means of access to church meetings on a video and/or audio platform to be permitted, and thus 'virtual attendance' to occur in specified circumstances.

**10.1.3** As regards deliverance (b) above in relation to the place, practical operation and inclusiveness of the congregational vote in the context of vacancy procedure, the concern underlying the deliverance related, in particular, to housebound members being unable to participate in congregational voting at such times. The question raised is whether there should be provision either for proxy voting at such a meeting in a vacancy, postal voting, or 'post-event' voting, in order to ensure inclusivity. The view of the Committee, in relation to the vacancy procedure legislation as it presently stands, is that the primary focus of ensuring the inclusion of all members is outweighed by practical difficulties in all such possibilities, such that the risk of voting without informed choice, or under the undue influence of others, is too high. However, the Committee is presently entrusted by the General Assembly to carry out a review of the Vacancy Procedure Act (Act VIII 2003) as a whole, and to report to the General Assembly of 2019. The Committee will ensure, therefore, that this matter receives due attention in that review, and that all possibilities will be explored to amend the Act in ways which might, indeed, permit the participation of the most marginalised members within vacancy procedure.

**10.1.4** As regards deliverance (c) above in relation to 'online church', there are no immediate issues of concern from its current practice which have been raised with the Legal Questions Committee, by either the Theological Forum or the Mission & Discipleship Council, which would then require a report or draft legislation by this Committee. The Committee will await any further developments.

**10.1.5** Therefore, when 'online presence' is considered here, it is in the context of the meeting of members of a 'Designated Body' in terms of the draft Act – the 'church online' rather than an 'online church'.

## **10.2 Discussion and opinion on deliverance (a) – remote access & virtual attendance**

**10.2.1** The issue raises a tension of forming a balance between the theological impulse to include the 'outsider' and the excluded; along with the necessity to ensure fairness, justice and equity in the proceedings of the Church. It also impacts on the notion of 'congregation', the importance of the gathering of the people, and whether the Christian community must be physically present together so as to exercise its common calling as an *ekklesia*. The nub of the issues raised are:

- Is there an injustice caused, in particular, by excluding those who wish to exercise their rights, but cannot do so when their physical absence from a meeting is caused by matters outwith their control, such as illness and infirmity or enforced absence through work or family circumstances? Do they need to be there in person, or can they exercise those rights otherwise?

In our view, there is such an injustice where remote access on a virtual, online platform is available and would permit their 'attendance' otherwise, such that their physical presence is replicated.

- If there is such an injustice, is it outweighed by the need to ensure fair and equitable procedure, and the potential pitfalls and practical difficulties of allowing remote participation and/or voting? Can such people be included in a way that does not vitiate the whole procedure, or render it unworkable?

In our view, in specified circumstances fair and equitable procedure can still be achieved when an individual participates and votes in a meeting remotely, such that the procedure of the meeting is not vitiated or unworkable.

**10.2.2** Remote access to a meeting, with participation and voting on a video and/or audio platform, should, therefore, be permitted to allow an individual to exercise rights of membership of a church court, or Council or Committee of the General Assembly.

**10.2.3** The decision as to whether to allow the employment of such a means of access and participation should be for the Designated Body itself. That decision should be permissive and in the alternative to existing procedures i.e. they are not compelled to do so but can choose not to use remote access at all, or to do so only for a specified meeting or meetings.

**10.2.4** Two issues arose for the Committee to consider in relation to the nature and extent of such permission. Firstly, the issue arose as to whether particular categories of absentees should be considered in different ways. For example, should the long-term housebound be allowed greater flexibility as compared to those who are on holiday? The difficulty arising in seeking forms of categorisation, and judging the extent of rights as a result, would be that boundaries might be artificial, may well be disputed, and

could be ignored. A single policy for those not present at meetings appears preferable for those reasons.

**10.2.5** Secondly, should a 'reasonable excuse' be required for a person not to be physically present at a meeting? If so, the moderator or convener of a meeting would need to assess and rule upon whether or not a person should be permitted 'virtual attendance', depending on the reason for their absence. The purpose would be to encourage physical attendance and discourage backsliding. This raises a wider issue of whether 'virtual attendance' should be an exception to a general rule expecting physical presence at a church meeting, or whether a Designated Body might simply grant blanket permission for 'virtual attendance' for anyone at any meeting, without enquiring into the reason for their absence.

**10.2.6** Following discussion, the Committee concluded that to enforce the former would require investigation and decision which could be invasive and unjust, and that the refusal of an individual to attend virtually if the reason for absence was deemed to be insufficient would be harmful pastorally, as well as placing an onerous burden on the moderator or convener. Therefore, the latter route was preferred – that all who wish to do so can avail themselves of this right, without enquiry as to reason for their physical absence.

**10.2.7** However, criteria are included in the draft Act as to what constitutes 'virtual attendance' at a 'relevant meeting'. The key issue in voting at such a meeting is the need for informed choice. In the Committee's view, that can only be achieved by physical presence at the meeting and voting in person; or by a remote presence in like manner, whereby the virtual attendee:

- subject to their physical capabilities and the technology available, is able to see and/or hear the debate;
- has the ability to ask questions which the meeting may consider, and to answer questions posed of them by those physically present at the meeting, or by others attending virtually; and
- is then able to vote contemporaneously with those who are physically present.

## 10.3 Conclusion

**10.3.1** In conclusion, therefore, we recommend, that 'virtual attendance' be permitted in all 'relevant meetings' of a 'designated body' as defined, by permission of that body and under specified criteria.

## 11. PRESBYTERY REVIEW

**11.1** It was reported to the General Assembly of 2017 that a pilot Presbytery Review process was in preparation. The Presbyteries of Aberdeen, Angus, Edinburgh, Hamilton, Inverness, Lanark, Lochaber, Melrose and Peebles, and Stirling agreed to take part in the exercise. Following the Assembly, representatives met in Edinburgh to edit the materials and plan the work.

**11.2** Like Local Church Review, Presbytery Review was set up as a means by which a Presbytery would look at its work under three headings with a "peer reviewer" encouraging the "reviewee" to be honest and open in answering the questions and completing the tasks. Three packs needed to be completed. Pack 1 is entitled "Facts and Figures - the Presbytery in terms of geography, numbers and church law." Pack 2 focused on "The Presbytery Today - the where, what and how of Presbytery's current life." Pack 3 asked for "Future Plans - aims and objectives for the next five years."

**11.3** Each of the nine Presbyteries was reviewed and acted as a reviewer. Representatives of the Presbyteries met in February 2018 to reflect on their experiences. The consensus was that Presbytery Review was not only helpful but also essential. There were comments about how the material could be improved and the desirability of being given sufficient notice of a Review to allow planning and preparation. It was noted that at present there was no clear line of accountability for Presbyteries and there was discussion about how the General Assembly might be given some insights into the life of reviewed Presbyteries.

**11.4** In view of the positive comments the Committee would now like to undertake a further cycle of reviews. At the time of writing, a further eight Presbyteries have expressed an interest in a potential next round of reviews. If that round is allowed and completed, the Committee would bring a full report to the General Assembly of 2019 looking at whether Presbytery Review might become a regular part of the Church's superintendence scheme and how that could be achieved.

## 12. EXAMINATION OF RECORDS

**12.1** 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*

GEORGE S COWIE, Convener  
ALISTAIR MAY, Vice-Convener  
GEORGE J WHYTE, Secretary

## Appendix A

### *Amendments to Standing Orders*

*Standing Order 95(i) will read:*

95. 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) 15 minutes  
Convener responding to a question 4 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

*Standing Order 113.12.f) will read:*

"113.12.f) For the avoidance of doubt, while only those persons appointed under paragraphs a) and b) above shall be entitled to vote, before any vote is taken the views of members representing other churches shall be ascertained. The Convener shall be entitled to call a meeting of the voting members."

*Standing Order 123 will read:*

“123. Replacement. In the event of the death, resignation, consistent non-attendance or supervening incapacity of the Convener or Vice-Convener of any Council or Committee, the body concerned, after consultation with the Convener of the Nomination Committee, may appoint an Interim Convener or Interim Vice-Convener, as the case may be. Such appointment shall be reported by the Committee to the General Assembly and the Assembly shall make such order as the situation may require.”

## Appendix B

### **[XX] ORDINATION OF MINISTERS OF WORD AND SACRAMENT AND DEACONS – CONSOLIDATING ACT**

*Edinburgh, [ ] May [ ], Session [ ]*

*The General Assembly declare and enact as follows:–*

#### **Definitions**

1. (1) “Auxiliary Minister” means a person referred to as such in the Auxiliary Ministry Act (Act XIII 2003).
- (2) “Charge” shall mean a sphere of pastoral duty to which a parish minister is (i) inducted, or (ii) introduced under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
- (3) “Deacon” means a person referred to as such in the Deacons Act (Act VIII 2010).
- (4) “Minister” means an individual who has been ordained to ministry as defined in section 1(d) of the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (5) “Ministers of Word and Sacrament” includes Ministers, Auxiliary Ministers and Ordained Local Ministers.
- (6) “Ordained Local Minister” means a person referred to as such in the Ordained Local Ministry Act (Act IX 2011).

#### **Ordination of Ministers of Word and Sacrament and Deacons**

2. (1) Authority to ordain persons as (i) Ministers of Word and Sacrament or (ii) Deacons, is vested in Presbyteries.
- (2) Ordination is normally conferred on (i) the holder of an Exit Certificate or of a Graduate Candidate’s Certificate in terms of either Act X 2004 or Act IX 2011, or (ii) an individual who has satisfactorily completed a prescribed course of training for the Diaconate and who is recommended for ordination by the Ministries Council, all in accordance with the Deacons Act (Act VIII 2010).
- (3) Ordination of a person described in section 2(2) may occur in any of the following situations:
  - (i) in connection with induction by the Presbytery to a Charge,
  - (ii) in connection with introduction as an associate minister in a Charge,
  - (iii) in connection with introduction as an assistant minister in a Charge, in connection with introduction as an assistant minister in a Charge,
  - (iv) in connection with introduction as an Ordained Local Minister to a designated appointment,
  - (v) in connection with introduction as a Deacon to a post in terms of section 11 of Act VIII 2010,
  - (vi) in relation to an appointment, the duties of which, in the judgement of the Presbytery, should be undertaken by an ordained Minister,
  - (vii) in connection with introduction as a Chaplain to H.M. Forces,
  - (viii) in connection with introduction as a professor or lecturer to a chair or lectureship in an accredited institution (as

defined in section 1(k) of Act X 2004, ordination being by the Presbytery in which the institution is located, or

- (ix) in connection with an overseas appointment made by, or with the approval of, the World Mission Council, ordination in such a case being by a Presbytery in Scotland where there is no local Presbytery having jurisdiction, provided that the Presbytery is satisfied as to the arrangements made.
- (4) Where an induction or introduction is to a parochial appointment, an edict shall be read as required by the Vacancy Procedure Act (Act VIII 2003). Otherwise public notice of the intention to ordain shall be given, normally at a Presbytery meeting for ordinary business.

### Conduct of Ordinations

- 3. All services of ordination shall include the reading of the Preamble, the taking of the ordination vows and the signing of the Formula as prescribed in the Basis and Plan of Union.
- 4 The ordination of a Minister of Word and Sacrament shall be led by a Minister of Word and Sacrament who shall, if the Moderator of the Presbytery be not a Minister of Word and Sacrament, be appointed by the Presbytery from among its members who are Ministers of Word and Sacrament.
- 5. The ordination of a Deacon shall be led by a Minister of Word and Sacrament or Deacon who shall, if the Moderator of the Presbytery be an elder, be appointed by the Presbytery from among its members who are Ministers of Word and Sacrament or Deacons.

### Laying-on of Hands in Ordinations

- 6. At the ordination of a Minister of Word and Sacrament or a Deacon, all Ministers of Word and Sacrament, Deacons and elders who are members of the ordaining Presbytery are eligible, with others who may be associated with the Presbytery, to take part in the laying-on of hands. Without prejudice to this general eligibility, the Presbytery may, in the interests of good order, determine which of these shall do so at any particular ordination.

### Extract Minute

- 7. Following an ordination, the Presbytery Clerk shall send an extract minute to the Secretary of the Ministries Council.

### Commencement, Amendments and Repeals

- 8. (1) This Act shall come into force on XXX.
- (2) Act II 2000 (Ministry), Act III 2004 (Presbytery Ordinations) and Act VII 2010 (Ordination of Professors and Lecturers) shall be repealed on that date.

### Appendix C

#### [XX] PARISH MINISTRY ACT

*Edinburgh, [ ] May [ ], Session [ ]*

The General Assembly declare and enact as follows:-

### Definitions

- 1. (1) "Charge" means a sphere of pastoral duty to which a Parish Minister is (i) inducted or (ii) introduced under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
- (2) "Minister of Word and Sacrament" shall apply to (i) a minister ordained in the Church of Scotland in terms of the Ordination of Ministers of Word and Sacrament and Deacons Act, or (ii) a minister ordained in another church who has been admitted to the Church of Scotland as a Minister of Word and Sacrament by the General Assembly, or (iii) a minister who has been inducted or introduced to a Charge or appointed to a position or office in the Church of Scotland in accordance with a mutual eligibility agreement, or by virtue of holding a Certificate of Eligibility obtained from the Ministries Council or its Executive.
- (3) "Parish Minister" means a Minister of Word and Sacrament (i) inducted by a Presbytery to a Charge or (ii) introduced to a Charge under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).

## Interim Ministers and Transition Ministers

2. Interim Ministers and Transition Ministers are employed ministers introduced to a Charge for a specific reason and for a specific time. Such ministers will not be inducted to the Charge, which will remain technically vacant in terms of the Vacancy Procedure Act (Act VIII 2003) but they will become Interim Moderator of the Kirk Session(s). The provisions of this Act apply to such Ministers insofar as they are Interim Moderator of the Kirk Session(s).

## Interim Moderators

3. (1) For the purposes of this Act an Interim Moderator, if a Minister of Word and Sacrament, shall have the privileges and duties of a Parish Minister, consistent with section 7 of Act VIII 2003. For the avoidance of doubt, this provision applies to Interim Ministers and Transition Ministers.
- (2) For the avoidance of doubt, where an elder is serving as Interim Moderator, his/her role shall not extend to performing the functions of parish ministry as stated in section 5 of this Act.

## Intrusion

4. A Parish Minister's field of ministerial work and responsibility lies generally within and does not extend beyond his or her own Charge. A Minister of Word and Sacrament shall not be entitled to enter the bounds of the Charge of an existing Parish Minister to perform ministerial functions without the previous consent of the Parish Minister in question, save in the following circumstances:
  - (1) where he or she is acting under special commission or order of the Presbytery of the bounds, or of the General Assembly; or
  - (2) where a Parish Minister enters the bounds of the Charge of another Parish Minister for the purpose of ministering to members and adherents of his or her own Charge, or
  - (3) where a Minister of Word and Sacrament holds a post which is listed in sections 11, 12 or 13 of Act III

2000 and enters the bounds of the Charge of a Parish Minister to discharge duties which are directly connected with that post, or

- (4) where a Minister of Word and Sacrament enters the bounds of the Charge of an existing Parish Minister to officiate at a marriage or funeral by private invitation.

This Act shall not prohibit a Minister of Word and Sacrament from accepting an invitation to conduct divine service in a church of another denomination.

*[For the purposes of the conduct of marriages, this section shall apply to Deacons, see Act VIII 2010, section 12.]*

## Functions of Parish Minister

5. The ministry of the Word, the conduct of public worship, the dispensing of the Sacraments, and the instruction of the young belong to the Parish Minister, subject to the control and direction of the Presbytery.

## Conduct of Public Worship

6. Responsibility for the conduct of public worship includes responsibility to ensure that public worship is conducted in an orderly and reverent manner by the Parish Minister, or in accordance with section 7, or by other persons under the supervision of a Minister of Word and Sacrament, being present in person.
7. For the conduct of public worship in the absence of the Parish Minister, and subject to section 9, only the following may be employed:
  - (1) Ministers of Word and Sacrament of the Church of Scotland;
  - (2) Ministers of Word and Sacrament of other Churches:
    - (a) with whose Churches there is a mutual eligibility agreement,



- (b) with whose Churches a common recognition of ministries has been approved by the General Assembly'
- (c) who would be entitled to a Certificate of Eligibility, or
- (d) in respect of whom the Presbytery of the bounds is otherwise satisfied that their orders are in accordance with the standards of the Church of Scotland;
- (3) probationers;
- (4) Licentiates and Graduate Candidates;
- (5) candidates for the ministry, including the Ordained Local Ministry, who have been duly recognised in terms of Act X 2004 or Act IX 2011;
- (6) members of the diaconate;
- (7) candidates for the diaconate;
- (8) ministries development staff employed by the Ministries Council;
- (9) readers; and
- (10) persons selected and trained to a standard determined by the Presbytery of the bounds in accordance with a scheme or arrangement approved by the Presbytery.
- 8. (1) Employment in terms of section 7 above shall not necessarily entitle any person to receive a pulpit supply fee, such fees being payable only in accordance with regulations approved by the General Assembly.
- (2) No person authorised to conduct worship in terms of subsection 7(10) shall be entitled to a fee, but shall receive reasonable expenses as determined from time to time by the Presbytery.
- 9. Notwithstanding section 7 above a Parish Minister may occasionally and for special reason invite a person not qualified in terms of the said section to conduct public worship provided that, when an invitation in terms of this section has been accepted the Parish Minister shall intimate the same in writing to the Clerk of the Presbytery within fourteen days.

- 10. Section 9 above may be construed to include, *inter alia*, the occasional conduct of public worship by an elder or elders of the congregation.
- 11. In an emergency when, for any reason, it becomes evident at or before the time appointed for public worship that the responsibility of the Parish Minister under this Act has not been discharged, it shall be the duty of the Session Clerk, whom failing the senior elder present, to lead the congregation in an act of devotion, or invite someone else to do so, and to report the circumstances to the Clerk of the Presbytery as soon as possible thereafter.

### Use of Church Buildings

- 12. The Parish Minister has the following rights and responsibilities as regards use of church buildings:
  - (1) The place of worship and other ecclesiastical buildings connected with the Charge are at the disposal of the Parish Minister for the purposes of his or her office, subject only to the control of the Presbytery.
  - (2) The Parish Minister may use them and grant permission to others to use them for all purposes connected with the congregation or any of its organisations, and also for all purposes of an ecclesiastical or charitable nature, even if they be not connected with the congregation, subject to the control of the Presbytery.
  - (3) The Parish Minister shall not use the buildings nor grant the use of them for any other purposes without the consent of the Kirk Session, Deacons' Court, Committee of Management, or Congregational Board, as the case may be. In deciding for what uses the church may be granted the sacred character of the building shall be kept in view.
- 13. The Kirk Session, Deacons' Court, Committee of Management, or Congregational Board shall not be entitled to use the buildings for any purpose whatever without the consent of the Parish Minister, nor shall they grant the use of the buildings to others without his or her consent.

14. During a vacancy, or the time in which a Parish Minister has leave of absence from the Charge, the Interim Moderator of the Kirk Session shall have the same rights in the use of the church buildings as the inducted Parish Minister.
15. In congregations where provisions are made, either in the title-deeds of the property or in a constitution approved by the Presbytery with regard to the use of the church buildings which differ from what is set forth in sections 12 to 14 of this Act, the provisions of such title-deeds or constitution shall remain in force to the exclusion of this Act in so far as it differs from these provisions, unless and until these provisions shall be competently altered.

### **Engagement by Ministers of Word and Sacrament in Secular Employment**

16. No Minister of Word and Sacrament inducted or introduced to a Charge shall apply for, accept or undertake any remunerative employment or office either within or outwith the jurisdiction of the Church without previously obtaining approval of the Presbytery of the bounds, unless such an appointment is made directly by the General Assembly.

### **The Parish Minister Precluded from the Office of Congregational Treasurer**

17. No Parish Minister shall act as the Congregational Treasurer with respect to any of the congregations in the Charge.

### **Retirement of Ministers of Word and Sacrament**

18. (1) Subject to subsection (4), a Minister of Word and Sacrament inducted or introduced to a Charge shall be inducted or introduced until the date of his or her seventy-fifth birthday, on which date his or her ministry shall terminate as if he or she had resigned his or her Charge and such date been appointed by the Presbytery of the bounds for the demission by the Minister of Word and Sacrament of his or her Charge.

- (2) Notwithstanding subsection (1), a Parish Minister inducted to a Charge on a Basis of Unrestricted Tenure, whose Charge is one where the Presbytery Plan anticipates adjustment at the next vacancy, shall be subject to review by Presbytery as follows:
  - (a) Where the Parish Minister was inducted to the Charge on the basis of an anticipated retirement age of 65, the Parish Minister shall be subject to the Presbytery's review at a point no later than six months before he or she reaches the age of eligibility for UK state pension. When the Parish Minister concerned does reach the age of eligibility for UK state pension, the Presbytery shall have the right to terminate tenure on the grounds of necessary adjustment, and
  - (b) Where the Parish Minister was inducted to the Charge on the basis of an anticipated retirement age of 70 (in the case of a Parish Minister inducted prior to 31 May 1995), the Parish Minister shall be subject to the Presbytery's review at a point no later than six months before he or she reaches the age of 70. When the Parish Minister concerned does reach the age of 70, the Presbytery shall have the right to terminate tenure on the grounds of necessary adjustment.
- (3) For the avoidance of doubt, a Parish Minister inducted to a Charge on a Basis of Reviewable Charge under section 12 of the Appraisal and Adjustment Act (Act VII 2003), does not have the right to remain in that Charge beyond the period of tenure specified in the said Basis where this prevents necessary adjustment.
- (4) On application by a Parish Minister, his or her tenure may be extended for an agreed period of time according to a process set out in Regulations made by the General Assembly, dealing with Continuing Ministry beyond the age of 75. Service of an application under the Regulations shall prevent the termination of the tenure of the



Parish Minister under subsection (1) until the application is determined.

## Repeals

19. This Act shall come into force on XXX and Act II 2000 shall be repealed at that date.

## Appendix D

### DISCIPLINE OVERTURE

*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 2018.*

### Part 1 DEFINITIONS, INTERPRETATION AND PRELIMINARY MATTERS

1. For the purposes of this Act:

- (1) "Administrative Suspension" shall mean an instruction given, at any stage of proceedings in terms of this Act, by a Presbytery or any Committee or individuals holding delegated powers from Presbytery so to do, to a Respondent to abstain from the exercise of all of the functions of the office held by the Respondent until the final disposal of proceedings under this Act and "Administratively Suspended" shall be construed accordingly. For the avoidance of doubt, Administrative Suspension shall not constitute or form a part of any form of Censure.
- (2) "Adviser" shall mean a Minister, being a member of Presbytery, selected from a list maintained by the Legal Questions Committee, who acts as an adviser to an Assessor.
- (3) "Alternative Contact" shall mean the alternative contact to the Presbytery Clerk in terms of the Complaints Procedure.
- (4) "Assessor" shall mean (i) an Elder, being a member of a Kirk Session, who is legally qualified and has knowledge of Church Law, or (ii) a solicitor employed in the Church's Law

Department, or (iii) an investigator with experience of the investigation of professional misconduct: any such person in category (i), (ii) or (iii) being appointed from a panel of Assessors in terms of section 17(2), and all Assessors being appointed to the panel by the General Assembly on the nomination of the Nomination Committee.

- (5) "Auxiliary Minister" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017).
- (6) "breach" shall mean material breach.
- (7) "Bullying" shall mean a course of conduct (i.e. conduct which occurs on at least two occasions) amounting to offensive, threatening, abusive, malicious, intimidating or insulting behaviour that may be an abuse or misuse of power, position or knowledge through means that undermine, humiliate, denigrate or injure the person concerned and which is behaviour occurring in circumstances where it would appear to a reasonable individual that it would amount to bullying of that person.
- (8) "Censure" shall have the meaning given to it in Part 10.
- (9) "Censure with consent" shall mean a Censure consented to by the Respondent.
- (10) "Complainer" shall mean a person, Committee or other body making a Disciplinary Complaint.
- (11) "Complaints Procedure" shall mean the complaints procedure operated by Presbyteries as initially approved by deliverance of the General Assembly of 2014 and as amended from time to time.
- (12) "Council" shall mean the Ministries Council or any Task Group or Committee of the Ministries Council.
- (13) "Deacon" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017).

- (14) "Disciplinary Complaint" shall mean (i) a written allegation or allegations that a Disciplinary Offence has been committed or (ii) circumstances coming to the attention of Presbytery which indicate that a Disciplinary Offence may have been committed.
- (15) "Disciplinary Offence" shall have the meaning assigned to it in Part 4.
- (16) "Disciplinary Proceedings" shall mean those proceedings carried out in accordance with the provisions of Part 8 in respect of any Disciplinary Offence alleged to have been committed by a Respondent.
- (17) "Discipline Tribunal" shall mean a body of three or five persons drawn from the Judicial Panel and constituted to hear Disciplinary Proceedings under this Act, more particularly described in section 7.
- (18) "Elder" shall mean a person ordained as an elder (whether or not serving on a Kirk Session, save where otherwise specified in this Act).
- (19) "Graduate Candidate" shall have the meaning ascribed to it in the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (20) "Harassment" shall mean unwanted physical, verbal or non-verbal conduct related to a Protected Characteristic which has the purpose or effect of violating the dignity of another person or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person, declaring that in deciding whether conduct has that effect, there shall be taken into account the perception of that person, the other circumstances of the case and whether it is reasonable for the conduct to have that effect.
- (21) "Investigatory Proceedings" shall mean those proceedings carried out in accordance with the provisions of Part 7 in respect of any Disciplinary Offence alleged to have been committed by a Respondent.
- (22) "Judicial Commission" means the Judicial Commission as defined in the Appeals Act (Act I 2014).
- (23) "Judicial Panel" shall mean the pool of persons from which shall be appointed (a) a Reviewer, and (b) the members to serve on the Discipline Tribunal and the Judicial Commission.
- (24) "Judicial Suspension" shall mean any suspension imposed as a Censure in terms of Part 10.
- (25) "Legal Aid Fund" shall mean the Fund maintained by the Legal Questions Committee in terms of the Legal Aid in Disciplinary Proceedings Regulations (Regulations X 2018).
- (26) "Licentiate" shall have the meaning ascribed to it in the Candidates, Licentiates and Probationers Act (Act XI 1994).
- (27) "Minister" and "Minister of Word and Sacrament" shall have the meanings respectively ascribed to them in the Registration of Ministries Act 2017 (Act II 2017).
- (28) "Office-Bearer" shall, for the purposes of this Act only, mean an individual who is serving on a Congregational Board, Deacons' Court or Board of Management, or any other body deemed by the Presbytery to form part of the governance arrangements of any congregation, or on any committee of any of these bodies or of a Kirk Session or Presbytery, and shall, for the avoidance of doubt, include all Clerks and Treasurers, whether or not such individuals are serving as voting members of any such governing body.
- (29) "Ordained Local Minister" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017).
- (30) "Procedural Review" shall mean a procedural review carried out by a Reviewer in terms of sections 19(3), 22(2) or 27.
- (31) "Protected Characteristic" shall mean any of the following:

Age  
Disability  
Gender re-assignment  
Race  
Religion or belief  
Sex  
Sexual orientation

- (32) "Reader" shall have the meaning ascribed to it in the Readership Act (Act XVII 1992).
  - (33) "Referral" shall mean the referral by a Presbytery of a Disciplinary Complaint to an Assessor in terms of Part 5.
  - (34) "Register of Ministry" shall mean the Register referred to in section 2 of the Registration of Ministries Act (Act II 2017).
  - (35) "Respondent" shall mean a person referred to in section 10 against whom a Disciplinary Complaint has been made or has arisen.
  - (36) "Reviewer" shall mean a person selected from the Judicial Panel and appointed by the Convener or Vice-Convener of the Legal Questions Committee to carry out a Procedural Review.
  - (37) "Victimisation" shall mean subjecting another person to a detriment because that person has brought a Disciplinary Complaint under this Act, given evidence or information in connection with proceedings under this Act, or done any other thing for the purposes of or in connection with this Act, unless that person acted in bad faith in so doing.
2. For the purposes of this Act (a) the singular shall include the plural unless the contrary intention appears; (b) any reference to a "section" or a "Part" shall be to a section or Part of this Act, (c) any reference to "days" in relation to periods of time or time limits shall be to consecutive calendar days, and (d) any reference to an Act of the UK or Scottish Parliament shall include a reference to any subsequent modification, replacement or re-enactment thereof.
  3. Meetings of the Assessor and the Adviser or of the Discipline Tribunal may be held by conference

telephone call, video conference or the like electronic means and proceedings at any meeting held by such means shall be as valid as if the Assessor and Adviser or the members of such Tribunal and any other parties, recorded as attending such meeting, had all been physically present, in person, at a single geographic location.

4. No Assessor, Adviser or Reviewer shall:
  - (1) take part in any proceedings involving the Presbytery of which they are a member or in which the Kirk Session of which they are a member is situated; or
  - (2) be appointed to the Discipline Tribunal or a Judicial Commission in any single case or series of related cases in which they have acted as Assessor, Adviser or Reviewer, which proceeds against any Respondent in terms of this Act.
5. The rules of civil evidence in Scots Law shall apply to the conduct of any proceedings governed by this Act and the standard of proof required shall be the balance of probabilities. Where the Disciplinary Complaint is the same as, or substantially similar to, any charge brought against the Respondent in criminal law and the Respondent is proved to have been convicted of the offence in criminal law, by or before any court in the United Kingdom, then the Respondent shall be taken to have committed that offence, unless the contrary is proved.
6. (1) The Assessor may sist proceedings under this Act at any time, in whole or in part, in any of the following situations: (i) pending the outcome of any civil or criminal proceedings or relevant investigations which relate to the Complaint, (ii) due to the ill-health of the Respondent or of a material witness which, in the opinion of the Assessor, having taken such professional advice or considered such evidence as they consider appropriate, prevents the Respondent or material witness from taking part in such proceedings; or (iii) for any other reason which the Assessor deems appropriate.

- (2) Once a sist has been imposed, it shall be presumed to continue until such time as the circumstances leading to its imposition no longer pertain, but the appropriateness of the sist continuing shall be subject to review, upon request by the Respondent, at three-monthly intervals from the date of its imposition. Each such review shall be undertaken and decided upon by the Convener, whom failing the Vice-Convener, of the Legal Questions Committee, who shall have power to lift the sist upon cause shown by the Respondent. In making a decision, the Convener or Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk.
7. The Discipline Tribunal shall be variously constituted as follows:
- (1) In the circumstances of a matter proceeding under Part 8 (*Disciplinary Proceedings*), it shall mean a body of up to five persons, of whom at least one is a Minister or Deacon and one is an Elder, three persons being selected from the Judicial Panel together with a Convener and a Vice-Convener appointed in terms of section 16 of the Appeals Act (Act I 2014). In this case the quorum of the Tribunal shall be three persons, one of whom must be the Convener, or
  - (2) In the circumstances of a matter proceeding under Part 9 (*Accelerated Procedure*) it shall mean a body of up to three persons, comprising one Minister and one Elder selected from the Judicial Panel, together with a Convener appointed in terms of section 16 of the Appeals Act (Act I 2014). In this case the quorum of the Tribunal shall be two persons, one of whom must be the Convener.

The Solicitor of the Church shall normally serve as Secretary to the Discipline Tribunal but may appoint a Depute to act in his or her place in any particular case. The Secretary shall not be a member of the Discipline Tribunal.

8. Where an Assessor becomes unable to continue with consideration of and/or investigation of and/or

disciplinary proceedings in respect of a Disciplinary Complaint, then a new Assessor shall be appointed and the consideration and/or investigation and/or disciplinary proceedings shall continue, subject to all time limits which apply being recalculated to start again as if the Referral had been made on the date on which the new Assessor is appointed.

9. When, in the course of proceedings under the Local Church Review Act (Act I 2011) or the Congregations in an Unsatisfactory State Act (Act I 1988), the Presbytery receives a Disciplinary Complaint indicating that a Disciplinary Offence may have been committed by a Respondent, it may proceed in one of the following ways: (i) it may proceed simultaneously in terms of this Act, or (ii) it may resolve to initiate proceedings under this Act following the completion of the existing proceedings, or (iii) it may resolve to sist the existing proceedings and initiate proceedings under this Act.

## **Part 2 THOSE SUBJECT TO DISCIPLINE IN TERMS OF THIS ACT**

10. The following shall be subject to discipline in terms of this Act:
  - (1) Ministers of Word and Sacrament;
  - (2) Licentiates;
  - (3) Graduate Candidates;
  - (4) Deacons;
  - (5) Readers;
  - (6) Candidates and Probationers in training for the Ministry of Word and Sacrament and Diaconate as referred to in the Selection and Training for Full-Time Ministry Act (Act X 2004);
  - (7) Candidates in training for the Readership as referred to in the Readership Act (Act XVII 1992);
  - (8) Elders;
  - (9) Office-Bearers;
  - (10) Persons holding Certificates of Eligibility issued under the Admission and Re-admission of Ministers Act (Act IX 2002).

### Part 3 JURISDICTION

11. It is declared that any proceedings under this Act are part of the exclusive jurisdiction of the Church and in accordance with the Articles Declaratory of the Constitution of the Church of Scotland in Matters Spiritual, as hereby interpreted by the Church.
12. Where an individual against whom an allegation made in terms of this Act is an employee of any congregation or any Court or Committee of the Church, nothing in this Act shall prejudice the application of civil employment law.
13. For the avoidance of doubt, it is declared that nothing in this Act shall reduce the general power of Presbytery to impose an Administrative Suspension on any individual subject to its jurisdiction in terms of this Act, at any time.
14.
  - (1) Proceedings under this Act shall be initiated by the Presbytery having jurisdiction in terms of this section.
  - (2) Ministers of Word and Sacrament and Deacons shall be subject to the jurisdiction of the Presbytery with which they are registered on the Register of Ministry created by the Registration of Ministry Act (Act II 2017).
  - (3) Licentiates shall be subject to the jurisdiction of the Presbytery within the bounds of which is the congregation of which they are a member, which failing, the Presbytery of Edinburgh.
  - (4) Candidates and Probationers in training for the Ministry of Word and Sacrament and Diaconate shall be subject to the jurisdiction of the Presbytery which is supervising them, in terms of sections 18 and 19 of the Selection and Training for Full-Time Ministry Act (Act X 2004).
  - (5) Candidates in training for the Readership shall be subject to the jurisdiction of the Presbytery which appoints the regent referred to in section 2(e) of the Readership Act (Act XVII 1992).

- (6) Graduate Candidates shall be subject to the jurisdiction of the Presbytery which issued their Graduate Candidate's Certificate in terms of section 22 of the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (7) Elders and Office-Bearers shall be subject to the jurisdiction of the Presbytery within the bounds of which is the congregation of which they are a member or in which they serve as an Office-Bearer.
- (8) Readers shall be subject to the jurisdiction of the Presbytery upon the Roll of which they appear.
- (9) Persons holding Certificates of Eligibility issued under the Admission and Re-admission of Ministers Act (Act IX 2002) shall be subject to the jurisdiction of the Presbytery within the bounds of which they normally reside, which failing, the Presbytery of Edinburgh.

15. Should a Disciplinary Complaint come to the notice of a Presbytery other than that having jurisdiction in terms of this Part 3, it shall communicate the same to the Presbytery having jurisdiction, together with all information pertaining thereto in its possession.

### Part 4 DISCIPLINARY OFFENCES

16. "Disciplinary Offence" shall mean:
  - (1) conduct which is declared censurable by the Word of God;
  - (2) a breach of an Act, Regulation or Deliverance of the General Assembly;
  - (3) a breach of an established custom of the Church;
  - (4) a breach of an order or instruction of any court of the Church or Committee;
  - (5) a breach of a Respondent's vows of ordination;
  - (6) a refusal to accept, or an attempt to subvert, the authority of any court of the Church or Committee;

- (7) conduct unbecoming the office held by the Respondent in the Church or likely to reflect adversely on the Church or bring its name into disrepute;
- (8) conduct which is not in conformity with the law or practice of the Church and which constitutes direct or indirect discrimination in terms of the Equality Act 2010;
- (9) Harassment or Victimisation as defined in sections 1(20) and 1(36) respectively;
- (10) dishonest or deceitful behaviour;
- (11) Bullying;
- (12) conduct which results in the placing of the name of a Respondent on the Sex Offenders' Register or the Respondent's inclusion on the Children's List and/or the Adults' List kept under section 1(1) of the Protection of Vulnerable Groups (Scotland) Act 2007;
- (13) failure by an individual to advise the Church's Safeguarding Service of (a) any act, default or omission, or (b) any circumstances arising, bearing upon that individual's suitability to undertake Regulated Work as defined in the Protection of Vulnerable Groups (Scotland) Act 2007;
- (14) other than as permitted in terms of this Act, the issuing by any person subject to this Act of any form of statement about, or details concerning, the alleged Disciplinary Offence, or participating in any interview or discussion with the media or publishing any material on social media regarding an alleged Disciplinary Offence, in all cases after the Presbytery receives notice of an alleged Disciplinary Offence and until the conclusion of any Disciplinary Proceedings and any appeals relating thereto; and
- (15) disobedience of an Instruction issued under section 40.

## Part 5 REFERRAL

- 17. (1) Whenever a Disciplinary Complaint comes to the notice of the Presbytery, it shall be considered by the Presbytery Clerk (or the Alternative Contact), whom failing, any member of Presbytery holding delegated powers from Presbytery to act for the Presbytery in respect of the Complaints Procedure or otherwise holding delegated powers from Presbytery to deal with matters of discipline.
- (2) If, following consideration in terms of section 17(1), it is decided that the Disciplinary Complaint should be considered under this Act, the Presbytery shall appoint an Assessor and shall refer the consideration of such Disciplinary Complaint to such Assessor. Before making a decision that the Disciplinary Complaint should not be considered under this Act, the Presbytery Clerk shall seek the advice of the Principal Clerk.
- (3) Consideration shall also be given at this stage as to whether or not an Administrative Suspension should be imposed on the Respondent in terms of Part 6.
- (4) Where there is a Complainer, the Presbytery Clerk shall send written acknowledgement of the Disciplinary Complaint to the Complainer within seven (7) days of its receipt.
- (5) Once a Referral has been made, the following restrictions shall apply to a Respondent (with the exception of those Respondents referred to in section 10(9)) until such time as proceedings under this Act are finally disposed of:
  - (a) the Respondent shall not be entitled to demit his or her status or to resign from a Church appointment; a Minister of Word and Sacrament or a Deacon shall be permitted to demit his or her charge or to resign from a Church appointment, but if he or she does so, he or she shall remain under the jurisdiction of the Presbytery

- until proceedings under this Act are finally disposed of; and
- (b) the Council may not issue an extract of the Respondent's entry in the Register of Ministry if he or she seeks to leave the jurisdiction of the Presbytery.
- (6) The Presbytery Clerk shall write to the Respondent to confirm that a Disciplinary Complaint has been received, advising as to its general nature and confirming that a Referral has been made and in addition, shall confirm the matters referred to in sub-paragraphs (a) and (b) above of subsection (5). The Presbytery Clerk shall, at the same time, send to the Respondent copies of (a) this Act and (b) the Guidance for Respondents prepared in terms of Part 16 and shall notify the Secretary of the Council in writing that the Referral has been made.
- (7) Notwithstanding subsection (5) above, a Respondent may, provided that no appeal is being taken to the Judicial Commission and provided also that the procedure set out in section 33 of Act VIII 2003 is followed, demit status at any time after the Discipline Tribunal issues a decision on Censure in the Respondent's case.
- (8) At the same time as appointing the Assessor, the Presbytery shall make suitable arrangements for the provision of pastoral support for (i) the Respondent and his or her family, (ii) any Complainer(s), (iii) any witnesses in respect of the Disciplinary Complaint residing within the bounds of the Presbytery, (iv) the congregation and (v) any Office-Bearers involved in the Disciplinary Complaint. The Presbytery may call upon a neighbouring Presbytery and/or the Secretary of the Council to assist in the provision of pastoral support. The Presbytery Clerk shall make a written report on the arrangements, so made, to the Assessor, when appointed.
- (9) In the Assessor's report to the Presbytery in terms of section 19(1), the Assessor shall comment on the arrangements for pastoral support made by the Presbytery in terms of section 17(8), providing an assessment as to their adequacy and may raise any inadequacy with Presbytery during the course of his or her consideration of the Referral and may make suggestions as to how such inadequacy could be rectified.
- (10) Except insofar as provided herein, once an Assessor has been appointed, the Presbytery shall have no further part in the proceedings.
18. (1) The Presbytery shall also appoint an Adviser to work with the Assessor on the Disciplinary Complaint. The Adviser shall provide support to the Assessor and may be present at any interview conducted by the Assessor. Before taking any decisions under this Act, the Assessor shall consult with the Adviser.
- (2) The Assessor will consider the Disciplinary Complaint and, if necessary, obtain any additional information, to allow the Assessor to decide whether the Disciplinary Complaint falls into one or more of the following categories:
- (a) it is in a form which cannot sensibly be responded to, or
  - (b) it is otherwise an abuse of process, or
  - (c) it is frivolous or vexatious, or
  - (d) it has no reasonable prospect of providing grounds for disciplinary action in terms of this Act, or
  - (e) it would be more appropriately dealt with by the Presbytery under the Complaints Procedure, or
  - (f) it is suitable to be dealt with in terms of the Alternative Dispute Resolution Processes Act 2014 (Act VI 2014) or otherwise by mediation, conciliation or facilitated conversation or similar processes, or
  - (g) the Presbytery has no jurisdiction to consider the Disciplinary Complaint, or



- (h) it cannot be pursued because a Complainer is not willing to be identified to the Respondent, or is not willing to disclose a document to the Respondent and there is no other evidence supporting the Disciplinary Complaint.
19. (1) Within twenty eight (28) days of the receipt of the Referral by the Assessor, he or she shall decide whether the Disciplinary Complaint satisfies any of the criteria set out in section 18(2). The Assessor shall confirm this in a report sent to the Presbytery, the Complainer (if any) and the Respondent. Where the Assessor decides that the Disciplinary Complaint satisfies any of the criteria set out in section 18(2), he or she shall also state whether the Disciplinary Complaint should be considered by Presbytery in terms of the Complaints Procedure. When the Assessor decides that the Disciplinary Complaint satisfies any of the criteria set out in section 18(2) the Assessor shall, at the same time advise the Presbytery and the Complainer of their right to a Procedural Review.
- (2) For the avoidance of doubt, a decision by the Assessor that the Disciplinary Complaint satisfies any of the criteria set out in section 18(2) shall not be subject to appeal or dissent and complaint or any other form of review, other than a Procedural Review carried out by a Reviewer.
- (3) With respect to a Procedural Review the following will apply:
- (a) A Procedural Review must be requested by the Presbytery or the Complainer within fourteen (14) days of the date upon which the Assessor reported his or her decision to the Presbytery and the Complainer.
  - (b) A Procedural Review can be sought only on one or both of the following grounds: (a) that there was an irregularity in the process followed by the Assessor which materially influenced his or her decision; and/or, (b) that his or her decision was materially influenced by incorrect material fact.
- (c) Such request shall be made by sending or delivering a written request to the Presbytery Clerk, and such request shall also intimate, in brief, specific, numbered propositions, the grounds in subsection (b) above relied on by the Presbytery or the Complainer.
- (d) In the event that the Reviewer determines that one or both of the foregoing grounds have been established, he or she shall order a new Referral to be made to a different Assessor.
- (e) In the event that the Reviewer determines that neither of the foregoing grounds has been established, the decision of the Assessor shall be deemed to have become final.
- (f) The decision of the Reviewer as regards the Procedural Review shall be final and not subject to appeal, dissent and complaint or any other form of further review.
- Part 6 ADMINISTRATIVE SUSPENSION**
20. (1) At any time after a Disciplinary Complaint comes to the notice of the Presbytery, the Presbytery, or any Committee or individuals holding delegated powers from Presbytery so to do, shall be entitled, at its or their discretion, to impose an Administrative Suspension on the Respondent. This entitlement shall be without prejudice to the general power of Presbytery described in section 13.
- (2) In the event that the Respondent is a Minister and he or she has been Administratively Suspended, the Presbytery shall appoint an Interim Moderator to the Respondent's charge.



- (3) Without prejudice to section 20(1), where the Respondent is a Candidate or Probationer in terms of section 10(6) or 10(7), the Council may impose an Administrative Suspension on the Respondent in respect of their candidature or Probationer training, as the case may be, pending a decision in terms of section 20(1) by the Presbytery or any Committee or individuals holding delegated powers from Presbytery, as the case may be. The Secretary of the Council shall advise the relevant Presbytery of any Administrative Suspension so imposed.
- (4) If the Respondent falls within section 10(1), (2), (3), (4), (5), (6), (7) or (10) then the Presbytery shall advise the Secretary to the Council of the fact that an Administrative Suspension has been imposed.
- (5) Once an Administrative Suspension has been imposed, it shall be presumed to continue until such time as the circumstances leading to its imposition no longer pertain; but the Administrative Suspension shall be subject to review, upon request by the Respondent or the Assessor, at three-monthly intervals from the date of its imposition. Each such review shall be undertaken and decided upon by the Convener, whom failing the Vice-Convener, of the Legal Questions Committee, who shall have power to lift the Administrative Suspension upon cause shown by the Respondent or the Assessor. In making a decision, the Convener or Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk.

## Part 7 INVESTIGATORY PROCEEDINGS

21. (1) If the Assessor, following consideration in terms of section 19(1) decides to commence Investigatory Proceedings, he or she shall:

- (a) intimate in writing to the Respondent the terms of the Disciplinary Complaint and the nature of the evidence purported to exist in support of it;
  - (b) invite the Respondent to provide a written answer to the Disciplinary Complaint to the Assessor within fourteen (14) days of the Respondent's receipt of such intimation, always provided that the Respondent shall not be obliged to answer; and
  - (c) give notice to the Presbytery of the commencement of Investigatory Proceedings.
22. (1) Within fourteen (14) days of the Assessor's receipt of the Respondent's written answer to the Disciplinary Complaint (or if no such written answer is received, within twenty eight (28) days of the likely receipt by the Respondent of the Assessor's invitation in terms of section 21(1)(b)), the Assessor must decide which one of the following courses of action to take:
    - (a) to determine that the Respondent has no case to answer in terms of this Act;
    - (b) to offer the Respondent, with the consent and concurrence in writing, of a Convener (or Vice-Convener) of the Discipline Tribunal an opportunity to consent to a Censure, available for acceptance for a period of twenty eight (28) days, in order to conclude the Investigatory Proceedings, the Respondent having received legal advice; or
    - (c) to continue to investigate the Disciplinary Complaint.
  - (2) In the case of a decision by the Assessor in terms of section 22(1)(a), such decision shall not be subject to appeal or dissent and complaint or any other form of review, other than a Procedural Review carried out by a Reviewer on the same basis as set out in section 19(3). The Assessor shall confirm any decision in terms of section 22(1)(a) in a report sent to the Presbytery, the

Complainer (if any) and the Respondent, which report shall include a statement of the reasons for his or her decision. In intimating his or her decision and the reasons, the Assessor shall advise the Presbytery and the Complainer (if any) of their right to a Procedural Review.

23. An offer of a Censure with consent, in terms of section 22(1)(b) shall be open for acceptance by the Respondent within a period of twenty eight (28) days from the date of issue and if not so accepted shall be deemed to be refused. If such an offer is accepted, the Censure with consent shall be recorded as is appropriate, depending on the person and on the type of Censure with consent, according to the general scheme specified in Part 10 and in each case, the recording of the Censure with consent shall conclude the Investigatory Proceedings, subject only to further procedure under Part 13.
24. (1) In the event that the Assessor decides to continue to investigate the Disciplinary Complaint in terms of section 22(1)(c), the Assessor shall carry out such investigations as he or she, in his or her sole discretion, deems necessary to determine whether a Disciplinary Offence may have been committed. Subject to subsection (2), such investigations shall be concluded within twenty eight (28) days of the date on which the Assessor's decision, in terms of section 22, is made.  
(2) The Convener, whom failing the Vice-Convener, of the Legal Questions Committee shall have power, on cause shown by the Assessor or the Respondent, to grant a further period or periods for completion of the investigation. Reasons for the Convener's or Vice-Convener's decision shall be given. In making a decision, the Convener or Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk. No second or subsequent extension shall be granted without the Respondent being given the opportunity to make representations as to whether or not the extension should be granted.
- (3) In all cases under this Act, the Assessor shall keep a record of the Investigatory Proceedings. The record shall comprise all evidence obtained by the Assessor including witness statements. Any of the interviews conducted by the Assessor may be digitally recorded at the option of the Assessor.
25. If, in the course of the Investigatory Proceedings, an Assessor becomes aware of further allegations against the Respondent, which may constitute a Disciplinary Offence, then the Assessor shall proceed to consider and, if appropriate, investigate such allegations in terms of this Part.
26. At the conclusion of the Assessor's investigation and before deciding whether to initiate Disciplinary Proceedings under Part 8, the Assessor shall again make known to the Respondent the substance of the Disciplinary Complaint being considered by the Assessor and the nature of the evidence existing in support of it and shall offer the Respondent the opportunity to make any answer thereto, in person or in writing; provided that he or she shall not be obliged to answer.
27. (1) Upon consideration of the Disciplinary Complaint and evidence submitted and of any answers given, the Assessor shall be entitled to resolve that no further investigation shall be carried out and that no Disciplinary Proceedings should be instituted if there is no *prima facie* case to answer. In that event, the Assessor shall confirm this in a report sent to the Presbytery, the Complainer (if any) and the Respondent, which report shall include a statement of the reasons for his or her decision. In intimating his or her decision, the Assessor shall advise the Presbytery and the Complainer (if any) of their right to a Procedural Review.  
(2) At such time, the Assessor may also issue guidance to the Respondent regarding his or her conduct. Such guidance will be kept in the Record referred to in section 24(3).  
(3) For the avoidance of doubt, a decision not to initiate Disciplinary Proceedings against the Respondent, in relation to the whole or any part

of a Complaint, shall not be subject to appeal or dissent and complaint or any other form of review other than a Procedural Review carried out by a Reviewer in terms of section 19(3).

- (4) In the circumstances where either (i) no Procedural Review is requested within the time frame applicable and that time frame has expired, or (ii) a Procedural Review takes place and the decision of the Assessor is upheld, then Presbytery shall thereafter recall any Administrative Suspension imposed in terms of sections 13 or 20.

## PART 8 DISCIPLINARY PROCEEDINGS

28. (1) In the event that the Assessor decides to initiate Disciplinary Proceedings, he or she shall prepare
- (a) a Notice of Complaint setting forth the alleged Disciplinary Offence or Disciplinary Offences (hereinafter referred to as "Charge" or "Charges") in respect of which it is proposed that Disciplinary Proceedings should be commenced, and
  - (b) a summary of the evidence, whether from witnesses, documents or otherwise, that is considered to support the Charge or Charges made.
- (2) The Notice of Complaint will run in the name of the Presbytery and will be in such form that, in respect of each Disciplinary Offence, there is set out the date(s), time(s) and place(s) of the Disciplinary Offence(s) and the facts necessary to constitute the Disciplinary Offence(s).
- (3) The Assessor shall also intimate to Presbytery his or her decision to initiate Disciplinary Proceedings.
29. (1) The Assessor shall initiate Disciplinary Proceedings by lodging with the Solicitor of the Church:
- (a) the Notice of Complaint;

- (b) a list of the names and addresses of the witnesses to be adduced by the Assessor;
- (c) a list of the productions to be put in evidence by the Assessor;
- (d) the summary of the evidence referred to in section 28(1)(b); and
- (e) a request to appoint a first diet and to grant a warrant to the Assessor for service of the Notice of Complaint and to cite the Respondent to attend the first diet.

- (2) The Solicitor of the Church shall notify the Convener and Vice-Convener of the Legal Questions Committee and arrange for the selection of a Discipline Tribunal and shall, thereafter, in the name of the Tribunal:
- (a) fix a date for the first diet, being a date not earlier than fourteen days after the expiry of the period specified for intimation and service; and
  - (b) serve the Notice of Complaint on and intimate the first diet and a list of the names of those selected to serve on the Discipline Tribunal to, the Respondent within such period as he or she shall appoint.
- (3) The Solicitor of the Church shall, within the period fixed for intimation and service, intimate to the Respondent the date fixed for the first diet and shall serve upon him or her by both first class and "signed for" post or personally by means of a Sheriff Officer:
- (a) the Notice of Complaint and lists of witnesses and productions; and
  - (b) a summary of the evidence specified in section 28(1)(b).

In intimating the date of the first diet, the Solicitor of the Church shall draw to the attention of the Respondent the provisions of section 32 as to failure to appear.

- (4) In the event that service of the Notice of Complaint has not been timeously or regularly effected, the Solicitor shall as aforesaid:
  - (a) re-serve the Notice of Complaint as above; and
  - (b) fix a fresh date for the first diet, being a date not earlier than fourteen days after the expiry of the period specified for the fresh intimation and service.
30. (1) The first diet will be held before the Discipline Tribunal.
- (2) At the first diet the Respondent may challenge:
  - (a) the competency or relevancy of the Notice of Complaint; or
  - (b) the constitution of the Discipline Tribunal: provided that, in respect of any challenge to the competency or relevancy of the Notice of Complaint, intimation of the ground of such challenge must be given to the Assessor and the Secretary to the Discipline Tribunal not later than twenty four (24) hours before the diet is due to be held, and any challenge to constitution shall be disposed of immediately, unless the Discipline Tribunal consider that the matter cannot be decided without proof.
- (3) At the first diet the Discipline Tribunal may:
  - (a) adjourn the first diet for any reason;
  - (b) allow the Notice of Complaint to be amended by deletion, alteration or addition, so as to cure any error or defect in it or meet any objection to it, on such conditions as they think fit;
  - (c) sustain or repel any challenge to the competency or relevancy of the Notice of Complaint in whole or in part;
  - (d) defer consideration of such challenge until after proof,
- (e) deal with any practical and/or procedural matters related to the Notice of Complaint which can usefully and expeditiously be dealt with at the first diet. The Discipline Tribunal shall have the power to make any order or determination which is just and reasonable, which order or determination shall be final.
- (4) After disposal or deferment of any challenge referred to in subsection (2) above, the Respondent shall be required to state whether he or she admits or denies each of the Charges, if any, which remain on the Notice of Complaint.
- (5) Where the Respondent admits all the individual Charges brought, the Discipline Tribunal shall, after hearing and considering any statement by the Assessor and any statement by or on behalf of the Respondent in mitigation, pass such Censure upon the Respondent as appears to it appropriate or discharge the Respondent and shall record its decision in a document signed by the Convener. The provisions of section 37(1) shall apply.
- (6) Where the Respondent denies some, or all, of the Charges brought, the Discipline Tribunal will appoint a date for the proof of those charges which are denied and defer consideration of the question of Censure in respect of any Charges which are admitted, until close of the proof; provided that the Assessor may:
  - (a) accept any denial of any individual Charge; or
  - (b) accept an admission of an individual Charge in part;
 in which case the proof will be confined to those Charges which are denied and which denial is not accepted by the Assessor.
- (7) The date appointed for proof shall be not less than twenty eight (28) days nor more than fifty six (56) days after the first diet or any adjournment thereof, but the Discipline Tribunal

shall have power, upon cause shown by either party, to fix a date outwith that period, or to adjourn the proof diet.

- (8) Where the Discipline Tribunal has appointed a date for proof, it may make an Order requiring the Respondent to intimate to the Secretary to the Discipline Tribunal and to the Assessor, within such period as they shall specify, a list of the names and addresses of the witnesses to be adduced and a list with copies of the productions to be put in evidence by him or her.
- (9) Where (a) the Respondent has intimated in writing to the Assessor and to the Secretary to the Discipline Tribunal (i) that there is no challenge in terms of section 30(2) and (ii) that the Charge or Charges on the Notice of Complaint are all denied, and (b) both the Assessor and the Respondent intimate in writing to the Secretary to the Discipline Tribunal that there are no other matters which they wish to raise at the First Diet, it shall not be necessary to hold a First Diet and instead the Convener, Vice-Convener and Secretary of the Discipline Tribunal shall appoint a date for the proof of the Charge or Charges and make any Order in terms of section 30(8).
31. The first diet and proof shall take place in public except (a) where either the Assessor or the Respondent request that and show cause why, the hearing, or part thereof, should be held in private; or (b) where the hearing of evidence from any person, or narration of facts thereof, in the opinion of the Discipline Tribunal, is likely to prejudice morals or public order, to affect adversely the interests of justice or the private life of the parties or in any other special circumstances where publicity would prejudice the interests of justice, provided that, in any event, the Discipline Tribunal shall restrict publicity only to the extent which it deems to be strictly necessary.
32. If a party fails to attend or be represented at the time and place fixed for the proof, without cause shown, the Discipline Tribunal may (a) adjourn the proof to a later date; (b) if that party is the Assessor, dismiss the Notice of Complaint; or (c) if that party is the Respondent,

proceed to hear the proof in his or her absence, to reach a decision thereon and if appropriate, to pass Censure.

33. (1) Witnesses shall be required by the Convener to take the oath or to affirm prior to giving evidence.
- (2) The proceedings at the proof shall be digitally recorded.
- (3) If produced by either party, the notices issued by the Assessor in terms of section 21(1)(a) and/or section 23 and any answers thereto by the Respondent, shall be admissible in evidence.
- (4) In subsection (2) "the proceedings at the proof" shall, unless the Discipline Tribunal directs otherwise, mean the whole proceedings to the close of the proof, including, without prejudice to that generality: (a) discussions on all matters arising in the course of the proof and the decision of the Discipline Tribunal on any such matter, (b) the evidence led at the proof, and (c) the speeches of the parties or their solicitors on their behalf.
34. Each party shall be entitled to give evidence, to call witnesses, to question any witness and to address the Discipline Tribunal, provided that the Respondent shall have the right to speak last.
35. Subject to sections 33 and 34, the conduct of the proof shall be in such manner as the Discipline Tribunal considers most appropriate for the determination of the issues before it and to the just handling of the proceedings.
36. (1) No proof shall fail, or the ends of justice be allowed to be defeated, by reason only of any discrepancy between the Notice of Complaint and the evidence.
- (2) It shall be competent, at any time prior to the decision of the Discipline Tribunal, unless the Discipline Tribunal see just cause to the contrary, to amend the Notice of Complaint by deletion, alteration or addition, so as to:

- (a) cure any error or defect in it;
- (b) meet any objection to it; or
- (c) cure any discrepancy or variance between the Notice of Complaint and the evidence,

provided that no amendment to the Notice of Complaint may change the character of the Charge or Charges.

- (3) If it appears to the Discipline Tribunal that the Respondent may, in any way, be prejudiced in his or her defence on the merits of the Charges by any amendment made under this section, the Discipline Tribunal shall grant such remedy to the Respondent by adjournment, or otherwise, as appears to the Discipline Tribunal to be just.

- 37. (1) At the close of the proof, the Discipline Tribunal shall give its decision on whether and if so to what extent, each Charge on the Notice of Complaint has been established and the decision shall be recorded in a document signed by the Convener, provided that the Discipline Tribunal may take time to consider its decision and adjourn the diet of proof to a later date for that purpose.
- (2) Upon giving its decision and, in the event of any Charge being found to be established or admitted (including, without prejudice to that generality, those Charges admitted and deferred in terms of section 30(6)), after hearing and considering any statement by the Assessor and the Respondent in mitigation, the Discipline Tribunal shall pass such Censure, if any, upon the Respondent as appears to it appropriate according to the circumstances of each charge. In determining the appropriate Censure, no account shall be taken of any prior period of Administrative Suspension.
- (3) After giving its decision in terms of subsection (1), the Discipline Tribunal shall set forth in a document (a) those findings in fact which it has made and (b) the Censure, if any, which it has imposed, giving reasons for both elements of its decision. The Discipline Tribunal shall also record

the majority by which its decision in respect of (i) each Charge, and (ii) Censure, or absolute discharge, was reached.

- (4) The Secretary of the Discipline Tribunal shall send the documents, referred to in sections 37(1) and 37(3), to each of the parties, the Session Clerk(s) of the congregation(s) concerned, the Presbytery Clerk and the Principal Clerk of the General Assembly and shall make them available for public inspection.

## **Part 9 ACCELERATED PROCEDURE WHERE THE RESPONDENT DESIRES TO ADMIT ALLEGATIONS**

- 38. (1) If, at any stage of proceedings prior to the service of a Notice of Complaint, the Respondent indicates that he or she wishes to admit all, or any, of the allegations made against him or her, he or she shall be entitled so to intimate to the Assessor. Said admission must be in writing and signed by the Respondent. It should include a statement by the Respondent that he or she has received legal advice on the matter. The admission shall not be accepted by the Assessor in the absence of a statement that legal advice has been received. In the event that the Assessor is willing to accept the said admission, either immediately or after making such other enquiries or investigations he or she considers appropriate, the Assessor shall, as soon as practicable, proceed to adjust and agree a Joint Minute with the Respondent, or his or her solicitor. The said Joint Minute, which shall be signed by or on behalf of both parties, shall set out:
  - (a) the Disciplinary Offence or Disciplinary Offences which are admitted;
  - (b) an agreed summary of the material facts; and
  - (c) such other information as it is agreed should be before the Discipline Tribunal to assist it in reaching an appropriate disposal of the case.

- In the event that the Assessor is either unwilling to accept the said admission or, following upon discussions with the Respondent or his or her solicitor, he or she concludes that it will not be possible to agree the terms of the Joint Minute, he or she shall be entitled to resume their investigations, and if appropriate, proceed to prosecute the case in accordance with the other provisions of this Act.
- (2) The Assessor shall, after signature thereof, transmit the Joint Minute to the Solicitor of the Church, who shall proceed to notify the Convener and Vice-Convener of the Legal Questions Committee and arrange for the selection of a Discipline Tribunal. The Solicitor shall thereafter, in name of the Tribunal, fix a date for a diet before the Tribunal, being a date not earlier than fourteen (14) days after the date of intimation thereof. The Solicitor shall intimate the said date to the Assessor and the Respondent and his or her solicitor.
  - (3) At the said diet, the Discipline Tribunal shall, after hearing and considering any statement by the Assessor and any statement by the Respondent in mitigation, pass such Censure upon the Respondent as appears to it appropriate or discharge the Respondent and shall record its decision, with brief reasons therefor, in a document signed by the Convener. The Tribunal shall be entitled *inter alia* to take into account the fact that an early plea was made and mitigate any Censure as it sees fit. In determining the appropriate Censure, no account shall be taken of any prior period of Administrative Suspension.
  - (4) In the event that the Respondent at the diet withdraws or modifies, to any extent, the admission previously made to all, or any, of the Disciplinary Offences, unless this is accepted by both the Assessor and the Tribunal, the diet shall be adjourned and thereafter the case shall proceed, as directed by the Tribunal, in accordance with the other provisions of this Act.

## Part 10 CENSURES

39. The Discipline Tribunal shall dispose of all discipline cases as seems appropriate to it. In reaching a decision as to a suitable Censure, it shall not take into account any prior period of Administrative Suspension. It shall, however, take into account any previous Censures imposed on the Respondent by the Discipline Tribunal or any matter, which it considers relevant, in any personal file for the Respondent, held by the Council, which shall be made available to it by the Secretary of the Council.
40. The Censures available to the Tribunal, in respect of any Respondent, shall comprise the following or any combination thereof:
  - (1) **Ministers of Word and Sacrament and Deacons**
    - (i) **Reprimand**, which shall be an expression of disapproval of particular behaviour with counsel regarding future conduct. Such reprimand shall be reported by the Tribunal to:
      - (a) the Presbytery and recorded by it in a record apart, and
      - (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.
    - (ii) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:
      - (a) the Presbytery and recorded by it in a record apart; and
      - (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.



- (iii) **Suspension** from the status and functions of ministry either (a) for a fixed period of up to three years<sup>[1]</sup>, or (b) without limit of time, but subject to a minimum period of suspension. In all cases, suspension will result in the re-categorisation of the Respondent to Category S in the Register of Ministry and suspension may only be lifted in accordance with section 28 of the Registration of Ministries Act (Act II 2017) upon application by the Respondent. In the event of an individual, who is suspended, having his or her pastoral tie severed, in no circumstances shall he or she be eligible to be re-appointed to the same charge.

- (iv) **Removal** of the status and functions of ministry. In accordance with section 34 of the Registration of Ministries Act (Act II 2017), the Respondent's name shall immediately be removed from the Register of Ministry and recorded in List D. In all cases, restoration of status can only be sought through application in accordance with the Admission and Readmission of Ministers Act (Act IX 2002). No such application may be lodged until a period of at least four years has elapsed since the date of removal of the Respondent's status and functions.

(2) **Graduate Candidates**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from status for a specified minimum period of up to three years, subject to restoration

by the Council in consultation with the Presbytery, upon petition by the Respondent following the expiry of such period. The Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** of status, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed since the date of removal of such status. The Council shall take into account the length of removal and may insist on such discernment, assessment and training processes and placements as it sees fit.

(3) **Licentiates**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (a) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence

- (ii) **Suspension** from the Roll of Licentiates for a specified minimum period of up to three years, subject to restoration by the Council, in consultation with the Presbytery, upon petition by the Respondent following the expiry of such period. The Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** from the Roll of Licentiates, subject to restoration by the Council, in consultation with



the Presbytery, upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed since the date of removal from the Roll. The Council shall take into account the length of removal and may insist on such discernment, assessment and training processes and placements as it sees fit.

(4) **Candidates and Probationers**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from status for a specified minimum period of up to three years, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent following the expiry of such period. The Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** of status, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed since the date of removal of such status. The Council shall take into account the length of removal and may insist on such discernment, assessment and training processes and placements as it sees fit.

(5) **Readers**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from the status and duties of the Readership for a specified minimum period of up to three years, subject to restoration by the Presbytery (but only with the agreement of the Council) upon petition by the Respondent following the expiry of such period. In considering whether the suspension shall be lifted, the Council shall take into account the length of suspension served and may insist on such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** of the status and duties of the Readership, subject to restoration by the Presbytery (but only with the agreement of the Council) upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed from the date of removal of status and duties. In considering whether the petitioner should be restored to such status and duties, the Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

(6) **Elders and other Office Bearers**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate.

Such instruction shall be reported by the Tribunal to:

- (a) the Kirk Session and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from membership of a Kirk Session and from holding any other office within a congregation for a specified minimum period of up to three years, subject to restoration by the Presbytery, with the agreement of the Kirk Session, upon petition by the Respondent following the expiry of such period.

Such suspension shall be reported by the Tribunal to:

- (a) the Kirk Session and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

An Elder, having been restored by Presbytery following suspension and being invited to become a member of another Kirk Session (i.e. not the one from which he/she was suspended), shall inform both the Session Clerk and the Presbytery Clerk of the circumstances of his/her suspension and may only be so admitted if the Kirk Session in question then agrees to proceed.

- (iii) **Removal** from the status and office of Elder, subject to restoration by the Presbytery with the agreement of the Kirk Session upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed from the date of removal of status and office.

Such removal shall be reported by the Tribunal to:

- (a) the Kirk Session, and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

A person, having had the status of Elder restored following removal and being invited to become a member of another Kirk Session (i.e. not the one from which he/she was removed) shall inform both the Session Clerk and the Presbytery Clerk of the circumstances of his/her suspension. They shall not accept such an invitation until a period of at least four years has elapsed since their removal from such status.

- (iv) In the case of Office Bearers who are not Elders, **Removal** from a particular office held.

Such removal shall be reported by the Tribunal to:

- (a) the Kirk Session and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

An Office Bearer who is not an Elder and who is subsequently invited to take office in another congregation, shall inform both the Session Clerk and the Presbytery Clerk of the circumstances of his/her removal and may only be appointed to that office if the Kirk Session in question then agrees to it.

- (7) **Persons holding Certificates of Eligibility**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and

- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Removal** of the Certificate of Eligibility, subject to grant of a new Certificate of Eligibility in terms of the Admission and Readmission of Ministers Act (Act IX 2002). Such removal shall be reported by the Tribunal to the Secretary of the Council. No application for a new Certificate of Eligibility may be lodged until a period of at least four years has elapsed from the date of removal of the previous Certificate of Eligibility.

### **Part 11 DISCIPLINE TRIBUNAL: ADDITIONAL POWERS AND RULES OF PROCEDURE**

- 41. Where, in the view of the Discipline Tribunal, it is necessary to do so in the interests of justice, the Tribunal shall have power to order either party to produce, within such period as the Tribunal shall consider reasonable, any document or other article in that party's possession and any such document or other article shall be a Production in the proceedings and may be founded upon. Such a power shall be exercisable at any time up to the conclusion of the Proof.
- 42. The Discipline Tribunal may relieve a party from the consequences of a failure to comply with a provision of this Act shown to be due to mistake, oversight or other excusable cause, on such conditions as the Tribunal thinks fit.
- 43. The Discipline Tribunal shall have power to make regulations concerning the practice and procedure to be followed in any proceedings brought before the Discipline Tribunal, in terms of this Act, provided that such regulations shall be laid before and be subject to alteration, revocation, amendment or modification by the General Assembly.

- 44. No member of the Discipline Tribunal shall participate in any proceedings brought by a Presbytery of which he or she is a member or within the bounds of which there is a congregation of which he or she is a communicant member. This section shall not apply to the Solicitor of the Church.
- 45. Any decision of the Discipline Tribunal may be taken by a majority of its members.

### **Part 12 APPEALS**

- 46. (1) If either the Assessor or the Respondent is dissatisfied with any decision of the Discipline Tribunal, they may appeal to the Judicial Commission in terms of the Appeals Act (Act I 2014). 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 (Act I 2014).
- (2) In the case of any appeal against the severity of Censure, taken by any party, it shall be open to the Judicial Commission to vary the Censure in the direction of greater severity or greater leniency. In varying any Censure, no account shall be taken by the Judicial Commission of any prior period of Administrative Suspension.

### **Part 13 IMPLEMENTATION OF DECISION/CENSURE AT PRESBYTERY**

- 47. The Presbytery shall meet within not less than twenty-one (21) and not more than thirty-five (35) days after receiving intimation of the written decision of the Discipline Tribunal and shall implement the decision of the Discipline Tribunal. The Presbytery shall similarly meet to take appropriate steps after a Respondent accepts a Censure with consent. If the Respondent is a parish minister:
  - (1) In the event that the decision has not involved Judicial Suspension or removal from office, it shall
    - (a) lift any Administrative Suspension upon the individual concerned; (b) relieve the Interim

Moderator of duty; and (c) undertake such steps in relation to other individuals and superintendence of its members and congregations as it finds necessary.

- (2) In the event that the decision has involved a period of Judicial Suspension of less than six months, the Presbytery shall, at its meeting, confirm the appointment of an Interim Moderator or make a new appointment and shall undertake such steps against other individuals and superintendence of its members and congregations as it finds necessary.
- (3) In the event that the decision has involved a period of Judicial Suspension of six months or more, or the removal of status of the Respondent, then: (i) the pastoral tie shall be severed; (ii) any parish of which the Respondent was minister shall be deemed to have become vacant on the date on which the written decision of the Discipline Tribunal was issued and (iii) any other ordained appointment which the Respondent held shall terminate on that date. The Presbytery shall, at its meeting, confirm the foregoing matters and it shall also confirm the appointment of an Interim Moderator or make a new appointment and shall undertake such steps against other individuals and superintendence of its members and congregations as it finds necessary.

In the event of an appeal being taken to the Judicial Commission against the decision of the Discipline Tribunal, (a) a Respondent, who is a parish minister, shall be entitled to remain in occupation of the manse pending the outcome of the appeal, and (b) the Presbytery shall meet again not less than twenty-one (21) and not more than thirty-five (35) days after receiving intimation of the written decision of the Judicial Commission and shall implement the decision of the Judicial Commission. The foregoing sections of this section 47 shall then apply *mutatis mutandis*. Where the decision of the Judicial Commission involves a change to a Censure imposed on a Respondent, who is a parish minister, (a) the Presbytery shall implement the foregoing sections of this section 47 so far as

practicable and may seek the advice of the Principal Clerk as to dealing with any practical consequences of the Judicial Commission's decision, and (b) where that change is from a Judicial Suspension of six months or more or a removal of status to a Judicial Suspension of less than six months such that the pastoral tie would not have been severed, then the Respondent shall be entitled to be compensated for stipend which should have been paid to him or her for the period from the date of the Discipline Tribunal's decision until the earlier of (a) six months after the date of the Judicial Commission's decision and (b) the date upon which the Respondent takes up remunerated employment or office.

#### **Part 14 REPRESENTATION**

48. The Assessor and the Respondent may be represented by a solicitor at any stage of the Investigatory Proceedings, Disciplinary Proceedings or appeal.

#### **Part 15 EXPENSES**

49. A Respondent shall be entitled to apply for financial assistance towards the costs of legal representation (a) where a Censure with consent is being accepted, and (b) in the conduct of Disciplinary Proceedings under Part 8 and any appeal following thereon, in terms of the Legal Aid in Disciplinary Proceedings Regulations (Regulations X 2018).

#### **Part 16 GUIDANCE ON THE IMPLEMENTATION AND OPERATION OF THIS ACT**

50. The Legal Questions Committee shall issue Guidance on the implementation and operation of this Act, which shall be reviewed by it, from time to time.

#### **Part 17 ADMINISTRATIVE SUPPORT FOR ASSESSORS**

51. In cases where administrative assistance is provided to an Assessor, any cost incurred will normally require to be met by the Presbytery in question, although in cases where a Presbytery does not hold sufficient funds, application may be made via the Principal Clerk to the Legal Aid Fund.

## Part 18 COMMENCEMENT DATE AND SAVING PROVISIONS

52. This Act shall come into force on *[date the Overture is passed at the General Assembly of 2019]*. Where a Special Committee of Presbytery was appointed under Act III 2001, Act IV 2007, Act V 2007 or Act I 2010 prior to *[relevant date]* and has served a Notice of Complaint upon a Respondent before *[relevant date]*, such a matter shall continue until final disposal (including any appeal) in accordance with the law in force immediately before *[relevant date]*. Otherwise all disciplinary matters, whether new or ongoing, shall from *[relevant date]* be dealt with under the provisions of this Act. Any disputes as to what that shall mean in practice for any particular matter shall be resolved by the Convener and Vice-Convener of the Legal Questions Committee, upon application by any of the Special Committee, an Assessor or the Respondent, as the case may be, and the decision of the Convener and Vice-Convener shall be final and binding. In making such decision, the Convener and Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk.

## Part 19 CONSEQUENTIAL AMENDMENTS

53. *This table of proposed amendments to other legislation has been inserted to give a general guide at this stage. A more sophisticated set of amendments will be drafted for the final Act.*

NAME OF ACT	NUMBER & YEAR	SECTIONS	PROPOSED CHANGES
Congregations in Unsatisfactory State	Act I 1988	17	Replace reference to Act III 2001 with reference to the new Discipline Act.
Church Courts	Act III 2000	37(1)	Replace reference to Act I 2010 with reference to the new Discipline Act.
Discipline of Ministry	Act III 2001		This Act would be repealed.
Co-operation between Presbyteries	Act VI 2002	2	Replace references to Act III 2001, Acts IV & V 2007 and Act I 2010 with reference to the new Discipline Act.
Admission and Re-admission of Ministers	Act IX 2002	4(2)	Replace reference to Act III 2001 with reference to the new Discipline Act.
Vacancy Procedure	Act VIII 2003	3(b) and 18(8)	Replace reference to Act III 2001 with reference to the new Discipline Act.
Kirk Session Meetings	Act VI 2004	1(a)	No change required.
Protection against Bullying	Act IV 2007		This Act would be repealed.
Protection against Discrimination	Act V 2007		This Act would be repealed.
Discipline of Elders, Readers and Office Bearers	Act I 2010		This Act would be repealed.
Deacons Act	Act VIII 2010	7	No change required.
PVG	Act VII 2011	4, 5 & 9	Replace reference to Act III 2001 with reference to the new Discipline Act.
Appeals Act	Act I 2014	4(3)	Replace references to Act III 2001, Act IV 2007, Act V 2007 and Act I 2010 with references to the new Discipline Act.
		Schedule 2 para 16.1	Replace reference to Act III 2001 with reference to the new Discipline Act and the new Legal Aid in Disciplinary Proceedings Regulations.
Registration of Ministries Act	Act II 2017		This Act would need to be conformed to the new Discipline Act.

## Appendix E

### X LEGAL AID IN DISCIPLINARY PROCEEDINGS REGULATIONS

EDINBURGH, XX MAY 2018, SESS. X

#### Definitions

1. In these Regulations, the following definitions apply:

- (1) "Applicant" shall mean a person who is subject to discipline in terms of the Discipline of Ministry Act (Act III 2001) ("the Act"), against whom disciplinary proceedings have been initiated in terms of Part 4 of the Act and who is an applicant for legal aid;
- (2) "Assisted Person" shall mean a person in respect of whom a Certificate is in force and, with reference to Rule 9 of Part One of the Schedule, and in respect of costs incurred before notice of the discharge or revocation of a Certificate is received by his or her solicitor, includes the person in respect of whom that Certificate was issued;
- (3) "Certificate" shall mean a certificate issued by the Sub Committee in terms of Regulation 6 below;
- (4) "Committee" shall mean the General Assembly's Legal Questions Committee;
- (5) "costs" shall mean the legal fees charged and outlays incurred (including any fees and expenses reasonably and necessarily incurred in relation to potential or actual witnesses) by the solicitor referred to in Rule 3(2) or 8(5);
- (6) "Counsel" includes a solicitor advocate;
- (7) "Fund" shall mean the Legal Aid Fund maintained by the Committee in accordance with Regulation 2 below;
- (8) "legal aid" shall mean representation by the said solicitor and, where appropriate, by counsel or by a solicitor or counsel referred to in Rule 19(b) in any proceedings mentioned at subsection (1)

above, on the terms provided for in these Regulations, and includes all such assistance as is usually given by a solicitor or by counsel in the steps incidental to such proceedings;

- (9) "Minister" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017);
  - (10) "partner" means someone with whom an Applicant or Assisted Person lives as a couple, whether or not they are married and whether of the same or different sex;
  - (11) "Schedule" shall mean the schedule in three parts attached to these Regulations;
  - (12) "Secretary" shall mean the Secretary to the Sub Committee;
  - (13) "Sub Committee" shall mean a Legal Aid Sub Committee consisting of the Convener, Vice-Convener and one other member of the Committee. At least one member of the Sub Committee shall require to be legally qualified. The Depute Solicitor of the Church shall normally act as Secretary to the Sub Committee but shall not be a member thereof.
2. The Committee shall maintain the Fund, which shall be administered on behalf of the Committee by the Sub Committee. Subject to and in accordance with the provisions of these Regulations, including the Rules of Procedure set out in Part One of the Schedule and any supplementary rules made by the Committee in terms of Regulation 11, the Sub Committee may make such payments of costs out of the Fund as it may authorise by Certificate.
  3. An Applicant shall be entitled to apply to the Sub Committee for legal aid in respect of legal costs incurred by him or her in relation to disciplinary proceedings initiated in terms of Part 4 of the Act and any appeal following thereon. Any award shall be restricted to the cost of work undertaken after the initiation of such disciplinary proceedings in terms of Part 4 of the Act.

4. Before deciding whether to grant any legal aid and, if so, to what extent, the Sub Committee shall have regard to all the circumstances of the case including:-
  - (a) the nature of any right or interest of the Applicant which is at stake in the proceedings and whether such right or interest is of the nature of a civil right; and
  - (b) if so, whether, in the whole circumstances of the case, legal representation is necessary to enable the Applicant to receive a fair hearing; and
  - (c) having regard to financial resources available to the Applicant (including, as appropriate, the financial resources of the Applicant's partner and whether help is available or likely to become available from another source such as a trade union or insurance company), whether the Applicant could, without financial hardship, afford such representation

and legal aid shall not be granted if it appears to the Sub Committee that the Applicant could, without undue financial hardship to him or her or his or her dependants, afford to proceed without such assistance.
5.
  - (a) Legal aid shall not be granted to an Applicant who does not satisfy the capital and income eligibility criteria set out in Parts Two and Three of the Schedule<sup>[2]</sup>.
  - (b) (Legal aid shall be granted in accordance with the sliding scale of disposable income and capital and subject to the contributions by the Assisted Person set out in Part Two of the Schedule.
  - (c) The legal aid payable from the Fund shall be limited to costs, or a contribution towards costs, up to the maximum levels of authorised expenditure agreed by the Sub Committee from time to time. Financial assistance with legal fees shall be limited to the costs or part of the costs of legal advice or representation by a solicitor or counsel and shall be paid direct to the solicitor referred to in Rule 3(2) of Part One.
- (d) The Committee shall from time to time review (i) the capital and income eligibility criteria (ii) the sliding scale of disposable income and capital (iii) the level of contributions by the Assisted Person and shall be entitled to adjust each of these as it deems appropriate and shall report any adjustments made to the following General Assembly.
6. The Sub Committee may issue a Certificate for the payment of the costs, or part of the costs, incurred by the Assisted Person subject to such conditions specified in the Certificate as the Sub Committee thinks fit. Without prejudice to the foregoing generality, the Sub Committee may issue a Certificate for:-
  - (a) The payment of a contribution towards costs of an amount specified in the Certificate; or
  - (b) The payment of costs subject to a contribution from the Applicant of an amount so specified; or
  - (c) The payment of such proportion of costs as may be so specified; or
  - (d) The payment of the costs of, or a specified proportion of the costs of, such part of the proceedings as may be so specified, whether by reference to issues in or stages of those proceedings.
7. Where on any application the Sub Committee considers that legal aid should not be granted, the Sub Committee before making a final decision shall afford the Applicant an opportunity of making representations, whether in writing or orally and whether in person or by his or her solicitor or counsel with respect to the application. For the avoidance of doubt, no payment from the Fund shall be made in respect of the making of such application.
8. The Secretary shall notify the Applicant and his or her solicitor in writing of the Sub Committee's decision on his or her application for legal aid, and of the grounds for that decision.
9. Where an application for legal aid is refused, no further application for legal aid may be made by the same Applicant in relation to the same proceedings unless it



contains or is accompanied by further information showing a material change of circumstances.

10. (a) A decision made in terms of these Regulations by the Sub Committee to refuse an application for legal aid shall not be subject to appeal or dissent and complaint or any other form of review, other than a procedural review carried out by another sub-committee of the Committee (the "Review Committee"), established for that purpose, consisting of three of its members, one of whom shall act as Convener and at least one of whom shall be qualified to practice as a lawyer.
- (b) Such a review must be requested by the Applicant within fourteen days of the date on which the Sub Committee intimated its decision to the Applicant and can be sought only on one or more of the following grounds:
  - (i) that there was an irregularity or breach of procedure or of the principles of natural justice in the process followed by the Sub Committee which materially influenced its decision; and/or
  - (ii) that its decision was materially influenced by some incorrect material fact.
- (c) Such a request shall be made by sending or delivering a written request to the Principal Clerk and such request shall also state, in brief, specific numbered propositions, the grounds which the Applicant considers justify a procedural review taking place.
- (d) In the event that the Review Committee determines that one or both of the foregoing grounds have been established, it shall remit the matter back to the Sub Committee with an instruction to reconsider its original decision in the light of the findings of the Review Committee.
- (e) In the event that the Review Committee determines that neither of the foregoing grounds has been established, the decision of the Sub

Committee shall be deemed to have become final.

- (f) The decision of the Review Committee shall be final and not subject to appeal, dissent and complaint or any other form of further review.
11. The Committee may make such further rules as it considers necessary or desirable for giving effect to, or for preventing abuses of, these Regulations and rules made under this subsection may in particular make provision:
  - (a) as to any further procedure to be observed in relation to an application for legal aid including the design and content of the application form;
  - (b) as to the information to be furnished by any Applicant applying for or receiving legal aid and as to the provision of information by any solicitor acting for any such person; and
  - (c) enabling the Sub Committee to authorise a payment to account of legal expenses incurred by the Applicant in appropriate circumstances.

## Schedule

### Part One - Rules of Procedure

#### GENERAL PROVISIONS

#### 1. Meetings and procedure of the Sub Committee

- (1) The quorum for meetings of the Sub Committee shall be two members.
- (2) The business of the Sub Committee may, if the Convener so directs and none of the other members objects, be carried out by correspondence (by letter or email) or by conference telephone call, video conference or the like electronic means.

#### 2. Notification of issue, amendment, discharge or revocation of Certificate

Where any Certificate or any notice of the amendment, discharge or revocation of a Certificate is sent to any solicitor in accordance with Rule 6, 8 or 9 the solicitor shall lodge a copy of the Certificate or notice with either the Solicitor of the Church (where the proceedings to which the Certificate

relates are before the Presbyterial Commission) or the Principal Clerk (where the proceedings to which the Certificate relates are before the Judicial Commission).

### **APPLICATIONS FOR LEGAL AID AND ISSUE OF CERTIFICATES**

#### **3. Applications for legal aid**

- (1) An application for legal aid:
  - (a) shall be made in writing in a form approved by the Sub Committee; and
  - (b) shall be lodged with the Secretary.
- (2) Every application for legal aid shall state the name and address of the solicitor selected by the Applicant to act for him or her in the proceedings concerned. That solicitor must hold and continue to hold an unrestricted practising certificate issued by the Law Society of Scotland. The said application shall also contain such information and be accompanied by such documents as may be requisite to enable the Sub Committee
  - (a) to determine the nature of the proceedings to which the application relates; and
  - (b) to reach a view on the matters set out at Regulation 4 (a) to (c) above.
- (3) Any application for legal aid shall contain an undertaking made by the Applicant and an undertaking by the said solicitor that they will comply with these Regulations, and any such undertakings shall be made on forms approved by the Sub Committee, or in such other manner, being in writing, as the Secretary may accept as sufficient in the circumstances of the case. Any solicitor appointed in terms of Rule 8(5) shall give an undertaking in said terms.
- (4) The Applicant irrevocably waives his or her right of confidentiality insofar as its exercise would otherwise hinder or restrain his or her solicitor's ability to comply with Rule 14.

#### **4. Provision of additional information**

An Applicant shall, if required by the Secretary or the Sub Committee to do so for the purpose of providing additional information:

- (a) attend for interview by the Secretary or the Sub Committee;
- (b) supply such further documents or other information as the Secretary or the Sub Committee may require.

#### **5. Interim Certificates**

- (1) The Secretary may issue an interim Certificate for legal aid on behalf of the Sub Committee in any case in which the Secretary on receiving an application under Rule 3 considers that there are reasonable grounds for concluding that the Applicant should be granted legal aid in respect of the whole or part of the costs to be incurred by any person before the determination of the application by the Sub Committee.
- (2) Before issuing an interim Certificate under paragraph (1) the Secretary shall consult the Convener of the Sub Committee or, if it is not practicable to do so, shall consult the two other members of the Sub Committee one of whom shall be legally qualified.

#### **6. Issue and contents of Certificates**

- (1) The Secretary shall send any Certificate issued by or on behalf of the Sub Committee to the Applicant's solicitor and shall send a copy of the Certificate to the Applicant.
- (2) In addition to any provision included in the Certificate by virtue of Regulation 6, the Certificate shall specify:
  - (a) the date on which it is issued;
  - (b) the name and address of the Applicant;
  - (c) the name and address of the Applicant's solicitor; and
  - (d) the proceedings to which the Certificate relates.

## 7. Contribution by Assisted Person

Where a Certificate is issued under Regulation 6 (b), any contribution to be made by the Assisted Person which is specified in the Certificate shall not be payable to the Sub Committee or into the Fund, but the amount paid or payable out of the Fund on the authority of the Certificate shall not exceed the amount (if any) by which the total amount of the costs incurred by the Assisted Person, as taxed or assessed in accordance with these Rules, exceeds the amount of that contribution.

## AMENDMENT, DISCHARGE AND REVOCATION OF CERTIFICATES

### 8. Power to amend Certificates

- (1) The Sub Committee may, either on the request of the Assisted Person or of its own motion, amend any Certificate issued by it where in its opinion:
  - (a) there is a mistake in the Certificate; or
  - (b) it has become desirable for the Certificate to extend to additional proceedings; or
  - (c) it has become desirable for the Certificate to extend to additional stages of, or to reduce or restrict it from certain stages of, the proceedings in respect of which it was issued; or
  - (d) there has been a material change in the financial circumstances of the Assisted Person;

or where the Assisted Person desires to change his or her solicitor or where his or her solicitor withdraws from the conduct of the case. Any new solicitor assuming the agency must hold and continue to hold an unrestricted practising certificate issued by the Law Society of Scotland.
- (2) Application for the amendment of a Certificate shall contain such information and be accompanied by such documents as the Secretary considers necessary or desirable to enable the Sub Committee to determine the application, and Rules 3(1) and 4, and Regulations 4, 8, 9 and 10 shall apply in relation to an application for the amendment of a Certificate as they apply in relation to an application for legal aid.

- (3) Before amending a Certificate in the circumstances specified in paragraph (1)(c) or (d) so as to reduce or restrict the Assisted Person's entitlement to legal aid, the Sub Committee shall:
  - (a) notify the Assisted Person that it is considering making the amendment; and
  - (b) afford him or her an opportunity of making representations, whether in writing or orally and whether in person or by his or her solicitor or counsel, with respect to the proposed amendment.
- (4) An amendment to a Certificate shall take effect from such date as the Sub Committee may specify, and (subject to Rule 11) shall have effect in respect of costs incurred on or after that date.
- (5) Where a Certificate has been amended the Secretary shall send notice of the amendment, specifying the date from which it takes effect, together with a copy of the notice, to the Assisted Person's solicitor for the time being, and shall send a further copy of the notice to the Assisted Person.

### 9. Power to discharge or revoke Certificates

- (1) The Sub Committee may terminate a Certificate by discharging or revoking it in accordance with this Regulation.
- (2) Subject to Rule 11:
  - (a) where a Certificate is discharged, that Certificate shall cease to be in force on the date from which the discharge takes effect; and
  - (b) where a Certificate is revoked, that Certificate shall be deemed never to have been in force.
- (3) The Sub Committee may discharge a Certificate in the following circumstances:
  - (a) where the Assisted Person has requested or consented to the discharge;
  - (b) where the Sub Committee is satisfied that

- (i) the Assisted Person has died or has had a bankruptcy order made against him or her; or
    - (ii) the proceedings or the part of the proceedings to which the Certificate relates have or has been disposed of or completed;
  - (c) where as a result of information which has come to the Sub Committee it is satisfied that:
    - (i) the Assisted Person no longer has reasonable grounds for taking, defending or being a party to the proceedings or for continuing to do so;
    - (ii) the Assisted Person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Fund or has required unreasonably that the proceedings be continued;
    - (iii) the financial circumstances of the Assisted Person are such that he or she could afford to proceed without legal aid; or
    - (iv) it is unreasonable in the particular circumstances that the Assisted Person should continue to receive legal aid.
  - (4) Where as a result of information which has come to the Sub Committee:
    - (a) the Sub Committee is satisfied that an Assisted Person has willfully failed to comply with these Rules or Regulations; or
    - (b) it is satisfied that an Assisted Person has knowingly made a false statement or false representation in connection with an application for legal aid or for an amendment of a Certificate; or
    - (c) it is satisfied that an Assisted Person has failed to disclose a material fact in connection with an application for legal aid or an application for an amendment of a Certificate, and he or she cannot show that he or she used due care and diligence to avoid that failure,
- the Sub Committee may discharge the Certificate issued in respect of the Assisted Person or, if the act or omission or the first of the acts or omissions by the Assisted Person specified in sub-paragraph (a), (b) or (c) occurred before the date on which the Certificate was issued, may revoke the Certificate.
- (5) Before discharging a Certificate in the circumstances specified in paragraph (3) (c) or discharging or revoking a Certificate in the circumstances specified in paragraph (4), the Sub Committee shall:
    - (a) notify the Assisted Person that it is considering the discharge or revocation of the Certificate; and
    - (b) afford him or her an opportunity of making representations, whether in writing or orally and whether in person or by his or her representative, with respect to the proposed discharge or revocation.
  - (6) The discharge of a Certificate under the foregoing provisions of this Rule shall take effect from such date as the Sub Committee may consider appropriate.
  - (7) Where a Certificate is discharged or revoked the Secretary shall send notice of the discharge or revocation (specifying in the case of a discharge the date from which it takes effect), together with a copy of the notice, to the solicitor of the person in respect of whom a certificate had been issued and shall (except where the Certificate has been discharged because of the death of that person) send a further copy of the notice to that person, in each case stating the grounds for the action taken.
- 10. Effect of amendment, discharge or revocation on costs already incurred**
- (1) Where a Certificate is amended so as to reduce or restrict the amount of legal aid payable under it or is discharged or revoked, that amendment, discharge or revocation shall not affect the payment, or the amount of the payment, out of the Fund to the solicitor of the person in relation to whom the Certificate was issued in respect of costs incurred before the date on which notice of the amendment, discharge or revocation is received by that solicitor.

- (2) Where a Certificate has been amended or discharged with effect from a date earlier than the date on which notice of the amendment or discharge is received by the solicitor of the person to whom the Certificate was issued, that person accepts personal liability for and shall pay into the Fund the amount of any legal aid paid or payable to his solicitor by virtue of paragraph (1) in respect of costs incurred between those dates.
- (3) Where a Certificate has been revoked, the person to whom it was issued accepts personal liability for and shall pay into the Fund the amount of any legal aid paid or payable to his or her solicitor by virtue of paragraph (1) in respect of costs incurred before the date on which notice of the revocation is received by that solicitor.

### CONDUCT OF PROCEEDINGS

#### 11. Notification of changes in circumstances

- (1) An Applicant or Assisted Person shall forthwith inform his or her solicitor of:
  - (a) any material change in his or her financial circumstances; and
  - (b) any other change in the circumstances of his or her case which he or she has reason to believe might affect the terms or continuation of the Certificate, and

an Applicant's or Assisted Person's solicitor who receives any such information from the Applicant or Assisted Person or otherwise shall forthwith report that information to the Sub Committee.
- (2) Without prejudice to paragraph (1), where a solicitor who has acted or is acting for an Assisted Person is:
  - (a) aware that the Assisted Person has died or granted a protected trust deed or applied for a debt payment programme or has had a bankruptcy order made against him; or
  - (b) satisfied that the proceedings or the part of the proceedings to which the Certificate relates have or has been disposed of or completed,

he or she shall forthwith report those matters to the Sub Committee.

#### 12. Abuse of legal aid

- (1) Where an Assisted Person's solicitor has reason to believe that any of the circumstances mentioned in paragraph (3) exist, he or she shall forthwith report those circumstances to the Sub Committee.
- (2) Where at any time during the hearing of any proceedings in respect of which legal aid is granted, the Presbyterial Commission or the Judicial Commission (as the case may be) considers that any of the circumstances mentioned in paragraph (3) exist, it may make an order referring to the Sub Committee the question of whether the Assisted Person's Certificate should continue.
- (3) The circumstances referred to in paragraphs (1) and (2) are that:
  - (a) the Assisted Person has required the proceedings to which the Certificate relates to be conducted unreasonably so as to incur an unjustifiable expense to the Fund or has required unreasonably that the proceedings be continued;
  - (b) the Assisted Person has wilfully failed to comply with these Regulations;
  - (c) the Assisted Person has knowingly made a false statement or false representation in connection with an application for legal aid or for amendment of a Certificate;
  - (d) the Assisted Person has failed to disclose a material fact in connection with an application for legal aid or for amendment of a Certificate and he or she cannot show that he or she used due care and diligence to avoid that failure.
- (4) Where it appears to the Sub Committee that a person has, with intent to reduce that person's disposable income or disposable capital, whether for the purpose of making that person eligible for legal aid, reducing that person's liability to pay a contribution towards civil legal aid or otherwise
  - (a) directly or indirectly deprived that person of any resources; or

- (b) converted any part of that person's resources into resources which under these Regulations are to be wholly or partly disregarded or in respect of which nothing is to be included in determining the resources of that person

the resources of which that person has so deprived himself or herself or which he or she has so converted shall be treated as part of that person's resources or as not so converted, as the case may be.

- (5) Where it appears to the Sub Committee that any solicitor has, in connection with the provision of legal aid, acted in such a way as to justify action being taken against him or her by the Law Society of Scotland or the Scottish Solicitors' Discipline Tribunal it shall refer the matter to either of those bodies so that they can consider whether to take action. Where the Sub Committee has referred a matter to either of the bodies mentioned it may withhold payment of any fees due to him or her in respect of legal aid pending the outcome of the investigation by the body or bodies to which the matter has been referred.

### 13. Provision of further information

An Assisted Person and his or her solicitor shall give to the Sub Committee such information regarding the progress and disposal of the proceedings in respect of which the Certificate has been issued as the Sub Committee may from time to time require to enable it to perform its functions.

### 14. Power of Sub Committee to request documents.

- (1) The Sub Committee may, for the purpose of determining whether a solicitor may be seeking to recover from the Fund money to which he or she is not entitled, as, for example, by performing unnecessary work, or where a solicitor is or may not be complying with his or her obligations under these Regulations, request any solicitor to produce such documents relating wholly or partly to the provision of legal aid as it may specify, at such time and place as it may specify.
- (2) If it appears to the Sub Committee that there is good reason to do so, it may request any solicitor to produce forthwith any such documents as are mentioned above.

- (3) The power under this section to request production of documents includes power:
- (a) to request any person, who is a present or past partner or employee of any such solicitor or his or her firm and who appears to the Sub Committee to have any documents, to produce them;
- (b) if any documents are produced:
- (i) take copies of them or extracts from them; and
- (ii) to request the person producing them, or any other person who is a present or past partner or employee of the solicitor or his or her firm, to provide an explanation of them;
- (c) if any document or information is held other than in legible form, to request the production of a copy of it in legible form; and
- (d) if documents are not produced, to ask the person who was requested to produce them to state, to the best of his knowledge and belief, where they are.
- (4) No documents obtained by the Sub Committee by virtue of this Rule shall be used by it for any purpose other than the purposes mentioned in subsection (1) above.

### 15. Privilege etc. not to prevent disclosure

- (1) No solicitor shall be precluded, by reason of any privilege arising out of the relationship between solicitor and client, from disclosing to the Sub Committee any information or documents or from giving any opinion which:
- (a) he or she is required to disclose or give to the Sub Committee under these Regulations; or
- (b) may enable the Sub Committee to perform its functions.
- (2) For the purpose of providing information under these Regulations to enable the Sub Committee to perform its functions, any party to proceedings to which an Assisted Person is or was a party may disclose to the Sub Committee communications relating to those

proceedings which have been sent by the Assisted Person's solicitor, whether or not they are expressed to be "without prejudice".

#### 16. False information etc.

If any Assisted Person, person seeking legal aid or person in respect of whom a certificate has been issued

- (a) wilfully fails to comply with any Regulations as to the information to be furnished by him or her; or
- (b) for the purpose of obtaining legal aid knowingly makes any false statement or false representation,

he or she may be guilty of a disciplinary offence for the purposes of the Act.

### COSTS

#### 17. Authority to incur costs

(1) Where:

- (a) it appears to the Assisted Person's solicitor to be necessary for the proper conduct of proceedings to which the Certificate relates to incur costs by taking any of the steps specified in paragraph (2); and
- (b) payment of legal aid in respect of those costs is not specifically authorised by the Certificate,

the Assisted Person's solicitor shall apply to the Sub Committee for authority to incur those costs, and no payment of legal aid shall be made in respect of any such costs incurred in advance of the solicitor's first having obtained authority from the Sub Committee. Authority may be granted subject to any restriction, condition or qualification as to cost limits or otherwise as to the Sub Committee shall seem reasonable.

(2) The steps referred to in paragraph (1) are:

- (a) lodging an appeal;
- (b) obtaining a report or opinion from one or more experts or tendering expert evidence;

- (c) employing a person to provide a report or opinion (other than as an expert) or paying a person (not being an expert witness) a fee to prepare a report or opinion and to give evidence if required;
  - (d) requiring transcripts of shorthand notes or tape recordings of any proceedings;
  - (e) performing any act which either is unusual in its nature or involves unusually large expenditure.
  - (f) instructing junior counsel.
  - (g) Instructing senior counsel.
- (3) Authority may be granted retrospectively on special cause shown.

#### 18. Costs for legal aid to be taxed or assessed

Legal aid shall be payable only in respect of costs of an Assisted Person which have been taxed or assessed in accordance with these Rules.

#### 19. Restriction on payment and employment of solicitor or counsel

Where legal aid is available to a person in connection with any proceedings (whether legal aid is available in connection with all or only part of the proceedings):-

- (a) the solicitor or counsel providing legal aid shall not take any payment in respect of any advice given or anything done in connection with such proceedings during any period when legal aid was so available except for such payment as may be made, in accordance with these Regulations; and
- (b) without prejudice to any right of a solicitor or advocate to entrust it to another solicitor or advocate, no solicitor or counsel other than the solicitor or counsel referred to in Rule 3(2) shall advise or act for him in connection with the proceedings.

#### 20. Taxation of costs

- (1) Any taxation of costs under these Regulations may be carried out in such manner as the Sub Committee considers appropriate. Without prejudice to the generality of the foregoing the Sub Committee may refer the matter for taxation to an Auditor of the Court



of Session, Sheriff Appeal Court or any Sheriff Court and the Assisted Person agrees to be bound by the determination of such Auditor. Liability for the fees and other costs incurred in taxation shall be a matter for the discretion of the Sub Committee.

- (2) In any proceedings for taxation in accordance with these Regulations the Sub Committee shall have power to require the attendance of witnesses and production of documents so far as is necessary for the discharge of its functions or those of any Auditor.
- (3) Proceedings for taxation of costs in accordance with these Regulations shall be commenced by the Assisted Person's solicitor:
  - (a) lodging with the Secretary an application in writing for taxation, together with the bill of costs and all necessary papers and vouchers (including copies of the Certificate and of any notice of amendment, discharge or revocation of the Certificate); and
  - (b) serving on any other party copies of the application and the bill of costs.
- (4) The Secretary may deal with the taxation of costs by correspondence or may elect to fix a time and place for a taxation hearing and if a hearing is deemed to be appropriate shall give not less than seven days' notice of that time and place to the Assisted Person's solicitor and any other party.
- (5) If:
  - (a) any other party does not attend at the time and place fixed for the taxation; and
  - (b) the Sub Committee is satisfied that he or she had due notice of that time and place,
 the Sub Committee or Auditor may proceed with the taxation in his absence.
- (6) Without prejudice to any other provision of these Regulations or any statutory provision, on a taxation in accordance with these Regulations:

- (a) any costs in excess of the appropriate level of authorised expenditure allowed in terms of Regulation 5 (c) shall be disallowed;
  - (b) any costs wasted by failure to conduct the proceedings with reasonable competence and expedition shall be disallowed or reduced; and
  - (c) where a solicitor has without good reason failed within four months to put in his or her bill for taxation, the whole of the costs covered by that bill may be disallowed or reduced.
- (7) No costs shall be disallowed or reduced under paragraph (6) unless notice has been served by the Sub Committee on the solicitor in question requiring the solicitor to show cause orally or in writing why those costs should not be disallowed or reduced.
  - (8) For the purposes of this rule "other party" means any person other than the Assisted Person who is or was a party to the proceedings to which the Certificate relates and who has an interest in the taxation.

## **21. Assessment of costs**

- (1) Paragraph (2) applies where Rule 20 requires any costs to be taxed or assessed in accordance with these Regulations and where:
  - (a) the retainer of the Assisted Person's solicitor was determined before the proceedings in question were begun, and there has been no subsequent change in the Assisted Person's solicitor; or
  - (b) the Assisted Person's solicitor is of opinion that the total amount of the costs which he or she would receive after a taxation in accordance with these Regulations would not be more than £1000 (or any greater sum for the time being authorised by the Sub Committee for the purposes of this Rule); or
  - (c) there has been an agreement in respect of the amount of the costs to be paid to the Assisted Person, and the Assisted Person's solicitor is willing to accept that agreed amount in full satisfaction of work done; or



- (d) there are special circumstances in which a taxation:
  - (i) would be against the interests of the Assisted Person; or
  - (ii) would increase the amount payable out of the Fund.
- (2) Where this paragraph applies the Assisted Person's solicitor may apply in writing to the Secretary for an assessment by the Sub Committee of the amount of the Assisted Person's costs.
- (3) On any such application the Sub Committee may if it thinks fit assess the amount of those costs without a taxation.
- (4) Where no such application has been made and the Sub Committee is satisfied that:
  - (a) there are special circumstances rendering it desirable to assess the amount of those costs without a taxation; and
  - (b) to do so would not be against the interests of the Assisted Person,the Sub Committee may assess the amount of those costs without a taxation.
- (5) An assessment under this Rule shall be carried out so as to allow:
  - (a) as nearly as may be the same amount of costs as would have been allowed on a taxation under these Regulations; or
  - (b) if the Sub Committee thinks fit in a case within sub-paragraph (1)(c), the agreed amount referred to in that sub-paragraph.

**Part Two - Financial Eligibility**

**DISPOSABLE INCOME AND CAPITAL RANGE AND  
MAXIMUM CONTRIBUTION – SLIDING SCALE**

**Disposable capital** (as defined in Part Three of this Schedule)

Lower limit on or below which an Assisted Person will not have to pay a contribution: **£7,853**.

Upper capital limit above which the Sub Committee may refuse an Applicant legal aid if it considers that he or she can afford to proceed without it: **£13,017**.

If a person has disposable capital of between £7,853 and £13,017 he or she is eligible on capital, but will have to pay a contribution. This contribution is equal to the difference between his or her capital and £7,853.

**If a person has capital worth over £13,017 he or she will not be eligible for legal aid, unless it appears to the Sub Committee that he or she cannot afford to proceed without legal aid.**

**Disposable Income** (as defined in Part Three of this Schedule)

Lower disposable limit on or below which a person will not have to pay a contribution: **£3,521** p.a

Upper disposable limit above which a person will be ineligible on income: **£26,239** p.a

**Income contributions**

Annual Disposable income	Contribution rates applied to income in that range
Below £3,521	0%
£3,522 - £11,540	33%
£11,541 - £15,743	50%
£15,744 - £26,239	100%
Above £26,239	Ineligible

**Part Three - Financial Eligibility**

**DETAILED RULES AS TO CALCULATION OF CAPITAL AND INCOME**

**A. Calculation of disposable capital**

1. Subject to the provisions of these Regulations, there shall be included in the computation of the Applicant's

capital the amount or value of every resource of a capital nature available to the Applicant and his or her partner ascertained as on the date of the application for legal aid. Where it is brought to the notice of the Sub Committee that, between the date of the application and the determination, there has been a substantial fluctuation in the value of a resource or there has been a substantial variation in the nature of a resource affecting the basis of computation of its value, or any resource has ceased to exist or a new resource has come into the possession of the person concerned, the Sub Committee shall compute the capital resources of the Applicant in the light of such facts and the resources as so computed shall be taken into account in the determination.

2. So far as any resource does not consist of money, the amount or value thereof shall be taken to be the amount which that resource would realise if sold in the open market or, if there is only a restricted market for that resource, the amount which it would realise in that market, or shall be taken to be the amount or value thereof assessed in such manner as appears to the Sub Committee to be just and equitable.
2. Where money is due to the Applicant or his or her partner, whether immediately payable or otherwise and whether the payment thereof is secured or not, the value shall be taken to be the present value thereof.
4. If the Applicant or his or her partner stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, the Sub Committee may, in lieu of ascertaining the value of stocks, shares, bonds or debentures in that company, treat the Applicant or their partner as if he or she were such sole owner or partner and compute the amount of his or her capital in respect of that resource in accordance with the succeeding rule.
5. Where the Applicant or his or her partner is or is to be treated as the sole owner of or a partner in any business, the value of such business or their share therein shall be taken to be either:
  - (a) such sum, or the Applicant's or his or her partner's share of such sum, as the case may be,

as could be withdrawn from the assets of such business without substantially impairing the profits of such business or the normal development thereof; or

- (b) such sum as the Applicant or his or her partner could borrow on the security of his or her interest in such business without substantially injuring the commercial credit of that business;
- whichever is the greater.
6. The value of any interest, whether vested or contingent, of the Applicant or his or her partner in the fee of any heritable or moveable property forming the whole or part of any trust or other estate, shall be computed by the Sub Committee in such manner as appears to it to be both equitable and practicable.
  7. In computing the amount of capital of the Applicant or his or her partner where he or she is in receipt of income support under section 124 of the 1992 Act or an income-based jobseeker's allowance (payable under the Jobseekers Act 1995) or an income-related employment and support allowance or universal credit under Part 1 of the Welfare Reform Act 2012, there shall be disregarded any amount which exceeds the sum for the time being specified as the disposable capital limit under section 17(2)(b) of that Act.
  8. In computing the amount of capital of the Applicant or his or her partner, there shall be wholly disregarded:
    - (a) any Welfare Fund payment;
    - (b) a back to work bonus (payable under the Jobseekers Act 1995);
    - (c) any payment made under the Community Care (Direct Payments) Act 1996 or as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013.
  9. Save in exceptional circumstances, nothing shall be included in the amount of capital of the Applicant or his or her partner in respect of:
    - (a) the household furniture and effects of the dwelling house occupied by that person and (if a

- manse) of any other dwelling house owned by the Applicant and/or their partner;
  - (b) articles of personal clothing; and
  - (c) any personal tools and equipment of the Applicant's trade, not being part of the plant or equipment of a business to which the provisions of Rule 5 of this Part Three A of the Schedule apply.
10. (1) In computing the amount of capital of the Applicant or his or her partner, the value of any interest in the main or only dwelling in which he or she resides or owns shall be wholly disregarded.
  - (2) Where the Applicant resides in or owns more than one dwelling in which that person has an interest, the Sub Committee shall decide which is the main dwelling and shall take into account, in respect of the value to the Applicant of any interest in a dwelling which is not the main dwelling, (i) any sum which might be obtained by borrowing money on the security thereof and (ii) any sum accruing to him or her by way of rent on such dwelling.
11. Where the Applicant has received or is entitled to receive from a body of which he or she is a member a sum of money by way of legal aid towards the cost of the proceedings in respect of which legal aid is applied for, such sum shall be disregarded.
  12. The value of any life assurance or endowment policy shall be taken to be the amount which the Applicant could readily borrow on the security thereof.
  13. Where under any bond, agreement, indemnity, guarantee or other instrument the Applicant is under a contingent liability to pay any sum or is liable to pay a sum not yet ascertained, an allowance shall be made of such an amount as is reasonably likely to become payable within the 12 months immediately following the date of application for legal aid.
  14. An allowance may be made in respect of any debt owed by the Applicant (other than a debt secured on the dwelling or dwellings in which that person resides) to the extent to which the Sub Committee considers reasonable, provided that he or she produces evidence to its satisfaction that the debt or part of the debt will be discharged within the twelve months immediately following the date of the application.
15. In computing the amount of capital of the Applicant there shall be wholly disregarded any capital payment received from any source which is made in relation to the subject matter of the dispute in respect of which the application for legal aid has been made.
  16. In computing the amount of capital there shall be disregarded such an amount of capital, if any, as the Sub Committee in the circumstances of the case may in its discretion decide.
- B. Calculation of disposable income**
1. The income of the Applicant or his or her partner from any source shall be taken to be the income which that person may reasonably expect to receive (in cash or in kind) during the preceding year.
  2. The income in respect of any emolument, benefit or privilege receivable otherwise than in cash shall be estimated at such a sum as in all the circumstances is just and equitable but shall not include any sum in relation to the occupation of a manse by a Minister.
3. (1) The income from any gainful occupation other than stipend, or employment at a wage or salary, shall be deemed to be whichever of the following the Sub Committee considers more appropriate and practicable:
    - (a) the profits which have accrued or will accrue to the Applicant or their partner in respect of the period of computation; or
    - (b) the drawings of the person concerned.
  - (2) In calculating the profits and drawings referred to in paragraph (1) above:
    - (a) the Sub Committee may have regard to the profits of the last accounting period of such trade, business or gainful occupation for which accounts have been prepared; and

- (b) there shall be deducted all sums necessarily expended to earn those profits, but no deduction shall be made in respect of the living expenses of the Applicant or any member of that person's family or household, except in so far as that person is wholly or mainly employed in that trade or business and such living expenses form part of that person's remuneration.
- 4. (1) In computing the disposable income of the Applicant or his or her partner there shall be deducted the total amount of tax which it is estimated would be payable by the Applicant or his or her partner if his or her income, as computed in accordance with this Part Three B of the Schedule (but without taking into account the operation of Rule 10(1) of this Part Three B of the Schedule), were that person's income for a fiscal year and that person's liability for tax in that year were to be ascertained by reference to that income and not by reference to that person's income in any other year or period.
- (2) For the purposes of this rule the tax shall be estimated at the rate provided by and after making all appropriate allowances, deductions or reliefs in accordance with the provisions of the Income Tax Acts in force for the fiscal year current at the date of the application.
- 5. In computing the disposable income of the Applicant or his or her partner, there shall be disregarded:
  - (a) income support paid under section 124 of the Social Security Contributions and Benefits Act 1992 ("the 1992 Act");
  - (b) an income-based jobseeker's allowance (payable under the Jobseekers Act 1995);
  - (c) a back to work bonus (payable under the Jobseekers Act 1995);
  - (d) any payment made under the Community Care (Direct Payments) Act 1996 or as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013;
- (e) state pension credit (payable under the State Pension Credit Act 2002);
- (f) an income-related employment and support allowance;
- (g) universal credit paid under Part 1 of the Welfare Reform Act 2012.
- (h) attendance allowance paid under section 64 of the 1992 Act;
- (i) disability living allowance paid under section 71 of the 1992 Act;
- (j) constant attendance allowance paid as an increase to a disablement pension under section 104 of the 1992 Act.
- 6. When the income of the Applicant or his or her partner consists, wholly or in part, of stipend or a wage or salary from employment there shall be deducted:
  - (a) the amount of any payments reasonably made for travel to and from his or her workplace, membership of a trade union or professional organisation; and
  - (b) the amount of any contribution paid, whether under a legal obligation or not, to an occupational pension scheme within the meaning of the Social Security Pensions Act 1975 or to a personal pension scheme within the meaning of section 1 of the Pension Schemes Act 1993.
- 7. There shall be a deduction in respect of the amounts payable or estimated to be payable in the 12 months following the application by the Applicant in respect of:
  - (a) Council Tax; and
  - (b) Water and Sewerage Charges.
- 8. (1) There shall be a deduction, in respect of (a) mortgage payments or (b) rent of the main or only dwelling in the case of a householder, of the amount of the net mortgage or rent paid or such part thereof as is reasonable in the circumstances. Any contributions received from any other person towards that payment of

mortgage or rent shall be taken into account as income, and the Sub Committee shall decide which is the main dwelling where the Applicant resides in more than one dwelling in which he or she has an interest.

(2) In this rule the expression "rent" means:

- (a) the rent payable in respect of a year; and
- (b) a sum in respect of the yearly outgoings borne by the householder including, in particular, a reasonable allowance towards any necessary expenditure on repairs and insurance and any other annual burden.

(3) In this rule the expression "net rent" means:

- (a) the rent less any proceeds of subletting any part of the premises in respect of which the said rent is paid or the outgoings incurred; or
- (b) where any person or persons other than the Applicant, his or her partner or any dependent of the Applicant is accommodated, otherwise than as a subtenant, in the premises for which the rent is paid, the rent less such an amount as the Sub Committee may determine to be reasonably attributable to the accommodation of such person.

9. If the Applicant is not a householder, there shall be a deduction in respect of the cost of that person's living accommodation of such amount as is reasonable in the circumstances.

10. (1) There shall be a deduction in respect of the maintenance of the partner of the Applicant, if they are living together, and in respect of the maintenance of any person wholly or substantially maintained by the Applicant, being a member of his or her household, ("a dependent person") at the following rates:-

- (a) in the case of a partner, at a rate of £2,177;

- (b) in the case of a dependent person, at a rate of £3,488;

Provided that the Sub Committee may reduce such rate by taking into account the income and other resources of the dependent person to such extent as appears to it to be just and equitable.

(2) In ascertaining whether a person is a dependent person regard shall be had to their income and other resources.

11. If the Applicant is making and, throughout such period as the Sub Committee may consider adequate, has regularly made *bona fide* payments for the maintenance of a partner who is living apart, of a former partner, of a child or of a relative who is not (in any such cases) a member of the household of the Applicant, there shall be a deduction at the rate of such payments or at such rate, not exceeding the rate of such payments, as in all the circumstances is reasonable.

12. Where the Applicant must provide for any other matter the Sub Committee may make an allowance of such amount as it considers to be reasonable in the circumstances of the case.

13. In computing income from any source there shall be disregarded such amount, if any, as the Sub Committee considers to be reasonable having regard to the nature of the income or to any other circumstances of the case.

## Appendix F

### [ ] ACT AMENDING THE APPEALS ACT (ACT I 2014)

Edinburgh, [ ] May 2018, Session [ ]

The General Assembly hereby enact and ordain that the Appeals Act (Act I 2014), as amended, shall be further amended as follows:

1. *In the existing section 14(2), delete the word "forty" and substitute the word "twenty-five".*

## Appendix G

### [ ] ACT AMENDING THE DISCIPLINE OF MINISTRY ACT (ACT III 2001)

Edinburgh, [ ] May 2018, Session [ ]

The General Assembly hereby enact and ordain that the Discipline of Ministry Act (Act III 2001), as amended, shall be further amended as follows:

1. *Delete the existing section 3(4) and substitute the following:*  
  

"A Presbytery shall initiate investigatory proceedings as soon as it comes to the notice of the Presbytery that (a) the name of a person over whom it has jurisdiction has been placed on the Sex Offenders' Register or included in the Children's List and/or the Adults' List kept under Section 1(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof), and/or (b) a person over whom it has jurisdiction has failed to advise the Church's Safeguarding Service of (a) any act, default or omission, or (b) any circumstances arising, bearing upon that person's suitability to undertake Regulated Work as defined in the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof)."
2. *In section 19, add a new subsection (3) "In relation to an appeal, the Clerk of the Judicial Commission may invite the Presbyterial Commission to furnish a report in writing on the case generally and in particular on the*

Grounds of Appeal, for the assistance of the parties and of members of the Judicial Commission."

3. *In section 22(4) make the following amendments:*
  - (i) *In the first line of section 22(4)(a) delete "When an Appeal has been submitted to" and substitute "When Grounds of Appeal have been lodged with".*
  - (ii) *In the third line of section 22(4)(c) delete "lodging of the Appeal" and substitute "lodging of the Grounds of Appeal".*
4. *Amend section 22 by adding at the start "Subject always to section 22A, which shall apply where a Respondent appoints a solicitor to represent him or her in proceedings under this Act, following receipt of intimation in terms of section 5(1), on or after 31 May 2018,.....".*
5. *Insert a new section 22A as follows:*  
  

"22A. Where a Respondent appoints a solicitor to represent him or her in proceedings under this Act, following receipt of intimation in terms of section 5(1), on or after 31 May 2018, (i) the expenses of the Respondent in the conduct of proceedings under this Act and any appeal following thereon, may be met from central funds of the Church only in accordance with the terms of the Legal Aid in Disciplinary Proceedings Regulations (Regs ZZ 2018), and (ii) the expenses of the Special Committee of Presbytery in the conduct of proceedings under this Act may be met from central funds of the Church only on a basis equivalent to that which the Respondent could obtain in terms of Regulation 5(c) of the Legal Aid in Disciplinary Proceedings Regulations (Regs ZZ 2018)."

## Appendix H

### [ ] ACT AMENDING THE DISCIPLINE OF ELDERS, READERS AND OFFICE BEARERS ACT (ACT I 2010)

Edinburgh, [ ] May 2018, Session [ ]

The General Assembly hereby enact and ordain that the Discipline of Elders, Readers and Office Bearers Act (Act I 2010), as amended, shall be further amended as follows:

1. *Delete the existing section 7 and substitute the following:*

“A Presbytery shall initiate investigatory proceedings as soon as it comes to the notice of the Presbytery that (a) the name of a person over whom it has jurisdiction has been placed on the Sex Offenders’ Register or included in the Children’s List and/or the Adults’ List kept under Section 1(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof), and/or (b) a person over whom it has jurisdiction has failed to advise the Church’s Safeguarding Service of (a) any act, default or omission, or (b) any circumstances arising, bearing upon that person’s suitability to undertake Regulated Work as defined in the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof).”

## Appendix I

### OPINION OF THE PROCURATOR

regarding

### SOLEMNISATION OF SAME SEX MARRIAGE

### IN THE CHURCH OF SCOTLAND

#### INTRODUCTION

- 1.1 This Opinion is provided to contribute to the ongoing debate within the Church of Scotland on the possibility of allowing the solemnisation of same sex marriages by particular clergy within the Church. The consequences in civil law of such a change require to be identified so that any decision to introduce solemnisation of same sex marriage, even to a limited extent, is taken against a background of awareness of likely consequences, so far as these are capable of prediction.
- 1.2 This Opinion begins with a discussion of the legislation on marriage in Scotland, followed by the relevant provisions of the Equality Act 2010 and, lastly, some observations on the practical issues which any such change of position is likely to generate.

#### LEGISLATION

##### Marriage

- 2.1 At present, a Church of Scotland minister is authorised both by the Church and by the civil authorities to conduct between a man and a woman a wedding ceremony which will constitute a valid marriage under Scots law. Marriage in church law is dealt with by the Recognition of Marriage Services Act (Act 1 1977). This provides that the parties must covenant to take each other as husband and wife, and that the minister must declare them to be so. Validity under Scots law occurs because section 8 of the Marriage (Scotland) Act 1977 expressly declares all Church of Scotland ministers and deacons to be authorised celebrants of marriage between persons of different sexes.<sup>[3]</sup>



2.2 Section 8 has been amended to provide for same sex marriage, with DSM and SSM dealt with in different subsections, (1) and (1B) respectively. For SSM, there is no express declaration in relation to the Church of Scotland. For convenience, I set out the relevant parts of section 8. Also relevant is section 9, dealt with in the next section of this Opinion.

8. ***Persons who may solemnise marriage.***

(1) ....a marriage between persons of different sexes may be solemnised by and only by—

(a) a person who is—

(i) a minister or deacon of the Church of Scotland; or

(ii) a minister, clergyman, pastor, priest or other celebrant of a religious or belief body prescribed by regulations made by the Secretary of State, or who, not being one of the foregoing, is recognised by a religious or belief body so prescribed as entitled to solemnise marriage between persons of different sexes on its behalf; or

(iii) registered under section 9 of this Act to solemnise marriage between persons of different sexes; or

(iv) temporarily authorised under section 12 of this Act to solemnise marriage between persons of different sexes; or

(b) a person who is a district registrar or assistant registrar appointed under section 17 of this Act.

(1A) The Scottish Ministers may prescribe a religious or belief body under subsection (1)(a)(ii) only if—

(a) the body requests them to do so; and

(b) the Scottish Ministers are satisfied that the body meets the qualifying requirements.

(1B) ..., a marriage between persons of the same sex may be solemnised by and only by—

(a) a person who is—

(i) a minister, clergyman, pastor, priest or other celebrant of a religious or belief body prescribed by regulations made by the Scottish Ministers, or who, not being one of the foregoing, is recognised by a religious or belief body so prescribed as entitled to solemnise marriage between persons of the same sex on its behalf;

(ii) registered under section 9 to solemnise marriage between persons of the same sex; or

(iii) temporarily authorised under section 12 to solemnise marriage between persons of the same sex; or

(b) a person who is a district registrar or assistant registrar appointed under section 17.

(1C) The Scottish Ministers may prescribe a religious or belief body under subsection (1B)(a)(i) only if—

(a) the body requests them to do so; and

(b) the Scottish Ministers are satisfied that the body meets the qualifying requirements.

(1D) For the avoidance of doubt, nothing in subsection (1B)(a) or (1C)(a)—

(a) imposes a duty on any religious or belief body to make a request referred to in subsection (1C)(a);

(b) imposes a duty on any such body to nominate under section 9 any of its members to be registered as empowered to solemnise marriages between persons of the same sex;

(c) imposes a duty on any person to apply for temporary authorisation under section 12 to solemnise marriages between persons of the same sex;



- (d) *imposes a duty on any person who is an approved celebrant in relation to marriages between persons of the same sex to solemnise such marriages.*

.....

### 2.3 The key features of section 8 are

- That authorisation to conduct either DSM or SSM is granted by denomination – in other words, all clergy or other persons within a denomination who are authorised by the denomination to conduct weddings are thereby empowered to solemnise legally valid marriages.
- That for all clergy to be authorised celebrants of SSM in the same way as they are for DSM, the Church of Scotland would have to become a prescribed body under section 8.
- That such prescription would only occur if the Church were to apply for it.
- That there is no obligation on any organisation so to apply.

2.4 Section 9 is also relevant. The authorisation granted under section 9 is by person not by denomination. In the context of DSM, it has no relevance to clergy of the Church of Scotland, because the Church is specifically recognised under section 8. Like section 8, it deals separately with DSM and SSM, this time in subsections (1) and (1A). I set out the relevant parts of section 9 for convenience.

#### 9. ***Registration of nominated persons as celebrants.***

(1) *A religious or belief body, not being—*

- (a) *the Church of Scotland; or*  
 (b) *prescribed by virtue of section 8(1)(a)(ii) of this Act,*

*may nominate to the Registrar General any of its members who it desires should be registered under this section as empowered to solemnise marriages between persons of different sexes.*

(1A) *A religious or belief body, not being prescribed by virtue of section 8(1B)(a)(i), may nominate to the Registrar General any of its members who it desires should be registered under this section as empowered to solemnise marriages between persons of the same sex.*

(2) *The Registrar General shall reject a nomination made under subsection (1) or (1A) above if in his opinion—*

- (a) *the nominating body is not a religious or belief body; or*  
 (b) *the marriage ceremony used by that body is not of an appropriate form; or*  
 (c) *the nominee is not a fit and proper person to solemnise a marriage; or*  
 (d) *there are already registered under this section sufficient members of the same body as the nominee to meet the needs of that body in relation to solemnising marriages between persons of different sexes or, as the case may be, marriages between persons of the same sex.*

....

(3) *For the purposes of subsection (2)(b) above, a marriage ceremony for marriage between persons of different sexes is of an appropriate form if it includes, and is in no way inconsistent with—*

- (a) *a declaration by the parties, in the presence of each other, the celebrant and two witnesses—*  
 (i) *that they accept each other as husband and wife;*  
 (ii) *that they accept each other in marriage; or*  
 (iii) *either or both of sub-paragraphs (i) and (ii);*  
*and*

- (b) *a declaration by the celebrant, after the declaration mentioned in paragraph (a) of this subsection—*
- (i) *that the parties are then husband and wife;*
  - (ii) *that the parties are then married; or*
  - (iii) *either or both of sub-paragraphs (i) and (ii),*

*and the Registrar General may, before deciding whether to accept or reject a nomination, require the nominating body to produce to him in writing the form of words used at its marriage ceremonies for marriage between persons of different sexes.*

- (3A) *For the purposes of subsection (2)(b) above, a marriage ceremony for marriage between persons of the same sex is of an appropriate form if it includes, and is in no way inconsistent with—*
- (a) *a declaration by the parties, in the presence of each other, the celebrant and two witnesses, that they accept each other in marriage;*
  - (b) *a declaration by the celebrant, after the declaration mentioned in paragraph (a), that the parties are then married,*

*and the Registrar General may, before deciding whether to accept or reject a nomination, require the nominating body to produce in writing the form of words used at its marriage ceremonies for marriage between persons of the same sex.*

- (4) *Where the Registrar General accepts a nomination made to him under subsection (1) or (1A) above, he —*
- (a) *shall determine the period during which the nominee shall be empowered to solemnise marriages, being a period of not more than 3 years; and*

- (b) *may determine that the nominee shall be empowered to solemnise marriages only in such area or place as the Registrar General may specify,*

*and may make his acceptance subject to such other conditions as he thinks fit:*

*Provided that nothing in paragraph (a) above shall preclude the Registrar General from accepting a further nomination of that nominee, in accordance with this section, to take effect at any time after the end of the period determined by the Registrar General under the said paragraph (a).*

....

## 2.5 The key features of section 9 are

- That it and section 8 are mutually exclusive as regards each of DSM and SSM – if your denomination is authorised or prescribed under section 8, you cannot be authorised personally to solemnise the same category of marriage under section 9.
- That applications for authorisation are made to the Registrar General.
- That authorisation is time-limited, for a maximum period of three years (although this can be periodically renewed).
- Although, strictly, this is not a feature of section 9 because it is provided by section 8(1D)(b), there is no obligation on any organisation to nominate any members to solemnise SSM.

## 2.6 Finally on the matter of the Marriage (Scotland) Act, there is also section 12, which allows for temporary authorisation of individuals to solemnise marriage. The authorisation under section 12 is limited, either to one or more specific marriages, or by time. It can only be granted if the denomination is already prescribed under section 8, or has nominated members under section 9. It does not, therefore, offer any free-standing routes to authorisation to conduct SSM and is not considered further in this Opinion.

## Equality

- 3.1 It is now necessary to turn to the Equality Act 2010.
- 3.2 In part 2 of the Act, chapter 1 sets out protected characteristics. The list includes sexual orientation. Chapter 2 defines direct discrimination: this occurs where A treats B less favourably than others because of a protected characteristic. Indirect discrimination is also defined: this occurs where A applies to B a provision, criterion or practice which disproportionately disadvantages B compared to those who do not have the particular protected characteristic B has.<sup>[4]</sup>
- 3.3 It should be noted that chapter 2 also defines harassment and victimisation. The definitions of these terms essentially correspond to their ordinary meaning. Harassment and victimisation based on a protected characteristic is specifically outlawed at various points in the Act. I make this point, but will not deal specifically with these aspects in this Opinion. It suffices to point out that there are remedies under the Act for such conduct.
- 3.4 Parts 3 and 4 of the Equality Act address particular contexts in which discrimination may occur. Part 3 concerns services and public functions, and Part 4 deals with premises. Nothing covered by Part 4 is within Part 3. It therefore makes sense to look at Part 4 first.

### Premises

- 3.4.1 Under section 33, a person with the right to dispose of premises is prohibited from discriminating in that role. Similar prohibitions apply to discrimination in the granting of permission for disposal of premises and in the management of premises.<sup>[5]</sup>
- 3.4.2 By section 38, a reference to premises includes a reference to part of the premises. Disposing of premises includes granting a right to occupy them.<sup>[6]</sup>

- 3.4.3 Schedule 23 to the Act sets out general exceptions. A religious organisation does not contravene Part 4 by restricting the use or disposal of premises owned or controlled by the organisation. A person benefits from the same protection: they do not contravene the Act only by restricting the use of premises on behalf of or under the auspices of the organisation. But any restriction has to satisfy particular criteria. These criteria will already be familiar to some within the Church of Scotland, since they have been addressed in the context of Act 1 2015 (Ministers and Deacons in Civil Partnerships and Same Sex Marriages Act). In short, the restriction has to be being applied to comply with the doctrine of the organisation, or to avoid conflict with strongly held religious convictions of a significant number of the followers of the religion.

### Provision of services

- 3.4.4 Part 3 concerns services and public functions. I will begin by looking at the activities to which this part applies.
- 3.4.5 To take the latter expression first, a public function is one which is a function of a public nature for the purposes of the Human Rights Act 1998.<sup>[7]</sup> There is already a considerable jurisprudence about how this phrase should be interpreted. The leading UK case in this area remains *Aston Cantlow and Wilmcote with Billesley Parochial Church Council v Wallbank and Another* [2003] UKHL 37, [2004] 1 AC 546, which concerned the exercise of the powers of the parish church council in relation to chancel repairs. The speeches of the judges in the House of Lords contain discussion about public authorities and public functions. In particular, Lord Rodger makes this observation:

[170] *For the most part, in performing his duties and conducting the prescribed services, the minister is simply carrying out part of the mission of the Church, not any governmental function of the state. On the other hand, when in the course of his pastoral duties the minister marries a couple in the parish church, he may be*

***carrying out a governmental function in a broad sense and so may be regarded as a public authority for purposes of the 1998 Act (emphasis added).***

3.4.6 It would not be surprising if the act of solemnising a marriage were to be regarded as the exercise of a public function. But even if, for some reason, it were not, the Equality Act also prohibits discrimination in the provision of services, as explained below. It is reasonable to proceed on the basis that solemnising a marriage is covered by one of these expressions. Some of the other features of a wedding (music, flowers and so on) are likely to be covered by the concept of service provision – they are not the exercise of a public function.

3.4.7 The key section on services and public functions is section 29, which prohibits discrimination in the provision of services or exercise of a public function. Provision of services includes the provision of goods or facilities, and the provision of a service in the exercise of a public function. Moreover, making a change to the quality or manner of provision of the service, or terms on which it is provided, as compared with its provision to the public, can be discrimination.

3.4.8 For convenience, I set out section 29 below:

29 ***Provision of services, etc.***

- (1) *A person (a “service-provider”) concerned with the provision of a service to the public or a section of the public (for payment or not) must not discriminate against a person requiring the service by not providing the person with the service.*
- (2) *A service-provider (A) must not, in providing the service, discriminate against a person (B)—*
  - (a) *as to the terms on which A provides the service to B;*
  - (b) *by terminating the provision of the service to B;*
  - (c) *by subjecting B to any other detriment.*

- (3) *A service-provider must not, in relation to the provision of the service, harass—*
  - (a) *a person requiring the service, or*
  - (b) *a person to whom the service-provider provides the service.*
- (4) *A service-provider must not victimise a person requiring the service by not providing the person with the service.*
- (5) *A service-provider (A) must not, in providing the service, victimise a person (B)—*
  - (a) *as to the terms on which A provides the service to B;*
  - (b) *by terminating the provision of the service to B;*
  - (c) *by subjecting B to any other detriment.*
- (6) *A person must not, in the exercise of a public function that is not the provision of a service to the public or a section of the public, do anything that constitutes discrimination, harassment or victimisation.*

....

3.4.9 The exceptions which operate here are set out in Schedule 3. A new paragraph was inserted in 2014, at the time of amendment of the Marriage (Scotland) Act to provide for SSM.

25B. ***Marriage of same sex couples and civil partnership: Scotland***

- (1) *An approved celebrant does not contravene section 29 only by refusing to solemnise a relevant Scottish marriage for the reason that the marriage is the marriage of two persons of the same sex.*
- (2) *An approved celebrant does not contravene section 29 only by refusing to register a relevant Scottish civil partnership for the reason that the civil partnership is between two persons of the same sex.*

- (3) *A person does not contravene section 29 only by refusing to participate in a religious or belief ceremony forming part of, or connected with, the solemnising of a relevant Scottish marriage for the reason that the marriage is the marriage of two persons of the same sex.*
- (4) *A person does not contravene section 29 only by refusing to participate in a religious or belief ceremony forming part of, or connected with, the registration of a relevant Scottish civil partnership for the reason that the civil partnership is between two persons of the same sex.*

.....

## DISCUSSION

4.1 The key features of these provisions are:

### Premises

- Discrimination in granting a right to occupy premises is prohibited; this would cover a refusal to let a hall for a reception or other social function associated with a same sex wedding;
- Such a refusal is capable of justification but, in a Church of Scotland context, it is likely that this is only on the basis that the restriction is being applied to avoid conflict with the strongly held religious convictions of a significant number of followers of the Church of Scotland.

### Services

- A celebrant (minister or deacon) does not contravene the Equality Act only by refusing to solemnise a marriage on the basis that it is a SSM;
- A person who would normally participate in a wedding service, such as an organist, does not contravene the Act by refusing to take part because the wedding is a same sex one;
- These protections are not subject to a test of compliance with doctrine or with religious convictions, but are absolute;

- Whilst the protections are absolute, their scope is limited to involvement in the ceremony;
- Others whose input is necessary to the occasion, such as the church officer or a flower arranger, are not offered a specific protection.

4.2 The last two bullet points above raise the question of a dividing line between those who are protected from claims based on discrimination, and those who are not. The protection afforded to people other than celebrants is against claims based on their 'refusing to participate'. The question may arise of what is meant by 'participate'.

4.3 The notion of participating in an activity was considered by the Supreme Court in the case of *Doogan v Greater Glasgow and Clyde Health Board* [2014] UKSC 68; 2015 SC 32. In that case, the Court required to analyse section 4(1) of the Abortion Act 1967, which provides:

*(1) ..., no person shall be under any duty, whether by contract or by any statutory or other legal requirement, to participate in any treatment authorised by this Act to which he has a conscientious objection.*

4.4 The undertaking of a termination requires a sequence of steps, from booking the woman in to discharge home. The two midwives who brought the case contended that they were entitled to object to any involvement with patients undergoing a termination:

*...their objections extend to receiving and dealing with the initial telephone call booking the patient into the labour ward, to the admission of the patient, to assigning the midwife to look after the patient, to the supervision of the staff looking after the patient, both before and after the procedure, as well as to the direct provision of any care for those patients, apart from that which they are required to perform under sec 4(2) of the 1967 Act.<sup>[8]</sup>*

4.5 After concluding that the 'course of treatment' means the whole course of medical treatment bringing about the termination of the pregnancy, Lady Hale continued

[37] *The more difficult question is what is meant by 'to participate in' the course of treatment in question. The employers accept that it could have a broad or a narrow meaning. On any view, it would not cover things done before the course of treatment began, such as making the booking before the first drug is administered. But a broad meaning might cover things done in connection with that treatment after it had begun, such as assigning staff to work with the patient, supervising and supporting such staff, and keeping a managerial eye on all the patients in the ward, including any undergoing a termination. A narrow meaning would restrict it to 'actually taking part', that is actually performing the tasks involved in the course of treatment.*

[38] *In my view, the narrow meaning is more likely to have been in the contemplation of Parliament when the 1967 Act was passed.... 'Participate' in my view means taking part in a 'hands-on' capacity.*

- 4.6 Clearly, the context is very different, but I consider that the case does offer assistance, given that the same word is under consideration, and the purpose of the legislative provision in each case is to provide a 'conscience' exception. The case is also noteworthy for Lady Hale's recognition that an employee could be unsuccessful in arguing for a wide construction of the conscience clause yet also have a claim for breach of her Article 9 rights.<sup>[9]</sup> Such a claim would not lie against the Church since it is not a State employer, but there could be a claim against an employer alleging discrimination on the basis of religion or belief, and Article 9 could then be relied on in proceedings in court, together with supportive case-law, such as the decision of the European Court of Human Rights in *Eweida v United Kingdom* (2013) 57 EHRR 8.

## CONCLUSIONS

- 5.1 Drawing all this together, it is apparent that a number of matters require to be considered. It seems to me that the general approach which the Church might wish to follow would reflect a) **accommodation** (of those celebrants who wish to provide this service); b) **protection** (of those other individuals who do not wish to be involved in the provision of this service) and c) **substitution** of others willing and able to fill any such vacant roles (where that is necessary to enable a complete wedding service to be provided).
- 5.2 More specifically, the following points strike me:
- It would not be possible for a minister or deacon of the Church of Scotland to solemnise a SSM unless the Recognition of Marriage Services Act 1977 were changed to provide that marriage is constituted by parties taking each other in marriage.
  - The provisions of section 9 of the Marriage (Scotland) Act 1977, whereby individual celebrants gain authorisation to solemnise SSM by means of nomination to the Registrar General, appear to fit with the current position of the Church of Scotland. Because of its express mention in section 8, the Church does not currently utilise section 9 for DSM,<sup>[10]</sup> so a process within the Church whereby an individual minister can put forward their name for nomination will be required.
  - In any permissive legislation, it may be appropriate to state certain general principles. These might concern the entitlement of an individual minister to put him or herself forward; a statement of general principle about premises (both church and hall) and whether their use is a matter for the minister alone and, if not, whether (and which) others have a right of veto; recognition that no-one can be required to participate if they do not wish to, and that no individual whose involvement is necessary for the running of the service but who does not enjoy statutory protection should be made to provide his or her services, alternatives being arranged instead.



- Insofar as premises (sanctuary and hall) are concerned, and if the decision as to use is to involve others additional to the minister, the model which may be most suitable is one analogous to the approach adopted to the ordination and induction of ministers in same sex relationships. Thus, the default would be that use of premises is not allowed unless a particular process has been followed to permit this.
- Allied to the immediately preceding point is the question of duration of any permission regarding use of premises – is this to be for each event, or for a set period, or unless and until rescinded?
- The topic of intrusion is also relevant: what is to happen where a minister or deacon authorised under section 9 is asked to conduct a SSM in the parish of a minister not so authorised?
- If a SSM is arranged, with a minister authorised under section 9, and that minister then moves to another charge, what is to be the position regarding the commitment if the new minister is not authorised under section 9 and does not wish to be?
- If a minister or deacon is authorised under section 9, and the church is permitted to be used, but a prospective participant does not wish to be involved, there may have to be specific arrangements made for the couple to be assisted to find a substitute (if, for example, the organist does not wish to play at the ceremony) or for designated individuals to be willing to step in (if, say, the church officer does not wish to be involved).

5.3 In conclusion, I note that the Episcopal Church, which has a more developed position on same sex marriage, has elected to follow the section 9 route under the Marriage (Scotland) Act 1977, has set out a Statement of Principles, and is producing guidance as to how, practically, arrangements for the conduct of same sex weddings are to be made. This template will be worth consulting, since it may provide practical examples of how challenges in formulating a position, both of principle and in practice, may be addressed.

LAURA J DUNLOP  
18 February 2018  
Advocates Library  
Parliament House  
Edinburgh

## Appendix J

### [ ] VIRTUAL ATTENDANCE AT MEETINGS ACT (ACT [ ] 2018)

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly enact and ordain as follows:

#### Definitions

1. In this Act, the following words shall have the following meanings:
  - (1) “Designated Body” shall mean a Council or Committee of the General Assembly, or a Presbytery, Kirk Session, Congregational Board, or other financial body existing in the constitution of a congregation.
  - (2) “Relevant Meeting” shall mean, subject to section 6 of this Act, a meeting called on the authority of any Designated Body.
  - (3) “Virtual Attendance” means that a person is not physically present at a Relevant Meeting, but instead is able to participate in the Relevant Meeting by means of a video and/or audio platform, in like manner to those who are

physically present. For the avoidance of doubt, in order to constitute Virtual Attendance the presence of such a person at a Relevant Meeting must entail: (a) the capacity for effective two-way communication, by visual and/or spoken means, between such a person and those physically present and with other people attending virtually; (b) the ability of such a person to engage in debate with, and to ask questions of, those who are physically present and others attending virtually, and to answer questions from them; and (c) the ability of such a person to cast a vote contemporaneously with those physically present and others attending virtually.

### Permission for Virtual Attendance

2. (1) It shall be lawful for a Designated Body to resolve that at any subsequent Relevant Meeting(s) of the Designated Body, any person(s) is/are permitted to be in Virtual Attendance.
- (2) If and to the extent that a Designated Body resolves to permit Virtual Attendance, it shall mean that the person(s) in Virtual Attendance is/are deemed to be present at the Relevant Meeting for the purposes of Church law in the same way as if such person(s) had been physically present.
- (3) The Designated Body may make a resolution under this section to permit Virtual Attendance at all Relevant Meetings of that Designated Body, or may make such a resolution only for a specified Relevant Meeting or Relevant Meetings.
- (4) A decision to permit Virtual Attendance at all Relevant Meetings of a Designated Body may subsequently be revoked in respect of future Relevant Meetings.
- (5) For the avoidance of doubt, this section is permissive only and not directive.

### Convener or Moderator at a Relevant Meeting

3. (1) It shall be the responsibility of the Convener or Moderator, as the case may be, of any Relevant Meeting where Virtual Attendance is permitted, to establish at the opening of the Relevant Meeting;
  - (a) the identity of any persons(s) who purport to be in Virtual Attendance, and
  - (b) that such a person(s) is/are in Virtual Attendance as defined in section 1, so that they are permitted to participate in the Relevant Meeting and have the right to vote
- (2) If at any time during a Relevant Meeting the continuing ability of a person in Virtual Attendance to participate in the Relevant Meeting in terms of sections 1 and 3(1)(b) is questioned, it shall be the responsibility of the Convener or Moderator to establish whether the person still meets the requirements of sections 1 and 3(1)(b) and if not to deem that person to have left the Relevant Meeting.
- (3) In all cases described in this section the decision of the Convener or Moderator, as the case may be, shall be final.
4. If the Convener, or Moderator, is in Virtual Attendance at a Relevant Meeting and becomes unable to participate in terms of sections 1 and 3(1)(b), then the Relevant Meeting shall either appoint an alternative Convener, or Moderator from amongst those attending, or else the Relevant Meeting shall be deemed to have ended. No substitute shall be so appointed unless qualified to perform the relevant function(s) in accordance with the standing law of the Church.



No appeal

- 5. Providing that a Relevant Meeting remains quorate, no failure of technology however caused, or decision to deem any person to be or not to be in Virtual Attendance or to have left the Relevant Meeting, shall invalidate the Relevant Meeting or any decision taken at the Relevant Meeting, nor shall any such matter be a ground for appeal against any decision taken at a Relevant Meeting.

Exception for Vacancy Procedure Act (Act VIII 2003)

- 6 This Act shall not apply to any Congregational Meetings held under the Vacancy Procedure Act (Act VIII 2003), in respect of which Virtual Attendance shall not at this time be permitted.

References

- [1] This to tie in with the Registration of Ministries Act and the way it deals with those who are out of parish ministry for over three years and who would at that point lose their category “O” registration
- [2] A quick guide to disposable capital and income is available from the Secretary to the Sub Committee.
- [3] From now on, I will use the abbreviations ‘DSM’ and ‘SSM’ to represent ‘different sex marriage’ and ‘same sex marriage’.
- [4] Sections 13 and 19.
- [5] Sections 34 and 35.
- [6] Section 38.
- [7] Sections 31(4) and 150(5).
- [8] Midwives’ argument, summarised in paragraph [31] of the Court’s decision.
- [9] See paragraph [24].
- [10] Except in relation to clergy of other denominations serving in the Church.



## JOINT REPORT OF THE MINISTRIES COUNCIL AND THE LEGAL QUESTIONS COMMITTEE MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the report.
2. Agree that the Council and the Committee have completed the work instructed by the General Assembly in terms of section 35 of the Deliverance on the Council's 2017 Report.

### Report

The 2017 General Assembly issued the following instruction to the Ministries Council:- *Instruct the Council jointly with the Legal Questions Committee to consider issues that have arisen when implementing the Ministers and Deacons in Civil Partnerships and Same Sex Marriages Act (Act I 2015) and report to the General Assembly of 2018 as to whether amending legislation is required.*

After discussions regarding the issues which the Council believe arise from the implementation of Act I 2015, the Council and the Committee are of the view that the Council's wish for change cannot be met through simple amendments made to the current Act. The Act is founded on an underlying theological premise, which was agreed at the 2013 Assembly, affirming the current and historic doctrine and practice of the Church in relation to human sexuality. The Act allows for a very specific departure in relation to the induction and appointment of Ministers of Word and Sacrament and Deacons to appointments in congregations. The Church cannot easily extend the scope of this 'departure' without further reflection on that theological premise.

This is a matter which requires careful theological consideration rather than a pragmatic solution. The Council and the Committee, therefore, seek to be discharged from the instruction quoted above.

The Ministries Council will bring a deliverance to a future session of the General Assembly under their Report identifying how they consider that work on these issues could be progressed.

*In the name of the Ministries Council and  
Legal Questions Committee*

NEIL GLOVER, *Convener*  
JAYNE SCOTT, *Secretary*  
GEORGE S COWIE, *Convener*  
GEORGE J WHYTE, *Secretary*



## COUNCIL OF ASSEMBLY MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Give thanks for the engagement of congregations and Presbyteries in the *Together we Pray* initiative and instruct the Council to make arrangements for another National Day of Prayer, on 3 November 2018, focussing on the life and missional work of the Church of Scotland. (Section 1.6)
3. Approve the Strategic Plan, as presented in the document *Worshipping God, Inspiring Faith, Connecting People*, and adopt it as containing directing principles for planning and prioritising short, medium and long-term goals for the life and work of the Church of Scotland over the next ten years (2018-2028). (Section 2)
4. Instruct the Council to work collaboratively in facilitating and overseeing the implementation of the Strategic Plan in the Unincorporated Councils and Committees (UCC) over the ten year period 2018-2028, reporting annually to the General Assembly on progress towards achieving the stated short, medium and long-term goals. (Section 2 and Appendix 1)
5. Instruct Presbyteries to:
  - a) study the Strategic Plan;
  - b) consider how best to achieve those goals which are directed to the regional and local;
  - c) support congregations within their bounds as they seek to take forward its goals;
  - d) work together with the Council to identify and supply the resources needed to implement the Plan appropriately in context; and
  - e) update the Council annually on progress in engaging with the strategy. (Section 2)
6. Instruct Kirk Sessions to:
  - a) study the Strategic Plan;
  - b) consider how best to achieve its short, medium and long-term goals, noting especially the importance of engaging fully in the Local Church Review (LCR) process; and
- c) work cooperatively with Presbyteries in exploring how best the strategy may be implemented. (Section 2)
7. Instruct the Council, working together with the Mission and Discipleship Council, the Ministries Council and the Legal Questions Committee, to review Act 1 2011 on Local Church Review, to ensure that the operation of LCR enables congregations and Presbyteries to implement effectively the goals outlined in the Strategic Plan, and report to the General Assembly of 2019. (Sections 2.3.9-2.4.1)
8. Note the work undertaken by the Council on the National Offices Buildings Project and instruct it to continue the programme of work outlined in Section 3.5, with a view to presenting a further report to the General Assembly in 2019, enabling a decision on the future of the National Offices. (Section 3)
9. Note the continuing work of the Gaelic Group, including the ongoing development of a Gaelic Language Plan for the Church of Scotland, and approve the Remit for the Group as outlined in Appendix 2. (Section 7 and Appendix 2)
10. Instruct Presbyteries to ensure that Congregational Office Bearers access and make use of the range of resources prepared by the Law Department to enable compliance with the terms of the General Data Protection Regulation from 25 May 2018. (Section 8.4)
11. Approve changes to the membership of the Ministries Council for a limited period of two years. (Section 11.1.2)
12. Approve changes to the membership of the Social Care Council. (Section 11.1.3)
13. Approve the revised process for nomination of suitably qualified persons to legal bodies as outlined in Section 11.2. (Section 11.2)

## Report

### 1. INTRODUCTION

**1.1** 'For the times, they are a-changing'! We live in an era of unprecedented change, rapid and unabating. For an organisation such as the Church that changes very slowly, this leads to nervousness and a sense of uncertainty. Much of the work of the Council of Assembly over the past two years has been directed towards putting in place structures and support mechanisms which will enable the local Church to make the changes which are necessary to allow ministry and mission across the parishes of Scotland to flourish in the next phase of the Church's life.

**1.2** One such piece of work is the draft Strategic Plan which is the product of some two years of consultation and development. The document which Commissioners have received seeks to offer a sense of direction and common purpose, setting out priorities for what the Church of Scotland can do in addressing the challenges of our changing times. The rationale behind it is presented in Section 2. The Council commends it to the General Assembly for adoption and implementation.

**1.3** Another key piece of work is around the future of our National Office. Following on from the Assembly last year, the Council has considered the three options presented then. While a great deal of progress has been made in the production of a Business Plan and comparative costing, there remains detailed work to be done, in cooperation with the General Trustees, to allow the General Assembly to make a decision which will influence the way in which the national support structure will function in the coming decades. Sustainability, flexibility and good stewardship are the key themes which inform this work, an outline of which is given in Section 3.

**1.4** In the midst of these two very large pieces of work, the Council has continued to carry out all of its other regular tasks. One of the more important of these in the past year has been the work of the Data Protection Working Group, whose task has been to prepare the Church at all levels for the implementation of the General Data Protection Regulation (GDPR) across the EU in May 2018. Section 8.4 points to the significance of this and to the training and support that is available to ensure that Presbyteries, local congregations and national bodies are ready for the changes that are being introduced.

**1.5** The Council itself has welcomed several new Trustees and Conveners as well as new senior members of staff, including the Principal Clerk, the Head of HR and the Head of Communications. New people bring fresh thinking and ideas and the Council is grateful for all those who willingly give of their time and talents to the work of all the Councils and Committees of the Church.

**1.6** The Assembly in 2017 called upon the Church as a whole to place prayer at the heart of all that we do and in particular to pray for the work being undertaken in relation to planning for the future. The response to this was enthusiastic and wholehearted, with many congregations and Presbyteries arranging special events and opportunities for prayer as part of the *Together We Pray* initiative. The Council has been encouraged to promote a further National Day of Prayer later in the year, to focus on the future life and missional activity of the Church. The experience of the past year has given us assurance that, whatever changes may lie ahead, the God who remains constant yesterday, today and forever hears and responds in ways beyond our expectations.

## 2. WORSHIPPING GOD – INSPIRING FAITH – CONNECTING PEOPLE. STRATEGIC PLAN 2018 – 2028

### 2.1 How We Got Here

**2.1.1** The General Assemblies of 2016 and 2017 gave to the Council of Assembly the responsibility for bringing forward a Strategic Plan for the next phase of the work of the Church. The process towards that began with a series of Roadshows, entitled *On the Road*, in autumn 2016 which engaged local Church folks in conversation about how they saw the future of the Church. The outcomes of those meetings were recorded and summarised in the Council's Report to the General Assembly of 2017. This included the first stages of laying the foundations for a plan.

**2.1.2** The Assembly affirmed a starting point in the teaching of Jesus in scripture as an overall expression of our mission and purpose: Love God and Love Your Neighbour. It also noted that three main objectives had emerged from the consultations to that point which would frame the way in which, as a Church, we would aim to achieve our mission. These were summed up in three key themes, which have been refined over the past year: Worship; Active Discipleship; Connecting with Communities.

**2.1.3** Following the Assembly in 2017, the Council continued its process of consulting widely on the emerging content of the Strategic Plan. This included meeting with Conveners and representatives of all the major Councils, the Ecumenical Relations Committee, the General Trustees and with the members of the Youth Assembly. Each was invited to comment on the material assembled to that point and to indicate areas which they thought needed further refinement or new material which they would like to see included. The Senior Management Team also had the opportunity to see and comment on the materials.

**2.1.4** The Council of Assembly's Strategy Group took account of all the material which came from these meetings alongside that already gathered from the 2016 *On the Road* process and presented an initial draft to the Council at its residential meeting in September 2017. The Council scrutinised the draft and a number of substantial revisions were sent back to the Group for further work. A second main draft was then presented to a special meeting of the Council in October 2017, leading to further revision and reworking.

**2.1.5** At the beginning of November 2017, a residential meeting for representatives of Presbyteries was held at which around 80 participants were present. This group received the next revision of the draft Plan and was able to scrutinise it in some detail. A number of key insights were brought forward from that event which contributed significantly to the final shape of the Plan, particularly in relation to issues of implementation.

**2.1.6** Later in November, the Council held a series of four regional Roadshows in Glasgow, Dundee, Inverness and Edinburgh. Around 250 people attended these, a high proportion of whom had also been at one of the sixteen events in the *On the Road* process in 2016. This gave opportunity for comment and again contributed to the final shaping of the goals. This was particularly useful in relation to testing out the viability of the measures and targets for local and regional implementation.

**2.1.7** The Strategy Group met in late November to pull together all the thinking from the consultation phase and a further revised Plan was presented to Council in December 2017. While some comments were made on adjustments to wording, a key addition at this point was the 'vision' line. It was agreed to move to something which was short and memorable, but which as far as possible also contained the

key features towards which the Plan is directed. This can now be found on the cover of the Plan and as the heading of this section of Report: Worshipping God – Inspiring Faith – Connecting People.

**2.1.8** One of the aims of the strategic planning process was to enable the Church to have clear focus in what it does. The 2013 Strategic Framework presented to the General Assembly laid out 13 priorities. While this was a starting point, it was too broad to be able to allow any real prioritisation to take place. The ability to sum this up now in three key phrases will hopefully enable both the prioritisation process and the ability of each of us to recall and act on the key themes.

**2.1.9** The final stage of the process was for the Strategic Plan to be designed into the booklet which Commissioners to this General Assembly have received. The Council completed its scrutiny of it in February 2018 and it is presented to the General Assembly for approval and adoption.

## **2.2 Key Elements of the Plan**

### **2.2.1 Mission and Objectives**

**2.2.1.1** As indicated above (in section 2.1.2), the wording which is used to describe our overall mission was already agreed at the Assembly in 2017 – Love God and Love our Neighbours. In terms of how we go about achieving this, three main objectives were also identified last year and have been honed to be as concise as possible: Worship; Active Discipleship; Connecting with Communities.

**2.2.1.2** These objectives are not independent of one another, as though one might be achieved without the others. The Plan tries to represent this through the use of a Venn diagram, which has large areas of intersection between the different parts, indicating that these objectives are in constant relationship with one another. We worship God because we experience God's love for us; this leads us to be active in our learning from and following of Jesus Christ; we respond to his call to share faith in word and action in the power of the Spirit; which leads us back to worship... and the interactive cycle goes on.

### **2.2.2 Vision**

**2.2.2.1** It is important in any Strategic Plan to have a vision which captures the essence of what we are working towards. It ought to be self-explanatory, inspiring and memorable, allowing those who are charged with delivering the outcomes

of the Plan an easy point of reference. If asked what is our vision for the Church of Scotland as a whole, we should be able to answer that question clearly and concisely. The Council proposes that the vision contained in the Plan can be summed up in three two-word phrases: *Worshipping God - Inspiring Faith - Connecting People*. These also correspond broadly to the three objectives of Worship; Active Discipleship; Connecting with Communities, which will enable us to prioritise our action towards fulfilling the mission of Loving God and Neighbour.

**2.2.2.2** *Worshipping God*: the Shorter Catechism starts by indicating that the 'chief end' of human beings is to worship and enjoy God. Worship lies at the heart of all that we do and are as Christians. We express our love for God through worship while we experience God's presence in worship, both individually and corporately. In coming together to share in worship we form community, congregations gathered ecumenically with a desire both to be fed through worship and to go out in mission, taking the Good News of God's love to others.

**2.2.2.3** *Inspiring Faith*: is the logical and natural outcome of worshipping God. Faith is, of course, a *gift* of God to us rather than a human achievement. There is double sense to the phrase *Inspiring Faith*. On the one hand, it indicates that, through worship, the faith which God gives us is inspirational in enabling us to live out our lives in active discipleship. This provides us with the encouragement we need to be faithful in our following of Jesus Christ. On the other hand, it reminds us that faith is missional, as it inspires us to share the Christian story with others, to whom God also offers the gift of faith.

**2.2.2.4** *Connecting People*: this is what happens when we worship together and share faith. The Church exists as a connecting point for people, whether that is in corporate worship, in engaging with the communities in which we live or work, in working with and challenging the structures of our society, or in reaching out to friends and strangers across the world. While we spend much time and money on providing good spaces and buildings in which to work and worship, the Church is first and foremost people. The Church of Scotland is uniquely well placed, through its national role, to be a place of connection for people of all backgrounds. All of our ministry and mission has at its heart the connecting of people.

**2.2.2.5** For these reasons, we have chosen to adopt as our vision statement for the Strategic Plan, *Worshipping God - Inspiring Faith - Connecting People*.

## **2.2.3 Overarching Goals**

**2.2.3.1** The Council has identified eight overarching goals which together represent the substance of the Plan. These are spelt out in detail under their individual headings, but taken together, they fall into two categories of goal. Firstly, there are those connected with the direct *enabling* of people in the life of the local congregation, especially aiming towards its missional activity and engagement with the wider world. Secondly, there are goals which are primarily about the ways in which the national bodies can *support* both the regional and local Church in terms of resources.

**2.2.3.2** The enabling goals point towards ways in which the Church can address decline locally, regionally and nationally. While conducting the *On the Road* process, the Council was encouraged by the degree of energy and enthusiasm which people demonstrated for change. Far from merely being despondent about falling numbers, there was a desire for a Church which is confident in faith and in service – in worship and active discipleship. People expressed the desire to learn more both about their faith and about how to share it with others. The goals of creating thriving intergenerational Churches and growing congregations respond to the current demography of congregations and reflect the yearning of many. There are already large numbers from within our parishes who are engaged with local and global concerns and the Plan seeks to reinforce and strengthen them in that vital connecting work.

**2.2.3.3** The support-related goals are focussed on the provision of appropriate resources to carry out the enabling goals. They are surely not surprising things to find in a Strategic Plan for the Church – ministry; buildings; money; operational structures. In respect of ministry, the Plan recognises the reality of smaller numbers of full-time paid ministers being available, so is directed towards putting in place what we have talked about for years – ministry teams which are well supported. We need the right number of buildings, well-equipped and in the right places to ensure that the missional goals we set can be well supported. Our finances need to be on a stable basis, cutting our coat according to the cloth available – and we need to ensure that the resources we have are efficiently and effectively applied to our key goals and priorities. Underlying a great deal of what



we do is structure: we have heard a good deal while *On the Road* about the need for our structures to be lean and fit for purpose, actually supporting rather than getting in the way of the congregations being effective in fulfilling their missional calling.

## 2.2.4 Context

**2.2.4.1** An in-depth analysis of the context in which the Church finds itself today is neither possible nor appropriate in a Strategic Plan of this kind. It is important, however, to offer some brief pointers to things which may be significant in identifying priorities and ultimately in allocating resources. Three areas were identified in terms of context: [a] the wider societal context as it relates to our charitable aim – the advancement of religion; [b] our perceived strengths as a Church; [c] the key internal challenges facing the Church.

**2.2.4.2** A lot of work has been done in recent years by the Church and Society Council, particularly through its *Speak Out* campaign, to identify the key interfaces between the Church and the concerns of the wider society which we serve. This was helpful in looking at our context within society, both locally in Scotland and beyond in the global arena. The issues listed here will be familiar to many, most of them areas of significant and rapid change which affects us both as individuals and as institutions.

**2.2.4.3** It is always difficult to speak about one's own strengths without a sense of unease about appearing self-important. The areas listed, however, are ones about which the Church has received positive feedback from others, including ecumenical partners and external agencies with whom we share common agendas and work. There is much to give thanks to God for in the daily work which the Church of Scotland supports in the name of the gospel across the country and the world.

**2.2.4.4** Once again, the internal challenges will come as little surprise to readers of the Plan and those involved administratively in the running of the Church locally, regionally and nationally. The attentive reader will note that the eight key goals correspond quite closely to the challenges listed and that is no accident. One of the key purposes of a Strategic Plan is to help focus complex organisations on the significant issues facing them and to enable partnership and a sense of common purpose in addressing them together.

## 2.2.5 Principles for Making it Work

**2.2.5.1** In the process of pulling the final shape of the draft Plan together, four principles were noted which have been applied throughout. These will also serve in the task of prioritisation and implementation at all levels. The first is the most important: *Whatever we do, we do prayerfully, with humility and seeking to be in tune with the Spirit of God at work in the world.* During the *On the Road* events, on every occasion people pointed to the need for a greater emphasis on and practice of prayer in relation to all our work as a Church. For this reason, the General Assembly last year issued a call to prayer, particularly in relation to the work of planning for the future. Many have already engaged with the *Together we Pray* process, launched by the Moderator in September 2017, and we have heard of many places where people are recovering an enthusiasm for and joy in praying together. It is therefore appropriate that this is the first guiding principle for making the Plan effective.

**2.2.5.2** The other three principles are all important, even if they are more conventional ones for a Strategic Plan. *Sustainability* is a must – we cannot continue to live beyond our means with any of our resources, perhaps most obviously in relation to finance, but also in terms of people. *Flexibility* has to be built in to what we seek to achieve given the diversity of our people, culture, contexts and geography. This should not be seen as a license to ignore the priorities to which the Plan directs us, but it is to acknowledge that there will be differing ways of delivering on those same priorities governed by circumstances. *Working cooperatively* seems fairly obvious, but it has not always been our strength. In naming this as a working principle, the Strategic Plan points to the importance of leaving past differences, jealousies and power struggles behind and working together for the gospel. Without commitment to these principles, the achieving of the outcomes of the Plan will prove all the more difficult.

## 2.2.6 Detail

**2.2.6.1** The eight key goals are presented in detail in the main section of the Plan. They follow a particular pattern in terms of presentation. This is a common way of presenting such plans and is aimed at consistency of approach and at giving a high degree of integration across the goals as whole.

**2.2.6.2** Each goal begins with a statement about why this is important to achieve. In some cases this identifies a particular challenge which the Church is facing, but for the most part these are forward-looking statements. They reflect what the

Church will look like ten years from now (or earlier if possible) if the goal is achieved.

**2.2.6.3** We then turn to what role each of us might play in reaching the goal. This is spelled out in terms of the local (congregations), the regional (Presbyteries) and the national (Councils and Committees). In taking this approach the Council was conscious of a question at the General Assembly in 2017, when the Convener was asked if the Plan would be for the whole Church, or just for national bodies. The desire of the Assembly at that point was for something which brings common purpose to all parts of the Church in its work. Having listened widely to the Church in the process of drawing this up, what the Council now presents is something to which it hopes all parties should be able to commit.

**2.2.6.4** This brings us to the question of how we go about measuring whether we are making progress towards the goals. In stating targets and timescales, we have tried to be as specific as possible at this point. The Strategic Plan is intended in the first instance as a *direction setter* – it seeks agreement in terms of the direction of travel and the broad aims we look to achieve. The next stage will be to work at a more detailed plan of implementation, some of which will, of course, of necessity be determined by context and circumstance.

**2.2.6.5** The evaluation of progress will also require a framework in which this can be carried out and this will form part of the work to be undertaken in the coming year. There will be a key role for Presbyteries in helping congregations within their bounds to understand and implement the Plan. National bodies also have a key role in resourcing, but they will wish to avoid being seen as directing or being left to do so by default. Much of what comprises the Plan has come from grass roots and its success will be determined by grass roots engagement. It is not a ‘top down’ Plan.

**2.2.6.6** For convenience, an overview of the timeline for implementation is given at Appendix 1. It will be evident from looking at this that there is more detail offered for the first five years of the Plan. This is not a sign of running out of ideas! Rather, it leaves open the development of the broad goals in more detail as the Plan runs its course. An annual update will be given to the General Assembly and this will bring forward proposals for more detailed implementation as the decade to 2028 unfolds.

**2.2.6.7** The next section of detail offers a pointer to what some of the key influences will be which affect the achievement of the goals. It is in these areas of influence that the outworking of the principles (section 2.2.5) will be critical. Above all, the influential factors relate to an attitude of openness to one another, of cooperative working and of good communication. In much of our work, this will involve us in major cultural change, requiring significant commitment.

**2.2.6.8** The goals are all interconnected – perhaps even at points overlapping and this should be acknowledged. They are not separate boxes from which we can choose some that suit us and leave aside others that do not. The final line of each detailed goal does, however, attempt to indicate where particular affinities lie.

## **2.3 Implementation and ‘Buy-in’**

**2.3.1** During the latter stages of consultation, as the Plan began to take more shape in developing versions, the Council came under some pressure to produce a full implementation plan to accompany the strategic overview. We have resisted producing such a plan at this stage. The Council is very clear that a much more detailed implementation plan needs to be developed and this will be a task for the coming year. A glance at Appendix 1, which brings together a timeline for measuring progress, will give an indicator that there is already a significant amount of material relating to implementation which can immediately be picked up.

**2.3.2** The first stage of establishing a Strategic Plan is to gain consensus around the vision, objectives and goals which are to be achieved. This is what the Council is asking the General Assembly to affirm in presenting the Strategic Plan document. The Deliverance points to the beginning of the process of implementation, which it envisages as being a partnership between the Church locally, regionally and nationally. A considerable amount of the more detailed work laid out in the Plan can already get underway, but relationships of trust need to be strengthened and local input gained if we are to avoid a ‘top-down’ approach.

**2.3.3** The Council recognises that the Plan can only be useful if it is ‘owned’ widely and is not seen as something being imposed on people. That is why the process which led to the document began with *On the Road* – listening to local voices as a first step. It is also why the Council intends to facilitate a process whereby implementation planning involves the very people who will be key in making it work –

congregations and Presbyteries. First of all we need 'buy-in' at the General Assembly; then we work at broadening that through contact with Presbyteries and they with congregations; then we work together to tighten up the process of implementation in ways which are flexible enough to take account of local and regional context.

**2.3.4** At the risk of being repetitious, it is important to outline again the purpose of Strategic Planning. Recognising that vast volumes of material have been written about this, the Council's Report to the General Assembly of 2017 tried to summarise the purpose as succinctly as possible. An edited version of those paragraphs is repeated here (in sections 2.3.5-2.3.8) recognising that many commissioners to this year's Assembly were not present last year.

**2.3.5** *For organisations and businesses, Strategic Planning is the means by which bodies and organisations go about:*

- *setting priorities;*
- *focusing energy and resources;*
- *strengthening operations;*
- *ensuring 'buy-in' to common goals:*
- *forming agreement around anticipated outcomes/results; and*
- *assessing and adjusting direction in response to change.*

*Above all, it brings discipline to decision-making and action, shaping and guiding the future of an organisation in terms of:*

- *what it is;*
- *who it serves;*
- *what it does;*
- *why it does it; and*
- *how it does it.*

*Strategic Planning seeks to articulate the direction of an organisation, the actions to be taken in relation to this and the criteria for evaluating it.*

**2.3.6** *The Church of Jesus Christ is neither a business nor merely an organisation – it is the living, breathing community of God's people joined through the power of the Holy Spirit in*

*worship and service of God made known through the life, death and resurrection of Jesus of Nazareth, the Christ. In order to function as that community, however, the Church has over centuries developed structures, imperfect and always reforming, by which it organises itself in mission. In this sense, the Church of Scotland, like all churches, functions as an organisation and needs to plan, manage and coordinate – but always under the guidance of the Holy Spirit.*

**2.3.7** *On this model, strategic planning is not just another management technique, but is a critical element of living out faith responsibly in community. The outcomes, while never the end in themselves, nevertheless form an important part of developing a common sense of purpose in mission and ministry. Through it the Church will seek, under God, to identify what the key shared goals are which it will pursue for the next phase of its life. If the Church is successful in this, the Strategic Plan will be much more than an organisational tool or a management activity.*

**2.3.8** *It is also important to indicate some things that a Strategic Plan is not at this point. First, it is not a straightjacket into which people are strapped. It offers a framework which, while giving boundaries, is flexible enough to take into account differing contexts, theologies and viewpoints. Second, it is not a top-down process, whereby an 'elite' group directs everyone else along particular lines. It is created through a listening process in which people in all parts of Church life (and beyond) are invited to contribute from their thinking and experience.*

**2.3.9** Some broad pointers to implementation can be given. The Plan frequently references the importance of Local Church Review (LCR) in terms of implementation. LCR is the process by which congregations make an assessment of where they are: their strengths and the areas in which they need additional support. It enables them to draw up plans for mission and to determine, in consultation with Presbytery, their ministry needs for the future. It also aims to help Presbyteries to determine issues about the viability of buildings, so it will connect with the goal of *Well-equipped Spaces in the Right Places*. LCR replaced the Quinquennial Visitation system and Presbyteries are required by the General Assembly to ensure that all congregations within their bounds have completed it.

**2.3.10** Much of what the Strategic Plan envisages as being undertaken by the 'local' connects directly to the process of LCR. This means that congregations are not being asked to

take on something completely new or additional to what is already expected of them. It rather means that they can build on an existing process. In producing a mission plan through the LCR process, congregations will identify many of the things which are contextually relevant for them to do towards achieving the goals outlined in the Strategic Plan.

**2.3.11** For Presbyteries too, LCR is a vital component in achieving the 'regional' targets. By supporting congregations in undertaking LCR, the Presbytery will be able to address issues of sustainability in relation to congregations and to determine the kind of support and the type of ministry which will be most relevant in future. This will relate to a number of goals within the plan: for example, *Well-supported Ministry Teams*, *Well-equipped Spaces in the Right Places* and *Sustainable Finances*, alongside goals for congregational diversity and growth.

**2.3.12** The role of the national bodies in relation to this is primarily one of resourcing. If LCR is to be a critical lever in achieving the goals, it will need to be well resourced. This is where prioritisation will be important in terms of the allocation of funding. The Strategic Plan will be key to identifying those areas where budget most needs to be applied and will cause us to reassess where the flow of resources should be directed and with what priority.

## 2.4 Moving Forward

**2.4.1** The Strategic Plan is now before the General Assembly for adoption and implementation. While it offers a clear picture of the common goals towards which we are working across the Church, it is also intended to have an appropriate measure of flexibility. It should be adaptable to the context in which Presbyteries and parishes find themselves, while maintaining shared principles across the parishes. If approved the Council envisages the following steps to be taken over the coming year:

- The Council should meet with Presbyteries (where possible in regional groups to enable efficiency) to discuss implementation and resourcing issues and to draw up plans for taking the plan forward;
- A review be undertaken of the process of Local Church Review to ensure that the process fits with the goals outlined in the Strategic Plan;

- Presbyteries meet with congregations to plan for implementation and assess resource implications, where appropriate passing any resourcing issues to the Council for consideration;
- Congregations/Kirk Sessions should study the Strategic Plan and assess how best they can contribute to achieving its goals, including working towards a local mission plan using LCR.

**2.4.2** The Council commits to an annual update with assessment of progress, review of resourcing and proposals for the next phase.

**2.4.3** With that, the Council commends the Strategic Plan to the General Assembly, asking for a wholehearted and cooperative commitment from all sectors of the Church to making it work.

## 3. NATIONAL OFFICES BUILDINGS PROJECT

### 3.1 Background

**3.1.1** The General Assembly in 2017 instructed the Council to continue work towards preparing fully costed proposals and a business plan for the future development and use of the Church's Offices in Edinburgh, based on examination of three options:

- |                 |  |
|-----------------|--|
| <i>Option 1</i> | Undertake basic maintenance to ensure the buildings continue to function, without engaging in further development.   |
| <i>Option 2</i> | Separate 123 George Street from 117-121 George Street and lease or sell it, retaining a reconfigured and refurbished 117-121 as the National Office, with some additional alternative use of space within 117-121. |
| <i>Option 3</i> | Investigate the costs/revenue of leaving the George Street Offices and leasing/buying elsewhere.   |

In addition to these three main Options, a further Option 2a was initially included, which was to examine the potential for using ancillary rooms in the General Assembly Hall as potential meeting space throughout the year.

**3.1.2** The Council of Assembly has been preparing a draft Strategic Plan for the Church which describes the context and challenges that the Church is responding to and sets out

priorities, actions and measures for the next ten years. The Plan includes four underlying principles:

- Whatever we do we do prayerfully, with humility and seeking to be in tune with the Spirit of God;
- Activities must be sustainable;
- Flexibility of delivery and choice appropriate to context, but consistent with the priorities; and
- Committed to working in an integrated and cooperative way.

**3.1.3** The draft Strategic Plan includes three key goals which are specifically relevant to the future of the National Offices:

- Well-equipped Spaces in the Right Places;
- Sustainable Finances; and
- Effective Local, Regional and National structures.

**3.1.4** In respect of *Well-equipped Spaces in the Right Places*, a key deliverable will be to have an integrated strategy for the development and disposal of buildings, leading to an optimum number of sustainable, better-equipped and affordable places for future mission. This would apply equally to the National Offices, providing flexibility to respond to changing technological, cultural, operational, funding and staffing issues in the coming years. The Plan states that the Offices will be fit for purpose and sustainably funded, either in a renovated George Street or in alternative premises.

**3.1.5** The *Sustainable Finances* goal puts an onus on finding ways of maximising income generation and active stewardship, the objective being to move away from deficit budgets to achieving annual balanced budgets. The General Trustees are looking to help deliver an integrated approach to Church property management and develop innovative policies around funding of work on property. The Plan commits the Council to working with them in seeking to achieve this – and the National Offices belong within such a strategy as an important part of the Church's property portfolio.

**3.1.6** In relation to *Effective National Structures*, the National Offices would benefit from a more efficient and effective use of office accommodation embracing new ways of working, enabling transformational benefits for the

organisation, reducing the amount of space required by the Church and diminishing the opportunity cost resulting from current office layouts.

**3.1.7** Such a change involves a number of initiatives across the organisational structure to which the building can act as an enabler or barrier to change. 117-123 George Street was constructed between 1909-1911 and is a Listed Category A building. Comprising basement, ground (+mezzanine) and 1st to 4th floors inclusive, with attic storage at the equivalent of 5th floor level, the George Street premises comprise a gross internal floor area of 57,286 square feet (sqft) or 5,322 square metres (sqm). Part of the ground floor is currently let out commercially.

**3.1.8** The requirements of a modern work place are very different from those of twenty years ago, let alone one hundred. Despite this, no investment has been made in updating, reconfiguring or developing the space to take account of technological advances or developments in good office practice. In the days of agile working which have resulted from mobile technology, the need for dedicated individual office space has reduced.

**3.1.9** The building is now over 100 years old and is showing signs of age with a general deterioration to the fabric and immediate need for repairs to the roof, windows and basement to maintain it wind and water tight. Without these issues being addressed it will deteriorate, further undermining its value. The resource that the National Church might have available to spend on its building infrastructure is declining whilst running costs proportionately increase year on year.

**3.1.10** The National Offices Buildings Project is set against this strategic context and sets a challenge to look more radically at the space requirement, working styles and operational requirements. The nature of occupying a more traditional cellular style building means that the work environment is less than ideal for collaboration and 'one team' working. Even individual departments are split over different floors and locations.

**3.1.11** The building currently provides 249 work spaces (desks) for 222 staff at an average of over 19 sqm per person. This compares with standards of between 8-12 sqm per worker in a modern office. Part-time working and condensed hours results in a maximum potential occupancy on any day of 211 staff.



**3.1.12** Analysis shows that the National Office already adopts a measure of flexible working style with many staff out in the field, working remotely, or at internal or external meetings. This results in average desk occupancy of 35% (or 88 desks).

**3.1.13** As the proposed Strategic Plan takes effect across the Church, it is important to ensure that any property solution for the National Office affords an ability to 'flex' in response to staffing and operational changes. The objective is to introduce 'smarter' working, enabling employees to work from different locations, to maximise their productivity and deliver the greatest value to the organisation as a whole. The concept is to utilise the benefits gained from changing work practices, deploying new technologies, and creating new working environments.

**3.1.14** From the figures alone it is clear that there is an opportunity to rationalise the occupational space requirement of the office and introduce operational efficiencies enabled by IT, document imaging, and mobile devices. This principle was used to inform both the Options for refurbishment and the search for potential relocation property. It is for this reason that in the models for the future National Office, it is proposed to reduce the floor plate requirement down to c.24,000 sqft (2249 sqm). In Option 2, the potential remains to reduce this further should longer term planning lead to the need for less office space.

**3.1.15** The proposal in Options 2 and 3 is to embrace modern working practices by opening up the floor plate, creating zones to accommodate quiet areas through to more collaborative space, combining work pod areas supported by informal break-out areas and meeting rooms for staff and small Committee use. Different working styles and task requirements are accommodated through zoning within wings and floors. The intention is to provide access to a range of spaces supporting different working styles, including private, semi-private and open-plan environments available to all staff.

**3.1.16** In assessing each of the three options the Council determined that the following criteria should be used:

- Is it 'fit for purpose'?
- Is the model sustainable?
- Is the model flexible?

- Does it deliver good stewardship of resources?

**3.1.17** A detailed business plan is being developed for all three options and this is being informed by a number of detailed studies and by advice provided by professional advisors.

**3.1.18** Two further points should be noted before proceeding to an outline of the work undertaken to this point on each of the three options. Firstly, the question was asked early on about the possibility of moving staff from the administrative base of CrossReach, currently sited at Charis House to a shared National Office space (either in George Street or in a new location). This was connected to a desire also to share services wherever possible, thus cutting out any unnecessary duplication.

**3.1.19** Immediately on taking up her new position as Chief Executive of CrossReach, Viv Dickenson engaged with key Social Care Council members and staff in a review to ascertain what might be possible. While a number of areas of joint working were identified in terms of being able to share good practice and in some cases services (eg procurement), the Review made it clear that moving staff into a shared office space was not feasible. The Social Care Council has reported on this separately in its own Report to the General Assembly this year. The Council of Assembly also received this report and agreed that, in the circumstances, it was not sensible to pursue shared occupancy. It was noted, however, that should Option 2 ultimately be the chosen option to take forward, this did at least allow sufficient flexibility to enable this to happen, should at some future point a more favourable situation exist whereby staff could share the George Street offices. It was further agreed that, given the thorough and detailed nature of the review and the clarity of the outcome, this matter would not be raised again for at least another five years.

**3.1.20** Secondly, the Report in 2017 indicated that work would be undertaken on another connected, but not dependent idea. This was called Option 2A and was a proposal that some of the ancillary rooms within the General Assembly Hall be brought into use as regular meeting space for Councils and Committees throughout the year. This option was carefully considered in partnership with the Assembly Arrangements Committee, but it was evident from an early stage that the logistics (eg disabled access requirements) and the cost of conversion would far outweigh

any advantage to be gained. The Council decided, therefore, in line with the process outlined in last year's Report, not to take this option any further in consideration.

### **3.2 Option 1 – Basic Repair and Maintenance**

**3.2.1** The first Option (1) under examination is to consider the basic maintenance required to ensure that the George Street buildings are made wind and water tight and meet health and safety standards. The main premises are Category A Listed and fall within the New Town Conservation and World Heritage areas. 123 George Street is Category B Listed. Listing places a greater onus in terms of maintenance requirements.

**3.2.2** Over the years, with funding increasingly tight, resources have been focused on operational activities of the National Offices, with any spend on the buildings themselves being on a reactive basis and only in response to immediate need rather than as part of a planned programme of maintenance. With the exception of a small annual maintenance and redecoration budget there is no systematic long term maintenance regime and budget for the fabric of the building.

**3.2.3** The extent of basic maintenance needing to be undertaken has been determined by the condition surveys undertaken by Hardies in 2014 and Ryden in 2016. These works have been expanded on through a detailed concept design exercise, undertaken primarily in relation to exploring Option 2, but costed by Doig & Smith in December 2017.

**3.2.4** As noted above (3.1.9), externally there is considerable work needing to be done. Internally, the building has ageing electrical cabling and distribution boards, old and inefficient heating distribution systems, poor ventilation systems and restricted IT cable run capacity. The passenger lift dates from the 1960's and quite frequently breaks down, leading to a number of entrapments of staff and visitors in recent years. These have necessitated the presence of the Fire & Rescue Services to release people on several occasions. The required works are currently costed at £3.2 million.

**3.2.5** 123 George Street shares its utilities supply and heating with 117-121 George Street. In order to sell 123 independently it would be necessary to separate the buildings and provide new utilities supplies and drainage. Work done to this point indicates that 123 is surplus to requirements in terms of space, so its disposal could be considered under both

options 1 and 2. It should be noted, however, that 123 provides 117-121 with additional toilet and fire escape capacity, enabling the National Offices to comply with Regulatory standards. Without these, 121 would require some additional fire compartmentalisation works. In respect of toilet provision, 121 is at the threshold and could not support any additional occupants within the building without additional toilets being added. The current disabled toilet provision is also minimal and limited to the ground floor. The costs of such remedial work are not included in the current estimate of essential work.

### **3.3 Option 2 – Refurbishment**

**3.3.1** The second Option (2) being considered is separating off 123, selling or leasing it and refurbishing 117-121 George Street, including providing for alternative use of space within the building. A Concept Design exercise has been undertaken to provide details on the space requirements, workspace concept layouts and costings. Any refurbishment proposals will require to be compatible with the Historic Listing of the property and will require consultation with appropriate authorities to ensure relevant statutory consents are obtained.

**3.3.2** The current building configuration and layout is inefficient and does not reflect or enable modern work practices. With a typical daily occupancy of 100-150 people in a building capable of housing 450+, there is an opportunity to rationalise the National Office footprint and release space to generate rental income.

**3.3.3** Modern practice for offices is moving towards 'agile working', where desks are shared amongst staff. Option 2 proposes the provision of 167 desks for 222 staff, a ratio of 0.7:1. Based on the maximum occupancy of 211 the ratio is in effect 0.8:1 or 80%.

**3.3.4** The National Offices can consolidate office requirement on to two floors of 117-121 George Street, which will provide some 24,000 sqft (2,249 sqm). This will accommodate 167 desks whilst also retaining the ground floor meeting rooms. The question of whether or not to continue to provide for all meetings within the National Offices is one for further consideration.

**3.3.5** By consolidating the National Offices on two floors, a further two floors of lettable space, totalling 15,256 sqft, is created. This would also allow the National Office space to

flex up or down according to longer-term future needs, since all space would be refurbished and be capable of use by others. In addition the west ground floor retail unit, 1,787 sqft, would be brought back into use.

**3.3.6** Ryden has advised on letting terms, tenant incentives and marketing voids and these will be incorporated into the financial appraisal which the Council is making of the options. Through normal service charges, tenants would ultimately also contribute to the ongoing running costs of the refurbished premises. Ryden believes the office space would be competitive and that the size range of units for let, from c. 3,000 sqft to 4,800 sqft, sits well in the market.

**3.3.7** An analysis of the meeting rooms showed a similar utilisation rate to that of staff, being around 35%. A survey of meeting rooms use over the past two years indicates that 84% of all meetings involve groups of fewer than sixteen people. Larger meetings above 30 people account for only 2% of all meetings. There may be some potential to rationalise the current meeting space and create additional income or staff office space. This has not yet been modelled, but should a decision be taken in principle not to provide larger meeting space (for meetings of more than fifteen people), this will be included in future models.

**3.3.8** The Council believes that alternatives to accommodating larger meetings (more than fifteen people) exist within central Edinburgh, including, for example, within the Scottish Storytelling Centre on the Royal Mile, owned by the Church and currently underutilised. It also believes that a decision in principle to use alternative spaces for larger meetings would provide an opportunity for a culture shift, in encouraging Councils and Committees to take the opportunity to hold meetings across Scotland rather than simply in Edinburgh.

**3.3.9** The design scheme for Option 2 includes a remodelling of the basement storage area to introduce new welfare facilities for staff. It also rationalises and improves current storage, which will help with the implementation of the new GDPR requirements. A Business Plan is being drawn up to inform the viability of all the options under consideration, but given the complexity of Option 2, this has of necessity required significant input from advisors.

### **3.4 Option 3 – Relocation**

**3.4.1** The third Option (3) being considered is to sell the George Street office and relocate to new premises either through purchasing or leasing another building.

**3.4.2** In order to be consistent with the objective of sustainability, the search criteria focused on properties within a twenty minute walk of a major public transport hub. This narrowed the potential market to Glasgow, Edinburgh, Stirling and Perth city centres.

**3.4.3** The space requirement being utilised is that established by the Workplace Advisor study. This means that the National Office would be seeking 28,600 sqft, comprising 24,000 sqft of office space plus 4,600 sqft ancillary space. This compares with the current 57,000 sqft in the George Street premises. It also adopts the same assumptions as utilised in the concept design studies, that is, 167 work stations.

**3.4.4** Property searches are being undertaken on our behalf by Ryden. Obviously the options change according to the availability of suitable properties. The current market has a shortage of stock and market conditions are favouring landlords.

**3.4.5** An alternative to purchase would be to lease new premises and this is also being modelled for comparison.

### **3.5 Moving Forward**

**3.5.1** The Council recognises that the decision as to which course to follow in respect of putting the National Offices into order is a critical one and should not be taken forward without the greatest care. Although it was the intention of the Council to present a clear recommendation to this year's Assembly, the volume of work involved and its complexity means that further work is required before asking the General Assembly to take what will be a generational decision in terms of its effect. Whatever course of action is taken will of necessity involve an element of risk – there is no risk-free option and there is no cost-free option either.

**3.5.2** The Council is working in close partnership with the General Trustees, whose expertise is essential to identifying the correct recommendation and to carrying through the outcome successfully. Over the past year, some external professional advice has been sought in relation particularly to the development of concept designs and the overall business



plan. The Council has been careful to exercise good stewardship in relation to seeking such advice only where it cannot be provided internally.

**3.5.3** Given the condition of the National Offices, Option 1 is the minimum which needs to be done. This will cost over £3 million without any return. While this does not meet key criteria set by the Council (in terms of flexibility and sustainability), it remains the minimum backstop. The need to spend this amount effectively to stand still reflects a reactive policy over decades in relation to the upkeep and development of the buildings. Option 1 does not represent an investment in the future: it provides only a short-term stopgap.

**3.5.4** Option 2 would represent a considerable investment, which is still being quantified. This would cover the reactive work which needs to be done (under Option 1), but at the same time aim to open up a different approach to the long-term future of the National Offices. The Business Plan under development would, however, need to point to the potential to achieve the goal of sustainability in returns over at least a 20-year period. Option 2 allows the greatest flexibility among the options in terms of the ability to shrink the amount of square footage necessary to accommodate staff (increasing the letting space available) or, in the event that more space is needed, allowing for that possibility in the future too. It remains, however, to establish its viability.

**3.5.5** Option 3 could make the cultural change in terms of working patterns a possibility. It is, however, dependent on the right property being available and at the right time and the right price. The current condition and configuration of the George Street premises, and therefore its marketability, mean that a move to alternative premises which are capable of meeting the Church's requirements for accommodating staff and meeting space, is unlikely to be possible without significant additional financial outlay. The Council intends, however, to continue monitoring the potential for an Option 3 solution.

**3.5.6** Whichever direction is finally taken, the issue of how best to fund it will be one on which the General Assembly will need reassurance. The Council has already initiated work on this and various options will be tested out. One potential option to be explored is whether some form of commercial loan might be taken on. Discussions are taking place with the General Trustees about this, not least with the recognition

that it could involve a change of policy for them (as holders of the Title for the George Street offices).

**3.5.7** While the evidence gathered until now suggests Option 2 may be the best way forward, there is still considerable work to be done to clarify the detail and in particular to determine how such a project would best be financed. At this point in time, the Council is not in a position to make a firm recommendation to the General Assembly. Working together with the General Trustees, the Council has identified a programme of further work which needs to be completed with a view to bringing a clear recommendation for the way forward. There are six items, all of which relate to establishing the viability, or not, of Option 2, though some will also contribute to assessing the other options. These are as follows:

- ***Culture Change and the Working Environment:*** complete a consultation with staff and key stakeholders about the style and culture of collaborative working needed for the future. This will inform the final choice and detailed design of any building.
- ***Detailed Design:*** complete a detailed design for Option 2, building on the existing concept design, for a refurbished National Office, accommodating staff on two floors and fitting out the remainder of the building for letting out to appropriate tenants.
- ***Confirming Funding:*** establish the best method of funding the project and putting in place the mechanisms to activate this if the go-ahead is given.
- ***Tendering:*** on the basis of the detailed design, establish a tendering process to ensure the work is possible within budget and ready to get under way pending a positive decision in May 2019.
- ***Statutory Permissions:*** consult with the relevant authorities with regard to permissions required to undertake major refurbishment work on the buildings (eg Historic Environment Scotland; Local Authority; etc).
- ***Logistics:*** create a detailed plan for carrying out the refurbishment work, either through a temporary relocation of staff and business, or through a phased implementation.

**3.5.8** Other connected work will be undertaken over the year, including investigating further the potential for holding

larger meetings (more than fifteen people) other than in the National Offices; preparing to dispose of 123 George Street as surplus to requirements under either Option 1 or 2; and externally validating, where appropriate, financial modelling for the options.

**3.5.9** The Council anticipates bringing a further report to the General Assembly in 2019 with a recommendation for decision.

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## **4. STEWARDSHIP AND FINANCE**

### **4.1 Financial Position and Operating Results**

#### **4.1.1 Overview**

**4.1.1.1** The Council once again gives thanks for the remarkable and faithful commitment of Church members and adherents in maintaining their levels of giving, with 98.5% of requirements for 2017 paid by 31 December 2017 and the number of congregations in arrears reduced. Congregational statistics now indicate a reduction in offerings and overall ordinary income, challenging the Church as a whole to grow its giving.

**4.1.1.2** Stewardship is at the heart of this and a key element of the Council's Strategic Plan. The principles and values of Stewardship have been strongly affirmed by the Council and during the course of 2018 there will be further focus on the way in which the Stewardship and Finance Department facilitates Stewardship in congregations. In the meantime, Presbyteries are once again asked to use their superintendence to ensure that congregations engage with the National Stewardship Programme and work with the consultants who have demonstrated positive results in congregations where programmes have been undertaken.

**4.1.1.3** Securing increases in the Church's income must equally run alongside good stewardship of the resources which have been given to the Church by its members and adherents, donors and service users both at a local and national level. The Strategic Plan presented by the Council will begin to address this issue. There will, however, be a challenging transitional period as the agreed strategic direction begins to inform the choices to be made in using the Church's limited and reducing resources in the most effective and equitable way.

**4.1.1.4** Further details of congregational finances are given at section 4.2.

### **4.1.2 National Church Budgets**

**4.1.2.1** Since 2015 the total budget requirement from congregations has been set at £46,055,000, from which allowances are given to Presbyteries of 5%. 2017 was the first year of operation of the Parish Ministries Fund on a 'ring-fenced' basis. Ring-fencing effectively underwrites the cost of providing ministry staff to congregations and although the number of Parish Ministers has continued to decline during 2017, and indeed declined against the anticipated number in the 2017 budget, this has to a large extent been offset by stipend increases awarded and other increased costs of providing and supporting ministry. This combination of factors means there is no reduction in budget requirement in 2018 for Ministry, nor is there likely to be in 2019.

**4.1.2.2** In order to achieve a balanced budget without recourse to the Church's depleted Mission and Renewal Reserve Fund, it is likely that the Mission and Renewal element of the Church's budget requirement from congregations will also need to remain at least at the current level until the Council's strategy, if adopted, can be implemented. Mission and Renewal supports some of Ministries Council's other work as well as the work carried out nationally by CrossReach, World Mission, Mission and Discipleship and Church and Society. Also included are the support and services departments which support the Councils and Committees and the local church. Interim measures have been agreed by the Council of Assembly to curtail any commitment to new expenditure programmes after the end of financial year 2018 and Councils have been asked to prioritise their expenditure to meet this goal.

**4.1.2.3** In the case of the Ministries Council, a development plan has been agreed which will incur additional expenditure, some from utilising existing reserves, which will ensure it is equipped to support Ministry in the future. Support services are also likely to require further resource to build resilience for the national and local church and minimise risk to the organisation. CrossReach still faces many hurdles in balancing its budget in a highly complex operating environment. The Social Care Council is unable to fund its past service deficit repair contributions for the closed Defined Benefit pension schemes and the Council of Assembly is assisting in addressing this issue.

**4.1.2.4** Meeting all of these needs within a budget where income is at best static, remains very challenging, but can be achievable if all of the Church's resources can be seen as being put towards a common goal.

**4.1.3 Monitoring of Budgets**

**4.1.3.1** The Council, through its Finance Group, continues to monitor the financial performance of all Councils and has regular dialogue with Assembly-appointed members of Councils and Committees and with senior staff. The Council remains concerned that Councils are finding difficulty in working within approved budgets, to some extent mitigated by the use of previously difficult to use restricted funds. Funds have also been used collaboratively such as in the case of the Refugee Project, in response to a pressing need.

**4.1.3.2** While the financial operating results for 2017 were significantly better than budgeted, it is important to note that this was against deficit budgets. The improved results were also not entirely due to welcome causes. The number of ministers began to decline substantially during 2017, resulting in a budget underspend by Ministries on stipend and salary costs even after the award of a pay increase. CrossReach also saw an improved result against budget, but with a major contributing factor being a further delay in the roll out of its restructured Residential Care and Education Service due to difficulties in identifying a suitable site. This is therefore a timing issue which will impact on the 2018 budget. All Councils and committees, but particularly Social Care, again faced upward wage pressures and funding issues, with difficulties in recruitment becoming an increasing theme, ultimately impacting on financial performance.

**4.1.3.3** World Mission paid out additional grants from its accumulated restricted funds during the year.

**4.1.3.4** The following is a summary of the operating results against budget for the five councils and the support and services departments, extracted from management accounts which are unaudited:

Council	Budget (Deficit) £000's	Actual Surplus/ (Deficit) £000's	Variance £000's
Ministries	(1,498)	225	1,723
Mission and Discipleship	(86)	1	87
World Mission	(166)	(395)	(229)
Social Care*	(2,475)	(1,259)	1,216
Church and Society	(156)	(101)	55
Support and Services	(305)	(262)	43
Total	(4,686)	(1,791)	2,895

*\*Not included in the above table of Councils' results were special grants made from the Mission and Renewal Fund in 2017 of £791,000 which reduced CrossReach's deficit to £468,000. This included £512,000 towards its past service pension deficit repair contribution.*

**4.1.3.5** As well as the operating results shown above, there were gains on sales of property during the year of £3 million, unrealised gains on investment values of £8.5 million and unrealised currency losses on foreign deposits of £0.9 million, again all unaudited. The draft results do not include changes to the funding position of the pension schemes or the results of subsidiary companies.

**4.1.4 Mission and Renewal Fund**

The Fund continues to support the work of the Councils and Committees from annual legacy and investment income, but also historically from its limited accumulated reserves. The overall Church budget included unrestricted legacies for the fund of £1.2 million and, against all of the experience of the last five years, unrestricted legacies of only £0.4 million were received. The effect of this, combined with the support to CrossReach's pension deficit repair payments, has been to reduce the balance of the fund to £1.7 million by the end of 2017 against a minimum required balance of £2million. The Council of Assembly is taking steps to address this including a review of funds held by Councils to allow more restricted money to be used and to claw back, where possible, budget underspends from earlier years to the Fund.

## 4.1.5 2018 Budget

**4.1.5.1** Each year, as part of its remit, the Council brings a recommendation to the General Assembly on the total amount of the Church's budget for the following financial year and the disposition between Local Congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund. An indication is also given of where the Mission and Renewal element will be spent. The indicative 2018 budgets presented to the General Assembly in 2017 were revised as is usual in December of that year, reflecting more current information. The indicative and revised budgets are outlined in the table below. The Social Care Council budget includes £1.02 million of pensions past service deficit repair contributions, half of which is being met from the Mission and Renewal Fund in 2018.

**4.1.5.2** The indicative and revised 2018 budgets are summarised below. Budgets exclude capital expenditure.

Council	Indicative Budget (Deficit) £000's	Revised Budget (Deficit) £000's
Ministries	(632)	(1,143)
Mission and Discipleship	(83)	(98)
World Mission	(146)	(199)
Social Care *	(1,025)	(2,261)
Church and Society	(156)	(101)
Support and Services*	(280)	(280)
Total	(2,322)	(4,082)

*\*Past service deficit repair contributions*

**4.1.5.3** In the case of the Ministries Council, the revised budget is due to the approved stipend increase which was not in the original budget and additional costs of its fixed term development programme. Against this, a re-forecast of Ministry numbers has led to a cost reduction; savings have been made by re-prioritising some other expenditure programmes. The Council also envisages that the development programme will result in longer term cost savings.

**4.1.5.4** World Mission plans to utilise more of its accumulated restricted funds than were in the original budget but for 2018 only. Church and Society is also using reserves until 2019 to fund the Speak Out initiative. The reduction in its revised budget is due to alternative funding streams for the Refugee project.

**4.1.5.5** The revision in the Social Care Council budget is as already outlined, due to delays in Residential Care and Education exceptional costs.

**4.1.5.6** While the Council has again approved deficit budgets for 2018, it recognises that, as reserves are finite, this position is not sustainable beyond the short term. Achieving a balanced position is a key element of the Strategic Plan.

## 4.2 Ministries and Mission Contributions

**4.2.1** We are very grateful to congregations for the vital role they play 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 income. 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 each supports the other according to means, and this redistribution of contributions enables us to continue a territorial ministry throughout Scotland, an objective most recently re-affirmed by the General Assembly in 2010.

**4.2.2** The Council is well aware of the pressures on the finances of local congregations. In 2016 aggregate offerings decreased by 1.5% and it is likely that there will have been a further decrease in 2017, although some other categories of congregational income, such as income from use of premises, may have increased. The Council recommended to the 2017 General Assembly that aggregate Ministries and Mission Contributions for 2018 should remain at the same level as in both 2017 and 2016 (£46,055,000). However, as the aggregate amount collected is based on actual congregational income it may be that, due to the decline in congregational income, it will not be possible to collect the total budgeted amount. The Council is aware of the need for the Church's activities to be proportionate to the finance available not only from congregations but also from other sources. The budgeted amount to be collected enables the Council to maintain the Presbytery discretionary allowance at 5% to ensure that more money is retained for the vital work of local mission. During

2017 the Council began to evaluate the implementation of the revised Regulations to inform consideration of future resource allocations and it is pleased to note that an increasing number of Presbyteries have taken advantage of the revised Regulations for the use of this allowance which were approved by the General Assembly in 2016. This has allowed those Presbyteries to engage in increased missional activity and support, to the benefit of many congregations within those Presbyteries. Perhaps disappointingly there remains a small, but significant, number of Presbyteries which appear to allocate the allowance without regard to differing needs of congregations; given the financial restraints being faced by the Church this will be monitored in the future in order to ensure that best value is being obtained from these resources.

**4.2.3** By 31 December 2017 congregations had remitted £43,300,000 in Ministries and Mission Contributions for 2017, some 98.5% of the total. Late payments for 2016 made during 2017 amounted to £266,000. The Council wishes to record its sincere thanks to all congregations making their 2017 Ministries and Mission Contributions monthly by standing order and to all congregations which met their contributions in full by 31 December 2017.

**4.2.4** For a number of reasons, some congregations have not been able to make their full contribution and, while this is a small percentage of the overall total, it does ultimately reduce the amount of funding available to the Church to pay for ministry and all of the other work carried out in the Church's name. The Council encourages congregations to look at all options available to them to maintain the ministries and mission not only of their own congregations but of the Church as a whole. Presbyteries are urged to be proactive in helping congregations to realise their full potential. The Council is pleased to note that an increasing number of Presbyteries have engaged with congregations who have historic shortfalls of contributions and that this has resulted in payment of a significant proportion of the amounts outstanding often with Presbytery paying part.

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

Year	Total to be Contributed £'000	Total received by 31 December £'000	%
2013	45,491	44,421	97.6
2014	44,802	43,755	97.7
2015	44,423	43,400	97.7
2016	44,264	43,700	98.7
2017	43,969	43,300	98.5

**4.2.6** As is customary, due to the timing of printing deadlines, the proposed total Ministries and Mission Contributions and indicative budget proposals for 2019 will be presented in a Supplementary Report.

**4.3 National Stewardship Programme**

**4.3.1** The Council commends those congregations which have meaningfully engaged with stewardship during the year, but remains concerned that a significant number of congregations seem to make little effort in this regard. Elsewhere in this Report the Council refers to the significant financial pressures which many congregations face and the adverse effect of these pressures on the congregations' ability to engage in missional activity, both locally and nationally. It is therefore disappointing that many congregations seem unwilling to tackle this through use of the resources, including the services of Stewardship Consultants, which are available. The failure of some congregations to tackle stewardship inevitably places a greater burden on those who do.

**4.3.2** As referred to in the Council's report to the General Assembly of 2017, the Council decided to take advantage of the vacancy in the Head of Stewardship position to review the methods adopted by the Church in encouraging Stewardship and to try better to understand the needs of congregations. A small group was formed to undertake this review and, although final recommendations have not yet been made, it is clear that current practices are largely effective and that congregations utilising our Stewardship Consultants derive clear benefits. However, these practices need to be reviewed



and updated to ensure that they properly reflect the current circumstances and priorities of the Church and in particular the needs of local congregations. During the last year, the Stewardship section of the Church's website has been refreshed, both in content and design, and it is anticipated that online resources for the use of congregations will be further expanded in the future. Contact has also been made during the year with the Church of England's Stewardship staff, who have been very supportive in sharing ideas and resources. It is hoped to develop the link with them further in the coming year.

**4.3.3** GRANTfinder is a web-based support offered by Stewardship Consultants to congregations considering a capital fundraising project. Consultants are able to carry out an extensive search of potential donors, trusts and grant award bodies which may be willing to provide financial support for projects in which churches are engaged. Examples of these may be fabric repair, mission, income generation and community outreach. The Council reminds congregations of the benefits to be gained by the utilisation of this valuable resource.

**4.3.4** The Gift Aid Small Donations Scheme (GASDS) has been available to all congregations since 6 April 2013. Churches are 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 (such as the Gift Aid declaration). The claim is made alongside the usual Gift Aid repayment claim. The maximum annual donation amount on which tax can be reclaimed through the GASDS is now £8,000. This means that congregations are able to claim Gift Aid style top-up payments of up to £2,000 a year. While it is clear that the vast majority of congregations are taking advantage of this scheme the Council reminds all congregations of the availability of this source of additional income.

## **4.4 Investments and Reserves**

**4.4.1** The Church's Councils and Committees invest in the Church of Scotland Investors Trust. The Trust has an ethical investment policy and is a member of the Church Investors Group (CIG), an ecumenical grouping of Churches and other charitable investors which lobbies companies and investment managers to encourage them to pursue more ethical policies. While the ethical policy of the Investors Trust has been informed over the years by the General Assembly, the Council recognised the need to state explicitly its Investment Policy.

During the year, therefore, the Council developed a policy which was approved in late 2017 and will be effective from 2018. The Church and Society Council is also reporting this year on its conversations with the Investors Trust in relation to fossil fuels, seeking to maintain an overall positive investment policy. The Council of Assembly's Investment Policy reflects the existing ethical and other investment policy decisions of the General Assembly, but places them in the context of the Council's own responsibilities. This is an ongoing area of development for the Council of Assembly. The Investment Policy can be found at [http://www.churchofscotland.org.uk/council\\_of\\_assembly](http://www.churchofscotland.org.uk/council_of_assembly).

**4.4.2** The value of investments held by Councils and Committees once again increased as at the year-end date, with the Growth Fund unit price increasing by 7.4% and the Income Fund by 4.6%. The Growth Fund is invested predominantly in listed company shares (equities). The Income Fund is invested in a variety of pooled funds, which invest in bonds and equities. The distribution level from both funds was maintained during the year allowing Councils and Committees to meet their budgeted investment income which is a vital component in the funding of their work.

**4.4.3** Councils and some Committees collectively hold significant reserves and during a period of increasing financial constraints, this has undoubtedly been of significant benefit in enabling the maintenance of the Church's work in the short term. During 2017 the Council made progress on a detailed review of the purposes of funds held by Councils and this will continue during 2018. Councils are already aware that priority should be given to the use of funds held for restricted purposes and the review will enable them to identify further reserves which can be used for their core work. This will also result in more transparency over the level of Councils' reserves in order to ensure that they are maintained at appropriate levels in relation to the volatility, and the types and patterns of expenditure necessary to carry out Councils' remits.

## **4.5 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 2017 these gifts amounted to £1.4 million (2016 - £3.8 million). These legacies, in addition to the estimated £5 to 6 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. The Church is looking at ways in which it might encourage giving through legacies while being sensitive to the issues around this area.

## **4.6 Pensions**

### **4.6.1 Defined Benefit Schemes**

**4.6.1.1** As noted in last year's Report, the results of the 2015 triennial valuation had just been concluded in relation to all of the now closed Defined Benefit schemes. The scheme for Ministers and Overseas Missionaries being in surplus, additional contributions from the Ministries Council were able to cease. Repair contributions are continuing towards the deficits on the scheme for Ministries Development Staff (MDS) and the scheme for Central Services Committee staff.

**4.6.1.2** The results of the CrossReach schemes valuation was concluded after last year's Report was written. These schemes show a much more significant deficit and a schedule of contributions to recover this deficit was agreed with the Pension Trustees in 2017.

**4.6.1.3** The Church and the Pension Trustees, through the auspices of a Working Group established by the Council, are currently in discussions around the strategic options that now exist for these closed schemes.

### **4.6.2 Defined Contribution Scheme**

**4.6.2.1** Since 2014, the Church of Scotland has been managing its pension plans through Defined Contribution arrangements currently operated by Legal & General. The Group Personal Pension Plan Governance Group continues to meet twice a year in order to be assured that the relevant contract arrangements are working and standards of service remain high. Legal & General has recently launched a revised microsite for members of the Church schemes.

## **4.7 Property Disposals**

Councils were active in reviewing their operational and residential property holdings and continued to dispose of properties which were surplus to requirements where it was prudent to do so.

## **4.8 Housing and Loan Fund Contributions**

**4.8.1** Agreement has been reached between the Ministries Council, the Housing and Loan Fund and the Council of Assembly to suspend Congregational Contributions to the Fund for 2018 to 2021, with a view to reinstating the

Contributions in 2022 if required. A review of the Fund's position and the anticipated demand for assistance will be carried out during the first quarter of 2020. This decision has been taken in the light of the Housing and Loan Fund's currently healthy monetary position, and the considerable financial challenges facing other parts of the Church.

**4.8.2** Additionally, to assist in assessing future demand, the Housing and Loan Fund will collaborate with the Ministries Council to carry out research relating to the projected retirement plans of Ministers.

## **5. WORKING WITH REFUGEES**

**5.1** In 2015, the Council of Assembly agreed to establish a refugee project to work with other Councils and Committees to develop a coordinated response by the Church of Scotland to the issues affecting refugees and asylum seekers.

**5.2** It has been possible for the Church to help lead an ecumenical and multi-faith approach to deliver this project, which has a public profile of Scottish Faiths Action for Refugees ([www.sfar.org.uk](http://www.sfar.org.uk)).

**5.3** The project works across several of the Church's Councils and Committees and for practical reasons of staffing and regular oversight, the project is hosted by the Church and Society Council. An update on the work of the project can be found in Section 9.6 of the Report of the Church and Society Council.

**5.4** The core costs of the project have been committed to by contributions from the budgets of the main Councils of the Church of Scotland. Additional funds are granted from the other partners as they are able to contribute. Donations from individuals, congregations and other groups as well as grants awarded have also helped to finance the project. The project's timeline is due to run until the end of May 2020, but all partners have committed to conversations about possible future developments from the beginning of 2019.

**5.5** At the General Assembly of the Churches' Commission for Migrants in Europe (CCME; [www.ccme.be](http://www.ccme.be)) in June 2017, the application of the Church of Scotland to join was approved. At this meeting the Church of Scotland representative, David Bradwell, was elected on to the CCME Executive Committee. The Church of Scotland has also been

an active member of Churches Together in Britain and Ireland's Churches' Refugee Network.

**5.6** The personal interest and attention shown by the Moderator, the Rt Rev Dr Derek Browning, in concern for the welfare of migrants and refugees has been greatly appreciated. In November he hosted a 'Table for Refugees and Modern Day Slavery' at the Moderator's flat in Edinburgh. This took the form of a meal and extended conversation with people involved in the issues, including those with personal experience of the UK asylum system, parish ministers who work alongside refugees, an expert from the World Council of Churches and philanthropists and campaigners who are working to end human trafficking. The connections, relationships and conversations which took place at this event will bear fruit for a long time to come.

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## **6. INTERFAITH WORK**

**6.1** In 2017, the report concerning interfaith relations in the Church focused on developing an overall strategy to establish how we might better engage with a variety of faiths in Scotland. Following on the acceptance of the strategy, the Interfaith Programme Officer has continued to deliver on the key priorities and goals identified in the 2017 Report.

**6.2** The first priority was engagement with the training and continued professional development of ministers. At the probationers' conference in January 2017, a session explored the theological issues behind Christian antisemitism. In April, a conference took place entitled *Honest Conversations* to explore some of the debates, motivations and sticking points in Christianity's approach to dialogue with members of other faiths. Another *Honest Conversations* conference is scheduled for November 2018 in Dundee and this will focus on the issue of evangelism and dialogue and will look at parallel missionary attitudes in Islam. The speakers invited will be actively engaged in mission work so that participants can gain insight and have discussion around respectful practice.

**6.3** Another key project area set out in the strategic overview focused on different ways that we might learn from our international partners who are engaged in interfaith work. This was taken forward in partnership with the World Mission Council and attracted collaboration and funding from Interfaith Scotland, Al-Maktoum College in Dundee and the Alwaleed Centre in Edinburgh. The final scope of the project focused on the needs and interests of young Muslims and

Christians in Scotland, with the hope that they could learn from the work of the Programme for Christian Muslim Relations in Africa (PROCMURA). This is one of the Church's oldest partners in Africa and an organisation which has been pioneering interfaith relations since the 1950s. PROCMURA helped facilitate a visit to Rwanda where it has an established and growing set of projects. There, the group of young Scottish Christians and Muslims learned about faith based reconciliation after the genocide. They also teamed up with young Rwandan Muslims and Christians for a workshop and trip to Lake Kivu. The World Mission Council's report on its partners' work in building links across faith traditions offers some further insights from the visit.

**6.4** A small group of representatives of the Church of Scotland has begun a process of dialogue with friends from the Scottish Jewish community. Around fifteen people have been meeting regularly since September 2017 to explore our history, culture, self-understanding and ways of working. This aims both to celebrate the things we hold in common and to explore, through listening and discussing, those things which have caused us disagreement and pain. Above all, the group seeks to build relationships of trust and understanding and to offer support to one another. An example of this would be the support which Church representatives are seeking to offer in the face of the increased reporting of anti-Semitic incidents in Scotland. Meetings are planned for the coming months with an interesting and challenging programme of presentations and discussion.

**6.5** The next set of projects will involve working more closely with congregations and presbyteries in order to develop new ways that interfaith engagement might be relevant at a local community level. Some possible ways forward might be: holding workshops on tackling hate speech for the church's youth workers; holding an interfaith workshop at the eldership conference in April; creating an ecumenical study guide for Lent and short congregational courses. At the heart of our overall objective in this area is to see interfaith relations as an opportunity for the church to widen its impact in different ways in local communities, to deepen understanding across cultures and to look to collaborate with others wherever appropriate.

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## **7. GAELIC IN THE CHURCH**

**7.1** The Gaelic Group of the Council has been working under the leadership of the Very Rev Dr Angus Morrison to



help promote and develop the use of the Gaelic language in the Church of Scotland. The membership includes the Principals of both the Highland Theological College and Sabhal Mòr Ostaig (the Gaelic College in Skye), along with a serving Gaelic-speaking minister and an Elder who is a native speaker.

**7.2** The Gaelic Group has made significant progress this year in the development of a Gaelic Language Plan. The Group took advice from a member of staff from Bòrd na Gàidhlig who gave guidance on taking this project further. Following much consideration, Steven MacIver was appointed on a temporary basis to take on a three-month post to help develop the plan for the Church. An audit of Gaelic Ministry was carried out in January in order to gather further information and a better understanding of the use of Gaelic in the Church. It is hoped that the draft plan will be presented in the Supplementary Report of the Council of Assembly.

**7.3** The remit of the Group has been updated and can be found in Appendix 2.

**7.4** Members of the Group have been exploring the opportunity to produce *The God Question* in Gaelic as an ecumenical project. An analysis of this has been completed and the Group will now seek funding to enable this to happen.

**7.5** It was reported last year that after 37 years of service to Na Duilleagan Gàidhlig, the Rev Dr Roderick MacLeod would be handing over the role of editor. In the interim, it was agreed that an Editorial Team would take on the task of editing the publication. Over the past year, this team has produced a number of issues which has included highlights of Na Duilleagan Gàidhlig over the years.

**7.6** In order to produce new resources and materials, as well as activities, the Gaelic Group is exploring a number of different opportunities to receive funding for this work, both internal and external to the Church.

**7.7** The Council would wish to thank the Very Rev Dr Angus Morrison for his contribution to the work of the Gaelic Group. His commitment has resulted in a significant step forward in the support of Gaelic Ministry across the Church including the development of a Gaelic Language Plan. His leadership has left a solid foundation for the work of the Group to continue.

## **8. CHARITABLE GOVERNANCE**

### **8.1 Risk Management**

**8.1.1** Risk management is an essential component of governance in the effective running of modern charities, of which the Church of Scotland is one of the largest in the country. It consists primarily of identifying what the major risks to governance of the charity are and putting in place measures to mitigate those risks. At times more an art than a science, the task of identifying and dealing with risk helps an organisation to think through the challenges facing it and to prepare to handle them as and when they become a reality.

**8.1.2** In 2016, the Council of Assembly completed a full-scale review of risk management processes to ensure that they were delivering a capable, efficient and cost-effective management of risk. With the assistance of an external consultant, staff completed a full gap analysis, drafted a new risk management policy, completed a risk matrix, reviewed the governance and risk management structures and delivered risk management workshops to key decision-makers. These were scrutinised and adopted by the Council and a Risk and Resilience Group was established to coordinate an effective and consistent approach to ongoing risk management.

**8.1.3** The Council continues to implement a regular process of risk mitigation through its Risk and Resilience Group. Through these measures, the Council is continuing its work to embed a thorough process of risk management into the day-to-day working of the national administrative function. The Council of Assembly, Audit Committee and Risk and Resilience Group oversee the management of risk, ensuring the process is both effective and efficient.

### **8.2 Business Continuity**

**8.2.1** Business continuity arrangements remain in place for the Unincorporated Councils and Committees of the Church, as reported in 2017. This provides a clear plan for the evacuation of the National Offices, while continuing to provide all the critical services associated with the work of Councils and support bodies housed there.

**8.2.2** A Recovery Team, comprising key staff members in a variety of identified roles, is kept up to date with training to enable the enactment of such a plan should it ever prove necessary.

### **8.3 Audit and Compliance**

**8.3.1** The Council and the Audit Committee are responsible for overseeing the Internal Audit processes of the Unincorporated Councils and Committees. Assurance over the adequacy of the systems of internal control is delivered by the Internal Auditors, currently Deloitte. In addition the Council employs an Audit and Compliance Officer whose role is to test and report on the adherence to operating policies, procedures and financial controls.

**8.3.2** The Church is subject to most aspects of the standard regulatory and related legal compliance requirements for charities, employment, tax, health and safety, data protection, safeguarding legislation, planning and pensions. The Church is also subject, particularly in relation to the work of CrossReach, to various social care and education inspectorates. The current system of monitoring and reporting on compliance with regulatory requirements indicates no significant issues or concerns in relation to the Church's compliance with these requirements. The Council's Supplementary Report will include a formal report on audit.

### **8.4 Data Protection**

**8.4.1** As reported in 2017, the Council last year established a Data Protection Working Group chaired by the Solicitor of the Church, in order to prepare for the implementation of the General Data Protection Regulation (GDPR) across the EU on 25 May 2018. Under the auspices of this Group, a huge amount of work has been done so as to ensure that strategies are now in place for compliance throughout the Church. This has focused on the new accountability requirement, namely the introduction of an obligation to *demonstrate compliance* with the data protection principles. This includes a duty of "privacy by design", which involves the implementation of technical and organisational measures to show that the Church has considered and integrated data protection into its processing activities.

**8.4.2** All those processing personal data must therefore consider and articulate the legal basis on which that information is being handled. Reliance on explicit consent as the basis for processing will not usually be appropriate or necessary. So far as the Church is concerned, it is anticipated that the lawfulness of much of our data processing will flow from paragraphs 1 (c) and (f) of Article 6 of the GDPR. These provide that processing shall be lawful where it is necessary for compliance with a legal obligation or for the purposes of the legitimate interests of the data controller or a third party.

There is further protection in Article 9, which permits processing of certain categories of personal data (including information as to religious beliefs) relating to members, former members and those having regular contact with it, where this is done in the course of its legitimate activities with appropriate safeguards by churches (and other not-for-profit bodies) and the personal data are not disclosed to third parties without consent.

**8.4.3** In the course of the year, a data audit was carried out to establish what information is held nationally by the various Councils and Committees, along with a number of other essential details such as the purpose for which the information is held; the type of information; how it is collected, accessed and disclosed; how relevant it is; what steps are taken to ensure it is kept up to date; how long it is retained; what security measures are in place; and whether it is transferred outside the UK. The results have been evaluated and action has been taken to remedy any instances of non-compliance. Contact has been made with Presbytery Clerks, who have been asked to carry out similar audits and evaluations and encourage congregations to do likewise.

**8.4.4** A data retention policy to assist with the lawful retention of information has been drafted and implemented for the Church Offices and by CrossReach and a style of data retention policy suitable for use by congregations and/or Presbyteries has been made available on the Church website. A new general data protection policy, and a policy on dealing with data breaches, have also been drafted and implemented in the Church Offices and by CrossReach and suitable congregational/Presbytery styles are on the website. Other resources prepared by the Law Department and available via the Church website include a set of FAQs, a risk assessment form, general information storage advice, privacy notices, a data protection privacy impact assessment template and access to a new webinar covering the essentials of data protection for congregations [http://www.churchofscotland.org.uk/data\\_protection](http://www.churchofscotland.org.uk/data_protection).

**8.4.5** Data protection training for staff employed by the Central Services Committee is available via the Learning & Development online platform and all staff have been instructed to undertake that training on a mandatory basis. Follow-up training has been arranged, conducted by solicitors from the Law Department, in order to provide specific commentary on the GDPR and to answer specific questions which staff may have related to their roles and the data they

process. The Law Department has also provided training for MDS staff; for ministers in their first five years' of ministry; for congregations, for Presbytery Clerks and for elders.

**8.4.6** Where personal information will be handled by any third party under a contract then the GDPR requires that the contract must have certain minimum provisions relating to data security, processing, responding to data subject requests and making available information to demonstrate compliance. Congregations should therefore consider whether they have any such contracts in place and, if so, be in touch with the Law Department who will take steps to ensure that any necessary adjustments to the contract are made.

**8.4.7** So far as ongoing compliance with existing data protection legislation is concerned, the Solicitor of the Church in her capacity as Data Protection Controller for the Unincorporated Councils and Committees and on behalf of Presbyteries had contact with the Information Commissioner's Office on four occasions in the course of the year to report or respond to potential breaches of the Data Protection Act. On each occasion the ICO determined that enforcement action was not required.

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

**8.5.1** The Governance Group of the Council is charged with exercising the supervisory function required by the Church's Designated Religious Charity (DRC) status. This includes the approval of Presbytery accounts and the supervision of Presbyteries in regard to their general oversight of charity law compliance by congregations. Presbytery supervision includes the scrutiny of congregational accounts, as required in terms of the Regulations for Presbytery Finance (Regulations 3, 2016) and those for Congregational Finance (Regulations 2, 2016). The Church's status as a DRC could be compromised should a Presbytery be shown to have failed to exercise adequate supervisory and disciplinary functions with regard to any of the congregations within its bounds. In turn, a failure of any of its component elements to comply with charity law could have serious consequences including – in a severe case – a possible loss of charitable status and with that 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 seeking to ensure that Councils, Committees, Presbyteries and congregations all comply with relevant legislation.

**8.5.2** *Attestation of Presbytery Accounts:* After the Accounts have been approved by Presbyteries at the end of each financial year, they require 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 DRC status, which is incorporated in Regulations 3, 2016, Section D. The Department has attested the 2016 accounts of 44 Presbyteries.

**8.5.3** *Presbytery Attestation of Congregational Accounts:* 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, with details of their findings. This fulfils the supervisory function required by the Church's DRC status, which is incorporated in Regulations 2, 2016, Section D. Reports from forty-two Presbyteries on the inspection of Congregational Accounts for 2016, 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. The Council is grateful to those many congregational treasurers and other office-bearers who work hard to ensure that the Church's financial affairs are so well-ordered. The Council of Assembly is expected by OSCR to ensure that all accounts are duly submitted and are compliant and the Council continues to work actively with Presbyteries and congregations to achieve this end. At the time of completing this Report the Department had not received reports on the Attestation of 2016 Accounts from two Presbyteries.

## **9. OPERATIONAL MATTERS**

### **9.1 Central Services Committee**

**9.1.1** The Central Services Committee (CSC) has now completed two years in its new shape as a sub-committee of the Council of Assembly. Its purpose is to oversee the delivery of central services to departments within the Church Offices, to Councils and Committees of the General Assembly and, where appropriate, to the statutory corporations, Presbyteries and congregations of the Church. This includes estates management, IT services, HR, legal and financial services. The Convener and Vice-Convener are members of the Council of Assembly.

**9.1.2** The Committee oversees all aspects of staff appointments and staff terms and conditions of service. It

receives reports and offers advice on matters of management, resourcing, organisation, governance and administration. It is also responsible for negotiating with the Employee Council Committee and bringing forward to the Council recommendations in respect of staff remuneration. The Committee monitors staffing levels on behalf of the Council and has replaced the former Staffing Group in its scrutiny of requests for new and replacement staff.

## **9.2 IT Strategy**

**9.2.1** Following two recent reviews of the IT Infrastructure relating to administrative functions of the national Church, an IT strategy is being developed to enable the commissioning of work to upgrade our current systems. Given the fast-moving development of modern technology, it is clear that the Church will need to invest further in its IT capabilities in order to enable efficient and effective working. To enable this work the Council of Assembly has created a small ICT Working Group drawing on the knowledge and experience of industry professionals.

**9.2.2** Part of the consideration of the Working Group will be the kind of infrastructure which may be necessary for the future in the light of the outcome of plans for National Offices. The Council has noted that the current cabling arrangements in the George Street offices have reached absolute capacity and this requires addressed in any plan for the future.

## **9.3 Communications**

**9.3.1** During 2017, the Communications Team continued proactively to source and produce a high volume of news stories for distribution to the media, including use across the Church's website and social media channels. More than 8,000 stories about the work of people within and beyond the church were published across the broadcast, print and online news media with the vast majority positive in tone.

**9.3.2** Media coverage of the 2017 General Assembly exceeded that of 2016, with 57 stories focused on the Church's response to a range of issues including the Manchester bombing, the resurgence of Pilgrimage, the denial of visas to overseas guests and the discussion on same sex marriage.

**9.3.3** The Communications Team has also been working closely with the General Trustees to offer proactive advice and guidance for Presbyteries and congregations dealing with

building issues of all kinds. The Design Team helped produce a Health and Safety Toolkit for churches and the Web Team has made the toolkit available online **[http://www.churchofscotland.org.uk/health\\_and\\_safety\\_toolkit](http://www.churchofscotland.org.uk/health_and_safety_toolkit)**.

**9.3.4** Rob Flett, who was leading the department in the wake of Seonag Mackinnon's departure, left the Church in June 2017 to take up a new post. In September, Ruth MacLeod took up an 18-month post as Interim Head of Communications. Following a competitive recruitment process, Helen Silvis who had been acting up in the role, was appointed as Communications Manager.

**9.3.5** Despite staff shortages, changes and an increase in demand for communications support, the department has continued to make progress on several fronts. The Church of Scotland website is now visited by 594,000 unique users and gets 3.5 million page views every year – a year-on-year increase of 21%. The Church has more than 22,000 Facebook likes – a fourfold increase over the past two years. In addition, the Church's monthly e-newsletter has more than 7,000 subscribers and achieves an exceptional open rate of 50% on average, as against a 25% average across the not-for-profit sector.

**9.3.6** The Design Team has contributed creatively and overseen production for a number of initiatives including: the Strategic Plan booklet; Together we Pray; the Year of Young People; Ascend; the Learning Disability Action Pack; the Guild's next three year theme guides; and new Learn publications. The Design Team is also working to promote the Church as a visually coordinated organisation, maximising its influence and relevance on a national stage. The team has developed visual identity guidelines and a set of design templates to ensure more consistent messages for our audiences and a more efficient workflow within the National Church offices.

**9.3.7** The Web Team is currently undertaking a content audit, with the aim of reorganising and improving the website. The first part of the audit included an online poll that captured the views of 2,000 website users. Eight out of ten respondents said they liked the look and feel of the website and eight out of ten said information is easy to find. The Web Team is working with the Mission and Discipleship Council to create specific online resources for worship development, the Year of Young People and other projects.

## 9.4 HR Payroll Systems

**9.4.1** Following a detailed procurement exercise, the Church is in the process of installing a new integrated HR and Payroll system which will be used to process the remuneration of all Office Holders, Staff and Pensioners from mid-2018 onwards. The system will ensure that the Church is compliant with all relevant data protection standards and will enable areas of functionality which are not currently possible with the existing legacy systems.

**9.4.2** As part of this process, the Church will be moving to on-line payslips being available for staff within the George Street Offices, and is in discussions with the Pension Trustees regarding a revised means of informing Pensioners of their income. The system also has the potential to allow Parish Ministers to access their payslips via a web based application. This will not only be a significant cost saving through the reduction in postal costs, but will also offer greater protection in relation to data protection issues.

**9.4.3** One change that some Pensioners will notice is that, if they are also undertaking any additional paid work (such as locum work), they will be receiving two separate payments, rather than just the one. Those to whom this applies will receive notification and accompanying explanation.

## 9.5 Senior Management Team

**9.5.1** The Senior Management Team exists to manage the staff of the Central Services Committee and CrossReach, 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. Its members all have individual duties towards their own Councils and Committees. For reference, the Council of Assembly's Report to the General Assembly in 2017 contained a list of the main duties of the SMT.

**9.5.2** In the course of the year, in addition to its regular agenda items, the SMT undertook the following tasks:

- shared problems and offered cross-Council assistance as appropriate;
- supported the National Offices Buildings Project through a workplace advisor programme and the concept design;
- completed a Storage Audit across the National Office to ensure that storage across the building is cleared as required;

- established a procurement working group and developed a draft policy;
- reviewed and updated policies, including data retention;
- received presentations and updates on various corporate projects;
- developed a training programme to support the learning and development of staff;
- organised an all-staff consultation as part of the wider development of the draft Strategic Plan.

**9.5.3** The Council continues to appreciate the work of the Senior Management Team and benefits from the formal and coordinated approach to the management of the work of the staff in the Church Offices and Charis House. The existence of a clear senior management structure ensures that the decisions of the Assembly, and of its Councils and Committees, can be implemented effectively in partnership with Presbyteries and the local church.

## 9.6 Learning and Development

**9.6.1** Over the past year, the HR team has worked with the SMT in looking closely at how we develop the skills of our staff to ensure that we have the right people, with the right skills, working in support of the Church's aims. The HR team has significantly amended the learning and development programme to make best use of a limited budget through embracing the effective use of modern technology.

**9.6.2** In October 2017, the HR team launched a new e-learning platform. This platform provides finger-tip access to a wide variety of courses and learning materials. Staff have the opportunity to complete online training packages by way of videos, online resources and *Test your Knowledge* quizzes. The system is fully customised to the Church of Scotland, incorporating CSC policies and procedures and is also now being used to advertise our Training Calendar for face to face courses. There is an efficient online booking system for staff to sign up to relevant learning events and the platform records progress and attendance, ensuring individual records of achievement are kept up to date.

**9.6.3** The feedback has been overwhelmingly positive and we are now keen to look for ways that we could develop the platform further and allow access, as may be appropriate, for more users across the Church.



## **9.7 Staffing**

There have been a number of appointments to the Senior Management Team in the last twelve months. Ruth MacLeod joined us in August 2017 as our new Head of Communications. In the same month, Catherine Skinner, formerly Depute Secretary of the Ministries Council, was appointed to the new role of Head of Organisational Programmes. For an organisation in the midst of significant change, this appointment is intended to bring a coherent and systematic approach to the scoping, implementation and delivery of the key projects and programmes which will facilitate the outcomes anticipated, for example, in the draft Strategic Plan. We also welcomed Elaine McCloghry to the role of Head of Human Resources.

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## **10. GENDER JUSTICE**

**10.1** The Council of Assembly was asked to support the establishment of a five year Gender Justice Initiative seeking to build on the prior investment in a fixed-term Violence against Women Development Worker post. This initiative will work across the Church of Scotland's Councils and Committees as well as with our ecumenical, interfaith and civil society partners.

**10.2** The Violence against Women Development Officer post was the first of its kind for any denomination in Scotland. It allowed the work identified by the VAW Working Group and reported to the General Assembly to be taken forward in three main areas: [1] through the development and implementation of a new violence against women strategy; [2] by representing and promoting the work of the Church in this area externally; and [3] in supporting the internal work of Councils and departments within the Church.

**10.3** An extensive consultation process with the Councils of the Church and key stakeholders in gender justice work was carried out. The VAW Development Officer post came to an end on 30 June 2017, leaving a need to consider how the Church of Scotland could best fulfil its ongoing commitment to gender justice.

**10.4** All of the work undertaken by the VAW Task Group and the Development Officer has been based on the recognition that violence against women is both a cause and a consequence of gender injustice. While the strong commitment from the Church of Scotland to tackling and eradicating violence against women must remain, there is a

recognition that there is also a need to refocus our efforts to fight the root cause of discrimination, harm and inequality (gender injustice) as well as on the symptoms (including but not limited to violence against women).

**10.5** The consultation process identified four provisional areas of work to be carried through:

- Training and supporting those in the recognised ministries of the Church;
- Equipping and enabling congregations to tackle bad practice and promote best practice from across the Church of Scotland, the world Church and in civil society in communities;
- Policy engagement (within the Church, in wider Scottish Society and internationally); and
- Campaigning to overcome violence against women and to promote gender justice.

**10.6** Further thought was given to what gender justice work might look like across the Councils and Committees of the Church of Scotland and the level of support for a broadening focus to encompass gender justice as well as the existing work on violence against women.

**10.7** The Council agreed to appoint a Gender Justice Officer with the understanding that the initiative would support and resource all of the Councils and Committees of the Church. The funding was, therefore, drawn from the budgets of Councils and Committees, though the Officer will be managed within the Church and Society department. The recruitment process is getting under way as this Report goes to print. The core duties of the Officer, which can be found in Appendix 3, offer a picture of the work which will be undertaken.

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## **11. MEMBERSHIP OF COUNCILS AND COMMITTEES**

### **11.1 Proposed Changes to Membership of Councils**

**11.1.1** The Council of Assembly is responsible for bringing forward to the General Assembly any adjustments to membership and remits of Councils and Committees. This year we seek approval for the following two changes, having considered the case for each and been satisfied that the proposals are justified and appropriate:

### 11.1.2 Ministries Council

Standing Orders provide for a Convener, four Vice-Conveners and 38 members appointed by the General Assembly to the Ministries Council in addition to members appointed from other bodies. In light of the anticipated workload of that Council over the next period, an additional four members are sought for a limited period of two years.

### 11.1.3 Social Care Council

Standing Orders provide for a Convener, two Vice-Conveners and 28 members appointed by the General Assembly to the Social Care Council. In light of that Council's recent review of its operational practices and procedures and the recommendations coming out of that work, a reduction in the numbers to a Convener, two Vice-Conveners and 22 members is now sought.

## 11.2 Nomination Process to Legal Bodies

**11.2.1** The Council was instructed by the 2017 General Assembly, under the report of the Nominations Committee, to facilitate conversations among the Nomination Committee, the Legal Questions Committee and senior officers of the Church to recommend whether a better alternative method may be put in place for the nomination of persons to serve on bodies dealing with specific legal matters.

**11.2.2** This motion was brought forward with the agreement of all parties, in acknowledgement that the standard nomination process was not working well in relation to some of the bodies concerned. Each year quite a number of appointments need to be made to 'legal bodies' which undertake investigatory, disciplinary and judicial functions on behalf of the Church. In practice relatively few nominations have been submitted from the wider Church in recent years and it has been necessary for the Legal Questions Committee to seek additional names.

**11.2.3** The legal bodies concerned often require people with particular expertise and gifts, not least a high level of procedural competence and good knowledge of Church and Civil Law. As and when nominations have come from the wider Church, it has not always been easy for the Nominations Committee to assess the suitability of individuals for the relevant roles, so the experience of the Legal Questions Committee is important in reaching decisions about appointments. The bodies concerned are the following:

- Appeals Committee of the Commission of Assembly;
- Judicial Commission;
- Judicial Proceedings Panel;
- Ministries Appeal Panel; and
- Presbyterial Commission.

Should a new Discipline Act ultimately be put in place following consideration of the Discipline Overture at this year's Assembly, its approval by Presbyteries and further approval by the Assembly, the Presbyterial Commission would be replaced by a Discipline Tribunal, whose membership would also be appointed in the same way. Details of the remit of each of the existing bodies mentioned above and of the kind of experience and qualification sought in those being put forward for appointment can be found at [http://www.churchofscotland.org.uk/nomination\\_committee](http://www.churchofscotland.org.uk/nomination_committee).

**11.2.4** The Nomination Committee took up consideration of this matter at its meeting in January 2018, having received an outline proposal from the Legal Questions Committee (LQC). It agreed to propose that from June 2018 onwards, the LQC would be asked to draw up a list of people whom it considers suitably qualified to serve on each of the bodies involved. In parallel with other Nomination Committee processes, the LQC would keep a note of all the names it had considered, including those names which it had decided not to put forward. The process of drawing up such a list would take place between September and November each year, the same period throughout which people are being nominated to other bodies in the Church. If any forms are submitted through the wider nomination process from Presbyteries, Ministers or individuals, these would be passed directly to the Convener of LQC for consideration as to suitability. At the beginning of December, when the LQC has settled on the names it wishes to present for each body, a meeting would take place between the Convener, Vice-Convener and Secretary of the Nomination Committee and the Convener of LQC, the Principal Clerk and the Solicitor in order to consider the lists assembled. This would allow the Nomination Committee to maintain its independent role of scrutiny, while at the same time drawing on the expertise of the LQC in presenting names to the General Assembly for appointment in May.

**11.2.5** The Nomination Committee would receive from its Convener and Vice-Convener at its January meeting the list of

names agreed by parties at the December meeting with representatives of the LQC. The Committee would then approve the list, subject to discussion, confident that it came to the Committee with the degree of independent scrutiny required. For the avoidance of doubt, the Nomination Committee would not receive any names other than those actually being put forward for nomination. The names would then be passed to the General Assembly in the normal fashion for appointment.

**11.2.6** Nominations to the Legal Questions Committee shall continue to be handled through the regular process of nomination for all other bodies in the Church.

### **11.3 Membership of the Council of Assembly**

**11.3.1** The Council reports that Dr J Kenneth Macaldowie, a member of the General Trustees, and Barbara Finlayson, a member of the Legal Questions Committee, serve on the Governance Group as co-opted members.

**11.3.2** The immediate past Moderator of the General Assembly serves as a non-voting member of the Council for one year. The Council is grateful to the Very Rev Dr Russell Barr for his contribution to its work over the past year.

*In the name of the Council*

SALLY BONNAR, *Convener*  
CATHERINE COULL, *Vice-Convener*  
MARTIN SCOTT, *Secretary*

## **Addendum**

### **VICE-CONVENER OF THE COUNCIL**

This General Assembly marks the end of Catherine Coull's term as Vice-Convener of the Council of Assembly. Catherine joined the Council in 2011 and took up the Vice-Convenership in 2015. Since 2012 she has convened the Council's Governance Group where her professional background as an in-house lawyer in a Local Council environment has been of particular benefit. Her many gifts and talents are also being used within the Church locally. She is an Office Bearer at Dundee: Chalmers-Ardler and has been leading evening worship services there during a period of vacancy. In addition to this, she is currently serving as Interim Moderator in Dundee: Lochee. Catherine's passion for prayer was the spark which ignited the Council's focus on prayer during the 2017-18 session and she took a lead role in overseeing the 'Together We Pray' project. Her opening devotions at meetings have been uplifting with her love of the Psalms often coming to the fore. We will miss her wisdom and her calm, thoughtful approach to the Council's business – in particular in relation to sensitive and challenging governance matters – but, more than that, we will miss her gentle nudges to lift our eyes to the One who calls and leads us. We wish Catherine well as she continues to find opportunities for service within the Church, and we thank her most sincerely for her contribution to the Council.

*In the name of the Council*

SALLY BONNAR, *Convener*  
MARTIN SCOTT, *Secretary*



**Appendix 1****STRATEGIC PLAN GOALS TIMELINE**

By 2020	<ul style="list-style-type: none"> <li>• Ensure that <i>all</i> congregations have regular opportunities for nurture, prayer and bible study; people will demonstrate deepening spirituality and a desire to learn and share more about faith.</li> <li>• High quality resources for study and learning will be made available and used to support growth and service for all ages.</li> <li>• The Council of Assembly, in cooperation with Presbyteries and other Councils, will develop criteria to enable identification of appropriate places for new and emerging congregations, for growing congregations, for places where the goal is ongoing sustainability and where congregations have no long term future.</li> <li>• The General Trustees and Council of Assembly will have in place an integrated strategy for the appropriate development and disposal of buildings, leading to the optimum number of sustainable, better-equipped and affordable places for future mission.</li> <li>• Significant steps will have been taken towards the regional structures of the Church being more effectively resourced to enable key support to congregations and strong links to national structures.</li> </ul>
By 2021	<ul style="list-style-type: none"> <li>• An integrated training programme, with flexible access, which covers all aspects of lay and ordained ministerial education and training will be in place, providing excellent preparation and ongoing support for developing ministry teams.</li> <li>• The national offices will be fit for purpose and sustainable, either in a renovated George Street building or in alternative premises.</li> <li>• The Church will achieve and maintain a balanced annual budget which fully supports its priorities.</li> <li>• Governance structures will be streamlined to enable effective implementation while maintaining compliance with charity regulations.</li> <li>• A national Workforce Plan will have been drawn up and implemented ensuring appropriate levels of staffing to meet the strategic priorities of the Church.</li> </ul>
By 2022	<ul style="list-style-type: none"> <li>• There will be evidence of increased, positive congregational involvement in local community issues, particularly in relation to justice, the alleviation of poverty and social inclusion.</li> </ul>
By 2023	<ul style="list-style-type: none"> <li>• All congregations will have completed a Local Church Review process, producing a mission plan for their Parish.</li> <li>• Strong links will be established with ecumenical and global partners, sharing good practice in nurturing discipleship and missional engagement.</li> <li>• Congregations will develop a clear focus on becoming sustainable and growth-orientated with targets appropriate to context, including the presence of multiple generations of people.</li> <li>• There will be evidence of improved wellbeing and resilience within the workforce that comprises the ministries of the church.</li> <li>• National guidelines on ways of maximising income generation will have been drawn up and implemented.</li> <li>• The framework of Church Law will be rationalised, ensuring clarity, accessibility and equality of application.</li> </ul>

By 2025	<ul style="list-style-type: none"><li>• More people will take up learning opportunities which deepen faith and increase awareness of the Church in the community.</li><li>• Every Presbytery will have forged links with local partners, including CrossReach services, and global partners with a view to enriching the lives of congregations within their bounds.</li><li>• All congregations will have completed a full cycle of stewardship activities, with a particular focus on the purpose of Christian giving. A clear process for ongoing stewardship should be in place.</li></ul>
By 2028	<ul style="list-style-type: none"><li>• There will be clear signs of congregations becoming sustainable and growth-orientated with multiple generations and backgrounds of people present.</li><li>• New congregations will be planted and established reflecting the communities which they serve in terms of background, age, gender and variety, especially in new areas of opportunity.</li><li>• We will ensure an appropriate level of contribution from the Church locally, nationally and internationally, to debate and activity in the public square.</li><li>• Well-prepared ministry teams, drawing on experience from experimental programmes, will be in place across the country, offering excellent local leadership.</li><li>• All Presbyteries will have drawn up and begun implementation of a plan for the use, development or disposal of all buildings within their bounds.</li></ul>

**Appendix 2**

**GAELIC GROUP REMIT**

The Council of Assembly has a coordinating function relating to the promotion of the use of Gaelic in the Church of Scotland. It fulfils this function through the work of the Gaelic Group. The remit of the Gaelic group will be:

1. To coordinate the Church’s contribution to the development and promotion of Gaelic within the Church.
2. To explore ways in which Gaelic can continue to make its distinctive contribution to the religious life of Scotland and the Church of Scotland.
3. To promote the use of Gaelic both in the context of traditional worship services and in imaginative ways that take account of the developing needs of the Gaelic-speaking and Gaelic-learning communities in Scotland.
4. To monitor and report progress among Councils in relation to Gaelic worship and ministry.

5. To maintain contact with the London Gaelic Service, supporting its efforts to ensure an ongoing provision of Gaelic medium worship.
6. To develop and implement a Gaelic Language Plan for the use of Gaelic in the Church.
7. To coordinate with Life and Work on the production and future development of Na Duilleagan Gàidhlig.

Membership:  
Convener, Vice-convener and 4 members appointed by the Council of Assembly.

The Group shall report on its work to the Council of Assembly through the Secretary of the Council.

### Appendix 3

#### GENDER JUSTICE WORKER: CORE DUTIES

The following are the key responsibilities of the Gender Justice Worker:

- To increase the capacity of the Church through training (including of those in paid ministries), resources and awareness-raising to promote gender justice. This will result in a higher level of awareness of the issues and practices which cause gender injustice and an increased capacity to address them effectively locally, regionally and nationally.
- To operate across Councils and Departments to facilitate and support gender justice within their areas of responsibility. This will result in increased specialist support for the Church's national structures, including the General Assembly, to enable best practice and advice.
- To develop and oversee partnership working supporting gender justice within the structures of the Church of Scotland and where appropriate beyond it, including connecting with victims of gender injustice. This will result in the Church being more integrated and coherent in its gender justice work and for it to be more involved and welcomed in a broad range of strategic partnerships.
- To act as Secretary of the Violence Against Women Task Group and to facilitate the Church's ongoing work tackling violence against women and girls. This will result in this work continuing to develop momentum within the broader work of gender justice.
- To develop and manage agreed projects (including staff, volunteers and budgets) designed to increase the knowledge and impact of gender justice and to tackle violence against women and girls, with an emphasis on locally based work. This will result in an increased level of sustainable activity which promotes learning and practice across different areas of work.
- To form part of the Church and Society Department's Leadership Team, working collaboratively to ensure effective progress across the Council's work. This will result in the different strands of activity working effectively together and the practice of gender justice informing the Council's broader activity.



**JOINT REPORT OF THE COUNCIL OF ASSEMBLY, MINISTRIES COUNCIL,  
MISSION AND DISCIPLESHIP COUNCIL, PANEL ON REVIEW AND REFORM AND  
LEGAL QUESTIONS COMMITTEE ON RESOURCING THE IMPLEMENTATION  
OF LOCAL CHURCH REVIEW MAY 2018**

**Proposed Deliverance**

**The General Assembly:**

1. Receive the Report.
2. Discharge the Working Group and instruct the Council of Assembly, in cooperation with the Mission and Discipleship Council, Ministries Council and Legal Questions Committee, to review the provisions of Act 1 2011 on Local Church Review, to ensure they are consistent with the implementation of the Church's Strategic Plan and effectively resourced.

**Report**

**1. BACKGROUND**

**1.1** The General Assembly of 2016 instructed the Council of Assembly as follows: Instruct the Council of Assembly, working jointly with the Mission and Discipleship Council, the Ministries Council, the Panel on Review and Reform and the Legal Questions Committee to devise a structure together with any necessary regulation which will allow the implementation of Local Church Review to be appropriately resourced and delivered across every Presbytery and report to the General Assembly of 2017.

**1.2** A Joint Working Group comprising representatives of the five bodies met and considered the issues arising out of the instruction. It was noted that Local Church Review (LCR) is an essential foundation for an interconnected series of issues currently under consideration in the work of the bodies represented on the Group. Some of these are relatively new in terms of formal process, or are still in the developmental stage. They include:

- *Strategic Plan*: being developed by the Council of Assembly for presentation to this year's General Assembly, indicating the importance of LCR for implementation of its key goals;
- *Recruitment and Training for Ministry*: work being undertaken by the Ministries Council to offer a clearer picture of the expectations for ministry of people being recruited and trained;
- *Capability Process for Ministries*: to be developed by the Ministries Council in collaboration with the Legal Questions Committee, based around the expectations of ministry;
- *Vacancy Process and Parish Profiles*: work being undertaken by the Legal Questions Committee and Ministries Council to enable consistency in the conduct of vacancy processes and the production of Parish profiles;

- *Presbytery Review*: being piloted through the Principal Clerk's office, applying the principles of LCR at a Presbytery-wide level with Presbyteries acting as 'peers' to one another;
- *Facilitator Training*: for the LCR process, being rolled out by Mission and Discipleship Council.

**1.3** Aware there is an expectation, should the General Assembly approve the draft Strategic Plan, that LCR would play a significant role in its implementation, it is important to understand not only its place in the wider context of other developments, but also the extent to which LCR is currently being carried out across the Presbyteries. It is clear that compliance with Act 1 2011 on Local Church Review is variable.

**1.4** When the Group looked at this in August 2017, not all Presbyteries had shown diligence in ensuring all congregations were undertaking reviews. Some had done nothing as yet to implement the provisions of the Act. While failure to comply with the Act is a matter of governance, it is also often an issue of resources. Small Presbyteries and congregations may well struggle to complete the process on their own, so the sharing of resources between both congregations and Presbyteries is commended as a way of enabling good practice to develop. It is also self-evident that it would be sensible to draw on the experience of those who have implemented LCR, since their awareness of the strengths and weaknesses of the current shape of the process would help others to use LCR more effectively.

**1.5** It is acknowledged that the volume of paper-based material for conducting LCR can be relatively large. It is, however, perfectly permissible for Presbyteries to adapt it to their own circumstances and needs.

## **2. MOVING FORWARD**

**2.1** In seeking to address the question of resourcing LCR going forward, the Group noted the importance of having an identifiable focus for support. The fact that five different bodies had been instructed to work on resourcing was itself an indicator that there was no clear 'ownership' of the process of LCR. This made it particularly difficult for those Presbyteries who wanted to take it forward, but lacked the resources to do so and the knowledge of where to seek them.

**2.2** The instruction to consider questions of resourcing talks about devising a *structure* and *regulations* to enable implementation. In looking at the issues more closely, however, it was noted that what was really needed was a *process* for implementation. Taking this together with the question of focus / ownership, it was agreed that the best place to locate this work was with the Principal Clerk's Office. In his unique position, the Principal Clerk is in regular contact with Presbytery Clerks and is able to build the relationships necessary to offer appropriate support in developing the process of LCR. Alongside this, it was noted that in his personal capacity and previous post as Clerk to the Presbytery of Edinburgh, Rev Dr George Whyte had been influential in the development of LCR and responsible for overseeing its implementation in a large Presbytery, as well as being an enthusiastic champion of its value.

In addition to this, it was noted that Dr Whyte is involved with a small cross-committee group developing a form of Presbytery Review, drawing on the principles of LCR. Some nine Presbyteries are engaging in a pilot project around Presbytery Review, with others interested in joining in future. In this context, it made good sense to bring the process of resourcing LCR alongside that of taking forward Presbytery Review.

**2.3** As noted above, it is anticipated that LCR will have a key role to play in the implementation of the proposed Strategic Plan for the Church. In the event of this being adopted, it will be necessary to review the process and documentation for LCR to ensure that it enables congregations and Presbyteries to achieve the goals of the Plan effectively. Given some of the reservations expressed about the current process and documentation, such a review is timely and will allow a number of questions to be addressed.

**2.4** In terms of financial resourcing, the Strategic Plan will enable the Council of Assembly to give priority to the key goals identified – a crucial component of which is LCR. In its report, therefore, the Council is seeking to set up a collaborative working group (with Mission and Discipleship, Ministries and Legal Questions) to take forward the review and in particular to identify the resources to make LCR as effective an instrument as possible in achieving the Church's missional goals.

*In the name of the Council of Assembly,  
Mission and Discipleship Council, Ministries Council,  
Panel on Review and Reform and Legal Questions Committee,*

SALLY BONNAR, *Convener*  
MARTIN SCOTT, *Secretary*  
NORMAN SMITH, *Convener*  
NEIL GLOVER, *Convener*  
JAYNE SCOTT, *Secretary*  
GRAHAM DUFFIN, *Convener*  
GEORGE COWIE, *Convener*  
GEORGE WHYTE, *Secretary*





## WORLD MISSION COUNCIL MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the report.
2. Give thanks for the life and witness of Mission Partners who have died; and acknowledge with gratitude those who have completed their period of service overseas.
3. Note that Mission Partners work not only in good and joyful but also in difficult and challenging situations and commend their work and witness; and urge congregations and presbyteries to continue in their prayerful support for our Mission Partners.
4. Encourage those interested in serving as Mission Partners to approach the Council to explore opportunities.
5. Encourage congregations and presbyteries to read and study the report, use the resources, and learn more about the life of churches in other parts of the world, and the links with the Church of Scotland.
6. Condemn all forms of religious discrimination, including Antisemitism and Islamophobia, and encourage local communities to build bridges, and to become friends, with neighbours from other faith traditions.
7. Commend the Programme for Christian Muslim Relations in Africa (PROCMURA) for its positive work in bringing Christian and Muslim communities together across Africa.
8. Encourage the Council to consider supporting and facilitating an interfaith group of religious leaders to learn from the experiences of PROCMURA's work.
9. Welcome the intention of the Council to consider a return youth interfaith visit from Rwanda to Scotland.
10. Give thanks for Christian Aid's work to alleviate poverty amongst people of all faiths, and encourage the whole church in its ongoing engagement with and support of Christian Aid.
11. Note the International AIDS Conference in July and encourage all parts of the church to remain aware of the prevalence of the virus, and supportive of all efforts of our partners in supporting those living with HIV.
12. Instruct the Council to work with the Church and Society Council and the Scottish Churches Parliamentary Office to encourage the Scottish and United Kingdom Governments to ensure that educational material produced through overseas aid collaboration with Pakistan promotes peaceful co-existence, and tolerance of people from different faith communities.
13. Encourage congregations and presbyteries to study *Together towards Life: Mission and Evangelism in Changing Landscapes* and to consider adopting the principles contained in the statement in developing opportunities for interfaith dialogue.
14. Encourage congregations and presbyteries involved in twinning to explore interfaith issues with their twinning partners, and reflect on how this can inform their mission and ministry in Scotland.

## Report

### MISSION FOR UNDERSTANDING

#### 1. SETTING THE SCENE

Wisdom is the principal thing; *therefore* get wisdom: and with all thy getting get understanding.

Proverbs 4:7 AV

No peace among the nations  
Without peace among the religions.  
No peace among the religions  
Without dialogue between the religions.  
No dialogue between the religions  
Without investigation of the foundations of the religions.

Hans Küng, Islam, Past Present & Future  
(Oxford: Oneworld Publications, 2007), p. xxiii.  
(Quoted in: <http://forumonpublicpolicy.com/vol2011no3/archive/morgan.pdf>; accessed 20.2.18)

'Get wisdom', says the writer of Proverbs, and with it get understanding. Understanding 'the other' is essential for building dialogue and developing good relations between religions. Theologian Hans Küng contends that peace amongst the nations will only come when faith communities know each other better and work out how to live companionably, ethically and compassionately, and share our world in harmony. Interfaith involvement is not an add-on or accessory, but a key part of living out Christ's call to love our neighbour as ourselves and to pursue life in fullness for all. Across the world, partners are living out their calling to witness to their faith in very different environments from our own, and often living alongside other faiths - in harmony, or uneasily, or in anxiety, or in fear. Our Christian partners have different attitudes, forged from their own history, particular traditions, and experience, and these need to be considered as we engage with them as part of the world church.

Küng's quote has deep resonance with the life and experience of the Rev Ebe Joseph, General Secretary of the National Christian Council of Sri Lanka. Sri Lanka has suffered decades of ethnic and religious conflict. In 1984, Ebe Joseph was one of more than 80 Tamil Christians who were trapped inside a burning building. Outside was a furious mob of Sinhalese wanting to kill the Tamil people inside. Ebe owes his life to the Buddhist caretaker; he says: 'He had the courage to stand

near the gate and he prevented them coming in. At one point he told them, "If you want to enter you will have to kill me". Because the man was Sinhalese and a Buddhist, the mob moved on. The police later rescued the group, but for 12 tense hours they were refused entry at every place they sought refuge. Finally, they found a welcome - at a Hindu temple. Later a visitor came to the temple looking for 'a minister'. It turned out to be the Muslim beggar who slept on the veranda of the church, where Ebe would give him tea. He had been going from camp to camp looking for his Christian friend. Now it was the beggar who offered to bring Ebe tea.

That was how Ebe first got involved with interfaith peacebuilding. 'Those two days of experience with the Sinhalese Buddhist, the Hindu temple and the Muslim beggar gave me the impetus to look at other religions in a more open and more positive way,' he says. After working in partnership with a Buddhist monk to improve life for children in a refugee camp of more than 350,000 people, Ebe began reaching out to key religious leaders across Sri Lanka. To the surprise of many Sri Lankans, religious leaders from across the country, including the largest and most powerful denominations, responded. Now with over 25 years of experience building trust and learning about one another, those faith leaders are part of a new effort to offer religious and spiritual resources to heal the bitter memories of the people of Sri Lanka, and work to restore relationships between the communities, and to try to rebuild their country. 'The Church has members in both communities—the Tamil and Sinhalese communities together—and therefore we can bring those communities into dialogue with each other and to envision their future.'

Another very personal story comes from the Rev. Keron Khellawan, of the Presbyterian Church of Trinidad and Tobago, who shares with us his familial experience: 'I grew up with my mother being an elder of the Church and my father being a practising Hindu. From my home I learnt the harmony that can exist, for both parents respected each religious persuasion...this was viewed as somewhat sacrilege by other Christians and even some Hindu leaders.' He notes that Trinidad and Tobago is a multi-religious society, 'a proverbial "Pelau" or mixed pot of food', with no one denominational body exceeding twenty-two percent of the total population. 'There is no doubt that being a Reformed Church in the context of Trinidad and Tobago there is a mandatory requirement for interfaith engagement and, on a personal note, being a Minister within my Church and having my family and community blended on religious lines, I must redefine my

Christian mission and evangelism in a new way so as not to create discord but rather bring peace.'

Having read Luke 18: 9-14, of two men at prayer, former Moderator, the Very Rev Dr Russell Barr, shared his experience of two men going to pray. He had been paying a pastoral visit to a woman in his congregation who was in hospital recovering from major surgery. On the way out of the hospital, he had paused for a few moments in the hospital chapel where he happened to meet the woman's surgeon. After a moment of chat, the surgeon asked if he had come to pray for the woman who was Dr Barr's parishioner and the surgeon's patient. On answering yes, the surgeon said, 'So have I,' and, rolling out his mat towards Mecca, he knelt to pray. Dr Barr reflected, 'Two men went to pray, and one of the significant factors in my own spiritual journey has been the growing awareness that there are fellow travellers on the road.'

## 2. INTRODUCTION

The WMC offers this report to the whole church as an opportunity to listen to, learn from, and share with our partners around the world, experiences and challenges of living out our common calling in a diverse array of contexts. Seeking peace for our world, through building peace with our neighbours, of whatever faith, is an essential aspect of living out our faith in the twenty-first century. Dialogue with people of other faiths can help us to grow in common understanding and empathy, help defuse violence brought through misunderstanding or wilful malevolence, and encourage us to seek to work together in areas of common cause. Could we live in a world where we no longer need terms such as 'interfaith'; where interaction with one another, regardless of differences, would be accepted as the norm, just as in Rev Keron Khellaway's family and community in Trinidad? Healthy relationships are formed where differences are appreciated and accepted. Often joint tasks or common causes can be the catalyst to building good relationships: doing practical work together can encourage quantitative leaps in interfaith interaction and understanding. This is often where we find the world church most active.

Twenty-five years ago, the Council's predecessor body, the Board of World Mission and Unity (BWMU) reported to the General Assembly on the evolving situation relating to living in Scotland with growing numbers of people representing a rich tapestry of faith traditions. *The Church of Scotland's*

*calling is as part of the World Church, and in partnership with indigenous Churches. Some of these Churches have a wealth of insight and practical experience in relating to people of other faiths. We have much to learn from them.* (World Mission and Unity, Reports to the General Assembly 1993, II p. 570-1). The 1993 report acts as a foundational text outlining the necessary theological virtues of humility and openness in a time of growing religious pluralism. It established an understanding that went beyond a grudging acceptance of a shifting religious landscape: *It is not enough simply to accept that we now have new groups among us, but that we must seek the good of those groups as we would seek our own. We must not let such terms as "multi-faith" or "multi-cultural" obscure the fact that behind the outward differences we are one people, children of one God.* (Reports to the General Assembly 1993, p571)

This year's report aims to draw the General Assembly's attention to the voices of our international friends and partners in relation to living together in a world of people of different, or no, faith. The Council is pleased to work with the Church's Interfaith Officer and to co-operate with other Councils and Committees of the General Assembly in pursuing its work in this, as well as other, areas. The report will highlight the Council's ongoing interfaith engagement in the following sections:

1. Attentive Accompaniment – the 'why' of living and working on interfaith engagement
2. Presence and Practical Action in witness and service
3. Solidarity
4. The Path Before Us - what we can do.

## 3. ATTENTIVE ACCOMPANIMENT – THE 'WHY' OF LIVING AND WORKING ON INTERFAITH ENGAGEMENT

For the Church of Scotland, the life and work of Stella Reekie resonates with many of the issues which were brought to the fore in the wake of the Holocaust, and throughout the post-colonial context which shaped the prevailing zeitgeist of the second half of her life. Stella Reekie (1922-1982) was a pioneer of interfaith work in Glasgow and arguably a source of inspiration for Scottish interfaith work more generally. Working with the Red Cross in the 1930s and 40s, Stella Reekie was one of the first civilians to assist with relief

following the liberation of Bergen-Belsen concentration camp. Witnessing the scale of death and destruction there, Stella saw the horror that can emerge from pernicious ideologies that judge one group to be superior to another or dehumanise people on the basis of difference. A Deaconess in the Church of Scotland, Stella was known for setting up the International Flat in Hillhead, Glasgow, funded by the Church of Scotland, and establishing the first interfaith group in Scotland, 'Glasgow Sharing of Faiths'. The Well and Interfaith Scotland are direct descendants of that pioneering work.

As a former missionary to Pakistan, Stella worked with those who had mostly come from India and Pakistan and settled in Scotland, helping these new Scots to integrate into their new surroundings. She realised how important it was to establish understanding and respect not just between cultures but also between different faiths. Stella's life spanned and reflected some of the key turning points in history that have encouraged and inspired Christians to rethink their relationships with other faith communities. The meaningfulness of the platform for dialogue provided by the International Flat are summarised in Stella's own words: *When we meet together, we find that we have so much in common, and, although our faiths are not the same, we can learn to respect one another because of the differences that we can discover together. By doing this we can build a much happier set of relationships within our own city and can make sure that Christianity is better understood by others* (Adamson, Jessie, Ramsay, Kay and Craig, Maxwell. Stella. Glasgow: South Park, 1984). Wisdom and understanding going hand in hand.

All over the world, Christians live, minister, witness and serve in multi-faith societies and communities, sometimes where they are the majority, and oftentimes when they belong to a minority faith community. For our partner churches, and increasingly for the church in Scotland, interfaith dialogue is not an academic or theoretical exercise but a normal, daily experience where people of different faiths interact and discover what they share in common and learn to respect these differences. Dr Nicol McNicol, an eminent missionary in India, captures how the Christian can approach those from other faiths. Speaking at a World Mission presentation during the General Assembly of 1932, he emphasised the necessity of looking on the people of India not as Hindu or Muslim, 'but as men and women, and of having a thorough and sympathetic understanding of their religions, and approaching them not in a superior or dominating way, but with the Christian gift of

friendship.' (in St. Colm's Students' Journal, May 1932. St Colm's Archive, National Library of Scotland.)

### 3.1 Voices from the mission movement

In 2013 the Commission on World Mission and Evangelism (CWME) of the World Council of Churches (WCC) produced its first ecumenical mission affirmation in over 30 years. The new statement, *Together towards Life: Mission and Evangelism in Changing Landscapes* brought together all the WCC members with those from the Pentecostal tradition, to seek direction for a renewed understanding and practice of mission and evangelism in ever-evolving religious and cultural contexts. It seeks to help us commit ourselves together to fullness of life for all, led by the God of Life, and inspired and directed by the Holy Spirit. This new understanding, which has been developing over the past thirty years, includes encouragement to engage with other faith traditions:

*The Holy Spirit works in mysterious ways and we do not fully understand the workings of the Spirit in other faith traditions. ... Dialogue at the religious level is possible only if we begin with the expectation of meeting God who has preceded us and has been present with people within their own contexts. God is there before we come (Acts 17) and our task is not to bring God along, but to witness to the God who is already there. ... Evangelism and dialogue are distinct but interrelated. Although Christians hope and pray that all people may come to living knowledge of the Triune God, evangelism is not the purpose of dialogue... Religious freedom should be upheld because it flows from the dignity of the human person, grounded in the creation of all human beings in the image and likeness of God (Gen. 1:26). Followers of all religions and beliefs have equal rights and responsibilities.*

Together towards Life: Mission and Evangelism in Changing Landscapes, WCC, 2013 (p34,35)

It is worth remembering that when the western Churches initiated the mission movement to take Christianity to the colonised peoples, they took with them their western forms of faith and worship, and rather too infrequently allowed the local culture to shape and adapt Christianity within its own context and mind-set. It is important, though a challenge, to remember that western Christianity is often still seen as being tied into notions of 'the west' in places like the Indian sub-continent and the Middle East. For example, United States President George W Bush's reference to a crusade against

parts of the Arab world raised hackles and led to real problems for Christians in the Middle East.

Already in the International Missionary Conference in Willingen in 1952, the 'younger churches' made clear that, 'We should cease to speak of *missions* and *churches* and avoid this dichotomy.' (David HS Lyon, In Pursuit of a Vision, St Andrew Press, Edinburgh, 1998. p75). Today, we have moved on to speak of the mission of God in the world, a mission in which the Churches can play their part. God's mission can involve all kinds of people from any background or faith, and it is not confined to any institution. David Lyon, having served in India before returning to Scotland to be General Secretary of the Overseas Council, embodied this message in his ministry and service, and recognised that the whole people of God was broader than the Church. He often noted how Gandhi made this point by quoting the words of Jesus, 'Not everyone who calls me "Lord, Lord" will enter the kingdom of heaven, but only those who do the will of my heavenly Father.' (Matthew 7:21). Lyon comments, 'it would be an insensitive person who would not...recognise that the purpose of God is being fulfilled, even though the church itself may often fail.' (Lyon, p 281).

Christianity was born into a pluralist context; and Christian communities, and then churches, continued to live in diverse contexts for centuries. Whilst Christianity spread to the West and developed in various environments, some more isolated than others, it is important to remember that as an expanding global faith Christianity never existed in a vacuum. Instead it has been shaped and affected by the other religions and world views since the time of Paul and the Apostles. Openness did not come to be the natural course of interfaith interaction. Reformed Christianity emerged when European Christianity was more isolated from other faiths, and treated the other as dangerous and apostate. Though there were few Muslims, the Ottoman Empire was threatening (Calvin and Luther saw an Ottoman conquest of Europe as inevitable, and an indication of divine wrath with the continent); the Jews who lived in Europe were marginalised, mistreated, and periodically expelled or ghettoised, to underline who still had power and was in control; and few people had travelled to encounter the eastern religions. It is also worth examining our own historic role in colonialism in pursuit of foreign mission. This can help us approach, critically, the relationships we have with partners who know that history and are witnesses to its effects and its legacy today. It can also help us understand some of our instinctive and deeply rooted reactions to other

faiths: do we see Islam as a natural competitor or even inherently hostile, because of the attitudes of reformers which have been passed down the generations? The WCC's Together towards Life process can help us understand better how we might be responsible evangelists, and consider what impact our mission might have on those from other faith traditions.

### 3.2 Voices from the Middle East

Not all churches or Christian communities were isolationist and exclusivist. There were still places where co-existence was, and remains today, more common. The National Evangelical Synod of Syria and Lebanon (NESSL) reminds us that Christians in Syria and Lebanon have been in interfaith relations since the 7<sup>th</sup> century when Arab Muslims conquered the region with a new form of monotheistic religion. Engaging with Muslims has therefore been part and parcel of the life of the church there ever since. Relations between Christians and Muslims have been more or less cordial according 'to the tolerance of the ruler, and the wisdom of Christian communities and their leaders.' Today, Christians face two levels of interfaith relations in Lebanon and Syria: with mainstream institutional Islam, where there is a positive working relationship, understanding and an openness to dialogue; and with those sections of society which have become more radical and exclusive, where there are tensions.

The need to foster dialogue among the followers of different religions and to bolster the values of tolerance and peaceful co-existence were topics explored between the Moderator, King Abdullah of Jordan, and Prince Ghazi Bin Muhammed in a meeting in Amman in January 2018. In further meetings, including an extensive and moving visit to the Baptismal site by the Jordan river, Prince Ghazi developed the thesis explored in the letter, 'In A Common Word Between Us and You,' sent to the churches in 2007, and signed by representatives of every denomination and school of thought in Islam. It argues that the most fundamental common ground between Islam and Christianity, and the best basis for future dialogue and understanding, is the love of God and the love of the neighbour. 'Muslims and Christians together make up well over half of the world's population. Without peace and justice between these two religious communities, there can be no meaningful peace in the world.' ([www.acommonword.com/the-acw-document/](http://www.acommonword.com/the-acw-document/) - accessed 20 Feb 2018).

In Egypt, where there has been brutal violence unleashed on the Christian community from extremist Islamist groups, the



churches have been in the forefront of seeking dialogue and opening channels of communication. The Council of Protestant Churches has regular meetings with Islamic leaders. The Evangelical Theological Seminary in Cairo (ETSC) of the Presbyterian Church in Egypt has created a Centre for Middle Eastern Christianity which runs seminars and workshops, drawing participants from a wide spectrum of society. In 2017 it introduced a certificate programme in Arab Christianity in collaboration with the Bibliotheca Alexandrina. This has been an exciting venture, especially since the lecturers included a Muslim scholar, two Orthodox bishops and a Jesuit priest, along with the Protestant Centre Director, Dr. Wageeh Mikael. The present class will graduate in May. It has 30 participants, 50% are women, and participants include a Coptic priest, a Presbyterian pastor, and a Muslim sheikh, in addition to four University professors, all women, one of whom is Muslim. The programme covers the history of the Church in the Middle East, the Church's contribution to Middle Eastern culture and the works of several Christian theologians. It emphasises the historical rootedness of the Christian community, while seeking to be open to all who live in the land today. The course is not just academic, but gives the students an opportunity to be together and build relationships, seeking wisdom and understanding from each other. The class share meals together on Fridays and Saturdays, cooking for one another. Our Mission Partner, Colin Johnstone, has accompanied the students in their journey, offering them friendship and hospitality.

At a crossroads of cultures, and as a spiritual centre for the three Abrahamic traditions, the Holy Land is a multi-faith setting which demands dialogue. Interfaith engagement is manifested in a wide array of approaches: bilateral, multilateral, leadership-driven, broad-based, scholarly, and practical. Contemporary interfaith initiatives have occurred between and among Christian, Jewish and Muslim communities. Interfaith dialogue often takes the form of intellectual or theological reflection, including joint study of the holy scriptures of different religious traditions. The Council itself seeks to support diversity and build common understanding in its practical engagement in this region, employing staff from all the local religious groups in the institutions it runs in Israel. The staff come from diverse faith traditions and there is an ethos of co-existence and mutual respect. Unusually for Christian schools in Israel or Palestine, most pupils in Tabeetha School are Christian, and this is something the school values and wishes to preserve. There are also significant numbers of Muslim pupils, as well as

smaller numbers of Jewish students, and students from other faiths and none. The interfaith character of Tabeetha is also something the school prizes. The Moderator witnessed this first hand in January 2018 while there on a visit and was pleased to note that Tabeetha 'makes its own difference in offering lessons that will help blend cultures and traditions so that understanding comes, whilst not shying away from very clear Christian roots.'

### **3.3 Voices from Asia**

In Asia, our partners' daily reality means relating to people from other faith traditions. From their experience, we can learn lessons that might offer us insights into living in our own context. In the Diocese of Peshawar, the Church of Pakistan, whose territory includes areas heavily influenced by jihadist groups like the Taliban, initiated Faith Friends which organises joint activities that include Hindus and Sikhs as well as leaders from the Shia community and the majority Sunnis. Over time the members of the group built up their understanding of each other and became more understanding of the different faiths represented in the overwhelmingly conservative Sunni Muslim province. A realisation grew that people of different faiths were all part of 'one Pakistani nation', and that inter-religious and intra-faith harmony were essential for the community to grow and develop. This growth in understanding and tolerance, and the strength of the new relationships, were seen after the suicide bombing of All Saints Church in Peshawar in September 2013, and the attack at Army Public School in December 2014, when leaders of faith communities were able to join together in condemning these terror attacks and initiate joint responses to support the victims.

The Church of North India (CNI) recognises that India is a multi-faith, multi-ethnic, multi-cultural, multi-lingual and multi-religious country. Such diversity expresses the richness of India as a nation, but also poses challenges. The India Peace Centre has been working with those from different faith traditions for the past three decades on matters of common concerns such as gender justice, human sexuality, HIV and AIDS, human rights (Dalits and Adivasis), environment and ecology, communal harmony, and peace. The Peace Centre recognises the gospel imperative for seeking to improve relations between faiths as Jesus says 'Love thy neighbour' in Mark 12:31. It sees loving one's neighbours as only possible when one respects them for who and what they are and strives to become good Samaritans. The Director, Kasta Dip, highlights that being a home to many religions, and having

diverse expressions of faith and life, is what makes India a beautiful and tolerant place to live. While freedom of religion is a fundamental right guaranteed by the Constitution of India, elements within local communities have been persecuting religious minorities. Some see this posing a threat to the secular nature of the country: society is becoming divided on the lines of religion, caste and gender. It is in this context that the church, as a minority faith community, lives out its faith, witnessing to Christ. The CNI sees interfaith action as a way to promote and encourage love and harmony among all people, but the expectations from other communities and people of other faiths remain a challenge.

The United Mission to Nepal (UMN) works in partnership with local Christian churches and organisations and focuses its work on poor and marginalised communities in that country. Although it represents a minority faith community, it has been like yeast in its mission to serve in Nepal. There are, though, challenges faced by the UMN: attacks from Hindu fundamentalists, and difficulties in dealing with the government and government officials. The local Christian leadership reported that each had a fear of the other. These leaders asked and encouraged UMN to become involved and help develop the Interfaith Peace Network. This has provided a space for Christian leaders to express their Christian identity openly amongst other faith communities and, by accepting differences without compromising the tenets of their faith, they have been able to work in cooperation. Our Mission Partner, Joel Hafvenstein, CEO of UMN, reports that as people have worked together communities have built trust and good relationships.

### 3.4 Voice from Africa

Mutual respect is key. It is not that we all become the same or agree on everything, but that there is opportunity to disagree while remaining in relationship. It is not always straightforward, and as the Programme for Christian-Muslim Relations in Africa (PROCMURA) told us: 'although interfaith relations is appreciated, it is also perceived by some Christians as "compromise" and by some Muslims as "new Christian conversion strategies"'. They also added that Christians and Muslims in Rwanda understand that, in their relationship, they may not necessarily agree with the religious beliefs and traditions of the 'other' but they have to live together in peace despite these differences, and understand that the 'relationship between Christians and Muslims is not intended to convert the "other" neither does it encourage syncretism. However, it respects the missionary element of both religions

to propagate the Gospel (Christians) and for Muslims to carry out *Dawah*.'

Nigeria has an estimated population of 180 million people. The north is predominantly Muslim, while the Middle Belt and the South are predominantly Christian. The Nigerian Constitution says that Nigeria is a secular state, but over the years, there has been growing involvement of the state in religious matters. Tensions were heightened between 2000 and 2001, when eleven of the 19 States in the North adopted the Sharia Law. Today, the commonest fear amongst Christians is of Islamisation in Nigeria. Christians in the North in particular tell how they have been increasingly subjected to discrimination, persecution and targeted killings. The situation became terrible with the emergence of the Boko Haram terrorist group whose manifestly declared intention is the imposing of a particular brand of Islam upon Nigeria. On the other hand, Muslims are suspicious of Christians and their agenda for Nigeria. All these developments have significantly polarised Nigerian communities into Christians versus Muslims, one ethnic group versus another ethnic group, north versus south, indigenous versus settlers, and majorities versus minorities. To ameliorate the situation, interfaith dialogues and engagements have become the principal platforms projected for peace building and reconciliation of hurting or devastated communities. These are ways to seek to prevent or reduce religious tensions, reduce stereotypes, heal wounded hearts, and painful memories. Although efforts have been made at different levels by different groups to mitigate the challenges of the pluralist environment through interfaith engagement, including the establishment of Nigerian Interreligious Council (NIREC) by the Federal Government, those in the Presbyterian Church in Nigeria see a lot more needing to be done to build positive links between the faith communities and develop greater trust and cooperation between them.

While predominantly Christian, Ghana has a significant Muslim minority, mostly in the north. The Christian presence in the North keeps increasing whereas Muslims are getting more spread across the country. This means that Christians and Muslims socialise and interact with each other more, share office and market space, live together as study mates in schools or come together to pursue common ideas in a political party or a social group. Whereas these encounters help break down some stereotypes and fears of people of other faiths, it comes also with the real social challenges of a pluralistic society. In a survey on interfaith marriages



conducted by the Presbyterian Interfaith Research and Resource Centre in 2013, whereas 7% of the Christian youth respondents indicated that they had ever considered getting married to a Muslim, as many as 35% of their Muslim counterparts said they were open to marrying a Christian. A challenge here is how such couples will handle religious issues in their relationship and families. Christian leaders are also wary that marriage could be being used for missionary purposes. Presently there are cordial relationship between Christians and Muslims on the whole, but issues like marriage and educational provision through faith schools can create anxieties.

#### 4. PRESENCE AND PRACTICAL ACTION IN WITNESS AND SERVICE

Today we are entwined in the global community in a deeper way than ever before. We are 'all in it together' and need both wisdom and understanding. If we are serious about peace we need to look at ways in which faith communities can offer solutions to the conflicts we see around the world today. Jesus did not allow people to accept the status quo of societal divisions blindly – the Good Samaritan story can expose the hypocrisy of some within our own religion, while also showing that good can come from elsewhere. In our work today, we are called to act with all people of good will to address the issues within our societies and wider world. While we do this by supporting those needing help around the world, calling for justice in the face of violence or persecution, it is also about challenging ourselves to see the ways in which, like Jesus, we can see that good can come from outside our worldview or challenging ourselves to see things from alternative perspectives.

Poverty, injustice, gender inequality, unequal wealth distribution, ecological devastation caused by climate change, trafficking, abuse, terrorism, human rights violations, and the need for human development, education, child protection, and refugee support are all pressing issues that people from all faith traditions can relate to and act on. Governments, and international institutions have recognised that addressing these issues is not just for politicians, but requires the engagement of civil society. These issues also have a spiritual dimension, and it is the responsibility of religious communities to work together wherever possible to seek new visions for world security and help gain support for the principles of respect and justice in world affairs. The Pakistani economist Mahbub ul Haq, who created the World

Development Index, declared that human destiny is a choice, not a chance: *Human security, in the last analysis, is a child that did not die, a disease that did not spread, an ethnic violence that did not explode, a woman who was not raped, a poor person who did not starve, a dissident who was not silenced, a human spirit that was not crushed. Human security is not a concern with weapons. It is a concern with human dignity.*

Human dignity is a central concern for the followers of Jesus, and other faith communities. No faith tradition, and certainly not the Christian churches, can avoid addressing these issues if we are to take seriously the Good News that we are called to embody and proclaim. Living in a world where there are many different ways and levels of interfaith engagement gives opportunity to share with each other and see how our partners' contexts differ from our own, and to reflect on whether our view of interfaith relations is distinctly western, and whether this is something we should address.

Stella Reekie's commitment led her to seek the best and most culturally appropriate help for new migrants. She established connections with the leaders of these communities to create services that directly connected to people's needs. She coordinated English lessons, homework clubs and cooking clubs. It was crucial that sharing and working together were at the heart of these services and gatherings – a trust in the equality of all participants. Stella's attitude, her dedication, and her openness to others was mature and humble and contain values and principles that can be applied to the life and work of the Church today. It is imperative for us to reimagine Stella's legacy so it can inspire us today.

#### 4.1 Experience from Europe

One example of this approach comes from the Jacobsbergskyrkan Church of Equemeniakyrkan (The Uniting Church in Sweden). The ministry and leadership team seek to take a similar approach to that of Stella Reekie 40 years ago: reaching out to new immigrants with practical support, friendship and kindness, offering language classes, food and accommodation, and help with accessing government services. Some of these new Swedes also come to worship. A weekly language café is held for people of all faiths and none to come and practice Swedish, and sometimes English (which is a major component of Swedish education). Swedish people have welcomed new migrants into their homes to live in the heart of their family life. Equemeniakyrkan strives to be a church for all aspects of life where the encounter with Jesus

Christ transforms individuals, communities and the world, whether an historic or a new Swede.

The Moderator attended a service there in November 2017 where there was a baptism of a young Afghani man, and people from several nationalities were welcomed into the membership of the congregation, supported by friends who will continue to accompany them during their faith journey. He noted: 'The ministry and leadership team seek to provide an intentional, faith-offering community where encounters with Jesus are spiritual, practical and communitarian. Friendships form, stories are shared, people learn from each other. The Uniting Church in Sweden strives to be a church for all aspects of life where the encounter with Jesus Christ transforms individuals, communities and the world. I have been privileged to see Christians being Christians, with successes and failures, but with open-minded, open-handed and open-hearted faith continuing to reach out to an anxious but searching world.'

In Italy, the Protestant Churches have created Mediterranean Hope which supports migrants arriving in Italy and also lobbies for political change to the system. Working with the Roman Catholic Community of St Egidio, it has pioneered the opening of humanitarian corridors which enable people to bypass people smugglers as they travel, offered a welcome to those arriving in Italy, and sought to humanise the government process of registering people as they arrive on the Island of Lampedusa. Volunteers offer a smile, a kind word, something to drink and eat, some clothes to those being processed through an impersonal military and government machine. There is a desire to treat those passing through humanely – to challenge both those who want to demonise them those who see them as saintly victims. The Council is pleased that Fiona Kendall has recently started working as a Mission Partner with Mediterranean Hope to support their legal and advocacy work for those seeking a new life in Europe.

## 4.2 Experiences from Asia

Apna Ghar (Our House) is a shelter in Pakistan for victims of the misuse of the blasphemy laws, abduction, rape, and forced conversions. The original blasphemy laws date back to 1880 when India was under British rule. Between 1980 and 1986, a number of clauses were added to the laws by the military government of General Zia-ul Haq who wanted to 'Islamicise' them. Today, Pakistan's blasphemy laws are increasingly used to fuel a climate of religiously motivated

violence. They have a great deal of support at the grassroots. On many occasions once mere allegations of blasphemy are made, persecution starts. Those accused, their families, and their homes, neighbourhoods and places of worship, have been attacked, and sometimes even burned to the ground, and people killed. Since 1987 Pakistan's National Commission for Justice and Peace has recorded 633 Muslims, 494 Ahmadis, 187 Christians and 21 Hindus accused of blasphemy offences. The latter three groups comprise only 3% of Pakistan's population, but half of all the charges, highlighting how members of religious minorities are affected disproportionately. The Centre for Legal Aid, Assistance and Settlement (CLAAS) was formed by Churches and Christian NGOs in 1992 to be a place where Christians could come for legal aid and support when accused in blasphemy, or other cases, and to have shelter from their persecutors. CLAAS has launched a new international Coalition Against Misuse of the Blasphemy Laws, which includes the Church of Scotland, with the aim of bringing an end to the way Pakistan's blasphemy law is currently being abused.

([www.pakistanblasphemylaw.com](http://www.pakistanblasphemylaw.com))

The Christian Study Centre in Rawalpindi, Pakistan initiated a unique project of interfaith peacebuilding in the 1990s. It has now been copied by others. In a two year project, the Centre sought to promote interfaith harmony and peace in areas where project partners played a key role in addressing conflict. One story related to a problem which arose when the government of Pakistan, for security reasons, did not grant permission for the yearly procession from the historic Sikh Gurdwara Janam Asthan. Many foreign Sikh delegations come to Pakistan especially to celebrate this special occasion. The Sikh religious leaders approached Mr. Abdul Hameed Rehmani, a member of the peace committee established by the Christian Study Centre. He knew that if permission was not granted, the Sikh community would be hurt and it would cause tension among the Christians, Muslims and Sikh communities living in Nankana. So, Mr Rehmani and Peace Committee members met with the local government and community, and Muslim leaders offered their accompaniment to protect the procession. The group leaders reported, 'The Sikh community greatly honoured the Muslim leaders by giving them a place with the Sikh leaders at the front of the procession. The Muslim community provided all possible support to the Sikh community, and the Muslim leaders enjoyed food with the Sikh community and also the love and honour given to them by the people standing on the road side to welcome the procession.' This set a good example of what

the bond of friendship and peaceful co-existence means in day-to-day life. Wisdom and understanding.

Arunima Hospice, of the Diocese of Calcutta, Church of North India has been a pioneer in offering hospice care and support to People Living with HIV (PLWH) in West Bengal (estimated 119,000 with 25,000 receiving antiretroviral therapy). The Hospice offers quality in-house care, nutritional support, counselling, home-based care and outreach services, whilst also promoting awareness-raising and challenging stigma and discrimination in the community. It looks for innovative ways of developing and in recent years has collaborated with the TB prevention programme and with an advocacy programme for female sex workers. The Hospice aims to build an inclusive community, to create job opportunities through skills training and self-help groups as well as empowering PLWH to campaign for their own socio-economic rights.

Escalating violence in Myanmar's Rakhine State in late August 2017 forced hundreds of thousands of people from their homes, including many Rohingya people. There are just over one million Rohingya, who are mostly Muslim, and are sometimes described as the world's most persecuted minority. Denied citizenship in Myanmar since 1982, which has effectively rendered them stateless, many Rohingya fled to Bangladesh, fearing for their lives. Many also remain displaced in Myanmar. Christian Aid has launched an appeal to support local partners on the ground in providing urgent shelter kits and ensuring access to safe water and sanitation. The situation is a sensitive one, not least for the Presbyterian Church of Myanmar, itself a small minority in the Buddhist society. The sensitivity of the issue was shown when Pope Francis visited Myanmar in November 2017 and did not mention the Rohingya by name for fear of a backlash against the 650,000 Roman Catholics in Myanmar. Last year the WMC sent an emergency grant to the Church of Bangladesh to support its work with the refugees trying to survive in Bangladesh, not knowing whether they can ever return home.

#### **4.3 Experience from the Middle East**

The National Evangelical Church of Syria and Lebanon (NESSL) highlights how from its very foundation it took up a call to share the gospel and love of Christ through providing educational opportunities, and medical and social services. 75% - 80% of the students in its high quality schools are non-Christians. The 10 schools in Syria and Lebanon serve around 10,000 students from different backgrounds and religions (Sunni, Shiite, Druze, Alawite, as well as Christians from

different denominations). With the Syrian crisis, the Church started five education centres for refugees in Lebanon, supporting 400 students, almost all of them Syrian Muslims. Their home for the elderly serves adherents of different faiths, and their relief programme reaches out to the needs of people from any faith. The Synod wrote, 'In all this, we learned that the creation of God is One. All are God's children. No one "can separate them from the love of Christ". By serving others we ourselves are being transformed to a different level of humanity. It was a mutual blessing for the Church and the served ones. We are convinced that growth is God's, but planting is our duty regardless of the results.'

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## **5. SOLIDARITY**

### **5.1 Experiences from Africa**

As we approached the Year of Young People, the Council took the opportunity to work with the Programme for Christian Muslim Relations in Africa (PROCURA) to send an interfaith team of five Christians and five Muslims from Scotland to visit Rwanda to see the positive practical work being done with support from PROCURA. Partnering with the Alwaleed Institute, an Islamic Studies centre which is part of Edinburgh University, Al Makhtoum College in Dundee, the Pollock Trust and Interfaith Scotland, the trip built up the capacity of young people to become interfaith leaders both locally and internationally. It gave opportunity to explore issues of religion, international relations and how faith informed and influenced their lives. The programme aimed and, from the reports of the participants, managed to inform them and prepare them for incorporating an interfaith perspective in all they will do in whatever opportunities life will afford them, and showed them how they can make a positive contribution to Scottish society. The group held an event during Scottish Interfaith Week in November 2017, and are helping to organise an International Interfaith Conference for young people in 2018 as part of the Scottish Government's Year of Young People.

One of the Rwandan participants, Salim Niyigana, wrote afterwards: 'During the week we spent together, we had long conversations about variety of topics, about our social lives, our faiths...it made me understand better what people practising other religions or faiths do, their beliefs, cultural variations ... most importantly it made me understand more that people should be more accepting and welcoming regardless of their beliefs because after all we believe in one God.' Gigha Lennox, a Church of Scotland youth worker in

Edinburgh, was also on the visit and wrote, 'We built relationships on conversations of faith, beliefs and practice, exploring our differences and considering our shared values of love, peace and justice. We were truly unified on our shared ambition to see more of all of these in our society and our world, brought forth from our shared experiences learning of Rwanda's painful history, yet strong unity and inspiring interfaith relationships.' Bringing young people together is a key way of helping overcome difference and build cohesion and mutual understanding. Mahrukh Shaukat, a development worker at Amina, a Muslim Women's Resource Centre in Glasgow, was also on the visit. She reported learning many lessons in Rwanda: 'We have been sharing ideas, beliefs and core values. Although it is a country with a history of genocide that seems to a lot of people the worst of humanity, we have also seen the incredible level of forgiveness, communal working, and compassion which has been amazing because we have been able to see both the worst and best of humanity in one context, not across different continents... it has made us firmly believe what we can achieve in the future, and that humanity does have the best chance.'

## 5.2 Experiences from Asia

On Easter Day 2016 a suicide bomber killed at least 74 people including at least 42 Christians and injured 200 more, mainly women and children, in a public park in Lahore. Pakistani Taliban's Jamat-ul-Ahrar faction claimed responsibility for the attack, saying they deliberately targeted Christians who were celebrating Easter. One week later, the World Mission Convener, Iain Cunningham, and Asia Secretary, Sandy Sneddon, joined over 200 Christians as they prayed for peace at Gulshan-e-Iqbal Park and, with Muslim and Hindu support, sang together Psalm 20, 'May the Lord answer you when you are in distress; may the name of the God of Jacob protect you.' It was a sombre yet bold occasion, bringing out the best of humanity from different faith traditions to offer support, encouragement and solidarity.

In China the provincial authorities recognised Amity Foundation's expertise by giving them the lead role in promoting a multi-faith approach to social services in Jiangsu Province. In 2016 Amity Foundation organised training on Religion and Philanthropy that included 67 participants from Buddhist, Taoist, Muslim, Catholic, and Protestant groups as well as more than 30 government employees. In the concluding plenary, a senior government official recognised the significant contribution made by religious groups in social services and applauded the training workshop that had

enabled five religions to exchange their experience and practice and encouraged and suggested more work be done by the different faith groups on philanthropy and social service, especially poverty relief. This was a major step forward in building positive engagement and allowing more space for Amity's ongoing work.

## 5.3 Experiences from the Middle East

Dr. Mary Mikhael of the National Evangelical Church of Syria and Lebanon (NESSL), reported on one of the projects supported by the Synod, when large numbers of people arrived in Homs from other parts of Syria, displaced because of the fighting. 'Another striking sign is what you see in Homs in the Presbyterian Church and School. Their project, A Space for Hope, was initiated by a team of Church youth in 2014. They wanted to reinforce the spirit of cooperation between youth from different parts of Syrian Society as a way to achieve meaning for life together, in the face of tragic situations. They began with youth, aged 12-18 from different backgrounds, religious, political and social, getting them to participate in sport activities, and other team work, such as handcrafts. In less than a year the team counted 186 males and females who worked as belonging to each other.'

Rabbis for Human Rights (RHR), an Israeli organisation working in both Israel and Palestine, gives expression to the traditional Jewish responsibility for the safety and welfare of the stranger, the different, the weak, the widow, and the orphan. Combining practical grassroots support with political pressure and advocacy, RHR believes that it is a duty, in light of Jewish tradition, to inform the Israeli and Jewish public about all forms of injustice against others and to put pressure on Israeli State institutions to address these injustices and to bring an end to the Occupation of Palestine. From the outset, RHR has campaigned for the rights of the Palestinian people, championed the causes of Israeli women, minorities, and those living in poverty, and sought to educate emerging leaders on human rights in Judaism, and mobilised thousands of volunteers to put the vision of a just society into practice. The Council has partnered with RHR in work with Jahalin Bedouin and, through a previous Guild Project, supported young Bedouin women to study in the Negev. RHR does further work on legal protection of Palestinian communities being threatened by settler violence or land theft, and helps Palestinian farmers work their land free from harassment of settlers or the Israeli military. A key area in relation to this report is RHR's interfaith work, seeking to harness the

teachings and values of Judaism as a means of reconciliation and understanding.

At a meeting between the Moderator and Rabbi David Rosen (Director of the Heilbrunn Institute for International Interreligious Understanding) in Jerusalem in January 2018, Rabbi Rosen emphasised the need to find the divine within every person, and that it is as we demonise the other that we lose the capacity to see the face of God in the other. Rabbi Rosen has written: 'This then is the religious imperative of the Abrahamic dialogue: to work together as a family, together with the other families of the world, to promote the ethical values that we share in a world that seeks both understanding and tolerance...to promote peace and harmony for the benefit of all humankind.' He added that the objective of interfaith dialogue is 'to identify and share universal human values...a recognition of diversity does not compromise anyone's integrity, for only by exploring diversity can we hope to live together...only by celebrating what we have in common and understanding and tolerating our difference can we offer hope for a better future.' (Accessed Feb 2018: <https://www.rabbidavidrosen.net/wp-content/uploads/2016/02/Interreligious-Cooperation-in-the-Family-of-Abraham.pdf>) In a world where too many seek to demonise diversity rather than celebrate it, we all have a responsibility to highlight abuses of any group or individuals targeted. There can be no place for Antisemitism, Islamophobia or threats to anyone for belonging to a particular religious group. It is necessary to explore our diversity and work together within our differences. Wisdom propels us to seek understanding.

The Moderator also visited Gaza. He noted, 'The conditions a people living under siege cope with are numbing.' Visiting Saint Porphyrius – the Greek Orthodox Church in Gaza City – he was warmly welcomed by Bishop Alexios. About 1,200 Christians live in Gaza, where there are nearly two million inhabitants. In 2014, 1,000 Palestinian Muslims fled Israeli shelling of their neighbourhood and found shelter and a welcome in Saint Porphyrius. 'We opened the church in order to help people. This is the duty of the church,' Bishop Alexios said.

House of Grace in Haifa started with a couple, a vision and \$2000. The late Kamil Shehade and his wife Agnes opened their family home to prisoners released on parole in 1982, providing a warm, informal environment and a supportive framework, encouraging their guests to re-evaluate their lives and start living up to their potential. As it has developed, they

have taken over space in the Greek Catholic Church, and renovated its interior for worship, while serving people from all faith communities. Released prisoners greatly need assistance and, without that help, many would find their way back to prison due to a lack of a proper rehabilitation programmes and support from official institutions and their communities. House of Grace is the first rehabilitation hostel for released prisoners in Israel dedicated to remoulding their future and creating a healthy relationship with the community.

## 5.4 Experiences from Europe

The Ecumenical Women's Initiative (EWI) grew out of the World Council of Churches Ecumenical Women's Solidarity Fund, which was set up to support women in the aftermath of the war in the former Yugoslavia, and to which the Council gave significant support. Working with women's or women-led community support organisations, EWI "supports and empowers women and their role in strengthening interfaith and civil dialogue, and the potential of faith in building peace and reconciliation processes as positive factors in social change." Working with women theologians/women students of theology (from all monotheist religions in the region), EWI has actively changed perceptions of those involved. As in so many parts of the world, religion is an integral part of life in southeast Europe. It is thus crucial to acknowledge its importance for individuals and societies while being aware of the growing influence of nationalism and religious fundamentalisms. Old theological theories continue to constrain women, resulting in a disconnection between feminist theological thinking and grassroots women's activism in the field of addressing gender-based violence within multi-faith communities. As long as underlying societal structures and a culture of violence remain unchallenged, it is crucial to empower the women and girls living inside these structures. In cooperation with its partner organisations across the region, EWI has facilitated interactive seminars to explore the assumption that well-argued dialogue can help bridge and overcome the gap between religious and secular identities. Additionally, the seminars question the justification of religion to support the oppression of women and minorities, and discuss the potential of the peace-building aspect of religion and its important role in preventing and combating all forms of violence.



## 5.5 Experiences in Scotland

A happy relationship has emerged in the Presbytery of Dunfermline with the local Mosque. The Presbytery approached the leadership of the Mosque after an outburst of anti-Islamic feeling following an incident in London, when members of the Presbytery were concerned that Muslims across the UK would be feeling under threat. The approach was welcomed by the Mosque and a series of informal meetings took place. Members of Presbytery have since visited the Mosque, and members of the Mosque have attended the Presbytery, and have built good relations. The Mosque has held open days in the last two years, and members of congregations across the Presbytery have attended.

In 2017, Dunfermline Abbey held its first interfaith event, inviting members of different faith communities to hear from a young Syrian refugee who is making a home in Scotland, members of a former refugee community who are now established in Scotland, and a Syrian musician. Some of the Syrian community brought traditional baking with them, which they vigorously encouraged everyone to try! As a result of one member teaching English to those moving into the area, parents felt encouraged to bring their children to one of the story and craft afternoons in the church. The Minister, the Rev MaryAnn Rennie, noted that it was a good learning opportunity for church members as they chatted with the parents about where they had come from, and listened to the children communicate in English and Arabic about the things they enjoyed in Scotland, and what they missed from home. This led to the congregation being able to offer support when particular needs were identified: a new mother with no local family was helped with the basics for a baby arriving; and children's garden toys and scooters were given to a family who had just moved into the area.

The Council has supported Scottish Faiths Action for Refugees (SFAR) from its inception. Offering hospitality to strangers is a common requirement of many different faith traditions. All religions teach a form of the Golden Rule (treat others as you would wish to be treated) and that there is an inherent value and dignity to every human being – and that our common humanity transcends national, racial, cultural or linguistic barriers. In many places at a local level faith communities in Scotland have a degree of experience and understanding of the issues. Working with Christian, Jewish, Muslim and Interfaith groups, SFAR offers advice and support to those seeking to help refugees and asylum seekers, as well

as advocacy and projects to assist with integration in Scotland. One practical action was taken by Portobello and Joppa Parish Church, which hosted a weekend club, hosting 75 refugees and asylum seekers in the church and halls. Volunteers helped with the practical arrangements, and there were more than a dozen children with their parents and carers. The Rev Tara Granados reflected on a conversation with one refugee: 'I realised just how much I'd forgotten of my studies of Islam...I was embarrassed...But then he said something that stopped me still, and still nearly brings me to tears. He said, "Wow, you know so much. You know Imam, and Mecca, and prayers we do during the day. How do you know this? It's nice." I was feeling incredibly inadequate, but he was thankful. How unbelievably isolated must you feel to be impressed by so little? How low your expectation of being known and understood? We hear the talk in the news about assimilation and familiarising refugees with Scottish culture. But we hear very little effort to educate Scottish people about refugees. To change ourselves to be welcoming, to be understanding, to attempt to speak their language: be that the language of dress, the language of cultural norms, the language of faith, the language of trauma, of loss, of isolation. The Holy Spirit, resting upon the disciples, elicited a change within them. It prompted them to reach out to those who were different, to take the first step towards the other. Efforts like our fellowship day reach out that hand of welcome, of seeking to understand rather than be understood. And it can be frustrating and messy and hard. But it is clear that God's love is meant for all nations, all peoples, and all languages. May we do the work to learn to speak our neighbour's language so they might too know they are loved by God and by us.' Get wisdom, and get understanding also.

## 6. THE PATH BEFORE US – WHAT ALL OF US CAN DO

The World Mission Council walks the Emmaus road with partners in many different settings and diverse situations. We follow Christ's call to accompany the church around the world in difficult situations as well as celebrating in good ones. As we interact with partners and support them in their particular circumstances, we seek to support their working and living together in harmony with their neighbours from other faith traditions, and to learn from their experiences. As this report highlights, it is so often in working together and seeking positive outcomes for communities that stereotypes might be diminished and true sharing encouraged, developing

real understanding between faith communities. Wisdom and understanding hand in hand.

Just as we live in a changed world, where historic ideas of mission and evangelism have changed; where traditional missionary work is no longer blindly accepted as good; where young people welcome the religious plurality around them and question stereotyping, so there is a changed environment for interfaith involvement. There are great opportunities to share in the joy of the world church in engaging with neighbours of different faiths, as well as tremendous challenges in supporting those in difficult circumstances. The Council is engaging in this accompaniment in supporting our links around the world and seeking to walk together in different ways, depending on local sensitivities, and embracing of Jesus commandment to love the neighbour, to make friends, no matter the faith, gender, or colour.

Our Christian Faith invites us to embrace the other, and to extend compassion and hospitality to those outside our own faith community. In a globalised world suffering under the burdens of war, structural economic injustice, catastrophic climate change, and other forms of conflict and injustice; it is imperative that we work together as the human family, created in the image of God. Faith is not measured primarily through cognitive belief systems, but by its fruit, namely its out-working in the world. Faith changes the way we live, move, and have our being in the world, as we seek to serve and follow the God of peace, who breaks down the walls of division, and calls us to live lives of deeper compassion and solidarity with our fellow human beings.

The church is God's body here on earth for the healing of the nations. It is for each person of faith to seek to be friends; to stretch out the hand of friendship beyond the confines of our own traditions, and live as witnesses to Jesus Christ, who came into our world of injustice and violence, to transform it through love.

### Opportunities

*How very good and pleasant it is when brothers and sisters live together in harmony!* – Ps 133:1

There are opportunities for members, congregations and Presbyteries to engage with the world church in learning and sharing, through offering to serve as a Mission Partner, through twinning, through making a point simply of getting to know those in our own neighbourhood. Conversations are

important in bringing people together and helping us gain a greater understanding of all who, together, share this world and who, without exception, are made in God's image.

### Do

Invite a speaker from another faith to speak at your church. Visit another place of worship, eg a local mosque, synagogue, etc.

Invite other faith communities to visit you and share hospitality.

Befriend refugees in your community.

Take part in Interfaith Week in Scotland

Mark Holocaust Remembrance Day

### Resources

Film: The Imam and The Pastor <http://www.fltfilms.org.uk/imam.html>

John Philip Newell: Praying with the earth: a prayerbook for peace, Eerdmans, 2011.

H.R.H. Prince Ghazi bin Muhammad bin Talal: A Thinking Person's Guide to Islam: The Essence of Islam in Twelve Verses from the Quran

A Common Word between Us and You -

[www.acommonword.com/the-acw-document/](http://www.acommonword.com/the-acw-document/)

Mary Miller, 'In Search of Jane Haining', (working title) to be published by Birlinn in Autumn 2018.

Together towards Life: Mission and Evangelism in Changing Landscapes, World Council of Churches

Look at the WMC pages on the Church website and read about work with our partners

*In the name of the Council*

IAIN D CUNNINGHAM, *Convener*

SUSAN BROWN, *Vice-Convener*

MAUREEN JACK, *Vice-Convener*

IAN W ALEXANDER, *Council Secretary*

### Appendices (on the web)

Appendix I Deaths

Appendix II Mission Partners

Appendix III Faithshare Visits



## Addenda

### Rev Iain Cunningham, Convener

The Council records its gratitude and appreciation to the Rev. Iain Cunningham for the gifts which he has generously shared with the Council in the four years in which he has been Convener, and for his previous service as a member and Vice-Convener. Iain has led the Council with his usual good humour and generosity, combining this throughout his term with service in parish ministry. His sensitively chosen photographic images have enriched the Council's business, publications, and worship; and his musical gifts have enlivened the Council's worship and social gatherings. With imagination, insight and always with the right note, Iain has guided the Council through a re-imagining of its core tasks in its reworked strategy, and shared his considerable theological and practical capacities with the Council during these years. Iain has encouraged the Council to be innovative and creative and excited about its task of 'attentive accompaniment' – walking with our fellow Christians in the world church – and encouraging the whole Church of Scotland to be involved in building relationships with churches and Christian people beyond these shores, seeing these as central to our calling to love and serve God, God's people and God's world. The whole Council wishes him well as he looks forward to returning fully to his parish responsibilities, with more time to enjoy his family and growing number of grandchildren.

*In the name of the Council*

SUSAN BROWN, *Vice-Convener*  
MAUREEN JACK, *Vice-Convener*  
IAN W. ALEXANDER, *Council Secretary*

### Rev Susan Brown, Vice-Convener

The Council records its gratitude and appreciation to Rev Susan Brown for the time, energy and insight which she has generously shared with the Council in the three years in which she has served as Vice-Convener and also in her service as a member, and then Convener, of the Europe and Americas Committee. Susan has helped the Council enormously in developing and deepening its work and relationships with partner churches in Europe and the Americas, especially in the Czech Republic, Hungary and the Hungarian diaspora churches, as well as with other linked organisations. Susan also worked to cement the relationship with the newly

created Presbytery of International Charges, and has visited many of the congregations, emphasising the interest and engagement of the Council with the Presbytery, even as it no longer has a role in its governance. For all these things, as well as her unfailing cheerfulness, sensitivity in worship, and pastoral accompaniment of members and staff, the Council expresses its gratitude. The Council rejoices in her nomination as Moderator of the General Assembly and wishes her and her family every blessing in the challenges and excitement of the year which lies ahead.

*In the name of the Council*

IAIN D CUNNINGHAM, *Convener*  
MAUREEN JACK, *Vice-Convener*  
IAN W ALEXANDER, *Council Secretary*



**WORLD MISSION COUNCIL  
SPECIAL REPORT ON LESSONS FOR SCOTLAND FROM  
CHRISTIAN FAITH IN AFRICA MAY 2018**

**Proposed Deliverance**

**The General Assembly:**

1. Receive the report.
2. Give thanks for the Christian witness of the Church in Africa.
3. Encourage members, congregations and Presbyteries to engage with the report and consider how each may respond.
4. Instruct the Council of Assembly, in its strategic planning for the whole Church, to fully consider the recommendations of this report, and the best way of sharing these with congregations and Presbyteries.
5. Instruct the World Mission Council, in conjunction with the Ministries Council, the Mission and Discipleship Council, the Church and Society Council and Ecumenical Relations, to continue to explore how the church in Scotland might apply relevant learning from the world church context.
6. Instruct the World Mission Council, the Ministries Council, and the Mission and Discipleship Council to continue to explore how they may encourage and equip members in the leadership of worship and in different forms of worship.
7. Encourage congregations to engage with the materials produced by the Mission and Discipleship Council to engage in Bible study, prayer, testimony, discipleship and evangelism.
8. Encourage congregations to twin with a congregation of one of the churches with which the World Mission Council works.
9. Instruct the World Mission Council, in partnership with the Mission and Discipleship Council, to explore contextual Bible studies with partners in the world church.
10. Instruct the World Mission Council and the Ministries Council to explore exchanges between recognised ministries and members in Scotland with their counterparts in Africa.
11. Instruct the Ministries Council to include consideration of this report in developing its programme for Initial Ministerial Education (IME) and Continuing Ministerial Development as part of the Initial Ministerial Education review.

## Report

### 1. DELIVERANCE OF THE 2016 GENERAL ASSEMBLY

The General Assembly, given the current rapid growth of the church in sub-Saharan Africa, instruct the Council to prepare a report for a future General Assembly, in consultation with our partner churches in the region, detailing what is happening, how we might respond to this move of God's Spirit and what we might learn from their experiences. (Reports to the General Assembly 2016, 6/2)

### 2. THE TASK

The task of assessing what is happening in Sub-Saharan Africa is a huge one. The continent itself is one of contrast and extremes. It is vast: it has a surface area of 30.37 million km<sup>2</sup>, from deserts, to tropical coasts and savannah to mountains. It is the birthplace of modern humanity and consists of 54 countries, over 1.2 billion people, between 1,500 and 2,000 languages, and some 3,000 people groups. North Africa was home to early Christian communities and some of the most influential figures in the early Church. This report draws on a number of conversations with partner churches and a review of current literature on what is happening, pulling out key themes for consideration and making recommendations for future engagements. It cannot represent a comprehensive overview of developments on the continent, but raises some pertinent areas of insight in seeking to respond, specifically, to the questions asked in the deliverance. In listening and learning about what the Church in Africa has to teach us, it is important to look at our own context and respond and engage in ways appropriate in Scotland.

### 3. CHURCH GROWTH IN AFRICA

Christianity is now rooted in the global south. Twenty six percent of the global Christian population lives in Sub-Saharan Africa, which has 15% of the world's population. The Pew Research Centre expects this proportion to grow to more than 40% by 2060, driven by a combination of demographic factors, including fertility, age and migration. (<http://www.pewresearch.org/fact-tank/2017/04/19/sub-saharan-africa-will-be-home-to-growing-shares-of-the-worlds-christians-and-muslims/>) Despite political, social and economic upheavals, the Christian faith has served as a bulwark for cultural defence and identity. The increasing

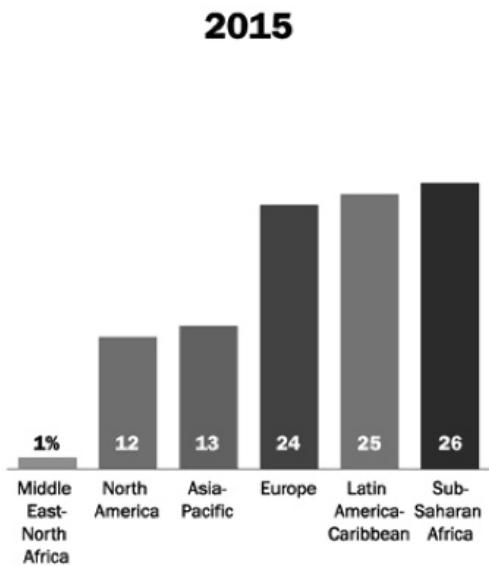
number of professing Christians in Africa today, together with patterns of international migration, represents one important reason for taking Africa seriously (Hanciles 2008). Christianity is in the ascendancy in Sub-Saharan Africa (Zandt 2011).

There are three main groupings of Churches in the region: African Independent Churches, Pentecostal and Charismatic Churches (in which growth appears greatest), and those churches and denominations which had their origins in the missionary movement, but which have long since been independent. All three traditions have learned from one another. All are part of a culture which acknowledges supernatural and spiritual powers; God as the Creator; and the inseparable nature of the sacred and secular. Within this context, there appear to be some core elements of Church practice considered key to growth by African partners from which lessons potentially applicable to the Church in Scotland are considered below.

Philip Jenkins argues that the essence of modern Christianity is not found in America or in the West, but is found primarily in the global South (Jenkins 2011). He suggests that we should step outside our preconceived notions of Christianity and look to other cultures in order to see how modern-day Christianity is impacting the world as we know it. Although the term Christendom has Western overtones, he defines Christendom as having supranational and antinational implications in that one is no longer primarily an African or Asian or European as much as one is a Christian first. For Jenkins (2011) the global south is the new seat of Christianity, and this means there is a need to understand Christianity within the global community in new ways. Central to his understanding of the spread of Christianity is the power and persuasiveness of Pentecostalism, with Pentecostals being, in general, the most active in mission work and evangelism. Some Pentecostals preach a message with a promise of health and wealth, which is appealing to many in Africa who are looking to escape their poverty. Although this message draws large numbers of people into the church, and makes this part of the church a force to be reckoned with in Africa (as increasingly, elsewhere), it is seen by many as a distortion of the Gospel message.

**By 2060, more than 4-in-10 Christians expected to live in sub-Saharan Africa**

*Estimated share of global Christian population living in each region over time*



Source: Pew Research Center demographic projections.  
See Methodology for details.  
"The Changing Global Religious Landscape"

PEW RESEARCH CENTER

**4. METHODOLOGY AND METHODS**

**4.1 The Christian Hope**

Everyone experiences God's revelation from their own standpoint, context and experience (Schreiter 1985). The Gospel is performed and lived out in contexts radically different to those of our own spiritual formation (Walton 2015). God's revelation takes place in the ordinary things of life and the lived lives of ordinary people. Getting alongside partner churches and seeking to understand how they experience and articulate their reality (Pui Lan 2011) – what the Council does with all its partners in every continent, and

what it calls attentive accompaniment - is key to beginning to interpret what might be transferrable from the African to the Scottish context. Faith is something that is incarnate in situations and contexts. Reality is not just "out there," rather, reality is "mediated by meaning," in the context of culture and historical settings and interpreted through "particular thought forms" (Bevans 2008, 4). Knowledge, therefore, is co-created by listening to and working with partner churches and organisations.

**4.2 Theological Understanding**

Robert Schreiter (1985) draws a distinction between theology as sure knowledge (*scientia*) and theology as wisdom (*sapientia*). A critical, rational account of faith characterises the former, while theology as wisdom focuses on the interiority of human experience as the basis for understanding a holistic view of the world. Wisdom theology is not only concerned with the meaning of "text and human experiences but is also concerned to extend those meanings to encompass the cosmos" (Schreiter 1985). Theological understanding in Africa proceeds along non-Western, non-enlightenment lines. There is no split between the sacred and the secular (Magesa 2013); John Mbiti, a Kenyan theologian, asserts that the concept of God the creator, sustainer and giver of life predates Christianity (Mbiti 1970); evil and its manifestations are understood in spiritual terms, not just as structural, economic, and social injustices (Okello 2003); and the Christian is in the midst of a spiritual battle (Lindhardt 2009 (b)). A *sapientia* approach focusses on human experience; it looks at idiographic events in the daily lives of people – answered prayer, a cured relative, a relationship restored. Change is at the heart of this work. This means it is not possible to simply interpret the world in various ways, but that we all need to be part of the change as we consider what we can learn from what is happening in the Church in Africa.

**4.3 Method**

The *sapientia* approach, embracing and open to the radicalness of change, leads to the method. The World Mission Council consulted with the proposer of the deliverance, hosted a meeting with scholars and practitioners with African backgrounds and experience, and sent questionnaires to partner churches and organisations in Africa to identify core themes for consideration, recognising the importance of context. A meeting was organised with representatives from some partner churches to clarify and prioritise themes. Six key themes were selected:

- Bible Study;
- Prayer and Testimony;
- Discipleship, Evangelism and Commitment;
- Repentance and Reconciliation;
- Faith in Social Action; and
- Worship and Lay Participation.

Six Africa-based scholars and practitioners were asked to write on these themes for further consideration. There was also discussion with representatives of the Ministries Council and Mission and Discipleship Council regarding relevant learning and proposed responses.

## **5. THE CRYSTALLISATION OF TEXT AND LITERATURE**

The listening and engagement with the experience of African life as articulated by the scholars and church partners bore the following fruit:

### **5.1 The Word is Life: Bible Study**

Scripture and preaching are central to Christianity in Africa. Firstly, Bible study is at the heart of personal devotion and church life. Bible studies are a way of nurturing the faithful. There is an “openness of the people to the Gospel” (Clapperton K Mayuni, Malawi). Reading the Bible, however, is more than a “cognitive” exercise; it is grounded in ‘lived lives’ of people and is affective. It has practical application to the daily lives of people (Kalu 2008). The Word is life in the context of a very different view of the world – there is no division between the sacred and the secular; there is a particular understanding of spiritual warfare; and people have an appreciation of the precariousness of life. Secondly, the spoken word of the preacher applies Biblical texts to the daily realities of life and, in some cases, reinforces the notion of spiritual warfare. This encourages people to be “in the daily habit of reading God’s Word” (Clapperton K Mayuni, Malawi).

### **5.2 Prayer and Testimony**

Related to the Word is the importance of spoken prayer. The Devil is recognised as very real in Africa. (Fabella and Oduyoye 1988). The spoken word has power - conveying more than a message – it is an extension of a person’s “life force”; words exist beyond being uttered (Nyang 1990). Prayer has the power to protect and bring about healing as well as to ask

God for the daily needs of life. The petitioner is utterly dependent on God (Magesa 2013).

Prayer is also acknowledged as having healing and transformative power. “It brings the community of suffering together...ushers supernatural power....and releases the energy for participatory worship” (Kalu 2008, 263). There is an immediate reality to the words from James 5:14 “Is anyone among you sick? Let them call the elders of the church to pray over them and anoint them with oil in the name of the Lord.” Prayer, closely related to Bible study, is a dialogue. God “speaks through God’s Word” and through visions (Margaret Marsden, Tanzania). Others have noted that African Christians are also open to God speaking to them and reassuring them through dreams. Testimony about what God has done in answer to prayer is a key feature of the expression of faith. God is able and does answer prayer. Testimony encourages others who are facing challenges and further builds the community of believers (Nell 2012).

### **5.3 Evangelism, Discipleship and Commitment**

According to South African David Bosch (2011, 10) “evangelism is the proclamation of salvation in Christ to those who do not believe in him, calling them to repentance and conversion, announcing forgiveness of sin, and inviting them to become living members of Christ’s earthly community and to begin a life of service to others in the power of the Holy Spirit”. In line with this, many church fellowships and Christian student organisations such as Scripture Union, Youth Fellowships and others often organise evangelistic events during which the participants spend a week or two or even a month reaching out to people who are not yet committed to the Christian faith and directing them to churches.

Setri Nyomi reports, “I have often been approached by the leaders of one of the youth groups in my church to have an evangelistic event in a place where they sense a need.” In addition, some churches in Africa see attention to the needs of suffering persons as evangelism; therefore, there are church programmes on hospital visits and gathering of used clothing to give to families in communities that face extreme poverty. Such churches make it clear that the motivating factor is evangelism. The team that visit the hospitals, for example, openly share a message of Jesus and His work of redemption and call on those who wish to respond to put their faith in Christ or renew their faith in Christ. Many African churches understand that it is one thing to spread the

gospel and reach out to the many who respond, and another to retain them and nurture them in faith. A close look at the African scene demonstrates that there is quite a high level of commitment to, and enthusiasm for, evangelism coupled with disciple-making. These contribute to the increasing growth of Christianity in Africa.

#### 5.4 Repentance and Reconciliation

Public confession and repentance has been a feature of Christian expression in Africa, particularly in the Pentecostal churches (Anderson 2007). Repentance and reconciliation are closely related to the idea of community and the expression of *Ubuntu* (humanness). Churches are healing communities where forgiveness and reconciliation take place (Josephine Boitumelo Gabarone, South Africa). The issue of public expressions of repentance, may however, lead to pressures to focus on what David Bosch has called “micro morality” (Bosch 2011). These are seen as particularly important themes in Rwanda, South Sudan and South Africa, amongst others. Real repentance and reconciliation, along with restitution, are recognised as vital for these nations to move forward after conflict. This is seen not only at a national level but also at a personal level.

#### 5.5 Faith in Social Action

Community is at the heart of African life and religious experience (Bujo 2003). This aspect of community was underscored in the aftermath of the imposed World Bank Structural Adjustment Programmes which resulted in the rolling back of the state. It was often the church that filled the gap. There is no one model of faith in social action, but it is rooted in church teaching (Mulambya Kabonde, Zambia). It is an expression of the practicality of Christianity and the African ideal of *Ubuntu*. A person with *Ubuntu* is fully human, generous, open and affirming of others, belonging to community and in relation with others around him/her (van Schalkwyk 1999) (Stückelberger 2016).

Contemporary African theologies start with a rejection of the Cartesian formula, *Cogito Ergo Sum* (*I think, therefore I am*) and an embracing of *Cognatus sum, ergo sumus* (*I am known/related, therefore we are*) (Pobee 1979). Contemporary African theologians have used African traditional religious values, particularly that of community, to seek to articulate the liberating character of God’s Kingdom as a counter-narrative to the legacy of colonialism, the injustices of daily life, as a challenge to patriarchy, and the setting for the manifestation of *Ubuntu* (Manus 1993).

God’s Kingdom, of which the Church is an expression, is likened to a household (*oikos*) of peace and freedom marked by the Old Testament idea of shalom, a radical discontinuity to the world. Salvation in this context is about *Ubuntu* - about human beings being “open to relation, beautiful and healed” - and the Church is the “community adorned in freedom” (Marais 2015, 95). Following on from the example of many missionaries, the Church in Africa still actively ministers to the “sick and oppressed” (Margert Masden, Tanzania). The church is a healing community and a key “component in the healing of the entire society” (Josephine Boitumelo Gabarone, South Africa).

#### 5.6 Worship and Lay Participation

Worship is conceived of as God’s initiative, as a dialogue between God and humankind, as involving the totality of creation and the totality of our experiences and exposures, and changes to the world in which we live. In this way, an understanding of worship must include not only what believers do in gathered worship, but also what they do when they depart from the place of worship. The worship life that is discussed, therefore, includes the life of faith of worshipping people when they are outside their designated places of worship. In this sense, worship is found not only among those who lead gathered worship but also and, perhaps even more, among those who are led in worship.

While the clergy continue to play prominent roles in churches, the life of the churches in Africa is centred on the laity, especially women. They, along with children, are often the larger number in almost every church congregation. The basic arrangements for lay participation in the life of the churches in Africa are fellowship structures, mission structures, administrative structures and charismatic structures. Churches seek to provide space to both the clergy and the laity to express their God-given spiritual gifts in the Church. Worship is essentially experiential, Spirit-led, and communal, with worship often leading into times of prayer for healing and deliverance (Kalu 2008).

### 6. LESSONS

Through talking to partners, it became apparent that generally throughout Africa, there is a much greater awareness of, reliance on, and appreciation for the spiritual as opposed to material dimension of the created world and a recognition of the existence of good and evil forces.



In general, within Africa there is a much more intentional approach to **Bible Study and Prayer**, which are recognised as essential means of grace - both on an individual and community level - to enable personal growth in faith and, following the Great Commission in Matthew 28: 19-20, to share the good news of the Gospel.

**Evangelism**, on both an individual and congregational basis, is given much greater emphasis and is often enriched by unashamed and unapologetic personal testimony by ordinary church members in everyday conversation as well as in services. In a number of African countries prospective ministers are expected to establish new congregations before completing their training, so that outreach, evangelism and growth are “built into the DNA” of new ministers.

The need for **Repentance and Reconciliation** for individuals and communities, freely offered through God’s Grace, is frequently preached and seen in congregational worship, and is appreciated as crucial to the spiritual healing on a personal and societal basis.

The importance of an holistic message of God’s love - demonstrated by **Faith in Social Action** through education and practical care for the poor, sick, hungry, dispossessed, displaced, widows, and orphans - is especially powerful where government services are often lacking.

**Worship** is generally wholehearted, joyful, and spontaneous, and embraces local and contemporary music and dance. Whilst appreciating a well-trained ministry, ministers are in relatively short supply, and there is more reliance on the priesthood of all believers, with responsibility for much of the preaching, teaching, conduct of worship and pastoral care entrusted to lay evangelists, elders and other members.

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## 7. OUR RESPONSE

While recognising differing contexts and challenges and varying levels of growth in churches in Sub-Saharan Africa, there is a challenge to re-examine some of our established practices in light of the African experience of growth. These lessons from Africa can add to and enhance the many good initiatives within the Church of and in Scotland. Perhaps one of the most crucial things is to re-examine our attitudes and assumptions about what we think we might learn from our African sisters and brothers.

Within the Mission and Discipleship Council, the issue of discipleship has been emerging as of prime importance. Over the years there have been many discipleship resources created, some of which have been transformative, but one cautionary note is that the culture which is shaped by this can become one of education, information and programmes, rather than creating a culture of deep, radical discipleship which transforms individuals, congregations and communities. The Mission and Discipleship Council believes that mission, evangelism, social action, worship will all flow and develop from a culture of discipleship. The focus now is not necessarily on creating resources; we must ask what is needed to allow a culture of discipleship to thrive.

Against this background, the factors which have been identified as crucial to the growth of the African churches strike notes of familiarity, encouragement and challenge. Familiarity, because none of these factors are new; they have been key elements of the Christian faith since its beginning. Encouragement, because we can see from the global south that the normal state of church in the world is growth. This is alien to many here who have lived in a national context where the decline of the church seems inevitable. To know that growth is normative, and has been achieved by things which are already part of our Christian heritage and culture, is incredibly encouraging. It is challenging, because it raises questions about where these factors sit in the Church’s present priorities. Have our conversations been dominated by a desire to share with others what God is doing? Has our money been spent on providing for those who have less than us? In church we think we know how to pray – how much time have we spent teaching those inside and outside the church who do not? How much have we looked for from our ministers instead of developing and using the gifts of the whole people of God? If we are serious about the growth of the kingdom, and of the church, in our nation, we would be wise to listen and respond.

### 7.1 Themes

#### 7.1.1 The Word is Life: Bible Study

The Word is life giving. Bible Study is part of everyday life for our African sisters and brothers. They study the Bible in youth groups, schools, Scripture Unions, and work places as well as in Church. We would encourage members to take time to study the Bible personally but also to study it with others. Study guides can be provided to help take us through passages. We would encourage everyone to make Bible study part of everyday life, gathering with friends over coffee whilst

reading the Word together. Set up Bible study groups in all spheres of life, in your workplace, at church, in the family, and with your children, encouraging them to share with their friends at school. If your congregation is involved in a twinning, develop a contextual Bible study, which could be done by video-link or email; this may lead you not only deeper into the Word but will also deepen the twinning.

### 7.1.2 Prayer and Testimony

Prayer and testimony are powerful tools in every cultural context. They are a normal part of life for our friends in Africa and whilst for some in Scotland, in some settings, prayer and testimony are also part of life, for many it is not. The weekly worship service is still the single biggest teaching opportunity in the Church, as thousands gather around the Word of God. Mission and Discipleship has many tools and platforms ([www.resourcingmission.org.uk](http://www.resourcingmission.org.uk)) to help individuals and congregations give testimony to what God is doing and has done in their lives. The practice of giving testimony and thanking God for God's daily provision should be encouraged, along with establishing active prayer partnerships between Scottish Churches and those in Africa (which could be enabled by internet sharing).

### 7.1.3 Evangelism, Discipleship and Commitment

Evangelism, outreach, and a yearning for spiritual and numerical growth should also be key characteristics of all members and congregations in Scotland. However, it is recognised that there is a lack of confidence in talking of personal faith. Speaking to others about what our beliefs are, or how our faith affects our everyday decision making, can feel daunting. There is a lot of conversation about confident disciples, but the reality is that we will always encounter situations that leave us anxious. How do we continue to live out our faith and share it at these times? It is not the absence of fear, but the knowledge that there are others to support us, which can enable us to move forward. Over the last 12-18 months the Mission and Discipleship Council has produced a number of resources and events which we would urge congregations and members to engage with ([www.resourcingmission.org.uk](http://www.resourcingmission.org.uk); [www.churchofscotland.org.uk/resources](http://www.churchofscotland.org.uk/resources)). Alongside these we should establish a more methodical and intentional approach to nurturing and evangelism – from crèche through to youth groups and beyond.

### 7.1.4 Reconciliation and Repentance

Reconciliation and repentance are subjects we do not often talk about. The Church, corporately, has attempted to grasp the nettle on a number of issues, from Brexit and Independence, to matters of human sexuality. It is, however, a time of change, at local as well as national level. Changes in ministry, linked congregations and unions, building closures, etc. are all events that leave a sense of loss and hurt. Which people or changes do each of us need to be reconciled to? Who do we need to ask forgiveness of, or to forgive? We can engage with organisations such as "Place for Hope" ([www.placeforhope.org.uk](http://www.placeforhope.org.uk)) to help with work on reconciliation.

### 7.1.5 Faith in Social Action

Due to the lack of Government facilities across Africa, responsibility often falls to faith communities. Churches step in where governments are unable to. This is part of the Church's mission, the holistic care of the flock. Whilst different in Scotland, there are many needs facing our communities, from the impact of growing inequality to social isolation, and loneliness. We encourage those congregations who are already engaged in the important work of social action and urge those who are not to explore the possibilities within their communities. There is an urgent need for transformation in our society, to reach out and embrace the other (Volf, 1996). Recognising the good work that the Church and Society Council and CrossReach ([www.crossreach.org.uk](http://www.crossreach.org.uk)) do in Scotland with local congregations we would see opportunities for shared learning and partnership with African Churches.

### 7.1.6 Worship and Lay Participation

It is crucial to recognise the place of members within the Church and the gifts that God has given to all. In conjunction with the Ministries Council and the Mission and Discipleship Council it would be worth exploring the possibility of offering ministers and members opportunities to spend a period of time with one of our partner churches. This would offer congregations the possibility to experience worship with our partner churches, to look at the engagement of youth, and to being open to embracing the renewing work of the Holy Spirit. We see the move of African brothers and sisters to Scotland as part of a greater move of God and would encourage congregations to engage and learn from the African diaspora. The formation of ministers is vital; it is, therefore, important to seek to strengthen existing academic partnerships, and to

build new ones with partner churches, and their associated institutions, to support theological training and explore the possibility of offering a module on Christianity in Africa as part of the undergraduate BD, or to embed contemporary African theology and practice as part of undergraduate courses in ecclesiology, practical theology, and Christology. It is encouraging to see that some presbyteries and congregations are already training and equipping members to engage and participate in the delivery of worship and ministry within the parish.

## 8. CONCLUSION

This report is not a full and comprehensive study. It necessarily limits itself to the more positive aspects of what we can learn and does not unpack areas where there are challenges within the life of the church in Africa. Nevertheless, there are lessons to learn. To touch and smell and feel for ourselves gives us a deeper understanding than to read, hear and learn from others. Therefore, a key response to this report is to encourage both visits and exchanges to our partners in Africa, and more widely. This of course already takes place in different ways, so how can the existing activities be built on? There are opportunities to engage in a Twinning where partnership is the core focus and not the giving of aid; to have probationers spend a summer placement with a partner and bring our partners' probationers to Scotland; to offer sabbaticals or other in-service opportunities to ministers, elders and youth workers from our partners internationally, and send our ministers, elders and youth workers for an international experience; to invite African Ministers and their families on pulpit exchanges while Church of Scotland Ministers and their families go to Africa.

Visiting is not always possible, but with modern technology there are possibilities of sharing over video links experiences such as: contextual Bible studies, worshipping in new ways together, sharing academic material, praying for one another and sharing testimony. Local congregations might also be able to engage with an African diaspora in their own communities.

Although there is already much happening within the Church of Scotland, we should not be complacent. Resources will not change things. Using them as tools for learning, encouragement, support, and going deeper in our faith will. Christianity in Africa has much to offer Scotland. There is a

continuing challenge to humbly listen, learn, and share experience and insight with our African brothers and sisters, including those who have moved to Scotland.

## Acknowledgements

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*In the name of the Council*

IAIN D CUNNINGHAM, *Convener*  
SUSAN BROWN, *Vice-Convener*  
MAUREEN JACK, *Vice-Convener*  
IAN W ALEXANDER, *Council Secretary*



## MINISTRIES COUNCIL MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Affirm the work undertaken to this point on creating a clear definition for ministry and instruct the Council, taking account of the Church's overall Strategic Plan, to complete this work for approval by the General Assembly of 2019 (*Section 1.2*).
3. Note the responsibility of Presbyteries to provide superintendence for Readers and instruct Council to work with Presbyteries to identify how to improve support for Readers and to report to the General Assembly of 2019 (*Section 1.3.4*).
4. Affirm the contribution of the team of Interim and Transition Ministers particularly in the Presbytery of Shetland and encourage further development of this team as a national resource (*Section 1.3.6*).
5. Commend the report *Deacons of Word and Service* to the Church and urge the Council to integrate its principles into considerations for future patterns of ministry (*Section 1.3.3*).
6. Note the revised schedule for the development of a five-year Recruitment Strategy (*Section 1.3.8*).
7. Note the progress of the Hub-style Ministries initiative and instruct the Council to bring any draft legislation to a future General Assembly (*Section 1.3.9*).
8. Instruct the Council in collaboration with the Theological Forum and Legal Questions Committee to consider how oversight can be addressed in keeping with any developing legislation related to emerging patterns for Hub-style Ministries (*Section 1.3.10*).
9. In recognition of the 50<sup>th</sup> anniversary of women's ordination, celebrate and give thanks for the ordained ministry of women in the Church of Scotland and reaffirm the commitment of the Church to the equality of women and men in all forms of ministry within the Church. (*Section 1.3.11*)
10. Instruct the Council to bring draft legislation for a Capability Procedure for Parish Ministers to the General Assembly of 2019 (*Section 1.4.2*).
11. Pass the Continuing Parish Ministry Beyond the Age of 75 Regulations, pass an Act amending the Registration of Ministries Act (Act II 2017) and pass an Act amending the Ministries Appeal Panel Act (Act VI 2007) (as amended), all as set out in Appendix 1 (*Section 1.4.3 and Appendix 1*).
12. Pass an Act amending the Long Term Illness of Ministers Act (Act XV 2002) (as amended) as set out in Appendix 2 (*Section 1.4.4 and Appendix 2*).
13. Instruct the Council to undertake further work on the Long Term Illness of Ministers Act (Act XV 2002) and to report to the General Assembly of 2019 (*Section 1.4.4.2*).
14. Instruct the Council jointly with the Legal Questions Committee, the Council of Assembly and the Theological Forum to review the Ministers and Deacons in Civil Partnerships and Same Sex Marriages Act (Act I 2015) with particular reference to the deployment of salaried staff and wider issues and report to the General Assembly of 2019 (*Section 1.4.5*).
15. Note that the Council's Development Programme offers opportunities to bring about significant changes in Ministry (*Section 2*).
16. Affirm the development of the Vocations Network and encourage Presbyteries to identify individuals who could serve in this way (*Section 3.2.3*).
17. Pass an Act amending the Selection and Training for Full-Time Ministry Act (Act X 2004) (as amended) as set out in Appendix 3 (*Section 3.2.6 and Appendix 3*).
18. Pass an Act amending the Ordained Local Ministry Act (Act IX 2011) (as amended) as set out in Appendix 4 (*section 3.2.6 and Appendix 4*).
19. Pass an Act amending the Readership Act (Act XVII 1992) (as amended) as set out in Appendix 5 (*Section 3.2.6 and Appendix 5*).

20. Pass an Act amending the Admission and Re-admission of Ministers Act (Act IX 2002) (as amended) as set out in Appendix 6 (*Section 3.2.9 and Appendix 6*).
21. Express thanks for the service given by Rev Prof David Fergusson as Principal of New College, Edinburgh, and affirm the proposal that Rev Prof Susan Hardman Moore be appointed as his successor from September 2018 (*Section 3.3.7*).
22. Note the early developments of the Ascend programme and encourage those in ministry to access the opportunities for support and development provided (*Section 3.4*).
23. Note the advisory figures for the number of full-time equivalent ministers available for Presbyteries in 2023 (*Section 3.5.2.3 and Appendix 7*).
24. Instruct the Ministries Council to report to the General Assembly of 2019 on the future affordability of Ministries Development Staff (MDS) posts beyond posts currently in Presbytery Plans and on reasons why almost 30% of MDS posts remain unfilled (*Section 3.5.2.5*).
25. Instruct all Presbyteries to obtain fresh concurrence with their current plan from the Presbytery Planning Task Group by 31st December 2018 and note that failure to do so may result in the sisting of vacancies (*Section 3.5.2.8*).
26. Instruct those Presbyteries which have Priority Area Parishes within their bounds to ensure that the principles of the Priority Areas five-year plan are incorporated into their Presbytery Planning processes (*Section 3.1.1*).
27. Instruct all Presbyteries to engage with the Presbytery Planning Task Group when negotiating Basis of Adjustment (Section 13(2) of Act VII 2003 on Appraisal and Adjustment and *Section 3.5.2.9*).
28. Pass an Act amending the Vacancy Procedure Act (Act VIII 2003) (as amended) as set out in Appendix 8 (*Section 3.5.3.6 and Appendix 8*).
29. Pass the Regulations amending the 'Go For It' Fund Regulations IV 2012 (as amended) as set out in Appendix 9 (*Section 3.5.6.6 and Appendix 9*).
30. Affirm the Path of Renewal Project and instruct the Council to review the project in 2019 and report to the General Assembly of 2020 (*Section 3.5.7*).
31. Encourage ministers to familiarise themselves with the provisions of the Housing and Loan Fund (*Section 4.3*).
32. Instruct the Council to continue in consultation with the Council of Assembly regarding the possibility of meeting visa costs for ministers who enter Church of Scotland ministry from another country of origin (*Section 4.4*).



## Report

### 1. INTRODUCTION: ENABLING AND SUPPORTING MINISTRIES

**1.1** The Ministries Council is for ministry. Everything the Ministries Council does has to be for those engaged in all of the recognised ministries of the Church.

**1.1.1** The remit of the Ministries Council is to enable ministries<sup>[1]</sup> - from the moment someone makes the first tentative steps towards the discernment process, through initial training and into their first days in one of the recognised ministries. Our task is to ensure that those in ministry are enabled to serve in ways which allow them to be the kind of ministers they were called to be. Our support of ministry continues through the journey of ministry – a commitment which lies at the heart of the Ascend programme.

**1.1.2** This year the General Assembly will consider the Council of Assembly's Strategy for the whole Church – a key element of this is the provision of well supported ministry teams. If this strategy is endorsed by the Assembly, it will be the job of Ministries Council, working alongside its partners, to ensure that the right people are part of those ministry teams, that they have received and continue to receive excellent training, and that all those engaged in ministry receive the right support which enables them to fulfil their calling. It is the job of Ministries Council to support Presbyteries in ensuring that those ministry teams are in the right places – that patterns of deployment do not hinder but support the growth of the Church, and that as a whole Church we are seeing existing churches being transformed, and new churches being planted. Well-supported ministry teams are a key element in the realising of this vision.

**1.1.3** At its heart ministry is transformational. It brings us into the mission of God who is always transforming, who against the expectations of background, the forces of prejudice, the weight of human failure, makes all things new. It is this understanding of ministry which sustains those in ministry and which inspired them to become ministers in the first instance. It is this transformational, gospel-rooted understanding of ministry which the Council, in everything it does, must facilitate and support.

**1.1.4** Too often, however, we have encountered those for whom this has not been their over-riding experience of

ministry. In the first edition of the Ascend magazine, the most commented upon article illustrated some of the challenges encountered by Parish Ministers in providing ministry:

*“Come to me”, Jesus said, “and I will give you...*

*Annual statistical returns and a PVG disclosure a new email address and rules about Data Protection, targets and goals to set and a list of OSCR regulations; PAT testing and risk assessment to oversee; Presbytery committees to serve, and reports to write; a Messy Church to run and a student to supervise.”*

**1.1.5** What is telling about the excerpt is that the last two items (Messy Church and student supervision) are seen by some as the more fulfilling aspects of ministry. However, after so much energy has been expended on other tasks, even the most potentially inspirational parts of ministry have become “just another chore on the to-do list”.

**1.1.6** In a context where those in ministry speak of increasing pressures in contemporary Scotland, the Ministries Council report this year outlines key areas of work which are about ensuring there are high quality ministry teams across the Church of Scotland and that in every part of its work the Council is working for ministry and for all those engaged in ministry.

**1.1.7** Where processes are a source of unnecessary frustration for ministers and congregations, the Council wants to simplify them. Where we fail to train for the challenges of providing ministry in today's world we need to adapt our learning provision. Where our support fails to strengthen and encourage ministers, we aim to respond in a positive and proactive way. Where patterns of deployment are restrictive, we aim to develop new approaches which enable the Church's mission in contemporary Scotland and beyond.

### 1.2 A Clear Definition of Ministry

**1.2.1** For a number of years, the Council has been seeking to clarify the definition of ministry. There have been two principal reasons why the Council has sought to do this. The first comes from parish ministers and congregations themselves, and relates to the pressures described in the earlier Ascend piece. Parish ministers speak of the stress and anxiety of having to negotiate an ever expanding and ill-defined set of expectations. Congregations also speak of the

difficulties they experience when it appears that the job their Minister is doing does not seem to match the ministry they imagined they would have.

**1.2.2** Clarity about ministry allows for an honest and realistic conversation between minister, congregation and presbytery. It enables a shared understanding of what is hoped for and what can be achieved. This clarity is also essential in enabling a minister to balance the different demands of ministry. Engaging in this has often been a key feature of the well subscribed Ministerial Development Conversations. Taken together, these steps provide a way for nurturing healthy relationships between ministers and congregations.

**1.2.3** The second reason the Council needs clarity in understanding ministry is that it needs to ensure its own work is coherent. There needs to be a shared understanding of ministry across the Council's core tasks: recruitment, education and training of ministers alongside the shaping of patterns for deployment, and providing support and funding. This shared understanding will also accommodate specialisms such as Pioneer Ministry and potentially Youth Ministry. The Council intends to report more fully in 2019 about the possible shape and training of Youth Ministry; this report has been delayed due to the need to correctly locate the project within the wider development work of the Council as a whole.

**1.2.4** In our work we have found it increasingly helpful to represent Ministry using three concentric circles – each representing an essential element of ministry.



**1.2.4.1** The **inner circle/core** relates to the inner calling to be a Minister. It reflects an understanding that lies at the heart of the Church's view of ministry: that ministry happens in response to the call of Jesus Christ and is a participation in the ongoing mission of God who is always transforming, who against the expectations of background, the forces of prejudice, the weight of human failure, makes all things new. Fundamentally this is what inspires Ministers to be Ministers, and inspires them in that ministry. The Council and the wider Church can support this through attention to Spiritual Formation.

**1.2.4.2** The **middle circle** relates to the key areas of knowledge and understanding essential to functioning as a Minister. They represent a depth of understanding in theological enquiry, worship, pastoral care, mission, styles of leadership, relationship-building and community orientation. These are abilities which can be tested when an individual presents themselves for ministry, and around which the Council can build a curriculum for initial and ongoing education.

**1.2.4.3** The **outer circle** relates to the tasks of ministry: preaching, leading worship, convening meetings, preparation of reports, and the administrative tasks of ministry. Frequently the Council hears from those in ministry that they receive insufficient training in these tasks and, increasingly, that they feel drained by the administrative tasks of ministry. One positive response from Ministries Council is to provide training in these areas. Similarly, we need to ensure that those in ministry feel equipped to say "no" to demands which distract from their core ministry. Support from Ministries Council needs to strengthen the ability to achieve a healthy balance between the various demands of ministry. Finally, we are committed to working with others to find ways of providing alternative or additional methods of support (particularly in the areas of property, governance and finance) which enable those in ministry to "get on with the job".

**1.2.4.4** The understanding of ministry outlined here continues to be tested and refined, but the Council believes it is articulating an understanding of ministry which is sufficiently robust to undergird its work and provide focus in a time of significant change.

## 1.3 Recognised Ministries

**1.3.1** The Ministries Council has responsibility in respect of the four recognised Ministries within the overall ministry of

the Church. The majority of these are Parish Ministers – ministers who have responsibility for a charge. The other recognised Ministries are Ordained Local Ministers and Auxiliary Ministers, the Diaconate and the Readership. The Council is committed to providing appropriate and high quality support for all those in the recognised Ministries.

**1.3.2** The Council also has responsibility for just over 100 FTE Ministries Development Staff (a number of whom, such as Associate Ministers and Deacons, also belong to one of the four recognised Ministries), a training role in the ministry of workers employed with the assistance of *Go For It* funding, and a liaison role with those employed by other bodies as Chaplains (such as the NHS, Scottish Prison Service and Universities). The Committee for HM Forces Chaplains – which is administratively supported by a member of the Ministries Council staff – has a particular role in the recruitment and support of military Chaplains.

**1.3.3** Further work is needed to make more explicit the distinctive ways in which these particular ministries contribute to the overall ministry of the Church. One group which has done some advanced work in this has been the Diaconate. It particularly emphasises the work which Deacons perform on the boundary between the life of the institutional Church and the Parish. Over the last two years, members of the Diaconate have prepared a vision statement which is presented in the report *Deacons of Word and Service*. This was enthusiastically received by the Ministries Council at its December meeting, and is commended to the Church for further study. A copy of the report *Deacons of Word and Service* is available on the General Assembly pages on the Church website ([www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2018](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2018)). Further information on the Diaconate can be found on the Church website under the Council's Partnership Development webpages [www.churchofscotland.org.uk/serve/ministries\\_council/partnership\\_development](http://www.churchofscotland.org.uk/serve/ministries_council/partnership_development).

**1.3.4** In the past year, the Council has received feedback from Readers that support for this ministry could be improved. The key role in supporting Readers (Act 17, 1992 refers to “superintendence”) lies with Presbyteries. The Council has the responsibility for providing both initial and ongoing training. This year we have worked with Presbyteries to clarify our respective roles and look forward to developing further support for Readers in the coming year through effective partnership working with Presbyteries.

**1.3.5** Readers are increasingly being called upon to act as locums and it is a positive development that their ministry in this way is being used to serve congregations in a time of change. This year the Council is appointing a Co-ordinator for New and Developing Ministries as part of the Development Programme (see Section 2) and this person will serve as the contact for the Readership.

**1.3.6** The team of Interim and Transition Ministers continues to be a vital part of resourcing local churches and will now comprise a complement of 18 ministers: 9 Interim Ministers (including 1 Interim Deacon) and 9 Transition Ministers. In the course of the last year the team has provided specialist support for 25 parishes and 18 Presbyteries. This has included using three members of the team to work specifically with the Presbytery of Shetland over a nine month period as they look towards addressing the challenges of providing ministry with a seriously reduced number of ministers in charges along with the demands of handling Presbytery administration. One of the outcomes of this process is the re-energising effect on ministry in Shetland. The Council wants to learn from this piece of work and hopes to use the positive way in which the Presbytery and team have worked together as a foundation for developing the wider team more fully as a national resource.

**1.3.7** All five Pioneer Ministries posts are now filled and these projects will now run 5 years. The ongoing evaluation of this initiative which is being conducted by the University of Glasgow will inform the Council in the recruitment, training and overall development of all the Church's ministries.

**1.3.8** The development of a Recruitment Strategy for Ministry is dependent on the Council of Assembly's proposed Strategic Plan. We need to comprehend the shape and size of the future Church, before articulating a strategy for ministerial recruitment. Thus we have delayed developing our plan for Recruitment, until the Council of Assembly's Strategic Plan has been adopted. Key recent additions to our staffing complement will also support the development of this Plan. We now propose to bring an interim report on Ministerial Recruitment to the General Assembly of 2019, and the full Recruitment Strategy to the General Assembly of 2020.

**1.3.9** The Hub-style Ministries initiative, which was launched last year, is an exploration of how a team-based approach to ministry could benefit the Church as it looks to

shaping ministries which fit with a developing Church situation. The initiative which to date includes parishes from five Presbyteries will reveal what the possibilities are and what the legislative needs might be.

**1.3.9.1** These five Presbyteries which form the core group for the action research project were drawn from the eight Presbyteries which attended an initial event in September 2017. The five which have become the core research group were in a greater state of readiness than the others, but there is a wider inclusion of those who are working towards being ready to develop Hub-style ministries and they are included in the broader initiative. The five Presbyteries which form the core research group are: Argyll; Dundee; Angus; Abernethy; and Caithness.

**1.3.9.2** The findings from the Hub-style Ministries initiative will inform the drafting of any legislation which may be required to enable the development of this approach to ministry.

**1.3.10** Legislation is not the only consideration for supporting new patterns of ministry. Other aspects to making sure the Church as a whole is reassured of its choices and informed in its decision-making are the theological questions raised by these changes. With the development of Hub-style ministries comes the question of how oversight is to be understood and exercised. In the Presbyterian context it is clear that the Presbytery exercises oversight in matters relating to Church order, but as teams develop there is the likelihood that they will include a mixture of an office-holder, employees, volunteers, lay and ordained – quite possibly with a variety of denominational and international backgrounds also. Supporting these teams of the future will need clear and effective means of providing oversight and this prompts questions about ecclesiological and theological principles. Early discussions have taken place with the Theological Forum around this topic and this will continue into the next year, running concurrently with the discussions about legislation and emerging patterns of ministry.

### **1.3.11 Celebrating Women in Ministry**

**1.3.11.1** This year we celebrate 50 years since women have been ordained to parish ministry within the Church of Scotland. The Council recognises the many ways in which this has proved to be beneficial for the Church as a whole. The place of women as ministers in the Church is now well-established and along with the range of skills, experience and

knowledge which women bring to ministry is the enrichment of relationships – not least with ministry colleagues. At the time of writing, approximately 30% of those in one of the recognised ministries are women.

**1.3.11.2** In partnership with the Centre for Theology and Public Issues and New College, Edinburgh, the Council's celebration includes an exhibition, conference, act of worship, events and publications to mark this key change in the life of the Church of Scotland. The research involved in putting together the various features for the celebration is firmly grounded in the stories, sources and materials of those (both women and men) who have been involved in reshaping the image and practice of ministry in light of this development 50 years ago. The celebrations will also reflect on some of the wider themes and challenges of equal ministry and gender justice for both church and society as consideration is given to both the current context and the future. Further information on the celebrations are provided on the General Assembly pages of the Church website ([www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2018](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2018)).

## **1.4 Legislative Support**

**1.4.1** Amongst the various pieces of legislation designed to support the ministry of the Church and those in particular ministries there are three specific areas in which the Council is doing further work with the Legal Questions Committee in order to improve understanding and practice. The Council is committed to strengthening all means of support for individuals and congregations where lack of clarity has compounded uncertainty and, in some cases, the vulnerability of those involved. Legislative measures are part of the full matrix of ensuring appropriate support and information is in place and this is at the heart of the request to complete the work on the development of a Capability Procedure; clarify the situation for Ministers aged over 75 and to review both the Long-term Illness of Ministers Act (Act XV, 2002) and the Ministers and Deacons in Civil Partnerships and Same Sex Marriage Act (Act 1, 2015).

## **1.4.2 Capability Procedure**

**1.4.2.1** The General Assembly of 2013, through the report of the Special Commission on Ministerial Tenure and the Leadership of the Local Church agreed the following section of deliverance: Instruct the Council of Assembly, Ministries Council, Mission and Discipleship Council, Legal Questions Committee and the Panel on Review and Reform to bring a

joint Interim Report to the General Assembly of 2015, and a Joint Final Report to the General Assembly of 2016 to deliver:

(iv) a fully costed scheme of Ministry Development Review and Continuing Ministry Development.

(v) a Capability Procedure for inducted parish ministers.

**1.4.2.2** In 2016 the Council noted its intention first of all to address the provision of a process of Ministerial Development Review and a Continuing Ministerial Development programme which affirms and supports ministers. In 2017 the Council launched Ascend in order to deliver this support. Ascend services include: Ministerial Development Conversation, Pastoral Supervision, coaching and spiritual accompaniment, postgraduate funding and Study Leave. In the coming year these will be further expanded. In 2015 the General Assembly had noted that Ministries Council would take the lead in the development of a new Capability Procedure for Parish Ministers. During the early period of development for the Ascend programme the development of this Capability Procedure was put on hold. However the time is now right for this to come back onto the Council's agenda and a further report will be brought in 2019.

### **1.4.3 Continuing Parish Ministry beyond the Age of 75**

**1.4.3.1** The General Assembly of 2017 instructed the Council, in consultation with the Legal Questions Committee, to explore the introduction of a process to permit the extension of parish ministry beyond the age of 75 and to bring proposed legislation to the General Assembly of 2018. This was to be on a case by case basis, taking into account all relevant factors, including the nature and context of the work of parish ministry. This work has been done and proposed Regulations (along with two amending Acts to ensure compatibility with existing legislation) are set out in **Appendix 1** to make this possible in certain circumstances.

**1.4.3.2** In summary, the Council proposes that a process be put in place which enables Parish Ministers approaching the age of 75 to seek an extension of up to two years, applying to Presbytery no later than 6 months before their 75<sup>th</sup> birthday. The proposed Regulations indicate the process to be followed by Presbytery in assessing the appropriateness of the application and the criteria which need to be met in order for a positive decision to be made. The Regulations also set out

the various rights of parties in the process, including of appeal, if relevant.

### **1.4.4 Long-term Illness of Ministers, (Act XV, 2002)**

**1.4.4.1** Support for parish ministers who experience illness over a long period is important not least because it offers some assurance in the midst of a time of great uncertainty. The Long-Term Illness Act XV 2002 provides the basis on which this support is provided. In practice there are some amendments to the Act which would further improve clarity in how this is to be administered. Therefore, some interim amendments are outlined in **Appendix 2**. This is with the understanding that any further work to ensure consistency with Income Protection insurance provision will be done in the coming year.

**1.4.4.2** In summary, the Council proposes a reduction in the overall period which needs to elapse before the provisions of the Act will come into force. Also relating to this, arrangements and responsibilities around Occupational Health Assessment are clarified, including recognition that the Church does not have an individual designated as the 'Medical Adviser' and this role would now normally be fulfilled by either the individual's General Practitioner or an appointed Occupational Health Physician. The amendments also provide a more realistic timeline for the implementation of the Act, allowing for reports to be received and considered by all parties within the regular pattern of Presbytery administration.

### **1.4.5 Ministers and Deacons in Civil Partnerships and Same Sex Marriages, (Act 1, 2015)**

Since the General Assembly passed Act 1 2015, the Council has become aware of a number of deployment issues arising in the implementation of this legislation, with particular reference to salaried staff. As the Joint Report of the Council and Legal Questions Committee states, the Council does not believe that these can be addressed without also addressing some wider issues behind the Act. Therefore, in order to explore these issues more fully, the Council proposes to form a joint working committee consisting of members from Ministries Council, Legal Questions Committee, Council of Assembly and the Theological Forum. The committee will look at matters of deployment as well as some of the wider issues and report to the General Assembly 2019.



## **2. DEVELOPMENT PROGRAMME (2018-2021)**

**2.1** In recent years the Council has received several new areas of work from the General Assembly. Over the last year these have been grouped together into the Ministries Council Development Programme.

**2.2** Some of these pieces of work started in the last couple of years but now require concentrated effort to boost their progress. Others are start-up projects which have arrived onto the scene very recently and because they are in a start-up phase require additional resourcing. There are also some projects which call for a well-researched piece of work in order to form the basis on which more substantial developments can be founded. In all, the Development Programme identifies 15 projects. Each sits comfortably within the Church's Decade for Ministry focus and together they have the potential to bring about essential developments in the ministry of the Church.

**2.3** However, resourcing these projects presents a significant challenge, especially when staffing capacity and financial resources are under pressure. In November it was agreed through the Council of Assembly that in order to ensure effective delivery, an integrated three-year Development Programme (running from 2018 to 2021) would be the best vehicle through which these projects could be brought to completion. In addition, the Programme will address some areas of work which require significant changes and improvements in efficiency. In order to focus its efforts, to operate within capacity, and to ensure the successful completion of the Development Programme, the Council does not foresee being able to take on substantial new projects during this three year period.

### **2.4 Key Projects within the Development Programme**

#### **2.4.1 Ascend**

Ascend is the catch-all name for the full range of services designed for the development and support of those in ministry (see Sections 2.1.2 to 2.1.6 below). There are different provisions for the different ministries and this is part of ensuring that the resources promised can actually be delivered. A key feature of Ascend has been the use of an online portal [www.churchofscotland.org.uk/ascend](http://www.churchofscotland.org.uk/ascend) which has brought considerable savings in terms of efficiency (see Section 3.4.1).

#### **2.4.2 Supervision for Ministers**

This is the provision of regular pastoral supervision for all ministers, be it on an individual basis or through group supervision. Pastoral supervision is an ongoing regular provision which continues wherever a minister may be based. In order to make this provision the Council has to build and maintain a network of qualified pastoral supervisors, encourage ministers to access the provision, and ensure information systems function well (see Section 3.4.3).

#### **2.4.3 Coaching**

Building on the work done over the last eight years with Priority Areas, there is now a growing network of coaches available for supporting Ministers. This provision complements pastoral supervision, but may focus on a shorter-term engagement or prove useful for a minister when there is a particular piece of work or project to be done in a parish (see Section 3.4.4).

#### **2.4.4 Continuing Ministerial Development**

Developing a comprehensive range of conferences and events for collegial exchange within a learning context, those engaged in ministry are offered opportunities for ongoing development which helps to maintain resilience. Whilst there have been conferences and occasional events or workshops in the past, this is intended to adopt a more integrated and needs-based approach which heightens motivation for ongoing ministerial development. Study Leave also adds to the options available for Continuing Ministerial development (see Sections 3.4.5 – 3.4.8).

#### **2.4.5 Ministerial Development Conversation (MDC)**

Already there are those who have chosen to participate in an MDC and the feedback received has been very encouraging. The MDC is a one-to-one conversation for Ministers with a trained facilitator to discuss areas for development and growth for themselves as individuals and in terms of their ministry. The MDC complements the Continuing Ministerial Development programme (see Section 3.4.2).

#### **2.4.6 Spiritual Accompaniment for Ministers**

This provides for either individual or group spiritual accompaniment and offers the opportunity for ministers to focus on their own spiritual reflection and growth. This requires the development and maintenance of a network of qualified spiritual accompaniers.

### 2.4.7 Rethinking Initial Training

The main report from the current review of Initial Ministerial Education will be brought to the General Assembly of 2019. An interim report and evaluative findings to date can be accessed on the General Assembly pages on the Church website ([www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2018](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2018)). Already there are principles and values which have emerged as important for the shape of IME in the future. These include ensuring that the method, curriculum, and participation are student-centred, flexible, integrated in learning and practice, and academically validated. One of the things which has emerged from research findings over the last two years is that the training programme will have to be sustainable and in order to achieve this there will need to be discussions about what would be an appropriate number of academic providers. Following the main report to General Assembly in 2019 the main developmental task will be to design the curriculum and prepare for the introduction of the new IME programme.

### 2.4.8 Recruitment Strategy 2020-2025

As the Church looks to the future and how the patterns for ministry are changing to fit the Scottish context, the issues around recruitment come to the fore. The changes which will take place in Presbytery Planning, Initial Ministerial Education, and Hub-style ministries will begin to take on a firmer shape in the next three years. Clarity is needed about what the Church is recruiting people into when it is inviting them to respond to a call to ministry. At General Assembly 2019 the reports from the Rethinking Initial Training Group and the Presbytery Planning Task Group will be brought in full and, along with the second stage of development of the Church's wider Strategic Plan, there will be sufficient ground on which to construct a Recruitment Strategy for 2020-2025. It is important to note that, with initial training lasting between 2-4 years, it is hoped that the Recruitment Strategy will see significantly greater numbers of ministers entering ministry from 2025 onwards.

### 2.4.9 Hub-Style ministries

During 2017-2019 the Presbyteries which are participating in the Hub-style Ministry initiative will be significant contributors to the shaping of legislation for the longer-term development of Hub-Style Ministries. Once the period of experimentation is completed it is anticipated that there will be even more congregations and Presbyteries who will be interested in growing Hub-style Ministries in their own

context. As this unfolds, Ministries Council recognises there will need to be support in order to enable these developments to grow with confidence (see Sections 3.5.2.6 and 3.5.2.7).

### 2.4.10 Emerging Church

The Council is committed to bringing together the various initiatives which have emerged in recent years which focus on helping the Church to grow, or which develop new patterns of Church life. Fresh Expressions continues to be a project which is shared with the Mission and Discipleship Council and Path of Renewal, Pioneer Ministries and New Charge Development will now be brought together as projects with a shared agenda within the Emerging Church project. The findings from the Hub-Style Ministry initiative will also feed into this area of work (see Sections 3.5.5, 3.5.7, and 3.5.8).

### 2.4.11 Presbytery Planning

The Council continues to work in partnership with Presbyteries as they plan for how ministry will be provided within their bounds. This partnership working is crucial to the support for ministers specifically and ministry more generally, especially when there are some difficult decisions to be made. Whilst in many respects this is a continuation of existing partnership working it is recognised by the Council that the next round of Presbytery Planning will involve significant developmental matters and effective support from the Council is vital in this changing context (see Section 3.5.2).

### 2.4.12 Interim and Transition Ministries

The expansion of the Interim and Transition Ministry team is in direct response to the growing need for this form of ministry. The team of three who worked with Shetland Presbytery in 2017 demonstrated that there is potential for this team to develop further as a resource for Presbyteries – especially during significant period of transition and change. The Council will explore with the team how their skills might be deployed in new ways to enhance support for Presbyteries.

### 2.4.13 Priority Areas Phase Two (2017-2022)

The Council's work with Priority Areas is in the second year of Phase Two and during this phase there are plans to increase the number of those from priority areas participating in ABCD (Asset-Based Community Development) in their own locality. The Council is also committed to strengthening the opportunities for those who experience the impact of poverty to learn new skills (see Section 3.1).



#### **2.4.14 Registration of Ministers**

The Council carries the responsibility for the administration of the Register of Ministers and 2018 is the first year of the implementation of the Registration of Ministries Act (Act2, 2017). There are many challenges in these early stages of implementation in terms of streamlining the IT systems so that Presbyteries and the Council can handle the processes with least additional complication. To date, this has been done through the Presbytery Information System (PIMS) as a monthly return process and seems to be working reasonably well. As the National Office database systems are updated in the near future, it is hoped that this will become even more streamlined.

### **3. ONGOING WORK**

#### **3.1 Priority Areas [[www.churchofscotland.org.uk/serve/ministries\\_council/priority\\_areas](http://www.churchofscotland.org.uk/serve/ministries_council/priority_areas)]**

The effects of poverty are felt across Scotland in many ways and places. Those in ministry report with great concern the increased levels of hardship that they frequently encounter. The Ministries Council, on behalf of the whole Church, resources the work of Priority Areas Committee. This focuses on the 64 parishes in Scotland which experience the greatest challenges in the face of poverty, as identified by the Scottish Index of Multiple Deprivation (SIMD). The complexity of issues requires concerted effort through effective partnership working in order both to reduce the impact of poverty and to aim for its eradication altogether.

**3.1.1** The work of Priority Areas continues to develop according to the five-year plan agreed at General Assembly 2017. This has included the delivery of a Learning Academy Programme, offering workshops and training on topics which are especially challenging when ministering in an area where poverty is a daily reality. This includes workshops on Asset-based Community Development (ABCD); Missional Discipleship; and surgeries on both Stewardship and Finance and property. With the emphasis placed on ABCD, sight is firmly fixed on recognising the strengths and assets already present in a community which need to be strengthened. This has proved particularly popular and it is a conscious move away from regarding challenges as 'problems' to instead developing a 'can-do' approach based on real assets and opportunities.

**3.1.2** A repeated theme at the General Assembly of 2017 was the need to broaden the reach of the Priority Areas work. This has been a key focus of the Committee's work in the past year. At the annual Priority Areas BIG conversation residential event in November 2017 there was a record level of turn out from Priority Area congregations (40 congregations compared to 25 in 2016). There has also been a concerted effort to engage with those who experience rural poverty. Rural congregations have also been alerted to events offered through the Priority Areas Learning Academy, and Priority Areas has engaged with the Rural Churches Working Group of the Mission and Discipleship Council.

**3.1.3** The Youth Action Volunteer (YAV) Scheme in partnership with the Presbyterian Church USA continues to play a significant part in the work within Priority Areas. The scheme runs from August-July each year and in 2016-17 there were four volunteers, with a new team of four starting in August 2017, who will continue until July 2018. The team share accommodation but each volunteer is assigned to a different parish. There are ongoing discussions about how this scheme might be further developed in the coming years.

**3.1.4** The delivery of Priority Areas work involves close working with some partners whose early beginnings were in the Ministries Council and which have subsequently grown into being separately constituted organisations. These early origins and the inter-connectedness of the shared commitment to address poverty means these partners have an important role to play in the delivery of the current five-year plan for Priority Areas. The three partners which continue to receive funding from Ministries Council and which are related to Priority Areas are: Faith in Community Scotland; WEvolution; and theGKexperience. (See sections 3.6.2; 3.6.3; and 3.6.4).

#### **3.2 Recruitment and Discernment Processes [[www.churchofscotland.org.uk/serve/ministries\\_council/education\\_and\\_support](http://www.churchofscotland.org.uk/serve/ministries_council/education_and_support)]**

**3.2.1** The Council continues to recruit actively for all forms of ministry and is encouraged by the level of commitment and integrity of those who explore their calling. At the heart of the recruitment to ministry is the local nurturing of those who sense a call to serve the Church in a new way. The Council greatly appreciates the encouragement that begins in local congregations and Presbyteries which nurtures early calling, and all the individuals who play a key role in this. The

Council is also aware that many of its processes of vocational guidance, discernment and selection rely heavily on the willingness of individuals in the Church to train and give of their time to these roles.

**3.2.2** As part of the Decade for Ministry, the Council continues to resource the Tomorrow's Calling programme ([www.tomorrowcalling.org](http://www.tomorrowcalling.org)) which provides a window into ministry in the Church today. Contributions to the monthly "My Ministry" profiles provide an insight into the diversity of how people serve in ministry through personal stories of call and encounter. The website offers key information on exploring a vocation, details of upcoming Vocations Information Days, answers to frequently asked questions, and a means of contacting Vocations Champions and Council staff for further advice and support. This initiative will be further informed by the developing Recruitment Strategy. The Council encourages the use of the website and the Tomorrow's Calling publication, part of the Learn series, as a resource for Ministers, congregational leaders and anyone considering a vocation within the Church. The book can be purchased via the St Andrew Press website, <https://standrewpress.hymnsam.co.uk>.

**3.2.3** The Council is looking to build on the early work of Vocations Champions and develop a wider geographical Network of vocational guidance and support. The Network will identify people in each Presbytery or region who can act as a direct point of contact for those exploring the early stages of a call. In due course, the Network will be accessible through the Tomorrow's Calling website, offering the opportunity to engage in conversation prior to any formal process of Discernment. Those offering their services as part of the Network will be provided with relevant and up-to-date materials to resource vocational guidance.

**3.2.4** The Vocations Information Day remains the formal point of entry to the assessment and selection processes for all forms of ministry (formerly an overnight Vocations Conference). The Information Day also provides an opportunity to reflect personally and ask one-to-one questions in the company of others who are similarly exploring their call. The Council intends to keep the structure of the day under review to best facilitate reflection and information sharing. The expansion of the Vocations Network will also allow the opportunity for reflection before applying to enter a Period of Discernment.

**3.2.5** The Volunteering Vocations programme has been running for 3 years now and whilst this has proved beneficial for those who have participated in the programme, this is not proving to be sustainable in its current form over the longer term. Nevertheless, the Council wants to look at how volunteering opportunities might be explored as an integral component to the Recruitment Strategy which will be developed for 2020-2025.

**3.2.6** Further to the report to the General Assembly of 2017 the Council brings proposals to the General Assembly to amend Act X 2004 on Selection and Training for Full-time Ministry (**Appendix 3**), Act IX 2011 on Ordained Local Ministry (**Appendix 4**), and Act XVII 1992 on the Readership (**Appendix 5**) to include deadlines for applications in the process. This is in order to provide greater clarity about when Local Review and National Assessment Conferences will be held, as well as helping individuals plan for future study.

**3.2.7** The Council provides information to applicants throughout the discernment and assessment processes. Packs have been recently enhanced to provide more information, based on participant feedback. These resources are kept under review and updated to reflect any changes in the process.

**3.2.8** Table 1 below provides the normal statistics reported annually for the Discernment and Recruitment processes but these have been reworked this year in an effort to offer a clearer representation of trends over four years (since 2014). The year date at the top of each column refers to the statistics for the academic year which began in that calendar year.

**Table 1: Discernment Scheme Statistics: 2014 – 2017**

	2014			2015			2016			2017		
	M	F	Total	M	F	Total	M	F	Total	M	F	Total
<b>Section One: Discernment Process – total number and progress of participants</b>												
Applicants for Ministry (all types)	43	26	69	23	27	50	30	29	59	40	38	78
Entered Local Assessment	36	22	58	29	27	56	27	26	53	29	29	58
Chose to Withdraw (locally)	8	4	12	2	2	4	3	3	6	8	6	14
Completed Local Assessment	27	17	46	31	22	53	24	23	47	21	23	44
Attended Assessment Conference	19	19	<b>38</b>	14	11	<b>25</b>	18	19	<b>37</b>	11	18	<b>29</b>
<b>Section Two: Applications for ministry</b>												
FTMWAS	13	8	21	9	7	16	12	13	25	8	12	20
OLM	6	10	16	4	3	7	6	6	12	3	5	8
Diaconal	0	1	1	1	0	1	0	0	0	0	1	1
Readership	7	1	8	8	5	13	8	3	11	6	2	8
<b>Total applications for ministry</b>			<b>46</b>			<b>37</b>			<b>48</b>			<b>37</b>
<b>Section Three: Number of applications accepted</b>												
FTMWAS	9	5	14	9	4	13	7	8	15	5	8	13
OLM	4	6	10	2	3	5	4	4	8	1	4	5
Diaconal	0	1	1	1	0	1	0	0	0	0	1	1
Readership	6	1	7	6	5	11	6	3	9	6	2	8
<b>Total applications accepted</b>			<b>32</b>			<b>30</b>			<b>32</b>			<b>27</b>
First Time Applicants*	33	17	50	27	16	43	25	23	48	13	11	24
Accepted	13	8	21	12	6	18	11	12	23	6	11	17
Returning Applicants	3	5	8	0	2	2	2	3	5	1	4	5
Accepted	0	4	4	0	1	1	0	0	0	0	2	2

M = Male; F = Female; FTMWAS = Full Time Minister of Word and Sacrament; OLM = Ordained Local Minister; \*Note that the lowest four lines in the table do not include the figures for Readers.

### **3.2.9 Admission and Re-admission**

**3.2.9.1** To allow ministers from other denominations to serve the Church more fully, the Council seeks to alter the current Admissions process, as indicated below, through amending Act IX 2002 (**Appendix 6**).

**3.2.9.2** Currently Admissions applicants can be granted either a Full or Conditional Certificate of Eligibility to practice in the Church of Scotland. A Conditional Certificate is issued if any of the following apply: a) the length of service in the originating denomination has been under five years; b) there is a desire by the applicant to retain status in the originating denomination; or c) the circumstances do not allow for induction to a charge or a seat in Presbytery.

**3.2.9.3** The Council seeks to amend the Act to allow for the granting of a Full or Temporary Certificate of Eligibility with the latter allowing a minister to be inducted into a charge for up to three years (extendable by three years to a total of six years) and having full membership of Presbytery. Appropriate support and training would be determined through the Admissions assessment and by the Recruitment Task Group.

**3.2.9.4** Those holding a Temporary Certificate would be able to apply for a Full Certificate by attending an Admissions Panel during the initial three or six year period (as applicable), and would be entered on the Register of Ministers as category 'T'.

### **3.2.10 Certificates of Eligibility**

**3.2.10.1** There have been 7 admissions, 2 re-admissions and 2 conditional certificates issued since General Assembly 2017. Those who have been admitted have received a Certificate of Eligibility and will be entered into the Register of Ministers as Category O on induction to a charge.

**3.2.10.2** This year it has been decided not to print the names of those who have entered ministry through the Admissions and Re-admissions process in the report to General Assembly. The main reasons for this decision are a) in the interests of data protection, and b) those admitted through this process will be entered into the Register of Ministers where record of their eligibility will be held.

### **3.3 Ministerial Education and Training**

**3.3.1** The Council delivers Initial Ministerial Education (IME) for all those preparing for one of the recognised ministries of the Church. For Readers, their initial training is undertaken on a part-time basis and this is done through a mixture of residential weekends, academic studies and placements. For Ordained Local Ministry (OLM) candidates the training is done on a part-time basis through residential conferences and placements and they undertake studies through one of the five academic providers. For those training to be Parish Ministers or Deacons, the training is done on a full-time basis with residential conferences, placements (supervised and co-ordinated by Ministries Council) and either on-campus or distance learning provision through one of the five academic providers. Probationers are those who have completed their studies and who are engaged in a fifteen-month placement prior to being eligible to apply for a parish.

**3.3.2** Candidature for all except Readers is normally between 2-4 years, depending on the study requirements expected of them. In the academic year 2017-18 the total number of candidates in training is 53. The number of probationers in training for FTMWAS (Full-time Ministry of Word and Sacrament) who will complete in 2018 is 13 and the number of probationers in training for OLM is 5.

**3.3.3** Delivering the current Initial Ministerial Education (IME) programme over the last year in terms of personnel has involved 70 Placement Supervisors and 7 Ministry Training Network Facilitators. The Council has provided 8 National Conferences. The programme has also required suitably trained volunteers resourcing more than 70 interim and annual reviews.

**Table 2: Candidates and Probationers 2017-18**

<b>Section One: Candidates who started training in August 2017</b>	
FTMWAS	15 (5M;10F)
OLM	5 (1M; 4F)
Diaconal	1 (F)
<b>Total across all categories</b>	<b>21 (6M; 15F)</b>
<b>Section Two: Candidates accepted for August 2017 but who have deferred entry</b>	
FTMWAS	2
<b>Deferred Training Total</b>	<b>2</b>
<b>Section Three: Candidates across all years prior to Probation as at August 2017</b>	
FTMWAS ( <i>including transfers from one category of candidacy to another</i> )	39 (20M; 19F)
OLM	12 (5M;7F)
Diaconal	2 (1M;1F)
<b>Total across all categories</b>	<b>53 (26M; 27F)</b>
<b>Section Four: FTMWAS Candidates studying at recognised providers 2017-18</b>	
Glasgow campus based	9
Edinburgh campus based	10
Aberdeen campus based	1
Aberdeen distance learning	2
St Andrews campus based	3
Highland Theological College campus based	2
Highland Theological College distance learning	12
<b>Total</b>	<b>39</b>
<b>Section Five: OLM Candidates studying at recognised providers 2017-18</b>	
Aberdeen	6
Highland Theological College	6
<b>Total</b>	<b>12</b>

<b>Section Six: Diaconal Candidates studying at recognised providers 2017-18</b>	
Glasgow campus based	1
Aberdeen distance learning	1
<b>Total</b>	<b>2</b>
<b>Section Seven: Number of Probationers completing training in 2017</b>	
FTMWAS:	19 (11M;8F)
OLM	8 (5M;3F)
Diaconal	0
<b>Section Eight: Readers</b>	
Readers in Training in 2017	26
Readers set apart in 2017	8

*M = Male; F = Female; FTMWAS = Full-time Minister of Word and Sacrament; OLM = Ordained Local Minister*

**3.3.4** Training and formation for candidates begins in August each year with the Induction Conference. In 2017 the main themes of the conference were introducing participants to reflective practice and safeguarding training. This conference is the first opportunity for candidates to build relationships with their peers in training.

**3.3.5** In 2017 a total of 27 probationers passed their final reviews, comprising of 19 FTMWAS and 8 OLMs. A further 16 entered probation for 2017-18.

**3.3.6** There is an increasing challenge to find a broad geographical spread of placements for candidates and probationers. This is due in part to the decreasing number of ministers and the availability of trained placement supervisors in different regions. The Council is aware of the increasing number of responsibilities that Parish Ministers are being required to absorb, yet the current IME programme places a high level of commitment on all those ministers who support the delivery of the programme in one capacity or another. These challenges form a part of the major review of IME.

**3.3.7** In September 2018 Rev Prof David Fergusson will be stepping down as Principal of New College, Edinburgh. The Senate has proposed that Rev Prof Susan Hardman Moore be appointed as his successor and General Assembly is invited to support this appointment. Prof Ferguson will be continuing in

his role as Professor of Systematic Theology and will continue to work with candidates in the IME programme. The Council expresses its appreciation for Prof Fergusson's contribution in the role as Principal over the last ten years and the incredible contribution he has made to parishes up and down the country through his commitment to ministerial education. The Council supports the appointment of Rev Prof Susan Hardman Moore.

### **3.4 Support and Development for Ministers**

The Council's centre for support and development – Ascend – continues to develop a range of core services for those in ministry. Initially this programme was deployed for Parish Ministers, and the Council continues to work towards the extension of relevant services to OLMs, Auxiliary Ministers, Deacons, Readers and Ministries Development Staff (MDS). The online portal ([www.churchofscotland.org.uk/ascend](http://www.churchofscotland.org.uk/ascend)) has information on the services and support which are available. This section outlines the forms of support available through Ascend.

**3.4.1** The Ministerial Development Conversation (MDC) offers a confidential and reflective conversation with a trained facilitator. More than 80 people participated in an MDC in 2017. Feedback from these participants tells us that the MDC has had a very positive developmental impact for them. The confidential conversation provides a space for

those in ministry to reflect and explore their ministry, their ongoing sense of calling, strengths, interests, and more. It provides a place to be heard, and to make plans for the next phase of ministry. The Council will undertake sample feedback to report on impact of this service.

**3.4.2** Pastoral supervision offers an intentional space in which a skilled supervisor meets with one or more ministers on a regular basis to look together at the actual practice of ministry. It is a relationship characterised by trust, confidentiality, support and openness that offers freedom and safety to explore issues which arise directly from ministry. In the coming year, through Ascend it is hoped to extend the provision of pastoral supervision and this will be reviewed regularly to ensure best service is delivered.

**3.4.3** In 2007, the Council set out to develop a Coaching Programme for ministers working in the Church's Priority Areas. Initially fourteen ministers entered the programme and embarked on training as coaches. Coaching continues to benefit many ministers and the Council is pleased to report that it plans to extend coaching provision through partnership with a training provider to increase the number of trained and qualified coaches.

**3.4.4** Following the 2016 First Five Years in Ministry consultation the Council has worked on the improvement of its provision in order to better meet the needs of those in the earliest stages of their ministry. A conference was offered for those in their first 2-5 years of ministry and a retreat for those recently ordained was also provided. Further developments for 2018 will include hosting a conference and three retreats for all ministers in their first five years of ministry.

**3.4.5** In 2018 the Council will make available funding for those in the first five years to further their learning and development. This can be accessed through the MDC programme (which helps in the process of identifying learning needs) and funds can be claimed online at [www.churchofscotland.org.uk/ascend](http://www.churchofscotland.org.uk/ascend).

**3.4.6** In 2017 the Council launched the Postgraduate Fund through Ascend. This has allowed for dormant restricted funds to be released to support those in ministry who would wish to undertake part-time postgraduate study. In 2017 there were 7 awards for courses including doctoral studies in practical theology, Gaelic studies, pastoral supervision, and

systematic theology. For more information about the fund and to submit an application visit the Ascend website.

**3.4.7** The Study Leave Scheme continues and is now hosted by Ascend online in order to streamline processes. The Council plans to continue to develop the scheme to ensure that it is responding to the needs identified by ministers whilst at the same time making sure provision moves to a more sustainable position. In 2017 more than £75k was awarded for study leave.

**3.4.8** The Ascend magazine is a communication tool which helps to keep ministers informed about the different opportunities that are available. The pilot run of four editions continues to go well and the Council is working with the Communications Department to provide the best quality and value of service.

**3.4.9** In 2017 the General Assembly instructed the Council "to consider what further steps they might take to promote and to ensure the highest standards of preaching in the Church of Scotland". The Council was delighted in 2018 to host the *Preaching Today* Conference in partnership with New College. Plans are already underway for a similar conference in 2019.

**3.4.10** The Council has been encouraged by the response rate to the ongoing Resilience Research Project and the level of engagement of those who have participated. The Council continues to work with Professor Leslie Francis to consolidate the research and its implications for the wider, long-term work of Ascend.

**3.4.11** The Council hosted a conference in November 2017 for chaplains at which there were 21 participants. The theme for the conference was "Chaplaincy for Today...and Tomorrow" and the keynote speaker was Rev Sarah Ross.

### **3.5 Partnership Development**

**3.5.1** Partnership working is essential for the Council to deliver its responsibilities to the wider Church. It is through partnership working that it is possible to provide a range of services which otherwise could not be offered within existing staffing and budgetary constraints. Working with Presbyteries in planning for the future is crucial to the task of planning for ways in which ministry can be provided at a time when resources (both in terms of people and finance) are reducing (see sections 3.5.2 to 3.5.5). Some partner projects are within



the Church's own structures and function as key projects for the Church as a whole: *Go For It*; Path of Renewal; and Fresh Expressions. Others are external to the Church but so closely related in purpose that they broaden the scope of what can be offered through maintaining a partnership relationship: Place for Hope; Work Place Chaplaincy Scotland; Faith in Community Scotland, theGKexperience; and WEvolution (these last three are managed through the work of the Council's Priority Areas committee). The Council continues to develop all of these partnerships and this section outlines this work. (See sections 3.5.6 to 3.6.5).

### Partnership with Presbyteries/Presbytery Planning

**3.5.2** The General Assembly of 2017 instructed Presbyteries to "work with the Ministries Council in developing a planning framework which supports and enables a locally-focused missional approach, taking into account: the statistical trends of availability of ministers; the viability of congregations over the next five years, and acknowledging that further radical downward adjustment is not necessarily the appropriate response".

**3.5.2.1** The Council is working to assist Presbyteries in their planning for the future by enabling a supportive and visionary process, rather than as an exercise where something is done to Presbyteries and congregations. By presenting advisory numbers, the approach is about ensuring a balance of congregations in the Church. There are new and existing congregations which are growing in one or more of the three dimensions of worship, community or discipleship. There are also congregations who remain faithful and vital in terms of church life, but for whom an unrealistic pressure to grow their membership may be unhelpful. For some, the difficult realisation that resources have dropped below a sustainable level is something with which it is hard to come to terms. Nevertheless, through partnership working between Presbyteries, the Council, and congregations themselves there could be some positive planning which means these congregations are relieved of the usual full range of responsibilities currently placed on congregations.

**3.5.2.2** The Council met with Presbyteries in the conference which it co-hosted with the Council of Assembly in November 2017, and a further day conference had been scheduled to take place on 18th January but was cancelled because of inclement weather. A new date is planned for 8<sup>th</sup> March 2018, at Letham St Mark's Church in Perth, specifically to look at Presbytery Planning in the current context of ministry. At the time of

writing, all 44 UK based Presbyteries had registered at least one delegate each for the March conference, and Council is happy to report that a number of Presbyteries asked to send additional delegates. The Council has also continued to work closely with the General Trustees, and shares the goal, expressed in the Council of Assembly's proposed Strategic Plan, for well-equipped spaces in the right places.

**3.5.2.3 Appendix 7** indicates projected data of available ministers of word and sacrament, and a fuller document with the methodology deployed to arrive at these figures can be found on the General Assembly pages on the Church website ([www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2018](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2018)). The Council is grateful for the work done by Mr David Stewart and Rev Dr Fiona Tweedie in collating this information on statistical trends.

**3.5.2.4** There are factors underlying these statistics which need to be considered at a deeper level because the ways in which we deploy our ministers and Ministries Development Staff (MDS) is a pastoral and theological statement about what we believe the Church is, and what the Church is for, as it seeks to exercise its God-given mission. The best estimate is that in 2023 the number of ministers available to serve as parish ministers (ie, FTMWS), will be in the region of 20% lower than is currently the case. The Council reiterates the view in the deliverance from last year seeking a similar radical downward adjustment of 20% is not what the Church needs. Accordingly, the numbers in Appendix 7 are offered as advisory numbers only, for Presbyteries to recognise and work with.

**3.5.2.5 Appendix 7** refers exclusively to parish ministers and further work is required on numbers of Ministries Development Staff. The Council is committed to engaging with Presbyteries in exploring why just under one-third of MDS posts remain unfilled. This is of particular interest in situations where, five years after agreement to fund a post, there is still no job description drawn up. The Council's report to the General Assembly of 2019 will also address questions of affordability beyond the existing establishment figure of MDS staff, alongside posts for which recruitment processes are currently in process. The Council is committed to ensuring that the existing level of funding for MDS will be maintained and encourages Presbyteries to plan for these posts in a creative way.

**3.5.2.6** The Council recognises the reality that in some Presbyteries, more than one-third of the charges have no minister. This places a burden on ministers and elders alike. A reducing number of ministers means the number of vacancies will rise and the length of vacancies will increase. Almost one in four congregations are without an inducted minister. Some Presbyteries may choose simply to implement a 20% reduction whilst for others, additional contextual issues may require a different approach. What is clear is that Hub-style ministry (see section 1.3.10), is a possible model for responding to a shortage of ministers. In other contexts, it may be appropriate to develop the use of locally trained worship teams. For others, a Fresh Expression of Church or Pioneer Ministry approach, whether lay or ordained, may be the way forward.

**3.5.2.7** A challenging planning round cannot be avoided, although different Presbyteries may wish to take different approaches within the broad and flexible parameters of the Appraisal and Adjustment Act (Act VII, 2003, as amended) and the planning principles in Schedule 1 to the Act.

**3.5.2.8** Section 3(3) of the Act states: 'Concurrence shall require to be obtained from the Assembly's Committee every five years, or whenever the Presbytery alters the plan in such a way as to increase the staff complement or other resources allocated to any charge.' The Ministries Council is aware that not all Presbyteries have carried out an annual review of their Presbytery Plan and, in the interest of planning for the provision of ministry into the future, asks the General Assembly to instruct all Presbyteries to seek concurrence with their current plans from the Presbytery Planning Task Group by 31st December 2018 at the latest.

**3.5.2.9** Presbyteries are reminded that where a Basis of Adjustment is being proposed or changed, it is necessary to allow sufficient time in the planning cycle for meaningful consultation with the Presbytery Planning Task Group (usually 6 weeks). In situations where sufficient time has not been allowed for consultation with the Presbytery Planning Task Group, this might result in the sisting of a plan.

**3.5.2.10** A table of unions, linkages, and other readjustments can be found on the General Assembly pages on the Church website ([www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2018](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2018)).

## **3.5.3 Eligibility of Interim Moderators applying for Vacancies**

**3.5.3.1** The General Assembly of 2017 instructed the Council, "in consultation with the Legal Questions Committee, to reconsider whether all previous Interim Moderators in a vacancy should be barred from applying for that vacancy in the light of so many long-term vacancies and current practice and report to the General Assembly of 2018".

**3.5.3.2** Section 6 (2) of the Vacancy Procedure Act (Act VIII 2003) disqualifies the Interim Moderator from becoming an applicant, or accepting an invitation to be considered in the current vacancy. This wording dates from the General Assembly of 2011, and section 9 of the 2011 report of the Legal Questions Committee reiterates the intention from the original wording of the Act, from 2003, that an Interim Moderator should not be considered as applicants. The argument flows from the potential conflicts of interest given that Interim Moderator has influence over the crafting of the parish profile, knowledge of the other applicants and a potential platform on which to exercise influence. It was this practical role, rather than any relationship formed with the congregation, that was held to be the reason for disbaring an application from an Interim Moderator.

**3.5.3.3** Implicit in the deliverance to the 2017 Assembly is the suggestion that the number of long-term vacancies might justify some relaxation of this prohibition. Arguments in favour of relaxation could include, among others, the following grounds:

- a) That, given the length of current vacancies, and the lack of applicants for certain charges, excluding applications from previous Interim Moderators, however justifiable in theory, might seem disproportionate set against the need to fill a vacancy.
- b) That, given the length of current vacancies, and the possibility of several Interim Moderators serving in a parish over the period of a vacancy, the length of time between the replacement of an Interim Moderator and he or she being an applicant for the charge could be considerable, and thus the justification for the prohibition could, in some cases, be reduced.

- c) That, in cases where a lengthy period has elapsed after the vacancy has arisen, but before any leave to call has been granted, an early Interim Moderator may have had no involvement with the drafting of the profile, the election or operation of a Nominating Committee, or any of the new responsibilities which gave concerns in the drafting of the 2003 Act. Thus, the justification for excluding individuals who had not exercised these roles may be questioned in its entirety.

**3.5.3.4** Representatives of the Legal Questions Committee and the Ministries Council have met and have considered this issue, and the Council agreed to recommend a limited relaxation, where one of two conditions are satisfied. The first of these relates to a lengthy period of vacancy, where an Interim Moderator may have served in that role, but relinquished it. After two years had passed following relinquishing the role, it was considered that it could be appropriate for a former Interim Moderator to be permitted to apply.

**3.5.3.5** The second condition - not contingent on the first - would be in circumstances where the person had sought to be discharged as Interim Moderator ahead of permission to call being given, and where he or she had neither been involved in the design of the parish profile, nor been in possession of knowledge of other applicants.

**3.5.3.6** Accordingly, proposals to amend the Vacancy Procedure Act (Act VIII 2003) in these terms are set out in **Appendix 8**.

### **3.5.4 The Diaconate**

The Church of Scotland Diaconate Council met on two occasions since last year's General Assembly. The residential meeting of Diaconate Council took place on the campus of Queen Margaret University at Musselburgh, as a trial ahead of the Silver Jubilee Diaconia Region Africa and Europe (DRAE) Assembly which will take place from 19<sup>th</sup> to 24<sup>th</sup> June 2019 on the same site. The January meeting of Diaconate Council took place at Livingston Old Parish's St Andrew's Deans campus (in the snow), and the Executive Committee of DRAE joined the gathering following their orientation visit to Queen Margaret University in preparation for the Assembly. Council was also pleased to welcome Neil Glover, and Eleanor McMahon, Convener of the Ministries Council, and Vice-Convener for Education and Support respectively, to the same meeting, and

hear an inspiring vision for the role of Deacons in the Ministry of the Church.

**3.5.4.1** The Diaconate Council also heard from the four delegates who had been part of the World Diakonia Conference in Chicago in July 2017; Marion Stewart as President was accompanied by Jim and Karen Hamilton and Ann Merrilees.

**3.5.4.2** As indicated above, nine members of the Executive Committee of DRAE were in attendance and offered some insights about what the DRAE Assembly will be like, with over 200 participants expected, from 20 countries across Africa and Europe. The theme for the 2019 Assembly is taken from Esther 4.14; 'For such a time as this.'

**3.5.4.3** Gordon Pennykid, Deacon at Livingston Old, is the UK representative on the Executive Committee. The Diaconate Council is pleased to report to the General Assembly that he has also been appointed as secretary of the Executive Committee, and will have a crucial role in organising the Assembly.

**3.5.4.4** Last year's report on Diaconate Council paid tribute to Janie Martin's work as Honorary Secretary of Diaconate Council, and this year Council would like to acknowledge the work of Catherine Wallace, her successor. Catherine combines her work in a counselling practice in Perth with her role as honorary secretary, and her diligence and friendly relational approach are much valued by her fellow Deacons and many others.

**3.5.4.5** At the time of writing, preparations are underway for Pat Munro to visit Zambia as a Faithshare Partner, for two months, working in Lusaka and also in Kitwe Training Centre. The Diaconate Council is grateful to the World Mission Council for its support of this expression of our unity as part of the World Church. It is appropriate to conclude this report with some words from Gordon Pennykid: "DRAE offers us the chance to find out what other diaconal groups in this ecumenical partnership are doing, what their underpinning theology is and the opportunity to worship and share fellowship with others who work diaconally."

### **3.5.5 Pioneer Ministries**

In 2015 it was agreed to embark on a five-year pilot project on Pioneer Ministry. The Pioneer Ministers appointed to the project are ministering in situations where their ministry is

not necessarily linked to a particular parish. Their brief may be presbytery-wide, or to a particular constituency such as university students. The Council is aware that some Presbyteries have separately made some Pioneer Ministry appointments. Through the Panel on Review and Reform, the Mission and Discipleship Council and the Ministries Council, Dr Sandy Forsyth from Glasgow University is researching Pioneering expressions of Church in Scotland, and is including these Pioneer Ministries in his work.

**3.5.5.1** The Council is delighted to report that all five Pioneer Ministers in the Pioneer Ministry Pilot have now been recruited. These are:

Glasgow: Pioneer Minister to the Visual Arts Community: Peter Gardner (October 2016)

Lothian: Hopefield Connections: Elisabeth Spence (December 2016)

Stirling: Pioneer Minister with students and staff: Dr Janet Foggie (December 2016)

Greenock and Paisley: Pioneer Minister Paisley North: Stuart Davidson (August 2017)

Ayr: Pioneer Minister to the Farming Community: Christopher Blackshaw (September 2017)

**3.5.5.2** Each Pioneer Minister brings considerable experience to the role and a creativity that allows them to reimagine ministry in very different contexts. Each is engaged imaginatively in building relationships in the communities to which they have been called and in exploring what an ecclesial community might look like in that place.

**3.5.5.3** The Pioneer Ministers meet together regularly, reflecting theologically on their role and, from time to time, liaise with other Pioneer Ministers for support and education. Each has identified and accessed appropriate training for their particular setting and continues to network with those engaged in similar work.

### **3.5.6 Go For It: Funding Change in Church and Community [www.churchofscotland.org.uk/serve/go\_for\_it]**

*Go For It* is the grant-making fund (founded in 2012) within the Ministries Council designed to encourage creative ways of working which develop the life and mission of the local church. The Committee has 18 members, drawn from across the country – a mix of Ministries Council appointees, co-

opted members, as well as representatives from the Mission and Discipleship and Church and Society Councils.

**3.5.6.1** Over its lifetime the *Go For It* Fund has allocated over £5.2 million to projects across Scotland and England. An annual breakdown can be found on the website. In 2017 *Go For It* also gave £10,000 as match funding towards a Participatory Budgeting project part-funded by the Scottish Government. Participatory Budgeting is a way for local people to have a direct say in how, and where, public funds can be used to address local needs and this project looks at the contribution the Church can make in this area.

#### **3.5.6.2 Go For It Fund Statistical Evaluation Findings**

In 2017 *Go For It* marked its 5<sup>th</sup> anniversary and time was taken to look back at what has been achieved and to commission further statistical analysis of the work funded to date. The Rev Dr Fiona Tweedie, Mission Statistics Coordinator, was commissioned to carry out this work. The headline findings from Dr Tweedie's analysis are as follows:

- Congregations that receive/have received *Go For It* funding “are on average younger, welcome more new Christians and have more young people in worship than other Church of Scotland congregations” (whether this is effect rather than cause, is yet to be established).
- Between January 2012 and December 2016 congregations with *Go For It* grants average more than double the proportions of faith of other congregations – and those who identify with the *Go For It* criterion of forming new ecclesial communities average 2.6 times the average of other congregations.
- Congregations with *Go For It* grants are on average four years younger than non-*Go For It* congregations.
- Congregations in receipt of *Go For It* grants for youth work have over 33% more children (under 16s) attending than other congregations.

#### **3.5.6.3 Go For It Fund Reaching the Most Deprived in the Community**

The General Assembly had instructed that preference should be given to funding projects for the most deprived in society. Table 3 below illustrates the distribution of projects receiving a *Go For It* grant by deprivation level of the associated parish (as of mid-2017). 60 of the projects (26%) are in the areas with most deprivation, while 28 (12%) are in the least deprived

10% of parishes. The SIMD values are a parish average based on the 2014 Scottish Index of Multiple Deprivation (SIMD). This data is presented graphically on the General Assembly pages on the Church website

([www.churchofscotland.org.uk/about\\_us/general\\_assembly/general\\_assembly\\_2018](http://www.churchofscotland.org.uk/about_us/general_assembly/general_assembly_2018)).

**Table 3: Number of *Go For It*-Funded Projects and Percentage of Funding by SIMD Decile**

SIMD decile	Number of Projects	Percentage of Projects	Amount of funding (£)	Percentage of funding
<b>1 (least deprivation)</b>	28	11.9	501,131	10.6
<b>2</b>	13	5.5	229,827	4.8
<b>3</b>	12	5.1	240,964	5.1
<b>4</b>	17	7.2	369,255	7.8
<b>5</b>	12	5.1	161,175	3.4
<b>6</b>	26	11.1	427,737	9.0
<b>7</b>	20	8.5	364,597	7.7
<b>8</b>	28	11.9	421,964	8.9
<b>9</b>	19	8.1	425,123	9.0
<b>10 (most deprivation)</b>	60	22.5	1,606,770	33.8
	<b>235</b>		<b>4,748,543</b>	

**3.5.6.4 Recognition of the Work Done by *Go For It*-Funded Projects**

Projects funded by *Go For It* continue to transform people’s lives and the work being done is now recognised nationally:

- Cranhill Development Trust (CDT) is a community owned and led organisation that delivers services in the local area. The report by HM Inspectors on the work of CDT stated that: “The Trust has a positive life changing, and for some lifesaving, impact on local people.” It goes on to say: “Many participants have an improved sense of purpose, of being part of and in many cases contributing to their community. This increases their self-esteem and wellbeing. Participation reduces isolation, anxiety and for some depression.”
- Two members of staff at Arran Youth Foundations received top honours at the National Youth Worker of the Year Awards 2017: Graeme Johnston Full Time Youth Worker of the Year and Hollie Watkins Part Time Youth Worker of the Year.
- Of course, the main test of the success of a project is how it is viewed by the project participants themselves. St Rollox Parish Church in Glasgow, as part of a wider project, provides English classes for people from a wide range of countries including Iraq, China, Morocco and Kosovo, helping them to establish new lives. Here are two comments from attendees: “The project helps to improve my confidence in speaking in English and in speaking to others. It helps me to meet new people and make friends” and: “Being able to come along to the English class improves my chances of being able to get into College. It also helps me to understand Scottish culture.”

### 3.5.6.5 Go For It Training Workshops

*Go For It* continues to develop a range of workshops and events to maximise the impact of its funding. In 2017, *Go For It* ran 20 events attracting over 350 delegates. Evaluation showed that the training consistently met the needs of the participants, scoring 99% and over in meeting planned outcomes. In addition, *Go For It* promoted the fund at a number of different gatherings and events hosted by other departments, Presbyteries, other groups both internal and external to the Church including and at the Scottish Parliament building.

### 3.5.6.6 Go For It Regulations

The Council is aware that the *Go For It* Regulations (Regulations 4, 2012) were written at the time when the success of the *Go For It* Fund was by no means assured; over five years of operation have convinced the Council of the value of *Go For It*. While future plans and conversations will take place between now and the General Assembly of 2019, with a report on *Go For It* coming to next year's General Assembly, the existing regulations require amendment to ensure the Fund's continuing operation. With this in mind, it is proposed that the span of time defined in the regulations be extended beyond 2017 to enable the fund to function to the end of 2019. The deletion of the clause relating to reporting to the General Assembly in 2016 is also proposed; this evaluation took place, and continuing evaluation of *Go For It* takes place on a regular basis (**Appendix 9**).

### 3.5.6.7 Developing into the Future

The Council and the *Go For It* Fund Committee continue to work on how *Go For It* can best contribute towards a vibrant, growing ministry of the Church. The *Go For It* Fund Committee hopes that each congregation will be inspired to develop its own local ideas. The *Go For It* Fund is here to help these ideas become reality.

### 3.5.7 Path of Renewal

**3.5.7.1** At the General Assembly of 2017 the Council was instructed '*...in partnership with the Panel on Review and Reform, to initiate an evaluation with a view to making recommendations on the future of this programme and to report back to the General Assembly of 2018.*' This evaluation has been carried out and its findings very much support the continuation of Path of Renewal, and encourage the movement to develop its support network to allow it to grow organically as part of the wider church. This is not the only

programme within the Church which is nurturing a momentum towards growth, but some of its distinctive characteristics are the level of resourcing and support combined with a locally directed approach to mission. The project generates an atmosphere of change, emphasising a missional model of leadership. It has been shown to have a positive morale boosting effect, especially for ministers who have reported feeling hard pressed.

**3.5.7.2** Path of Renewal takes a long-term approach and requires ministers and congregations to work with open-mindedness to emerging situations and learning opportunities. Local congregations are provided with a framework which enables them to engage with mission and discipleship without external direction for their course of action. The fact that it is a long-term approach means that time and space is given for learning, development, peer group sharing, and the shaping of a locally determined vision and mission. The fact that there are no blueprints is positive for those who are 'explorers' or 'risk-takers', but may feel more problematic for those who prefer a more programmed approach with fixed outcomes.

**3.5.7.3** The Council will be supporting further development of Path of Renewal through full integration into its work with input from Mission and Discipleship Council, allowing its progression to continue as a mainstream piece of work. Funding for Path of Renewal at current levels will continue to the end of 2020 by which time a further review will have taken place.

### 3.5.8 Fresh Expressions and Joint Emerging Church Group

The Mission and Discipleship Council and the Ministries Council are the key partners in both Fresh Expressions and the Joint Emerging Church Group (JECG). Recently the Panel on Review and Reform has also been involved in the work of the JECG. A summary of the work in 2017/2018 of the both Fresh Expressions and the Joint Emerging Church Group can be found in the Report of the Mission and Discipleship Council to the General Assembly.

### 3.5.9 Deaf Ministries

The Council continues to support initiatives that will lead to sustainable, culturally-appropriate ministry for those who use British Sign Language (BSL) as their first or preferred language. This has included:



- Supporting the organisation and leadership of a Deaf-led Women's Conference
- Leading regular Signed Singing Workshops
- Working with the Safeguarding Service to fund and resource a project to produce safeguarding information in BSL
- Participating in the work of the Manchester-based BSL Bible Translation team
- Attending the World Presbyterian Deaf Mission Conference
- Developing the active link between the Deaf congregations in Scotland and the Deaf Church in Mombassa, Kenya.

**3.5.9.1** There has also been support and advice for those who use English as their first language, and who consider deafness to be a disability:

- Providing awareness training to OLMs and Readers
- Participating in the work of the steering group for the Scottish Churches Disability Group (SCDG)
- Working with the Very Rev Dr Angus Morrison and Mr Tom Sutcliffe on Theologies of Disability
- Continuing to support and advise initiatives such as the speech to text online Sunday services provided by Dalziel St Andrew's, Motherwell.

**3.5.9.2** The Church of Scotland's three Deaf congregations (Albany Deaf Church, Edinburgh; John Ross Memorial Church, Glasgow; St John's Church for Deaf People, Aberdeen) continue to keep their cultural identity, but at the same time are all moving towards working more collaboratively within the Presbytery system. For example, Albany Deaf Church and St Andrew's and St George's West in Edinburgh now run a regular bilingual Messy Church, with Deaf and Hearing helpers and leaders.

### 3.6 Partnership Agreements

There are several partnership organisations for which the Council provides funding support because their aims are consistent with the work of the Council and they are positioned well to address some issues which current capacity within the Council is unable to meet. The Council appreciates these partnerships for the ways in which they enhance the

work of the Council and the resources made available to presbyteries and local congregations as a result

#### 3.6.1 Place for Hope [[www.placeforhope.org.uk](http://www.placeforhope.org.uk)]

The cornerstones of the work of Place for Hope remain and can be expressed as: *Graciously and effectively transforming conflict and responding to change*. An independent charity since April 2015, Place for Hope continues to affirm the partnership with the Church of Scotland Ministries Council as an ongoing key relationship. The work continues to support and equip ministers and Churches to develop creative and life giving ways to explore and address conflict, shaping a culture that acknowledges difference and demonstrates diversity in love. Place for Hope receives core funding from the Council and also works alongside the World Mission Council

**3.6.1.1** The notable areas of growth in 2017 include:

- **Supporting congregations and Churches through times of change and transition:** Between April 2015 and January 2018 mediation, facilitation coaching and awareness raising were offered in 125 situations, 84 of which were directly related to the Church of Scotland. 53 of these involved facilitating conversations in conflict situations sometimes lasting 6 – 9 months with individuals or groups in congregations. Typical themes that emerged were managing change in vacancies, transitions, unions and linkages; bullying and harassment; personnel, staffing or teamwork issues.
- A commission was received to deliver 56 tailored training days between April 2015 and January 2018 for a variety of faith organisations, and the offer of training from a suite of programmes continues for all those in Church leadership. Feedback confirms that these training days are valuable for Presbyteries and committees.
- **Developing new resources and training packages:** In 2017 two new programmes were launched to complement the Growing through Conflict Foundation and Further Skills programmes in supporting congregations through times of change and transition. The 'Bullying and Harassment' programme supports personnel who are being bullied, and equips leaders in churches to notice the signs of bullying and harassing behaviour and respond effectively. The 'Scripture, Spirituality and Conflict' programme was also launched offering resources and support for Church members and leaders who ask: what does the bible say about conflict?



**3.6.1.2** One of the founding visions of Place for Hope in 2009 was that 'every place of worship is a place for hope.' This will be built on this year in anticipation of Place for Hope's 10<sup>th</sup> anniversary in 2019, through a series of events and initiatives designed to strengthen the Church's response to conflict, change and difficult conversations. The Peacemakers' Network provides up-to-date information about developments and events ([www.placeforhope.org.uk/peacemaker/join](http://www.placeforhope.org.uk/peacemaker/join)).

### **3.6.1.3 Key Messages from Place For Hope**

1. **Early contact is important:** Place for Hope knows that asking for help in times of change and transition takes tremendous courage. They work with people at all stages on the way, even when it may seem that hope is lost. But the earlier the contact, the better.
2. **Relevant for every level:** Place for Hope practitioners are trained to work across the whole Church system: with individuals, groups, Presbyteries, congregations (and their committees) and communities.
3. **Support for Practitioners:** Many Place for Hope Practitioners are ministers or elders in the Church of Scotland, volunteering their time as part of their vocation in ministry. It is important to support these gifted leaders.
4. **Managed well, conflict can transform lives:** 'Conflict opens a path, a holy path, towards revelation and reconciliation' (Reconcile: conflict transformation for ordinary Christians, John Paul Lederach)

### **3.6.2 Work Place Chaplaincy Scotland [[www.wpcscotland.co.uk](http://www.wpcscotland.co.uk)]**

The Council continues to provide funding for Work Place Chaplaincy Scotland (WPCS). Aware of ongoing budgetary pressures for the Council, WPCS have now engaged a professional fund raiser and it is to be hoped that this will see a reduced reliance on Church of Scotland funding for the organisation going forward.

**3.6.2.1** WPCS continues to actively engage with approximately 74 Church of Scotland congregations with over 100 volunteer chaplains either in placement or in training. Just under 50% are members of the Church of Scotland. WPCS estimate they have meaningful contact with around 1.2 million people throughout Scotland with training and support at point of delivery free to Church of Scotland congregations

in recognition of the substantial support provided to the organisation through Ministries Council. Training provided includes Active Listening; Building Resilience, Suicide Awareness and Trauma in the Workplace amongst others.

**3.6.2.2** WPCS continues to engage on an ecumenical partnership basis and it is to be hoped that this positive work will continue and that the increased profile arising as a consequence will serve to raise awareness of the organisation and its endeavours going forward.

### **3.6.3 Faith in Community Scotland [[www.faithincommunityscotland.org](http://www.faithincommunityscotland.org); Facebook/ Twitter @FiCSScotland]**

Faith in Community Scotland (FiCS) is a charity which works closely with the Church of Scotland and other faith communities who share a common commitment that our greatest concern must be to work alongside people struggling against poverty. FiCS supports the work of the Council through supporting the Priority Areas Strategic Plan for 2017 – 2022:

**3.6.3.1** FiCS teams in Glasgow and Dundee work closely with Priority Area congregations, encouraging them to build new friendships and work together in a common cause on issues such as food justice, funeral poverty, job-centre closures and welfare cuts while Priority Areas provides support for project development, volunteering, funding and sustainability. Recent conversations in the *Poverty Truth Commission* and *Fighting for Fairness Commission* in Dundee have addressed issues around extreme inequality. These Commissions remind us that it is people experiencing poverty on a daily basis who are the experts in bringing about real change.

**3.6.3.2** Many congregations are concerned about people who have ended up in prison. FiCS works closely with local churches to build communities of hospitality, love and welcome for people leaving prison. They also build links between faith groups, community groups and prison chaplains and other staff, so that when someone is preparing to leave prison, they can be supported by a network of people and groups when they return to live in the community.

**3.6.3.3** In addition to the funds received through Ministries Council other funders have added to this and as a result it has been possible to award over £200,000 of grants to faith groups tackling poverty in different ways. A pilot personalised

funding scheme with some faith groups supporting the aspirations of young people in priority areas has also been initiated.

**3.6.3.4** Through the community leaders coaching programme and ongoing community development work FiCS builds the resilience of local residents, volunteers, paid staff and faith leaders working in priority areas.

### **3.6.4 theGKexperience**

**[[www.thegkexperience.org.uk](http://www.thegkexperience.org.uk); Instagram:**

**@thegkexperience twitter: @GK\_experience]**

theGKexperience is a Youth Work Charity founded on the belief that young people are brilliant and that they all deserve the same opportunities in order to enable them to reach their potential. Youth workers and young leaders work together to support young people who face challenges in their everyday lives. Launched in 2012 and developed with close support and partnership from the Council through its Priority Areas Committee, theGKexperience has worked alongside young people and their families from Priority Areas Congregations and Communities, supporting them in their everyday lives. theGKexperience supports the work of Priority Areas in the following ways:

**3.6.4.1** Through a long term, relational programme of residential experiences, weekly activities and intensive mentoring and support work is focused on some of the most disadvantaged young people in Scotland. The young people are identified as those who would benefit from bespoke support, often via relationships with families through congregations, chaplaincy and pastoral visiting. Building on previous findings the aim is to increase contact with young people with whom the Church and other organisations struggle to engage and who are often isolated and excluded.

**3.6.4.2** Partnerships with local parishes and youth work organisations are nurtured to help them deliver youth work in their particular context - often where local resources are scarce and situations fragile. Volunteers and staff help to run weekly clubs alongside local leaders in a number of settings, increasingly involving new communities and parishes.

**3.6.4.3** theGKexperience continues the development of the highly successful Young Leaders Programme "The Young Team" which brings young people of different backgrounds together to develop their leadership skills, as well as grow in

confidence, self-belief, and resilience. In particular, the focus is on identifying with local leaders those who would benefit from this intensive training and personal development programme. There have been huge successes in the lives of these young people and it is hoped there will be more growth in this area, with the young people using their skills in their local communities.

### **3.6.5 WEvolution [[www.wevolution.org.uk](http://www.wevolution.org.uk)]**

Bringing people together in its Self-Reliant Groups (SRGs), WEvolution is a registered charity which promotes a way of working alongside communities that is based on trust, self-governance and collective endeavour towards entrepreneurship.

**3.6.5.1** This past year, for WEvolution, has been one of endurance, continuing optimism and incremental achievements. Long-term illnesses within a small staff team was a challenge, and whilst this meant it was not possible to grow as many Self-Reliant Groups (SRGs) as hoped, it helped to consolidate and mature the work. Existing groups have continued to maintain their energy and aspirations with a total of 40 income generating activities and over £50K in group savings. There are 45 SRGs operating out of Glasgow, Inverclyde, Dundee and Renfrewshire with 200 people involved in them.

**3.6.5.2** The movement is gradually spreading its wings to other places in the UK. Existing partners have started up over 15 SRGs in Gloucestershire and Bristol in England in addition to the ones in Wales and Manchester. Through WEvolution's influence, the movement is also making its presence felt in Rotterdam and Breda in the Netherlands where the first SRGs have started up amongst refugees and homeless young people.

**3.6.5.3** Support from the *International Centre for Social Franchise* (now called 'Spring Impact') has enabled WEvolution to embark on a *Strategic Partnerships* programme that will enable it to grow towards its stated aim of becoming a 'Centre for Excellence' and provide high-quality training, experience and resources to partners.

**3.6.5.4** Securing funding from *Big Lottery Scotland* has helped WEvolution strengthen its team capacity and continue its strong focus on the economic wellbeing of people in our poorest neighbourhoods. Over the last year, WEvolution has achieved yet another aim: two 24/7 hubs in Inverclyde and

Paisley that will operate as creating stations for SRGs. It's been a good year thanks to the support from a number of partners including the Ministries Council. Trishy Gannon who has successfully gone on to establish No. 26, high-end crafts shop on the Gourrock High Street in Inverclyde, writes: *"WEvolution and the SRGs initially was a way to gain friends, maybe get out a bit more, be more social and happy but it has ended up being so much more than that. We have all grown in confidence, gained friends for life and new support networks for the future. Our families have benefited from having mums/ wives who are happier, more fulfilled. Our children are learning how important it is to make your own way in life through seeing their mums producing and selling their own items."*

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## **4. FINANCE**

### **4.1 Annual Stipend and Salary Increase**

The Council of Assembly approved the Ministries Council's recommendation for a 1.5% increase in stipends and salaries across the board. This is reflected in the revised scales below. (Section 4.5).

#### **4.1.1 The Council was instructed at the 2017 General Assembly, when reporting the annual salary and stipend increase to the General Assembly of 2018 to:**

- state which inflation index has been used in calculating the stipend and salary increase for 2018
- offer a considered opinion on what is the most appropriate inflation index to use when determining the stipends and salaries of the Church in subsequent years; and
- include a commitment to providing cumulative information on how stipend/salary increases (setting 2017 as the base year) have related to the index identified in (i).

**4.1.2** The Ministries Finance Committee recognises that the challenge of parish ministry is considerable and any pay decisions must take into account pressures on Parish Ministers. When arriving at its stipend and salary recommendation the Council does take note of the CPI and RPI inflationary indices. However the Council also recognises the need to take into account average wage increases in other sectors and the very significant budgetary pressures faced by the Church. Ultimately, affordability to the organisation has to be key when making decisions on stipend and salary increases and it is this which prevents the Council linking this

decision to an inflationary index (indeed, in some recent years the Council has raised stipends and salaries at rate higher than that of inflation).

**4.1.3** The Council seeks Assembly's permission to depart from the section of Deliverance relating to cumulative information on stipend/salary increases with respect to any inflationary measure. This is primarily because a range of factors (e.g. average wages growth, the overall financial situation of the Church as well as different measures of inflation) are critical in arriving at any decision in this area.

### **4.2 Salaried Ministries**

At the General Assembly of 2017 it was agreed that the Council would review the range of salaries attached to each of the salaried ministry posts. This piece of work remains on the Council's agenda and a report will be brought to the General Assembly of 2019.

### **4.3 Congregational Contributions to the Housing and Loan Fund**

**4.3.1** Agreement has been reached between the Ministries Council, the Housing and Loan Fund and representatives of the Council of Assembly to suspend Congregational Contributions to the Fund for 2018 to 2021, with a view to reinstating the Contributions in 2022 if required. A review of the Fund's position and the anticipated demand for assistance will be carried out during the first quarter of 2020.

**4.3.2** This decision has been taken in the light of the Housing and Loan Fund's currently healthy monetary position, and the considerable financial challenges facing other parts of the Church.

**4.3.3** Additionally, to assist in assessing future demand, the Housing and Loan Fund will collaborate with the Ministries Council to carry out research relating to the projected retirement plans of Ministers.

### **4.4 Visa Costs**

**4.4.1** The Council was instructed at the General Assembly 2017, "...in consultation with the Council of Assembly, to consider the possibility of paying the visa fees and all fees associated with applying for a long-term right to settle and all UK nationality fees of those who are becoming ministers of the Church of Scotland and who are coming to the UK from

outside the European Union and the European Economic Area and report to the General Assembly of 2018.”

**4.4.2** The Council has begun to explore the issues raised in this deliverance and is aware that they merit a wider discussion in relation to all paid positions within the church. The Council is also aware of the impact on ministers of meeting the costs involved in relation to visas. At the time of writing the Council continues this work in consultation with the Council of Assembly and will bring a report to a future General Assembly.

## 4.5 Scales, Allowances and Expenses Rates for 2018

### Stipend Scale (+Associate Ministers) 2018

Point 1	£27,044
Point 2	£28,813
Point 3	£30,581
Point 4	£32,351
Point 5	£33,234

### Ministries Development Staff Scales 2018

#### MDS General Scale

Point 1	£24,630
Point 2	£25,435
Point 3	£26,237
Point 4	£27,042
Point 5	£27,843

#### Team Leader Scale

Point 1	£29,985
Point 2	£30,655
Point 3	£31,324
Point 4	£31,993
Point 5	£32,663

### Deacon Scale (*Genuine Occupational Requirement*)

Point 1	£26,237
Point 2	£27,041
Point 3	£27,843
Point 4	£28,647
Point 5	£29,449

### Island Allowance

The inner and outer island allowances are held at current levels:

Outer Island Allowance	£1,566
Inner Island Allowance	£616

## Travel Expenses 2018

Rates for those providing their own car:

- reimbursed to ministers and MDS 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.
- reimbursement of travel expenses for students, probationers, Ordained Local Ministers (OLMs), auxiliary ministers and locums:**  
45p per mile for the first 10,000 miles  
25p per mile for all additional mileage
- reimbursed to ministers and MDS providing their own motor bike for pastoral duties:**  
24p per mile travelled per annum
- reimbursed to ministers and MDS providing their own pedal bike for pastoral duties:**  
20p per mile travelled per annum

## 4.6 Recommended Pulpit Supply Fee and Expenses

For 2018, in Charges where there is only one diet of worship, the Pulpit Supply Fee shall be a Standard Fee of £60. In Charges where there are additional diets of worship on a Sunday, the person fulfilling the Supply shall be paid £30 for each additional service.

In all cases, Travelling Expenses shall be paid. Where there is no convenient public conveyance, the use of a private car shall be paid for at the standard rate of 45p per mile.

## 4.7 Removal and Disturbance Allowance

When a Minister is called to a Charge, the congregation(s) to which the Minister is called shall meet the removal costs incurred in transporting the minister's personal effects into the manse of the Charge. In addition a manse disturbance allowance of up to £1,740 can be paid on production of appropriate receipts.

If a Charge has an average income base of less than £30,000 the Ministries Council will meet the full cost of the removal expenses and disturbance allowance. When a Charge's average income base is between £30,001 and £60,000 application may be made to the Ministries Council for

assistance in meeting these costs. This assistance may take the form of a grant or loan or a combination of both.

When a minister retires on account of age or infirmity, and in the case of a widow(er) of a Minister who dies in service, the Ministries Council will meet the cost of removal expenses.

#### 4.8 Funerals

Where a congregation calls upon the services of a minister not already in receipt of a stipend, or other suitably qualified person, to conduct a funeral, a fee of £60 may be paid *by the congregation*. On no account should such a fee be charged to the family of the deceased. For the avoidance of doubt, *no fee* may be offered to or received by a serving Parish Minister for the conduct of a funeral service, whether in their own or another parish.

#### 4.9 Vacancy Allowance

For 2018 the Vacancy Allowance has been increased to £933 per month and £1,082 for linked charges. This is sufficient to cover pulpit supply at the increased rate and two days per week pastoral cover at the rate of £315 per month for each day of pastoral cover per week should a vacant congregation choose to engage a locum. The Vacancy Allowance is deducted directly from each vacant charge's Ministries and Mission Allocation.

#### 4.10 Guardianship Allowance

From 1<sup>st</sup> January 2018 the Guardianship Allowance increases to £933 per month in line with the vacancy allowance. This is sufficient to cover pulpit supply and two days per week of pastoral cover.

#### 4.11 Ministries Development Staff (MDS) Equipment Costs

When an MDS is appointed to a Charge the congregation(s) shall provide the staff member with the equipment required for the job. (Basic equipment being a computer, desk and chair).

If a Charge has an average income base of less than £30,000 the Ministries Council will meet the full cost of any staff equipment expenses, in the form of a grant, up to a maximum of £1,000. Where a Charge's average income base is between £30,001 and £60,000 application may be made to the Ministries Council for a grant to assist in meeting these costs.

Application should be made in writing to The Ministries Council Finance Manager, and a copy of the latest accounts enclosed. The congregation must send in a quotation or estimate for the equipment required, with their application. Receipts must be supplied for all equipment purchased using a grant.

The financial assistance will be in the form of a grant therefore the congregation will retain full ownership of the equipment.

In the event of the MDS member leaving post, the equipment where possible should be retained by the congregation for any future post holders.

*In the name of the Ministries Council*

NEIL GLOVER (*Convener*)  
JOHN DENT (*Vice-Convener*)  
DAVID MCLACHLAN (*Vice-Convener*)  
ELEANOR MCMAHON (*Vice-Convener*)  
SARAH ROSS (*Vice-Convener*)  
JAYNE SCOTT (*Secretary*)

#### Addendum

Allan Sim has served for the last three years as the Council's Finance Convener. He brought a wealth of experience to this role from his professional work as an accountant, in addition to other roles in sport and education. He is also a congregational treasurer and never loses sight of the essential connection between the work of the Council and the financial realities experienced by congregations. Allan has been a stalwart in the life of the Council, calm when difficult decisions need to be made, and an assuring presence when the way forward requires careful thought. His warm nature and competence as a convener has been greatly appreciated by the Finance Committee and Council as a whole. We hope that the end of this term of service gives him a little more time with his wife Anna and the rest of his family and are extremely grateful for all he has done to support the work of the Ministries Council.

*In the name of the Ministries Council*

NEIL GLOVER (*Convener*)  
JAYNE SCOTT (*Secretary*)



## Addendum

David McLachlan has served the past year as the Council's Vice-Convenor for Priority Areas. Unfortunately David has had to step down from this position due to ill health. During his time on the Committee, David brought a wealth of experience, wisdom and passion to the Council's work, and was greatly respected by staff. We wish him a good recovery and hope that there may be a future opportunity for David to play a part in the work of the Council.

*In the name of the Ministries Council*

NEIL GLOVER, *Convenor*  
JAYNE SCOTT, *Secretary*

## Appendix 1

### [ ] CONTINUING PARISH MINISTRY BEYOND THE AGE OF 75 REGULATIONS

*Edinburgh, [ ] May 2018, Session [ ]*

The provisions for continuation as a Parish Minister beyond the age of seventy five (75), as referred to in section 33(4) of the Ministry Act (Act II 2000), are as follows:

1. In operating the process set out in these Regulations and making a decision on whether or not to continue the tenure of the Parish Minister in question, the Presbytery shall have primary regard to the mission of the Church, both in the Parish in question and in the Presbytery. The Presbytery shall not take into account any personal reasons put forward by the Parish Minister to support his or her request.
2. The process shall be initiated by the Parish Minister, by lodging with the Presbytery Clerk, not less than six months before the Parish Minister's seventy fifth birthday, a request for consideration in terms of these Regulations. Such a request shall be copied to the Ministries Council for their interest. The process can be terminated at any time by the Parish Minister withdrawing his or her request to have tenure continued.
3. The Parish Minister may request a continuation of his or her tenure as minister of the charge which he or she

currently serves for a period of not less than one year and not more than two years from his or her seventy-fifth birthday.

4. Upon receipt of the Parish Minister's request, the Presbytery shall establish a Consultative Committee of three persons, of whom at least one shall be a Minister and one shall be an elder but which shall not include the Presbytery Clerk. If required, the Presbytery may use the Co-operation among Presbyteries Act (Act VI 2002) to fulfil the appointments. The Committee shall choose one of its own number to act as Clerk.
5. The Committee shall consult with all interested parties (including, for the avoidance of doubt, the Session Clerk(s) of the charge and the Presbytery Clerk) and shall take into account the following issues before making a recommendation to Presbytery:
  - (a) The effect upon implementation of the current Presbytery Plan of a continuation of the tenure of the Parish Minister in the current charge;
  - (b) The state of the charge and future plans for the charge, both as assessed and as anticipated through Local Church Review and through the Presbytery's general superintendence of the charge;
  - (c) Whether it is likely to be effective and beneficial for the charge in the longer term if tenure is continued;
  - (d) The opinion of the congregation(s) and its/their office bearers which shall be gauged by meeting with the Kirk Session(s) in the absence of the Parish Minister; and
  - (e) The terms of an Occupational Health Report on the Parish Minister, instructed by the Ministries Council and assessing the fitness of the Parish Minister to continue in post in the current charge for the period for which the request has been made. The terms of the Report shall be kept strictly confidential among the members of the Committee and shall be shared only with the Parish Minister. If relevant to any recommendation made by the Committee, the

Report shall be referred to only in terms of being or not being a factor in their decision and no detail shall be shared outwith the Committee.

6. The Committee shall make its recommendation to a meeting of the Presbytery, where the Parish Minister shall be entitled to be heard in his or her interest. The Presbytery meeting shall be held in private and proceedings shall be recorded in a Record Apart. In making its recommendation, and in reaching its decision, the Committee and the Presbytery shall be obliged to have primary regard to the aims set out in paragraph 1 of these Regulations.
7. The Presbytery itself shall decide whether or not to continue the Parish Minister's tenure as Minister of the charge which he or she currently serves and for what period (declaring always that this may be different to the period for which request is made but may not be less than one year or more than two years).
8. Any person with a legitimate interest who is aggrieved by the Presbytery's decision shall have the right to dissent and complain or appeal the decision to the Ministries Appeal Panel by lodging intimation with both the Presbytery Clerk and the Principal Clerk within fourteen days of the decision. The only grounds for dissent and complaint or appeal shall be that there was a material irregularity of process or that the decision was influenced by an incorrect material fact.
9. The process specified in these Regulations may be repeated not less than six months before expiry of the period for which any continuation of tenure is granted.

## **[ ] ACT AMENDING THE REGISTRATION OF MINISTRIES ACT (ACT II 2017)**

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly hereby enact and ordain that the Registration of Ministries Act (Act II 2017), as amended, shall be further amended as follows:

1. *Insert a new section 19(v) as follows:*

"Where an individual is retiring at the age of seventy two (72) or thereafter, in which case Category **O** registration shall not be granted for a full three years but only until the date of his or her seventy-fifth birthday, subject always to the possibility of extension of that Category **O** registration to a date determined in accordance with the Continuing Parish Ministry Beyond the Age of 75 Regulations."

## **[ ] ACT AMENDING THE MINISTRIES APPEAL PANEL ACT (ACT VI 2007)**

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly hereby enact and ordain that the Ministries Appeal Panel Act (Act VI 2007), as amended, shall be further amended as follows:

1. *In the third sentence of section 1, after the words "For the avoidance of doubt", add the words "save as specified in this Act,".*
2. *Add a new sentence at the end of section 5 as follows: "In addition the Ministries Appeal Panel shall hear appeals arising under the Continuing Parish Ministry Beyond the Age of 75 Regulations."*

## **Appendix 2**

## **[ ] ACT AMENDING THE LONG-TERM ILLNESS OF MINISTERS ACT (ACT XV 2002)**

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly hereby enact and ordain that the Long-Term Illness of Ministers Act (Act XV 2002), as amended, shall be further amended as follows:

1. *Add a new definition in section 1:*

"Medical Adviser" means either (1) the minister's own General Practitioner and/or consultant, or (2) an Occupational Health Physician appointed by the Ministries Council."



2. In section 4(1):

*delete the words “nine calendar months continuously, or has totalled 450 days out of any thirty three month period” and substitute the words “six calendar months continuously, or has totalled 300 days out of any twenty two month period”*

*delete the existing section 4(1)(b) and substitute the following: “where the Medical Adviser is an Occupational Health Physician appointed by the Ministries Council, the minister shall consult with the Occupational Health Physician and shall give the Occupational Health Physician permission to consult with any medical practitioner or consultant whose opinion the Occupational Health Physician requires in order to prepare his or her own opinion on the likely duration of the minister’s absence; whether the Medical Adviser is the minister’s own General Practitioner and/or consultant, or an Occupational Health Physician appointed by the Ministries Council, the minister shall promptly sign any mandate required for the release of medical files and/or information to the Occupational Health Physician, the Presbytery or the Ministries Council.”*

*In section 4(1)(e) delete the word “further”.*

*Add a new section 4(3): “Section 4(1) sets out the standard timeline to be followed. Alternatively, where the requisite medical advice cannot be obtained within a timeframe so as to determine the likelihood of the minister returning to work within three months after the section 4 date, then the “section 5 date” in terms of section 5 below shall be construed so as to be instead a date determined by the Consultative Committee, being a date not later than six months after the section 4 date.”*

3. *At the end of section 9 add “Arrangements shall be made for the manse to be vacated within such timescale as appears reasonable in the circumstances.”*
4. *In section 10(1), delete the words “eight weeks” and substitute “three months” and delete the word “shall” and substitute the word “may”.*

5. *Add a new section 13 and renumber section 14 accordingly:*

**“Registration of Ministries**

Where a pastoral tie is severed in terms of this Act, the minister shall be registered on the Register of Ministry in Category **R** or Category **I**, the decision as to which category being determined by the Presbytery having consulted with the Ministries Council. The normal rights of appeal against the Presbytery’s decision in terms of the Registration of Ministries Act (Act II 2017) shall apply.”

6. *In paragraph 4 of Schedule A, amend the last sentence to read: “At the same time the Ministries Council will make contact with both the minister and the Presbytery to ensure that appropriate pastoral support and advice are in place and to advise regarding the use and terms of this Act.”4*

**Appendix 3**

**[ ] ACT AMENDING THE SELECTION AND TRAINING FOR FULL-TIME MINISTRY ACT (ACT X 2004)**

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly hereby enact and ordain that the Selection and Training for Full-time Ministry Act (Act X 2004), as amended, shall be further amended as follows:

1. *In section 2 change the heading to “**Vocation Information Day and Initial Screening Interview**” and after the words “shall attend” add the words “Vocation Information Day followed by”.*
2. *In section 4(1), delete the words “sent to the Committee” and substitute the words “completed by the applicant and sent to the Committee by the date determined and supplied by the Council.”*
3. *Change the heading of section 5 to “**Period of discernment and Local Review**”.*
4. *In section 5(1) delete the word “at least three months but not longer than twelve months” and substitute the words “six months”.*

5. *Add a new section 5(3) as follows and renumber subsequent sections accordingly:*

*"In addition, before the end of a period of discernment, the Presbytery or the Council may require that an early Local Review takes place. Such a Review shall be undertaken by the same group as specified in section 5(2) but may only reach a decision in terms of section 5(3) (ii), (iii) or (iv) [to be renumbered 5(4) (ii), (iii) and (iv)]. Sections 5(4) and 5(5) shall still apply [to be renumbered 5(5) and 5(6)]."*

6. *At the beginning of the section currently numbered as section 5(3), add "Subject to the provisions of section 5(3)".*

7. *In the section currently numbered 5(3)(ii), after the words "a further period of discernment" add "of such length as may be determined by the Local Review."*

8. *In the section currently numbered 5(4), after the words "may apply" add ", in each case from one year after the decision of the previous Local Review".*

9. *Add a new section 6(7) as follows:*

*"If the decision at a Committee Review in terms of section 6(4) or at a Ministries Appeal Panel following on from such a Review is to annul the applicant's attendance at a National Assessment Conference ("Conference A") and enable the applicant to attend a further National Assessment Conference as if the applicant had not attended Conference A, then additionally and at its sole discretion, the Committee or the Panel shall have the power to direct that for the purposes of section 3(3) of this Act, the applicant shall be treated as having one additional year to complete the prescribed course. Such a direction may be made once only in respect of any particular applicant."*

## Appendix 4

### [ ] ACT AMENDING THE ORDAINED LOCAL MINISTRY ACT (ACT IX 2011)

Edinburgh, [ ] May 2018, Session [ ]

The General Assembly hereby enact and ordain that the Ordained Local Ministry Act (Act IX 2011), as amended, shall be further amended as follows:

1. *In section 4 change the heading to "**Vocation Information Day and Initial Screening Interview**" and after the words "shall attend" add the words "Vocation Information Day followed by"*

2. *Add a new section 6 as follows and renumber accordingly:*

#### **"Submission of Application Form**

- (1) The Council will, on request, issue to each applicant who has fulfilled the requirements as set out in sub-section 4(2) the relevant application form, which shall be completed by the applicant and sent to the Committee by the date determined and supplied by the Council.
- (2) The Council will inform Presbyteries of applicants within their bounds, the appropriate Presbytery being determined according to section 8(2) of this Act."

3. *Change the heading of section 6 to "**Period of discernment and Local Review**".*

4. *In section 6(1) delete the word "at least three months but not longer than twelve months" and substitute the words "six months".*

5. *Add a new section 6(3) as follows and renumber subsequent sections accordingly:*

*"In addition, before the end of a period of discernment, the Presbytery or the Council may require that an early Local Review takes place. Such a Review shall be undertaken by the same group as specified in section 6(2) but may only reach a decision in terms of section 6(3) (ii), (iii) or (iv) [to be renumbered 6(4) (ii), (iii) and (iv)]. Sections 6(4) and 6(5) shall still apply [to be renumbered 6(5) and 6(6)]."*

6. *At the beginning of the section currently numbered as section 6(3), add "Subject to the provisions of section 6(3)".*

7. *In the section currently numbered 6(3)(ii), after the words "a further period of discernment" add "of such length as may be determined by the Local Review."*
8. *In the section currently numbered 6(4), after the words "may apply" add ", in each case from one year after the decision of the previous Local Review".*
9. *In section 28(1) add the following sentence at the end: "The term "Reader" in this section 28(1) shall be construed to include a Reader in service, a Reader in training and a retired Reader."*
10. *Delete section 28(2).*

## Appendix 5

### [ ] ACT AMENDING THE READERSHIP ACT (ACT XVII 1992)

Edinburgh, [ ] May 2018, Session [ ]

The General Assembly hereby enact and ordain that the Readership Act (Act XVII 1992), as amended, shall be further amended as follows:

1. *Delete the existing section 7(a) and substitute the following:*  
  

"The provisions of the Selection and Training for Full-time Ministry Act (Act X 2004) shall apply to any Reader wishing to transfer to the full-time Ministry of Word and Sacrament and the provisions of the Ordained Local Ministry Act (Act IX 2011) shall apply to any Reader wishing to transfer to the Ordained Local Ministry; in all cases the Ministries Council shall determine the nature, content and duration of the academic course and practical training to be followed by a Candidate. The term "Reader" in this section 7(a) shall be construed to include a Reader in service, a Reader in training and a retired Reader."
2. *Delete the existing section 7(b).*

3. *Delete the existing section 7(c) and substitute the following:*

"No Reader who has been not accepted as a candidate in training for either the Ordained Local Ministry or full-time Ministry of Word and Sacrament on three or more occasions may apply for transfer to the full-time Ministry of Word and Sacrament or the Ordained Local Ministry."

## Appendix 6

### [ ] ACT AMENDING THE ADMISSION AND RE-ADMISSION OF MINISTERS ACT (ACT IX 2002)

Edinburgh, [ ] May 2018, Session [ ]

The General Assembly hereby enact and ordain that the Admission and Re-admission of Ministers Act (Act IX 2002), as amended, shall be further amended as follows:

1. *Add the following definitions in section 1:*  

"(x) a "Certificate of Eligibility" has the meaning given in section 6(b)(i)  
 (x) a "Temporary Certificate of Eligibility" has the meaning given in section 6(b)(ii)  
 (x) an "OLM Certificate of Eligibility" has the meaning given in section 6(b)(iii)"
2. *Amend section 6(a) by adding the words "or a Temporary Certificate of Eligibility" at the end of the first sentence:*
3. *Delete the existing section 6(b) and substitute the following:*  

"Subject to the provisions of the Vacancy Procedure Act (Act VIII 2003) section 27, the various Certificates which may be granted by the Committee shall be as follows:

  - (i) a "Certificate of Eligibility" entitles the holder to apply for charges and appointments open to ministers of the Church of Scotland, including team ministry posts as defined in section 16(2)(a) of Act VII 2003. Admission to the status of minister of the Church of Scotland shall take effect at the point of admission to membership of Presbytery, which, in the case of a Licentiate, shall

- involve ordination. Certificates of Eligibility shall be valid for three years from the date of issue.
- (ii) a "Temporary Certificate of Eligibility" entitles the holder to apply for charges and appointments open to ministers of the Church of Scotland, including team ministry posts as defined in section 16(2)(a) of Act VII 2003, but to hold any such post for an initial period of three years only. The following shall also apply to the holder:
    - (a) The Certificate shall entitle the holder to hold a post for period of three years provided that post commences within thirty six months of the date on which the Temporary Certificate of Eligibility is granted.
    - (b) At the request of the congregation where the holder is called or appointed and with the concurrence of the Presbytery and the Council, the initial period of three years may be extended for one further period of not more than three years.
    - (c) The holder, if inducted to a charge, shall be granted a seat in Presbytery.
    - (d) The holder shall retain status as a minister in their denomination of origin. Admission to the status of minister of the Church of Scotland shall only take effect if the holder makes application to the Council for such status. Such an application shall be considered at a one day Admissions Panel and the paperwork considered shall be as specified by the Council, to include an application form and references. At least one reference shall be provided from a person with knowledge of the holder's current post.
    - (e) Any employment contract which the holder enters into shall have a condition that it is an essential requirement for the person to hold a Temporary Certificate of Eligibility.
  - (f) The holder of a Temporary Certificate of Eligibility whose Certificate expires without him or her having successfully applied to be admitted to the status of minister of the Church of Scotland shall have no further right to apply for or hold charges or appointments open to ministers of the Church of Scotland, including team ministry posts as defined in section 16(2)(a) of Act VII 2003.
  - (iii) An "OLM Certificate of Eligibility" entitles the holder to serve in the Church of Scotland in accordance with the provisions of the Ordained Local Ministry Act (Act IX 2011)."
4. *Delete the existing section 6(c).*
- Consequential amendments - Vacancy Procedure Act (Act VIII 2003) (as amended)**
- 5. *Amend section 18(4) by deleting the first sentence and substituting "The holder of a Certificate of Eligibility or of a Temporary Certificate of Eligibility, in either case in terms of Act IX 2002."*
  - 6. *Delete the existing section 20 and substitute the following:*

**"Temporary Certificates of Eligibility**  
A minister who holds a Temporary Certificate of Eligibility shall, if inducted to a charge, be inducted for a period of three years only, extendable on one occasion only in accordance with the provisions of section 6(b)(ii) of Act IX 2002."
- Consequential amendments - Registration of Ministries Act (Act II 2017)**
- 7. *Delete the existing section 34 and substitute the following:*

"The Ministries Council shall compile and maintain three supplementary lists, **G**, **D** and **T**, as specified below, which shall be considered to stand apart from the Register of Ministry.

- (1) List **G** shall contain the names of individuals who were previously Ministers of Word and Sacrament or Deacons of the Church of Scotland but who voluntarily demitted their status.
  - (2) List **D** shall contain the names of individuals who were previously Ministers of Word and Sacrament or Deacons of the Church of Scotland but who were judicially deprived of status.
  - (3) List **T** shall contain the names of individuals who currently hold Temporary Certificates of Eligibility issued under the Admission and Re-admission of Ministers Act (Act IX 2002)."
8. *Add a sentence at the end of the existing section 35 as follows:*  
"Any individual recorded on list **T** who wishes become a Minister of Word and Sacrament of the Church of Scotland, must make application in accordance with the Admission and Re-admission of Ministers Act (Act IX 2002)."

**Appendix 7**

**Table of projected advisory numbers of full-time EQUIVALENT ministers in 2023**

Data as at 2 January 2018. The figures for each presbytery in columns j, k and m are estimates, with significant variations likely in practice, especially in smaller and medium sized presbyteries. Figures in columns c to m are full-time equivalent. Interim and Transition Ministers in post are included with Parish Ministers. Pioneer Ministers are included within MDS Ministers. The 2 congregations, 2 mission initiative and 2.0 FTE Ministers for the deaf are excluded, being outwith presbytery plans.

a	b	c	d	e	f	g	h	i	j	k	l	m
Pres	Congregations	Charges now	Charges in latest plan	Parish Mins. now	Mins. in MDS & PM posts	Mins. in locally funded posts	Total e,f,g	Under 65 yrs attend 2023	Pro rata adj.	Est. Mins. end 2023	Pro-rata 70 vacancies	Short-fall excluding 70 vacancies
1	70	67	65.5	59	2	3	64	46.5	11.8	58.3	2.4	4.8
2	26	22	22	17	1	0	18	8	3.3	11.3	1.5	9.2
3	46	34	30	27	1	0	28	19	5.2	24.2	0.9	4.9
4	26	13.7	13.7	11.7	0	0	11.7	6.7	2.2	8.9	0.6	4.2
5	14	8	7	6	0	0	6	2	1.1	3.1	0.3	3.6
6	16	10.5	10.5	7.8	0	0	7.8	4.8	1.4	6.2	1.0	3.2
7	19	12	11	8	0	0	8	6	1.5	7.5	0.9	2.6
8	33	20	19.9	15.5	0	0	15.5	6	2.9	8.9	1.3	9.7
9	19	10	10	8	0.2	0	8	7	1.5	8.5	0.6	0.9
10	48	32	32	22	0	0	22	13	4.1	17.1	2.7	12.3
11	25	23	17	13	0	0	13	7	2.4	9.4	2.7	4.9
12	27	20	17	15	0	0	15	12	2.8	14.8	1.5	0.7
13	21	16	15	12	0	0	12	6	2.2	8.2	1.2	5.6
14	48	44	38	30	1	0	31	20	5.7	25.7	3.6	8.7
16	125	121	98	97	2.4	1.5	101	66.5	18.6	85.1	5.3	7.5
17	76	59	53.5	45.5	0	1	46.5	28	8.6	36.6	3.7	13.2
18	32	21.5	17.5	16.7	0	0	16.7	11.7	3.1	14.8	1.1	1.6
19	56	30	28	18	0.6	0.4	19	10	3.5	13.5	3.3	11.2
22	35	31.5	26	19.5	1	0	20.5	11	3.8	14.8	3.3	8.0
23	46	33	31	24	2.2	0	26.2	19.2	4.8	24.0	3.0	4.0
24	24	20	19.5	14.5	0	0	5	6	2.7	8.7	1.5	9.3
25	23	22	21	17	0	0	17	11	3.1	14.1	1.2	5.7
26	33	21	15	11	0	0	11	6	2.0	8.0	1.9	5.0
27	20	12	11	9	0	0	9	4	1.7	5.7	0.9	4.4
28	36	23.8	22.5	19.1	0.4	1	20.5	11	3.8	14.8	1.4	6.3

<b>29</b>	35	28	23	17	0	0	17	7	3.1	10.1	2.4	10.5
<b>30</b>	33	23.5	20.5	19.5	1	0	20.5	14	3.8	17.8	1.2	1.5
<b>31</b>	33	32.5	29.5	27.5	0	0	27.5	16	5.1	21.1	1.5	6.9
<b>32</b>	20	17	15.5	13	0	1	14	8	2.6	10.6	1.2	3.7
<b>33</b>	28	25	25	21	0	0	21	11	3.9	14.9	0.9	9.2
<b>34</b>	34	23	21	11	0	0	11	2	2.0	4.0	2.7	14.3
<b>35</b>	28	19	19	12	0	0	12	5	2.2	7.2	2.1	9.7
<b>36</b>	11	6	6	4	0	0	4	3	0.7	3.7	0.6	1.7
<b>37</b>	25	20	19.5	16	0	2	18	13	3.3	16.3	0.9	2.3
<b>38</b>	15	8	8	6	0	0	6	4	1.1	5.1	0.3	2.6
<b>39</b>	21	16	15.9	10	0	0	10	5	1.8	6.8	1.8	7.3
<b>40</b>	14	10	7	7	0	0	7	2	1.3	3.3	0.9	2.8
<b>41</b>	10	8	8	5	0	0	5	5	0.9	5.9	1.2	0.9
<b>42</b>	8	8	7	6	0	0	6	4	1.1	5.1	0.6	1.3
<b>43</b>	6	3.7	3.7	3.7	0	0	3.7	3	0.7	3.7	0.3	-0.3
<b>44</b>	11	9.5	7.5	5	0	0	5	4	0.9	4.9	0.7	1.8
<b>45</b>	20	11.7	10.7	7	0	0	7	5	1.3	6.3	1.1	3.3
<b>46</b>	13	7	7	3	0	0	3	1	0.6	1.6	0.9	4.6
<b>47</b>	7	6	6	5	1	0	6	4	1.1	5.1	0.3	0.6
<b>48</b>	16	14.8	12.5	0	0	9.8	9.8	3.8	1.8	5.6	0.9	6.0
	<b>1332</b>	<b>1023.7</b>	<b>923.9</b>	<b>742.0</b>	<b>13.8</b>	<b>19.7</b>	<b>775.5</b>	<b>468.2</b>	<b>143.0</b>	<b>611.2</b>	<b>70.0</b>	<b>242.7</b>

**Appendix 8****[ ] ACT AMENDING THE VACANCY PROCEDURE  
ACT (ACT VIII 2003)***Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly hereby enact and ordain that the Vacancy Procedure Act (Act VIII 2003), as amended, shall be further amended as follows:

1. Amend section 6(2) by adding the following words at the start: "Subject always to section 6(3),".
2. Add a new section 6(3) as follows:  
  
"A ministerial member of Presbytery who has in the past served as an Interim Moderator in the charge is not subject to the disqualification set out in section 6(2) if one of the following conditions applies:



- (i) The person was discharged as Interim Moderator at least two years prior to time of applying for the vacancy, or
- (ii) Intimation of the request to be discharged as Interim Moderator was given to the Presbytery Clerk prior to permission to call being given."

3. *Amend 18 (5) to read:*

"For the avoidance of doubt anyone who has served as an Interim Moderator in the current vacancy may not be eligible to apply or to be considered as an applicant in terms of section 6(2) of this Act unless the conditions set out in section 6(3) apply."

## Appendix 9

### **I REGULATIONS AMENDING THE 'GO FOR IT' FUND REGULATIONS (REGULATIONS IV 2012) (AS AMENDED)**

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly hereby enact and ordain that the "Go For It" Fund Regulations (Regulations IV 2012) (as amended), shall be further amended as follows:

- 1. *In the existing section 6 delete "2017" and substitute "2019".*
- 2. *Delete the existing section 9 and substitute:*

"9. The Ministries Council will report annually on the Fund to the General Assembly and will be responsible for monitoring the ongoing effectiveness of the Fund."

## References

- [1] The remit of Ministries Council is "the enabling of ministries in every part of Scotland, giving special priority to the poorest and most marginalised, through the recruitment, training and support of recognised ministries of the Church and the assessment and monitoring of patterns of deployment of those ministries."

## COMMITTEE ON ECUMENICAL RELATIONS MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Adopt *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* as the Ecumenical Policy of the Church of Scotland. (Section 2.2.2)
3. Note *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland: A Theological Basis*. (Appendix I)
4. Instruct the Committee on Ecumenical Relations to bring a strategy for the implementation of *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* to the General Assembly of 2019.
5. Concur with the response of the Committee on Ecumenical Relations to the Review of Action of Churches Together in Scotland (ACTS) and agree to transmit the same to the Trustees of ACTS. (Section 3)
6. Note *Action of Churches Together in Scotland: A Review*. (Appendix III)
7. Instruct the Committee on Ecumenical Relations to bring recommendations with respect to Action of Churches Together in Scotland, in the context of a strategy for the implementation of the Ecumenical Policy of the Church, to the General Assembly of 2019.
8. Instruct the Committee on Ecumenical Relations to advise the Council of Assembly of any significant matters which require a decision prior to the General Assembly of 2019, with respect to the Action of Churches Together in Scotland Review Process.
9. Approve the delegates to Assemblies, Synods and Conferences of other Churches, as detailed in Appendix IV.
10. Note the appointment of representatives to ecumenical bodies, as detailed in Appendix V.

### Report

#### 1. CLARIFYING THE VISION: A SEASON OF REVIEWS

**1.1** The theme of review has been a constant in the life of the Committee during recent times. The General Assembly of 2017 received under the Report of the Council of Assembly 'the Council's review of the work of the Ecumenical Relations Committee' which included a revised and renewed Remit for the Committee. Further, the General Assembly instructed the Committee to review the Ecumenical Policy of the Church of Scotland, in consultation with the Council of Assembly, and to report on the review to the General Assembly of 2018.<sup>[1]</sup> The Committee now brings a renewed Ecumenical Policy and invites the General Assembly to approve that Policy and to embrace the vision of the Church which is integral to it.

**1.2** The present Ecumenical Policy of the Church, as approved by the General Assembly in 2005, has at its heart a commitment to the resourcing of Action of Churches Together in Scotland (ACTS) on the basis of a "Churches Together" model. Equally, as noted in the Report of the Committee on Ecumenical Relations in 2017, ACTS has been subject to a 'comprehensive external review'.<sup>[2]</sup> The Review carried out by Theos is now complete.<sup>[3]</sup> Equally, at the time of writing, the reception of the Review by the member churches of ACTS is ongoing.<sup>[4]</sup> Further, it is anticipated that the reception process, along with engagement with the member churches of ACTS and others, will continue throughout 2018.

**1.3** Throughout the past year as the Committee has engaged in reflecting upon the prospective Ecumenical Policy of the Church *and* the ACTS Review process, it has been conscious of the extent to which the former might have been thought to be dependent on the latter. Indeed, as indicated, the present Ecumenical Policy is based on a model which places ACTS at the heart of that Policy. One conclusion that might have been drawn is that the Committee ought to have postponed bringing a renewed Ecumenical Policy until such time as the ACTS Review process had been completed. Having considered this, the Committee came to the view that it ought to set out a Policy on behalf of the Church on the basis that such a Policy, if agreed, would better enable the Church thereafter to envisage the nature of its involvement in a

national ecumenical body. This would necessitate a degree of provisionality with respect to the outworking of any agreed Policy. The Committee is fully conscious of this and concluded, as indicated, that it was important to bring the renewed Ecumenical Policy, as instructed, and gives notice that it shall develop a strategy for the implementation of the Policy, and so complete this task, in its Report to the General Assembly of 2019.

**1.4** As we shall see in due course, one of the conclusions of the ACTS Review is that, whatever the final outcome of the process, there is a need to clarify the vision of ecumenism that lies at the heart of our self-understanding of the Church.<sup>[5]</sup> The Committee has taken up the theme of “Clarifying the Vision” as a unifying theme for our Report. We now seek to clarify that vision and articulate a Policy consequent to this.

## **2. CLARIFYING THE VISION: LOCAL, UNIVERSAL AND SHAPED BY THE MISSION OF GOD: AN ECUMENICAL POLICY FOR THE CHURCH OF SCOTLAND**

### **2.1 Present Ecumenical Policy**

**2.1.1** The present Ecumenical Policy of the Church, as agreed in 2005,<sup>[6]</sup> follows from the request of the General Assembly of 2003 to the Committee on Ecumenical Relations to ‘review the ecumenical strategy of the Church of Scotland in Scotland’, in light of the rejection of the Scottish Churches Initiative For Union (SCIFU) proposals. Thereafter, the Committee offered ‘a policy statement [rather] than a set of strategies’.

**2.1.2** The Ecumenical Policy is in three Parts, with the policy element found in Part 3: “A Churches Together Policy”.<sup>[7]</sup> It states the basis of the Policy, with reference to the Churches Together model, in the following terms:

*The Churches Together model unites in pilgrimage those churches which acknowledge God’s revelation in Christ, confess the Lord Jesus Christ as God and saviour according to the Scriptures and in obedience to God’s will and in the power of the Holy Spirit, commit themselves to seek a deepening of their communion with Christ and with one another in the Church, and to fulfil their mission to proclaim the Gospel by common witness and service in the world to the glory of the One God, Father, Son and Holy Spirit.*

**2.1.3** In terms of what the model requires of the Church of Scotland, there are three elements to the 2005 Policy: 1) The resourcing of structural ecumenism through national and international ecumenical bodies, such as ACTS, Churches Together in Britain and Ireland (CTBI), Churches Together in England (CTE), the Conference of European Churches (CEC), the Community of Protestant Churches in Europe (CPCE), the World Communion of Reformed Churches (WCRC), and the World Council of Churches (WCC); 2) the resourcing of local ecumenism, and; 3) the resourcing of ecumenism within the Councils and Committees of the Church.

**2.1.4** The Policy is one that has guided the work of the Committee in the years since 2005 and, throughout that time, it has sought to effectively represent the Church of Scotland in national and international contexts. The contribution of the Church in these contexts has been recognised and affirmed, and noted in the 2017 Review of the work of the Committee by the Council of Assembly.<sup>[8]</sup> Nevertheless, it is the view of the Committee that the resourcing of structural ecumenism since 2005 has not been effectively complemented by a resourcing of local ecumenism. Equally, it is clear that the implementation of the Policy has not engaged the Church as effectively as might have been hoped. In the light of this, the Committee is of the view that the time has come for a generational renewal of that Policy.

**2.1.5** Notwithstanding these comments, there is a principle that underlies the 2005 Policy which is worth recalling, namely, the Lund Principle.<sup>[9]</sup> The Principle was articulated in the context of the Third World Faith and Order Conference at Lund, Sweden in 1952 and has subsequently been affirmed as an axiom within ecumenical circles, albeit that the implications of the axiom have not necessarily been developed beyond the affirmation. In various forms and paraphrases, it is derived from the following:

*We would, therefore, earnestly request our Churches to consider whether they are doing all they ought to do to manifest the oneness of the people of God. Should not our Churches ask themselves whether they are showing sufficient eagerness to enter into conversation with other Churches and whether they should not act together in all matters except those in which deep differences of conviction compel them to act separately?<sup>[10]</sup>*

**2.1.6** The Lund Principle was, of course, articulated within a particular context and at a specific time. Nevertheless, the

general context was one in which the challenge to mission in an increasingly secularised society was being addressed. The Principle invites the churches to consider what their response to that challenge is today and, to that extent, it has a quality which is not bound by time.

**2.1.7** In the consideration our future Ecumenical Policy, we ought not to lose sight of the potential implications of the Principle articulated.

## **2.2 Future Ecumenical Policy**

**2.2.1** The Committee now offers a renewed Ecumenical Policy for the Church of Scotland and, in so doing, believes that it is continuing the trajectory established in its own review in seeking to place an ecumenical understanding of the work of the Church at the heart of our self-understanding. That is, what it is to be concerned for the ecumenical life of the Church is not a consideration to be 'added on' once all other considerations have been attended to. Rather, it is to be concerned for the very self-understanding of the Church in its local and universal expressions complemented by its self-understanding in relation to the mission of God. Equally, the proposed Policy has been shaped by the season of reviews which the Committee has shared in and reflects a desire to offer a vision of ecumenical working together that is comprehensive, comprehensible and relevant to the situation faced by the Church today.

**2.2.2** A Theological Basis for the Policy is articulated in Appendix I and this provides an account of the theological foundation of the Policy as well as an indication of some of its potential implications. The Theological Basis should be regarded as the bedrock upon which the Policy rests. Equally, an essential backdrop to the Policy is provided in a sketch of the changing landscape of ecumenism within Scotland, as found in the review of the work of the Committee undertaken by the Council of Assembly and reported to the General Assembly in 2017 (Appendix II).<sup>[1]</sup> The intention of the Committee is to offer a Policy that is local in its focus, universal in its intention and shaped by a vision of the mission of God. Equally, we note, as indicated, that it would be the intention of the Committee to bring a strategy for the implementation of the Policy to the General Assembly of 2019. The proposed Policy is as follows:

## ***Local, Universal and Shaped By the Mission of God: An Ecumenical Policy for the Church of Scotland***

### ***The Basis***

*God's Mission has a Church and it is the One, Holy, Catholic and Apostolic Church. It is the Universal Church of which the Church of Scotland is a part and which is expressed in each Local Church. God calls the Church of Scotland to share in the mission of God and, in the light of this, to remove any obstacles that hinder our cooperation with our sisters and brothers in Christ.*

### ***The Life of God***

*The life of God is manifest in the Trinity of Father, Son and Holy Spirit. The life of the God of Love is essentially relational and, as Creator, Redeemer and Sustainer, God enters into the life of Creation. The life of God is made known through Jesus Christ as the Life of the world and the Holy Spirit as the Life-giver who empowers and renews Creation.*

### ***The Mission of God***

*The mission of God is an expression of the self-giving of the life of God. The mission of God is rooted in the being of God and is made known in the action of God through the Son and by the Holy Spirit. The mission of God is concerned for the whole of Creation and is made known through the proclamation of the Kingdom of God.*

### ***The Church***

*The Church is shaped by the mission of God whose life is made known in the One, Holy, Catholic and Apostolic Church. The life of the Church is primarily expressed in the local Church which is itself an expression of the universal Church. We live out our calling to be the Church by intentionally developing flourishing relationships which embody the life of God.*

### ***The Local***

*The development of flourishing relationships at a local level is realised through the sharing of the gifts that God has given to the people of God in particular, local settings. In the sharing of these gifts:*

*We shall more fully embody the life of God in the body of Christ through the power of the Holy Spirit.*

*We shall better enable our sharing in the mission of God through the ministry of the people of God.*

*We shall encourage participation in active, shared discipleship.*

### ***The Universal***

*The development of flourishing relationships at a universal level is realised in the sharing of the life of God embodied in each part of the Universal Church as it participates in the One, Holy, Catholic and Apostolic Church. Our shared realisation takes place through dialogue and in the affirmation of one another through participation in particular regional, national and international bodies and forums. In the sharing of the life of God:*

*We shall embody the life of God at a regional level as we share our experience in the context of the bodies through which oversight and mutual encouragement takes place.*

*We shall enable our sharing in the mission of God at a national level as we affirm that God has given to each tradition of the Church a particular insight into the life of God and that in humbly acknowledging one another we acknowledge the presence of God.*

*We shall encourage participation in the life of the One, Holy, Catholic and Apostolic Church at an international level through our identification with the life of Creation and the common challenges we face and, in so doing, live out our response to the prayer of Jesus that we 'may all be one...so that the world may believe'. (John 17: 20-21)*

### ***The Principle***

*The Policy commits the Church of Scotland to the support of the principle that, at local, regional, national and international levels, churches ought to act together except where deep differences of conviction compel them to act separately.*

**2.2.3** As stated, the proposed Policy is intended to be local in its focus, universal in its intention and shaped by a vision of the mission of God. It provides a Basis which is fully amplified in the attendant Theological Basis for the Policy and offers a vision of the life of God and of the mission of God. The Church is one that is shaped by the mission of God and, in its complementary expressions, is understood to be local in its embodiment of the universal and to be universal in the particularity of the local. The Principle which underlies this is one that has been oft repeated and seldom realised. Once more, the implications of the Policy now require to be developed and it is the intention of the Committee to present these to the General Assembly in 2019. In particular, the implications of the Policy require to be developed in relation

to the wider ecumenical situation within Scotland and, in part, to the ongoing process of the ACTS Review.

## **3. CLARIFYING THE VISION: ACTION OF CHURCHES TOGETHER IN SCOTLAND: A REVIEW**

**3.1** ACTS is a national ecumenical body within Scotland and is constituted by nine Member Churches: Church of Scotland; Congregational Federation; Methodist Church in Scotland; Religious Society of Friends (Quakers); Roman Catholic Church; Salvation Army; Scottish Episcopal Church; United Free Church of Scotland, and; United Reformed Church.<sup>[12]</sup> Formed in 1990, ACTS understands itself to be the means through which the member churches express their desire to share:

*[1] Greater oneness between churches, as Jesus prayed, "that they all may be one" (John 17.21). [2] A growth of understanding and common life between churches. [3] Unified action in proclaiming and responding to the gospel in the whole of life. In its work ACTS seeks to enable the Scottish churches in their common life. It encourages and resources encounters between them in which each participant learns from the other, where difference is explored and respected and where division is healed.<sup>[13]</sup>*

**3.2** The Church of Scotland formally agreed to participate in ACTS at the General Assembly of 1989 and thereafter has remained in full membership of the body and has continued to resource it throughout.<sup>[14]</sup> We wish to place on record our appreciation of that which ACTS has accomplished in the past and acknowledge the contribution of those who continue to offer their service within the life of ACTS. To the extent that we offer, or endorse, a criticism of ACTS, we acknowledge that this is, at one and the same time, an acceptance of our responsibility for the situation now faced by ACTS. Equally, it should be understood as a commitment to address the challenges which we face together as churches in Scotland.

**3.3** Action of Churches Together in Scotland: A Review was commissioned by the Trustees of ACTS in 2017 with a brief understood by the appointed external reviewer, Theos, in the following terms:

*The task for this review was to gather information on stakeholders' perceptions of the need for a national ecumenical body in Scotland, to establish the views of the present member Churches of ACTS on the current vision, structure and operations of ACTS, and to identify the most effective model for ecumenical co-operation within the context of the contemporary life of the Church in Scotland.<sup>[15]</sup>*

**3.4** With respect to methodology, the information was gathered by Theos through a mixture of interviews and questionnaires.<sup>[16]</sup> A summary of the Theos Review is contained in Appendix III.

**3.5** The Theos Review was received in December 2017 and has been highlighted within the Council of Assembly and copies sent to all Council Secretaries for comment. The Committee is grateful for the helpful engagement which has flowed from this.

**3.6** The Committee considers that the Review comes at an appropriate time in the life of ACTS and that it can be regarded as a significant generational review given the nature of the changes in the shape of the life of the Church in Scotland since 1990, as well as the extent to which Scottish society itself has changed. We consider it to be a fair Review that accurately reflects the perceptions of ACTS which are commonly held and are satisfied that the contributions of the Church of Scotland participants are reflected in the published Review. We consider that Theos has fulfilled the remit given to it and express our thanks for their engagement in the Review process.

**3.7** With respect to the content of the Review, we note that the "Strengths and opportunities" section might reasonably be regarded as an affirmation of support for the principle of ecumenism and the vision which ACTS seeks to embody. That is, there is a relative consensus on the need for a body which expresses the shared life of the Church in Scotland. Relatively speaking, there is a limited account of the extent to which those strengths have been realised and opportunities taken.<sup>[17]</sup>

**3.8** In marked contrast, the section of the Review on the "Weaknesses and areas of concern" records a range of perceptions which we believe are indicative of a disconnect between the Member Churches and ACTS itself with respect

to the vision, structure, operations and administration of ACTS.<sup>[18]</sup>

**3.9** In principle, we welcome the space which ACTS potentially offers to the churches to hold conversation on matters of common concern. However, we note that those using the space have not grown in number since 1990 and that the conversation held therein cannot necessarily be said to reflect the challenges which the churches in Scotland face. With respect to the former point, it is a matter of concern that ACTS does not reflect the diversity and breadth of the life of the church in Scotland. With respect to the latter, at a time when the theme of mission has come to the fore at local and national levels, as well as within international ecumenism, there has been little emphasis on this in the life of ACTS. Within the published Review, Theos note the relative absence of a focus on mission amongst those participating in the Review process.<sup>[19]</sup> With respect to these matters, we agree with the Review and regard ACTS as being out of step with the challenges facing the church in Scotland at this time and that it requires to renew its vision and to broaden its membership base if it is to have a continuing role.

**3.10** An emphasis which comes to the fore in the Review and which we anticipate will particularly resonate with the Member Churches of ACTS is the need for ecumenism to be embodied in local expressions. We are of the view that, unless ecumenism is embodied in local expressions of what it is to be the Church of Jesus Christ in partnership with others, ecumenism itself will wither and cease to have relevance within the life of our Church. That having been said, we are conscious of the extent to which creative and collaborative working together, albeit outwith the formal structures of ecumenism, is a feature of the life of our Church. This is especially evidenced at a local level in the results of the Ecumenical Audit carried out by the Committee and reported to the General Assembly in 2014,<sup>[20]</sup> as well as in the collaborative working undertaken in the life of the Councils and Committees of the Church of Scotland.

**3.11** With respect to the structures, operations and administration of ACTS, it is clear that there is an overwhelming sense that these need to be simplified and clarified in order that it might potentially renew itself. We would strongly endorse the view that unless such a process of simplification and clarification is undertaken then ACTS, as it is presently constituted, will be unable to function as an effective national body.



**3.12** The Committee welcomes and endorses the substance of the section of the Review on “Possibilities for the future” with its focus on the need to clarify the vision, restructure and broaden the membership base of any future ecumenical body in Scotland.<sup>[21]</sup> We note and conditionally concur with the relative consensus that ACTS ought to be retained, albeit that it ought to be comprehensively reformed, restructured and renewed. We note also the view of a significant minority that ACTS has run its course and ought to be wound up.

**3.13** In conclusion, the Committee is of the view that a future ecumenical body must reflect the richness and diversity of the life of the church. Equally, it is of the view that its vision must be primarily shaped by a concern to see ecumenism embodied in local expressions and shaped by a concern for the mission of God. Further, the structure of a future body ought to reflect the functions which its members wish it to undertake and it should be sufficiently flexible as to enable adaption to future change. Whatever the structure adopted, it is imperative that it offers a forum which will enable a welcome to be given to new participants.

**3.14** At the time of writing, the process of reception with respect to the Review is ongoing and it is anticipated that proposals for the renewal of ACTS will be forthcoming in due course. It is the intention of the Committee to bring recommendations with respect to ACTS, in the context of a strategy for the implementation of the Ecumenical Policy of the Church, to the General Assembly of 2019. Alongside this, insofar as decisions might require to be taken by the Member Churches before then, the Committee on Ecumenical Relations will advise the Council of Assembly of any significant matters which occur prior to the General Assembly of 2019.

#### **4. THEOLOGICAL FORUM DELIVERANCE ON SAME-SEX MARRIAGE**

Under the Report of the Theological Forum, the General Assembly of 2017 approved the following deliverance in relation to the Forum’s Report: *An Approach to the Theology of Same-Sex Marriage*:

Recognising the Church’s doctrine and practice in matters of human sexuality and marriage:

- a) Receive the report “An Approach to the Theology of Same-Sex Marriage” as a resource to the Church and commend it as a basis for study and discussion and instruct the Ecumenical Relations Committee to invite comment and feedback from our ecumenical partners and report to the General Assembly of 2018.

The Committee can advise diligence with respect to the fulfilment of the terms of the instruction and that responses to the Report were passed to the Theological Forum, with the Forum reporting on the substance of the responses in their 2018 Report.

#### **5. CLARIFYING THE VISION: ENGAGING WITH OUR PARTNERS**

##### **5.1 World Communion of Reformed Churches**

**5.1.1** The 26<sup>th</sup> General Council of the World Communion of Reformed Churches (WCRC) took place in Leipzig, Germany from 29 June to 7 July 2017 on the theme: “Living God, Renew and Transform Us”.

The WCRC’s commitment to gender justice was given focus by the adoption of a *Declaration of Faith on Women’s Ordination* that commits it to work with those member churches which do not permit or fully practise the ordination of women to the ministry of Word and Sacrament. The Ordination of Women is still a contentious issue for some member churches whilst, for others, it is a debate from earlier generations.<sup>[22]</sup>

The General Council witnessed a significant occasion in the decision of the WCRC to formally associate with the *Joint Declaration on the Doctrine of Justification*.<sup>[23]</sup> The Joint Declaration was agreed by the Roman Catholic Church and the Lutheran World Federation (LWF) and signed on 31 October 1999. In 2006, the World Methodist Council agreed to ‘affirm their fundamental doctrinal agreement with the teaching expressed in the *Joint Declaration on the Doctrine of Justification*’. The ‘Official Common Affirmation’ states:



*In this Statement the World Communion of Reformed Churches affirms fundamental doctrinal agreement with the teaching expressed in the Joint Declaration on the Doctrine of Justification signed at Augsburg on 31 October 1999 on behalf of the Lutheran World Federation and the Catholic Church...The present achievement and commitment are viewed by the four parties as part of their pursuit of the full communion and common witness to the world which is the will of Christ for all Christians.*

[24]

In the context of the signing of the *Joint Declaration*, the WCRC and the LWF signed the *Wittenberg Witness* committing the two bodies to exploring closer cooperation.<sup>[25]</sup>

The Church of Scotland contributed in a number of ways to the Council. Rev Alison McDonald convened the Nominating Committee which led to the election of the Executive Committee and Rev Ian Alexander served as Scribe of the Public Witness Committee. Andrew McPherson was prominent within the work of the Youth Pre-Council and Rev Alexander Horsburgh led the minute taking team, along with Pauline Weibye.

As noted, the association with the *Joint Declaration* took place in the context of events to mark the 500<sup>th</sup> Anniversary of the Lutheran Reformation and the Anniversary was appropriately marked in Scotland by an ecumenical service held in Holy Trinity Church, St Andrews on 31 October 2017, with St Andrews designated as a European City of the Reformation.<sup>[26]</sup> The Most Rev and Rt Hon Rowan Williams, Lord Williams of Oystermouth, preached at the service and members of the churches of St Andrews led worship.

## 5.2 Roman Catholic Church: Moderatorial Visit to the Vatican

**5.2.1** The Rt Rev Dr Derek Browning, accompanied by Anne Mulligan DCS (Chaplain), Rev Dr George Whyte (Principal Clerk) and Rev Dr John L McPake (Ecumenical Officer), was invited to attend a Private Audience with His Holiness Pope Francis in the Vatican City on Thursday, 26 October 2017. Dr Browning and Pope Francis exchanged greetings on behalf of their respective communions, and in the course of the Audience, affirmed that which we hold in common. Dr Browning stated:

*Prayers connect us to God and the faith we profess; practical compassion, motivated by an honest and robust engagement with civil and other authorities empowers us to speak out for the poor, refugees and migrants, for the marginalised in all our communities, and for the better stewarding of the creation that is entrusted to our care.*<sup>[27]</sup>

**5.2.2** In reflecting on the life of the Church in Scotland, Pope Francis stated:

*I have learned that the emblem of the Church of Scotland depicts the burning bush before which Moses encountered the living God. I am struck by the fact that in this great biblical text the Lord calls himself by a name that will echo down the centuries: "the God of your fathers" (Ex 3:15). In this way, he calls us too, as sons and daughters, brothers and sisters, to enter into a history of prior relationships and to live the life of faith not as isolated individuals and in theory, but within a concrete community, a "we". For no one becomes a Christian by himself and no one can live as a Christian without others. We belong to the family of believers, of so many of our brothers and sisters who have begun to walk in newness of life through Baptism (cf. Rm 6: 4) and who accompany us along that same path.*<sup>[28]</sup>

**5.2.3** The Private Audience and the warmth of the greetings exchanged reflect the depth of the relationship between our two churches and the journey we have shared in recent times. In the course of the exchange, Dr Browning highlighted the significance of the 50<sup>th</sup> Anniversary of the ordination of Women to the ministry of Word and Sacrament in 1968 as well as the ministry of the Diaconate which has been an integral part of the ministry of the Church of Scotland since 1888.<sup>[29]</sup> We echo the words of Pope Francis and affirm that we 'belong to the family of believers...who have begun to walk in newness of life through Baptism...and who accompany us along that same path'. The challenge of continuing to walk together on that path is one that we embrace afresh within the context of our shared life together.

## 5.3 Scottish Episcopal Church

The conversations between the Church of Scotland and the Scottish Episcopal Church entitled: *Our Common Calling*, continue to be fruitful. The latest meeting (3-4 October 2017) took place in Carlisle where we had the opportunity to engage with the experience of churches within the Covenant Partnership in Cumbria and to reflect on lessons for the

future shape of ecumenical sharing within a Scottish context. As highlighted in the Report of the Committee in 2017, the Cumbrian ecumenical experience is one that the churches in Scotland can learn from and we look forward to further reflection on this in due course.

#### **5.4 Church of England**

Equally, the conversations between the Church of Scotland and the Church of England occasioned by the *Columba Declaration* continue to offer the occasion for reflection on growth in communion and partnership in mission. The *Columba Declaration* Contact Group, including a representative from the Scottish Episcopal Church, met at Shepherds Dene, Northumberland (15-16 November 2017) to give consideration to a wide-ranging agenda including reception of the ordained ministries of different traditions, Brexit, the 500<sup>th</sup> Anniversary of the Reformation and the *Joint Declaration on the Doctrine of Justification*, as well as identifying items for the agenda of the Biennial Meeting between the Church of Scotland and the Church of England on 15-16 March 2018.

#### **5.5 United Free Church of Scotland**

A joint meeting took place in January 2018 between the Ecumenical Relations Committees of the Church of Scotland and the United Free Church of Scotland. In focussing on matters of common concern, the discussions on the ACTS Review process and reflections on the discussions on Ecumenical Policy that are taking place within both of our churches were of considerable value. It is anticipated that the pattern of Joint Committees will be an ongoing part of the Committee's work.

#### **5.6 Conference of European Churches General Assembly 2018**

The General Assembly of the Conference of European Churches (CEC) will take place in Novi Sad, Serbia from 31 May-5 June 2018 on the theme: "You shall be my witnesses" (Acts 1:7-8). The Assembly will consider key presentations on hospitality, justice and witness, as well as the CEC Open Letter "What future for Europe?" which was the subject of a series of regional consultations held across Europe throughout 2017.<sup>[30]</sup> The Assembly will determine the priorities and direction of CEC for the coming term as well as electing its Governing Board and Officers. The Assembly will be preceded by a Youth Assembly reflecting on the same theme.

#### **5.7 Community of Protestant Churches in Europe**

The 8<sup>th</sup> General Assembly of the Community of Protestant Churches in Europe takes place in Basel, Switzerland, from 13-18 September 2018 on the theme: "Liberated – Connected – Committed".

#### **5.8 World Council of Churches**

On 23 August 2018, the World Council of Churches (WCC) marks the 70<sup>th</sup> Anniversary of the first Assembly of the World Council of Churches in Amsterdam, Holland in August/September 1948.<sup>[31]</sup> A service to mark the Anniversary will be held in Amsterdam on that day and the member churches of the WCC are invited to recognise the occasion in their particular contexts. The Committee is in discussion with the Member Churches of ACTS with respect to marking the Anniversary in the Scottish context. A series of worship resources are being developed in relation to the Anniversary, and we pray with the churches of the global community:

O God,  
whose Son Jesus Christ prayed  
that all who believe through his disciples  
might be one;  
help us to proclaim the gospel in your world,  
and to live in unity and service,  
that strengthened by our common work and fellowship  
we may do your will  
and at the last be brought together to the eternal home  
where you live and reign forever.<sup>[32]</sup>

### **6. CLARIFYING THE VISION: A SEASON OF RENEWAL**

The Committee began this Report by noting that it had experienced a season of reviews with respect to a number of aspects of its life and the wider life of the Church. In part, the season of reviews continues. Equally, we believe there is a real sense that we have now entered into a season of renewal. In seeking to clarify a vision of ecumenism for the Church, the Committee believes that it has offered a renewed Policy and will seek, in due course, to offer a strategy which will enable the implications of the Policy to be worked out. The working out of these implications will be realised only in the practice of what it is to be the Church of Jesus Christ in partnership with others. In the Scottish context, and beyond, this will require of us that we act with sensitivity and care and that we demonstrate respect for the traditions of other churches. In

all of this, we recall and repeat what was stated earlier. What it is to be concerned for the ecumenical life of the Church is not a consideration to be 'added on' once all other considerations have been attended to. Rather, it is to be concerned for the very self-understanding of the Church in its local and universal expressions complemented by its self-understanding in relation to the mission of God.

*In the name of the Committee*

ALISON P MCDONALD, *Convener*  
KEVIN MACKENZIE, *Vice Convener*  
JOHN L MCPAKE, *Secretary*

## Addendum

### Rev Alison P McDonald

Alison McDonald has served as the Convener of the Committee on Ecumenical Relations since May 2013, having served a full term as Convener and then agreeing to serve for a further additional year in order to oversee an important transitional period in the life of the Committee. Following on from her service as Vice Convener from 2011-2013, the Committee is indebted to Alison for her contribution during this extended period and particularly appreciative of the stability that her continuing presence has brought to its work. Her time of service has been marked by a season of reviews with respect to the work of the Committee and the Ecumenical Policy of the Church and throughout that period she has articulated a vision of ecumenism which acknowledges the contribution of the past but is conscious of the pressing need to present a renewed vision for the future. In addition, she has served as a member of the Governing Board of the Conference of European Churches and represented the Church of Scotland in this forum with distinction. Throughout all that she has done, Alison has sought to place an ecumenical understanding of the work of the Church at the heart of our self-understanding of what it is to be the Church. Once more, we offer our thanks in gratitude for her contribution to the life of the Church.

*In the name of the Committee*

KEVIN MACKENZIE, *Vice Convener*  
JOHN L MCPAKE, *Secretary*

## Appendix I

### ***Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland: A Theological Basis***

1. **Theological Identity: Three Affirmations**
2. **What do we mean by 'Ecumenical'?**
3. **What do we mean by 'Local' and 'Universal'?**
4. **What do we mean by 'Shaped by the Mission of God'?**
5. **Conclusion**

#### **1. Theological Identity: Three Affirmations**

**1.1** Identity: The Church of Scotland affirms that it 'is part of the Holy Catholic or Universal Church...worshipping one God...in the Trinity of the Father, the Son, and the Holy Ghost...adoring the Father...confessing our Lord Jesus Christ, the Eternal Son...trusting in the promised renewal and guidance of the Holy Spirit...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.' (Article I)<sup>[33]</sup>

That is, the identity of the Church of Scotland is rooted in the economy of God as expressed in the life of the One, Holy, Catholic and Apostolic Church, which is itself rooted in the life of God as expressed in the Trinitarian nature of God. The life of the One, Holy, Catholic and Apostolic Church is embodied in the life of the visible community of the people of God called into being by the Word of God and celebrating Baptism and the Lord's Supper as signifying the one covenant of grace freely offered by the Lord Jesus Christ. Further, the identity of the Church has been shaped by the historical reality of the life of the Church as a Reformed church and understands itself to be *ecclesia reformata, semper reformanda*.

**1.2** Unity: The Church of Scotland affirms that it believes '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'. (Article VII)<sup>[34]</sup> This affirmation is grounded in the prayer of Jesus found in the Gospel of John

and the prayer may be said to encapsulate the heart of ecumenism. Jesus prays for those who will follow in the apostolic succession:

*I ask not only on behalf of these, but also on behalf of those who will believe in me through their word, that they may all be one. As you, Father, are in me and I am in you, may they also be in us, so that the world may believe that you have sent me. (John 17: 20-21 (NRSV))*

The prayer of Jesus for the unity of the disciples ('that they may all be one') is in order to realise the mission of Jesus ('so that the world may believe that you have sent me'). Jesus prays for unity in order to enable that mission with unity itself understood as an expression of an integral relationship between the Father and the Son ('just as you, Father, are in me, and I in you'). The identity of the Church of Scotland, as expressed in the *Articles Declaratory*, is in this sense bound up with its understanding of what Jesus intends as he prays to the Father.

**1.3** Union: The Church of Scotland affirms that it has historically been obligated since 1929 '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)<sup>[35]</sup> This affirmation is grounded in the distinctively Scottish and Reformed affirmation that there are three 'notes of the true Kirk'. The three 'notes' are: 'the Word to be purely preached, the sacraments administered according to Christ's ordinance, and discipline rightly exercised'.<sup>[36]</sup> The extent to which the Church has recognised and fulfilled this obligation is a moot point. Equally, the historical context in which the Article was framed has changed beyond recognition. This being so, we can reasonably seek to interpret the obligation in the light of the present and future situation of the Church within contemporary Scotland.

#### **2. What do we mean by 'Ecumenical'?**

**2.1** The use of the term 'ecumenical' to describe the work of the Church implies that there is a widely understood and accepted definition of what the term means, and that the concept of 'ecumenism' is itself comprehensively understood. However, experience suggests that this is not necessarily the case and that we might wish to ask: What do we mean by 'ecumenical'? There are 15 uses of the word *oikoumene* in the

New Testament. So, for example, it is used in Matthew 24: 14, Luke 4: 5; 21: 26, Acts 17: 31, Romans 10: 18, Hebrews 1: 6 and Revelation 3: 10; 12: 9; 16: 14 in reference to “the whole world”. Meanwhile, there is a connotation of “empire” with reference to the Roman Empire in Luke 2: 1 and Acts 17: 6, and a probable sharing of these connotations of “whole world” and “empire” in Acts 11: 28; 19: 27; 24: 5. In Hebrews 2: 5 the usage suggests that the present world order; the present *oikoumene*, stands in contrast to the world order that is to come; the *oikoumene mellousa*.

**2.2** The term begins to acquire a connotation and significance closer to our modern usage in the 2nd century AD, when *The Martyrdom of Polycarp* (c.155 AD) refers to ‘the catholic church throughout the *oikoumene*’ (5: 1; 8: 1: 19: 2), which may be regarded as the first linkage of the concept of *oikoumene* with that of ‘the catholic church’.<sup>[37]</sup> That usage may be said to be formally incorporated within the conciliar language of the Catholic church in the reference within the Canons of the Council of Constantinople (381 AD) to an ‘ecumenical synod’. (Canon 6) At this point, Visser t’ Hooft suggests that ‘the word “ecumenical” acquires the special connotation of that which is accepted as authoritative and valid throughout the whole Church’.<sup>[38]</sup> In so doing, he references the ‘ecumenical councils’ which are considered to embody the authoritative teaching of the Church. The Orthodox and Catholic traditions of the Church receive seven councils (325-787 AD) as being ecumenical and thus authoritative, with the Catholic tradition recognising a further series of general councils thereafter.<sup>[39]</sup> Within the Reformed tradition, Calvin affirms that we receive Nicea, Constantinople, Ephesus and Chalcedon (325, 381, 431 and 451 AD respectively).<sup>[40]</sup> A further development in connotation occurs within the Lutheran communion when the *Formula of Concord* (1577, Latin edition) designates the Creeds of the Church (Apostles’, Nicene and Athanasian) as: *Tria symbola catholica et oecumenica*.<sup>[41]</sup> Thus, the Creeds are designated and understood as ‘ecumenical’ in significance.

**2.3** These developments in the connotation and significance of the term ‘ecumenical’ may be said to have led to it acquiring a range of complementary meanings; *catholicity*, *conciliar* and *creedal*, with the core underlying sense of reference to “the whole world”.

**2.4** With respect to the significance of the term within the modern ecumenical movement, and its particular association with institutional ecumenism, we can point to a range of initiatives in the period immediately prior to and immediately following the First World War. In the first instance, we may highlight the World Missionary Conference held in Edinburgh in 1910 and note that it is understood as marking ‘the symbolic starting point of the modern ecumenical movement’, albeit that ‘there were no Roman Catholic or Orthodox delegates present’.<sup>[42]</sup> We shall return to our understanding of ‘mission’ in due course and note that in a very real sense the model offered by Edinburgh 1910 has served as the essential basis for conceiving the pattern of the assemblies and councils of international ecumenical bodies since then.

**2.5** Thereafter, and following the cessation of War, we may discern an existential urgency in addressing the collapse of normative understandings of social and political order, particularly to the extent that the pre-War social and political order was understood to have been founded on a normative Christian basis with the Church Universal understood as embodying that norm.

**2.6** Thus, alongside Edinburgh 1910 and the missionary concern which animated it, the 20<sup>th</sup> Century ecumenical movement can be understood as developing out of two further distinctive strands: “Life and Work” and “Faith and Order”, which then came together in the formation of the World Council of Churches in 1948.<sup>[43]</sup> The “Life and Work” strand may be said to have begun to self-consciously understand its work as ‘ecumenical’ from at least 1925 onwards with the Life and Work Conference in Stockholm of that year speaking of its work as ‘*communio in serviendo ecumenica*’; an ecumenical communion in service to the Life and Work of the Church.<sup>[44]</sup> Equally, this understanding begins to be replicated in the Faith and Order Conference in Lausanne in 1927.<sup>[45]</sup> Further to this, Visser t’ Hooft suggests that the Oxford Life and Work Conference of 1937 ‘did much to give the word wider currency and to establish its wider and more substantial meaning’.<sup>[46]</sup> The Report of the Conference states:

*The term “oecumenical” refers to the expression within history of the given unity of the Church...The thought and action of the Church are...oecumenical, in so far as they attempt to realize the Una Sancta, the fellowship of Christians, who acknowledge the one Lord.<sup>[47]</sup>*

Visser t' Hooft suggests that:

*From that time on the term has been used in both the traditional sense of “concerning the Church as a whole”, and in the modern sense of “concerning the relationship of different Churches” and “expressing the consciousness of the wholeness of the Church”.<sup>[48]</sup>*

**2.7** The coalescing of these senses of the term may be said to be embodied in the various publications associated with the first Assembly of the World Council of Churches which was held in Amsterdam, Holland in August/September 1948.<sup>[49]</sup> The ecumenical usage and template now embodied, subject to evolution and development, may be said to provide the essential parameters within which institutional ecumenism is to be understood. To that extent, the term ‘ecumenical’ may be said to have acquired a further connotation and significance, such that ‘ecumenical’ is widely, and often, primarily, understood as referring to *institutional* bodies whose goal is the enabling of the call to ‘visible unity’.

The Constitution of the World Council of Churches states:

*The World Council of Churches is a fellowship of churches which confess the Lord Jesus Christ as God and Saviour according to the scriptures and therefore seek to fulfil together their common calling to the glory of the one God, Father, Son and Holy Spirit...The primary purpose of the fellowship of churches in the World Council of Churches is to call one another to visible unity in one faith and in one Eucharistic fellowship, expressed in worship and common life in Christ, through witness and service to the world, and to advance towards that unity in order that the world may believe.<sup>[50]</sup>*

**2.8** Equally, that model, evolved and developed and adjusted to scale and context, has, in essence, provided the template for the range of institutional bodies that the Church of Scotland has become a member of: Action of Churches Together in Scotland (ACTS); Churches Together in Britain

and Ireland (CTBI); Churches Together in England (CTE); the Conference of European Churches (CEC); the Community of Protestant Churches in Europe (CPCE), and; the World Communion of Reformed Churches (WCRC).

**2.9** Within the Scottish, and the wider British and Irish, context, the Swanwick Declaration issued on 4 September 1987,<sup>[51]</sup> and the consequent document: *Churches Together in Pilgrimage* published in 1989,<sup>[52]</sup> may be said to represent that adjustment to scale and context and to provide the template for the ecumenical bodies that the Church of Scotland primarily relates to within Scotland and the British Isles: ACTS<sup>[53]</sup> and CTBI,<sup>[54]</sup> with these bodies coming into being on the basis of the template on 1 September 1990. The Churches Together model has effectively shaped the Church of Scotland’s ecumenical engagement since 1990 and explicitly forms the basis of the Ecumenical Policy of the Church adopted by the General Assembly in 2005, with a commitment to ACTS being an integral part of that Policy.<sup>[55]</sup> Within that timeframe, it will be recalled that the period 1996-2003 saw the development of the Scottish Churches Initiative for Union (SCIFU) and that the proposals for union as developed within SCIFU were not adopted by the General Assembly in 2003.<sup>[56]</sup> As noted, the Churches Together model was endorsed by the General Assembly in 2005 and, in the period since then, it would be reasonable to suggest that the Church has understood its ‘ecumenical’ commitments primarily in terms of its relationship to institutional bodies.

**2.10** At present, a review of ACTS is ongoing with the outcome to be determined by a process of interaction between the nine Member Churches: Church of Scotland; Congregational Federation; Methodist Church in Scotland; Religious Society of Friends (Quakers); Roman Catholic Church; Salvation Army; Scottish Episcopal Church; United Free Church of Scotland, and; United Reformed Church. Equally, it should be observed that the present membership of ACTS is constituted by what may be regarded as a relatively limited range of church life within our nation and that it does not include churches from the Orthodox, Pentecostal or Baptist traditions amongst others. Further, it does not include a number of churches within the wider Scottish Reformed community.

**2.11** In summing up our reflection upon: ‘What do we mean by ‘Ecumenical’?’, we note that the term has itself



developed and acquired particular connotations over time. Equally, we should not foreclose our minds to the thought that it might be subject to further evolution and development in the light of the contemporary situation of the church in the 21<sup>st</sup> Century. Insofar as any such evolution and development does occur, integral to it must be the sense that it better enables us to comprehend the unity which Jesus prays for in John 17: 20-21 and, within the Scottish context, to understand our identity as part of the One, Holy, Catholic and Apostolic Church.

### 3. What do we mean by 'Local' and 'Universal'?

**3.1** In speaking of the 'local' church, we assume that the reference is immediately and univocally understood to refer to a particular sort of community located in a particular place. Indeed, within the Church of Scotland we understand our distinctive vocation in terms which are founded on a conception of what it is to be located in a particular place and to exercise a particular form of ministry. Article III of the *Articles Declaratory* states:

*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 in every parish of Scotland through a territorial ministry.*<sup>[57]</sup>

That is, the Church understands its calling to be one in which we exercise a ministry in particular localities ordered according to a parochial, or local, pattern.

**3.2** What then is the relation of the local and parochial to the life of the One, Holy, Catholic and Apostolic Church? *The Church: Towards a Common Vision* (TCV) devotes considerable attention to this relationship and does so within the context of the affirmation that:

*The Church is fundamentally a communion in the Triune God and, at the same time, a communion whose members partake together in the life and mission of God (cf 2 Pet. 1:4), who, as Trinity, is the source and focus of all communion.*<sup>[58]</sup>

**3.3** Essentially, TCV resources our understanding of the 'local' church as a relational body within the communion of the universal Church. At the most basic conceptual level it states:

*[T]he local church is simply the congregation of believers gathered in one place to hear the Word and celebrate the Sacraments.*<sup>[59]</sup>

**3.4** With that basic conceptual understanding, the local community of the Church is understood to be a place where:

*Every Christian receives gifts of the Holy Spirit for the upbuilding of the Church and for his or her part in the mission of Christ. These gifts are given for the common good (cf. 1 Cor. 12:7; Eph. 4:11-13) and place obligations of responsibility and mutual accountability on every individual and local community and on the Church as a whole at every level of its life.*<sup>[60]</sup>

**3.5** That is, each member of the Church of Jesus Christ is gifted for the service of the mission of Christ in the context of the local community to which they are called, with that community standing in relationship to the Church conceived universally. With respect to the mission exercised by the Church, it states:

*The Gospel needs to be proclaimed in languages, symbols and images that are relevant to particular times and contexts so as to be lived authentically in each time and place.*<sup>[61]</sup>

**3.6** That is, the Gospel is seen to be authentic precisely because it is contextualised in particular localities and cultures. However, such contextualisation should not lead to a situation in which one particular form of the authentic articulation of the Gospel is imposed in another cultural context. Thus, a 'legitimate diversity' with respect to cultural forms of expression must be recognised.

**3.7** In seeking to hold this insight in a dynamic and creative tension, TCV states:

*At the same time, unity must not be surrendered. Through shared faith in Christ, expressed in the proclamation of the Word, the celebration of the sacraments and lives of service and witness, each local church is in communion with the local churches of all places and all times.*<sup>[62]</sup>



**3.8** To this point, TCV has essentially affirmed the place of the 'local' and stated that it stands in a relation of communion to other local communities. How then does it more fully state the nature of that relationship? That is: 'What is the relationship of the 'local' to the 'universal'?

**3.9** In seeking to develop its understanding of the 'communion of local churches', we recall the basic conceptual insight that the 'local church is simply the congregation of believers gathered in one place to hear the Word and celebrate the Sacraments', and hear TCV when it affirms:

*The ecclesiology of communion provides a helpful framework for considering the relation between the local church and the universal Church...Culture, language and shared history all enter into the very fabric of the local church. At the same time, the Christian community in each place shares with all the other local communities all that is essential to the life of communion. Each local church contains within it the fullness of what it is to be the Church.<sup>[63]</sup>*

**3.10** In so affirming, we may hear an echo of the Scots *Confession* where it affirms that it is in the 'the true Kirk' that 'the Word...be purely preached [and] the sacraments administered according to Christ's ordinance'.<sup>[64]</sup> That is, the local 'Kirk' is the place in which 'the congregation of believers gathered in one place to hear the Word and celebrate the Sacraments'. Equally, we further hear the Scots *Confession* when 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.<sup>[65]</sup>*

Equally, it affirms:

*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.<sup>[66]</sup>*

**3.11** What then of the relationship of the 'local' to the 'universal' within the life of the One, Holy, Catholic and

Apostolic Church?<sup>[67]</sup> In seeking to maintain the dynamic and creative tension between the 'local' and the 'universal', TCV says of the 'local' (and necessarily, of the 'universal'):

*It is wholly Church, but not the whole Church. Thus, the local church should not be seen in isolation from but in dynamic relation with other local churches. From the beginning communion was maintained between local churches by collections, exchanges of letters, visits, eucharistic hospitality and tangible expressions of solidarity (cf. 1 Cor. 16; 2 Cor. 8:1-9; Gal. 2:1-10). From time to time, during the first centuries, local churches assembled to take counsel together. All of these were ways of nurturing interdependence and maintaining communion. This communion of local churches is thus not an optional extra. The universal Church is the communion of all local churches united in faith and worship around the world. It is not merely the sum, federation or juxtaposition of local churches, but all of them together are the same Church present and acting in this world.<sup>[68]</sup>*

**3.12** The dynamic and creative tension between the 'local' church and the 'universal' church is the relationship through which the 'universal' is realised in the particularity of the 'local' and the 'local' embodies the 'universal'. This theological insight echoes the biblical insight:

*For just as the body is one and has many members, and all the members of the body, though many, are one body, so it is with Christ. For in the one Spirit we were all baptized into one body—Jews or Greeks, slaves or free—and we were all made to drink of one Spirit. (1 Corinthians 12: 12-13 NRSV))*

**3.13** In seeking to summarise an understanding of the 'relationship between local and universal Church' shared by many churches, TCV states:

*They share the understanding that the presence of Christ, by the will of the Father and the power of the Spirit, is truly manifested in the local church (it is "wholly Church"), and that this very presence of Christ impels the local church to be in communion with the universal Church (it is not "the whole Church").<sup>[69]</sup>*

**3.14** Within this vision of the local church, each 'local' church in Scotland is the place in which 'the congregation of believers gathered in one place to hear the Word and celebrate the Sacraments'. In that place, the 'local' church is to live out its vocation in mission, worship and pastoral care and in so doing to represent Jesus Christ through the life of the Spirit.<sup>[70]</sup> That is, within the 'local' church, the prophetic, priestly and royal ministry of Christ is to be lived out by 'the whole people of God'. The calling of 'the whole people of God' is rooted in the covenant of God initiated in God's choice of Israel, and in the covenant renewed by God 'in the ministry, death and resurrection of Jesus and the sending of the Holy Spirit'. (Romans 11: 11-36)<sup>[71]</sup>

#### 4. What do we mean by 'Shaped by the Mission of God'?

**4.1** We have already referenced the World Missionary Conference in Edinburgh 1910 as 'the symbolic starting point of the modern ecumenical movement', and in so doing we highlight the fact that, in the first instance, modern ecumenism was initially shaped in the context of a concern for mission. However, if the term 'ecumenical' has at times been less than comprehensively understood, the terms 'mission', and its more recently conceived and expressed relation 'mission-shaped', might reasonably be said to have been comprehensively over-used. If so, we might ask: What do we mean by 'mission'?

*Together Towards Life* (TTL) begins by affirming:

*We believe in the Triune God who is the creator, redeemer, and sustainer of all life. God created the whole oikoumene in God's image and constantly works in the world to affirm and safeguard life. We believe in Jesus Christ, the Life of the world, the incarnation of God's love for the world (John 3:16).<sup>1</sup> Affirming life in all its fullness is Jesus Christ's ultimate concern and mission (John 10:10). We believe in God, the Holy Spirit, the Life-giver, who sustains and empowers life and renews the whole creation (Gen. 2:7; John 3:8).<sup>[72]</sup>*

**4.2** Having affirmed the relationship of the Triune God to 'the whole oikoumene' created in God's image, TTL then states:

*Mission begins in the heart of the Triune God and the love which binds together the Holy Trinity overflows to all humanity and creation. The missionary God who sent the Son to the world calls all God's people (John 20:21), and empowers them to be a community of hope. The church is commissioned to celebrate life, and to resist and transform all life-destroying forces, in the power of the Holy Spirit. How important it is to "receive the Holy Spirit" (John 20:22) to become living witnesses to the coming reign of God!<sup>[73]</sup>*

**4.3** Given this Trinitarian basis for conceiving the nature of the mission, understood in the first instance as the mission of God, TTL asks:

*From a renewed appreciation of the mission of the Spirit, how do we re-envision God's mission in a changing and diverse world today?<sup>[74]</sup>*

It answers:

*Life in the Holy Spirit is the essence of mission, the core of why we do what we do and how we live our lives. Spirituality gives the deepest meaning to our lives and motivates our actions. It is a sacred gift from the Creator, the energy for affirming and caring for life. This mission spirituality has a dynamic of transformation which, through the spiritual commitment of people, is capable of transforming the world in God's grace.<sup>[75]</sup>*

**4.4** How can we reclaim mission as a transformative spirituality which is life-affirming?

*God did not send the Son for the salvation of humanity alone or give us a partial salvation. Rather the gospel is the good news for every part of creation and every aspect of our life and society. It is therefore vital to recognize God's mission in a cosmic sense and to affirm all life, the whole oikoumene, as being interconnected in God's web of life.<sup>[76]</sup>*

**4.5** In summary, we may say that within this framework 'mission' is conceived, in the first instance, as: Trinitarian, relational and concerned for the creation as a whole and for our integral part within it. Equally, if this constitutes the framework for our understanding of 'mission': What inspires

our vision of 'mission'? Within TTL, the answer is supplied in the concept of the *missio Dei*, the mission of God.<sup>[77]</sup> The concept is one that has come to be regarded as axiomatic for our understanding of the nature of mission.<sup>[78]</sup> Further, we note that it originates within the context of the international missionary movement and, in particular, at the International Missionary Council conference at Willingen, Germany in 1952 where the concept of the *missio Dei* was conceived. Thus:

*Willingen is rightly considered as one of the conferences that have had the most lasting influence on ecumenical mission theology.*<sup>[79]</sup>

**4.6** This is so insofar as it resulted in a paradigmatic shift in the work of the international missionary movement; from *missio Ecclesiae* (the mission of the Church) as the primary focus towards a conception of *missio Dei* (the mission of God).<sup>[80]</sup> The Trinitarian nature of the *missio Dei* concept of mission is stated thus:

*The missionary movement of which we are a part has its source in the Triune God Himself. Out of depth of God's love for us, the Father has sent forth his own beloved Son to reconcile all things to himself, that we and all men might, through the Spirit, be made one in Him with the Father in that perfect love which is the very nature of God.*<sup>[81]</sup>

**4.7** As said, the concept of *missio Dei* has become axiomatic for our understanding as it has evolved and developed in the years since its conception and may be said to offer a paradigm and a common foundation within which we can understand the nature of 'mission'.

**4.8** At this point we ought to ask: What then of the relationship of the Church to the *missio Dei*?

Before we do so we ought to acknowledge the extent to which the centre of gravity has shifted within world Christianity and that the experience of the Church with respect to mission is one of profound change and is often very different in the non-Western world. One dimension of that profound change is what has been called a "post-Western Christian awakening".<sup>[82]</sup> Wesley Granberg-Michaelson suggests that:

*Patterns of Christian vitality and witness are shifting in breath-taking ways that are reshaping the globe's religious landscape, and Christianity today seems divided in new ways. On the one hand are those churches, largely in the North, and rooted in the heritage of the East and the West, which have a deep sense of the historic Christian Tradition, and an ecumenical commitment to what the Nicene Creed names as "the one holy catholic and apostolic Church". But these churches find themselves struggling to maintain a resonant and vital witness amidst their modern, or post-modern cultures.*<sup>[83]</sup>

Granberg-Michaelson continues:

*On the other hand are those churches, located largely in the South (but moving through migration into the global North) which exhibit a vital, even explosive spiritual power, and are propelling a Christian resurgence within their societies and regions of the world.*<sup>[84]</sup>

**4.9** Thereafter, he suggests that this shift is not only 'geographical' in nature 'but also confessional' and notes the growth in modern Pentecostalism as a pervasive phenomenon within global Christianity alongside a re-shaping of the identity of the 'Evangelical community' as it shares in the spiritual renewal predominantly located in the global South.<sup>[85]</sup> Within 'the global South', 'context shapes a witness that is becoming more holistic, integrating personal evangelism and social justice'.<sup>[86]</sup> Meanwhile, the churches whose origins lie in the global North and are associated with the Anglican, Orthodox and Protestant traditions, as well as the Roman Catholic Church, and which embody the constituent membership of the World Council of Churches, stand in a relationship to the churches of the global South which is not yet fully articulated. Where these traditions are represented in the global South, they may share in the spiritual renewal being experienced but Granberg-Michaelson contends that:

*[T]he movements of fresh vitality and growth that are shaping the future of global Christianity are largely isolated from the structures of the present ecumenical movement, to the impoverishment of both.*<sup>[87]</sup>

**4.10** In response to this shift in the centre of gravity of Christianity in global terms and to the realignment in theological and confessional terms, there has been the

recognition of the need for the creation of a “new space” ...to draw those representing the diversity of world Christianity together’ and this has potentially been realised in the creation of the Global Christian Forum (GCF).<sup>[88]</sup> Following a period of eight years preparation, the GCF met in Limuru, Kenya in November 2007 and has been described ‘as a watershed in modern Christian history’.<sup>[89]</sup> The genesis and development of the GCF is helpfully set out by Huibert van Beek who scopes the development of three movements within global Christianity: Ecumenical, Evangelical and Pentecostal, during the 20<sup>th</sup> Century. He suggests that:

*The Ecumenical, Evangelical and Pentecostal movements are contemporary with one another...and yet: the Ecumenical movement on the one hand, and the Evangelical – Pentecostal – Charismatic movements on the other, have taken their courses separately and away from each other, largely ignoring each other and sometimes opposing and rejecting one another.*<sup>[90]</sup>

**4.11** van Beek suggests that it is within this context that the GCF has emerged at the turn of the 21<sup>st</sup> Century and, whilst acknowledging that the GCF model is ‘tentative, provisional and fragile’ suggests that it has created ‘a space where the whole Christian family can gather for the sake of unity and common witness’.<sup>[91]</sup>

**4.12** With this important perspective informing our understanding of the broader experience of mission, let us now ask: What then of the relationship of the Church to the *missio Dei*? TCV states:

*The Christian understanding of the Church and its mission is rooted in the vision of God’s great design (or “economy”) for all creation: the “kingdom” which was both promised by and manifested in Jesus Christ.*<sup>[92]</sup>

**4.13** That is, our understanding of the nature of the Church is rooted in our conception of the *missio Dei*, such that the vision of the Kingdom of God animates and informs that understanding. TCV Continues:

*According to the Bible, man and woman were created in God’s image (cf. Gen. 1:26-27), so bearing an inherent capacity for communion (in Greek koinonia) with God and with one another. God’s purpose in creation was thwarted by human sin and disobedience (cf. Gen. 3-4; Rom. 1:18-3:20), which damaged the relationship between God, human beings and the created order. But God persisted in faithfulness despite human sin and error. The dynamic history of God’s restoration of koinonia found its irreversible achievement in the incarnation and paschal mystery of Jesus Christ. The Church, as the body of Christ, acts by the power of the Holy Spirit to continue his life-giving mission in prophetic and compassionate ministry and so participates in God’s work of healing a broken world.*<sup>[93]</sup>

**4.14** In this conception of the nature of mission, the Scriptural narrative sets out the intention of God; to create a relationship of communion with those created in the image of God and to do so within the context of the created order. Scripture narrates the faithfulness of God to this intention as revealed through Jesus Christ and ever-renewed by the Holy Spirit. That work of renewal sustains the Church in its ministry and enables it to live out its vocation in mission, worship and pastoral care and, in so doing, to represent Jesus Christ through the life of the Spirit. TCV affirms the thrust of the Scriptural narrative in stating:

The Holy Spirit came upon the disciples on the morning of Pentecost for the purpose of equipping them to begin the mission entrusted to them (cf. Acts 2:1-41). God’s plan to save the world...*missio Dei*...“the mission of God”...is carried out through the sending of the Son and the Holy Spirit.<sup>[94]</sup>

**4.15** In essence then, the *missio dei* is expressed within the context of the Scriptural narrative and the Church is located within that as the sphere in which Jesus Christ is embodied and the Holy Spirit gives life to the community remade in the image of God.<sup>[95]</sup>

**4.16** In having set out a narrative account of how we might understand the nature of mission, we might reasonably wish to ask: How do we root such an understanding of ‘mission’ in the context of the ‘local’? One particular approach which has been influential within the Church has

been that which has evolved and developed out of the publication of *Mission-shaped Church* in 2004.<sup>[96]</sup> Albeit that the insights presented in *Mission-shaped Church* developed within the context of the mission of the Church of England and the wider Anglican Communion, they have commended themselves to a wider community of interest. At the core of the approach lies the “Five Marks of Mission” which have been commended by and throughout the Anglican Communion.<sup>[97]</sup> Equally, *Mission-shaped Church* may be said to have provided the catalyst for the “Fresh Expressions” initiative.<sup>[98]</sup>

The Five Marks of Mission are:

1. To proclaim the Good News of the Kingdom
2. To teach, baptise and nurture new believers
3. To respond to human need by loving service
4. To transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation
5. To strive to safeguard the integrity of creation, and sustain and renew the life of the earth<sup>[99]</sup>

**4.17** In seeking to place the Marks within the context of the understanding of ‘mission’ and the *missio Dei* developed with reference to *Together Towards Life* and *The Church: Towards a Common Vision*, we see that the opening emphasis on the proclamation of the Kingdom coheres well with the vision of the mission of God focused on the nurturing and discipling of Christian believers within the context of the exercise of a pastoral and prophetic understanding of the Church’s vocation. The integration of the theological basis provided by the concept of the *missio Dei* with the practice of mission in the context of the Church of Scotland and within the broader context of the church within Scotland is a subject surely worthy of further reflection.

**4.18** Equally, in reflecting upon the “post-Western Christian awakening” previously alluded to, we note that it is within this context that there has been an evolution and development in the conception of how churches might more effectively relate to one another and specifically so in a context shaped by mission. That context may be said to have been provided by the Global Christian Forum. To the extent that a “post-Western Christian awakening” is taking place

and that the GCF is an authentic response to a shift in the centre of gravity and to the realignment in theological and confessional terms of the various traditions within Christianity, we might expect to be able to discern an emerging consensus with respect to the form in which the traditions express their understanding of unity and mission. This would potentially be so insofar as it is the case that ‘context shapes a witness that is becoming more holistic, integrating personal evangelism and social justice’. It is too early to suggest that an agreed consensus on ‘form’ has emerged within the churches in Scotland.<sup>[100]</sup>

However, insofar as shared context shapes our witness and that we affirm that this ‘witness’ ought to be characterised as holistic and integrative, we might wish to reflect on whether our present context requires us to reconceive our understanding of the model of churches-in-relation most consonant with that context. The “Forum Model” has not yet been conceived within the Scottish context. Equally, the Church of Scotland ought not to conceive of how such a model might be characterised and understood in isolation from our partner churches within Scotland. Nevertheless, in concluding our reflection on ‘What do we mean by ‘Mission’?’, we might reasonably ask if the vocation of the Church is to invite our partners to consider with us how we might better serve the mission of God in the local contexts in which we embody and express the universal vision of the One, Holy Catholic and Apostolic Church.

## 5. Conclusion

**5.1** *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* has sought to place an ecumenical understanding of the work of the Church at the heart of the Church’s self-understanding. To repeat, it is concerned for the very self-understanding of the Church in its local and universal expressions complemented by its self-understanding in relation to the mission of God.

**5.2** To that extent, it is conceived in the first instance as a basis for reflection on the nature of the Church rather than as a programmatic statement of strategy or a framework for re-ordering the parishes, presbyteries, Councils and Committees of the Church of Scotland. Nevertheless, were it to fail to raise questions with respect to the latter then it might be judged to have failed in its purpose insofar as reflection on the nature of the Church ought always to raise questions in relation to the life of the Church.



**5.3** The pattern of relationships with the various ecumenical bodies to which the Church of Scotland relates cannot exhaust the extent of the Church's 'ecumenical' vision. Nor does the pattern of relationships between the various churches in Scotland, conceived as static and permanently fixed, constitute a sufficient basis for understanding the future vocation and calling of the Church. Rather, *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* is offered in the light of a concern for the self-understanding of the Church in its local and universal expressions and seeks to complement that self-understanding by placing the Church in its proper relationship to the mission of God. To the extent that it enriches that self-understanding it will have articulated a basis for the Ecumenical Policy of the Church of Scotland.

## Appendix II

### Ecumenical Landscape

#### 1. The Roman Catholic Church

**1.1** The contribution of the Ecumenical Relations Committee with respect to our relationship to the Roman Catholic Church was particularly highlighted with the Roman Catholic Church valuing the strong relationship with the Committee through its permanent representative. A significant change in the 'ecumenical landscape' in the past decade and more is to be found in the changed nature of the relationship between the Church of Scotland and the Roman Catholic Church, with the work of the renewed Joint Commission on Doctrine (since 2000) being particularly important. Equally, the joint response of our two churches to the World Council of Churches Faith and Order statement, *The Church: Towards a Common Vision* (Geneva, 2013), provides evidence of the growing confidence of relationship.

**1.2** The joint nature of the response is, as far as is known, unique on an international scale, and the fact that such a potentially significant statement was addressed on an ecumenical basis is indicative of the changed nature of the relationship. *The Church: Towards a Common Vision* is of such significance that further reflection on it within the context of the Church of Scotland as a whole would be of value with respect to the shaping of strategic direction. Equally, the nature of the joint response models a pattern of collaborative working which exemplifies ecumenism at its best. Such collaborative ecumenical working might also be thought to

embed within itself a prophetic dimension with respect to the future shape of the life of the Church within Scotland as a whole.

#### 2. The *Columba Declaration* and "Our Common Calling"

**2.1** Equally a shift towards a model which exemplifies a pattern of collaborative working can reasonably be detected in the reception and affirmation of the *Columba Declaration* by the Church of England and the Church of Scotland. No shift is ever without its attendant challenges and many of these relate to issues of language and communication.

**2.2** These issues have been especially highlighted with respect to our relationship with the Scottish Episcopal Church. Nevertheless, the addressing of these issues has served as a catalyst which has enabled us to engage together in a renewed process, "Our Common Calling", in which we will seek to reflect on the Faith and Order issues which have historically been before our two churches as well as engaging our churches locally in exploring our common calling.

**2.3** As noted, issues of language and communication are of particular significance in ecumenical dialogue and the Committee was strongly of the view that further attention needed to be given to how we communicate with other churches and how, in turn, that is communicated. It would be of value to the whole Church if intentional reflection on this might take place.

#### 3. The Practice of Diplomacy

In seeking to find a metaphor to best describe what the Ecumenical Relations Committee does, the Council thought that it might best be understood as exercising a diplomatic role on behalf of the Church of Scotland within the context of building our relationships with other denominations. The cultivation of a network of contacts beyond the boundaries of the Church is of significant value to the Church. In so doing, the Council recognises the contribution made by the Church to the various national and international ecumenical instruments and the valuable work that the Committee does, through the Ecumenical Officer, in encouraging and supporting our engagement with these instruments.

#### 4. ACTS

Within the Scottish context, the Council was conscious of the significance of the role of Action of Churches Together in Scotland (ACTS) as it works multilaterally within Scotland. It was acknowledged that any diminishing of the work of the Ecumenical Relations Committee would create a vacuum within the Church in Scotland and would have a significant impact on ACTS itself. Equally, the Council would contend that there is an onus on the Committee to be able to demonstrate the continuing value to the Church of our commitment to and support of ACTS.

#### 5. International Ecumenical Bodies

As with ACTS, so also for other ecumenical bodies to which the Church of Scotland belongs. The Ecumenical Relations Committee has successfully facilitated and supported the Church of Scotland's engagement within a range of national and international bodies, enabling valued and highly respected contributions to be made in: Churches Together in Britain and Ireland (CTBI); Churches Together in England (CTE); the Conference of European Churches (CEC), the Community of Protestant Churches in Europe (CPCE), the World Communion of Reformed Churches (WCRC); and the World Council of Churches (WCC).

### Appendix III

#### Action of Churches Together in Scotland: A Review

The Review consists of three parts, focussing on: 1) Strengths and opportunities of ACTS; 2) Weaknesses and areas of concern within ACTS, and; 3) Possibilities for the future of ACTS.

#### 1. Strengths and Opportunities

In general terms, the Review reflects a strong endorsement by the present membership of ACTS of the need for a body such as ACTS, summarily expressed in the following: "If it didn't exist, you would have to invent it".<sup>[101]</sup> That strong endorsement in principle reflects an expressed desire for oversight and direction within the shared life of the churches, albeit that the Review notes a degree of dissension with respect to this.<sup>[102]</sup> That said, the need for a "safe space" within which churches can share in 'open conversation' with respect to 'mission in contemporary Scotland' was recognised

as an important contribution by ACTS to the life of the church in Scotland.<sup>[103]</sup> Alongside this, the Review highlights a series of issues in relation to the funding available through ACTS for the enabling of shared ecumenical working. Albeit that ACTS does have funding available to enable potential projects, it is not clear that there is an agreed framework within which to approve, support and evaluate those projects.<sup>[104]</sup>

#### 2. Weaknesses and Areas of Concern

**2.1** Having identified a general endorsement of the principle of ecumenism which underlies a body such as ACTS, the Review notes that this 'generally positive view was balanced by criticism, and on occasion severe criticism, of the current functioning of ACTS'.<sup>[105]</sup> This is perhaps best exemplified in the Review's identification of 'a clear mismatch between the original vision for ACTS, members' expectations, and how ACTS currently operates'.<sup>[106]</sup> Equally, the Review identifies a lack of clarity among the membership of ACTS as to what the present vision, mission and priorities of ACTS actually are. Further, the recognition that there is a lack of clarity provides 'an opportunity for ACTS to redefine its vision in such a way that encourages current members to increase their engagement and enables the organisation to set objectives which lead to clear outcomes'.<sup>[107]</sup> Alongside this, there is an acknowledgement that any such redefinition of the vision of ACTS cannot take place without reference to 'the wider Scottish context' and cannot remain the preserve of the current membership.

**2.2** The extent to which ACTS is potentially perceived as being a "closed shop" is highlighted by contrast with the experience of Churches Together in England (CTE) which has experienced, since its inception in 1990, a considerable growth in its membership (from 16 members in 1990, to 45 in 2017) as compared with the static position of ACTS.<sup>[108]</sup> In particular, whilst CTE has constructively engaged with the growing number of Pentecostal, independent and 'ethnic minority Churches' within England and embraced many within its membership, ACTS has singularly failed to replicate this within its membership. Of those interviewed by Theos, many 'felt that given the current structure and *modus operandi* of ACTS such Churches are either hindered from full participation or simply do not see the benefits of joining'.<sup>[109]</sup> The result of this is a perception that 'ACTS is simply unattractive to Churches or networks outside of the formal ecumenical structures though they might be open to and in fact engaged in inter-church cooperation'.<sup>[110]</sup>



**2.3** In addressing the continuing relevance of ACTS, ‘the view that ACTS is now out of step with contemporary Church life in Scotland was expressed by almost all interviewees’.<sup>[111]</sup> To the extent that this is the case it is now no longer clear that ACTS speaks for the churches in Scotland. Equally, the model upon which ACTS is based, whilst resonant with the church situation in the 1990’s, no longer reflects the reality of contemporary Scottish church life.<sup>[112]</sup> In particular, ACTS is perceived as being irrelevant with respect to local ecumenism and that local engagement between churches takes place without reference to it. This point is particularly significant given that the majority of those responding to Theos ‘wished ecumenical work in Scotland to be geared toward cooperation between churches *at the local level*’.<sup>[113]</sup> Indeed, such comments are often reflective of an ongoing and healthy pattern of engagement between churches at a local level which stands in contrast with the fact that the ‘vast majority of those who participated in the review process...said that local churches were not aware of the existence of ACTS, let alone felt supported in local ecumenical efforts’.<sup>[114]</sup>

**2.4** The absence of an ACTS profile at a local level and, in particular, a failure to provide models of good practice is also seen as potentially indicative of the ‘real absence [of ACTS] from the Scottish Church scene’.<sup>[115]</sup> These relatively negative perceptions require to be offset by the recognition that ACTS does provide potentially valuable resources and has enabled engagement with contemporary issues such as Brexit.<sup>[116]</sup> Nevertheless, there is a clearly expressed preference for ACTS to be primarily engaged in the facilitating of local ecumenism and the development of relationships between churches at a national level, as against a focus on developing social justice projects and speaking out on national and international issues, and thereby establishing its presence.<sup>[117]</sup>

**2.5** In terms of those who typically participate in the decision-making processes of ACTS there is a clear perception of a lack of diversity and that ACTS is primarily the preserve of those who are ‘overwhelmingly white, older, and male’.<sup>[118]</sup> Equally, the processes themselves are perceived as being excessively bureaucratic and cumbersome and potentially lacking in accountability.<sup>[119]</sup> In particular, there is confusion as to the respective roles of the Trustees and the Members within the ACTS framework with a resulting lack of clarity in decision-making.<sup>[120]</sup> As a consequence, there is a clearly articulated request for a ‘significant restructuring’ of ACTS if it is to continue.<sup>[121]</sup>

**2.6** Within the present structure, the issue of the present leadership of ACTS drew a diverse range of responses with respect to it being ‘fit for purpose’. Equally, those responding to Theos in interview ‘strongly stated that the current leadership of ACTS...is not serving the best interests of the organisation’.<sup>[122]</sup> Further, there is considerable confusion as to what the role of the General Secretary is and a clear request that it should be ‘reimagined to include greater emphasis on the building and cultivation of relationships, both with the member Churches and individual church communities, and with interested parties outwith ACTS’.<sup>[123]</sup>

**2.7** Underlying many of the issues above is the perception that ACTS is an organisation with poor internal and external communication. This is seen as ‘resulting in poor morale in the ACTS office’ and in a ‘significant lack of awareness of ACTS in Scottish churches’.<sup>[124]</sup> With respect to the latter, a lack of coherent communications strategy is seen as a critical factor.<sup>[125]</sup>

### 3. Possibilities for the Future

**3.1** In turning to address possibilities for the future of ACTS, a number of broad themes emerge which, whilst not offering a coherent “plan of action”, offer a relative consensus of opinion. That is, if ACTS is to continue to be a national ecumenical body within Scotland, it ought to: 1) Clarify its vision; 2) Re-structure, and; 3) Broaden its base.<sup>[126]</sup> All of these suggestions can be seen as a response to the above section on ‘Weaknesses and Areas of Concern’ and as tending towards the provision of a coherent and simplified model with a clear and unifying purpose. Notwithstanding these opinions, a minority of respondents believe that ACTS itself has come to the end of its viability and that it ought to be wound up in its present form.<sup>[127]</sup>

**3.2** Interwoven with the above discussion, but, perhaps surprisingly, not a predominating theme, is the recognition of the need to consider the relationship between ecumenism and mission. Theos note that in similar research for CTE, there was a far greater emphasis on this relationship.<sup>[128]</sup> Theos state: ‘It is our view that ACTS should consider encouraging conversation on this matter’.<sup>[129]</sup>

## Appendix IV

### 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, Principal Clerk and Ecumenical Officer

*Presbyterian Church of Wales* - The Moderator

*United Reformed Church* - The Moderator

*Church of England* - Very Rev Dr A Morrison

*United Reformed Church Scotland Synod* - Rev K Mackenzie

*Scottish Episcopal Church* - Rev Dr L J Fraser

*Methodist Spring Synod* - Rev Dr F M Henderson

*United Free Church of Scotland* - Rev Dr J L McPake

*Baptist Union of Scotland* - Rev R Blackman

*Congregational Federation in Scotland* - Mr D Watt

Appendix V

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)

Central Committee

Very Rev Dr S M Kesting DSG, Mr I McLarty, Ms M Weibye

Ms M Weibye

World Communion of Reformed Churches

General Council (June-July 2017)

Rev I A Alexander, Rev A P McDonald,  
Mr A MacPherson, Rev A Schuetz Bradwell

Conference of European Churches

15th General Assembly (May-June 2018)

Governing Board

Rev R Frazer, Rev A P McDonald

Rev A P McDonald

Community of Protestant Churches in Europe (Leuenberg Church Fellowship)

8th General Assembly (September 2018)

Rev A Price

Churches Together in Britain and Ireland

Board of Trustees

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)

Trustee

Rev Dr G Barclay

Joint Liturgical Group

Mr G Fender-Allison, Rev G Gardner

## References

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- [4] *Action of Churches Together in Scotland: A Review* (London: Theos, 2017).
- [5] *Action of Churches Together in Scotland: A Review*, 45-46.
- [6] *Reports to the General Assembly 2005*, 26/13-26/29.
- [7] *Reports to the General Assembly 2005*, 26/26-26/29.
- [8] *Reports to the General Assembly 2017*, 6/10.
- [9] West, M, "Lund Principle", in; Lossky, N et al, (ed) *Dictionary of the Ecumenical Movement* (2<sup>nd</sup> ed) (Geneva: World Council of Churches, 2002), 633-634. See Faith and Order Commission, *Faith and Order: The Report of the Third World Conference* (London: SCM, 1952), 5-6, and E H Robertson, *Lund 1952* (London: SCM 1952), 70-71.
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*God's Design: An Ecumenical Study; The Church and the Disorder of Society: An Ecumenical Study*, and; *The Church and the International Disorder: An Ecumenical Study* (All: London: SCM Press, 1948). See also; Visser t' Hooft, W A, *The First Assembly of the World Council of Churches: The Official Report* (London: SCM Press, 1949).

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- [41] Visser t' Hooft, W A, "The Word "Ecumenical" – Its History and Use", 737.
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- 29-34, gives a complementary account of the historical period covered by Keum.
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- [83] Granberg-Michaelson, W, "Foreword", vii.
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- [85] Granberg-Michaelson, W, "Foreword", vii.
- [86] Granberg-Michaelson, W, "Foreword", vii-viii.
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- [101] *Action of Churches Together in Scotland: A Review*, 15.
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- [112] *Action of Churches Together in Scotland: A Review*, 26-27. The reality of the changing and increasingly complex picture of Scottish church life is reflected in Peter Brierley, *Growth Amidst Decline* (Tonbridge: ADBC Publishers, 2017), 29-56. Brierley identifies at least eighty three (83) denominations within Scotland.
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## PANEL ON REVIEW AND REFORM MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Encourage Presbyteries to develop training for those participating in different areas of service within the church and to make information about training programmes they develop available to others to assist in learning and development.
3. Welcome the increasing co-operation between some Presbyteries and the work of the Principal Clerk in facilitating this and encourage all Presbyteries to consider areas where working with others would be beneficial.
4. Instruct the Ministries Council to complete further work on the possibility of Ordained Local Ministers and Auxiliary Ministers being paid, consulting with Ordained Local Ministers, Auxiliary Ministers and others in doing so, and report to the General Assembly of 2019.
5. Instruct the Ministries Council to complete further work on the practicalities of allowing some candidates for Ordained Local Ministry to complete training placements in their home congregation where this is appropriate and to report to the General Assembly of 2019.
6. Instruct the Panel on Review & Reform to work with Mission & Discipleship Council, Ministries Council and the National Youth Assembly to consider what might be done to support the involvement and development of leaders under 50 at a congregational level.
7. Instruct the Panel on Review & Reform to complete research on the impact for congregations of participating in Path of Renewal and report to the General Assembly of 2019.

### Report

#### 1. INTRODUCTION

##### 1.1 Vision

The remit of the Panel on Review & Reform is to 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.

**1.1.2** In addressing the first of these, the Panel has considered whether the church might consider adopting a new, shorter vision statement. On balance, the Panel believes that there is little to be gained from such a change and that the current vision statement of the Church of Scotland, adopted by the General Assembly of 2006, continues to reflect the desire of the church and provides a “clear statement of the long term vision of the Church”:

*To be a church which seeks to inspire the people of Scotland and beyond with the Good News of Jesus Christ through enthusiastic worshipping, witnessing, nurturing and serving communities.*

**1.1.3** At the heart of the vision statement is an understanding that the primary work and witness of the Church of Scotland is through local congregations – something which was underscored in the Church Without Walls report:

*Local church is the focus of action – the place of initiative, questions and vision. Our vision is of local churches discovering their vision of what God is doing and joining in. The regional church is the focus of support ... central church is the focus of essential servicing and national role<sup>[1]</sup>*

**1.1.4** However, spelling out what this means “on the ground” is important and in its reports in 2016 and 2017 the Panel suggested that this involved developing, throughout Scotland and beyond, churches marked by three characteristics:

- a) Working in partnership with others to meet social needs and to bring about change so that justice prevails
- b) Sustaining authentic, engaging Christian community and worship for all generations
- c) Encouraging all to become fully formed disciples of Jesus Christ

The Panel is encouraged that the importance of these three strands is picked up in the Strategic Plan being developed by the Council of Assembly.

## 1.2 Underpinning Principles

Whilst the above may reflect the desire of the church, it does not answer the question “Why?” In seeking to answer this, the Panel recognises that at a deep level our primary calling is to be engaged in the mission of God – to see God’s Kingdom come, God’s will done. In that context we understand that building *enthusiastic worshiping, witnessing, nurturing and serving communities [of faith]* is part of the way that God has worked down through the generations and is still working today. As a consequence our belief is that there is something of “joining in” with what God is doing as we build local Christian communities who bear witness to God’s grace and love, model Kingdom living and reach out in love to those around them.

## 1.3 Key things needed to achieve the vision

In order to take this forward the Panel believes that four key things are required:

### 1.3.1 A Missional Mindset created throughout the church

A missional mindset is marked by an openness to change and recognises our deep reliance upon God as we reach out in love to those around us. Without this change of mindset, nothing of substance will change.

### 1.3.2 Enabling leadership to be in place in each Church of Scotland congregation

The key word in this is “enabling” and is built around the vision of Ephesians 4 – God gifting leaders in order that they might prepare all of God’s people for acts of service. The Panel believes that this picture is important and that we need to move away from a flawed and unbiblical expectation that the church will provide what the members need, with the minister the key person in place to meet those needs. Instead

we need to develop an understanding of the church as a movement of God’s people, engaged in the work that God has called us to.

### 1.3.3 Good support structures in place at a regional and national level

The power to bring about the changes required lies mainly with local congregations, elders, ministers and others. In fact without change at that level nothing will be taken forward! However presbyteries and the national church should play a key role in ensuring that support and encouragement is in place to help people make the changes required and to steer a path through the transitions. This support will include a combination of training, accompaniment, encouragement, administrative support and financial resources. The importance of this is recognised in the Strategic Plan being developed by the Council of Assembly.

### 1.3.4 Action – not just words

The Panel is deeply aware, as reported to the GA in 2016, that more reports, no matter how well worded, will achieve little. Neither a change of mission statement, nor the affirmation of the existing statement will, by themselves, bring about the changes required. Instead what is required is concerted action and prayer on the part of all, wherever they are serving.

## 1.4 Creating a Missional mind set

**1.4.1** The importance of this change of mindset noted above cannot be over emphasised – nor, though, can it be imposed! It is something which people need to work through and “own” for themselves. This was recognised in the Church of England report “Setting God’s People Free.”

*What is needed, first and foremost, is not a programme but a change in culture. A culture that communicates the all-encompassing scope of the good news for the whole of life, and pursues the core calling of every church community and every follower of Jesus – to form whole-life maturing disciples<sup>[2]</sup>*

**1.4.2** The Panel is therefore looking for practical ways to engage with people in meaningful ways and to influence the mindsets that exist. In pursuing this, the Panel is organising conferences to engage others in conversation. Following on from a successful joint conference with Trinity College in 2017, addressed by Professor Stefan Paas from the Netherlands, two conferences are planned for 2018. The first is with Tod Bolsinger, author of *Canoeing the Mountains: Christian*

*Leadership in Uncharted Territory*<sup>[3]</sup>. He is Vice President and Chief of the Leadership Formation Platform at Fuller Seminary in the USA and will look at how we develop adaptive leaders to help chart our way through the changes we face. The second is being planned in partnership with Trinity College and will involve Steve Taylor, author of *Built for Change - a practical theology of innovation and collaboration*<sup>[4]</sup>. Steve is Principal of Knox Centre for Ministry and Leadership and Senior Lecturer, Flinders University, New Zealand.

**1.4.3** Alongside this the Panel is working with local congregations and ministers through Path of Renewal. The latter is key work with a limited number of congregations which it is hoped will influence other congregations over time. A report on this work is included below.

## 1.5 Enabling Leadership

**1.5.1** Over the last 60 years there has been a growing understanding of the importance of all God's people being released into active Christian service and of an enabling leadership style being developed to encourage this. In Scotland this can be seen in the work of Tom Allan and George Macleod in the 1950s, both of whom had a vision for investing in local people with the hope that they would become so enthusiastic about their faith that they would take the presence of Jesus into their workplaces and communities. They believed that through them transformation would happen. This was also seen in the Ecumenical movement, which started as a movement to enable the laity. As such it was not an anti-clerical movement but one that sought to reframe an understanding that the task of the minister or priest was not to do it all but to enable and encourage others to live out their faith in daily life and living.

**1.5.2** This understanding can also be seen in the Reformation and is part of the DNA of the Church of Scotland, with ministers seen as teaching-elders rather than priests. They therefore take their place as part of a shared leadership group (Kirk Session) with a specific responsibility within that for helping to form people in faith. However, church history would seem to indicate that the church continuously returns to placing increasing responsibilities and expectations on one person and that it takes a determined effort to prevent this happening or to reverse it when it has taken root.

**1.5.3** Recovering this in the Church of Scotland is crucial at the moment on two fronts. Firstly, in looking at the way we

train and equip both existing and new ministers and the expectations we place on them. Secondly in shifting the mindset of congregations and members so that they want to be enabled for the work God has for them.

## 1.6 Good support structures in place at a regional and national level

**1.6.1** As noted above, good support structures are essential in helping to facilitate change at a local level and many have noted weaknesses in this over the past years.

**1.6.2** At a presbytery level, restructuring has remained a desire of many and there are strong indications that this is beginning to emerge organically as presbyteries recognise the opportunities and advantages of working together more closely. The Panel is of the view that these developments should be supported and encouraged and that a formal restructuring of presbyteries at this stage would be detrimental to this process continuing in a positive way.

**1.6.3** The Panel's early work on introducing Local Church Reviews has subsequently been developed by others and has helped many presbyteries to give a forward looking emphasis to the regular cycle of visits to congregations. Over the last year, the Principal Clerk's office has been able to provide support to presbyteries in developing the Local Church Review process more fully. The Panel will continue to provide support in this as appropriate.

**1.6.4** A number of presbyteries have initiated training for those involved in leading worship, pastoral care or conducting funerals, with a process for presbytery authorising people to conduct worship. The Panel believes that this kind of initiative is to be encouraged at a presbytery level and that responsibility for this should lie with presbyteries. Capacity exists for resources and approaches to be shared by those developing this work and Mission & Discipleship Council are currently looking at how this might be facilitated.

**1.6.5** At a national level, the Panel is of the opinion that it would be beneficial to have a more integrated approach to providing input for local congregations to help them grow and develop. Please see section 2.7 below on Church Planting and Supporting growth in local churches.

## **1.7 Action – not just words**

**1.7.1** In most areas of work the Panel's role is to feed ideas or proposals to Councils who have responsibility for specific areas of work. The Panel has continued to play this role over the last year and some of this is reported on below.

**1.7.2** However the desire to be more proactive and to see some practical outcomes was what spurred the Panel to initiate the work being carried out through Path of Renewal, which is providing input to over 50 congregations. The work involved in setting up the Path of Renewal has meant that time has not been available to initiate other practical projects over the last two years. However the Panel is now beginning to look at practical projects or work it can initiate, recognising that its primary role in this will be in the developing of new work which will then be taken on by other Councils or groups. With this in mind, the primary responsibility for the Path of Renewal work will shift from the Panel to Ministries Council during 2018/2019.

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## **2. SPECIFIC AREAS OF WORK**

### **2.1 New local leadership roles**

The Panel is currently looking at different models of leadership developed in other churches, including Commissioned Local Ministers (PCUSA) and Focal Ministers (Diocese of St David's Church in Wales.) Further work is required on this before a firm recommendation can be brought.

### **2.2 Ordained Local Ministers**

In 2017 the Panel on Review & Reform was instructed, along with Ministries Council, *to bring proposals to the General Assembly of 2018 on payment, training and placement of OLMs and Auxiliary Ministers in the terms set out in the report*<sup>[5]</sup>. Over the last year, the Panel has worked with Ministries Council to explore the possible payment of OLMs and Auxiliary Ministers and to consider whether OLMs and Auxiliary Ministers could both train and serve in their own congregations. The Panel is supportive of all of these developments and has shared with Ministries Council a framework which could allow the payment of OLMs and Auxiliary Ministers to be introduced at least on a restricted basis. The Panel also invited Ministries Council to consider allowing OLMs to train in their home congregations, whilst noting that it is already possible for OLMs and Auxiliary Ministers to serve in their home congregations. Ministries Council has indicated that it would

prefer to take time to consider this further, consulting with OLMs and Auxiliary Ministers as it does so.

### **2.3 Eldership**

A Panel member serves on the Eldership Working Group and some research is being completed by the Panel into Kirk Session/local decision making structures which help to initiate and sustain new developments. The findings of this will be fed into the Eldership Working Group, which will report further on this through the Mission & Discipleship Council.

### **2.4 Leadership for the under 50s**

The Panel is aware that the shaping or reshaping of the roles above will help to make them more attractive for those under 50. However the Panel senses that further changes will be required to create a leadership culture where those under 50 feel entirely comfortable. The Panel believes that the key to this lies at local congregational level and in developing a new culture of shared leadership there. This may then lead to people moving on to leadership outside their congregation either as individuals or as part of a team drawn from their own congregation. Noting that the development of intergenerational church is a key part of the Strategic Plan, the Panel is proposing that the Panel, Mission & Discipleship Council, Ministries Council and the National Youth Assembly should work together to consider what might be done to support the involvement and development of leaders under 50.

### **2.5 Pioneer Ministry**

**2.5.1** The Panel has been seeking to take forward the instruction given by the General Assembly 2017 *to work with Ministries Council, Fresh Expressions and outside agencies to ensure that appropriate training for Pioneer Ministry is developed*.

**2.5.2** Progress in this area has not been significant over the last year but to assist with shaping this well, research has been jointly funded by the Panel, Ministries Council and Trinity College, Glasgow University and an Interim Report is included in the Joint Emerging Church Group report. The terms of this are to:

- research different approaches being taken in Scotland, UK and Western Europe to the planting of new churches and creating Fresh Expressions of church

- alongside this, to research different approaches which are being used to train those involved in Pioneer ministry, ordained and lay, and the impact or effectiveness of these approaches
- in so doing, to assess the impact and outcome of these approaches and any lessons which may be beneficial to the Church of Scotland as this area of work is developed further and shape given to training for those involved in this developing area

## 2.6 Sacraments

Work on whether we should permit a wider group of people to administer the sacraments is ongoing with the intention of reporting on this to the General Assembly of 2019. This work is being carried out through a joint working group with the Theological Forum, the Legal Questions Committee and the Ecumenical Relations Committee, with wider consultations with other groups also taking place.

## 2.7 Church planting and supporting growth in local churches

**2.7.1** The Panel believes that these two connected areas need to be better resourced than at present or, at least, that we need better centralised co-ordination for this work. One model the Panel has explored is that introduced in the Diocese of London in the Church of England through its Centre for Church Planting and Growth. As well as providing input to those seeking to plant new churches, they work with those actively seeking to renew existing churches through their Growth and Learning Communities and give extensive input to what they term “Resource Churches.” This latter group of churches are intentionally resourced so that they can, in turn, help plant and revitalise other churches through releasing specialist resources, sending teams and developing leaders<sup>[6]</sup>. The Panel understands that the Joint Emerging Church Group has shown a willingness to play this co-ordinating role and the Panel is supportive of this proposal.<sup>[7]</sup>

**2.7.2** The Panel believes that the Go For It Fund has a crucial role to play in church planting and supporting growth in local churches. The Go For It Fund continually reviews its guidelines, funding criteria and operating procedures, ensuring that they continue to enable local congregations to respond missionally to their local contexts. The Panel recognises that the pool of experience residing within the Go For It Fund which in part derives from the heritage of the former Emerging Ministries Fund, is one that the National

Church should be drawing into future conversations around church planting and congregational development.

## 3. PATH OF RENEWAL – PART OF THE RENEWAL MOVEMENT

**3.1.1** The Panel has continued to invest heavily in the development of Path of Renewal – work which is focussed on providing an opportunity to a group of churches to intentionally travel towards becoming missional churches. The Panel has been encouraged by the responses of those involved and their commitment to Path of Renewal. All indications are that it has offered a positive and worthwhile contribution to local congregations who wish to look at how they might be renewed. Alongside this the Panel itself has found this work exciting, stimulating and encouraging, giving helpful insights in their work of looking for *paths and developments which might be followed by congregations to make ... vision a reality*.

**3.1.2** In a deliberate attempt to develop something *with* rather than *for* people, Path of Renewal was not fully formed at the outset, but has been shaped round the needs of those involved, encouraging them to ensure that what develops is contextual and relevant. This approach has helped to create a positive ownership for Path of Renewal amongst those involved and has allowed the Panel to view this as a movement for others to join rather than simply a programme.

**3.1.3** In developing the work, the Panel has actively networked with others involved in similar work in Scotland and elsewhere, discovering others who have been travelling similar journeys and making the same discoveries. More recently, strong parallels between the approach taken in Path of Renewal and that promoted by Tom Allan in the 1950s have been highlighted. The Panel believes that such networking and learning from others is crucial and is part of the fruit of recognising that we are part of a worldwide church and that Path of Renewal is part of a wider movement of Renewal.

## 3.2 Path of Renewal – an update

**3.2.1** In 2018, 26 congregations moved into year 3 of Path of Renewal with 25 congregations joining Path of Renewal at year 1. At the end of year 3 it is envisaged that some limited support will continue to be offered to ministers and congregations with facilitated learning communities and



access to a yearly conference. Those starting in 2018 will have the benefit of the experience of those who have gone before them and mentoring support for the new congregations will be provided by those already involved in Path of Renewal. The positive nature of this was evident at shared events in January and a clearer focus of what is required in the early years of work with ministers and congregations is emerging.

**3.2.2** In the early work of Path of Renewal, the focus has been on developing missional thinking, missional leadership and missional spirituality in each of the congregations with significant input for ministers and leadership groups from congregations. This foundational work of changing mindsets and building capacity through investing in local leaders will allow the work of the final year to focus on rooting this in the life and witness of the congregation. Part of this will involve looking at reshaping or developing church life and worship in significant ways.

**3.2.3** For the second group of churches that have recently joined, regional conferences for elders and others from congregations are being introduced from an early stage. This will complement the training given to ministers, with an awareness that this will help to root things in local congregations - an example of learning as the work is developed.

### **3.3 Path of Renewal - outcomes**

One area explored most recently has been the interplay between church growth thinking and the thinking of those involved in the missional church movement and seeing those as two sides of the same coin. In its work, Path of Renewal has focussed on developing missional churches, with the three key characteristics noted in section 1.1.4 above:

- Vibrant, attractive worshipping communities
- who are forming people in faith
- and connected with their wider communities.

In recent thinking, at least some in the church growth movement would speak of seeing:

- growth in numbers
- a deepening commitment to Christ
- and a growing impact on the community.

These can be laid alongside one another, with the three “growth” areas being seen as the fruit of developing churches with the three marks of missional churches.

Ultimately the work of Path of Renewal will be judged by the effectiveness of its work in supporting congregations to develop in the ways outlined above, resulting in the growth noted. Because the kind of change envisaged requires fundamental and deep rooted change it is likely to be 3 to 5 years before this will be fully seen. However early changes noted in the mindset of the minister, growing capacity through investment in key future leaders, and an increasing openness in congregations to re-shape church life in appropriate ways are all positive early indicators. These are being tracked by a researcher following the work of Path of Renewal

### **3.4 Path of Renewal – the future**

A review of Path of Renewal was completed by Ministries Council in 2017, which noted the positive nature and outcomes of the work of Path of Renewal:

*It offers a well-resourced, supported and locally directed approach to mission, and provides positive and morale boosting outcomes to beleaguered ministries. It is creating an atmosphere of change, moving from a pastoral to missional model of leadership.*

Ministries Council are supporting further development of Path of Renewal with funding continuing to 2020 at which time a further review will take place<sup>[8]</sup>.

### **3.5 Path of Renewal – a focus on developing local teams**

**3.5.1** An area which ministers and congregations have been encouraged to develop is an understanding of the importance of local teams in congregations with a range of different gifts and “offices”: people who carry different concerns and outlooks which together form a holistic leadership team. Based on Ephesians 4 people offer leadership in five ways as Apostles, Prophets, Evangelists, Shepherds and Teachers:

**Apostles** push the boundaries, help us to think in new ways and see new possibilities



**Prophets** encourage us to listen out for what God is saying and to keep a right perspective – that what we are involved in is the work of the Kingdom of God

**Evangelists** carry a deep concern for those who do not own faith in Christ and that we find ways of communicating with them about faith

**Shepherds/Pastors** are concerned for the wellbeing of other people, both those who are church members and others

**Teachers** look for ways of communicating well so that others can learn and grow

**3.5.2** All of the above are required at the moment and no one person is gifted to provide leadership in all five areas. In our current structure ministers attempt all five, but they will naturally excel in some areas and find others more challenging. There is a need to affirm the crucial role that ministers of Word and Sacrament play and to build leadership teams in congregations to include people with the gifts to provide leadership in the above areas. An online resource is available to assist in discerning where one's principal gifts lie: <http://www.fivefoldsurvey.com/>

#### 4. REFORMING THE KIRK – FINANCES

**4.1** During consultations held by the Panel in 2015 and 2016, concerns were consistently raised about the method of calculating Ministries and Mission contributions, alongside the balance of money being used for national work as against that left with local congregations. Concern has also been expressed in different ways over the long term sustainability of a model where a high proportion of churches do not fully meet the cost of local ministry in their parish.

**4.2** The Panel is also aware of a growing issue of congregations with long term vacancies and congregations in guardianship which, in some cases, make considerable contributions to Ministries and Mission, preventing them from looking at how they might develop local staffing in appropriate ways to meet their needs and to grow the local church. As the number of vacancies increases over the next few years, this is likely to be a growing issue which will result in congregations without ministers subsidising those who do.

**4.3** These issues and others were not fully addressed by the review completed in 2015 – in particular the lack of

incentive that exists for congregations to “step up” and work towards paying full ministry costs for their parish. This and the difficulties it raises was something highlighted by Dr Doug Gay in his book “Reforming the Kirk”:

*Our current highly centralised systems are strong on pooling and sharing, but they look increasingly less well suited to motivating local giving. The acute missional challenges facing the Kirk over the period to 2030 call for a new financial imagination which will maintain a powerful commitment to smart, creative and empowering expressions of national sharing while incentivising a new era of local responsibility and offering greater local and regional flexibility<sup>[9]</sup>*

**4.4** In writing this, Dr Gay sets out an alternative system with five categories of congregations:<sup>[10]</sup>

- a) Investment Congregations – financially poorest congregations would be given generous but reviewable financial support.
- b) Development congregations who would have a set allocation below £50,000 but would be working towards this level.
- c) Self-sustaining congregations who would contribute £50,000 plus 20% of income above this.
- d) Contributor congregations who would contribute £80,000 plus 10% of income above this.
- e) Investor congregations, who would contribute £100,000 plus 2% of income above this.

**4.5** Undoubtedly such a scheme would require further work to ensure that it was workable, but three alternatives seem to exist at the moment:

- a) Retain the current system, but deal with some of the more glaring issues which are evident.
- b) Revert to a system where congregations fund the stipend of their own minister or staff members, except in parishes where the Presbytery and Ministries Council are of the view that financial support to sustain ministry is essential.
- c) Develop a new system – either that suggested by Dr Gay or another which is more suitable.

**4.6** Alongside this, Dr Gay suggests that a system be set up to allow congregations to voluntarily support mission in priority areas and in remote rural areas.

**4.7** In 2015 the Joint Working Group on Strategic Funding and Resource allocation recommended that it should be asked to “start to explore options for alternatives to the current Ministries and Mission Contributions system, with more extensive financial modelling”<sup>[1]</sup>. The Group didn’t find time to complete this task before its final report in 2016 although work has continued in the Finance Group of the Council of Assembly.

**4.8** The Council of Assembly has indicated that, as part of the ongoing implementation of the Strategic Plan, it will complete a review of the means of calculating Ministries and Mission contributions alongside considering the viability or desirability of setting up a voluntary mission fund.

*In the name of the Panel*

GRAHAM DUFFIN, Convener  
JENNY M ADAMS, Vice-Convener

## Addendum

### **Rev Graham Duffin, Convener**

The Panel records its gratitude and appreciation to the Rev Graham Duffin who steps down as Convener of the Panel on Review & Reform at this Assembly. Graham’s involvement with the Panel started in 2012 through his membership of the Panel’s Church Growth group, after which he became a co-opted member. He has served as Convener of the Panel since 2015. In particular, the Panel notes Graham’s vision, energy and commitment in enabling the growth of missional congregations across the Church of Scotland, especially through the ongoing development of the Path of Renewal movement. Graham’s sharing of his extensive and ongoing study and experience of developing leaders and managing effective change in the whole church has been of enormous value to the work of the Panel. Furthermore, his passion that all generations of Christians find the Church as a body in which they can share their gifts and be enabled in discipleship and ministry has inspired us. For all these things, which demonstrate Graham’s great ability and commitment, the Panel expresses its gratitude.

*In the name of the Panel*

JENNY M ADAMS, Vice-Convener

## References

- [1] Church Without Walls report 2001, Section II, p. 16
- [2] Setting God's People Free, A Report from the Archbishops' Council, Feb 2017, Section 1.2, p.5. Presented to General Synod 2018
- [3] Inter-Varsity Press 2015
- [4] MediaCom Education Inc 2016
- [5] Deliverance 3 and sections 5 of report on the Panel on Review & Reform 2017
- [6] **<http://www.centreforchurchplanting.org/city-centre-resource-churches/>**
- [7] See Mission & Discipleship Council GA report 2018, section 5.5.2
- [8] Ministries Council report 2018 section 2.5.7.3
- [9] Reforming the Kirk: the Future of the Church of Scotland, St Andrew's Press 2017 p 81
- [10] Ibid. pp 87-88
- [11] Council of Assembly Report 2015 Section 4.4.3.1



## SAFEGUARDING COMMITTEE MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Pass the Safeguarding Act as set out in Appendix 1 to the Report.
3. Thank the Legal Questions Committee for their support in bringing the Safeguarding Act to the General Assembly 2018.
4. Thank all of those volunteers who give of their time to promote and embed good Safeguarding practices across the Church.

### Report

#### 1. INTRODUCTION

**1.1** The Church of Scotland plays a major role in the lives of many children and adults through worship and the provision of services and activities. There is a general expectation to care for all life and a duty to support those in society who most need care and protection. This means that the task of Safeguarding must be a key consideration for everyone to ensure that the Church is a safe environment for all. Safeguarding means taking measures to protect the health, wellbeing and human rights of individuals, especially children and adults at risk, which allows them to live their life free from abuse, harm and neglect. Harm or abuse can happen anywhere, including Church communities.

**1.2** Safeguarding can present a real challenge to all organisations including the Church. For example, media coverage of high profile cases can raise anxiety for staff and volunteers who might have little awareness of what Safeguarding means. New and changing legislation also makes additional demands. Against this backdrop it is necessary that the Church has adequate Safeguarding policies, procedures and processes in place and can evidence that they are being rigorously followed. Ideally they should sit within a range of other policies e.g. those covering compliance and disciplinary measures, financial management and effective governance and quality assurance.

**1.3** Good Safeguarding practice has been an active part of the Church of Scotland for the past twenty years. The Safeguarding Committee and the Safeguarding Service has ensured that policies and procedures are in place to prevent and respond to reports of harm, abuse and neglect. However, there is a need to take stock both to identify what is working well and to take action in areas which need improvement. To this end, the Review of the Safeguarding arrangements within the Church is intended to provide reassurance that the arrangements in place are fit for purpose. It is anticipated that the Review will be completed by May 2018 and that a verbal interim report of the findings will be shared with the General Assembly of 2018.

**1.4** Each year the Safeguarding Committee reports to the General Assembly on a number of deliverances that set the

agenda and direction for the forthcoming year, and if necessary, seek to change or establish new Church law. In 2017, the Safeguarding Committee in consultation with the Legal Questions Committee, identified the need for a new Safeguarding Act. It proposed that all relevant deliverances of the General Assembly would be collated and incorporated into a Safeguarding Act in order to clarify what is required of Congregations, Councils and others to ensure that Safeguarding standards are achieved, monitored and reviewed. The new Safeguarding Act is attached as Appendix 1 of this report. The Safeguarding Service has drafted guidance to sit alongside the Act which will become available on the public website in due course.

**1.5** The Safeguarding Service adheres to a model of Public Protection which reflects good practice in the public sector. The model covers the areas of Child Protection, Adult Protection, Domestic Violence and Offender Management. The Safeguarding Service has produced a suite of practice handbooks which are available to view or download from the Church of Scotland website.

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## **2. RESPONDING TO HARM OR ABUSE AND OTHER ENQUIRIES**

**2.1** When someone contacts the Service with a concern about harm or abuse this contact is called a 'referral'. A member of staff from the Service will provide written and verbal advice to the caller. Recent referrals indicate a small shift from child concerns to adult concerns. There are a number of different reasons for the referrals including but not limited to, self-harm, issues relating to social media/internet, mental health issues, financial abuse, assault, domestic abuse and offending behaviour.

**2.2** Other enquiries are made into the Safeguarding Service on a day to day basis. These enquiries generally tend to be about the Protection of Vulnerable Groups Scheme and Safe Recruitment practices, but also include general advice and guidance about making environments, activities etc. safe for children and adults.

**2.3** In 2017 the United Reformed Church in Scotland entered into a Service Level Agreement with the Church of Scotland's Safeguarding Service. The Safeguarding Service will provide advice, guidance and assistance to the URC in all Safeguarding matters and also provide training as appropriate.

**2.4** The Service continues to work closely with the Girls and Boys Brigade.

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## **3. SAFE RECRUITMENT AND THE PVG SCHEME**

**3.1** The Church of Scotland is committed to the protection of Vulnerable Groups and recognises that Safe Recruitment of staff and volunteers is of paramount importance in protecting children and adults at risk of harm. In the first instance, employers are responsible for identifying those staff that are going to be carrying out regulated work and for ensuring that the appropriate applications are made to the Safeguarding Service. The Church processes the largest number of PVG applications in the Voluntary Sector. In 2017, the Safeguarding Service processed 3,140 new applications to the scheme.

**3.2** The Recruitment Sub Committee (RSC) is a subgroup of the Safeguarding Committee. It is responsible for ensuring that everyone who works with children or Vulnerable Groups is an appropriate person to represent the Church. On occasion this may necessitate a risk assessment and decision making in respect to the available information before it.

**3.3** The Scottish Government is currently undertaking a review of the PVG Scheme. The purpose of the review is to examine the delivery of Public Protection in the context of state disclosure of conviction and non-conviction information. The Safeguarding Service Manager is currently a member of the Scottish Government Stakeholder Advisory Group and the Church of Scotland and other Scottish Churches representatives have been involved in ongoing consultation with Disclosure Scotland.

Further information about the review can be found at the link below.

**<http://www.gov.scot/Publications/2017/02/7244/1>**

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## **4. MANAGING THOSE WHO POSE A RISK**

**4.1** Managing those who pose a risk of harm and who seek to have a relationship with the Church remains an ongoing challenge. The Safeguarding Committee has appointed a reference group to ensure those procedures for keeping the Church, its congregations, and those who are managed under Covenants of Responsibilities, are safe and are in keeping with good practice.

**4.2** The group support the need to include individuals on a Covenant of Responsibilities for whom the Police, Social Work, NHS Staff and or Prison Service have identified as posing a risk of harm to the public. This step is in line with the extension to the Multi-Agency Public Protection Arrangements (MAPPA).

## **5. CHILD AND ADULT PROTECTION TRAINING**

**5.1** Safeguarding training is the key to increasing knowledge and preventing harm and abuse. At the present time the Church has **93** Safeguarding Trainers and Safeguarding Trainers in Training. These volunteers provide training in Presbyteries.

**5.2** Safeguarding Roadshows assist in the ongoing dissemination of information about the Safeguarding task. The Service has a number of roadshows planned for 2018. In the first instance the Roadshows will seek to support those Presbyteries with few or no trainers.

**5.3** Efforts are ongoing to work in partnership with Presbyteries to ensure they are able to recruit volunteer Safeguarding Trainers. If Presbyteries have difficulty in accessing training at any point, the Safeguarding Service can assist in resolving some of these issues.

**5.4** Every year new Safeguarding challenges emerge. In 2017 the Safeguarding Training programme for Co-ordinators and Kirk Sessions was updated to reflect these developments. In addition, volunteer refresher training and a Safeguarding Co-ordinator Refresher Training was developed for use by Trainers when and if there's a demand in their Presbyteries.

**5.5** In November 2017, all volunteer Safeguarding Trainers were provided with a USB key containing updated training material. This initiative is to ensure that all Presbyteries are working with consistent messages and material around the Safeguarding agenda.

**5.6** On 18 November 2017, the National Safeguarding Trainers Conference took place. The subjects of gender based violence, and domestic abuse were explored with input from Dr Lesley Orr, University of Edinburgh and Dr Marsha Scott, Scottish Women's Aid.

Lorin LaFave, Founder of the Breck Foundation, shared her personal story of the grooming and murder of her son by an

online predator. Breck's story highlighted the challenge's facing many parents, children and young people in keeping safe on the internet.

**5.7** The Safeguarding Service continues to deliver annual courses for Candidates/Admissions to Ordained Ministry and Readers and is working in partnership with Ministries Council in relation to the ongoing provision of safeguarding training for ministers.

**5.8** The Service provides Child and Adult Protection Training to CrossReach staff on an ongoing basis and, if necessary, provides bespoke training packages to meet the needs of the staff. In addition the Safeguarding Service and CrossReach have worked together to develop a Safeguarding e-learning course which staff can now access.

## **6. NAMED PERSON UPDATE**

**6.1** The Children and Young People (Information Sharing) (Scotland) Bill and accompanying documents were published by the Scottish Government on Tuesday 20 June 2017. The Bill and documents can be accessed at the following link

**<http://www.gov.scot/Topics/People/Young-People/gettingitright/information-sharing/cyp-information-sharing-bill-2017>**

**6.2** The Bill introduces a duty on Public and other Services to consider if the sharing of information will promote, support or safeguard the wellbeing of a child or young person. It will also ensure that the sharing is compatible with current law.

**6.3** The Bill makes changes to the information sharing provisions in the Children Young People (Scotland) Act 2014 in response to the Supreme Court's finding and intensive engagement with stakeholders which took place in 2016. The aim of the Bill is to bring consistency, clarity and coherence to the practice of sharing information about children's and young people's wellbeing across Scotland. It ensures that the rights of children, young people and parents are respected when information is shared about them.

**6.4** It is anticipated that revised guidance and a code of practice on information sharing will be available to allow the commencement of the Bill in 2018.



## 7. CONCLUSION

The Safeguarding Committee reiterates its thanks to all volunteers and professionals involved in Safeguarding practice across the Church. The Committee would also like to thank the General Assembly for its ongoing support over what can only be described as a prolonged and unprecedented period of change in the field of child and adult protection and wellbeing.

*In the name of the Committee*

KAREN K CAMPBELL, *Convener*  
CAROLINE DEERIN, *Vice Convener*  
JULIE MAIN, *Safeguarding Service Manager*

## Appendix 1

### [ ] SAFEGUARDING ACT (ACT [ ] 2018)

*Edinburgh, [ ] May 2018, Session [ ]*

The General Assembly enact and ordain as follows:

#### Definitions

1. In this Act, the following words shall have the following meanings:
  - (1) "Applicant" means any person applying to undertake or carry out Regulated Work, whether in a paid or voluntary position.
  - (2) "Charge" means a sphere of pastoral duty to which a Parish Minister is (i) inducted, or (ii) introduced under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
  - (3) "Children" means persons under the age of 18 years.
  - (4) "Consideration for Listing" means the process at Disclosure Scotland whereby a person is being considered for listing as unsuitable for carrying out Regulated Work with Vulnerable Groups.
  - (5) "Covenant of Responsibilities" means a covenant entered into between a Subject and a Safeguarding Panel on behalf of a Kirk Session(s) in the form prescribed from time to time by the Safeguarding Service.
  - (6) "Data Protection Policy" means the Data Protection Policy of the Church of Scotland Central Services Committee as that policy exists from time to time.
  - (7) "Data Retention Policy" means the Data Retention Policy of the Church of Scotland Central Services Committee as that policy exists from time to time.
  - (8) "Decision to list" means a decision by Disclosure Scotland to place a person on any of the lists of persons barred from carrying out Regulated Work with Vulnerable Groups.
  - (9) "Disclosure Scotland" means the Scottish Government executive agency which manages and delivers the PVG Scheme.
  - (10) "Employing Agencies" means for the purposes of this Act, courts of the Church and Councils and Committees of the General Assembly, and any other bodies so designated by the General Assembly.
  - (11) "Guidance" means the Guidance published by the Safeguarding Service from time to time.
  - (12) "Listed" means that a person has been placed on any of the lists of persons barred from carrying out Regulated Work with Vulnerable Groups, noting that a person may be barred from working with Children, or with Protected Adults, or from working with both Children and Protected Adults.
  - (13) "Parish Minister" means a Minister of Word and Sacrament (i) inducted by a Presbytery to a Charge or (ii) introduced to a Charge under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).

- (14) "Protected Adults" means a person over 16 years of age, who because they receive a certain type of service, become protected. These services are likely to be provided for people affected by physical or mental illness and/or disability, who have particular needs over and above those of the general population.
- (15) "PVG Act" means the Protection of Vulnerable Groups (Scotland) Act 2007 or any subsequent modification, amendment or re-enactment thereof.
- (16) "PVG Scheme Record" means the record that a person receives when they join the PVG Scheme.
- (17) "PVG Scheme Record Update" means an update from Disclosure Scotland of information contained in a PVG Record.
- (18) "PVG Scheme" means the scheme legislated for by the PVG Act which is intended to ensure that people whose behaviour makes them unsuitable to work with Vulnerable Groups cannot undertake Regulated Work.
- (19) "Recruitment Sub-Committee" means a sub-committee of the Safeguarding Committee which meets to consider information contained in a Self Declaration Form, and/or in a PVG Scheme Record and/or to consider any notifications from Disclosure Scotland and/or any other matters related thereto.
- (20) "Registered Sex Offender" means a person who is required to register with the Police in terms of the Sexual Offences Act 2003 or any subsequent modification, amendment or re-enactment thereof.
- (21) "Regulated Work" has the meaning given to it in the PVG Act and can be found set out in full in a Schedule to the Guidance.
- (22) "Responsible Authorities" means the Police, Local Authorities, Health Boards, Special Health Boards and the Scottish Prison Service.
- (23) "Safeguarding" includes but is not limited to (1) taking measures to protect the health, wellbeing and human rights of individuals, especially Vulnerable Groups, which allow them to live their life free from harm, abuse or neglect and (2) responding appropriately to Safeguarding Concerns.
- (24) "Safeguarding Committee" means the committee (or any successor body) appointed by the General Assembly to deal with Safeguarding matters in the Church.
- (25) "Safeguarding Concerns" means concerns about, or allegations of, harm, abuse or neglect.
- (26) "Safeguarding Coordinator" means a person appointed by the Kirk Session(s) to have responsibility for Safeguarding within a Charge.
- (27) "Safeguarding Panel" means a panel of at least three persons appointed by the Kirk Session(s) as responsible for Safeguarding in a Charge, and will always include the Safeguarding Coordinator; from time to time additional persons may be co-opted onto a Safeguarding Panel.
- (28) "Safeguarding Service" means the Church's department providing advice, support and action to Safeguarding Coordinators, Kirk Sessions, Presbyteries and others on Safeguarding matters.
- (29) "Self Declaration Form" means the form<sup>[1]</sup> in such terms as may be prescribed by the Safeguarding Service from time to time, which form is to be completed by an Applicant for the following purposes: providing information to the Safeguarding Service, stating information which might appear on the Applicant's PVG Scheme Record and undertaking to inform the Safeguarding Service of certain matters.
- (30) "Subject" means
  - (i) Any person who has been convicted of any offence within the Sexual Offences (Scotland) Act 2009 or associated

- legislation (or any modification, replacement or re-enactment thereof); and/or
- (ii) Any person who has been convicted of any other sexual offence;
- (iii) Any person who admits to having committed a sexual offence; and/or
- (iv) Any person who is currently or who has at any time been a Registered Sex Offender; and/or
- (v) Any person in respect of whom the Safeguarding Service receives a notification from any of the Responsible Authorities that such person poses a risk of harm.
- (31) "Vulnerable Groups" means Children and/or Protected Adults.
- (32) "Worker" means any person undertaking Regulated Work, whether in a paid or voluntary position.

### Interpretation

- 2. (1) Whenever "Vulnerable Groups" are referred to in this Act, that may be a reference to either Children or Protected Adults, or to Children and Protected Adults.
- (2) The footnotes in this Act are for information only and do not form part of this Act.
- (3) The Safeguarding Service shall be entitled to amend any form referred to in this Act as it deems appropriate from time to time.

### Safe Recruitment – Kirk Session(s)

- 3. (1) Subject to subsection (6) below, the Kirk Session(s) shall ensure that all Workers within the Charge are members of the PVG Scheme, prior to taking up their post.
- (2) Subject to subsection (6) below, whenever a person is being recruited and will be undertaking Regulated Work, that person must make application to become a member of the PVG

Scheme. If the person is already a member of the PVG Scheme, an Existing PVG Scheme Member Application must be completed and submitted. No person may be employed or appointed to undertake or to carry out Regulated Work unless that person is a member of the PVG Scheme through the Church of Scotland.

- (3) The Kirk Session(s) shall appoint a Safeguarding Coordinator. The Safeguarding Coordinator shall have the task of ensuring that all PVG applications required for that Charge are completed accurately and submitted to the Safeguarding Service for processing. The Safeguarding Coordinator shall monitor the return of the applications and their outcome.
- (4) Subject to subsection (6) below, if any application results in notification that a person is barred from becoming a member of the PVG Scheme, ie is Listed, that person must not be employed or appointed to undertake or to carry out Regulated Work. It is an offence under the PVG Act to employ or appoint a person who is Listed to undertake or to carry out Regulated Work.
- (5) In arranging recruitment, the Kirk Session(s) must comply with the Guidance.
- (6) In addition, in the case of a person who is domiciled outwith the UK, such further information must be provided and such further checks must be undertaken, both as the Safeguarding Service may require, before that person may be employed or appointed to undertake or to carry out Regulated Work.

### Safe Recruitment – Presbyteries and other Employing Agencies

- 4. (1) Subject to subsection (5) below, Presbyteries and other Employing Agencies shall ensure that all Workers are members of the PVG Scheme, prior to taking up their post.
- (2) Subject to subsection (5) below, whenever a person is being recruited and will be undertaking Regulated Work, that person must make

- application to become a member of the PVG Scheme. If the person is already a member of the PVG Scheme, an Existing PVG Scheme Member Application must be completed and submitted. No person may be employed or appointed to undertake or to carry out Regulated Work unless that person is a member of the PVG Scheme through The Church of Scotland.
- (3) Subject to subsection (5) below, if any application results in notification that a person is barred from becoming a member of the PVG Scheme, ie is Listed, that person must not be employed or appointed to undertake or to carry out Regulated Work. It is an offence under the PVG Act to employ or appoint a person who is Listed to undertake or to carry out Regulated Work.
  - (4) In arranging recruitment, Presbyteries and other Employing Agencies must comply with the Guidance.
  - (5) In addition, in the case of a person who is domiciled outwith the UK, such further information must be provided and such further checks must be undertaken, both as the Safeguarding Service may require, before that person may be employed or appointed to undertake or to carry out Regulated Work.

### Recruitment Sub-Committee

5. (1) At its meetings, the Recruitment Sub-Committee shall deal with the risk assessment of the following:
  - (i) Any vetting information which has been provided to the Safeguarding Service by Disclosure Scotland.
  - (ii) Any notification received by the Safeguarding Service from Disclosure Scotland, including a notification that a person is under Consideration for Listing.
  - (iii) Self Declaration Forms, references, matters of reputational risk and any other pertinent information.

- (2) The Recruitment Sub-Committee may decide (one or more of the following):
  - (a) *In relation to safe recruitment:*
    - (i) To recommend that a person is suitable for Regulated Work (which recommendation may or may not be made subject to conditions).
    - (ii) To recommend that a person is not suitable for Regulated Work.
  - (b) *In relation to a notification from Disclosure Scotland:*
    - (i) To take no action.
    - (ii) To impose a precautionary administrative suspension, to be reviewed by the Sub-Committee on a three monthly rolling basis.
    - (iii) To take no immediate action but to reconsider the matter at a further meeting on a date within the next three months.
    - (iv) To recommend that a person is not suitable for Regulated Work.
- (3) Decisions of the Recruitment Sub-Committee shall be notified to the person involved and to the relevant Safeguarding Coordinator. Notification shall include a statement of the reasons for the decision.
- (4) Subject always to any appeal in terms of section 6 below, where the Recruitment Sub-Committee makes a decision in terms of section 5(2)(a)(ii) or 5(2)(b)(iv), no Employing Agency shall employ or appoint that person to undertake or to carry out Regulated Work.

### Appeals from decisions of the Recruitment Sub-Committee

6. (1) A person in respect of whom a decision has been made in terms of section 5(2)(a)(ii) or 5(2)(b)(iv) as to suitability for Regulated Work has the right

to appeal that decision. A person may also appeal against the terms of any conditions applied by the Recruitment Sub-Committee in terms of section 5(2)(a)(i) as to a person's suitability for Regulated Work. Such a person is referred to in section 7 as "the Appellant".

- (2) An appeal can be brought only on one or more of the following grounds:
  - (a) that there were irregularities in the process whereby the Recruitment Sub-Committee reached its decision
  - (b) that the final decision of the Recruitment Sub-Committee was influenced by incorrect material fact (subject however to the exception noted below in regard to the contents or accuracy of the PVG Scheme Record), or
  - (c) that the Recruitment Sub-Committee in reaching its decision acted contrary to the principles of natural justice.
- (3) Any disagreement as to the contents or accuracy of the PVG Scheme Record information itself cannot be the subject of an appeal under this procedure and will require to be taken up by the person direct with Disclosure Scotland through the procedures established by that body.

### Process for Appeal

7. The appeal shall proceed as follows:

- (1) The intention to appeal must be intimated to the Principal Clerk by the Appellant within fourteen days of the date of issue of the relevant decision.
- (2) Within a further twenty eight days after the date upon which the intention to appeal was intimated in terms of section 7(1), the Appellant shall lodge with the Principal Clerk a note setting out in writing in brief numbered propositions, the grounds referred to in section 6(2) above upon which he or she is appealing ("the Grounds of Appeal").

- (3) Upon receipt of the Appellant's Grounds of Appeal, the Principal Clerk shall require that within twenty eight days, the Recruitment Sub-Committee lodge a note responding to the Grounds of Appeal.
- (4) The appeal will be determined by an Appeal Group comprising three persons selected by the Principal Clerk from the Safeguarding Appeal Panel. The Safeguarding Appeal Panel shall be a Panel of six persons appointed by the General Assembly, being persons with Safeguarding and other relevant experience, and shall include at least two persons who shall be qualified to practise as lawyers or who are experienced in the law and practice of the Church, and at least two ministers. Having due regard to the need to ensure independent scrutiny of any appeal, none of the Panel shall be current or former employees of any of the Employing Agencies nor shall they be current members of the Safeguarding Committee.
- (5) The Appeal Group will be chaired by a person who is either qualified to practise as a lawyer or who is experienced in the law and practice of the Church. The Appeal Group shall include at least one minister. The Appeal Group will be clerked by the Principal Clerk or the Depute Clerk.
- (6) The Appeal Group shall be entitled to require both the Appellant and the Recruitment Sub-Committee to provide further information and may determine the appeal either on the basis of written submissions only and/or by holding a hearing. If a hearing is held, procedure shall be in accordance with the Standing Orders of the General Assembly so far as applicable and consistent with this Act.
- (7) The Appellant will be notified of the Appeal Group's decision in writing within six weeks of the written submissions being received by the Principal Clerk or of the hearing date, whichever is later.

- (8) The Appeal Group will also notify the Safeguarding Service and the Recruitment Sub-Committee of its decision. The Safeguarding Service will take any necessary action, in accordance with the Appeal Group's decision.
- (9) The decision of the Appeal Group will be final.

### Training

8. (1) Each Presbytery shall provide appropriate training on Safeguarding matters to Kirk Sessions, Safeguarding Coordinators and Workers, with updates when appropriate.
- (2) Kirk Sessions will maintain records of all training undertaken by Kirk Sessions, Safeguarding Coordinators and Workers and will disclose these records at any time upon request by the Safeguarding Service or the Presbytery.
- (3) All Kirk Sessions, Safeguarding Coordinators and Workers must undertake such training as is prescribed by the Safeguarding Service from time to time.

### Record retention

9. (1) The Safeguarding Panel will maintain records of Workers within the Charge who are PVG Scheme members in the form of the Safeguarding Congregational Register<sup>[2]</sup>.
- (2) All hard copy records of the Safeguarding Panel shall be kept confidentially in a secure place.
- (3) In accordance with the Data Protection Policy and the Data Retention Policy, the Safeguarding Service will retain originals of the Self Declaration Forms which are signed by all Applicants either (1) to join the PVG Scheme or (2) for an Existing PVG Scheme Member Application. Documents shall be destroyed only in accordance with the Data Retention Policy.

### Presbyteries' Responsibilities of Superintendence

10. Presbyteries shall confirm that Kirk Sessions are complying with their obligations under this Act: (1) during Annual Inspections of Records, and (2) as part of Local Church Review, and shall report to the Safeguarding Service in such form as the Safeguarding Service may prescribe from time to time.

### Audit

11. Kirk Sessions and Presbyteries shall review and minute on an annual basis their compliance with Safeguarding policies and procedures using the Safeguarding Audit Checklist for Kirk Sessions and Presbyteries<sup>[3]</sup>.

### Annual Inspection of Records

12. Kirk Sessions shall submit the Safeguarding Congregational Register<sup>[4]</sup> and the Safeguarding Audit Checklist for Kirk Sessions and Presbyteries<sup>[5]</sup> annually to Presbytery as part of the Annual Inspection of Records.

### Obligations on individuals

13. (1) All PVG Scheme members shall advise Disclosure Scotland and the Safeguarding Service promptly of any changes to their personal details.
- (2) All PVG Scheme members shall advise Disclosure Scotland and the Safeguarding Service promptly if they cease doing Regulated Work for the Church of Scotland.
- (3) All PVG Scheme members must advise the Safeguarding Service promptly of (i) any act, default or omission, or (ii) any circumstances arising, which might affect whether they can undertake Regulated Work.
- (4) All persons who sign Self Declaration Forms must adhere to the undertakings given therein.

### **Workers – Safeguarding Concerns**

14. (1) Every Charge must have a Safeguarding Panel.
- (2) If any Safeguarding Concerns arise regarding Workers, such Safeguarding Concerns shall be reported without delay by the Safeguarding Coordinator to the Safeguarding Panel and to the Safeguarding Service. The Safeguarding Service shall where appropriate report the matter to Disclosure Scotland.
- (3) Nothing in this Act shall detract from the general responsibility of all persons promptly to report any Safeguarding Concerns to the Safeguarding Service.

### **Safeguarding in the Presbyteries of England, International Charges and Jerusalem**

15. Kirk Sessions in the Presbyteries of England, International Charges and Jerusalem will follow the recommendations and advice of the Safeguarding Service.

### **Other services provided by Safeguarding Service**

16. The Safeguarding Service may from time to time with the approval of the Council of Assembly enter into arrangements with other churches, agencies and groups as to the provision of Safeguarding services to them.

### **Management of Subjects (Covenants of Responsibilities)**

17. (1) Whenever a Subject wishes to be involved in the life of a congregation, then the following shall apply:
  - (i) the Safeguarding Coordinator shall inform the Safeguarding Service (in turn, the Safeguarding Service shall inform the Safeguarding Coordinator if such information comes to its notice);
  - (ii) a Covenant of Responsibilities shall be entered into by the Safeguarding Panel on

behalf of the relevant Kirk Session(s) with the Subject.

- (2) If the Subject refuses to sign a Covenant of Responsibilities, then the Subject shall not be entitled to be involved in the life of the congregation.
- (3) The terms of the Covenant of Responsibilities shall be determined by the Safeguarding Service in consultation with the Safeguarding Panel of the relevant Kirk Session(s) and, where appropriate, the Responsible Authorities, in accordance with the Safeguarding Service's procedures from time to time. The Subject shall have no input into the drafting of the Covenant of Responsibilities, which shall not be negotiable by the Subject. The Covenant shall provide for its regular review and this shall be implemented according to the procedures from time to time of the Safeguarding Service.
- (4) A Covenant of Responsibilities is specific to a congregation and is not transferable to a different congregation. Should the Subject wish to be involved in the life of another congregation then a new Covenant of Responsibilities shall require to be entered into and the preceding provisions of this section 17 shall apply. In addition the terms of the Covenant to be entered into in respect of the new congregation may be determined in consultation with the Safeguarding Coordinator of the former congregation.

### **Consequential amendments**

18. (1) This Act shall be added to the list of Acts in the Schedule to the Alternative Dispute Resolution Processes Act (Act VI 2014), as being an Act in respect of which ADR shall not be used.
- (2) The Protection of Vulnerable Groups Act (Act VII 2011) as amended shall be repealed.

### **Act to prevail**

19. From its date of passing, the terms of this Act shall prevail where those are inconsistent with any previous deliverances of the General Assembly.



## References

- [1] Currently Form SG3
- [2] Currently Form SG7
- [3] Currently Form SG11
- [4] Currently Form SG7
- [5] Currently Form SG11



## THE BOARD OF THE IONA COMMUNITY REPORT TO THE GENERAL ASSEMBLY MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the report and thank the Board.
2. Commend the ongoing project to make the Abbey more accessible and to improve facilities for the wide range of groups hosted by the Community and encourage church members and congregations to support the Community in this time of change through prayer and through the Iona Abbey Appeal .
3. Note that Iona Abbey and the Welcome Centre are still open and that the work of the Iona Community in Camas, on the mainland and through local groups around the world is still sharing the Community's ecumenical vision and commitment to justice and peace.
4. Commend the Iona Community's work with young people and the Iona Prayer Circle.
5. Commend the enabling, resourcing and encouraging of churches and individuals through the weeWONDERBOX, the other activities of the Wild Goose Resource Group and Wild Goose Publications.

### Report

#### 1. INTRODUCTION

*Faith communities offer a unique combination in terms of social action: an ethic of care embedded in their teaching and an unrivalled network of opportunities through which to express this. The results are impressive. But is this way of working sustainable in the longer term given the erosion of the institutions that lie behind it? (Grace Davie)*

Every single year since 1967, the Iona Community has offered a residential programme in Iona Abbey, welcoming thousands of guests from around the world to this beautiful island, to share in a common life of daily worship, discussion and dialogue, food and friendship, and the practical tasks that these involve. Followed on from the years of rebuilding, this adds up to 70 years of continuous occupation and hospitality to resident guests, staff and volunteers, builders and Community members.

There is, therefore, something of a mixture of surprise, sadness and relief inherent in the Community's decision that for the first time in these 70 years, there will be no residential programme in Iona Abbey or the MacLeod Centre in 2018. The practical difficulties of planning for, staffing and operating a season's programme while at the same time embarking on a major upgrading and renovation in the Abbey have proved simply too great, even for the Iona Community, which has a long history of seemingly implausible idealism about what it can achieve. This year, there will be no large groups of visitors complete with luggage being met and farewelled at the jetty, no frantic room-cleaning between changeovers, no chore teams chopping industrial quantities of vegetables, and the Abbey Refectory and the Mac are currently full of displaced items from elsewhere.

But daily worship will continue as usual, the Community's Welcome Centre and Shop will remain open to serve day visitors, holidaymakers and islanders, and a small resident community, along with visiting members of the Iona Community, will offer a programme of talks to complement those given by Historic Environment Scotland.

And more than that, this 'sabbatical' will offer the opportunity to spend some time in reflection and

discernment for the future. The world, and the church, are greatly changed since 1967. The challenges we face - of greatly increased regulation, of environmental imperatives, of Home Office visa restrictions which have made it well-nigh impossible for us to welcome volunteers and even guests from sub-Saharan Africa, of financial constraints and an ageing demographic – are the same faced by many voluntary organisations, not least churches.

And yet we remain convinced that the need, and the desire, to 'rebuild the common life' which was the founding vision of George MacLeod, is as urgent as ever. What that looks like in 2018 and beyond will not be the same as in the past. But we make the road by walking it in the company of Jesus; we are people on a journey. And we enter this new stage of our life in great gratitude for those who have shared the common life of the Iona Community in the past, and for the staff and volunteers who have given of their time and talents sacrificially and joyfully to enable it – never more so than in 2017.

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## **2. SANCTUARY AND LIGHT – THE IONA ABBEY APPEAL: CHRISTINE JONES, PROJECT COORDINATOR**

### *Space to Change*

During 2017, the campaign to restore the monastic spaces at Iona Abbey became a time for change. Some changes were planned, others just happened, so significant adjustments and new working relationships were needed to undertake what is the largest, most complex capital project undertaken by the Iona Community since 1965, in order to:

- make the Abbey living areas accessible to all
- replace overburdened infrastructure with cost-effective systems powered, where practical, by renewable energy sources
- create spaces that are flexible, able to support new and exciting programming.

When a major funding bid failed, a commitment was made to tackle the project in two phases, each phase to start only when adequate funds have been acquired. Subsequently, Phase 1 began in November 2017 and is scheduled for completion May 2018. The decision regarding commencement of Phase 2 will be made during June 2018, subject to

information regarding tender prices and available funds. At 8 February 2018, the capital appeal has raised £1.42 million of the £2.7 million target. Her Royal Highness, The Princess Royal has agreed to be Royal Patron in support of the Abbey Appeal and plans are underway to embrace her significant influence.

The capital appeal team now driving the appeal forward is dedicated to success. The team consists of a Member, an Associate, Staff, a Trustee and an islander. They are people living and working in USA, Iona, Glasgow, Falkirk and Chester, representing the dispersed nature of the Iona Community. George MacLeod believed community emerged from the challenge of engaging together in everyday tasks. That dynamic has been reflected during this time of transition, with an overwhelming sense of hope and expectation as the living God breaks through in unexpected ways.

The project re-structuring involves a coordinator with oversight for the following groups:

- Building and Design
- Future planning
- Core Fund Raising

The Iona Abbey Project Group (IAPG) was created to act as a sounding board and information exchange between all relevant areas within the Community to assure coordination and co-operation. The IAPG is accountable to Council, with twenty people actively involved, meeting quarterly to contribute specific skills and interests.

Partnership relationships are complex as responsibilities are shared for an ancient site of such historic, cultural and spiritual significance. The Appeal is strengthening partnerships. The Iona Cathedral Trust and Historic Environment Scotland continue to make much valued contributions. Developments at the Abbey are also being informed by innovative island initiatives. Iona Renewables has a vision for 100% renewable energy across the island, so Phase 2 of the work at the Abbey includes a sustainable heating system. The islanders have plans for a new village hall, which will create opportunities for the shared use of community space. During Community Week, islanders contributed to sessions when we shared stories and recognised our collective vulnerability. Islanders reflected that 'life is good here' and the Iona Community was

encouraged to 'think outside the box' and develop collaborative programmes hosted by a local hotel.

As the last guests left in the autumn, skeleton staff and volunteers prepared to close the residential provision at the Abbey for the first time in fifty years. Now there is time and space to reflect, to re-group with our island neighbours, to be intentional about engagement with urban situations of peace and justice and to welcome church communities seeking relevance and renewal. A sacred space where our vision for an inclusive welcome must be held with care, trusting the promise of new life for generations of pilgrims to come.

### **3. IONA CENTRES: PAT BENNETT, PROGRAMMES DEVELOPMENT WORKER**

Once again hundreds of guests and dozens of volunteers were welcomed to our two centres on Iona. A 26-week season in the Abbey Centre began with an immersive and interactive Holy Week experience. Other highlights included a 'World Encounter Week' with story tellers, poets, musicians and artists from the Global South; a 'Strangers and Friends' week bringing together followers of Christianity and Islam; a week led by the Kairos Palestine group; and perennial favourites Ian Bradley and Alastair Macintosh guiding guests in revisiting Celtic Christianity and exploring the Pilgrimage of Life.

The MacLeod Centre had a much shorter but equally varied season: A group who met as strangers worked together to write a communion liturgy on the theme of hospitality which was then used in the Abbey; other weeks saw guests exploring how to be change makers, and discovering and discussing environmental justice. Both centres also ran a number of very popular 'gathering spaces' - quieter weeks without a specific programme theme providing a more relaxed experience for guests.

As always there were assorted challenges for both guests and staff. However, for the majority of those who visited our centres, the experience was an overwhelmingly positive and enriching one. As we look to the future, and to how we staff and run our centres post-refurbishment, there are many lessons to be drawn from the experiences of 2017 and previous years and these will become an important part of our discussions going forward.

Rosie Magee finished three years as Iona Centre Director, having brought a warm hospitality to guests, care for her staff

and deep attentiveness to the worship life of the Abbey. We thank her and wish her well as she continues her ministry in Scotland. Rev Heinz Toller is the new Iona Centres Manager in this time of looking forward.

#### *Autumn Encounters Weeks*

The Community is committed to developing closer partnerships with others on Iona and 2017 saw the launch of a new venture in conjunction with the St Columba Hotel. These three 7-night programmes enabled the St Columba to extend its season and thus the employment it could offer, and the Community to offer residential programme when its own centres were closed. It also opened our programmes to those for whom our own accommodation was a barrier to access. Accommodation and meals were provided by the hotel with most programme sessions happening in the Abbey common room.

Despite concerns that staying in a hotel would diminish the experience of building 'intentional community' - something which is seen as an important element of what we offer in our own centres - guests expressed a very strong sense of an evolving community in which they felt safe and supported. This was due in part to the arrangements for group eating at the hotel and also to the skilful way in which the weeks were led and facilitated. The weeks themselves were very varied in form and content - poetry writing, meditative practice, singing, a 'death cafe' (open to all island residents), Quaker discernment practice, storytelling, walks and a moonlit service in the Nunnery were amongst things on offer

Feedback from guests, leaders and the hotel was extremely positive - along with a number of useful suggestions for improvement. On the strength of this we are continuing with the project in 2018 when we will be running a set of four 5-night programmes - one during Holy Week and three in the autumn again.

### **4. CAMAS CENTRE: KATHY GALLOWAY, LEADERSHIP TEAM**

As its brochure says, Camas is 'the outdoor centre with a difference', because it offers activities, a real sense of community and a real focus on the environment. Housed in 200-year old cottages nestled in a beautiful bay, a mile and a quarter's walk from the road on the Isle of Mull, Camas is a safe, caring and respectful environment offering hospitality and friendship, which it extends to all.

2017 was a long season and everyone was in need of rest by the end, but the staff team ran a dynamic, fun and professional season. The Iona Community is proud of what Camas staff, and a great group of volunteers, managed to achieve this year. Visiting groups included GK Experience, St Paul's Youth Forum, the Grassmarket Project, The Barn, Faith in Community Scotland and SiMY, Glasgow University and GRAMNET. Abercorn School in Glasgow celebrated bringing groups of young people with additional support needs for 20 years! Garden Weeks and Work Weeks also went well.

But the highlight of the season was undoubtedly the fact that Camas has raised £18,345 for a tree planting and education project, more than double its original funding goal. The Camas Woodland project aims to plant 4000 native trees on 1.4 hectares of land next to the Iona Community's Camas buildings, returning forest cut down in previous decades and never replanted. The money, which was raised through a crowdfunding web page, will pay for fencing to protect the young trees from deer and sheep. The Woodland Trust agreed to provide the native trees, stakes and guards, if Camas could raise funds for the fence. In restoring the woodlands, the project hopes to bring back Mull's lost wildlife, ecology and extremely rare lichens found only on the west coast of Scotland. Camas also hopes to bring more local children to the centre so they can learn about the environment on Mull. New Caledonian Woodlands are booked to bring their expertise and skill to a 'Tree planting' week in March to plant the 4000 trees.

Work has been done to improve pricing and booking processes, and to highlight the subsidies available to low-income visitors, which should improve income in 2018. A successful fundraiser for Camas was held by Glasgow Iona Community family groups. Camas also said goodbye to the Coordinator, Abbi Mason, after four years of brilliant leadership (and gardening). We are pleased to welcome Darragh Keenaghan to the post. Grateful thanks are due to all the 2017 staff and volunteers.

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## **5. MAINLAND PROGRAMME: PAT BENNETT, PROGRAMMES DEVELOPMENT WORKER**

Although 2017 has been a year of many challenges and changes for those involved in programme work, we have continued to offer a rich variety of programme possibilities on the mainland to complement those on Iona and at Camas.

The mainland programme has been delivered mostly through weeWONDERBOX, our collaborative programme with the Wild Goose Resource Group - full details are given in their report. We have also hosted a variety of groups (frequently en route to or returning from Iona) for sessions on the history and spirituality of the Community and on its approach to liturgy and worship. This has often involved pilgrimages in Glasgow City Centre or in Govan and we are currently developing different pilgrimages as part of the WeeWONDERBOX programme.

### *Youth Programme*

Continued lack of funding for a second youth worker has meant projects have had to be scaled back - for example, we only ran YouthFest in one centre on Iona this year instead of both. Despite this, we have continued a rich and varied programme enabling young people to meet together to discuss matters of concern, to learn how to value and care for themselves, and to gain confidence in their own voices and in their ability to contribute to and change the lives of the communities with which they are involved.

- YOUTH ART - Former volunteers Georgina Shields and Danica Kramer took over the reins creating a curriculum exploring subjects from emotions to the environment through community art. Sadly, when they moved on to new employment at the end of the summer we decided that we could no longer resource the project. To celebrate all that it has been over the past six years we finished up in October with a party. Welcoming back volunteers and young people from the past we enjoyed a final session together with games, cake and of course art.
- IGLow - our group for teenagers has met throughout the year at our base in Carlton Court delving into challenging issues, developing empathy and creativity and enjoying a lot of laughter. Participation in a 'stand-up to racism' march and a 'refugees welcome' demo, along with learning about the KIN project which works with prisoners and their families and visiting the City Chambers, have been some of the ways through which the group has been encouraged to become more politically aware and engaged.

- Residentials have once again been a highlight. Our annual *YouthFest* on Iona saw Chris and his team of volunteers lead a week on 'Big Love'. Young people explored self-care practices and practical ways to sustain nourishing friendships, led worship, and inspired one another to work with communities to shape a better, more just world.
- The Christmas Gathering saw 27 young people from around the UK - many former volunteers - brave wind and snow to see out the year with a mix of reflective quiet and joyful clamour.

It was an occasion for sadness when in December we said goodbye to Chris Long who has been the Community's Youth Development Worker for the last six years. Chris has been a hugely influential figure in the lives of many of the young people involved in our youth programmes. He has been instrumental in developing and consolidating the volunteer training programme which has seen a significant group of young people go on to help at residential and non-residential events and work on Iona or at Camas. This group is also the core of a new young adult group who are actively exploring ways in which to deepen their link with the Community; in turn the Community is committed to supporting them as they seek to form and grow an intentional and supportive community in a way which is appropriate for them.

We are deeply grateful to Chris for his contribution to the life and work of the Community, and for his love and deep commitment to all the young people with whom he has worked on our behalf. We wish him and Kim every blessing for their future journey.

As we look to the future we face some daunting challenges not least of which is how we can continue to resource this work. Although we cannot at the moment replace Chris we will be continuing contact work with IGLOW and through a summer youth festival at Camas. To this end we have employed three part-time workers - one to continue with IGLOW; one to develop and lead the summer festival; and one to conduct a community audit as a basis for future funding applications and the development of a sustainable work with young people. All three workers have been connected with our youth work previously. Before he left, Chris produced a substantial reflection on the lessons which could be drawn from the last six years and this will be an invaluable part of the ongoing audit and reflection process we are undertaking.

## 6. WILD GOOSE PUBLICATIONS: SANDRA KRAMER, PUBLISHING MANAGER

2017 has been another very productive year for Wild Goose Publications. After several years of work by a group of Iona Community members on the new edition of the *Iona Abbey Worship Book*, it was finally published in February. Over many years this has been the best-selling title for Wild Goose and it was satisfying to know that this new edition would be selling all over the world for use by people who had been inspired by their experiences of taking part in Abbey services.

It was also a year of coming to fruition of several other projects that had been ongoing during the previous year.

*New books published:*

*Iona Abbey Worship Book* (New revised edition), Iona Community; *The Sun Slowly Rises*, Neil Paynter; *Iona: A Map* (2017 edition), Iona Community; *Wild Goose Big Book of Worship Resources*, Iona Community; *Colliding With God*, Richard Skinner; *We Bring You Everything and Tip It Out in Front of You*, Iona Community; *Wild Goose Big Book of Liturgies*, Iona Community; *From Darkness to Eastering*, Bonnie B Thurston; *The Cloisters of Iona Abbey* (2017 edition), Ewan Mathers; *The Pieces We Keep*, Katie Munnik.

*New e-books:* All the above titles except the map.

*New original downloads:*

*The Silence of God*, Isabel Smyth; *Praying with Light*, Rebecca Maples; *To Walk the Way of the Cross*, David Osborne; *Lead Me into Life with You*, Thom M Shuman; *With Intuition, Imagination and Love*, Sarah Agnew & Jan Sutch Pickard; *Rosemary for Remembrance*, Trevor Thorn; *The Best of All Possible News*, Sarah Agnew; *Seven Actions*, Stephen J Maunder; *Walking to Emmaus Again*, Sarah Agnew; *Open Eyes, Open Hands*, Joy Mead; *As You Come and Go*, Tom Gordon; *Understanding the Soul*, Joy Mead; *Let Us Live Your Love*, David Osborne; *Thanksgiving*, Rosemary Power & the Iona Prayer Circle; *For a Sick Child*, Rosemary Power & the Iona Prayer Circle; *For a Troubled Family Situation*, Rosemary Power & the Iona Prayer Circle; *To Find Ourselves Changed*, Isabel Smyth; *For a Person who has Suffered at the Hands of Others*, Rosemary Power & the Iona Prayer Circle; *The Appointment*, Tom Gordon; *Voices of Longing, Glimpses of Hope*, Elaine Gisbourne.



*20 new downloads from published books were also added.*

Thanks to our authors, we have again been able to send material out into the world that both embodies the issues that the Community is concerned about and presents an inspiration for living life in a more just and spiritually sustainable way.

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## **7. CORACLE: NEIL PAYNTER, CORACLE EDITOR**

The Iona Community's magazine, Coracle, is published three times a year, along with a regular e-bulletin, e-Coracle, providing up-to-date news and topical views. Both are circulated worldwide, to around 3000 in the Community's constituency and beyond, and with a much wider readership, keeping readers informed of the life and work of the Community, offering resources for reflection and worship and giving a platform for the sharing of provocative and diverse perspectives on global and local issues of social justice.

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## **8. WILD GOOSE RESOURCE GROUP (WGRG): GRAHAM MAULE, RESOURCE WORKER, WGRG**

WGRG have continued to develop the weeWONDERBOX events programme in collaboration with the Iona Community's Programme Development Worker. This opens up exciting possibilities as it increases public opportunities for faithful folk to engage with the Gospel in the world. weeWBOX aims to explore the shape of progressive, relevant Christian discipleship for contemporary times.

2017 was the first full year of the wWBOX programme with over 90 public events organised. Largely based in the Community's Glasgow home on the southern bank of the Clyde, this urban context allows us to reclaim and rearticulate large parts of one of the original, core purposes of the Iona Community – that of training God's people – with a heightened, evangelical dimension.

The organic programme includes 'Wee Weekly Worships' each Wednesday evening; midweek and weekend urban retreats; DVD-based faith exploration series (using the renowned *Living the Questions* materials); walking Bible studies; series on music & song; ceilidh & game nights; and occasional concerts and one-off events.

Two major innovations marked 2017. The first was 'ColumbaFest', a June weekend festival of faith, politics, culture and creativity, which celebrated many of the compelling themes in the life of the saint who founded the monastery on Iona and from there Christianised Scotland. The second was 'Where Three Streams Meet', a 3-day Scottish-Danish conference on liturgy & theological concerns, in which we built on a developing relationship with creative liturgists and musicians from our Nordic neighbour.

Also in June, as part of the Just Peace Partnership, WGRG and the Iona Community participated in the Peace Tent venue at Solas Festival at the Bield. Along with our other partners – the Church of Scotland, the Corrymeela Community, A Place for Hope, Christian Aid and The Progressive Christianity Network – we delivered a programme of workshops, worship, ceilidh and big sing.

Later in the summer, WGRG and the Community were present at the Greenbelt Festival as part of 'Northern Lights' – where, similar to Solas' Peace Tent, we ran and hosted workshops, talks and music sessions in partnership with Church Action on Poverty and Fischy Music. Beyond the Northern Lights venue, WGRG offered another stirring hundreds-strong Big Sing, and the marquees where John Bell spoke on Trump, Brexit and human diversity were filled to overflowing.

In Greenock East and Patna Waterside, respectively, Jo Love and Graham Maule continued as mentors in the Church of Scotland's Priority Areas 'Chance to Thrive' programme, assisting in developing visions and possibilities for congregations' roles in the local community.

Jo has continued as a member of the 'Resourcing Worship' sub-group of the Mission & Discipleship Council, and its current working group on Discipleship. Jo and John additionally delivered workshops at conferences run by the Ministries Council.

More ecumenically, Jo has kept up her role as creative advisor to the Scottish Committee of the World Day of Prayer, now for a fourth year. Being a contributing writer with *Spill the Beans* proves an ongoing source of sustenance and community.

In July, and for the last time in a little while (due to the re-development work in the two Iona Community island

centres), WGRG led their annual week on Iona: this year entitled 'Change Without Decay'.

Interest in WGRG's work, approaches and materials remain consistent and show little sign of diminishing. All members of WGRG have been engaged in Christian education events with congregations and groups throughout the UK and across the world. John Bell has fulfilled requests from churches, retreat centres and educational institutions in countries as diverse as Denmark, Spain, Belgium, Netherlands, South Africa, Canada, USA and Singapore.

In the latter part of 2017, WGRG worked on a forthcoming publication – 'Known Unknowns' – containing 100 WGRG song texts which can be sung to commonly-known tunes. This will be published in 2018 by Wild Goose Publications and is offered as a resource for congregations and groups with limited musical resources, in order that the crucial, cultural gift of congregational song can be protected and sustained.

## 9. IONA PRAYER CIRCLE: ROSEMARY POWER, PRAYER CIRCLE COORDINATOR

With administrative support from our Glasgow office, the Prayer Circle Coordinator ensures:

- Everyone involved, sponsor or intercessor, receives the Prayer Circle newsletter;
- Intercessors receive, as they have requested, between one and seven prayer lists, each of which has up to 12 people or situations requiring prayer;
- Further, about 100 members receive their list(s) and the newsletter by post as they do not have email. The office and volunteers ensure that this occurs.

The intercessors live across the world. Many are elderly and the Prayer Circle is a major commitment of their time, energy, and spiritual commitment, but through it intercessors make a significant contribution to the life and witness of the Iona Community. Some are Members or part of the wider movement, while others volunteer as a result of a visit to the Iona centres.

The newsletter and updated lists are sent out every two months. There is considerable overlap between the people prayed for, the sponsors requesting prayer for people and

situations, and the intercessors. In all about 600 people are involved. Intercessors are committed to regular prayer for the people on the list(s) to which they are connected; and many observe a special time of prayer to correlate with the 9pm service on Tuesdays in Iona Abbey.

The Prayer Circle coordinates closely with the Sacristan of Iona Abbey to ensure that urgent requests are added to the prayers for healing on Tuesday evenings. In addition, there is a small group who pray for urgent requests between the two-month mailings.

A new Prayer Circle leaflet was produced in 2017. This is available in print copy, on Iona, in the Glasgow office and elsewhere, and online on the website. A series of short liturgies has been produced on nine themes, intended for private or small group use by the intercessors and sponsors. A version of each of these liturgies, together with material from other contributors and sources, and a relevant reflection, are currently being published as a Wild Goose Publications download. They will also appear as a single download book.

The Prayer Circle, though low-key by nature, remains a key part of the work of the Iona Community, with wide ramifications, and closely knitted to the spiritual life that centres on the abbey. The hidden spiritual life of the Community touches many.

## 10. MEMBERSHIP

Nine new members were welcomed into full membership at the Hallowing Service held on Iona in August. Currently, there are 13 people on the New Members Programme. Full membership now stands at 280 with 1539 Associate Members and 864 Friends worldwide. Iona Community groups meet regularly in the Netherlands, Austria, Finland, Germany, Switzerland and the USA. The fifth Europe-wide gathering was held in Salzburg in September 2017. In October 2018, for the first time ever, Community Week will be held outside Scotland, in Schoorl in the Netherlands.

In November, the Iona Community was proud and delighted to celebrate the 100<sup>th</sup> birthday of its most senior member. **Ian M Fraser** has been a pastor-labourer in heavy industry, a parish minister, Warden of Scottish Churches House, an Executive Secretary of the World Council of Churches, and Dean and Head of the Department of Mission at Selly Oak Colleges, Birmingham. He is the author of numerous books,

and his ***Reinventing Theology as the People's Work (Wild Goose Publications)***, is used as a standard theological sourcebook throughout the world.

Ian is one of the original members of the Iona Community, sharing the vision of rebuilding the common life. Throughout his life Ian has travelled the world, alone and with his wife, Margaret, visiting basic Christian communities. He has walked alongside slum dwellers in India and Haiti, Nicaraguan and Cuban revolutionaries, priests, nuns and catechists facing arrest and/or death in Central and South America, and small farming and fishing communities in the Philippines. His unswerving commitment to the priesthood of all believers has made him one of the world's foremost theologians of the whole people of God. His practical engagement, unfailing interest in contemporary politics and public affairs, and his kindness and mischievous sense of humour have made him a dearly loved member of the Iona Community for over 75 years.

In 2017, the Iona Community elected Dr Michael Marten as its Leader. This appointment has now come to an end. In accordance with good employment and pastoral practice, the Community is unable to discuss any details of this. The Community's governing body, the Council, is moving towards making a two-year appointment which will allow a period of reflection, prayer and discernment around critical issues of organisational change and future direction. Caro Smyth, a former Convener of Council, and Kathy Galloway, a former Leader, are currently providing a leadership team.

Every 31<sup>st</sup> 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 Catherine Harkin, doctor and singer, Lawrence Nugent, peace campaigner and disability activist, and Barry Cummings, dedicated hillwalker, justice campaigner and youth worker 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*

ALAN KIMMITT, *Convener*  
CARO SMYTH and KATHY GALLOWAY, *Leadership Team*

## CHURCH OF SCOTLAND GUILD MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the report.
2. Note the proposals for twinning partnerships with Guilds in Malawi (2.3)
3. Congratulate the Guild on the success of its Project Partnership Scheme in 2015-18 (2.7)
4. Welcome the Guild's strategy for 2018-21 "One Journey, Many Roads" and its annual themes (3)
5. Note the six new Partnership Projects for 2018-21 and offer prayerful support for the work of these charities (3.6.2)
6. Celebrate the addition of over 600 new members to the Guild in the past session (3.7.7)
7. Welcome the addition of 2<sup>nd</sup> Linlithgow Girls' Brigade Company as an Honorary Guild Group (3.7.9)
8. Encourage Presbyteries, and National Councils and Committees to consider how they can develop their support for the Guild (4)
9. Encourage Kirk Sessions to explore ways in which they can offer practical support to Guild groups (4.6)
10. Encourage Presbyteries to explore ways in which they can offer practical support to Guild Presbyterial Councils (4.6)
11. Encourage Kirk Sessions to work closely with their Guilds and to challenge their practice where appropriate (4.7)
12. Thank the Guild for the contribution it has made to the work of the Church of Scotland in practical and financial terms (6)

### Report

#### 1. INTRODUCTION

Be bold, be strong, for the Lord, your God, is with you!

**1.1** Since 2015, the Guild has based its work on the strategy, "Be Bold! Be Strong!", with separate themes in each session:

- 2015-16 Go in Peace!
- 2016-17 Go in Joy!
- 2017-18 Go in Love!

**1.2** The triennium has been a great adventure, during which a number of changes have been made to how the Guild works, how it communicates internally and how it presents itself to the wider world.

**1.3** New committee structures, a growing presence on social media, regular e-news, Roadshows and Regional Gatherings, "Big Sings", new resources...the list goes on, with everything aimed at these outcomes:

- Increased confidence amongst the membership
- Support for leaders
- Encouraging new people to join
- Developing new ways of working
- Better awareness of what the Guild is
- Refreshing our wonderful organisation

**1.4** Against a backdrop of difficult challenges around membership numbers, demographics, lifestyle issues and finance (a list that pertains to the whole church as well as the Guild), the Guild has sought to face up to problems and to find new approaches.

**1.5** What has remained the same, though, is our determination to keep worship, prayer, action and fellowship

at the centre of all we do, seeing change as evolution and growth and maintaining the spirit of the Guild as our tradition, not just doing things the way we always have.

**1.6** This report brings news of a Guild in good fettle and looking forward to an exciting new stage in its existence as we embark on our new strategy for 2018-21, "One Journey, Many Roads", with these themes:

- 2018-19 Seeking the Way
- 2019-20 Companions on the Road
- 2020-21 The Extra Mile

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## **2. WORSHIP, PRAYER, ACTION AND FELLOWSHIP!**

May God's blessing surround you each day...  
go in peace, go in joy, go in love!

**2.1** The three years from 2015-2018 have seen the Guild work under its strategy (essentially an over-arching theme) "Be Bold! Be Strong!"

With annual themes of "Go in Peace!", "Go in Joy!" and "Go in Love!", we have had many great experiences and done many things, all of them against the backdrop of our four tenets, worship, prayer, action and fellowship. This last year has been no exception.

### **2.2 Special Events**

**2.2.1** Much of the year has been focussed on celebrating the Guild and on bringing people together to share ideas, challenges, opportunities and experience.

This has taken several forms, including:

#### **2.2.2 The Annual Gathering**

On 2 September 2017, around 2000 people gathered together for a day of worship, fellowship and celebration. We heard from the Moderator, Rt Rev Derek Browning, who spoke on our theme "Go in Love" and from Dr Pam Cairns of the "Free to Live Trust", a charity doing amazing work with prostitutes and their children in Pune in India.

Music played a major part in the day. As well as hymn singing, we were led and entertained by the Heart and Soul Swing Band and also shared in some nostalgic singing of action songs, led by the General Secretary and the Associate Secretary.

#### **2.2.3 "Big Sings"**

We have had three of these since last reporting to the Assembly.

- The first was during the 2017 General Assembly, when Very Rev Dr Andrew McLellan led us in an evening that brought a real sense of energy and praise, with over 1000 people sharing in the evening.
- The second was in the East Parish Church in Inverness during Guild Week in November. The presence of around 750 people was a clear statement of the willingness of the Guild to share its sense of belonging across the country and the Highland welcome was excellent.
- The third was the "Big Christmas Sing" in St George's Tron Church in Glasgow. A new idea, we were unsure as to how popular it would be at a busy time, but found that it was necessary to run the service twice to accommodate those wanting to join in!

This programme of Big Sings will begin again at the 2018 Assembly.

Over the course of the year, thousands of pounds were raised to fund the work of the Loudon Teacher Training College at Embangweni in Malawi, especially the drilling of a second bore hole to provide fresh water for the student hostel there.

#### **2.2.4 Regional Gatherings and Roadshows**

Recognising that not everyone can come to the Annual Gathering in Dundee, we have established a programme of Regional Gatherings and Roadshows, bringing Guilds together at a more local level to have conversations and learning opportunities that allow dialogue between the national and local structures.

Events in Aberdeen, Tarbert, Fort William, Kyle of Lochalsh, Stornoway, Shetland, Orkney and Caithness have all been welcomed by everyone involved and have given the Guild the chance to express confidence in itself and to continue to build on its history of service.

In addition to these special events, the Guild organises conference meetings for a number of groups of office-bearers:

- Resource Co-ordinators
- Project Co-ordinators
- Presbyterian Council Conveners

## 2.3 Synod of Livingstonia, Malawi

**2.3.1** Over a number of years, the Guild has grown and developed a close connection with the Church of Central Africa Presbyterian, both with the whole Synod and, particularly, with the Umanyano and the Madodana, the Women's and Men's Guilds respectively.

**2.3.2** In the summer of 2017, the National Convener, General Secretary and Associate Secretary, attended the conferences of both groups in Lilongwe and Mzimba. They also met with Christian Aid, the Bible Society, and the Scottish charity "500 miles". Visits were made to hospitals in Livingstonia and Ekwendeni. A visit was also made to meet those involved in the work of the Livingstonia Aids Project, funded by a Guild project from 1997-2000. This included a very powerful outing to the village of Jomo to meet villagers of all ages affected by AIDS and to see the Village Savings and Loan fund in operation, enabling people to improve their own situations in a wide variety of ways.

**2.3.3** During the visit, a series of conversations took place regarding possible twinnings of Scottish Guilds with those in Malawi. It is hoped that such connections can be made between Presbyterian Councils and the Men's and Women's Guilds, with initial contacts having now been made.

## 2.4 Resources

**2.4.1** One of the main purposes of the national Guild structures is to support local groups by offering resources that help with leadership matters, planning of meetings and syllabi, leading sessions and worship and so on.

**2.4.2** These have been continually developed and offer materials that are very helpful within the Guild, but which could also be used by other groups within the church. We hope that Guilds can share these widely and that they might be taken up by bible study groups, youth groups, Kirk Sessions and others where appropriate.

**2.4.3** We look forward to introducing new and updated resources over the next year.

## 2.5 Marketing

**2.5.1** A wide range of merchandising material is produced with the intention of promoting the Guild and strengthening a sense of identity. The most successful of these has been our range of tartan products, and we are grateful to the Moderator for once again using these as gifts for dignitaries he has met, including the Prime Minister, Pope Francis and many others.

## 2.6 Communications

### 2.6.1 Social Media

Many Guild members and others keep up to date with current events and news through our Facebook page. In January 2018, the number of people "liking" the Guild's page rose beyond 2000, a figure that challenges stereotypical views of the IT literacy of the Guild!

### 2.6.2 E-news

Similarly, the Guild's electronic newsletter "Gui(l)d News" has grown in popularity, with over 1200 people now signed up for it. Many of these then share the content with Guild groups and thus take the numbers of people reached well beyond the number receiving the publication.

## 2.7 Project Partnership Scheme

**2.7.1** The Project Partnership Scheme is one of the best known and most highly regarded elements of Guild work. Over the years, in excess of £6 million pounds have been raised for causes all over the world. At least as importantly, the scheme has raised awareness of a host of issues from human trafficking to post-natal depression, domestic abuse, dementia, AIDS, runaway young people, oppression, genocide and climate change, to name but a few.

**2.7.2** Over these past few years, the scheme has worked with:

- **Prospects** on the place of people with learning disabilities in the church
- **Christian Aid**, working on issues around climate change and gender roles in Bolivia
- **Care for the Family** on the pressures of family life

- **Mission International**, supporting people who have experienced natural disaster in Haiti
- **Ascension Trust (Scotland)** and the work of the Street Pastors
- **Feed the Minds** on the cruelty and devastating effects of female genital mutilation

**2.7.3** The sums raised for these projects are listed in the appendices to this report and they speak volumes for the commitment, interest and Christian service that are found in the work of the charities and the work of the Guild.

**2.7.4** As the current round of projects comes to an end, thanks are due to Guild members, charity staff, volunteers and everyone who has contributed to the success of the appeals.

## **2.8 Working with others**

The Guild continues to be represented on a number of internal and external groups.

These include:

- Church and Society Council (including the Violence Against Women Task Group)
- CrossReach
- Ministries Council
- Mission and Discipleship Council
- World Mission Council
- ACTS Anti-human trafficking group
- Interfaith group on domestic abuse
- Jubilee Scotland
- World Day of Prayer

## **2.9 Loneliness and Isolation**

**2.9.1** Over the past year, the Guild has worked closely with Faith in Older People on a project funded by Action of Churches Together in Scotland to explore the ways in which the church relates to older people. Emerging from this process, there have been two seminars involving a wide range of interested partners.

**2.9.2** The issue which has come to the fore from these events has been loneliness and isolation and plans are now being made to explore this further through a conference event and a possible on-going network of interested parties.

**2.9.3** This is an issue that has been recognised as crucial in a number of areas of church life and we look forward to taking it forward in the coming years.

## **3. LOOKING AHEAD**

Look forward in faith, all time is in God's hands!

**3.1** While it is good to look back and reflect on another year of the Guild, our main focus is on looking forward. There is so much to look forward to!

**3.2** As stated in paragraph 1.6, this year we begin our new three year strategy "One Journey, Many Roads".

**3.3** This title has been chosen to remind us that the common threads across the Guild lie in the tenets of worship, prayer, action and fellowship and in our ability to react to a changing world as we seek to serve God through our membership.

**3.4** To resist change is to go backwards; to look inwards is to miss the vista around us.

**3.5** Looking forward allows us to share the excitement of a journey and to anticipate new discoveries, new friends, new opportunities and our agenda for the next three years is filled with such things.

## **3.6 New Projects**

**3.6.1** The Guild is delighted to have selected its Partnership Projects for the period 2018-21. Once again, these projects will allow the Guild to learn about and support the work of a remarkable group of charities involved in a wide range of work in Scotland and around the world.

**3.6.2** The partners are:

- Boys' Brigade Scotland: "Faith in Young People", looking to develop faith, leadership and community involvement amongst young people



- World Mission Council: “Makeni Mother and Child Centre”, Kanyama, Lusaka, offering health advice and training and development opportunities to young women
- CrossReach: “Join up the Dots”, looking at work with mental health issues across the whole range of their services
- Free to Live Trust: “Seema’s Project”, providing safety, support, rescue from trafficking and education to children of sex workers in Pune in India
- The Sailors’ Society: “Port Chaplaincy in Scotland”, building on 200 years’ of chaplaincy amongst seamen from across the world
- Malawi Fruits: “Help and Hope in Northern Malawi”, working to train and support young farmers, including work on irrigation, mechanisation and diversification

### 3.7 New Members

**3.7.1** As a membership organisation, we need to encourage new members to continue our work. That can mean new folk in existing groups or new groups or new individual members. The Guild faces the same issues as the whole church in this area.

**3.7.2** The Guild welcomes new members, but we also recognise that we need to encourage them. That means finding ways that people can see what they can give to the Guild and what they can receive from it. In turn, that is likely to mean that Guilds will need to:

- Take stock of how they operate
- Consider who the “target” groups might be in terms of demographics and local situations
- What opportunities they have to encourage membership
- Consider how they look to potential new members
- How they respond when people do come along

**3.7.3** Above all, it is important to paint a positive picture of what we are about and what membership can mean. Clearly, there are challenges.

**3.7.4** Morale can be low, Guilds can be tired, leaders can feel burdened, Guilds can feel unsupported.

However, the aim must be to look for the positives and to accept that increasing, or at least maintaining, membership can only be done in small steps. We have seen a long running reduction in numbers and we should not expect that to change quickly, nor should we expect to see numbers return to the six-figure totals of the past...we no longer live in a world where that is likely or realistic.

**3.7.5** That said, we can begin by recognising that a fall in total membership doesn’t only recognise people leaving, for whatever reason. Constantly reporting on reductions is neither positive nor helpful in terms of recruitment.

**3.7.6** In that regard, we have put together some information on the number of new members who have joined in the past year.

**3.7.7** We are delighted to report that the number of new members is well over 600!

**3.7.8** We warmly welcome all of these people and look forward to seeing more join us in the future.

**3.7.9** We also welcome the 2<sup>nd</sup> Linlithgow Company of the Girls’ Brigade as our second honorary Guild group, joining the National Youth Assembly in this. The girls have taken a very real interest in our projects and we are delighted to have them on board.

### 3.8 New Ways of Working

**3.8.1** In any organisation that has been around for a long time, there is the tendency to keep doing things in the same way, even though that can become more and more difficult. Indeed, as challenges increase, it can be very tempting to stick with the familiar rather than venture out in new directions.

**3.8.2** In recent years, an increasing number of Guilds have sought new patterns of operation. These include:

- Meeting in different places, be that houses, old people’s homes, cafes
- Meeting in the summer rather than winter
- Using the whole Guild as the committee rather than having to elect leaders
- Forming rotas for organising meetings

- Working more closely on an area basis rather than individual congregations
- Presbyterial Councils merging
- Presbyterial Councils rotating leadership between Guilds in their area
- Meeting in the daytime in darker months and evening in lighter ones

**3.8.3** All of these have merit and yet again this reflects the purpose of the strategy “One journey, Many roads” and we look forward to hearing about and sharing more initiatives as they come along.

#### 4. WHAT WE ASK OF THE WIDER CHURCH

I am the church, you are the church, we are the church together!
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**4.1** The Guild is defined as follows:

The Church of Scotland Guild is a movement within the Church of Scotland which invites and encourages both women and men to commit their lives to Jesus Christ and enables them to express their faith in worship, prayer, action and fellowship.

**4.2** Key to this is the identification of the Guild as “a movement **within** the Church of Scotland”, not in partnerships or alongside the Church of Scotland, but within it.

**4.3** This demands of the Guild a commitment to share in the life of the church and to find a purposeful place within that church, at local, regional, national and international levels.

**4.4** Similarly, it requires a response from the rest of the church at the same levels.

**4.5** The Guild is in no doubt that the church appreciates it!

**4.6** What we ask is that congregations, Presbyteries and others become “critical friends”, which means they should:

- Support their Guilds, including helping with tasks such as administration, finance and governance
- Encourage them
- Get to know them as a group and as individuals
- Recognise that for some Guild members, the Guild **is** their Church
- Pray for us

That is the “friend” part and includes places where there is no local Guild.

**4.7** It also means, and this is the “critical” part, that they should challenge their Guilds.

- Ask them what they are doing, but also ask, “Why?”
- Acknowledge their methods, but suggest alternatives
- Celebrate their membership, but encourage ways of welcoming new people
- Set aside time within Councils, Committees, Sessions and Presbyteries to find out more about the Guild and how they can help
- Find out what they can do for the Guild, but also what the Guild can do for them

**4.8** Beyond these things, join us. That can mean:

- Forming a new Guild or reforming a disbanded one
- Joining as individual members
- Bringing other groups together with the Guild in joint meetings and ventures
- Making use of Guild resources
- Sharing in the work of the Project Partnership Scheme
- Coming along to Guild events such as “Big Sings”, Roadshows and Regional Gatherings

**4.9** The staff in Guild Office are always available to talk through these and any other ideas and the Leadership Team, Presbyterial Councils and local leaders are more than happy to explore ideas with others.

5. GUILD OFFICE AND STAFFING

Hands to work and feet to run,  
God’s good gifts to me and you

**5.1** There are five staff members in the Guild Office, who are ready, willing and well-able to support the membership in every area of Guild life. We record our thanks to Iain Whyte (General Secretary), Karen Gillon (Associate Secretary); Lesley Blyth (Administrator) and Alice Finlayson (Finance Assistant), who have worked for the Guild for a number of years. We also thank and welcome Mandy Muir (Admin Assistant) for her work and especially for the way in which she has settled into her new appointment over the past few months.

6. FINANCE AND STATISTICS

All that I am, all that I do,  
all that I’ll ever have, I offer now to you

MEMBERSHIP

The membership numbers for the Guild at the time of writing were:  
Members 19,189  
Groups 785

FINANCE

General Fund Income	£	General Fund Expenditure	£
Members’ Contributions	194,186	Management and admin	226,516
Donations and Grants	23,741	Objects Expenditure	38,621
Sales of goods	24,818	Cost of sales	22,546
Project Support	21,707		
Other	31,829		
<b>Total</b>	<b>296,281</b>	<b>Total</b>	<b>287,683</b>

DONATIONS TO THE WORK OF THE CHURCH

Sums given by Guilds in 2017, based on returns received to 16 February 2018, were as follows:

To Ministry and Mission Funds via Congregations	£75,206.49
To Congregational Funds	£308,833.31
To work of the church, including projects	£254,222.61
To work outwith the Church	£82,812.86

PROJECT DONATIONS FROM 2015 TO 16 FEBRUARY 2018

Ascension Trust Scotland: Street Pastors	£110,639.41
Care for the Family: Let’s Stick Together	£96,425.12
Christian Aid: Caring for Mother Earth in Bolivia	£93,672.60
Feed the Minds: Breaking the Cycle of FGM	£125,792.28
Mission International: Haiti Project	£87,663.31
Prospects: All Friends Together	£90,856.80
<b>Total</b>	<b>£605,049.52</b>

7. CONCLUSION

Let us build a house where love can dwell  
and all can safely live

**7.1** The Guild has served the Church for over 130 years and continues to do so in many ways. The support we receive from so many people is deeply appreciated and we hope that we can build on that to find new ways in which the symbiotic relationship between the Guild and other parts of the church can continue to grow, evolve and strengthen.

*In the name of the Church of Scotland Guild*

MARGE PATERSON, *National Convener*  
IAIN WHYTE, *General Secretary*

Addendum

Marge Paterson (National Convener)

Marge Paterson has been a Guild member since joining the movement in 1991 in Pittenweem. When her husband John became minister of Old Cumnock Old in 1994, she joined the Guild both there and at the linked charge of Lugar. She has been Secretary, Convener and National Representative for Ayr Presbyterial Council and also convened the National Marketing and Publicity Committee.

The Guild thanks Marge for her devoted service and wishes her well for her future Guild work and for her involvement in the management committee of her church’s bookshop and tearoom, “Words of Wisdom”.

Outside of her church work, Marge is also involved with Handbell Ringers GB and teaches Gaelic in a local Primary School and we know that she will also continue to offer much to both of these.

*In the name of the Church of Scotland Guild*

PATRICIA ROBERTSON, *National Vice-Convener*  
IAIN WHYTE, *General Secretary*

## CHURCH AND SOCIETY MAY 2018

### Proposed Deliverance

#### The General Assembly

1. Receive the report.

#### Flourishing Local Communities

2. Celebrate the work going on through congregations the length and breadth of Scotland to help our communities to flourish.

#### Building an Economy Driven by Equality

3. Welcome the ongoing partnership with the Islamic Finance Council to develop an ethical finance framework.

#### Caring for Creation

4. Recognise the urgent need to make a just transition to a low carbon economy, commend the work of the Church Investors Group and others in promoting engagement, and welcome the proposal from the Investors Trust to promote stronger Environmental, Social and Corporate Governance in the Church's investments.
5. Welcome the growing success of Good Money Week and forthcoming consultation by OSCR on charity trustee investment duties and recommend that the Council of Assembly now considers as a priority the preparation of a statement of investment principles for the Church.
6. Urge that, if the business plans of oil and gas companies are not aligned with the Paris climate agreement within two years, the Investors Trust and Pension Trustees withdraw from investing in them.

#### Doing Politics Differently

7. Welcome the launch of Meet Your MP and encourage congregations to build positive relationships with their local politicians.
8. Welcome the expansion of work around Participatory Budgeting being supported by the Council and encourage local congregations to get involved in Participatory Budgeting locally.

### Building Global Friendships

9. Reaffirm the belief that possession, use or threat of use of nuclear weapons is inherently evil, congratulate the International Campaign to Abolish Nuclear Weapons on being awarded the Nobel Peace Prize, welcome the establishment of an international Treaty on the Prohibition of Nuclear Weapons and urge the UK Government to engage with the treaty process as a way for the UK to disarm its nuclear weapons.
10. Note the United Nations process, which is leading two new Global Compacts on refugees and on migrants, instruct the Council to participate in international ecumenical and UK civil society efforts to call for decisions which place human dignity and welfare at the heart of considerations, and encourage congregations and church members to pray for successful outcomes of the negotiations.
11. Instruct the Church and Society Council to facilitate informed public conversation about our future relationship with Europe.
12. Instruct the Church and Society Council to monitor the impact of leaving the EU on the Devolution Settlement and call on the UK Government to ensure that powers returned from the EU are devolved to Scotland in line with that Settlement.
13. Call on the Scottish and UK Governments to establish and maintain high standards of environmental protection following the UK's planned departure from the EU.
14. Call on the Scottish and UK Governments to establish and maintain high standards of political, social, economic and cultural rights, and in particular that human rights and equalities remain at the heart of Scottish society as outlined by the Scotland Declaration on Human Rights.
15. Urge the Scottish and UK Governments to seek the strongest possible social, cultural and economic ties with other European countries.

## Ensuring the Health and Wellbeing of All

16. Commend the efforts of Alcohol Focus Scotland, the Scottish Government and others to reduce the harm caused to individuals and society through the misuse of alcohol, and welcome the introduction of minimum unit pricing for alcohol.
17. Instruct the Council to promote and emphasise the intrinsic worth of each individual as an image of the living God, and to work with the wider church, and with partner agencies to seek the health and wellbeing of all.
18. Note that July 2018 will see the marking of the 70<sup>th</sup> anniversary of the founding of the National Health Service (NHS), and recognise that while the NHS remains a valued part of our social fabric, its long-term future is under serious pressure, and in light of this appoint a Commission on the long-term future of the NHS in Scotland as described in the report.

## Investing in Young People

19. Recognise the significant contribution that the Church of Scotland has made to Scottish Education and thank the members of the Education Committee, both past and present, for all their commitment and endeavours in this area.
20. Instruct the Church and Society Council, the Mission and Discipleship Council and the Ministries Council, to coordinate the Church of Scotland's contribution to the nurture and support of young people by establishing a cross-council Young People and Education Action Group, with the necessary resources and support, as outlined in Section 13.4 of the report.
21. Instruct the Council to present an implementation plan for the Young People and Education Action Group's work, produced by the Young People and Education Action Group and based on the principles outlined in the report, to the General Assembly of 2019.
22. Instruct the Council to ensure that by the General Assembly of 2019 the Education Committee has passed on work agreed by the Council to the Young People and Education Action Group.

## Report

### 1. INTRODUCTION: GOD IS WITH US

**1.1** This is the year when the Council began to implement Speak Out, the long-term hope for change which it presented to last year's General Assembly. It is a belief in a fairer, more equal and more just society; communities, nations and a world which more authentically reflect the heart and passion of God for all creation. It is a hope rooted in faith and surrounded in prayer.

**1.2** In communities, nations and a world characterised by continuing uncertainties – and the last year has certainly had its times of uncertainty, as will the coming years – this can be a challenging hope to cling on to. It can be easier to become drained of hope or so inwardly focused that we fail to recognise God's continued presence and activity in the world.

**1.3** Rev Dr Sam Wells, vicar at St Martin in the Fields (London), who spoke at last year's General Assembly writes: *"God is with us. These four words express the character of God, the identity of Jesus, the work of the Spirit. They are the Christian testimony about the past, witness in the present and hope for the future."*<sup>[1]</sup>

**1.4** Our activity seeks first and foremost to point towards God and to recognise where God is already at work. It takes place in the here and now although it points towards and hopes for a different future. It celebrates the ongoing work of the Spirit and exposes those activities which run counter to God's love for the world and passion for justice.

## 2. EXECUTIVE SUMMARY

### 2.1 Flourishing Local Communities (Section 4)

We report on work that we have engaged in with a range of congregations across Scotland as well as ongoing activity in the spheres of asset-based community development, the development of local democracy and tackling homelessness. We also note work that has gone on around welfare reform, including the roll out of Universal Credit and campaigns to end the freeze on benefits.

### 2.2 Building an Economy Driven by Equality (Section 5)

We report on work undertaken in partnership with the Islamic Finance Council on development of a framework for ethical

finance as well as highlighting a number of areas of ongoing work as we advocate for an economy driven by the need for greater equality.

### **2.3 Caring for Creation (Section 6)**

We report on our ongoing work to tackle climate change and advocate for climate justice. We also report on partnership work to develop increased awareness around conservation and biodiversity.

### **2.4 Caring for Creation – Fossil fuel investments and the transition to a low carbon economy (Section 7)**

We bring proposals that the Church of Scotland should, over the next two years, divest from fossil fuel companies unless there is clear evidence that these companies are themselves modifying their policy and practice and the Church should, at the same time, develop a statement of investment principles.

### **2.5 Doing Politics Differently (Section 8)**

We report on our ongoing relationships with the Scottish and UK parliaments as well as highlighting our work, through *Meet Your MSP*, *People's Politics* and *Participatory Budgeting*, to develop new models of democratic participation.

### **2.6 Building Global Friendships (Section 9)**

We report on our ongoing work advocating for and supporting asylum seekers and refugees, as well as the Church's continued opposition to nuclear weapons and our promotion of Fairtrade.

### **2.7 Building Global Friendships – Constitutional Relationships in Scotland, the UK and Europe (Section 10)**

We report on the complex and constantly changing inter-relationships between Scotland, the rest of the UK and the rest of Europe, and advocate for ongoing close relationships between Scotland and the rest of Europe

following the UK's planned departure from the EU in March 2019.

### **2.8 Ensuring the Health and Wellbeing of All (Section 11)**

We report on issues of mental health, the minimum unit pricing of alcohol and plans to develop a Commission looking at the future of the National Health Service in Scotland.

### **2.9 Investing in Young People (Section 12)**

In the Year of Young People, we highlight steps which we are taking to tackle child poverty and the ongoing work of the Education Committee.

### **2.10 Investing in Young People – A review of the Church of Scotland's work in education (Section 13)**

We bring recommendations to establish a Young People and Education Forum, operating across the councils of the Church, to coordinate the Church's work with children and young people, including in the sphere of education.

### **2.11 Society Religion and Technology project (Section 14)**

We report on the work of the Society, Religion and Technology Project, including proposals to celebrate the project's 50<sup>th</sup> anniversary in 2020.

### **2.12 Campaigns (Section 15)**

A list of all the campaigns that the Council is involved with on behalf of the Church of Scotland.



### 3. ACTION RELATING TO THE 2017 DELIVERANCE

**3.1** The following table summarises actions taken in relation to the Church and Society Deliverances agreed at the 2017 General Assembly.

2017 Deliverance	Activity and Outcome
2. Express profound sadness at the attack at Manchester Arena and the tragic and pointless loss of life; affirm the courage and grace with which Manchester is already responding; call on the Church to continue to foster deep relationships across communities; and commit us to pray for all those affected.	In March, the Joint Public Issues Team held its biannual conference in Manchester where part of the conference reflected on the Church's response to hate crimes and acts of terrorism. At the time of writing the Joint Public Issues Team are considering a piece of work to explore what can be drawn from Christian theology and traditions to speak into the reality of terrorism.
4. Celebrate the outstanding work which local churches are already undertaking to make Scotland fairer, more equal and more just – more like God intends.	<p>Over the course of this year Council and staff members have visited local congregations to learn more about how congregations across Scotland are already making a difference, to hear something of the local congregational experience, develop relationships with those working at a local level, and to share some of the thinking behind the ethos of Speak Out.</p> <p>From the visits there were a number of interesting and exciting projects. Many of these, while small in nature, made a real difference to their communities - providing opportunities for relationships and encounter. Nearly all the congregations visited were doing something in their community that related to the themes of Speak Out.</p> <p>The Council continues to believe that the Church is at its most authentic in its local expressions and that there is much to be gained from enabling local experience to shape and drive what the Church does and says nationally.</p>

<p>5. Instruct the Council to work in partnership with other Councils and Committees in the implementation of the plan.</p>	<p>Over the last year the Church and Society Council has been collaborating with both Ministries Council and the Mission and Discipleship Council around investing in young people. It is hoped that, if the report's recommendations are accepted, this will enable greater collaboration between the three councils in this area.</p> <p>Throughout this year the Council has contributed to the Mission Forum on its work around ethnic minority churches as part of its Building Global Friendships theme and has contributed to the Ministries Council Ascend talks.</p> <p>Through its close involvement with SCPO, Eco-Congregation Scotland, JPIT and SFAR, the Council continues to work ecumenically and as a result maintains positive relations with the Ecumenical Relations Committee. To this end the Council has a representative on the Columba Declaration contact group.</p> <p>The Council will continue to seek opportunities to collaborate more closely with councils and committees over the coming year.</p>
<p>6. Instruct the Council to develop resources to enable congregations to engage fully in the work of Speak Out.</p>	<p>This remains an ongoing piece of work. The Council, in collaboration with others, has produced a <i>Faith Action For Nature</i> resource as part of its <i>Caring For Creation</i> work, has delivered training on Participatory Budgeting as part of the Council's <i>Doing Politics Differently</i> work and has contributed to <i>Sanctuary in Scotland: Information on refugee issues for faith groups in Scotland</i> as part of building global friendships.</p> <p>These resources deal with specific projects within Speak Out, but there are plans to create more general resources to enable congregations to engage fully in the broader work of the Council.</p>
<p>7. Instruct the Council to establish a robust monitoring and evaluation framework which will enable the Church to scrutinise, measure and learn from the work of Speak Out.</p>	<p>Initial conversations have taken place with several potential partners with expertise in monitoring and evaluation as well as those with specific theological skills.</p> <p>The Council is keen that any framework should assist in its stated aim of maximising the learning as a result of Speak Out to develop and enrich the Church's public theology.</p>
<p>8. Instruct the Council to develop appropriate resources to ensure the wider discussion of the issues raised in the Surveillance and Social Justice report.</p>	<p>Resources on this piece of work are still to be published. The Council, through the Society Religion and Technology Project, continue to engage with this issue.</p>

9.	Instruct the Council to continue to challenge organisations, including governments, in their inappropriate use of surveillance, especially with regard to the poorest and most marginalised in society.	The Council maintains a watching brief and responds as appropriate.
10.	Note the imminent introduction of the General Data Protection Regulation and encourage the Council to monitor its effects on vulnerable people.	Through the Society Religion and Technology project, the Council has been involved in monitoring implementation of GDPR.
11.	Deplore the reported rise in xenophobic and racist attacks on people following the result of the EU referendum and affirm the valuable role of citizens from other parts of Europe living in Scotland.	The valuable role of citizens from other parts of Europe living in Scotland was affirmed in a submission to Scottish Parliament Culture, Tourism, Europe and External Relations Committee call for evidence on Article 50 withdrawal negotiations. It was also the subject of one of the short films produced for the planned <i>People's Politics</i> event ahead of the General Election. The films were released on the Church of Scotland website.
12.	Encourage congregations to discuss our future in Europe respectfully, using the "Conversation Welcome" resource produced by the Joint Public Issues Team, and to raise their concerns and aspirations with their elected representatives.	The changing political landscape has made it difficult to promote interest in <i>Conversation Welcome</i> . The resource continues to be available through the Joint Public Issues website and training on the resource was offered at the 2018 JPIT conference.
13.	Call on the Scottish and UK Governments to ensure that the rights and contributions of nationals from other EU countries resident in Scotland and UK citizens resident in EU member states are recognised and protected.	<p>This was the subject of one of the short films produced for the planned <i>People's Politics</i> event ahead of the General Election. The films were released on the Church of Scotland website.</p> <p>Subsequently, a letter was written to the Prime Minister raising these issues and the point was reiterated by the Very Rev Dr Derek Browning when he met the Prime Minister during his visit to Westminster.</p> <p>Similarly, these points were expressed in a submission to the Scottish Parliament's Culture, Tourism, Europe and External Relations Committee call for evidence on Article 50 withdrawal negotiations.</p>
14.	Instruct the Council to ensure the voice of the Church is heard in the public debate around the Article 50 negotiations.	Public debate has been limited; however, the Council has engaged with politicians in the UK and Scottish Parliaments and has met the Scottish Government Minister for UK Negotiations on Scotland's Place in Europe.

15.	Call on the UK Government to increase the target number of individuals to be resettled under refugee humanitarian programmes in proportion to the scale of global need and the relative size of the UK population and economy.	In the summer of 2017 we wrote to the then Immigration Minister, Brandon Lewis MP, with a number of the issues raised by last year's General Assembly. We received a reply which outlined the UK Government's existing rationale for its policies, some of which remain at odds with the view of the General Assembly. In November the Home Office and Church of England hosted a meeting at Lambeth Palace to consider the potential for future resettlement targets after 2020 (when the most important current programme comes to an end). The Church of Scotland was represented at this meeting through our Methodist Church partners in the Joint Public Issues Team. The point about additionality in the community sponsorship programme is one which is increasingly acknowledged as an important issue, and we shall continue to raise this matter with MPs, civil servants and others interested in the programme.
16.	Call on the UK Government to allow individuals resettled through community sponsorship to be counted in addition to, rather than as part of, its target number for refugee resettlement.	
17.	Encourage congregations that may be considering applying for community sponsorship to be aware of the wider implications outlined in the Report at paragraph 7.4.5.	
18.	Call on the UK Government to implement the recommendations of the 2015 UK Parliamentary Inquiry into Detention and to make provision for child refugees to have access to a right to family reunion.	The UK Government has made no indication that it will change its policy on detention, despite reports of appalling conditions at some of the immigration removal centres over the past year. The Council supported a campaign to back a Private Member's Bill (the Refugees (Family Reunion) (No.2) Bill) from Angus MacNeil MP to improve the right to family reunion for child refugees. This passed its House of Commons second reading on 16 March and will proceed to the next stage.
19.	Call on the Scottish Government to extend its strategic framework for refugee integration and ensure the participation of the Church at a local and national level, both as an organisation committed to working with refugees as well as a body which includes asylum seekers and refugees as members.	The Scottish Government has involved the Church of Scotland and other faith groups in a Refugee Integration Forum which meets regularly and brings together a wide range of people and agencies working with refugees in Scotland. There has also been more involvement with community and grass-roots organisations, which included a community engagement exercise that took place over the summer and gathered views from hundreds of people – including many refugees and asylum seekers – on the development of a new Refugee Integration Strategy. The Church of Scotland was represented on a working group looking at communities and social connections for the new strategy, which was launched in January 2018 and is called <i>New Scots Refugee Integration Strategy 2018-2022</i> .

<p>20. Call on the UK Government to end its policy of destitution for failed asylum seekers.</p>	<p>In the summer of 2017 we wrote to the then Immigration Minister, Brandon Lewis MP, with a number of the issues raised by last year's General Assembly. We received a reply which outlined the UK Government's existing rationale for its policies. The UK Government continues to have as its aim the creation of a 'hostile environment' for immigration, and destitution for refused asylum seekers appears to be part of an attempt to deter people from seeking asylum in the UK. Congregations or individuals who wish to offer practical support to people who are in the situation of being made destitute should consider giving to the Refugee Survival Trust (<a href="http://www.rst.org.uk">www.rst.org.uk</a>), or if they have a spare bed, offering temporary accommodation to homeless people through Positive Action's Room for Refugees scheme (<a href="http://www.roomforrefugees.com">www.roomforrefugees.com</a>.)</p>
<p>21. Encourage congregations and church members to take part in opportunities for encounter and learning with asylum seekers and refugees, through appropriate groups or the programmes from the Scottish Refugee Council including Cup of Tea with a Refugee and Refugee Festival Scotland.</p>	<p>Through the work of Scottish Faiths Action for Refugees, support and advice is available to congregations wishing to embark on new projects or ideas.</p>
<p>22. Acknowledge the generosity of many congregations in donating aid and money to support refugees; encourage giving money rather than purchasing new goods for donation, and where donated goods are offered that these are given in response to a specific list of requested items and to a registered charity.</p>	<p>Congregations are also reminded that the Go For It Fund is available to support work which meets identified needs in the community and tackles poverty and/or social injustice. Further information on the work of Scottish Faiths Action for Refugees is available in Section 9 of the report.</p> <p>If individuals or congregations wish to donate money to support the work of Scottish Faiths Action for Refugees, this is now possible through an online giving webpage: <a href="http://www.mydonate.bt.com/events/sfar/441943">www.mydonate.bt.com/events/sfar/441943</a></p>
<p>23. Affirm the place of pilgrimage within the life of the church and encourage congregations to explore opportunities for pilgrimage locally and how to provide practical and spiritual support for pilgrims passing through the parish.</p>	<p>The Church is an active member of the Scottish Pilgrim Routes Forum through which it is exploring with others how it can support and develop pilgrimage in Scotland. It is also exploring with Church of Scotland congregations how it can share and support work caring for pilgrims.</p>
<p>24. Instruct the Council, in partnership with the Mission and Discipleship Council and others to develop resources to support pilgrimage in Scotland, and to explore and develop ways of assisting congregations on pilgrim routes to fulfil the missionary purposes of the Church.</p>	<p>The Council, with the Mission and Discipleship and Ministries Councils, is reflecting on the new commitment to support pilgrimage and what resources will be required to assist congregations. Congregations in Fife and elsewhere are developing resources to promote pilgrim routes, which we will share widely across the church.</p>

25.	Welcome the growth of interest in ethical finance initiatives in Scotland; urge congregations to support the Christian Aid Big Shift campaign on banking and investigate what it means to become an Ethical Money Church.	In partnership with Eco-Congregation Scotland and <i>Good Money Week</i> the Council has supported the campaign in Scotland. The Rev Sally Foster Fulton of Christian Aid Scotland made the keynote address on living out our faith through the use, sharing and justice of our resources and Christian Aid Scotland's Senior Advocacy and Policy Adviser, Chris Hegarty, talked about the <i>Big Shift Campaign</i> at our <i>Good Money Week</i> conference in October 2017.
26.	Instruct the Council to consider the effectiveness of microcredit schemes in lifting people out of poverty and report to a future General Assembly as part of the Council's focus on an economy driven by equality.	There has been a delay in appointing a programme manager with responsibility for developing the Council's work in this field. The Council would intend to bring a report to the 2019 General Assembly.
27.	Welcome the impact of 'Meet Your MSP' and encourage congregations to build positive relationships with their local politicians.	A report on the Meet Your MSP Project is provided within Section 8 of the report.
28.	Welcome the work on Participatory Budgeting initiatives being undertaken by local congregations supported by the Council.	A report on Participatory Budgeting initiatives undertaken by local congregations is provided within Section 8 of the report.
29.	Encourage the Council to reflect on changes in the way that decisions are made at the level of Government and report to a future General Assembly.	The Scottish and UK Governments are currently focusing significant energy on the implications of Brexit. With some political parties calling for second referendums either on Scottish Independence or membership of the EU it is close to impossible to report on decision-making processes without appearing to take a view on one of these controversial issues. The Council reflects regularly on how Government works and how the Church can be part of that process and will report to the General Assembly in 2019.
30.	Commend the work that the Council of Assembly is doing to explore the best way to take forward broader gender justice work in the Church.	In December 2017, the Council of Assembly approved the appointment of a Gender Justice Officer for a five-year period. Recruitment for this post took place in March 2018. More information on this role can be seen in the report of the Council of Assembly.
31.	Welcome the work being undertaken by the Violence against Women Task Group and Development Officer and urge the Church to continue to work to end violence against women.	The Violence Against Women Development Worker post came to an end in June 2017, having completed work on behalf of the Council on a longer-term gender justice strategy for the Church. During the past year the Violence Against Women Task Group has continued to function effectively.

32.	Condemn the practice of Female Genital Mutilation (FGM) as an act of violence against women and call on the Council to urge the UK Government to seriously consider an individual's risk of falling victim to FGM when determining asylum applications.	These issues have been raised in a letter to Rt Hon Amber Rudd, Home Secretary.
33.	Commend the new resources created by the Violence against Women Task Group for study and action by local churches and Kirk Sessions.	The resources were distributed to congregations at the end of 2017. Posters have been produced, to be displayed in church premises, highlighting domestic violence and sexual violence.
34.	Instruct the Council to reflect on the issue of prostitution and the Church's response to it and to report on this subject to a future General Assembly.	The Council will bring a report to a future General Assembly.
35.	Call on the UK Government to ensure that ship to ship transfers of crude oil are not permitted in the Inner Moray Firth.	The Council was represented at meetings with scientists and community representatives in Cromarty in November 2017 but were unfortunately unable to meet with the Port Authority. The original proposals for ship to ship transfer submitted in 2015 were not acceptable to the Marine and Coastguard Agency (MCA) but a further application may be made in 2018, at which time the Council could respond to the MCA.
36.	Welcome the development of Visitor Centres in Scottish Prisons, welcome the engagement of the Church in this development, and encourage the Council to continue to pay attention to this and other matters relating to imprisonment and penal reform.	The last year has seen the development of four new Prison Visitor Centres, bringing the total to 11 Prison Visitor Centres across Scotland. The Council continues to be represented on the Group's Executive and CrossReach is responsible for running two of the centres.
37.	Call on political decision-makers and influence shapers to refrain from personal attacks but instead seek to discuss, debate and engage in conversation with respect, grace and always seeking the common good.	The Council continues to encourage politicians and others to engage with these issues at hand in a respectful and meaningful way. It is the Council's belief that acknowledging that the God-given humanity of all lies at the heart of good political process.
38.	Instruct the Council to continue to monitor the ongoing debate about Scotland's Constitutional Future and to report to the General Assembly of 2018.	A full report, <i>Constitutional Relationships in Scotland, the UK and Europe</i> is available at Section 10 of the report.

#### 4. FLOURISHING LOCAL COMMUNITIES

**4.1** In February 2018 the Council appointed a Programme Manager to take forward the work around Flourishing Local Communities. This is a two-year fixed term post that is funded from the Council's reserves. The Council hopes, and intends, that the additional staff resource in this area will contribute to the ability of local congregations to ensure that their communities are places where people can experience life in all its fullness. Work in this area will be done

collaboratively with a range of others including the Priority Areas Committee, the Go For It Fund and CrossReach to maximise shared impact at both local and national levels.

#### 4.2 Learning from Local Congregations

**4.2.1** Over the summer of 2017 Council members and staff visited over 25 congregations and projects within 11 Presbyteries.<sup>[2]</sup> The intention was to learn more about how congregations across Scotland are already making a difference, to hear something of the local congregational



experience, develop relationships with those working at a local level, and to share some of the thinking behind the ethos of Speak Out.

**4.2.2** Nearly all the congregations visited were doing something in their community that related to the themes of Speak Out. Often these were small but significant. Indeed, the importance of small, relatively low-cost pieces of work was one of the hallmarks of many of the projects that the Council visited. In general, projects tended to be larger where congregations had accessed additional funding. From the visits there were a number of interesting and exciting projects going on, demonstrating how churches are making a real difference in their community, providing opportunities for relationships and encounter. Below are some of the highlights from the visits, although it should be acknowledged that these represent only a small sample of the good work that is going on across Scotland. More examples of inspiring work can be found on the Go For It Fund pages of the Church of Scotland website ([http://www.churchofscotland.org.uk/serve/go\\_for\\_it](http://www.churchofscotland.org.uk/serve/go_for_it)), the Priority Areas blog [http://cos.churchofscotland.org.uk/blogs/priority\\_areas/](http://cos.churchofscotland.org.uk/blogs/priority_areas/)), and in almost every Church of Scotland congregation across Scotland.

- Callander Kirk's annual pilgrimage: An annual pilgrimage to Trossachs Church which culminates in a service and family picnic at the church.
- Carlops Church's welcome booklet: A welcome booklet for every new person moving into the village. The booklet highlights different activities, groups and resources within the community as well as the area's different festivals and traditions.
- Auchtermuchty Church visitation team: Although vacant for some time, the members of the congregation have set up a ministry of visitation. The team of 9 has been running well for several months, and each person has a particular lead responsibility. They will meet anyone who wants this service and will act appropriately, depending on what is needed.
- Old Kirk Muirhouse's Christmas presents: The congregation works to provide a present for every child in the parish at Christmas time.

- Castlemilk Parish Church Carpenters Workshop: The product of a union between Castlemilk East and West Churches, Castlemilk Parish Church sought to use the wood from the pews of the old churches to make fittings for their new building. To do this they train local volunteers to do the woodwork.
- Keith North Church Tuesday Table: Having set up a foodbank, Keith North Church realised that a number of people in the community were asking for 'cold parcels' because they did not have the facilities to cook or heat food. Tuesday Table is a response to this where every Tuesday, using food donated by the local Tesco, the church creates a community café in which all are welcome. People can pay what they feel like for the food, the local school music group is involved in providing recitals, there is a clothes swap shop, and the sanctuary is opened as a reflective space.
- Allan Park South Church's Wellbeing Choir: An intergenerational choir that meets every week using a mixture of Scottish tunes, popular music, songs from musicals, and contemporary Christian songs.
- Logie Kirk University Debates: As part of the university chaplaincy, the Minister for Logie Kirk, along with the Friends of Logie Kirk, organised biennial debates at the university focusing on key societal issues.

**4.2.3** While the visits undoubtedly highlighted inspiring projects and examples of congregations engaging with their communities in transformative ways, the visits also raised some of the challenges that many congregations felt they were facing. The most cited of these challenges was a lack of resource to meet local need, while low attendance and elderly membership were also raised. A number of congregations mentioned that their membership would struggle, or were reticent, to take on long-term or ongoing commitments, as many did not have the energy to commit to ongoing projects. However, short-term specific projects were seen as being more possible. Poverty and the existence of foodbanks were the two societal issues most regularly raised during the course of visits with concerns about loneliness and isolation also featuring strongly.

**4.2.4** In responding to these challenges a number of congregations spoke of 'freeing up' congregation members to be involved in the community and in community projects, rather than trying to deliver projects through the church. In

terms of the input of the Church and Society Council, a number of possibilities were suggested, including providing faith-based resources to enable congregations to engage with the issues, meeting with congregations face-to-face and relationship building, linking local and national initiatives (e.g. job clubs), linking up congregations who are working on or have a shared interest in similar initiatives, helping congregations to get youth workers, supporting Presbyteries to engage on certain issues, or providing information and updates. The Council continues to take these challenges on board as it seeks to better resource and learn from the lived experience of local congregations. As with all its work, this will only be fruitful if it is done collaboratively, working alongside others, both within the Church and in wider society.

### **4.3 Asset-Based Community Development**

**4.3.1** In June 2017 the Council hosted an evening bringing together a range of partners from across the Church with a particular interest in Asset-Based Community Development (ABCD) with Cormac Russell, managing director of Nurture Development and one of Europe's leading exponents of ABCD. The event resulted in a number of new links being made both with the policy and practice of ABCD. The model is being taken forward particularly within the Priority Areas network and Cormac Russell was a keynote speaker at the Priority Areas Gathering in November 2017.

### **4.4 Local Governance Bill**

**4.4.1** In recent years there has been a significant level of policy and legislation in the Scottish Parliament around local democracy and increased public participation including, for example, the Community Empowerment Act (2015) and the increased interest in Participatory Budgeting (see Section 8 of the report). This increased interest can be understood as being driven by three inter-related pressures: the increased engagement following the referendum on Scottish independence; low voter turnout, particularly in local elections and in the many of the economically poorest neighbourhoods; and an increasing concern that representative democracy is under threat with the global rise of authoritarian politics and so-called fake news.

**4.4.2** In late 2018, the Scottish Government plans to bring legislation before the Scottish Parliament to further increase participation. Over the coming months, the Council will engage with local communities to gather insights into how participation and involvement can be further enhanced.

### **4.5 Homelessness**

**4.5.1** The Council strongly welcomed the creation of the Homelessness and Rough Sleeping Action Group by the Scottish Government in September 2017 as part of its Programme for Government and the energy with which the Action Group has gone about its work since it was founded. Scotland has some of the most progressive homelessness legislation in the world, but the reality is that this legislation has not succeeded in eradicating homelessness. Indeed, there is clear evidence that homelessness, particularly rough sleeping has been on the rise in recent times.

**4.5.2** The Church, through initiatives such as the Lodging Housing Mission, Fresh Start, Churches Action for the Homeless, Greyfriars Community Project and Scottish Churches Housing Action, has done a great deal both to address practically the needs of homeless people and to advocate on their behalf. The Council was delighted that the Very Rev Dr Russell Barr was appointed to the Action Group and also that the group has worked closely with those who have a direct ongoing experience of what it is to be homeless and housing insecure. Success is always more likely when those who know about the issues from direct experience are involved in the development of and implementation of policy and practice.

**4.5.3** Many church members, including the then Moderator Very Rev Dr Derek Browning participated in Sleep in the Park (December 2017) which not only raised substantial funds to address homelessness but also did a great deal to ensure that the issues of homelessness remain high in the public consciousness.

### **4.6 Welfare Reform**

**4.6.1** Since May 2017 the Council has continued to call for a pause to the roll-out of Universal Credit as initial evidence suggests that the introduction of the scheme, among other things, has resulted in a 15% rise in rent arrears issues (compared to a national decrease of 2%) and an 87% increase in Crisis Grant issues (compared to a national increase of 9%).<sup>[3]</sup> A briefing on the problems with Universal Credit was prepared by JPIT and distributed to MSPs ahead of a debate in the Scottish Parliament on 3 October. The briefing was referenced during the debate. A similar but updated briefing was circulated to MPs ahead of a debate in Westminster on 18 October. The Council has also supported Glasgow Presbytery in writing to the Department of Work & Pensions about their ongoing concerns on the impact of Universal Credit and has

written to all Presbyteries asking them to consider doing likewise. A number of Presbyteries have done so.

**4.6.2** In October the Council, along with other members of the Poverty Alliance, signed a letter to the Chancellor calling for an end to the freeze on benefits. Research from Sheffield Hallam University suggests that the freeze in working-age benefits will lead to households in Scotland losing an estimated £300m a year. It is expected that this will affect 700,000 families in Scotland, with an average loss of £450 per family per year. This is a substantial amount of money, especially for families on low incomes. Ending the freeze on working age benefits is the first step in building a fairer, more equal United Kingdom. More information on the campaign can be found at <https://petition.parliament.uk/petitions/200687>

**4.6.3** The Council has also been active following the decision of the UK Government to close a significant number of Job Centres across the UK, with the Council secretary invited to give evidence to the Scottish Affairs Committee on this issue. The Council have subsequently been working closely with a range of partners and, in particular, the Priority Areas Committee, to continue to highlight the issues and to consider ways in which churches might provide support in communities most severely impacted.

## **5. BUILDING AN ECONOMY DRIVEN BY EQUALITY**

### **5.1 Shared Values Framework with the Islamic Finance Council**

**5.1.1** Together, Islam and Christianity represent over half of the world's population. They are influential in not only informing the value systems in countries where they constitute the majority of the population, but also in shaping the wider moral landscape within which the rest of the people on the planet live their lives.

**5.1.2** It is now commonly acknowledged that short-term and unethical economic practices jeopardise the ability of humans to flourish in their role as God's vicegerents on earth. In light of the major financial instability at the onset of the present century and the resultant scrutiny over the workings of the financial sector, it has never been more timely for these two great religious traditions to set forth those inalienable values and principles which lie at the centre of their understandings of what should guide a truly ethical economy.

**5.1.3** In February 2018 the Council approved a shared values framework that resulted from these workshops. It is the Council's belief that the values identified within the framework not only accurately represent the shared principles between Christianity and Islam, but can help shape a fairer and more sustainable future for all. The values are:

- **Stewardship**

The wealth we have control over is ultimately a trust from God to be used in accordance with sound moral principles. Dominion over the resources of the earth is tempered with a responsibility that this be done in light of the divine commands to temperance, purposefulness and care. This dominion is understood in the light of scriptural sources as being one that is not exploitative, but based on cultivating and nurturing civilisation.

- **Love of the Neighbour**

This has been identified –alongside love of God– as one of the two core shared values between Islam and Christianity. It has a wide-ranging impact on how we view the function of a just economy and follows on from the shared principle of the stewardship of humans on earth. It serves to test our claim to love God for "*whoever does not love his brother whom he has seen cannot love God whom he has not seen*" [John 4:20]. The implication of 'love of neighbour' in both Christianity and Islam, is that for it to be a true embodiment of love, it must be marked by both generosity and altruism towards the other.

- **Human Flourishing**

The two faiths share in the understanding that one of the inalienable rights of humans is the freedom and ability to express and nurture our dual functions of creativity and productivity in the service of the common good. It is through this that one is able to fully live a life proclaiming the worship and adoration of God and it is this that is at the core of human flourishing.

Sustainability and Purposefulness

Human vicegerency over the earth underlines the need for the use of natural resources in a manner that is sustainable and purposeful. This is indicative of a 'Theology of Sufficiency': an acceptance of the limited nature of the earth's natural resources which in turn invokes a moral obligation on us all to place tangible societal restriction on avarice and wanton greed. Avarice is one of the seven deadly sins in Christianity and, in the Islamic tradition, is considered a cardinal vice precipitating the spiritual death of the soul.

Justice and Equity

The two faiths share at their core a call to fairness, equity and justice in one's financial dealings with others, and is derived from the theme of love for one's neighbour. The use of natural resources and specifically economic activity should be marked by a commitment to equity. All human activity, to be morally commended, should be purposive and embody equity and justice.

Common Good

A purposeful approach to economic activity is where good is not just restricted to the personal benefit of the individual investor, but to the common good of all. Those involved in economic activity should seek to promote mutual benefit. In keeping with the expression of the Scholastics, property is private in terms of ownership, but common in terms of utility. The creation of a strong sense of a common good and mutuality amongst the members and institutions in a community is a hallmark of a society that has placed justice and equity at the core of its values.

5.2 Citizens Basic Income

5.2.1 The Council's 2015 report on taxation recognised of Citizens Basic Income that *'The idea is worthy of further and more in depth study and one which organisations with greater understanding of the complexities of our tax system would serve us well by looking into.'* As such, the decision of the Scottish Government in September 2017 to fund research into the viability of such a model in Scotland, is to be welcomed. The Council will seek to keep a careful watching brief on this research as well as advocating for practical pilots across Scotland and to report to a future General Assembly.

5.3 Taxation

5.3.1 The Council, in line with the policy of the General Assembly, continues to put the case for fair and progressive taxation. In line with this policy it wrote to both the

Chancellor of the Exchequer and the Cabinet Secretary for Finance ahead of the UK and Scottish budgets, advocating increased public spending to tackle child poverty and climate change.

5.4 Churches Mutual Credit Union

The continued growth of the Churches Mutual Credit Union (CMCU) (see tables below), particularly in conjunction with CrossReach and the Guild, has been very encouraging. In addition, many opportunities to encourage interactions between local churches and credit unions have arisen.

	2016	2017
Church of Scotland	97	119
Scottish Episcopal Church	5	6
URC - Scotland Synod	3	3
Roman Catholic	0	2
Methodist	1	0
	106	130

	2016	2017
Church Central Office Employee	11	12
COS Charities	2	8
Diocesan, Presbytery or Regional Office Employee	0	1
Elder	43	46
Lay Minister	2	2
Minister in Training	1	1
Retired Stipendary Minister	3	3
Stipendary Minister	40	52
Stipendary Minister - Household Member	2	2
Vestry, Synod or Kirk Session Member	2	3
	106	130

## 5.5 Good Money Week

**5.5.1** In October 2017 the Church of Scotland and partners Christian Aid Scotland, Eco-Congregation Scotland, Oikocredit UK & Ireland and the Ecumenical Council for Corporate Responsibility (ECCR), came together for the Good Money Week conference, *What have faith and money got to do with climate change?* Sponsored by Oikocredit UK and Ireland, EthicalFutures and Anderson MacPhie Financial Services, and chaired by Dr Katherine Trebeck, Senior Researcher at Oxfam, the event was a good example of partners working together on a topic that is of growing importance to congregations and denominations. The conference explored the key issues around how we can invest our money ethically to have a positive impact on the climate. The conference attracted a large attendance, reflecting the continuing increase in awareness of ethical finance and the desire to explore how investing can help create an economy driven by equality.

## 6. CARING FOR CREATION

### 6.1 Climate Change

**6.1.1** At the heart of the Council's work is a concern about the growing impact of climate change around the world. At the UN climate change conference at Paris in December 2015 a commitment was made to limit the rise in global temperatures to two degrees Celsius. The critical importance of this decision was emphasised again at the UN conference in Bonn in November 2017 (CoP23) where we brought together, with the World Council of Churches, the First Minister Nicola Sturgeon and delegates from Pacific churches experiencing the impact of climate change. Frances Namoumou from the Pacific Conference of Churches and Tafue Lusama from the Congregational Church in Tuvalu were able to share their stories of the impact of droughts, flooding and sea level rise and also to explain how churches are working with governments to help those affected; for example in moving away from flooding to higher ground. Climate forced migration is a threat to many Pacific islanders and will add to the growing number who are forced to leave their homes each year. Worldwide the UNHCR estimates that in each year since 2008 over 21 million people have been forcibly displaced by 'weather-related sudden onset hazards' such as floods, storms, wildfires and extreme temperatures. More have to leave their homes in the context of slow-onset hazards, such as droughts or coastal erosion linked to sea level rise. In Cape Town the impact of drought has resulted in

a crisis in water supplies this year with worrying implications for the rapidly growing urban population. Climate change is a growing contributor to forced migration and is projected to increase displacement of people in the future. The work of Scottish Faiths Action for Refugees in part reflects the growing number of climate forced refugees.

### 6.2 Conservation

**6.2.1** Care for creation is not limited to climate change. Concerns about loss of biodiversity (the variety of life) and how we care for other species on earth are posing questions for congregations about our way of life and how it is damaging the earth, our common home. One example is our use of disposable plastic bottles. Eco-Congregation Scotland campaigned for a Scottish deposit return scheme for plastic bottles as part of the *Have You Got The Bottle?* campaign. This campaign pressed for the introduction of a deposit return scheme for plastic bottles and other drink containers to reduce the amount of waste, particularly the amount of plastic ending up in the sea. In September 2017 the Scottish Government announced that it would go ahead with the scheme and has been consulting on how it will operate. Also in partnership with Eco-Congregation Scotland, we are encouraging congregations to learn about practical conservation through the project *Faith Action for Nature in Scotland*, developed with the RSPB, one of Scotland's largest conservation NGOs. The project will encourage church members to take practical steps in their communities to learn about and promote nature conservation.

### 6.3 The Moray Firth

**6.3.1** At the General Assembly 2017 the Very Rev Dr Alan McDonald raised concerns about the proposal from the Cromarty Port Authority to transfer oil from ship to ship in the Moray Firth. The Council was represented at meetings in Cromarty to learn about the proposals. The Moray Firth is famous for its wildlife, particularly for bottlenose dolphins, and is subject to high levels of protection under UK and EU environmental designations. Any oil spill would have potentially disastrous local consequences yet neither the local community, Highland Council or Scottish Government are formally part of the decision-making process. The Marine and Coastguard Agency, the agency with the power to agree or reject the proposal, was critical of the first application and we wait to see if a second application is forthcoming. In the meantime, we may reflect on the safety of the marine environment and the threats to it that have been memorably highlighted by David Attenborough in *Blue Planet II*. While the



undersea world is effectively invisible to most of us it remains a vital part of God's creation that we have perhaps overlooked for too long.

## 6.4 Questions Around Economic Growth

**6.4.1** Underpinning many of our concerns is the growing awareness that the consumer economy and uncritical acceptance of economic growth is at the root of many of our environmental problems. This was explored in the Good Money Week conference 'What have faith and money got to do with Climate Change?' in October 2017. It also informs our participation in the work of the Conference of European Churches which will be debating a report on 'Sharing God's earth and its riches justly' at its assembly in Serbia in June 2018.

## 7. CARING FOR CREATION – FOSSIL FUEL INVESTMENTS AND THE TRANSITION TO A LOW CARBON ECONOMY

### 7.1 Introduction

**7.1.1** The General Assembly 2016 agreed that: "*Scotland needs to play a leading part in the global drive to reduce carbon emissions through major changes in energy production and consumption and that the Church's ethical investment policies should be aligned with this objective.*" As a result, it instructed the Church and Society Council to explore with the Trustees of the Church of Scotland Investors Trust, the Church of Scotland Pension Fund and others to explore: "*how to alter existing investment policies to promote the transition to a low carbon global economy by 2050 and to report back to the General Assembly in 2018.*"

**7.1.2** A working group was set up in 2016 to explore these issues and to engage with a range of expert witnesses. This report summarises the issues that have emerged in the discussions of the group and makes recommendations on fossil fuel investments.

### 7.2 The Theological Imperative

**7.2.1** Since none have seen God, the creation, of which human beings are a part, is the means through which God becomes apparent to us. It is only as creatures of the earth that we have the capacity to know God. We are made in the image of God, but we are neither superhuman nor angelic, we are of the earth and the earth is our home. As Genesis 2:15 puts it, we were put in the garden "*to tend it and care for it*".

We stand in awe before the immensity of time and space, before the grandeur of the earth and the wonder of life. The earth is our sanctuary, our sacred trust and a cause for gratitude, wonder and tender care.

**7.2.2** Over the last few generations, we have come to the realisation that human beings are having an impact on the wellbeing of the earth. The earth's continued flourishing appears to depend upon our taking that sacred trust, articulated in Genesis 2:15, seriously. Many of us witnessed recently, in the BBC's *Blue Planet II* series, the damage being caused to the oceans which once we thought so immense that nothing we could do could bring harm to them. Our activity has resulted in the loss of habitat for many animals and plants and there has been a dramatic decline of certain species. In addition, some of the world's poorest people are being impacted the most. Of course, if the scientific consensus is correct and we do nothing to reduce our impact on the environment, the effects currently being felt by vulnerable species of plants and animals and the poorest people will affect us all. The creation depends on our willingness to tend and care and in many respects this is a new and fundamentally challenging insight. And, whilst climate change has always occurred throughout earth's history, the scientific consensus now agrees that human activity, since the time of the Industrial Revolution, is having a significant impact on the world's climate.

**7.2.3** If, as Jesus teaches, we must care for the least of these, then the fact that our industrial activity which, at times has the greatest negative impact on the poorest and those least able to insulate themselves from the impacts of damaging human activity, calls us to re-examine priorities. Whilst many have argued, rightly, that our industrial activity helped lift people out of poverty and enabled the world to develop, we need also to face up to the reality that that same activity may have the effect of ending viable human life on the earth, unless we choose an alternative path. So, climate change offers a stark challenge to what has been for decades a settled way of thinking and invites us to seek new ways of providing for human need.

**7.2.4** In this regard, climate change is not just a management challenge that requires a technical fix, it calls into question much of what we have taken for granted about our relationship to the earth, which has often been based on an idea that the creation is simply there as God's gift for us to plunder, use and discard. Theologians have suggested that the

‘dominion’ motif, present in Genesis 1: 28, (Be fruitful and multiply, fill the earth and subdue it; and have dominion....) has been misinterpreted as an invitation to heedless exploitation.

**7.2.5** Humanity may have a special place in the creation, but with that goes a profound responsibility. In the light of the science that makes clear the negative environmental consequences of our continued use of fossil fuels and in the light of our sacred duty towards the whole earth community, we are surely called to live our lives within the capacity of the earth to sustain a thriving, living community of both human beings and other living species. There are strong arguments in favour of leaving in the ground much of the fossil fuels as yet not exploited.

**7.2.6** Whilst for the time being, we remain dependent on fossil fuels, we seek to urge our world in the direction of a transition to a low carbon economy and encourage intentional investment in a future that has less impact on climate, is less destructive of habitats and impacts less negatively on the world’s poorest communities. It makes sense for us to seek to match our investment priorities with our values and the Short Life Working Group on Fossil Fuel Investments has over the last two years wrestled with this issue, and brings this report in the hope that the Church of Scotland might share with many others in the journey towards a less harmful future.

### **7.3 The Context – Climate change in 2018**

**7.3.1** The Church of Scotland has become acutely aware of the impact of climate change from its partner churches around the world. We have heard from World Mission Council partners, from Christian Aid and others about climate change impacts in Malawi, Zambia and other East African countries leading to repeated drought and flood; from Bangladesh about the growing risk of tropical storms and flood; from Pakistan about intense summer heat; and from Jamaica in the Caribbean or Tuvalu in the Pacific about the consequences of rising sea levels and tropical storm damage. We have heard from the Church of Norway about the melting of the Arctic ice cap and the implications this may have for all of us in the northern hemisphere about the growing risk of flood here. These stories about the human impacts of climate change reflect the scientific consensus on climate change; a consensus that was set out in detail in the Fifth Assessment report presented to the United Nations in 2013 and that underpins the Paris climate agreement of 2015.<sup>[4]</sup> The many

thousands of pages of research detailed in the report can be summarised in a few short words: that climate change is happening; that we are causing it, principally by burning billions of tonnes of coal, oil and gas each year; and it has profound consequences for our common home the earth, and for life on earth.

### **7.4 The Paris Agreement and the Transition to a Low Carbon Economy**

**7.4.1** The agreement reached at the Paris Climate Conference (CoP 21) in December 2015 was a turning point in the global response to climate change. The Conference agreed that global warming must be limited to two degrees Celsius if we are to avoid the most extreme consequences of climate change. The conference also agreed we should try to limit global warming to 1.5 degrees Celsius. In order to put the agreement into effect there must be a rapid transition to a low carbon economy. Each signatory to the agreement has to put into effect a plan to reduce its own carbon emissions by an agreed amount called ‘nationally determined contributions’.

#### **How much carbon can we safely burn?**

The reserves of coal, oil and gas in the ground would, if all burned, produce global warming far in excess of two degrees Celsius. In the absence of effective carbon capture and storage the only safe way to meet the Paris target is to leave the great majority of reserves in the ground, a resource that future generations can perhaps manage more safely for the benefit of all.

*Source: Carbon Tracker*





**7.4.2** The Church of Scotland welcomed the Paris Agreement and called on the UK and Scottish Governments to implement it as a priority. The challenge facing Scotland and other countries is to ensure that plans are in place to support the transition to a low carbon future to meet the Paris targets. In this context the Church welcomes the Scottish Government's Energy Strategy published in 2017, the first attempt by the Scottish Government to map a route to a low carbon economy in Scotland; a future in which electricity generated from renewable sources and other low carbon technologies replaces gas and oil as sources of energy for heating and transport almost entirely. This prospect is not only one of technological transformation but also a spiritual challenge; the opportunity to imagine a future in which our relations with our neighbours around the world are more equal and in which our relationship with the earth that sustains us is less exploitative and more respectful of God's plan.

**7.4.3** The Church of Scotland has responded to the crisis of climate change through the Climate Change Project established in 2007 in partnership with Eco-Congregation Scotland. What we have learned has in turn challenged the Church as a whole to reflect on its mission and message: what does it mean to care for each other and to care for creation in an age of climate change and how do we bring hope for the future? In his encyclical *Laudato si*, Pope Francis

sets out some of the great issues we face: that we have become preoccupied with progress and material wealth; this has led us to exploit the earth's resources and that we have only now come to recognise the consequences of our actions. And of our exploitation of the earth's resources none has been as ruthless as our determination to use its fossil fuels.

## 7.5 The Role of Finance

**7.5.1** In the transition to a low carbon economy, figures as diverse as Mark Carney, Governor of the Bank of England and Christiana Figueres, formerly UN Secretary to the Paris Climate Conference, have identified finance as a critical agent of change. According to the Organisation for Economic Co-operation and Development (OECD), *"Limiting climate change to well below 2°C requires a major shift in investment patterns towards low-carbon, climate resilient options. Achieving this goal will require policies that involve unprecedented economic, social and technological transformation, as economies shift towards low-carbon and climate-resilient (LCR) infrastructure investments."*<sup>[5]</sup>

**7.5.2** The World Bank is helping to put this transformation into action. It announced in December 2017 that, in order to help support countries meet their Paris Agreement goals, it will no longer finance upstream oil and gas after 2019. Rather it will increase its lending to climate action projects to support the Paris and associated national plans.<sup>[6]</sup> Closer to home the University of Edinburgh announced in February 2018 that it will complete its transition out of fossil fuel investments within three years by selling its remaining shares in oil and gas companies.<sup>[7]</sup> The decision is part of its commitment, made in 2016, to become carbon neutral by 2040. The Senior Vice Principal of the University, Professor Charlie Jeffery, said, *"Over the past few years, we have thought hard about how to respond to that challenge. This change in our investment strategy is a vital step on that journey."*

**7.5.3** The Church of Scotland, through its pension funds and its investments, can make a difference, both directly by choosing where to invest; by showing leadership nationally; and in encouraging members of congregations, whose collective savings, pensions and investments are far larger than the Church's to consider how they can get involved. In partnership with Eco-Congregation Scotland the Church has supported Good Money Week, an annual opportunity to remind people that there are now a range of ethical options when it comes to banks, pensions, savings and investments to help protect the environment and promote social justice. We

commend participation in Good Money Week to all congregations.<sup>[8]</sup>

## 7.6 Engagement, Divestment and Reinvestment

**7.6.1** Engagement is an important means of bringing about change in the companies in which the Church of Scotland is invested. Newton Asset Management is responsible for managing the Church of Scotland Investors Trust Growth Fund and has on-going engagement with companies in which the Growth Fund holds shares. Similarly, the Church Investors Group promotes engagement on a wide range of ethical issues.

**7.6.2** A new initiative is the Transition Pathway Initiative, a tool designed to assess how companies are preparing for the transition to a low-carbon economy. Developed by the Church of England's National Investing Bodies and the Environment Agency Pension Fund, in partnership with the Grantham Research Institute at the London School of Economics, it aims to improve the quality of information available and to serve as a platform for improved engagement between investors and companies.<sup>[9]</sup> To take this work forward the Investors Trust has proposed that the Church allocates a resource to develop an in-house capability in Environmental, Social and Corporate Governance (ESG). Such a resource would be able to support the Church in responding to a wide range of investment issues, not only fossil fuel investments but also other controversial issues such as modern slavery and executive remuneration. It would also assist the Council of Assembly in its plans to develop and maintain a statement of investment principles.

**7.6.3** Engagement through all these channels can be effective and lead to change in many businesses but it is important to be clear about what it can and cannot achieve. Fossil fuel companies, that is, oil, gas and coal companies such as BP, Shell or Exxon, who own reserves of fossil fuels in the ground, are a case in point.<sup>[10]</sup> Engagement with oil and gas companies may encourage them to change some aspects of their business, but is unlikely to lead to a change in their core business of exploration and production. The huge scale of finance and operation, the time-lag between investment and returns in developing oil fields, which can be 10 years or more, and its historic profitability, all make it very difficult for fossil fuel companies to diversify from their core business and contribute positively to a low carbon economy.<sup>[11]</sup> To come to an impartial view, Carbon Tracker has scrutinised the business plans of oil companies and found that most are not

compatible with the Paris climate agreement or the transition to a low carbon economy.<sup>[12]</sup>

### BP's strategy update *Getting Back to Growth* (February 2017)

BP plans to increase oil production from 2016 to 2021 by an average of 5% a year. According to BP: *Seven projects are expected online during 2017 – making it one of the largest years for commissioning new projects in BP's history. A further nine projects that are expected to start up through 2018-2021 are already under construction. The projects coming on line in 2016 and 2017 are on track to deliver 500,000 barrels of oil equivalent a day (boe/d) new production capacity by the end of this year. This strong pipeline means that BP is now confident that Upstream production will grow from 2016 by an average of 5% a year out to 2021. BP Group production, including BP's share of production from Rosneft, is expected to be around 4 million boe/d by 2021.*

**7.6.4** An example of the difficulty in making oil companies' business plans align with the requirements of the Paris Agreement is given by Royal Dutch Shell. The company was challenged at its AGM in 2017 "to set and publish targets for reducing greenhouse gas (GHG) emissions that are aligned with the goal of the Paris climate agreement to limit global warming to well below 2°C." The company argued that it could not make such a commitment and rejected the challenge.<sup>[13]</sup> Another example is Statoil, a leader in offshore wind power, but a company that still remains committed to Arctic oil exploration. Throughout 2017 Statoil has, despite ongoing criticism, maintained drilling operations searching for new sources of oil and gas in the Barents Sea within the Arctic Circle to the north of Norway.<sup>[14]</sup> These examples illustrate the data that Carbon Tracker have published and point to the inconsistency between the business plans of oil and gas companies and the need to make a rapid transition to a low carbon economy as required by the Paris Agreement.

## 7.7 Governance and the Legal Duties of Charity Trustees

**7.7.1** The Church of Scotland is a charity registered with and regulated by OSCR, the Scottish Charity Regulator. As such, charity law and regulation are relevant considerations. Guidance from OSCR states that a charity must operate in a manner consistent with the charity's purpose.<sup>[15]</sup> This duty applies to the way charity trustees manage the charity's resources, including investments. It means that investments

must be managed in a way which is consistent with the charity's purposes and mission. A charity should not invest in a sector that is inconsistent with its purposes, even if that has a possible impact on the investment performance in the charity's portfolio. The Church's concern about tobacco companies is an example of this. Tobacco companies have remained highly profitable and the Church has lost income over the years because of its refusal to invest in tobacco companies. Similarly the General Assembly of the Church of Scotland decided in 2016 that it was inconsistent with its mission and purpose to invest in tar sands and thermal coal production.

**7.7.2** Given the impact of climate change around the world, the Church of Scotland's commitment to climate justice and its support for the transition to a low carbon economy, can the Church continue to invest in oil and gas companies? It is deeply uncomfortable for the Church, as a caring organisation concerned about climate justice, to continue to invest in something which causes the very harm it seeks to alleviate. While we have profited from oil and gas exploration in the past, we now understand that financing future exploration and production (as the examples quoted above demonstrate) will take us away from fulfilling the Paris Agreement and delay the transition to a low carbon economy. For these reasons the Council now calls upon the Church of Scotland to accept that it is no longer appropriate for the Church to invest in companies involved in future oil and gas exploration, unless those companies can demonstrate that their business plans are aligned with the requirements of the Paris climate agreement within two years.

## 7.8 What Are The Risks?

**7.8.1** There are financial risks associated with any decision to sell or continue to hold shareholdings in fossil fuel companies. Fossil fuel companies have generated large profits over many years but their future viability has also been called into question. Coal companies in the USA have filed for bankruptcy as demand for coal has fallen, driven in part by the development of fracking but equally by increasing concern about environmental issues. In the USA, banks have remained reluctant to invest in new coal mining projects despite the political support for the coal industry by President Donald Trump.<sup>[16]</sup> Carbon Tracker has suggested that the rapid development of renewable technologies will similarly reduce demand for oil in the future and put investments in fossil fuel companies at risk.<sup>[17]</sup> The evidence is therefore unclear. A study published by Newton Asset Management in February

2016 examined past performance and concluded that removing fossil fuels from a share portfolio would have had no long-term impact for the period 2004-2015.<sup>[18]</sup> However, past performance is not necessarily a guide to the future. A survey of asset managers in 2017 reported that most thought that the value of oil shares would decline in value in the next five years for a number of reasons including tighter regulatory pressures.<sup>[19]</sup> What is clear is that the transition to a low carbon economy will create new investment possibilities. To allow time to make an orderly transition to a portfolio without oil and gas and to offer the opportunity for oil and gas companies to clarify if they are able to move to business plans that are aligned with the Paris Agreement it is recommended that the exclusion comes into effect in two years.

## 7.9 Developing a Church of Scotland 'Statement of Investment Principles'

**7.9.1** During meetings of the working group it became apparent that there are a number of issues of importance that went beyond the remit of the working group. The General Assembly has at various times decided on certain exclusions (including armaments, alcohol and tobacco) but has never set out its investment policy as a whole or how investments help take forward the mission of the Church. While not required by law in Scotland, it is considered good practice and Charity Commission guidance exists in England.<sup>[20]</sup> The Office of the Scottish Charity Regulator is now examining the subject and is expected to publish a consultation paper later this year. For these reasons it is recommended that the Council of Assembly considers the need for a statement of investment principles for the Church of Scotland to inform the policies and decisions of the Investors Trust and other investing bodies.

## 7.10 Conclusion

**7.10.1** The General Assembly of the Church of Scotland agreed in 2016 to urge the Investors Trust and Pension Trustees to add thermal coal and tar sands companies to the list of exclusions and it now must decide whether to continue to hold shares in oil and gas companies. Engagement clearly has a vital role in helping many companies to make the transition to a low carbon business model and the Council strongly supports the proposals from the Investors Trust that the Church allocates a resource to promote, analyse and report on Environmental, Social and Corporate Governance; and to ask the Council of Assembly to develop a statement of

investment principles. Having reviewed the evidence on oil and gas companies it remains very uncertain that they could become low carbon businesses aligned with the Paris climate agreement. The Council will continue to monitor progress towards alignment with the Investors Trust and Pension Trustees but, if after two years, there is no reasonable chance of alignment then the Investors Trust and Pension Trustees will be urged to divest from oil and gas companies.

## **8. DOING POLITICS DIFFERENTLY**

### **8.1 Introduction**

**8.1.1** The Council aspires to do politics differently by enabling people, particularly those who feel most disenfranchised, to feel more engaged with politics and with those that represent them; this includes identifying ways to build trust between politicians and the communities they serve. As with projects like Meet Your MSP, the principle behind the Council's work in this area is that trust can be created in relationships, and that as relationships develop they can also be a place in which there can be accountability between politicians and the communities they represent. Beginning with an emphasis on relationship enables the introduction of political engagement into the community in new ways. One such example of this is the *People's Politics* model of events, which focus on the lived experiences of members of the community as the basis for exploring political issues. In this way conversation about important issues ahead of elections can escape the domination of party politics as the focus is on the lived experience of local communities.

**8.1.2** In its work the Council is actively seeking to explore new models of democracy including models for participatory democracy. In 2017-18 this work has focused on Participatory Budgeting and supporting churches to design and deliver participatory processes; this project comes with funding for community projects so there are real benefits to the communities involved.

**8.1.3** Alongside these relatively new areas of work the Council continues to engage in formal Parliamentary processes and to facilitate meetings between representatives of the Church and Government Ministers. In this work a conscious effort is made to ensure that the voices of marginalised groups are heard, both in the evidence that is presented and the topics that the Council prioritises.

### **8.2 Scottish Churches Parliamentary Office**

**8.2.1** The Council's work in this area is done in conjunction with the Scottish Churches Parliamentary Office (SCPO). SCPO is always happy to receive requests to speak or lead workshops from churches, Presbyteries or other groups who would like to find out more about the work of SCPO or about a specific Parliamentary issue. SCPO produces a monthly newsletter highlighting current Parliamentary business and how churches are engaging with the Parliament. To subscribe go to [www.scpo.scot](http://www.scpo.scot).

### **8.3 Parliamentary Visits, Events and Meetings**

**8.3.1** Each February the Moderator of the General Assembly spends a week in the Scottish Parliament. The Very Rev Dr Derek Browning met with party leaders and, as part of the Year of Young People, hosted an event, *Faith and Young People – Building Bridges, Making a Difference*, in February 2018.

**8.3.2** In October 2017 members of the Church and Society Council spent three days meeting with Scottish MPs in Westminster. The group met with 10 MPs one-to-one, as well as one member of the House of Lords and hosted a further 12 MPs and the Bishop of Chelmsford at an event in Portcullis House. The focus of the meetings and the event was to highlight the Speak Out themes and to build relationships with MPs.

**8.3.3** The Scottish Churches Parliamentary Office held a week-long exhibition in the Scottish Parliament to raise the profile of the work of Scottish Churches with MSPs in June 2017.

### **8.4 Engagement in Formal Parliamentary Processes**

**8.4.1** Representatives of the Council gave oral evidence to the Scottish Parliament: Equalities and Human Rights Committee inquiry into bullying and harassment of children and young people in school; and Justice Committee on the Offensive Behaviour at Football and Threatening Communications (Scotland) Act (Repeal) Bill.

**8.4.2** Briefings to MSPs were provided regarding the roll out of Universal Credit, and the Stage 1 debate on the Offensive Behaviour at Football and Threatening Communications (Scotland) Act (Repeal) Bill.

**8.4.3** The SCPO is a member of the Cross Party Group on Freedom of Religion and Belief.

## **8.5 Index of Consultation Responses**

**8.5.1** The following official responses were made by the Church of Scotland to enquiries or consultations in 2017. Copies of the responses are available on the Scottish Churches Parliamentary Office website at [www.scpo.scot](http://www.scpo.scot).

Scottish Government consultations:

- Religious Observance – Scottish Government consultation on guidance (February 2017).
- Organ and Tissue Donation and Transplantation (March 2017).
- Draft Scottish Energy Strategy (May 2017).
- Talking “Fracking”: A Scottish Government Consultation on Unconventional Oil and Gas (May 2017).
- Air Departure Tax (ADT) consultation on an overall 50% reduction policy plan (September 2017).
- Climate Change Bill (September 2017).
- Scottish National Investment Bank (November 2017).
- Education (Scotland) Bill (January 2018).

Scottish Parliament Inquiries:

- Destitution and Asylum in Scotland (Equalities and Human Rights Committee, March 2017).
- Bullying and Harassment of Children and Young People in School (Equalities and Human Rights Committee, June 2017).
- Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill: Stage 1 Call for Evidence (Justice Committee, August 2017).
- Article 50 Withdrawal Negotiations (Culture, Tourism, Europe and External Relations Committee, August 2017).
- Consultation on Social Security in Scotland (Social Security Committee, August 2017).

Other consultations:

- Your Parliament – Your Voice (Commission on Parliamentary Reform, March 2017).
- Children (Equal Protection from Assault) (Scotland) Bill (John Finnie MSP, July 2017).
- My Scottish Affairs (UK Parliament Scottish Affairs Committee, November 2017).

## **8.6 Electoral Reform**

**8.6.1** In the Scotland Act 2016 the Scottish Parliament received new powers over the conduct of Scottish Parliamentary Elections. It has been proposed by the Scottish Government to extend the franchise to include anyone legally resident in Scotland. The Council supports this proposal as it extends the possibility of democratic participation to all legal migrants, including refugees. The Church has previously supported an extension of the franchise to 16 and 17 year olds in 2013.

**8.6.2** More recently, in 2017 the General Assembly called on the Scottish Government to extend its strategic framework for refugee integration. Churches’ support of integration as a policy and our practical work through Scottish Faiths Action for Refugees acknowledges that it is positive and important for people who come to Scotland to become part of Scottish society. The ability to vote enables people to be part of making decisions about the society in which they live. This is an important marker that we are serious about the hospitality that we offer –we do not just ask people to live with our decisions, we make decisions together.

**8.6.3** In 2017 the General Assembly agreed to “*Call on the Scottish and UK Governments to ensure that the rights and contributions of nationals from other EU countries resident in Scotland and UK citizens resident in EU member states are recognised and protected.*” The right of EU Nationals to vote in local government elections is part of an EU-wide arrangement; therefore it may be affected by Brexit. The proposal to allow all people who are ‘legally resident’ to vote would ensure that EU citizens currently resident in Scotland do not lose rights they already have to vote in local government and Scottish Parliament elections.

**8.6.4** The consequence of what is proposed by the Scottish Government Consultation on Electoral Reform is that rather than downgrading the voting rights of EU Nationals to the



status of third country nationals like Japan or USA, it raises the rights of citizens of other countries.

## 8.7 Relationships and Communication

**8.7.1** As a way to highlight Challenge Poverty Week (15-21 October 2017) SCPO produced a resource, *Prayers to Confront Poverty in Scotland*, with a prayer for each day of the week from different Christian denominations and groups. This resource is available to download at <http://www.scpo.scot/wp-content/uploads/2017/09/Challenge-Poverty-Week-2017-Prayer-resource.pdf>.

During Challenge Poverty Week the staff team hosted an event in the church offices which enabled staff working nationally for the Church to hear directly from a number of people who are struggling against injustice and poverty. This event was organised in collaboration with the Poverty Truth Commission.

**8.7.2** The SCPO is part of the RADAR Network of UK Churches Parliamentary Officers (which meets monthly); Scottish Churches Committee; Association of Scottish Public Affairs; and Scottish Human Rights Consortium.

## 8.8 Meet Your MSP

**8.8.1** Over 90 Meet Your MSP meetings have taken place so far across Scotland as part of the *Meet Your MSP* project. Feedback from some of the congregations who have participated suggests that the project encouraged them to invite an MSP to talk about their work where otherwise they would not have done so. It is hoped that some of these meetings form the basis of developing relationships.

**8.8.2** Meetings have included visits to foodbanks, care homes, chats in the church, afternoon teas, coffee mornings, as well as more targeted meetings such as a church's local eco group discussing the Scottish Climate Change Plan with a number of their local MSPs.

**8.8.3** Motions have been submitted in the Scottish Parliament by MSPs praising the Meet Your MSP project. The project is ecumenical in focus with a number of denominations taking part, including the Church of Scotland, the Scottish Episcopal Church, the United Reformed Church, the United Free Church and the Salvation Army.

**8.8.4** Meet Your MSP has also been supported by Scottish Churches Housing Action, Eco-Congregation Scotland, Go For It (Church of Scotland), Priority Areas, Faith in Community

Scotland, Scottish Faiths Action for Refugees and Action of Churches Together in Scotland (ACTS).

**8.8.5** The Meet Your MSP project is ongoing –if local churches have not made contact with their MSPs, the SCPO would encourage them to do so, and if they have, SCPO would like to hear from them for feedback on the process. For ideas on how to go about this, please go to [www.scpo.scot/meet-your-msp](http://www.scpo.scot/meet-your-msp) for ideas, resources and information on which churches have taken part across Scotland.

**8.8.6** To find out more about the progress of the project and its geographical spread across Scotland, go to [www.scpo.scot/meet-your-msp](http://www.scpo.scot/meet-your-msp). Please continue to promote the Meet Your MSP project, within your churches, groups and online via #meetyourmsp, SCPO would like as many churches and as many MSPs involved as possible.

## 8.9 Meet Your MP

**8.9.1** Following the success of Meet Your MSP, the Parliamentary Office launched the Meet Your MP project in March 2018.

## 8.10 Participatory Budgeting

**8.10.1** The Council has received funding from the Scottish Government and the Go For It Committee to provide support for local congregations to develop Participatory Budgeting (PB) initiatives for a second year. PB is a way for communities to make financial decisions locally. PB has been used all over the world; it empowers communities and strengthens democracy.

**8.10.2** In the first year of the project four congregations in Arbroath, Edinburgh and Glasgow received training and support to deliver a small PB process, and disbursed £20,000 of grants to 28 community projects. As part of the project the Council commissioned a short film: the first half is an animation explaining what PB is, the second half features interviews with the ministers from two churches taking part in the project. The film is available to watch online at [http://www.churchofscotland.org.uk/speak\\_out/doing\\_politics\\_differently/making\\_decisions\\_locally](http://www.churchofscotland.org.uk/speak_out/doing_politics_differently/making_decisions_locally)

**8.10.3** In this second year the project has supported eight congregations around Scotland to carry out a PB process in their local community.

## **8.11 People's Politics**

**8.11.1** *People's Politics* is a model for hosting a conversation with politicians during election campaigns. The model focuses on a series of individuals, each speaking about their lived experience of an issue. Representatives of political parties are invited to respond to the stories that have been shared. This is an opportunity to do politics differently and to move to a more conversational politics, where people rather than parties are at the centre of the decision-making process. The Council continues to explore how this model can be used in a variety of contexts in order to make conversations about Parliamentary policy more accessible.

## **8.12 Local Elections in May 2017**

**8.12.1** Ahead of the Local Elections in May 2017, SCPO and the Joint Public Issues Team published a toolkit to organise a *People's Politics* event at council ward level.

## **8.3 General Election in June 2017**

**8.13.1** A *People's Politics* event was planned to take place during the 2017 General Assembly, during the campaign period for the snap General Election. The event was cancelled by the Council as a mark of respect to those who had lost their lives in the Manchester terrorist attack. For this planned event three individuals had agreed to share their experiences on the environment, Brexit and welfare, and their responses were filmed in advance. Following the cancellation of the event, party leaders were asked to respond in writing to the films, and both the films and party leaders' responses were subsequently released on the Church of Scotland and SCPO websites.

## **9. BUILDING GLOBAL FRIENDSHIPS**

### **9.1 Refugees – Humanitarian**

**9.1.1** The global humanitarian catastrophes related to forced migration and refugee emergencies have continued into 2018 with very little sign of amelioration.

**9.1.2** The growing scale and human need represented by these stories needs to be an urgent reminder to all those who live in places of peace to do what they can to assist in order to break the cycle of violence. The global population of displaced persons exceeds 65 million. Over half are believed to be children.

**9.1.3** The escalation of the crisis in Myanmar facing the persecuted Rohingya minority is added to a growing list of conflicts. The war in Yemen, where one of the main protagonists is Saudi Arabia, an ally of the West and a customer of UK-made weapons, is in danger of 'slipping into the abyss', according to the UNHCR representative to the country. In Libya the buying and selling of black Africans as slaves was revealed by undercover journalists in November. A practice many thought consigned to the history of the 19<sup>th</sup> century with abolition is seeing a revival in the 21<sup>st</sup> century. Libya, it should not be forgotten, is also a state with which the UK has recently been involved in military operations. The Syrian war, which began with the so-called Arab Spring uprising in 2011, is now in its seventh year. At the time of writing, a ceasefire that began on Christmas Eve in South Sudan appears to have been broken by violence on both sides. Emergencies in Burundi, Central African Republic, Democratic Republic of Congo and Nigeria have been declared by the UNHCR.

### **9.2 Resettlement and Dispersal**

**9.2.1** In the UK, a response to the Syrian emergency was announced in 2015 when David Cameron committed the UK to resettle up to 20,000 Syrians over a five year period, and an additional 3,000 children and their family members from the wider Middle East and North Africa region. Individuals would be resettled here on the basis of need, after an independent assessment by the UNHCR. The General Assembly last year offered support for this programme but also noted that the numbers involved are far smaller than might be hoped, given the scale of the crisis and the relative size and prosperity of the UK. Since 2015 the Syrian Vulnerable Persons Resettlement programme has seen family groups arriving and being found new homes in local authorities across the UK. Scottish local authorities have been particularly serious about engaging with the programme; with the exception of Shetland Islands Council, every local authority area has taken Syrian refugees and by the end of 2017, Scotland had taken around 2,000 people –around 20% of the total coming to the whole of the UK so far. Many local authorities have indicated they want to continue with resettlement over the next three years.

**9.2.2** In addition to Syrian refugees directly resettled from the region of conflict, asylum seekers are also present in Scotland, as part of the UK Government's dispersal programme; for the duration of a person's asylum claim and they are offered accommodation, but have no choice about



which town or city they are sent to. Glasgow has been a major dispersal centre for nearly 20 years, and churches in the city will have a great deal of experience and knowledge of working with people of different nationalities and cultures which may be of benefit to churches in other places who are now just beginning to work with refugees.

### 9.3 Asylum: Conversion cases

**9.3.1** One particular issue that arises from time to time is the question of an asylum seeker's conversion to Christianity or another religion or belief tradition, either as part of the reason for his or her fleeing their country, or a conversion which takes place during their journey or once they are in the UK, and which becomes an additional reason for them to fear returning to their country of origin. The challenge for UK Home Office immigration officers is to know when a person claims to hold a particular religion or belief, if this is 'genuine' or if it is a sham in order to get refugee status. The culture of the Home Office has long been publically stated (often proudly) to establish a 'hostile environment' for illegal immigration, and so there are considerable pressures placed on officials to demand high levels of proof, or to naturally disbelieve a claimant unless there is clear evidence to the contrary. Work has been developing in the UK with the Westminster All Party Parliamentary Group on Freedom of Religion or Belief to work with the Home Office to try to improve the system and processes for training and for decision-making to better respond to asylum cases which involve a freedom of religion element. In March 2018 the Churches' Commission for Migrants in Europe is due to hold a seminar on this issue, bringing together practitioners from several different jurisdictions to share their experiences.

### 9.4 New Scots Integration Strategy

**9.4.1** In January 2018 the Scottish Government published an updated framework to support refugee integration. The *New Scots Refugee Integration Strategy 2018-2022* builds on the previous strategy and was developed with close consultation and widespread engagement with refugees and asylum seekers as well as voluntary and community groups that are working to offer support, in addition to statutory agencies and government bodies.<sup>[21]</sup> The New Scots strategy is supported by COSLA and the Scottish Refugee Council and has been commended by the UNHCR Representative to the United Kingdom. The Council has been part of the development of the strategy through Scottish Faiths Action for Refugees being represented on the Scottish Government's

Refugee Integration Forum and a working group looking at communities and social connections.

**9.4.2** The strategy continues to promote the idea of partnership and co-ordination, based on the definition of integration as a "*long term, two-way process*", which enables everyone to be included in society and have a role in decisions. The New Scots strategy will be important for people working with refugees at a local as well as a national level over the next five years.

### 9.5 Churches' Commission for Migrants in Europe

**9.5.1** The Church of Scotland is a member of the Churches' Commission for Migrants in Europe (CCME). CCME is an ecumenical organisation that serves the churches in their commitment to promote the vision of an inclusive community through advocating for an adequate policy for migrants, refugees and minority groups at European and national level. In the fulfilment of this mandate it is responding to the message of the Bible, which insists on the dignity of every human being, and to the understanding of unity as devoid of any distinction between strangers and natives. The Church of Scotland's membership application was approved at the CCME General Assembly which met in Prague in June 2017. At the same meeting the Church of Scotland's delegate (David Bradwell, refugee co-ordinator) was elected to the CCME Executive Committee for the next three years.

**9.5.2** Over the past year the Church of Scotland has engaged with a number of CCME-supported issues, including:

- Highlighting the issue of statelessness, following previous work with the World Council of Churches.<sup>[22]</sup> During Interfaith Week with our partners in the Joint Public Issues Team and the European Network on Statelessness we launched a faith leaders' statement calling for greater awareness on statelessness and action to work to eliminate it, as part of the #LockedinLimbo campaign.<sup>[23]</sup>

- Joining with ecumenical partners around Europe in the commemoration of those who have died on the journey trying to reach safety and peace. The International Organisation for Migration's Missing Migrants project estimates at least 3,119 people died in the Mediterranean in 2017. In October the Federation of Protestant Churches in Italy (FCEI) invited partners to join in an ecumenical ceremony on the island of Lampedusa, to mark the anniversary of a disaster on 3 October 2013, when over 360 people drowned following a ship capsizing just offshore. The Church of Scotland was represented at this service.
- In Italy the FCEI's refugee and migrants project called Mediterranean Hope, together with the Roman Catholic St Egidio Community, have spearheaded a programme of direct refugee resettlement in partnership and agreement with the Italian Government. The programme, called Humanitarian Corridors, sees refugees supported and welcomed by church communities and is additional to the Italian Government's own work to care for people who have arrived on their shores. The St Egidio Community in France is also working to develop a similar scheme there. In January 2018 the Church of Scotland and Methodist Church in Britain appointed Fiona Kendall as a new mission partner based in Rome to work with Mediterranean Hope.
- CCME and the World Association for Christian Communication co-ordinated a research project looking into media coverage of refugees and migrant issues during the summer of 2017. The Refugee Reporting project looked at how stories portrayed refugees in different European countries. The Church of Scotland, through Scottish Faiths Action for Refugees, was able to co-ordinate the data gathering and analysis from UK media. The report was published in November, highlighting some of the challenges with media reporting of refugee issues as well as providing evidence for some of the different contexts in various European societies.<sup>[24]</sup> A major conclusion was the need for more refugee voices to be included in shaping and reported in media coverage of refugee issues.
- A United Nations process looking at two new global agreements, known as Compacts, on the issues of refugee protection and on migration are now in development.<sup>[25]</sup> The proposal for new international understanding of how to respond to growing levels of forced displacement as well as voluntary migration came from a summit held in September 2016 organised by then President Barack Obama and then Secretary General Ban Ki-Moon. CCME has worked with a range of other international NGOs to support a civil society call for action for progress to be made for meaningful agreements to be reached by the international community. The Compacts are expected to be agreed in the autumn of 2018 and further campaigning and advocacy opportunities are anticipated.

## 9.6 Scottish Faiths Action for Refugees

**9.6.1** The Church of Scotland initiated the multi-faith refugee co-ordination project Scottish Faiths Action for Refugees (SFAR) in 2015. SFAR brings together Scotland's main Christian, Muslim, Jewish and Interfaith organisations in a partnership to work together on a common agenda to help, work with and learn from one another as well as refugee groups and individuals. A single national faith-based refugee project has also facilitated good working relationships with the Scottish Government, Scottish Refugee Council, ecumenical partners across the UK and others. SFAR has also been a source of comment and advice for the media looking to cover refugee stories.

**9.6.2** In July 2017, SFAR initiated a new programme to support refugee integration in the City of Edinburgh, with financial support coming from project partners and Police Scotland, who had a fund available for work to tackle Islamophobia. SFAR's Weekend Club takes place one Saturday per month and brings together refugees and local faith groups for fun, social and intercultural activities.

**9.6.3** During Refugee Festival Scotland (June-July 2017) SFAR was present at a rally in Glasgow's George Square on International Refugee Day (20 June) to make the point that Scotland welcomes refugees. In early July, SFAR and Christian Aid Scotland organised an interfaith pilgrimage up Ben Ledi, near Callander.<sup>[26]</sup>

**9.6.4** At the time of writing, plans are in place for a *Scotland Welcomes Refugees* gathering of voluntary and community groups working with refugees, to take place on 28 April 2018.

**9.6.5** SFAR continues to be able and willing to offer advice and support to congregations and individuals wishing to learn more about the issues and engage in practical action. As well as the website, SFAR is on Facebook and Twitter, issues a monthly newsletter and invitations to visit congregations, Kirk Sessions and other groups are always welcome. All the links and contact details are available on the website [www.sfar.org.uk](http://www.sfar.org.uk).

## 9.7 Migration

**9.7.1** The Council has worked with the Mission Forum as they undertook some research into the question of migrant Christians and migrant and multicultural churches in Scotland. A report from the Mission Forum can be found as part of the Mission and Discipleship Council Report.

**9.7.2** The Council believes that the presence and contribution of migrants to Scottish Church life and society has enriched our common life and encourages Church members to consider opportunities for intercultural and interfaith dialogue as a means both to offer welcome to the stranger and to hear directly from those with experience of what life for Scottish migrants is like.

**9.7.3** The Church and Society Council has supported an annual Anti-Racism event organised by Glasgow Campaign to Welcome Refugees in partnership with Stand Up To Racism. These events have taken place in Glasgow's George Square and the Convener of the Council has addressed the gathering.

## 9.8 Modern Day Slavery and Human Trafficking

**9.8.1** There were an estimated 45.8 million slaves in 2016 (*Global Slavery Index*); more than any other time in history. In Scotland 150 cases were reported in the same year. The reality is so many more are lost, trapped or afraid of social stigma and discrimination. The presence of victims in Scotland indicates our place in a global crisis.

**9.8.2** Church initiatives in Scotland around trafficking and modern slavery are led by an ecumenical Anti-Human Trafficking Group, part of Action of Churches Together in Scotland. Over the last year, the group facilitated a postgraduate research seminar at the University of Edinburgh that focused on exchanging knowledge to end human trafficking. The group continues to work with the spiritual befriending project, which offers support to women who have been trafficked by accompanying them to a church service. The group continues to engage with national policies that are

relevant to human trafficking through its strong presence on the Cross Party Group on Human Trafficking, and the Scottish Government's Human Trafficking and Exploitation (Scotland) Strategic Oversight Group, which enforces tougher sentences for traffickers and proposes a policy of care and rehabilitation for victims of trafficking. The group has heard from and been engaged with outside organisations such as Aberlour Scotland and Migrant Help and look forward to continuing work and connections here.

**9.8.3** The group has published resources on its website and is able to provide speakers for groups or congregations wishing to explore the issues further <http://www.acts-scotland.org/activities/anti-human-trafficking>. A new leaflet will be produced containing practical information for churches on how to identify human trafficking victims, and will continue to develop and produce theological resources that can be used by churches and church groups to examine and respond to human trafficking. A conference focusing on the stories of World Mission's Partner Churches combined with a local drama production is being discussed for 2018/2019 to continue to raise awareness. The group aims to be present at this year's Heart and Soul, and continues to look for new ways to engage ecumenically with anti-human trafficking activities.

## 9.9 Nuclear Disarmament

**9.9.1** The 2017 Nobel Peace Prize was awarded to ICAN – the International Campaign to Abolish Nuclear Weapons. The World Council of Churches is a member of ICAN, and the ICAN Secretariat is based in the WCC offices in Geneva. The award is due to the campaigning and diplomatic work by ICAN, which has seen the establishment of a new international Treaty on the Prohibition of Nuclear Weapons (TPNW), a measure which the General Assembly supported in 2015 when it agreed the Deliverance to “*Reaffirm the Church's position that the ownership of, use of and threat to use nuclear weapons are inherently evil and instruct the Council to continue to work for disarmament, including through support for an international Nuclear Ban Treaty.*” The Treaty was concluded in July 2017 with the support of 122 of the UN's 193 member states. Unfortunately, the nine nuclear-armed states, including the UK, and their allies refused to participate in the negotiations and remain strongly opposed to the Treaty's implementation. Among NATO countries, only the Netherlands participated, although it did not support the Treaty on its conclusion. Accession to the Treaty has been slow. Opened for signature in September 2017, it had

attracted 56 signatures and five ratifications by February 2018.

**9.9.2** It is profoundly troubling that, despite the TPNW's negotiation, movement is today in the opposite direction to nuclear disarmament. The risks of nuclear war have increased in East and South Asia and in Europe, nuclear arsenals are being modernised and expanded, new types and uses of nuclear weapons are being considered, and nuclear arms control is in abeyance. We note the *Bulletin of Atomic Scientists'* recent decision to advance its Doomsday Clock to two minutes before midnight, reflecting grave concern about these dangerous trends. It is essential that all states and agencies involved with nuclear weapons take urgent steps to reverse them. Nuclear weapon states that are party to the Nuclear Non-Proliferation Treaty have a special obligation to reinvigorate arms control processes and honour their agreed *"unequivocal undertaking to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament"*.

**9.9.3** In Scotland the work of SCANA (Scottish Christians Against Nuclear Arms) in raising awareness and organising vigils and prayers at Faslane remains an important witness against the evil and destructive power of the UK's own weapons of mass destruction. The Council continues to publicise and share events and initiatives and encourages Commissioners and church members to find out more and offer their support. SCANA are on Facebook at [www.facebook.com/ScottishCANA/](http://www.facebook.com/ScottishCANA/). Our campaigning and advocacy work at a UK level includes engagement with the Joint Public Issues Team (JPIT). JPIT produced a short video explaining the Treaty on the Prohibition of Nuclear Weapons which can be shown in services or at meetings ([www.jointpublicissues.org.uk/nuclearbansigned](http://www.jointpublicissues.org.uk/nuclearbansigned)), as well as a written briefing paper available at [www.jointpublicissues.org.uk/wp-content/uploads/Nuclear-Ban-Treaty-final-briefing.pdf](http://www.jointpublicissues.org.uk/wp-content/uploads/Nuclear-Ban-Treaty-final-briefing.pdf)

## **9.10 Fairtrade**

**9.10.1** In June it was reported that Sainsbury's supermarket were seeking to move away from Fairtrade accreditation for their own-branded tea. They said that this would be a pilot to see how different models of ethical labelling might improve the situation for consumers and producers. There were concerns that a move away from Fairtrade might be accompanied by a watering down of standards for producers and confusion for consumers.

**9.10.2** The General Assembly has long offered its support to the FAIRTRADE Mark and encouraged Church members to buy Fairtrade wherever possible. The FAIRTRADE Mark is now over 25 years old and is widely recognised by consumers in the UK. As it is run by an independent foundation, there is widespread recognition that their work with farmers in developing countries has provided the strongest integrity for consumers who want to make a choice which sees producers get a fair deal for their work.

**9.10.3** Christian Aid and other development and anti-poverty agencies have been meeting with Sainsbury's executives to alert them to these concerns.

**9.10.4** The Council, together with the World Mission Council, recommends that everyone who supports Fairtrade should: continue to look for the Fairtrade logo and buy Fairtrade wherever possible; find out the range of products which now have Fairtrade certification (see [www.fairtrade.org.uk/Buying-Fairtrade](http://www.fairtrade.org.uk/Buying-Fairtrade)); write to their supermarket or grocer to urge them to continue to stock Fairtrade-accredited products; write to their MP and MSPs to raise the matter at Westminster and Holyrood, and ask them to continue to offer political support for the Fairtrade movement.

## **9.11 Peace and Nonviolence**

**9.11.1** In July 2017 the Council supported a residential conference *Reclaiming Gospel Nonviolence*. The meeting, held at Kinnoul Monastery in Perth, was arranged in partnership with Justice and Peace Scotland, Pax Christi UK, the Fellowship of Reconciliation, the Scottish Episcopal Church and the Anglican Pacifist Fellowship. The two keynote presentations, by Lucas Johnson (International Fellowship of Reconciliation) and Father John Dear (a leading figure in the Catholic peace movement) were recorded and are available to watch on the Church of Scotland website [www.churchofscotland.org.uk/speak\\_out/building\\_global\\_friendships/peacebuilding](http://www.churchofscotland.org.uk/speak_out/building_global_friendships/peacebuilding).

**9.11.2** The Catholic Church has helped to promote a renewed interest in peace and nonviolence. In February a new Pax Christi Scotland group was established, and the Conforti Institute intends to offer a course on peace and nonviolence in 2018. Both organisations are committed to working ecumenically, which has been of benefit to all partners. We also anticipate a new Encyclical from Pope Francis on peace later in the year, with the potential to have a similar impact

that *Laudato Si* had on debates around climate change, environmental protection and theology.

## 10. BUILDING GLOBAL FRIENDSHIPS – CHANGING CONSTITUTIONAL RELATIONSHIPS IN SCOTLAND, THE UK AND EUROPE

### 10.1 Introduction

**10.1.1** At the General Assembly 2017 the Church and Society Council presented a Supplementary Report on the role of the Church in the context of constitutional change and uncertainty. That report went to print on the day that the Prime Minister called a snap General Election to be held on 8 June 2017. Since that election was called there has been a great deal of debate and reflection. In practical terms, however, very little has formally changed and the momentous questions about what could happen next remain unanswered.

### 10.2 General Election

**10.2.1** The decision to call a General Election was intended to reinforce the Conservative majority in Parliament and strengthen the Government's hand in negotiating the terms under which the UK will leave EU. The result of the election was a hung Parliament. In Scotland, the SNP lost seats to all 3 of the other parties while retaining over a third of the vote and 35 seats; and remaining the biggest Scottish group of MPs. As a consequence of these results the Conservative Party reached a Confidence and Supply Agreement with the Democratic Unionist Party in order to remain in government. This agreement allows a tiny voting majority and leaves the Government vulnerable to members of their own party threatening to vote against the Government; on several occasions compromises have been reached to avoid this happening. This situation sets a very challenging scene for the ongoing negotiations between the UK and EU.

### 10.3 Implications of Withdrawing from the EU

**10.3.1** The defining political conversation of the year has been around the terms of the UK departure from the EU. A formal date for withdrawing from the EU has been identified as 11pm (UK time) on 29 March 2019. It is anticipated that a transitional agreement will be requested to enable new arrangements to be agreed and put in place.

**10.3.2** Within this wide ranging discussion the Church has several areas of specific interest:

- **Implications for the devolution settlement.** Alongside negotiations with the EU the Westminster Parliament is considering an extensive piece of legislation to manage the powers that will return to the UK after withdrawal from the EU. The European Union (Withdrawal) Bill 2017-19 has raised significant questions about the relationship between powers returning from the EU and the devolution settlement in particular around agriculture and fisheries. There are high levels of public support in Scotland for policy in these areas to be set at Scottish rather than UK level.<sup>[27]</sup> There are further concerns that the proposed new legislation centralises power around Government Ministers rather than ensuring proper public and Parliamentary scrutiny. In response to some of these questions the Scottish Government announced that the EU Continuity Bill will be introduced to the Scottish Parliament in February 2018.
- **Ensuring that the rights and contributions of nationals from other EU countries resident in Scotland and the UK nationals resident elsewhere in the EU are recognised and protected.** Last year the General Assembly called on the Scottish and UK Governments to ensure that the rights and contributions of nationals from other EU countries resident in Scotland and UK citizens resident in EU member states are recognised and protected. Anxiety for individuals and families remains acute. Despite negotiators claiming some progress in talks about citizens' rights, every time a politician repeats the phrases "*nothing is agreed until everything is agreed*" and "*no deal is better than a bad deal*", people are reminded of the insecurity of their life in the UK. The Council has contributed to Scottish Government research on the consequences of Brexit for individuals and families in Scotland by carrying out interviews with people who may be affected by Brexit. The report is available from the publications section of the Scottish Government website.



- **Creating space for informed public conversation about our future relationship with the EU and ensuring formal public consultation where appropriate.** In the spring of 2017 JPIT published *Conversation Welcome – Exploring the future of the UK after the EU referendum*.

In 2017 the Church and Society Council met with the Scottish Government Minister for UK Negotiations on Scotland's Place in Europe to consider the implications for leaving the EU for communities across Scotland. Following this meeting it was agreed that the Council would collaborate with Marine Scotland to facilitate a public engagement process to explore the impact of Brexit on coastal communities.

As important decisions are taken about the future of the economy, the terms of international trade agreements and delivery of public services, it is imperative that the voices of people who are struggling with poverty are heard. If withdrawing from the EU has a negative effect on the UK economy, it must be ensured that this burden is not disproportionately carried by people already struggling with poverty.

- **Maintaining strong environmental protection standards.** EU Directives around air quality, water quality, waste management and nature protection have set high standards and driven improvements in the UK for over 30 years. There are concerns that the high standards demanded by the EU may be diluted after Brexit and that the UK and Scottish Governments may follow different approaches to environmental protection. It is important that whatever the terms on which the UK exits the EU there remain appropriate mechanisms to set and maintain environmental standards.
- **Maintaining high standards of political, social, economic and cultural rights.** The Council has signed a Scotland Declaration of Human Rights calling for human rights and equalities to remain at the heart of Scottish society as Scotland, as part of the UK, exists from the EU.

### **The Scotland Declaration on Human Rights**

The Universal Declaration of Human Rights – which celebrates its 70th anniversary this year – states: "All human beings are born free and equal in dignity and rights."

Human rights belong to everyone; rich or poor, old or young, whether born in this country or another. We all have rights regardless of sex, race, disability, sexual orientation, religion, age, gender or belief. We together declare that human rights and equalities must remain at the heart of Scottish society.

We, the undersigned, share profound concerns about the potential loss of equality and rights protections as a consequence of the UK leaving the European Union and about the persistent negative rhetoric around the protection and promotion of rights in the UK.

We want Scotland to be a leader and not a laggard in human rights terms.

We therefore call on law and policy makers to take all possible steps to protect our rights and to make Scotland a world leader in both rights protection and implementation.

We believe that the following principles must apply in all decisions that affect human rights:

#### **No going back**

Human rights and equalities protections in law, policy and practice must not be reduced or regressed for any individual, group, community or sector of the population.

#### **Progression**

Human rights standards should be continually strengthened over time. Scotland must help to shape and adopt the highest international human rights and equalities standards.

#### **Transparency**

Any changes to existing rights protections should be undertaken only with a fully transparent consultation process and the appropriate degree of parliamentary scrutiny at all levels.

#### **Participation**

The people of Scotland must be engaged in a process of understanding what their rights are, how they are protected and what more can be done to protect their rights. Any significant change in the protection of rights must be based on this meaningful engagement.

## 10.4 Referendum on Scottish Independence

**10.4.1** In Scotland the 8 June 2017 General Election was notable for the recovery of votes for unionist parties. Later in June 2017, the First Minister acknowledged that there was not widespread support for a second referendum on Scottish independence before the UK leaves the EU and plans to introduce a new Bill with provisions for such a referendum were put on hold. However, as uncertainty remains over the terms of the UK's departure from the EU the possibility of a second referendum on Scottish Independence remains on the agenda. The Church remains impartial on the question of Scottish independence for the reasons presented to previous General Assemblies and reiterated in the supplementary report of the Church and Society Council on the role of the Church in the context of constitutional change and uncertainty in 2017.

## 10.5 What Now for Constitutional Relationships Across the UK and Europe?

**10.5.1** For Scotland, the intersection of constitutional decisions taken in two separate referendums leaves us with a particular challenge. In the referendum on leaving the EU the Scottish public voted to remain in the EU, and Scottish opinion is clearly different from UK opinion on this issue. However, in 2014 the majority of Scottish voters chose to stay in the UK. A great deal of current political discourse is about the terms of the UK's future relationship with the EU. Many politicians as well as charities, business groups, and many European organisations (including churches) would like to see the UK retaining the strongest possible links with the EU. In order to maintain good relationships across Europe, build global friendships and recognise that we are part of an interdependent world, it is suggested that the Church joins voices and campaigns urging the continuation of the strongest possible social, cultural and economic ties with Europe. In this suggestion we recognise that the referendum vote was to end formal political ties, not to distance ourselves from our nearest neighbours.

**10.5.2** Church policy has been consistent for over 20 years on the value of strong European relationships with reports to the General Assembly in 1996, 2002, 2005, 2014 and 2016 affirming the moral argument for promoting social cohesion and solidarity in Europe. Our Christian commitment to our neighbours remains strong whatever the political changes taking place around us. As was stated in 2016, *"The Church of Scotland is part of an international community of churches*

*where our voice can be added to those of our neighbours and our effectiveness can be magnified."* The continuation of close relationships with other European countries enables us to participate more fully internationally.

**10.5.3** There is one final aspect of the UK relationship with the EU to consider: the principle of solidarity. Over a long period time the investment of EU structural funds has been a demonstrable act of loving our neighbour from richer nations and regions to poorer ones. It is disappointing that when British politicians talk of getting money back from the EU it is not recognised that it will be some of Europe's poorest regions and neighbourhoods, including those in the UK that will suffer. For this reason too the UK should remain in close cooperation with our European neighbours.

## 10.6 Conclusion

**10.6.1** In the midst of these difficult and uncertain times we must continue to recognise that we are part of an interdependent world in which human relationships are paramount. For this reason we continue to focus on creating space for dialogue which is hopeful, aspirational and inclusive. As the Council said in 2017, *"The Church is in a strong position to bring people together across political and social divides to explore Scotland's future in a mature, measured way, a way that inspires but does not mislead, and a way that reflects God's desires for each of us and the world around us."*

## 11. ENSURING THE HEALTH AND WELLBEING OF ALL

### 11.1 Mental Health

**11.1.1** It is clear that issues around mental health are of increasing importance, and many churches are already responding with a variety of initiatives, including involvement in work to combat loneliness and supporting those who are experiencing dementia. Issues around mental health in the digital age, especially for young people, are also receiving attention.

**11.1.2** Social isolation and loneliness are issues which can affect anyone, at any stage of their lives. A sense of loneliness has been shown to have wide-ranging consequences for those affected, and can contribute to issues such as depression or cognitive decline. There is also the potential for serious physical health implications.



**11.1.3** Many churches and congregations are actively engaged in initiatives aimed at tackling social isolation and loneliness, and at facilitating communities which are more connected, where everyone is valued and has the opportunity to develop meaningful relationships. Some of these may involve working with other organisations, while others may be initiatives of the local church. There are many excellent examples of innovative and exciting work taking place in churches throughout the country. To highlight a few:

- **Caithness Befrienders.** Thurso St Peters and St Andrews church works closely with Caithness Befrienders. A number of the congregation work as volunteers to befriend over-60s in their community who are liable to be isolated. The church has taken up an offering to support the running costs of Caithness Befrienders, and volunteers have spoken in church about the work on more than one occasion. Rev David Malcolm said, *"We as a church are in full support of their work as there is much need to reach and minister to the lonely. We recognise that there are many within our community who are lonely and perhaps only get out of their home once or twice a week. We looked at various ways as a church to minister to the lonely, however we felt that to partner with Caithness Befrienders was the best way forward and this has worked very well."*
- **Linking Lives ([www.linkinglives.uk](http://www.linkinglives.uk)).** This is an organisation which is working hard to address the issues around loneliness and isolation by supporting churches to set up befriending schemes in their local communities. These schemes enable volunteers to visit those affected by loneliness in their own homes, normally once a week for around one hour. These visits can be a real lifeline and are an opportunity to provide good quality time for someone else, which is often mutually beneficial. Jeremy Sharpe, national co-coordinator for Linking Lives, said, *"Many volunteers find that they discover a huge amount of interesting information about life in previous generations, and the time together is one which both parties look forward to every week. Where physically possible, volunteers are also encouraged to go out with their friend to visit local places of interest."*

Linking Lives is working with a number of churches and Christian charities nationally, and is one of the Cinnamon Network 'recognised projects'. There are currently grants of £2,000 available through them for churches setting up projects in Scotland.

- **Messy Vintage (<https://www.messychurch.org.uk/messyvintage>).** Now an established part of the Messy Church family, Messy Vintage is a movement which takes Messy Church values and good practice to older people. It aspires to be multi-generational and open to all. Like Messy Church, it is Christ-centred, creative, full of celebration, hospitality and aspires to be for all ages together, whilst acknowledging that in some cases, having all ages together is impractical.

Georgia Meikle from St Columba's Church of Scotland in Jersey, which has been using Messy Vintage for a number of years, said, *"Messy Vintage invites men and women to follow the general pattern set by Messy Church which reaches out to children and their parents. The aim is to bring entertainment with a Christian message to senior citizens, keeping in mind that our audience may be limited in mobility, memory, alertness and even resistance to the combination of entertainment with a Christian edge to it. Our group has certainly witnessed the latter, as at our first session one lady got up and walked out half way through! Be undaunted –for we have also had people popping back, curious to see what we were up to and stayed for the session."*

- 11.1.4** Dementias. It is encouraging to see that many congregations are responding to the needs around dementia; for those who develop the condition, and those caring for loved ones.

**11.1.5** CrossReach is one part of the church which has long been involved in working with those affected by dementias – including the innovative Heart for Art project (<http://crossreach.org.uk/heart-art-0>). In addition, many congregations have also been involved in seeking to be 'dementia-friendly' churches, and to provide opportunities for support for people within their parish who may be caring for loved ones with dementias.

**11.1.6** Stirling Presbytery has employed a Dementia Development Worker, appointed a full-time worker to promote, support and develop dementia-friendly communities across Stirlingshire and Clackmannanshire. This has been invaluable in raising the profile of the issues with congregations, and also has facilitated linking churches into other networks. Ms Bonnie McDowell, Dementia Support Development Co-ordinator, said, *"Compassion and learning are key to making this happen, learning about dementia and*

*learning about the little things that can make a big difference in supporting people living with dementia. The presbytery project involves a programme of learning and sharing events and partnership working with people from community groups, congregations and organisations, working together to create dementia friendly communities."*

**11.1.7** Many congregations have been in contact with organisations such as Playlist for Life (<https://www.playlistforlife.org.uk/>). Sally Magnusson, founder of Playlist for Life, took part in an event at Dunblane Cathedral in November, which celebrated the good practice which is already taking place in communities in relation to supporting people living with dementia.

## 11.2 Alcohol Abuse

**11.2.1** Alcohol is the third leading risk factor for death and disability in Scotland, after smoking and obesity. This legal, and socially acceptable drug is seen as an integral part of Scottish life, but it is a toxic substance that can create dependence and causes serious health and social problems. Drinking too much, too often, increases the risk of cancer and liver disease, being involved in an accident, being a victim or perpetrator of crime, experiencing family breakdown, and losing employment.

**11.2.2** Often it is people other than the drinker who feel the effects the most: children, family, friends, colleagues and those working in front line services like the NHS and police.

**11.2.3** In Scotland, we drink more than people in England and Wales; we also suffer more alcohol-related harm than these countries. The cost of this is immense. As highlighted by the recent report by Public Health Information for Scotland, alcohol consumption accounted for almost 8% of the burden of disease in Scotland. More than 1300 deaths in Scotland last year had alcohol as a contributory cause, and over 41,000 people had at least one admission to hospital with an alcohol-related condition. In just over half of violent crime, the victim said the offender was under the influence of alcohol. Life expectancy in some parts of Scotland falls well short of life expectancy elsewhere and alcohol plays a part in these inequalities.

**11.2.4** The fact is that too many people in Scotland drink too much alcohol, too often, and this is often socially acceptable. One in four people in Scotland are drinking at a potentially harmful level. The implementation by the Scottish

Government of a minimum unit pricing policy for alcohol is welcomed by the Church, recognising the need to work to reduce the harm caused by alcohol, and to support those whose lives are adversely affected by substance misuse and addiction.

## 11.3 Future of the NHS

**11.3.1** July 2018 will mark the 70th anniversary of the founding of the National Health Service (NHS). While there is little argument that the provision of healthcare for all has been an integral part of the improvement in life expectancy, and that the NHS remains a valued part of our social fabric, it is also clear that the long-term future of health care provision in Scotland is under serious pressure and needs to be very seriously examined.

**11.3.2** The scenario in 2018 is very different to that which pertained in 1948; the vision which led to the establishing of the NHS is frequently mired in issues of political expediency, market forces, and the realisation that resources (on all levels) are not limitless. The NHS system is not without its faults, and improvements must regularly be sought; lessons from other styles of healthcare systems can and should be learned.

**11.3.3** The Speak Out implementation plan proposed the scoping out of the viability of the Church of Scotland hosting a Commission on the Future of the Health Service in Scotland.

**11.3.4** Caring and compassion are at the heart of the mission of the Church; the work of the Church is founded on relationship. Health and wellbeing is more than simply the absence of disease, and parish churches are integral to building healthy communities throughout Scotland. The Church recognises the need to re-envision the NHS for the 21st century, to ensure the health and wellbeing of all our citizens.

**11.3.5** Almost every week brings fresh claims that the NHS, while well intentioned, is stretched almost to breaking point, and warnings that it is in imminent danger of collapse. Front line staff as well as managers and politicians are keenly aware that the long-term planning needed to anticipate future issues is severely limited. Patients and families, while being thankful for the benefits of the 'shared risk' approach of National Insurance funding the NHS, and applauding the care and dedication of staff, often bemoan the inefficiencies and shortcomings of the system.

**11.3.6** The devolved nature of the NHS means that the NHS in Scotland is, in many respects, different to other parts of the United Kingdom. The Scottish Government's initiative to integrate health with social care is now being followed in other parts of the UK. Average health spending per person is higher in Scotland, but this is mitigated by the lower density of the population north of the border.

**11.3.7** The House of Lords has recently undertaken a study on the long-term future of the NHS, but the devolution of health means that the NHS in Scotland was largely excluded from this examination. We believe that the Church occupies a unique and valuable position within Scottish society, and that a special commission has the potential to make a timely contribution to shaping the long-term future of the NHS in Scotland.

## **12. INVESTING IN YOUNG PEOPLE**

### **12.1 The Year of Young People**

**12.1.1** 2018 is the Year of Young People and for the Church this is an opportunity to celebrate the role of young people and to enable them to better engage, shape and participate in the life of the Church. In August 2017 the Very Rev Dr Derek Browning, and Robin Downie, Moderator of the National Youth Assembly, commended the commitments to children published by the World Council (WCC) of Churches in February 2017. These commitments are:

1. *Promote child protection through church communities*
2. *Promote meaningful participation in the churches and the communities by children and adolescents*
3. *Address particularly critical issues for children in our time, e.g. to raise church voices for intergenerational climate justice, supporting initiatives for and with children and adolescents*

*Churches Commitment to Children,  
World Council of Churches, 2017*

**12.1.2** For more information from the WCC on how churches can use their influence to improve children's lives go to [www.oikoumene.org/en/what-we-do/wcc-child-rights-engagement](http://www.oikoumene.org/en/what-we-do/wcc-child-rights-engagement). What follows in this section of the report are some ways in which the Council has been trying to use the Church of Scotland's influence to improve the lives of young people.

### **12.2 Child Poverty Act**

**12.2.1** The Child Poverty (Scotland) Act 2017 was granted royal assent in December 2017, setting targets that by 2030, less than 10% of children living in Scotland will be in relative poverty, and less than 5% will be in persistent poverty. The Act also sets interim targets, reporting requirements and specific key areas that are to be considered, such as financial support for children and parents. In January 2018 the Council contributed to a Scottish Government exercise, hosted by the Big Lottery Fund, exploring the implementation of the Act, the role of other agencies in meeting the child poverty reduction targets, and exploring what the Scottish Government should prioritise when seeking to eliminate child poverty.

### **12.3 Give Me Five Campaign**

**12.3.1** The Give Me Five campaign is calling on MSPs to ensure the 2018/19 budget and Scottish Government spending plans include a top-up to Child Benefit of £5 per week. Increasing Child Benefit by just £5 a week for every child could lift 30,000 children out of poverty. Poverty is fundamentally about a lack of income, and this move, which is within the Scottish Government's powers, would significantly improve family income. As Douglas Hirsch highlighted in the report, *The Cost of a Child in 2017* "...the cost of a child is once again starting to rise. For the first time in post-war history, these cost increases are not being matched by increases in support given to families from the state. While this policy persists, the struggle that low-income families face to make ends meet will become steadily harder."<sup>[28]</sup>

**12.3.2** The Give Me Five campaign was launched on August 30 with faith leaders the Very Rev Dr Derek Browning, Moderator of the Church of Scotland, and Bishop William Nolan, President of Justice and Peace Scotland. It has also received support from the Scottish Episcopal Church, and the Scottish Unitarian Association. In December 2017 the Council Convener wrote to Derek Mackay MSP, the Cabinet Secretary for Finance and the Constitution, encouraging him to consider this proposal within the 2018/19 budget. For more information on how to get involved in the campaign by informing others about what it is trying to achieve, writing to MSPs and signing a petition, please go to [www.scpo.scot/scottish-and-uk-government/givemefive/](http://www.scpo.scot/scottish-and-uk-government/givemefive/).

## 12.4 Supporting Church Representatives on Local Authority Committees Responsible for Education

**12.4.1** The Education Committee provides two training conferences each year for Church of Scotland representatives on local authority committees responsible for education. These conferences are also open to the other religious representatives on those same committees (the Roman Catholic representatives, appointed by the Roman Catholic Church, and the 'Third Faith Representatives', who are appointed by the authority).

**12.4.2** The training days ensure the representatives feel that they are able to contribute to their local authority and are effective in this role. Through this training the Education Committee gives a flavour of what the role should be, what Church of Scotland representatives should expect from the Director of Education, or equivalent, within their local authority, and provide examples of how different Church of Scotland representatives around the country have undertaken their role. We usually ask a Director of Education from a nearby local authority to come and give their opinion of the role of the Representative on a Local Authority Education Committee.

**12.4.3** At the September 2017 conference the Education Committee asked a newly appointed representative to talk about their experience of their first Council meeting. The Scottish Government conference was also addressed by a civil servant working on the Scottish Government's review of the governance structures within Scottish education. More than anything such conferences provide an opportunity for representatives to network –to talk and share experiences, and to hear what the Education Committee is doing.

## 12.5 Supporting School Chaplains

**12.5.1** *The School Chaplains Handbook* was launched at the 2017 General Assembly and has been well received. The Education Committee has sent a copy of this handbook to every Director of Education and asked that they pass it on to every school in their local authority. The Committee has also made efforts to distribute the handbook to school chaplains, Presbyteries and anyone who asked for a hard copy, which can also be downloaded at [www.churchofscotland.org.uk/data/assets/pdf\\_file/0006/40479/Chaplains\\_handbook\\_web\\_version.pdf](http://www.churchofscotland.org.uk/data/assets/pdf_file/0006/40479/Chaplains_handbook_web_version.pdf).

**12.5.2** At the invitation of a local authority, the Education Committee offers training for school chaplains and head teachers so that there is a mutual training and understanding of each other's aspirations and needs. Through these conferences we have seen great examples of chaplaincy around the country. At the time of writing the Committee is in conversation with three local authorities about such conferences.

## 12.6 Serve Your Local School

*Serve Your Local School* (SYLS) is an initiative established in 2011 to help churches engage with their local schools. In November 2016 the Council, along with Scripture Union and Care, commissioned some research into the uptake of the Serve Your Local School Initiative. The research was conducted using a quantitative survey which had 332 responses, combined with 25 qualitative structured phone interviews. The quantitative survey found that

- 45% of respondents had heard of SYLS initiative before they completed the survey.
- Of those who had heard of the SYLS initiative before the survey, 49% had visited the website.
- 95% of people who had visited the website had a positive opinion of it.
- 79% of respondents said that their clergy provides chaplaincy to a primary school, and 55% of respondents said that their clergy provides chaplaincy to a secondary school.
- The level of 'activities of service' was similar, whether the church was located in a city, town, village or rural location.
- Overwhelmingly, given by 67% of respondents, the biggest barrier to their church serving their local school more is a "lack of people and everyone is busy".
- 39% of respondents belonging to the Church of Scotland said their church employs a Children's, Youth or Families Worker, and 52% of respondents belong to the other denominations.
- The analysis shows that there is a significant increase in 'activities of service' when there is a paid worker with a remit for schools.

These structured interviews suggested that there was an opportunity to update the website with new stories to further enable congregations to see the opportunities to connect with their local school. For more information on SYLS go to <http://syls.org.uk/>.

## **12.7 The Governance of Scottish Education**

**12.7.1** The proposed restructuring of the governance structures within Scottish education is something that the Education Committee has engaged with in depth over the course of this year. The Council, with the support of the Committee, has responded to the Scottish Government consultation on the Education (Scotland) Bill 2018. The Bill broadly lays out plans to set up Regional Collaboratives of local authorities and to devolve more responsibility to head teachers. While the Council is supportive of the principle of subsidiarity, it is of the opinion that the principal challenges that Scottish education currently faces, namely the poverty related gap in attainment and critical teacher shortages, will primarily be resolved through additional resources rather than through a change of governance.

## **13. INVESTING IN YOUNG PEOPLE – A REVIEW OF THE CHURCH OF SCOTLAND’S WORK IN EDUCATION**

### **13.1 Introduction**

**13.1.1** The nurture and care of young people is amongst our most urgent duties as a society and as a Church. That young people flourish and find their true potential, as people made in the image of God is one of our most satisfying responsibilities. We recognise we live in a society in which many young people struggle to thrive. In light of the changed culture in which we live, and the challenges that many young people face, there is a need to take into account the home environment, school and college and the wider community, the Education Review Group has worked over the last 18 months to develop a vision that seeks to renew and strengthen the Church of Scotland’s work among young people.

**13.1.2** Across the church, through its councils, agencies and congregations, a great deal of inspiring work goes on. The Education Review Group’s vision is to re-imagine the remarkable work the Church has done in the sphere of education over the years and to create a task-oriented group in which the range of work that the Church of Scotland

contributes towards the flourishing of Scotland’s young people can be undertaken cooperatively and with a greater degree of efficiency and coherence. Jesus himself cherished young people and put them at the centre. The Church must do the same.

**13.1.3** The role of the Church of Scotland within Scottish education is well documented.<sup>[29]</sup> In 2006, as a result of the restructuring of the national councils and committees of the Church, the work of the former Committee on Education was incorporated into the remit and work of the newly formed Church and Society Council. Within this current arrangement five members of the Church and Society Council are appointed because of their expertise in the field of education; these individuals sit on the Education Committee alongside co-opted members with expertise in Scottish education.

**13.1.4** In 2016 the General Assembly of the Church of Scotland instructed the Church and Society Council, in collaboration with the Education Committee and other Councils of the Church, to review the work and position of the Education Committee within the Church of Scotland. This request came with the support of the Education Committee which sought a formal conversation about the future strategic direction of its work, as it was becoming increasingly clear that questions of future strategy, resources and structure required broader engagement than just that of the Committee and the Church and Society Council.

**13.1.5** The remit of the current Education Committee includes:

- Contributing to public debate and policy-making on education issues.
- Improving Time for Reflection/Religious Observance in schools.
- Increasing resources for the teaching of Religious and Moral Education.
- Developing the work of chaplaincy in schools and the further education sector.
- Supporting the work of Church representatives on local authority education committees.

Delivery of such an ambitious remit is challenging in the face of the limited staff resources available to support the work since the 2006 restructuring, but more critically, the



challenge is to deliver excellent support to the Church in its work with children and young people in the face of huge change in the Church and in society.

**13.1.6** Since the Church sought to establish a school in every parish, Scotland has become more multicultural and diverse than ever before, and current polls suggest that 74% of young people in Scotland profess no religion.<sup>[30]</sup> The Church is continually called to rediscover Christ's way of showing people their worth, and enabling them to flourish and find their true identity. As individuals made in the image of God, each one is worthy of respect, freedom and opportunity. By helping young people to thrive and flourish; to discover their spirituality and identity, the Church of Scotland can continue the legacy that it started with the vision of a school in every parish. At the heart of this review remains a commitment to help the Church at national and local level to understand the changing social landscape and to explore the Church's continuing but changing capacity for influence. To do this best will mean a focusing of priorities and a new way of partnership working.

## **13.2 Medium and Long-Term Priorities**

**13.2.1** The Review Group was tasked with the development of identifying medium and long-term priorities. The starting point is that the Church's involvement in education, and its purpose within this area, comes from a care for the wellbeing of young people. As Christians, our faith is rooted in the concept of the Incarnation. Just as God walks alongside humanity in Christ, we are called to journey with Christ beyond our churches; to be salt of the earth and lights in the world. This is about being a 'servant church' which walks with Christ on the path of discipleship, to build relationships with others in our community – relationships which signpost fresh hope and a new vision for those who may be struggling.

**13.2.2** The priority then is to use the means that the Church has at its disposal to further invest in Scotland's young people so that they might thrive and flourish: growing up happy, healthy, with meaning and purpose: given the opportunities to develop their character, to build close social relationships, to explore faith and to have opportunities to achieve.<sup>[31]</sup> Whatever the primary barriers to this flourishing are, they should be of concern to the Church.

**13.2.3** Today, one of the greatest impediments facing Scotland's young people is the significant disparity of achievement between those who 'have' and those who 'have

not'. The gap between children from low-income and high-income households starts early: by the age of five it is 10-13 months.<sup>[32]</sup> Lower attainment in literacy and numeracy is linked to deprivation throughout primary school.<sup>[33]</sup> By age 12-14 (S2), pupils from more affluent areas are more than twice as likely to do well in numeracy as those from the most deprived areas.<sup>[34]</sup>

**13.2.4** That a child's economic background should have such a significant bearing on their opportunities is a significant blemish on the Scottish Government's stated ambition to make Scotland the best place in the world to grow up.<sup>[35]</sup> In 2007 an Organisation for Economic Co-operation and Development (OECD) report indicated that parents' socio-economic background mattered more for children's attainment than their school.<sup>[36]</sup> The 2009 PISA (Programme for International Student Assessment) report showed a stronger association between parental background and poor reading in Scotland than the OECD, English or Welsh averages.<sup>[37]</sup>

**13.2.5** In 2016 a report by researchers from Duke University suggested that the life chances of individuals can be predicted with some accuracy from the age of three years<sup>[38]</sup>. The importance of additional support being provided in early years and in supporting parents/carers cannot be overstated. The Scottish Government recognises the importance of this age group of children and is striving to double the hours of nursery education by 2020. This has enormous resource and staffing implications for national and local government. Currently many nursery units are stretched to their limit and have neither time nor the personnel to allow them to work with individual parents or groups of parents. In the 0-3 age band, especially in our economically poorest communities, parents are asking for non-judgemental flexible provision for their children where they can also receive support in developing their parenting skills.

**13.2.6** The Church of Scotland, with others, can contribute to supporting enrichment in early years. In congregations there are people with a wide range of practical expertise. There are resources and facilities which could enable new partnerships to emerge and which could enhance the quantity and quality of statutory provision. Examples include projects assisting parents/carers in their knowledge and understanding of positive parenting skills, parent and toddler groups, storytelling groups, play schemes or parent support initiatives.<sup>[39]</sup> Helpful suggestions for possible early years

interventions, their cost and impact, can be found at <https://educationendowmentfoundation.org.uk/resources/early-years-toolkit/>.

**13.2.7** Within local contexts there will be different opportunities for congregations to invest in young people of different ages and those with a range of support needs and abilities, as many individual churches have done to great effect in recent times. There is a recognition that the greatest impact is likely to come from intervention in early years, and that there is a great deal of excellent work already happening and potential to do more. Sometimes, the greatest single contribution which a local congregation can make to the wellbeing of children in its parish is a high-quality parents and toddlers group or offering support to families with small children.

**13.2.8** The review group considers that school chaplaincy will remain a vitally important part of most parish ministry. Beyond early years, school chaplaincy has a vital and ongoing role to play in contributing to the health, wellbeing and spiritual development of children as they learn and grow.<sup>[40]</sup> Spiritual development is recognised as a pupil entitlement, not only in the RME guidelines, but also as part of a pupil's health and wellbeing. The new *Chaplains' Handbook* (published in 2017) offers imaginative and innovative models of chaplaincy, which provide congregations with the opportunity to consider how they might establish positive relationships with their local school. Through *Serve Your Local School* initiatives, and through projects supported by the Go For It Fund, local churches are already forging new links with parents, children, and their local schools.<sup>[41]</sup> Within primary schools, for example, paired reading schemes, playground and lunchtime supervision, and after school clubs all require dedicated time where children can be listened to.

**13.2.9** In every part of Scotland there are many examples of congregations engaging with young people both within and beyond formal education structures and Church settings. Such examples provide illustrations of the Church at its best, as congregations play their part in helping Scotland's young people fulfil their potential.

### **13.3 Partnership: Links with local authorities and other bodies**

**13.3.1** As a Church we should be involved with other agencies in linking up resources and examples of good practice to enable practical action at a local level. Other

agencies are already developing models and partnerships to resource local congregations and communities, including national institutions such as Young Scot and Scripture Union.

**13.3.2** In its current formation, the Education Committee has formal representation on a number of bodies, including the General Teaching Council of Scotland, the Scottish Joint Committee on Religious and Moral Education, the Scottish Churches Education Group, and on each local authority committee responsible for education. In addition, the Convener of the Education Committee has annual meetings with a range of bodies including the education spokespersons for each of the main political parties; representatives from EIS, SQA, and Education Scotland; Christian Values in Education; and the Scottish Parent Teachers Council. It will be important for the Church to remain aware of how it might best connect with such organisations in order to contribute positively and appropriately. It will also be vital that new relationships are developed with other agencies and parts of government that are concerned with the wider support and nurture of young people.

**13.3.3** Such connections with external bodies provide useful insight into the world of Scottish education, and provide an opportunity to raise any relevant issues around schooling and build relationships. Such engagement has a valuable place in the life and work of the Church. To be as effective as possible this work needs to build upon the strong connections and engagement happening locally.

**13.3.4** Giving priority to partnerships and work that supports congregations to invest in young people, not only increases the impact of the Church's work locally, but also testifies to the relevance of the Church through its actions. Where this is done well, it further unlocks opportunities for the Church at a national level to engage with Government. By supporting and learning from local initiatives, a lasting contribution is made to the shared desire to support communities in their efforts to narrow the attainment gap and ensure the flourishing of Scotland's young people.

**13.3.5** This emphasis on local initiatives relates to the Church of Scotland representatives on local authority committees responsible for education. The responsibility for appointing these representatives has been delegated to the Education Committee by the General Assembly, although in practice, candidates are discussed and agreed in consultation with local Presbyteries. In support of these representatives,



the Education Committee hosts two conferences and maintains contact throughout the year. During the course of their work the Review Group sent out a questionnaire to all Church of Scotland representatives on local authority committees responsible for education. Of those that responded, the suggestion was that while there was a great deal of variety between local authorities, most representatives felt:

- welcomed and included by their authority;
- that they were able to offer input that was valued;
- that the opportunity to contribute to the discussion was more important than the right to vote (upon which there were mixed opinions);
- a strong desire to share the concerns of the local community in a manner free from the constraints of party politics.

**13.3.6** Such responses are encouraging to hear and suggest there is a part to play for church representatives in advocating for the community of which they are a part. The Church of Scotland should use these positions to ensure that decisions are made that promote the flourishing of young people, and that the voices of young people and young families are highlighted. There remains a role for the national bodies of the Church to maintain contact with representatives; however, this should be to enable those representatives to connect with their communities and to better understand the needs and voices of young people within their localities. However, on issues on which there is diversity of opinion the Review Group believes Presbyteries are much better placed to engage with, and seek the views of the community than any national body possibly could.

**13.3.7** The primary partnership should be between the national and the local Church. In this context, such a relationship should be characterised by the national Church supporting local congregations to enable young people to flourish, and by the local church sharing more widely the expertise from their direct experience and practice. This would enable the whole Church to have a practical, incarnational and life-giving presence locally, with the capacity to speak out nationally.

## 13.4 Structures, Location and Resource

**13.4.1** The flourishing of Scotland's young people does not sit within a single part of the Church's national structures. Through the Go For It Fund, the Ministries Council supports numerous congregations to deliver innovative projects with and for young people and young families. Many of its Ministries Development Staff (MDS) work with children, young people and families and training for school chaplaincy is part of ministerial training provided by the Ministries Council. Within the Mission and Discipleship Council there is a great deal of staff expertise supporting congregations actively to engage young people at both local and national levels. CrossReach currently delivers a range of services relating to children and families, and employs staff with a dedicated focus on *Getting It Right For Every Child*. The Church and Society Council works with schools, engages with education authorities and supports chaplains. Were these collective efforts to be more intentionally connected across councils and committees there would be much greater potential to increase the Church's contribution to young people in Scotland. There is a clear opportunity for more collaboration, networking, and maximisation of resources.

**13.4.2** The Review Group is of the opinion that we require a structure that will foster a more collegiate way of working between church councils; will have a greater focus on resourcing local congregations; and will reflect the fresh opportunities expressed within this report. To enable this to happen it is envisaged that the Education Committee would evolve and form a core element of a new *Young People and Education Action Group*, with membership drawn from across the councils. This group, with a strong emphasis on action, will facilitate, coordinate and encourage the Church of Scotland's work to nurture and support young people.

**13.4.3** In the first instance, the *Young People and Education Action Group* will be a cross-council body of no more than 11 individuals, with each of the Church and Society, Ministries and Mission and Discipleship Councils responsible for appointing two representatives from their council membership, alongside five co-opted members. These co-opted members, appointed by the group, should consist of young people, educationalists and those actively involved in the development of young people, including CrossReach. The group would be accountable to the Councils that compose it and ultimately to the General Assembly, with its work reported to the General Assembly annually by one of those councils on a rolling basis. The group will be convened for a

term of three years by one of the appointed members from the relevant councils, whose name will be brought to the General Assembly.

**13.4.4** The Group will be supported by the individual staff members from those councils who have a remit relating to children, families and young people. The Church and Society Council will contribute the resources, including the staffing and budget that it currently allocates to its work concerning *Investing in Young People* to the work of the Group. (In 2018 this amounted to £50,908.) Of the relevant members of staff, one individual will act as the Group secretary, with responsibility for supporting the Convener, Group and coordinating staff efforts in this area of work. All staff members will remain within their current departments and be accountable to their current councils, but would be collectively tasked with enabling the coordination of the work across the Church councils. This would ensure shared responsibility, accountability, coordination of staff time and effort, and greater opportunity to work collaboratively on specific projects. The Review Group believes that this is exactly the sort of collaborative working which will be essential if the Church, as well as young people, is to have the chance to flourish in the future. It recognises that this structure may change in the light of the Council of Assembly's strategic planning process but believes that the work needs to start now.

**13.4.5** The Group's work must focus on enabling local congregations to make the biggest possible difference to young people and use this local work to inform what the Church says and does nationally. It is important that the new Young People and Education Action Group has the flexibility to develop its own priorities as its work develops. Nonetheless, the Review Group would highlight several core areas of work that it considers critical moving forward. These are a focus on early years and disadvantaged young people where they exist in every community; an increased commitment to school chaplaincy, including Time for Reflection and Religious and Moral Education (RME); and resourcing local congregations to support their school and wider work with young people and families. In undertaking these tasks, it will be critical that the Church engages effectively with those concerned with the welfare and education of young people, including young work agencies as well as with local authorities and the Scottish Government.

**13.4.6** Within the Group's first year there would be a transitional period in which the Group and the current Education Committee would run concurrently. During this time the Group would put together an implementation plan for its work. This plan should consider how the Group would maximise internal and external resources for its work as well as outlining clear strategic objectives and developing a theologically coherent approach to the Church of Scotland's engagement with young people. Meanwhile the Education Committee would pass on its existing work, as agreed by the Church and Society Council, to the Young People and Education Action Group.

**13.4.7** It is timely that the Church of Scotland should set out this direction of travel in 2018, the Year of Young People. Through it, the Review Group hopes and prays that the Church will continue to contribute to the flourishing of Scotland's young people.

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## **14. THE SOCIETY RELIGION AND TECHNOLOGY (SRT) PROJECT**

**14.1** This year the SRT Committee welcomed Caroline Cowan as our new Chair, and also welcomed a number of new members. The committee remains grateful to all those who serve the Church in this way. The SRT Project is leading on the Health and Wellbeing strand of Speak Out, and has been engaged in many aspects of seeking to encourage improvements in the health of all in our society. In addition, the work of the committee continues to help to equip the Church to engage with ethical issues in science.

### **14.2 SRT@50**

**14.2.1** Under the chairmanship of the Very Rev Dr Angus Morrison, the group continues to develop plans to mark the 50<sup>th</sup> anniversary of the SRT in 2020. A number of possible themes have been identified, and resources are being sought.

### **14.3 Bioethics**

**14.3.1** Through the SRT Committee the Council has been privileged to serve on the Bioethics group of the Conference of European Churches, leading a working group on human gene editing, and helping to organise a successful conference on this topic in Paris in February.

## 14.4 Science Festivals and Public Engagement

**14.4.1** Events supported by the Committee have taken place at a number of science festivals around the country, and we continue to encourage congregations to consider getting involved in their local science festival. See [www.srtp.org.uk/srtp/view\\_article/scottish\\_science\\_festivals](http://www.srtp.org.uk/srtp/view_article/scottish_science_festivals).

**14.4.2** The Committee has also visited a number of Guilds, men's groups, schools, churches and Presbyteries. The annual SRT week of prayer (10-16 June 2018) continues to generate interest and be a vital aspect of our work.

## 15. CAMPAIGNS

**15.1** The following provides a list of the campaigns that the Council is involved with on behalf of the Church of Scotland.

**In sympathy with** (The Church broadly shares the campaign's objectives and ways of working)

**Campaign for a Fair Society**  
([www.campaignforafairsociety.com](http://www.campaignforafairsociety.com))

**Churches Together in Britain and Ireland's Good Society Vision 2020**  
([www.ctbi.org.uk](http://www.ctbi.org.uk))

**Kairos Britain**  
([www.kairosbritain.org.uk](http://www.kairosbritain.org.uk))

**Scottish Campaign on Welfare Reform**  
([www.cpag.org.uk/scotland/SCoWR](http://www.cpag.org.uk/scotland/SCoWR))

**Stop Funding Hate**  
(<http://www.stopfundinghate.org.uk/>)

**In association with** (The Church shares the campaign's objectives and agrees that its name and logo can be used in publicity)

**End the Freeze on Benefits**  
([http://www.povertyalliance.org/policy\\_campaigns/end\\_the\\_freeze](http://www.povertyalliance.org/policy_campaigns/end_the_freeze))

**Big Shift Campaign**  
([www.christianaid.org.uk/climate](http://www.christianaid.org.uk/climate))

**The Living Rent Campaign**  
([www.livingrent.org](http://www.livingrent.org))

**Flesh and Blood**  
([www.fleshandblood.org](http://www.fleshandblood.org))

**Justice for Bangladeshi Garment Workers**  
([http://www.churchofscotland.org.uk/news\\_and\\_events/news/archive/articles/2013/former\\_moderator\\_in\\_justice\\_campaign\\_for\\_bangladeshi\\_garment\\_workers](http://www.churchofscotland.org.uk/news_and_events/news/archive/articles/2013/former_moderator_in_justice_campaign_for_bangladeshi_garment_workers))

**Trace the Tax**  
([www.christianaid.org.uk/tax](http://www.christianaid.org.uk/tax))

**White Ribbon Scotland**  
([www.whiteribbonscotland.org.uk](http://www.whiteribbonscotland.org.uk))

**Members of** (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)

**ACT Palestine Prayer Vigil**

(<http://actpalestineforum.org/>)

**Children are Unbeatable**

([http://cos.churchofscotland.org.uk/blogs/church\\_and\\_society/2016/11/07/children-are-unbeatable/](http://cos.churchofscotland.org.uk/blogs/church_and_society/2016/11/07/children-are-unbeatable/))

**End Child Poverty Scotland**

([www.endchildpoverty.org.uk](http://www.endchildpoverty.org.uk))

**Existing Homes Alliance**

(<http://existinghomesalliancescotland.co.uk/>)

**Give Me Five Campaign**

(<http://www.cpag.org.uk/content/give-me-five-child-benefit-top-campaign>)

**Good Money Week**

(formerly National Ethical Investment Week) [www.goodmoneyweek.com](http://www.goodmoneyweek.com)

**Robin Hood Tax**

([www.robinhoodtax.org.uk](http://www.robinhoodtax.org.uk))

**Scottish Leaders Group on Welfare**

([www.cas.org.uk/news/new-group-aims-investigate-scotlands-broken-welfare-system](http://www.cas.org.uk/news/new-group-aims-investigate-scotlands-broken-welfare-system))

**Scottish Living Wage Campaign**

(<http://slw.povertyalliance.org/>)

**Scottish Pilgrim Routes Forum**

([www.sprf.org.uk](http://www.sprf.org.uk))

**Side by Side**

([www.sidebysidegender.org](http://www.sidebysidegender.org))

**Stop Climate Chaos Scotland**

([www.stopclimatechaos.org/scotland](http://www.stopclimatechaos.org/scotland))

**Jubilee Scotland**

([www.jubileescotland.org.uk](http://www.jubileescotland.org.uk))

**Poverty Alliance**

([www.povertyalliance.org](http://www.povertyalliance.org))

*In the name and by the authority of the Council,*

RICHARD FRAZER, *Convener*  
PAULINE EDMISTON, *Vice-Convener*  
WENDY YOUNG, *Vice-Convener*  
MARTIN JOHNSTONE, *Secretary*

## Appendix 1

### EXPERTS CONSULTED FOR A REVIEW OF THE CHURCH OF SCOTLAND'S WORK IN EDUCATION

#### Georgina Shields

Georgina is a university student, a member of the Poverty Truth Commission and the Iona Community. Georgina shared her experience of the education system, and the ways in which groups like the GK experience helped her in her education.

#### Craig Ross

Craig is a parent, a carpenter and a member of the Grassmarket Community Project. Craig shared something of his difficult experience of school, his experience of leaving school at 16, and his hopes for his daughter's education.

#### Agnes Mullen

Agnes is a member of the Church and Society staff team where she serves the Education Committee. Agnes has been involved with the Education Committee of the Church of Scotland for 24 years and shared her experience of how the committee, its structure and work have changed over that time.

#### Rev Dr Steve Younger

Steve is a Minister at High Blantyre Baptist Church who has recently completed a PhD on Religious Observance Within the Curriculum for Excellence. Steve delivers training for education authorities in Religious Observance in schools, he delivers training for the Church of Scotland on school chaplaincy and is a co-opted member of the Church of Scotland's Education Committee.

#### Ross Greer MSP

Ross is education spokesperson for the Scottish Green Party, a Church of Scotland Elder and a member of the National Youth Assembly of the Church of Scotland.

#### Jen Robertson

At the time of her contribution Jen worked for Hamilton Presbytery and Scripture Union as their Children's Youth Development Worker. A significant part of Jen's role involved training and equipping school chaplains.

#### Rachel Sunderland

Rachel is the head of the Scottish Government's Empowering Schools Unit and is working on current proposals to reform the governance of Scottish education.

#### Patricia Watson

Patricia Watson works for Education Scotland, is an HM Inspector of Education and was one of the key authors of *How Good is Our School* (4th Edition).

#### Hillary Kidd

Hillary works for Young Scot as the Development Manager for Tackling Inequality and Attainment. Young Scot is the national youth information and citizenship charity.

#### Rhona Armitage

Rhona is a retired head teacher who has significant experience of setting up early years projects in areas of deprivation within Dundee. Rhona currently runs Play Family Support Group at St Ninian's Church in Dundee.

#### Beatrice Roy and Margaret Cowie

Beatrice is the National Worker for Christian Values in Education (CVE) and Margaret is the assistant secretary for CVE and a former head teacher. CVE give advice, networking opportunities and resources for teachers, chaplains and parents so that all pupils can make informed choices about their beliefs and values.

#### Church Representatives on Local Authority Committees Responsible for Education

A questionnaire was sent to Church of Scotland representatives on local authority education committees asking them about their experiences and perspectives of the role.

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- [29] From the years following the Reformation in Scotland until 1872, the Church of Scotland shared responsibility for education with civic authorities and the new burgh councils. In 1872 the state assumed responsibility for the provision of school education, although the Church of Scotland was granted a statutory role as part of the education authority of the day: today this exists in the form of Church of Scotland representatives on local authority Education Committees.
- The Church of Scotland Committee on Education was formed in 1824 at a time when the Church was worried about the provision of education and the quality of teachers. By 1993 there were three Church of Scotland bodies with a remit encompassing education. These were a Board of Parish Education with its own self-contained administration and support staff and the committees on Education and on Education for the Ministry, which were serviced by a single administrative unit entitled the Department for Education.
- [30] [http://www.scotcen.org.uk/media/1452846/55A\\_R3l1g10n\\_T4ble5\\_2016.pdf](http://www.scotcen.org.uk/media/1452846/55A_R3l1g10n_T4ble5_2016.pdf)
- [31] <http://www.pnas.org/content/114/31/8148.full>
- [32] <https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/education-attainment-scotland-summary.pdf>
- [33] Ibid
- [34] Ibid
- [35] <http://www.gov.scot/Topics/People/Young-People/early-years>
- [36] <https://www.oecd.org/education/school/40328315.pdf>
- [37] <https://www.oecd.org/pisa/PISA-2015-United-Kingdom.pdf>
- [38] <http://www.bbc.co.uk/news/health-38281663>
- [39] For examples see <http://stepbystepinmoray.co.uk/>, <http://www.3ddrumchapel.org.uk/>, <http://www.churchhouse.plus.com/Home.html>, <http://chalmersardlerchurch.org/WordPress/during-the-week/family-project/>, <http://stayandplaydundee24.wixsite.com/stninians>, <http://stcolumbainverness.org/connections/>, <http://syls.org.uk/simple-ideas/>
- [40] For more information see the School Chaplains Handbook: [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0006/40479/Chaplains\\_handbook\\_web\\_version.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0006/40479/Chaplains_handbook_web_version.pdf)
- [41] <http://syls.org.uk/>; [http://www.churchofscotland.org.uk/serve/go\\_for\\_it](http://www.churchofscotland.org.uk/serve/go_for_it)





## REGISTRATION OF MINISTRIES COMMITTEE MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.

### Report

#### 1. REMIT OF THE COMMITTEE

**1.1** The Registration of Ministries Committee plays a limited but significant role in relation to the Registration of Ministries. It is charged with assessing all applications for category O registration from individuals in categories E, R or I or from individuals whose category O registration is due to expire. It also deals with applications for change of category of registration from individuals in categories S and L or who left a post for reasons of ill-health. In order to do this as fairly as possible it was created as a stand alone Committee.

**1.2** The Registration of Ministries Act came into force on 1 January 2018.

**1.3** The responsibility for the creation of and maintenance of the Register of Ministry, and for processes of registration lies with Presbyteries and the Ministries Council and not the Registration of Ministries Committee.

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#### 2. INITIAL WORK

**2.1** The Committee met between June and November 2017 to devise a process for dealing with applications for category O registration, which would be thorough, equitable and as simple to operate as possible. Inevitably it could only imagine the sort of applications it would receive and therefore what the best way of handling them might be.

**2.2** The Committee met in December 2017 and January 2018 to consider applications (and expects to meet at six weekly intervals thereafter). At the time of writing it has dealt with four applications. In all cases it was satisfied that, with certain amounts of updating (much of which would be done on a self-certifying basis) category O registration could be given immediately.

**2.3** The Committee is continually learning from experience and adapting its processes. For example, it quickly became obvious to it that interviews could be conducted by video link or conference call, saving both applicants and Presbytery representatives from needing to travel to Edinburgh.

**2.4** It welcomes comments from those who have submitted applications as to how the process might be improved.

**2.5** The Committee publishes its meeting dates on the Church's website so as to assist those wishing to make an application.

*In the name of the Committee*

NEIL DOUGALL, *Convener*  
HAZEL HASTIE, *Vice-Convener*  
JAYNE SCOTT, *Registrar*

## GENERAL TRUSTEES MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report and Accounts of the General Trustees.
2. Encourage Congregational and Presbytery Office-bearers to attend the Property Seminars to be held during 2018 (2.1.5).
3. Urge those congregations which have not done so to appoint a Health & Safety Administrator and those Presbyteries which have not done so to appoint a Health & Safety Co-Ordinator (2.2).
4. Encourage the Trustees in the development of their Property Assets Strategy. (2.3).
5. Encourage the Trustees and Presbyteries to develop a closer working relationship based on the Tayside Cluster Pilot (3.2.1).
6. Encourage the Trustees and the Council of Assembly to have discussions with OSCR so that Central Fabric Fund loans are excluded from Congregational accounts as an Income Resource in line with the treatment adopted by the Charity Commissions for England & Wales and for Northern Ireland (5.2.1).
7. Authorise payment of remuneration of £1,765 to each of Mr Raymond K Young as Chairman and Mr Roger G G Dodd as Vice-Chairman for the past year (6.3).

### Report

#### 1. INTRODUCTION

**1.1** *“The General Trustees, working in collaboration with Presbyteries and other Church of Scotland agencies, use the land, buildings and investments entrusted to them and offer support and encouragement to congregations to assist them in developing flexible, robust and sustainable resources capable of supporting local mission and worship.” (Our mission).*

**1.2** In submitting to the General Assembly their ninety-first report since the passing of the Church of Scotland (Property and Endowments) Act 1925, the Trustees wish to start by expressing their appreciation of the often unsung work and effort which is undertaken by congregational office-bearers and ordinary members in looking after their churches, halls and manses. The Trustees acknowledge that this responsibility is becoming increasingly onerous as the number of members able and willing to assist is reducing at the same time as the demands for compliance with external legislation are increasing.

#### 2. AN ESTATE FIT FOR PURPOSE

##### 2.1 New Opportunities, Challenges and Risks

**2.1.1** The Church’s estate at congregational level comprises around 1,500 buildings (of which around 830 are manses) and 500 glebes. Many of the buildings present modern, welcoming spaces to encourage communities to worship and to share in ministry. New buildings are still being built. Buildings we have inherited from previous generations are being refurbished and upgraded to meet the needs and expectations of the 21st century.

**2.1.2** There are increasing numbers of churches and halls that have been built, modernised and adapted to be more than places of worship and witness for congregations but also to provide places for the wider community.

**2.1.3** Examples of both can be found within the bounds of Perth Presbytery. In the last year the Madoch Centre has been added to the list of new church centres, while the congregation of St Matthew’s in Perth city centre has

transformed the sanctuary. Built on part of the Glebe, the Madoch Centre at St Madoes between Perth and Dundee opened in 2017 to replace the traditional parish church building and is an excellent example of successful leveraging of external monies as part of the funding of the project. St Matthew's has created a welcoming coffee area and a multi-purpose space that provides for worship, theatre and conferences to add to its existing suite of halls. Its location in the centre of the city means that it is much in demand by the wider community.

**2.1.4** Elsewhere, congregations such as in Newmachar have built new halls to provide much needed accommodation for use by both church and the local community. And this pattern of new buildings and revitalised older ones can be seen across the country. In Sighthill, Glasgow, the site of the new St Rollox Church Centre is being prepared with construction due to begin shortly. And more Church buildings are being transformed to provide high quality spaces for worship and for mission.

**2.1.5** So, despite the image that many have of the Church and its buildings, all is not doom and gloom. There are encouraging signs that there are office-bearers willing to tackle the problems they face. One of the principal risks identified in the Trustees' Risk Register is "a build-up of major property-related problems at congregational level due to a lack of personnel with relevant experience combined with a failure to ensure that basic maintenance programmes are undertaken." In a practical effort to address this, in 2017 the Trustees held six seminars throughout the country which were attended by a total of 592 office bearers and Ministers representing 42 Presbyteries. The feedback has been overwhelmingly positive and various improvements will be made for the next series which will be held in the latter half of this year. In February this year, the first Seminar specifically aimed at Presbytery Property Conveners was held at the Engine Shed in Stirling and it is planned to repeat this too on a regular basis.

## **2.2 Safe Buildings**

**2.2.1** The Trustees are pleased to report that at the time of writing, 70% of congregations have appointed a Health & Safety Administrator and that 50% of Presbyteries have appointed a Health & Safety Co-ordinator. The Trustees would encourage the remaining congregations and Presbyteries to make these appointments. The *Health & Safety Toolkit* launched at last year's Assembly has been

universally well-received. Since then, Brian Auld, the Safe Buildings Consultant, has undertaken 16 accredited training events on health and safety including food hygiene, 34 presentations and has dealt with over 259 pro-active enquiries. He has also dealt with four enforcement activities.

## **2.3 A Strategy for Property Assets**

**2.3.1** A second risk in the Trustees Risk Register is that there is "No co-ordinated strategy by the Church of Scotland to identify and timeously deal with surplus and redundant buildings (whether in good condition or not) resulting in inappropriate decisions at all levels of the Church structure." It is worth noting that the Church of Scotland is not unique in facing various challenges. The Report of the Taylor Review of the Church of England's Churches and Cathedrals was published earlier this year. Even allowing for the distinctive legal relationship between the Church of England and the State, there are many similarities with the experience of the Church of Scotland and its buildings. The Built Environment Forum Scotland (BEFS) representing organisations involved in the built heritage, including the Trustees, is keen to explore with the Scottish Government the merits of a similar review of ecclesiastical buildings in Scotland.

**2.3.2** The Trustees engaged with the Council of Assembly as it prepared its Strategic Report. Early in the process, it was recognised that buildings had to be an integral part of the Strategy. The strap-line of "*well-equipped spaces in the right places*" applies not just to the functional buildings used by congregations but also to the likes of the national offices and the buildings operated by the Unincorporated Councils and Committees. This is just a starting point as the Trustees have committed themselves to the preparation of a detailed strategy by 2020 in respect of congregational and other church buildings which will cover asset management (quinquennial reports, health and safety matters, monitoring, etc), financial investment including criteria for awards of loans and grants including follow-up audit and assurance, and disposal of redundant buildings based on supporting a robust Presbytery Planning system

## **2.4 Too many buildings?**

**2.4.1** Like others, the Trustees remain concerned that the Church of Scotland continues to have too many buildings as part of its heritable estate. The Trustees recognize that even discussing a reduction in the number of buildings is an emotional issue but there is also a major issue of Christian stewardship when so much time, money and talent is

invested in buildings which are no longer necessary, or are in the wrong place or are no longer fit for purpose. This effort detracts from effective worship and mission.

**2.4.2** Presbyteries have a difficult but important role in determining what buildings are needed so the Trustees have begun exploring in consultation with a number of Presbyteries what forms of guidance and support they can offer which might assist Presbyteries in carrying out this function. One output is expected to be a *Required Buildings Toolkit* to help Presbyteries.

**2.4.3** The difficulties facing congregations and Presbyteries are underscored by the fact that the Trustees are the owners of the largest number of Listed buildings in Scotland which can pose additional challenges for maintenance, repair and improvement.

## **2.5 Financial Resources**

**2.5.1** One of the biggest challenges facing the Trustees is to continue to provide some of the financial resources by way of grants and loans as well as technical and professional advice to congregations to meet the growing demand for repair, improvement and new-build projects in respect of churches, halls and manses. This will be achievable only by prioritising the resources. Agreeing what tests and filters should be used to determine priorities will not be easy.

**2.5.2** Details of the financial support available from the Trustees and some thoughts on how the financing of property-related works might be dealt with differently in the future are considered later in the report at Section 5.1.

## **2.6 New Partnerships**

**2.6.1** Another risk identified in the Risk Register is limited control over external organisations whose decisions impact adversely on the work of the Trustees. A stark example occurred in November last year when the Heritage Lottery Fund withdrew its financial support for the Grants for Places of Worship Scheme without any consultation with any of the denominations in Scotland. The Trustees deplore this action and are thankful that Historic Environment Scotland has undertaken to continue with its financial support for places of worship. The Listed Places of Worship VAT Grant Scheme continues to deliver reimbursement of the VAT element on a wide range of repairs on Listed churches.

**2.6.2** On the positive side, the Trustees are pleased to report that increasingly open and effective conversations are taking place with external agencies such as Historic Environment Scotland which has also had to grapple with putting in place an asset management plan against a backdrop of financial constraints. We are moving in the direction of a more collaborative approach to buildings-related issues.

**2.6.3** The first example of a community purchase of an urban building under the recently-extended Community Right-to-Buy legislation involved the sale of the former Portobello Old church and halls in Edinburgh to Action Porty. It is worth noting that this case has led to a productive meeting with representatives of Community Land Scotland and the Development Trusts Association Scotland on a range of possibilities for community purchase of redundant churches and halls. One outcome has been agreement to develop a protocol which will assist the Trustees and congregations in determining whether a “community disposal” is an appropriate outcome.

## **2.7 Glebes**

**2.7.1** When reflecting on the scale of the Church’s estate, it is important to remember that the Trustees also own around 12,500 acres of agricultural land in the form of Glebes. There are around 700 tenancies involving either agricultural or amenity use. The use of Glebe land and who uses it are important issues for rural congregations given the direct contribution which rental income makes towards paying for the cost of parish ministry. Where a Glebe is sold for development value, then the capital receipt and the accruing income can greatly benefit not only the immediate congregation but the wider Church as well.

**2.7.2** Congregations often form one of the more stable constituencies within local communities but are not regarded as community bodies under the raft of land reform legislation in the last decade or so. Nevertheless, the Trustees regard Glebe land as having potential benefits for the community by boosting the business operation of local farmers including assisting new entrants into farming, in some cases by enabling allotments and community gardens and in others by providing recreational sports and amenity spaces. With all of the foregoing in mind, the Trustees are members of both Scottish Land & Estates and Community Land Scotland.

**2.7.3** The Trustees have also had an initial meeting with the Chair of the Scottish Land Commission which has been tasked by the Scottish Government to promote research, debate and policy on “making more of Scotland’s land”.

**2.7.4** Glebe land will also be part of the Trustees' 2020 Property Assets Strategy.

### **3. REVIEW AND REFORM**

**3.1** In last year's report the Trustees referred to the start of a process of internal review under the heading of “Way Forward”. Very considerable work has been undertaken over the whole range of the Trustees activities as well as the operation of the Trustees’ Department. A number of key elements have emerged which are already bearing fruit.

#### **3.2 Partnerships within the Church**

##### **3.2.1 Presbyteries – the Tayside Cluster Pilot**

Over the past year, Trustee representatives have been meeting regularly with the Clerks of St Andrews, Angus, Dundee, Perth and Dunkeld & Meigle Presbyteries in an attempt to identify the building-related issues on which they would welcome support and the scope for cross-Presbytery collaboration. With experience of a similar appointment in Glasgow and Hamilton Presbyteries, the Cluster is considering the appointment of a paid, professional Buildings Officer to work with congregations across the five Presbyteries. While the detail of how this is to be paid for and the scope of the Officer’s role needs further work, the hope is that an appointment such as this would boost the ability of the five Presbyteries to provide an effective, front-line regional resource for congregations.

**3.2.1.1** Other Presbytery Clerks have expressed an interest in similar arrangements. As the Trustees develop their strategy, they would be delighted to hear from any Clerks or Property Committee Conveners who would like to discuss this further.

##### **3.2.2 Council of Assembly**

**3.2.2.1** In addition to the collaboration with the Council of Assembly on its Strategic Report already referred to, the Trustees were invited to work with the Council on the preparation of its report on the National Offices Building Project which it is proposed to bring to the 2019 Assembly. The Chairman of the Trustees now routinely attends the Council’s meetings.

#### **3.2.3 Committee on Church Art & Architecture (CARTA)**

**3.2.3.1** Following on from the introduction of a simplified process (“the single gateway”) for CARTA’s involvement as an advisory body to the Trustees, a Memorandum of Understanding is currently being drafted. It is hoped that this will be ready by the start of this year’s Assembly.

#### **3.2.4 Ministries Council**

**3.2.4.1** The Trustees and the Council have jointly funded the Chance To Thrive process for several years with significant lessons being learned about how congregations are best enabled to develop for themselves the skills and confidence to be robust faith communities.

**3.2.4.2** The Trustees are now part of the Presbytery Planning Task Group and are working closely with the Council on integrating the ministry and property asset planning process.

**3.2.4.3** As part of the Trustees’ Way Forward process, the Manse Working Group was privileged to have had considerable input from Rev Angus Mathieson, then Partnership Development Secretary with the Council.

#### **3.2.5 Church & Society Council**

**3.2.5.1** Representatives of the Council and the Trustees have met on a number of occasions recently to share their thoughts on issues of mutual interest including aspects of Land Reform and Community Empowerment, as well as use of land and energy conservation, the latter including a major study on church buildings in Cowal. The Council’s convener, Rev Dr Richard Frazer, has attended a meeting of the Trustees’ Glebes Committee.

#### **3.2.6 Congregations**

**3.2.6.1** The 5-yearly property inspection system has been in place since 1979. It relies on the professional input of Architects, Building Surveyors and Structural Engineers appointed by individual Presbyteries. It has been clear for some time that significant issues are the mixed quality of reports, the lack of any engagement by the professional with the office-bearers once the report has been completed, the tendency for reports to be put up on a shelf and the inconsistent follow-up by Presbytery Property Committees due to resource and time constraints. The Trustees aim to hold consultations with Presbyteries over the coming year with a view to introducing more effective arrangements for



the future. Reference is made to Appendix 1 which contains information about the professional reports as well as the examination of Property Registers and Manse Condition Schedules in the twelve months to 30 June 2017.

### 3.2.7 Scottish Churches Committee

**3.2.7.1** The Committee which meets four times a year represents the major Christian denominations in Scotland. The Trustees are represented by their Secretary. It deals with secular issues affecting the Churches ranging from Scottish and UK Parliamentary legislation, safeguarding matters, taxation, charity regulation and of course property-related issues. These have included lobbying successfully for the retention and reform of the water rates exemption.

## 4. BETTER COMMUNICATION

**4.1** The Trustees recognise that they need to improve communications with congregations and Presbyteries. The Way Forward process has identified this as one of the priorities to tackle. The Trustees are working more closely with the Media and Communications Department and will shortly be transitioning the Working Group into an Executive Committee of the Trustees to ensure that better communication is given the importance which it deserves.

## 5. OTHER MATTERS

### 5.1 Finance

**5.1.1** Although the Trustees have Funds with many millions of pounds under their administration, all but a small portion is held for the benefit of individual congregations either to help them pay for parish ministry costs or to assist them in the provision of well-equipped spaces in the right places. A key element of the developing Property Assets Strategy will be to ensure that the appropriate balance is held between the genuine needs of individual congregations for ministry and buildings provision on the one hand and on the other the need for a sharing of resources as part of a theological commitment to a national Presbyterian model of governance.

**5.1.2** In 1995, the Assembly passed legislation which broke the tie between the proceeds arising from the sale of buildings and the parish and neighbourhood served by those buildings. This enabled congregations to donate monies from their Consolidated Fabric Fund holdings to other

congregations in the same linking or Presbytery facing buildings-related expenditure. It enabled the Levy on property sales to be applied for the benefit equally of the *Go For It* Fund (administered through the Ministries Council) and of the Trustees' Central Fabric Fund specifically for congregations in Scotland's poorest rural and urban communities. The Trustees will be consulting with Presbyteries on what greater role they might play in ensuring better use of invested monies.

**5.1.3** There are a number of drivers for these conversations:

- The relatively small amount of monies available to the Trustees which is not held for individual congregations: the Central Fabric Fund budget for 2018 for grants for repairs and improvement projects across Scotland is only £1.5m. The amount of grants made available in 2017 was £2.17m.
- The largest fabric reserve which the Trustees administer is the Consolidated Fabric Fund all of which is held on behalf of individual congregations. No two congregations have the same level of holdings as these are derived largely from the sale of buildings over the years. Many congregations routinely make use of both the capital to help cover the cost of repairs and improvements and the accruing revenue towards running costs, but nevertheless the Fund amounted to £60.7m at the end of 2017. Is there scope for re-allocation and how might this be achieved?
- The Consolidated Fabric Fund has a second element which is the capitalised value of the heritable assets comprising churches, halls and manses. At the end of 2017, the capitalised value amounted to £514.5m which the Trustees believe is a fair and reasonable assessment of the value of the buildings owned by them. The Trustees would emphasise this does not represent money in the bank nor is it an indication of market value.
- By the end of 2017, the Levy on property sale proceeds had generated £248,000 and was split equally between the Central Fabric Fund and the *Go For It* Fund. The Levy, first introduced in 2003, was the one of the Trustees' responses to the challenge by the 2001 Assembly for resources to be allocated to the congregations operating in Scotland's poorest communities. It has never been reviewed but now is the time as part of the overall strategy.

- Although not a fabric reserve, the Consolidated Stipend Fund is also under the Trustees' administration and at the end of 2017 had a capital value of £93.2m. Derived largely from the sale of Glebes over the years, it is invested for the long term through the Growth Fund of the Church of Scotland Investors Trust. The income attributable to each congregation's holding is allocated towards that congregation's M&M contribution thereby freeing up an equivalent amount of general income for other purposes. Overall, the Fund contributes around 7% annually towards the cost of parish ministry. The Trustees are not proposing that the two Consolidated Funds become a free-for-all as there is clear need to support both ministry and buildings but there may be scope to make it easier to allocate monies between the two as needs change.

**5.1.4** Statistical information on the Consolidated Stipend and Central Fabric Funds and details of the value of the heritable assets vested in the Trustees is contained in the Appendices.

**5.1.5** The Trustees' Accounts for the year 2017 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 firm of registered Auditors appointed to audit the Accounts of the Unincorporated Councils and Committees for 2018 have been re-appointed by the Trustees to audit their Accounts for that year.

## **5.2 Representations to OSCR**

**5.2.1** As a result of the accounting policy adopted by OSCR which requires one-off payments of grants or loans to be treated as income (rather than capital), those congregations which receive large loans (whether from Church or external sources) or legacies and bequests can often face significant additional administrative and cost burdens in the preparation of accounts. Another consequence can be the loss of part or all of the water rates exemption. The costs of projects such as major roof and stonework repairs, structural alterations or new-builds can easily put congregations into this situation and some do not have the local skills to cope. The Trustees wish to engage with the Council of Assembly's Finance Group and the General Treasurer to discuss making representations to OSCR to amend its accounting policy so as to bring it into line with other Charity Regulators in the UK.

## **5.3 Land Registration**

**5.3.1** The Trustees have reported in detail to the Assembly over the last three years on the Scottish Government's programme to complete the process of holding all titles to land in Scotland on the Land Register with the aim of completion by 2024. The Trustees are pleased to be working in support of the Registers of Scotland in respect of titles of the properties owned by them. The Law Department has been concentrating on two methods, the first being voluntary registration for which the Keeper of the Registers is currently offering a 25% discount on the registration fees at least until mid-2019. As the process is labour intensive for the Law Department, the Trustees are focussing on those cases where registration is essential or expedient, particularly with Glebe land in rural areas.

**5.3.2** The second method involves the Law Department collaborating with Keeper in a special programme of registering the title of an agreed list of the Church's "heritage assets". The Trustees were delighted that in October 2017 the title to St Giles' Cathedral was the first one to be registered. The Department continues to work closely with the Keeper to complete further transfers.

**5.3.3** The Solicitor of the Church would wish to emphasise that congregations which have title to some or all of their buildings held in the name of local trustees must also seriously consider voluntary registration and would encourage them to contact the Law Department for free advice and guidance.

## **5.4 Energy Procurement**

**5.4.1** The Electricity and Gas Supply Scheme through SSE plc (trading as Scottish Hydro) for non-domestic buildings continues to deliver significant benefits for congregations. The three-year electricity supply contract will expire on 31 March 2019 so the Trustees will be taking steps to set up a re-tendering process. They are pleased to report that with the active assistance of SSE plc there is now in place a robust administrative system which will enable the process to be dealt with in-house.

**5.4.2** Further information about the Scheme – it is not too late to join! – is available from the Trustees' Department by contacting Sara Deeks on 0131 225 5722 ext 2271 or emailing: [gtenergy@churchofscotland.org.uk](mailto:gtenergy@churchofscotland.org.uk)

## 5.5 Insurance

**5.5.1** The Church of Scotland Insurance Services Ltd is wholly owned by the General Trustees and is authorised and regulated by the Financial Conduct Authority. The Company arranges cover for most classes of general insurance for Church of Scotland congregations as well as congregations of other denominations.

**5.5.2** In 2017 the Company successfully implemented a small number of cover improvements and the agreed rating reduction to the Church Insurance Scheme. The rating has been further enhanced effective from 1 January 2017. For more information regarding the Scheme please visit the Company's web site at **www.cosic.co.uk**

**5.5.3** During 2017, the Company transferred £1,424,446 under Gift Aid to the General Trustees. The Trustees 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.

In accordance with current accounting requirements, the 2017 Annual Accounts of the Company have been consolidated with those of the Trustees.

## 6. PROCEDURAL MATTERS

**6.1** The Trustees report the retirement of three of their number: Mr Peter F King, Mr Arthur S McDonald and Mr Alexander (Alisdair) Pringle. Mr King who was appointed in 2005 served as a member of the Finance Committee bringing his experience not just from a long career in Scottish banking but also as a congregational Treasurer to the benefit of the Trustees. He was the convener of the Committee from 2010 until his retirement. Mr McDonald, a Chartered Surveyor, was appointed in 2014 serving on the Fabric Committee. He was a valued member on many deputation visits to congregations dealing with a wide variety of building-related issues. Mr Pringle was co-opted as an Advisory Member in 2013 and was appointed to the Finance Committee where his calm competence and experience as a Chartered Accountant served the Committee well.

**6.2** In the year to the date of this Report, the Trustees have co-opted Mr James Alexander, Mr Robert Bell, Mr William Gill, Rev Kenneth I Mackenzie and Mr David Mitchell as Advisory Members.

**6.3** The Trustees recommend that for their services as Chairman and Vice-Chairman respectively for the past year, Mr Raymond K Young and Mr Roger G G Dodd should receive remuneration of £1,775 as authorised by S.38(1) of the 1925 Act.

## 6.4 Determinations made under Regulations V 1995

**6.4.1** These Regulations provide a mechanism to re-allocate the capital held by the Trustees for the benefit of congregations in the Consolidated Fabric and Stipend Funds. The following re-allocation was made during 2017: Edinburgh:- Ratho - £10,464 from Stipend to Fabric.

## 6.5 Determinations made under Act VII 1995

**6.5.1** The Trustees report that under the powers delegated to them by the General Assembly by Act VII 1995 (as amended by Act XIII 1996) they have made 64 Determinations as set out in Appendix 6.

*On behalf of the General Trustees*

RAYMOND K YOUNG, *Chairman*  
ROGER G G DODD, *Vice-Chairman*  
DAVID D ROBERTSON, *Secretary and Clerk*

## Appendix 1

- 26 out of 44 Presbyteries submitted a Diligence Report (2016 – 34/44; 2015 – 34/44);
- Out of 884 congregations reported on, 876 Property Registers and 619 Manse Condition Schedules had been examined by Presbytery Property Committees;
- 100 professional 5-yearly inspection reports had been obtained and issued;
- of the 26 Presbyteries, 5 were behind schedule in obtaining professional reports.

**Appendix 2****CONSOLIDATED STIPEND FUND**

<b>Capital</b>	<b>Total Value</b>	<b>Value of Share</b>
31 December 2013	£73,565,935	£4.7268
31 December 2014	£76,440,828	£4.9099
31 December 2015	£77,666,271	£4.9668
31 December 2016	£86,275,370	£5.4390
31 December 2017	£93,206,314	£5.8330

<b>Revenue</b>	<b>Income</b>	<b>Shares Issued at 31 December</b>	<b>Rate of Dividend</b>
2013	£2,930,183	15,563,546	£0.1861
2014	£3,001,209	15,568,718	£0.1880
2015	£2,998,499	15,637,028	£0.1935
2016	£3,018,391	15,746,459	£0.1890
2017	£3,055,377	15,944,559	£0.1920

During 2017 the sum of £1,740,505 was admitted to the Fund in exchange for 315,840 shares.

**Appendix 3****CENTRAL FABRIC FUND**

Comparative figures for loans and grants voted over the past three years:

	<b>2017 £</b>	<b>2016 £</b>	<b>2015 £</b>
Interest-bearing Loans	2,090,000	2,335,000	1,343,000
Interest-free Loans	1,878,000	2,198,000	1,334,000
Bridging Loan	0	0	225,000
	<u>3,968,000</u>	<u>4,533,000</u>	<u>2,902,000</u>
Standard Grants	1,387,000	902,000	858,000
Priority Grants	780,000	1,052,000	1,077,000
	<u>2,167,000</u>	<u>1,954,000</u>	<u>1,935,000</u>

**Appendix 4****SYNOPSIS OF CENTRAL FABRIC FUND GRANTS AND LOANS VOTED IN 2017**

		<b>CHURCHES/HALLS</b>			<b>MANSES</b>		<b>TOTAL</b>
		<b>no</b>	<b>amount £</b>	<b>no</b>	<b>amount £</b>	<b>no</b>	<b>amount £</b>
Grants	Standard	79	1,137,000	21	250,000	100	1,387,000
	Priority	21	381,000	6	399,000	27	780,000
Loans	5%	19	1,280,000	2	550,000	21	1,830,000
	3%	5	220,000	2	40,000	4	260,000
	Interest Free	27	740,000	6	1,138,000	29	1,878,000
Bridging Loans		–	–	–	–	–	–

**Appendix 5****VALUE OF HERITABLE ASSETS VESTED IN THE GENERAL TRUSTEES**

	<b>2017 £</b>		<b>2016 £</b>	
Glebeland	36,548,000	(12,501 acres)	35,882,000	(12,520 acres)
Land Other	285,000	(1 item)		
Churches including integral halls	195,361,000	(1,335 properties)	193,915,000	(197 properties)
Halls	19,417	(196 properties)	19,227,000	(197 properties)
Manses	202,000,000	(828 properties)	259,369,000	(833 properties)
	<u>514,511,000</u>		<u>508,393,000</u>	

**Appendix 6****DETERMINATIONS MADE UNDER ACT VII 1995****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 for the benefit of the congregations in the Consolidated Fabric Fund:

Altnaharra & Farr – Altnaharra Church; Bishopbriggs: Kenmure – Manse; Blair Atholl & Struan – Struan Church; Campbeltown: Highland – Manse; Carnwath – Manse; Carnwath – Church; Coldstream & District Parishes – Swinton Manse; Crail – Manse; Dalton & Hightae – Hightae Church; Dunkeld Parish Church – Dowally Church; Durisdeer – Manse; Edenshead & Strathmiglo – Hall; Edinburgh: Holy Trinity – Manse; Edinburgh: Meadowbank – (1) Holyrood Abbey Manse (2) London Road Church and Hall and (3) Garage; Edinburgh: Willowbrae – Craigentinny St Christopher's Church and Hall; Elie, Kilconquhar & Colinsburgh – Manse; Foss & Rannoch – Manse; Galston – Manse; Gatehouse & Borgue – Borgue Church; Gigha & Cara – Manse; Glasgow: Eastwood – Caretaker's Cottage; Glasgow: Mossspark – Church and Hall; Glasgow: St Andrew & St Nicholas – Penilee Church and Hall; Glencairn & Moniaive – Glencairn Church; Kilmaronock Gartocharn – Kilmaronock Church; Kilniver & Kilmelford – Kilniver Church; Kirkconnel – Manse; Kirkmichael, Tynwald & Torthorwald – Manse; Knockbain – Manse; Largo & Newburn – Church Rooms; Liddlesdale – Saughtree Church; Lochbroom & Ullapool – Clachan Church; Luce Valley – New Luce Church; Maryculter Trinity – Kirkton Cottage; Milton of Campsie – Church; Montrose: South and Ferryden – Melville South

Church and Halls; Northmavine – North Roe Church; Paisley: Stow Brae Kirk – Manse; Perth: North – Flats; Rogart – Pitfure Church and Hall; St Madoes & Kinfauns – Church; Sandbank – Church and Hall; Stow: St Mary of Wedale & Heriot – Manse; The Glens & Kirriemuir Old – (1) Memus Church and (2) Glenprosen Church; Yell – St John's Church and Hall

**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 congregations in the Consolidated Stipend Fund:

Acharacle; Assynt & Stoer; Beith; Burntisland; Coldstream & District Parishes; Cushnie & Tough; Dunbarney & Forgandenny; Dunnichen Letholm & Kirkden; Kirkconnel; Maryculter: Trinity; Melness & Tongue; Perth: Kinnoull; The Isla Parishes

**Miscellaneous Sales:**

The General Trustees made the following miscellaneous determinations:

Aberdeen: Gilcomston South (Dissolved) – sale of Church and Hall and proceeds credited to Central Fabric Fund; Edinburgh: Dean (Dissolved) – sale of Church and Hall and proceeds credited to Central Fabric Fund; Social Care Council – sale of Achvarasdale Care Home and proceeds remitted to Social Care Council



## COMMITTEE ON CHAPLAINS TO HM FORCES MAY 2018

### 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 Royal Air Force personnel and their families.
3. Acknowledge with particular gratitude the dedicated service of Chaplains on operations 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. Commend the appointment by Presbyteries of an Armed Forces Champion.
6. Commend to eligible ministers of the Church consideration of service as a Chaplain to HM Forces – Regular, Reserve and Cadet Forces.

### Report

**1.1** Every year the ministers of the Church of Scotland serving as Chaplains to Her Majesty's Forces gather at the General Assembly on what has become known as 'Chaplains' Day.' Not without a degree of embarrassment they have stood before the General Assembly to listen as the Kirk reaffirms its support of them and their ministry to the Armed Forces. This year they attend the General Assembly, for what is perhaps the first time, with mixed feelings. The Registration of Ministries Act has categorised them Category E, alongside all Church of Scotland clergy working out with the parish. Therefore before returning to parish ministry within the Kirk they will have to regain Category O status which they can only attain following an assessment process to identify whether they may be lacking skill sets or knowledge to enable them to function as competent parish ministers. If required suitable training will then be provided to allow Chaplains to gain Category O status.

**1.2** The Registration of Ministries Act recognises that military Chaplains are a special case and the intention of the Act is to make the transition from military to parish as seamless as possible. However at the time of writing the details to enable this to happen are still being worked on and consequently an unintentional result of the Act is that the Kirk's military Chaplains feel marginalised and their ministry undervalued.

**1.3** It is expected that the process to ensure seamless transition from military to parish will have been formalised by the time the General Assembly meets. However this year, more than any other, the Chaplains feeling of embarrassment at being singled out may be outweighed by gratitude if the General Assembly chooses to 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 Royal Air Force personnel and their families.



**2.** Chaplains continue to serve their people in challenging situations. The appendices following this report provide a flavour of the deployments experienced by the ministers serving as Chaplains.

Rev Dr Mark Davidson RN has recently returned from a 6 month deployment spent beneath the waves in a Trident Class submarine.

Army Chaplains who were deployed in the last year include:

Rev Mike Goodison deployed to Cyprus to serve with the United Nations on Op TOSCA from October 17 for six months.

Rev Stewart MacKay deployed with elements of 3 SCOTS to Iraq on Op SHADER. He travelled to Iraq in January and will be deployed for 6 months.

Rev Nicola Frail deployed for 6 months with 32 Engineers in July 17. Travelling to Sudan a short report of her experience is contained in Appendix 2. Her report begins: 'In July 2017, I deployed on Op TRENTON as Chaplain to the UK Engineering Task Force that forms part of the United Nations Mission in South Sudan. For the past six months, I have been providing pastoral care to personnel as they undertake site work for a new hospital, repair culverts, and engage in other infrastructure improvements that it is hoped will better enable others to bring humanitarian assistance to the point of need.'

The Royal Air Force has only two serving regular Chaplains. One of those, the Rev Craig Lancaster is currently deployed on his third operational tour ministering to personnel based at headquarters throughout the Middle East.

**3.** Last year at a ceremony held in Edinburgh Castle the Moderator signed the **Armed Forces Covenant** which pledged the support of the Church of Scotland to the Armed Forces Community, a community made up of Serving Personnel, Regular and Reservists, Veterans and all their families. It equates to roughly 10% of the population of Scotland and the largest grouping within the community are veterans of retirement age who report that their greatest issue is loneliness.

The Armed Forces Covenant signed by the Moderator contained these words:

'The General Assembly of the Church of Scotland recognises the value serving personnel, reservists, veterans and their families bring to our society and communities. We will seek to uphold the principles of the Armed Forces Covenant, by:

Pastorally:

- urging strongly Presbyteries to appoint Veterans' Champions who will support parish ministers and engage with and help contribute to local Veteran's forums;
- urging strongly every parish minister who encounters members of the broader Armed Forces community who are facing disadvantages to signpost them to the appropriate resources;
- supporting veterans, regulars, reservists and their families by the normal arrangements for the provision of pastoral care'

Resources to assist the work of Veteran's Champions are available from the secretary of the Committee on Chaplains to HM Forces. To date 18 Presbyteries have appointed a Veterans' Champion.

**4.** One of the greatest issues facing military chaplaincy is recruitment. The Services take clergy from the recognised 'Sending Churches' and traditionally Church of Scotland Chaplains have formed a large percentage, second only to Anglican Chaplains. That is no longer the case. The recruitment of new Church of Scotland Military Chaplains has now reached a critical point illustrated most starkly by the Royal Air Force. There are only two Church of Scotland Chaplains remaining. It is unlikely that any member or affiliate of the Church of Scotland who joins the Royal Air Force will ever be ministered to by a Chaplain of his or her denomination. The Royal Navy and Army may have more Church of Scotland Chaplains but they do not have enough.

*In the name of the Committee*

GORDON T CRAIG, *Convener*  
CAROLYN H MACLEOD, *Vice-Convener*  
JOHN K THOMSON, *Secretary*

## Addendum

### Rev Gordon T Craig

The conclusion of this year's Assembly sees the retiral of Gordon Craig after having served four years as Convener. Gordon's previous service of 24 years as a Regular RAF Chaplain, latterly as Principal Chaplain (Church of Scotland & Free Churches), meant that he very quickly grasped those significant issues which confronted the Committee at the time of his appointment. Recruitment of chaplains remained at the forefront of the Committee's remit and Gordon used his very best endeavours to achieve success in this area. The support and encouragement of chaplains is another key function that Gordon undertook with dedication and enthusiasm. We are indebted to Gordon for the time and commitment which he has given to the work of the Committee.

*In the name of the Committee*

CAROLYN H MACLEOD, *Vice-Convener*  
JOHN K THOMSON, *Secretary*

## Appendix 1

### CHAPLAINCY IN THE ROYAL NAVY

#### Parish Ministry on a Global Scale

2017 was designated by the MoD as 'the Year of the Navy' to mark what was described by Sir Michael Fallon as "the start of a new era of maritime power, projecting Britain's influence globally and delivering security at home."

The publication of the National Shipbuilding Strategy set out a path to a more competitive industrial sector that would help bring about a more effective and influential Navy in the years ahead and the arrival of a new generation of ships, submarines and aircraft is visible proof that this new era is underway.

Significant milestones during the Year of the Navy were:

- In the summer steel was cut on the Clyde for the first of the Type 26 Frigate, to be named HMS Glasgow.
- The Royal Fleet Auxiliary took delivery of the first of four Tide-class tankers, RFA Tidespring.
- The first of the Navy's five next-generation patrol ships, HMS Forth, began her sea trials.
- The fourth Astute Class submarine entered the water for her commissioning phase in spring.
- The opening of the first permanent Royal Navy base east of Suez in nearly half a century.

However, the single most important element of the Naval Service remains our sailors and marines, and those who support them. These young men and women are bright, motivated and incredibly proud to serve. During the first quarter of 2017, one third of the Royal Navy's front-line strength were on global operations.

This human activity was best demonstrated by our efforts to assist the hurricane-ravaged communities in the Caribbean last autumn. RFA Mounts Bay was already in the region and could respond from the outset. She was quickly joined by the Lead Commando Group from the Royal Marines and later by HMS Ocean, which brought bulk supplies and several helicopters. This effort was conducted in partnership with the RAF and Army, and supported throughout by reservists and civil servants. Few nations have the ability to project forces across an ocean with the same speed, scale and sophistication. The Royal Navy did so while continuing to deliver the round-the-clock Nuclear Deterrent, monitoring Russian warships operating close to our shores, leading NATO task groups in the Mediterranean and fulfilling a myriad of other commitments at home and around the world.

Looking ahead, 2018 will be a year of expanding maritime horizons for the Royal Navy, taking the UK's message of partnership and prosperity across the world, including major deployments to the Arctic, Gulf and Asia-Pacific. We are working our way through shortfalls in equipment availability and manpower, not least in the Chaplaincy Department, but our long-term future is secure.

This is what the Royal Navy does each day of the year, but where do the Chaplains fit into this?

During last summer, the chaplaincy team at HM Naval Base Clyde held a team-building day. The team explored a model of contemporary military chaplaincy entitled The Padre's Pyramid, which was offered for consideration by Rev Dr Mark Davidson RN who led the day. While it is by no means a static model, it provides a framework with which those we engage with, both within the Service and without, are able to begin to answer the above question of what chaplains in the Royal Navy do and it is hoped that over the next year it will be refined as it is reflected on theologically and critically.

The elements of the Padres' Pyramid is outlined below.



### **Capability Development**

This is the foundation on which the Padres' Pyramid is built. It is about clergy self-care, without which ministry would be unbalanced.

### **Defence Engagement**

Defence engagement by the Royal Navy around the globe is understood as 'soft power'. Chaplains enable the Service to link in with local communities wherever it finds itself through relations with local clergy, faith leaders and congregations. Chaplains can directly mediate between the military and the wider civilian context and facilitate the building of relationships and trust. This was clearly demonstrated during the conflict in Afghanistan.

### **Morale and Unit Cohesion**

This covers the enhancement, development and maintenance of authentic community, whether the Chaplain serves ashore or afloat. Here, the different personalities of Chaplains will have different effects, but each is valued, whether the Chaplain is regarded as the 'party padre' or is a quiet, observing presence. It's about being where our people are that we might know them and offer tailored pastoral support.

### **Pastoral Care**

This encompasses a wide variety of areas and issues and is carried out in conjunction with other caring agencies within the Royal Navy. It can range from dealing with those who are bereaved or suffering grief and loss for some reason, to supporting those recovering with mental health issues, crisis intervention, supporting veterans and informing next of kin of death or injury. Chaplaincy in many cases are first to respond, achieved through the availability of a Duty Chaplain in each naval establishment, 24/7.

### **Moral Development (M Dev)**

In today's world, Service Personnel are to be ethically and morally intelligent and astute. While ethics and morals do not belong solely to chaplaincy - we are not morality police, Chaplains are key in supporting the Unit Command as they strive to achieve this. This ordinarily occurs at individual, unit and strategic levels through one-to-one discussion, developing tailored responses to local situations, offering advice to Command upon request, delivering the Royal Navy's Beliefs and Values (BVRN) package (C2DRIL - Courage, Commitment, Discipline, Respect, Integrity and Loyalty) and engagement with the Naval Service Ethics Programme. Here, chaplaincy acts as the 'critical friend'.

### **Spiritual Development (Sp Dev)**

This encompasses traditional practices associated with ordained ministers, and include leading of prayer, services of worship, weddings and blessings, baptisms and funerals but it is also critically about helping unchurched or spiritually curious personnel and their families to encounter or explore faith, belief and belonging.

We have a Service that is routinely forward deployed and as such Royal Navy Chaplains are supporting the men and women of the Naval service all over the globe. At any one time 70% of the Royal Navy is at sea. The Royal Navy places

much value on the spiritual and moral welfare of its people and highly values the Chaplains who are at the forefront of that delivery.

The Royal Navy Chaplains from the Church of Scotland have been engaged across a wide spectrum of ministries across the Fleet. Both Regular and Reserve Chaplains have been deployed to frontline units where their ministry has been greatly valued, whilst others have faced the varied challenges of working within diverse shore side establishments; teaching, caring and seeking to bear witness to the love of God in Christ to all in their charge.

## ROYAL NAVY CHAPLAINS

### Rev Dr Scott Shackleton RN

The Rev Dr Scott Shackleton spent the first half of the year as the Principal of the Armed Forces Chaplaincy Centre, Amport House, which is the tri service chaplaincy and pastoral skills theological college within the wider Defence Academy. It was a busy year with some 9,000 students (both chaplains, service personnel and families) undertaking short courses taught by the college staff and SME's. The pressure on the college was intense due to the announced proposed closure of the college by 2020 and the privatisation of three quarters of the staff from civil service posts into the private sector. Funding of the college and its re-provisioning against the maintenance of its teaching syllabus occupied much of his time alongside supporting a brilliant staff going through difficult times professionally. Credit is due to them all for improving the quality of the teaching, the innovation of new courses more relevant to faith within today's military community and continued high standards of hospitality being shown as a residential college. In the second half of the year Dr Shackleton was promoted to become the Deputy Chaplain of the Fleet where he is responsible for the overall capability of the Naval Chaplaincy Service on behalf of the Chaplain of the Fleet. This post is based at the Naval Command HQ, Portsmouth. Academically, Dr Shackleton was made a Visiting Professor of Ethics with Bath Spa University due to his on-going work within military ethics and within the wider public sector. He continues in his role with the University of Exeter as an Honorary Fellow within the Divinity Department where he is working on Bonhoeffer's ethics and the secular context.

### Rev Mark F Dalton RN

Rev Mark Dalton has served this past year at HM Naval Base Clyde where he enjoys providing pastoral care to the personnel of the Base. He is due to take up a new appointment later in the year.

### Rev Dr Mark Davidson RN

Rev Dr Mark Davidson joined the chaplaincy team at HM Naval Base Clyde last year as a chaplain to the Faslane Flotilla. He has deployed on patrol in support of the country's nuclear Continuous at Sea Deterrent with a Trident Class submarine and is looking forward to his next challenge.

## ROYAL NAVAL RESERVE CHAPLAINS

### Rev Jamie Milliken RNR

Rev Jamie Milliken is enjoying being 'bish' at HMS DALRIADA, Glasgow where he attends on a weekly basis.

In February this year, he spent time at the Commando Training Centre (CTC) at Lymington in Devon on a general acquaint to gain an understanding of the Royal Marine Corps, Commando Training and the structure of and role of specializations within the Royal Marines.

The acquaint covered Chaplaincy to Phase 1 Recruits, visiting and observing those undertaking field-craft training, delivery of the RM Ethics package and in conversation with the Corps tutor its updating and the way it's delivered to Command Courses, involvement in delivery of worship to recruits and staff. All this while working as an integral part of an ecumenical and multi-disciplinary ministry team. Jamie found his time with the Royal Marines highly rewarding and gave a helpful insight into another part of the Naval Service.

**Rev Dr Marjory McLean** retired from the RNR last year. Her contribution to the Naval Chaplaincy Service will be greatly missed and we wish her well in all that she does in the future.

If you sense that you might be being called to ministry in the Royal Naval Chaplaincy Service or are called, either full time or in the Royal Naval Reserve, then the first stage on your journey is to contact the Chaplaincy Recruiter. Contact details are:

Email: **NAVYCNR-CHAPLAIN@MOD.UK**

Tel: 023 9262 5552

Mob: 07818 520705

Web: [www.royalnavy.mod.uk/careers](http://www.royalnavy.mod.uk/careers)

## Appendix 2

### CHAPLAINCY IN THE ARMY

2017 has been another busy year for Chaplains both serving within Scotland and as ministers of the Church of Scotland (CS). Within 51 Brigade the Deputy Assistant Chaplain General (DACG) was deployed to South Sudan to work with the United Nations from early February to July 2017, with the Rev Stephen Blakey (CS) providing Rear Ops support in his absence. The Rev Mike Goodison (CS), chaplain to the Royal Scots Dragoon Guards (SCOTS DG), based in Leuchars, Fife, also deployed to Cyprus to serve with the United Nations on Op TOSCA from October 17 for six months, with Rear Ops supported by the Rev Danny Connolly (CS), and in January 2018 the Rev Stewart MacKay (CS) deployed with elements of 3 SCOTs to Iraq on Op SHADER. Rear Ops support for Fort George is being overseen by the Rev Seoras Mackenzie (CS), serving in Kinloss. This represents a deployment figure of 50% of the six Regular chaplain's serving in Scotland either involved in pre-deployment training or deploying during the year.

2017 was also busy with the news of future changes to the military infrastructure within Scotland with the announcement of the closures of Fort George, home to 3 SCOTs, in 2032; Forthside, Stirling, home to 51 Brigade and Headquarters Scotland, in 2021; Craigiehall, formerly 2nd Division and Headquarters Scotland, in summer 2018 and Redford Barracks in 2022. There was also the surprise announcement that Glencorse Barracks, Penicuik, home to 2 SCOTs, is forecast to close in 2032. Leuchars Station, formerly RAF Leuchars, and now the home to the SCOTS DG, 2 Battalion REME and 110 Provost Company, Royal Military Police, will become the hub and focus for the army within Scotland as more units move to the Kingdom of Fife. So the footprint of the army continues to change in light of Army 2020.

Part of the army's new operational focus has been to re-engage with the United Nations both in support of various missions around the world whilst also acting in the capacity

of an exemplar nation. This has involved new missions with struggling nations like South Sudan.

South Sudan is the youngest country in the world and one of the most conflicted. Following thirty-five years of armed conflict with its Northern neighbour South Sudan was eventually birthed on the 11th April 2011, concluding six years implementing the Comprehensive Peace Agreement (CPA) brokered by the Troika<sup>1</sup> and the Intergovernmental Authority on Development (IGAD)<sup>2</sup>. However, from the outset a combination of factors have ensured that the founding of this new state has been a rocky one and since December 2013, 50,000 people have been killed and 3.5 million people have been displaced internally, from a population of just 11,562,695 (July 2014 estimate). A further 480,000 have fled to neighbouring countries and it has become the world's fastest growing refugee crises.<sup>3</sup> With no clear end to the brutal civil war in sight, February 2017 saw even more tragedy when in February of that year the UN announced that the country was also experiencing a famine affecting 100,000 people, with another one million on the brink of starvation. The whole situation has resulted in the worse cross border refugee crises since the 1994 Rwandan Genocide.

Initially, the Rev Cole Maynard, DACG, deployed with a force of just over sixty personnel as part of an Engineering Task Force with the headquarters coming from 21 Engineers, Ripon; the sappers from 39 Engineers, Kinloss and 71 Engineers, a Scottish Reserve regiment, with the force protection element being supplied by 2 RIFLES based in Northern Ireland. From their arrival the main focus was on building Malakal Engineering Group (MEG) as the hub for the operation (Op TRENTON) so that from this Forward Operating Base (FOB) the taskforce could launch into Bentiu and establish the Bentiu Engineering Group (BEG) and the Role 2 hospital for the UN staff. Malakal POC (Protection of Civilians) camp housed around 35,000 refugees whilst Bentiu POC housed over 80,000. As part of TRENTON 2, February – July 17, the main task was to build the two British camps in both locations and the temporary hospital in Bentiu so that future deployments of British Engineers could improve both the UN infrastructure and then move out of the camps helping with wider engineering tasks. It was a very interesting deployment, harrowing at times and at the end of Cole's tour the Rev Nicola Frail (CS) deployed with 32 Engineers to continue with the mission. She presents the following short report to the Assembly:



*'In July 2017, I deployed on Op TRENTON as chaplain to the UK Engineering Task Force that forms part of the United Nations Mission in South Sudan. For the past six months, I have been providing pastoral care to personnel as they undertake site work for a new hospital, repair culverts, and engage in other infrastructure improvements that it is hoped will better enable others to bring humanitarian assistance to the point of need.*

*The needs are unquestionably great in a country that has seen over 3.5 million people displaced from their homes since December 2013. Some live in United Nations protected camps. Two of these are in Malakal and Bentiu, where a majority of the UK Task Force is located. Working in an environment in which there is a jarring contrast between the relative comfort enjoyed by visiting nations and the neighbouring world of monthly food distribution to the local population has sparked many a conversation.*

*Working collaboratively with people from other countries is part and parcel of life here and I have been privileged to preach at a Rwandan church service, to bring a word of encouragement to local women at a prayer meeting for peace and to take part in the Ghanaian contingent's festival of lessons and carols. In so doing, I have experienced a sense of solidarity with Christians from other traditions and nations as we pray for lasting peace and prosperity in the world's youngest country.'*

**Rev Nicola Frail CF (CS)**

The Rev Stephen Blakey is approaching his retirement as an Army Chaplain since commissioning in 1977 as a Regular before a return back to the parish and continuing his commission within the Army Reserves. He is currently the longest serving chaplain in the British Army:

*'It was a great privilege in September 2017 when the Chaplain General, Revd Dr David Coulter CB QHC CF, came to Duns to preach on the 40th Anniversary of my Ordination and Commissioning as Minister and Army Chaplain. He opened his sermon by quoting from a reference the Rector of Madras College, St Andrews, had written in support of my application to join the Royal Army Chaplains Department in 1977. No one could have imagined that the journey which started back then would only now be drawing to a close.*

*Every chaplain has their story to tell. My own journey has taken me round the world in peace and on operations with five of our*

*historic Scottish Infantry Regiments as a Regular Chaplain, followed by over 20 years as a Reservist, Officiating and Cadet Chaplain. I have been honoured by the opportunity military chaplaincy has provided to me to minister to the men and women of our nation who have accepted the call to serve their Queen and country as soldiers of the Crown.*

*Service Chaplaincy provides a very special form of ministry, which allows clergy of the Kirk to draw close to those in uniform. There is a powerful incarnational dynamic of putting on the uniform. The minister becomes 'one of us' because he dresses like us, goes to the places we go to, eats the same food, endures similar discomforts and faces the same dangers.*

*The Kirk is the church for the people of Scotland, called by God to take the fullness of the Gospel to every corner of our nation. An important section of that nation is our military community - Regular, Reserve and Cadet, serving personnel and veterans, and their dependents - and I have enjoyed being allowed to be part of the team of chaplains who minister to these men and women.'*

**Rev Stephen Blakey CF (CS)**

So as the above report details Church of Scotland ministers remain busy about the Lord's business around the world whilst also remaining continually grateful for the support and the prayers of the General Assembly of the Church of Scotland.

List of Regular & Reserve army chaplains:

Rev Dr David Coulter, Chaplain-General, MOD Andover  
 Rev Dr James Francis, Staff Chaplain, MOD Andover  
 Rev Duncan Macpherson, Army Personnel Centre, Glasgow  
 Rev Michael Goodison, Leuchars Station, St Andrews  
 Rev Geoff Berry, Topcliffe Barracks, Thirsk  
 Rev Nicola Frail, Marne Barracks, Catterick  
 Rev Seoras Mackenzie, Kinloss Barracks, Forres  
 Rev Philip Patterson, Carver Barracks, Wimbish  
 Rev Richard Begg, Kiwi Barracks, Bulford  
 Rev Stewart Mackay, Fort George, Inverness  
 Rev Paul van Sittert, Boulton Barracks, Catterick  
 Rev Alan Cobain, Battlesbury Barracks, Warminster  
 Rev Neil McLay, New Normandy Barracks, Aldershot  
 Rev Hector MacKenzie, Berechurch Hall Camp, Colchester  
 Rev Christopher Kellock, Royal Memorial Chapel, Camberley  
 Rev David Thom, Princess Royal Barracks, Deepcut

Rev David Anderson, Ward Barracks, Salisbury  
Rev Daniel Connolly, Army Reserve  
Rev Christopher Rowe, Army Reserve  
Rev Rory MacLeod, Army Reserve  
Rev Louis Kinsey, Army Reserve  
Rev Stephen Blakey, Army Reserve

**Footnotes:** <sup>1</sup> Britain, America and Denmark. <sup>2</sup> See Hilde Johnson, *'South Sudan- the Untold Story'* (2016) Tauris. Johnson was the former Special Representative of the Secretary General (SRSG). <sup>3</sup> Uganda hosts 800,000 refugees. The Bidi Bidi Refugee Camp opened in August 2016 and by December had 260,000 refugees. It now has 270,000 and is the world's largest refugee camp. <sup>4</sup> The Indian army and Engineers all serve for twelve months.

### Appendix 3

#### CHAPLAINCY IN THE ROYAL AIR FORCE

The past 12 months were described as “business as usual” for the Royal Air Force by Air Chief Marshall Sir Steven Hillier when he offered thanks to the Royal Air Force (RAF) whole force community in December 2017. However, delivering offensive airpower on operations against Daesh in Iraq and Syria, defending the skies over the United Kingdom, the Falklands Islands and our NATO allies, distributing short notice humanitarian disaster relief and demonstrating Britain's defensive capabilities by participating training exercises across the globe are the ‘usual’ he was referring to.

The Royal Air Force has a hard earned a reputation for delivering air and space power, and doing it well. This means that they continue to be trusted to deliver on operations safely and with financial prudence. The investment made in the RAF in the Strategic Defence and Security Review 2015 is now starting to bear fruit enabling them to initiate growth. Preparations for the P-8A Poseidon Maritime Patrol aircraft to be based at RAF Lossiemouth are well underway. This will add to the RAF's intelligence, surveillance, target acquisition, and reconnaissance (ISTAR) assets. The RAF is a world leader in ISTAR capability and is in constant demand.

In December 2017 the UK Reaper Force reached 10 years on coalition combat operations, during which it has flown over 100,000 hours. These aircraft operate alongside the Typhoon

Squadrons from RAF Lossiemouth and Coningsby and Tornado Squadrons from RAF Marham and were integral to the defeat of Daesh in Iraq. Also the announcement that the new Lightning II Sqn will be badged as 617 and based at RAF Marham and a joint RAF Qatari Typhoon Sqn will be badged as 12 Sqn and based at RAF Coningsby.

The RAF's heavy lift fleet, based at Brize Norton proved their worth again in 2017 when their C17, Voyager and A400M aircraft carried personnel, supplies and equipment to Islands in the Caribbean following the devastation caused by Hurricanes Irma and Maria. Royal Marines, engineers and specialist personnel from all three Services along with medical supplies and aid including emergency shelter kits, rations and clean water were flown out. At its height, over 2000 military personnel participated in this operation, over 400 of which were RAF Regulars and Reservists. This humanitarian operation showed how effective our forces are when they work together with a Tri-Service approach. Wing Commander Gareth Burdett who served on that operation said; “For many of us it was the proudest job we've ever done.”

This year, 2018, the RAF celebrates its centenary. This provides an opportunity to commemorate past successes, celebrate who we are and what we do today, and look forward to the future by inspiring younger generations' successes. As they embark on a second century their aim is to be better prepared to continue to deliver at the highest levels with great success.

Church of Scotland chaplains to the Royal Air Force are vital servants to the people who make up the RAF community. The Chaplain-in-Chief maintains his intent that they be inspired and equipped to serve the whole RAF community through Prayer, Presence and Proclamation. Whilst retaining spiritual and denominational integrity this calling demands an openness to offer spiritual and pastoral support to the whole community irrespective of rank, race, sex, sexual orientation, or religious beliefs and understandings.

RAF chaplains express their ministry both in the UK and overseas to help meet the needs of those facing a changing operational and organisational environment. A key part of this objective is to ‘strengthen community resilience’.



This can come at a personal cost, physically, spiritually and mentally as the RAF seeks to serve the growing demands placed upon it.

The Chaplain in Chief's objective to: Deliver Integrated, Commissioned World Faith Chaplaincy saw fruition this year with the first Sikh commissioned chaplain being attested in the autumn.

Recruitment of Church of Scotland chaplains remains a concern with the number regular Royal Air Force Chaplains at an all-time low of two. However, we are pleased that Rev (Wg Cdr) Gordon Craig has taken up the opportunity to become a RAF Reservist chaplain.

The convenor would gladly welcome any enquiries or notes of interest.

Individual chaplains

*Rev Sheila Munro*

*Sheila has completed another tour at RAF Lossiemouth as part of a team of 4 chaplains. She has been essential to the delivery of pastoral and spiritual support. In January 2018 she was detached for three months to RAF Wyton in Cambridgeshire and will be permanently posted to that station in due course. This will be a digital post where she will have sole responsibility for chaplaincy to the community.*

### **Rev Craig Lancaster**

*Craig finished his time at RAF Brize Norton this year and is currently deployed on his third operational tour ministering to personnel based at headquarters throughout the Middle East. On his return he will begin ministry at another RAF Station (however, at time of writing, that location is not yet known). Craig continues to be immensely grateful for the support and prayers of the Kirk and remains keenly aware of the enormous privilege of being able to share the Gospel hope among the family of the Royal Air Force.*

*Rev Philip Wilson (Presbyterian Church in Ireland)*

*Philip is into his fifth year of RAF Chaplaincy, and has been based at RAF Waddington in Lincolnshire since May 2016. This is*

*the home of the Intelligence Surveillance, Targeting and Reconnaissance Force, with a squadron of Remotely Piloted Air System aircraft which are permanently involved in the campaign in Iraq and Syria. As such he is well placed to minister to those who serve at the cutting edge of technological warfare*



## REPORT OF THE SOCIAL CARE COUNCIL MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Note the progress made on recommendations from the Business Strategy Group in a number of areas, including the work done to widely review the Central Services function both as it relates to the National Church Office, and as it relates to being fit to meet the key challenges recognised to be part of future sustainability for CrossReach specifically.
3. Endorse the work being done by CrossReach, The Council of Assembly and The Pension Trustees to support discussion around the historical pension deficit position and encourage continued exploration of all avenues for mitigation.
4. Acknowledge the efforts being made by the Employee Representative Group and Corporate Management Team to address issues of low pay, living wage and salary pressure points, which remain difficult to fully resolve due to the complexities of the internal and external funding environment.
5. Acknowledge and record appreciation for the significant contribution which volunteers and supporters make to the work of CrossReach through sharing their time, talents and resources and recognise the added value which is provided by means of that support to the people who use CrossReach services.
6. Endorse the initiatives set up through the Social Care Mission Officer and welcome continued support for local church initiatives through the Social Care Forum and Learning Networks.
7. Welcome the initiative taken by the Presbytery of Lewis as a model of Regional support for CrossReach, and encourage all Presbyteries to adopt this approach over the next year.
8. Celebrate the contribution made to society by young people across Scotland and, in the Year of Young People, commit as a Church to doing all we can now and in the future to raise awareness of and counteract the stigma which prevents young people in disadvantaged circumstances reaching their full potential.
9. Recognise that 2019 provides an opportunity for the whole Church to acknowledge and celebrate its rich heritage of social caring over the past 150 years and encourage the Church at national, regional and local level to join with the Social Care Council in raising awareness of the work that is done, both formally and informally, to care for communities, through the work of the Church, throughout Scotland and beyond.
10. Acknowledge and celebrate the sections on performance, and pay tribute to the dedication and commitment of all staff at every level of the organisation who have made this possible.

## Report

### 1. REMIT

**1.1** The remit of the Social Care Council (operating as CrossReach) from the General Assembly is as follows:

- 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 Government and the like;
- to conduct an annual review of progress made in discharging the remit and provide an annual 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.

### 2. PART 1- INTRODUCTION: A TIME OF REFLECTION AND ACTION

**2.1** Throughout 2017, the Social Care sector has been a topical feature of news and current affairs programmes both in Scotland and throughout the UK.

**2.1.1** On one hand, the need for high quality care seems to be ever more pressing, developing in line with the needs of a growing population of older people who rightly aspire to live as independently and fully as possible, and are able to do so when the right support is in place. On the other hand, the ability to continue to fund this has become one of the major challenges of current times with many providers simply unable to continue to survive. This in turn affects not just services to older people, but many others including those experiencing a mental health problem, those who are homeless or at risk of becoming so, and those with a disability who also need the care and support of others so that they might thrive.

**2.1.2** Within the 2016 Coalition of Care and Support Providers in Scotland Business Resilience Survey, 60% of respondents answered yes to the question 'have you abstained from or withdrawn from a procurement process in the past year?', and nearly 20% of respondents noted that they had withdrawn from current contracts because they were no longer financially viable. Most notably, Bield's decision to close all 12 of its own care homes at the end of 2017 led to evidence being taken by the Scottish Parliament Health & Sport Committee on Care Home sustainability in December 2017 to look at the wider ramifications for the sector, and led to a call to assess the real cost of care.

**2.1.3** In 2017 the Scottish Council for Voluntary Organisations report on The Future of Social Care in Scotland stated that responsive, high-quality social care is a crucial tool in conquering societal ills such as loneliness, isolation and the disability employment gap. A positive step would be to think of social care in terms of rights and entitlements, with the overriding purpose of enabling people to live fulfilling, independent lives, rather than merely 'looking after people'.

**2.1.4** It is within this context that the Social Care Council reports on the work of CrossReach over the past year. It will provide an update on the progress made towards ensuring that the Church, through CrossReach, remains able to continue to fulfil an important and longstanding aspect of its mission by providing services to those who turn to it for support, particularly compelling at a time when the public sector is severely stretched. It will also give an opportunity to acknowledge the achievements of the remarkable individuals whose lives have become transformed by their own experience of the Church's care for them and of the committed staff whose dedication makes that possible.

### 2.2 Immediate Actions from Business Strategy Group recommendations

**2.2.1** In 2017 the General Assembly was asked to note the strategic direction of travel for CrossReach, and the past year has been one of both action and further reflection to determine a clear way forward.

**2.2.2** It was with regret that the Social Care Council reported last year that the Business Strategy Group had taken the decision to divest of three services to older people, and a fourth was at that time under consideration and has followed. Significant effort however has since been directed

at reaching as good an outcome as possible for all of those affected and to ensuring as smooth a transition as possible. Throughout the process all steps were taken to ensure residents had been found suitable alternative support with other organisations. In most instances the staff teams were also offered an opportunity for employment with those organisations which has had a twofold benefit of ensuring continuity of care and reducing redundancies. CrossReach is indebted to the support of the Health and Social Care Partnerships and other Care Providers which has made this possible.

**2.2.3** The change in the recruitment policy, brought to Assembly last year, was effected in July 2017 and has been implemented successfully, helping to overcome the challenge for proportionality in applying a Genuine Occupational Requirement and opening up a wider opportunity for those wishing to pursue a career in care with CrossReach.

**2.2.4** Information Technology was highlighted by the Business Strategy Group as an important aspect of future sustainability and, in June, the Social Care Council approved an Information Technology strategy. The purpose of that strategy is twofold. It will support business processing, automating some of the processes and functions and driving efficiencies, but will also allow for new innovation in taking services through digital means to the front line and changing the way in which some people receive information and support as appropriate to their needs. One of the areas currently under development is the use of phablets which will give service users an opportunity to engage with support in a different way. A new website is also being developed, which amongst other benefits will automate much of the recruitment process.

**2.2.5** Although the Business Strategy Group endorsed the strategies of each of the Operational Areas (Children and Family Services, Adult Care and Services to Older People) it left the review of the Central Support Services function to be considered during the course of 2017 so that it could be aligned to the future direction of the operational areas and able to support the key business challenges.

### **3. ACCOMMODATION AND SHARED SERVICE REVIEW**

**3.1** In May 2017 the General Assembly made a decision to review the accommodation of the National Church Offices

with a view to making appropriate provision for the future. Following that decision the Social Care Council was asked to consider whether it would be beneficial for the National Church and CrossReach Central Offices to co-locate in order to capitalise on the potential benefits a new space might bring in terms of efficiency and shared working solutions. It therefore felt important to give that careful consideration before making any further recommendations about CrossReach's own central service functions.

**3.2** The ensuing review was open, thorough and considered a number of factors. It was acknowledged that good practice already exists in some areas, including access to legal advice through the Church of Scotland Law Department and Safeguarding where a service level agreement exists between CrossReach and the National Offices. The latter avoids the need for CrossReach to maintain its own safeguarding service and allows for consistent application of safeguarding advice across the Church.

**3.3** During the course of the review however it became clear that, whilst there was a desire to assimilate some functions, there were also a number of barriers to implementing a formal shared service across the administrative offices of CrossReach and the National Church.

**3.4** The Social Care Council and Council of Assembly reluctantly concluded that due to these factors the option of a formal sharing of accommodation or administrative function was untenable. They remain committed however to the spirit of collaborative working so that good practice and a further understanding of shared areas of interest could be explored. Further work will take place to identify areas where there might be a case for future service level agreements or other such arrangements across the National Church Offices and CrossReach Central Office Functions.

## **4. CROSSREACH CENTRAL SERVICES**

**4.1** That review having concluded, the Social Care Council turned its attention to CrossReach's own Central Support Services and brought together a small group of senior officers together with a group of Council Members with specific private and public sector skills to work to the following remit:

**4.2** *This group should consider the nature of a 'fit for purpose' support service function to help deliver a sustainable organisation for the future. It should provide an analysis of the real cost of providing this service, and outline any potential seen to mitigate the future fluctuations in income from operational services. Consideration should be given to the cost of serving the governance needs of the wider Church, accommodation requirements, different options for funding, and any potential for shared processes or functions with the national church offices which might yield efficiencies but would not necessitate a full shared service solution. Thought should also be given to whether different use of the trading company might form part of any future solution.*

**4.3 The areas within scope for consideration were:**

- Human Resources and Organisational Development/ People Development
- Finance and Estates
- Information Technology
- Business Development and Supporter Development
- Operational Directors and Heads of Service

**4.3.1** During the course of this review a number of key challenges for success were identified and it was agreed that any recommendations made around the support functions should be aligned with these priorities. The key challenges identified were:

- Recruitment and Retention- vital at a time when the sector is experiencing this as a significant challenge.
- Asset Management- ensuring the buildings remain of appropriate quality to support service provision.
- Digital Technology- technological solutions for process/ reporting tasks, meetings and direct support will be increasingly important.
- Income- maintaining, increasing and diversifying income is crucial as traditional funding streams are squeezed
- Operational Strategies-maintaining, developing and growing services so that people who are in need of support continue to be able to get that from the Church. Need to ensure quality remains at heart.

**4.3.2** The pension deficit and living wage discussions, whilst key challenges for CrossReach, were not identified as

areas which could be immediately impacted by this review and are set aside for comment later in this report.

**4.3.3** The focus on fit for future purpose was a helpful one and allowed for good exploration of the tensions of managing a complex and diverse social care organisation. As one of the biggest voluntary social care organisations in Scotland, simply servicing the geographical spread and ensuring the services do not feel isolated but well supported and connected can be a challenge in itself. The diverse nature of the service provision, covering a number of specialisms and offering support from pre-birth to end of life adds another layer of complexity as each type of service carries significant regulatory and legislative requirements. Staff members also have different training needs depending on the type of service offered.

**4.3.4** The review was conducted over a number of weeks and twenty two recommendations around structure, function, funding, and reporting cycles were made. These were then subject to wider discussion with the Corporate and Senior Management teams to ensure they would meet the business priorities and further refined before being agreed by the Social Care Council at their February meeting. The review highlighted several areas for further exploration in a move towards greater efficiency and these will be progressed over the next year.

**4.4 Business Development**

**4.4.1** One of the areas which came under scrutiny during the review was the Business Development Department. The strength of this department in supporting the operational teams through commissioning processes was highlighted as an area of good practice as was the work done by the Supporter Relations Team in diversifying income streams.

**4.4.2** The Senior Management Team identified a number of areas which they believed would further support them to be able to deliver services which were both well evidenced and able to meet the needs identified in communities across Scotland. The importance of clear communication and an ability to reach out to people through a number of different mediums was identified as an area of development, along with support to understand new models of enterprise which would help determine future delivery models.

**4.4.3** As a result the team are taking time to work through the comments made and assess how they can best use the

resources at their disposal to align themselves with the operational areas and help them to meet their strategic goals.

**4.4.4** Although it has been an intense period of review over the past 18 months it is believed that the actions being taken will continue to support the sustainability of CrossReach into the future. However there do remain a number of risks:

## **4.5 Pensions**

**4.5.1** The Social Care Council reported to the Assembly last year on the challenge to sustainability posed by the need to meet the past pension deficit repair payments, in respect of the Church of Scotland Pension Scheme, annually amounting to £1.025 million. They highlighted the need for an urgent strategy to address the matter and wish to record their appreciation to the Council of Assembly and the Pension Trustees for their support in engaging in ongoing discussion. A smaller number of staff are covered by the Local Authority pension scheme and an additional levy is applied to cover historical pension deficits applying to that scheme also.

## **4.6 Living Wage and Salary Pressures**

**4.6.1** The future commitments of both the Scottish Government and UK Government towards paying a living wage were outlined in the Social Care Council report in 2017. At that time the Council asked the General Assembly to note with sadness the inability to pay Scottish Living Wage to all staff, principally due to the lack of Government funding to support full implementation which would include the cost of maintaining differentials. It was noted too that these differentials had already been eroded.

**4.6.2** The situation remains the same at the start of 2018. The Scottish Government have continued to make available the funding to ensure that all front line care and support staff in services for adults and older people is available to pay Scottish Living Wage, and the Social Care Council has extended this to frontline staff in the Children and Family Services where funding has only partly been made available by some Health and Social Care Partnerships. Confirmation of the arrangements of how any additional funding will be available to support the next phase of Scottish Living Wage increments in line with the Scottish Government's strategy is currently awaited.

**4.6.3** Representations around funding for the Scottish Living Wage are supported in collaboration with partner organisations within the Coalition of Care and Support

Providers in Scotland. One of the areas currently under discussion is funding for a sleepover rate which would see Scottish Living Wage provided for every hour of sleepover. If not appropriately funded this will present a further challenge for CrossReach, as for other providers, both in terms of the immediate impact on budget and the knock-on effects for other roles. The National Care Home Contract, which directs the funding in our residential services to older people, is also currently under review with work taking place to ensure that all costs are appropriately captured, and that the provision for Living Wage to frontline staff continues to be reflected in that contract.

**4.6.4** A number of actions have also been taken to address current salary pressure points, and discussions remain in progress with the Staff Representative Group around a cost of living rise for staff not recognised. The Social Care Council recognises that retaining a high quality staff group is central to its mission, recognising that the work they do is of high value. It very much regrets that funding is not available to make a universal pay award to all of its staff this year, but asks the Assembly to recognise the efforts which are being made to address staff remuneration, which will see all staff being recognised.

**4.6.5** Despite the uncertainties of funding and competing pressures, the Social Care Council remains committed to addressing low pay and is making every effort to direct its limited resources to this end, recognising that failure to address the issue long term will impact heavily on sustainability. It wishes to record appreciation for the ongoing support of the Council of Assembly which continue to make some funds available through the Mission and Renewal allocation to support this and to the dedication of the staff who continue to deliver high quality services.

## **4.7 Supporter Relations**

**4.7.1** The support of the Church is much valued by the Social Care Council as is the support shown by other different groups and individuals who partner the work of CrossReach in many different ways.

**4.7.2** In the deliverances to General Assembly last May, reference was made to the Council having invested in a Supporter Development Section with a remit to maximise income generation and achieve set targets over the period of a three year strategy. 2017 marked the first full year of implementation of this strategy and it is pleasing to report a



good measure of success. In the twelve months to end December 2017, voluntary income increased four-fold. CrossReach wishes to record its gratitude to the individuals, churches, Guilds, trusts and companies which have made this result possible.

**4.7.3** The Social Care Council also asked members of the Church of Scotland to regard CrossReach as their 'go-to' charity for supporting those facing challenging circumstances all across Scotland. In 2017, CrossReach welcomed gifts from 30 predominantly Church of Scotland churches, taking the total number of financially-supporting congregations to 99. There are dedicated CrossReach Congregational Supporters in many more.

**4.7.4** The support for CrossReach's participation in the Forth Bridge Abseil, notably from 'The Three Formers' was in itself remarkable, and once more the Council would want to record its thanks for the £30,000 of donations, and the great spirit in which it was undertaken.

## **4.8 Grey Cakes**

**4.8.1** CrossReach's Grey Cake initiative, launched at the General Assembly last year, got off to a flying start with the Princess Royal helping to launch the campaign to raise awareness of mental health issues and funds for CrossReach's services which support positive mental health.

**4.8.2** Church of Scotland congregations enthusiastically took up the campaign and during the rest of the year reports of successful Grey Cake bakes and pledges to hold a sale were received from up and down the country – Ardrossan, Lenzie, Cramond, Carnoustie, Tranent and Ullapool, to name but a few.

**4.8.3** Many CrossReach services and support offices organised Grey Cake Bakes and involved staff, service users and Friends' Groups. One Mum, who was involved in a Grey cake bake and decoration session at the Daisy Chain service in Govanhill remarked that *"it was a great experience. I think we have to do that every week."*

**4.8.4** Breaking down the stigma of a mental health challenge is still very much a live issue and it is hoped that this provides a way to encourage people to share their own experiences and talk about this complex issue whilst joining in a Grey Cake bake <http://www.crossreach.org.uk/crossreach-grey-cakes>.

## **4.9 Volunteering**

**4.9.1** Supporters come in many different forms and the Council is indebted not just to those who give financially to CrossReach but also to those who give so generously of their time and talents. Much work has been done over the past year by our volunteer co-ordinator in collaboration with colleagues from the Human Resources department to develop a comprehensive volunteer strategy which will help ensure the right policies, procedures and safeguards are in place to attract and support volunteers.

**4.9.2** To date a number of distinct categories of volunteers have been identified, covering those who deliver services on the front line, to volunteer speakers who play an ambassadorial role for CrossReach. The comprehensive strategy covers areas like training, expenses, safer recruitment and supervision, and a specific volunteer toolkit has been developed for managers. Each service in CrossReach has also developed volunteer role descriptions to help people match their own skills and experience with the needs of any particular service and client group. There is a clear pathway to recruiting volunteers and a way of ensuring consistency in treatment as well as supporting them to make the most of the opportunities offered within CrossReach and beyond.

**4.9.3** Volunteering also provides an opportunity for some of the people who have used CrossReach services in the past to gain new skills and confidence, help others who may be in similar situations to the one they themselves have been in, and potentially provide a route into work. The feedback from volunteers about their experience is positive:-

*"...I enjoy my voluntary role at Daisy Chain. The project is about children and parents... I think volunteering is fun. I like playing with the children and talking to the parents."* Pauline

*"It's local to me and I can make a difference by being here. Polmont Bus volunteers need to be friendly, non-judgemental and welcoming towards visitors,"* Jim

*"I cannot think of a more worthwhile activity than giving your time to help others. Volunteering has helped my belief that all service users are unique individuals who deserve time spent with them, by listening without judgement or ridicule."* Jess

**4.9.4** The immense value volunteers add to CrossReach is recognised in a number of ways, one of which is through the annual staff service of celebration where there is an award

presented to the Volunteer of the Year, recognised for their own unique contribution to CrossReach and their support for those who use the services.

**4.9.5** In 2017 this was awarded to Anne Adams, a volunteer at Whiteinch Move on Service in Glasgow supporting people in recovery to maintain their own tenancy in a supported living environment.

#### **4.10 Presbytery Pledge**

**4.10.1** CrossReach is always appreciative of the support which it receives from local churches across the country, recognising that the work which it carries out in Christ's name can only be done through powerful partnerships sharing a collective mission to make a positive difference to the lives of those which for many reasons can be particularly challenging.

**4.10.2** The Social Care Council was particularly encouraged therefore to be approached by the Presbytery of Lewis to ask what more they could do to co-ordinate the activities of their local congregations to support the work of CrossReach. They have, as a result, initiated a presbytery pledge through which they have invited all of the Church of Scotland congregations on Lewis to support, prayerfully and through fundraising, the work done by CrossReach nationally, including the services provided by the Lewis Street and Dochas projects on the Isle of Lewis.

**4.10.3** This is a particularly welcome initiative and the Social Care Council would wish to record sincere thanks for the warm endorsement given by the Presbytery of Lewis. The Council further extends an invite to other Presbyteries to consider engaging with the work of CrossReach in a similar way and is grateful for the recent support from the Presbytery of Angus in this regard [http://www.crossreach.org.uk/sites/default/files/presbytery\\_pledge.pdf](http://www.crossreach.org.uk/sites/default/files/presbytery_pledge.pdf).

#### **4.11 Social Care Mission**

**4.11.1** Whilst the support of the local, regional and national church in a variety of different ways is appreciated, it is very much a privilege to be able to offer some support in return. As advised to General Assembly last year, the Social Care Council committed to resource its Social Care Mission initiative until May 2019 and has, over the past year, continued to work alongside local congregations to link them with the practical support and resources necessary to fulfil their own Social Care aspirations.

**4.11.2** At Maryhill Parish Church, the Social Care Mission Officer has been one of a team supporting the development of a Community Café with an aim to support people who felt isolated within the community, including those with dementia. Part of the outreach includes a Memories Group where people can reminisce about things important to their own lives. The group now sees 14 regular attendees and has secure funding in place through the Church of Scotland's Go For It Fund. The church continues to stay connected with CrossReach through the Social Care Mission Forum and Dementia Network Events.

**4.11.3** In Falkirk Trinity, a call to reach out to young families was identified and the congregation, helped by the Social Care Mission Officer, introduced a Play Therapy service, which is very much in its infancy, but providing good support to those accessing it. This is part of a longer term vision to offer a family life centre, which will include a toddler group and other types of support for families in a variety of settings and circumstances.

**4.11.4** During the course of 2017, two further church congregations were given support to design and run community consultation events and are assessing the findings in order to plan their own next steps.

**4.11.5** Whilst the Social Care Council cannot resource every church in this way it is pleased to report that many more churches have accessed support through the Social Care Forum, an online resource where churches can meet together, access an expert practitioner and share learning. There are now 122 individual members of the Forum who can stay connected through:

Message Boards  
Monthly blogs  
Regular updates to resources and articles of interest.

- Message Boards
- Monthly blogs
- Regular updates to resources and articles of interest.

**4.11.6** The Business Development Department will be continuing to develop the Social Care Forum <http://www.socialcareforum.scot/> over the next year to strengthen the content and support new congregations who may be interested in joining.

**4.11.7** As a result of the questions being asked through the Forum, two learning networks were set up, which give congregations the opportunity to meet face to face with CrossReach staff and other parties interested in developing areas of expertise. The Dementia Network has now run 4 times in Broughty Ferry, Glasgow, Motherwell and Aberdeen and combines presentations from the CrossReach Dementia Development officers, as well as from a local church already investing in this area. A time of fellowship then allows for questions, answers and mutual support to be given in a less formal environment.

**4.11.8** A Children & Families Network was also set up in October 2017. The first Network meeting was held in October in Glasgow and welcomed 5 different churches interested in developing their own ideas. They also enjoyed a session on Getting It Right For Every Child from a specialist CrossReach Children and Family Team member, and a presentation from a church-led project currently engaged in working with families in their own community.

**4.11.9** One of the roles of the Social Care Mission Officer has been to foster good relationships with other denominations involved in similar work. Scottish Churches Housing Action is one such organisation where there is good evidence of the power of working ecumenically to support those homeless or at risk of homelessness. The Daisy Chain Service in Govanhill offers support to the Roma Group hosted in the local Pentecostal Church, and in Polmont, CrossReach staff at the Visitors Centre have been well supported by the Stirling Interfaith Group, as female prisoners transferred from Cornton Vale to HMP/YOI Polmont.

**4.11.10** The work of the Social Care Council to support the wider Church through a social care mission resource has been well received, and the Social Care Council will continue to build on this work over the next year to allow the clear strengths of each of the initiatives outlined to be developed further.

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## **5. SCOTTISH CHILD ABUSE INQUIRY**

**5.1** As well as conducting a number of internal reviews, CrossReach has also been involved in a significant external review, that of children affected by historical abuse whilst in care. In June of 2017, the Church of Scotland, along with other faith based and non-faith based providers of care to children in a residential setting, were called to give evidence at the

Scottish Child Abuse Inquiry which is chaired by Lady Anne Smith.

**5.2** As well as submitting written evidence as requested by the Inquiry team, The Chief Executive of CrossReach was called to present that evidence on behalf of the Church. Legal representation was provided by QC Laura Dunlop and the Law Department, and administrative support for the highly detailed written submission was coordinated by the CrossReach Quality Compliance and Improvement Officer.

**5.3** At the Inquiry, Lady Smith heard evidence about the long history of the provision of care by the Church, the governance which had surrounded that, and the day to day details of how that care was provided and overseen, as understood from archived material. Specific evidence was also given around historical practice in three of the Church's homes.

**5.4** An apology to any children, known or unknown, who had been abused while under the care of the Church of Scotland was offered as part of the oral submission.

**5.5** The inquiry will report to Scottish Ministers within four years, with recommendations to improve the law, policies and practices relating to safeguarding children in care in Scotland. Currently it is not yet known if the Church of Scotland will be required to give further evidence.

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## **6. DATA PROTECTION**

**6.1** CrossReach is making preparations for three large legislative changes in April and May 2018. The introduction of the Duty of Candour imposed under the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 which goes live on 1 April 2018. The introduction of the new Health and Social Care Standards which come into effect on 1 May 2018. Lastly the introduction of the General Data Protection Regulations which will replace the Data Protection Act from 25 May 2018.

**6.2** These new General Data Protection Regulations will enhance the current good Data Protection practices CrossReach services currently have in place. Over the last year there has been significant work undertaken in preparation for the new regulations.

**6.3** CrossReach has updated and added to existing policies and procedures in this area. An audit of all personal

data held centrally has been undertaken which identified what information is held, where it is held and who has access to it. The organisation has developed retention schedules which detail the key record types used across CrossReach services. These detail the duration of time which records should be retained before being confidentially destroyed.

**6.4** Work has also been undertaken to update mandatory e-learning modules for all staff, which staff require to refresh on an annual basis. Assessments have also been undertaken to ensure the correct legal basis for processing is being used for the personal and special category data gathered, processed, stored and shared by CrossReach. CrossReach has worked closely with the Church of Scotland and in particular the legal department to ensure full compliance in these regulations.

## **7. PART 2: MAKING A DIFFERENCE**

**7.1** For many citizens Scotland is a great place to live, however for others there are significant challenges to be overcome and it is in these difficult places where the Social Care Council through CrossReach does the majority of its work offering hope and an opportunity for change.

**7.2** The most recent evidence tells us that:

- One in five children are recognised as living in poverty
- There are over 90,000 people in Scotland currently living with dementia, with an estimation that a further 20,000 will be diagnosed each year.
- One in four Scots will experience a period of poor mental health, with the mental health of young people being highlighted as of particular concern
- People living in our most deprived communities are eight times more likely to die an alcohol related death
- There are over 25,000 adults who are known to be living with a learning disability in Scotland.
- More children in Scotland each year experience a parent's imprisonment than a parent's divorce
- Rough sleeping is still the only option for many Scots presenting as homeless.

**7.3** All of the efforts to look at efficiencies and review each of the operational and central service departments in

turn matters only in the context of ensuring that CrossReach remains able to continue to provide high quality care and support to the thousands of people who turn to the services each year for help. Over the course of 2017 the Social Care Council, through CrossReach, offered specialist services to thousands of individuals. Some of that care is delivered in a residential setting for 24 hours a day, some in people's own homes allowing them to live as independently as possible, and some in community settings where people can access the support they need on an hourly basis as required.

**7.4** CrossReach remains the only voluntary sector social care provider in Scotland offering both the breadth and diversity of service, but also offering care to a range of age groups from pre-birth to end of life. With this diversity comes complexity not least of which is responding to the legislative and regulatory requirements which provide the frameworks in which CrossReach operates. This year CrossReach has been continuing to work in partnership with the University of Strathclyde Business School to understand the organisational change required to adapt to the ever-changing public policy. A group of third year students have visited a range of CrossReach services and have taken time to discuss the impact the changing demands have on staff. The students are aiming to help CrossReach to identify how best to support staff to continue to provide outstanding care and support in the face of any new challenges contained within policy changes and will make a number of recommendations as part of the project.

### **7.4.1 Children and Family Services**

**7.4.1.1** In June 2017 CrossReach were pleased to welcome a new Director for Children and Family Services who has continued to work across all of the services which include:

- Care and Education for Looked After Children
- Care for Children affected by a disability
- Therapeutic services for people living with an addiction either personally or as it affects a family member
- Counselling Services including specialist perinatal mental health services
- Prison Visitor Centres
- Early Years and Family Support Services.

**7.4.1.2** The team have continued to work through the changes already set in motion around the re-provisioning of the residential schools. This has been a lengthy process which has required the co-operation of community groups, planning authorities, Care Inspectorate and others as each part of the old campus model is moved to a community setting which will be based around small community houses and an education centre.

**7.4.1.3** In January 2018 a milestone was achieved when work began on the education centre at a site on the Erskine Riverfront. It will provide excellent facilities for teaching and learning both in the classroom, but also as learning is taken into the great outdoors with the forest schools initiative. CrossReach is thankful for the support of the Erskine community who have been great advocates for the centre and looks forward to being part of that community as new ways of working together are explored.

**7.4.1.4** For the young people who have already moved into a small house from a large campus there have been very positive results. Young people report it feels more like they have a family around them, they feel less on edge and are less likely to put themselves or others at risk. They are also able to invite friends round, and join in activities in the local communities much more easily. They are in effect able to have a much more normal childhood, despite the trauma which has led them to be taken into care, often as a result of family breakdown.

**7.4.1.5** *I feel really happy just now but this is due to me now being allowed to see Mum again. I feel that staff at House of Newburn have helped with lots of things including me seeing my mum. I enjoy living at House of Newburn and would not change anything about it.*

**7.4.1.6** Despite the progress being made, one of the barriers to transitioning the model has been the reaction from local communities to the prospect of looked after children moving into a house in the area. There have been many misconceptions about the reasons why children are taken into care and what risks they might pose. This is just one of the many ways in which CrossReach staff began to recognise that young people in challenging circumstances face stigma and social isolation as part of their everyday lives. As a result, and in order to help understand the problems facing these children, some of the Children and Family team and the young people they support have worked alongside the

University of Strathclyde and a number of other partners on an international research project on Stigma in Childhood, which was funded by the Insights Institute.

**7.4.1.7** The results of that research project are in the process of being published and it is hoped that this might help break down barriers and raise awareness of the many ways in which systems and communities can actually work against those whom it is recognised deserve concern and love.

**7.4.1.8** This issue has also been picked up in the root and branch review of the care system which is currently underway and was launched by the First Minister as a response to the calls of care experienced by young people and those who support them to look at the ethos, culture and policies of the care system in Scotland which does not currently provide the conditions which all young people need to thrive, and can lead to poor outcomes. CrossReach staff and young people are currently helping inform the review.

**7.4.1.9** Whilst a small number of the children supported are in residential care, by far the majority of children and their families are offered a service in the communities around them. The counselling services in particular offer therapeutic services in a number of settings including schools, church halls, GP clinics, CrossReach counselling centres in Glasgow, Edinburgh and Inverness, and in prisons. It is widely recognised however that for many people trying to get support for a mental health issue through a talking therapy provision is patchy and waiting lists can be long. CrossReach is continuing to work on two initiatives which might help roll out counselling more widely and mitigate problems of access. One of those included participation in the NHS based digital platform 'Attend Anywhere' and CrossReach is using this opportunity to explore suitability of the digital technology behind the platform to support safe and secure online counselling. This is now being assessed for further roll out as part of the CrossReach digital technology strategy.

**7.4.1.10** The positive change made by the counselling services is captured through the Clinical Routine Outcomes Evaluation Tool, and many people comment on how they feel better able to cope with challenges in their lives following counselling:

*'I can honestly say I don't know if I would have still have been here without this service'*

*"This service has been life changing for me"*

*'I come with my son and I can stay with him throughout the counselling and this has been really good for him and myself. He feels safe here'*

**7.4.1.11** The Employee Assistance Programme, launched last year, has also worked through a successful pilot stage, and a plan is in place to begin to grow the service which provides invaluable support to those dealing with stress and anxiety in the workplace.

**7.4.1.12** CrossReach was pleased to welcome the new Minister for Children and Young People, Maree Todd MSP, to the Daisy Chain service in March. The service continues to be recognised by the Scottish Government and others for the model of good practice it provides for early intervention with families experiencing disadvantage in the ethnically diverse area of Govanhill.

**7.4.1.13** One of the Children and Family Service managers, Elaine Waugh, who is the manager at Perth Prison Visitor Centre, was recognised as the employee of the year at the Staff Celebration of Achievement in June. This was a highly deserved award marking not only her services to CrossReach, but also to the wider work which has been undertaken over a number of years regarding the roll out of Prison Visitors Centres in Scotland, including the CrossReach run centre at HMP/YOI Polmont where MSP Michael Mathieson visited in November 2017.

**7.4.1.14** The staff and service users of the Children and Family services have fully embraced 2018 as the Year of Young People and have a number of activities and events marking this throughout the year. They are pleased to have been part of the wider church initiatives celebrating and promoting the positive contribution children and young people make to society. The Social Care Council is committed to ensuring that all children and young people coming into contact with the services are provided with high quality support which will help them to overcome the challenges they face in their own particular circumstances so that they are enabled to live life to their full potential. The General Assembly is invited to recognise and endorse the work done to support young people facing multiple disadvantage and to show their own support for the Year of Young People.

## **7.4.2 Adult Services**

**7.4.2.1** The 2014 Procurement Reform (Scotland) Act lays out the legal requirements for public authorities to

commission health and social care services. Since 2014 there has been an increased focus on competitive tendering as a vehicle for purchasing many of our services, of which around 63% are directly funded by Health and Social Care Partnerships. Whilst this has touched each area of CrossReach service provision in some way, the adult care services have been particularly affected, with the majority of the services facing a competitive tendering process. As a result this has been a primary focus of the Adult Care Team managers throughout the past year who have been well supported by their colleagues in the CrossReach Support Services as well as the Church of Scotland Legal Department. In most instances CrossReach has been successful in retaining contracts, which as a result gives service users continuity of care and employees the reassurance of continued employment with CrossReach. One of the reasons there has been a good success rate in winning tenders is as a direct result of the quality scores attracted by the services, and recognised through this process.

**7.4.2.2** The Adult Care Team continue to provide services to people who are:

- Homeless
- In recovery from a drug or alcohol addiction
- Experiencing a challenge to their mental health
- Living with a Learning Disability
- Caught up in the Criminal Justice System due to a cycle of offending.

**7.4.2.3** The services all follow a model of person centred care, which focuses on the needs of the individual rather than the needs of the service provider and gives maximum opportunity for their views and preferences to be taken into consideration. One of the many ways in which the voices of service users are heard are through various forums, with the National Learning Disabilities Forum being well established and very popular. This year the Forum had a variety of presentations from speakers who were invited to address the 100 or so delegates about how they saw their own role supporting the needs of the customers, and called the Convenor and the Chief Executive of the Social Care Council to talk to them directly. Members of the Forum then spent some time reflecting on the type and quality of care offered so that any improvements could be understood and actions taken to change services accordingly. It was an enjoyable day



giving food for thought, but also showcasing the remarkable abilities of those with a learning disability.

**7.4.2.4** These abilities were much in evidence in June 2017 when members of the Social Care Council underwent a safeguarding refresher. The session was facilitated by the Safeguarding Service and service users from the Learning Disabilities services, specifically trained to offer safeguarding training, who led members of the Social Care Council through a series of examples designed to promote discussion and highlight the need for good safeguarding practice. The session was well received and thoroughly enjoyed by all.

**7.4.2.5** This innovation was further recognised when Threshold Glasgow won a Scottish Social Services Award for Excellent Practice for their training initiative allowing equal access of opportunity to all.

**7.4.2.6** During CrossReach Week 2017, the Moderator hosted a session led by the Scottish Parliament's Outreach Team to learn about the contribution people supported by CrossReach could make to the legislative process. The delegates attending were very moved to hear Sarah Lewis tell her story. Sarah experienced a mental health problem after losing her husband in a car accident. Her ill health resulted in her losing her job as an art teacher, as well as her hope. Morven Day Services supported her recovery from this period in her life. Sarah now runs the art group at Morven. She was forthright in sharing with the Parliamentary Outreach Team her experience that people recovering from mental health problems still face stigma and prejudice. She argued that politicians could do more to challenge this, and suggested that people should be more open about their own experiences of mental health issues. The Parliamentary Engagement team will run a series of workshops for CrossReach throughout the next year.

**7.4.2.7** In February 2018, Allarton, a service which supports adults who have experienced mental health issues, celebrated their first anniversary in their new building. Designed and constructed in partnership with Partick Housing Association, the purpose-built accommodation has had a positive impact on both residents and staff. The new facilities mean people can live more independently, while still maintaining a sense of community.

**7.4.2.8** One of the highlights of the year is the Recovery Volunteers' graduation. Recovery volunteers are service users who are coming to the end of an intense period of

rehabilitation in a residential setting designed to support them to overcome an addiction and as part of their recovery journey undertake a training course helping them to learn new skills which in turn will help them to support others. At this year's Graduation, each of the recovery volunteers spoke of their experiences, their complicated journey into addiction and the huge effort taken to come out of the other side, and each spoke movingly of hope and reconciliation. One of this year's graduates was approached by Shelter to attend a consultation with MSPs at the Scottish Parliament to present his views on homelessness. He met with them and gave his own view of how services generally could be improved to help people who are homeless. He was also interviewed by the Glasgow Herald who wrote an article on homelessness detailing his experience of living on the streets.

**7.4.2.9** He now does all he can to raise awareness of the issues surrounding homelessness, and volunteered, along with his Keyworker, to take part in the Big Sleep Out event in Edinburgh raising over £300 and joining with thousands of others on one of the coldest nights of December to raise awareness of this topical issue. CrossReach were represented at the event by staff and service users choosing to sleep out, and were also privileged to play a support role enabling them to join with other members of the Church, likeminded organisations and individuals to call for change.

### **7.4.3 Services to Older People**

**7.4.3.1** This report has already highlighted the progress made to effect the decision taken by the Business Strategy Group to divest of a number of care homes. Residential services however remain at the heart of the Services to Older People Strategy which offers:

- Residential Care, including specialist services for people living with dementia.
- Care at Home
- Housing Support
- Intermediate Care
- Heart for Art Services
- Day Care
- Respite Care



**7.4.3.2** As reported to the General Assembly in 2017, in relation to the Services to Older People Strategy, whilst care homes may remain pivotal to the provision they will, over time, become more flexible spaces where different types of services can be offered to people choosing to live at home but who are identified as needing further support to enable them to do so.

**7.4.3.3** This is a model already being implemented where space permits, examples include South Beach House (Ardrossan) which provides Intermediate care, and Clashfarquar (Stonehaven) which provides a Heart for Art Group as part of the full service offer.

**7.4.3.4** The latest National Dementia Strategy which was published in 2017 and has a three year plan states:

*Our shared vision is where people with dementia and those who care for them have access to timely, skilled and well-coordinated support from diagnosis to end of life which helps achieve the outcomes which matter to them.*

**7.4.3.5** CrossReach welcomes the strategy which highlights the numbers of people currently living with dementia and calls for innovative and flexible support to help meet the current need and future projections.

**7.4.3.6** The Heart for Art Project has been endorsed as one such excellent model of support. There are now ten groups running in different parts of the country, with more planned to come on stream in 2018 as funding permits. The groups have heralded a real change for many people attending them, and CrossReach have now held a number of exhibitions of participants' work in local venues and also in some landmark venues such as House for an Art Lover and the Royal Botanic Gardens in Edinburgh. They have also participated in Perthshire Open Studios (being the first voluntary organisation to do so), the Kirkcudbright Arts and Crafts Trail and the North East Open Studios in 2017. These events raise awareness both of the project and of dementia and help to challenge many commonly held views and myths that surround dementia. These exhibitions, which have been attended by people travelling to Scotland from all over the world, have given an opportunity to share best practice and highlight the work that is being done in Scotland as a direct benefit of funding from Life Changes Trust.

**7.4.3.7** The most important benefit however has been for the people who use the service and their families. Group participants select the work they would like to be exhibited and some participants have assisted at exhibitions. This has greatly increased those individuals' confidence and self-esteem, particularly when they hear positive feedback on their work from the general public. Presenting work that participants are proud of is greatly rewarding to all involved and increases the individual's own sense of being a valued member of society.

**7.4.3.8** Some comments from the general public include the following:

*"A remarkable exhibition and a wonderful programme."*-Dave Dineen, Canada

*"A fascinating exhibition illustrating the skills of those that might be dismissed!"*-Rod Dickson, Glasgow

*"Congratulations for the work and focus expressed in this exhibition, bridging the gaps between people and disciplines. Well done!"* Silvia De Schiller, Buenos Aires, Argentina

**7.4.3.9** It is not just the Heart for Art service which has received major recognition however. In November 2017 Morlich House in Edinburgh, where many of the residents live with physical frailty and some live with dementia, was listed as a finalist in the Scottish Care Specialist Care Home of the Year Category. It was recognised for excellent practice and innovation, with the following reasons being highlighted:

- The managers of the service have adapted the house to cater for the differing needs of the residents, and have used technology in a creative way to enhance the quality of life and ensure there are positive outcomes for those who live in Morlich House. Two years ago they became aware that some redundant outbuildings could be put to better use and began a project to transform the area into a 1950s street. There is now a fully converted garage which has been turned into a 1950s house. It contains a living room, decorated and furnished with authentic furniture and fittings and a fully functioning 1950s kitchen with accessories that would have been used by residents at that time. Using the Kings Fund Environmental tool, the interior of Morlich House has been adapted to ensure that all those who live there can easily access information. There are plasma screens throughout and notice boards have been adapted to give pictorial information about the day's activities. The service also have a "Silver Surfers" club where residents can become familiar with the internet and learn new skills.
- The service holds the government accredited Customer Service Excellence award and the assessor noted that in nine areas they exceed the requirement and awarded Compliance Plus status. This award is independently assessed by an external assessor and focuses on areas of customer service.
- The Care Inspectorate have also awarded this service grade 6 for care and support for the past 3 years.

**7.4.3.10** Mrs Coulson, one of the residents living there, has made a video to let others know about what to expect from the service. She states:

*Morlich House is a wonderful place, it has everything. It keeps our hands busy, our minds busy and our bodies busy. It really is individual care. Life is good!*

**7.4.3.11** One other key area of focus for the Services to Older People's managers this year has been recognising and promoting the effects of intergenerational working. Beth Johnston, Founder of Generations Working Together, believes that intergenerational practice aims to bring people together in purposeful, mutually beneficial activities which promote greater understanding and respect between generations and contribute to building more cohesive communities. Intergenerational practice is inclusive, building on the positive

resources that younger and older have to offer each other and those around them.

**7.4.3.12** The initiatives at Whinnieknowe (Nairn), Queens Bay Lodge (Edinburgh) and Cameron House (Inverness) have all been slightly different, but at each one the benefits to both the children and the residents have been palpable. Not only has there been a lot of fun enjoyed but real learning and friendships developing. This work was recently highlighted in a documentary on BBC Scotland as a positive example of good care. One of the residents explained how she looked forward to the visits from the children, which lifted her mood:

*They are happy children, and so bright. It brings back fond memories of when I was a nanny. It's good fun and I am enjoying it.*

## 8. 2019- 150 YEARS OF SOCIAL CARE

**8.1** Whilst this report concentrates on highlighting some of the life changing work done over the past year by CrossReach it is recognised that the work overseen by the Social Care Council is only a part of the Church's long and successful tradition of providing support to those who need it across Scotland and beyond.

**8.2** In 1869 the Church set up the Committee of Life and Work to look at the conditions of the poor in Scotland and to help to work out how it should respond, and reported *that the time had fully arrived when the Church should earnestly devote herself to the solution of the important problem of improving physical and social conditions.*

**8.3** The Social Care Council have set up a small group to consider how best to mark and celebrate the care provision of the Church over the past 150 years from the setting up of schools, hospitals and workhouses, to the incredible diversity of work that goes on today as that heritage continues in church halls up and down the land as well as through CrossReach. The Council would very much like this to be something which the Church as a whole is able to join in and are inviting all those who are interested to share their own stories, through the Social Care Mission Forum, of the care in which they are involved in the communities around them, and to think about how they might ensure this long tradition of caring remains at the heart of the Church for many years to come.

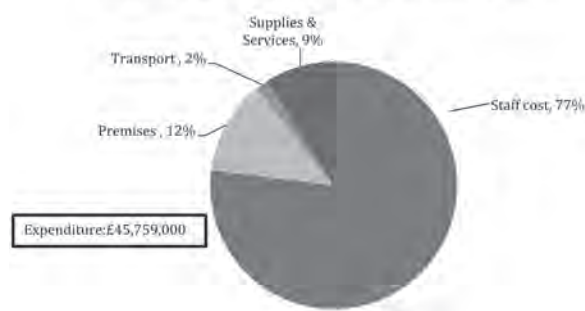
## 9. PART 3: PERFORMANCE

**9.1** The Social Care Council are keen to ensure that high quality and financial probity are two of the driving principles for the management teams at CrossReach, with a strong emphasis given to a Christian Ethos remaining at the heart of the organisation. In a business which is prone to high levels of risk however, members recognise that occasionally things do not go according to plan and where that happens priority is given to learning any lessons and remediating issues as they arise.

### 9.2 Finance

**9.2.1** The journey to sustainability has been a long one and a number of challenges have been presented along the way. Nevertheless, the Social Care Council continues to work towards a break even position for 2019 (excluding historical pension deficit repair payments). This will depend on a number of areas of work being concluded this year including the divestment processes currently underway in services to older people, and the transition from an old to new model in care and education.

#### CROSSREACH OUTGOING RESOURCES 2017



#### CROSSREACH INCOMING RESOURCES 2017



**9.2.2** The graphs illustrate an overall deficit position of 468,000 at the end of 2017. This reflects a deficit in the operating accounts of £284,000 which includes expenditure of £1,025,000 on repair payments for the closed Church of Scotland 'final salary' pension scheme. The expenditure graph also reflects a spend on restricted funds of £184,000. The income graph includes an allocation from the Ministries and Mission Fund of £1,624,000 which represents 4% of CrossReach's income.

### 9.3 Quality

**9.3.1** CrossReach has 58 services which are inspected by the Care Inspectorate.

**9.3.2** The Care Inspectorate inspect these services and focus on 4 Quality Themes:

- Quality of Care and Support,
- Quality of Environment (where applicable),
- Quality of Staffing
- Quality of Management and Leadership.

**9.3.3** Grades are awarded for each inspection theme and range from 1 – unsatisfactory through to 6 – Excellent.

**9.3.4** As at 17 January 2018 our results were:

#### 9.3.4.1 Quality of Care and Support

**9.3.4.1.1** 90.9% of our registered services inspected on this theme achieved a grade of at least 4 = Good, with 63.6% receiving Very Good (5) or Excellent (6).

**9.3.4.1.2** The following Services received a Grade 6 – Excellent

- Balmedie
- Dick Stewart
- Eskmills
- Morlich House
- Oasis Garelochhead
- The Bungalow
- Threshold Edinburgh
- St Margarets

### 9.3.4.2 Quality of Environment

**9.3.4.2.1** 88% of our registered services inspected on this theme achieved a grade of at least 4 – Good, with 57% achieving Very Good or Excellent.

**9.3.4.2.2** The following Services received a Grade 6 – Excellent

- Balmedie
- The Bungalow
- Oasis Garelochhead

### 9.3.4.3 Quality of Staffing

**9.3.4.3.1** 90.9% of our registered services inspected on this theme achieved a grade of at least 4 – Good, with 60% achieving Very Good or Excellent.

The following Services received a Grade 6 – Excellent

- Balmedie
- Oasis Garelochhead
- The Bungalow

### 9.3.4.4 Quality of Management and Leadership

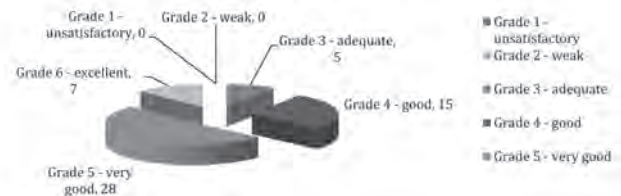
**9.3.4.4.1** 83.6% of our registered services inspected on this theme achieved a grade of at least 4 – Good, with 54.5% achieving Very Good or Excellent.

**9.3.4.4.2** The following Service received a Grade 6 – Excellent

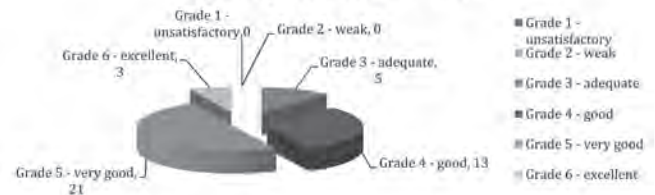
- Balmedie
- The Bungalow

## 9.4 The charts below breakdown the Care Inspectorate Grades for each Quality Theme.

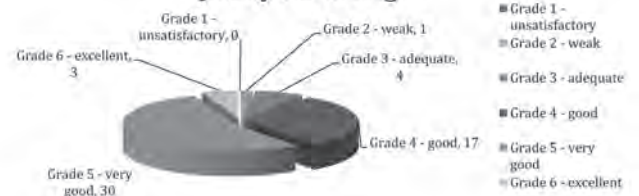
### Quality of Care and Support



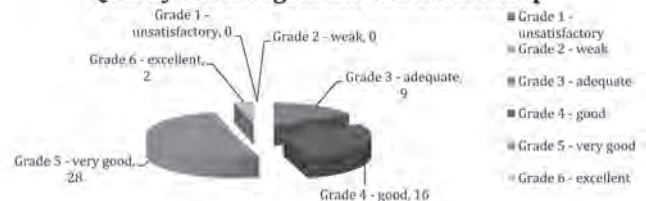
### Quality of Environment



### Quality of Staffing



### Quality of Management and Leadership



## 9.5 CUSTOMER SERVICE EXCELLENCE

**9.5.1** 23 Services retained the Customer Service Excellence Award in their annual assessment. Customer Service Excellence is a Government Standard for quality accreditation. This is not a requirement for our services, but the Operational Directors agree which services should be put forward. The standard tests in great depth 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

**9.5.2** 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.

**9.5.3** The breakdown of the Services who have achieved Customer Service Excellence is:

Children & Family Services	2 Services
Adult Care Services	5 Services
Services to Older People	16 Services

## 9.6 Staff Qualifications

**9.6.1** MA Tender figures request for the past 3 years

2017		
Award	Title	Total
PDA	Administration of Medication	51
PDA	Health & Social Care Supervision	17
SVQ	Food Hygiene L2	1
Certificate	In Mental Health	1
SVQ	Social Services & Health Care L2	6
SVQ	Social Services & Health Care L3	34
SVQ	Health & Social Care L4	3
SVQ	Internal Verifier	1
SVQ	Housekeeping L2	1
SVQ	Management	2
SVQ	Social Care	5
Post Grad	Dementia Studies	1
Total		123

### 9.6.2 2017

**9.6.2.1** At the same Service 22 staff were recognised for achieving 20 years' service, 5 for achieving 30 years' service.

**9.6.2.2** In addition the following awards were presented:-

Ian Manson Adult Learner of the year – Janis Sinclair  
CrossReach Counselling

Ian Manson Award for Excellence – Effective Communication  
Group L&D Service

Volunteer of the year – Anne Adams - Whiteinch Project

Employee of the year – Elaine Waugh Perth Prison

## 9.7 2017 Service User Survey

**9.7.1** On an annual basis everyone who uses our Services is given the opportunity to participate in our Service User Survey.

**9.7.2** The survey form is outcomes based and covers questions on 3 key areas:

- client outcomes,
- CrossReach values
- customer service.

**9.7.3** Core question themes were agreed for the whole organisation however wording was tailored for individual service user groups. In addition pictorial and large print forms were available.

**9.7.4** 63% of the forms issued to Service Users were returned, this is marginally less than the response level received in previous years. The responses received were exceptionally positive with only 4 of 19 questions receiving a total positive response of less than 90%.

**9.7.5** Each service reviews their survey results and develops an action plan to identify improvements which can be made as a result of the feedback received through the survey. Staff and service users jointly develop an action plan which focuses on key areas, particularly the three questions which received the lowest positive responses in their Service.

**9.7.6** Below are 5 key areas and the responses received:

90.20% agreed the Service helps them to remain/become more fulfilled

- 41.57% responded strongly agree
- 48.63% responded agree

94.43% agreed the Service helps them feel safe and secure

- 57.93% responded strongly agree
- 36.50% responded agree

92.91% agreed the Service helps them to feel valued and included

- 49.61% responded strongly agree

- 43.30% responded agree

99.05% agreed the Service accept and respect them

- 73.57% responded strongly agree
- 25.48% responded agree

98.85% agreed the Service treat them fairly and consistently

- 69.52% responded strongly agree
- 29.33% responded agree

**9.7.7** Comments from Survey Forms

**9.7.8** A sample of these comments are:-

- The staff are absolutely lovely! Always have time for myself and my children
- It's a place of love. I feel welcomed and supported. Everyone is lovely
- A fantastic service doing a fantastic job. I cannot thank you all enough
- Made me feel more knowledgeable and confident as a person
- People at CrossReach are welcoming and caring, everyone is really friendly.
- The staff look after me and are always asking me what I would like to do. They help me with my shopping every day and make me happy.

*In the name of the Social Care Council*

BILL STEELE, Convener  
IRENE MCGUGAN, Vice-Convener  
HUGH MAURICE STEWART, Vice-Convener  
VIV DICKENSON, Council Secretary and  
Chief Executive of CrossReach

## Addendum

### Hugh Maurice Stewart

The Reverend Hugh Stewart comes to the end of his term as Vice-Convener at this General Assembly. Hugh has made a significant contribution to the council both as Vice-Convener and council member. His previous experience as an NHS Manager and passion for good quality service provision has allowed him to bring real insight into the role and supported discussions on a range of topics. He has also been an advocate within the council for gaelic speaking initiatives of which a number have been introduced during his term of office. Most recently Hugh has supported the introduction of a pledge of support between presbytery of Lewis and CrossReach which has been most welcomed and is hoped might serve as a model for engagement in the future. The council wishes Hugh well with his continued ministry on the Isle of Lewis and record sincere appreciation of his years of service.

*In the name of the Social Care Council*

BILL STEELE, Convener  
IRENE MCGUGAN, Vice-Convener  
VIV DICKENSON, Council Secretary and  
Chief Executive of CrossReach

## Appendix 1 - list of services

### ADULT SERVICES

#### Criminal Justice

- Dick Stewart Service (Glasgow)

#### Homeless People

- Cale House (Inverness)
- Cunningham House (Edinburgh)
- Kirkhaven Project (Glasgow)
- Lewis Street (Stornoway)

#### Learning Disabilities

- Eskmills (Edinburgh)
- The Bungalow (Stonehaven)
- Threshold Edinburgh

- Threshold Glasgow
- Threshold Support Services (Hamilton)

#### Mental Health

- Allarton (Glasgow)
- Gaberston House (Alloa)
- Morven Day Services (Kilmarnock)

#### Substance Misuse

- Beechwood House (Inverness)
- Dochas Housing Support (Stornoway)
- Rainbow House (Glasgow)
- Rankeillor Initiative (Edinburgh)
- Tayside Support Service (Angus / Dundee)
- Whiteinch Move on Service (Glasgow)

### CHILDREN AND FAMILY SERVICES

#### Looked After Children

- Ballikinrain Campus (Balfron)
- Finniescroft Farm (Lennoxton)
- House of Newburn (Arnprior)
- Mill Muir Farm House (Gargunnoch)
- Mount Pleasant (Dalry)
- Rockwood House (Beith)
- After Care and Housing Support Service

#### Children with Disabilities

- The Mallard, The Garratt & GO2 (Glasgow)

#### Community Services / Early Intervention

- Daisy Chain Early Years Project (Glasgow)
- Perth Prison Visitors Support and Advice Centre
- Sunflower Garden (Edinburgh)

#### Counselling, Support & Training

- Bluebell Perinatal Counselling Services (Glasgow)



- Edinburgh (Lothians)
- Burnside Court (Moray & Inverness)
- COSCA Counselling Training (Glasgow)
- Employee Assistance Programme (Glasgow, Edinburgh)
- St. Andrew's Centre (Dunbar)
- Simpson House (Edinburgh)
- Tom Allan Centre (Glasgow)
- Wallace House (Edinburgh)

### SERVICES TO OLDER PEOPLE

- Achvarasdal (Thurso)
- Adams House (Elderslie) – *Dementia*
- Balmedie House (Balmedie)
- Bellfield (Banchory)
- Budhmer House (Portree)
- Cameron House (Inverness) – *Dementia*
- Clashfarquhar House (Stonehaven)
- Cumnor Hall (Ayr) – *Dementia*
- Heart for Heart, Bankfoot
- Heart for Art, Broughty Ferry
- Heart for Art, Edinburgh
- Heart for Art, Garelochhead
- Heart for Art, Glasgow
- Heart for Art, Kirkcudbright
- Heart for Art, Musselburgh
- Heart for Art, Stonehaven
- Inverreck (Dunoon) – *Dementia*
- Morlich House (Edinburgh)
- Oversteps (Dornoch)
- Queens Bay Lodge (Edinburgh)
- South Beach House (Ardrossan)

- St Margarets House (Polmont) – *Dementia*
- The Elms Care Home (Edinburgh) – *Dementia*
- The Oasis Bankfoot Day Service
- The Oasis Garelochhead Day Service
- The Oasis The Tryst Day Service (Pitlochry)
- Walter & Joan Gray Care Home (Shetland)
- Well Hall (Hamilton)
- Whinnieknowe (Nairn)
- Williamwood House (Glasgow) – *Dementia*

For further details and addresses of all our services visit our website at **[www.crossreach.org.uk](http://www.crossreach.org.uk)**

## THEOLOGICAL FORUM MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Reaffirm the Church's understanding that those who receive Communion be baptised, while recognising that church law allows the offering of Communion to an unbaptised person as part of the mission of the Church.

### Report

#### 1. INTRODUCTION

**1.1** The Theological Forum was established by the General Assembly to 'resource, express and challenge the theology that informs the life and work of the Church'. Its remit is:

- (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.

**1.2** The Forum continues to serve this wide-ranging remit and over the last year has concentrated particularly on those issues assigned to it by the 2017 General Assembly. Its work has been carried out through substantial reading, discussion, reflection and prayer in its ten meetings, and also through extensive email communication, attendance at academic conferences and in consultation with scholars and practitioners from across the Church.

#### 2. CHILDREN AND COMMUNION

**2.1** Having been instructed at the 2017 General Assembly "to re-examine the Church's current understanding that all children must be baptised prior to sharing in the Lord's Supper, within the context of the New Testament and the Church's

*Confession of Faith*, “the Forum – in dialogue with the Mission and Discipleship Council – has been examining both theological and pastoral considerations around this subject. The Forum is aware that the current permissive legislation surrounding children and Communion allows for a diversity of practice across congregations in terms of whether and when children are permitted to take part in the Lord’s Supper. It is with this in mind that we here seek to explicate both the theological foundation for the normal ordering of the sacraments, as well as the important pastoral considerations that require to be prioritized when implementing this “normal order”.

**2.2** According to Act V 2000, “The Lord’s Table is open to any baptised person who loves the Lord and responds in faith to the invitation, ‘Take, eat’.”<sup>[1]</sup> This reflects what can be called the “normal order” of the sacraments, wherein baptism is to be considered a standard precondition for participation in Communion. It is worth noting the theological rationale for this ordering. As James B. Torrance has written in *Children at the Table* (produced in the early 1980s to help the Church decide on questions around children and Communion) “Christ baptises us into His Body that He might nourish us by faith.”<sup>[2]</sup> At baptism, we are welcomed into the universal Church; baptism is a “sign and seal of the covenant of grace,” a sign of our “ingrafting into Christ, of regeneration, of remission of sins.”<sup>[3]</sup> Baptism is not about personal piety or devotion, but “signifies the action and love of God in Christ”<sup>[4]</sup>; thus, baptising children is about “recognizing the nature of grace and childlike faith, without which none can enter the Kingdom.”<sup>[5]</sup> It is thus in baptism that we recognize the inclusion of children in the Body of Christ. The Lord’s Supper is a calling and invitation for those *within* the Body of Christ to commemorate the sacrifice and work of Christ, to be fed by Him, and “to be a bond and pledge of their Communion with Him, and with each other, as members of His mystical body.”<sup>[6]</sup> There is a clear theological logic and order to the sequence of the sacraments.

**2.3** When it comes to the question of actual admission to the Lord’s Supper, Church of Scotland law and practice allows for the discretion of Kirk Sessions. Hence, while Section 13 of Act V 2000 states that a “Kirk Session is obliged to test the response in faith of a baptised person before authorising admission to the Lord’s Table,”<sup>[7]</sup> the Act also contains the following provision: “*Notwithstanding* the terms of Section 13...where a Kirk Session is satisfied that baptised children are being nurtured within the life and worship of the

Church and love the Lord and respond in faith to the invitation, ‘take, eat’, it may admit such children to the Lord’s Table, after pastorally overseeing the response of faith of such children to see when it is right for them to come to the Lord’s Table.”<sup>[8]</sup> The Forum would wish to emphasise the permissive nature of this legislation. That is, Kirk Sessions are *not* required to *test* the faith of children in order for them to participate in the Lord’s Supper, so long as they are assured that the pastoral care and education of such children are being attended to. This is not to be considered “indiscriminate celebration” of the Lord’s Supper; as James Torrance writes, a child’s faith “may be as a grain of mustard seed, and understanding minimal, but where a child can hear and understand something of the meaning of the words, ‘Take, eat...’, who can forbid him?”<sup>[9]</sup>

**2.4** The question here arises: What about unbaptised children (or adults)? Should they be permitted to participate in the Lord’s Supper? While the Forum would wish to emphasise once again that the normal order is for baptism to precede Communion, we also recognise the importance of pastoral considerations in such cases. There is real spiritual value in the act of seeking to participate in the Lord’s Supper, to be nourished by Christ – whether or not the person is baptised. To turn away one who seeks to be fed by Christ could be to do real damage to the one who seeks. It is with this in mind that the Forum agrees with James Torrance’s thoughts on this question:

It may on certain occasions mean that an unbaptised child (or adult) may seek to receive Christ in communion. Again we must not withhold bread and wine from such a child (or adult) but go on to show him or her that the Christ whom we receive in bread and wine calls us unconditionally to baptism. But any such reversal of the order of baptism and the Lord’s Supper could never become the norm, though may occasionally be inevitable in the mission of the Church.<sup>[10]</sup>

**2.5** In other words, the normal ordering of the sacraments should never be reversed or ignored, but this normal ordering need by no means mean that unbaptised persons should be turned away from the Table. Rather, such persons should be welcomed to the Lord’s Supper, and subsequently encouraged to seek baptism and further instruction in the life of the Church. It is hoped that such subsequent encouragement would not be seen as anomalous

– for such instruction should already be a component of the life of the Church.

**2.6** Indeed, this question regarding unbaptised children may present a real opportunity. Admitting unbaptised children to the Lord's Supper should not be seen as a softening of theological standards, but rather as the appropriate theological and pastoral response to one who seeks to be nourished by Christ. This being said, such situations remind us of the importance of offering ongoing instruction and education for both children and adults. Nurturing young lives in the faith and practice of the Church, as well as offering opportunities to make professions of faith, should be considered a necessary component of congregational life. The development of creative, instructive, and grace-filled pathways for the spiritual development of children should be a key focus for the Church. When such pathways are available, the question of unbaptised children and the Lord's Supper becomes less seemingly problematic: the congregation can simultaneously affirm the unbaptised child's hunger for Christ, and subsequently extend an invitation to the child (and his or her family) to pursue instruction and participation in congregational life and baptism.

### 3. ECUMENICAL FEEDBACK

**3.1** Following the decision of the 2017 General Assembly, under the Report of the Theological Forum, to: *"Instruct the Ecumenical Relations Committee to invite comment and feedback from our ecumenical partners and report to the General Assembly of 2018,"* the Forum has received a number of responses thus far, and would like to thank the Archbishops' Council of the Church of England, the Doctrine Committee of the Presbyterian Church in Ireland, the Doctrine Committee of the Scottish Episcopal Church, the General Meeting for Scotland of Quakers in Scotland, the United Reformed Church's National Synod of Scotland, the Conference of European Churches and The Salvation Army for their comment and feedback to *An Approach to the Theology of Same-Sex Marriage*.

**3.2** The Forum is grateful for the prayerful and constructive responses of its ecumenical partners, and is encouraged by the willingness shown to explore together issues surrounding same-sex marriage. While recognising profound theological concerns expressed with regards to certain sections and conclusions of the 2017 Report, the

Forum is heartened to hear that its Report has been of help to those denominations engaged in similar discussions. The Forum will take this diversity forward into its future thinking on reconciliation, as it continues to learn from and with its ecumenical partners.

### 4. RECONCILIATION

**4.1** The Forum was grateful to receive the following deliverance at the 2017 General Assembly: *"Urge the Forum, in consultation with other Councils, to investigate theologically the theme of reconciliation, with particular reference to the divisions within the Church of Scotland, Scottish churches and Scottish society concerning same-sex marriage."* The Forum has begun to consider a number of aspects of reconciliation found in scripture, theology and experience: as a Trinitarian theme; in God's divine initiative of reconciliation with humanity; in human relationships at personal and corporate levels. The Forum's thinking recognises connections between reconciliation and forgiveness, truth and justice, again at personal and corporate levels. Furthermore, the Forum is mindful of the context expressed in the remit, and is reflecting on the nature of disagreement, division and reconciliation within the Church at this time. Thus far, conversation partners have included theologians in print and in person, and descriptions of processes of reconciliation – all the while listening to each other in our diversity.

**4.2** The Forum looks forward to developing these initial paths of enquiry further in consultation with others in the Church before a final report is delivered.

### 5. SACRAMENTAL MINISTRY

Three members of the Forum have joined the Panel on Review and Reform's Sacramental Ministry Working Group, which was established in line with the following instruction received at the 2017 General Assembly: *"Instruct the Panel, the Theological Forum, the Ecumenical Relations Committee and the Legal Questions Committee jointly to give consideration to whether, in the light of the ideas raised in the Report and Supplementary Report of the Panel on Review and Reform, there should be any change to the practice of Sacramental Ministry in the Church of Scotland and to consult with others and to report to a future Assembly."* Representatives from the Forum have attended the Working Group's meetings to date, and their involvement has been enriched by the Forum's collective consideration of the doctrines of ordination and the

sacraments. The Forum looks forward to contributing further to this work throughout the year to come.

## 6. FUTURE WORK

Much of the Forum's work over the next year will continue to focus on the theme of reconciliation. The Forum has also committed to continuing its work with the Mission and Discipleship Council and the Panel on Review and Reform on the issues detailed above. Future work is anticipated on ecclesiological questions of oversight with the Ministries Council and the Ecumenical Relations Committee. The Forum stands ready to assist the General Assembly and its Councils and Committees in any matter of theology and doctrine and would welcome consultation at an early stage in any significant pieces of theological work.

## 7. ACKNOWLEDGEMENTS

The Forum is grateful to all those who have sought its views and listened so graciously to its comments. The Forum would also like to express its thanks to those who have shared their expansive knowledge and experience of conflict mediation and theologies of reconciliation. The Forum is grateful to the Rev Dr Ken Jeffrey, who is due to retire from membership at the General Assembly, and values the hard work, commitment and contribution of each of its members.

*In the name of the Theological Forum*

DONALD MacEWAN, *Convener*  
SARAH LANE RITCHIE, *Vice-Convener*  
NATHALIE MARES, *Secretary*

## References

- [1] Act V.12, 'Consolidating Act Anent The Sacraments.' Edinburgh, 20<sup>th</sup> May 2000. [http://www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0003/1839/2000\\_act\\_05.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0003/1839/2000_act_05.pdf)
- [2] James B. Torrance, "Some Theological Grounds for Admitting Children to the Lord's Table," in *Children at the Table*, ed. David G. Hamilton and Finlay A. J. Macdonald, (Edinburgh: The Church of Scotland, 1982), p.6
- [3] Westminster Confession of Faith, xxviii.1
- [4] Act V.3
- [5] Torrance, 6
- [6] Westminster Confession of Faith, xxix.1
- [7] Act V.13
- [8] Act V.15 (Emphasis added)
- [9] Torrance, 6
- [10] Torrance, 6

CHURCH OF SCOTLAND PENSIONS TRUSTEES MAY 2018

Proposed Deliverance

The General Assembly:

- 1. Receive the Report.

Report

1. BACKGROUND & STATISTICS

As at 31 December 2017, The Church of Scotland Pension Scheme for Ministers and Overseas Missionaries (the **“Ministers Scheme”**), The Church of Scotland Pension Scheme for Staff (the **“Staff Scheme”**) and The Church of Scotland Pension Scheme for Ministries Development Staff (the **“MDS Scheme”**) (together referred to as the **“Schemes”**) collectively covered some 5,100 members, with total assets of approximately £500 million.

2. FUNDING POSITION OF THE SCHEMES

2.1 The Trustees are pleased to report that the Ministers Scheme is in surplus on a prudent actuarial basis with appropriate Recovery Plans in place for both the Staff Scheme and the MDS Scheme which are in deficit.

2.2 A summary of the respective funding positions of the Schemes at 31 December 2017 is set out below:

Scheme	Funding Level	Surplus / (Deficit)
Ministers Scheme, Main Pension Fund	106%	£18.6m
Ministers Scheme, Widows & Orphans Fund	103%	£1.0m
Ministers Scheme, Contributors Fund	122%	£0.9m
Staff Scheme (CSC Section)	94%	(£2.7m)
Staff Scheme (CrossReach Section)	86%	(£10.3m)
MDS Scheme	96%	(£0.8m)

2.3 The CrossReach Section of the Staff Scheme continues to have the largest deficit amongst the Schemes but good progress has been made over the year to 31 December 2017 with the funding level improving from its

position as at 31 December 2016 (82%, £13.5m deficit). The underlying guarantees agreed by the General Assembly on 6 June 2014 and by the Council of Assembly on 27 December 2013 for the Staff Scheme are reassuring for the Trustees when considering the security of members' benefits.

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### **3. INCREASES TO PENSIONS IN PAYMENT**

#### **3.1 Statutory Increases**

The statutory increases applied to pensions in payment across all Schemes, from 1 January 2018, were 3% in respect of benefits accrued between 6 April 1997 and 5<sup>th</sup> April 2005 and 2.5% in respect of benefits accrued after 6<sup>th</sup> April 2005. Only the MDS Scheme had increases applied in respect of benefits accrued prior to 6<sup>th</sup> April 1997 and these were awarded at the statutory rate of 3%. The difference in treatment is due to the particular wording of the governing scheme rules.

#### **3.2 Discretionary Increases**

At the request of the Council of Assembly, the Trustees of the Ministers Scheme deferred a decision on discretionary increases relating to the pre 6<sup>th</sup> April 1997 pensionable service for pensioner members of the Ministers Scheme.

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### **4. INVESTMENT STRATEGY**

**4.1** The investment objective of the Schemes is to maintain a portfolio of suitable assets of appropriate liquidity which will generate investment returns to meet, together with future contributions, the benefits of the Schemes payable under the trust deed and rules as they fall due.

**4.2** The Trustees set the investment strategy for each Scheme taking into account considerations such as the strength of the employer covenant, the long term liabilities of the Scheme and the funding agreed with the Church. The investment strategy is set out in its Statement of Investment Principles.

**4.3** The current strategy is to:

**4.3.1** match the interest rate and inflation exposures of the liabilities, by holding fixed income and index linked assets;

**4.3.2** hold an appropriate weighting in return seeking investments, including UK and overseas equities, and Absolute Return Bonds.

### **5. BENEFITS AND RULES REVISION AND ADMINISTRATION SYSTEM**

**5.1** As reported at the 2017 General Assembly, the Trustees oversaw a comprehensive benefits and rules review across all of the Schemes in 2016. This work was completed in 2017 with amendments made to the rules of the Schemes to clarify the benefit structure of each. The consequence of these amendments is that the correct benefits are now being paid to the members and beneficiaries of the Schemes.

**5.2** The Church's in-house Pensions Team continue to work with a third party supplier to transfer the administration of the Schemes onto a new bespoke pensions administration system. The transfer has proved challenging but is expected to complete in 2018. The new system should enable better administrative reporting for the Schemes as well as provide effective efficiencies and reduced risk.

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### **6. TRUSTEES**

**6.1** Graeme Caughey's re-election as a Trustee was approved by the 2017 General Assembly and he subsequently became Chairman of the Trustees.

**6.2** Adrian Bark was elected as a Trustee by the General Assembly in 2017 and Douglas Millar became Vice-Chairman of the Trustees in May 2017.

**6.3** Due to Trustee resignations in 2017, each of the Schemes had a number of Trustee vacancies for the proportion of the Trustees who must be elected by the Scheme membership. There was a difficulty in finding Trustee candidates and so, for the first time, the Trustee vacancies were opened out to existing members of the Schemes and to persons nominated by existing members as suitable Trustee candidates. As a result, all of the Trustee vacancies were filled other than one vacancy remaining in the MDS Scheme.

The new member nominated Trustees appointed in the course of last year were:

#### **Ministers Scheme**

Susan Anderson  
Alan Garrity  
Pauline Gordon



**Staff Scheme**

Lin Macmillan

**MDS Scheme**

Neil Campbell

*In the name of the Trustees*

GRAEME CAUGHEY, *Chairman*  
DOUGLAS MILLAR, *Vice-Chairman*  
JENNIFER ADAMS, *Acting Scheme Secretary*



TRUSTEES OF THE CHURCH OF SCOTLAND HOUSING AND LOAN FUND FOR RETIRED  
MINISTERS AND WIDOWS AND WIDOWERS OF MINISTERS MAY 2018

Proposed Deliverance

The General Assembly:

- 1. Receive the Report and thank the Trustees and Staff
- 2. Re-appoint Rev MA Rennie as a Trustee of the Fund

Report

1. AIM OF THE FUND

1.1 The Fund exists to support retired Church of Scotland ministers, and widows, widowers, separated or divorced spouses and separated or former civil partners 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 £122,500 for Shared Appreciation Loans.

2. HOUSING TRANSACTIONS: 2017

2.1 Assistance provided during 2017 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 222 houses at the end of 2017. 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 2017, 12 houses were still being marketed for sale.

### 3. RENTS AND RENTAL REVIEWS

**3.1** Rents charged for housing provided by the Fund are set, at the beginning of the tenancy, at 50% of the Market Rent (as professionally assessed at that time), for Ministers, and at 25% for widows and widowers of Ministers. The exceptions to this are leases granted prior to 1989 where rents continue at rates of 70% of Fair Rents for Ministers and 35% for widows and widowers of Ministers.

**3.2** The Trustees considered carefully the level of annual rent increase, in the light of an inflation figure of 2.49% (as at 31 December 2016). 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 of pensioner. The Trustees therefore decided that rents should not be increased in 2017.

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### 4. LOAN TRANSACTIONS: 2017

**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 £122,500. 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 HM Revenue & Customs without liability for benefit-in-kind taxation. At the time of writing this was three per cent.

**4.5** Details of each of the three types of loan outstanding as at 31 December 2017 are given in Appendix 3.

### 5. DONATIONS, BEQUESTS ETC.

**5.1** The Trustees are gratified to report that during 2017 they received a total sum of £204,068 by way of donations, bequests and gifts.

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### 6. FUNDS

**6.1** The amount realised from sales of houses, less the expenditure on house purchases, during 2017 was £1,792,120. The net decrease in long-term loans during 2017 was £61,900.

**6.2** Investments at market value, and cash deposits, at 31 December 2017 amounted to £13,145,097.

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### 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 31 December 2017, 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 31 December 2017 and whose names have been placed on the Preliminary Applications List for assistance can also be found at Appendix 4.

**7.2** In December 2017 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 ministers due to retire, and equally the Fund's obligations towards the Church and the proper and appropriate stewardship of its resources. The Trustees agreed that the house purchase price limits for 2017 be maintained at the same level as in 2016 so that the **maximum** price for a house to rent remains at £175,000 and the **maximum** price, or value, of a house in respect of which a loan would be given, similarly remains at £175,000. The Trustees are 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 £175,000 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. CONGREGATIONAL CONTRIBUTIONS

**8.1** For a number of years, the Fund has been fortunate to receive Congregational Contributions to support its work in providing assistance with retirement housing to Ministers and their spouses. Originally, the level of Congregational Contributions was set at a figure which represented 2% of what became the National Stipend Fund (NSF), now the Parish Ministries Fund (PMF). In recent years, the Fund has agreed to Congregational Contributions that represent a lower percentage of the NSF/PMF. Indeed in 2017, the amount of Congregational Contributions received by the Fund was, at £400,000, approximately 0.96% of the PMF.

**8.2** The Trustees have recognised that whilst the Fund is currently in a healthy monetary position, other parts of the Church are facing financial pressures and challenges. Whilst ever mindful of protecting the future work of the Fund, the Trustees have, after considerable deliberation, agreed, with the Ministries Council and the Council of Assembly to suspend the requirement to receive Congregational Contributions for 2018, 2019, 2020 and 2021, with a view to reinstating the Contributions in 2022, if required.

**8.3** To ensure that good dialogue takes place timeously amongst all the relevant parties, the Trustees have further agreed with the Ministries Council and the Council of Assembly that a review of the Fund's position and the anticipated level of demand for assistance from the Fund, be carried out during the first quarter of 2020. This should allow adequate time for the necessary adjustments to budgets.

**8.4** Furthermore, to assist in this process, the Trustees have agreed that the Fund will collaborate with the Ministries Council to carry out research relating to the projected retirement plans of Ministers. This should enable both the Council and the Fund to have a clearer picture of the effects of such retirements on both the Fund, and the wider Church.

**8.5** The Trustees are confident that commitments already made for the next five years can be comfortably accommodated, and that there is a sufficient financial cushion to ensure that other commitments can be taken on during this period.

## 9. CHANGES TO TENANCY LAW

**9.1** The Private Housing (Tenancies) (Scotland) Act 2016 came into force on 1 December 2017, and introduced the Scottish Private Residential Tenancy which replaces the Short Assured Tenancy and the Assured Tenancy. This has no effect on existing tenants of the Housing and Loan Fund. Standard leases have been amended accordingly for all new tenancies, and the Fund's Guidance Notes have been updated to reflect the change in the law.

## 10. DILIGENCE

**10.1** 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.

**10.2** The number of empty properties currently held by the Fund continues to present challenges, as the Fund follows good practice by ensuring that they are all checked regularly, and heated during cold weather, a practice underlined by the Insurers' requirement for such precautions. Garden upkeep and payment of council tax add significantly to the costs of maintenance for such properties. Strenuous efforts are made to try and relet such properties but, for a variety of reasons, this is often not practicable. Commercial rental of such properties is only undertaken rarely, where the prospect of a sale, is for market reasons, highly unlikely.

## 11. STAFF

**11.1** 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.

## **12. MEMBERSHIP**

**12.1** Rev MA Rennie has served an initial four-year term as a Trustee. Under the terms of the Fund's Constitution, she is eligible to serve a further four-year term. The Trustees would be pleased if the General Assembly would agree to her re-appointment.

*In the name of the Trustees*

IAN TAYLOR, *Chairman*  
MARYANN RENNIE, *Deputy Chairman*  
LIN J MACMILLAN, *Secretary*

**Appendix 1**

<b>Assistance provided</b>	<b>2017</b>	<b>2016</b>
Number of Ministers retiring (and eligible to apply to the Fund)	45	37
Percentage assisted with a house to rent	11%	16%
Percentage assisted with a house purchase loan	13%	11%
Total percentage assisted	24%	27%
Percentage of individuals eligible to apply who fell within the Fund's financial parameters and who received assistance	100%	100%
Instances of assistance provided*	<b>2017</b>	<b>2016</b>
Retiring Ministers	9	11
Ministers already retired	1	3
Widow(er)s & Civil Partners	2	1
Spouses	0	1
Total	12	16

\* Assistance may be provided in a different calendar year to that in which the Minister actually retires

<i>Tenants as at 31 December</i>	<b>2017</b>	<b>2016</b>
Ministers	138	142
Widow(er)s & Civil Partners	59	63
Spouses	10	13
Commercial rental	3	3
Vacant	12	13
<i>Borrowers as at 31 December</i>	<b>2017</b>	<b>2016</b>
Ministers**	77	82
Widow(er)s & Civil Partners	41	44
Spouses	0	0

\*\* 3 Ministers have dual loans



**Appendix 2**

<b>Rental Housing</b>				
	<b>2017</b>		<b>2016</b>	
Total number of houses owned at 1 January	234		250	
Houses purchased during year	5		5	
Total cost of purchases		£733,438		£783,489
Average house price		£146,688		£156,698
Houses sold during year	17		21	
Total amount realised		£2,525,558		£3,005,655
Average proceeds		£148,562		£143,126
Houses bequeathed/gifted during year	0		0	
House relinquished during the year	0		0	
Houses relet during year	2		2	
Total number of houses owned at 31 December	222		234	
Average market rent of property purchased during year		£6,960		£7,320
Average rent of new tenancies - Ministers/Spouses		£3,525		£3,675
Average rent of new tenancies - Widow(er)s		£1,650		£1,800

**Appendix 3**

<b>Housing Loans</b>				
	<b>2017</b>		<b>2016</b>	
<i>Long term loans outstanding at 1 January</i>	126		133	
Value of loans outstanding		£6,518,050		£6,469,750
New loans granted during year	2		7	
Additional loans granted during year	1		0	
Value of loans granted		£211,000		£509,000
Loans fully repaid during year	7		14	
Loans partially repaid during year	1		2	
Value of loans repaid		£272,900		£460,700
Long term loans outstanding at 31 December	121		126	
Value of long term loans outstanding		£6,456,150		£6,518,050
<i>Short term Bridging Loans outstanding at 1 January</i>	1		0	
Value of Bridging Loans outstanding		£15,000		£0
Bridging loans granted during year	3		3	
Value of Bridging Loans granted		£106,000		£125,000
Bridging loans repaid during year	4		2	
Value of Bridging Loans repaid		£121,000		£110,000
Short term Bridging Loans outstanding at 31 December	0		1	
Value of Bridging Loans outstanding at 31 December		£0		£15,000

#### Appendix 4

<b>Outstanding Commitments at year end</b>	<b>2017</b>	<b>2016</b>
For next 5 years		
Houses to rent	21	22
Housing Loans	10	11
Value of outstanding commitments	£4,482,000	£4,691,000
<b>Preliminary Applications</b>		
	<b>2017</b>	<b>2016</b>
For those retiring between 5 - 10 years	3	5

**REPORT OF THE CHURCH HYMNARY TRUSTEES MAY 2018  
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 2017**

Proposed Deliverance	Report
<b>The General Assembly</b>	<b>1. CHURCH HYMNARY 4TH EDITION</b>
1. Receive the Report.	<b>1.1</b> In the year to 30 September 2017 the sales of the various editions were as follows:-  Words: 1,842 copies compared with 1,993 (2016) Full Music Edition: 431 copies compared with 701 (2016) Melody Edition: 104 copies compared with 229 (2016) Large Print Edition: 490 copies compared with 620 (2016) CD-Rom: 31 copies
2. To appoint Mr David Stewart as a Trustee of the Church Hymnary Trust.	<b>1.2</b> The commission due to the Trust calculated in respect of the year to 30 September 2011 in respect of CH4 was £3,863.49 compared with £4,743.79 in the previous year. From this royalties were payable to the authors of £3,348.36, the first £2,000 of which is met by the publishers, with the net commission due to the Trust £2,513.13
	<b>1.3</b> In addition sales of the Hymnary under the title Hymns of Glory, Songs of Praise amounted to 3,100 copies in all. The net commission payable to the Trust was £1,073.71.
	<b>2. CH4 IN LARGER PRINT</b> Following a deliverance before last year’s General Assembly asking the Trustees to investigate the feasibility of producing copies of CH4 in a font and format larger than the current Large Print edition, the Trustees have followed this up. Hymns Ancient and Modern have been unable to give a costing for such a project without knowing the demand. Attempts have been made to ascertain the demand but no precise figures are available. Some people who require very large print use the CD Rom to produce hymns in a format which suits their own particular requirements. Hymns Ancient and Modern are happy to provide free of charge a file of words for those who require it. Others make private arrangements for the hymns they require to be made available in a format which is right for them.

The Trustees have concluded that it is neither feasible nor necessary to produce a hymnbook in extra large type. Mindful of their responsibilities as Trustees of the fund which they administer they conclude that they have responded fully to the request made to them.

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### **3. SCOTTISH CHURCH ORGANIST TRAINING SCHEME (SCOTS)**

The Trustees were pleased to make a grant to SCOTS for the year 2016 – 2017 of £1,500. As reported last year, this was to enable SCOTS to offer local organ workshops for those wishing to develop their organ playing skills. To date three workshops have taken place and SCOTS are pleased with the level of interest. They hope to continue to offer workshops and the Trustees will look favourably on an application for funds to enable them to do so. SCOTS have expressed their thanks to the Trustees for the funds received so far. The Trustees welcome applications for funding for projects that further the purposes of the trust.

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### **4. TRUSTEES**

The Rev Colin Renwick has intimated that he wishes to resign as a Trustee. The Trustees thank him for his contribution to the work of the Trust. The Trustees propose that David Stewart, organist at Corstorphine St Anne's Parish Church be appointed as a Trustee.

*In the name of the Trustees*

PHILIP H BRODIE, *Chairman*  
HUGH ANGUS, *Secretary and Treasurer*

## THE CHURCH OF SCOTLAND TRUST MAY 2018

### Proposed Deliverance

The General Assembly:

1. Receive the Report and thank the members of the Trust for their diligence.
2. Appoint Mr Thomas C Watson as Chairman from 1 June 2018.
3. Appoint Mr W F Stuart Lynch as Vice-Chairman from 1 June 2018.
4. Re-appoint Mr Angus Bethune and the Very Rev Dr John Chalmers as members of the Trust from 1 June 2018.
5. Appoint the Rev Dr George J Whyte as a member of the Trust from 1 June 2018.

### Report

The Church of Scotland Trust, which was established by Act of Parliament in 1932, submits its Eighty sixth 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 48 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. In the last year the Trust has undertaken a number of Restricted Funds Reorganisations to enable the funds held to be better utilised for the work of the Church. In relation to some of the 'stipend' trusts held by the Trust these were reorganised to enable the capital to be invested in the Consolidated Stipend Fund for the benefit of the beneficiary congregations and the trusts themselves wound up.

##### (c) Pakistan –

The Trust must report once again there has been little progress with the transfer 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. Unfortunately, this includes Murray Christian College in Sialkot. The Government in Pakistan have still to process the denationalisation which is prerequisite for the transfer of the College.

Representatives of the Trust and the World Mission Council continue to meet with their attorney for Pakistan, Dr Peter David regularly to monitor developments and agree future strategy. The Trust will continue to endeavour to achieve its

objectives, with the help of Dr David and his many contacts in Pakistan.

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. Some cases have been found in favour of the Trust but are now subject to appeal. The Trust is legally represented in all these cases but, due to the nature of the Pakistan legal system, it is anticipated that the cases will be ongoing for some time.

#### **(d) Act II 2016 – the International Presbytery Act –**

Since the General Assembly of 2016 all congregations in the International Presbytery require the approval of both Presbytery and the Church of Scotland Trust for (a) any extensive alternations to their building/s; (b) any property purchase and (c) the lease of any property in excess of one year. The Trust continues to work with the International Presbytery to fulfil these responsibilities. The Trust has given approval for a number of property related matters in the last year.

Every congregation in the International Presbytery is required to produce a Property Report to Presbytery each year with details of the management, maintenance and insurance of congregational buildings. The Trust has found the International Presbytery's Fabric Committee has been very proactive in chasing up outstanding Property Reports from congregations and at the end of 2017 only one report remained outstanding for the year.

## **2. ACCOUNTS FOR 2017**

The Trust's Accounts for the year to 31 December 2017 have been independently examined and copies thereof are available on request from the Secretary and Clerk.

## **3. CHAIRMAN**

The term of office of the Chairman of the Trust, Mr John M Hodge, will be completed on 31 May 2018. It is recommended that the General Assembly appoint the current Vice-Chairman, Mr Thomas C Watson, as Chairman from 1 June 2018.

## **4. APPOINTMENT OF VICE-CHAIRMAN**

It is recommended that the General Assembly appoint Mr W F Stuart Lynch, as Vice-Chairman from 1 June 2018.

## **5. MEMBERSHIP**

In accordance with the constitution of the Trust, the following two members retire by rotation on 31 May 2018 but are eligible for re-appointment: Mr Angus Bethune and the Very Rev Dr John Chalmers. It is suggested to the General Assembly Mr Angus Bethune and the Very Rev Dr John Chalmers be re-appointed as members of the Trust from 1 June 2018.

It is suggested that the Rev Dr George J Whyte be appointed a member of the Trust from 1 June 2018.

*In the name and by authority of The Church of Scotland Trust*

JOHN M HODGE, *Chairman*  
THOMAS C WATSON, *Vice-Chairman*  
JENNIFER M HAMILTON, *Secretary & Clerk*

## **Addendum**

### **Mr John M Hodge, WS, Chairman**

John M Hodge was appointed Chairman of the Church of Scotland Trust by the General Assembly of 2014. He also served as Chair of the Trust from 2000-2004 and was Vice-Chair from 1999-2000. As a dedicated Churchman, and busy Session Clerk, John has led the Trust securely and the Trust has benefited from his legal knowledge and expertise. On behalf of the Church, we would like to record our appreciation to John for giving so generously of his time and abilities. The time commitment is not insignificant and John has even travelled to Pakistan to endeavour to find solutions to the many issues the Trust faces in that country. We are pleased that he has agreed to continue to serve the Trust as a member.

THOMAS C WATSON, *Vice-Chairman*  
JENNIFER M HAMILTON, *Secretary & Clerk*



## CHURCH OF SCOTLAND INVESTORS TRUST MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Approve the re-appointments of Mr R Nisbet, Mr G Young and Mr A Aitchison as members of the Investors Trust from 1 June 2018.
3. Receive the Annual Report and Financial Statements of the Investors Trust for 2017.

### Report

The Church of Scotland Investors Trust, which was established by the Church of Scotland (Properties and Investments) Order Confirmation Act 1994, submits its twenty fourth Report to the General Assembly.

#### 1. INTRODUCTION

**1.1** The function of the Investors Trust is to provide investment services to the Church of Scotland and to bodies and trusts within or connected to the Church. The Investors Trust offers simple and economical facilities for investment in its three Funds - Growth Fund, Income Fund and Deposit Fund. Investors receive the benefits of active professional investment management, regular portfolio supervision, combined with spread of investment risk and economies of scale in pooling monies via collective investment vehicles.

**1.2** The bulk of the Church of Scotland's investment is 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.

**1.3** Ethical considerations form an integral part of the investment management process and the Trustees have given instructions 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 which engages in management practices which 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 addition to the foregoing exclusions, in 2016 the Trustees agreed to avoid investment in companies which derive more than 15% of their turnover from extraction and/or sale of thermal coal and/or oil extracted from tar sands. 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.

**1.4** The Trust is a member of the Church Investors Group (CIG), an ecumenical grouping of Churches and other charitable investors which lobbies companies and investment managers to encourage them to pursue more ethical policies. The Vice Chairman of the Trust is a member of the CIG Steering Committee. Research by Edinburgh University and other bodies has shown that this policy of shareholder engagement is effective in influencing the behaviours of the leadership of companies.

**1.5** Representatives of the Trust have engaged with the Church and Society Council in a short life working group on fossil fuel investment, although only investments in Oil and Gas sector companies formed the output from the consultations. The proposed action forms part of the Church and Society Council's report and deliverances.

As noted in the Trust's report last year, the discussions on fossil fuels have highlighted the need for a wider review of the Church of Scotland investment policy to take account of developing thinking on ethical, social and governance issues arising from the investment of funds and during 2017 the Council of Assembly further developed and approved an Investment Policy for the Unincorporated Councils and Committees. A paper was prepared by the Chairman and Vice Chairman of the Trust and submitted to Council of Assembly Finance Group recommending that the Church puts in place resource to focus on Environmental, Social and Governance (ESG) matters for all investing bodies within the Church and to inform relevant committees and councils on ESG developments. This resource would be accountable for setting up and maintaining a Church of Scotland Statement of Investment Principles so that the Church can be engaged actively in ESG developments in future, rather than on a reactive basis as at present. The Council of Assembly Finance Group has agreed to consider this recommendation and make proposals in due course to the Council of Assembly. In the meantime, Investors Trust will report on how alignment with ESG matters, including the Paris Agreement is considered to be progressing, both in its published reports and in its briefings to investors.

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## **2. INVESTMENT PERFORMANCE AND OUTLOOK**

**2.1** The total value of funds invested through the Church of Scotland Investors Trust increased from £416.7 million at 31 December 2016 to £443.4 million at 31 December 2017.

Investment values saw an increase in 2017 due to the generally positive market returns.

**2.2** The Growth Fund invests predominantly in listed company shares (equities) in the UK and overseas stock markets, with smaller exposures to corporate bonds and property. Newton Investment Management has managed the Growth Fund since January 2006. Total Return for the fund in 2017 was 11.3% against the composite benchmark return 11.3%. However, the Growth Fund performance compares well in its peer group with similar charity sector mandates.

**2.3** The Income Fund has been managed by Royal London Asset Management (RLAM) since February 2012 and is invested in a variety of RLAM pooled funds which invest in underlying bonds and equities. In September, following the closure of the Royal London Ethical Equity Fund, and in the absence of any suitable alternative fund at RLAM the Income Fund invested 7.5% of its investment with RLAM into the Charities Property Fund. Investors were notified of this change. The total return for the Income Fund in 2017 was 9.7% against the composite benchmark of 5.5%.

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## **3. INCOME DISTRIBUTIONS**

**3.1** The Growth Fund has earned dividend and interest income of 17.10p per unit against a target of 16.0p. Accordingly, the Trustees have agreed to pay a total distribution of 17.0p per unit for 2017 and add the balance to reserves.

**3.2** The level of income earned on the Income Fund was in line with our forecast and allowed the fund to maintain the targeted distribution of 50.0p per unit while modestly building on reserves.

**3.3** The average rate for 2017 declared by the Deposit Fund was 0.49. The average rate payable in 2018 will, as usual, depend on money market rates but current expectations, are for rates to remain at or around current levels.

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## **4. MEMBERSHIP**

**4.1** In accordance with the terms of the Constitution, the following three members retire by rotation at 31 May 2018: Mr R Nisbet, Mr G Young and Mr A Aitchison. All three have indicated they wish to seek re-election, and it is recommended to the General Assembly that Mr R Nisbet, Mr

G Young and Mr A Aitchison be re-appointed members from 1 June 2018.

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## **5. ANNUAL REPORT AND FINANCIAL STATEMENTS FOR 2017**

Copies of the 2017 Annual Review and the Annual Report and Financial Statements for the year to 31 December 2017 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*

C Y ALEXANDER, Chairman  
B J DUFFIN, *Vice-Chairman*  
J URQUHART, Acting Secretary



NOMINATION COMMITTEE MAY 2018

Proposed Deliverance

The General Assembly:

- 1. Receive the Report.
- 2. Encourage the Council of Assembly to develop an Information Technology and Communication strategy, in connection with its work on the National Offices, which will enable wider use of technological options to overcome barriers for participation of Council and Committee members in the work of the Church. (Section 3.3)
- 3. Appoint the Very Rev Dr John Chalmers as Convener of the World Mission Council. (Section 4.2)
- 4. Appoint the Rev Jennifer Adams as Convener of the Panel on Review and Reform. (Section 4.2)
- 5. Make alterations to Standing Committees and Councils as set forth in the Report. (Section 6)

Report

1. BACKGROUND

1.1 The Nomination Committee identifies ministers, deacons, elders and members to serve on the Church’s national Councils and Committees. Each autumn, the Committee invites the submission of names from Kirk Sessions, Presbyteries, Ministers, The Guild, Councils, Committees and individuals with a view to bringing forward nominations to the General Assembly for approval. On behalf of the Church, the Committee would like to thank all of those who serve in this way, bringing their gifts, experience and vision to the various strands of work as illustrated within this Volume of Reports.

1.2 Whilst the Committee is able to bring forward names to fill all of the vacancies for the 2018-2019 session, Commissioners are invited to promote this avenue of service to a wider audience to ensure that these bodies are continually renewed with fresh thinking and energy. In section 3.2 of this Report, the Committee highlights that there may be around half of our Church members who do not know they are eligible to serve in this way, and a good number who may just be lacking the confidence to apply. A word of encouragement might be all that is needed to prompt someone to get involved in this area of the Church’s life. In particular, we are always keen to receive nominations for younger people and under-represented groups. Commissioners will find a Nomination Committee pro-forma in their pigeon-holes during the General Assembly, and we would like to invite you to approach someone new to nominate by the closing date of 30 November.

2. NOMINATION PROCESS TO LEGAL BODIES

Last year’s General Assembly instructed the Council of Assembly to facilitate conversations among the Nomination Committee, the Legal Questions Committee and senior officers of the Church to recommend whether a better alternative method may be put in place for the nomination of persons to serve on Church bodies dealing with specific legal matters. A report on this work is contained within the Report of the Council of Assembly (Section 11.2). The Nomination Committee is content with the proposed way of working,

given the particular challenge of attracting nominations from the wider church to these bodies.

3. BARRIERS TO INVOLVEMENT

3.1 The General Assembly of 2015 instructed the Committee, in partnership with the Council of Assembly and other relevant Councils or Committees, to explore the barriers involved for people in employment and students in becoming members of a Council or Committee and how these can be minimised to allow greater participation and diversity and report back to a future General Assembly. The Committee brought interim reports to the General Assembly in 2016 and 2017 and has continued to consider the matter in the course of this session. The following two pieces of work have been progressed in this regard.

3.2 Survey

3.2.1 A short questionnaire was carried out in a sample group of congregations, asking people to indicate (1) whether they were aware of the national Councils and Committees of the Church and of the opportunities for service in these areas; (2) what would encourage them to serve on these bodies; and (3) what would discourage them from serving. From the 386 submissions received, it was noted that 52% of the contributors did not know they were eligible to serve on the national bodies of the Church. This point could quite easily be addressed through greater efforts at a local, regional and national level to promote this avenue of service, to seek out people with particular gifts and experience and to encourage their involvement.

3.2.2 As for the factors which encourage and discourage involvement, the responses were as follows:

This would encourage me to serve	%
More information	37%
Local meetings	24%
Confidence I can make a contribution	37%
Video conferencing	17%
This would discourage me from serving	
Getting to Edinburgh for meetings	41%
Timing of midweek meetings	24%
Lack of time	48%
Expense	22%

3.3 Use of Technology

3.3.1 Particular attention has been given to the question of whether the use of video and audio conferencing technology would help remove some of the barriers to participation. Such methods of communication are now familiar and accessible to most of us. A number of the national Councils and Committees already make use of video-conferencing for smaller meetings, thereby increasing access for members and reducing travel time and costs. At present, there are two rooms within the National Offices equipped for such meetings, but there is clearly scope for expanding this provision.

3.3.2 The Committee is mindful of the continuing work by the Council of Assembly to bring forward proposals for the future development and use of the Offices in Edinburgh. The provision of meeting spaces which are fit for purpose in the 21<sup>st</sup> Century will, we anticipate, be a key part of that work. In this regard, the Committee asks the General Assembly to encourage the Council of Assembly to develop an Information Technology and Communication strategy which will enable wider use of technological options to overcome barriers for participation of Council and Committee members in the work of the Church.

3.3.3 Notwithstanding these longer term plans, the Committee would wish to encourage all of the national

bodies to make greater use of the technological solutions which are currently available.

**3.4** The Committee continues to hold the view that barriers to participation will only be fully addressed when the Church examines its meeting culture.

#### **4. CHARITY GOVERNANCE**

**4.1** The Nomination Committee is charged by the Assembly with implementing an open recruitment process for new Trustees of the Unincorporated Councils and Committees, in line with the General Assembly's determination in 2010.

**4.2** The Committee noted that the Convener of the World Mission Council is due to retire this year and that the Convener of the Panel on Review and Reform will be standing down at the General Assembly. In light of the fact that the incumbents will become members of the Council of Assembly and charity trustees for the Unincorporated Councils and Committees, the Nomination Committee engaged with the World Mission Council and the Panel on Review and Reform to ensure that their processes for identifying nominations for Convener were robust and transparent and that due account was taken of the skills and qualities needed for charity trusteeship as well as for convening these bodies. The Committee wishes to draw the Assembly's attention to the nomination of the Very Rev Dr John Chalmers as Convener of the World Mission Council and the Rev Jennifer Adams as Convener of the Panel on Review and Reform.

**4.3** With regard to the process for filling the other trustee vacancies, the Nomination Committee arranged for an advertisement to be placed in *Life and Work* and on the Church's website, seeking applications on two occasions in the year. Interviews for shortlisted candidates were held, with the Nomination Committee providing the chair and members of the interview panel and the Convener and Secretary of the Council of Assembly attending as observers. The nominations are contained within Section 6 along with a proposed reappointment. The Nomination Committee wishes to thank the applicants who so willingly submitted themselves to a rigorous recruitment exercise.

#### **5. STATISTICAL INFORMATION**

**5.1** 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.

**5.2** Approximately 3,000 e-mails inviting nominations were sent out to Ministers, Session Clerks, Presbytery Clerks, the National Office of the Guild, members of the Nomination Committee and Secretaries of Assembly Councils and Committees.

**5.3** These letters produced a total of 177 proposed nominations, broken down as follows (with some individuals proposed for more than one committee, and some forms supported by more than one category eg Minister and Kirk Session):

- 62 nominations from Ministers (compared with 45 last year and 52 in 2016), with 37 being approached;
- 13 nominations from Kirk Sessions (compared with 32 last year and 9 in 2016), with 6 being approached;
- 16 nominations from Presbyteries (compared with 38 last year and 17 in 2016), with 12 being approached;
- 2 nominations from the Guild (compared with 4 last year and none in 2016), with 1 being approached;
- 9 nominations from Nomination Committee members (compared with 6 last year and 7 in 2016), with 6 being approached;
- 86 nominations from Councils and Committees (compared with 82 last year and 102 in 2016), with 79 being approached.

**5.4** A total of 130 vacancies required to be filled this year.

#### **6. NOMINATIONS FOR APPOINTMENT TO COUNCILS AND COMMITTEES**

**6.1** The following two reappointments can only be made if the General Assembly agree to suspend Standing Order 122. It is anticipated that the Business Convener will arrange for that question to be put to the Assembly at an appropriate point in the proceedings.



**6.1.1** The Committee wishes to nominate Morag Ross QC for a second term, for four years, as one of the Conveners of the Judicial Commission.

**6.1.2** The Committee wishes to nominate the Rev Helen Jamieson for a second term, for two years, as one of the Vice-Conveners of the Appeals Committee of the Commission of Assembly.

**6.2** The Committee recommends the following appointments:

*\* denotes second term*

### **Appeals Committee of the Commission of Assembly**

*Vice-Conveners Appointed* Helen Jamieson\* (Carluke: St Andrew's) (2 yrs) *subject to the General Assembly suspending Standing Order 122*

Philip Brodie\*, Alan Hamilton, *Conveners*  
Helen Jamieson\*, Grahame Lees, *Vice-Conveners*

### **Assembly Arrangements Committee**

*Convener Retiring* Judith Pearson (Aberdeen: Queen's Cross)  
*Convener Appointed* Fiona Smith (Inverness: Ness Bank)  
*Vice Convener Appointed* Donald McCorkindale (Ardgour and Kingairloch l/w Morvern l/w Strontian)  
*Death of Minister* Jennifer Macrae  
*Ministers Retiring* Kristina Herbold Ross, James Stewart  
*Minister Resigning* Alexander Horsburgh  
*Ministers Appointed* Sheila Kirk (Deer) (3 yrs), Alison Mehigan (Nairn: Old), James Stewart\* (Perth: Letham St Mark's)  
*Member Appointed* J Graeme Roberts (Aberdeen: Ferryhill)

Fiona Smith, *Convener*  
Donald McCorkindale, *Vice-Convener*

### **Audit Committee**

*Convener Retiring* Grant Macrae  
*Convener Appointed* Andrew Croxford (Carnock and Oakley)

Andrew Croxford, *Convener*

### **Chaplains to HM Forces Committee**

*Convener Retiring* Gordon Craig  
*Convener Appointed* Marjory Maclean (Abernyte l/w Inchtute and Kinnaird l/w Longforgan)

*Ministers Retiring* Colin Brockie, Donald Prentice, Graham Smith, Steven Thomson

*Minister Resigned* Louis Kinsey

*Ministers Appointed* James Aitchison (Aberdalgie and Forteviot l/w Aberuthven and Dunning), Daniel Connolly (Locum, Largoward), Shuna Dicks (Cults), William McLaren (Dundee: Stobswell)

*Members Retiring* Stuart Bridges, Richard Campbell-Doughty  
*Members Appointed* Morag Crawford DCS (Rosyth), Eric Fraser (St Andrews: St Leonard's)

Marjory Maclean, *Convener*  
Carolyn Macleod, *Vice-Convener*

### **Church Art and Architecture Committee**

*Ministers Retiring* Alison Mehigan

*Ministers Appointed* Gordon Armstrong (Paisley: Oakshaw Trinity) (3 yrs), Susan Cord (Killearnan l/w Knockbain) (2 yrs)  
*Member Retiring* Andrew McCreath

*Members Resigning* Paul Goode, Wayne Pearce

*Members Appointed* Nicola Donaldson (Cupar: Old and St Michael of Tarvit), Andrew McCreath\* (Aberdeen: Midstocket)

William Hogg, *Convener*  
James Alexander, *Vice-Convener*

### **Church and Society Council**

*Ministers Retiring* Muriel Pearson, Bruce Sinclair

*Ministers Appointed* Karen Hendry (Yoker), Peter Johnston (Aberdeen: Ferryhill), Muriel Pearson\* (Glasgow: Cranhill)

*Members Retiring* Allan Gordon, Dan Gunn, David Johnson, Marjorie Paton, Charles Smith

*Members Resigned* Jean Forrester, Gordon Mackay, Hazel Watson, Rhoda Wright

*Members Appointed* David Blackwood (Edinburgh: Mayfield Salisbury), William Doak (Bishopton), Rebecca Gebauer (Glasgow: Wellington), David Johnson\* (Dumfries:

Maxwelltown West), Duncan Logie (Glasgow: Wellington), Gary Noonan (Troon: Portland), Marjorie Paton\* (Auchterarder) (2 yrs), Charles Smith\* (Banff) (3 yrs)

Richard Frazer, *Convener*  
Pauline Edmiston, Wendy Young, *Vice-Conveners*

## **Council of Assembly**

*Vice-Convenor Retiring* Catherine Coull  
*Vice-Convenor Appointed* David Watt  
*Minister Resigned* John Ferguson  
*Member Retiring* John Corrigan  
*Members Appointed* John Corrigan\* (Stewarton: John Knox),  
Alison Fenton (Giffnock: South), Norma Rolls (Edinburgh:  
Palmerston Place)

Sally Bonnar, *Convenor*  
David Watt, *Vice-Convenor*

## **Ecumenical Relations Committee**

*Convenor Retiring* Alison McDonald  
*Convenor Appointed* Alexander Horsburgh (Dalkeith: St  
Nicholas' Buccleuch)  
*Vice-Convenor Resigned* Calum MacLeod  
*Vice-Convenor Appointed* Kevin Mackenzie (East Kilbride:  
Westwood)  
*Minister Retiring* Stephen Fulcher  
*Minister Appointed* John McMahon (West London Mental  
Health Trust)  
*Member Retiring* Marjorie Paton  
*Member Appointed* Pauline Weibye (Edinburgh: Craigmillar  
Park)

Alexander Horsburgh, *Convenor*  
Kevin Mackenzie, *Vice-Convenor*

## **Iona Community Board**

*Minister Retiring* David McLachlan  
*Ministers Appointed* David McLachlan\* (Glasgow: Langside),  
Alan Miller (Stirling: Church of the Holy Rude l/w Stirling:  
Viewfield Erskine)  
*Member Retiring* Fiona Cunningham

Alan Kimmitt, *Convenor*

## **Judicial Commission**

*Convenors Retiring* Robert Brodie, Morag Ross  
*Convenors Appointed* Richard McFarlane (St Andrews: Holy  
Trinity), Morag Ross\* (Edinburgh: Portobello and Joppa) (4yrs)  
*subject to the General Assembly suspending Standing Order 122*  
*Vice-Convenor Retiring* David Lunan  
*Vice-Convenor Appointed* William Hewitt (Kilmarnock: St  
Andrew's and St Marnock's)  
*Ministers Retiring* Richard Baxter, Alan Dunnett, Kenneth

Elliott, Neil Gardner, Alan Greig, Alexander Horsburgh,  
Douglas Irving, Victoria Linford, Ian McLean  
*Minister Appointed* Catherine Beattie  
*Elders Retiring* Catherine Coull, Helen MacKenzie, Hugh  
Mackintosh, Susan Pym, James White  
*Elder Appointed* Alan Cox

Richard McFarlane, Morag Ross\*, *Convenor*  
William Hewitt, Colin Renwick, *Vice-Convenors*

## **Judicial Proceedings Panel**

*Ministers Retiring* Dorothy Anderson, David Arnott, David  
Clark, George Cowie, Thomas Riddell  
*Ministers Appointed* Dorothy Anderson\* (Alloa: Ludgate), Gary  
Peacock (Irongray, Lochrutton and Terregles), Thomas  
Riddell\* (Linlithgow: St Michael's)  
*Elders Retiring* John Anderson, Morag Crawford DCS, Alan  
Dewar, Richard Henderson, Nigel Lawrie, Richard McFarlane,  
Catherine Mappin, Anne Mulligan DCS  
*Elders Appointed* John Anderson\* (Edinburgh: Duddingston),  
Morag Crawford DCS\* (Rosyth), Alan Dewar\* (Edinburgh:  
High (St Giles')), Richard Henderson\* (Edinburgh: Balerno),  
Nigel Lawrie\* (Largs: Clark Memorial), Richard McFarlane\* (St  
Andrews: Holy Trinity), Anne Mulligan DCS\* (Edinburgh:  
Mayfield Salisbury)

## **Legal Questions Committee**

*Vice-Convenor Retiring* Alistair May  
*Vice-Convenor Appointed* Barbara Finlayson (Edinburgh: St  
Andrew's and St George's West)  
*Member Retiring* Robert Hynd  
*Member Appointed* Richard Henderson (Edinburgh: Balerno)

George Cowie, *Convenor*  
Barbara Finlayson, *Vice-Convenor*

## **Life and Work Advisory Group**

*Member Retiring* Stuart Wilson  
*Member Appointed* Stuart Wilson\* (Kilmacolm: Old)

John Ferguson, *Convenor*

## **Ministries Council**

*Vice-Convenor Re-appointed* John Dent\* (Dundee: Logie St  
John's (Cross)) (1 yr)  
*Ministers Retiring* Sarah Brown, Jonathan Fleming, Alison  
Meikle, Andrew Morrice, Andrea Price

*Ministers Resigned* Rolf Billes, Dorothy Granger  
*Ministers Appointed* John Butterfield (Stromness), Stella Campbell (Skene), Aftab Gohar (Grangemouth: Abbotsgrange), Ruth Halley (Logie), Alan Hamilton (Bearsden Killermont), Ute Jaeger-Fleming (Edinburgh: Leith Wardie) (2 yrs), Nathan McConnell (Dundee: Downfield Mains) (2 yrs), Andrew Morrice\* (Dunfermline: East) (2 yrs), Fraser Penny (Dunkeld), Donald Scott (Chaplain, HMYOI Polmont)  
*Members Retiring* David Alexander, Allan Sim, James White  
*Members Appointed* David Alexander\* (Uddingston: Viewpark) (2 yrs), Barbara Finlayson (Edinburgh: St Andrew's and St George's West) (3 yrs), Catriona Munro (Stirling: St Columba's), Elspeth Smith (Cupar: Old and St Michael of Tarvit) (2 yrs), Dot Weakes (Perth: North)

Neil Glover, *Convener*  
John Dent\*, David McLachlan, Eleanor McMahon,  
Sarah Ross, *Vice-Conveners*

### **Mission and Discipleship Council**

*Vice-Conveners Retiring* Daniel Carmichael, Jamie Milliken  
*Vice-Conveners Appointed* Peter Gardner (Presbytery of Glasgow), Lynne McEwen (Strathbrock)  
*Ministers Retiring* Elizabeth Fisk, John Orr  
*Ministers Appointed* Stephen Ogston (Luce Valley)  
*Members Retiring* Joanna Love DCS, Andrew Morrison, Mary Ritchie  
*Member Resigning* Moira Land  
*Members Appointed* John Cunningham (Stornoway: High), Paul Goode (Earlston) (2 yrs), James Houston (Lochmaben) (1 yr), Richard Lloyd (Dalgety), Joanna Love DCS\* (Glasgow: Colston Milton), David McFie (The United Church of Bute) (1 yr), David Nicolson (Glasgow: St George's Tron)

Norman Smith, *Convener*  
Martin Fair, Peter Gardner, Lynne McEwen, *Vice-Conveners*

### **Nomination Committee**

*Ministers Retiring* Robert Craig, Charles Finnie, Stephen MacDonald, George Shand  
*Ministers Appointed* Robert Calvert (Dundee: The Steeple), Mark Foster (Edinburgh: Pilrig), Andrew Gardner (Brussels), Alan Greig (Insch-Leslie-Premnay-Oyne *member*), Malcolm Kinnear (Kinlochleven l/w Nether Lochaber), William Wishart (Edinburgh: St Martin's)  
*Members Retiring* Ann Bowie, John Cunningham, David Lloyd  
*Members Appointed* Mary Gargrave DCS (Glasgow:

Carnwadric), Isabella McDerment (Glasgow: Scoutstoun), Ian Russell (London: St Columba's)

Lynsey Kimmitt, *Convener*  
John Collard, *Vice-Convener*

### **Panel on Review and Reform**

*Convener Resigning* Graham Duffin  
*Convener Appointed* Jennifer Adams  
*Vice-Convener Appointed* Christine Cavanagh (Bearsden: Killermont)  
*Minister Retiring* Keith Mack  
*Minister Resigned* Joanne Hood  
*Ministers Appointed* Andre Groenewald (Edinburgh: Balerno) (1 yr), Keith Mack\* (Dalkeith: St John's and King's Park)  
*Member Retiring* Joanne Kennedy  
*Member Resigned* Merlyn Ball  
*Member Appointed* Joanne Kennedy\* (Hamilton: South)

Jennifer Adams, *Convener*  
Christine Cavanagh, *Vice-Convener*

### **Presbyterial Commission**

*Convener Appointed* Roddy John Macleod (Edinburgh: Greyfriars Kirk)  
*Vice-Conveners Appointed* Jonathan Brodie (Edinburgh: Canongate), Andrew Stevenson (Glasgow: Newlands South), Keith Stewart (Dirleton)

David Burns, Roddy John Macleod, Ian Miller, *Conveners*  
Jonathan Brodie, Graeme Dagleish, Shona Haldane, Andrew Stevenson, Keith Stewart, *Vice-Conveners*

### **Registration of Ministries Committee**

*Minister Resigning* Marjory Maclean  
*Minister Appointed* William McLaren (Dundee: Stobswell)

Neil Dougall, *Convener*  
Hazel Hastie, *Vice-Convener*

### **Safeguarding Committee**

*Convener Re-appointed* Karen Campbell\* (Edinburgh: Marchmont St Giles') (1yr)  
*Ministers Retiring* Douglas Irving, David Logan  
*Ministers Appointed* Arthur Christie (Presbytery of Dunfermline) (3 yrs), Fiona Reynolds (Monifieth)  
*Members Retiring* Elizabeth Garrity, John Pears

*Members Appointed* Alison MacVie (Benbecula), John Pears\* (Kirkintilloch: St Mary's)

Karen Campbell\*, *Convener*  
Caroline Deerin, *Vice-Convener*

### **Social Care Council**

*Vice-Convener Retiring* Hugh Stewart

*Vice-Convener Appointed* Thomas Riddell (Linlithgow: St Michael's)

*Death of Minister* Arrick Wilkinson

*Minister Retiring* Sheila Moir

*Ministers Resigned* David Sutherland, Erica Wishart

*Minister Appointed* Sheila Moir\* (Maxton and Mertoun l/w Newtown l/w St Boswells)

*Members Retiring* Jo Elliot, David Matheson, Grant Petrie, Susan Pym, William Wallace

*Members Resigned* Heather Dickson, Alasdair MacRae

*Members Appointed* Jo Elliot\* (Edinburgh: Greyfriars Kirk),

Christine Johnson (Edinburgh: Liberton), Shona MacKay (Lenzie: Union), David Matheson\* (Dumfries: St Mary's-Greyfriars') (1 yr), David Nicholson DCS (Cumbernauld: Kildrum) (2 yrs), Paula Roots (Edinburgh: Kirkliston)

Bill Steele, *Convener*  
Irene McGugan, Thomas Riddell, *Vice-Conveners*

### **Theological Forum**

*Minister Retiring* Kenneth Jeffrey

*Minister Appointed* Hector Morrison (Highland Theological College)

*Member Appointed* Andrew Torrance (St Andrew's: Holy Trinity)

Donald MacEwan, *Convener*  
Sarah Lane Ritchie, *Vice-Convener*

### **World Mission Council**

*Convener Retiring* Iain Cunningham

*Convener Appointed* John Chalmers (Dunfermline: Abbey)

*Vice-Convener Retiring* Susan Brown

*Vice-Convener Appointed* Alan Miller (Stirling: Church of the Holy Rude l/w Stirling: Viewfield Erskine)

*Ministers Retiring* Edmund Gatima, Kleber Machado, Miller Milloy, Barbara Ann Sweetin

*Minister Resigned* Graham McGeoch

*Ministers Appointed* Edmund Gatima\* (Aberdeen: Torry St

Fittick's), Alisa McDonald (Kingswells), Kleber Machado\* (Corby: St Ninian's), Barbara Ann Sweetin\* (Forfar: East and Old)

*Members Retiring* Ian Macaulay, Charles Munn, Roy Nelson

*Members Appointed* Jenni Barr (Dunblane: Cathedral), John Bradley (Glasgow: Wellington), Chris Fett-Worsfold (St Andrews Lhanbryd and Urquhart), William Gray (Torrance), Peter Kershaw (Pardovan, Kingscavil and Winchburgh) (1 yr), George Russell (Edinburgh: St Andrew's and St George's West)

John Chalmers, *Convener*  
Maureen Jack, Alan Miller, *Vice-Conveners*

*In the name of the Committee*

LYNSEY KIMMITT, *Convener*  
JOHN COLLARD, *Vice-Convener*  
MARTIN SCOTT, *Secretary*



## MISSION AND DISCIPLESHIP COUNCIL MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report
2. Instruct Kirk Sessions to explore how the fresh vision for eldership outlined in section 2.3 applies to their particular local context. *(Section 2.3 and Appendix I)*
3. Instruct Kirk Sessions to consider how the aspirations outlined in the report shape their ongoing ministry and engagement with children and young people in the parish. *(Section 2.5 and Appendix II)*
4. Urge Presbyteries and Kirk Sessions to engage fully in the Year of Young People initiative. *(Section 2.6)*
5. Urge Kirk Sessions to use the Conversations in Worship resource within a Kirk Session meeting in 2018. *(Section 3.2)*
6. Encourage Kirk Sessions to draw on Pray Now (including the sections on How to Pray/How They Prayed) for fostering the congregation's prayer life. *(Section 3.3)*
7. Instruct the Council, in collaboration with the Theological Forum, to develop creative, instructive and grace-filled pathways for the spiritual development of children and young people in order to support congregations in welcoming them to the Lord's Table. *(Section 3.6)*
8. Commend the Weekend of Invitation to Presbyteries and Kirk Sessions and encourage congregations to think of ways of developing a culture of invitation. *(Section 4.2)*
9. Urge Kirk Sessions and Presbyteries to consider ways in which congregations can more effectively support Christians from minority migrant communities living and worshipping in their neighbourhoods. *(Section 4.3)*
10. Urge every congregation to actively promote Life and Work, the magazine of our Church, as a tool to encourage, inspire and resource. *(Section 5.2)*
11. Instruct Kirk Sessions to explore what opportunities exist for a fresh expression of church in their parish. *(Section 5.5)*
12. Instruct the Mission and Discipleship Council and Ministries Council to bring a joint report from the Joint Emerging Church Group to the General Assembly of 2019, bringing recommendations on the future strategy of the JECG. *(Section 5.5)*
13. Instruct the Mission and Discipleship Council and Ministries Council to seek an extension of their partnership with Fresh Expressions until 30 September 2020. *(Section 5.6)*
14. Urge Kirk Sessions to use the resources listed in Appendix VI and to promote their usage in the wider congregation. *(Section 5.10 and Appendix VI)*

## Report

### 1. INTRODUCTION

**1.1** The Mission and Discipleship Council's calling is, individually and together, to follow Jesus and to encourage and equip others to do the same. This year has seen the Council increasingly focus its work around the theme of discipleship. Going forward, this will increasingly be the lens through which we will be viewing all our work: are we helping people to follow Jesus and to grow in faith?

**1.2** This year our report is deliberately built around the proposed themes within the Council of Assembly's Strategic Plan: Active Discipleship; Worship; and Connecting with Communities. In each of these sections we are asking: Are we offering the chances for people to discover the love of God? Are we supporting people to grow in faith, individually and collectively? Are we finding out where God is already at work and joining in?

**1.3** This is an exciting journey, but it is also a challenging one. It is not just travelling forward in faith which is easier to say than to do. It is also about leaving behind much of what has felt safe and secure. Think of those young fishermen at the edge of Lake Gennesaret, barely adults themselves, just finding their feet. Yes, there was the excitement of following Jesus but there was also the uncertainty of leaving behind much of what they and their families had known.

### 2. DISCIPLESHIP

**2.1** The Council could spend a great deal of time seeking to agree the perfect definition of discipleship; however, our calling is not to define discipleship but to be disciples. In our work we have adopted the definition, which will be enriched by experience, from the Anglican Consultative Council which states: "Discipleship is a God-ward transformation which takes place when individuals and communities intentionally, sacrificially and consistently live every aspect of their daily life in commitment to following Jesus Christ. It is a lifelong, whole-life reorientation which will have challenging implications for our self-identity, our belonging within community, our belief systems and our daily behaviour."

#### 2.2 Learning About Our Faith

In order to grow as disciples, we need to deepen our understanding of what we believe and who we believe in. Last year, as part of that deepening of faith the Council published

a new Learn publication on *Understanding Our Faith* (<https://goo.gl/njXn4p>). It takes people on a journey through seven core issues of Christian faith, equipping them to understand and communicate their faith more clearly and with increased confidence. In the Foreword, the Very Rev Dr Derek Browning, Moderator of the General Assembly of the Church of Scotland writes: 'Faith is thought and prayer and contemplation put into action. To understand our faith better requires constant questioning and wondering and imagining. Wherever we gather to contemplate what and why we believe, part of the process of belief must lead us to authentic action that demonstrates what we believe, and how it has transformed us and may, even in a small way, transform the world in which we live.' A Learn 'Understanding Our Faith' conference was held in November 2017, attended by over 100 people. A copy of the presentations from the day are available at <https://goo.gl/PPZGfP>.

#### 2.3 Elders as Disciples

**2.3.1** Elders continue to play a vital but changing role in the life of the church at every level. Alongside teaching elders, ruling elders are front line leaders who point others to Jesus through their words and example. Over the last three years the Eldership Working Group of the Council has brought to successive Assemblies, a renewed and developing vision for the eldership focused deliberately around the promotion of a discipleship culture at individual and congregational levels.

**2.3.2** Most if not all of us can think of an elder who through the way that they live their lives point others to the transforming love of God. These are people like Agnes, who people have always recognised as a woman of deep and persistent prayer. Or like John, whose wise leadership has led many young people into a living faith with God. Or like Pat, whose ability to overcome great sadness and suffering has pointed others to Jesus.

**2.3.3** Elders have a critical leadership role in the development and delivery of this vision that is primarily focused on local contextual mission and distinctively concerned with the discipleship of God's people. The elder's role is multifaceted and Kirk Sessions take the lead role in practical and pastoral duties, fulfilling trusteeship obligations and encouraging others to faithfully follow Christ. The Council is committed to supporting and equipping elders to be disciples, and in turn, enabling our elders to support others associated with the church community to faithfully follow Jesus. Appendix I details some of the support that is currently



provided for elders, along with materials the Council is in the process of producing. These are grouped under the broad headings of 'call'; 'preparing to serve'; and 'ongoing support and development'. We are asking the question, 'What does it look like in practical terms for elders to take a fresh approach to promoting a discipleship culture?'

**2.3.4** There are many examples of where this is already happening. For example, in Arbroath St Andrew's: 'The Kirk Session has deemed it to be important that new, younger people are brought into leadership circles even while overall eldership numbers are being reduced. To this end, a long-term approach to leadership development has been adopted. All of those within the 18 to 25 year age group are invited to be part of this process. The group meets monthly with the minister and at those meetings food is shared, fun is had and time is given over to the reading of scripture, to prayer and to discussions concerning the nature of being a Christian in 21st century Scotland and concerning the shape of church necessary for this time and place.'

**2.3.5** In Irvine Fullarton, Fullarton ConneXions, is also pioneering a different model: 'For discipleship and leadership training, our Grow Groups meet monthly and encourage buddies to meet/be in touch weekly to pray with and support each other in our walk with God, intentionally asking, "What is God doing in your life?" and "What has God been teaching you?" In our Grow Groups people are paired with buddies to which they are accountable.'

**2.3.6** Any fresh vision must involve a letting go as well as a taking up and the Council recognises the need to streamline the critical administrative and governance tasks which elders undertake as trustees. The Council has produced two new guidance documents which enable Kirk Sessions to look afresh at congregational administrative requirements, particularly for the circumstances where certain skills may be in short supply. These guidance documents, *Church Organisation from Scratch* (<https://goo.gl/tEJR9G>) and *Frequently Asked Questions to the General Trustees Department* (<https://goo.gl/zVZs7F>), provide clarity about the requirements for specific roles, such as treasurer or aspects of Church, such as buildings and fabric. Although initially produced with the rural context in mind, the guidance provided is of broader relevance.

**2.3.7** The Council supported the recommendation of the Eldership Working Group that a formal process be devised

whereby an elder can continue to be actively involved in the life of a congregation, without the associated obligations of trusteeship that come from being a member of the Kirk Session. The Council understands that the Legal Questions Committee, following its consultation on membership of church courts, has identified other associated aspects, such as the notion of elders being appointed to serve on Kirk Sessions for fixed terms and the granting of sabbatical leave. The Council looks forward to working with the Legal Questions Committee to address these important aspects associated with the eldership.

**2.3.8** Elders and other office bearers carry out vital roles within congregations across Scotland that ensure congregations are able to function. The Council has developed Office Bearers online (<https://goo.gl/uGrkmw>) to assist office bearers in this significant work. Whether it is a treasurer, session clerk, clerk to the board or safeguarding officer, to name a few, easily accessible information has now been gathered into one clear, concise and easily accessible section of the Church of Scotland website.

**2.3.9** In the midst of all this work, the Council's primary focus and concern, however, must remain on supporting, enabling and encouraging elders to be disciples and to develop a culture of discipleship within the congregations which they help lead. In 2017, the Council continued its practice of hosting a series of retreats across various locations in the Highlands and Islands (Skye, Braco, Nethy Bridge and Lairg). This year the theme of the retreats was 'Being Disciples'. In April the Council hosted a national conference for elders, 'A Journey of Discipleship', to enthuse and inspire current and future elders with a fresh vision of discipleship. For those who were unable to attend videos and resources from the event can be found at <https://goo.gl/PPZGfP>.

## 2.4 Pastoral Care as Discipleship

**2.4.1** While elders may often have specific pastoral responsibilities, all disciples are called to care for one another and for wider society. There remains a strong and welcome tradition of pastoral care and support across the Church. Moving forward this is one of the gifts of the Church which we must maintain and strengthen, with an increasing recognition that the task of caring is a responsibility of the whole church and not just a few.

**2.4.2** It is therefore very encouraging to report that last June over 300 people attended the Council's Pastoral Care conference; a testimony both to the ongoing commitment to care and to the desire to do so in ways that are relevant for today's society and Church. Focusing around the why, what, how, when, where, and who of pastoral care, the conference was an opportunity to increase participants' understanding of pastoral care and also to plan for more effective pastoral care ministry in our churches and communities. Comments about the day included: "[This] clarified my thinking about pastoral care. As there is not an 'organised' care structure in my church, it has helped me to see a way forward." "Excellent to hear something thoroughly Bible based. Things like this give me hope for the Church of Scotland." "Inspirational, with much love and thought given to the topic." A follow-up conference will be hosted and supporting publication, *Learn: Pastoral Care*, will be available in the autumn of 2018.

**2.4.3** The 2016 General Assembly instructed the Council to 'promote congregational learning and awareness of the issues transgender and gender non-conforming people experience, in order to better facilitate pastoral care to and inclusion of transgender and gender non-conforming people at a local level'. The Council has responded by developing *Diverse Gender Identities and Pastoral Care*, a resource that shares the stories of everyday folk in Scotland, some of whom identify as transgender people. Others are a spouse, a parent or a minister of a trans person. The resource, which has been sent to every congregation, provides a space for the publication's contributors to share their experiences in their own words.

## 2.5 Young People as Disciples

**2.5.1** There are many examples throughout the Scriptures of children and young people being more acutely aware of the presence of God than their elders. Yes, the Church has a responsibility to reach out to children and young people with the Good News of the Gospel but it also needs to listen to young people and to learn from them what it means to follow Jesus today. Writing in the Foreword of the Council's *Children & Young People* Learn publication, Jamie Milliken, one the Council's vice-conveners writes: 'Children and young people matter. The dynamic and life affirming presence they bring today matters. The hope and potential they bring for tomorrow matters. Living faith shared between the generations matters. If all this matters to you, then this book has been written for you; may God challenge, affirm and bless you as these words take shape and bring life within your congregation' (<https://goo.gl/njXn4p>).

**2.5.2** If children and young people are to become followers of Jesus, People of the Way, the Church must find ways of sharing and nurturing faith. It must also find a way for the faith, curiosity and enthusiasm of children and young people to speak to and disturb the rest of the Church. The Council's *Towards a Theology of Children and Young People* report was accepted by the General Assembly in 2017, and the Council was instructed to continue to work on developing, articulating, and employing a theological framework for the Church of Scotland in its ministry with children and young people. Hence, the Council, in collaboration with the Theological Forum, has spent a further period of reflection in order to develop a theological framework for the Kirk's work with children and young people. This is expressed as 'Aspirations', a summary of which is provided in Appendix II (with more detailed descriptions provided at <https://goo.gl/Vjsmgr>). The Council believes that whilst these have been developed for the purposes of developing congregations' ministries with children and young people, they are in fact relevant to the whole Church community. In due course the Council intends to develop resources to equip local congregations to engage with the aspirations.

## 2.6 Year of Young People

**2.6.1** Throughout 2018 the Scottish Government is 'encouraging generations to come together to celebrate our nation's young people' (<https://goo.gl/DyQf9M>). The Council has taken a lead facilitative role to enable the Church of Scotland to do so. Our overall aim is to foster a renewed focus on, and celebration of, the role of children and young people in our churches and communities.

**2.6.2** At the time of writing, the Council is scheduled to be hosting a series of 'Encounter and Celebration' roadshows in Dumbarton, Dalkeith, Dundee and Inverness, seeking to encourage churches both to celebrate the fantastic contribution young people are making in many of our churches and wider society as well as helping them to develop their work alongside children and young people. We will explore how churches can engage with children and young people in new ways, with fresh vision and in different contexts, sharing new thinking, ideas and examples of what is happening across the country. Examples of workshop content includes developing faith that sticks; developing faith in the home; engaging with schools; and intergenerational church and worship.

**2.6.3** The Council has produced a special Year of Young People toolkit to support congregations to participate in the initiative (<https://goo.gl/tUHZUo>). There has been an enthusiastic response to it with over 370 toolkits being sent out to churches who have signed a pledge to be involved in the Year of Young People. Some have passed on their feedback: "Thank you for the wide range of materials and suggestions included in the excellent YOYP Toolkit. It is full of useful resources and ideas that can be used in worship, with children and young people and our Kirk Session. It is very well presented and we appreciate the supplementary material on the website as well. It is helping us as a church to plan to engage in lots of ways through the Year of Young People, to listen to our young people and reshape how we work with children and young people."

**2.6.4** A number of congregations responded to the idea of holding a launch service for the initiative on 28 January 2018. In Aberfeldy, "Over 100 people from across the generations attended the youth led evening service. Showcasing the last 15 years of The Breathe Projects development, young people welcomed, led worship and delivered presentations about their current work as well as their hopes and aspirations for 2018. We had an exceptional turn-out of parents, young people and congregation members who have benefitted from our youth work over the years and we also got the opportunity to thank our many volunteers past and present, many of whom have prayed for decades for a time such as this."

**2.6.5** At Dalmuir Barclay, "Our YoYP launch service was fantastic and included five-year-old children saying prayers, an eight-year-old reading the church reading and children taking in the Bible and the collection. The minister even dressed up as Mr Potato Head - it was amazing!"

**2.6.6** At Livingston United, "We developed and signed our own Charter for Children and Young People to mark Year of Young People 2018, recognising that children and young people are equal partners with adults in the life of the church and we look forward to lots of ways to express that during this special year and beyond."

**2.6.7** At Marchmont St Giles, "We had a cut out body shape and everyone came up and stuck on post-its of what they will commit to do during the YoYP. Then a seven-year-old read the reading (previously children had only been involved in the Nativity play but not been asked to read). The

congregation loved the service and there was real enthusiasm and energy for the whole body worshipping together."

**2.6.8** Through active involvement in the Year of Young People 2018, which by the time the General Assembly meets will be almost half way through, the Council hopes to see the Church of Scotland change, develop and grow so that following on from the year, young people will have more opportunities to be welcomed, included and accepted as equal members of local churches; churches are more intentional about engaging with children and young people; there are more opportunities for intergenerational work and conversations; young people have a greater say in decisions about the church and their lives; and young people are recognised and valued within the Body of Christ. In the proposals for a Young People and Education Forum, which are being brought to the General Assembly through the Church and Society Council, there is an important opportunity for the national councils to work together more effectively to support young people growing up in Scotland today.

**2.6.9** In all of this we need to recognise that Jesus challenged the people of His day to recognise that children were the first members of the Kingdom of God, not the last or latest additions.

## **2.7 A Successor to the National Youth Assembly**

**2.7.1** The 2017 General Assembly instructed the Council 'to address the proposals contained within its report on the subject of the National Youth Assembly Review and as part of that process to create a working group of fourteen people comprising seven members of the Mission and Discipleship Council and seven young people (including former and current members of the National Youth Assembly, youth workers and other young people), young people to form the majority of the group and the group to be co-chaired by a young person and a member of the Council, and to bring an interim report to the General Assembly of 2018 considering the vision, scope, structures and resourcing that engage young people in spiritual formation and decision making processes at all levels of the Church.'

**2.7.2** In June 2017, the Council selected seven people to be part of the working group and Esther Nisbet and Norman Smith were invited to co-chair it. This initial group had the task of selecting an additional seven young people who would join them to carry out the work. Applications were invited from across the Church and open to anyone of secondary school age and above with a particular interest in those under

30. The application form and references submitted by applicants were used to select people who demonstrated: a willingness to engage positively throughout the process; an ability to see beyond their own situation; a live church connection with the Church of Scotland; the capability to see outside the box; a vision for the discipleship of young people; and a willingness to listen to different points of view.

**2.7.3** The working group held its first meeting in October 2017, during which it explored what information it would need and from whom in order that the process of envisioning new ways of doing things was built from an informed position. Since then the group has been meeting regularly and consulting with young people, those who work with young people (volunteers and paid workers), the national Church (councils, committees and 121 staff), Presbyteries, congregations and our ecumenical partners.

**2.7.4** Tamsin Dingwall, a member of the working group, says: "I am very blessed to have been chosen to be a member or the Church of Scotland and Young People working group. Having only recently discovered the National Youth Assembly my faith has grown dramatically and whilst I understand it may not be possible to continue this past 2019 I am so pleased to be able to work towards finding more options for younger members of the church to flourish in their faith. I pray that we can find new ways to engage youth within the church that helps both the church and the spiritual development of the members." Entirely appropriately, young people are driving that process.

**2.7.5** The working group will bring a full report to the 2019 General Assembly. In the meantime, it is inspiring to see this group working together as they seek to discern the most effective ways forward.

## **2.8 Life Stories**

**2.8.1** People tend to follow Jesus because they know others who do or they hear about people whose lives have been deepened by faith. Stories matter. The Why Believe? Group has continued to gather stories of people's faith. There are now 13 available at <https://goo.gl/9aaVUq>.

**2.8.2** Sharing our faith can be an awkward thing to do, perhaps especially in our naturally reticent culture. We are grateful for the example of people like Tracey, Susan, James, Michael and many others who have been willing to share how God is changing them. Their stories are part of the wonderful

story of what God is continuing to do in our churches and in our country. One of the notable features of the Life Stories is that, in each case, the person concerned is able to recognise, and express thanks for, the accompaniment of their fellow disciples at key points on their journey. Let's never forget to give thanks to God, and to one another, for the people who have introduced us to the Gospel and have nurtured us as people of faith.

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## **3. WORSHIP**

**3.1** God loves us and we, in turn, are called to love God. We do so as individuals, in times of quiet reflection and listening. Critically, we do so together; Christianity is a community faith. The Council continues to develop resources designed to support us individually and collectively to worship God and to enable us to be aware of God drawing near to us.

### **3.2 Conversations in Worship**

**3.2.1** In worship we draw close to God and allow God to draw close to us. Yet many of us find it hard to express this and our worship can, on occasions, become empty, shallow and routine. We need to learn to talk about worship not just in terms of the words that were used, the hymns that were sung but in terms of the experience: how it impacted us; how we felt; and how our lives have been changed in the process. To that end, *Conversations in Worship*, launched at last year's General Assembly, is being used by congregations to help people gather and share stories of how they have encountered God in worship. The process lasts only 60-90 minutes. It enables exciting and moving conversations to take place. As such, it is perfect for mid-week services, Kirk Session meetings, Café Church style worship, Guild meetings and similar gatherings.

**3.2.2** One congregation reported that they enjoyed using it so much that it inspired them to begin writing their own 'conversation resources,' looking at prayer and other related themes. One participant, who used it amongst colleagues, said: "I've shared more deeply here than I ever have shared at work." Another participant at a Presbytery gathering said: "We spend so much time and energy on keeping the show on the road. This has reminded us what the show is about."

### 3.3 Prayer

**3.3.1** Prayer is the life-breath of the Christian; without it we are starved of the oxygen of our encounter with God. We cannot be disciples, followers of Jesus, without prayer.

**3.3.2** This year, *Pray Now* followed the theme 'Word of Life' and was launched at the 2017 General Assembly. The book contained 52 individual prayers relating to the theme as well as 12 articles at the back of the book entitled *How We Pray*. These articles were drawn from a range of sources and reflect on issues such as praying with doubt, praying for healing, praying prophetically, praying with learning disabilities and praying pastorally. Five of these 12 articles were recorded as short instructional videos and are available to view on the Church of Scotland website. The book has sold 1290 copies and a further print run was made to be included in the resource pack for the National Day of Prayer 'Together We Pray'.

**3.3.3** As part of the wider theme of 'Stories E.T.C.', *Pray Now*, *Stories of Encounter* was launched in December 2017. This book followed a similar format to *Word of Life*. In this year, the 12 articles focus on 'How They Prayed,' exploring the lives of 12 historical figures widely regarded as having contributed to the prayer life of the Church.

**3.3.4** In both publications, there has been a blend of *what* we might pray and *how* we might pray. The content always relates directly to a whole variety of Scripture verses, hopefully making them ideal resources for prayer groups, house groups, Bible studies or even as a starting point for mid-week services. *Pray Now* deliberately draws from a pool of writers that represent a breadth of theological opinion as well as a rich variety of approaches to God in prayer.

**3.3.5** The Council provided a large part of the creative input and material for the Together We Pray packs. Furthermore, the inclusion of our *Conversations in Worship* resource and *Pray Now*, *Word of Life* offered a way for groups and congregations to reflect on how they encounter God in the midst of their worship and community life. Full details of the Together We Pray project can be found in the Council of Assembly report section.

**3.3.6** The Church of Scotland social media platforms have continued hosting the daily prayers and blessings created by the Council as a way of promoting a more reflective moment for Church of Scotland Twitter and Facebook followers. From

the start of 2018, the Communications Team has been developing this resource. The prayers and blessings have continued to be widely appreciated in 2017 with the total 'likes' on Facebook reaching 61,302 and the total 'shares' reaching 25,304. Special calendar days were often very popular, such as New Year's Day, Christmas Day and Easter Day. However, some ordinary days seemed particularly engaging with users such as 7 November:

*'May God's grace,  
like golden leaves,  
fall gently and silently around you  
and those you love this day.'*

**3.3.7** The Resourcing Worship team was part of the writing team for the worship material for the Week of Prayer for Christian Unity. This process of writing alongside ecumenical partners from CTBI has created worship material that allows the whole Church to join together in prayer and worship across the world. The material was downloaded around 6000 times.

### 3.4 Ecumenical Work and Worship

**3.4.1** The Church of Scotland is part of the worldwide Church and our worship and practice is strengthened and deepened through learning from and worshipping alongside others from a wide variety of traditions. Hopefully, we also have a little to offer from within our own denomination. As part of the Joint Liturgical group of Great Britain, a London-based ecumenical working group, the Council hosted two day-long conferences focused on contemporary worship and liturgy under the title 'Shaped by Worship'.

### 3.5 Resourcing Worship

**3.5.1** Over the past year the Council has continued to coordinate the production of materials to support those leading worship through 'Weekly Worship'. Over the last year this has been viewed 110,000 times and accessed by 81,000 unique visitors, making it one of the most visited pages on the Church of Scotland website. One congregation offered this feedback: "I would like to thank all who provide the Weekly Worship resources. We are in vacancy without a locum minister, and when pulpit supply is not available our small worship team leads services in both churches. We have found the worship resources on CofS website a great help, especially on occasions when, as volunteers, we struggle to find time to meet and share the preparation of a service."



**3.5.2** The Church of Scotland also has a rich tradition of hymn writing and sharing. In 2017 we recorded a significant number of hymns and songs within CH4 to assist worship leaders, especially those who cannot read music, to expand their diet of worship music and explore the richness of the content of CH4. We are currently exploring the best way to make the short samples available online and hope to have them ready for download via the Church of Scotland website in the second half of 2018.

**3.5.3** The Council was delighted to be involved with the development of the 2017 online Advent Calendar. The short videos focused on the characters of Nativity Story and who they might represent in today's society. Fuller details on the Advent calendar can be found under the section on Together We Pray as part of the Council of Assembly report.

### **3.6 Children, Young People and Communion**

**3.6.1** Since 1992 the Church of Scotland has actively encouraged the participation of children at the celebration of the Lord's Supper. Where this has happened, the impact has often been transformative for the children concerned, their families and friends and the wider community of faith. Yet Church of Scotland statistics reveal that only 6% of the under 18s who are associated with our congregations are receiving communion. There will inevitably be a wide variety of reasons for this, including the fact that many children and young people may not wish to participate or, although involved in a wide range of church activities, would not think of themselves as naturally part of the worshipping community of the Church. However, the reality remains that even the children and young people that are involved in the life of many of our churches are not being given the opportunity, or are choosing not to come to share the meal that Jesus encouraged His disciples to share together.

**3.6.2** The 2017 General Assembly instructed the Council to consult with Presbyteries and Kirk Sessions in order to determine the extent to which the Church is finding Act XV (1992) Act Anent Admission of Children to Communion, subsequently consolidated into Act V (2000) Consolidating Act Anent the Sacraments, to be pastorally helpful in the discipleship of children and young people.

**3.6.3** This was done through a survey conducted in October 2017. A summary of the findings of the survey are available in Appendix III. Its principle conclusions are: too few of the under 18s who are present in our congregations are

receiving communion; there is a need to develop congregations' understanding of the theological relationship between baptism and communion; congregations need support in developing an improved understanding and practice of communion; further guidance on the discretion allowed within the permissive nature of Act V (2000) Consolidating Act Anent the Sacraments is needed to give guidance to Kirk Sessions who experience being caught between keeping within Church law while facing the practical and pastoral challenges associated with restricting access to communion to those who are baptised; and there is a lack of Church of Scotland specific communion resources, both for preparation and liturgy.

**3.6.4** The Council is grateful to the Theological Forum for the work undertaken over the last year on this important issue. At this point, the Council is clear that the Church must do more to welcome children and young people to the Lord's Table.

### **3.7 Healing and the Church**

**3.7.1** Healing was an integral part of Jesus' ministry and the Church, in various traditions, has retained a commitment to healing through the centuries. In November 2017, The Council, working alongside the Guild of Health and St Raphael, hosted the annual Denis Duncan Lecture, a lecture which focuses on the health and healing ministry of the Church. The lecture, given by the Very Rev Dr David Lunan, was entitled 'The Kingdom of God is Creation Healed' and was attended by around 70 people from a variety of Church backgrounds. Feedback on the event and the lecture itself has been very positive and the recording, provided by Sanctus Media, has been viewed a further 500 times. Over the coming year, the Council, in collaboration with others, will explore how this ministry of healing can be further strengthened and more effectively resourced across the Church.

### **3.8 Buildings Matter**

**3.8.1** God is in all of life and the Spirit of God is present in every place and situation. And for many, God is also associated with a particular space or place, often a church building. It is true that church buildings can become idols – they prevent us from encountering God or involve us in the worshipping of false gods – but they can also be icon, which point people towards God and create the space where we can become aware of God's presence in our lives.

**3.8.2** Throughout 2017 the Committee on Church Art and Architecture (CARTA) dealt with 318 applications (compared to 190 in 2014, 202 in 2015 and 274 in 2016). These were all processed through the 'single gateway agreement' in place with the General Trustees. This involved visiting 170 congregations to discuss proposals, frequently on more than one occasion. Congregations not visited were sufficiently uncontroversial as to be approved under powers. In early 2018 CARTA and the General Trustees have been taking time to evaluate the single gateway process and make improvements where required.

**3.8.3** In addition to the advice given in relation to specific cases, the Committee has also worked on some resources to help congregations to learn more about 'Church Art and Architecture.' Using digital technology, it successfully piloted 360° filming of a range of churches across the country. These were produced to help people to get an experience of being inside a church and to explore some of the key elements of our church buildings. Photographs and films were shared via the Church of Scotland website and social media channels. The videos in the test phase were viewed over 45,000 times and the photographs had a combined reach of over 500,000. Whilst many of these may well have been from people who already knew the church, for others this is proving a door into church. Comments have included: "Wow, I live close to the cathedral and have never been in. Thank you!" "This church brought a tear to my eye when I went in." "So peaceful and beautiful." "Thank you for sharing – I felt like I was inside."

**3.8.4** Guidance notes for congregations wishing to develop their own 360° videos and images are available on the Resourcing Mission website (<https://goo.gl/KQJcp9>).

## 4. ENCOUNTERING COMMUNITY

**4.1** The Church can easily fall into a false polarity which suggests that God is to be found in the Church rather than in wider society and which sees, somehow, the Church as separate from rather than fulfilling its call to be salt, leaven and light as an integral part of the wider community. George Macleod prayed about the glory of God in the High St as well as in the highest. We have a responsibility to build one another up in faith and to deepen our faithful following of Jesus as a community. But following Jesus leads us to the people and places that Jesus, during his earthly ministry, spent time with; people who are frequently found outside the walls of the community of faith.

## 4.2 Creating a Culture of Invitation

**4.2.1** Put bluntly, people are unlikely to become disciples unless other disciples invite them to start the journey of following Jesus. We need to get far better at encouraging one another on that road. For too long many of us have considered it to be someone else's task to invite people to be disciples. It isn't. With the support of the Holy Spirit, it is our individual and shared task.

**4.2.2** Research conducted by Michael Harvey, of Season of Invitation, has revealed that while 70% of people say that they have a name in mind of someone they feel God wants them to invite to something, between 80 and 95% say they have no intention of making that invitation. Overwhelmingly the reasons given for this reticence are to do with our own anxieties, rather than any external circumstances.

**4.2.3** Over the past two years the Why Believe? Group of the Council has been working in collaboration with others to help encourage a 'Culture of Invitation' in the Church. It is important to emphasise that this is not simply, or even primarily, an invitation to come to Church. It is an invitation to follow Jesus, to be a disciple. The Council has been working with Michael Harvey and Season of Invitation to help those in our congregations feel supported and resourced to simply invite people to come with them to a church service or to other church-based activities. This follows on from 'Talking Jesus' (October 2016) in collaboration with the Church of England, which showed that those not in church are generally well disposed to both the person of Jesus and His followers (<https://goo.gl/PGMQDA>) and 'Creating a Culture of Invitation' (March 2017), in collaboration with Alpha Scotland and Season of Invitation.

**4.2.4** In preparation for a 'National Weekend of Invitation' (15 to 17 June 2018), the Council hosted a series of 10 roadshows across the country which brought together participants from 34 Presbyteries to get churches planning their invitation events and how, indeed, we create a culture of invitation in our churches. More information about the initiative, and how your congregation can get involved can be found at <https://goo.gl/u3mS3g>. Specific information about the Church of Scotland's involvement is on the Council's website at <https://goo.gl/bpqDKX>.

**4.2.5** Following his attendance at one of the roadshows, George Fiddes (St Nicholas Parish Church, Prestwick) wrote: "Just have to share with you the fantastic service we had



yesterday prior to our invitation Sunday we are planning for 24 December. I expected perhaps 20-40 people to come forward to place [their commitment to invite someone] on the cross and more than 80 people came forward, more than I could have expected. God is good."

**4.2.6** Another participant, Jim McCaig (Bellshill West Parish Church) said: "[We] have been astounded at the positive benefits in personal spirituality we have accrued as a result of accepting the commission to invite new members, we have seen the power of real prayer at work."

**4.2.7** What would it look like if over the next year every church in Scotland ran a special invitation event for its friends and neighbours? What, indeed, would it look like if every member invited just one other person to join them on the journey of faith and discipleship?

### **4.3 Migrant and Multi-Cultural Church in Scotland**

**4.3.1** The 2016 General Assembly instructed the Mission and Discipleship Council, in collaboration with the World Mission Council and the Ecumenical Relations Committee, 'to reflect on the evolving church situation in contemporary Scotland, by undertaking a study of 'immigrant' churches in Scotland and developing initiatives to strengthen relations for mutual learning, partnership and closer working with the Church of Scotland, and present an interim report to the General Assembly in 2018.'

**4.3.2** This work was carried out by the Mission Forum, also drawing on the expertise of the Church and Society Council. The Forum quickly agreed to use the term 'Migrant and Multi-Cultural' as opposed to 'immigrant.' In summer 2017 an online survey was carried out, to which there were 227 responses; an excellent return rate, highlighting how significant this issue is for a growing number of congregations and communities. Fuller details about the survey and the Forum's reflections are available at <https://goo.gl/Vjsmgr>.

**4.3.3** The survey's findings provide a fascinating and important lens into the life of our communities and congregations:

- Around one third were aware of groups of people born outside of the UK sharing in Christian worship or fellowship. 40 different nations from five continents were mentioned.

- A quarter said that they currently have a formal or informal connection to one or more of these groups in their area. 15% of respondents said that their premises were used by or shared with one or more of the groups in their area.
- More than half of respondents had people born outside the UK who were regular members of their own worshipping community.
- Around a quarter of respondents reported that office bearers of their worshipping community were born outside the UK.
- Most people (80%) said they thought that their worshipping community had fewer people who were born outside the UK as members, compared to the wider population. 16% said they had about the same and 4% of respondents said their congregation had more people born outside the UK as members than the wider population.
- Around a quarter of respondents said that their congregation offers practical support or services aimed specifically at people born outside of the UK, including asylum seekers, refugees and migrants.
- Few respondents (less than one in 10) observed Racial Justice Sunday in their congregation, but that nearly two thirds did observe the Week of Prayer for Christian Unity.

**4.3.4** Behind these statistics are people; people who demonstrate that the nature of many of our churches and communities is changing and how we are being immeasurably challenged and enriched by that experience. There is the growing number of Church of Scotland ministers who have come from other parts of the world to serve. There is the growing network of Minority Ethnic Churches Together in Scotland (MECTIS). There is the growing number of churches that share their premises with congregations that have their roots in other parts of the Christian family, including Pentecostal and Orthodox, and many other parts of the world such as Russia, China, Zimbabwe and Iran. There are congregations where the worshipping community is increasingly diverse and others which struggle to relate to their changing environment. And then, of course, there are churches that are part of the International Presbytery where they continue to live out their faith as part of a minority culture, often attracting people from many parts of the world

with their combination of English as a shared language and Reformed tradition.

**4.3.5** It is difficult to underestimate the significance of these changes, particularly at a time when there is an increasing rise of xenophobia and racism. Within this context the Church is called to celebrate diversity of church life in Scotland; affirm that we find our identity primarily in Jesus Christ and that our own nationality, culture, race and language should be no barrier to the fellowship we seek in order that we might fulfil Christ's wish that we may all be one, so that the world might believe (John 17). The Church, from that first day in Jerusalem when the Holy Spirit came upon the crowds who had gathered in the city from across the then known world, has always been racially, culturally and socially diverse (Acts 2). We must find ways of nurturing that diversity today and of celebrating and supporting those who already are.

**4.3.6** The survey also highlighted the need for action nationally, considering whether there are better ways of managing the expectations of congregations to celebrate the apparently ever-growing number of special Sundays and the ways in which our current ecumenical structures can more effectively reflect the increasing diversity of Scotland's Christian communities.

## 4.4 The Rural Church

**4.4.1** Almost half (43%) of our congregations serve rural communities and the Council has continued to seek ways that it can support and enable these congregations and communities. These are often small congregations with limited resources which are being spread increasingly thinly across multiple communities. Many encounter poverty, isolation and the fragmentation of neighbourhoods as public services come under increasing strain. In many cases, the local Church continues to play a vital role but it too is facing significant strain and pressure.

In 2017 Church members in remote and rural areas were encouraged to attend a series of free roadshows designed to help them overcome challenges and embrace the opportunities that are found in their context. The roadshows, organised by the Mission and Discipleship Council's Rural Working Group (RWG) showcased a suite of eight new resources created by the RWG and were held at Lairg Parish Church in Sutherland, Kilmonivaig Church near Spean Bridge in the Highlands, St Madoes and Kinfauns Parish Church in

Perthshire, Melrose Parish Church in the Scottish Borders and Aberlour Church. Attendees were given the opportunity to connect and consider how they might support each other after the event by establishing their own local forum, with help from the RWG, based on the highly successful forum in Ayr Presbytery. Following requests, more Rural Roadshows are planned for 2018, in different rural locations. Copies of resources from the roadshows can be found here (<https://goo.gl/R5azb2>).

**4.4.2** The Roadshows also gave the RWG an opportunity to consult with members about what would most benefit rural congregations going forward. From this the RWG has set the following areas on which to focus its working during 2018: research into the current landscape of rural ministry, minister vacancies etc. and analysis of the future implications; develop a partnership with the Arthur Rank Centre to review, tailor and distribute their excellent resources; consult with the Ministries Council about providing a much requested resource looking at questions around recruitment, training and retention of rural ministers; work with the Scottish Churches Rural Group (an ACTS committee) to create a rural-focused response to the Scottish Church Census, including the rural Church's practical response to rural poverty.

## 5. RESOURCING

**5.1** The Council's work is fundamentally about supporting the Church to be as effective as possible in its work of sharing the Good News of the Gospel and in encouraging people to grow in faith and in love of God. Much of this work it undertakes through engaging with and working alongside local congregations. It also does so through national publications, activities and resources.

### 5.2 Life and Work

**5.2.1** The power of *Life and Work* is its ability to make readers feel they are a part of something bigger: an encounter with the magazine can make readers feel they are not just part of their congregation but part of a national and world Church as it tells the stories of churches and Christians the length and breadth of Scotland, the wider UK and across the world.

**5.2.2** Its overarching message is: 'You are not alone' for congregations, ministers, Christians and faith seekers who will find a pre-eminent source of news and views on Christian life with information and stories that cannot be found anywhere else. Its monthly and daily online mix of news, features and devotions weaves a web of unmissable reading for those interested or seeking the life of the national Church in Scotland.

**5.2.3** Evidence of the power of *Life and Work* comes from congregations and is demonstrated by this email: "I am a Session Clerk in Edinburgh. I'm scheduled to do intercessory prayer next week and would like to use the prayer on page five of the December issue. Can I use the prayer as a base for mine?"

**5.2.4** The magazine is also the basis for creating encounter: "I also want to give a personal thanks for the magazine's unwitting help this Remembrance Sunday, when I was taking services locally. I focused on contemporary Chaplains to the Forces and used extracts from articles by Chris Kellock and Marjory MacLean as well as Sheila Munro's contribution to the 'Big Question' feature on forces chaplaincy.

"What, though, the people found particularly telling (and for some, moving) was to quote from letters from chaplains at the Front in WW1, which you recently reprinted. These were so vivid and provided a backcloth for the service, using them as a 'backbone' for the liturgy."

**5.2.5** It can also encourage encounter with new ideas and thinking: "Thank you for your excellent issue containing articles on Communion."

**5.2.6** But the work of the magazine can only be sustained through the power of promotion. Around 1000 volunteers lovingly distribute parcels of magazines delivered to their doors or collected from offices and the *Life and Work* team needs every congregation's help in promoting the magazine to a new and wider audience, either in print or via a digital subscription.

**5.2.7** In 2017, for the first time, *Life and Work* became a multi-platform title, which is extending our reach into a new marketplace, thanks to now being available digitally. There has been small but encouraging growth in this area and we hope to reach even more new readers in the years to come, amid the ongoing challenges facing the media marketplace.

Although holding its own in challenging circumstances for printed media and declining church attendance, there is an opportunity for growth.

**5.2.8** Today we challenge every congregation to increase its sales of *Life and Work* to reach as many readers as possible both in Scotland and across the world in growing the reach of the magazine of our Church, enabling them to encounter our love and faith filled communities. For the magazine of our Church needs support from its members, elders and ministers, not only in terms of distributing, sharing, reading and buying it, but in spreading awareness of its very existence and reaching a new audience and offering fresh encounter for all participating in the life of the Church of Scotland. It is also a touching place for those who are new to Christian faith. (Subscribe at <https://goo.gl/FXyt7q>)

## **5.3 Show and Tell**

The Church faces real struggles but, at the same time, there are many stories of good news; of faithful followers of Jesus growing in faith and doing wonderful things. One way in which we have been able to help share those stories is through the 'Show and Tell' Video competition. Congregations were asked to submit a short video about their congregation. The videos, limited to just three minutes, were judged on how informative, inspiring and imaginatively they told their stories of community engagement. The winner was Musselburgh Northesk Parish Church and close runner-up was Glasgow Wallacewell New Charge Development. Both videos can be viewed on the Church of Scotland YouTube channel (<https://goo.gl/Yk6l1A>). The success of the competition was not limited only to the prize-winners; one of the entrants has reported: "At Oxnam Kirk are so delighted with your idea that, subject to passing it at session, we are going to purchase an iPad or similar, so making it possible to have a new film made every year with our activities. This will then be shown at the church and also in the local hall and community. It may also be possible to put it on our Facebook page... So thank you for such a brilliant idea."

## **5.4 Future Focus**

**5.4.1** One way in which the Council seeks to encourage churches to develop a more deliberate discipleship culture is through Future Focus. This is a facilitated process offered by the Council to congregations, which enables the congregations themselves to reflect on their vision within their own context, and to begin to plan the steps that can turn the vision into reality. (Information about Future Focus is

available at <https://goo.gl/QwGhiR>.) Future Focus has been under continuous development, and a committed team of volunteers have been invaluable in supplementing the staff team, and keeping waiting times down for congregations to a minimum. In April a day conference was held to help facilitators, both staff and volunteers, develop ways of learning from one another, and improving the content and delivery of the resource for congregations.

**5.4.2** Since Future Focus was first offered a decade ago, Local Church Review (LCR) has become the primary vehicle by which Presbyteries can support congregations to both reflect and look forward. Future Focus is still being used fruitfully by individual or groups of congregations, however, to help them reflect and plan. LCR in many respects has made the principles of Future Focus a part of the normal cycle of reflective practice in the church. It is therefore right that Future Focus is not perceived as a rival process, but one which is complementary and can be useful to assist working together across congregations, or when circumstances change in between LCR cycles. The Council does not expect that demand for Future Focus will increase, and is confident that the requirements of congregations from Future Focus can be met with our current level of resourcing.

## 5.5 Joint Emerging Church Group and Fresh Expressions

*"Forty years ago, around three new churches a year were being set up – nowadays this number has shot up to 300! Most people are unaware that the Church of England is experiencing this level of growth in the creation of new Christian communities who see themselves as Anglican yet are entirely relevant in today's society."*

**5.5.1** This was the response of Rev Dr George Lings, then Director of Research at Church Army, when asked what the most encouraging aspect of fresh expressions of church was that he had discovered during his research. (<https://goo.gl/3C5gmF>)

This is the kind of growth and energy in the church that we long to see in our own denomination. Extensive research over more than a decade has consistently shown that one of the most significant factors resulting in the growth of the church within the United Kingdom, is the intentional establishment of new worshipping communities, referred to in different contexts as church planting, emerging church or fresh

expressions of church. Already, we are aware of more than 50 such initiatives in Scotland.

**5.5.2** Building on the work of earlier groups, such as the Emerging Ministries Task Group, the Joint Emerging Church Group (JECG) has existed since 2012. It is a joint group of the Mission and Discipleship and Ministries Councils, with involvement also from the Panel of Review and Reform. The JECG was reconstituted during 2017 and, going forward, it aims to promote, co-ordinate and encourage take-up of the initiatives related to growth and renewal developed by the Councils. It will do this under the existing banner of 'Going for Growth', the next phase of which will be launched during 2018. The JECG will also continue to have oversight of relevant research, and the partnership with Fresh Expressions (<https://goo.gl/n9299>). At this key moment, the Mission and Discipleship and the Ministries Councils will bring a joint report to the 2019 General Assembly outlining the shared future strategic direction of the JECG.

**5.5.3** 'Going for Growth' has been part of the response of both Councils to the Deliverance from the 2014 General Assembly, instructing them to train people throughout the Decade of Ministry in the theology and practice of mission. This has been a collaborative response by the Councils, and remitted by them to the JECG to oversee. The JECG has now invited every Presbytery in Scotland to participate in 'Going for Growth' day conferences, has offered follow-up support (through Fresh Expression Vision Days) and has hosted a series of three residential 'Going for Growth' Summer Schools.

**5.5.3.1** The 'Going for Growth' day conferences comprised of sessions tailored for those with a particular relevant remit within Presbytery, and other sessions which were open to everyone from congregations. Their purpose was to inspire, encourage, share stories and information, and inform. So far, 332 people have attended the day events, with more planned in 2018.

**5.5.3.2** On each occasion the team offered to return to the region to run a Fresh Expressions Vision Day. This offer has been taken up in all areas. Vision Days are one of the resources available from the Fresh Expressions agency. As a Fresh Expressions partner, we have been able to offer these to Presbyteries and groups of churches. We have been grateful to our partners in Fresh Expressions, which has enabled these days to be run ecumenically. So far eight Vision Days have

been run as follow-up to 'Going for Growth' day conferences, attended by 272 people. Additional Vision Days in Fort Augustus and Mull have been run by the wider Fresh Expressions partnership in Scotland. More days are planned in 2018.

**5.5.3.3** In 2017 it hosted the last of the three residential Summer Schools, entitled "The Heart of the Matter", which looked beyond the initial phases of a fresh expression of church, to look at how discipleship is nurtured in a pioneering context, believing this to be key to the future growth and health of the church. The event marked the concluding stage of the 'Going for Growth' initiative, planned to run from 2014 to 2018, and with it a time to review, evaluate and refocus. Over the three years there has been a mix of ordained, non-ordained church employees and other church members.

The planning group aimed to provide support, a sense of community and strong relationships, high quality input from contributors, mutual support, and providing time and space for refreshing and renewal of participants. As a result of the Schools, several participants have gone on to further training; others have been inspirational in their local context, becoming a catalyst for Vision Day and other training in their own area. There has been an increased sense of possibilities, an increased awareness of resources and help available, and a growing sense of optimism for the future, as the church finds new ways to love and serve the communities it is part of, in Jesus' name.

## **5.6 Fresh Expressions Partnership**

**5.6.1** Much of what has been achieved has been inspired and supported by the work of our friends in other denominations and agencies. In particular, the ecumenical agency Fresh Expressions UK has been generous with its research and resources for over a decade. Their track record in the area of pioneering new expressions of church persuaded the Mission and Discipleship and Ministries Councils that strengthening our relationship with Fresh Expressions could be a mutually beneficial arrangement, and so the two Councils entered into a five-year partnership with Fresh Expressions on 1 October 2013. (The impact of Fresh Expressions has been extensively researched; more information on that can be found at <https://goo.gl/2N6D7j>).

**5.6.1.1** It is now time to review that partnership, and the JECG has committed to an evaluation of the impact of Fresh Expressions in the Church of Scotland, to help us understand the impact and value of the partnership for the work and mission of the Church of Scotland. The original partnership agreement will come to an end in October 2018. While the JECG expects to have completed its own evaluation by then, it is also a time of review and evaluation for our denomination, and in the light of this, it would seem prudent to refrain from making major policy changes at this time. Additionally, Fresh Expressions is also in a period of strategic planning. It would therefore seem prudent to seek an extension of this partnership until the more wide-ranging strategy of the Kirk becomes clear, and we have a clearer understanding of what a longer term partnership would entail.

### **5.6.1.2 Evaluation of Fresh Expressions in Scotland**

The impact of 'Going for Growth' and the partnership with Fresh Expressions cannot be measured solely by attendance figures at conferences and events, encouraging though these are. An evaluation of our Partnership with Fresh Expressions is underway and comprises three main sections:

- Case studies on a variety of projects reflecting the range of models, contexts and stages of development of initiatives in Scotland. (See Appendix IV)
- A review of what the Church of Scotland is contributing to the wider church, through its relationship with Fresh Expressions partners in Scotland, in the UK, and overseas.
- An exploration of how Fresh Expressions UK is developing its vision and strategy.

## **5.7 Research**

**5.7.1** Initiated by the Panel on Review and Reform, research is being carried out by the University of Glasgow into Pioneer Ministry. Further information about the Pioneer Ministry Project is included within the report from the Ministries Council. A short interim summary of this research can be found in Appendix V.

## **5.8 Conclusion**

**5.8.1** The ongoing work of the JECG aims to support growth in the church, but this growth must be rooted in the local church. In a time when resources seem to be growing scarcer, this may seem like an additional and unwelcome burden. The good news, though, is that many of these new



expressions of church have not required great resources to make the first crucial steps – for some, all that was required was a cup of coffee and a place to sit. The main components are faithfulness, imagination and the willingness to try something. Echoing the challenge in the JECG's 2013 *A Time to Grow* report, what would it look like if every congregation considered the opportunities that were present within their parish?

## 5.9 Scottish Storytelling Centre

**5.9.1** The Council continues to have responsibility for the work of the Scottish Storytelling Centre (SSC). This is a major responsibility for staff, buildings and strategy.

**5.9.2** The Mission and Discipleship Council is the owner of the SSC and John Knox House. The Council retains ultimate responsibility for both these properties. Since 2015, the cultural programme of the SSC has been the responsibility of Traditional Arts and Culture Scotland (TRACS) through a three-year contract that ended in 2018. TRACS have received confirmation that they have funding to continue this funding through until March 2021, underpinning the current cultural offer in the Centre. The Council is currently engaged in discussions with all interested parties to determine how this relationship develops in the coming years.

**5.9.3** The SSC continues to deliver on its purpose to be a resource for the arts and culture, not only in Edinburgh, but nationally and internationally, through its varied and accessible nature. The work of the SSC attracts people from a broad range of ages, backgrounds and abilities to celebrate and to practise creativity through performance, exhibition, tuition, professional exchange and participatory activities.

**5.9.4** The SSC has enjoyed a successful year in terms of visitors, audience numbers, and turnover, meeting all contractual budgetary targets and delivering successful public programmes of activity. The calendar year contains three major festivals, all of which are popular and creatively engaging. These are TradFest Edinburgh Dùn Èideann, the Edinburgh Festival Fringe and the Scottish International Storytelling Festival. The 2017 public programme also included a series of events related to John Knox House as part of 'Previously... Scotland's History Festival' and a St Andrew's Day event celebrating refugees' contribution to Scotland, in collaboration with Scotland's Winter Festivals.

**5.9.5** In addition to the public programme of events, the venue is in demand as a space where other organisations can collaborate, hold conferences and discussions, and launch policy/project developments. The SSC is popular with third sector organisations. This strand of the business is vital to the ongoing financial pressures faced and is currently being used to capacity.

**5.9.6** The SSC is central to the ongoing Edinburgh's Netherbow developments, alongside Creative Scotland, TRACS, Edinburgh UNESCO City of Literature Trust, the City of Edinburgh Council, and with neighbouring organisations in the area. This is a new proposal to develop the area around the building as 'Edinburgh's Netherbow' – a focus for celebrating the literature and related arts of the country – in which the significance of John Knox's own literary contribution will be promoted. John Knox House remains an integral part, both literally and metaphorically, of the visitor experience at the SSC and this proposal offers the prospect of significant development to improve the museum. The future direction and development is being informed by discussions and workshops.

## 5.10 Saint Andrew Press

**5.10.1** Saint Andrew Press' publishing year runs from October 1 to September 30, and in the year ending September 30 2017, four new titles were published, three fewer than in the previous year. Two regular annuals, *Word of Life* (the *Pray Now* volume for 2017) and the *Church of Scotland Year Book* (which again required no subsidy because of strong advertising revenue) were published. Finlay Macdonald's lively and informed history of five centuries of the Kirk, *From Reform to Renewal*, was published to great acclaim, as was Doug Gay's *Reforming the Kirk*, based on the 2017 Chalmers lectures. Two Learn volumes, *Understanding Our Faith* and *Children and Young People*, were also published. (For more details see Appendix VI.)

## 6. CONCLUSION: PUSHING OUT INTO THE DEEP

**6.1** In Luke's account of the call of the first disciples, Jesus encourages Simon Peter, after a fruitless night, to "push the boat out to the deep water and you and your partners let down your nets for a catch" (Luke 5:4). The result was so many fish that the boat they were in nearly sank under the strain. It struck fear into the young fishermen; they did not necessarily understand what it was but they knew that something was happening. We read: "They pulled the boats

up on the beach, left everything and followed Jesus" (Luke 5:11). It is time for us to push out into the deep; it is time for us to leave behind many of the old securities and to follow Jesus.

*In the name of the Council*

NORMAN SMITH, *Convener*  
DANIEL CARMICHAEL, *Vice-Convener: Resourcing Worship*  
MARTIN FAIR, *Vice-Convener: Church Without Walls*  
JAMIE MILLIKEN, *Vice-Convener: Congregational Learning*  
MARTIN JOHNSTONE, *Acting Council Secretary*  
RON CLARKE, *Team Leader: Congregational Learning*  
GRAHAM FENDER-ALLISON, *Team Leader: Resourcing Worship*  
LESLEY HAMILTON-MESSER, *Team Leader:*  
*Church Without Walls*  
*In the name of CARTA*  
BILL HOGG, *Convener*  
JAMES ALEXANDER, *Vice-Convener*  
GRAHAM FENDER-ALLISON, *Team Leader:*  
*Resourcing Worship*

## Addendum

### Rev Daniel Carmichael

Dan Carmichael has been a constant source of encouragement, affirmation and wisdom in the work of the Council. His desire to see the Church flourish in every context has been a huge inspiration to all of us and his willingness to give freely of his time and consistently go the extra mile has been immensely supportive to the work. Dan has served on our Liturgical Group as its Convener, before becoming the Council's Vice-Convener with responsibility for Resourcing Worship. Dan's leadership and support has had a significant impact on the direction and content of the work in particular the process of consultation that resulted in our *Conversations in Worship* material and the new developments within *Pray Now*.

### Rev Jamie Milliken

Jamie Milliken has brought enthusiasm and humour to the role of Vice-Convener. He has played a pivotal role in leading all that the Council has delivered to develop learning and discipleship in our congregations over the last five years. Having first served as member, he took on the convenership of Congregational Learning Group at a time when the Council instigated a fresh start to this area of work. He has been very effective in his leadership through this time, supporting and

enabling the Council to deliver a broad range of congregational resources, most notably the Learn publications, events and online provision.

### Rev Dr Alister Bull

Alister Bull held the position of Council Secretary from February 2013 until August 2017. The Council wish to express their thanks to Alister for the passion for mission and the drive he brought to the post over the last four years. Having previously been a parish minister, hospital chaplain and leader of a Fresh Expression of Church, Alister's wide experience of Church life in Scotland gave him an ability to appreciate not only the importance of the Church's tradition but also the need for change in today's culture.

*In the name of the Council*

NORMAN SMITH, *Convener*  
MARTIN FAIR, *Vice-Convener: Church Without Walls*  
MARTIN JOHNSTONE, *Acting Council Secretary*  
RON CLARKE, *Team Leader: Congregational Learning*  
GRAHAM FENDER-ALLISON, *Team Leader: Resourcing Worship*  
LESLEY HAMILTON-MESSER, *Team Leader:*  
*Church Without Walls*



**Appendix I****DEVELOPING THE ELDERSHIP - 2018 UPDATE****A. Executive Summary**

The Eldership Working Group, operating within the Mission and Discipleship Council, reports below on the progress made in addressing the action points given to it by the 2017 General Assembly and makes the following proposals:

- That Kirk Sessions be urged to embrace the fresh vision for eldership which is a role that is primarily focused on local contextual mission and distinctively concerned with the discipleship of God's people.
- That Kirk Sessions be encouraged, when seeking new elders, to engage with this fresh vision to identify potential elders with diverse giftings and from a variety of ages and backgrounds.
- That Kirk Sessions urge elders to engage with the resources, as they become available, that enable them to be proactive about their individual, congregational and leadership responsibilities in the area of encouraging a contextualised Church-wide active discipleship culture.
- That Kirk Sessions be encouraged to use the new resources available to assist with streamlining their approach to addressing vital administrative tasks.
- Assuming that the work undertaken by the Legal Question Committee supports this, the appropriate committee develops a formal process that will provide a recognised means by which elders can continue to be actively involved in the life of a congregation, without the associated obligations of trusteeship that come from being an elder on the Kirk Session.

**B. Background**

The purpose of the Eldership Working Group (EWG) has been 'to look at patterns and models of Eldership currently in use across the Church today and to bring to the attention of the General Assembly ways in which these could be shared, reflected upon and, in some cases, adapted to encourage appropriate practice in our changing contexts'.

The proposals made by the EWG to the General Assembly of 2017, contained in Appendix III of the report of the Mission

and Discipleship Council (MDC) (Appendix III, section 20 <https://goo.gl/1agjuN>), were approved. They provided a clear focus for the group's work in supporting and developing the eldership, which can be summarised as follows:

- That the EWG develops support provision that is informed by the overall vision of the office of eldership as being one that is shaped by local contextual mission and distinctively concerned with the discipleship of God's people.
- That, as key leaders in our denomination, it is not competent to separate trusteeship from eldership. However, the EWG should provide guidance on new and improved ways to carry out vital administrative tasks, which are required by civil and Church of Scotland law under which elders operate.
- That a process be formalised whereby an elder can resign from the Kirk Session and thereafter the Kirk Session may, if appropriate, appoint the elder as a non-governing emeritus elder.

This report on developing the eldership provides specific details on how the above areas of focus are being addressed.

**C. Discipleship: A fresh vision for eldership**

The whole Church is being called to nurture an active discipleship culture, as reported by the Mission and Discipleship Council to the 2018 General Assembly (Mission and Discipleship Council report to the 2018 General Assembly). The significance of this for elders is threefold:

**C.1 Individual responsibility**

Elders are responsible, as are all in our congregations, for proactively considering how they are progressing in their walk with Christ. Whether first exploring a call to the eldership or continuing to serve in active response to this call, we travel alongside the Christ who continues to call us to 'follow me'. This is an ongoing and dynamic relationship that changes as our relationship with Christ, context and understanding of the call develops.

The EWG has collated a variety of examples of the way in which congregations enable discernment and support the call to eldership.

## **C.2 Congregational responsibility**

When the role of elder becomes distinctively concerned with the discipleship of God's people, then elders, acting within the Kirk Session, become actively engaged with nurturing a discipleship culture within the congregation. This will involve taking a proactive interest in the Christian development of individuals and playing a strategic role that addresses which approach, support and resources are required to encourage a contextualised Church-wide active discipleship culture.

The Mission and Discipleship Council is developing guidance to enable elders to take a strategic overview for nurturing active discipleship in individuals and the congregation.

## **C.3 Leadership responsibility**

As discussed in the Mission and Discipleship Council report to the 2018 General Assembly, the evidence is that it will require people to be supported to 'take the lead' in nurturing an active discipleship culture. Hence, as key leaders in a congregation, elders have a significant role to play, not necessarily in doing the work required, but in creating space, giving permission and facilitating others to do so. Elders will need to operate as effective leaders who recognise the gifts and skills in others, and then empower and support them to take the lead and 'go and make disciples'. Indeed, this should be a significant by-product of moving into a culture of whole-life active discipleship where people grow and develop in the outworking of their own discipleship. The EWG hopes that this fresh vision of eldership will enable Kirk Sessions to identify potential elders with a greater variety of gifts, from a wider variety of backgrounds and age-groups in congregations. Christ equips all his followers for works of service, and elders can operate as key leaders to facilitate this.

An important strand of the Mission and Discipleship Council's discipleship provision for congregations will be the equipping of all those who are to 'take the lead' in nurturing active discipleship.

## **D. Resourcing**

The Mission and Discipleship Council is in the process of developing eldership training provision in the areas of 'call'; 'preparing to serve' and 'ongoing support and development'. These will be made available through a variety of channels including a dedicated section on the Church of Scotland website, conferences and publications.

## **D.1 Call**

The EWG has collated examples of how different congregations have gone about identifying potential new elders, helping their discernment process, accessing what skills and gifts they have (or have potential to develop) and then enabling them into that area of service. The responses, which are offered to the Church to enable reflection on good practice, are available on the Church of Scotland website.

Each response is shaped around how potential elders have been enabled to consider the following four elements in a call to their ministry as an elder:

- The nature of the individual's call to grow in their walk with Christ through personal active discipleship.
- The inner call by which the individual feels motivated to serve in a particular way. This describes how the individual has gone about discerning their call to eldership.
- The providential call, whereby the gifts and skills to sustain ministry are evident in the individual. This describes how new elders have been helped to discern their gifts and skills.
- The ecclesiastical call, whereby the call is recognised and made by the Church. This describes the process that the Kirk Session, congregation and/or minister go through in identifying the call of an individual to become an elder.

## **D.2 Preparing to Serve**

The EWG decided that the 'Learn: Eldership' publication (find out more about the publication at <https://goo.gl/KAuAtc>) and associated web pages should be used to equip elders preparing to serve in the role, and there was no immediate requirement for new material.

## **D.3 Ongoing support and development**

The Council has a range of resources available, or in development, for the ongoing support and development of elders. For example:

- The 'Learn: Pastoral Care' conference (engage in some learning from this conference at <https://goo.gl/PPZGfP>) and publication (soon to be available via <https://goo.gl/njXn4p>).

- Various faith formation and sharing resources ('Learn: Exploring Faith' publication <https://goo.gl/Cz4G3>), 'Learn: Understanding our Faith' publication (<https://goo.gl/GmXN2M>) and the 'Sharing Faith' resource (<https://goo.gl/2R33oE>).
- The regular national Elders conference (engage in some learning from this conference at <https://goo.gl/PPZGfP>).
- Other 'Learn Online' provision (<https://goo.gl/eKfZ4J>).
- The 'Office Bearers' section of the Church of Scotland website (<https://goo.gl/uGrkmw>).
- Materials prepared for worship development (<https://goo.gl/1iydj>).

The EWG proposes that the eldership section of the Church of Scotland website should be significantly developed to make all the above support and development provision readily accessible.

In general, there is a growing amount of useful and highly relevant material available online on the Church of Scotland website and the EWG recommends that emphasis be given to effectively communicating this to the Church to enable it to be accessed by as many people as possible.

## E. Trusteeship

The EWG has recognised that many congregations have concerns about the burden of carrying out administrative tasks, however, the EWG also note that due to the nature of civil and Church of Scotland law applied to congregations as registered charities it is not competent to separate trusteeship from eldership.

### E.1 Streamlining

The Mission and Discipleship Council has produced two new guidance documents which enable Kirk Sessions to look afresh at congregational administrative requirements, particularly for the circumstances where certain skills may be in short supply. These guidance documents, 'Church Organisation from Scratch' (Church Organisation from Scratch <https://goo.gl/tEJR9G>) and 'Frequently Asked Questions to the General Trustees Department' (Frequently Asked Questions to the General Trustees Department <https://goo.gl/zVZs7F>), provide clarity about the requirements for specific roles (such as treasurer) or aspects

of Church (such as buildings and fabric). Although initially produced with the rural context in mind, the guidance provided is of broader relevance.

Contained within these is the perfectly appropriate concept that, whilst elders as trustees are ultimately responsible for certain administrative functions, there is a difference between being responsible for doing the tasks and making sure that they are carried out competently, by whoever is judged to be competent.

The EWG recommends that Kirk Sessions creatively consider areas of administrative work that they may be able to delegate to others, or possibly share between a number of congregations, thereby enabling Kirk Sessions to spread the burden, draw upon the gifts of others and wherever possible enable elders to focus on other aspects of their call, such as nurturing an active discipleship culture.

## E.2 Elder Emeritus

The EWG has been in discussion with the Legal Questions Committee (LQC) on the subject of Elder Emeritus status. Specifically, it has asked that a formal mechanism, by which someone transfers to the non-governing Elders Emeritus status, be formally recognised in an Act of the Church. This is for circumstances when an elder considers it appropriate, through age or infirmity, to step back from active service as a member of the Kirk Session. The LQC is currently undertaking a review of the Church Courts Act (Act III 2000), starting with a consultation process which is seeking comment from across the Church. The LQC has intimated that the issue of Elder Emeritus may well be addressed in any new legislation. The intention in seeking formalisation of this process is that it will provide a recognised means by which elders can continue to be actively involved in the life of a congregation without the associated obligations of trusteeship that come from being an elder on the Kirk Session.

## F. Proposals Arising

The EWG seeks affirmation from the General Assembly of the following proposals arising from its most recent work:

- That Kirk Sessions be urged to embrace the fresh vision for eldership; which is a role that is primarily focused on local contextual mission and distinctively concerned with the discipleship of God's people.

- That Kirk Sessions be encouraged, when seeking new elders, to engage with this fresh vision to identify potential elders with diverse giftings and from a variety of ages and backgrounds.
- That Kirk Sessions urge elders to engage with the resources, as they become available, that enable them to be proactive about their individual, congregational and leadership responsibilities in the area of encouraging a contextualised Church-wide active discipleship culture.
- That Kirk Sessions be encouraged to use the new resources available to assist with streamlining their approach to addressing vital administrative tasks.
- Assuming that the work undertaken by the LQC supports this, the appropriate committee develops a formal process that will provide a recognised means by which elders can continue to be actively involved in the life of a congregation, without the associated obligations of trusteeship that come from being an elder on the Kirk Session.

The Eldership Working Group  
November 2017

### **Membership**

Ron Clarke  
Marshall Halliday  
Andrew Kimmitt  
Jamie Milliken  
Lynne McEwen  
Robert McQuistan  
John Notman  
Hongsuk Um  
Graeme Wilson

## **Appendix II**

### **ASPIRATIONS FOR MINISTRY WITH CHILDREN AND YOUNG PEOPLE IN THE CHURCH OF SCOTLAND (SUMMARY)**

#### **Made in God's Image**

We affirm that being made in the image of God each child and young person is precious and valued in God's sight and that we were made to live in community together. We therefore seek to be a church that is relational, desiring deep relationships with God and one another regardless of age.

#### **Body of Christ**

We affirm the place of children and young people as important parts of the Body of Christ and the gifts that they bring to the whole worshipping community. We therefore seek to be a church that involves children and young people in worship enabling them to use their gifts and talents.

#### **Community of Faith**

We affirm the responsibility of the whole church to be involved in passing on faith to children and young people and in particular the role of parents and carers. We therefore seek to be a church that functions as a community of faith continually passing on the faith to the next generations.

#### **Hospitality**

We affirm that offering hospitality is central to the identity of the Church of Jesus Christ; our doors and hearts must always be open, enabling people to discover community and find belonging in God's family. We therefore seek to be a church that is hospitable, offering a safe and welcoming community of faith to all children and young people.

#### **Faith Formation**

We affirm that children and young people are fellow pilgrims on the journey of faith. We therefore seek to be a church that encourages children and young people to live life in all its fullness, encountering God through being actively involved in all aspects of discipleship.

#### **Inclusive Participation**

We affirm the radical inclusivity of the Gospel and that all children and young people, no matter their abilities or stage of spiritual development, are part of that. We therefore seek to be a church that enables full participation of all children and young people in the life of faith.

#### **Service and Justice**

We affirm that we live in a broken and hurting world and that God calls us all to be the means of healing and reconciliation. We therefore seek to be a church that empowers children and young people to live a life of service and seek justice.

#### **Excellence**

We seek to be a church that ensures appropriate training and support for all ministering with children and young people.

## Appendix III

### CHILDREN, YOUNG PEOPLE AND COMMUNION – SURVEY FINDINGS REPORT 2017

#### Executive Summary

Church of Scotland statistics reveal that only 6% of the under 18s who are associated with our congregations are receiving communion.

The Mission and Discipleship Council was instructed by the 2017 General Assembly to consult with Presbyteries and Kirk Sessions in order to determine the extent to which the Church is finding Act XV (1992) Act Anent Admission of Children to Communion, subsequently consolidated into Act V (2000) Consolidating Act Anent the Sacraments, to be pastorally helpful in the discipleship of children and young people.

The following conclusions have been drawn from the findings arising out of the Council's 'Children & Communion' survey:

- A small percentage of the under 18s who are present in our congregations are receiving communion.
- There is a need to develop congregations' understanding of the theological relationship between baptism and communion.
- Congregations need support towards developing an improved understanding and practice of communion.
- Further guidance on the discretion allowed within the permissive nature of Act V (2000) Consolidating Act Anent the Sacraments is needed to give guidance to Kirk Sessions who experience being caught between keeping within Church law while facing the practical and pastoral challenges associated with restricting access to communion to those who are baptised.
- There is a lack of Church of Scotland specific resources to help children and young people understand communion and appropriate liturgy to use in services with children and young people present.

#### Background

Since 1992 congregations have been able to include baptised children and young people in receiving the Sacrament of the Lord's Supper, when Act XV (1992) Act Anent Admission of Children to Communion was passed by the General Assembly.

For a number of years the Church of Scotland annual statistical returns have identified that only small numbers of under 18s receive communion. Furthermore, the following examples of anecdotal feedback have been received from congregations, locally based workers, volunteers and ministers:

- some congregations actively decide not to include under 18s because they do not believe it is right to do so
- some congregations do not include under 18s because it is judged better to not include any, rather than separate out the baptised from the unbaptised, as they understand the Act requires
- some congregations do not include under 18s, not because they disagree with the concept but because church practice isn't adjusted to allow it, e.g. young people leave the main worship service for separate groups and aren't there when communion occurs
- some congregations admit all under 18s and for practical and pastoral reasons choose not to determine whether individuals are baptised or not, thereby including all but contravening their understanding of the Act

At the General Assembly of 2017 the following Deliverance section was passed:

'Affirming the importance of including children and young people in the community of faith' (10.1.2), and noting the Council's intention to focus on the question: 'How and when are children and young people to be fully involved in the Sacrament of Holy Communion:

Instruct the Mission and Discipleship Council to consult with Presbyteries and Kirk Sessions in order to determine the extent to which the Church is finding Act V 2000, Consolidating Act Anent the Sacraments, to be pastorally helpful in the discipleship of children and young people."

In response to this Deliverance, the Mission and Discipleship Council sent out a survey in October 2017, to the 700 congregations that had recorded they have under 18s involved in their life and worship, to explore the extent that children and young people are included in Holy Communion, and how this is helpful in children and young peoples' faith development and discipleship.

### Summary of Act XV (1992)

Act XV (1992) Act Anent Admission of Children to Communion was passed in 1992 and then, subsequently, consolidated into Act V (2000). Key points stipulated in the Act are that:

- Communion should only be offered to those who are baptised, no matter what their age is.
- Kirk Sessions are responsible for testing faith before admission to communion.
- Any children and young people admitted need to be being nurtured within the life and worship of the church and love the Lord and respond in faith to the invitation to 'take and eat'.
- It is recognised that Kirk Sessions have free discretion as to how they respond in this matter.

### Findings from the Church of Scotland Annual Statistical Returns

The Church of Scotland annual statistical returns for 2016 reveal that:

- Only 6% of under 18s associated with congregations received communion.
- 747 congregations with under 18s had no under 18's receiving communion.

### Findings from the Mission and Discipleship Council 'Children & Communion' Survey

The findings from the survey that the Mission and Discipleship Council sent out in October 2017 to the 700 congregations that had recorded that they had under 18s, is summarised below.

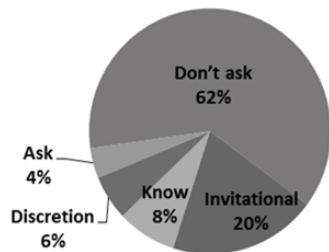
- i. 11% will not admit under 18s to communion. The reasons given include:
  - Lack of understanding of both the theology and the Act regarding children and communion.
  - Negative attitudes amongst Kirk Sessions, elders and previous ministers.
  - Children should not receive as 'they do not understand'.

- Tradition and carrying on doing things the same way they have always done.
  - A legacy of 'worthiness', with a number of adults not taking communion.
- ii. 40% have no under 11s receiving communion while 47% have no 12 – 18s receiving communion. Practice that is preventing under 18s receiving communion includes:
    - Congregations have a mix of baptised and unbaptised children.
    - Communion services are not child friendly or accessible.
    - Churches don't want to lose the formality of the sacrament.
    - Confusion over who authorises admission to communion (the minister, Kirk Session or parents?).
    - Lack of Church of Scotland specific resources and opportunities to prepare people suitably.
    - The feeling of being prevented by the stipulations of the Act and not wanting to segregate the few under 18s who are present.
  - iii. There is a significant gulf between what the Act stipulates and what is happening on the ground, including:
    - There is a notable difference in practice expected between adults and under 18s in relation to confirming if they have been baptised prior to receiving communion.
    - It is practically and pastorally very difficult to prevent admission to communion based on whether someone is baptised or not, hence the table is often made open to all, whatever their baptismal status.



- 63% of congregations responding to the survey don't ask if those receiving communion have been baptised.

## How do you know if those receiving communion have been baptised?



- iv. Responses were received about the impact of under 18s being included in communion, which included:

- 'Children and young people feel from the outset that they fully belong to the family of God, they feel that it is their church and they belong. They feel very much part of the community of faith as a result of being included.'
- 'Understanding the meaning of communion contributes to the development of the understanding of faith. It is a family meal. It reflects Jewish Passover (and therefore the Last Supper). It reminds us that no one truly understands the mystery in sacraments. It keeps it simple and relaxed. It becomes a converting ordinance.'
- 'Children have probably the best sense of understanding what mystery is when it comes to communion, which frankly some adults are never going to appreciate.'
- 'It avoids the young person thinking that there is something odd or magical or secret going on.'
- 'What is the impact of excluding them? As leader of the youth in the church, we asked to bring the teenagers into communion. We were 'permitted' to sit at the back with nearly 30 teenagers, but they were not to be served. All of my leaders and I refused to take communion that day. The damage of being treated like 'second class citizens' was one which we had not anticipated. We had hoped to encourage young people further in their faith, but many of them were [rightly] critical of being judged.'

## Conclusions

The following conclusions have been drawn from the findings arising out of the 2017 Mission and Discipleship Council's Children, Young People & Communion survey:

- A small percentage of the under 18s who are present in our congregations are receiving communion
- There is a need to develop congregations' understanding of the theological relationship between baptism and communion.
- Congregations need support towards developing an improved understanding and practice of communion.
- Further guidance on the discretion allowed within the permissive nature of Act V (2000) Consolidating Act Anent the Sacraments is needed to give guidance to Kirk Sessions who experience being caught between keeping within Church law while facing the practical and pastoral challenges associated with restricting access to communion to those who are baptised.
- There is a lack of Church of Scotland specific resources to help children and young people understand communion and appropriate liturgy to use in services with children and young people present.



**Appendix IV****JOINT EMERGING CHURCH GROUP****a) Attendance at Going for Growth Day Conferences**

<b>2014</b>		<b>2015</b>		<b>2016</b>		<b>2017</b>		<b>2018</b>	
Ayr	70	Linlithgow	50	Aberdeen	21	Inverness	7	Orkney (TBC)	
Dornoch	24	Oban	20	Glasgow	31				
Dundee	80	Lerwick	29						

**b) Attendance at Fresh Expressions Vision Days, hosted as follow-up to Going for Growth days**

<b>2015</b>		<b>2016</b>		<b>2017</b>	
Dornoch	42	Kilmelford	42	Glasgow	16
Kilmarnock	44	Linlithgow	44	Aberdeen	30
Perth	27	Lerwick	27		

106 people attended the Summer School programme, from 28 different Presbyteries, with around half attending all three.

**c) Attendance at Going for Growth Summer School**

<b>Total</b>	<b>106</b>
Ordained	55
Church employee (Church of Scotland or other)	12
Other	39

This echoes findings in the Church of England on the importance of ordained, and lay pioneers. Of particular note is the number of attendees who were neither ordained Ministers, or in the employment of the church or para-church agency. This is what has been referred to as the 'lay-lay' and their impact on fresh expressions and church growth is significant. The research findings are at <https://goo.gl/7BC8ft>.

**d) Case Studies for Evaluation of Fresh Expressions**

Gateway	
Hot Chocolate	<a href="https://goo.gl/hWZDra">https://goo.gl/hWZDra</a>
Netherlorn Churches	
Neither Young Nor Old (NYNO)	<a href="https://goo.gl/kunqFm">https://goo.gl/kunqFm</a>
St Kentigern's	
Sanctuary First	<a href="https://goo.gl/wE75mX">https://goo.gl/wE75mX</a>
The Shed	<a href="https://goo.gl/MsJMhc">https://goo.gl/MsJMhc</a>
The Tron	

## Membership of JECG

Brian Porteous, Convener (Ministries Council)  
Graham Astles (Ministries Council)  
Andrea Boyes (Mission and Discipleship Council)  
Margaret Habeshaw (Guild Representative, Mission and Discipleship Council)  
Martin Fair (Mission and Discipleship Council)  
Keith Mack (Panel on Review and Reform)  
Andrew Morrice (Ministries Council, NCD Sub-Committee)

## Co-opted Members

Albert Bogle

## Staff

Lesley Hamilton-Messer, Joint Secretary (Mission and Discipleship Council)  
Angus Mathieson, Joint Secretary (Ministries Council)  
Liz Crumlish, Path of Renewal Co-ordinator  
David McCarthy, Fresh Expressions Development Worker

## Appendix V

### RESEARCH IN RELATION TO THE FUTURE OF PIONEER MINISTRY IN THE CHURCH OF SCOTLAND

This research has been commissioned jointly by the Panel on Review and Reform and Ministries Council, in partnership with Trinity College, University of Glasgow. The research is being conducted by Rev Dr Sandy Forsyth, who teaches Practical Theology at Trinity College, University of Glasgow. His work is being overseen by members of the Panel and Ministries Council, reporting to the Joint Emerging Churches Group. The research began on 1 September 2017 and is funded for one year at 1.5 days per week. A final report will be compiled by 31 August 2018 and presented to the General Assembly of 2019.

The final report will assess the nature, validity and purpose of pioneer ministry and, as appropriate, make recommendations for the future recruitment, training, practical support and oversight of pioneer ministry in the Church of Scotland. This interim report will set out a summary of the key issues that are being considered, and the parameters of the research including its purpose and scope.

## 1. Key Issues

What is 'pioneer ministry'? These are the words of Dave Male, National Adviser for Pioneer Development in the Church of England:

Pioneers are people called by God who are the first to see and creatively respond to the Holy Spirit's initiatives with those outside the church; gathering others around them as they seek to establish new contextual Christian community. (<https://goo.gl/S1cXQL>)

As one pioneer minister in the Church of Scotland commented recently, his ministry is about 'setting the space for encounter, without setting its parameters; setting a direction in motion for people to travel, without dictating the narrow journey.'

For Male, there are two types: 'fresh start pioneers', who begin from a 'blank canvas' in a community or network, and 'parish-based pioneers', who will develop new forms of church alongside the old structures. Both require the active support of a third group, 'the sustainer enablers', who 'have the vision and the self-confidence to engineer opportunities to resource, release and protect Pioneers within their own context.'

There are people who fall into all three of these groups that are members and ministers of the Church of Scotland. They are either involved in implementing forms of pioneer ministry now, or, as is far more likely, feel the sense of calling from God to do so and are still praying, hoping and waiting for the opportunity and capability to act, and for the support of their Church in doing so. This research and its resulting report will aim to enable and resource their visions.

In that light, the primary issues which will be addressed in the research are: (a) How is 'pioneer ministry' to be defined, and is it a distinctive entity and calling? (b) Does it have intrinsic worth as a model of ministry and mission that will provide a dynamic avenue for the future of the expression of the Gospel of Jesus Christ in Scotland? (c) If so, how should investment of human and financial resources be made by the Church of Scotland into pioneer ministry, to encourage the flourishing of new Christian expressions led by both the lay and ordained?

The secondary issues are to assess how such aspects relate to: (a) a forward-looking vision of what ministry and mission may look like nationally in ten to twenty years' time; (b) the existing parish church structure and its ministries, and their regeneration through such as the 'Path of Renewal' programme; recognising the continuing decline since the late 1950s of the Christendom model of church which is now nearing a tipping point, and its intended future management through the creation of 'hub' ministries, alongside linkages, unions and closures; (c) Presbyterian polity which emphasises oversight and accountability, considering also aspects of Church law, the role of Presbyteries and funding streams which might contribute to the development of forms of pioneer ministry, whilst lessening the need for significant legislative enactments and budgetary input; (d) the model presently implemented by the Church of Scotland through five 'pioneer ministry' posts created by the church which are centrally funded, others being funded via Presbytery Plan posts, or use of discretionary funding from Ministries and Mission budgets; and (e) similar models of innovative ministry and mission across the United Kingdom and beyond, such as in Church Planting and the Fresh Expressions movement.

Within that framework, the following avenues of research, assessment and reporting have been pursued since the research began, and will be developed further in the concluding phase:

## 2. Parameters of Research

- a) A **critical assessment** by research of the **missiological and theological purposes of pioneer ministry** in the context of Fresh Expressions of church and of church planting models; accounting for commonly held objections and resistances to the concept and practice of Pioneer Ministry and potential responses. This section analyses theory and motivations.
- b) An **in-depth survey and consideration** by interview, visits and information gathering with practitioners, office holders in denominations, key figures in training institutions and theological academics, of **present models and future potential** of recruitment, training, support and operation of pioneer ministry and church planting in Scotland, England, the Netherlands and the USA. This area focuses on methods of implementation in context.

- c) The **assessment of missional outcomes in pioneer situations** in relation to the formation of ecclesial communities, their impact in the expression of the Gospel, and their relationship to the provision of human and financial resources. This will consider the methodology to be used in assessment, whether this may be under a 'results-based' method, or within a 'transformational model'. This aspect examines results and long-term progress.
- d) The **overriding purpose** of the research will be addressed in the conclusions. It is to **make recommendations** for the direction and content in Scotland of future selection and training for pioneer ministry in both lay and ordained streams, and of the purpose, structure, support and evaluation of pioneer ministry in practice.

## 3. Conclusion

In short from the above: What is it? Is it worth it? What are we seeking to achieve? How is it done elsewhere? How might it work best here? How should it be recruited, trained, enabled, and supported? How is it to be evaluated and sustained?

The goal is to set a platform, which if approved by the General Assembly of 2019, might enrich the flourishing of a dynamic missional focus in our nation, enabling the Gospel to be heard and expressed in places and networks where it has fallen silent, and bringing transformation through faith and action by those called by God, both lay and ordained, in ministries and projects which maximise the most positive outcomes and the greatest sustainability.

Rev Dr Forsyth would be glad to engage with any minister or member of the church who would wish to discuss the research, or provide constructive input to its direction. He can be contacted at [alexander.forsyth@glasgow.ac.uk](mailto:alexander.forsyth@glasgow.ac.uk).

Rev Dr Sandy Forsyth  
Trinity College  
University of Glasgow  
January 2018

**Appendix VI****NEW RESOURCES AND SAINT ANDREWS PRESS****New Resources from Mission and Discipleship Council  
Online/downloadable resources**

- 360 web resource (<https://goo.gl/TFouqA>)
- 52 Weekly Worship contributions (<https://goo.gl/q7EPXx>)
- Life Stories (<https://goo.gl/zDiVwS>)
- Children and Young People pages (<https://goo.gl/6KQw3U>) which includes information on YoYP (<https://goo.gl/tUHZUo>)
- Young Adults pages of website (<https://goo.gl/z6mV3W>)
- Guidelines for employing a children's, family's or youth worker (<https://goo.gl/VYt2Em>)
- Rural: various downloads and web content (<https://goo.gl/R5azb2>)
- Learn Online: various new parts of web content (<https://goo.gl/eKfZ4j>)
- Office Bearers online (<https://goo.gl/uGrkmw>)
- Elders as moderators of their own kirk sessions (<https://goo.gl/fDaLmy>)
- Learning Disabilities Action Pack (<https://goo.gl/zjxxUU>)

**Publications/hard copy resources**

- Word of Life (Pray Now) (<https://goo.gl/iL4lpA>)
- Stories of Encounter (Pray Now) (<https://goo.gl/wXq2Qh>)
- Learn: Understanding our Faith publication (<https://goo.gl/GmXN2M>)
- Learn: Children and Young People publication (<https://goo.gl/XMSyoa>)
- Year of Young People Toolkit (<https://goo.gl/pC29eL>)
- Diverse Gender Identities and Pastoral Care publication (<https://goo.gl/Npud9F>)

**Saint Andrew Press publications**

Saint Andrew Press' publishing year runs from October 1 to September 30, and in the year ending September 30 2017, four new titles were published, three fewer than in the previous year:

- Two regular annuals – *Word of Life*, the *Pray Now* volume for 2017, and the *Church of Scotland Year Book*, which again required no subsidy because of strong advertising revenue.
- Finlay Macdonald's lively and informed history of five centuries of the Kirk, *From Reform to Renewal* was published to great acclaim, as was Doug Gay's *Reforming the Kirk*, based on the prestigious Chalmers lectures.

Two Learn volumes, *Understanding Our Faith* and *Children and Young People*, were expected, but these appeared later, making 2016-17 a rather lean year for Saint Andrew Press. Income was down some £35k on the previous year. However, the publishing programme for the current 2017-18 year is looking much stronger with eight scheduled titles and more in the pipeline. Scheduled visits by the Publishing Director to 121 aims to ensure a flow of new proposals and visits by the Marketing Director aims to ensure effective communication and promotion of the Church of Scotland's publications.

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## MINUTES OF THE PROCEEDINGS OF THE NATIONAL YOUTH ASSEMBLY OF THE CHURCH OF SCOTLAND 2017

### INTRODUCTION

*"Don't let anyone look down on you because you are young, but set an example for the believers in speech, in conduct, in love, in faith and in purity." 1 Tim 4: 12*

The National Youth Assembly (NYA) is a platform for young adults to voice their opinions and actively participate in decision making within the Church of Scotland (CofS). The annual event runs over the course of a long weekend, and offers young people with a connection to the CofS the chance to come together to explore their faith and tackle issues they feel are important to the Kirk.

Gartmore House once again played host to NYA from 21 – 24 July 2017. 78 delegates aged 17 – 25 came to Stirlingshire to gather in worship, discussion and fellowship. There were delegates from 26 presbyteries, including one delegate from the International Presbytery who is a member of The Scots International Church in Rotterdam. We were also joined by 2 Young Adult Volunteers (YAVs) from the Presbyterian Church of the United States of America (PCUSA), and delegates from the United Reformed Church (URC).

The welcoming atmosphere and ease with which we got to know one other was something a number of delegates (particularly first time attendees) commented on. Engaging with other young people within the CofS is vital in the development of our faith; hence NYA is an important and unique opportunity.

### DISCUSSIONS

*"Let your conversation be always full of grace, seasoned with salt, so that you may know how to answer everyone." Col 4:6*

Delegates eagerly anticipate each Youth Assembly with the drive to have their voices heard and make a difference to their church. Over the course of the weekend, there are three main topics of discussion (each of them chosen by the young people at the planning weekend earlier in the year) which pertain to current events and issues within and out with the church. This year, the three topics were Young People and Discipleship (YPaD), Interfaith, and Priorities of the Church.

Each discussion benefitted from an input session from a guest speaker who provided some background information and some guidance as to how the delegates might be able to contribute effectively to a productive discussion. During discussions minutes were taken, the outcomes of which were passed on to the team of youth reps who, led by the NYA moderator and clerk, work through the year to turn the talking into action and pave the way for an active, engaged church.

More information on these discussions and what the youth rep team have been working on through the year can be found in our supplementary report.

### Young People and Discipleship

The YPaD discussion focussed on questions of defining discipleship, recognising marks of discipleship and looking at ways to involve, encourage and nurture young people in their faith journeys that they might forge an active discipleship. A World Café style session was utilised for this discussion with delegates spending five minutes in groups of four and five before moving on and further developing the ideas put down by others before them, thus providing an opportunity for more of a consensus decision to be reached.

The initial discussions focussed on ways to share faith, and influencing factors of faith with delegates exploring questions of "How we show our love of God and our neighbours", "ways in which we share faith", "How can we use our gifts" and "who, or what has helped us grow in faith?". Following some input on the findings of recent research around young people and faith development the question posed to delegates was "How do we create a culture of discipleship in our church? (and what can the Mission and Discipleship (M&D) council do?)".

From this it became clear that the delegates want the church to take an active role in developing discipleship, not merely creating resources to dribble down through presbyteries where they can get lost or forgotten, but by holding interactive experiences where the M&D council can make themselves available for conversations about how to approach discipleship and to engage with young people on a

personal level. In general delegates felt there would be a benefit from the council taking a more active role, visiting those presbyteries who don't engage with the national church so much, and looking at creating accessible tools to equip the people of the church better for discipleship, with something as simple as a clear cut definition of what is really meant by discipleship, and in what different ways people can become disciples.

The sum of this discussion ended with the idea that intergenerational ministry is important in developing discipleship, with people of all ages learning from each other and sharing in their faith journeys together. A personal approach from the M&D council to encourage and equip young adults was highly sought after, and a push for the council to make the most of social media channels and the CofS website to spread information on defining discipleship and advising on different roles a person can take on to become an active disciple, perhaps even turning M&D into the "Google" of discipleship!

## Interfaith

The evening before our interfaith discussion an enlightening and hugely informative human library was held. For this, guest speakers from Islam, Baha'i and Sikh faiths and Interfaith Scotland spoke about their beliefs and practices to give delegates a deeper understanding of other faiths, and to spark some thought as to how the CofS can forge better relations with other faith groups.

The discussion began with Mirella Yandoli, Interfaith Programme Officer for the CofS providing some insight to current interfaith projects and upcoming opportunities. Delegates then explored in their small groups key questions surrounding what good interfaith relations look like, how we can improve our interfaith relations and what the CofS can and should be doing and what we can all do as individuals to strengthen interfaith relations. This topic was met with much enthusiasm, and it was noted that the interfaith human library had been really helpful giving valuable insight.

With regards to what the young adults believed good interfaith relations look like, the concepts of openness, cooperation, understanding and a willingness to get involved and hold conversations surfaced as key points. These ideas came up more than once during the discussion, and when talking about ways to improve our interfaith relations,

delegates were keen to start up conversations with our neighbours, and to recognise that school chaplaincy is not only a good place to bolster interfaith relations, but a simple way to educate young people of a variety of faiths.

Much of the conversation centred on sharing our faith, our time and our resources with others for example opening our doors to our neighbours of other faiths and going into our communities and working together on outreach projects. Another simple thing delegates wished to see more of at a congregational, and indeed at an individual, level was visiting local Mosques, Synagogues and other places of worship to get to know our neighbours. It was felt that these simple acts can go a long way to create lasting relationships and strong interfaith practice.

From this, the outcomes were that the Church needs to put our faith into action, to start up conversations and lead on to practical means of working together. In addressing the perceived discomfort which can be portrayed by the media in relation to non-Christian faiths, delegates felt strongly that the Church has a duty to lead by example and stand with our brothers and sisters in faith and live out the lesson of love that Jesus taught. Hosting interfaith events, the possibility of a CoSY (Church of Scotland Youth) guide to interfaith relations and a social media campaign to highlight the practices of other faiths during Interfaith week were all ideas brought to the forefront of the discussion to be carried further through the year.

## Priorities of the Church

The final discussion on Priorities of the Church saw delegates inspired by the invitation to provide insight to the Council of Assembly on what young adults feel are the areas of greatest importance within the Church of Scotland. Another lively discussion was had with debate focussing on the following questions:

- How do we express our love for God and our neighbours?
- How can the church better meet on going leadership needs?
- How can the church better meet the needs of young people?
- Where do you see yourself as part of the future of the mission and ministry of the CofS?



- How best can the institution of the CofS listen to their young people?

A topic clearly close to the heart of many delegates, there was much discussion around practical ideas to take to the council. Firstly, delegates noted the importance of active listening – attending events for young people and listening to what they have to say – rather than the apathy which accompanies passive listening, that comes through simply reading reports. Many of the delegates felt real frustration at not being listened to time after time. There was an obvious passion for the church taking action and seeking out its young people – attending youth events, visiting local youth groups, asking questions to hear about what young people need from the young people themselves.

In terms of the ways the church can better meet leadership needs, delegates talked about the way “ministry” is presented; that there needs to be more information about different types of ministry and the recognition that not everyone who has a calling to leadership has a calling to the ministry of word and sacrament. Many felt there was a problem with the way leadership roles are presented in the church; that membership can feel exclusive, and in some cases, the criteria for membership can be clouded and leave people uncertain to what it really means. Therefore, there was a cry for the council to better define and explain the different roles within the church, so that people can learn about them and pursue a path which best fits them, as opposed to feeling pigeon-holed into certain roles “because we’re young”.

Overall, the delegates felt hopeful for the future of the church, and that young people can be afforded greater opportunities to have their say and to develop their skills in a variety of leadership roles. Once again, ideas for creating simple resources to give information on different roles and different types of ministry were put forward with much enthusiasm in the hopes that the council will hear these ideas and work with us to create a promising future for the church.

## WORSHIP

*“Come, let us sing for joy to the Lord; let us shout aloud to the Rock of our salvation. Let us come before him with thanksgiving and extol him with music and song.” Psalm 95: 1-2*

Worship at NYA is an outstanding experience, indeed for most

it is the pivotal part of what NYA is. Coming together as a body of young people to share in praise for our Lord is an essential part of everyone’s faith journey, and having a room full of people of this age demographic to share in that is extremely powerful and spiritually uplifting. While everyone’s NYA experience is different and every delegate is at a different place in their faith journey, it is without doubt a weekend which inspires and empowers the young people of the Kirk.

This year our worship team centred the various worship sessions around the theme of gifts. For the opening worship we celebrated the story of Christ’s birth - God’s gift to the world. Gathered round a manger, the worship space illuminated by candlelight, delegates rejoiced for this gift with some well known carols.

Saturday morning saw delegates gather on picnic blankets around the hall and listen as a few of the young people delivered a portrayal of Jesus feeding the 5,000 with loaves and fish. Baskets of food were shared among the crowd, thus giving a personal feel for what it would have been to sit among the number Jesus fed. This act was followed by discussing with neighbours the act of sharing in food and fellowship, with delegates reflecting together upon the symbolic meaning and the spiritual impact of this simple act.

In a style slightly removed from the usual, there was a powerful time of reflection on Saturday evening after hearing stories from four different people in four different circumstances, each with a different message to share. The first, a story about a refugee inspired the young people to reflect upon how to show welcome; the second was the story of female genital mutilation (FGM) and had people reflecting on ways to work towards justice; the third encompassed the theme of loneliness and inspired the group to think about giving time; and the final person suffering poor mental health questioned how to show awareness to others. Each story helped illustrate issues of the day which affect many people from all walks of life, and had a response surrounding the ways in which individuals can put their gifts to practical use to tackle these issues, giving their time, awareness, justice and welcome to those in need.

As in previous years, we attended Sunday morning worship at Gartmore Parish Church, and we would like to extend our gratitude to the minister and congregations of Gartmore and Buchlyvie for their very warm welcome.

On Sunday evening, the delegates came together to hear of the story of Jesus at the well, with a visual representation of the well around which everybody sat to hear the story of Jesus, the living water. Having the well as a focal object helped to guide contemplation of the gifts each person has and the ways in which these gifts can be shared among others.

Our closing worship had delegates participate in communion, where everyone sat in their small groups, the elements of bread and wine which were shared from gift bags, symbolising the gift of Christ's body broken for us and His blood spilled for us. In the intimate act of serving one another bread and wine, the message of God's love and salvation for all was truly brought to life.

Much of the feedback regarding the worship was extremely positive with delegates praising the work put in by the worship team. It was noted that the variety in styles of worship were particularly appreciated. Given the large number of young people in attendance who come from congregations with very few other people their own age, the chance to come together as a large body to worship is an incredibly special experience.

## WORKSHOPS

*"let the wise listen and add to their learning, and let the discerning get guidance" Prov 1: 5*

Over the weekend delegates attended a range of different workshops led by a variety of people who shared their expertise and experiences. Delegates attended the first workshops in their small groups and learned about forces chaplaincy, the CofS response to the refugee crises, and had an interactive explanation of the structures of the church. Later in the weekend there was an opportunity for the delegates to discover practical ways of praying and reading the Bible to get the most out of these worship tools, as well as a chance to explore mindfulness in relation to expanding their spiritual experiences.

On Sunday some delegates chose to attend a workshop on the Church and Society's 'Speak Out' campaign, which encouraged practical steps to help engage with communities to tackle the big issues within society, while others were afforded an opportunity to gain training in mental health first aid. Workshops enabled the young people to gain knowledge

and skills which empower them to actively engage with the church in new ways, and equip them for discipleship.

## MODERATOR OF THE GENERAL ASSEMBLY

*"But Jesus immediately said to them: "Take courage! It is I. Don't be afraid."" Mt 14: 27*

On Saturday, the NYA was pleased to welcome the Rt Rev Dr Browning. Delegates were grateful to him for taking the time to visit the assembly, participate in worship and share his experiences. He spoke passionately about his work for the Church and gave insight to his faith journey and the events that led to his induction as Moderator of the CofS.

The young people were encouraged by his words of appreciation and respect for the CofS youth, and his words regarding the importance of asking questions, listening to and observing others were taken on board by all. Indeed, many of the delegates took his advice immediately and asked him questions around his faith, the work he will be doing and the opportunities his year in office will present.

In addition to his engagement with the NYA Moderator going head to head with a short challenge, many delegates noted their gratitude for him taking the time to connect and engage further with individuals during the refreshment break. That he brought with him gifts, not just for the Moderator and Clerk but for all the delegates and the staff team, was especially fitting given the worship theme for the weekend.

The NYA as a whole is delighted to be afforded the chance to work with the CofS Moderator throughout 2017-2018, and further details of the co-operation of the two Moderators can be found in our Supplementary Report.

## FELLOWSHIP

*"Therefore encourage one another and build each other up, just as in fact you are doing." 1 Thess 5: 11*

During NYA there is a real community spirit among the young people. This stems from the delegates' passion for the CofS, their drive to get involved with the issues of the day and the love and support they find in one another. At a time when young adults are often the distinct minority in a congregation, having a weekend to share with others in fellowship is of utmost importance. Across the weekend delegates work in

their small groups which builds relationships and allows them to grow and develop their faith in a safe and relaxed environment.

Social activities such as the ceilidh and the quiz night also give the chance for delegates to unwind and further strengthen relationships with one another away from the intense discussions of the day. As such, friendships formed at NYA are incredibly strong, and the sense of belonging is keenly felt by the young adults as the weekend progresses.

Many young adults meet others from their presbytery for the first time at NYA, and the weekend demonstrates that while an individual might be the only member of their congregation under 40, they are not by any means alone. It is this sense of belonging and the innate desire to give back to the community that inspires many of the young adults to get involved with the Church across all levels.

For some of the delegates, the community spirit continues through the year as they work as part of the youth rep team to further the discussions and work together to implement action at local, regional and national levels. Others find the fellowship with their peers in CoSY gatherings which run in some presbyteries throughout the year. One way or another, creating opportunities to meet with one another in worship and fellowship is of vital importance, and with the Year of Young People 2018 approaching, it is hoped that the national Church recognises the value of its young people meeting together and can support and nurture the young adults of the Kirk.

## CONCLUSION

*"Again, truly I tell you that if two of you on earth agree about anything they ask for, it will be done for them by my Father in heaven. For where two or three gather in my name, there I am with them."*Mt 18: 19-20

There was a noticeable enthusiasm for the weekend as a whole, with many delegates commentating on the friendly atmosphere, accessible topics and the community of friends they found. At a time when Church attendance is on the decline and the future of ministry a challenge for so many, it is heartening to see that the young adults of the Kirk meet in good spirit and with hopefulness of a bright and active future. Engaging with topics which were relevant and important to everyone made discussions flow easily and helped the young

adults to engage with one another with ease.

NYA continues to work with a number of bodies within the CofS, and are as always instrumental in growing and developing the faith of many young Christians across the country. As we have seen, the passion, knowledge and experiences the young adults have to offer the Church is inspiring; it is something the CofS can be proud of.

Through the year our youth rep team will have been working hard to develop the key points taken from the weekend and have turned the discussions into action, and it was heartening to have a record number of delegates apply to be a part of the youth rep team. A deeper insight to their work and further information on NYA, our Moderator and Clerk's year can be found in our supplementary report. This and information about the NYA can be found on our webpages [www.churchofscotland.org.uk/nya](http://www.churchofscotland.org.uk/nya).

Next year's National Youth Assembly will take place at Gartmore House from Friday 17 to Monday 20 August 2018, and is open to anyone aged 17 – 25 with a connection to the CofS. Our topics for discussion will be end of life issues, being ecumenical, and social media. It is hoped to continue the trend of welcoming first time attendees to add to the large number of delegates who come year after year.

ROBIN DOWNIE, *Moderator*  
CATRIONA MUNRO, *Clerk*



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General Assembly 2018

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## GENERAL ASSEMBLY 2018

### Report and Supplementary Reports

- 31/1 ..... Supplementary Report of the Council of Assembly
- 32/1 ..... Supplementary Report of the Legal Questions  
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## SUPPLEMENTARY REPORT OF THE COUNCIL ASSEMBLY MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Supplementary Report.
2. Approve the total to be contributed by congregations in 2019 of £46,586,000 based on the projection of congregational income for 2019 and its disposition among local congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund. (*Section 1.2 and Appendix I*)
3. Note the indicative budget for 2019. (*Section 1.3 and Appendix II*)
4. Receive the 2017 Report and Accounts of the Unincorporated Councils and Committees of the General Assembly. (*Section 1.5.2*)
5. Affirm the steps taken by the Council to review and develop the stewardship function of the Church. (*Section 2*)
6. Appoint Ms Christine Paterson as Depute Clerk of the General Assembly with effect from 19 May 2018. (*Section 5*)

### Report

#### 1. CONGREGATIONAL FINANCE

##### 1.1 2017 Congregational Income

**1.1.1** The commitment and generosity of those who make up the congregations of the Church of Scotland across the country is evidenced in their regular giving, for which the Church remains thankful. The starting point in the preparation of the indicative budget for the following year is the estimation of total congregational income for the previous year, drawn from the returns submitted by treasurers immediately after the year end. Provisional details for 2017 Congregational Income are contained in Appendix I. These show a decrease of 0.1% in total Ordinary Income, with offerings down by 0.5%, and Gift Aid tax recovery down by 0.9%, being offset by an increase in other ordinary income of 1.5%. This is the second year where an overall reduction in ordinary income has been indicated. The financial impact is significant, particularly when inflation is taken into account and it does again highlight that the Church needs to take urgent action in order to reverse this trend. Ways in which this might in part be addressed are described in the section on Stewardship (*Section 2*) below.

**1.1.2** Although early indications show a 1.5% increase in Other Congregational Income in 2017, this heading includes a number of different categories of income, and the total can only be confirmed when the detailed analysis of congregational accounts is completed in August 2018. Income from outside organisations shows an increase. It is clear that greater use of church premises benefits both the finances and the mission and outreach of local congregations. This in turn encourages the development of links with local communities and other Church of Scotland work.

##### 1.2 2019 Income Disposition

**1.2.1** 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 2019, and the allocation of these, are to be found in Appendix



II. 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, receipts for major fabric projects etc., which are assumed to be used exclusively to meet local congregational expenditure.

**1.2.2** The Council of Assembly proposes that the amount of the Budget to be met by congregations in 2019 should be increased to £46,586,000 (2018 £46,055,000). This increase is for the reasons outlined at 1.2.4 below. As a result, it will be seen in Appendix I that local congregational expenditure is projected to decrease from 52.6% of total Ordinary Income in 2018 to 51.9% in 2019, with a fall in the Parish Ministries Fund from 38.5% to 38.0% (after deducting vacancy allowances), and an increase in the Mission and Renewal Fund from 8.9% to 10.1%. Previously the Ministries Council's funding from congregations came exclusively from the Parish Ministries Fund whereas some of its work is now funded from the Mission and Renewal Fund. This explains, in part, the increase in the Mission and Renewal percentage.

**1.2.3 Parish Ministries Fund** (*including Stipends and related expenses for Parish Ministers*): 2017 was the first year of operation of the new arrangements for the Parish Ministries Fund, an idea developed by the Joint Working Group on Strategic Funding and Resource Allocation, in the light of declining minister numbers. This means that the Parish Ministries Fund element of the Ministries Council budget is now separated and protected and other aspects of that Council's budget are assessed on the same basis as other Councils and Committees. From Appendix II it will be noted that the total budget for the Parish Ministries Fund for 2019 to be met by congregations is £37,473,000 (2018 - £37,942,000), a reduction of £469,000. This is a best estimate based on existing minister and Ministries Development Staff (MDS) numbers projected forward to take account of retirements, leavers and joiners. This is, however, difficult to forecast and is closely connected with the Presbytery Planning Process. The budget for the Parish Ministries Fund also incorporates minor adjustments for the 2017 actual cost compared to the ring-fenced budget; for the updated 2018 forecast compared to budget; and a contingency for changes in numbers or in stipend and salary rates.

**1.2.4 Mission and Renewal Fund:** The Mission and Renewal Fund's share of the Income Disposition will rise from 8.9% in 2018 to 10.1% in 2019, after releasing £800,000 (2018

- £1,300,000) 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. Over the last decade, non-recurring, unrestricted legacies have been used to provide support for the budget, support which has increased over that period from £500,000 to £1.3 million by 2018. The Council of Assembly will continue to deploy this resource to benefit the work of the Church but, as noted in last year's report, at a much reduced level. The Trustees have set a reserves policy, outlined in the Annual Report and Accounts, which aims to maintain a balance of £2.0 million, representing three months' Mission and Renewal expenditure, rising to up to six months' expenditure in the longer term. Their view is that reserves, being essentially finite, should not be used to support regular ongoing work. The balance on the Mission and Renewal Reserve Fund as at 31 December 2017 was £1.7 million and, given decisions already taken on the budget for 2018, is forecast to reduce to £1.2 million by the end of 2018.

**1.2.5** As well as supporting the Church's operational budgets, the Reserve has been used to fund unexpected contingencies, which, because of the diverse nature of the Church's charitable activities, will always be a feature. In recognition that the Reserve cannot sustain any further unexpected expenditure in 2019, the Council has agreed that a contingency for strategy implementation should be included in the 2019 budget. This would cover any potential reduction in income or increase in expenditure as well as any costs of implementing its strategy. £500,000 of the contingency will be met by making cost reductions on the budget at a national level and consultation on this will take place during the second half of 2018 for inclusion in the detailed 2019 budget. Work will also continue in 2018 to identify funds held by Councils which could be transferred to the Reserve.

**1.2.6** Pressures on the National Church budget remain of concern, but Councils have been unable to reduce programme costs until such time as the Council of Assembly's proposed Strategic Plan has been agreed and implementation begins. A reduction in the Church's mission work does not sit well with the Plan's objective of fulfilling the gospel imperative. However, the financial reality is one of wage increases; price inflation; and the unavoidable costs of compliance and governance arrangements necessary to ensure that risks relating to protecting individuals, our data and business continuity are adequately controlled. The proposed Strategic Plan will address these issues and a financial strategy,

including a longer-term financial plan, is being developed in parallel with this. Meanwhile there is a recognition that investment will be required in order to bring about the changes needed to ensure a sustainable future for the Church's activities. Part of the Ministries Council's payments from reserves in 2018 and 2019 are being used to fund a programme of change with the aim of sustainable provision of ministry. Likewise the Council of Assembly is engaged in a number of infrastructure projects to ensure a national Church which is fit for purpose.

### 1.3 The 2019 Co-ordinated Budget

**1.3.1** In Appendix II, the Council presents an indicative budget for 2019 which increases the total amount required from congregations from £46,055,000 to £46,586,000. This budget provides fully for the total projected number of Presbytery Plan posts which are likely to be filled during 2019 as part of the Parish Ministries Fund. The Council considers that it is not affordable to fill all posts within the Plans, even if ministers and Ministries Development Staff could be recruited to them. This will need to be addressed by the Presbytery planning process.

**1.3.2** Presbytery planning should ensure the most effective and appropriate use of resources at a local level. Changes in congregational configuration can lead to a drop in income as well as a drop in expenditure. Continued careful financial management of the national Councils and Committees, and the increase in the proportion of congregational income which is retained for local work, are essential to present a more sustainable picture. The Council will continue to keep the Ministries and Mission contribution process under review, but what remains evident is that the Church is only able to maintain the level of ministries and mission, both local and national, which its members are prepared to support through their offerings; diligent stewardship of the Church's resources of people, property and money remains paramount.

**1.3.3** The Council of Assembly proposes once again to use the funds previously released by the reduction in the amount required of local congregations to maintain the total available for the Presbytery Discretionary Allowance for 2019 at 5% of the total Ministries and Mission contributions due from the congregations in each Presbytery. This means that around £2.5 million is available to Presbyteries for regional or local use. However, maintaining this allowance is ambitious in the light of budget pressures. The Council has monitored the use of the allowance during 2017. Broadly speaking, larger

Presbyteries are more creative in the use of the allowance, with some using it to employ staff. Some of the smaller Presbyteries are using the total allowance to reduce the contributions of all congregations, and increasing numbers of Presbyteries are using the allowance to pay shortfalls. The Council recognises that a reduction in the allowance at this point may have an impact on initiatives which are beginning to emerge at a regional or local level. It therefore instead proposes to adjust the scales for collecting the total to be met by congregations for 2019. The additional income will amount to approximately 1% more than the 2018 total. The contribution of an individual congregation will continue to be based on its three year average assessable income.

**1.3.4** Absorbing further compliance and governance costs and change projects means that Councils and Committees will again face challenging budget decisions in 2019. Until the Strategic Review exercise is concluded, Councils and support departments have been asked to continue working within existing budgets, which with upward wage pressure, will require careful management and in some cases difficult decisions. The Council of Assembly has had to turn down some bids for additional funding for new projects and posts and has engaged in careful consideration of other proposed projects, in all cases balancing the projected cost of the work with the risk of *not* carrying it out.

**1.3.5** Although Ministries Council has been able to cease pension deficit repair payments to the Scheme for Ministers and Overseas Missionaries, it is still funding from reserves, deficit repair contributions of £52,000 per annum to the Scheme for Ministries Development Staff. The Social Care Council and Central Services Committee are committed to annual deficit repair contributions of £1.1 million and £0.3 million respectively. The Council is working to ameliorate these costs by means of a longer term strategy, but funding of the Social Care deficit will be a challenge and any further assistance with this will need to be met from within the existing budgets of the National Church.

**1.3.6** 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 projected deficit being met from the reserves of the individual Councils. This shows Projected Gross Expenditure of £102,582,000 (2018 £103,426,000), income from congregations £46,586,000 (2018 £46,055,000), income from

external sources including investment income £52,881,000 (2018 £53,289,000) and deficits from reserves £3,115,000 (2018 £4,082,000). Most of the Councils are showing minor deficits to be met from their reserves, some using restricted funds to continue their work. However, in view of the lack of growth in congregational income and the necessary curtailment in the use of the Mission and Renewal Reserve, no increase has been made to overall budgets for inflation and Councils and Departments will be required to fund any increased payroll costs from within their budgets, which could in turn affect planned work programmes. Given that inflation remains a factor, this will present further budget pressures to Councils and departments. The Council of Assembly encourages Councils to use restricted funds, where possible, before general reserves and this will continue to be a feature of the Co-ordinated Budget, with Ministries, Mission and Discipleship and World Mission all planning to use these funds again in 2019.

**1.3.7** The Social Care Council's budget shows a break-even position other than for its pension deficit repair contributions. The Council of Assembly has agreed to assist with these contributions, funding half from the Mission and Renewal Fund in 2017 and 2018, the other half being funded from Social Care Council reserves. The Council is committed to achieving this budget but the area of work in which it operates is constantly changing and its budget results are subject to being able to implement its Strategic Plan against this background.

**1.3.8** The Ministries Council will receive 83% of congregational contributions (including £3,609,000 of endowment income and glebe rents) directed through the Parish Ministries Fund, which includes use for:

- the National Stipend Fund which pays the stipend and other costs of parish ministers;
- ordained parish ministry support and development;
- the salaries and other costs of Ministries Development Staff, as defined below;
- new, alternative and emerging forms of ministry costs;
- readership costs;
- recruitment and education for ministries, including Ordained Local Ministers and the training of Probationers;
- parish appraisal costs;

- properties costs;
- a share of Ministries Council support and administration costs.

The Ministries Development Staff referred to above are Ministries Development Staff posts on agreed Presbytery Plans, employed or appointed by the Ministries Council and including (though not exclusively) Deacons in the employ of the Church, Associate Ministers and Team Leaders. Any parish staff engaged locally by congregations (and not designated on Presbytery Plans) will not be funded by the Parish Ministries Fund.

**1.3.9 The Mission and Renewal Fund** will receive 17% of congregational contributions and is used to support the work of the General Assembly's other Councils and Committees as well as, from 2017, some of the more general work of the Ministries Council including the Go For It Fund, Priority Areas and Workplace Chaplaincy.

## **1.4 2018 Detailed Budgets and 2017 Operating Results**

**1.4.1** The final 2018 budgets approved by the Council of Assembly are contained in its main report in the Blue Book (section 4.1.5) along with a summary and details of the operating results of Councils, Committees and Departments against the 2017 budget.

## **1.5 Systems of Internal Control**

### **1.5.1 Role of Audit Committee**

**1.5.1.1** The Committee's remit includes responsibility for reviewing the systems of internal control and for oversight of the Internal Auditor function. This function is delivered by Deloitte as the appointed Internal Auditors alongside the work of the Church's own Audit and Compliance Officer. Deloitte produce an annual programme of work based on an assessment of audit risk which seeks to ensure that all the main areas of activity are periodically reviewed. Audit reports are submitted at the end of each assignment and an annual audit report is made to the Audit Committee expressing an opinion on the systems of internal control in place in the Unincorporated Councils and Committees.

**1.5.1.2** Deloitte conducted a number of reviews in 2017 covering the following areas:

- Review of Middle East Governance and Management Arrangements;
- Review of the Assembly Arrangements Committee;
- Review of the Legal Questions Committee;
- HR and Payroll System Implementation Project Review.

**1.5.1.3** Deloitte reported to the Audit Committee that, on the basis of the work undertaken for the year ended 31 December 2017, they consider that the Unincorporated Councils and Committees of the Church of Scotland generally had an adequate framework of control over the systems examined except in relation to two priority one matters highlighted in their reviews of Middle East Governance and Management arrangements, and the Legal Questions Committee. This conclusion is conditional upon satisfactory implementation of recommendations from previous audit reports.

## **1.5.2 Audit of Annual Accounts for 2017**

**1.5.2.1** 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 and approval was given at the Council meeting in April 2018. The Church's external auditors, PwC, gave an unqualified, or 'clean', audit opinion on the Accounts. The Assembly is invited to receive the 2017 Report and Accounts of the Unincorporated Councils and Committees.

## **2. THE FUTURE OF STEWARDSHIP**

### **2.1 Introduction**

**2.1.1** The Council has conducted a review of the stewardship function of the Church during a period of interim leadership in the department. Last year's report underlined the importance of stewardship and urged all congregations to participate in a cycle of stewardship on a regular basis. The Council's proposed Strategic Plan makes specific reference to stewardship and in particular proposes that, in future, the Local Church Review process, which is already required of all congregations, should include a report on diligence in carrying out a cycle of stewardship. It is in this context that plans for future patterns of stewardship are now considered.

### **2.2 Christian Stewardship**

**2.2.1** Christian Stewardship focuses on the gifts of God towards humanity and the ways in which we use those gifts.

Its fundamental concern is with God's love and commitment to the world and its people and our response to that love. While many immediately think of stewardship in relation to our handling of money, it is more holistic. It is about *all* of God's gifts to us and therefore about the way we respond with our *whole* lives. Ultimately, stewardship is about being the people that God wants us to be and about allowing God to live and work in our lives.

**2.2.2** For this reason, the Church has tended to talk about three complementary aspects of stewardship: time; talents; money. These embrace our whole way of living: the way we structure our lives (*time*); the way we use our God-given gifts (*talents*); the way we employ the resources God has given us (*money*).

**2.2.3** We live busy lives, with demands from all sides. It is easy in the midst of this for us to lessen the importance of our ongoing relationship to God and our response. In order to help us maintain our focus more effectively, the Church has chosen over many years to offer support and encouragement to local congregations and individuals in their reflection on stewardship. This is why we have a national stewardship team, whose job it is to enable us in the service of God and to focus our response to God's many gifts towards us.

## **2.3 Reviewing Current Practice**

**2.3.1** In carrying out its review of the stewardship function, the Council consulted with a range of people, including stewardship staff, past and present, and ecumenical partners. In particular, as we note in the course of this report, the Church of England at both national and diocesan level has been generous in its cooperation and support. Staff from the Stewardship and Finance Department carried out analysis of the income fluctuations of those congregations who had utilised the services of a stewardship consultant and how those fluctuations compared with those congregations who had not utilised the services of a consultant.

**2.3.2** There is much to commend the work currently being done by the stewardship team. There are visible benefits in terms of increased income by those congregations who had utilised the services of a consultant when compared with those congregations who have not. Over a six-year period, congregations who did *not* engage with the stewardship team saw an average rise in annual income of only 1.9%. Congregations who engaged with the stewardship team achieved increases in annual income on average of 7%. What

is also clear from this kind of comparison, however, is that the impact of the stewardship programme lessens as time passes since the programme was completed. This suggests that a far greater return on giving could be achieved by maintaining a more regular emphasis on the stewardship of money – at least on a three- year cycle if not more frequently.

**2.3.3** With a full complement of staffing, the Stewardship Team in 2016 comprised a Head of Stewardship with five consultants at a cost of around £340,000. While it is clear that the aggregate increase in income of those congregations which utilised the services of a consultant was in excess of that figure, we do not know what other factors may have influenced congregational income (e.g. legacies; rental income; etc.). What may be suggested, however, is that if *all* congregations were to have achieved a similar percentage growth over that six- year period, income would have risen by a figure in the region of £3.4 million which would have provided significant resources for congregations to expand their missional activity.

**2.3.4** Historically, the services of the stewardship team have been made available to all congregations irrespective of size. This means that even a very successful stewardship campaign might not result in any significant increase in giving. In fact, in some cases success may simply be restricting the decrease in income inevitable due to the particular circumstances of a congregation. If a prime motivator is covering costs then the services should probably be restricted to those congregations able to achieve significant increases in monetary terms rather than in percentage terms. The Council believes, however, that it would be undesirable to limit the work in this way as this could send out the wrong message to many congregations who might be in most need of support, but might not necessarily contribute significantly higher amounts due to increased income.

**2.3.5** The stewardship team currently offers programmes which focus on time, talents and money. Consideration was given to focussing only on money, but it was felt that if members can be encouraged to give more in terms of time and talents then they may also give more financially. It is noticeable, however, that our colleagues in the Church of England have chosen in their stewardship material to place the emphasis very firmly on generosity of giving, with a clear focus on money, in a campaign under the title *Giving for Life*. Our finance team is working closely with our Church of

England partners and will continue to learn from their experience in this and other areas.

**2.3.6** The Council considered the current working practices of the consultants which largely involve working in person with congregations and leading those congregations through a range of stewardship programmes. These programmes are largely generic, but are tailored to meet the needs of the individual congregation. While they are on the whole successful, they are also labour intensive. Consultants are only able to work with individual congregations at their direct invitation and inevitably there is a large number of congregations which did not utilise the services of a consultant. It is self-evident, however, that on a model which relies heavily on a small number of consultants, the number of congregations which can be covered in a year is limited.

**2.3.7** If we are to reach more congregations in future, the benefit of which would be increased income for missional activity, there needs to be a different emphasis in the provision of resources. Simply providing more consultants on the current model is not sustainable and the fact that many congregations do not take up that provision suggests that other methods are necessary. The quality and breadth of resources currently available is recognised, but it becomes quickly dated and there needs to be a more focussed approach with consistency of design. In an increasingly digital age, therefore, we need to consider ways in which the time of the team can be more effectively used in the development and roll out of digital resources which are easily and instantly available to the whole Church. This will still have resource implications and one of the pressing issues for the new National Stewardship Coordinator will be to assess this and quantify it.

**2.3.8** The Council noted the number of new initiatives now available to assist donors in their giving (e.g. online donations; contactless donations; text giving, etc.) and recognised the importance of the Church's stewardship function being aware of such developments and assisting congregations in the appropriate promotion of them. Recent reports of the Church of England's plans to make contactless donations possible in local parish churches reflect the kind of development which the Church of Scotland is likely to pilot in the very near future.

**2.3.9** Stewardship is of common importance to all denominations and the Church of Scotland seeks to work ecumenically in this area. The Church of England has



indicated a willingness to see more co-operation between our respective stewardship functions and has generously offered to allow us to 'brand' their material for use within the Church of Scotland, should this prove helpful. The Church of England also currently runs training courses and conferences for its stewardship staff and the Council is grateful that our stewardship advisers have already been able to participate in those events.

**2.3.10** It was evident from discussions with the stewardship team that a clearer support and leadership structure is necessary going forward. Consequently a recruitment process for a new National Stewardship Coordinator was underway at the time of writing this report.

**2.3.11** In the course of reviewing the stewardship function, it was noted that further work needs to be done on the development of an appropriate and sensitive church-wide legacy policy. The Council intends to consider this in the coming year and to look at ways in which it might be integrated with the proposed Strategic Plan.

## **2.4 Conclusions**

**2.4.1** The Church of Scotland should continue to promote good stewardship as a matter of priority for individuals and congregations. This is both theologically important and practically necessary. While the Stewardship team should continue to offer resources on the stewardship of time, talents and money, the overarching aim should be to maximise congregational income through the promotion of a spirit of generosity and committed giving.

**2.4.2** Roles and working practices within the team will be restructured and modernised to take account particularly of the potential of digital technology. A small team of consultants will be led by a new National Stewardship Co-ordinator. In addition to contributing to the production of both online and hard copy materials, consultants will be equipped to develop expertise in specific areas of stewardship work. Ongoing meetings with congregations in person will continue, but all members of the team will participate in online conference calling with congregations where this is more efficient and effective.

**2.4.3** The National Stewardship Coordinator will have a thorough theological understanding of the importance of stewardship, but need not necessarily be an ordained minister. They will have strong people management and

leadership skills as well as clear communication, influencing and presentation skills. This will include the ability to develop future resources for stewardship education in a digital age. The Stewardship team will work ecumenically, seeking to avoid duplication of effort and sharing expertise and resources.

**2.4.4** In future, the Council will seek to set appropriate and measurable monetary and other targets for the Church. Consideration will be given to the development and integration with stewardship work of an appropriate church-wide legacy policy.

**2.4.5** The stewardship service will continue to be provided without charge to congregations. In order to develop and monitor best practice, congregations will be required to complete pro-forma returns showing three years' results and other relevant feedback, to enable accurate assessment of the costs and benefits of the programme on an ongoing basis.

**2.4.6** The Local Church Review process will be amended to ensure a report on stewardship activity, in line with the targets already outlined in the proposed Strategic Plan.

## **3. CHURCHES' MUTUAL CREDIT UNION**

**3.1** Membership of Churches' Mutual Credit Union (CMCU) within the Church of Scotland has continued to grow steadily over the past year despite some account closures as members' circumstances change and also sadly through two deaths. Membership now stands at 119 individuals with 49 having lump sum deposit accounts and 70 being regular savers (31 through payroll). CMCU has also opened a corporate account for a second Presbytery in 2017. Loans have been made to members from the Church of Scotland amounting to just over £151,000 since August 2015. CMCU is pleased to report there is no bad debt.

**3.2** CMCU continues to promote the work to eligible members of the Church of Scotland as widely as possible, including taking a stall at Heart & Soul and at the General Assembly in May 2017. We have a specifically designed leaflet going to all ministers and employees at the end of April. Once again the Board of CMCU is particularly grateful for the work of Karen Hunter from the staff of the Church and Society Council and of Charles Sim, an Elder in Irvine and Kilmarnock Presbytery. Their achievement in securing access to CMCU savings and loans for the employees of CrossReach, which

facility commenced in August last year, was especially significant. This was in addition to their sterling work in promoting the credit union in the workplace at the National Offices in George Street, and amongst ministers and elders by visiting as many of the Presbyteries as possible. The Board continues to benefit from the commitment of the Church of Scotland to the good governance of the Credit Union through the presence of Sheila Nicoll OBE on the board of directors and Charles Sim on the supervisory committee.

**3.3** CMCU hopes to build on the successes of previous years and looks forward to continued growth in all areas of the credit union's services over the next twelve months.

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#### **4. GAELIC IN THE CHURCH**

**4.1** The Gaelic Group of the Council has made significant progress this year in the development of a Gaelic Language Plan. The draft plan is now approaching completion and a short summary of key points is offered here. It focuses on a number of commitments the Council is looking for the Church to adopt in the longer term in relation to Gaelic Ministry in particular, but wider too in terms of the life of the Church. The key areas of influence include worship, staffing, visibility of the Gaelic language, day-to-day operations, communications and events.

**4.2** The Gaelic Plan will look to increase the visibility and auditability of Gaelic, primarily through worship. This will involve completing a full audit of what is currently in place, developing a range of resources and working ecumenically. It is our hope that a Gaelic section on the Church's website will be developed for Gaelic worship materials. This will include a platform for broadcasting Gaelic services and access to Gaelic hymns, psalms and prayers.

**4.3** The Council is also looking to greatly expand the awareness of the language and develop language skills for both those in ministry and for appropriate and interested staff in the Church Offices. The plan recommends that Gaelic will be recognised as a useful skill in the workplace and areas may be identified where the language should be desirable or even essential in some roles. Opportunities will be created for those who wish to learn more about the Gaelic language.

**4.4** Following on from the success of the 2015 Gaelic conference, the plan recommends that an annual conference be held. Such events will look to stimulate interest and

discussion around how to address the need for the Church to do more to promote Gaelic. Some key themes to be explored will be inter-denominational collaboration, new ways to create specialised language learning opportunities for the church, and means by which worship in the Gaelic language can be supported and developed.

**4.5** On completion, the plan will be published bilingually on the Church's website.

**4.6** In order to deliver on these commitments, the Gaelic Group will submit the final Gaelic Plan to Bòrd na Gàidhlig as part of seeking funding to support both initial implementation and ongoing work. This will be monitored by the Council through regular reporting from the Gaelic Group.

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#### **5. DEPUTE CLERK TO THE GENERAL ASSEMBLY**

**5.1** Ms Christine Paterson, a qualified solicitor and a member of the Church of Scotland, was appointed in 2012 to the staff of the Central Services Committee as the part-time Legal Resources and Learning Officer within the Department of the General Assembly. Following the appointment of the previous Depute Clerk to the General Assembly, Rev Dr George Whyte, to the role of Principal Clerk in 2017, the General Assembly agreed to appoint Christine as Acting Depute Clerk with a consequential increase in hours worked. Christine's legal training has proved invaluable within the Department, both in the drafting of new and amending legislation and in the support of the Church's appeal processes. She has also developed a good understanding of the practice and procedure of the Church in the support of Kirk Sessions and Presbyteries.

**5.2** Following a redistribution of duties within the Principal Clerk's office it is now proposed that Ms Paterson be appointed as Depute Clerk on a permanent part-time basis. Among other tasks she will have lead responsibility for the drafting of Church Law and the organisation of Appeals as well as deputising for the Principal Clerk where appropriate. The Assembly is invited to affirm her appointment.

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#### **6. STATISTICS**

**6.1** The annual statistics gathered from congregations and Presbyteries are listed in Appendices III - VIII. These comprise the following elements:



- Persons and Agencies in Scotland for 2017 (*Appendix III*);
- Congregational Statistical Returns – Young People (*Appendix IV*);
- All Presbyteries – Congregational Statistical Returns (2 tables) (*Appendix V*);
- Comparative Statistics from 2006 to 2017 (*Appendix VI*);
- Ministry Statistics (*Appendix VII*);
- Attendance at Worship and Congregational Activities (2 tables) (*Appendix VIII*).

**6.2** The last of these Appendices was collated for the first time in 2017 and is intended to enable comparison with other data such as the Statistics for Mission profiles, which allow congregations, Presbyteries, Councils and Committees of the Church to reflect on their position in their communities. These statistics will provide information over the coming years to help the Church in identifying trends in these areas.

*In the name of the Council*

SALLY BONNAR, *Convener*  
CATHERINE COULL, *Vice-Convener*  
MARTIN SCOTT, *Secretary*

**Appendix I****CO-ORDINATED BUDGET STATISTICS 2016 TO 2019**

	<b>2016 Actual £'000</b>	<b>2016 Increase %</b>	<b>2017 Provisional £'000</b>	<b>2017 Increase %</b>	<b>2018 Projected £'000</b>	<b>2018 Increase %</b>	<b>2019 Projected £'000</b>	<b>2019 Increase %</b>
<b>CONGREGATIONAL INCOME</b>								
Offerings	58,944	(1.5)	58,644	(0.5)	58,058	(1.0)	57,477	(1.0)
Tax Recovery on Offerings	11,857	1.2	11,751	(0.9)	11,633	(1.0)	11,517	(1.0)
<b>Total Offerings</b>	<b>70,801</b>	<b>(1.1)</b>	<b>70,395</b>	<b>(0.6)</b>	<b>69,691</b>	<b>(1.0)</b>	<b>68,994</b>	<b>(1.0)</b>
Other Ordinary Income	20,695	2.6	21,000	1.5	21,000	0.0	21,000	0.0
<b>Total Ordinary Income</b>	<b>91,496</b>	<b>(0.3)</b>	<b>91,395</b>	<b>(0.1)</b>	<b>90,691</b>	<b>(0.8)</b>	<b>89,994</b>	<b>(0.8)</b>
<b>EXPENDITURE Available to Congregations</b>	47,957	0.3	48,051	0.2	47,699	(0.7)	46,702	(2.1)
<b>Parish Ministries Fund</b>	38,796	(2.1)	38,325	(1.2)	37,942	(1.0)	37,473	(1.2)
Less: Vacancy Allowances	(2,516)		(2,711)		(3,063)		(3,294)	
	36,280	(2.1)	35,614	(1.8)	34,879	(2.1)	34,179	(2.0)
<b>Mission and Renewal Fund</b>	7,259	5.8	7,730	6.5	8,113	5.0	9,113	12.3
<b>Total Expenditure</b>	<b>91,496</b>	<b>(0.3)</b>	<b>91,395</b>	<b>(0.1)</b>	<b>90,691</b>	<b>(0.8)</b>	<b>89,994</b>	<b>(0.8)</b>
<b>INCOME DISPOSITION</b>	%		%		%		%	
Available to Congregations	52.4		52.6		52.6		51.9	
Parish Ministries Fund	39.7		39.0		38.5		38.0	
Mission and Renewal Fund	7.9		8.4		8.9		10.1	
	<u>100.0</u>		<u>100.0</u>		<u>100.0</u>		<u>100.0</u>	

**APPENDIX II**  
**2019 CO-ORDINATED BUDGET**  
**Requirements for Parish Ministries Fund and Mission & Renewal Fund**

	Projected Total Expenditure =	To be met by Congregations	+ Income from External Sources	+ Annual Income from Councils' Investments	+ Transfers * Between Councils	2019 Deficit to be met from Councils' Reserves	Final Budgeted Deficit 2018
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Parish Ministries Fund</b>	42,006	37,473	3,444	466	-	623	726
Pension Deficit Repair Contributions	52	-	-	-	-	52	52
	<b>42,058</b>	<b>37,473</b>	<b>3,444</b>	<b>466</b>	<b>-</b>	<b>675</b>	<b>778</b>
<b>Mission &amp; Renewal Fund</b>							
Ministries Council	2,313	334	529	932	(39)	557	365
Mission & Discipleship Council	1,219	694	111	316	-	98	98
World Mission Council	3,415	960	1,069	1,223	(37)	199	199
Social Care Council - operational	43,776	1,105	42,331	340	-	-	1,197
Social Care Council - Pensions Deficit Repair	1,105	-	-	-	-	1,105	1,064
Church & Society Council	725	455	66	28	75	102	102
Support and Services Committees and Departments - Operational	6,562	4,436	1,981	45	1	99	(1)
Support and Services Committees and Departments - Pensions Deficit Repair	280					280	280
Special Contributions:							
General Trustees - Central Fabric Fund	290	290	-	-	-	-	-
Christian Aid	85	85	-	-	-	-	-
Ecumenical Contributions	254	254	-	-	-	-	-
Contingency for Strategy Implementation	1,000	500	-	-	-	500	
Cost Reduction Strategy	(500)					(500)	
<b>Mission &amp; Renewal Fund Totals</b>	<b>60,524</b>	<b>9,113</b>	<b>46,087</b>	<b>2,884</b>	<b>-</b>	<b>2,440</b>	<b>3,304</b>
<b>Grand Totals</b>	<b>102,582</b>	<b>46,586</b>	<b>49,531</b>	<b>3,350</b>	<b>-</b>	<b>3,115</b>	<b>4,082</b>
<b>Total to be met by Congregations</b> (before deducting vacancy Allowances)		<b>46,586</b>					

1. Income from external sources comes from the provision of services (eg CrossReach fees), legacies, donations, endowment income etc.

2. Transfers to another council are shown as a negative and transfers in from another council as positive.

Appendix III

PERSONS AND AGENCIES IN SCOTLAND FOR 2017

The membership statistics shown in the following tables may be stated thus:

Less	Removals by Death	9,611	
	Admissions by profession	<u>999</u>	8,612
Less	Removals by Certificate	2,038	
	Admissions by Certificate	<u>1,559</u>	479
Less	Other Removals	6,075	
	Restoration	<u>1,316</u>	<u>4,759</u>
	Total decrease		13,850

Appendix IV

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 50,035.
- (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 14,942.
- (3) that the number of children who receive Holy Communion in terms of Act V, 2000, Section 15 is 2,844.

## Appendix V

## APPENDIX V: ALL PRESBYTERIES – CONGREGATIONAL STATISTICAL RETURN

## On Roll as at 31st December 2017

PRESBYTERIES	On Roll as at 31st Dec- ember 2016	COMMUNICANTS								On Roll as at 31st Dec- ember 2017	Inc or - Dec	Union + Inc/- Dec	Number of Notices of Removal Sent	Number on Supplementary Roll	OFFICE BEARERS						BAPTISMS		Weddings	Funerals
		REMOVALS				ADMISSIONS									Elders M	Elders F	Not Elders M	Not Elders F	No. During Year	Of Which Adults	Thanksgiving and Blessing Services			
		By Death	By Cert	Otherwise	In Union	By Profession	By Cert	By Restoration	New Union															
Aberdeen	12,899	434	204	65	-	29	85	62	-	12,372	-527	-	11	1,084	485	593	41	76	71	3	3	109	847	
Abermethy	1,014	8	1	-	-	-	-	-	-	1,005	-9	-	1	30	10	14	-	-	4	-	-	11	36	
Angus	12,035	359	68	600	-	30	43	109	-	11,190	-845	-	20	1,740	364	446	39	76	74	3	12	53	547	
Annandale and Eskdale	4,458	162	15	18	-	2	11	20	-	4,296	-162	-	1	755	157	209	6	26	56	4	-	62	264	
Ardrossan	7,951	258	30	77	-	13	25	15	-	7,639	-312	-	17	584	314	443	40	93	67	7	4	57	514	
Argyll	6,961	178	10	196	466	13	31	30	466	6,651	-310	-	18	589	294	375	66	106	69	5	2	101	459	
Ayr	17,099	268	57	366	-	23	41	24	-	16,496	-603	-	8	910	358	471	39	83	81	2	9	83	630	
Buchan	10,114	236	38	226	-	5	10	8	-	9,637	-477	-	14	1,009	226	281	28	117	38	-	1	18	298	
Caithness	1,079	43	10	53	-	1	1	-	-	975	-104	-	5	196	70	46	28	39	12	-	2	19	179	
Dumbarton	9,979	233	29	102	166	22	35	10	166	9,682	-297	-	12	623	342	437	56	94	87	2	6	61	383	
Dumfries and Kirkcudbright	7,872	252	70	77	-	9	32	20	-	7,534	-338	-	20	1,041	265	266	82	149	87	2	2	106	358	
Dundee	10,887	362	55	333	-	31	39	22	-	10,229	-658	-	22	934	409	476	32	81	111	4	13	57	449	
Dunfermline	5,674	164	35	110	-	20	27	25	-	5,437	-237	-	15	1,463	242	324	27	54	50	6	19	76	388	
Dunkeld and Meigle	4,787	125	22	52	-	2	14	39	-	4,643	-144	-	20	280	157	168	17	26	39	-	1	63	222	
Duns	2,474	70	15	39	-	-	12	22	-	2,384	-90	-	4	289	85	97	25	45	29	1	5	29	155	
Edinburgh	22,287	692	219	185	87	98	156	133	87	21,578	-709	-	86	1,198	990	1,244	117	168	240	17	35	183	1,080	
England	2,004	47	13	21	-	12	9	22	-	1,966	-38	-	10	562	67	90	8	7	37	3	3	25	90	
Falkirk	10,528	340	64	288	-	20	56	52	-	9,964	-564	-	73	1,679	410	491	130	252	64	2	2	34	714	
Glasgow	30,019	727	173	599	350	167	143	107	332	28,919	-1,100	-18	96	2,888	1,172	1,451	201	411	297	38	23	139	1,549	
Gordon	11,564	312	75	26	269	23	42	16	269	11,232	-332	-	32	969	304	364	28	73	74	2	9	72	531	
Greenock and Paisley	17,011	508	122	306	-	38	117	57	-	16,287	-724	-	47	2,332	785	927	129	196	175	10	5	106	992	
Hamilton	22,795	724	106	543	1	89	112	66	-	21,688	-1,107	-1	62	3,482	1,119	1,287	218	366	224	29	14	104	1,462	
International Charges	1,719	14	2	99	-	14	10	56	-	1,684	-35	-	-	248	52	62	12	19	27	7	6	23	18	

# **APPENDIX V: ALL PRESBYTERIES – CONGREGATIONAL STATISTICAL RETURN** **On Roll as at 31st December 2017 (Continued)**

PRESBYTERIES	On Roll as at 31st Dec- ember 2016	COMMUNICANTS								On Roll as at 31st Dec- ember 2017	+ Inc or -Dec	Union + Inc/-Dec	Number of Notices of Removal Sent	Number on Supplementary Roll	OFFICE BEARERS							BAPTISMS			Weddings	Funerals
		REMOVALS				ADMISSIONS									Elders M	Elders F	Not Elders M	Not Elders F	No. During Year	Of Which Adults	Thanksgiving and Blessing Services					
		By Death	By Cert	Otherwise	To Union	By Profession	By Cert	By Restoration	New Union																	
Inverness	4,356	115	21	25	-	22	19	11	-	4,247	-109	-	10	305	180	110	48	68	39	4	4	50	304			
Irvine and Kilmarnock	8,709	283	42	220	-	21	30	21	-	8,236	-473	-	12	1,811	360	418	74	139	69	5	2	33	539			
Jedburgh	5,094	105	7	16	-	4	14	30	-	5,014	-80	-	6	183	127	193	22	40	23	5	-	34	207			
Kincardine and Deeside	6,985	121	29	115	-	4	14	15	-	6,753	-232	-	18	427	86	120	5	12	41	1	1	24	170			
Kirkcaldy	7,269	235	42	20	-	20	39	20	-	7,051	-218	-	21	387	203	322	69	140	50	9	7	48	496			
Lanark	5,577	147	20	108	457	11	27	43	457	5,383	-194	-	13	1,239	196	227	27	46	35	4	5	33	342			
Lewis	810	19	11	2	-	35	7	2	-	822	12	-	6	-	51	-	34	14	26	5	8	14	82			
Lochaber	1,012	31	6	3	-	4	4	2	-	982	-30	-	5	133	48	78	15	30	15	-	-	21	112			
Lochcarron - Skye	561	8	11	9	-	7	6	7	-	553	-8	-	6	152	32	20	14	28	10	-	-	9	72			
Lothian	12,237	370	52	185	-	37	67	29	-	11,763	-474	-	22	1,526	418	533	32	83	118	10	19	115	696			
Melrose and Peebles	5,815	134	24	44	-	4	17	26	-	5,660	-155	-	1	278	144	139	12	25	33	2	3	28	195			
Moray	7,192	174	19	174	-	14	22	15	-	6,876	-316	-	12	524	177	264	26	79	37	5	2	46	304			
Orkney	2,452	54	6	26	-	-	9	2	-	2,377	-75	-	6	166	46	73	14	26	5	-	2	30	115			
Perth	11,687	313	108	266	-	43	84	19	-	11,146	-541	-	39	1,210	313	361	20	27	67	7	6	76	398			
Ross	1,698	28	15	18	-	1	2	1	-	1,641	-57	-	4	159	62	43	9	26	5	-	3	18	99			
Shetland	1,022	36	4	11	-	-	-	5	-	976	-46	-	8	175	45	68	8	32	10	-	-	13	108			
St Andrews	9,014	267	42	137	320	14	43	48	320	8,673	-341	-	21	560	290	398	38	82	64	1	6	86	425			
Stirling	12,238	309	61	155	-	40	46	57	-	11,856	-382	-	44	1,114	460	536	61	172	90	7	12	98	596			
Sutherland	668	25	5	20	-	5	1	12	-	636	-32	-	5	114	37	62	10	31	19	-	3	19	133			
Uist	409	9	2	6	-	8	3	-	-	403	-6	-	-	2	29	9	14	13	5	1	1	5	39			
West Lothian	8,171	199	40	86	-	22	35	23	-	7,926	-245	-	12	1,155	323	367	66	148	104	11	1	83	605			
Wigtown and Stranraer	4,521	113	38	48	-	15	19	13	-	4,369	-152	-	15	459	133	154	31	80	41	1	-	38	218			
Totals	350,707	9,611	2,038	6,075	2,116	992	1,559	1,316	2,097	336,831	-13,876	-19	880	36,964	12,437	15,057	2,008	3,898	2,919	225	261	2,512	18,420			

**ALL PRESBYTERIES – CONGREGATIONAL STATISTICAL RETURN****On Roll as at 31st December 2016**

PRESBYTERIES	Number of Congregations	Children 17 and under	Children 18+ on Roll	Children receiving Communion
Aberdeen	36	1,244	338	73
Abernethy	11	53	83	18
Angus	33	1,017	135	92
Annandale and Eskdale	19	385	128	21
Ardrossan	27	1,027	161	7
Argyll	65	495	115	15
Ayr	49	1,270	114	34
Buchan	34	686	84	16
Caithness	13	95	276	7
Dumbarton	34	1,100	121	27
Dumfries and Kirkcudbright	31	575	148	35
Dundee	35	1,536	349	56
Dunfermline	24	714	258	106
Dunkeld and Meikle	22	456	120	5
Duns	14	188	75	7
Edinburgh	73	3,976	1,440	437
England	7	107	36	6
Falkirk	34	2,008	200	114
Glasgow	130	8,099	1,671	444
Gordon	30	1,334	274	59
Greenock & Paisley	48	4,095	436	131
Hamilton	76	5,740	879	174
International Charges	11	184	17	22
Inverness	25	881	615	45



**ALL PRESBYTERIES – CONGREGATIONAL STATISTICAL RETURN****On Roll as at 31st December 2016 (continued)**

PRESBYTERIES	Number of Congregations	Children 17 and under	Children 18+ on Roll	Children receiving Communion
Irvine and Kilmarnock	26	1,817	360	64
Jedburgh	16	272	26	2
Kincardine and Deeside	20	347	78	29
Kirkcaldy	23	693	126	36
Lanark	23	1,380	297	125
Lewis	11	418	979	6
Lochaber	15	118	113	2
Lochcarron - Skye	8	68	410	6
Lothian	46	1,399	639	234
Melrose and Peebles	26	256	275	31
Moray	29	331	167	5
Orkney	20	95	42	5
Perth	35	1,164	299	80
Ross	21	73	945	-
Shetland	13	117	44	-
St Andrews	37	319	165	12
Stirling	46	1,379	716	106
Sutherland	14	98	385	12
Uist	8	74	435	4
West Lothian	26	1,919	294	128
Wigtown and Stranraer	19	433	74	6
Totals	1,363	50,035	14,942	2,844

**Appendix VI****COMPARATIVE STATISTICS FROM 2006 TO 2017**

Congregations	2006	2007	2008	2009	2010	2011
	1,513	1,487	1,464	1,454	1,441	1,427
Communicants						
Removals by Death	12,557	12,478	11,826	11,218	11,454	10,488
Removals by Certificate	4,398	4,203	3,553	3,685	3,394	3,332
Removals otherwise	7,827	5,703	5,995	5,763	6,096	5,821
Total Removals	24,782	22,384	21,374	20,666	20,944	19,641
Admission by Profession	2,424	2,115	1,989	2,017	1,928	1,828
Admission by Certificate	3,572	3,354	2,941	2,707	2,467	2,365
Admission by Resolution	2,209	2,371	1,849	1,836	1,868	1,591
Total Admissions	8,205	7,840	6,779	6,560	6,263	5,784
Total on rolls	504,363	489,118	471,894	464,355	445,646	432,343
Elders	40,651	38,534	36,360	36,215	36,519	34,572
Baptisms	7,337	6,950	6,154	6,198	5,787	5,452
Total Population	5,116,900	5,144,200	5,168,500	5,194,000	5,222,100	5,254,800
Adult	4,130,913	4,161,258	4,189,133	4,151,853	4,184,261	4,218,391
Children of School Age	717,530	707,742	696,395	678,163	680,325	680,325
Children born	55,168	57,003	59,531	59,673	58,791	59,826

**COMPARATIVE STATISTICS FROM 2006 TO 2017 (CONTINUED)**

Congregations	2012	2013	2014	2015	2016	2017
	1,414	1,389	1,379	1,364	1,373	1,363
Communicants						
Removals by Death	11,156	10,648	10,011	10,433	9,330	9,611
Removals by Certificate	3,073	3,026	3,013	2,628	2,479	2,038
Removals otherwise	7,047	5,592	7,673	6,113	7,057	6,075
Total Removals	21,276	19,266	20,697	19,174	18,866	17,724
Admission by Profession	1,617	1,485	1,273	1,188	994	992
Admission by Certificate	2,413	2,256	2,049	1,752	1,711	1,559
Admission by Resolution	1,750	1,777	1,321	1,312	1,700	1,316
Total Admissions	5,780	5,518	4,643	4,252	4,405	3,867
Total on rolls	413,488	398,389	380,163	363,597	351,934	336,831
Elders	34,138	32,834	31,146	30,301	28,346	27,494
Baptisms	5,147	4,664	4,045	3,591	3,333	2,919
* Total Population	5,313,600	5,327,700	5,327,700	5,373,000	5,404,700	<b>Figures not yet available</b>
Adult	4,398,929	4,416,021	4,436,318	4,460,738	4,488,783	
Children of School Age	680,291	679,221	678,872	679,848	685,142	
Children born	58,691	57,058	56,297	56,001	55,516	

\* Calculation date changed during 2004

## Appendix VII

### MINISTRY STATISTICS

A. AT HOME	As at 31.12.12		As at 31.12.13		As at 31.12.14		As at 31.12.15		As at 31.12.16		As at 31.12.17	
Number of Charges at December	1,101		1,068		1,051		1,040		1,017		1,023	
Number of Ministers serving charges	M	652	M	627	M	607	M	593	M	574	M	559
	F	205	F	202	F	204	F	193	F	198	F	194
	857		829		811		786		772		753	
Number of Guardianships	9		20		25		24		23		34	
Number of Vacant Charges	223		223		215		230		222		236	
Ministries Development Staff	-		-		M	33	M	44	M	44	M	48
					F	61	F	73	F	76	F	82
Total	-		-		94		117		120		130	
Total MDS Posts in Plans	-		-		138.5		138.5		144.6		149	
B. ABROAD	2012		2013		2014		2015		2016		2017	
International Presbytery												
Number of Ordained Ministers	19		17		19		18		16		16	
Number of Vacancies for Ministers	0		3		3		6*		7		5	
Jerusalem and Mission Partners												
Number of Ordained Ministers	-		-		-		4		3		3	

### MINISTRY STATISTICS (CONTINUED)

<b>C. FULL-TIME MINISTRY OF WORD AND SACRAMENT STUDENTS</b>	<b>2012</b>	<b>2013</b>	<b>2014**</b>		<b>2015</b>		<b>2016</b>		<b>2017</b>	
New College, Edinburgh			M	10	M	10	M	4	M	5
			F	5	F	2	F	4	F	5
Trinity College, Glasgow			M	4	M	6	M	5	M	3
			F	9	F	4	F	3	F	6
St Mary's College, St Andrews			M	0	M	0	M	1	M	1
			F	2	F	3	F	2	F	2
Christ's College, Aberdeen			M	1	M	3	M	6	M	1
			F	0	F	2	F	6	F	2
Highland Theological College, Dingwall			M	7	M	4	M	12	M	10
			F	1	F	2	F	4	F	4
<b>Total number completing</b>			<b>39</b>		<b>36</b>		<b>47</b>		<b>39</b>	

\* 2 under Guardianship.

\*\* In 2014, the method of recording statistics moved to recording Full-Time Ministers of Word and Sacrament students in training rather than those simply completing courses.

**Appendix VIII****ATTENDANCE AT WORSHIP STATISTICS**

<b>Presbytery Number</b>	<b>Presbytery</b>	<b>Under 16 %</b>	<b>16-24 %</b>	<b>25-44 %</b>	<b>45-64 %</b>	<b>65 - 84 %</b>	<b>85+ %</b>	<b>Number of Worshippers</b>
1	<b>Edinburgh</b>	12%	3%	11%	21%	37%	7%	7084
2	<b>West Lothian</b>	10%	3%	8%	19%	42%	6%	2433
3	<b>Lothian</b>	11%	2%	10%	26%	42%	7%	3622
4	<b>Melrose and Peebles</b>	9%	2%	11%	25%	58%	11%	1273
5	<b>Duns</b>	9%	1%	6%	29%	54%	7%	685
6	<b>Jedburgh</b>	4%	1%	5%	26%	55%	5%	737
7	<b>Annandale and Eskdale</b>	10%	3%	10%	25%	50%	8%	945
8	<b>Dumfries and Kirkcudbright</b>	7%	2%	10%	50%	72%	12%	1617
9	<b>Wigtown and Stranraer</b>	18%	1%	12%	35%	99%	7%	820
10	<b>Ayr</b>	7%	2%	6%	23%	52%	9%	3147
11	<b>Irvine and Kilmaronock</b>	10%	3%	11%	25%	47%	7%	2001
12	<b>Ardrossan</b>	9%	1%	9%	27%	50%	9%	1799
13	<b>Lanark</b>	12%	3%	12%	29%	51%	3%	1778
14	<b>Greenock &amp; Paisley</b>	11%	4%	10%	22%	38%	8%	4723
16	<b>Glasgow</b>	37%	-	14%	21%	49%	10%	265
17	<b>Hamilton</b>	12%	3%	12%	23%	45%	8%	7568
18	<b>Dumbarton</b>	8%	2%	8%	21%	44%	8%	2107
19	<b>Argyll</b>	11%	2%	7%	32%	71%	8%	1668
22	<b>Falkirk</b>	11%	3%	10%	23%	53%	10%	2938
23	<b>Stirling</b>	11%	3%	10%	27%	54%	7%	3368
24	<b>Dunfermline</b>	17%	2%	11%	24%	49%	8%	1958
25	<b>Kirkcaldy</b>	8%	3%	4%	16%	36%	11%	1769
26	<b>St Andrews</b>	7%	2%	6%	18%	57%	12%	2033
27	<b>Dunkeld and Meikle</b>	14%	4%	6%	20%	72%	10%	1109

**ATTENDANCE AT WORSHIP STATISTICS (CONTINUED)**

<b>Presbytery Number</b>	<b>Presbytery</b>	<b>Under 16 %</b>	<b>16-24 %</b>	<b>25-44 %</b>	<b>45-64 %</b>	<b>65 - 84 %</b>	<b>85+ %</b>	<b>Number of Worshipers</b>
28	<b>Perth</b>	10%	2%	8%	24%	49%	8%	2450
29	<b>Dundee</b>	12%	3%	12%	26%	55%	11%	2277
30	<b>Angus</b>	8%	2%	14%	34%	58%	14%	359
31	<b>Aberdeen</b>	7%	4%	12%	24%	45%	12%	2906
32	<b>Kincardine and Deeside</b>	12%	2%	10%	27%	54%	9%	1244
33	<b>Gordon</b>	11%	2%	9%	23%	40%	6%	2110
34	<b>Buchan</b>	8%	2%	9%	34%	62%	7%	1248
35	<b>Moray</b>	9%	1%	5%	29%	70%	10%	1222
36	<b>Abernethy</b>	25%	7%	14%	29%	72%	16%	528
37	<b>Inverness</b>	10%	4%	8%	20%	44%	5%	2336
38	<b>Lochaber</b>	9%	3%	9%	25%	73%	9%	424
39	<b>Ross</b>	10%	3%	9%	25%	64%	5%	1032
40	<b>Sutherland</b>	8%	2%	6%	30%	91%	12%	455
41	<b>Caithness</b>	9%	2%	7%	22%	52%	8%	442
42	<b>Lochcarron - Skye</b>	7%	3%	7%	29%	50%	9%	553
43	<b>Uist</b>	17%	3%	9%	28%	41%	8%	348
44	<b>Lewis</b>	-	-	-	-	-	-	-
45	<b>Orkney</b>	19%	2%	11%	29%	50%	7%	571
46	<b>Shetland</b>	6%	3%	4%	18%	50%	6%	324
47	<b>England</b>	9%	6%	6%	30%	57%	9%	508



## CONGREGATIONAL ACTIVITIES STATISTICS

Presb No	Presbytery	Number of Responses	School Chaplaincy	Youth Work	Community Development	International Links	Environmental Issues	Political Issues	Health Issues	Economic Inequality	Food Poverty
	<b>SCOTLAND</b>	<b>1097</b>	<b>82%</b>	<b>68%</b>	<b>65%</b>	<b>61%</b>	<b>33%</b>	<b>17%</b>	<b>32%</b>	<b>29%</b>	<b>84%</b>
1	Edinburgh	65	91%	78%	78%	74%	52%	31%	46%	45%	92%
2	West Lothian	26	100%	92%	54%	73%	38%	19%	42%	38%	92%
3	Lothian	46	83%	87%	85%	65%	41%	26%	39%	33%	91%
4	Melrose and Peebles	25	84%	56%	76%	84%	60%	28%	28%	40%	96%
5	Duns	14	79%	64%	57%	71%	14%	7%	14%	7%	93%
6	Jedburgh	15	60%	73%	73%	27%	20%	0%	13%	7%	80%
7	Annandale and Eskdale	19	79%	58%	68%	58%	37%	21%	32%	47%	84%
8	Dumfries and Kirkcudbright	32	81%	34%	53%	50%	31%	9%	19%	19%	78%
9	Wigtown and Stranraer	18	89%	56%	56%	44%	11%	0%	17%	22%	100%
10	Ayr	37	92%	54%	84%	62%	22%	24%	32%	35%	54%
11	Irvine and Kilmarnock	22	95%	77%	73%	59%	32%	18%	41%	41%	91%
12	Ardrossan	23	87%	78%	52%	61%	39%	13%	43%	26%	91%
13	Lanark	23	74%	61%	61%	57%	17%	9%	22%	22%	74%
14	Greenock & Paisley	46	83%	87%	70%	52%	30%	9%	30%	24%	87%
16	Glasgow*	7	86%	71%	43%	57%	57%	43%	71%	57%	86%
17	Hamilton	74	86%	82%	76%	68%	38%	16%	46%	41%	91%
18	Dumbarton	24	92%	79%	75%	58%	46%	25%	33%	33%	83%
19	Argyll	52	71%	46%	48%	42%	23%	15%	21%	15%	56%
22	Falkirk	33	79%	79%	64%	58%	36%	15%	45%	33%	97%
23	Stirling	46	78%	74%	65%	74%	39%	24%	30%	35%	89%

**CONGREGATIONAL ACTIVITIES STATISTICS (CONTINUED)**

Presb No	Presbytery	Number of Responses	School Chaplaincy	Youth Work	Community Development	International Links	Environmental Issues	Political Issues	Health Issues	Economic Inequality	Food Poverty
24	Dunfermline	23	91%	65%	65%	78%	39%	22%	30%	30%	100%
25	Kirkcaldy	21	90%	86%	90%	81%	57%	19%	48%	33%	100%
26	St Andrews	34	76%	50%	62%	65%	26%	15%	15%	15%	79%
27	Dunkeld and Meikle	20	70%	40%	45%	40%	25%	5%	10%	10%	60%
28	Perth	31	81%	77%	77%	68%	39%	16%	39%	32%	81%
29	Dundee	34	82%	74%	56%	68%	41%	15%	41%	32%	100%
30	Angus	8	88%	75%	75%	63%	38%	38%	50%	50%	100%
31	Aberdeen	34	91%	74%	62%	68%	53%	26%	29%	41%	91%
32	Kincardine and Deeside	20	95%	80%	85%	65%	40%	5%	30%	15%	75%
33	Gordon	29	93%	83%	66%	66%	24%	17%	41%	38%	90%
34	Buchan	25	64%	64%	40%	28%	12%	4%	12%	8%	68%
35	Moray	22	95%	45%	59%	41%	14%	18%	14%	9%	82%
36	Abernethy	11	82%	55%	55%	64%	45%	18%	36%	18%	82%
37	Inverness	24	83%	67%	75%	63%	25%	21%	33%	38%	75%
38	Lochaber	15	87%	53%	53%	60%	20%	20%	27%	20%	93%
39	Ross	21	86%	43%	43%	57%	19%	10%	14%	14%	90%
40	Sutherland	14	64%	50%	57%	36%	14%	7%	14%	7%	71%
41	Caithness	13	69%	54%	46%	38%	15%	15%	23%	15%	62%
42	Lochcarron - Skye	8	75%	63%	38%	75%	13%	13%	38%	0%	75%
43	Uist	6	83%	83%	50%	50%	17%	17%	50%	0%	50%
44	Lewis*	-	-	-	-	-	-	-	-	-	-
45	Orkney	18	56%	50%	44%	61%	28%	22%	22%	28%	56%

CONGREGATIONAL ACTIVITIES STATISTICS (CONTINUED)

Presb No	Presbytery	Number of Responses	School Chaplaincy	Youth Work	Community Development	International Links	Environmental Issues	Political Issues	Health Issues	Economic Inequality	Food Poverty
46	Shetland	12	42%	58%	8%	42%	17%	0%	8%	25%	75%
47	England	7	29%	43%	86%	71%	43%	0%	29%	43%	100%

\* Full returns not submitted at time of going to press



## SUPPLEMENTARY REPORT OF THE LEGAL QUESTIONS COMMITTEE MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Report.
2. Amend Standing Order 33.1.(a) as detailed in Section 1 of the Report. (*Section 1 – Amendment to Standing Orders*).
3. Pass an Act amending the Vacancy Procedure Act (Act VIII 2003) as set out in Appendix A (*Section 2 and Appendix A*).

### Report

#### 1. Amendment to Standing Orders

**1.1** Standing Orders currently do not provide for the Theological Forum to be able to appoint a Corresponding Member to the Assembly. It is suggested that this be rectified, by adding the Theological Forum to the list set out in Standing Order 33.1.(a).

#### 2. Amendment to the Vacancy Procedure Act (Act VIII 2003)

**2.1** When the Registration of Ministries Act (Act II 2017) was enacted at last year's Assembly, section 21(3)(a) of the Vacancy Procedure Act (Act VIII 2003) was amended to provide that the nominee's eligibility would henceforth be evidenced by a certified extract from the Register of Ministry showing that the minister has category O registration.

**2.2** At the same time there was also deleted a provision in the Vacancy Procedure Act which specified that for a minister in the first five years of his or her first charge, there should also be obtained an extract minute from the Vacancy Procedure Committee or the current Presbytery exceptionally releasing the minister. This deletion reflected the terms of section 19(iv) of the Registration of Ministry Act (Act II 2017) which provides that if Presbytery is not prepared exceptionally to release such a person, then Presbytery should immediately re-categorise that person, with the person choosing between category R or category I.

**2.3** In practice, clerks to Nominating Committees follow the provisions of Act VIII 2003 and might not be as aware of the provision in Act II 2017. It is important for Presbyteries and Nominating Committees to note that where a minister in the first five years of his or her first charge requests permission to be released from that charge, both an extract minute from the Presbytery and an extract from the Register of Ministry will be required. It is therefore thought that it might be helpful to reinstate the original provision in the Vacancy Procedure Act and the appropriate amending Act is set out in Appendix A.

*In the name of the Committee*

GEORGE S COWIE, *Convener*  
ALISTAIR MAY, *Vice-Convener*  
GEORGE J WHYTE, *Secretary*

## **Appendix A**

### **[ ] ACT AMENDING THE VACANCY PROCEDURE ACT (ACT VIII 2003)**

#### ***Edinburgh, [ ] May 2018, Session [ ]***

The General Assembly hereby enact and ordain that the Vacancy Procedure Act (Act VIII 2003), as amended, shall be further amended as follows:

1. *In section 21(3) add a new subsection (c) as follows:*  
“(c) In addition, in the case of a minister in the first five years of his or her first charge, an extract minute shall be obtained either from the Vacancy Procedure Committee of his or her current Presbytery, or from that Presbytery, exceptionally releasing the minister.”

## SUPPLEMENTARY REPORT OF THE COUNCIL OF ASSEMBLY (PENSIONS) MAY 2018

### Proposed Deliverance

#### The General Assembly:

1. Receive the Supplementary Report.
2. Appoint a Special Commission of five persons with experience and expertise in respect of pension provision and scheme management, to review the shape and organisation of the Church of Scotland Pension Trustees board and to bring forward any recommendations for change, including any appointment of additional Trustees, to the Commission of Assembly.
3. Remit to the Selection Committee to bring forward names of persons to serve on the Special Commission to a later sederunt of this General Assembly

### Report

#### 1. BACKGROUND

**1.1** The Church of Scotland has three closed defined benefit Pension schemes as follows (together, “the Schemes”):

- the Church of Scotland Pension Scheme for Ministers and Overseas Missionaries (“the Ministers’ Scheme”) including:
  - Widows’ and Orphans’ Fund
  - Contributors’ Fund;
- the Church of Scotland Pension Scheme for Ministries Development Staff (“the MDS Scheme”);
- the Church of Scotland Pension Scheme for Staff including:
  - Central Services Committee Fund (“the CSC Scheme”)
  - Social Care Fund (“the Social Care Scheme”).

**1.2** Each of the Schemes has at least one statutory employer, with the CSC and Social Care Council responsible respectively for their sections of the Staff Scheme (one scheme divided into two sections); Ministries Council responsible for the MDS Scheme; and Ministries Council and World Mission Council jointly responsible for the Ministers’ Scheme. Given the level of financial resource involved, the Council of Assembly acts in an oversight and liaison role across the Schemes and, with powers from the General Assembly, is responsible for the employer covenant which documents the employers’ legal obligation and financial ability to support the pension schemes now and in the future.

**1.3** Each Scheme and Fund has a separate valuation process, investment strategy, separate (but overlapping) Trustee board and meetings, audit processes and Scheme Rules. The Schemes are administered within the national offices by a Pensions Department comprising eight full-time equivalent posts. The General Assembly is the body which makes Trustee appointments to the boards.



**1.4** This Report asks the General Assembly to set up a Special Commission to review the current shape and organisation of the Church of Scotland Pension Scheme Trustee Boards, which were set up in 1997. The reasons for this are set out below, but if any proposals for alterations to their shape or membership should be deemed necessary, the Special Commission would be asked to bring these forward to the Commission of Assembly, which has powers to act on behalf of the General Assembly throughout the year.

**1.5** The Council believes that such a review is both necessary and time critical. The employing bodies are in ongoing discussion with the Pension Trustees about the strategic direction to be taken in relation to the Schemes. The Council is of the view that some key decisions may need to be taken over the next year, decisions which may carry a degree of urgency for action relating to financial market conditions. It is for this reason that the Council considers a review to have an element of time pressure.

**1.6** A major part of the background to the current situation arises out of the decision of the General Assembly to close the Schemes to future accrual after 31 December 2013. This was largely due to the levels of deficit running across the Schemes, in common with many similar schemes in other organisations and businesses. By 2013 this was presenting significant and growing financial risk to the Church. The Social Care Scheme was closed to future accrual from August 2013. The Widows' and Orphans' Fund was closed to new members, but continues to receive member contributions.

**1.7** The closure of the Schemes to future accrual, taken together with a good investment management strategy on the part of the Pension Trustees and subsequent market performance, have together impacted in a positive manner upon the deficit positions since closure. In 2016, the Ministers' Scheme reached a surplus position, allowing deficit repair contributions to cease. Such contributions continue, however, on the Social Care, MDS and CSC Schemes, and these will amount to £1,396,532 in 2018. Contributions are due to continue until 2026 (2022 in respect of the MDS Scheme) with stepped increases. This represents a significant financial burden on the Church's already stretched budgets and the Council believes it needs to be addressed in partnership with the Pension Trustees.

**1.8** The request to conduct a review of board structure and membership in no way represents a lack of confidence in the work of the current Pension Trustees. The Council expresses its clear thanks and appreciation of both the role which they play and of their commitment to the work on a voluntary basis. It is a complex and demanding role, carried out diligently on behalf of the whole Church. The current board structure, however, was established in a very different environment to today's pension world. The Council believes that the kind of questions which now arise in the context of closed schemes raise issues particularly of potential conflict of interest, or the perception of it, which would best be addressed through a review.

**1.9** In presenting this Report, the Council has no intention to interfere with the work of the Trustees or fetter their decision-making powers. There are clear legal boundaries between the powers of the Trustees and the rights and responsibilities of employers. The Council absolutely respects these boundaries.

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## **2. STRUCTURE OF THE CHURCH OF SCOTLAND PENSION TRUSTEES**

**2.1** For many years the trusteeship of the Schemes was held by members of the then Personnel Committee, in respect of what is now the CSC Scheme and the Social Care Council Scheme, and by members of the Retirement Scheme Committee in respect of the Ministers' Scheme and what is now the MDS Scheme. In 1996, as a result of legislative developments in the form of the Pensions Act 1995, the General Assembly agreed that this should change and in 1997 the Assembly created a new body, known collectively as The Church of Scotland Pension Trustees, with power of appointment or removal lying with the General Assembly.

**2.2** The composition of the Pension Trustees as set up in 1997 remains six Assembly-appointed trustees who sit across all of the Schemes and three Member Nominated trustees (MNT) per Scheme (totalling nine – 3 Ministers' Scheme; 3 MDS; 3 combined Staff Scheme [CSC and Social Care]). There are no employer nominated trustees as in the Church context, the General Assembly is seen as the employer. All Assembly-nominated trustees have to be members of the Church of Scotland, but cannot be either Ministers or have been employees of any of the Councils or Committees of the General Assembly. Due to prior difficulties in recruiting MNTs, the Pension Trustees, with the agreement of the employing

agencies, opened out Trustee vacancies to existing Scheme members and to persons nominated by a member as suitable Trustee candidates.

**2.3** Currently the Trustees meet as one body with the relevant MNT Trustees taking part in decision making processes at the appropriate juncture. The same legal advisers and actuaries offer advice to the Pension Trustees across all the Schemes. The Trustees have quite properly requested that the Church, acting jointly through the coordination of the Council of Assembly, approach each board separately in order that matters of principle can be properly and independently dealt with by each individual Board. The Council affirms this approach, not least given that the schemes are at different stages of maturity with each having competing or different calls on the financial resources of the Church.

**2.4** It is in this context, however, that the Council believes there is potential for conflict of interest, given the current structure of the boards. The 6 Assembly-appointed Trustees sit across all the boards, which somewhat runs against the good practice observed in addressing each of them separately on matters of principle. The Special Commission looking at the boards would be asked to consider this kind of issue and, if it deemed fit, to bring proposals to the Commission of Assembly for enabling the potential restructuring of the Trustee composition.

### **3. FUTURE STRATEGIC DIRECTION**

**3.1** The importance of ensuring the independent structure of the boards lies in the work being undertaken jointly on the strategic direction of the closed Schemes. The employing agencies and the Pension Trustees, under the auspices of the joint Pensions Working Group, have been in discussions regarding their future direction. There are a number of different options which might be open in terms of fully de-risking the Schemes or, for example, enabling future benefits to be met by an insurer. The decision on such matters lies with the Trustees and the Special Commission would have no role at all in either discussing or making recommendations on strategic direction. The Commission's role would rather be in ensuring that the boards are appropriately structured and populated to enable strategic decision making in relation to each of the Schemes, free of potential conflict of interest.

**3.2** Whatever the direction that forward strategy takes for the Schemes, it is important that it be implemented at the

right time, given the nature of the market place. The Council believes that it is critical that progress on this begins as soon as possible in order to maximise the benefit both to members of the Schemes and to the Church as a whole. The Council believes that an opportunity now exists whereby the Church could concentrate its financial and human resources on achieving its strategic objectives, whilst at the same time securing members' benefits and removing the residual risks presented by the Schemes. For this reason, strategic decisions may need to be taken in the coming months, between General Assemblies.

**3.3** The Council believes that it is crucial for decision-making by the Trustee boards to be seen to be free from any perception of conflict of interest and it is this which lies behind the request for an independent body – a Special Commission – to be able to consider and if necessary to bring to the Commission of Assembly recommendations for change. The Council notes that the Assembly-appointed Trustees have common appointments across all three Scheme Trustee Boards, and that the same legal, actuarial and investment advisors service all the Schemes. In this context, careful consideration should be given to how potential conflict of interest situations are best addressed. It is also noted that, while the Assembly-appointed Trustees cover all of the Schemes, the additional MNTs are appointed for each individual scheme.

**3.4** The Special Commission would be in a position to consider a range of options for the boards, including retaining the current structure if it deems it optimal. This might include consideration of the appointment of a number of professional trustees, a common feature of both small and large scheme operators, including major banks and insurance companies.

### **4. APPOINTMENT OF A SPECIAL COMMISSION**

**4.1** The Council of Assembly is conscious that, although it has a coordinating role with regard to the employing bodies and a duty to ensure that proper governance arrangements are in place with regard to the Schemes, it cannot interfere with or fetter the discretion of the Pension Trustees in the exercise of their powers under the Rules of the Schemes. The proposal brought to the General Assembly does not seek to do so.

**4.2** In order to enable the matters set out above to be considered and resolved the Council asks the General

Assembly, on the nomination of individuals by the Selection Committee, to appoint a Special Commission comprising five persons with experience and expertise in pension provision and scheme management, to consider the appropriate shape of the Pension Trustee boards and their membership. When the tasks set out below have been completed, the Special Commission would seek a meeting of the Commission of Assembly in terms of Act VI 1997 and lay before that Commission any proposals for restructuring of Trustee boards and for the appointment of Trustees.

**4.3** Recognising that in carrying out its work the Commission cannot interfere with the independence of the Pension Trustees or the proper exercise of their discretion in the exercise of their powers, the remit of the Special Commission would be to:

- Identify the most appropriate structure for the Trustee boards of the individual Schemes;
- Propose changes to the membership of the various Trustee boards as may be necessary or desirable.
- Prepare a report and deliverance on these matters to present to the Commission of Assembly, or to the General Assembly 2019, whichever is earlier.

**4.4** The Convener of the Special Commission shall be an individual sufficiently qualified in the field of pensions as to have the authority to guide the Commission in its work. Members of the Commission should not be members or beneficiaries of any of the Schemes.

*In the name of the Council*

SALLY BONNAR, *Convener*  
CATHERINE COULL, *Vice-Convener*  
MARTIN SCOTT, *Secretary*

REPORT OF THE CHALMERS LECTURESHIP TRUST MAY 2018

Proposed Deliverance

The General Assembly:

- 1. Receive the Report.
- 2. Note that the Rev Dr Sam Wells, Vicar of St Martin-in-the-Fields, London has agreed to deliver the Chalmers Lectures in 2019.

Report

- 1. The Trustees have met on two occasions since the last General Assembly. They agreed that any future lecture series should be both live-streamed and available for download as were the 2016 lectures.
- 2. The Trustees were also keen to ensure that a future lecturer could shape the lecture programme around the material, their preferred way of working and their availability.
- 3. After discussion it was agreed to invite Rev Dr Sam Wells, Vicar of St Martin-in-the-Fields to deliver the Chalmers Lectures in 2019 and he readily accepted the invitation.
- 4. The vision of St Martin’s is described as “At the heart. On the edge.” and this has led to a major initiative called HeartEdge which seeks to develop a network of churches which are working at the heart of culture, community and commerce and with those at the margins of society. A series of HeartEdge introductory events will take place in Scotland over the coming months.
- 5. It is anticipated that the lecture series will be in the autumn of 2019 and further details will be available in due course.

In the name of the Trust  
George J Whyte, Chairman





The Church of Scotland

**PART III –  
DELIVERANCES, ACTS, OVERTURE,  
REGULATIONS AND MEMBERS**

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General Assembly 2018

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## GENERAL ASSEMBLY 2018

### Deliverances of the General Assembly

- 35/1 ..... Assembly Arrangements Committee
- 35/1 ..... Delegation of the General Assembly
- 35/1 ..... Legal Questions Committee
- 35/2 ..... Joint Report of the Ministries Council and the Legal Questions Committee
- 35/2 ..... Council of Assembly
- 35/4 ..... Joint Report of the Council of Assembly, Ministries Council, Mission and Discipleship Council, Panel on Review and Reform and Legal Questions Committee
- 35/4 ..... World Mission Council
- 35/5 ..... World Mission Council: Special Report on Lessons for Scotland from Christian Faith in Africa
- 35/5 ..... Ministries Council
- 35/8 ..... Ecumenical Relations Committee
- 35/8 ..... Panel on Review and Reform
- 35/9 ..... Safeguarding Committee
- 35/9 ..... Iona Community Board
- 35/9 ..... The Church of Scotland Guild
- 35/9 ..... Church and Society Council
- 35/12 ..... Registration of Ministries Committee
- 35/12 ..... General Trustees
- 35/12 ..... Committee on Chaplains to Her Majesty's Forces

- 35/13 ..... Social Care Council
- 35/14 ..... Theological Forum
- 35/14 ..... Church of Scotland Pension Trustees
- 35/14 ..... Trustees of the Church of Scotland Housing and Loan Fund for Retired Ministers and Widows and Widowers of Ministers
- 35/14 ..... Church Hymnary Trustees
- 35/14 ..... The Church of Scotland Trust
- 35/14 ..... The Church of Scotland Investors Trust
- 35/15 ..... Chalmers Lectureship Trust
- 35/15 ..... Nomination Committee
- 35/15 ..... Mission and Discipleship Council

### Acts, Overture, Regulations and Members

- 36/1 ..... A – Legislative Acts of the General Assembly
- 37/1 ..... B – Overture under the Barrier Act
- 38/1 ..... C – Regulations of the General Assembly
- 39/1 ..... D – List of Members of Councils and Committees



## Deliverances of the General Assembly 2018

### 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 index 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. Remind commissioners of the deadline for submitting nominations for the Committee to Nominate the Moderator.
6. Encourage commissioners intending to move amendments and counter-motions to arrange to have these printed in the Assembly papers.
7. Instruct the Committee to review the efficacy of the role and size of the Business Committee and to report to the General Assembly of 2019.
8. Welcome the Committee's desire to see a Volume XII of the *Fasti Ecclesiae Scoticae* published for the years 2000-2020 and encourage the Committee in the development of this project.
9. Welcome the appointment of Mr William Mearns as Assembly Officer.
10. Approve the Schedule of visits by Moderators of the General Assembly to Presbyteries.

#### SCOTTISH BIBLE SOCIETY

11. Urge the Scottish Bible Society to pursue its ongoing efforts to address the challenge of global Bible translation and prayerfully uphold their endeavours.
12. Support the Society in its desire to work in partnership with congregations to improve people's experience of the Bible and its impact on their life.

13. Encourage congregations to consider using *Bibleworld Books* as a way to improve literacy levels amongst children in their communities.
14. Endorse the Society in its efforts to encourage confidence in the gospel and in providing Scripture resources for mission purposes.
15. Commend the Society's global outreach to the generosity of congregations and members.

GEORGE J WHYTE  
*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, the Depute Clerk of the General Assembly to be Vice-Chairman and the Solicitor of the Church to act as Secretary.

GEORGE J WHYTE  
*CI Eccl Scot*

### LEGAL QUESTIONS COMMITTEE

#### The General Assembly:

1. Receive the Report and Supplementary Report.
2. Amend Standing Orders 95(i), 113.12.f) and 123, all as detailed in Section 1 and Appendix A of the Report.
3. Instruct the Committee, in consultation with others, to prepare a new Church Courts Act in line with the terms of the Report and to bring the new Act to a future Assembly for approval.
4. Pass the Ordination of Ministers of Word and Sacrament and Deacons Act as set out in Appendix B of the Report.
5. Pass the Parish Ministry Act as set out in Appendix C of the Report.

6. Approve the Discipline Overture as set out in Appendix D of the Report and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31st December 2018.
7. Pass the Legal Aid in Disciplinary Proceedings Regulations as set out in Appendix E of the Report.
8. Pass an Act amending the Appeals Act (Act I 2014) as set out in Appendix F of the Report.
9. Pass Acts amending the Discipline of Ministry Act (Act III 2001) and the Discipline of Elders, Readers and Office Bearers Act (Act I 2010) as set out in Appendices G and H of the Report.
10. Note that the Committee has undertaken a study of the matters which would require to be addressed in any new legislation permitting Ministers and Deacons to officiate at same-sex marriage ceremonies and that this is presented in the report at section 9 with the Opinion of the Procurator annexed at Appendix I of the Report.
11. Instruct the Committee to prepare legislation enabling those Ministers of Word and Sacrament and Deacons who wish to do so to be nominated to solemnise same-sex marriage ceremonies in accordance with Section 9(1A) of the Marriage (Scotland) Act 1977, while also providing safeguards to address issues identified both in section 9 of the Report and in the Opinion of the Procurator annexed at Appendix I but only if the Committee finds that the said safeguards, in their opinion, sufficiently protect against the risks they identify; and report to the General Assembly of 2020.
12. Pass the Virtual Attendance at Meetings Act as set out in Appendix J of the Report.
13.
  - a) Note that nine Presbyteries have taken part in a pilot Presbytery Review process;
  - b) Agree that a further cycle of Reviews should take place in 2018-2019; and
  - c) Instruct the Committee to report further to the General Assembly of 2019.
14. Amend Standing Order 33.1.(a) as detailed in Section 1 of the Supplementary Report.
15. Pass an Act amending the Vacancy Procedure Act (Act VIII 2003) as set out in Appendix A of the Supplementary Report.

GEORGE J WHYTE  
*Cl Eccl Scot*

## **JOINT REPORT OF THE MINISTRIES COUNCIL AND THE LEGAL QUESTIONS COMMITTEE**

### **The General Assembly:**

1. Receive the Report.
2. Agree that the Council and the Committee have completed the work instructed by the General Assembly in terms of section 35 of the Deliverance on the Council's 2017 Report.

GEORGE J WHYTE  
*Cl Eccl Scot*

## **COUNCIL OF ASSEMBLY**

### **The General Assembly:**

1. Receive the Report, the Supplementary Report and the Supplementary Report (Pensions).
2. Give thanks for the engagement of congregations and Presbyteries in the *Together we Pray* initiative and instruct the Council to make arrangements for another National Day of Prayer, on 3 November 2018, focussing on the life and missional work of the Church of Scotland.
3. Instruct the Council to return to the General Assembly of 2019 with a radical action plan for 2019-2022 to achieve much needed reform within our Church.
4. Instruct the Council to work collaboratively with other Councils, Committees and Presbyteries to bring proposals to the General Assembly of 2019 for structural change, consulting with the Rev Dr Doug Gay about the ideas contained in the recent Chalmers Lectures and with other appropriate persons with expertise in the reform of institutions and structures, to enable a Church structure that is lean and fit for purpose to lead reform.
5. Instruct the Council, in collaboration with other Councils, Committees and Departments as appropriate, to bring forward proposals to the General Assembly of 2019 that will allow more funds for mission work, including the freeing of funds held only for property

- matters and a reformed Ministries and Mission allocation process.
6. Instruct Presbyteries meantime to challenge themselves in their Presbytery Plans to be robust, imaginative and courageous in reducing the number of charges, creating ministry hubs, and enabling new pioneer and new church planting opportunities, supported by a Ministries Council that enables new reformed pathways into ministry.
7. Instruct Kirk Sessions meantime to meet in conference, to reflect on the state of decline of the national Church and in particular how that affects the Church locally and determine what their vision and mission is for the next three years in collaboration with Presbytery Planning teams.
8. Instruct the Council, in consultation with the Mission and Discipleship Council, to facilitate and promote a national dialogue between elders younger than 40 and actively seek their views and reflect these in the radical action plan.
9. Instruct the Council to devise a method of reporting in which the Annual Report and Accounts can be presented in a way which makes clear to all members of the Church the manner in which the Unincorporated Councils and Committees make savings and reduce spending in order to balance the budget.
10. Note the work undertaken by the Council on the National Offices Buildings Project and instruct it to continue the programme of work outlined in Section 3.5 of the Report, with a view to presenting a further report to the General Assembly in 2019, enabling a decision on the future of the National Offices.
11. Note the continuing work of the Gaelic Group, including the ongoing development of a Gaelic Language Plan for the Church of Scotland, and approve the Remit for the Group as outlined in Appendix 2 of the Report.
12. Instruct Presbyteries to ensure that Congregational Office Bearers access and make use of the range of resources prepared by the Law Department to enable compliance with the terms of the General Data Protection Regulation from 25 May 2018.
13. Approve changes to the membership of the Ministries Council for a limited period of two years.
14. Approve changes to the membership of the Social Care Council.
15. Approve the revised process for nomination of suitably qualified persons to legal bodies as outlined in Section 11.2 of the Report.
16. Instruct the Council to consider the issues arising from the use of personal email addresses for the processing of personal data by elders and other non-ministerial congregational and Presbytery office-bearers and to put in place appropriate support mechanisms to ensure that such individuals are able to fulfil their duties fully whilst observing best practice in relation to data protection principles.
17. Approve the total to be contributed by congregations in 2019 of £46,586,000 based on the projection of congregational income for 2019 and its disposition among local congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund as set out in Appendix I of the Supplementary Report.
18. Note the indicative budget for 2019 as set out in Appendix II of the Supplementary Report.
19. Receive the 2017 Report and Accounts of the Unincorporated Councils and Committees of the General Assembly.
20. Affirm the steps taken by the Council to review and develop the stewardship function of the Church.
21. Appoint Ms Christine Paterson as Depute Clerk of the General Assembly with effect from 19 May 2018.
22. Invite the Pension Trustees to bring a Report to the General Assembly of 2019 with recommendations on:
  - a) the most effective and efficient structures for trustee oversight of the closed funds; and
  - b) the most efficient means of administration of the closed funds.

GEORGE J WHYTE  
*Cl Eccl Scot*

**JOINT REPORT OF THE COUNCIL OF ASSEMBLY,  
MINISTRIES COUNCIL, MISSION AND DISCIPLESHIP  
COUNCIL, PANEL ON REVIEW AND REFORM AND LEGAL  
QUESTIONS COMMITTEE**

**The General Assembly:**

1. Receive the Report.
2. Discharge the Working Group and instruct the Council of Assembly, in cooperation with the Mission and Discipleship Council, Ministries Council and Legal Questions Committee, to review the provisions of Act 1 2011 on Local Church Review, to ensure they are consistent with the implementation of the Church's Strategic Plan and effectively resourced.

GEORGE J WHYTE  
*Cl 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; and acknowledge with gratitude those who have completed their period of service overseas.
3. Note that Mission Partners work not only in good and joyful but also in difficult and challenging situations and commend their work and witness; and urge congregations and Presbyteries to continue in their prayerful support for our Mission Partners.
4. Encourage those interested in serving as Mission Partners to approach the Council to explore opportunities.
5. Encourage congregations and Presbyteries to read and study the Report, use the resources, and learn more about the life of churches in other parts of the world, and the links with the Church of Scotland.
6. Instruct the World Mission Council and the Ministries Council to encourage and work together to make it possible for ministers to have the opportunity to engage with the world church during study leave.
7. Instruct the Council to provide opportunity to people of all ages from Presbyteries and congregations throughout Scotland to visit with partners overseas.

8. Condemn all forms of religious discrimination, including Antisemitism and Islamophobia, and encourage local communities to build bridges, and to become friends, with neighbours from other faith traditions.
9. Commend the Programme for Christian Muslim Relations in Africa (PROCMURA) for its positive work in bringing Christian and Muslim communities together across Africa.
10. Encourage the Council to consider supporting and facilitating an interfaith group of religious leaders to learn from the experiences of PROCMURA's work.
11. Welcome the intention of the Council to consider a return youth interfaith visit from Rwanda to Scotland.
12. Give thanks for Christian Aid's work to alleviate poverty amongst people of all faiths, and encourage the whole church in its ongoing engagement with and support of Christian Aid.
13. Note the International AIDS Conference in July and encourage all parts of the Church to remain aware of the prevalence of the virus, and supportive of all efforts of our partners in supporting those living with HIV.
14. Instruct the Council to work with the Church and Society Council and the Scottish Churches Parliamentary Office to encourage the Scottish and United Kingdom Governments to ensure that educational material produced through overseas aid collaboration with Pakistan promotes peaceful coexistence, and tolerance of people from different faith communities.
15. Instruct the Council to raise with the Scottish and United Kingdom Governments the case of Asia Bibi, sentenced to death in Pakistan for blasphemy, and to seek the urgent assistance of both Governments in securing her early exoneration and release from detention.
16. Encourage congregations and Presbyteries to study *Together towards Life: Mission and Evangelism in Changing Landscapes* and to consider adopting the principles contained in the statement in developing opportunities for interfaith dialogue.

17. Encourage congregations and Presbyteries involved in twinning to explore interfaith issues with their twinning partners, and reflect on how this can inform their mission and ministry in Scotland.
18. Commend the on-going work of mediation and trauma training with significant church leaders in South Sudan, which was initiated by the Very Rev Dr John Chalmers and the Council, to the prayerful support of the whole Church asking that God will bless the small seeds being planted now with a fruitful harvest of reconciliation and peace to come.
19. Rejoice with the Evangelical Church of the Czech Brethren on the occasion of the centenary of the founding of the church in 1918.

GEORGE J WHYTE  
*CI Eccl Scot*

### **WORLD MISSION COUNCIL: SPECIAL REPORT ON LESSONS FOR SCOTLAND FROM CHRISTIAN FAITH IN AFRICA**

#### **The General Assembly:**

1. Receive the Report.
2. Give thanks for the Christian witness of the Church in Africa, in particular its commitment to life-transforming evangelism, and the encouraging growth of the Gospel of Christ.
3. Encourage members, congregations and Presbyteries to engage with the report and consider how each may respond.
4. Instruct the Council of Assembly, in its strategic planning for the whole Church, to fully consider the recommendations of this Report, and the best way of sharing these with congregations and Presbyteries.
5. Instruct the World Mission Council, in conjunction with the Ministries Council, the Mission and Discipleship Council, the Church and Society Council and the Ecumenical Relations Committee, to continue to explore how the church in Scotland might apply relevant learning from the world church context.

6. Instruct the World Mission Council, the Ministries Council, and the Mission and Discipleship Council to continue to explore how they may encourage and equip members in the leadership of worship and in different forms of worship.
7. Encourage congregations to engage with the materials produced by the Mission and Discipleship Council to engage in Bible study, prayer, testimony, discipleship and evangelism.
8. Encourage congregations to twin with a congregation of one of the churches with which the World Mission Council works.
9. Instruct the World Mission Council, in partnership with the Mission and Discipleship Council, to explore contextual Bible studies with partners in the world church.
10. Instruct the World Mission Council and the Ministries Council to explore exchanges between recognised ministries and members in Scotland with their counterparts in Africa.
11. Instruct the Ministries Council to include consideration of this report in developing its programme for Initial Ministerial Education (IME) and Continuing Ministerial Development as part of the Initial Ministerial Education review.

GEORGE J WHYTE  
*CI Eccl Scot*

### **MINISTRIES COUNCIL**

#### **The General Assembly:**

1. Receive the Report.
2. In recognition of the 50th anniversary of women's ordination to the Ministry of Word and Sacrament, celebrate and give thanks for the ordained ministry of women in the Church of Scotland and reaffirm the commitment of the Church to the equality of women and men in all forms of ministry within the Church.
3. Affirm the work undertaken to this point on creating a clear definition for ministry and instruct the Council to complete this work and bring forward a clearer description of ministry for approval by the General Assembly of 2019.



4. Note the responsibility of Presbyteries to provide superintendence for Readers and instruct the Council to work with Presbyteries to identify how to improve support for Readers and to report to the General Assembly of 2019.
5. Affirm the contribution of the team of Interim and Transition Ministers particularly in the Presbytery of Shetland and encourage further development of this team as a national resource.
6. Commend the report *Deacons of Word and Service* to the Church and urge the Council to integrate its principles into considerations for future patterns of ministry.
7. In relation to the Diaconate:
  - a) affirm the Diaconate and its important ministry in building bridges between the Church and community and commend the Ministry of the Diaconate to the wider Church;
  - b) encourage the Council to use Tomorrow's Calling and the Decade of Ministry to further highlight the Diaconal Ministry; and
  - c) instruct the Council to review the employment and deployment of Deacons and to bring forward any recommendations for changes to the General Assembly of 2019.
8. Note the revised schedule for the development of a five-year Recruitment Strategy.
9. Note the progress of the Hub-style Ministries initiative and instruct the Council to bring any draft legislation to a future General Assembly.
10. Instruct the Council in collaboration with the Theological Forum and Legal Questions Committee to consider how oversight can be addressed in keeping with any developing legislation related to emerging patterns for Hub-style Ministries.
11. Instruct the Council to bring draft legislation for a Capability Procedure for Parish Ministers to the General Assembly of 2019.
12. In relation to the conduct of funerals:
  - a) affirm that the Church of Scotland offers to conduct a Christian funeral service for any person in Scotland without distinction;
  - b) affirm that no minister or deacon shall charge any fee or seek any gratuity, explicitly or implicitly, from any bereaved family or funeral director, for this service;
  - c) affirm that, where a family does not request a particular minister, the minister of the parish has responsibility to make provision for this service, and that any other minister should obtain his or her permission before agreeing to conduct any service;
  - d) instruct the Communications Department to make renewed efforts to communicate that the Church of Scotland offers to conduct a Christian funeral service, without the minister charging a fee, for any person in Scotland;
  - e) instruct the Ministries Council to review best practice in communicating with funeral directors concerning the service the Church offers; and
  - f) urge Presbyteries to be proactive in investigating instances of intrusion or any explicit or implicit charging of fees with regard to funeral services.
13. Pass the Continuing Parish Ministry Beyond the Age of 75 Regulations, pass an Act amending the Registration of Ministries Act (Act II 2017) and pass an Act amending the Ministries Appeal Panel Act (Act VI 2007) (as amended), all as set out in Appendix 1 of the Report.
14. In relation to the Continuing Parish Ministry beyond the age of 75 Regulations, agree that any Parish Minister whose seventy-fifth birthday falls on or between 31 May 2018 and 31 December 2018 shall, upon lodging a written request with the Presbytery Clerk by 30 June 2018, be entitled to initiate the process under the Regulations as if this had been done not less than six months before the Parish Minister's seventy-fifth birthday.
15. Pass an Act amending the Long Term Illness of Ministers Act (Act XV 2002) (as amended) as set out in Appendix 2 of the Report and instruct Presbyteries to act in a pastoral manner to both minister and congregation when considering the implications of sections 5-9 of the Act.

16. Instruct the Council to undertake further work on the Long Term Illness of Ministers Act (Act XV 2002) and to report to the General Assembly of 2019.
17. Instruct the Council jointly with the Legal Questions Committee, the Council of Assembly and the Theological Forum to review the Ministers and Deacons in Civil Partnerships and Same Sex Marriages Act (Act I 2015) with particular reference to the deployment of salaried staff and wider issues and report to the General Assembly of 2019.
18. Note that the Council's Development Programme offers opportunities to bring about significant changes in Ministry.
19. Affirm the development of the Vocations Network and encourage Presbyteries to identify individuals who could serve in this way.
20. Pass an Act amending the Selection and Training for Full-Time Ministry Act (Act X 2004) (as amended) as set out in Appendix 3 of the Report.
21. Pass an Act amending the Ordained Local Ministry Act (Act IX 2011) (as amended) as set out in Appendix 4 of the Report.
22. Pass an Act amending the Readership Act (Act XVII 1992) (as amended) as set out in Appendix 5 of the Report.
23. Pass an Act amending the Admission and Re-admission of Ministers Act (Act IX 2002) (as amended) as set out in Appendix 6 of the Report.
24. Express thanks for the service given by Rev Prof David Fergusson as Principal of New College, Edinburgh, and affirm the proposal that Rev Prof Susan Hardman Moore be appointed as his successor from September 2018.
25. Note the early developments of the Ascend programme and encourage those in ministry to access the opportunities for support and development provided.
26. Instruct the Council, jointly with the Legal Questions Committee, to consider how the Church can best support those facing allegations under the Church's discipline process, to consider how this support may be implemented and report to the General Assembly of 2019.
27. Note the advisory figures for the number of full-time equivalent ministers available for Presbyteries in 2023 and instruct the Council to seek a formal response from all Presbyteries to determine whether, on the basis of local experience, the figures should continue to be received as advisory, and to report to the General Assembly of 2019.
28. Instruct the Council to report to the General Assembly of 2019 on the future affordability of Ministries Development Staff (MDS) posts beyond posts currently in Presbytery Plans and on reasons why almost 30% of MDS posts remain unfilled.
29. Instruct all Presbyteries to obtain fresh concurrence with their current plan from the Presbytery Planning Task Group by 31st December 2018 and note that failure to do so may result in the sisting of vacancies.
30. Instruct those Presbyteries which have Priority Area Parishes within their bounds to ensure that the principles of the Priority Areas five-year plan are incorporated into their Presbytery Planning processes.
31. Instruct all Presbyteries to engage with the Presbytery Planning Task Group when negotiating Basis of Adjustment (Section 13(2) of Act VII 2003 on Appraisal and Adjustment and *Section 3.5.2.9* of the Report).
32. Pass an Act amending the Vacancy Procedure Act (Act VIII 2003) (as amended) as set out in Appendix 8 of the Report.
33. Pass the Regulations amending the 'Go For It' Fund Regulations IV 2012 (as amended) as set out in Appendix 9 of the Report.
34. Affirm the Path of Renewal Project and instruct the Council to review the project in 2019 and report to the General Assembly of 2020.
35. Agree that the Council be released from the instruction to report cumulative information on stipend and salary increases and their relationship to measurements of inflation, and instruct the Council to consult with the Council of Assembly in identifying the best way of presenting these figures and report to the General Assembly of 2019.
36. Encourage ministers to familiarise themselves with the provisions of the Housing and Loan Fund.

37. Instruct the Council to continue in consultation with the Council of Assembly regarding the possibility of meeting visa costs for ministers who enter Church of Scotland ministry from another country of origin.
38. Instruct the Council to produce a policy for consulting with local parties when disposing of or changing arrangements relating to Council-held properties and report to the General Assembly of 2019.

GEORGE J WHYTE  
*CI Eccl Scot*

### ECUMENICAL RELATIONS COMMITTEE

#### The General Assembly:

1. Receive the Report.
2. Adopt *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* as the Ecumenical Policy of the Church of Scotland.
3. Note *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland: A Theological Basis*.
4. Instruct the Committee to bring a strategy for the implementation of *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* to the General Assembly of 2019.
5. Concur with the response of the Committee to the Review of Action of Churches Together in Scotland (ACTS) and agree to transmit the same to the Trustees of ACTS.
6. Note *Action of Churches Together in Scotland: A Review*.
7. Instruct the Committee to bring recommendations with respect to Action of Churches Together in Scotland, in the context of a strategy for the implementation of the Ecumenical Policy of the Church, to the General Assembly of 2019.
8. Instruct the Committee to advise the Council of Assembly of any significant matters which require a decision prior to the General Assembly of 2019, with respect to the Action of Churches Together in Scotland Review Process.

9. Approve the delegates to Assemblies, Synods and Conferences of other Churches, as detailed in Appendix IV of the Report.
10. Note the appointment of representatives to ecumenical bodies, as detailed in Appendix V of the Report.

GEORGE J WHYTE  
*CI Eccl Scot*

### PANEL ON REVIEW AND REFORM

#### The General Assembly:

1. Receive the Report.
2. Encourage Presbyteries to develop training for those participating in different areas of service within the Church and to make information about training programmes they develop available to others to assist in learning and development.
3. Welcome the increasing co-operation between some Presbyteries and the work of the Principal Clerk in facilitating this and encourage all Presbyteries to consider areas where working with others would be beneficial.
4. Instruct the Ministries Council to complete further work on the possibility of Ordained Local Ministers and Auxiliary Ministers being paid, consulting with Ordained Local Ministers, Auxiliary Ministers and others in doing so, and report to the General Assembly of 2019.
5. Instruct the Ministries Council to complete further work on the practicalities of allowing some candidates for Ordained Local Ministry to complete training placements in their home congregation where this is appropriate and to report to the General Assembly of 2019.
6. Instruct the Panel to work with the Mission and Discipleship Council, Ministries Council and young people to consider what might be done to support the involvement and development of leaders under 50 at a congregational level.
7. Instruct the Panel to complete research on the impact for congregations of participating in Path of Renewal and report to the General Assembly of 2019.

GEORGE J WHYTE  
*CI Eccl Scot*

## **SAFEGUARDING COMMITTEE**

### **The General Assembly:**

1. Receive the Report.
2. Pass the Safeguarding Act as set out in Appendix 1 to the Report.
3. Thank the Legal Questions Committee for their support in bringing the Safeguarding Act to the General Assembly of 2018.
4. Thank all of those volunteers and staff who give of their time to promote and embed good Safeguarding practices across the Church.

GEORGE J WHYTE  
*CI Eccl Scot*

## **IONA COMMUNITY BOARD**

### **The General Assembly:**

1. Receive the Report and thank the Board.
2. Commend the ongoing project to make the Abbey more accessible and to improve facilities for the wide range of groups hosted by the Community and encourage church members and congregations to support the Community in this time of change through prayer and through the Iona Abbey Appeal.
3. Note that Iona Abbey and the Welcome Centre are still open and that the work of the Iona Community in Camas, on the mainland and through local groups around the world is still sharing the Community's ecumenical vision and commitment to justice and peace.
4. Commend the Iona Community's work with young people and the Iona Prayer Circle.
5. Commend the enabling, resourcing and encouraging of churches and individuals through the weeWONDERBOX, the other activities of the Wild Goose Resource Group and Wild Goose Publications.

GEORGE J WHYTE  
*CI Eccl Scot*

## **THE CHURCH OF SCOTLAND GUILD**

### **The General Assembly:**

1. Receive the Report.
2. Note the proposals for twinning partnerships with Guilds in Malawi.
3. Congratulate the Guild on the success of its Project Partnership Scheme in 2015-18.
4. Welcome the Guild's strategy for 2018-21 "One Journey, Many Roads" and its annual themes.
5. Note the six new Partnership Projects for 2018-21 and offer prayerful support for the work of these charities.
6. Celebrate the addition of over 600 new members to the Guild in the past session.
7. Welcome the addition of 2nd Linlithgow Girls' Brigade Company as an Honorary Guild Group.
8. Encourage Presbyteries and National Councils and Committees to consider how they can develop their support for the Guild.
9. Encourage Kirk Sessions to explore ways in which they can offer practical support to Guild groups.
10. Encourage Presbyteries to explore ways in which they can offer practical support to Guild Presbyterial Councils.
11. Encourage Kirk Sessions to work closely with their Guilds and to challenge their practice where appropriate.
12. Thank the Guild for the contribution it has made to the work of the Church of Scotland in practical and financial terms.

GEORGE J WHYTE  
*CI Eccl Scot*

## **CHURCH AND SOCIETY COUNCIL**

### **The General Assembly:**

1. Receive the Report.

### **Flourishing Local Communities**

2. Celebrate the work going on through congregations the length and breadth of Scotland to help our communities to flourish.

### **Building an Economy Driven by Equality**

3. Welcome the ongoing partnership with the Islamic Finance Council to develop an ethical finance framework.

### **Caring for Creation**

4. Recognise the urgent need to make a just transition to a low carbon economy, commend the work of the Church Investors Group and others in promoting engagement, and welcome the proposal from the Investors Trust to promote stronger Environmental, Social and Corporate Governance in the Church's investments.
5. Welcome the growing success of Good Money Week and forthcoming consultation by OSCR on charity trustee investment duties and recommend that the Council of Assembly now considers as a priority the preparation of a statement of investment principles for the Church.
6. Instruct the Council to engage with the oil and gas companies to continue to seek alignment with the Paris Climate Agreement rather than divest from the oil and gas industry.

### **Doing Politics Differently**

7. Welcome the launch of Meet Your MP and encourage congregations to build positive relationships with their local politicians.
8. Welcome the expansion of work around Participatory Budgeting being supported by the Council and encourage local congregations to get involved in Participatory Budgeting locally.

### **Building Global Friendships**

9. Reaffirm the belief that possession, use or threat of use of nuclear weapons is inherently evil, congratulate the International Campaign to Abolish Nuclear Weapons on being awarded the Nobel Peace Prize, welcome the establishment of an international Treaty on the Prohibition of Nuclear Weapons and urge the UK

Government to engage with the treaty process as a way for the UK to disarm its nuclear weapons.

10. Note the United Nations process, which is leading two new Global Compacts on refugees and on migrants, instruct the Council to participate in international ecumenical and UK civil society efforts to call for decisions which place human dignity and welfare at the heart of considerations, and encourage congregations and church members to pray for successful outcomes of the negotiations.
11. Instruct the Council to make representation (a) to the Scottish and UK Governments to ensure social services staff are actively guided on their legal duty to provide support to vulnerable migrants who have no recourse to public funds but have care needs or are children; and (b) to the UK Government to change those policies that force asylum seekers into destitution or homelessness without institutional support.
12. Instruct the Council to consult with the UK Government to seek to safeguard the rights of EU nationals working in Scotland and UK nationals working in the EU, as the UK negotiates its status in relation to the EU.
13. Instruct the Council to facilitate informed public conversation about our future relationship with Europe.
14. Instruct the Council to monitor the impact of leaving the EU on the Devolution Settlement and call on the UK Government to ensure that powers returned from the EU are devolved to Scotland in line with that Settlement.
15. Call on the Scottish and UK Governments to establish and maintain high standards of environmental protection following the UK's planned departure from the EU.
16. Call on the Scottish and UK Governments to establish and maintain high standards of political, social, economic and cultural rights, and in particular that human rights and equalities remain at the heart of Scottish society as outlined by the Scotland Declaration on Human Rights.
17. Instruct the Council to urge the Scottish and UK Governments to raise awareness on the human rights abuses that are currently being perpetrated on the

- citizens of the two Anglophone regions of Cameroon, the north-west and south-west regions.
18. Urge the Scottish and UK Governments to seek the strongest possible social, cultural and economic ties with other European countries.
  19. Welcome the Council's statement on the recent violence and killing at the Gaza fence by the Israeli Defence Force and instruct the Council to express the General Assembly's:
    - a) serious regret that the UK Government failed to support the UN Human Rights Council resolution to launch an investigation into the killing by Israeli soldiers of 110 people, including unarmed protesters and journalists;
    - b) concern for the two million people of Gaza who are imprisoned in the enclave;
    - c) thanks to the Christian community who provide essential medical, psycho-social and humanitarian support for all the people of Gaza in the face of on-going hardships and difficulties caused by the Israeli occupation.
  20. Urge the UK Government and European Union to recognise without delay the State of Palestine alongside the State of Israel, as a contribution to securing lasting peace and justice for all and urge the UK Government not to change current policy as to the location of the capital city of Israel and the location of the UK embassy there.

### Ensuring the Health and Wellbeing of All

21. Commend the efforts of Alcohol Focus Scotland, the Scottish Government and others to reduce the harm caused to individuals and society through the misuse of alcohol, and welcome the introduction of minimum unit pricing for alcohol.
22. Instruct the Council to promote and emphasise the intrinsic worth of each individual as an image of the living God, and to work with the wider Church, and with partner agencies to seek the health and wellbeing of all.

23. Commend those congregations working to make their congregations and communities more dementia friendly, the various initiatives from CrossReach to improve dementia care and the Presbytery of Stirling's employment of a Dementia Development Worker; and encourage all congregations, Presbyteries, Councils and Committees to increase awareness of, and support for, people living with dementia.
24. Note that July 2018 will see the marking of the 70<sup>th</sup> anniversary of the founding of the National Health Service (NHS), and recognise that while the NHS remains a valued part of our social fabric, its long-term future is under serious pressure, and in light of this instruct the Council to consult on the future of the health service in Scotland and to report to the General Assembly of 2020.
25. Commend the plans for Community Custody Units for women in Scotland and encourage the Council and local congregations to express their interest in supporting persons resident within these units as they engage afresh with life in the community.
26. Urge the Council to promote sustainable and healthy travel as a means of inspiring health and well-being and caring for creation.

### Investing in Young People

27. Recognise the significant contribution that the Church of Scotland has made to Scottish Education and thank the members of the Education Committee, both past and present, for all their commitment and endeavours in this area.
28. Instruct the Church and Society Council, the Mission and Discipleship Council and the Ministries Council, to coordinate the Church of Scotland's contribution to the nurture and support of young people by establishing a cross-council Young People and Education Action Group, with the necessary resources and support, as outlined in Section 13.4 of the Report.
29. Note with grave concern the steep rise in hate crimes such as homophobic bullying and assault, and instruct the Council to work with the National Youth Assembly and organisations like *Time for Inclusive Education* (TIE) and *LGBT Youth Scotland* in seeking ways to help our churches address homophobia and deal pastorally with those who have been victims of this.



30. Instruct the Council to present an implementation plan for the Young People and Education Action Group's work, produced by the Young People and Education Action Group and based on the principles outlined in the Report, to the General Assembly of 2019.
31. Instruct the Council to ensure that by the General Assembly of 2019 the Education Committee has passed on work agreed by the Council to the Young People and Education Action Group.
32. Call on the UK Government to reinstate Housing Benefit for under 25s and to realise the harm to young people that the lack of this benefit is causing.

GEORGE J WHYTE  
*CI Eccl Scot*

### **REGISTRATION OF MINISTRIES COMMITTEE**

#### **The General Assembly:**

1. Receive the Report.

GEORGE J WHYTE  
*CI Eccl Scot*

### **GENERAL TRUSTEES**

#### **The General Assembly:**

1. Receive the Report and Accounts of the General Trustees.
2. Encourage Congregational and Presbytery Office Bearers to attend the Property Seminars to be held during 2018.
3. Urge those congregations which have not done so to appoint a Health & Safety Administrator and those Presbyteries which have not done so to appoint a Health & Safety Co-Ordinator.
4. Encourage the Trustees in the development of their Property Assets Strategy.
5. Urge the General Trustees to form a working group consisting of representatives from the Church and wider society with experience of planning and funding innovative building arrangements to help congregations be both missional and sustainable and to report to the General Assembly of 2019.

6. Encourage the Trustees and Presbyteries to develop a closer working relationship based on the Tayside Cluster Pilot.
7. Encourage the Trustees and the Council of Assembly to have discussions with OSCR so that Central Fabric Fund loans are excluded from Congregational accounts as an Income Resource in line with the treatment adopted by the Charity Commissions for England & Wales and for Northern Ireland.
8. Urge the General Trustees to investigate, via the Church of Scotland Insurance Services Ltd as the insurance broker for the Church of Scotland, the provision of a wider Empty Buildings cover for churches, halls, manse and other buildings for which congregations are responsible.
9. Authorise payment of remuneration of £1,765 to each of Mr Raymond K Young as Chairman and Mr Roger G G Dodd as Vice-Chairman for the past year.
10. Urge the General Trustees to investigate the costs and benefits of assisting congregations to reduce or eliminate their fossil fuel use in our churches and buildings and report back to the General Assembly of 2020.

GEORGE J WHYTE  
*CI 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 Royal Air Force personnel and their families.
3. Recognise and affirm the valuable ministry that our Armed Forces Chaplains offer as Church of Scotland ministers, both in military service and in Presbyteries, Councils and Committees of the Church.
4. In this centenary year of the Royal Air Force, given thanks for the service given by members of this Church as chaplains, officers and airmen throughout the last 100 years.



5. Acknowledge with particular gratitude the dedicated service of Chaplains on operations and the immeasurable support shown by their own families.
6. 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.
7. Urge Presbyteries strongly to appoint an Armed Forces Champion.
8. Commend to eligible ministers of the Church consideration of service as a Chaplain to HM Forces – Regular, Reserve and Cadet Forces.
9. Instruct the Committee to confer with relevant parties concerning the provision of Church of Scotland email addresses and digital copies of Life & Work magazine to regular chaplains and report to the General Assembly of 2019.
10. Commend the work of places like Hollybush House and the enormous work they do for those who have Post Traumatic Stress Syndrome.

GEORGE J WHYTE  
*CI Eccl Scot*

### SOCIAL CARE COUNCIL

#### The General Assembly:

1. Receive the Report.
2. Note the progress made on recommendations from the Business Strategy Group in a number of areas, including the work done to widely review the Central Services function both as it relates to the National Church Office, and as it relates to being fit to meet the key challenges recognised to be part of future sustainability for CrossReach specifically.
3. Endorse the work being done by CrossReach, the Council of Assembly and the Pension Trustees to support discussion around the historical pension deficit position and encourage continued exploration of all avenues for mitigation.

4. Acknowledge the efforts being made by the Employee Representative Group and Corporate Management Team to address issues of low pay, living wage and salary pressure points, which remain difficult to fully resolve due to the complexities of the internal and external funding environment.
5. Acknowledge and record appreciation for the significant contribution which volunteers and supporters make to the work of CrossReach through sharing their time, talents and resources and recognise the added value which is provided by means of that support to the people who use CrossReach services.
6. Endorse the initiatives set up through the Social Care Mission Officer and welcome continued support for local church initiatives through the Social Care Forum and Learning Networks.
7. Welcome the initiative taken by the Presbytery of Lewis as a model of Regional support for CrossReach, and encourage all Presbyteries to adopt this approach over the next year.
8. Celebrate the contribution made to society by young people across Scotland and, in the Year of Young People, commit as a Church to doing all we can now and in the future to raise awareness of and counteract the stigma which prevents young people in disadvantaged circumstances reaching their full potential.
9. Recognise that 2019 provides an opportunity for the whole Church to acknowledge and celebrate its rich heritage of social caring over the past 150 years and encourage the Church at national, regional and local level to join with the Social Care Council in raising awareness of the work that is done, both formally and informally, to care for communities, through the work of the Church, throughout Scotland and beyond.
10. Acknowledge and celebrate the sections on performance, and pay tribute to the dedication and commitment of all staff at every level of the organisation who have made this possible.

GEORGE J WHYTE  
*CI Eccl Scot*

## THEOLOGICAL FORUM

### The General Assembly:

1. Receive the Report.
2. Reaffirm the Church's understanding that those who receive Communion be baptised, while recognising that church law allows the offering of Communion to an unbaptised person as part of the mission of the Church.
3. Instruct the Forum to consider the place of Profession of Faith (Admission to the Lord's Supper or Confirmation) and sharing Communion in today's Church.
4. Instruct the Forum:
  - (1) to review the reports and debates on the role of the Westminster Confession of Faith in the Church's life arising from the General Assembly of 1968 and the years following;
  - (2) to give fresh consideration to the issues raised therein in light of developments within Reformed and ecumenical theology since 1646 in which the Church of Scotland has been actively involved;
  - (3) to advise the General Assembly on the continuing role of a 'Subordinate Standard';
  - (4) to look afresh at the wording and terms of reference of the Formula of subscription used in services of ordination;
  - (5) to explore the possibility of producing a Book of Confessions, in print and/or on-line as a teaching resource for office-bearers, members and enquirers;
  - (6) to report to the General Assembly of 2020.

GEORGE J WHYTE  
*CI Eccl Scot*

## CHURCH OF SCOTLAND PENSION TRUSTEES

### The General Assembly:

1. Receive the Report.

GEORGE J WHYTE  
*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 Rev M A Rennie as a Trustee of the Fund.

GEORGE J WHYTE  
*CI Eccl Scot*

## CHURCH HYMNARY TRUSTEES

### The General Assembly:

1. Receive the Report.
2. Appoint Mr David Stewart as a Trustee of the Church Hymnary Trust.

GEORGE J WHYTE  
*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. Appoint Mr Thomas C Watson as Chairman from 1 June 2018.
3. Appoint Mr W F Stuart Lynch as Vice-Chairman from 1 June 2018.
4. Re-appoint Mr Angus Bethune and the Very Rev Dr John Chalmers as members of the Trust from 1 June 2018.
5. Appoint the Rev Dr George J Whyte as a member of the Trust from 1 June 2018.

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*CI Eccl Scot*

## THE CHURCH OF SCOTLAND INVESTORS TRUST

### The General Assembly:

1. Receive the Report.

2. Approve the re-appointments of Mr R Nisbet, Mr G Young and Mr A Aitchison as members of the Investors Trust from 1 June 2018.
3. Receive the Annual Report and Financial Statements of the Investors Trust for 2017.

GEORGE J WHYTE  
*CI Eccl Scot*

### CHALMERS LECTURESHIP TRUST

#### The General Assembly:

1. Receive the Report.
2. Note that the Rev Dr Sam Wells, Vicar of St Martin-in-the-Fields, London has agreed to deliver the Chalmers Lectures in 2019.

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*CI Eccl Scot*

### NOMINATION COMMITTEE

#### The General Assembly:

1. Receive the Report.
2. Encourage the Council of Assembly to develop an Information Technology and Communication strategy, in connection with its work on the National Offices, which will enable wider use of technological options to overcome barriers for participation of Council and Committee members in the work of the Church.
3. Appoint the Very Rev Dr John Chalmers as Convener of the World Mission Council.
4. Appoint the Rev Jennifer Adams as Convener of the Panel on Review and Reform.
5. Make alterations to Standing Committees and Councils as set forth in the Report, subject to the following alterations:

*Delete:*

#### Social Care Council

*Member Appointed* Paula Roots (Edinburgh: Kirkliston)

*Add:*

#### Appeals Committee of the Commission of Assembly

*Convener Retiring* Alan Hamilton (Bearsden: Killermont)

#### Judicial Proceedings Panel

*Ministers Retiring* Alan Hamilton (Bearsden: Killermont)

*Elders Appointed* Katherine Taylor (Edinburgh: Duddingston) Patricia Kingston (Edinburgh: Gorgie Dalry Stenhouse), Grant Gordon (Edinburgh: Currie)

#### Ministries Council

*Vice-Convener Resigned* David McLachlan

*Vice-Convener Appointed* Robert Mallinson (Dundee: Menzieshill)

*Minister Appointed* Brian Casey (Glasgow: Springburn) (2 years)

#### Safeguarding Committee

*Member Resigned* Janet Allan

*Member Appointed* Robert McCabe (Edinburgh: Palmerston Place) (2 years).

6. Instruct Presbyteries to actively encourage people of vision and leadership quality to be nominated to the Councils and Committees of the Church to bring direction in the light of the mission challenges the Church faces today.

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### MISSION AND DISCIPLESHIP COUNCIL

#### The General Assembly:

1. Receive the Report.
2. Instruct the Council, in collaboration with the Council of Assembly, the Ministries Council, the World Mission Council, the Ecumenical Relations Committee, the Guild and the Panel on Review and Reform, to explore the development of a programme of education and training on discipleship aimed at lay members of congregations and report to the General Assembly of 2020.

3. Instruct Kirk Sessions to explore how the fresh vision for eldership outlined in section 2.3 of the Report applies to their particular local context.
4. Instruct Kirk Sessions to consider how the aspirations outlined in the Report shape their ongoing ministry and engagement with children and young people in the parish.
5. Urge Presbyteries and Kirk Sessions to engage fully in the Year of Young People initiative.
6. In the Year of Young People, encourage the Council, in consultation with the Church and Society Council, to further consider how to support and encourage chaplains as they try to create relationships with schools, organisations and cadet forces.
7. Instruct the Council to investigate and recognise the realities of everyday life of the 'Millennial Generation' (25-40 year olds) and 'Generation X' (30-50 year olds) and explore ways to make our Church an accessible and welcoming place for them.
8. Urge Kirk Sessions to use the Conversations in Worship resource within a Kirk Session meeting in 2018.
9. Encourage Kirk Sessions to draw on Pray Now (including the sections on How to Pray/How They Prayed) for fostering the congregation's prayer life.
10. Instruct the Council, in collaboration with the Theological Forum, to develop creative, instructive and grace-filled pathways for the spiritual development of children and young people in order to support congregations in welcoming them to the Lord's Table.
11. Commend the work done on the 'Children, Young People and Communion Survey Findings 2018' and instruct the Council in consultation with the Theological Forum to produce a resource on the theology and practice of Communion in the 21<sup>st</sup> Century Church of Scotland.
12. Commend the Weekend of Invitation to Presbyteries and Kirk Sessions and encourage congregations to think of ways of developing a culture of invitation.
13. Encourage the Council to further research migrant and multi-cultural Christian communities in Scotland and to recognise and resource them in whatever way is considered to be appropriate.
14. Urge Kirk Sessions and Presbyteries to consider ways in which congregations can more effectively support Christians from minority migrant communities living and worshipping in their neighbourhoods, whilst entering into a spirit of mutual learning.
15. Instruct the Council, working with the Church and Society Council and others where appropriate, to promote congregational learning and awareness of the issues experienced by divorcing couples, their children and wider families, in order to better facilitate pastoral care to all affected.
16. Urge every congregation to actively promote Life and Work, the magazine of our Church, as a tool to encourage, inspire and resource.
17. Instruct the Council to review which categories of those in the service of the Church should receive a promotional copy of Life & Work magazine, and report to the General Assembly of 2019.
18. Instruct Kirk Sessions to explore what opportunities exist for a fresh expression of church in their parish.
19. Instruct the Mission and Discipleship Council and Ministries Council to bring a joint report from the Joint Emerging Church Group to the General Assembly of 2019, bringing recommendations on the future strategy of the JECG.
20. Instruct the Mission and Discipleship Council and Ministries Council to seek an extension of their partnership with Fresh Expressions until 30 September 2020.
21. Instruct the Council, in consultation with the Ministries Council, to carry out an audit of the range of training which Presbyteries and congregations are using to train local worship leaders, and how local worship leaders are recruited and deployed, and to report to the General Assembly of 2019.
22. Urge Kirk Sessions to use the resources listed in Appendix VI of the Report and to promote their usage in the wider congregation.

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## - A - Legislative Acts of the General Assembly 2018

### I ORDINATION OF MINISTERS OF WORD AND SACRAMENT AND DEACONS – CONSOLIDATING ACT (ACT I 2018)

*Edinburgh, 19 May 2018, Session 3*

The General Assembly declare and enact as follows:–

#### Definition

1. (1) “Auxiliary Minister” means a person referred to as such in the Auxiliary Ministry Act (Act XIII 2003).
- (2) “Charge” shall mean a sphere of pastoral duty to which a parish minister is (i) inducted, or (ii) introduced under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
- (3) “Deacon” means a person referred to as such in the Deacons Act (Act VIII 2010).
- (4) “Minister” means an individual who has been ordained to ministry as defined in section 1(d) of the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (5) “Ministers of Word and Sacrament” includes Ministers, Auxiliary Ministers and Ordained Local Ministers.
- (6) “Ordained Local Minister” means a person referred to as such in the Ordained Local Ministry Act (Act IX 2011).

#### Ordination of Ministers of Word and Sacrament and Deacons

2. (1) Authority to ordain persons as (i) Ministers of Word and Sacrament or (ii) Deacons, is vested in Presbyteries.
- (2) Ordination is normally conferred on (i) the holder of an Exit Certificate or of a Graduate Candidate’s Certificate in terms of either Act X 2004 or Act IX 2011, or (ii) an individual who has satisfactorily

completed a prescribed course of training for the Diaconate and who is recommended for ordination by the Ministries Council, all in accordance with the Deacons Act (Act VIII 2010).

- (3) Ordination of a person described in section 2(2) may occur in any of the following situations:
  - (i) in connection with induction by the Presbytery to a Charge,
  - (ii) in connection with introduction as an associate minister in a Charge,
  - (iii) in connection with introduction as an assistant minister in a Charge,
  - (iv) in connection with introduction as an Ordained Local Minister to a designated appointment,
  - (v) in connection with introduction as a Deacon to a post in terms of section 11 of Act VIII 2010,
  - (vi) in relation to an appointment, the duties of which, in the judgement of the Presbytery, should be undertaken by an ordained Minister,
  - (vii) in connection with introduction as a Chaplain to H.M. Forces,
  - (viii) in connection with introduction as a professor or lecturer to a chair or lectureship in an accredited institution (as defined in section 1(k) of Act X 2004, ordination being by the Presbytery in which the institution is located, or
  - (ix) in connection with an overseas appointment made by, or with the approval of, the World Mission Council, ordination in such a case being by a Presbytery in Scotland where there is no local Presbytery having jurisdiction, provided that the Presbytery is satisfied as to the arrangements made.

- (4) Where an induction or introduction is to a parochial appointment, an edict shall be read as required by the Vacancy Procedure Act (Act VIII 2003). Otherwise public notice of the intention to ordain shall be given, normally at a Presbytery meeting for ordinary business.

### Conduct of Ordinations

3. All services of ordination shall include the reading of the Preamble, the taking of the ordination vows and the signing of the Formula as prescribed in the Basis and Plan of Union.
4. The ordination of a Minister of Word and Sacrament shall be led by a Minister of Word and Sacrament who shall, if the Moderator of the Presbytery be not a Minister of Word and Sacrament, be appointed by the Presbytery from among its members who are Ministers of Word and Sacrament.
5. The ordination of a Deacon shall be led by a Minister of Word and Sacrament or Deacon who shall, if the Moderator of the Presbytery be an elder, be appointed by the Presbytery from among its members who are Ministers of Word and Sacrament or Deacons.

### Laying-on of Hands in Ordinations

6. At the ordination of a Minister of Word and Sacrament or a Deacon, all Ministers of Word and Sacrament, Deacons and elders who are members of the ordaining Presbytery are eligible, with others who may be associated with the Presbytery, to take part in the laying-on of hands. Without prejudice to this general eligibility, the Presbytery may, in the interests of good order, determine which of these shall do so at any particular ordination.

### Extract Minute

7. Following an ordination, the Presbytery Clerk shall send an extract minute to the Secretary of the Ministries Council.

### Commencement, Amendments and Repeals

8. (1) This Act shall come into force on 19 May 2018.
- (2) Act II 2000 (Ministry), Act III 2004 (Presbytery Ordinations) and Act VII 2010 (Ordination of Professors and Lecturers) shall be repealed on that date.

## II PARISH MINISTRY ACT (ACT II 2018)

*Edinburgh, 19 May 2018, Session 3*

The General Assembly declare and enact as follows:-

### Definitions

1. (1) "Charge" means a sphere of pastoral duty to which a Parish Minister is (i) inducted or (ii) introduced under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
- (2) "Minister of Word and Sacrament" shall apply to (i) a minister ordained in the Church of Scotland in terms of the Ordination of Ministers of Word and Sacrament and Deacons Act, or (ii) a minister ordained in another church who has been admitted to the Church of Scotland as a Minister of Word and Sacrament by the General Assembly, or (iii) a minister who has been inducted or introduced to a Charge or appointed to a position or office in the Church of Scotland in accordance with a mutual eligibility agreement, or by virtue of holding a Certificate of Eligibility obtained from the Ministries Council or its Executive.
- (3) "Parish Minister" means a Minister of Word and Sacrament (i) inducted by a Presbytery to a Charge or (ii) introduced to a Charge under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).

## Interim Ministers and Transition Ministers

2. Interim Ministers and Transition Ministers are employed ministers introduced to a Charge for a specific reason and for a specific time. Such ministers will not be inducted to the Charge, which will remain technically vacant in terms of the Vacancy Procedure Act (Act VIII 2003) but they will become Interim Moderator of the Kirk Session(s). The provisions of this Act apply to such Ministers insofar as they are Interim Moderator of the Kirk Session(s).

## Interim Moderators

3.
  - (1) For the purposes of this Act an Interim Moderator, if a Minister of Word and Sacrament, shall have the privileges and duties of a Parish Minister, consistent with section 7 of Act VIII 2003. For the avoidance of doubt, this provision applies to Interim Ministers and Transition Ministers.
  - (2) For the avoidance of doubt, where an elder is serving as Interim Moderator, his/her role shall not extend to performing the functions of parish ministry as stated in section 5 of this Act.

## Intrusion

4. A Parish Minister's field of ministerial work and responsibility lies generally within and does not extend beyond his or her own Charge. A Minister of Word and Sacrament shall not be entitled to enter the bounds of the Charge of an existing Parish Minister to perform ministerial functions without the previous consent of the Parish Minister in question, save in the following circumstances:
  - (1) where he or she is acting under special commission or order of the Presbytery of the bounds, or of the General Assembly; or
  - (2) where a Parish Minister enters the bounds of the Charge of another Parish Minister for the purpose of ministering to members and adherents of his or her own Charge, or
  - (3) where a Minister of Word and Sacrament holds a post which is listed in sections 11, 12 or 13 of Act III

2000 and enters the bounds of the Charge of a Parish Minister to discharge duties which are directly connected with that post, or

- (4) where a Minister of Word and Sacrament enters the bounds of the Charge of an existing Parish Minister to officiate at a marriage or funeral by private invitation.

This Act shall not prohibit a Minister of Word and Sacrament from accepting an invitation to conduct divine service in a church of another denomination.

*[For the purposes of the conduct of marriages, this section shall apply to Deacons, see Act VIII 2010, section 12.]*

## Functions of Parish Minister

5. The ministry of the Word, the conduct of public worship, the dispensing of the Sacraments, and the instruction of the young belong to the Parish Minister, subject to the control and direction of the Presbytery.

## Conduct of Public Worship

6. Responsibility for the conduct of public worship includes responsibility to ensure that public worship is conducted in an orderly and reverent manner by the Parish Minister, or in accordance with section 7, or by other persons under the supervision of a Minister of Word and Sacrament, being present in person.
7. For the conduct of public worship in the absence of the Parish Minister, and subject to section 9, only the following may be employed:
  - (1) Ministers of Word and Sacrament of the Church of Scotland;
  - (2) Ministers of Word and Sacrament of other Churches:
    - (a) with whose Churches there is a mutual eligibility agreement,
    - (b) with whose Churches a common recognition of ministries has been approved by the General Assembly,
    - (c) who would be entitled to a Certificate of Eligibility, or



- (d) in respect of whom the Presbytery of the bounds is otherwise satisfied that their orders are in accordance with the standards of the Church of Scotland;
  - (3) probationers;
  - (4) Licentiates and Graduate Candidates;
  - (5) candidates for the ministry, including the Ordained Local Ministry, who have been duly recognised in terms of Act X 2004 or Act IX 2011;
  - (6) members of the diaconate;
  - (7) candidates for the diaconate;
  - (8) ministries development staff employed by the Ministries Council;
  - (9) readers; and
  - (10) persons selected and trained to a standard determined by the Presbytery of the bounds in accordance with a scheme or arrangement approved by the Presbytery.
8. (1) Employment in terms of section 7 above shall not necessarily entitle any person to receive a pulpit supply fee, such fees being payable only in accordance with regulations approved by the General Assembly.
- (2) No person authorised to conduct worship in terms of subsection 7(10) shall be entitled to a fee, but shall receive reasonable expenses as determined from time to time by the Presbytery.
9. Notwithstanding section 7 above a Parish Minister may occasionally and for special reason invite a person not qualified in terms of the said section to conduct public worship provided that, when an invitation in terms of this section has been accepted the Parish Minister shall intimate the same in writing to the Clerk of the Presbytery within fourteen days.
10. Section 9 above may be construed to include, *inter alia*, the occasional conduct of public worship by an elder or elders of the congregation.

11. In an emergency when, for any reason, it becomes evident at or before the time appointed for public worship that the responsibility of the Parish Minister under this Act has not been discharged, it shall be the duty of the Session Clerk, whom failing the senior elder present, to lead the congregation in an act of devotion, or invite someone else to do so, and to report the circumstances to the Clerk of the Presbytery as soon as possible thereafter.

### Use of Church Buildings

12. The Parish Minister has the following rights and responsibilities as regards use of church buildings:
- (1) The place of worship and other ecclesiastical buildings connected with the Charge are at the disposal of the Parish Minister for the purposes of his or her office, subject only to the control of the Presbytery.
  - (2) The Parish Minister may use them and grant permission to others to use them for all purposes connected with the congregation or any of its organisations, and also for all purposes of an ecclesiastical or charitable nature, even if they be not connected with the congregation, subject to the control of the Presbytery.
  - (3) The Parish Minister shall not use the buildings nor grant the use of them for any other purposes without the consent of the Kirk Session, Deacons' Court, Committee of Management, or Congregational Board, as the case may be. In deciding for what uses the church may be granted the sacred character of the building shall be kept in view.
13. The Kirk Session, Deacons' Court, Committee of Management, or Congregational Board shall not be entitled to use the buildings for any purpose whatever without the consent of the Parish Minister, nor shall they grant the use of the buildings to others without his or her consent.
14. During a vacancy, or the time in which a Parish Minister has leave of absence from the Charge, the Interim Moderator of the Kirk Session shall have the same rights in the use of the church buildings as the inducted Parish Minister.

15. In congregations where provisions are made, either in the title-deeds of the property or in a constitution approved by the Presbytery with regard to the use of the church buildings which differ from what is set forth in sections 12 to 14 of this Act, the provisions of such title-deeds or constitution shall remain in force to the exclusion of this Act in so far as it differs from these provisions, unless and until these provisions shall be competently altered.

### **Engagement by Ministers of Word and Sacrament in Secular Employment**

16. No Minister of Word and Sacrament inducted or introduced to a Charge shall apply for, accept or undertake any remunerative employment or office either within or outwith the jurisdiction of the Church without previously obtaining approval of the Presbytery of the bounds, *unless such an appointment is made directly by the General Assembly.*

### **The Parish Minister Precluded from the Office of Congregational Treasurer**

17. No Parish Minister shall act as the Congregational Treasurer with respect to any of the congregations in the Charge.

### **Retirement of Ministers of Word and Sacrament**

18. (1) Subject to subsection (4), a Minister of Word and Sacrament inducted or introduced to a Charge shall be inducted or introduced until the date of his or her seventy-fifth birthday, on which date his or her ministry shall terminate as if he or she had resigned his or her Charge and such date been appointed by the Presbytery of the bounds for the demission by the Minister of Word and Sacrament of his or her Charge.
- (2) Notwithstanding subsection (1), a Parish Minister inducted to a Charge on a Basis of Unrestricted Tenure, whose Charge is one where the Presbytery Plan anticipates adjustment at the next vacancy, shall be subject to review by Presbytery as follows:
- (a) Where the Parish Minister was inducted to the Charge on the basis of an anticipated

retirement age of 65, the Parish Minister shall be subject to the Presbytery's review at a point no later than six months before he or she reaches the age of eligibility for UK state pension. When the Parish Minister concerned does reach the age of eligibility for UK state pension, the Presbytery shall have the right to terminate tenure on the grounds of necessary adjustment, and

- (b) Where the Parish Minister was inducted to the Charge on the basis of an anticipated retirement age of 70 (in the case of a Parish Minister inducted prior to 31 May 1995), the Parish Minister shall be subject to the Presbytery's review at a point no later than six months before he or she reaches the age of 70. When the Parish Minister concerned does reach the age of 70, the Presbytery shall have the right to terminate tenure on the grounds of necessary adjustment.

- (3) For the avoidance of doubt, a Parish Minister inducted to a Charge on a Basis of Reviewable Charge under section 12 of the Appraisal and Adjustment Act (Act VII 2003), does not have the right to remain in that Charge beyond the period of tenure specified in the said Basis where this prevents necessary adjustment.
- (4) On application by a Parish Minister, his or her tenure may be extended for an agreed period of time according to a process set out in Regulations made by the General Assembly, dealing with Continuing Ministry beyond the age of 75. Service of an application under the Regulations shall prevent the termination of the tenure of the Parish Minister under subsection (1) until the application is determined.

### **Repeals**

19. This Act shall come into force on 19 May 2018 and Act II 2000 shall be repealed at that date.

### III ACT AMENDING THE APPEALS ACT (ACT I 2014)

Edinburgh, 19 May 2018, Session 3

The General Assembly hereby enact and ordain that the Appeals Act (Act I 2014), as amended, shall be further amended as follows:

1. *In the existing section 14(2), delete the word "forty" and substitute the word "twenty-five".*

### IV ACT AMENDING THE DISCIPLINE OF MINISTRY ACT (ACT III 2001)

Edinburgh, 19 May 2018, Session 3

The General Assembly hereby enact and ordain that the Discipline of Ministry Act (Act III 2001), as amended, shall be further amended as follows:

1. *Delete the existing section 3(4) and substitute the following:*  

"A Presbytery shall initiate investigatory proceedings as soon as it comes to the notice of the Presbytery that (a) the name of a person over whom it has jurisdiction has been placed on the Sex Offenders' Register or included in the Children's List and/or the Adults' List kept under Section 1(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof), and/or (b) a person over whom it has jurisdiction has failed to advise the Church's Safeguarding Service of (i) any act, default or omission, or (ii) any circumstances arising, bearing upon that person's suitability to undertake Regulated Work as defined in the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof)."
2. *In section 19, add a new subsection (3) "In relation to an appeal, the Clerk of the Judicial Commission may invite the Presbyterial Commission to furnish a report in writing on the case generally and in particular on the Grounds of Appeal, for the assistance of the parties and of members of the Judicial Commission."*
3. *In section 22(4) make the following amendments:*
  - (i) *In the first line of section 22(4)(a) delete "When an Appeal has been submitted to" and substitute*

"When Grounds of Appeal have been lodged with"".

- (ii) *In the third line of section 22(4)(c) delete "lodging of the Appeal" and substitute "lodging of the Grounds of Appeal".*
4. *Amend section 22 by adding at the start "Subject always to section 22A, which shall apply where a Respondent appoints a solicitor to represent him or her in proceedings under this Act, following receipt of intimation in terms of section 5(1), on or after 31 May 2018,.....".*
5. *Insert a new section 22A as follows:*  

"22A. Where a Respondent appoints a solicitor to represent him or her in proceedings under this Act, following receipt of intimation in terms of section 5(1), on or after 31 May 2018, (i) the expenses of the Respondent in the conduct of proceedings under this Act and any appeal following thereon, may be met from central funds of the Church only in accordance with the terms of the Legal Aid in Disciplinary Proceedings Regulations (Regs I 2018), and (ii) the expenses of the Special Committee of Presbytery in the conduct of proceedings under this Act may be met from central funds of the Church only on a basis equivalent to that which the Respondent could obtain in terms of Regulation 5(c) of the Legal Aid in Disciplinary Proceedings Regulations (Regs I 2018)."

### V ACT AMENDING THE DISCIPLINE OF ELDERS, READERS AND OFFICE BEARERS ACT (ACT I 2010)

Edinburgh, 19 May 2018, Session 3

The General Assembly hereby enact and ordain that the Discipline of Elders, Readers and Office Bearers Act (Act I 2010), as amended, shall be further amended as follows:

1. *Delete the existing section 7 and substitute the following:*

“A Presbytery shall initiate investigatory proceedings as soon as it comes to the notice of the Presbytery that (a) the name of a person over whom it has jurisdiction has been placed on the Sex Offenders’ Register or included in the Children’s List and/or the Adults’ List kept under Section 1(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof), and/or (b) a person over whom it has jurisdiction has failed to advise the Church’s Safeguarding Service of (i) any act, default or omission, or (ii) any circumstances arising, bearing upon that person’s suitability to undertake Regulated Work as defined in the Protection of Vulnerable Groups (Scotland) Act 2007 (or any subsequent modification, replacement or re-enactment thereof).”

## **VI VI VIRTUAL ATTENDANCE AT MEETINGS ACT (ACT VI 2018)**

*Edinburgh, 19 May 2018, Session 3*

The General Assembly enact and ordain as follows:

### **Definitions**

1. In this Act, the following words shall have the following meanings:
  - (1) “Designated Body” shall mean a Council or Committee of the General Assembly, or a Presbytery, Kirk Session, Congregational Board, or other financial body existing in the constitution of a congregation.
  - (2) “Relevant Meeting” shall mean, subject to section 6 of this Act, a meeting called on the authority of any Designated Body.
  - (3) “Virtual Attendance” means that a person is not physically present at a Relevant Meeting, but instead is able to participate in the Relevant Meeting by means of a video and/or audio platform, in like manner to those who are physically present. For the avoidance of doubt, in order to constitute Virtual Attendance the presence of such a person at a Relevant Meeting must entail: (a) the capacity for effective two-way communication, by visual and/or spoken means, between such a person and those physically present and with other people attending virtually;

(b) the ability of such a person to engage in debate with, and to ask questions of, those who are physically present and others attending virtually, and to answer questions from them; and (c) the ability of such a person to cast a vote contemporaneously with those physically present and others attending virtually.

### **Permission for Virtual Attendance**

2. (1) It shall be lawful for a Designated Body to resolve that at any subsequent Relevant Meeting(s) of the Designated Body, any person(s) is/are permitted to be in Virtual Attendance.
- (2) If and to the extent that a Designated Body resolves to permit Virtual Attendance, it shall mean that the person(s) in Virtual Attendance is/are deemed to be present at the Relevant Meeting for the purposes of Church law in the same way as if such person(s) had been physically present.
- (3) The Designated Body may make a resolution under this section to permit Virtual Attendance at all Relevant Meetings of that Designated Body, or may make such a resolution only for a specified Relevant Meeting or Relevant Meetings.
- (4) A decision to permit Virtual Attendance at all Relevant Meetings of a Designated Body may subsequently be revoked in respect of future Relevant Meetings.
- (5) For the avoidance of doubt, this section is permissive only and not directive.

### **Convener or Moderator at a Relevant Meeting**

3. (1) It shall be the responsibility of the Convener or Moderator, as the case may be, of any Relevant Meeting where Virtual Attendance is permitted, to establish at the opening of the Relevant Meeting;
  - (a) the identity of any persons(s) who purport to be in Virtual Attendance, and
  - (b) that such a person(s) is/are in Virtual Attendance as defined in section 1, so that they are permitted to participate in the

Relevant Meeting and have the right to vote.

- (2) If at any time during a Relevant Meeting the continuing ability of a person in Virtual Attendance to participate in the Relevant Meeting in terms of sections 1 and 3(1)(b) is questioned, it shall be the responsibility of the Convener or Moderator to establish whether the person still meets the requirements of sections 1 and 3(1)(b) and if not to deem that person to have left the Relevant Meeting.
  - (3) In all cases described in this section the decision of the Convener or Moderator, as the case may be, shall be final.
4. If the Convener, or Moderator, is in Virtual Attendance at a Relevant Meeting and becomes unable to participate in terms of sections 1 and 3(1)(b), then the Relevant Meeting shall either appoint an alternative Convener, or Moderator from amongst those attending, or else the Relevant Meeting shall be deemed to have ended. No substitute shall be so appointed unless qualified to perform the relevant function(s) in accordance with the standing law of the Church.

### No appeal

5. Providing that a Relevant Meeting remains quorate, no failure of technology however caused, or decision to deem any person to be or not to be in Virtual Attendance or to have left the Relevant Meeting, shall invalidate the Relevant Meeting or any decision taken at the Relevant Meeting, nor shall any such matter be a ground for appeal against any decision taken at a Relevant Meeting.

### Exception for Vacancy Procedure Act (Act VIII 2003)

6. This Act shall not apply to any Congregational Meetings held under the Vacancy Procedure Act (Act VIII 2003), in respect of which Virtual Attendance shall not at this time be permitted.

## VII ACT AMENDING THE VACANCY PROCEDURE ACT (ACT VIII 2003)

*Edinburgh, 19 May 2018, Session 3*

The General Assembly hereby enact and ordain that the Vacancy Procedure Act (Act VIII 2003), as amended, shall be further amended as follows:

1. *In section 21(3) add a new subsection (c) as follows:*

“(C) In addition, in the case of a minister in the first five years of his or her first charge, an extract minute shall be obtained either from the Vacancy Procedure Committee of his or her current Presbytery, or from that Presbytery, exceptionally releasing the minister.”

## VIII ACT AMENDING THE REGISTRATION OF MINISTRIES ACT (ACT II 2017)

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Registration of Ministries Act (Act II 2017), as amended, shall be further amended as follows:

1. *Insert a new section 19(v) as follows:*

“Where an individual is retiring at the age of seventy two (72) or thereafter, in which case Category **O** registration shall not be granted for a full three years but only until the date of his or her seventy-fifth birthday, subject always to the possibility of extension of that Category **O** registration to a date determined in accordance with the Continuing Parish Ministry Beyond the Age of 75 Regulations.”

## IX ACT AMENDING THE MINISTRIES APPEAL PANEL ACT (ACT VI 2007)

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Ministries Appeal Panel Act (Act VI 2007), as amended, shall be further amended as follows:

1. *In the third sentence of section 1, after the words “For the avoidance of doubt”, add the words “save as specified in this Act,”.*
2. *Add a new sentence at the end of section 5 as follows: “In addition the Ministries Appeal Panel shall hear appeals arising under the Continuing Parish Ministry Beyond the Age of 75 Regulations.”*

## **X ACT AMENDING THE LONG-TERM ILLNESS OF MINISTERS ACT (ACT XV 2002)**

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Long-Term Illness of Ministers Act (Act XV 2002), as amended, shall be further amended as follows:

1. *Add a new definition in section 1:*  
 “Medical Adviser” means either (1) the minister’s own General Practitioner and/or consultant, or (2) an Occupational Health Physician appointed by the Ministries Council.”
2. *In section 4(1):*
  - (1) *Delete the words “nine calendar months continuously, or has totalled 450 days out of any thirty three month period” and substitute the words “six calendar months continuously, or has totalled 300 days out of any twenty two month period”.*
  - (2) *Delete the existing section 4(1)(b) and substitute the following: “where the Medical Adviser is an Occupational Health Physician appointed by the Ministries Council, the minister shall consult with the Occupational Health Physician and shall give the Occupational Health Physician permission to consult with any medical practitioner or consultant whose opinion the Occupational Health Physician requires in order to prepare his or her own opinion on the likely duration of the minister’s absence; whether the Medical Adviser is the minister’s own General Practitioner and/or consultant, or an Occupational Health Physician appointed by the Ministries Council, the minister shall promptly sign any mandate required for the release of medical files and/or information to the Occupational Health Physician, the Presbytery or the Ministries Council.”*
  - (3) *In section 4(1)(e) delete the word “further”.*
  - (4) *Add a new section 4(3): “Section 4(1) sets out the standard timeline to be followed. Alternatively, where the requisite medical advice cannot be obtained within a timeframe so as to determine the likelihood of the minister returning to work within three months after the section 4 date,*

then the “section 5 date” in terms of section 5 below shall be construed so as to be instead a date determined by the Consultative Committee, being a date not later than six months after the section 4 date.”

3. *At the end of section 9 add “Arrangements shall be made for the manse to be vacated within such timescale as appears reasonable in the circumstances.”*
4. *In section 10(1), delete the words “eight weeks” and substitute “three months” and delete the word “shall” and substitute the word “may”.*
5. *Add a new section 13 and renumber section 14 accordingly:*  
**“Registration of Ministries**  
 Where a pastoral tie is severed in terms of this Act, the minister shall be registered on the Register of Ministry in Category **R** or Category **I**, the decision as to which category being determined by the Presbytery having consulted with the Ministries Council. The normal rights of appeal against the Presbytery’s decision in terms of the Registration of Ministries Act (Act II 2017) shall apply.”
6. *In paragraph 4 of Schedule A, amend the last sentence to read: “At the same time the Ministries Council will make contact with both the minister and the Presbytery to ensure that appropriate pastoral support and advice are in place and to advise regarding the use and terms of this Act.”*

## **XI ACT AMENDING THE SELECTION AND TRAINING FOR FULL-TIME MINISTRY ACT (ACT X 2004)**

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Selection and Training for Full-time Ministry Act (Act X 2004), as amended, shall be further amended as follows:

1. *In section 2 change the heading to “**Vocation Information Day and Initial Screening Interview**” and after the words “shall attend” add the words “Vocation Information Day followed by”.*



2. *In section 4(1), delete the words “sent to the Committee” and substitute the words “completed by the applicant and sent to the Committee by the date determined and supplied by the Council.”*
3. *Change the heading of section 5 to “**Period of discernment and Local Review**”.*
4. *In section 5(1) delete the word “at least three months but not longer than twelve months” and substitute the words “six months”.*
5. *Add a new section 5(3) as follows and renumber subsequent sections accordingly:*  

“In addition, before the end of a period of discernment, the Presbytery or the Council may require that an early Local Review takes place. Such a Review shall be undertaken by the same group as specified in section 5(2) but may only reach a decision in terms of section 5(3) (ii), (iii) or (iv) [to be renumbered 5(4) (ii), (iii) and (iv)]. Sections 5(4) and 5(5) shall still apply [to be renumbered 5(5) and 5(6)].”
6. *At the beginning of the section currently numbered as section 5(3), add “Subject to the provisions of section 5(3)”.*
7. *In the section currently numbered 5(3)(ii), after the words “a further period of discernment” add “of such length as may be determined by the Local Review.”*
8. *In the section currently numbered 5(4), after the words “may apply” add “, in each case from one year after the decision of the previous Local Review”.*
9. *Add a new section 6(7) as follows:*  

“If the decision at a Committee Review in terms of section 6(4) or at a Ministries Appeal Panel following on from such a Review is to annul the applicant’s attendance at a National Assessment Conference (“Conference A”) and enable the applicant to attend a further National Assessment Conference as if the applicant had not attended Conference A, then additionally and at its sole discretion, the Committee or the Panel shall have the power to direct that for the purposes of section 3(3) of this Act, the applicant shall be treated as having one additional year to complete the prescribed course. Such a direction may be made once only in respect of any particular applicant.”

## **XII ACT AMENDING THE ORDAINED LOCAL MINISTRY ACT (ACT IX 2011)**

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Ordained Local Ministry Act (Act IX 2011), as amended, shall be further amended as follows:

1. *In section 4 change the heading to “**Vocation Information Day and Initial Screening Interview**” and after the words “shall attend” add the words “Vocation Information Day followed by”*
2. *Add a new section 6 as follows and renumber accordingly:*  

**“Submission of Application Form**

  - (1) The Council will, on request, issue to each applicant who has fulfilled the requirements as set out in sub-section 4(2) the relevant application form, which shall be completed by the applicant and sent to the Committee by the date determined and supplied by the Council.
  - (2) The Council will inform Presbyteries of applicants within their bounds, the appropriate Presbytery being determined according to section 8(2) of this Act.”
3. *Change the heading of section 6 to “**Period of discernment and Local Review**”.*
4. *In section 6(1) delete the word “at least three months but not longer than twelve months” and substitute the words “six months”.*
5. *Add a new section 6(3) as follows and renumber subsequent sections accordingly:*  

“In addition, before the end of a period of discernment, the Presbytery or the Council may require that an early Local Review takes place. Such a Review shall be undertaken by the same group as specified in section 6(2) but may only reach a decision in terms of section 6(3) (ii), (iii) or (iv) [to be renumbered 6(4) (ii), (iii) and (iv)]. Sections 6(4) and 6(5) shall still apply [to be renumbered 6(5) and 6(6)].”
6. *At the beginning of the section currently numbered as section 6(3), add “Subject to the provisions of section 6(3)”.*



7. *In the section currently numbered 6(3)(ii), after the words "a further period of discernment" add "of such length as may be determined by the Local Review."*
8. *In the section currently numbered 6(4), after the words "may apply" add ", in each case from one year after the decision of the previous Local Review".*
9. *In section 28(1) add the following sentence at the end: "The term "Reader" in this section 28(1) shall be construed to include a Reader in service, a Reader in training and a retired Reader."*
10. *Delete section 28(2).*

### **XIII ACT AMENDING THE READERSHIP ACT (ACT XVII 1992)**

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Readership Act (Act XVII 1992), as amended, shall be further amended as follows:

1. *Delete the existing section 7(a) and substitute the following:*  
*"The provisions of the Selection and Training for Full-time Ministry Act (Act X 2004) shall apply to any Reader wishing to transfer to the full-time Ministry of Word and Sacrament and the provisions of the Ordained Local Ministry Act (Act IX 2011) shall apply to any Reader wishing to transfer to the Ordained Local Ministry; in all cases the Ministries Council shall determine the nature, content and duration of the academic course and practical training to be followed by a Candidate. The term "Reader" in this section 7(a) shall be construed to include a Reader in service, a Reader in training and a retired Reader."*
2. *Delete the existing section 7(b).*
3. *Delete the existing section 7(c) and substitute the following:*  
*"No Reader who has been not accepted as a candidate in training for either the Ordained Local Ministry or full-time Ministry of Word and Sacrament on three or more occasions may apply for transfer to the full-time Ministry of Word and Sacrament or the Ordained Local Ministry."*

### **XIV ACT AMENDING THE ADMISSION AND RE-ADMISSION OF MINISTERS ACT (ACT IX 2002)**

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Admission and Re-admission of Ministers Act (Act IX 2002), as amended, shall be further amended as follows:

1. *Add the following definitions in section 1:*  
 "(x) a "Certificate of Eligibility" has the meaning given in section 6(b)(i).  
 (x) a "Temporary Certificate of Eligibility" has the meaning given in section 6(b)(ii).  
 (x) an "OLM Certificate of Eligibility" has the meaning given in section 6(b)(iii)."
2. *Amend section 6(a) by adding the words "or a Temporary Certificate of Eligibility" at the end of the first sentence:*
3. *Delete the existing section 6(b) and substitute the following:*  
*"Subject to the provisions of the Vacancy Procedure Act (Act VIII 2003) section 27, the various Certificates which may be granted by the Committee shall be as follows:*  
 (i) a "Certificate of Eligibility" entitles the holder to apply for charges and appointments open to ministers of the Church of Scotland, including team ministry posts as defined in section 16(2)(a) of Act VII 2003. Admission to the status of minister of the Church of Scotland shall take effect at the point of admission to membership of Presbytery, which, in the case of a Licentiate, shall involve ordination. Certificates of Eligibility shall be valid for three years from the date of issue.  
 (ii) a "Temporary Certificate of Eligibility" entitles the holder to apply for charges and appointments open to ministers of the Church of Scotland, including team ministry posts as defined in section 16(2)(a) of Act VII 2003, but to hold any such post for an initial period of three years only. The following shall also apply to the holder:  
 (a) The Certificate shall entitle the holder to hold a post for period of three years provided that post commences within thirty six months of the date on which the

Temporary Certificate of Eligibility is granted.

- (b) At the request of the congregation where the holder is called or appointed and with the concurrence of the Presbytery and the Council, the initial period of three years may be extended for one further period of not more than three years.
- (c) The holder, if inducted to a charge, shall be granted a seat in Presbytery.
- (d) The holder shall retain status as a minister in their denomination of origin. Admission to the status of minister of the Church of Scotland shall only take effect if the holder makes application to the Council for such status. Such an application shall be considered at a one day Admissions Panel and the paperwork considered shall be as specified by the Council, to include an application form and references. At least one reference shall be provided from a person with knowledge of the holder's current post.
- (e) Any employment contract which the holder enters into shall have a condition that it is an essential requirement for the person to hold a Temporary Certificate of Eligibility.
- (f) The holder of a Temporary Certificate of Eligibility whose Certificate expires without him or her having successfully applied to be admitted to the status of minister of the Church of Scotland shall have no further right to apply for or hold charges or appointments open to ministers of the Church of Scotland, including team ministry posts as defined in section 16(2)(a) of Act VII 2003.
- (iii) An "OLM Certificate of Eligibility" entitles the holder to serve in the Church of Scotland in accordance with the provisions of the Ordained Local Ministry Act (Act IX 2011)."

4. *Delete the existing section 6(c).*

### Consequential amendments - Vacancy Procedure Act (Act VIII 2003) (as amended)

- 5. *Amend section 18(4) by deleting the first sentence and substituting "The holder of a Certificate of Eligibility or of a Temporary Certificate of Eligibility, in either case in terms of Act IX 2002."*
- 6. *Delete the existing section 20 and substitute the following:*

#### **"Temporary Certificates of Eligibility**

A minister who holds a Temporary Certificate of Eligibility shall, if inducted to a charge, be inducted for a period of three years only, extendable on one occasion only in accordance with the provisions of section 6(b)(ii) of Act IX 2002."

### Consequential amendments - Registration of Ministries Act (Act II 2017)

- 7. *Delete the existing section 34 and substitute the following:*  

"The Ministries Council shall compile and maintain three supplementary lists, **G**, **D** and **T**, as specified below, which shall be considered to stand apart from the Register of Ministry.

  - (1) List **G** shall contain the names of individuals who were previously Ministers of Word and Sacrament or Deacons of the Church of Scotland but who voluntarily demitted their status.
  - (2) List **D** shall contain the names of individuals who were previously Ministers of Word and Sacrament or Deacons of the Church of Scotland but who were judicially deprived of status.
  - (3) List **T** shall contain the names of individuals who currently hold Temporary Certificates of Eligibility issued under the Admission and Re-admission of Ministers Act (Act IX 2002)."
  - 8. *Add a sentence at the end of the existing section 35 as follows:*

"Any individual recorded on list **T** who wishes become a Minister of Word and Sacrament of the Church of Scotland, must make application in accordance with the Admission and Re-admission of Ministers Act (Act IX 2002)."

## **XV ACT AMENDING THE VACANCY PROCEDURE ACT (ACT VIII 2003)**

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the Vacancy Procedure Act (Act VIII 2003), as amended, shall be further amended as follows:

1. *Amend section 6(2) by adding the following words at the start: "Subject always to section 6(3),".*
2. *Add a new section 6(3) as follows:*  

"A ministerial member of Presbytery who has in the past served as an Interim Moderator in the charge is not subject to the disqualification set out in section 6(2) if one of the following conditions applies:

  - (i) The person was discharged as Interim Moderator at least two years prior to time of applying for the vacancy, or
  - (ii) Intimation of the request to be discharged as Interim Moderator was given to the Presbytery Clerk prior to permission to call being given."
  3. *Amend 18 (5) to read:*  

"For the avoidance of doubt anyone who has served as an Interim Moderator in the current vacancy may not be eligible to apply or to be considered as an applicant in terms of section 6(2) of this Act unless the conditions set out in section 6(3) apply."

## **XVI SAFEGUARDING ACT (ACT XVI 2018)**

*Edinburgh, 22 May 2018, Session 12*

The General Assembly enact and ordain as follows:

### **Definitions**

1. In this Act, the following words shall have the following meanings:

- (1) "Applicant" means any person applying to undertake or carry out Regulated Work, whether in a paid or voluntary position.
- (2) "Charge" means a sphere of pastoral duty to which a Parish Minister is (i) inducted, or (ii) introduced under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
- (3) "Children" means persons under the age of 18 years.
- (4) "Consideration for Listing" means the process at Disclosure Scotland whereby a person is being considered for listing as unsuitable for carrying out Regulated Work with Vulnerable Groups.
- (5) "Covenant of Responsibilities" means a covenant entered into between a Subject and a Safeguarding Panel on behalf of a Kirk Session(s) in the form prescribed from time to time by the Safeguarding Service.
- (6) "Data Protection Policy" means the Data Protection Policy of the Church of Scotland Central Services Committee as that policy exists from time to time.
- (7) "Data Retention Policy" means the Data Retention Policy of the Church of Scotland Central Services Committee as that policy exists from time to time.
- (8) "Decision to list" means a decision by Disclosure Scotland to place a person on any of the lists of persons barred from carrying out Regulated Work with Vulnerable Groups.
- (9) "Disclosure Scotland" means the Scottish Government executive agency which manages and delivers the PVG Scheme.
- (10) "Employing Agencies" means for the purposes of this Act, courts of the Church and Councils and Committees of the General Assembly, and any other bodies so designated by the General Assembly.
- (11) "Guidance" means the Guidance published by the Safeguarding Service from time to time.

- (12) "Listed" means that a person has been placed on any of the lists of persons barred from carrying out Regulated Work with Vulnerable Groups, noting that a person may be barred from working with Children, or with Protected Adults, or from working with both Children and Protected Adults.
- (13) "Parish Minister" means a Minister of Word and Sacrament (i) inducted by a Presbytery to a Charge or (ii) introduced to a Charge under the arrangements set out in the Ministerial Staffing in the Presbytery of Shetland Regulations (Regs VI 2007).
- (14) "Protected Adults" means a person over 16 years of age, who because they receive a certain type of service, become protected. These services are likely to be provided for people affected by physical or mental illness and/or disability, who have particular needs over and above those of the general population.
- (15) "PVG Act" means the Protection of Vulnerable Groups (Scotland) Act 2007 or any subsequent modification, amendment or re-enactment thereof.
- (16) "PVG Scheme Record" means the record that a person receives when they join the PVG Scheme.
- (17) "PVG Scheme Record Update" means an update from Disclosure Scotland of information contained in a PVG Record.
- (18) "PVG Scheme" means the scheme legislated for by the PVG Act which is intended to ensure that people whose behaviour makes them unsuitable to work with Vulnerable Groups cannot undertake Regulated Work.
- (19) "Recruitment Sub-Committee" means a sub-committee of the Safeguarding Committee which meets to consider information contained in a Self Declaration Form, and/or in a PVG Scheme Record and/or to consider any notifications from Disclosure Scotland and/or any other matters related thereto.
- (20) "Registered Sex Offender" means a person who is required to register with the Police in terms of the Sexual Offences Act 2003 or any subsequent modification, amendment or re-enactment thereof.
- (21) "Regulated Work" has the meaning given to it in the PVG Act and can be found set out in full in a Schedule to the Guidance.
- (22) "Responsible Authorities" means the Police, Local Authorities, Health Boards, Special Health Boards and the Scottish Prison Service.
- (23) "Safeguarding" includes but is not limited to (1) taking measures to protect the health, wellbeing and human rights of individuals, especially Vulnerable Groups, which allow them to live their life free from harm, abuse or neglect and (2) responding appropriately to Safeguarding Concerns.
- (24) "Safeguarding Committee" means the committee (or any successor body) appointed by the General Assembly to deal with Safeguarding matters in the Church.
- (25) "Safeguarding Concerns" means concerns about, or allegations of, harm, abuse or neglect.
- (26) "Safeguarding Coordinator" means a person appointed by the Kirk Session(s) to have responsibility for Safeguarding within a Charge.
- (27) "Safeguarding Panel" means a panel of at least three persons appointed by the Kirk Session(s) as responsible for Safeguarding in a Charge, and will always include the Safeguarding Coordinator; from time to time additional persons may be co-opted onto a Safeguarding Panel.
- (28) "Safeguarding Service" means the Church's department providing advice, support and action to Safeguarding Coordinators, Kirk Sessions, Presbyteries and others on Safeguarding matters.
- (29) "Self Declaration Form" means the form<sup>[1]</sup> in such terms as may be prescribed by the Safeguarding Service from time to time, which form is to be completed by an Applicant for the following purposes: providing information to the Safeguarding Service, stating information which might appear on the Applicant's PVG Scheme Record and undertaking to inform the Safeguarding Service of certain matters.

- (30) "Subject" means
- (i) Any person who has been convicted of any offence within the Sexual Offences (Scotland) Act 2009 or associated legislation (or any modification, replacement or re-enactment thereof); and/or
  - (ii) Any person who has been convicted of any other sexual offence;
  - (iii) Any person who admits to having committed a sexual offence; and/or
  - (iv) Any person who is currently or who has at any time been a Registered Sex Offender; and/or
  - (v) Any person in respect of whom the Safeguarding Service receives a notification from any of the Responsible Authorities that such person poses a risk of harm.
- (31) "Vulnerable Groups" means Children and/or Protected Adults.
- (32) "Worker" means any person undertaking Regulated Work, whether in a paid or voluntary position.

### Interpretation

2. (1) Whenever "Vulnerable Groups" are referred to in this Act, that may be a reference to either Children or Protected Adults, or to Children and Protected Adults.
- (2) The footnotes in this Act are for information only and do not form part of this Act.
- (3) The Safeguarding Service shall be entitled to amend any form referred to in this Act as it deems appropriate from time to time.

### Safe Recruitment – Kirk Session(s)

3. (1) Subject to subsection (6) below, the Kirk Session(s) shall ensure that all Workers within the Charge are members of the PVG Scheme, prior to taking up their post.

- (2) Subject to subsection (6) below, whenever a person is being recruited and will be undertaking Regulated Work, that person must make application to become a member of the PVG Scheme. If the person is already a member of the PVG Scheme, an Existing PVG Scheme Member Application must be completed and submitted. No person may be employed or appointed to undertake or to carry out Regulated Work unless that person is a member of the PVG Scheme.
- (3) The Kirk Session(s) shall appoint a Safeguarding Coordinator. The Safeguarding Coordinator shall have the task of ensuring that all PVG applications required for that Charge are completed accurately and submitted to the Safeguarding Service for processing. The Safeguarding Coordinator shall monitor the return of the applications and their outcome.
- (4) Subject to subsection (6) below, if any application results in notification that a person is barred from becoming a member of the PVG Scheme, ie is Listed, that person must not be employed or appointed to undertake or to carry out Regulated Work. It is an offence under the PVG Act to employ or appoint a person who is Listed to undertake or to carry out Regulated Work.
- (5) In arranging recruitment, the Kirk Session(s) must comply with the Guidance.
- (6) In addition, in the case of a person who is domiciled outwith the UK, such further information must be provided and such further checks must be undertaken, both as the Safeguarding Service may require, before that person may be employed or appointed to undertake or to carry out Regulated Work.

### Safe Recruitment – Presbyteries and other Employing Agencies

4. (1) Subject to subsection (5) below, Presbyteries and other Employing Agencies shall ensure that all Workers are members of the PVG Scheme, prior to taking up their post.
- (2) Subject to subsection (5) below, whenever a person is being recruited and will be undertaking

- Regulated Work, that person must make application to become a member of the PVG Scheme. If the person is already a member of the PVG Scheme, an Existing PVG Scheme. Member Application must be completed and submitted. No person may be employed or appointed to undertake or to carry out Regulated Work unless that person is a member of the PVG Scheme.
- (3) Subject to subsection (5) below, if any application results in notification that a person is barred from becoming a member of the PVG Scheme, ie is Listed, that person must not be employed or appointed to undertake or to carry out Regulated Work. It is an offence under the PVG Act to employ or appoint a person who is Listed to undertake or to carry out Regulated Work.
  - (4) In arranging recruitment, Presbyteries and other Employing Agencies must comply with the Guidance.
  - (5) In addition, in the case of a person who is domiciled outwith the UK, such further information must be provided and such further checks must be undertaken, both as the Safeguarding Service may require, before that person may be employed or appointed to undertake or to carry out Regulated Work.

### Recruitment Sub-Committee

5. (1) At its meetings, the Recruitment Sub-Committee shall deal with the risk assessment of the following:
  - (i) Any vetting information which has been provided to the Safeguarding Service by Disclosure Scotland.
  - (ii) Any notification received by the Safeguarding Service from Disclosure Scotland, including a notification that a person is under Consideration for Listing.
  - (iii) Self Declaration Forms, references, matters of reputational risk and any other pertinent information.
- (2) The Recruitment Sub-Committee may decide (one or more of the following):

- (a) *In relation to safe recruitment:*
  - (i) To recommend that a person is suitable for Regulated Work (which recommendation may or may not be made subject to conditions).
  - (ii) To recommend that a person is not suitable for Regulated Work.
- (b) *In relation to a notification from Disclosure Scotland:*
  - (i) To take no action.
  - (ii) To impose a precautionary administrative suspension, to be reviewed by the Sub-Committee on a three monthly rolling basis.
  - (iii) To take no immediate action but to reconsider the matter at a further meeting on a date within the next three months.
  - (iv) To recommend that a person is not suitable for Regulated Work.
- (3) Decisions of the Recruitment Sub-Committee shall be notified to the person involved and to the relevant Safeguarding Coordinator. Notification shall include a statement of the reasons for the decision.
- (4) Subject always to any appeal in terms of section 6 below, where the Recruitment Sub-Committee makes a decision in terms of section 5(2)(a)(ii) or 5(2)(b)(iv), no Employing Agency shall employ or appoint that person to undertake or to carry out Regulated Work.

### Appeals from decisions of the Recruitment Sub-Committee

6. (1) A person in respect of whom a decision has been made in terms of section 5(2)(a)(ii) or 5(2)(b)(iv) as to suitability for Regulated Work has the right to appeal that decision. A person may also appeal against the terms of any conditions applied by the Recruitment Sub-Committee in terms of section 5(2)(a)(i) as to a person's suitability for Regulated



- Work. Such a person is referred to in section 7 as “the Appellant”.
- (2) An appeal can be brought only on one or more of the following grounds:
    - (a) that there were irregularities in the process whereby the Recruitment Sub-Committee reached its decision
    - (b) that the final decision of the Recruitment Sub-Committee was influenced by incorrect material fact (subject however to the exception noted below in regard to the contents or accuracy of the PVG Scheme Record), or
    - (c) that the Recruitment Sub-Committee in reaching its decision acted contrary to the principles of natural justice.
  - (3) Any disagreement as to the contents or accuracy of the PVG Scheme Record information itself cannot be the subject of an appeal under this procedure and will require to be taken up by the person direct with Disclosure Scotland through the procedures established by that body.
  - (4) The appeal will be determined by an Appeal Group comprising three persons selected by the Principal Clerk from the Safeguarding Appeal Panel. The Safeguarding Appeal Panel shall be a Panel of six persons appointed by the General Assembly, being persons with Safeguarding and other relevant experience, and shall include at least two persons who shall be qualified to practise as lawyers or who are experienced in the law and practice of the Church, and at least two ministers. Having due regard to the need to ensure independent scrutiny of any appeal, none of the Panel shall be current or former employees of any of the Employing Agencies nor shall they be current members of the Safeguarding Committee.
  - (5) The Appeal Group will be chaired by a person who is either qualified to practise as a lawyer or who is experienced in the law and practice of the Church. The Appeal Group shall include at least one minister. The Appeal Group will be clerked by the Principal Clerk or the Depute Clerk.
  - (6) The Appeal Group shall be entitled to require both the Appellant and the Recruitment Sub-Committee to provide further information and may determine the appeal either on the basis of written submissions only and/or by holding a hearing. If a hearing is held, procedure shall be in accordance with the Standing Orders of the General Assembly so far as applicable and consistent with this Act.

### Process for Appeal

7. The appeal shall proceed as follows:
  - (1) The intention to appeal must be intimated to the Principal Clerk by the Appellant within fourteen days of the date of issue of the relevant decision.
  - (2) Within a further twenty eight days after the date upon which the intention to appeal was intimated in terms of section 7(1), the Appellant shall lodge with the Principal Clerk a note setting out in writing in brief numbered propositions, the grounds referred to in section 6(2) above upon which he or she is appealing (“the Grounds of Appeal”).
  - (3) Upon receipt of the Appellant’s Grounds of Appeal, the Principal Clerk shall require that within twenty eight days, the Recruitment Sub-Committee lodge a note responding to the Grounds of Appeal.
  - (7) The Appellant will be notified of the Appeal Group’s decision in writing within six weeks of the written submissions being received by the Principal Clerk or of the hearing date, whichever is later.
  - (8) The Appeal Group will also notify the Safeguarding Service and the Recruitment Sub-Committee of its decision. The Safeguarding Service will take any necessary action, in accordance with the Appeal Group’s decision.
  - (9) The decision of the Appeal Group will be final.



## Training

8. (1) Each Presbytery shall provide appropriate training on Safeguarding matters to Kirk Sessions, Safeguarding Coordinators and Workers, with updates when appropriate.
- (2) Kirk Sessions will maintain records of all training undertaken by Kirk Sessions, Safeguarding Coordinators and Workers and will disclose these records at any time upon request by the Safeguarding Service or the Presbytery.
- (3) All Kirk Sessions, Safeguarding Coordinators and Workers must undertake such training as is prescribed by the Safeguarding Service from time to time.

## Record retention

9. (1) The Safeguarding Panel will maintain records of Workers within the Charge who are PVG Scheme members in the form of the Safeguarding Congregational Register<sup>[2]</sup>.
- (2) All hard copy records of the Safeguarding Panel shall be kept confidentially in a secure place.
- (3) In accordance with the Data Protection Policy and the Data Retention Policy, the Safeguarding Service will retain originals of the Self Declaration Forms which are signed by all Applicants either (1) to join the PVG Scheme or (2) for an Existing PVG Scheme Member Application. Documents shall be destroyed only in accordance with the Data Retention Policy.

## Presbyteries' Responsibilities of Superintendence

10. Presbyteries shall confirm that Kirk Sessions are complying with their obligations under this Act: (1) during Annual Inspections of Records, and (2) as part of Local Church Review, and shall report to the Safeguarding Service in such form as the Safeguarding Service may prescribe from time to time.

## Audit

11. Kirk Sessions and Presbyteries shall review and minute on an annual basis their compliance with Safeguarding policies and procedures using the Safeguarding Audit Checklist for Kirk Sessions and Presbyteries<sup>[3]</sup>.

## Annual Inspection of Records

12. Kirk Sessions shall submit the Safeguarding Congregational Register<sup>[4]</sup> and the Safeguarding Audit Checklist for Kirk Sessions and Presbyteries<sup>[5]</sup> annually to Presbytery as part of the Annual Inspection of Records.

## Obligations on individuals

13. (1) All PVG Scheme members shall advise Disclosure Scotland and the Safeguarding Service promptly of any changes to their personal details.
- (2) All PVG Scheme members shall advise Disclosure Scotland and the Safeguarding Service promptly if they cease doing Regulated Work for the Church of Scotland.
- (3) All PVG Scheme members must advise the Safeguarding Service promptly of (i) any act, default or omission, or (ii) any circumstances arising, which might affect whether they can undertake Regulated Work.
- (4) All persons who sign Self Declaration Forms must adhere to the undertakings given therein.

## Workers – Safeguarding Concerns

14. (1) Every Charge must have a Safeguarding Panel.
- (2) If any Safeguarding Concerns arise regarding Workers, such Safeguarding Concerns shall be reported without delay by the Safeguarding Coordinator to the Safeguarding Panel and to the Safeguarding Service. The Safeguarding Service shall where appropriate report the matter to Disclosure Scotland.
- (3) Nothing in this Act shall detract from the general responsibility of all persons promptly to report

any Safeguarding Concerns to the Safeguarding Service.

### **Safeguarding in the Presbyteries of England, International Charges and Jerusalem**

15. Kirk Sessions in the Presbyteries of England, International Charges and Jerusalem will follow the recommendations and advice of the Safeguarding Service.

### **Other services provided by Safeguarding Service**

16. The Safeguarding Service may from time to time with the approval of the Council of Assembly enter into arrangements with other churches, agencies and groups as to the provision of Safeguarding services to them.

### **Management of Subjects (Covenants of Responsibilities)**

17. (1) Whenever a Subject wishes to be involved in the life of a congregation, then the following shall apply:
  - (i) the Safeguarding Coordinator shall inform the Safeguarding Service (in turn, the Safeguarding Service shall inform the Safeguarding Coordinator if such information comes to its notice);
  - (ii) a Covenant of Responsibilities shall be entered into by the Safeguarding Panel on behalf of the relevant Kirk Session(s) with the Subject.
- (2) If the Subject refuses to sign a Covenant of Responsibilities, then the Subject shall not be entitled to be involved in the life of the congregation.
- (3) The terms of the Covenant of Responsibilities shall be determined by the Safeguarding Service in consultation with the Safeguarding Panel of the relevant Kirk Session(s) and, where appropriate, the Responsible Authorities, in accordance with the Safeguarding Service's procedures from time to time. The Subject shall have no input into the drafting of the Covenant of Responsibilities, which shall not be negotiable by

the Subject. The Covenant shall provide for its regular review and this shall be implemented according to the procedures from time to time of the Safeguarding Service.

- (4) A Covenant of Responsibilities is specific to a congregation and is not transferable to a different congregation. Should the Subject wish to be involved in the life of another congregation then a new Covenant of Responsibilities shall require to be entered into and the preceding provisions of this section 17 shall apply. In addition the terms of the Covenant to be entered into in respect of the new congregation may be determined in consultation with the Safeguarding Coordinator of the former congregation.

### **Consequential amendments**

18. (1) This Act shall be added to the list of Acts in the Schedule to the Alternative Dispute Resolution Processes Act (Act VI 2014), as being an Act in respect of which ADR shall not be used.
- (2) The Protection of Vulnerable Groups Act (Act VII 2011) as amended shall be repealed.

### **Act to prevail**

19. From its date of passing, the terms of this Act shall prevail where those are inconsistent with any previous deliverances of the General Assembly.

## References

- [1] Currently Form SG3
- [2] Currently Form SG7
- [3] Currently Form SG11
- [4] Currently Form SG7
- [5] Currently Form SG11

## - B - Overture under the Barrier Act

### DISCIPLINE OVERTURE

*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 2018.*

*The General Assembly, with consent of a majority of Presbyteries, hereby enact and ordain as follows:*

### Part 1 DEFINITIONS, INTERPRETATION AND PRELIMINARY MATTERS

1. For the purposes of this Act:

- (1) "Administrative Suspension" shall mean an instruction given, at any stage of proceedings in terms of this Act, by a Presbytery or any Committee or individuals holding delegated powers from Presbytery so to do, to a Respondent to abstain from the exercise of all of the functions of the office held by the Respondent until the final disposal of proceedings under this Act and "Administratively Suspended" shall be construed accordingly. For the avoidance of doubt, Administrative Suspension shall not constitute or form a part of any form of Censure.
- (2) "Adviser" shall mean a Minister, being a member of Presbytery, selected from a list maintained by the Legal Questions Committee, who acts as an adviser to an Assessor.
- (3) "Alternative Contact" shall mean the alternative contact to the Presbytery Clerk in terms of the Complaints Procedure.
- (4) "Assessor" shall mean (i) an Elder, being a member of a Kirk Session, who is legally qualified and has knowledge of Church Law, or (ii) a solicitor employed in the Church's Law Department, or (iii) an investigator with experience of the investigation of professional misconduct: any such person in category (i), (ii) or (iii) being appointed from a panel of Assessors in

terms of section 17(2), and all Assessors being appointed to the panel by the General Assembly on the nomination of the Nomination Committee.

- (5) "Auxiliary Minister" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017).
- (6) "breach" shall mean material breach.
- (7) "Bullying" shall mean a course of conduct (i.e. conduct which occurs on at least two occasions) amounting to offensive, threatening, abusive, malicious, intimidating or insulting behaviour that may be an abuse or misuse of power, position or knowledge through means that undermine, humiliate, denigrate or injure the person concerned and which is behaviour occurring in circumstances where it would appear to a reasonable individual that it would amount to bullying of that person.
- (8) "Censure" shall have the meaning given to it in Part 10.
- (9) "Censure with consent" shall mean a Censure consented to by the Respondent.
- (10) "Complainer" shall mean a person, Committee or other body making a Disciplinary Complaint.
- (11) "Complaints Procedure" shall mean the complaints procedure operated by Presbyteries as initially approved by deliverance of the General Assembly of 2014 and as amended from time to time.
- (12) "Council" shall mean the Ministries Council or any Task Group or Committee of the Ministries Council.
- (13) "Deacon" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017).
- (14) "Disciplinary Complaint" shall mean (i) a written allegation or allegations that a Disciplinary Offence has been committed or (ii) circumstances coming to the attention of Presbytery which

- indicate that a Disciplinary Offence may have been committed.
- (15) "Disciplinary Offence" shall have the meaning assigned to it in Part 4.
- (16) "Disciplinary Proceedings" shall mean those proceedings carried out in accordance with the provisions of Part 8 in respect of any Disciplinary Offence alleged to have been committed by a Respondent.
- (17) "Discipline Tribunal" shall mean a body of three or five persons drawn from the Judicial Panel and constituted to hear Disciplinary Proceedings under this Act, more particularly described in section 7.
- (18) "Elder" shall mean a person ordained as an elder (whether or not serving on a Kirk Session, save where otherwise specified in this Act).
- (19) "Graduate Candidate" shall have the meaning ascribed to it in the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (20) "Harassment" shall mean unwanted physical, verbal or non-verbal conduct related to a Protected Characteristic which has the purpose or effect of violating the dignity of another person or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person, declaring that in deciding whether conduct has that effect, there shall be taken into account the perception of that person, the other circumstances of the case and whether it is reasonable for the conduct to have that effect.
- (21) "Investigatory Proceedings" shall mean those proceedings carried out in accordance with the provisions of Part 7 in respect of any Disciplinary Offence alleged to have been committed by a Respondent.
- (22) "Judicial Commission" means the Judicial Commission as defined in the Appeals Act (Act I 2014).
- (23) "Judicial Panel" shall mean the pool of persons from which shall be appointed (a) a Reviewer, and (b) the members to serve on the Discipline Tribunal and the Judicial Commission.
- (24) "Judicial Suspension" shall mean any suspension imposed as a Censure in terms of Part 10.
- (25) "Legal Aid Fund" shall mean the Fund maintained by the Legal Questions Committee in terms of the Legal Aid in Disciplinary Proceedings Regulations (Regulations X 2018).
- (26) "Licentiate" shall have the meaning ascribed to it in the Candidates, Licentiates and Probationers Act (Act XI 1994).
- (27) "Minister" and "Minister of Word and Sacrament" shall have the meanings respectively ascribed to them in the Registration of Ministries Act 2017 (Act II 2017).
- (28) "Office-Bearer" shall, for the purposes of this Act only, mean an individual who is serving on a Congregational Board, Deacons' Court or Board of Management, or any other body deemed by the Presbytery to form part of the governance arrangements of any congregation, or on any committee of any of these bodies or of a Kirk Session or Presbytery, and shall, for the avoidance of doubt, include all Clerks and Treasurers, whether or not such individuals are serving as voting members of any such governing body.
- (29) "Ordained Local Minister" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017).
- (30) "Procedural Review" shall mean a procedural review carried out by a Reviewer in terms of sections 19(3), 22(2) or 27.
- (31) "Protected Characteristic" shall mean any of the following:  
Age  
Disability  
Gender re-assignment  
Race  
Religion or belief  
Sex  
Sexual orientation
- (32) "Reader" shall have the meaning ascribed to it in the Readership Act (Act XVII 1992).

- (33) "Referral" shall mean the referral by a Presbytery of a Disciplinary Complaint to an Assessor in terms of Part 5.
  - (34) "Register of Ministry" shall mean the Register referred to in section 2 of the Registration of Ministries Act (Act II 2017).
  - (35) "Respondent" shall mean a person referred to in section 10 against whom a Disciplinary Complaint has been made or has arisen.
  - (36) "Reviewer" shall mean a person selected from the Judicial Panel and appointed by the Convener or Vice-Convener of the Legal Questions Committee to carry out a Procedural Review.
  - (37) "Victimisation" shall mean subjecting another person to a detriment because that person has brought a Disciplinary Complaint under this Act, given evidence or information in connection with proceedings under this Act, or done any other thing for the purposes of or in connection with this Act, unless that person acted in bad faith in so doing.
2. For the purposes of this Act (a) the singular shall include the plural unless the contrary intention appears; (b) any reference to a "section" or a "Part" shall be to a section or Part of this Act, (c) any reference to "days" in relation to periods of time or time limits shall be to consecutive calendar days, and (d) any reference to an Act of the UK or Scottish Parliament shall include a reference to any subsequent modification, replacement or re-enactment thereof.
3. Meetings of the Assessor and the Adviser or of the Discipline Tribunal may be held by conference telephone call, video conference or the like electronic means and proceedings at any meeting held by such means shall be as valid as if the Assessor and Adviser or the members of such Tribunal and any other parties, recorded as attending such meeting, had all been physically present, in person, at a single geographic location.
4. No Assessor, Adviser or Reviewer shall:
  - (1) take part in any proceedings involving the Presbytery of which they are a member or in which the Kirk Session of which they are a member is situated; or
  - (2) be appointed to the Discipline Tribunal or a Judicial Commission in any single case or series of related cases in which they have acted as Assessor, Adviser or Reviewer, which proceeds against any Respondent in terms of this Act.
5. The rules of civil evidence in Scots Law shall apply to the conduct of any proceedings governed by this Act and the standard of proof required shall be the balance of probabilities. Where the Disciplinary Complaint is the same as, or substantially similar to, any charge brought against the Respondent in criminal law and the Respondent is proved to have been convicted of the offence in criminal law, by or before any court in the United Kingdom, then the Respondent shall be taken to have committed that offence, unless the contrary is proved.
6.
  - (1) The Assessor may sist proceedings under this Act at any time, in whole or in part, in any of the following situations: (i) pending the outcome of any civil or criminal proceedings or relevant investigations which relate to the Complaint, (ii) due to the ill-health of the Respondent or of a material witness which, in the opinion of the Assessor, having taken such professional advice or considered such evidence as they consider appropriate, prevents the Respondent or material witness from taking part in such proceedings; or (iii) for any other reason which the Assessor deems appropriate.
  - (2) Once a sist has been imposed, it shall be presumed to continue until such time as the circumstances leading to its imposition no longer pertain, but the appropriateness of the sist continuing shall be subject to review, upon request by the Respondent, at three-monthly intervals from the date of its imposition. Each such review shall be undertaken and decided upon by the Convener, whom failing the Vice-Convener, of the Legal Questions Committee, who shall have power to lift the sist upon cause shown by the Respondent. In making a decision, the Convener or Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk.

7. The Discipline Tribunal shall be variously constituted as follows:

- (1) In the circumstances of a matter proceeding under Part 8 (*Disciplinary Proceedings*), it shall mean a body of up to five persons, of whom at least one is a Minister or Deacon and one is an Elder, three persons being selected from the Judicial Panel together with a Convener and a Vice-Convenor appointed in terms of section 16 of the Appeals Act (Act I 2014). In this case the quorum of the Tribunal shall be three persons, one of whom must be the Convener, or
- (2) In the circumstances of a matter proceeding under Part 9 (*Accelerated Procedure*) it shall mean a body of up to three persons, comprising one Minister and one Elder selected from the Judicial Panel, together with a Convener appointed in terms of section 16 of the Appeals Act (Act I 2014). In this case the quorum of the Tribunal shall be two persons, one of whom must be the Convener.

The Solicitor of the Church shall normally serve as Secretary to the Discipline Tribunal but may appoint a Depute to act in his or her place in any particular case. The Secretary shall not be a member of the Discipline Tribunal.

8. Where an Assessor becomes unable to continue with consideration of and/or investigation of and/or disciplinary proceedings in respect of a Disciplinary Complaint, then a new Assessor shall be appointed and the consideration and/or investigation and/or disciplinary proceedings shall continue, subject to all time limits which apply being recalculated to start again as if the Referral had been made on the date on which the new Assessor is appointed.
9. When, in the course of proceedings under the Local Church Review Act (Act I 2011) or the Congregations in an Unsatisfactory State Act (Act I 1988), the Presbytery receives a Disciplinary Complaint indicating that a Disciplinary Offence may have been committed by a Respondent, it may proceed in one of the following ways: (i) it may proceed simultaneously in terms of this Act, or (ii) it may resolve to initiate proceedings under this Act following the completion of the existing

proceedings, or (iii) it may resolve to sist the existing proceedings and initiate proceedings under this Act.

## Part 2 THOSE SUBJECT TO DISCIPLINE IN TERMS OF THIS ACT

10. The following shall be subject to discipline in terms of this Act:
- (1) Ministers of Word and Sacrament;
  - (2) Licentiates;
  - (3) Graduate Candidates;
  - (4) Deacons;
  - (5) Readers;
  - (6) Candidates and Probationers in training for the Ministry of Word and Sacrament and Diaconate as referred to in the Selection and Training for Full-Time Ministry Act (Act X 2004);
  - (7) Candidates in training for the Readership as referred to in the Readership Act (Act XVII 1992);
  - (8) Elders;
  - (9) Office-Bearers;
  - (10) Persons holding Certificates of Eligibility issued under the Admission and Re-admission of Ministers Act (Act IX 2002).

## Part 3 JURISDICTION

11. It is declared that any proceedings under this Act are part of the exclusive jurisdiction of the Church and in accordance with the Articles Declaratory of the Constitution of the Church of Scotland in Matters Spiritual, as hereby interpreted by the Church.
12. Where an individual against whom an allegation made in terms of this Act is an employee of any congregation or any Court or Committee of the Church, nothing in this Act shall prejudice the application of civil employment law.
13. For the avoidance of doubt, it is declared that nothing in this Act shall reduce the general power of Presbytery to impose an Administrative Suspension on any individual subject to its jurisdiction in terms of this Act, at any time.



14. (1) Proceedings under this Act shall be initiated by the Presbytery having jurisdiction in terms of this section.
- (2) Ministers of Word and Sacrament and Deacons shall be subject to the jurisdiction of the Presbytery with which they are registered on the Register of Ministry created by the Registration of Ministry Act (Act II 2017).
- (3) Licentiates shall be subject to the jurisdiction of the Presbytery within the bounds of which is the congregation of which they are a member, which failing, the Presbytery of Edinburgh.
- (4) Candidates and Probationers in training for the Ministry of Word and Sacrament and Diaconate shall be subject to the jurisdiction of the Presbytery which is supervising them, in terms of sections 18 and 19 of the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (5) Candidates in training for the Readership shall be subject to the jurisdiction of the Presbytery which appoints the regent referred to in section 2(e) of the Readership Act (Act XVII 1992).
- (6) Graduate Candidates shall be subject to the jurisdiction of the Presbytery which issued their Graduate Candidate's Certificate in terms of section 22 of the Selection and Training for Full-Time Ministry Act (Act X 2004).
- (7) Elders and Office-Bearers shall be subject to the jurisdiction of the Presbytery within the bounds of which is the congregation of which they are a member or in which they serve as an Office-Bearer.
- (8) Readers shall be subject to the jurisdiction of the Presbytery upon the Roll of which they appear.
- (9) Persons holding Certificates of Eligibility issued under the Admission and Re-admission of Ministers Act (Act IX 2002) shall be subject to the jurisdiction of the Presbytery within the bounds of which they normally reside, which failing, the Presbytery of Edinburgh.
15. Should a Disciplinary Complaint come to the notice of a Presbytery other than that having jurisdiction in terms of this Part 3, it shall communicate the same to the

Presbytery having jurisdiction, together with all information pertaining thereto in its possession.

#### Part 4 DISCIPLINARY OFFENCES

16. "Disciplinary Offence" shall mean:
  - (1) conduct which is declared censurable by the Word of God;
  - (2) a breach of an Act, Regulation or Deliverance of the General Assembly;
  - (3) a breach of an established custom of the Church;
  - (4) a breach of an order or instruction of any court of the Church or Committee;
  - (5) a breach of a Respondent's vows of ordination;
  - (6) a refusal to accept, or an attempt to subvert, the authority of any court of the Church or Committee;
  - (7) conduct unbecoming the office held by the Respondent in the Church or likely to reflect adversely on the Church or bring its name into disrepute;
  - (8) conduct which is not in conformity with the law or practice of the Church and which constitutes direct or indirect discrimination in terms of the Equality Act 2010;
  - (9) Harassment or Victimisation as defined in sections 1(20) and 1(36) respectively;
  - (10) dishonest or deceitful behaviour;
  - (11) Bullying;
  - (12) conduct which results in the placing of the name of a Respondent on the Sex Offenders' Register or the Respondent's inclusion on the Children's List and/or the Adults' List kept under section 1(1) of the Protection of Vulnerable Groups (Scotland) Act 2007;
  - (13) failure by an individual to advise the Church's Safeguarding Service of (a) any act, default or omission, or (b) any circumstances arising, bearing upon that individual's suitability to undertake Regulated Work as defined in the

- Protection of Vulnerable Groups (Scotland) Act 2007;
- (14) other than as permitted in terms of this Act, the issuing by any person subject to this Act of any form of statement about, or details concerning, the alleged Disciplinary Offence, or participating in any interview or discussion with the media or publishing any material on social media regarding an alleged Disciplinary Offence, in all cases after the Presbytery receives notice of an alleged Disciplinary Offence and until the conclusion of any Disciplinary Proceedings and any appeals relating thereto; and
  - (15) disobedience of an Instruction issued under section 40.

## Part 5 REFERRAL

- 17. (1) Whenever a Disciplinary Complaint comes to the notice of the Presbytery, it shall be considered by the Presbytery Clerk (or the Alternative Contact), whom failing, any member of Presbytery holding delegated powers from Presbytery to act for the Presbytery in respect of the Complaints Procedure or otherwise holding delegated powers from Presbytery to deal with matters of discipline.
- (2) If, following consideration in terms of section 17(1), it is decided that the Disciplinary Complaint should be considered under this Act, the Presbytery shall appoint an Assessor and shall refer the consideration of such Disciplinary Complaint to such Assessor. Before making a decision that the Disciplinary Complaint should not be considered under this Act, the Presbytery Clerk shall seek the advice of the Principal Clerk.
- (3) Consideration shall also be given at this stage as to whether or not an Administrative Suspension should be imposed on the Respondent in terms of Part 6.
- (4) Where there is a Complainer, the Presbytery Clerk shall send written acknowledgement of the Disciplinary Complaint to the Complainer within seven (7) days of its receipt.
- (5) Once a Referral has been made, the following restrictions shall apply to a Respondent (with the

exception of those Respondents referred to in section 10(9)) until such time as proceedings under this Act are finally disposed of:

- (a) the Respondent shall not be entitled to demit his or her status or to resign from a Church appointment; a Minister of Word and Sacrament or a Deacon shall be permitted to demit his or her charge or to resign from a Church appointment, but if he or she does so, he or she shall remain under the jurisdiction of the Presbytery until proceedings under this Act are finally disposed of; and
  - (b) the Council may not issue an extract of the Respondent's entry in the Register of Ministry if he or she seeks to leave the jurisdiction of the Presbytery.
- (6) The Presbytery Clerk shall write to the Respondent to confirm that a Disciplinary Complaint has been received, advising as to its general nature and confirming that a Referral has been made and in addition, shall confirm the matters referred to in sub-paragraphs (a) and (b) above of subsection (5). The Presbytery Clerk shall, at the same time, send to the Respondent copies of (a) this Act and (b) the Guidance for Respondents prepared in terms of Part 16 and shall notify the Secretary of the Council in writing that the Referral has been made.
  - (7) Notwithstanding subsection (5) above, a Respondent may, provided that no appeal is being taken to the Judicial Commission and provided also that the procedure set out in section 33 of Act VIII 2003 is followed, demit status at any time after the Discipline Tribunal issues a decision on Censure in the Respondent's case.
  - (8) At the same time as appointing the Assessor, the Presbytery shall make suitable arrangements for the provision of pastoral support for (i) the Respondent and his or her family, (ii) any Complainer(s), (iii) any witnesses in respect of the Disciplinary Complaint residing within the bounds of the Presbytery, (iv) the congregation and (v) any Office-Bearers involved in the Disciplinary Complaint. The Presbytery may call upon a

neighbouring Presbytery and/or the Secretary of the Council to assist in the provision of pastoral support. The Presbytery Clerk shall make a written report on the arrangements, so made, to the Assessor, when appointed.

- (9) In the Assessor's report to the Presbytery in terms of section 19(1), the Assessor shall comment on the arrangements for pastoral support made by the Presbytery in terms of section 17(8), providing an assessment as to their adequacy and may raise any inadequacy with Presbytery during the course of his or her consideration of the Referral and may make suggestions as to how such inadequacy could be rectified.

- (10) Except insofar as provided herein, once an Assessor has been appointed, the Presbytery shall have no further part in the proceedings.

18. (1) The Presbytery shall also appoint an Adviser to work with the Assessor on the Disciplinary Complaint. The Adviser shall provide support to the Assessor and may be present at any interview conducted by the Assessor. Before taking any decisions under this Act, the Assessor shall consult with the Adviser.
- (2) The Assessor will consider the Disciplinary Complaint and, if necessary, obtain any additional information, to allow the Assessor to decide whether the Disciplinary Complaint falls into one or more of the following categories:
- (a) it is in a form which cannot sensibly be responded to, or
  - (b) it is otherwise an abuse of process, or
  - (c) it is frivolous or vexatious, or
  - (d) it has no reasonable prospect of providing grounds for disciplinary action in terms of this Act, or
  - (e) it would be more appropriately dealt with by the Presbytery under the Complaints Procedure, or
  - (f) it is suitable to be dealt with in terms of the Alternative Dispute Resolution Processes Act 2014 (Act VI 2014) or otherwise by

mediation, conciliation or facilitated conversation or similar processes, or

- (g) the Presbytery has no jurisdiction to consider the Disciplinary Complaint, or
- (h) it cannot be pursued because a Complainer is not willing to be identified to the Respondent, or is not willing to disclose a document to the Respondent and there is no other evidence supporting the Disciplinary Complaint.

19. (1) Within twenty eight (28) days of the receipt of the Referral by the Assessor, he or she shall decide whether the Disciplinary Complaint satisfies any of the criteria set out in section 18(2). The Assessor shall confirm this in a report sent to the Presbytery, the Complainer (if any) and the Respondent. Where the Assessor decides that the Disciplinary Complaint satisfies any of the criteria set out in section 18(2), he or she shall also state whether the Disciplinary Complaint should be considered by Presbytery in terms of the Complaints Procedure. When the Assessor decides that the Disciplinary Complaint satisfies any of the criteria set out in section 18(2) the Assessor shall, at the same time advise the Presbytery and the Complainer of their right to a Procedural Review.

- (2) For the avoidance of doubt, a decision by the Assessor that the Disciplinary Complaint satisfies any of the criteria set out in section 18(2) shall not be subject to appeal or dissent and complaint or any other form of review, other than a Procedural Review carried out by a Reviewer.

- (3) With respect to a Procedural Review the following will apply:

- (a) A Procedural Review must be requested by the Presbytery or the Complainer within fourteen (14) days of the date upon which the Assessor reported his or her decision to the Presbytery and the Complainer.
- (b) A Procedural Review can be sought only on one or both of the following grounds: (a) that there was an irregularity in the process followed by the Assessor which materially

- influenced his or her decision; and/or, (b) that his or her decision was materially influenced by incorrect material fact.
- (c) Such request shall be made by sending or delivering a written request to the Presbytery Clerk, and such request shall also intimate, in brief, specific, numbered propositions, the grounds in subsection (b) above relied on by the Presbytery or the Complainer.
- (d) In the event that the Reviewer determines that one or both of the foregoing grounds have been established, he or she shall order a new Referral to be made to a different Assessor.
- (e) In the event that the Reviewer determines that neither of the foregoing grounds has been established, the decision of the Assessor shall be deemed to have become final.
- (f) The decision of the Reviewer as regards the Procedural Review shall be final and not subject to appeal, dissent and complaint or any other form of further review.

## Part 6 ADMINISTRATIVE SUSPENSION

- 20. (1) At any time after a Disciplinary Complaint comes to the notice of the Presbytery, the Presbytery, or any Committee or individuals holding delegated powers from Presbytery so to do, shall be entitled, at its or their discretion, to impose an Administrative Suspension on the Respondent. This entitlement shall be without prejudice to the general power of Presbytery described in section 13.
- (2) In the event that the Respondent is a Minister and he or she has been Administratively Suspended, the Presbytery shall appoint an Interim Moderator to the Respondent's charge.
- (3) Without prejudice to section 20(1), where the Respondent is a Candidate or Probationer in terms of section 10(6) or 10(7), the Council may impose an Administrative Suspension on the Respondent in respect of their candidature or

Probationer training, as the case may be, pending a decision in terms of section 20(1) by the Presbytery or any Committee or individuals holding delegated powers from Presbytery, as the case may be. The Secretary of the Council shall advise the relevant Presbytery of any Administrative Suspension so imposed.

- (4) If the Respondent falls within section 10(1), (2), (3), (4), (5), (6), (7) or (10) then the Presbytery shall advise the Secretary to the Council of the fact that an Administrative Suspension has been imposed.
- (5) Once an Administrative Suspension has been imposed, it shall be presumed to continue until such time as the circumstances leading to its imposition no longer pertain; but the Administrative Suspension shall be subject to review, upon request by the Respondent or the Assessor, at three-monthly intervals from the date of its imposition. Each such review shall be undertaken and decided upon by the Convener, whom failing the Vice-Convener, of the Legal Questions Committee, who shall have power to lift the Administrative Suspension upon cause shown by the Respondent or the Assessor. In making a decision, the Convener or Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk.

## Part 7 INVESTIGATORY PROCEEDINGS

- 21. (1) If the Assessor, following consideration in terms of section 19(1) decides to commence Investigatory Proceedings, he or she shall:
  - (a) intimate in writing to the Respondent the terms of the Disciplinary Complaint and the nature of the evidence purported to exist in support of it;
  - (b) invite the Respondent to provide a written answer to the Disciplinary Complaint to the Assessor within fourteen (14) days of the Respondent's receipt of such intimation, always provided that the Respondent shall not be obliged to answer; and

- (c) give notice to the Presbytery of the commencement of Investigatory Proceedings.
22. (1) Within fourteen (14) days of the Assessor's receipt of the Respondent's written answer to the Disciplinary Complaint (or if no such written answer is received, within twenty eight (28) days of the likely receipt by the Respondent of the Assessor's invitation in terms of section 21(1)(b)), the Assessor must decide which one of the following courses of action to take:
- (a) to determine that the Respondent has no case to answer in terms of this Act;
- (b) to offer the Respondent, with the consent and concurrence in writing, of a Convener (or Vice-Convener) of the Discipline Tribunal an opportunity to consent to a Censure, available for acceptance for a period of twenty eight (28) days, in order to conclude the Investigatory Proceedings, the Respondent having received legal advice; or
- (c) to continue to investigate the Disciplinary Complaint.
- (2) In the case of a decision by the Assessor in terms of section 22(1)(a), such decision shall not be subject to appeal or dissent and complaint or any other form of review, other than a Procedural Review carried out by a Reviewer on the same basis as set out in section 19(3). The Assessor shall confirm any decision in terms of section 22(1)(a) in a report sent to the Presbytery, the Complainer (if any) and the Respondent, which report shall include a statement of the reasons for his or her decision. In intimating his or her decision and the reasons, the Assessor shall advise the Presbytery and the Complainer (if any) of their right to a Procedural Review.
23. An offer of a Censure with consent, in terms of section 22(1)(b) shall be open for acceptance by the Respondent within a period of twenty eight (28) days from the date of issue and if not so accepted shall be deemed to be refused. If such an offer is accepted, the Censure with consent shall be recorded as is appropriate, depending on the person and on the type of Censure with consent, according to the general scheme specified in Part 10 and
- in each case, the recording of the Censure with consent shall conclude the Investigatory Proceedings, subject only to further procedure under Part 13.
24. (1) In the event that the Assessor decides to continue to investigate the Disciplinary Complaint in terms of section 22(1)(c), the Assessor shall carry out such investigations as he or she, in his or her sole discretion, deems necessary to determine whether a Disciplinary Offence may have been committed. Subject to subsection (2), such investigations shall be concluded within twenty eight (28) days of the date on which the Assessor's decision, in terms of section 22, is made.
- (2) The Convener, whom failing the Vice-Convener, of the Legal Questions Committee shall have power, on cause shown by the Assessor or the Respondent, to grant a further period or periods for completion of the investigation. Reasons for the Convener's or Vice-Convener's decision shall be given. In making a decision, the Convener or Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk. No second or subsequent extension shall be granted without the Respondent being given the opportunity to make representations as to whether or not the extension should be granted.
- (3) In all cases under this Act, the Assessor shall keep a record of the Investigatory Proceedings. The record shall comprise all evidence obtained by the Assessor including witness statements. Any of the interviews conducted by the Assessor may be digitally recorded at the option of the Assessor.
25. If, in the course of the Investigatory Proceedings, an Assessor becomes aware of further allegations against the Respondent, which may constitute a Disciplinary Offence, then the Assessor shall proceed to consider and, if appropriate, investigate such allegations in terms of this Part.
26. At the conclusion of the Assessor's investigation and before deciding whether to initiate Disciplinary Proceedings under Part 8, the Assessor shall again make known to the Respondent the substance of the Disciplinary Complaint being considered by the

Assessor and the nature of the evidence existing in support of it and shall offer the Respondent the opportunity to make any answer thereto, in person or in writing; provided that he or she shall not be obliged to answer.

27. (1) Upon consideration of the Disciplinary Complaint and evidence submitted and of any answers given, the Assessor shall be entitled to resolve that no further investigation shall be carried out and that no Disciplinary Proceedings should be instituted if there is no *prima facie* case to answer. In that event, the Assessor shall confirm this in a report sent to the Presbytery, the Complainer (if any) and the Respondent, which report shall include a statement of the reasons for his or her decision. In intimating his or her decision, the Assessor shall advise the Presbytery and the Complainer (if any) of their right to a Procedural Review.
- (2) At such time, the Assessor may also issue guidance to the Respondent regarding his or her conduct. Such guidance will be kept in the Record referred to in section 24(3).
- (3) For the avoidance of doubt, a decision not to initiate Disciplinary Proceedings against the Respondent, in relation to the whole or any part of a Complaint, shall not be subject to appeal or dissent and complaint or any other form of review other than a Procedural Review carried out by a Reviewer in terms of section 19(3).
- (4) In the circumstances where either (i) no Procedural Review is requested within the time frame applicable and that time frame has expired, or (ii) a Procedural Review takes place and the decision of the Assessor is upheld, then Presbytery shall thereafter recall any Administrative Suspension imposed in terms of sections 13 or 20.

## Part 8 DISCIPLINARY PROCEEDINGS

28. (1) In the event that the Assessor decides to initiate Disciplinary Proceedings, he or she shall prepare (a) a Notice of Complaint setting forth the alleged Disciplinary Offence or Disciplinary Offences (hereinafter referred to as "Charge" or "Charges") in respect of which it is proposed that

Disciplinary Proceedings should be commenced, and (b) a summary of the evidence, whether from witnesses, documents or otherwise, that is considered to support the Charge or Charges made.

- (2) The Notice of Complaint will run in the name of the Presbytery and will be in such form that, in respect of each Disciplinary Offence, there is set out the date(s), time(s) and place(s) of the Disciplinary Offence(s) and the facts necessary to constitute the Disciplinary Offence(s).
- (3) The Assessor shall also intimate to Presbytery his or her decision to initiate Disciplinary Proceedings.
29. (1) The Assessor shall initiate Disciplinary Proceedings by lodging with the Solicitor of the Church:
  - (a) the Notice of Complaint;
  - (b) a list of the names and addresses of the witnesses to be adduced by the Assessor;
  - (c) a list of the productions to be put in evidence by the Assessor;
  - (d) the summary of the evidence referred to in section 28(1)(b); and
  - (e) a request to appoint a first diet and to grant a warrant to the Assessor for service of the Notice of Complaint and to cite the Respondent to attend the first diet.
- (2) The Solicitor of the Church shall notify the Convener and Vice-Convener of the Legal Questions Committee and arrange for the selection of a Discipline Tribunal and shall, thereafter, in the name of the Tribunal:
  - (a) fix a date for the first diet, being a date not earlier than fourteen days after the expiry of the period specified for intimation and service; and
  - (b) serve the Notice of Complaint on and intimate the first diet and a list of the names of those selected to serve on the Discipline Tribunal to, the Respondent



within such period as he or she shall appoint.

- (3) The Solicitor of the Church shall, within the period fixed for intimation and service, intimate to the Respondent the date fixed for the first diet and shall serve upon him or her by both first class and "signed for" post or personally by means of a Sheriff Officer:
  - (a) the Notice of Complaint and lists of witnesses and productions; and
  - (b) a summary of the evidence specified in section 28(1)(b).

In intimating the date of the first diet, the Solicitor of the Church shall draw to the attention of the Respondent the provisions of section 32 as to failure to appear.

- (4) In the event that service of the Notice of Complaint has not been timeously or regularly effected, the Solicitor shall as aforesaid:
  - (a) re-serve the Notice of Complaint as above; and
  - (b) fix a fresh date for the first diet, being a date not earlier than fourteen days after the expiry of the period specified for the fresh intimation and service.

30. (1) The first diet will be held before the Discipline Tribunal.
- (2) At the first diet the Respondent may challenge:
  - (a) the competency or relevancy of the Notice of Complaint; or
  - (b) the constitution of the Discipline Tribunal: provided that, in respect of any challenge to the competency or relevancy of the Notice of Complaint, intimation of the ground of such challenge must be given to the Assessor and the Secretary to the Discipline Tribunal not later than twenty four (24) hours before the diet is due to be held, and any challenge to constitution shall be disposed of immediately, unless the Discipline Tribunal consider that the matter cannot be decided without proof.

- (3) At the first diet the Discipline Tribunal may:
  - (a) adjourn the first diet for any reason;
  - (b) allow the Notice of Complaint to be amended by deletion, alteration or addition, so as to cure any error or defect in it or meet any objection to it, on such conditions as they think fit;
  - (c) sustain or repel any challenge to the competency or relevancy of the Notice of Complaint in whole or in part;
  - (d) defer consideration of such challenge until after proof,
  - (e) deal with any practical and/or procedural matters related to the Notice of Complaint which can usefully and expeditiously be dealt with at the first diet. The Discipline Tribunal shall have the power to make any order or determination which is just and reasonable, which order or determination shall be final.
- (4) After disposal or deferment of any challenge referred to in subsection (2) above, the Respondent shall be required to state whether he or she admits or denies each of the Charges, if any, which remain on the Notice of Complaint.
- (5) Where the Respondent admits all the individual Charges brought, the Discipline Tribunal shall, after hearing and considering any statement by the Assessor and any statement by or on behalf of the Respondent in mitigation, pass such Censure upon the Respondent as appears to it appropriate or discharge the Respondent and shall record its decision in a document signed by the Convener. The provisions of section 37(1) shall apply.
- (6) Where the Respondent denies some, or all, of the Charges brought, the Discipline Tribunal will appoint a date for the proof of those charges which are denied and defer consideration of the question of Censure in respect of any Charges which are admitted, until close of the proof; provided that the Assessor may:



- (a) accept any denial of any individual Charge; or
  - (b) accept an admission of an individual Charge in part;
- in which case the proof will be confined to those Charges which are denied and which denial is not accepted by the Assessor.
- (7) The date appointed for proof shall be not less than twenty eight (28) days nor more than fifty six (56) days after the first diet or any adjournment thereof, but the Discipline Tribunal shall have power, upon cause shown by either party, to fix a date outwith that period, or to adjourn the proof diet.
  - (8) Where the Discipline Tribunal has appointed a date for proof, it may make an Order requiring the Respondent to intimate to the Secretary to the Discipline Tribunal and to the Assessor, within such period as they shall specify, a list of the names and addresses of the witnesses to be adduced and a list with copies of the productions to be put in evidence by him or her.
  - (9) Where (a) the Respondent has intimated in writing to the Assessor and to the Secretary to the Discipline Tribunal (i) that there is no challenge in terms of section 30(2) and (ii) that the Charge or Charges on the Notice of Complaint are all denied, and (b) both the Assessor and the Respondent intimate in writing to the Secretary to the Discipline Tribunal that there are no other matters which they wish to raise at the First Diet, it shall not be necessary to hold a First Diet and instead the Convener, Vice-Convener and Secretary of the Discipline Tribunal shall appoint a date for the proof of the Charge or Charges and make any Order in terms of section 30(8).
- 31. The first diet and proof shall take place in public except (a) where either the Assessor or the Respondent request that and show cause why, the hearing, or part thereof, should be held in private; or (b) where the hearing of evidence from any person, or narration of facts thereof, in the opinion of the Discipline Tribunal, is likely to prejudice morals or public order, to affect adversely the interests of justice or the private life of the parties or in any other special circumstances where publicity would prejudice the interests of justice, provided that, in any event, the Discipline Tribunal shall restrict publicity only to the extent which it deems to be strictly necessary.
  - 32. If a party fails to attend or be represented at the time and place fixed for the proof, without cause shown, the Discipline Tribunal may (a) adjourn the proof to a later date; (b) if that party is the Assessor, dismiss the Notice of Complaint; or (c) if that party is the Respondent, proceed to hear the proof in his or her absence, to reach a decision thereon and if appropriate, to pass Censure.
  - 33. (1) Witnesses shall be required by the Convener to take the oath or to affirm prior to giving evidence.
  - (2) The proceedings at the proof shall be digitally recorded.
  - (3) If produced by either party, the notices issued by the Assessor in terms of section 21(1)(a) and/or section 23 and any answers thereto by the Respondent, shall be admissible in evidence.
  - (4) In subsection (2) "the proceedings at the proof" shall, unless the Discipline Tribunal directs otherwise, mean the whole proceedings to the close of the proof, including, without prejudice to that generality: (a) discussions on all matters arising in the course of the proof and the decision of the Discipline Tribunal on any such matter, (b) the evidence led at the proof, and (c) the speeches of the parties or their solicitors on their behalf.
  - 34. Each party shall be entitled to give evidence, to call witnesses, to question any witness and to address the Discipline Tribunal, provided that the Respondent shall have the right to speak last.
  - 35. Subject to sections 33 and 34, the conduct of the proof shall be in such manner as the Discipline Tribunal considers most appropriate for the determination of the issues before it and to the just handling of the proceedings.
  - 36. (1) No proof shall fail, or the ends of justice be allowed to be defeated, by reason only of any discrepancy between the Notice of Complaint and the evidence.

- (2) It shall be competent, at any time prior to the decision of the Discipline Tribunal, unless the Discipline Tribunal see just cause to the contrary, to amend the Notice of Complaint by deletion, alteration or addition, so as to:

- (a) cure any error or defect in it;
- (b) meet any objection to it; or
- (c) cure any discrepancy or variance between the Notice of Complaint and the evidence,

provided that no amendment to the Notice of Complaint may change the character of the Charge or Charges .

- (3) If it appears to the Discipline Tribunal that the Respondent may, in any way, be prejudiced in his or her defence on the merits of the Charges by any amendment made under this section, the Discipline Tribunal shall grant such remedy to the Respondent by adjournment, or otherwise, as appears to the Discipline Tribunal to be just.

37. (1) At the close of the proof, the Discipline Tribunal shall give its decision on whether and if so to what extent, each Charge on the Notice of Complaint has been established and the decision shall be recorded in a document signed by the Convener, provided that the Discipline Tribunal may take time to consider its decision and adjourn the diet of proof to a later date for that purpose.
- (2) Upon giving its decision and, in the event of any Charge being found to be established or admitted (including, without prejudice to that generality, those Charges admitted and deferred in terms of section 30(6)), after hearing and considering any statement by the Assessor and the Respondent in mitigation, the Discipline Tribunal shall pass such Censure, if any, upon the Respondent as appears to it appropriate according to the circumstances of each charge. In determining the appropriate Censure, no account shall be taken of any prior period of Administrative Suspension.
- (3) After giving its decision in terms of subsection (1), the Discipline Tribunal shall set forth in a document (a) those findings in fact which it has made and (b) the Censure, if any, which it has

imposed, giving reasons for both elements of its decision. The Discipline Tribunal shall also record the majority by which its decision in respect of (i) each Charge, and (ii) Censure, or absolute discharge, was reached.

- (4) The Secretary of the Discipline Tribunal shall send the documents, referred to in sections 37(1) and 37(3), to each of the parties, the Session Clerk(s) of the congregation(s) concerned, the Presbytery Clerk and the Principal Clerk of the General Assembly and shall make them available for public inspection.

## Part 9 ACCELERATED PROCEDURE WHERE THE RESPONDENT DESIRES TO ADMIT ALLEGATIONS

38. (1) If, at any stage of proceedings prior to the service of a Notice of Complaint, the Respondent indicates that he or she wishes to admit all, or any, of the allegations made against him or her, he or she shall be entitled so to intimate to the Assessor. Said admission must be in writing and signed by the Respondent. It should include a statement by the Respondent that he or she has received legal advice on the matter. The admission shall not be accepted by the Assessor in the absence of a statement that legal advice has been received. In the event that the Assessor is willing to accept the said admission, either immediately or after making such other enquiries or investigations he or she considers appropriate, the Assessor shall, as soon as practicable, proceed to adjust and agree a Joint Minute with the Respondent, or his or her solicitor. The said Joint Minute, which shall be signed by or on behalf of both parties, shall set out:

- (a) the Disciplinary Offence or Disciplinary Offences which are admitted ;
- (b) an agreed summary of the material facts; and
- (c) such other information as it is agreed should be before the Discipline Tribunal to assist it in reaching an appropriate disposal of the case.

In the event that the Assessor is either unwilling to accept the said admission or, following upon discussions with the Respondent or his or her solicitor, he or she concludes that it will not be possible to agree the terms of the Joint Minute, he or she shall be entitled to resume their investigations, and if appropriate, proceed to prosecute the case in accordance with the other provisions of this Act.

- (2) The Assessor shall, after signature thereof, transmit the Joint Minute to the Solicitor of the Church, who shall proceed to notify the Convener and Vice-Convener of the Legal Questions Committee and arrange for the selection of a Discipline Tribunal. The Solicitor shall thereafter, in name of the Tribunal, fix a date for a diet before the Tribunal, being a date not earlier than fourteen (14) days after the date of intimation thereof. The Solicitor shall intimate the said date to the Assessor and the Respondent and his or her solicitor.
- (3) At the said diet, the Discipline Tribunal shall, after hearing and considering any statement by the Assessor and any statement by the Respondent in mitigation, pass such Censure upon the Respondent as appears to it appropriate or discharge the Respondent and shall record its decision, with brief reasons therefor, in a document signed by the Convener. The Tribunal shall be entitled *inter alia* to take into account the fact that an early plea was made and mitigate any Censure as it sees fit. In determining the appropriate Censure, no account shall be taken of any prior period of Administrative Suspension.
- (4) In the event that the Respondent at the diet withdraws or modifies, to any extent, the admission previously made to all, or any, of the Disciplinary Offences, unless this is accepted by both the Assessor and the Tribunal, the diet shall be adjourned and thereafter the case shall proceed, as directed by the Tribunal, in accordance with the other provisions of this Act.

## Part 10 CENSURES

39. The Discipline Tribunal shall dispose of all discipline cases as seems appropriate to it. In reaching a decision as to a suitable Censure, it shall not take into account any prior period of Administrative Suspension. It shall, however, take into account any previous Censures imposed on the Respondent by the Discipline Tribunal or any matter, which it considers relevant, in any personal file for the Respondent, held by the Council, which shall be made available to it by the Secretary of the Council.
40. The Censures available to the Tribunal, in respect of any Respondent, shall comprise the following or any combination thereof:
  - (1) **Ministers of Word and Sacrament and Deacons**
    - (i) **Reprimand**, which shall be an expression of disapproval of particular behaviour with counsel regarding future conduct. Such reprimand shall be reported by the Tribunal to:
      - (a) the Presbytery and recorded by it in a record apart, and
      - (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.
    - (ii) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:
      - (a) the Presbytery and recorded by it in a record apart; and
      - (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.
  - (iii) **Suspension** from the status and functions of ministry either (a) for a fixed period of up to three years<sup>[1]</sup>, or (b) without limit of time, but subject to a minimum period of suspension. In all cases, Disobedience of an Instruction shall constitute a Disciplinary Offence.

suspension will result in the re-categorisation of the Respondent to Category S in the Register of Ministry and suspension may only be lifted in accordance with section 28 of the Registration of Ministries Act (Act II 2017) upon application by the Respondent. In the event of an individual, who is suspended, having his or her pastoral tie severed, in no circumstances shall he or she be eligible to be re-appointed to the same charge.

- (iv) **Removal** of the status and functions of ministry. In accordance with section 34 of the Registration of Ministries Act (Act II 2017), the Respondent's name shall immediately be removed from the Register of Ministry and recorded in List D. In all cases, restoration of status can only be sought through application in accordance with the Admission and Readmission of Ministers Act (Act IX 2002). No such application may be lodged until a period of at least four years has elapsed since the date of removal of the Respondent's status and functions.

(2) **Graduate Candidates**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from status for a specified minimum period of up to three years, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent following the expiry of such period. The Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** of status, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed since the date of removal of such status. The Council shall take into account the length of removal and may insist on such discernment, assessment and training processes and placements as it sees fit.

(3) **Licentiates**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence

- (ii) **Suspension** from the Roll of Licentiates for a specified minimum period of up to three years, subject to restoration by the Council, in consultation with the Presbytery, upon petition by the Respondent following the expiry of such period. The Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** from the Roll of Licentiates, subject to restoration by the Council, in consultation with the Presbytery, upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed since the date of removal from the Roll. The Council shall take into account the length of removal and may insist on such discernment, assessment and training processes and placements as it sees fit.

(4) **Candidates and Probationers**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the

Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from status for a specified minimum period of up to three years, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent following the expiry of such period. The Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** of status, subject to restoration by the Council in consultation with the Presbytery, upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed since the date of removal of such status. The Council shall take into account the length of removal and may insist on such discernment, assessment and training processes and placements as it sees fit.

(5) **Readers**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from the status and duties of the Readership for a specified minimum period of up to three years, subject to restoration by the Presbytery (but only with the agreement of the Council) upon petition by the Respondent following the expiry of such period. In considering whether the suspension shall be lifted, the Council shall take into account the length of suspension served and may insist on such discernment, assessment and training processes and placements as it sees fit.

- (iii) **Removal** of the status and duties of the Readership, subject to restoration by the Presbytery (but only with the agreement of the Council) upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed from the date of removal of status and duties. In considering whether the petitioner should be restored to such status and duties, the Council shall take into account the length of suspension served and may insist upon such discernment, assessment and training processes and placements as it sees fit.

(6) **Elders and other Office Bearers**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Kirk Session and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Suspension** from membership of a Kirk Session and from holding any other office within a congregation for a specified minimum period of up to three years, subject to restoration by the Presbytery, with the agreement of the Kirk Session, upon petition by the Respondent following the expiry of such period.

Such suspension shall be reported by the Tribunal to:

- (a) the Kirk Session and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

An Elder, having been restored by Presbytery following suspension and being invited to become a member of another Kirk Session (i.e. not the one from which he/she was suspended), shall inform both the Session Clerk and the Presbytery Clerk of the circumstances of his/her suspension and may only be so admitted if the Kirk Session in question then agrees to proceed.

- (iii) **Removal** from the status and office of Elder, subject to restoration by the Presbytery with the agreement of the Kirk Session upon petition by the Respondent. No such petition may be lodged until a period of at least four years has elapsed from the date of removal of status and office.

Such removal shall be reported by the Tribunal to:

- (a) the Kirk Session, and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

A person, having had the status of Elder restored following removal and being invited to become a member of another Kirk Session (i.e. not the one from which he/she was removed) shall inform both the Session Clerk and the Presbytery Clerk of the circumstances of his/her suspension. They shall not accept such an invitation until a period of at least four years has elapsed since their removal from such status.

- (iv) In the case of Office Bearers who are not Elders, **Removal** from a particular office held.

Such removal shall be reported by the Tribunal to:

- (a) the Kirk Session and recorded by it in a record apart; and
- (b) the Presbytery and recorded by it in a record apart.

An Office Bearer who is not an Elder and who is subsequently invited to take office in another congregation, shall inform both the Session Clerk

and the Presbytery Clerk of the circumstances of his/her removal and may only be appointed to that office if the Kirk Session in question then agrees to it.

#### (7) **Persons holding Certificates of Eligibility**

- (i) **Instruction** regarding training, counselling, mentoring or such other course of action as the Discipline Tribunal shall consider appropriate. Such instruction shall be reported by the Tribunal to:

- (a) the Presbytery and recorded by it in a record apart; and
- (b) the Secretary of the Council and recorded by him or her in a personal file for the Respondent.

Disobedience of an Instruction shall constitute a Disciplinary Offence.

- (ii) **Removal** of the Certificate of Eligibility, subject to grant of a new Certificate of Eligibility in terms of the Admission and Readmission of Ministers Act (Act IX 2002). Such removal shall be reported by the Tribunal to the Secretary of the Council. No application for a new Certificate of Eligibility may be lodged until a period of at least four years has elapsed from the date of removal of the previous Certificate of Eligibility.

### **Part 11 DISCIPLINE TRIBUNAL: ADDITIONAL POWERS AND RULES OF PROCEDURE**

- 41. Where, in the view of the Discipline Tribunal, it is necessary to do so in the interests of justice, the Tribunal shall have power to order either party to produce, within such period as the Tribunal shall consider reasonable, any document or other article in that party's possession and any such document or other article shall be a Production in the proceedings and may be founded upon. Such a power shall be exercisable at any time up to the conclusion of the Proof.
- 42. The Discipline Tribunal may relieve a party from the consequences of a failure to comply with a provision of this Act shown to be due to mistake, oversight or other excusable cause, on such conditions as the Tribunal thinks fit.



43. The Discipline Tribunal shall have power to make regulations concerning the practice and procedure to be followed in any proceedings brought before the Discipline Tribunal, in terms of this Act, provided that such regulations shall be laid before and be subject to alteration, revocation, amendment or modification by the General Assembly.
44. No member of the Discipline Tribunal shall participate in any proceedings brought by a Presbytery of which he or she is a member or within the bounds of which there is a congregation of which he or she is a communicant member. This section shall not apply to the Solicitor of the Church.
45. Any decision of the Discipline Tribunal may be taken by a majority of its members.

## **Part 12 APPEALS**

46. (1) If either the Assessor or the Respondent is dissatisfied with any decision of the Discipline Tribunal, they may appeal to the Judicial Commission in terms of the Appeals Act (Act I 2014). 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 (Act I 2014).
  - (2) In the case of any appeal against the severity of Censure, taken by any party, it shall be open to the Judicial Commission to vary the Censure in the direction of greater severity or greater leniency. In varying any Censure, no account shall be taken by the Judicial Commission of any prior period of Administrative Suspension.
- (1) In the event that the decision has not involved Judicial Suspension or removal from office, it shall (a) lift any Administrative Suspension upon the individual concerned; (b) relieve the Interim Moderator of duty; and (c) undertake such steps in relation to other individuals and superintendence of its members and congregations as it finds necessary.
  - (2) In the event that the decision has involved a period of Judicial Suspension of less than six months, the Presbytery shall, at its meeting, confirm the appointment of an Interim Moderator or make a new appointment and shall undertake such steps against other individuals and superintendence of its members and congregations as it finds necessary.
  - (3) In the event that the decision has involved a period of Judicial Suspension of six months or more, or the removal of status of the Respondent, then: (i) the pastoral tie shall be severed; (ii) any parish of which the Respondent was minister shall be deemed to have become vacant on the date on which the written decision of the Discipline Tribunal was issued and (iii) any other ordained appointment which the Respondent held shall terminate on that date. The Presbytery shall, at its meeting, confirm the foregoing matters and it shall also confirm the appointment of an Interim Moderator or make a new appointment and shall undertake such steps against other individuals and superintendence of its members and congregations as it finds necessary.

## **Part 13 IMPLEMENTATION OF DECISION/CENSURE AT PRESBYTERY**

47. The Presbytery shall meet within not less than twenty-one (21) and not more than thirty-five (35) days after receiving intimation of the written decision of the Discipline Tribunal and shall implement the decision of the Discipline Tribunal. The Presbytery shall similarly meet to take appropriate steps after a Respondent accepts a Censure with consent. If the Respondent is a parish minister:

In the event of an appeal being taken to the Judicial Commission against the decision of the Discipline Tribunal, (a) a Respondent, who is a parish minister, shall be entitled to remain in occupation of the manse pending the outcome of the appeal, and (b) the Presbytery shall meet again not less than twenty-one (21) and not more than thirty-five (35) days after receiving intimation of the written decision of the Judicial Commission and shall implement the decision of the Judicial Commission. The foregoing sections of this section 47 shall then apply *mutatis mutandis*. Where the decision of the Judicial Commission involves



a change to a Censure imposed on a Respondent, who is a parish minister, (a) the Presbytery shall implement the foregoing sections of this section 47 so far as practicable and may seek the advice of the Principal Clerk as to dealing with any practical consequences of the Judicial Commission's decision, and (b) where that change is from a Judicial Suspension of six months or more or a removal of status to a Judicial Suspension of less than six months such that the pastoral tie would not have been severed, then the Respondent shall be entitled to be compensated for stipend which should have been paid to him or her for the period from the date of the Discipline Tribunal's decision until the earlier of (a) six months after the date of the Judicial Commission's decision and (b) the date upon which the Respondent takes up remunerated employment or office.

#### **Part 14 REPRESENTATION**

48. The Assessor and the Respondent may be represented by a solicitor at any stage of the Investigatory Proceedings, Disciplinary Proceedings or appeal.

#### **Part 15 EXPENSES**

49. A Respondent shall be entitled to apply for financial assistance towards the costs of legal representation (a) where a Censure with consent is being accepted, and (b) in the conduct of Disciplinary Proceedings under Part 8 and any appeal following thereon, in terms of the Legal Aid in Disciplinary Proceedings Regulations (Regulations X 2018).

#### **Part 16 GUIDANCE ON THE IMPLEMENTATION AND OPERATION OF THIS ACT**

50. The Legal Questions Committee shall issue Guidance on the implementation and operation of this Act, which shall be reviewed by it, from time to time.

#### **Part 17 ADMINISTRATIVE SUPPORT FOR ASSESSORS**

51. In cases where administrative assistance is provided to an Assessor, any cost incurred will normally require to be met by the Presbytery in question, although in cases where a Presbytery does not hold sufficient funds, application may be made via the Principal Clerk to the Legal Aid Fund.

#### **Part 18 COMMENCEMENT DATE AND SAVING PROVISIONS**

52. This Act shall come into force on *[date the Overture is passed at the General Assembly of 2019]*. Where a Special Committee of Presbytery was appointed under Act III 2001, Act IV 2007, Act V 2007 or Act I 2010 prior to *[relevant date]* and has served a Notice of Complaint upon a Respondent before *[relevant date]*, such a matter shall continue until final disposal (including any appeal) in accordance with the law in force immediately before *[relevant date]*. Otherwise all disciplinary matters, whether new or ongoing, shall from *[relevant date]* be dealt with under the provisions of this Act. Any disputes as to what that shall mean in practice for any particular matter shall be resolved by the Convener and Vice-Convener of the Legal Questions Committee, upon application by any of the Special Committee, an Assessor or the Respondent, as the case may be, and the decision of the Convener and Vice-Convener shall be final and binding. In making such decision, the Convener and Vice-Convener of the Legal Questions Committee shall first consult with the Solicitor of the Church and the Principal Clerk.

#### **Part 19 CONSEQUENTIAL AMENDMENTS**

53. *This table of proposed amendments to other legislation has been inserted to give a general guide at this stage. A more sophisticated set of amendments will be drafted for the final Act.*

**Overture under the Barrier Act.....**

<b>NAME OF ACT</b>	<b>NUMBER &amp; YEAR</b>	<b>SECTIONS</b>	<b>PROPOSED CHANGES</b>
Congregations in Unsatisfactory State	Act I 1988	17	Replace reference to Act III 2001 with reference to the new Discipline Act.
Church Courts	Act III 2000	37(1)	Replace reference to Act I 2010 with reference to the new Discipline Act.
Discipline of Ministry	Act III 2001		This Act would be repealed.
Co-operation between Presbyteries	Act VI 2002	2	Replace references to Act III 2001, Acts IV & V 2007 and Act I 2010 with reference to the new Discipline Act.
Admission and Re-admission of Ministers	Act IX 2002	4(2)	Replace reference to Act III 2001 with reference to the new Discipline Act.
Vacancy Procedure	Act VIII 2003	3(b) and 18(8)	Replace reference to Act III 2001 with reference to the new Discipline Act.
Kirk Session Meetings	Act VI 2004	1(a)	No change required.
Protection against Bullying	Act IV 2007		This Act would be repealed.
Protection against Discrimination	Act V 2007		This Act would be repealed.
Discipline of Elders, Readers and Office Bearers	Act I 2010		This Act would be repealed.
Deacons Act	Act VIII 2010	7	No change required.
PVG	Act VII 2011	4, 5 & 9	Replace reference to Act III 2001 with reference to the new Discipline Act.
Appeals Act	Act I 2014	4(3)	Replace references to Act III 2001, Act IV 2007, Act V 2007 and Act I 2010 with references to the new Discipline Act.
		Schedule 2 para 16.1	Replace reference to Act III 2001 with reference to the new Discipline Act and the new Legal Aid in Disciplinary Proceedings Regulations.
Registration of Ministries Act	Act II 2017		This Act would need to be conformed to the new Discipline Act.

## Reference

- [1] This to tie in with the Registration of Ministries Act and the way it deals with those who are out of parish ministry for over three years and who would at that point lose their category “O” registration



## **- C - Regulations of the General Assembly 2018**

### **I LEGAL AID IN DISCIPLINARY PROCEEDINGS REGULATIONS (REGS I 2018)**

*Edinburgh, 19 May 2018, Session 3*

#### **Definitions**

1. In these Regulations, the following definitions apply:

- (1) "Applicant" shall mean a person who is subject to discipline in terms of the Discipline of Ministry Act (Act III 2001) ("the Act"), against whom disciplinary proceedings have been initiated in terms of Part 4 of the Act and who is an applicant for legal aid;
- (2) "Assisted Person" shall mean a person in respect of whom a Certificate is in force and, with reference to Rule 9 of Part One of the Schedule, and in respect of costs incurred before notice of the discharge or revocation of a Certificate is received by his or her solicitor, includes the person in respect of whom that Certificate was issued;
- (3) "Certificate" shall mean a certificate issued by the Sub Committee in terms of Regulation 6 below;
- (4) "Committee" shall mean the General Assembly's Legal Questions Committee;
- (5) "costs" shall mean the legal fees charged and outlays incurred (including any fees and expenses reasonably and necessarily incurred in relation to potential or actual witnesses) by the solicitor referred to in Rule 3(2) or 8(5);
- (6) "Counsel" includes a solicitor advocate;
- (7) "Fund" shall mean the Legal Aid Fund maintained by the Committee in accordance with Regulation 2 below;
- (8) "legal aid" shall mean representation by the said solicitor and, where appropriate, by counsel or by a solicitor or counsel referred to in Rule 19(b) in any proceedings mentioned at subsection (1)

above, on the terms provided for in these Regulations, and includes all such assistance as is usually given by a solicitor or by counsel in the steps incidental to such proceedings;

- (9) "Minister" shall have the meaning ascribed to it in the Registration of Ministries Act (Act II 2017);
  - (10) "partner" means someone with whom an Applicant or Assisted Person lives as a couple, whether or not they are married and whether of the same or different sex;
  - (11) "Schedule" shall mean the schedule in three parts attached to these Regulations;
  - (12) "Secretary" shall mean the Secretary to the Sub Committee;
  - (13) "Sub Committee" shall mean a Legal Aid Sub Committee consisting of the Convener, Vice-Convener and one other member of the Committee. At least one member of the Sub Committee shall require to be legally qualified. The Depute Solicitor of the Church shall normally act as Secretary to the Sub Committee but shall not be a member thereof.
2. The Committee shall maintain the Fund, which shall be administered on behalf of the Committee by the Sub Committee. Subject to and in accordance with the provisions of these Regulations, including the Rules of Procedure set out in Part One of the Schedule and any supplementary rules made by the Committee in terms of Regulation 11, the Sub Committee may make such payments of costs out of the Fund as it may authorise by Certificate.
  3. An Applicant shall be entitled to apply to the Sub Committee for legal aid in respect of legal costs incurred by him or her in relation to disciplinary proceedings initiated in terms of Part 4 of the Act and any appeal following thereon. Any award shall be restricted to the cost of work undertaken after the initiation of such disciplinary proceedings in terms of Part 4 of the Act.

4. Before deciding whether to grant any legal aid and, if so, to what extent, the Sub Committee shall have regard to all the circumstances of the case including:-
  - (a) the nature of any right or interest of the Applicant which is at stake in the proceedings and whether such right or interest is of the nature of a civil right; and
  - (b) if so, whether, in the whole circumstances of the case, legal representation is necessary to enable the Applicant to receive a fair hearing; and
  - (c) having regard to financial resources available to the Applicant (including, as appropriate, the financial resources of the Applicant's partner and whether help is available or likely to become available from another source such as a trade union or insurance company), whether the Applicant could, without financial hardship, afford such representationand legal aid shall not be granted if it appears to the Sub Committee that the Applicant could, without undue financial hardship to him or her or his or her dependants, afford to proceed without such assistance.
5.
  - (a) Legal aid shall not be granted to an Applicant who does not satisfy the capital and income eligibility criteria set out in Parts Two and Three of the Schedule<sup>[1]</sup>.
  - (b) Legal aid shall be granted in accordance with the sliding scale of disposable income and capital and subject to the contributions by the Assisted Person set out in Part Two of the Schedule.
  - (c) The legal aid payable from the Fund shall be limited to costs, or a contribution towards costs, up to the maximum levels of authorised expenditure agreed by the Sub Committee from time to time. Financial assistance with legal fees shall be limited to the costs or part of the costs of legal advice or representation by a solicitor or counsel and shall be paid direct to the solicitor referred to in Rule 3(2) of Part One.
  - (d) The Committee shall from time to time review (i) the capital and income eligibility criteria (ii) the sliding scale of disposable income and capital (iii) the level of contributions by the Assisted Person and shall be entitled to adjust each of these as it deems appropriate and shall report any adjustments made to the following General Assembly.
6. The Sub Committee may issue a Certificate for the payment of the costs, or part of the costs, incurred by the Assisted Person subject to such conditions specified in the Certificate as the Sub Committee thinks fit. Without prejudice to the foregoing generality, the Sub Committee may issue a Certificate for:-
  - (a) The payment of a contribution towards costs of an amount specified in the Certificate; or
  - (b) The payment of costs subject to a contribution from the Applicant of an amount so specified; or
  - (c) The payment of such proportion of costs as may be so specified; or
  - (d) The payment of the costs of, or a specified proportion of the costs of, such part of the proceedings as may be so specified, whether by reference to issues in or stages of those proceedings.
7. Where on any application the Sub Committee considers that legal aid should not be granted, the Sub Committee before making a final decision shall afford the Applicant an opportunity of making representations, whether in writing or orally and whether in person or by his or her solicitor or counsel with respect to the application. For the avoidance of doubt, no payment from the Fund shall be made in respect of the making of such application.
8. The Secretary shall notify the Applicant and his or her solicitor in writing of the Sub Committee's decision on his or her application for legal aid, and of the grounds for that decision.
9. Where an application for legal aid is refused, no further application for legal aid may be made by the same Applicant in relation to the same proceedings unless it contains or is accompanied by further information showing a material change of circumstances.
10.
  - (a) A decision made in terms of these Regulations by the Sub Committee to refuse an application for legal aid shall not be subject to appeal or dissent and complaint or any other form of review, other

than a procedural review carried out by another sub-committee of the Committee (the “Review Committee”), established for that purpose, consisting of three of its members, one of whom shall act as Convener and at least one of whom shall be qualified to practice as a lawyer.

- (b) Such a review must be requested by the Applicant within fourteen days of the date on which the Sub Committee intimated its decision to the Applicant and can be sought only on one or more of the following grounds:
  - (i) that there was an irregularity or breach of procedure or of the principles of natural justice in the process followed by the Sub Committee which materially influenced its decision; and/or
  - (ii) that its decision was materially influenced by some incorrect material fact.
- (c) Such a request shall be made by sending or delivering a written request to the Principal Clerk and such request shall also state, in brief, specific numbered propositions, the grounds which the Applicant considers justify a procedural review taking place.
- (d) In the event that the Review Committee determines that one or both of the foregoing grounds have been established, it shall remit the matter back to the Sub Committee with an instruction to reconsider its original decision in the light of the findings of the Review Committee.
- (e) In the event that the Review Committee determines that neither of the foregoing grounds has been established, the decision of the Sub Committee shall be deemed to have become final.
- (f) The decision of the Review Committee shall be final and not subject to appeal, dissent and complaint or any other form of further review.

- 11. The Committee may make such further rules as it considers necessary or desirable for giving effect to, or for preventing abuses of, these Regulations and rules made under this subsection may in particular make provision:

- (a) as to any further procedure to be observed in relation to an application for legal aid including the design and content of the application form;
- (b) as to the information to be furnished by any Applicant applying for or receiving legal aid and as to the provision of information by any solicitor acting for any such person; and
- (c) enabling the Sub Committee to authorise a payment to account of legal expenses incurred by the Applicant in appropriate circumstances.

## **Schedule**

### **Part One**

#### **Rules of Procedure**

#### **GENERAL PROVISIONS**

##### **1. Meetings and procedure of the Sub Committee**

- (1) The quorum for meetings of the Sub Committee shall be two members.
- (2) The business of the Sub Committee may, if the Convener so directs and none of the other members objects, be carried out by correspondence (by letter or email) or by conference telephone call, video conference or the like electronic means.

##### **2. Notification of issue, amendment, discharge or revocation of Certificate**

Where any Certificate or any notice of the amendment, discharge or revocation of a Certificate is sent to any solicitor in accordance with Rule 6, 8 or 9 the solicitor shall lodge a copy of the Certificate or notice with either the Solicitor of the Church (where the proceedings to which the Certificate relates are before the Presbyterial Commission) or the Principal Clerk (where the proceedings to which the Certificate relates are before the Judicial Commission).



## **APPLICATIONS FOR LEGAL AID AND ISSUE OF CERTIFICATES**

### **3. Applications for legal aid**

- (1) An application for legal aid:
  - (a) shall be made in writing in a form approved by the Sub Committee; and
  - (b) shall be lodged with the Secretary.
- (2) Every application for legal aid shall state the name and address of the solicitor selected by the Applicant to act for him or her in the proceedings concerned. That solicitor must hold and continue to hold an unrestricted practising certificate issued by the Law Society of Scotland. The said application shall also contain such information and be accompanied by such documents as may be requisite to enable the Sub Committee
  - (a) to determine the nature of the proceedings to which the application relates; and
  - (b) to reach a view on the matters set out at Regulation 4 (a) to (c) above.
- (3) Any application for legal aid shall contain an undertaking made by the Applicant and an undertaking by the said solicitor that they will comply with these Regulations, and any such undertakings shall be made on forms approved by the Sub Committee, or in such other manner, being in writing, as the Secretary may accept as sufficient in the circumstances of the case. Any solicitor appointed in terms of Rule 8(5) shall give an undertaking in said terms.
- (4) The Applicant irrevocably waives his or her right of confidentiality insofar as its exercise would otherwise hinder or restrain his or her solicitor's ability to comply with Rule 14.

### **4. Provision of additional information**

An Applicant shall, if required by the Secretary or the Sub Committee to do so for the purpose of providing additional information:

- (a) attend for interview by the Secretary or the Sub Committee;
- (b) supply such further documents or other information as the Secretary or the Sub Committee may require.

### **5. Interim Certificates**

- (1) The Secretary may issue an interim Certificate for legal aid on behalf of the Sub Committee in any case in which the Secretary on receiving an application under Rule 3 considers that there are reasonable grounds for concluding that the Applicant should be granted legal aid in respect of the whole or part of the costs to be incurred by any person before the determination of the application by the Sub Committee.
- (2) Before issuing an interim Certificate under paragraph (1) the Secretary shall consult the Convener of the Sub Committee or, if it is not practicable to do so, shall consult the two other members of the Sub Committee one of whom shall be legally qualified.

### **6. Issue and contents of Certificates**

- (1) The Secretary shall send any Certificate issued by or on behalf of the Sub Committee to the Applicant's solicitor and shall send a copy of the Certificate to the Applicant.
- (2) In addition to any provision included in the Certificate by virtue of Regulation 6, the Certificate shall specify:
  - (a) the date on which it is issued;
  - (b) the name and address of the Applicant;
  - (c) the name and address of the Applicant's solicitor; and
  - (d) the proceedings to which the Certificate relates.

## 7. Contribution by Assisted Person

Where a Certificate is issued under Regulation 6 (b), any contribution to be made by the Assisted Person which is specified in the Certificate shall not be payable to the Sub Committee or into the Fund, but the amount paid or payable out of the Fund on the authority of the Certificate shall not exceed the amount (if any) by which the total amount of the costs incurred by the Assisted Person, as taxed or assessed in accordance with these Rules, exceeds the amount of that contribution.

## AMENDMENT, DISCHARGE AND REVOCATION OF CERTIFICATES

### 8. Power to amend Certificates

- (1) The Sub Committee may, either on the request of the Assisted Person or of its own motion, amend any Certificate issued by it where in its opinion:
  - (a) there is a mistake in the Certificate; or
  - (b) it has become desirable for the Certificate to extend to additional proceedings; or
  - (c) it has become desirable for the Certificate to extend to additional stages of, or to reduce or restrict it from certain stages of, the proceedings in respect of which it was issued; or
  - (d) there has been a material change in the financial circumstances of the Assisted Person;

or where the Assisted Person desires to change his or her solicitor or where his or her solicitor withdraws from the conduct of the case. Any new solicitor assuming the agency must hold and continue to hold an unrestricted practising certificate issued by the Law Society of Scotland.
- (2) Application for the amendment of a Certificate shall contain such information and be accompanied by such documents as the Secretary considers necessary or desirable to enable the Sub Committee to determine the application, and Rules 3(1) and 4, and Regulations 4, 8, 9 and 10 shall apply in relation to an application for the amendment of a Certificate as they apply in relation to an application for legal aid.

- (3) Before amending a Certificate in the circumstances specified in paragraph (1)(c) or (d) so as to reduce or restrict the Assisted Person's entitlement to legal aid, the Sub Committee shall:
  - (a) notify the Assisted Person that it is considering making the amendment; and
  - (b) afford him or her an opportunity of making representations, whether in writing or orally and whether in person or by his or her solicitor or counsel, with respect to the proposed amendment.
- (4) An amendment to a Certificate shall take effect from such date as the Sub Committee may specify, and (subject to Rule 11) shall have effect in respect of costs incurred on or after that date.
- (5) Where a Certificate has been amended the Secretary shall send notice of the amendment, specifying the date from which it takes effect, together with a copy of the notice, to the Assisted Person's solicitor for the time being, and shall send a further copy of the notice to the Assisted Person.

### 9. Power to discharge or revoke Certificates

- (1) The Sub Committee may terminate a Certificate by discharging or revoking it in accordance with this Regulation.
- (2) Subject to Rule 11:
  - (a) where a Certificate is discharged, that Certificate shall cease to be in force on the date from which the discharge takes effect; and
  - (b) where a Certificate is revoked, that Certificate shall be deemed never to have been in force.
- (3) The Sub Committee may discharge a Certificate in the following circumstances:
  - (a) where the Assisted Person has requested or consented to the discharge;
  - (b) where the Sub Committee is satisfied that
    - (i) the Assisted Person has died or has had a bankruptcy order made against him or her; or

- (ii) the proceedings or the part of the proceedings to which the Certificate relates have or has been disposed of or completed;
  - (c) where as a result of information which has come to the Sub Committee it is satisfied that:
    - (i) the Assisted Person no longer has reasonable grounds for taking, defending or being a party to the proceedings or for continuing to do so;
    - (ii) the Assisted Person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Fund or has required unreasonably that the proceedings be continued;
    - (iii) the financial circumstances of the Assisted Person are such that he or she could afford to proceed without legal aid; or
    - (iv) it is unreasonable in the particular circumstances that the Assisted Person should continue to receive legal aid.
  - (4) Where as a result of information which has come to the Sub Committee:
    - (a) the Sub Committee is satisfied that an Assisted Person has willfully failed to comply with these Rules or Regulations; or
    - (b) it is satisfied that an Assisted Person has knowingly made a false statement or false representation in connection with an application for legal aid or for an amendment of a Certificate; or
    - (c) it is satisfied that an Assisted Person has failed to disclose a material fact in connection with an application for legal aid or an application for an amendment of a Certificate, and he or she cannot show that he or she used due care and diligence to avoid that failure,

the Sub Committee may discharge the Certificate issued in respect of the Assisted Person or, if the act or omission or the first of the acts or omissions by the Assisted Person specified in sub-paragraph (a), (b) or (c) occurred before the date on which the Certificate was issued, may revoke the Certificate.
  - (5) Before discharging a Certificate in the circumstances specified in paragraph (3) (c) or discharging or revoking a Certificate in the circumstances specified in paragraph (4), the Sub Committee shall:
    - (a) notify the Assisted Person that it is considering the discharge or revocation of the Certificate; and
    - (b) afford him or her an opportunity of making representations, whether in writing or orally and whether in person or by his or her representative, with respect to the proposed discharge or revocation.
  - (6) The discharge of a Certificate under the foregoing provisions of this Rule shall take effect from such date as the Sub Committee may consider appropriate.
  - (7) Where a Certificate is discharged or revoked the Secretary shall send notice of the discharge or revocation (specifying in the case of a discharge the date from which it takes effect), together with a copy of the notice, to the solicitor of the person in respect of whom a certificate had been issued and shall (except where the Certificate has been discharged because of the death of that person) send a further copy of the notice to that person, in each case stating the grounds for the action taken.
- 10. Effect of amendment, discharge or revocation on costs already incurred**
- (1) Where a Certificate is amended so as to reduce or restrict the amount of legal aid payable under it or is discharged or revoked, that amendment, discharge or revocation shall not affect the payment, or the amount of the payment, out of the Fund to the solicitor of the person in relation to whom the Certificate was issued in respect of costs incurred before the date on which notice of the amendment, discharge or revocation is received by that solicitor.
  - (2) Where a Certificate has been amended or discharged with effect from a date earlier than the date on which notice of the amendment or discharge is received by the solicitor of the person to whom the Certificate was issued, that person accepts personal liability for and shall pay into the Fund the amount of any legal aid paid or payable to his solicitor by virtue of paragraph (1) in respect of costs incurred between those dates.

- (3) Where a Certificate has been revoked, the person to whom it was issued accepts personal liability for and shall pay into the Fund the amount of any legal aid paid or payable to his or her solicitor by virtue of paragraph (1) in respect of costs incurred before the date on which notice of the revocation is received by that solicitor.

## CONDUCT OF PROCEEDINGS

### 11. Notification of changes in circumstances

- (1) An Applicant or Assisted Person shall forthwith inform his or her solicitor of:
- (a) any material change in his or her financial circumstances; and
  - (b) any other change in the circumstances of his or her case which he or she has reason to believe might affect the terms or continuation of the Certificate, and
- an Applicant's or Assisted Person's solicitor who receives any such information from the Applicant or Assisted Person or otherwise shall forthwith report that information to the Sub Committee.
- (2) Without prejudice to paragraph (1), where a solicitor who has acted or is acting for an Assisted Person is:
- (a) aware that the Assisted Person has died or granted a protected trust deed or applied for a debt payment programme or has had a bankruptcy order made against him; or
  - (b) satisfied that the proceedings or the part of the proceedings to which the Certificate relates have or has been disposed of or completed,
- he or she shall forthwith report those matters to the Sub Committee.

### 12. Abuse of legal aid

- (1) Where an Assisted Person's solicitor has reason to believe that any of the circumstances mentioned in paragraph (3) exist, he or she shall forthwith report those circumstances to the Sub Committee.
- (2) Where at any time during the hearing of any proceedings in respect of which legal aid is granted, the Presbyterial Commission or the Judicial Commission (as

the case may be) considers that any of the circumstances mentioned in paragraph (3) exist, it may make an order referring to the Sub Committee the question of whether the Assisted Person's Certificate should continue.

- (3) The circumstances referred to in paragraphs (1) and (2) are that:
- (a) the Assisted Person has required the proceedings to which the Certificate relates to be conducted unreasonably so as to incur an unjustifiable expense to the Fund or has required unreasonably that the proceedings be continued;
  - (b) the Assisted Person has wilfully failed to comply with these Regulations;
  - (c) the Assisted Person has knowingly made a false statement or false representation in connection with an application for legal aid or for amendment of a Certificate;
  - (d) the Assisted Person has failed to disclose a material fact in connection with an application for legal aid or for amendment of a Certificate and he or she cannot show that he or she used due care and diligence to avoid that failure.
- (4) Where it appears to the Sub Committee that a person has, with intent to reduce that person's disposable income or disposable capital, whether for the purpose of making that person eligible for legal aid, reducing that person's liability to pay a contribution towards civil legal aid or otherwise
- (a) directly or indirectly deprived that person of any resources; or
  - (b) converted any part of that person's resources into resources which under these Regulations are to be wholly or partly disregarded or in respect of which nothing is to be included in determining the resources of that person
- the resources of which that person has so deprived himself or herself or which he or she has so converted shall be treated as part of that person's resources or as not so converted, as the case may be.
- (5) Where it appears to the Sub Committee that any solicitor has, in connection with the provision of legal aid, acted in such a way as to justify action being taken

against him or her by the Law Society of Scotland or the Scottish Solicitors' Discipline Tribunal it shall refer the matter to either of those bodies so that they can consider whether to take action. Where the Sub Committee has referred a matter to either of the bodies mentioned it may withhold payment of any fees due to him or her in respect of legal aid pending the outcome of the investigation by the body or bodies to which the matter has been referred.

### 13. Provision of further information

An Assisted Person and his or her solicitor shall give to the Sub Committee such information regarding the progress and disposal of the proceedings in respect of which the Certificate has been issued as the Sub Committee may from time to time require to enable it to perform its functions.

### 14. Power of Sub Committee to request documents.

- (1) The Sub Committee may, for the purpose of determining whether a solicitor may be seeking to recover from the Fund money to which he or she is not entitled, as, for example, by performing unnecessary work, or where a solicitor is or may not be complying with his or her obligations under these Regulations, request any solicitor to produce such documents relating wholly or partly to the provision of legal aid as it may specify, at such time and place as it may specify.
- (2) If it appears to the Sub Committee that there is good reason to do so, it may request any solicitor to produce forthwith any such documents as are mentioned above.
- (3) The power under this section to request production of documents includes power:
  - (a) to request any person, who is a present or past partner or employee of any such solicitor or his or her firm and who appears to the Sub Committee to have any documents, to produce them;
  - (b) if any documents are produced:
    - (i) take copies of them or extracts from them; and
    - (ii) to request the person producing them, or any other person who is a present or past

partner or employee of the solicitor or his or her firm, to provide an explanation of them;

- (c) if any document or information is held other than in legible form, to request the production of a copy of it in legible form; and
- (d) if documents are not produced, to ask the person who was requested to produce them to state, to the best of his knowledge and belief, where they are.

- (4) No documents obtained by the Sub Committee by virtue of this Rule shall be used by it for any purpose other than the purposes mentioned in subsection (1) above.

### 15. Privilege etc. not to prevent disclosure

- (1) No solicitor shall be precluded, by reason of any privilege arising out of the relationship between solicitor and client, from disclosing to the Sub Committee any information or documents or from giving any opinion which:
  - (a) he or she is required to disclose or give to the Sub Committee under these Regulations; or
  - (b) may enable the Sub Committee to perform its functions.
- (2) For the purpose of providing information under these Regulations to enable the Sub Committee to perform its functions, any party to proceedings to which an Assisted Person is or was a party may disclose to the Sub Committee communications relating to those proceedings which have been sent by the Assisted Person's solicitor, whether or not they are expressed to be "without prejudice".

### 16. False information etc.

- (1) If any Assisted Person, person seeking legal aid or person in respect of whom a certificate has been issued
  - (a) wilfully fails to comply with any Regulations as to the information to be furnished by him or her; or
  - (b) for the purpose of obtaining legal aid knowingly makes any false statement or false representation,

he or she may be guilty of a disciplinary offence for the purposes of the Act.

## **COSTS**

### **17. Authority to incur costs**

- (1) Where:
  - (a) it appears to the Assisted Person's solicitor to be necessary for the proper conduct of proceedings to which the Certificate relates to incur costs by taking any of the steps specified in paragraph (2); and
  - (b) payment of legal aid in respect of those costs is not specifically authorised by the Certificate,

the Assisted Person's solicitor shall apply to the Sub Committee for authority to incur those costs, and no payment of legal aid shall be made in respect of any such costs incurred in advance of the solicitor's first having obtained authority from the Sub Committee. Authority may be granted subject to any restriction, condition or qualification as to cost limits or otherwise as to the Sub Committee shall seem reasonable.
- (2) The steps referred to in paragraph (1) are:
  - (a) lodging an appeal;
  - (b) obtaining a report or opinion from one or more experts or tendering expert evidence;
  - (c) employing a person to provide a report or opinion (other than as an expert) or paying a person (not being an expert witness) a fee to prepare a report or opinion and to give evidence if required;
  - (d) requiring transcripts of shorthand notes or tape recordings of any proceedings;
  - (e) performing any act which either is unusual in its nature or involves unusually large expenditure.
  - (f) Instructing junior counsel.
  - (g) Instructing senior counsel.
- (3) Authority may be granted retrospectively on special cause shown.

### **18. Costs for legal aid to be taxed or assessed**

Legal aid shall be payable only in respect of costs of an Assisted Person which have been taxed or assessed in accordance with these Rules.

### **19. Restriction on payment and employment of solicitor or counsel**

Where legal aid is available to a person in connection with any proceedings (whether legal aid is available in connection with all or only part of the proceedings):-

- (a) the solicitor or counsel providing legal aid shall not take any payment in respect of any advice given or anything done in connection with such proceedings during any period when legal aid was so available except for such payment as may be made, in accordance with these Regulations; and
- (b) without prejudice to any right of a solicitor or advocate to entrust it to another solicitor or advocate, no solicitor or counsel other than the solicitor or counsel referred to in Rule 3(2) shall advise or act for him in connection with the proceedings.

### **20. Taxation of costs**

- (1) Any taxation of costs under these Regulations may be carried out in such manner as the Sub Committee considers appropriate. Without prejudice to the generality of the foregoing the Sub Committee may refer the matter for taxation to an Auditor of the Court of Session, Sheriff Appeal Court or any Sheriff Court and the Assisted Person agrees to be bound by the determination of such Auditor. Liability for the fees and other costs incurred in taxation shall be a matter for the discretion of the Sub Committee.
- (2) In any proceedings for taxation in accordance with these Regulations the Sub Committee shall have power to require the attendance of witnesses and production of documents so far as is necessary for the discharge of its functions or those of any Auditor.
- (3) Proceedings for taxation of costs in accordance with these Regulations shall be commenced by the Assisted Person's solicitor:

- (a) lodging with the Secretary an application in writing for taxation, together with the bill of costs and all necessary papers and vouchers (including copies of the Certificate and of any notice of amendment, discharge or revocation of the Certificate); and
  - (b) serving on any other party copies of the application and the bill of costs.
- (4) The Secretary may deal with the taxation of costs by correspondence or may elect to fix a time and place for a taxation hearing and if a hearing is deemed to be appropriate shall give not less than seven days' notice of that time and place to the Assisted Person's solicitor and any other party.
- (5) If:
- (a) any other party does not attend at the time and place fixed for the taxation; and
  - (b) the Sub Committee is satisfied that he or she had due notice of that time and place,
- the Sub Committee or Auditor may proceed with the taxation in his absence.
- (6) Without prejudice to any other provision of these Regulations or any statutory provision, on a taxation in accordance with these Regulations:
- (a) any costs in excess of the appropriate level of authorised expenditure allowed in terms of Regulation 5 (c) shall be disallowed;
  - (b) any costs wasted by failure to conduct the proceedings with reasonable competence and expedition shall be disallowed or reduced; and
  - (c) where a solicitor has without good reason failed within four months to put in his or her bill for taxation, the whole of the costs covered by that bill may be disallowed or reduced.
- (7) No costs shall be disallowed or reduced under paragraph (6) unless notice has been served by the Sub Committee on the solicitor in question requiring the solicitor to show cause orally or in writing why those costs should not be disallowed or reduced.
- (8) For the purposes of this rule "other party" means any person other than the Assisted Person who is or was a

party to the proceedings to which the Certificate relates and who has an interest in the taxation.

## **21. Assessment of costs**

- (1) Paragraph (2) applies where Rule 20 requires any costs to be taxed or assessed in accordance with these Regulations and where:
- (a) the retainer of the Assisted Person's solicitor was determined before the proceedings in question were begun, and there has been no subsequent change in the Assisted Person's solicitor; or
  - (b) the Assisted Person's solicitor is of opinion that the total amount of the costs which he or she would receive after a taxation in accordance with these Regulations would not be more than £1,000 (or any greater sum for the time being authorised by the Sub Committee for the purposes of this Rule); or
  - (c) there has been an agreement in respect of the amount of the costs to be paid to the Assisted Person, and the Assisted Person's solicitor is willing to accept that agreed amount in full satisfaction of work done; or
  - (d) there are special circumstances in which a taxation:
    - (i) would be against the interests of the Assisted Person; or
    - (ii) would increase the amount payable out of the Fund.
- (2) Where this paragraph applies the Assisted Person's solicitor may apply in writing to the Secretary for an assessment by the Sub Committee of the amount of the Assisted Person's costs.
- (3) On any such application the Sub Committee may if it thinks fit assess the amount of those costs without a taxation.
- (4) Where no such application has been made and the Sub Committee is satisfied that:
- (a) there are special circumstances rendering it desirable to assess the amount of those costs without a taxation; and



- (b) to do so would not be against the interests of the Assisted Person,  
the Sub Committee may assess the amount of those costs without a taxation.
- (5) An assessment under this Rule shall be carried out so as to allow:
  - (a) as nearly as may be the same amount of costs as would have been allowed on a taxation under these Regulations; or
  - (b) if the Sub Committee thinks fit in a case within sub-paragraph (1)(c), the agreed amount referred to in that sub-paragraph.

Upper disposable limit above which a person will be ineligible on income: **£26,239** p.a

Income contributions

Annual Disposable income	Contribution rates applied to income in that range
Below £3,521	0%
£3,522 - £11,540	33%
£11,541 - £15,743	50%
£15,744 - £26,239	100%
Above £26,239	Ineligible

Part Two

Financial Eligibility

Disposable Income and capital range and maximum contribution – sliding scale

**Disposable capital** (as defined in Part Three of this Schedule)

Lower limit on or below which an Assisted Person will not have to pay a contribution: **£7,853**.

Upper capital limit above which the Sub Committee may refuse an Applicant legal aid if it considers that he or she can afford to proceed without it: **£13,017**.

If a person has disposable capital of between **£7,853 and £13,017** he or she is eligible on capital, but will have to pay a contribution. This contribution is equal to the difference between his or her capital and £7,853.

If a person has capital worth over **£13,017** he or she will not be eligible for legal aid, unless it appears to the Sub Committee that he or she cannot afford to proceed without legal aid.

**Disposable Income** (as defined in Part Three of this Schedule)

Lower disposable limit on or below which a person will not have to pay a contribution: **£3,521** p.a

Part Three

Financial Eligibility

Detailed rules as to calculation of capital and income

A. Calculation of disposable capital

1. Subject to the provisions of these Regulations, there shall be included in the computation of the Applicant’s capital the amount or value of every resource of a capital nature available to the Applicant and his or her partner ascertained as on the date of the application for legal aid. Where it is brought to the notice of the Sub Committee that, between the date of the application and the determination, there has been a substantial fluctuation in the value of a resource or there has been a substantial variation in the nature of a resource affecting the basis of computation of its value, or any resource has ceased to exist or a new resource has come into the possession of the person concerned, the Sub Committee shall compute the capital resources of the Applicant in the light of such facts and the resources as so computed shall be taken into account in the determination.
2. So far as any resource does not consist of money, the amount or value thereof shall be taken to be the amount which that resource would realise if sold in the open market or, if there is only a restricted market for that resource, the amount which it would realise in that

market, or shall be taken to be the amount or value thereof assessed in such manner as appears to the Sub Committee to be just and equitable.

3. Where money is due to the Applicant or his or her partner, whether immediately payable or otherwise and whether the payment thereof is secured or not, the value shall be taken to be the present value thereof.
4. If the Applicant or his or her partner stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, the Sub Committee may, in lieu of ascertaining the value of stocks, shares, bonds or debentures in that company, treat the Applicant or their partner as if he or she were such sole owner or partner and compute the amount of his or her capital in respect of that resource in accordance with the succeeding rule.
5. Where the Applicant or his or her partner is or is to be treated as the sole owner of or a partner in any business, the value of such business or their share therein shall be taken to be either:
  - (a) such sum, or the Applicant's or his or her partner's share of such sum, as the case may be, as could be withdrawn from the assets of such business without substantially impairing the profits of such business or the normal development thereof; or
  - (b) such sum as the Applicant or his or her partner could borrow on the security of his or her interest in such business without substantially injuring the commercial credit of that business;
 whichever is the greater.
6. The value of any interest, whether vested or contingent, of the Applicant or his or her partner in the fee of any heritable or moveable property forming the whole or part of any trust or other estate, shall be computed by the Sub Committee in such manner as appears to it to be both equitable and practicable.
7. In computing the amount of capital of the Applicant or his or her partner where he or she is in receipt of income support under section 124 of the 1992 Act or an income-based jobseeker's allowance (payable under the Jobseekers Act 1995) or an income-related employment and support allowance or universal credit under Part 1 of the Welfare Reform Act 2012, there shall be

disregarded any amount which exceeds the sum for the time being specified as the disposable capital limit under section 17(2)(b) of that Act.

8. In computing the amount of capital of the Applicant or his or her partner, there shall be wholly disregarded:
  - (a) any Welfare Fund payment;
  - (b) a back to work bonus (payable under the Jobseekers Act 1995);
  - (c) any payment made under the Community Care (Direct Payments) Act 1996 or as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013.
9. Save in exceptional circumstances, nothing shall be included in the amount of capital of the Applicant or his or her partner in respect of:
  - (a) the household furniture and effects of the dwelling house occupied by that person and (if a manse) of any other dwelling house owned by the Applicant and/or their partner;
  - (b) articles of personal clothing; and
  - (c) any personal tools and equipment of the Applicant's trade, not being part of the plant or equipment of a business to which the provisions of Rule 5 of this Part Three A of the Schedule apply.
10. (1) In computing the amount of capital of the Applicant or his or her partner, the value of any interest in the main or only dwelling in which he or she resides or owns shall be wholly disregarded.
- (2) Where the Applicant resides in or owns more than one dwelling in which that person has an interest, the Sub Committee shall decide which is the main dwelling and shall take into account, in respect of the value to the Applicant of any interest in a dwelling which is not the main dwelling, (i) any sum which might be obtained by borrowing money on the security thereof and (ii) any sum accruing to him or her by way of rent on such dwelling.
11. Where the Applicant has received or is entitled to receive from a body of which he or she is a member a

sum of money by way of legal aid towards the cost of the proceedings in respect of which legal aid is applied for, such sum shall be disregarded.

12. The value of any life assurance or endowment policy shall be taken to be the amount which the Applicant could readily borrow on the security thereof.
13. Where under any bond, agreement, indemnity, guarantee or other instrument the Applicant is under a contingent liability to pay any sum or is liable to pay a sum not yet ascertained, an allowance shall be made of such an amount as is reasonably likely to become payable within the 12 months immediately following the date of application for legal aid.
14. An allowance may be made in respect of any debt owed by the Applicant (other than a debt secured on the dwelling or dwellings in which that person resides) to the extent to which the Sub Committee considers reasonable, provided that he or she produces evidence to its satisfaction that the debt or part of the debt will be discharged within the twelve months immediately following the date of the application.
15. In computing the amount of capital of the Applicant there shall be wholly disregarded any capital payment received from any source which is made in relation to the subject matter of the dispute in respect of which the application for legal aid has been made.
16. In computing the amount of capital there shall be disregarded such an amount of capital, if any, as the Sub Committee in the circumstances of the case may in its discretion decide.

## **B. Calculation of disposable income**

1. The income of the Applicant or his or her partner from any source shall be taken to be the income which that person may reasonably expect to receive (in cash or in kind) during the preceding year.
2. The income in respect of any emolument, benefit or privilege receivable otherwise than in cash shall be estimated at such a sum as in all the circumstances is just and equitable but shall not include any sum in relation to the occupation of a manse by a Minister.
3. (1) The income from any gainful occupation other than stipend, or employment at a wage or salary,

shall be deemed to be whichever of the following the Sub Committee considers more appropriate and practicable:

- (a) the profits which have accrued or will accrue to the Applicant or their partner in respect of the period of computation; or
  - (b) the drawings of the person concerned.
- (2) In calculating the profits and drawings referred to in paragraph (1) above:
- (a) the Sub Committee may have regard to the profits of the last accounting period of such trade, business or gainful occupation for which accounts have been prepared; and
  - (b) there shall be deducted all sums necessarily expended to earn those profits, but no deduction shall be made in respect of the living expenses of the Applicant or any member of that person's family or household, except in so far as that person is wholly or mainly employed in that trade or business and such living expenses form part of that person's remuneration.
4. (1) In computing the disposable income of the Applicant or his or her partner there shall be deducted the total amount of tax which it is estimated would be payable by the Applicant or his or her partner if his or her income, as computed in accordance with this Part Three B of the Schedule (but without taking into account the operation of Rule 10(1) of this Part Three B of the Schedule), were that person's income for a fiscal year and that person's liability for tax in that year were to be ascertained by reference to that income and not by reference to that person's income in any other year or period.
- (2) For the purposes of this rule the tax shall be estimated at the rate provided by and after making all appropriate allowances, deductions or reliefs in accordance with the provisions of the Income Tax Acts in force for the fiscal year current at the date of the application.
5. In computing the disposable income of the Applicant or his or her partner, there shall be disregarded:

- (a) income support paid under section 124 of the Social Security Contributions and Benefits Act 1992 ("the 1992 Act");
  - (b) an income-based jobseeker's allowance (payable under the Jobseekers Act 1995);
  - (c) a back to work bonus (payable under the Jobseekers Act 1995);
  - (d) any payment made under the Community Care (Direct Payments) Act 1996 or as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013;
  - (e) state pension credit (payable under the State Pension Credit Act 2002);
  - (f) an income-related employment and support allowance;
  - (g) universal credit paid under Part 1 of the Welfare Reform Act 2012.
  - (h) attendance allowance paid under section 64 of the 1992 Act;
  - (i) disability living allowance paid under section 71 of the 1992 Act;
  - (j) constant attendance allowance paid as an increase to a disablement pension under section 104 of the 1992 Act.
6. When the income of the Applicant or his or her partner consists, wholly or in part, of stipend or a wage or salary from employment there shall be deducted:
- (a) the amount of any payments reasonably made for travel to and from his or her workplace, membership of a trade union or professional organisation; and
  - (b) the amount of any contribution paid, whether under a legal obligation or not, to an occupational pension scheme within the meaning of the Social Security Pensions Act 1975 or to a personal pension scheme within the meaning of section 1 of the Pension Schemes Act 1993.
7. There shall be a deduction in respect of the amounts payable or estimated to be payable in the 12 months following the application by the Applicant in respect of:
- (a) Council Tax; and
  - (b) Water and Sewerage Charges.
8. (1) There shall be a deduction, in respect of (a) mortgage payments or (b) rent of the main or only dwelling in the case of a householder, of the amount of the net mortgage or rent paid or such part thereof as is reasonable in the circumstances. Any contributions received from any other person towards that payment of mortgage or rent shall be taken into account as income, and the Sub Committee shall decide which is the main dwelling where the Applicant resides in more than one dwelling in which he or she has an interest.
- (2) In this rule the expression "rent" means:
- (a) the rent payable in respect of a year; and
  - (b) a sum in respect of the yearly outgoings borne by the householder including, in particular, a reasonable allowance towards any necessary expenditure on repairs and insurance and any other annual burden.
- (3) In this rule the expression "net rent" means:
- (a) the rent less any proceeds of subletting any part of the premises in respect of which the said rent is paid or the outgoings incurred; or
  - (b) where any person or persons other than the Applicant, his or her partner or any dependent of the Applicant is accommodated, otherwise than as a subtenant, in the premises for which the rent is paid, the rent less such an amount as the Sub Committee may determine to be reasonably attributable to the accommodation of such person.
9. If the Applicant is not a householder, there shall be a deduction in respect of the cost of that person's living accommodation of such amount as is reasonable in the circumstances.
10. (1) There shall be a deduction in respect of the maintenance of the partner of the Applicant, if they are living together, and in respect of the maintenance of any person wholly or substantially maintained by the Applicant, being

a member of his or her household, ("a dependent person") at the following rates:-

- (a) in the case of a partner, at a rate of £2,177;
- (b) in the case of a dependent person, at a rate of £3,488;

Provided that the Sub Committee may reduce such rate by taking into account the income and other resources of the dependent person to such extent as appears to it to be just and equitable.

- (2) In ascertaining whether a person is a dependent person regard shall be had to their income and other resources.
- 11. If the Applicant is making and, throughout such period as the Sub Committee may consider adequate, has regularly made *bona fide* payments for the maintenance of a partner who is living apart, of a former partner, of a child or of a relative who is not (in any such cases) a member of the household of the Applicant, there shall be a deduction at the rate of such payments or at such rate, not exceeding the rate of such payments, as in all the circumstances is reasonable.
- 12. Where the Applicant must provide for any other matter the Sub Committee may make an allowance of such amount as it considers to be reasonable in the circumstances of the case.
- 13. In computing income from any source there shall be disregarded such amount, if any, as the Sub Committee considers to be reasonable having regard to the nature of the income or to any other circumstances of the case.

## II CONTINUING PARISH MINISTRY BEYOND THE AGE OF 75 REGULATIONS (REGS II 2018)

*Edinburgh, 22 May 2018, Session 11*

The provisions for continuation as a Parish Minister beyond the age of seventy five (75), as referred to in section 18(4) of the Parish Ministry Act (Act II 2018), are as follows:

- 1. In operating the process set out in these Regulations and making a decision on whether or not to continue the tenure of the Parish Minister in question, the Presbytery shall have primary regard to the mission of the Church, both in the Parish in question and in the

Presbytery. The Presbytery shall not take into account any personal reasons put forward by the Parish Minister to support his or her request.

- 2. The process shall be initiated by the Parish Minister, by lodging with the Presbytery Clerk, not less than six months before the Parish Minister's seventy fifth birthday, a request for consideration in terms of these Regulations. Such a request shall be copied to the Ministries Council for their interest. The process can be terminated at any time by the Parish Minister withdrawing his or her request to have tenure continued.
- 3. The Parish Minister may request a continuation of his or her tenure as minister of the charge which he or she currently serves for a period of not less than one year and not more than two years from his or her seventy-fifth birthday.
- 4. Upon receipt of the Parish Minister's request, the Presbytery shall establish a Consultative Committee of three persons, of whom at least one shall be a Minister and one shall be an elder but which shall not include the Presbytery Clerk. If required, the Presbytery may use the Co-operation among Presbyteries Act (Act VI 2002) to fulfil the appointments. The Committee shall choose one of its own number to act as Clerk.
- 5. The Committee shall consult with all interested parties (including, for the avoidance of doubt, the Session Clerk(s) of the charge and the Presbytery Clerk) and shall take into account the following issues before making a recommendation to Presbytery:
  - (a) The effect upon implementation of the current Presbytery Plan of a continuation of the tenure of the Parish Minister in the current charge;
  - (b) The state of the charge and future plans for the charge, both as assessed and as anticipated through Local Church Review and through the Presbytery's general superintendence of the charge;
  - (c) Whether it is likely to be effective and beneficial for the charge in the longer term if tenure is continued;
  - (d) The opinion of the congregation(s) and its/their office bearers which shall be gauged by meeting

with the Kirk Session(s) in the absence of the Parish Minister; and

- (e) The terms of an Occupational Health Report on the Parish Minister, instructed by the Ministries Council and assessing the fitness of the Parish Minister to continue in post in the current charge for the period for which the request has been made. The terms of the Report shall be kept strictly confidential among the members of the Committee and shall be shared only with the Parish Minister. If relevant to any recommendation made by the Committee, the Report shall be referred to only in terms of being or not being a factor in their decision and no detail shall be shared outwith the Committee.
6. The Committee shall make its recommendation to a meeting of the Presbytery, where the Parish Minister shall be entitled to be heard in his or her interest. The Presbytery meeting shall be held in private and proceedings shall be recorded in a Record Apart. In making its recommendation, and in reaching its decision, the Committee and the Presbytery shall be obliged to have primary regard to the aims set out in paragraph 1 of these Regulations.
7. The Presbytery itself shall decide whether or not to continue the Parish Minister's tenure as Minister of the charge which he or she currently serves and for what period (declaring always that this may be different from the period for which request is made but may not be less than one year or more than two years).
8. Any person with a legitimate interest who is aggrieved by the Presbytery's decision shall have the right to dissent and complain or appeal the decision to the Ministries Appeal Panel by lodging intimation with both the Presbytery Clerk and the Principal Clerk within fourteen days of the decision. The only grounds for dissent and complaint or appeal shall be that there was a material irregularity of process or that the decision was influenced by an incorrect material fact.
9. The process specified in these Regulations may be repeated not less than six months before expiry of the period for which any continuation of tenure is granted.

### III REGULATIONS AMENDING THE 'GO FOR IT' FUND REGULATIONS (REGULATIONS IV 2012) (AS AMENDED)

*Edinburgh, 22 May 2018, Session 11*

The General Assembly hereby enact and ordain that the "Go For It" Fund Regulations (Regulations IV 2012) (as amended), shall be further amended as follows:

1. *In the existing section 6 delete "2017" and substitute "2019".*
2. *Delete the existing section 9 and substitute:*  

"9. The Ministries Council will report annually on the Fund to the General Assembly and will be responsible for monitoring the ongoing effectiveness of the Fund."

## References

- [1] A quick guide to disposable capital and income is available from the Secretary to the Sub Committee





GENERAL ASSEMBLY 2018

List of Members of Councils and Committees

APPEALS COMMITTEE OF THE COMMISSION OF ASSEMBLY

Philip Brodie\*, *Convener*  
Helen Jamieson\*, Grahame Lees, *Vice-Conveners*

ASSEMBLY ARRANGEMENTS COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Bryan Kerr*		Sheila Kirk Michael Mair	Alison Mehigan Gillian Paterson James Stewart*
<b>Members</b>	Ella Gill* Brian Porteous Susan Pym		Graeme Roberts

Fiona Smith, *Convener*  
Donald McCorkindale, *Vice-Convener*

AUDIT COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>		Gary Peacock	
<b>Members</b> Susan Zappert	Allan Munn		

Andrew Croxford, *Convener*

### 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>		John Duncan Fiona Ogg Lisa-Jane Rankin	James Aitchison Daniel Connolly Shuna Dicks William McLaren
<b>Members</b> Alexander Bolland Colin Hogg Alistair Joss Neil Morrison*	Rosemary Hoskins*	Ethne Brown	Morag Crawford DCS Eric Fraser

Marjory MacLean, *Convener*  
Carolyn MacLeod, *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>	Nelu Balaj Elijah Smith	Peter Nimmo*	Karen Hendry Peter Johnston Muriel Pearson*
<b>Members</b> Graeme Donald Naomi Dornan Rona Mackie Black* John Wilson	Finlay Buchanan* Caroline Cowan John Herd Marjorie Paton* Barry Watson	Sheila Brumby John McConnachie* Elizabeth McLachlan Gordon Sharp Charles Smith* William Walker	David Blackwood William Doak Rebecca Gebauer David Johnson* Duncan Logie Gary Noonan

Richard Frazer, *Convener*  
Pauline Edmiston, Wendy Young, *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>	Susan Cord Allan McCafferty*	Gordon Armstrong Harry Mowbray*	
<b>Members</b> John Baker Paul Faris* Marion Fyfe David MacDougall Alistair Smith*	Alasdair Donaldson* Sheila Garson Yvonne Grant Gordon McFarlane*	Alice Merilees*	Nicola Donaldson Andrew McCreath*

William Hogg, *Convener*  
James Alexander, *Vice-Convener*

CHURCH OF SCOTLAND INVESTORS TRUST

<b>Members</b> Alan Aitchison Robert Burgon David Campbell Elaine Crichton Jane Henderson	Rodger Nisbet Donald Tosh Tom Walker Grant Wilson Gordon Young Michael Yuille
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Catherine Alexander, *Chairman*  
Brian Duffin, *Vice-Chairman*

THE CHURCH OF SCOTLAND TRUST

<b>Ministers</b> John Chalmers Iain Cunningham Lorna Hood George Whyte	<b>Members</b> Hugo Allan Morag Angus Angus Bethune John Hodge Christopher Mackay Leon Marshall
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Thomas Watson, *Chairman*  
Stuart Lynch, *Vice-Chairman*  
Jennifer Hamilton, *Secretary and Clerk*

COMMITTEE TO NOMINATE THE MODERATOR

<b>Ministers and Deacons</b> Ross Blackman George Cowie Jonathan Fleming James Hamilton Robin Hill David Nicholson DCS Muriel Pearson Sandy Stoddart	<b>Elders</b> Mark Duncan Margaret Hood Derek Peters Alastair Rossetter Michael Scott Alexandra Watson Janet S Whyte
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Derek Browning, *Convener*

COUNCIL OF ASSEMBLY

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>	Andrew McGowan Alan Sorensen		
<b>Members</b> Norma Rolls  <b>Ex Officiis</b> Conveners of: - Church and Society - Ministries - Mission and Discipleship - Panel on Review and 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	Isobel Hunter*	David Brackenridge Alistair Gibb Anne Lamont* Ronald Wright	John Corrigan* Alison Fenton

Sally Bonnar, *Convener*  
David Watt, *Vice-Convener*

ECUMENICAL RELATIONS COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Ross Blackman	Liam Fraser Nikki Macdonald	Anikó Schütz Bradwell*	John McMahon
<b>Members</b>			Pauline Weibye

Alexander Horsburgh, *Convener*  
Kevin Mackenzie, *Vice-Convener*

GENERAL TRUSTEES

<b>Ministers</b> David Clark James Cutler James Jack Sheila Kirk Neil MacGregor Janet Mathieson	<b>Elders</b> Robert Balfour Walter Barbour Stewart Brymer Michael Cunliffe Iain Douglas William Hall Alan Kennedy Douglas Kerr William Lawrie Grahame Lees	Kenneth Macaldowie David Menzies Iain Munro Neil Price Robin Stimpson Donald Thomas Ian Townsend Stewart Toy Ian Trushell	<b>Advisory Members</b> James Alexander Richard Bell Robert Bell Graham Biggerstaff Laura Dunlop William Gill Manliffe Goodbody Nigel Hicks Michael Hunter Chris Johnstone John Maddock Kenneth MacKenzie Fiona Mathieson Hamish McBean David Mitchell Michael Norval Iain Ogilvie John Rhind James Stewart David Taverner Rosalind Taylor Roger Trueman Kenneth Wright
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Raymond Young, *Chairman*  
Roger Dodd, *Vice-Chairman*  
David Robertson, *Secretary and Clerk*

HOUSING AND LOAN FUND

<b>Ministers</b> Joanne Hood Allan McCafferty Neil McNaught	<b>Members</b> Walter Barbour Gavin Burt James Erskine Harry Findlay Sandy Mowat Eilidh Renwick
--	---

Ian Taylor, *Chairman*  
MaryAnn Rennie, *Deputy Chairman*  
Lin Macmillan, *Secretary*

IONA COMMUNITY BOARD

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>			David McLachlan* Alan Miller
<b>Members</b> William Findlay* Joanna Love DCS	Morag Michael*		

Alan Kimmitt, *Convener*



**JUDICIAL COMMISSION**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Adam Dillon Thomas Pollock	Grant Barclay John Christie Janet Foggie Robin Hill	Marian Cowie Gordon McCracken Jan Mathieson MaryAnn Rennie	Catherine Beattie
<b>Elders</b> Jennifer Dick Alastair Dunlop Andrew Ireland	David Alexander William Imlay Colin Mackenzie Hugh Millar Leslie Moffat Sam Scobie	Steuart Dey Chris Dunn Douglas Hamill Pauline Weibye	Alan Cox

Richard McFarlane, Morag Ross\*, *Conveners*  
William Hewitt, Colin Renwick, *Vice-Conveners*

**JUDICIAL PROCEEDINGS PANEL**

<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Hugh Conkey* Alan Garrity* Jane Howitt* Ann Inglis Peter McEnhill Ian McLean Fraser Penny* Alan Reid* Fiona Smith	John Ferguson William Hewitt Alistair May* Val Ott* Thomas Pollock Sally Russell* Lindsay Schlüter* David Sutherland* Alison Swindells	Dorothy Anderson* Gary Peacock Thomas Riddell*
<b>Deacons and Elders</b> Hazel Hastie Robert Hynd* Helen McLeod* Aileen Nimmo* William Windram*	Barbara Finlayson Myrtle Gillies	John Anderson* Morag Crawford DCS* Alan Dewar* Grant Gordon Richard Henderson* Patricia Kingston Nigel Lawrie* Richard McFarlane* Anne Mulligan DCS* Katherine Taylor

### LEGAL QUESTIONS COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Alan Reid Alison Swindells	Alexander Forsyth Elspeth McKay	Adam Dillon	
<b>Members</b> Andrew Gibb	Robin Stimpson*	James McLean*	Richard Henderson

George Cowie, *Convener*  
Barbara Finlayson, *Vice-Convener*

### LIFE AND WORK ADVISORY GROUP

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Tina Kemp	Marion Dodd Anne Paton*	James Stewart*	
<b>Members</b>		Andrew Nicoll	Stuart Wilson*

John Ferguson, *Convener*

### MINISTRIES APPEAL PANEL

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>	Robert Allan Sheila Kirk		
<b>Members</b>		Isabell Montgomerie	

David Arnott, *Convener*  
Robin Stimpson, *Vice-Convener*

**MINISTRIES COUNCIL**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Graham Astles Catherine Collins* Alistair Cook Barry Dunsmore Karen Fenwick Mhorag Macdonald* Thomas Macintyre Anthony Stephen	Brian Casey Mike Goss Jane Howitt* Ute Jaeger-Fleming Nathan McConnell Thomas MacNeil Andrew Morrice* Elspeth Smith Stewart Weaver	Ian McDonald Moira McDonald Peter MacDonald Alison Notman James Teasdale*	John Butterfield Stella Campbell Aftab Gohar Ruth Halley Alan Hamilton Fraser Penny Donald Scott
<b>Members</b> Jean McAleer Gordon McBean Iain Macleod Anne Noble* Andrew Todd	David Alexander* Alan Naylor* Brian Porteous	Scott Burton Barbara Finlayson Ishbel Smith	Catriona Munro Dot Weeks

Neil Glover, *Convener*  
 John Dent\*, Robert Mallinson, Eleanor McMahon,  
 Sarah Ross, *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> Robert Milne*	Alastair Duncan Mandy Hickman* John Paterson* MaryAnn Rennie	Marc Bircham Andrea Boyes Fiona Bullock*	Stephen Ogston
<b>Members</b> Peter Anderson Lynne Eland James Houston David McFie Robert McQuistan*	Paul Cathcart DCS Stefanie Fowler Paul Goode Matthew McKenzie Scott Paget	Murdo Macmillan* Andrew Simpson	John Cunningham Richard Lloyd Joanna Love DCS* David Nicolson

Norman Smith, *Convener*  
 Martin Fair, Peter Gardner, Lynne McEwen, *Vice-Conveners*

NOMINATION COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Graeme Glover Caroline Lockerbie Carleen Robertson Margaret Stein		Catherine Buchan Karen Harbison Ian Murray Andrew Philip Colin Sutherland	Robert Calvert Mark Foster Andrew Gardner Alan Greig Malcolm Kinnear William Wishart
<b>Members</b>	Patricia McEwan	Barbara Leppard Kay McIntosh DCS Elspeth McPheat DCS Andrew MacPherson John Stewart	Mary Gargrave DCS Isabella McDermont Ian Russell

Lynsey Kimmitt, *Convener*  
John Collard, *Vice-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> Andre Groenewald	Ian McEwan	Alistair Cumming	Keith Mack*
<b>Members</b>	Marshall Halliday* Lyndsay Kennedy	Ross Watters	Joanne Kennedy*

Jennifer Adams, *Convener*  
Christine Cavanagh, *Vice-Convener*

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 Ministries Development Staff	Member Nominated Trustees for the Pension Scheme for Ministers and Overseas Missionaries
Adrian Bark Graeme Caughey Robert Coulter Douglas Millar Hamish Scott Andrew Sutherland	Simon Bree Lin Macmillan John Thomson	Neil Campbell Lewis Rose	Susan Anderson Alan Garrity Pauline Gordon

Graeme Caughey, *Chairman*  
Douglas Millar, *Vice-Chairman*  
Steven Kaney, *Secretary*

PERSONNEL APPEAL PANEL

<b>Members</b> John Cowie Mary Haddow William Imlay David McClements	Alistair McGregor Sheilagh Stewart Walter Williamson Eilidh Wiseman
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Solicitor of the Church, *Secretary*

PRESBYTERIAL COMMISSION

David Burns, Roddy John MacLeod, Ian Miller, *Conveners*  
Jonathan Brodie, Graeme Dalgleish, Shona Haldane,  
Andrew Stevenson, Keith Stewart, *Vice-Conveners*

REGISTRATION OF MINISTRIES COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>			William McLaren
<b>Members</b>			

Neil Dougall, *Convener*  
Hazel Hastie, *Vice-Convener*

### SAFEGUARDING APPEAL PANEL

<b>Members</b> John Christie Sheena-Jane Clark Mary Coles David Dick	Jean Fleetwood Hugh McGregor Alan Miller Anne Noble
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Solicitor of the Church, *Secretary*

### SAFEGUARDING COMMITTEE

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Bryce Calder*		Arthur Christie	Fiona Reynolds
<b>Members</b>	Robert McCabe		Alison MacVie John Pears*

Karen Campbell\*, *Convener*  
Caroline Deerin, *Vice-Convener*

### SOCIAL CARE COUNCIL

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b>		David Gray* George Mackay Ramsay Shields*	Sheila Moir*
<b>Members</b> Sheelagh Carradice Kay Keith David Matheson*	Douglas Hope* David Nicholson DCS	Martha Bogle* Peter Donaldson Mary Ford* John Graham Iain Hunter Anne Oxbrow Sheila Robertson* Sarah Wood Alan Young	Jo Elliot* Christine Johnson Stuart Lynch Shona MacKay

Bill Steele, *Convener*  
Irene McGugan, Thomas Riddell, *Vice-Conveners*

**THEOLOGICAL FORUM**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Johnston McKay Ruth Morrison	Ian McDonald	Jean Kirkwood Paul Middleton Alastair Symington	Hector Morrison
<b>Members</b> Gavin Brydone	Lindsay Sawyer* Scott Spurlock		Andrew Torrance

Donald MacEwan, *Convener*  
Sarah Lane Ritchie, *Vice-Convener*

**WORLD MISSION COUNCIL**

<i>Fourth Year</i>	<i>Third Year</i>	<i>Second Year</i>	<i>First Year</i>
<b>Ministers</b> Jan Mathieson	Pamela Gordon Gordon Strang	Richard Baxter Monica Michelin-Salomon Ian Stirling	Edmund Gatima* Alisa McDonald Kleber Machado* Barbara Ann Sweetin*
<b>Members</b> Peter Kershaw Margaret Lance Peter Murdoch Lorna Tunstall	Tom Burnham Peter Chirside David Frame John McCulloch	Rosemary Johnston Gigha Lennox Irene McLellan Valerie Macniven* Lily Stevenson	Jenni Barr John Bradley Chris Fett-Worsfold William Gray George Russell

John Chalmers, *Convener*  
Maureen Jack, Alan Miller *Vice-Conveners*







The Church of Scotland

**PART IV –**

**A - ROLL OF MEMBERS**

**B - MINUTES OF THE  
PROCEEDINGS**

**C - OVERTURE FROM  
PRESBYTERY**

**D - STANDING ORDERS**

# **PEACE BE WITH YOU!**

General Assembly 2018

[www.churchofscotland.org.uk](http://www.churchofscotland.org.uk)



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- 40/2 ..... Index of Presbyteries
- 40/3 ..... Roll of Commissioners
- 40/19 ..... Delegates from other Churches
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- 40/21 ..... Visitors



SECTION A - ROLL OF MEMBERS

Roll and Standing Orders

ASSEMBLY OFFICE-BEARERS		
Title	Name	No
Moderator	Rt Rev Dr Derek Browning *	843
Moderator-Designate	Rev Susan Brown *	844
Chaplains	Rev James C Stewart *	845
	Rev Mary J Stobo *	846
Principal Clerk	Rev Dr George J Whyte †	847
Acting Depute Clerk	Ms Christine Paterson †	848
Procurator	Ms Laura Dunlop QC †	849
Law Agent	Miss Mary Macleod †	850
Precentor	Rev Dr Martin C Scott	787
Chief Steward	Mr Alexander F Gemmill	
Assembly Officer	Mr William Mearns †	
Assistant Assembly Officer	Mrs Karen McKay †	
BUSINESS COMMITTEE		
Convener Nominate	Ms Judith J H Pearson †	851
Vice-Convener Nominate	Rev Fiona E Smith †	852

\* Communications should be delivered to the Moderator's Room, not to boxes.

† Communications should be delivered to the Clerk's Desk, not to boxes.

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18	Dumbarton	4	Melrose and Peebles
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5	Duns	28	Perth
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47	England		
22	Falkirk	26	St Andrews
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16	Glasgow	23	Stirling
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## Roll of Commissioners

### 1. Presbytery of Edinburgh

#### Minister

1. Rev Benjamin J A Abeledo, Edinburgh: Blackhall St Columba's
2. Rev Ian W Alexander, Secretary, World Mission Council
3. Very Rev Russell Barr DMin, Edinburgh: Cramond
4. Rev David C Cameron, Edinburgh: Dalmeny l/w Queensferry
5. Rev Prof David AS Fergusson FRSE, Principal, New College
6. Rev Colin A M Sinclair, Edinburgh: Palmerston Place
7. Rev Dr Margaret R Forrester, (Edinburgh: St Michael's)
8. Rev Joanne G Foster, Edinburgh: Inverleith St Serf's
9. Rev Dr Richard E Frazer, Edinburgh: Greyfriars Kirk
10. Rev James J Griggs, Edinburgh: Corstorphine St Anne's
11. Very Rev James Harkness KCVO CB OBE DD, (Chaplain General)
12. Rev Jack Holt, Edinburgh: Polwarth
13. Rev Stuart D Irvin, Edinburgh: St Catherine's Argyle
14. Rev Alistair H Keil, Edinburgh: St Andrew's Clermiston
15. Rev Dr Thomas M Kisitu, Edinburgh: St Nicholas' Sighthill
16. Rev Ian A MacDonald, Edinburgh: Holy Trinity
17. Rev Cameron Mackenzie, Edinburgh: Tron Kirk (Gilmerton & Moredun)
18. Rev James G Mackenzie, (Jersey: St Columba's)
19. Rev Calum I Macleod, Edinburgh: High (St Giles')
20. Rev Michael J Mair, Edinburgh: St David's Broomhouse
21. Rev Angus R Mathieson, Acting Council Secretary, Mission & Discipleship Council
22. Rev Moira McDonald, Edinburgh: Corstorphine Old
23. Rev Marjory McPherson, Presbytery Clerk
24. Rev Mary B Morrison, (Edinburgh: Stenhouse St Aidan's)

25. Rev William R Taylor, Chaplaincy Adviser, Scottish Prison Service
26. Very Rev Prof Iain R Torrance Kt TD DD, (President, Princeton Theological Seminary)
27. Rev Ian J Wells, Edinburgh: Ratho
28. Rev Jenny Williams, Edinburgh: Drylaw

#### Elder

29. Mrs Muriel Armstrong, Edinburgh: Fairmilehead
30. Mr Philip P Barnes, Edinburgh: Greenbank
31. Miss Fiona E Beveridge, Edinburgh: Meadowbank
32. Mrs Margaret B P Bisset, Edinburgh: Ratho
33. Mr James R Byers, Edinburgh: Corstorphine St Ninian's
34. Dr Arthur Chapman, Edinburgh: St Andrew's & St George's West
35. Mrs Eleanor E Davidson, Albany Deaf Church
36. Mrs Audrey Downie, Edinburgh: Polwarth
37. Mr David Drummond, Edinburgh: Corstorphine Old
38. Mr John Endicott, Edinburgh: Broughton St Mary's
39. Mr Grant Gordon, Edinburgh: Currie
40. Mr Ian Graham, Edinburgh: Palmerston Place
41. Dr Hazel Hastie, Depute Presbytery Clerk
42. Mrs Caroline Kehoe, Edinburgh: Greenbank
43. Mrs Karen Keil, Edinburgh: St Andrew's Clermiston
44. Mrs Patricia V Kingston, Edinburgh: Gorgie Dalry Stenhouse
45. Mr Jack Macdonald, Edinburgh: Palmerston Place
46. Miss Patricia Macdonald, Edinburgh: Craiglockhart
47. Mr Roger Macklin, Edinburgh: Duddingston
48. Mr David MacLennan, Edinburgh: Gorgie Dalry Stenhouse
49. Mr Michael Merriman, Edinburgh: Juniper Green
50. Mrs Norma Packham, Edinburgh: Liberton Northfield

- 51. Mrs Anna Robertson, Edinburgh: Corstorphine Craigsbank
- 52. Lindsay Sawyer, Edinburgh: St Giles'
- 53. Mrs Sheila Ward, Edinburgh: Slateford Longstone
- 54. Mrs Alexandra Watson, Edinburgh: Cramond
- 55. Mr Ross Wilkinson, Edinburgh: Inverleith St Serf's
- 56. Miss Rachel Wright, Edinburgh: Canongate

**Deacon**

- 57. Mrs Margaret Gordon DCS, (Edinburgh: Currie)
- 58. Miss Anne Mulligan DCS, Hospital Chaplain

**2. Presbytery of West Lothian**

**Minister**

- 59. Rev Sandra Black, Interim Minister, Bathgate: High
- 60. Rev Dr Jonanda Groenewald, Polbeth Harwood l/w West Kirk of Calder
- 61. Rev Derek R Henderson, Abercorn l/w Pardovan, Kingscavil & Winchburgh
- 62. Rev W Richard Houston, Linlithgow: St Ninian's Craigmailen
- 63. Rev Robert J Malloch, Breich Valley
- 64. Rev Duncan Shaw, Presbytery Clerk
- 65. Rev Julia C Wiley, Armadale

**Elder**

- 66. Mrs Patricia A Chapman, Linlithgow: St Ninian's Craigmailen
- 67. Mrs Elizabeth M Dyer, West Kirk of Calder
- 68. Mrs Helen W Macfarlane, Armadale
- 69. Mrs Lynne McEwen, Strathbrock
- 70. Mrs Mary M McKenzie, Breich Valley
- 71. Mr George Stott, West Kirk of Calder
- 72. Mr James Wilson, Bathgate: High

**Deacon**

- 73. Mr Gordon Pennykid DCS, Livingston: Old

**3. Presbytery of Lothian**

**Minister**

- 74. Very Rev John B Cairns KCVO DD LLD, (Aberlady with Gullane)
- 75. Rev Andrew Don, OLM, Newton
- 76. Rev Neil J Dougall, North Berwick: St Andrew Blackadder
- 77. Rev Tom J Gordon, (Chaplain, Marie Curie Hospice, Edinburgh)
- 78. Rev Dr Robin E Hill, Gladsmuir l/w Longniddry
- 79. Rev Alexander G Horsburgh, Dalkeith: St Nicholas' Buccleuch
- 80. Rev Malcolm Lyon, Musselburgh: St Michael's Inveresk
- 81. Rev Alison P McDonald, Musselburgh: Northesk
- 82. Rev John C C Urquhart, Penicuik: St Mungo's
- 83. Rev John Vischer, Garvald & Morham l/w Haddington: West
- 84. Rev Michael D Watson, Deputy Clerk
- 85. Rev Neil H Watson, Belhaven l/w Spott

**Elder**

- 86. Mrs Audrey Affleck, Traprain
- 87. Mr James F Couper, Longniddry
- 88. Mrs Margaret Hood, Dalkeith: St Nicholas' Buccleuch
- 89. Miss Janet Johnston, Cockenzie & Port Seton: Old
- 90. Mr Gordon MacDonald, Penicuik: St Mungo's
- 91. Mr John D McCulloch D L, Presbytery Clerk
- 92. Mrs Abigail Morrison, Longniddry
- 93. Mrs Helen M Napier, Athelstaneford
- 94. Mr Duncan A Nicholson, Spott

- 95. Mrs Margot Robertson, North Berwick: St Andrew Blackadder
- 96. Mr Peter Strachan, Gladsmuir
- 97. Mrs Ena Wallace, Musselburgh: St Michael's Inveresk

#### **Deacon**

- 98. Mrs Marilyn J Steele, Cockenzie & PortSeton: Old

#### **4. Presbytery of Melrose and Peebles**

##### **Minister**

- 99. Very Rev A David K Arnott, (St Andrews: Hope Park with Strathkinness)
- 99. Rev Rae A Clark, Channelkirk & Lauder
- 99. Rev Janice M Faris, Innerleithen, Traquair & Walkerburn
- 99. Rev Dr Leon Keller, Galashiels: Old & St Paul's l/w Galashiels: St John's
- 99. Very Rev Finlay A J Macdonald DD, (Principal Clerk)
- 99. Rev Julie M Rennick, Earlston

##### **Elder**

- 105. Mr James Borthwick, Innerleithen, Traquair & Walkerburn
- 106. Dr Daryll K Green, West Linton: St Andrew's
- 107. Mr John Mackay, Channelkirk & Lauder
- 108. Mr Peter Sandison, Galashiels: Old & St Paul's
- 109. Mr Mark Wands, Earlston
- 110. Mrs Susan M White, Ettrick & Yarrow

#### **5. Presbytery of Duns**

##### **Minister**

- 111. Rev David J Taverner, Coldstream & District Parishes l/w Eccles & Leitholm
- 112. Rev Norman R Whyte, Ayton & District Church

##### **Elder**

- 113. Mrs Margaret Dixon, Coldstream & District
- 114. Mrs Susan Patterson, Ayton & District

#### **6. Presbytery of Jedburgh**

##### **Minister**

- 115. Rev Charles J Finnie, Hawick: Burnfoot
- 116. Rev Lisa-Jane Rankin, Hawick: l/w Teviothead
- 117. Rev Alexander Young, Kelso: Old & Sprouston

##### **Elder**

- 118. Miss Helen Howden, Ruberslaw
- 119. Mr Robert Scott, Hawick: Trinity
- 120. Mrs Patricia Sutherland, Hawick: Teviot

#### **7. Presbytery of Annandale and Eskdale**

##### **Minister**

- 121. Rev Adam J Dillon, Presbytery Clerk
- 122. Rev Dr Frances M Henderson, Hoddam, Kirtle-Eaglesfield & Middlebie
- 123. Rev John G Pickles, Annan: St Andrew's l/w Brydekirk
- 124. Rev David G Pitkeathly, The Border Kirk

##### **Elder**

- 125. Mrs Mary Brown, Kirkpatrick Juxta
- 126. Mrs Liz Hudson, Annan: St Andrew's
- 127. Mr A John Moffat, Hoddam, Kirtle-Eaglesfield & Middlebie
- 128. Mr Daniel M Muir, Gretna Old, Gretna: St Andrew's & Kirkpatrick Fleming

##### **Deacon**

- 129. Mrs Angela Brydson DCS, Applegarth, Sibbaldie & Johnstone l/w Lochmaben

## 8. Presbytery of Dumfries and Kirkcudbright

### Minister

130. Rev Dr David S Bartholomew, Balmaclellan & Kells l/w Carsphairn l/w Dalry
131. Rev Dr Maurice S Bond, Dumfries: St Michael's & South
132. Rev Graham S Finch, (Cadder)
133. Rev Valerie J Ott, Gatehouse & Borgue l/w Tarff & Twynholm
134. Rev Gary J Peacock, Irongray, Lochrutton & Terregles
135. Rev Fiona A Wilson, Dalbeattie & Kirkgunzeon l/w Urr

### Elder

136. Miss Edith Beeton, Dumfries: Maxwelltown West
137. Mr Colin Burnie, Carsphairn
138. Miss Janet Byrom, Gatehouse & Borgue
139. Mrs Audrey Grieve, Balmaclellan & Kells
140. Mr Stewart McKean, Urr
141. Mrs Lilly K Stevenson, Dalbeattie & Kirkgunzeon

## 9. Presbytery of Wigtown and Stranraer

### Minister

142. Rev Pamela A Bellis, Stranraer: High Kirk
143. Rev Joyce Harvey, Kirkinner l/w Mochrum l/w Sorbie
144. Rev Stephen Ogston, Luce Valley

### Elder

145. Mrs Lesley Allen, Ervie Kirkcolm l/w Leswalt
146. Mrs Louise McCandlish, Stranraer: High
147. Mr Samuel Scobie, Presbytery Clerk

## 10. Presbytery of Ayr

### Minister

- 148.

149. Rev Kenneth C Elliott, Craigie l/w Symington
150. Rev George R Fiddes, Prestwick: St Nicholas'
151. Rev Abi T Ngunga, Ayr: Newton Wallacetown
152. Rev John W Paterson, Ayr: Castlehill
153. Rev Derek Peat, Troon: St Meddan's
154. Rev David B Prentice-Hyers, Troon: Old
155. Rev Ian R Stirling, Fisherton l/w Kirkoswald
156. Rev Alastair H Symington, (Troon: Old)
157. Rev Fraser R Aitken, Ayr: St Columba

### Elder

158. Mrs Dorothy Ferguson, Troon: St Meddan's
159. Miss Morag Ferrans, New Cumnock
160. Mr Neil A Inglis, Prestwick: South
161. Mr Gordon S Macdonald, Prestwick: Kingcase
162. Miss Margaret W McIntosh, Prestwick: St Nicholas'
163. Mr George Park, Ayr: St Columba
164. Mrs Margery G Paterson, Old Cumnock: Old
165. Mrs Claire Pirrie, St Colmon
166. Mr Scott Riddex, Old Cumnock: Trinity
167. Mrs Christine Wilson: New Cumnock

## 11. Presbytery of Irvine and Kilmarnock

### Minister

168. Rev H Taylor Brown, Presbytery Clerk
169. Rev David S Cameron, Kilmarnock: New Laigh Kirk
170. Rev C Blair Gillon, (Glasgow: Ibrox)
171. Very Rev William C Hewitt, (Presbytery Clerk)
172. Rev Kristina I Hine, Galston
173. Very Rev David W Lacy DLitt, (Kilmarnock: Kay Park)
174. Rev George K Lind, (Stewarton: St Columba's)
175. Rev T Edward Marshall, Crosshouse

176. Rev James McNaughtan, Kilmarnock: St Andrew's & St Marnock's  
 177. Rev John A Urquhart, Kilmaurs: St Maur's Glencairn

### **Elder**

178. Dr Robin R Burnett, Irvine: Fullarton  
 179. Mr Jeffrey Davies, Kilmarnock: Kay Park  
 180. Mrs Janice Grant, Kilmarnock: New Laigh Kirk  
 181. Mrs Elizabeth Higton, Darvel  
 182. Mrs Jane Johnston, Kilmarnock: St Johns Onthank  
 183. Mrs Morag G Lindsay, Kilmarnock: St Johns Onthank  
 184. Mrs Vanda McTaggart, Galston  
 185. Mr Peter Neish, Stewarton: St Columbas  
 186. Mrs Joyce Simm, Kilmarnock: St Kentigern's  
 187.

### **Deacon**

188. Mrs Barbara Urquhart DCS, Kilmarnock: New Laigh Kirk

## **12. Presbytery of Ardrossan**

### **Minister**

189. Rev M Scott Cameron, Stevenston: High  
 190. Rev Jonathan Fleming, Cumbrae l/w Largs: St Johns  
 191. Rev David Sutherland, Stevenston: Ardeer l/w Stevenston: Livingstone  
 192. Rev T David Watson, Largs: Clark Memorial  
 193. Rev Tanya Webster, Ardrossan Park  
 194. Rev Jeanette Whitecross, Kilwinning: Old

### **Elder**

195. Mr Andrew Campbell, Kilwinning: Old  
 196. Ms Judith Howieson, Fairlie  
 197. Mrs Jean C Q Hunter, Presbytery Clerk  
 198. Mr Brian Murray, West Kilbride

199. Mrs Deirdre Murray, West Kilbride  
 200. Mrs Alison Page, Lamlash

### **Deacon**

201. Mrs Isobel Beck DCS, Kilwinning: Old

## **13. Presbytery of Lanark**

### **Minister**

202. Rev Helen Jamieson, Carluke: St Andrew's  
 203. Rev Bryan Kerr, Presbytery Clerk  
 204. Rev Dr Nikki Macdonald, Upper Clyde  
 205. Rev Maureen I MacDougall, Carnwath l/w Carstairs  
 206. Rev Dr Elijah O Obinna, Carluke: St John's

### **Elder**

207. Mr Ian Conn, Forth: St Paul's  
 208. Mr Ross Hyslop, Lanark: Greyfriars  
 209. Mrs Betty McLeod, Carnwath  
 210. Mr Glenn B Walker, Carluke: St John's  
 211. Mrs Pamela Watt, Carluke: St Andrew's

## **14. Presbytery of Greenock & Paisley**

### **Minister**

212. Rev Stuart Davidson, (Pioneer Minister: Paisley North End)  
 213. Rev Karen E Harbison, Greenock: Westburn  
 214. Very Rev E Lorna Hood OBE DD, (Renfrew: North)  
 215. Rev Maureen Leitch, (Barrhead Bourrock)  
 216. Rev Eileen Manson, Auxiliary Minister, Greenock: St Ninian's  
 217. Rev Ann C McCool, Johnstone: High  
 218. Rev Dr Peter McEnhill, Presbytery Clerk  
 219. Rev Francis E Murphy, Greenock: East End l/w Greenock: Mount Kirk

- 220. Rev Teri Peterson, Gourrock: St John's
- 221. Rev Yvonne Smith, Bishopton
- 222. Rev Alan K Sorensen, Greenock: Wellpark Mid Kirk
- 223. Rev Archie Speirs, Inverkip l/w Skelmorlie & Wemyss Bay
- 224. Rev Philip Wallace, Renfrew: North
- 225.

**Elder**

- 226. Mr James Bain, Renfrew: North
- 227. Mrs Agnes Brown, Barrhead: Bourrock
- 228. Miss Helen Bryers, Renfrew: Trinity
- 229. Mrs Anne Considine, Neilston
- 230. Mr William Dougan, Howwood
- 231. Miss Julie Ferguson, Port Glasgow: St Martin's
- 232. Ms Jean Lindsay, Paisley: Lylesland
- 233. Mr Tom Macdougall, Greenock: St Margaret's
- 234. Mrs Dianne Mathieson, Johnstone: High
- 235. Mr John Melrose, Houston & Killellan
- 236. Mr David Rourke, Inverkip
- 237. Mr Ian Russell, Paisley: Stow Brae
- 238. Mrs Margaret Sharp, Paisley: Abbey
- 239. Mrs Aileen Steel, Paisley: St Columba Foxbar

**16. Presbytery of Glasgow**

**Minister**

- 240. Rev Dr S Grant Barclay, Giffnock: Orchardhill
- 241. Rev Catherine J Beattie, Giffnock: South
- 242. Rev George S Cowie, Presbytery Clerk
- 243. Rev Stuart J Crawford, Newton Mearns
- 244. Rev Dr Valerie J Duff, Glasgow: Shawlands Trinity
- 245. Rev Morris M Dutch, (Costa Del Sol)
- 246. Rev G Gray Fletcher, Glasgow: Carmunnock

- 247. Rev Sally Foster-Fulton, Head of Christian Aid Scotland
- 248. Rev R Stuart M Fulton, Glasgow: Newlands South
- 249. Rev James Gemmell, Bishopbriggs: Kenmure
- 250. Rev David P Hood, Glasgow: Merrylea
- 251. Rev Dr H Martin J Johnstone, Church & Society Council
- 252. Rev Stuart Love, Glasgow: Clincarthill
- 253. Very Rev David W Lunan DD, (Presbytery Clerk)
- 254. Rev George C Mackay, Glasgow: Broomhill Hyndland
- 255. Rev Alasdair R MacMillan, Glasgow: Cathcart Trinity
- 256. Rev Mark Malcolm, Chryston
- 257. Rev Daniel Manastireanu, Glasgow: St Paul's
- 258. Rev Stuart C Matthews, Glasgow: Maryhill
- 259. Rev Dr Alistair S May, Rutherglen: Stonelaw
- 260. Rev Ian M S McInnes, Glasgow: Dennistoun New
- 261. Rev James A McIntyre, Glasgow: Partick South
- 262. Rev Mark McKeown, Chryston
- 263. Rev David N McLachlan, Glasgow: Langside
- 264. Rev Catherine H McLaughlin, OLM, Glasgow: Kelvinbridge
- 265. Rev Alan McWilliam, Glasgow: Whiteinch
- 266. Rev Monica Michelin-Salomon, Glasgow: Causeway (Tollcross)
- 267. Rev Muriel B Pearson, Glasgow: Cranhill
- 268. Rev W Louis T Reddick, Glasgow: Shettleston New
- 269. Rev Jeanne N Roddick, Greenbank
- 270. Rev Dr Joan Ross, Glasgow: Carntyne
- 271. Rev Aquila R Singh, Fernhill & Cathkin
- 272. Rev Jim R Teasdale, Glasgow: Eastwood
- 273. Rev Allan S Vint, Kilsyth: Anderson
- 274. Rev C Peter White, (Glasgow: Sandyford Henderson Memorial)
- 275. Rev Dr Philip Wright, Kirkintilloch: St Columba's

## Elder

276. Ms Margaret Alexander, Glasgow: Cranhill
277. Mr Graeme D I Barrie, Glasgow: Easterhouse
278. Mr Robert Belmore, Glasgow: Balshagray Victoria Park
279. Mr Ralph P Boettcher, Glasgow: Merrylea
280. Mr John Boyle, Glasgow: Broomhill Hyndland
281. Mrs Christina L Brownlie, Glasgow: Cardonald
282. Dr Alastair K Denholm, Glasgow: Williamwood
283. Mrs Margaret K Dundas, Cadder
284. Mrs Marion Dunn, Glasgow: Tron St Mary's
285. Mr Robert Barclay, Glasgow: St Andrew & St Nicholas
286. Ms Rebecca Gebauer, Glasgow: Wellington
287. Mr Thomas J Griffiths, Glasgow: Temple Anniesland
288. Mr Scott P Hamilton, Cambuslang
289. Ms Una Heaney, Sherbrooke: Mossbank
290. Mr Leslie Hooper, Glasgow: Shettleston New
291. Mr John Jamieson, Glasgow: Trinity Possil & Henry Drummond
292. Mr George J Kelly, Campsie
293. Mr J David Liddell, Williamwood
294. Mr John K Macaldowie, Jordanhill
295. Mr Robert Macdonald, Glasgow: Yoker
296. Mr Gordon Macfarlane, Clincarthill
297. Mr Donald H Matheson, Croftfoot
298. Mrs Fiona Matheson, Glasgow: Croftfoot
299. Mr Patrick May, Burnside Blairbeth
300. Mr Donald McCorquodale, Broom
301. Mrs Isabel McDerment, Glasgow: Scotstoun
302. Mr William M McMurtrie, Giffnock: Orchardhill
303. Miss Maureen McNabb, Glasgow: Cardonald
304. Mr Ian Norie, Busby
305. Mr John Thomson, Blawarthill

306. Mrs Elizabeth Walker, Glasgow: Anderston Kelvingrove
307. Mrs Karen Wallace, Kirkintilloch: St David's Memorial Park
308. Miss Susan Waller, Glasgow: Causeway (Tollcross)
309. Mr Barry Watson, Glasgow: Castlemilk
310. Mr Stewart West, Glasgow: Barlanark Greyfriars
311. Mr Andrew Wilkin, Kirkintilloch: St David's Memorial Park

## Deacon

312. Mrs Marion Buchanan DCS, Glasgow: Garthamlock & Craigend East
313. Mr J Paul Cathcart DCS, Glasgow: Castlemilk
853. Mr James E Hamilton DCS, Glasgow: Maryhill
314. Ms Joanna Love DCS, Iona Community: Wild Goose Resource Group

## 17. Presbytery of Hamilton

## Minister

315. Rev I Ross Blackman, Hamilton: Old
316. Rev Leslie N Brunger, Uddingston: Burnhead
317. Rev Dr W John Carswell, Hamilton: Cadzow
318. Rev Joanne C Hood, Hamilton: St John's
319. Rev Derek W Hughes, Motherwell: Dalziel St Andrew's
320. Rev Caryl A E Kyle, Holytown l/w New Stevenston: Wrangholm Kirk
321. Rev Lorna I MacDougall, Overtown
322. Rev Dr Gordon A McCracken, Presbytery Clerk
323. Rev Terence C Moran, Wishaw: South
324. Rev Gordon R Palmer, East Kilbride: Claremont
325. Rev Graham Raeburn, Newmains: Bonkle l/w Newmains: Coltness Memorial
326. Rev Ecilo Selemani, Coatbridge: Townhead
327. Rev Terry A Taylor, East Kilbride: South



- 328. Rev S Lindsay A Turnbull, Hamilton: Trinity
- 329. Rev Douglas W Wallace, East Kilbride: Stewartfield
- 330. Very Rev Dr Hugh R Wyllie, (Hamilton: Old)
- 331.
- 332.

**Elder**

- 333. Mr David S Alexander, Uddingston: Viewpark
- 334. Mrs Aileen Barrie, Airdrie: Cairnlea
- 335. Ms Joy Codona, Airdrie: Clarkston
- 336. Mrs Lynne Eland, East Kilbride: Mossneuk
- 337. Ms Jean Giggie, Overtown
- 338. Mrs Jean Hardie, Hamilton: Trinity
- 339. Mr Angus McConnell JP, East Kilbride: Old
- 340. Ms Marion McElroy, Airdrie: St Columba's
- 341. Mr Stuart W McGowan, Wishaw: St Mark's
- 342. Mrs Irene Murray, Newarthill & Carfin
- 343. Mrs Linda Murray, Airdrie: New Monkland
- 344. Mr Douglas Pearson, Uddingston: Burnhead
- 345. Mrs Janet Rankin, New Stevenston: Wrangholm
- 346. Mr James Reid, Larkhall: St Machan's
- 347. Mr Ian Rice, Larkhall: Trinity
- 348. Mr George Robertson, Hamilton: Old
- 349. Mrs Beverley Stevenson, Coatbridge: Calder
- 350. Mrs Sheena Walker, Greengairs

**Deacon**

- 351. Ms Agnes Tait DCS, East Kilbride: Greenhills

**18. Presbytery of Dumbarton**

**Minister**

- 352. Rev Fergus C Buchanan, Baldernock l/w Milngavie: St Paul's

- 353. Very Rev John C Christie, (Interim Minister)
- 354. Rev Colin I W Johnson, Dumbarton: Riverside l/w Dumbarton; West Kirk
- 355. Rev Ramsay B Shields, Milngavie: St Luke's
- 356. Rev Graeme R Wilson, Bearsden: Cross
- 357. Rev Margaret J B Yule, Clydebank: Kilbowie St Andrew's l/w Clydebank: Radnor Park

358.

359.

**Elder**

- 360. Mrs Christine Cavanagh, Bearsden: Killermont
- 361. Mrs Moira Lamont, Inverkeithing
- 362. Mr John C McMurtrie, Craigrownie
- 363. Mr Jim Morris, Old Kilpatrick Bowling
- 364. Miss Sheila Rennie, Dumbarton: Riverside
- 365. Dr Grace Rogerson, Milngavie: St Paul's
- 366. Mrs Elma Stewart, Clydebank: Radnor Park
- 367. Mrs Mary Sweetland, Alexandria

**19. Presbytery of Argyll**

**Minister**

- 368. Rev Dr Roderick D Campbell, West Lochfyneside
- 369. Rev David Carruthers, Ardrishaig l/w South Knapdale
- 370. Rev Jenny Earl, Iona l/w Kilfinichen, Kilvickeon & the Ross of Mull
- 371. Rev Ruth I Griffiths, Auxiliary Minister, South-East Council
- 372. Rev Catriona A Hood, Ministries Coordinator, South Argyll
- 373. Rev David Mitchell, Kilfinan l/w Kilmodan & Colintrave l/w Kyles
- 374. Rev Dr Lindsay Schluter, Barra l/w South Uist
- 375. Rev Hilda C Smith, Lochgilphead

376.

### Elder

- 377. Mr Archibald M Cook, Campbeltown: Highland
- 378. Mrs Doreen Henderson, Kilmore & Oban
- 379. Mr Calum Kennedy, Dunoon: High Kirk
- 380. Mr Michael G Kidd, Muckairn
- 381.
- 382. Mr Douglas McHugh, Strachur & Strathlachlan
- 383. Mrs Fiona Shaw, United Church of Bute
- 384. Mr W Stewart Shaw, United Church of Bute
- 385. Mrs Dorothy M Wallace, Kilmun, Strone & Ardentinnny

## 22. Presbytery of Falkirk

### Minister

- 386. Rev Robert S T Allan, Falkirk Trinity
- 387. Very Rev Albert O Bogle, Pioneer Ministry with Sanctuary First
- 388. Rev Melville D Crosthwaite, Larbert: East
- 389. Rev Dr Jean W Gallacher, Dunipace
- 390. Rev Aftab Gohar, Grangemouth: Abbotsgrange
- 391. Rev Joyce A Keyes, Cumbernauld: Abronhill
- 392. Rev Alison A Meikle, Grangemouth: Zetland
- 393. Rev Andrew J Moore, Bothkennar & Carronshore
- 394. Rev James F Todd, Airth
- 395. Rev D I Kipchumba Too, Denny: Westpark
- 396. Rev David Wandrum, Denny: Westpark
- 397. Rev Ian Wilkie, Falkirk: Grahamston United

### Elder

- 398. Mr George G Barrowman, Falkirk: Denny
- 399. Mr Alastair Blackstock, Falkirk: Camelon
- 400. Mrs Charlene Condeco, Slamannan

- 401. Mrs Hilda Dunn, Cumbernauld: Kildrum
- 402. Mr Alan Everingham, Bothkennar & Carronshore
- 403. Mr James B Irvine, Falkirk: Bainsford
- 404. Mrs Elizabeth Lawson, Airth
- 405. Dr Stuart McDonald, Moderator, Falkirk Presbytery
- 406. Mrs Catherine C Moore, Blackbraes & Shieldhill
- 407. Mrs Eleanor Neilson, Grangemouth: Kirk of the Holy Rood
- 408. Mr Thomas Rintoul, Bonnybridge: St Helen's
- 409. Mr Eric C Smith, Brightons

### Deacon

- 410. Mr David Nicholson DCS, Cumbernauld: Kildrum

## 23. Presbytery of Stirling

### Minister

- 411. Rev Gary J Caldwell, Dunblane: St Blane's l /w Lecropt
- 412. Rev Dr Janet P Foggie, Pioneer Minister, Stirling University
- 413. Rev A Ray C Gaston, (Leuchars: St Athernase)
- 414. Rev Alexander J Macpherson, Buchanan l/w Drymen
- 415. Rev Gary J McIntyre, Stirling: St Ninian's Old
- 416. Rev James N R McNeil, Alva
- 417. Rev Alex M Millar, Stirling: St Columba's
- 418. Rev Jennifer M Millar, Teacher, Religious & Moral Education
- 419. Rev Alan F Miller, Presbytery Clerk
- 420. Rev Anne F Shearer, Logie
- 421.

### Elder

- 422. Mrs Margaret Baxter, Bannockburn: Allan
- 423. Dr Lesley Dawson, Alva
- 424. Mrs Janette Elliott, Bannockburn: Allan

- 425. Mr Daniel Gunn, Dunblane: St Blane's
- 426. Mrs Joan Kerr, Lecropt
- 427. Mr Ian McVean, Balfron
- 428. Mr Jim Millar, Clackmannan
- 429. Dr Peter Murdoch, Stirling: St Columba's
- 430. Mrs Jennifer O'Keefe, Drymen
- 431. Mrs Margaret Sibbald, Stirling: St Ninian's
- 432. Mr Eric Smith, Sauchie & Coalsnaughton

**Deacon**

- 433. Mrs Jean T Porter DCS, Stirling: St Mark's

**24. Presbytery of Dunfermline**

**Minister**

- 434. Rev Colin M Alston, Inverkeithing l/w North Queensferry
- 435. Very Rev John P Chalmers DD, (Principal Clerk)
- 436. Rev Carolann Erskine, Dunfermline: St Ninian's
- 437. Rev Norman M Grant, Cairneyhill l/w Limekilns
- 438. Very Rev Andrew R C McLellan CBE DD, (HM Inspector of Prisons)
- 439. Rev Christine Sime, Dalgety
- 440. Rev Hugh D Steele, Kelty
- 441. Rev Dr Ian G Thom, Dunfermline: North

**Elder**

- 442. Mrs Faye Buchan, Dunfermline: St Ninian's
- 443. Mrs Margaret Dow, Kelty
- 444. Mrs Veronica Forrest, Kelty
- 445. Mrs Alison Hay, Cairneyhill l/w Limekilns
- 446. Mr Kenneth Logan, Dunfermline: North
- 447. Mrs Isobel MacFarlane, Dalgety
- 448. Mr Derek Peters, Cairneyhill

- 449. Miss Morag K R Wilkinson, Inverkeithing

**Deacon**

- 450. Miss Morag Crawford DCS, Rosyth

**25. Presbytery of Kirkcaldy**

**Minister**

- 451. Rev J Kenneth Froude, Kirkcaldy: St Bryce
- 452. Rev Donald Lawrie, Auchterderran Kinglassie
- 453. Rev Robin J McAlpine, Kirkcaldy: Bennochly
- 454. Rev Eileen Miller, Glenrothes: St Margaret's
- 455. Rev Catriona M Morrison, Auchtertool l/w Linktown
- 456. Rev Allan Morton, Kennoway, Windygates & Balgonie: St Kenneth's

**Elder**

- 457. Mrs Rosemary A Campbell, Kirkcaldy: Templehall
- 458. Mr Finlay Ferguson, Auchterderran Kinglassie
- 459. Mr Douglas Hamill, Kirkcaldy: Linktown
- 460. Mr Stuart Lynch, Kirkcaldy: Pathhead
- 461. Mrs Kathryn Mackie, Dysart: St Clair
- 462. Mrs May Russell, Methilhill & Denbeath

**26. Presbytery of St Andrews**

**Minister**

- 463. Rev Jane L Barron, (Aberdeen: St Machar's Cathedral)
- 464. Rev Graeme W Beebee, Camerson l/w St Andrews: St Leonard's
- 465. Rev James W Campbell, Ceres, Kemback & Springfield
- 466. Rev Dr Amos Chewachong, Newport-on-Tay
- 467. Rev John C Duncan, Leuchars: St Athernase
- 468. Rev Brian H Oxburgh, Tayport
- 469.

## Elder

- 470. Mrs Dulcie Graham, Cupar: St John's & Dairsie United
- 471. Mr William Imlay, Newport-on-Tay
- 472. Mr George McIntosh, St Andrews: St Leonard's
- 473. Ms Catriona Shepherd, Crail
- 474. Mr David Simpson, St Ayle
- 475. Mr Simon C Weller, Ceres, Kemback & Springfield
- 476. Mrs Catherine Wilson, St Ayle

## 27. Presbytery of Dunkeld and Meigle

### Minister

- 477. Rev Michael J Erskine, Alyth
- 478. Rev Neil M Glover, Aberfeldy l/w Dull & Weem l/w Grantully, Logierait & Strathtay
- 479. Rev Mary M Haddow, Pitlochry
- 480. Rev Harry Mowbray, Blairgowrie

### Elder

- 481. Mr Derek Colley, Alyth
- 482. Mrs Margaret Conroy, Blairgowrie
- 483. Dr David Frame, Pitlochry
- 484. Mr John Wright, Dull & Weem

## 28. Presbytery of Perth

### Minister

- 485. Rev James W Aitchison, Aberdalgie & Forteviot l/w Aberuthven & Dunning
- 486. Rev Marc F Bircham, St Madoes & Kinfauns
- 487. Rev J Colin Caskie, Presbytery Clerk
- 488. Rev John Macgregor, Errol
- 489. Rev Graham McWilliams, Comrie l/w Dundurn
- 490. Very Rev Dr Angus Morrison, Orwell & Portmoak

- 491. Rev John A H Murdoch, Perth: St John's Kirk of Perth l/w Perth: St Leonard's-in-the-Fields
- 492. Rev Mairi Perkins, Ardoch l/w Blackford
- 493. Rev David R Rankin, Perth: Riverside
- 494. Very Rev James A Simpson DD, (Dornoch: Cathedral)
- 495. Rev Allan J Wilson, Dunbarney & Forgandenny

### Elder

- 496. Mr Kenith Barclay, Perth: Letham St Mark's
- 497. Mrs Sally Bonnar, Perth: North
- 498. Mr Neil Bremner, Fowlis Wester
- 499. Mr William S H Folan, Dunbarney & Forgandenny
- 500. Mr John Laing, Fowlis, Wester, Madderty & Monzie
- 501. Mr Bayne A P Shaw, Crieff
- 502. Mrs Susan E Warren, Errol
- 503. Dr Dorothy A Weeks OBE, Perth: North
- 504. Mrs Karin Wilson, Errol & Kilspindie
- 505. Mr William Macpherson, Abernethy & Dron & Arngask
- 506.

### Deacon

- 507. Mrs Catherine Wallace DCS, Presbytery Deacon

## 29. Presbytery of Dundee

### Minister

- 508. Rev Robert A Calvert, Dundee: Steeple
- 509. Rev Johannes J De Villiers, Auchterhouse l/w Monikie & Newbigging & Murroes & Tealing
- 510. Rev Robert Mallinson, Dundee: Menzieshill
- 511. Rev William McLaren, Dundee: Stobswell
- 512. Rev R Gordon Reid, (Falkirk: Carriden)
- 513. Rev Fiona J Reynolds, Monifieth
- 514. Rev George K Robson, (Dundee: Balgay)

515. Rev C Graham D Taylor, Dundee: Broughty Ferry St Luke's & Queen Street

### Elder

516. Mr Andrew Barr, Auchterhouse  
 517. Mr James T Colville, Dundee: Broughty Ferry New Kirk  
 518. Mrs Frances Dent, Dundee: Logie & St John's Cross  
 519. Miss Yvonne M Grant, Dundee: Coldside  
 520. Mrs Menna Jefferies, Inchtute & Kinnaird  
 521. Mr Alan Philip, Dundee: Barnhill & St Margaret's  
 522. Mr John R Underwood, Dundee: Menzieshill  
 523. Mr Colin D Wilson, Dundee: St David's High Kirk

### 30. Presbytery of Angus

### Minister

524. Rev Brian Dingwall, Arbirlot: l/w Carmyllie  
 525. Rev Annette Gordon, Carnoustie: Panbride  
 526. Rev Michael S Goss, Barry l/w Carnoustie  
 527. Rev Dr Roderick J Grahame, Brechin: Cathedral  
 528. Rev Brian Ramsay, Aberlemno l/w Guthrie & Rescobie  
 529. Rev Geoffrey Redmayne, Montrose: South & Ferryden  
 530. Rev Linda Stevens, Team Minister, West Angus Area Ministry

### Elder

531. Mr Alexander W Beedie, Arbroath: Knox's  
 532. Mrs Dorothy Booth, Carnoustie: Panbride  
 533. Mr Allan Duncan, Montrose: South & Ferryden  
 534. Mrs Elizabeth Kidd, Brechin: Gardner Memorial  
 535. Miss Evelyn McPhee, Forfar: St Margaret's  
 536. Mrs Catherine Ross, Eassie, Nevay & Newtyle  
 537. Mrs Anne L Shand, Brechin: Cathedral

### 31. Presbytery of Aberdeen

### Minister

538. Rev Dr Benjamin D W Byun, Aberdeen: Ruthrieston West  
 539. Rev Duncan C Eddie, Aberdeen: Holburn West  
 540. Rev Dr John A Ferguson, Peterculter  
 541. Rev Louis Kinsey, Aberdeen: St Columba's Bridge of Don  
 542. Rev Sarah E C Nicol, Aberdeen: Midstocket  
 543. Rev Dr Nigel Parker, Bucksburn Stoneywood  
 544. Rev Michael Phillippo, Auxilliary Minister, Aberdeen: St George's  
 545. Rev G Hutton B Steel, Aberdeen: High Hilton  
 546. Rev David J Stewart, Aberdeen: Bridge of Don Oldmachar

547.

548.

### Elder

549.  
 550. Mrs Catriona Freeman, Aberdeen: Holburn West  
 551. Mrs Lorna Graham, Kingswells  
 552. Miss Alice Merrilees, Aberdeen: Kirk of St Nicholas Uniting  
 553. Mr Donald L Muir, Peterculter  
 554. Mrs Mary S Notman, Aberdeen: Ferryhill  
 555. Dr James A Repper, Aberdeen: Midstocket  
 556. Mrs Hilda O Smith, Aberdeen: Garthdee  
 557. Mrs Lesley K Steel, Aberdeen: High Hilton  
 558. Mr Malcolm A Steel, Aberdeen: St Mark's Parish Church  
 559. Mr David J Wyness, Aberdeen: St Nicholas South of Kincorth

### Deacon

560. Mrs Dorothy Getliffe DCS, Aberdeen: Mannofield

### 32. Presbytery of Kincardine and Deeside

#### Minister

- 561. Rev Jean A Boyd, Drumoak-Durris
- 562. Rev Hugh Conkey, Presbytery Clerk
- 563. Rev Kenneth I Mackenzie, Braemar & Crathie
- 564. Rev Frank Ribbons, Aboyne-Dinnett l/w Cromar
- 565. Rev Antony A Stephen, Banchory-Ternan: West

#### Elder

- 566. Mr Gordon Edgar, Stonehaven South
- 567. Mr Mike Jamieson, Banchory-Ternan: East
- 568. Mr John McCafferty, Maryculter Trinity
- 569. Mrs Sheila Robertson, Cromar
- 570. Mr Michael Scott, Banchory-Ternan: West

### 33. Presbytery of Gordon

#### Minister

- 571. Rev Alastair J Bruce, Ellon
- 572. Rev Rhona Cathcart, Inverurie: West
- 573. Rev Dr Paul McKeown, Belhelvie
- 574. Rev Joshua Mikelson, Kemnay
- 575. Rev Richard M C Reid, Foveran
- 576. Rev Martyn Sanders, Blairdruff & Chapel of Garioch
- 577. Rev Alison I Swindells, Barthol Chapel l/w Tarves

#### Elder

- 578. Miss Ann Brown, Kemnay
- 579. Mr Marc Falconer, Inverurie: West
- 580. Ms Ruth M B Nisbet, Tarves
- 581. Mrs Joyce Petrie, Inverurie: West
- 582. Mrs Yvonne Reid, Foveran
- 583. Mr Allan Ritchie, Belhelvie

584.

#### Deacon

- 585. Miss Marion G Stewart DCS, Skene

### 34. Presbytery of Buchan

#### Minister

- 586. Rev Robert A Fowlie, Longside
- 587. Rev Kevin R Gruer, Turriff: St Ninian's & Forglen
- 588. Rev Sheila M Kirk, Presbytery Clerk
- 589.
- 590. Rev Dr David S Ross, (Prison Chaplain)
- 591. Rev Paul Van Sittert, Army Chaplain
- 592. Rev Willem M Verster, Ordiquhill & Cornhill l/w Whitehills

#### Elder

- 593. Mrs Audrey Clark, Fyvie
- 594. Mrs Maureen H Esson, Cruden
- 595. Mr Robert M Esson, Cruden
- 596. Miss Ruth Mackenzie, Peterhead: New
- 597. Ms Ali MacLeod, Deer
- 598.
- 599.

### 35. Presbytery of Moray

#### Minister

- 600. Rev Jennifer M Adams, Duffus, Spynie & Hopeman
- 601. Rev Alexander Buchan, (North Ronaldsay with Sanday)
- 602. Rev Isabel C Buchan, Buckie: North l/w Rathven
- 603. Rev Stuart M Duff, Birnie & Pluscarden l/w Elgin: High
- 604. Rev Alastair H Gray, Keith: North, Newmill, Boharm & Rothiemay

605. Rev Geoffrey D McKee, Lossiemouth: St Gerardine's High l/w Lossiemouth: St James'

**Elder**

606. Mrs Ann M C Bowie, Bellie & Speymouth  
607. Mrs Sheila A Brumby, Rothes  
608. Mr Alastair Rossetter, St Andrew's-Lhanbryd & Urquhart  
609. Mrs Jane Rossetter, St Andrew's-Lhanbryd & Urquhart  
610. Mrs Janet S Whyte, Bellie & Speymouth  
611.

**36. Presbytery of Abernethy**

**Minister**

612. Rev Alison H Burnside, Kingussie  
613. Rev Donald K Walker, Abernethy l/w Boat of Garten, Carrbridge & Kincardine

**Elder**

614. Mr Mark Duncan, Rothiemurchus & Aviemore  
615. Mrs Jean C Munro, Kingussie

**37. Presbytery of Inverness**

**Minister**

616. Rev Robert Cleland, Ardersier l/w Petty  
617. Rev Trevor G Hunt, Presbytery Clerk  
618. Rev Ian A Manson, Kilmorack & Erchless  
619. Rev David S Scott, Inverness Inshes  
620.  
621.  
622.

**Elder**

623. Mr Arnett D Cook, Inverness Dalneigh & Bona

624. Mr Iain Macdonald, (Inverness East)  
625. Mr Michael A Ronaldson, Inverness: Trinity  
626.  
627.  
628.  
629.

**Deacon**

630. Mr John Craw DCS, (Parish of Latheron)

**38. Presbytery of Lochaber**

**Minister**

631. Rev Anthony Jones, Fort Augustus l/w Glengarry  
632. Rev Donald G B McCorkindale, Presbytery Clerk  
633. Rev Sandy C Stoddart, Duror l/w Glencoe

**Elder**

634. Mrs Catherine Fraser, Fort Augustus  
635. Mrs Ella Gill, Acharacle  
636. Mrs Claudia Nicholson, Strontian

**39. Presbytery of Ross**

**Minister**

637. Rev James Bissett, OLM, Fodderty & Strathpeffer  
638. Rev Terrence Burns, Cromarty l/w Resolis & Urquhart  
639. Rev Heidi Hercus, Lochbroom & Ullapool  
640. Rev Donald A MacSween, Kiltearn  
641. Very Rev Alan D McDonald DLitt DD, (Cameron with St Andrews: St Leonard's)  
642.

**Elder**

643. Mrs Sandra Allan, Fodderty & Strathpeffer



- 644. Mrs Catherine Chambers, Presbytery Clerk
- 645. Mrs Pamela Eddington, Lochbroom & Ullapool
- 646. Mr Andrew Murdoch, Resolis & Urquhart
- 647. Mr Stuart Tickner, Cromarty
- 648. Mr David Underhill, Kiltearn

#### **40. Presbytery of Sutherland**

##### **Minister**

- 649. Rev Andrea M Boyes, Durness & Kinlochbervie
- 650. Rev Hilary M Gardner, Lairg & Rogart
- 651. Rev Ian W McCree, Presbytery Clerk

##### **Elder**

- 652. Mrs Irene Chisholm, Creich
- 653. Mrs Gladys McCulloch, Rosehall
- 654. Mr Donald McLeod, Durness & Kinlochbervie

#### **41. Presbytery of Caithness**

##### **Minister**

- 655. Rev David J B Macartney, North Coast Parish
- 656. Rev David S M Malcolm, Thurso: St Peter's & St Andrew's
- 657. Rev John Nugent, Wick: St Fergus

##### **Elder**

- 658. Mrs Elizabeth Geddes, Pentland Parish
- 659. Mrs Catherine Mappin, Wick: St Fergus
- 660. Mr Gordon McLaren, Thurso: St Peter's & St Andrew's

#### **42. Presbytery of Lochcarron-Skye**

##### **Minister**

- 661. Rev Dr Rory A R MacLeod, Strath & Sleat
- 662. Rev Anita Stutter, Applecross, Lochcarron & Torridon

663.

##### **Elder**

- 664. Mrs Anne MacAskill, Bracadale & Duirinish
- 665. Dr Helen V A Stewart, Applecross, Lochcarron & Torridon
- 666. Mrs Nicola Thomson, Strath & Sleat

#### **43. Presbytery of Uist**

##### **Minister**

- 667. Rev Alen McCulloch, Berneray & Lochmaddy l/w Kilmuir and Paible

##### **Elder**

- 668. Mr Kenneth Maclean, Berneray & Lochmaddy

#### **44. Presbytery of Lewis**

##### **Minister**

- 669. Rev Dr Ben Johnstone, (Strath and Sleat)
- 670. Rev John M Nicolson, Assistant Minister, Stornoway: Martin's Memorial
- 671. Rev Thimlapura K Shadakshari, Healthcare Chaplain

##### **Elder**

- 672. Mr John Cunningham, Presbytery Clerk
- 673. Mr Calum Graham, Knock
- 674. Mr Donald Smith, Barvas

#### **45. Presbytery of Orkney**

##### **Minister**

- 675. Rev John A Butterfield, Stromness
- 676. Rev Wilma A Johnston, East Mainland
- 677. Rev Iain D MacDonald, Papa Westray l/w Westray

678. Rev G Fraser H Macnaughton, Kirkwall: St Magnus Cathedral

### **Elder**

679. Mrs Sally Bartkowiak, Stromness

680. Mrs Liz McVicar, Papa Westray l/w Westray

681. Mr Alasdair McVicar, Westray

682.

## **46. Presbytery of Shetland**

### **Minister**

683. Rev Irene A Charlton, Nesting & Lunnasting l/w Whalsay & Skerries

684. Rev David B Dobby, Sandsting & Aithsting l/w Walls & Sandness

### **Elder**

685. Mr Andrew J Williamson, Whalsay & Skerries

686. Mr Creighton J Williamson, Aithsting & Sandsting

## **47. Presbytery of England**

### **Minister**

687. Rev Dr David G Coulter, Chaplain General, HM Land Forces

688. Rev Alistair Cumming, Presbytery Clerk

689. Rev Dr Cameron Langlands, NHS Chaplain

690. Rev Kleber Machado, Corby: St Ninian's

691. Rev C Angus Macleod, London: St Columba's

692. Rev Philip L Majcher, London: Crown Court

693. Very Rev John H McIndoe DD, (London: St Columba's)

694. Rev John McMahon, NHS Chaplain

### **Elder**

695. Dr Alan Boyle, Guernsey: St Andrew's in the Grange

696. Dr Hilary Boyle, Guernsey: St Andrew's in the Grange

697. Mr George D Fergusson, London: Crown Court

698. Miss Elizabeth Fox, London: St Columba's

699. Mrs Caroline J Ludlow, Jersey: St Columba's

700. Mr Ian Russell, London: St Columba's

701. Mrs Rosa Somerville, London: St Columba's

702. Mr Alan Wright, London: Newcastle: St Andrew's

## **48. Presbytery of International Charges**

### **Minister**

703. Rev Alistair G Bennett, Bermuda: Christ Church, Warwick

704. Rev Kim Hurst, Malta St Andrew's Scots Church

705. Rev Ewen Maclean, Gibraltar: St Andrew's

706. Rev Ian J M McDonald, Lausanne: The Scots Kirk

707. Rev Lance B Stone, Amsterdam: English Reformed Church

### **Elder**

708. Mrs Eva Boros, Budapest: St Columba's

709. Mr David Lloyd, Brussels: St Andrew's

710. Mrs Sylvia McKillop, Lausanne: Scots Kirk

711. Mrs Christa D Wiegand, Malta St Andrew's Scots Church

712. Mrs Ingrid Zimmerman-Sorensen, Amsterdam: English Reformed Church

## **49. Presbytery of Jerusalem**

### **Minister**

713.

### **Elder**

714. Mrs Mary Musallam, Jerusalem: St Andrew's Memorial

## DELEGATES FROM OTHER CHURCHES

### UNITED KINGDOM

#### The Presbyterian Church of Wales

715. Rev Brian Jones, Moderator

#### The United Reformed Church

716. Mr Alan Yates, Moderator

#### The United Reformed Church National Synod of Scotland

717. Rev Fiona Bennett, Minister, Augustine United

#### The Baptist Union of Scotland

718. Rev Frances Bloomfield, Convener

#### The Church of England

719. Rev Alistair McHaffie, Vicar, St Matthew's Preston

#### The Methodist Church in Scotland

720. Mr Doug Swanney, Connexional Secretary

#### Religious Society of Friends – General Meeting for Scotland

721. Dr Huw Lloyd-Richards

#### The Roman Catholic Church Bishops' Conference of Scotland

722. The Most Rev Leo William Cushley, Archbishop and Metropolitan of St Andrews & Edinburgh

723. Rt Rev Mgr Philip Kerr, Vice-President of the Office of Ecumenism

#### The Salvation Army

724. Major Steven Turner, Assistant to the Secretary for Scotland

#### The Scottish Episcopal Church

725. The Rt Rev Dr John Armes, Bishop of Edinburgh

#### The United Free Church of Scotland

726. Rev Ian Boa, Moderator

## The Congregational Federation in Scotland

727. Rev Ruairidh MacRae, Minister, Eyemouth United Congregational Church

## DELEGATES FROM ECUMENICAL BODIES

### Action of Churches Together in Scotland

728. Mr Paul Goldfinch, Trustee

### Conference of European Churches

854. The Rt Rev Christopher Hill, President

### Churches Together in Britain and Ireland

729. Mrs Christine Elliott, Director of International Programmes

## DELEGATES FROM OTHER COUNTRIES

### AFRICA

#### Presbyterian Church of Ghana

765. Mr Emmanuel Kwame Tettey

#### Presbyterian Church of East Africa, Kenya

731. Rev Alfred Mugendi

#### Synod of Blantyre, CCAP, Malawi

732. Rev Moyenda Shamir Kanjerwa

#### Synod of Livingstonia, CCAP, Malawi

733. Rev John Gondwe

#### Presbyterian Church of Nigeria

734. Rev Nzie Nsi Eke

#### Presbyterian Church of South Sudan

735. Rt Rev Peter Gai Lual

#### Uniting Presbyterian Church in Southern Africa

736. Rev Dr Robert Munthali

#### United Church of Zambia

737. Rev Bishop Chipasha Musaba

## AMERICAS

### **Christian Church (Disciples of Christ), USA**

738. Rev Nathan Day Wilson

### **Presbyterian Church USA**

739. Rev Robina M Winbush

## ASIA

### **Church of North India**

740. Mr Jayant Agrawal

### **Church of South India**

741. Bishop Timothy Ravinder

### **Gereja Kristen Sumba, Indonesia**

742.

### **Presbyterian Church in the Republic of Korea**

743. Rev Dr Lee Jae Cheon

### **Presbyterian Church in Singapore**

744. Rev Kien Seng Lee

### **Presbyterian Church in Taiwan**

855. Rev Chung Shou-Hui

## CARIBBEAN

### **Presbyterian Church of Trinidad and Tobago**

745. Rev Keron Khellawan

## EUROPE

### **Evangelical Church of Czech Brethren**

746. Rev Ida Tenglerová

### **Evangelical Lutheran Church of Finland**

747. Rev Dr Elina Hellqvist

### **United Protestant Church in France**

748. Mrs Judith Doré

### **Evangelische Kirche in Deutschland**

749. Rev Verena Jantzen

### **Reformierter Bund in Deutschland**

750. Rev Meike Waechter

### **Greek Evangelical Church**

751. Ms Electra Sofou

### **Hungarian Reformed Church**

752. Mr Gyula Homoki

### **Tavola Valdese, Italy**

753. Rev Daniela Di Carlo

### **Church of Norway**

754. Rev Ingrid Ims

### **Reformed Evangelical Church in Poland**

755. Rev Michael Jablonski

### **Evangelical Presbyterian Church of Portugal**

756. Rev Sandra Cristina Reis Oliveira

### **Spanish Evangelical Church**

757. Rev Dr Israel Flores

### **The Uniting Church in Sweden**

758. Ms Rebecca Sandfridson

### **Schweizerischer Evangelischer Kirchenbund, Switzerland**

759. Rev Serge Fornerod

### **Reformed Church in Carpatho-Ukraine**

760. Rev Géza Kacsó

## MIDDLE EAST

### **Evangelical Church of Egypt, Synod of the Nile**

761.

### **House of Grace**

762. Mr Jamal Shehade

**Sabeel Ecumenical Liberation Theology Centre**

763. Mrs Kate Aspinwall

**National Evangelical Synod of Syria and Lebanon**

764. Rev Rola Sleiman

**VISITORS**

**AFRICA**

**Synod of Blantyre, CCAP, Malawi**

766. Rev Ella Makunganya

**Synod of Livingstonia CCAP, Malawi**

767. Rev Agnes Nyirenda

768. Mrs Miriam S Pullu

**Presbyterian Church of Nigeria**

769. Rev Mrs Deborah Akan

770. Elder Uzoaku Williams

771. Mrs Jessie Fubara-Manuel

772. Rev Ini Ukpuho

773.

**United Church of Zambia**

774. Rev Mildred Syangandu

**ASIA**

**Shandong Christian Council**

775. Ms Du Nana

**Church of South India**

776. Rev Paul Singh

**Gereja Kristen Sumba, Indonesia**

777.

**Presbyterian Church in Taiwan**

778. Ms Sung Yin-Hsuan

779. Ms Wen-Pei Shin

780. Mr Ted Song

**EUROPE**

**Hungarian Reformed Church**

781. Mr Bertalan Jozsa

**The Church of Sweden**

782. Mr Martin Sandfridson

**MIDDLE EAST**

**Musalaha**

783. Mr John Munayer

**GREETINGS FROM PARTNER CHURCHES NOT ATTENDING  
THE GENERAL ASSEMBLY 2018**

**AMERICAS**

**Iglesia Evangelia Valdense Del Rio de la Plata, Uruguay**

We pray that God may guide the Spirit in your General Assembly.

**ASIA**

**The United Mission to Nepal**

May the grace of God be upon your Assembly.

**Trinity Theological College Singapore**

We thank the Church of Scotland for the longstanding partnership and wish God's blessings upon your 2018 General Assembly.

**EUROPE**

Evangelical Lutheran Church in Denmark

**PACIFIC**

**Uniting Church in Australia**

Be completely humble and gentle; be patient, bearing with one another in love" (Ephesians 4:2)

## **APOLOGIES RECEIVED FROM THE FOLLOWING CHURCHES**

### **AFRICA**

Igreja Evangelica de Cristo em Mocambique

### **AMERICAS**

Presbyterian Church in Canada

AIPRAL, Uruguay

Mesa Valdense, Uruguay

### **ASIA**

Church of Bangladesh

Church of Pakistan

Trinity Theological College, Singapore

### **CARRIBEAN**

Presbyterian Reformed Church in Cuba

The United Church in Jamaica and the Cayman Islands

### **EUROPE**

United Protestant Church in Belgium

Evangelical Lutheran Church in Denmark

### **MIDDLE EAST**

Diocese of the Episcopal Church in Jerusalem and the Middle East

Middle East Council of Churches

Near East School of Theology

Evangelical Church of Egypt, Synod of the Nile

Middle East Council of Churches, Department of Services to Palestinian Refugees (DSPR)

### **PACIFIC**

Uniting Church in Australia

Presbyterian Church of Aotearoa New Zealand

## **CORRESPONDING MEMBERS**

### **Council of Assembly**

784. Miss Catherine Coull – Governance Group

785. Mrs Isobel Hunter – Council of Assembly

786. Mrs Lynsey Kimmitt - Nomination Committee

787. Rev Dr Martin C Scott – Secretary

788. Mr David Watt – Finance Group

### **Church and Society Council**

789. Mr Andrew Tomlinson

### **Ministries Council**

790. Dr John Dent

791. Rev Jayne Scott

### **Mission and Discipleship Council**

792. Rev Norman Smith

793. Mrs Stephanie Fowler

### **Social Care Council**

794. Mrs Viv Dickenson

795. Mr Bill Steele

### **World Mission Council**

796. Rev Iain D Cunningham

797. Ms Carol Finlay

### **Committee on Church Art and Architecture**

798. Rev William T Hogg

### **General Trustees**

799. Mr Raymond K Young

### **Church of Scotland Guild**

800. Mr Iain Whyte

### **Housing and Loan Fund**

801. Miss Lin J Macmillan – 19, 21, 22, 23 & 25 May

802. Rev Ian Taylor – 24 May

### **Panel on Review & Reform**

803. Rev Graham L Duffin

### **Safeguarding**

804. Rev Karen K Campbell – 19, 21 & 22 May

805. Ms Julie Main – 23, 24 & 25 May

### **Theological Forum**

806. Rev Dr Donald G MacEwan

### **Ecumenical Relations Committee**

807.

808. Rev Dr John McPake

### **Life & Work**

809. Mrs Lynne McNeil

### **General Treasurer**

810. Mrs Anne F Macintosh

### **Head of Human Resources**

811. Mrs Elaine McCloghry

### **Parliamentary Officer**

812. Ms Chloe M Clemmons

### **Pension Trustees**

871. Mr Graeme R Caughey

### **OVERSEAS STAFF ON LEAVE**

813. Rev Colin Johnston

### **YOUTH REPRESENTATIVES**

#### **Youth Representatives appointed at the National Youth Assembly 2017**

814. Miss Blyth Rodger

815. Miss Tamsin Dingwall

816. Mr Robin Downie

817. Miss Hannah Dunlop

818. Miss Rachel Hunter

819. Miss Seonaid Knox

820. Mr Connor MacFadyen

821. Miss Susan MacFarlane

822. Miss Catriona Munro

823. Miss Tara Shannon

### **PRESBYTERY REPRESENTATION**

#### **Edinburgh**

824. Miss Gemma King

#### **West Lothian**

825. Mr Fraser Borland

#### **Lothian**

826. Mr Gregor Penman

#### **Irvine & Kilmarnock**

827. Miss Amy Hannah

#### **Lanark**

828. Mr Euan Robb

#### **Greenock & Paisley**

829. Mr Shahrukh Gill

#### **Glasgow**

830. Mr Grant Henderson

#### **Hamilton**

831. Miss Nicola Forbes

#### **Stirling**

832. Miss Dana McQuater

#### **Dunfermline**

833. Miss Esther Nisbet

#### **Kirkcaldy**

834. Mr Ruari Morrison

#### **Perth**

835. Miss Molly Black

#### **Angus**

836. Miss Anna Linton

#### **Kincardine & Deeside**

837. Miss D'arcy Constance Holt



**Gordon**

838. Mr Michael Graham

**Moray**

839. Mr Chris Fett-Worsfold

**Lochaber**

840. Mr Samuel Jones

**England**

841. Miss Iris Maxfield

**International**

842. Miss Elaine De Zanger

SECTION B – MINUTES OF THE PROCEEDINGS

Minutes

- 41/1 ..... Convened at Edinburgh, 19 May 2018
- 41/8 ..... Convened at Edinburgh, 21 May 2018
- 41/13 ..... Convened at Edinburgh, 22 May 2018
- 41/20 ..... Convened at Edinburgh, 23 May 2018
- 41/27 ..... Convened at Edinburgh, 24 May 2018
- 41/33 ..... Convened at Edinburgh, 25 May 2018
- 41/36 ..... Convened at Edinburgh, 25 May 2018



## MINUTES OF THE PROCEEDINGS

### Convened at Edinburgh, 19 May 2018

*At Edinburgh, and within the Assembly Hall, the 19th day of May 2018 years, at 9.30 am.*

#### SESSION 1

After public worship in the Assembly Hall, conducted by the Right Rev Derek Browning MA BD DMin, 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 Susan Marjory Brown BD DipMin be appointed Moderator.

The appointment was intimated to Mrs Brown who was welcomed by the Moderator, and, after the Prayer of Consecration, took the Chair.

Her Majesty's Commission to His Grace Richard Walter John Montagu Douglas Scott, The Duke of Buccleuch and Queensberry KBE DL FSA FRSE, 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.

The Very Rev Derek Browning MA BD DMin, Retiring Moderator, addressed the General Assembly, and was thanked by the Moderator for his distinguished and valued service during his year of office.

A Committee was appointed to prepare an answer to Her Majesty's Gracious Letter, viz:

Mrs Ann M C Bowie	(606)
Rev C Angus Macleod	(691)
Mrs Alexandra Watson	(54)

Very Rev Dr Derek Browning, *Convener*

The General Assembly called for the Report of the Standing Committee on Commissions, which was given in by the Principal Clerk 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 Kenith Barclay	(496)
Rev Sandra Black	(59)
Rev Jean A Boyd	(561)
Mrs Marion Buchanan DCS	(312)
Rev J Colin Caskie	(487)
Mrs Catherine Chambers	(644)
Dr Arthur Chapman	(34)
Mrs Margaret Conroy	(482)
Rev George S Cowie	(242)
Miss Morag Crawford DCS	(450)
Rev Alistair Cumming	(688)
Mr John Cunningham	(672)
Rev Helen Cuthbert	(148)
Rev Carolann Erskine	(436)
Rev Dr John A Ferguson	(540)
Miss Morag Ferrans	(159)
Mrs Catriona Freeman	(550)
Mr Grant Gordon	(39)
Mr Scott P Hamilton	(286)
Dr Hazel Hastie	(41)
Rev Alexander G Horsburgh	(79)

Rev Trevor G Hunt (617)  
 Mrs Jean C Q Hunter (197)  
 Rev Kim Hurst (704)  
 Mr William Imlay (471)  
 Rev Bryan Kerr (203)  
 Rev Donald G B McCorkindale (632)  
 Rev Dr Gordon A McCracken (322)  
 Mr John D McCulloch (91)  
 Rev Marjory McPherson (23)  
 Dr Peter Murdoch (429)  
 Mr David Nicholson DCS (410)  
 Rev Valerie J Ott (133)  
 Mr Ian Russell (700)  
 Rev Linda Stevens (530)  
 Dr Helen V A Stewart (665)  
 Rev Alison I Swindells (577)  
 Rev C Graham D Taylor (515)

Ms Judith Pearson, *Convener*  
 Rev Fiona Smith, *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 Dr Derek Browning, *Convener*  
*Principal Clerk*  
*Depute Clerk*

The General Assembly called for a Report anent the Celebration of Holy Communion in the Assembly Hall on Monday 21 May 2018 at 9.15 am.

The General Assembly approved the Report.

The General Assembly suspended their sitting at 10.50 am until 11.28 am.

## SESSION 2

### APPOINTMENT OF DEPUTE CLERK

*Section 6 of the proposed Deliverance in the Council of Assembly's Supplementary Report was moved, seconded and agreed:*

#### The General Assembly:

6. Appoint Ms Christine Paterson as Depute Clerk of the General Assembly with effect from 19 May 2018.

Ms Christine Paterson was welcomed by the Moderator on her appointment. Ms Paterson took the oath *de fide*li.

The General Assembly received the following Delegates and Visitors:

*The Presbyterian Church of Wales*  
 Rev Brian Jones, Moderator

*The United Reformed Church*  
 Mr Alan Yates, Moderator

*The United Reformed Church National Synod of Scotland*  
 Rev Fiona Bennett, Minister, Augustine United, Edinburgh

*The Baptist Union of Scotland*  
 Rev Frances Bloomfield, Convener

*The Church of England*  
 Rev Canon Alistair McHaffie, Vicar, St Matthew's Preston

*The Methodist Church in Scotland*  
 Mr Doug Swanney, Connexional Secretary

*Religious Society of Friends – General Meeting for Scotland*  
 Dr Huw Lloyd-Richards

*The Roman Catholic Church Bishops' Conference of Scotland*  
 Rt Rev Mgr Philip Kerr, Vice-President of the Office of Ecumenism

*The Salvation Army*  
 Major Steven Turner, Assistant to the Secretary for Scotland

## Section B - Minutes of the Proceedings.....

### *The Scottish Episcopal Church*

Rt Rev Dr John Armes, Bishop of Edinburgh

### *The United Free Church of Scotland*

Rev Ian Boa, Moderator

### *Action of Churches Together in Scotland*

Mr Paul Goldfinch, Trustee

### *Churches Together in Britain and Ireland*

Mrs Christine Elliott, Director of International Programmes

### *Presbyterian Church of Ghana*

Mr Emmanuel Kwame Tettey

### *Presbyterian Church of East Africa, Kenya*

Rev Alfred Mugendi Kanga, Deputy Secretary General

### *Synod of Blantyre, CCAP, Malawi*

Rev Moyenda Shamir Kanjerwa, Deputy General Secretary; Rev Ella Makunganya, Minister

### *Synod of Livingstonia, CCAP, Malawi*

Rev John Gondwe, Synod Moderator; Rev Agness Nyirenda, Minister; Mrs Miriam Pullu, Executive Member of Synod

### *Presbyterian Church of Nigeria*

Rev Nzie Nsi Eke, Moderator; Rev Ini Ukpuho, Director of Ecumenism and Interfaith Relations; Elder Uzoaku Williams, Secretary, Ecumenism and Interfaith Relations

### *Presbyterian Church of South Sudan*

Rt Rev Peter Gai Lual, Moderator

### *Uniting Presbyterian Church in Southern Africa*

Rev Dr Robert Munthali, Moderator and Mrs Balenkeni Munthali

### *United Church of Zambia*

Rev Bishop Chipasha Musaba, Presbytery Bishop and Mrs Barbara Kasonde Musaba; Rev Mildred Syangandu, Minister

### *Church of North India*

Mr Jayant Agrawal, Hon Treasurer

### *Church of South India*

Bishop Timothy Ravinder

### *Presbyterian Church in the Republic of Korea*

Rev Dr Lee Jae Cheon, General Secretary

### *Presbyterian Church in Singapore*

Rev Kien Seng Lee, Synod Executive Committee Member and Moderator of the English Presbytery Executive Committee

### *The Presbyterian Church in Taiwan*

Rev Chung Shou-Hui, Minister

### *Presbyterian Church USA*

Rev Robina Winbush, Associated Stated Clerk and Director for Ecumenical Relations

### *Presbyterian Church of Trinidad and Tobago*

Rev Keron Khellawan, Chairperson of South Central Presbytery

### *Evangelical Church of Czech Brethren*

Rev Ida Tenglerová, Minister

### *Evangelical Lutheran Church of Finland*

Rev Dr Elina Hellqvist, Secretary for Interfaith Relations

### *United Protestant Church in France*

Mrs Judith Doré, President of Chartres Church Council

### *Evangelische Kirche in Deutschland*

Rev Verena Jantzen, Minister

### *Greek Evangelical Church*

Ms Electra Sofou, Member of the Greek Evangelical Youth Movement

### *Hungarian Reformed Church*

Mr Gyula Homoki

### *Church of Norway*

Rev Ingrid Ims, Minister

### *Reformed Evangelical Church in Poland*

Rev Michal Jablonski, Minister

### *The Church of Sweden*

Mrs Rebecca Sandfridson and Mr Martin Sandfridson

### *Schweizerischer Evangelischer Kirchenbund, Switzerland*

Rev Serge Fornerod, Deputy General Secretary

*Reformed Church in Carpatho-Ukraine*  
Rev Géza Kacsó, Minister and Mrs Dóra Kacsó

*House of Grace*  
Mr Jamal Shehade, Director

*Sabeel Ecumenical Liberation Theology Centre*  
Mrs Kate Aspinwall, Board Member Sabeel UK

*National Evangelical Synod of Syria and Lebanon*  
Rev Rola Sleiman, Minister

*Presbyterian Church of Nigeria*  
Mrs Jessie Fubara-Manuel

*Shandong Christian Council*  
Ms Du Nana

*Church of South India*  
Rev Paul Singh

*The Presbyterian Church in Taiwan*  
Ms Sung Yin-Hsuan; Ms Wen-Pei Shin; Mr Ted Song

*Hungarian Reformed Church*  
Mr Bertalan Jozsa

#### OVERSEAS STAFF ON LEAVE

*Evangelical Theological Seminary, Cairo, Egypt*  
Rev Colin Johnston

The reception of the Delegates and Visitors being completed, the Moderator welcomed them on behalf of the General Assembly.

Rev Canon Alistair McHaffie and Rev Rola Sleiman addressed the General Assembly in the name of the Delegates and Visitors and were thanked by the Moderator.

#### ASSEMBLY ARRANGEMENTS COMMITTEE

The General Assembly called for the Report of the Assembly Arrangements Committee which was given in by Ms Judith Pearson, Convener.

*It was moved and seconded-*

#### The General Assembly:

1. Receive the Report.
2. Approve the Order of Business for the first two days.
3. Appoint Mr Roy Pinkerton to index 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. Remind commissioners of the deadline for submitting nominations for the Committee to Nominate the Moderator.
6. Encourage commissioners intending to move amendments and counter-motions to arrange to have these printed in the Assembly papers.
7. Instruct the Committee to review the efficacy of the role and size of the Business Committee and to report to the General Assembly of 2019.
8. Welcome the appointment of Mr William Mearns as Assembly Officer.
9. Approve the Schedule of visits by Moderators of the General Assembly to Presbyteries.

#### SCOTTISH BIBLE SOCIETY

10. Urge the Scottish Bible Society to pursue its ongoing efforts to address the challenge of global Bible translation.
11. Support the Society in its desire to work in partnership with congregations to improve people's experience of the Bible and its impact on their life.
12. Encourage congregations to consider using *Bibleworld Books* as a way to improve literacy levels amongst children in their communities.
13. Endorse the Society in its efforts to encourage confidence in the gospel and in providing Scripture resources for mission purposes.
14. Commend the Society's global outreach to the generosity of congregations and members.

*It was moved, seconded and agreed as an amendment of the Deliverance:*



*Add a new Section 8 and renumber:*

Welcome the Committee's desire to see a Volume XII of the *Fasti Ecclesiae Scoticanæ* published for the years 2000-2020 and encourage the Committee in the development of this project.

*It was moved, seconded and agreed as an amendment of Section 10:*

*Add at the end:*

'and prayerfully uphold their endeavours.'

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.

*The Deliverance as amended was then agreed.*

Ms Pearson, on her retiral as Convener of the Assembly Arrangements Committee, was thanked by the Moderator for her noteworthy service to the Committee and the General Assembly.

### **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, the Depute Clerk of the General Assembly to be Vice-Chairman and the Solicitor of the Church to act as Secretary.

### **JUDICIAL COMMISSION**

The General Assembly called for the Minutes of the Judicial Commission which were laid on the table.

Mr Robert Brodie, on his retiral as a Convener of the Judicial Commission, was thanked by the Moderator for his noteworthy service to the Commission and the General Assembly.

### **MINISTRIES APPEAL PANEL**

The General Assembly called for the Minutes of the Ministries Appeal Panel which were laid on the table.

### **COMMITTEE ON OVERTURES AND CASES**

This Committee had not met and there was no Report.

The General Assembly suspended their sitting at 12.40 pm until 2.05 pm.

## **SESSION 3**

### **LEGAL QUESTIONS COMMITTEE**

The General Assembly called for the Report and Supplementary Report of the Legal Questions Committee which were given in by the Rev George Cowie, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report and Supplementary Report.
2. Amend Standing Orders 95(i), 113.12.f) and 123, all as detailed in Section 1 and Appendix A of the Report.
3. Instruct the Committee, in consultation with others, to prepare a new Church Courts Act in line with the terms of this Report and to bring the new Act to a future Assembly for approval.
4. Pass the Ordination of Ministers of Word and Sacrament and Deacons Act as set out in Appendix B of the Report.
5. Pass the Parish Ministry Act as set out in Appendix C of the Report.

6. Approve the Discipline Overture as set out in Appendix D of the Report and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent to the Principal Clerk by 31st December 2018.
7. Pass the Legal Aid in Disciplinary Proceedings Regulations as set out in Appendix E of the Report.
8. Pass an Act amending the Appeals Act (Act I 2014) as set out in Appendix F of the Report.
9. Pass Acts amending the Discipline of Ministry Act (Act III 2001) and the Discipline of Elders, Readers and Office Bearers Act (Act I 2010) as set out in Appendices G and H of the Report.
10. Note that the Legal Questions Committee has undertaken a study of the matters which would require to be addressed in any new legislation permitting Ministers and Deacons to officiate at same-sex marriage ceremonies and that this is presented in the report at section 9 with the Opinion of the Procurator annexed at Appendix I of the Report.
11. Pass the Virtual Attendance at Meetings Act as set out in Appendix J of the Report.
12.
  - a) Note that nine Presbyteries have taken part in a pilot Presbytery Review process;
  - b) agree that a further cycle of Reviews should take place in 2018-2019; and
  - c) instruct the Committee to report further to the General Assembly of 2019.
13. Amend Standing Order 33.1.(a) as detailed in Section 1 of the Supplementary Report.
14. Pass an Act amending the Vacancy Procedure Act (Act VIII 2003) as set out in Appendix A of the Supplementary Report.

*It was moved and seconded:*

Depart from a proposed amendment in the name of the Rev Bryan Kerr.

*On a vote being taken For or Against departing from a proposed amendment, it carried Against.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 11 and renumber:*

Instruct the Legal Questions Committee to prepare legislation enabling those Ministers of Word and Sacrament and Deacons who wish to do so to be nominated to solemnise same-sex marriage ceremonies in accordance with Section 9(1A) of the Marriage (Scotland) Act 1977, while also providing safeguards to address issues identified both in section 9 of the Report and in the Opinion of the Procurator annexed at Appendix I, and report to the General Assembly of 2020.

*It was moved and seconded as an amendment of the proposed amendment:*

*After 'Appendix I' delete comma and insert 'but only if the Committee finds that the said safeguards, in their opinion, sufficiently protect against the risks they identify;'*

*On a vote being taken For or Against the amendment of the proposed amendment it carried For.*

*On a vote being taken For or Against the amendment as amended, there voted For 345 and Against 170.*

The General Assembly suspended their sitting at 3.20 pm until 3.50 pm.

*The Deliverance as amended was then agreed.*

## **JOINT REPORT OF THE MINISTRIES COUNCIL AND THE LEGAL QUESTIONS COMMITTEE**

The General Assembly called for the Joint Report of the Ministries Council and the Legal Questions Committee which was given in by the Rev Neil Glover, Convener of the Ministries Council.

*It was moved, seconded and agreed:*

### **The General Assembly:**

1. Receive the Report.
2. Agree that the Council and the Committee have completed the work instructed by the General Assembly in terms of section 35 of the Deliverance on the Council's 2017 Report.

**SESSION 4****COUNCIL OF ASSEMBLY**

The General Assembly called for the Report and Supplementary Report of the Council of Assembly which were given in by Dr Sally Bonnar, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report and Supplementary Report.
2. Give thanks for the engagement of congregations and Presbyteries in the *Together we Pray* initiative and instruct the Council to make arrangements for another National Day of Prayer, on 3 November 2018, focussing on the life and missional work of the Church of Scotland.
3. *Consideration of Section 3 was deferred until Session 7.*
4. *Consideration of Section 4 was deferred until Session 7.*
5. *Consideration of Section 5 was deferred until Session 7.*
6. *Consideration of Section 6 was deferred until Session 7.*
7. *Consideration of Section 7 was deferred until Session 7.*
8. *Consideration of Section 8 was deferred until Session 8.*
9. Note the continuing work of the Gaelic Group, including the ongoing development of a Gaelic Language Plan for the Church of Scotland, and approve the Remit for the Group as outlined in Appendix 2.
10. Instruct Presbyteries to ensure that Congregational Office Bearers access and make use of the range of resources prepared by the Law Department to enable compliance with the terms of the General Data Protection Regulation from 25 May 2018.
11. Approve changes to the membership of the Ministries Council for a limited period of two years.
12. Approve changes to the membership of the Social Care Council.
13. Approve the revised process for nomination of suitably qualified persons to legal bodies as outlined in Section 11.2.

14. Approve the total to be contributed by congregations in 2019 of £46,586,000 based on the projection of congregational income for 2019 and its disposition among local congregational expenditure, the Parish Ministries Fund and the Mission and Renewal Fund as set out in Appendix I of the Supplementary Report.
15. Note the indicative budget for 2019 as set out in Appendix II of the Supplementary Report.
16. Receive the 2017 Report and Accounts of the Unincorporated Councils and Committees of the General Assembly.
17. Affirm the steps taken by the Council to review and develop the stewardship function of the Church.
18. *Consideration of Section 18 (Section 6 in the Proposed Deliverance of the Supplementary Report) was dealt with in Session 2.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 14 and renumber:*

Instruct the Council to consider the issues arising from the use of personal email addresses for the processing of personal data by elders and other non-ministerial congregational and Presbytery office-bearers and to put in place appropriate support mechanisms to ensure that such individuals are able to fulfil their duties fully whilst observing best practice in relation to data protection principles.'

**JOINT REPORT OF THE COUNCIL OF ASSEMBLY,  
MINISTRIES COUNCIL, MISSION AND DISCIPLESHIP  
COUNCIL, PANEL ON REVIEW AND REFORM AND LEGAL  
QUESTIONS COMMITTEE**

The General Assembly called for the Joint Report on Resourcing the Implementation of Local Church Review which was given in by Dr Sally Bonnar, Convener, Council of Assembly.

*It was moved, seconded and agreed-*

**The General Assembly:**

1. Receive the Report.

2. Discharge the Working Group and instruct the Council of Assembly, in cooperation with the Mission and Discipleship Council, Ministries Council and Legal Questions Committee, to review the provisions of Act I 2011 on Local Church Review, to ensure they are consistent with the implementation of the Church's Strategic Plan and effectively resourced.

The General Assembly adjourned at 4.35 pm to meet again in this Hall on Monday 21 May at 9.15 am for Holy Communion, and thereafter for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 19 May 2018, 4.35 pm

### Convened at Edinburgh, 21 May 2018

*At Edinburgh, and within the Assembly Hall, the 21st day of May 2018 years, at 9.15 am.*

#### SESSION 5

Holy Communion was celebrated in the Assembly Hall.

The General Assembly suspended their sitting at 10.10 am until 10.45 am.

#### SESSION 6

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 Ms Judith Pearson, Convener.

*It was moved, seconded and agreed-*

#### The General Assembly:

1. Agree the Order of Business for the third to the seventh day, with the addition of the Supplementary Report of the Council of Assembly (Pensions) to be taken on Thursday 24 May.
2. Appoint the following Selection Committee:

Mrs Muriel Armstrong	(29)
Rev Dr S Grant Barclay	(240)
Mr James Bain	(226)
Rev Alistair Cumming	(688)
Rev Prof David A S Fergusson	(5)
Rev Graham S Finch	(132)
Mrs Dorothy Getliffe DCS	(560)
Mrs Ella Gill	(635)
Rev Dr Frances M Henderson	(122)
Mr J David Liddell	(293)
Rev G Fraser H Macnaughton	(678)
Rev Alison P McDonald	(81)
Dr Stuart McDonald	(405)
Rev Julie M Rennick	(104)

Rev Dr Lindsay Schlüter (374)  
 Dr Dorothy A Weakes (503)  
 Mrs Janet S Whyte (610)  
 Mr Colin D Wilson (523)

Rev Neil J Dougall (76), *Convener*  
 Rev Dr Janet P Foggie (412), *Vice-Convener*

3. Note the 21 day deadline for the submission of commissioners' expenses.
4. Note arrangements for the election of the Committee to Nominate the Moderator.

The General Assembly called for the Report of the Committee appointed to prepare a reply to the Gracious Letter from Her Majesty the Queen which was given in by the Very Rev Dr Derek Browning.

The Reply to Her Majesty's 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.

In this 'Year of Young People' we are delighted that Your Majesty has been blessed with a great-grandson, Prince Louis Arthur Charles. It is always a joy to welcome the safe arrival of a child, and we pray that good health and happiness will be a constant presence in the family of the Earl and Countess of Strathearn.

We celebrate with Your Majesty the marriage of The Earl and Countess of Dumbarton. We pray for them asking that they may have many happy years together.

The appointment of the Duke of Buccleuch and Queensberry as Your Majesty's Lord High Commissioner to our General Assembly has been warmly welcomed. His Grace has entered whole heartedly into preparations for his time in office and brings to us his deep concern for the well-being of Scotland and the Church.

We were glad to hear of Your Majesty's recognition of the fiftieth anniversary of the Church of Scotland's decision to ordain women to the Ministry of Word and Sacrament. This is a significant milestone for the Church as we become a community where men and women take equal parts in our shared work and witness.

As we approach the 100<sup>th</sup> anniversary of the Armistice which brought an end to the Great War we appreciate Your Majesty's shared remembrance of those who lost their life in the service of our nation.

In General Assembly we seek a renewed sense of our calling to be a Church which serves her neighbours' needs and seeks out the lost and the lonely. We once more commit ourselves to those things which lie at the heart of the Christian life.

Finally, we commend to the unfailing grace 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

SUSAN BROWN  
*Moderator*

## WORLD MISSION COUNCIL

The General Assembly called for the Report of the World Mission Council which was given in by the Rev Iain Cunningham, 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; and acknowledge with gratitude those who have completed their period of service overseas.
3. Note that Mission Partners work not only in good and joyful but also in difficult and challenging situations and commend their work and witness; and urge congregations and presbyteries to continue in their prayerful support for our Mission Partners.
4. Encourage those interested in serving as Mission Partners to approach the Council to explore opportunities.
5. Encourage congregations and presbyteries to read and study the report, use the resources, and learn more about the life of churches in other parts of the world, and the links with the Church of Scotland.
6. Condemn all forms of religious discrimination, including Antisemitism and Islamophobia, and encourage local communities to build bridges, and to become friends, with neighbours from other faith traditions.
7. Commend the Programme for Christian Muslim Relations in Africa (PROCMURA) for its positive work in bringing Christian and Muslim communities together across Africa.
8. Encourage the Council to consider supporting and facilitating an interfaith group of religious leaders to learn from the experiences of PROCMURA's work.
9. Welcome the intention of the Council to consider a return youth interfaith visit from Rwanda to Scotland.
10. Give thanks for Christian Aid's work to alleviate poverty amongst people of all faiths, and encourage the whole church in its ongoing engagement with and support of Christian Aid.
11. Note the International AIDS Conference in July and encourage all parts of the church to remain aware of the prevalence of the virus, and supportive of all efforts of our partners in supporting those living with HIV.

12. Instruct the Council to work with the Church and Society Council and the Scottish Churches Parliamentary Office to encourage the Scottish and United Kingdom Governments to ensure that educational material produced through overseas aid collaboration with Pakistan promotes peaceful coexistence, and tolerance of people from different faith communities.
13. Encourage congregations and presbyteries to study *Together towards Life: Mission and Evangelism in Changing Landscapes* and to consider adopting the principles contained in the statement in developing opportunities for interfaith dialogue.
14. Encourage congregations and presbyteries involved in twinning to explore interfaith issues with their twinning partners, and reflect on how this can inform their mission and ministry in Scotland.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 6 and renumber:*

Instruct the World Mission Council and the Ministries Council to encourage and work together to make it possible for ministers to have the opportunity to engage with the world church during study leave.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 6 and renumber:*

Instruct the Council to provide opportunity to people of all ages from Presbyteries and congregations throughout Scotland to visit with partners overseas.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 13 and renumber:*

Instruct the Council to raise with the Scottish and United Kingdom Governments the case of Asia Bibi, sentenced to death in Pakistan for blasphemy, and to seek the urgent assistance of both Governments in securing her early exoneration and release from detention.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 15:*

Commend the on-going work of mediation and trauma training with significant church leaders in South Sudan, which was initiated by the Very Rev Dr John Chalmers and the Council, to the prayerful support of the whole church asking that God will bless the small seeds being planted now with a fruitful harvest of reconciliation and peace to come.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 15:*

Rejoice with the Evangelical Church of the Czech Brethren on the occasion of the centenary of the founding of the church in 1918.

*The Deliverance as amended was then agreed.*

The General Assembly suspended their sitting at 12.35 pm until 2 pm.

## SESSION 7

### WORLD MISSION COUNCIL: SPECIAL REPORT ON LESSONS FOR SCOTLAND FROM CHRISTIAN FAITH IN AFRICA

The General Assembly called for the Special Report of the World Mission Council which was given in by the Rev Iain Cunningham, Convener.

*It was moved and seconded:*

#### The General Assembly:

1. Receive the Report.
2. Give thanks for the Christian witness of the Church in Africa.
3. Encourage members, congregations and Presbyteries to engage with the report and consider how each may respond.

4. Instruct the Council of Assembly, in its strategic planning for the whole Church, to fully consider the recommendations of this report, and the best way of sharing these with congregations and Presbyteries.
5. Instruct the World Mission Council, in conjunction with the Ministries Council, the Mission and Discipleship Council, the Church and Society Council and the Ecumenical Relations Committee, to continue to explore how the church in Scotland might apply relevant learning from the world church context.
6. Instruct the World Mission Council, the Ministries Council, and the Mission and Discipleship Council to continue to explore how they may encourage and equip members in the leadership of worship and in different forms of worship.
7. Encourage congregations to engage with the materials produced by the Mission and Discipleship Council to engage in Bible study, prayer, testimony, discipleship and evangelism.
8. Encourage congregations to twin with a congregation of one of the churches with which the World Mission Council works.
9. Instruct the World Mission Council, in partnership with the Mission and Discipleship Council, to explore contextual Bible studies with partners in the world church.
10. Instruct the World Mission Council and the Ministries Council to explore exchanges between recognised ministries and members in Scotland with their counterparts in Africa.
11. Instruct the Ministries Council to include consideration of this report in developing its programme for Initial Ministerial Education (IME) and Continuing Ministerial Development as part of the Initial Ministerial Education review.

*It was moved, seconded and agreed as an amendment of Section 2:*

*Add at the end:*

‘, in particular its commitment to life-transforming evangelism, and the encouraging growth of the Gospel of Christ.’



*The Deliverance as amended was then agreed.*

Mr Cunningham, on his retiral as Convener of the World Mission Council, was thanked by the Moderator for his noteworthy service to the Council and the General Assembly.

### **COUNCIL OF ASSEMBLY – STRATEGIC PLAN AND NATIONAL OFFICES**

The General Assembly resumed consideration of the Report of the Council of Assembly (Sections 3-8) and Dr Bonnar spoke to those Sections.

*It was moved and seconded-*

#### **The General Assembly:**

3. Approve the Strategic Plan, as presented in the document *Worshipping God, Inspiring Faith, Connecting People*, and adopt it as containing directing principles for planning and prioritising short, medium and long term goals for the life and work of the Church of Scotland over the next ten years (2018-2028).
4. Instruct the Council to work collaboratively in facilitating and overseeing the implementation of the Strategic Plan in the Unincorporated Councils and Committees (UCC) over the ten year period 2018–2028, reporting annually to the General Assembly on progress towards achieving the stated short, medium and long term goals.
5. Instruct Presbyteries to:
  - a) study the Strategic Plan;
  - b) consider how best to achieve those goals which are directed to the regional and local;
  - c) support congregations within their bounds as they seek to take forward its goals;
  - d) work together with the Council to identify and supply the resources needed to implement the Plan appropriately in context; and
  - e) update the Council annually on progress in engaging with the strategy.
6. Instruct Kirk Sessions to:
  - a) study the Strategic Plan;

- b) consider how best to achieve its short, medium and long-term goals, noting especially the importance of engaging fully in the Local Church Review (LCR) process; and
- c) work cooperatively with Presbyteries in exploring how best the strategy may be implemented.

7. Instruct the Council, working together with the Mission and Discipleship Council, the Ministries Council and the Legal Questions Committee, to review Act I 2011 on Local Church Review, to ensure that the operation of LCR enables congregations and Presbyteries to implement effectively the goals outlined in the Strategic Plan, and report to the General Assembly of 2019.
8. Note the work undertaken by the Council on the National Offices Buildings Project and instruct it to continue the programme of work outlined in Section 3.5 of the Report, with a view to presenting a further report to the General Assembly in 2019, enabling a decision on the future of the National Offices.

The General Assembly suspended their sitting at 3.14 pm until 3.45 pm.

### **SESSION 8**

The General Assembly resumed consideration of the Report of the Council of Assembly (Sections 3-8).

*It was moved and seconded as a counter-motion to Section 3:*

3. Instruct the Council to return to the General Assembly of 2019 with a radical action plan for 2019-2022 to achieve much needed reform within our Church.

*On a vote being taken there voted for the motion 130 and for the counter-motion 439 and the General Assembly resolved accordingly.*

*Consequently, Sections 4-7 of the Proposed Deliverance fell.*

*Consideration of the remaining business, consisting of proposed amendments to the Council of Assembly's Report (Strategic Plan), was remaindered to a future Session of this General Assembly.*

**COUNCIL OF ASSEMBLY – NATIONAL OFFICES**

*The General Assembly took up consideration of Section 8 of the Deliverance of the Council of Assembly.*

*It was moved, seconded and agreed:*

8. Note the work undertaken by the Council on the National Offices Buildings Project and instruct it to continue the programme of work outlined in Section 3.5, with a view to presenting a further report to the General Assembly in 2019, enabling a decision on the future of the National Offices.

The General Assembly adjourned at 5.35 pm to meet again in this Hall tomorrow at 9.15 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 21 May 2018, 5.35 pm

**Convened at Edinburgh, 22 May 2018**

*At Edinburgh, and within the Assembly Hall, the 22nd day of May 2018 years, at 9.15 am.*

**SESSION 9**

The General Assembly did again convene and was constituted with prayer.

The Minutes of Sessions 1-4, being printed and in the hands of members, were submitted and approved with the following amendment of page 30:

'Her Majesty's Commission to His Grace Richard Walter John Montagu Douglas Scott, The Duke of Buccleuch and Queensberry KT KBE DL FSA FRSE'.

**MINISTRIES COUNCIL**

The General Assembly called for the Report of the Ministries Council which was given in by the Rev Neil Glover, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report.
2. Affirm the work undertaken to this point on creating a clear definition for ministry and instruct the Council, taking account of the Church's overall Strategic Plan, to complete this work for approval by the General Assembly of 2019.
3. Note the responsibility of Presbyteries to provide superintendence for Readers and instruct the Council to work with Presbyteries to identify how to improve support for Readers and to report to the General Assembly of 2019.
4. Affirm the contribution of the team of Interim and Transition Ministers particularly in the Presbytery of Shetland and encourage further development of this team as a national resource.
5. Commend the report *Deacons of Word and Service* to the Church and urge the Council to integrate its principles into considerations for future patterns of ministry.

6. Note the revised schedule for the development of a five-year Recruitment Strategy.
7. Note the progress of the Hub-style Ministries initiative and instruct the Council to bring any draft legislation to a future General Assembly.
8. Instruct the Council in collaboration with the Theological Forum and Legal Questions Committee to consider how oversight can be addressed in keeping with any developing legislation related to emerging patterns for Hub-style Ministries.
9. In recognition of the 50th anniversary of women's ordination to the Ministry of Word and Sacrament, celebrate and give thanks for the ordained ministry of women in the Church of Scotland and reaffirm the commitment of the Church to the equality of women and men in all forms of ministry within the Church.
10. Instruct the Council to bring draft legislation for a Capability Procedure for Parish Ministers to the General Assembly of 2019.
11. Pass the Continuing Parish Ministry Beyond the Age of 75 Regulations, pass an Act amending the Registration of Ministries Act (Act II 2017) and pass an Act amending the Ministries Appeal Panel Act (Act VI 2007) (as amended), all as set out in Appendix 1 of the Report.
12. Pass an Act amending the Long Term Illness of Ministers Act (Act XV 2002) (as amended) as set out in Appendix 2 of the Report.
13. Instruct the Council to undertake further work on the Long Term Illness of Ministers Act (Act XV 2002) and to report to the General Assembly of 2019.
14. Instruct the Council jointly with the Legal Questions Committee, the Council of Assembly and the Theological Forum to review the Ministers and Deacons in Civil Partnerships and Same Sex Marriages Act (Act 1 2015) with particular reference to the deployment of salaried staff and wider issues and report to the General Assembly of 2019.
15. Note that the Council's Development Programme offers opportunities to bring about significant changes in Ministry.
16. Affirm the development of the Vocations Network and encourage Presbyteries to identify individuals who could serve in this way.
17. Pass an Act amending the Selection and Training for Full-Time Ministry Act (Act X 2004) (as amended) as set out in Appendix 3 of the Report.
18. Pass an Act amending the Ordained Local Ministry Act (Act IX 2011) (as amended) as set out in Appendix 4 of the Report.
19. Pass an Act amending the Readership Act (Act XVII 1992) (as amended) as set out in Appendix 5 of the Report.
20. Pass an Act amending the Admission and Re-admission of Ministers Act (Act IX 2002) (as amended) as set out in Appendix 6 of the Report.
21. Express thanks for the service given by Rev Prof David Fergusson as Principal of New College, Edinburgh, and affirm the proposal that Rev Prof Susan Hardman Moore be appointed as his successor from September 2018.
22. Note the early developments of the Ascend programme and encourage those in ministry to access the opportunities for support and development provided.
23. Note the advisory figures for the number of full-time equivalent ministers available for Presbyteries in 2023.
24. Instruct the Council to report to the General Assembly of 2019 on the future affordability of Ministries Development Staff (MDS) posts beyond posts currently in Presbytery Plans and on reasons why almost 30% of MDS posts remain unfilled.
25. Instruct all Presbyteries to obtain fresh concurrence with their current plan from the Presbytery Planning Task Group by 31st December 2018 and note that failure to do so may result in the sisting of vacancies.
26. Instruct those Presbyteries which have Priority Area Parishes within their bounds to ensure that the principles of the Priority Areas five-year plan are incorporated into their Presbytery Planning processes.
27. Instruct all Presbyteries to engage with the Presbytery Planning Task Group when negotiating Basis of Adjustment (Section 13(2) of Act VII 2003 on Appraisal and Adjustment and *Section 3.5.2.9* of the Report).
28. Pass an Act amending the Vacancy Procedure Act (Act VIII 2003) (as amended) as set out in Appendix 8 of the Report.

29. Pass the Regulations amending the 'Go For It' Fund Regulations IV 2012 (as amended) as set out in Appendix 9 of the Report.
30. Affirm the Path of Renewal Project and instruct the Council to review the project in 2019 and report to the General Assembly of 2020.
31. Encourage ministers to familiarise themselves with the provisions of the Housing and Loan Fund.
32. Instruct the Council to continue in consultation with the Council of Assembly regarding the possibility of meeting visa costs for ministers who enter Church of Scotland ministry from another country of origin.

The General Assembly suspended their sitting at 11.06 am until 11.35 am.

### SESSION 10

The General Assembly resumed consideration of the Report of the Ministries Council, taking Section 9 immediately after Section 1.

*Section 9 was moved, seconded and agreed.*

*It was moved, seconded and agreed as an amendment of Section 2:*

*After 'complete this work' add the words 'and bring forward a clearer description of ministry'.*

*It was moved, seconded and agreed as an amendment of Section 2:*

*Delete 'taking account of the Church's overall Strategic Plan'.*

*It was moved and seconded as a counter-motion to Section 2:*

Thank the Council for its work so far on creating a clear definition for ministry and instruct the Council to complete its work with a sharp focus on (i) the importance of the ministry of word and sacrament to the vitality of the Church, and (ii) its implications for other tasks commonly thought to be the work of ministers.

*On a vote being taken between the motion as amended 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 6 and renumber:*

In relation to the Diaconate:

- a) affirm the Diaconate and its important ministry in building bridges between the Church and community and commend the Ministry of the Diaconate to the wider Church;
- b) encourage the Council to use Tomorrow's Calling and the Decade of Ministry to further highlight the Diaconal Ministry; and
- c) instruct the Council to review the employment and deployment of Deacons and to bring forward any recommendations for changes to the General Assembly of 2019.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 11 and renumber:*

In relation to the conduct of funerals:

- a) affirm that the Church of Scotland offers to conduct a Christian funeral service for any person in Scotland without distinction;
- b) affirm that no minister or deacon shall charge any fee or seek any gratuity, explicitly or implicitly, from any bereaved family or funeral director, for this service;
- c) affirm that, where a family does not request a particular minister, the minister of the parish has responsibility to make provision for this service, and that any other minister should obtain his or her permission before agreeing to conduct any service;
- d) instruct the Communications Department to make renewed efforts to communicate that the Church of Scotland offers to conduct a Christian funeral service, free of charge, for any person in Scotland;

- e) instruct the Ministries Council to review best practice in communicating with funeral directors concerning the service the Church offers; and
- f) urge Presbyteries to be proactive in investigating instances of intrusion or any explicit or implicit charging of fees with regard to funeral services.

*It was moved, seconded and agreed as an amendment of the proposed amendment:*

*In sub-section d), delete 'free of charge' and substitute 'without the minister charging a fee'.*

*The amendment, as amended, was then agreed.*

The General Assembly suspended their sitting at 12.50 pm until 2 pm.

## **SESSION 11**

The General Assembly celebrated the 50<sup>th</sup> Anniversary of the Ordination of Women to the Ministry of Word and Sacrament.

The General resumed consideration of the Deliverance to the Report of the Ministries Council.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 12 and renumber:*

In relation to the Continuing Parish Ministry beyond the age of 75 Regulations, agree that any Parish Minister whose seventy-fifth birthday falls on or between 31 May 2018 and 31 December 2018 shall, upon lodging a written request with the Presbytery Clerk by 30 June 2018, be entitled to initiate the process under the Regulations as if this had been done not less than six months before the Parish Minister's seventy-fifth birthday.

*It was moved, seconded and agreed as an amendment of Section 12 of the Deliverance:*

*Add at the end:*

'and instruct Presbyteries to act in a pastoral manner to both minister and congregation when considering the implications of sections 5-9 of the Act.'

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 23 and renumber:*

Instruct the Council, jointly with the Legal Questions Committee, to consider how the Church can best support those facing allegations under the Church's discipline process, to consider how this support may be implemented and report to the General Assembly of 2019.

*It was moved, seconded and agreed as an amendment of Section 23:*

*Add at the end:*

'and instruct the Council to seek a formal response from all Presbyteries to determine whether, on the basis of local experience, the figures should continue to be received as advisory, and to report to the General Assembly of 2019.'

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 26 and renumber:*

Instruct the Council in consultation with Presbyteries and the Legal Questions Committee to consider:

- a) whether it remains appropriate for Ministers to be inducted to charges on the basis of unrestricted tenure; and
- b) whether there might be circumstances in which, notwithstanding the fact that a minister has been inducted to a charge on the basis of unrestricted tenure, a pastoral tie might nevertheless be dissolved on the grounds that a congregation is becoming unsustainable;

and report to the General Assembly of 2019.

*On a vote being taken For or Against it carried Against.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 31 and renumber:*

Agree that the Council be released from the instruction to report cumulative information on stipend and salary increases and their relationship to measurements of inflation, and instruct the Ministries Council to consult with the Council of Assembly in identifying the best way of presenting these figures and report to the General Assembly of 2019.

*It was moved and seconded as an amendment of Section 32:*

*Amend Section 32 to read:*

Instruct the Council to complete consultations with the Council of Assembly regarding the possibility of meeting visa costs for ministers who enter Church of Scotland ministry from another country outside the European Union and the European Economic Area and report to the General Assembly of 2019.

*On a vote being taken For or Against the amendment it carried Against.*

*It was moved and seconded:*

*Add a new Section 33:*

Instruct the Council, in consultation with the Council of Assembly, to bring a proposal to the General Assembly of 2019 creating an independent committee and staff which would receive referrals from all Councils, Committees and Presbyteries concerning the pastoral welfare of staff and office holders.

*This motion was withdrawn with the permission of the General Assembly.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 33:*

Instruct the Council to produce a policy for consulting with local parties when disposing of or changing arrangements

relating to Council-held properties and report to the General Assembly of 2019.

*The Deliverance as amended was then agreed.*

The General Assembly suspended their sitting at 3.42 pm until 4.00 pm.

## SESSION 12

### ECUMENICAL RELATIONS COMMITTEE

The General Assembly called for the Report of the Ecumenical Relations Committee which was given in by the Rev Alison McDonald, Convener.

*It was moved, seconded and agreed-*

#### The General Assembly:

1. Receive the Report.
2. Adopt *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* as the Ecumenical Policy of the Church of Scotland.
3. Note *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland: A Theological Basis*.
4. Instruct the Committee to bring a strategy for the implementation of *Local, Universal and Shaped by the Mission of God: An Ecumenical Policy for the Church of Scotland* to the General Assembly of 2019.
5. Concur with the response of the Committee to the Review of Action of Churches Together in Scotland (ACTS) and agree to transmit the same to the Trustees of ACTS.
6. Note *Action of Churches Together in Scotland: A Review*.
7. Instruct the Committee to bring recommendations with respect to Action of Churches Together in Scotland, in the context of a strategy for the implementation of the Ecumenical Policy of the Church, to the General Assembly of 2019.

8. Instruct the Committee to advise the Council of Assembly of any significant matters which require a decision prior to the General Assembly of 2019, with respect to the Action of Churches Together in Scotland Review Process.
9. Approve the delegates to Assemblies, Synods and Conferences of other Churches, as detailed in Appendix IV of the Report.
10. Note the appointment of representatives to ecumenical bodies, as detailed in Appendix V of the Report.

Rev Alison McDonald, on her retiral as Convener of the Ecumenical Relations Committee, was thanked by the Moderator for her noteworthy service to the Committee and the General Assembly.

### **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 Graham Duffin, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report.
2. Encourage Presbyteries to develop training for those participating in different areas of service within the Church and to make information about training programmes they develop available to others to assist in learning and development.
3. Welcome the increasing co-operation between some Presbyteries and the work of the Principal Clerk in facilitating this and encourage all Presbyteries to consider areas where working with others would be beneficial.
4. Instruct the Ministries Council to complete further work on the possibility of Ordained Local Ministers and Auxiliary Ministers being paid, consulting with Ordained Local Ministers, Auxiliary Ministers and others in doing so, and report to the General Assembly of 2019.

5. Instruct the Ministries Council to complete further work on the practicalities of allowing some candidates for Ordained Local Ministry to complete training placements in their home congregation where this is appropriate and to report to the General Assembly of 2019.
6. Instruct the Panel to work with the Mission and Discipleship Council, Ministries Council and National Youth Assembly to consider what might be done to support the involvement and development of leaders under 50 at a congregational level.
7. Instruct the Panel to complete research on the impact for congregations of participating in Path of Renewal and report to the General Assembly of 2019.

*It was moved, seconded and agreed as an amendment of Section 6:*

*Delete 'the National Youth Assembly' and substitute 'young people'.*

*The Deliverance as amended was then agreed.*

Rev Graham Duffin, on his retiral as Convener of the Panel on Review and Reform, was thanked by the Moderator for his noteworthy service to the Panel and the General Assembly.

### **SAFEGUARDING COMMITTEE**

The General Assembly called for the Report of the Safeguarding Committee which was given in by the Rev Dr Karen Campbell, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report.
2. Pass the Safeguarding Act as set out in Appendix 1 to the Report.
3. Thank the Legal Questions Committee for their support in bringing the Safeguarding Act to the General Assembly 2018.



4. Thank all of those volunteers who give of their time to promote and embed good Safeguarding practices across the Church.

*It was moved, seconded and agreed as an amendment of Section 4:*

*After 'volunteers' add 'and staff'.*

*The Deliverance as amended was then agreed.*

### **IONA COMMUNITY BOARD**

The General Assembly called for the Report of the Iona Community Board which was given in by the Rev Alan Kimmitt, Convener.

*It was moved, seconded and agreed-*

#### **The General Assembly:**

1. Receive the Report and thank the Board.
2. Commend the ongoing project to make the Abbey more accessible and to improve facilities for the wide range of groups hosted by the Community and encourage church members and congregations to support the Community in this time of change through prayer and through the Iona Abbey Appeal.
3. Note that Iona Abbey and the Welcome Centre are still open and that the work of the Iona Community in Camas, on the mainland and through local groups around the world is still sharing the Community's ecumenical vision and commitment to justice and peace.
4. Commend the Iona Community's work with young people and the Iona Prayer Circle.
5. Commend the enabling, resourcing and encouraging of churches and individuals through the weeWONDERBOX, the other activities of the Wild Goose Resource Group and Wild Goose Publications.

Rev Kathy Galloway from the leadership team of the Iona Community, was invited to address the General Assembly and was thanked by the Moderator.

### **THE CHURCH OF SCOTLAND GUILD**

The General Assembly called for the Report of the Church of Scotland Guild which was given in by Mrs Marge Paterson, National Convener.

*It was moved, seconded and agreed-*

#### **The General Assembly:**

1. Receive the Report.
2. Note the proposals for twinning partnerships with Guilds in Malawi.
3. Congratulate the Guild on the success of its Project Partnership Scheme in 2015-18.
4. Welcome the Guild's strategy for 2018-21 "One Journey, Many Roads" and its annual themes.
5. Note the six new Partnership Projects for 2018-21 and offer prayerful support for the work of these charities.
6. Celebrate the addition of over 600 new members to the Guild in the past session.
7. Welcome the addition of 2nd Linlithgow Girls' Brigade Company as an Honorary Guild Group.
8. Encourage Presbyteries and National Councils and Committees to consider how they can develop their support for the Guild.
9. Encourage Kirk Sessions to explore ways in which they can offer practical support to Guild groups.
10. Encourage Presbyteries to explore ways in which they can offer practical support to Guild Presbyterial Councils.
11. Encourage Kirk Sessions to work closely with their Guilds and to challenge their practice where appropriate.
12. Thank the Guild for the contribution it has made to the work of the Church of Scotland in practical and financial terms.

Mrs Marge Paterson, on her retiral as National Convener of the Church of Scotland Guild, was thanked by the Moderator for her noteworthy service to the Guild and the General Assembly.

The General Assembly adjourned at 6.14 pm to meet again in this Hall tomorrow at 9.15 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 22 May 2018, 6.14 pm

### Convened at Edinburgh, 23 May 2018

*At Edinburgh, and within the Assembly Hall, the 23rd day of May 2018 years, at 9.15 am.*

### SESSION 13

The General Assembly did again convene and was constituted with prayer.

The Minutes of Sessions 5-8, being printed and in the hands of members, were submitted and approved.

### CHURCH AND SOCIETY COUNCIL

The General Assembly called for the Report of the Church and Society Council which was given in by the Rev Dr Richard Frazer, Convener.

*It was moved and seconded-*

### The General Assembly:

1. Receive the Report.

### Flourishing Local Communities

2. Celebrate the work going on through congregations the length and breadth of Scotland to help our communities to flourish.

### Building an Economy Driven by Equality

3. Welcome the ongoing partnership with the Islamic Finance Council to develop an ethical finance framework.

### Caring for Creation

4. Recognise the urgent need to make a just transition to a low carbon economy, commend the work of the Church Investors Group and others in promoting engagement, and welcome the proposal from the Investors Trust to promote stronger Environmental, Social and Corporate Governance in the Church's investments.

5. Welcome the growing success of Good Money Week and forthcoming consultation by OSCR on charity trustee investment duties and recommend that the Council of Assembly now considers as a priority the preparation of a statement of investment principles for the Church.
6. Urge that, if the business plans of oil and gas companies are not aligned with the Paris climate agreement within two years, the Investors Trust and Pension Trustees withdraw from investing in them.

### Doing Politics Differently

7. Welcome the launch of Meet Your MP and encourage congregations to build positive relationships with their local politicians.
8. Welcome the expansion of work around Participatory Budgeting being supported by the Council and encourage local congregations to get involved in Participatory Budgeting locally.

### Building Global Friendships

9. Reaffirm the belief that possession, use or threat of use of nuclear weapons is inherently evil, congratulate the International Campaign to Abolish Nuclear Weapons on being awarded the Nobel Peace Prize, welcome the establishment of an international Treaty on the Prohibition of Nuclear Weapons and urge the UK Government to engage with the treaty process as a way for the UK to disarm its nuclear weapons.
10. Note the United Nations process, which is leading two new Global Compacts on refugees and on migrants, instruct the Council to participate in international ecumenical and UK civil society efforts to call for decisions which place human dignity and welfare at the heart of considerations, and encourage congregations and church members to pray for successful outcomes of the negotiations.
11. Instruct the Church and Society Council to facilitate informed public conversation about our future relationship with Europe.

12. Instruct the Council to monitor the impact of leaving the EU on the Devolution Settlement and call on the UK Government to ensure that powers returned from the EU are devolved to Scotland in line with that Settlement.
13. Call on the Scottish and UK Governments to establish and maintain high standards of environmental protection following the UK's planned departure from the EU.
14. Call on the Scottish and UK Governments to establish and maintain high standards of political, social, economic and cultural rights, and in particular that human rights and equalities remain at the heart of Scottish society as outlined by the Scotland Declaration on Human Rights.
15. Urge the Scottish and UK Governments to seek the strongest possible social, cultural and economic ties with other European countries.

### Ensuring the Health and Wellbeing of All

16. Commend the efforts of Alcohol Focus Scotland, the Scottish Government and others to reduce the harm caused to individuals and society through the misuse of alcohol, and welcome the introduction of minimum unit pricing for alcohol.
17. Instruct the Council to promote and emphasise the intrinsic worth of each individual as an image of the living God, and to work with the wider church, and with partner agencies to seek the health and wellbeing of all.
18. Note that July 2018 will see the marking of the 70<sup>th</sup> anniversary of the founding of the National Health Service (NHS), and recognise that while the NHS remains a valued part of our social fabric, its long-term future is under serious pressure, and in light of this appoint a Commission on the long-term future of the NHS in Scotland as described in the report.

### Investing in Young People

19. Recognise the significant contribution that the Church of Scotland has made to Scottish Education and thank the members of the Education Committee, both past and present, for all their commitment and endeavours in this area.

20. Instruct the Church and Society Council, the Mission and Discipleship Council and the Ministries Council, to coordinate the Church of Scotland's contribution to the nurture and support of young people by establishing a cross-council Young People and Education Action Group, with the necessary resources and support, as outlined in Section 13.4 of the Report.
21. Instruct the Council to present an implementation plan for the Young People and Education Action Group's work, produced by the Young People and Education Action Group and based on the principles outlined in the Report, to the General Assembly of 2019.
22. Instruct the Council to ensure that by the General Assembly of 2019 the Education Committee has passed on work agreed by the Council to the Young People and Education Action Group.

*It was moved and seconded as a counter-motion to Section 6:*

Urge that, since the business plans of oil and gas companies are not aligned with the Paris Climate Agreement, the Investors Trust and Pension Trustees withdraw from investing in them within two years.

*It was moved and seconded as a further counter-motion to Section 6:*

Instruct the Council to engage with the oil and gas companies to continue to seek alignment with the Paris Climate Agreement rather than divest from the oil and gas industry.

The General Assembly suspended their sitting at 11 am until 11.30 am.

#### **SESSION 14**

The General Assembly resumed consideration of the Report of the Church and Society Council.

*On a vote being taken between the motion and the two counter-motions, there voted for the motion 128, for the first counter-motion (in the name of the Rev Jennifer Adams) 135 and for the second counter-motion (in the name of the Very Rev Albert Bogle) 300, and the General Assembly resolved accordingly.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 11 and renumber:*

Instruct the Council to make representation (a) to the Scottish and UK Governments to ensure social services staff are actively guided on their legal duty to provide support to vulnerable migrants who have no recourse to public funds but have care needs or are children; and (b) to the UK Government to change those policies that force asylum seekers into destitution or homelessness without institutional support.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 11 and renumber:*

Instruct the Council to consult with the UK Government to seek to safeguard the rights of EU nationals working in Scotland and UK nationals working in the EU, as the UK negotiates its status in relation to the EU.

The General Assembly suspended their sitting at 12.42 pm until 2 pm.

#### **SESSION 15**

The Moderator presented the Moderator's Shield to Eyemouth Church and the Moderator's Medals to Eyemouth High School and Eyemouth Primary School.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 15 and renumber:*

Instruct the Council to urge the Scottish and UK Governments to raise awareness on the human rights abuses that are currently being perpetrated on the citizens of the two Anglophone regions of Cameroon, the north-west and south-west regions.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 16 and renumber:*

Welcome the Council's statement on the recent violence and killing at the Gaza fence by the Israeli Defence Force and instruct the Council to express the General Assembly's:

- (a) serious regret that the UK Government failed to support the UN Human Rights Council resolution to launch an investigation into the killing by Israeli soldiers of 110 people, including unarmed protesters and journalists;
- (b) concern for the two million people of Gaza who are imprisoned in the enclave;
- (c) thanks to the Christian community who provide essential medical, psycho-social and humanitarian support for all the people of Gaza in the face of on-going hardships and difficulties caused by the Israeli occupation.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 16 and renumber:*

Urge the UK Government and European Union to recognise without delay the State of Palestine alongside the State of Israel, as a contribution to securing lasting peace and justice for all and urge the UK Government not to change current policy as to the location of the capital city of Israel and the location of the UK embassy there.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 18 and renumber:*

Commend those congregations working to make their congregations and communities more dementia friendly, the various initiatives from CrossReach to improve dementia care and the Presbytery of Stirling's employment of a Dementia Development Worker; and encourage all congregations, Presbyteries, Councils and Committees to increase awareness of, and support for, people living with dementia.

*It was moved, seconded and agreed as an amendment of Section 18 of the Deliverance:*

*Delete 'appoint a Commission on the long-term future of the NHS in Scotland as described in the report' and substitute*

*'instruct the Council to consult on the future of the health service in Scotland and to report to the General Assembly of 2020'.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 19 and renumber:*

Commend the plans for Community Custody Units for women in Scotland and encourage the Council and local congregations to express their interest in supporting persons resident within these units as they engage afresh with life in the community.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 19 and renumber:*

Urge the Council to promote sustainable and healthy travel as a means of inspiring health and well-being and caring for creation.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 21 and renumber:*

Note with grave concern the steep rise in hate crimes such as homophobic bullying and assault, and instruct the Council to work with the National Youth Assembly and organisations like *Time for Inclusive Education* (TIE) and *LGBT Youth Scotland* in seeking ways to help our churches address homophobia and deal pastorally with those who have been victims of this.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 21 and renumber:*

Encourage the Council, in cooperation with the World Mission Council to use this Year of Young People to highlight: (1) the work of Tabeetha School, Jaffa, Israel, not only in education but also as a space where young people can come together regardless of faith in a country where this is becoming increasingly difficult; and (2) the School's I-COEXIST Project

and consider the creation of a resource for Scottish schools to promote the principles of the Project.

*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 23:*

Call on the UK Government to reinstate Housing Benefit for under 25s and to realise the harm to young people that the lack of this benefit is causing.

*The Deliverance as amended was then agreed.*

The General Assembly suspended their sitting at 3.17 pm until 3.37 pm.

## SESSION 16

### REGISTRATION OF MINISTRIES COMMITTEE

The General Assembly called for the Report of the Registration of Ministries Committee which was given in by the Rev Neil Dougall, Convener.

*It was moved, seconded and agreed-*

#### The General Assembly:

1. Receive the Report.

### GENERAL TRUSTEES

The General Assembly called for the Report of the General Trustees which was given in by Mr Raymond Young, Chairman.

*It was moved and seconded-*

#### The General Assembly:

1. Receive the Report and Accounts of the General Trustees.

2. Encourage Congregational and Presbytery Officebearers to attend the Property Seminars to be held during 2018.
3. Urge those congregations which have not done so to appoint a Health & Safety Administrator and those Presbyteries which have not done so to appoint a Health & Safety Co-Ordinator.
4. Encourage the Trustees in the development of their Property Assets Strategy.
5. Encourage the Trustees and Presbyteries to develop a closer working relationship based on the Tayside Cluster Pilot.
6. Encourage the Trustees and the Council of Assembly to have discussions with OSCR so that Central Fabric Fund loans are excluded from Congregational accounts as an Income Resource in line with the treatment adopted by the Charity Commissions for England & Wales and for Northern Ireland.
7. Authorise payment of remuneration of £1,765 to each of Mr Raymond K Young as Chairman and Mr Roger G G Dodd as Vice-Chairman for the past year.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

Urge the General Trustees to facilitate a conversation with congregations who have responsibility for historic buildings, with a view to investigating the particular burdens upon them.

*On a vote being taken For or Against the amendment, there voted For 209 and Against 285.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

Urge the General Trustees to consider the needs of the Destitute Asylum Seeker Support (DASS) Project when manse or other suitable premises under their stewardship become available.

*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 5 and renumber:*

Urge the General Trustees to form a working group consisting of representatives from the Church and wider society with experience of planning and funding innovative building arrangements to help congregations be both missional and sustainable and to report to the General Assembly of 2019.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 7 and renumber:*

Urge the General Trustees to investigate, via the Church of Scotland Insurance Services Ltd as the insurance broker for the Church of Scotland, the provision of a wider Empty Buildings cover for churches, halls, manses and other buildings for which congregations are responsible.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 8:*

Urge the General Trustees to investigate the costs and benefits of assisting congregations to reduce or eliminate their fossil fuel use in our churches and buildings and report back to the General Assembly of 2020.

*The Deliverance as amended was then agreed.*

## **COUNCIL OF ASSEMBLY – STRATEGIC PLAN**

The General Assembly resumed consideration of the Report of the Council of Assembly (Sections 3-7), dealing with the remaining business from Session 8 consisting of proposed amendments.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 4 and renumber:*

Instruct the Council to work collaboratively with other Councils, Committees and Presbyteries to bring proposals to the General Assembly of 2019 for structural change, consulting with the Rev Dr Doug Gay about the ideas contained in the recent Chalmers Lectures and with other appropriate persons with expertise in the reform of institutions and structures, to enable a Church structure that is lean and fit for purpose to lead reform.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

Instruct the Council, in collaboration with other Councils, Committees and Departments as appropriate, to bring forward proposals to the General Assembly of 2019 that will allow more funds for mission work, including the freeing of funds held only for property matters and a reformed Ministry and Mission allocation process.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 6 and renumber:*

Instruct Presbyteries meantime to challenge themselves in their Presbytery Plans to be robust, imaginative and courageous in reducing the number of charges, creating ministry hubs, and enabling new pioneer and new church planting opportunities, supported by a Ministries Council that enables new reformed pathways into ministry.

*On a vote being taken For or Against it carried For.*

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 7 and renumber:*

Instruct Kirk Sessions meantime to meet in conference, to reflect on the state of decline of the national Church and in particular how that affects the Church locally and determine what their vision and mission is for the next three years in collaboration with Presbytery Planning teams.

*On a vote being taken For or Against the amendment, there voted For 245 and Against 195.*



*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 4 and renumber:*

Instruct the Council of Assembly, in partnership with all other relevant Councils, Committees and agencies of the Church to explore how the necessary resources could be put in place as a matter of urgency so that the following are priorities of the radical action plan to be brought to the Assembly in 2019:

- a) a significant redistribution of ministry resources to enable pioneer and church planting activities, this to be achieved through the Presbytery Planning process;
- b) a further significant redistribution of ministries to enable nurture of existing congregations, this to be achieved through the Presbytery Planning process;
- c) appropriate training in Pioneer and Church Planting ministry;
- d) appropriate training resources for elders and members in supporting the local church including the resources to sustain congregations without the need for ordained ministry apart from the Sacraments;

and report to the General Assembly of 2019.

*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 5 and renumber:*

Encourage the Council of Assembly to consider the funding required to support a strategy for growth including the appropriate release of funds from Council and Committee reserves to fund capital projects.

*This motion was withdrawn with the permission of the General Assembly.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 4 and renumber:*

Instruct the Council, in consultation with the Mission and Discipleship Council, to facilitate and promote a national dialogue between elders younger than 40 and actively seek their views and reflect these in the radical action plan.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 4 and renumber:*

Instruct the Council to prioritise the Great Commission to make disciples as the key theme in the radical plan and, in particular, to reflect on the principles of the World Mission Council's Special Report on Lessons for Scotland from Christian Faith in Africa.

*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 4 and renumber:*

Instruct the Council to create a narrative that presents the vision of what the Church, focused on these priorities and strategies, would, by God's grace, and will become, and bring this to the General Assembly of 2019 for approval and thereafter to be circulated to Kirk Sessions, Presbyteries, Councils and Committees in order that the whole Church can understand and share in that vision.

*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 4 and renumber:*

Instruct the Council to devise a method of reporting in which the Annual Report and Accounts can be presented in a way which makes clear to all members of the Church the manner in which the Unincorporated Councils and Committees make savings and reduce spending in order to balance the budget.

The General Assembly adjourned at 6.45 pm to meet again in this Hall tomorrow at 9.15 am for business, whereof public

intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 23 May 2018, 6.45 pm

**Convened at Edinburgh, 24 May 2018**

*At Edinburgh, and within the Assembly Hall, the 24th day of May 2018 years, at 9.15 am.*

**SESSION 17**

The General Assembly did again convene and was constituted with prayer.

The Minutes of Sessions 9-12, being printed and in the hands of members, were submitted and approved with the following amendment:

*On page 68, in the second paragraph below the heading 'Session 11', add the word 'Assembly' after the words 'The General'.*

*It was moved, seconded and agreed:*

**The General Assembly:**

Appoint the following Committee to Nominate the Moderator:

*Ministers and Deacons:*

Rev Dr Robin Hill	(78)
Rev Jonathan Fleming	(190)
Rev George S Cowie	(242)
Rev Muriel B Pearson	(267)
Rev I Ross Blackman	(315)
Mr David Nicholson DCS	(410)
Rev Sandy C Stoddart	(633)
Mr James Hamilton DCS	(853)

*Elders:*

Mrs Alexandra Watson	(54)
Mrs Margaret Hood	(88)
Mr Derek Peters	(448)
Mr Michael Scott	(570)
Mrs Janet S Whyte	(610)
Mr Alastair Rossetter	(608)
Mr Mark Duncan	(614)

On the request of the Very Rev Dr John B Cairns, the General Assembly acknowledged the Knighthood awarded to the Very Rev Professor Iain Torrance in the Queen's New Year's Honours and offered him their congratulations.

### **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 Gordon Craig, 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 Royal Air Force personnel and their families.
3. Acknowledge with particular gratitude the dedicated service of Chaplains on operations 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. Commend the appointment by Presbyteries of an Armed Forces Champion.
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 3 and renumber:*

Recognise and affirm the valuable ministry that our Armed Forces Chaplains offer as Church of Scotland ministers, both in military service and in Presbyteries, Councils and Committees of the Church.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 3 and renumber:*

In this centenary year of the Royal Air Force, given thanks for the service given by members of this Church as chaplains, officers and airmen throughout the last 100 years.

*It was moved, seconded and agreed as an amendment of Section 5:*

*Amend Section 5 to read:*

Urge Presbyteries strongly to appoint an Armed Forces Champion.

*It was moved and seconded:*

*Add a new Section 7:*

Instruct the Committee to bring to the General Assembly of 2019 a Report concerning the Cadet Forces in Scotland, highlighting the work of Cadet Force chaplains and indicating the chaplaincy vacancies that exist.

*This motion was withdrawn with the permission of the General Assembly.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 7:*

Instruct the Committee to confer with relevant parties concerning the provision of Church of Scotland email addresses and digital copies of Life & Work magazine to regular chaplains and report to the General Assembly of 2019.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 7:*

Commend the work of places like Hollybush House and the enormous work they do for those who have Post Traumatic Stress Syndrome.

*The Deliverance as amended was then agreed.*

The Moderator addressed those Chaplains to Her Majesty's Forces who were present.

Major General Bob Bruce CBE DSO, Military Secretary and General Officer Scotland was then invited by the Moderator to address the General Assembly.

Mr Craig, on his retiral as Convener of the Committee on Chaplains to HM Forces, was thanked by the Moderator for his noteworthy service to the Committee and the General Assembly.

The General Assembly suspended their sitting at 11.20 am until 11.45 am.

## SESSION 18

### SOCIAL CARE COUNCIL

The General Assembly called for the Report of the Social Care Council which was given in by Mr Bill Steele, Convener.

*It was moved, seconded and agreed-*

#### The General Assembly:

1. Receive the Report.
2. Note the progress made on recommendations from the Business Strategy Group in a number of areas, including the work done to widely review the Central Services function both as it relates to the National Church Office, and as it relates to being fit to meet the key challenges recognised to be part of future sustainability for CrossReach specifically.
3. Endorse the work being done by CrossReach, The Council of Assembly and The Pension Trustees to support discussion around the historical pension deficit position and encourage continued exploration of all avenues for mitigation.
4. Acknowledge the efforts being made by the Employee Representative Group and Corporate Management Team to address issues of low pay, living wage and salary pressure points, which remain difficult to fully resolve due to the complexities of the internal and external funding environment.

5. Acknowledge and record appreciation for the significant contribution which volunteers and supporters make to the work of CrossReach through sharing their time, talents and resources and recognise the added value which is provided by means of that support to the people who use CrossReach services.
6. Endorse the initiatives set up through the Social Care Mission Officer and welcome continued support for local church initiatives through the Social Care Forum and Learning Networks.
7. Welcome the initiative taken by the Presbytery of Lewis as a model of Regional support for CrossReach, and encourage all Presbyteries to adopt this approach over the next year.
8. Celebrate the contribution made to society by young people across Scotland and, in the Year of Young People, commit as a Church to doing all we can now and in the future to raise awareness of and counteract the stigma which prevents young people in disadvantaged circumstances reaching their full potential.
9. Recognise that 2019 provides an opportunity for the whole Church to acknowledge and celebrate its rich heritage of social caring over the past 150 years and encourage the Church at national, regional and local level to join with the Social Care Council in raising awareness of the work that is done, both formally and informally, to care for communities, through the work of the Church, throughout Scotland and beyond.
10. Acknowledge and celebrate the sections on performance, and pay tribute to the dedication and commitment of all staff at every level of the organisation who have made this possible.

The General Assembly suspended their sitting at 12.35 pm until 2 pm.

## SESSION 19

### THEOLOGICAL FORUM

The General Assembly called for the Report of the Theological Forum which was given in by the Rev Donald MacEwan, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report.
2. Reaffirm the Church's understanding that those who receive Communion be baptised, while recognising that church law allows the offering of Communion to an unbaptised person as part of the mission of the Church.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 3:*

Instruct the Forum to consider the place of Profession of Faith (Admission to the Lord's Supper or Confirmation) and sharing Communion in today's Church.

**OVERTURE – PRESBYTERY OF MELROSE AND PEEBLES ON THE WESTMINSTER CONFESSION OF FAITH**

The General Assembly took up consideration of an Overture from the Presbytery of Melrose and Peebles on the Westminster Confession of Faith.

In terms of Standing Order 52 the General Assembly agreed to treat Section 2 of the Deliverance of the Overture as a proposed new Section 4 of the Deliverance of the Theological Forum.

The Very Rev Dr Finlay Macdonald and Mrs Isobel Hunter appeared in support and were heard.

*It was moved and seconded:*

**The General Assembly:**

1. Receive the Overture.
2. Instruct the Theological Forum:
  - (1) to review the reports and debates on the role of the Westminster Confession of Faith in the Church's life arising from the General Assembly of 1968 and the years following;
  - (2) to give fresh consideration to the issues raised therein in light of developments within Reformed

and ecumenical theology since 1646 in which the Church of Scotland has been actively involved;

- (3) to advise the General Assembly on the continuing role of a 'Subordinate Standard';
- (4) to look afresh at the wording and terms of reference of the Formula of subscription used in services of ordination;
- (5) to explore the possibility of producing a Book of Confessions, in print and/or on-line as a teaching resource for office-bearers, members and enquirers;
- (6) to report to the General Assembly of 2020.

*On a vote being taken For or Against Section 1 of the Overture it carried For.*

*On a vote being taken For or Against Section 2 of the Overture it carried For.*

*The General Assembly resumed consideration of the proposed Deliverance of the Theological Forum.*

*The Deliverance as amended was then agreed.*

The General Assembly suspended their sitting at 3.32 pm until 3.50 pm.

**SESSION 20**

**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 Graeme Caghey, Chairman.

*It was moved, seconded and agreed-*

**The General Assembly:**

1. Receive the Report.

**COUNCIL OF ASSEMBLY – PENSIONS**

The General Assembly called for the Supplementary Report of the Council of Assembly (Pensions) which was given in by Dr Sally Bonnar, Convener.

*On a vote being taken For or Against departing from the matter, there voted For 172 and Against 269.*

*It was moved and seconded-*

### **The General Assembly:**

1. Receive the Supplementary Report.
2. Appoint a Special Commission of five persons with experience and expertise in respect of pension provision and scheme management, to review the shape and organisation of the Church of Scotland Pension Trustees board and to bring forward any recommendations for change, including any appointment of additional Trustees, to the Commission of Assembly.
3. Remit to the Selection Committee to bring forward names of persons to serve on the Special Commission to a later sederunt of this General Assembly.

*On a vote being taken For or Against Section 1 of the Deliverance, there voted For 229 and Against 192.*

*It was moved, seconded and agreed as an amendment of Section 2:*

*Delete 'Commission of Assembly' and substitute 'General Assembly of 2019'.*

*It was moved and seconded as a counter-motion to Sections 2 (as amended) and 3:*

Invite the Pension Trustees to bring a Report to the General Assembly of 2019 with recommendations on:

- a) the most effective and efficient structures for trustee oversight of the closed funds;
- b) the most efficient means of administration of the closed funds.

*On a vote being taken between the motion (Sections 2 and 3 in the original Deliverance) and the counter-motion the counter-motion carried and the General Assembly resolved accordingly.*

*The Deliverance of the Report and two Supplementary Reports of the Council of Assembly 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 the Rev Ian Taylor, Chairman.

*It was moved, seconded and agreed-*

### **The General Assembly:**

1. Receive the Report and thank the Trustees and Staff.
2. Re-appoint Rev M A Rennie as a Trustee of the Fund.

## **CHURCH HYMNARY TRUSTEES**

The General Assembly called for the Report of the Church Hymnary Trustees which was given in by the Rev Ann Inglis, Trustee.

*It was moved, seconded and agreed-*

### **The General Assembly:**

1. Receive the Report.
2. Appoint Mr David Stewart as a Trustee of the Church Hymnary Trust.

## **THE CHURCH OF SCOTLAND TRUST**

The General Assembly called for the Report of the Church of Scotland Trust which was given in by Mr John Hodge, 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. Appoint Mr Thomas C Watson as Chairman from 1 June 2018.
3. Appoint Mr W F Stuart Lynch as Vice-Chairman from 1 June 2018.

4. Re-appoint Mr Angus Bethune and the Very Rev Dr John Chalmers as members of the Trust from 1 June 2018.
5. Appoint the Rev Dr George J Whyte as a member of the Trust from 1 June 2018.

Mr Hodge, on his retiral as Chairman of the Church of Scotland Trust, was thanked by the Moderator for his noteworthy service to the Trust and the General Assembly.

### **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 Miss Catherine Y Alexander, Chairman.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report.
2. Approve the re-appointments of Mr R Nisbet, Mr G Young and Mr A Aitchison as members of the Investors Trust from 1 June 2018.
3. Receive the Annual Report and Financial Statements of the Investors Trust for 2017.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 4:*

Urge the Investors Trust to investigate the risks and rewards of continuing to invest in fossil fuels companies and to report back to the General Assembly of 2019 with any proposals for revising their investment portfolios.

*On a vote being taken For or Against the amendment it carried Against.*

*The Deliverance was then agreed.*

### **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. Note that the Rev Dr Sam Wells, Vicar of St Martin-in-the-Fields, London has agreed to deliver the Chalmers Lectures in 2019.

The General Assembly adjourned at 6.12 pm to meet again in this Hall tomorrow at 9.15 am for business, whereof public intimation having been made, the Sederunt was closed with prayer.

ASSEMBLY HALL  
EDINBURGH, 24 May 2018, 6.12 pm



**Convened at Edinburgh, 25 May 2018**

*At Edinburgh, and within the Assembly Hall, the 25th day of May 2018 years, at 9.15 am.*

**SESSION 21**

The General Assembly did again convene and was constituted with prayer.

The Minutes of Sessions 13-16, being printed and in the hands of members, were submitted and approved.

Imam Sayed Razawi, Director General of the Scottish Ahlul Bayt Society, was invited to address the General Assembly and was thanked by the Moderator.

**PROTESTATIONS**

Protestations were called for but none was taken.

**COMMITTEE ON PRINTING OF ACTS**

The General Assembly called for the Report of the Standing 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 Minutes of Sederunts not yet submitted were held as read and approved.

**NOMINATION COMMITTEE**

The General Assembly called for the Report of the Nomination Committee which was given in by Mrs Lynsey Kimmitt, Convener.

*It was moved and seconded-*

**The General Assembly:**

1. Receive the Report.

2. Encourage the Council of Assembly to develop an Information Technology and Communication strategy, in connection with its work on the National Offices, which will enable wider use of technological options to overcome barriers for participation of Council and Committee members in the work of the Church.
3. Appoint the Very Rev Dr John Chalmers as Convener of the World Mission Council.
4. Appoint the Rev Jennifer Adams as Convener of the Panel on Review and Reform.
5. Make alterations to Standing Committees and Councils as set forth in the Report.

Before dealing with Section 5 of the Deliverance, it was moved, seconded and agreed to suspend Standing Orders to permit Morag Ross QC to serve for a second term, for four years, as one of the Conveners of the Judicial Commission, and the Rev Helen Jamieson to serve for a second term, for two years, as one of the Vice-Conveners of the Appeals Committee of the Commission of Assembly.

*It was moved, seconded and agreed as an amendment of Section 5 of the Deliverance:*

*Add at the end 'subject to the following alterations:*

*Delete:*

**Social Care Council**

*Member Appointed Paula Roots (Edinburgh: Kirkliston)*

*Add:*

**Appeals Committee of the Commission of Assembly**

*Convener Retiring Alan Hamilton (Bearsden: Killermont)*

**Judicial Proceedings Panel**

*Ministers Retiring Alan Hamilton (Bearsden: Killermont)*

*Elders Appointed Katherine Taylor (Edinburgh: Duddingston)  
Patricia Kingston (Edinburgh: Gorgie Dalry Stenhouse), Grant Gordon (Edinburgh: Currie)*

**Ministries Council**

*Vice-Convener Resigned David McLachlan*

*Vice-Convener Appointed Robert Mallinson (Dundee: Menzieshill)*

Minister Appointed Brian Casey (Glasgow: Springburn) (2 years)

### **Safeguarding Committee**

Member Resigned Janet Allan

Member Appointed Robert McCabe (Edinburgh: Palmerston Place) (2 years).'

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 6:*

Instruct Presbyteries to actively encourage people of vision and leadership quality to be nominated to the Councils and Committees of the Church to bring direction in the light of the mission challenges the Church faces today.

*The Deliverance as amended was then agreed.*

### **MISSION AND DISCIPLESHIP COUNCIL**

The General Assembly called for the Report of the Mission and Discipleship Council which was given in by the Rev Norman Smith, Convener.

*It was moved and seconded-*

#### **The General Assembly:**

1. Receive the Report.
2. Instruct Kirk Sessions to explore how the fresh vision for eldership outlined in section 2.3 of the Report applies to their particular local context.
3. Instruct Kirk Sessions to consider how the aspirations outlined in the Report shape their ongoing ministry and engagement with children and young people in the parish.
4. Urge Presbyteries and Kirk Sessions to engage fully in the Year of Young People initiative.
5. Urge Kirk Sessions to use the Conversations in Worship resource within a Kirk Session meeting in 2018.
6. Encourage Kirk Sessions to draw on Pray Now (including the sections on How to Pray/How They Prayed) for fostering the congregation's prayer life.

7. Instruct the Council, in collaboration with the Theological Forum, to develop creative, instructive and grace-filled pathways for the spiritual development of children and young people in order to support congregations in welcoming them to the Lord's Table.
8. Commend the Weekend of Invitation to Presbyteries and Kirk Sessions and encourage congregations to think of ways of developing a culture of invitation.
9. Urge Kirk Sessions and Presbyteries to consider ways in which congregations can more effectively support Christians from minority migrant communities living and worshipping in their neighbourhoods.
10. Urge every congregation to actively promote Life and Work, the magazine of our Church, as a tool to encourage, inspire and resource.
11. Instruct Kirk Sessions to explore what opportunities exist for a fresh expression of church in their parish.
12. Instruct the Mission and Discipleship Council and Ministries Council to bring a joint report from the Joint Emerging Church Group to the General Assembly of 2019, bringing recommendations on the future strategy of the JECG.
13. Instruct the Mission and Discipleship Council and Ministries Council to seek an extension of their partnership with Fresh Expressions until 30 September 2020.
14. Urge Kirk Sessions to use the resources listed in Appendix VI and to promote their usage in the wider congregation.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 2 and renumber:*

Instruct the Council, in collaboration with the Council of Assembly, the Ministries Council, the World Mission Council, the Ecumenical Relations Committee, the Guild and the Panel on Review and Reform, to explore the development of a programme of education and training on discipleship aimed at lay members of congregations and report to the General Assembly of 2020.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

In the Year of Young People, encourage the Council, in consultation with the Church and Society Council, to further consider how to support and encourage chaplains as they try to create relationships with schools, organisations and cadet forces.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 5 and renumber:*

Instruct the Council to investigate and recognise the realities of everyday life of the 'Millennial Generation' (25-40 year olds) and 'Generation X' (30-50 year olds) and explore ways to make our Church an accessible and welcoming place for them.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 8 and renumber:*

Commend the work done on the 'Children, Young People and Communion Survey Findings 2018' and instruct the Council in consultation with the Theological Forum to produce a resource on the theology and practice of Communion in the 21<sup>st</sup> Century Church of Scotland.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 9 and renumber:*

Encourage the Council to further research migrant and multi-cultural Christian communities in Scotland and to recognise and resource them in whatever way is considered to be appropriate.

*It was moved, seconded and agreed as an amendment of Section 9:*

*Add at the end 'whilst entering into a spirit of mutual learning'.*

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 10 and renumber:*

Instruct the Council, working with the Church and Society Council and others where appropriate, to promote congregational learning and awareness of the issues experienced by divorcing couples, their children and wider families, in order to better facilitate pastoral care to all affected.

*It was moved, seconded and agreed as an amendment of the Deliverance:*

*Add a new Section 11 and renumber:*

Instruct the Council to review which categories of those in the service of the Church should receive a promotional copy of Life & Work magazine, and report to the General Assembly of 2019.

*It was moved and seconded as an amendment of the Deliverance:*

*Add a new Section 14 and renumber:*

Instruct the Council, in consultation with the Ministries Council, to carry out an audit of the range of training which Presbyteries and congregations are using to train local worship leaders, and how local worship leaders are deployed, and to report to the General Assembly of 2019.

*It was moved, seconded and agreed as an amendment of the proposed amendment of the Deliverance:*

*After 'how local worship leaders are' add the words 'recruited and'.*

*The amendment as amended was then agreed.*

*The Deliverance as amended was then agreed.*

## **NATIONAL YOUTH ASSEMBLY**

The General Assembly called for a Report from the 2017 National Youth Assembly which was given in by Mr Robin Downie, Moderator of the National Youth Assembly.

Questions were addressed to Youth Representatives who had attended the National Youth Assembly.

The Moderator expressed appreciation to Mr Downie for his contribution to the Youth Assembly.

The General Assembly adjourned at 12.27 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.

ASSEMBLY HALL  
EDINBURGH, 25 May 2018, 12.27 pm

**Convened at Edinburgh, 25 May 2018**

*At Edinburgh, and within the Assembly Hall, the 25th day of May 2018 years, at 3.00 pm.*

**SESSION 22**

The General Assembly did again convene and was constituted with prayer.

The General Assembly called for the Report anent Deceased Ministers, Missionaries and Deacons, which was given in by the Very Rev Dr Derek Browning, and was agreed as follows:

**DECEASED MINISTERS, MISSIONARIES AND DEACONS**

**DATE OF DEATH**

**2017**

March	7	Rev James Reid, formerly of Glasgow: Carmunnock
June	1	Rev Richard Haldane Martin McAlpine, formerly of Lochgoilhead and Kilmorich
	7	Rev Donald Beaton, formerly of Glenelg and Kintail
	18	Mrs Elizabeth Murdoch formerly of Pakistan
	23	Rev Andrew Kerr, formerly of Kilbarchan: West
	30	Rev William Douglas Watt, formerly of Aboyne-Dinnet
July	1	Rev Frederick Comery Muir, formerly of Glasgow: Stepps
	7	Rev George Ivory Lithgow McCaskill, formerly a teacher of Religious Education
	8	8 Rev Ivor Gibson, formerly of Abercorn linked with Dalmeny
	22	Rev James McBride Davies, lately of Inverurie: St Andrew's as Interim Minister

## Section B - Minutes of the Proceedings.....

August	1	Rev Ian McIlroy, lately of Stranraer: High Kirk		14	Rev George Taylor Sherry, formerly of Menstrie
	4	Rev William Anderson Bryden, formerly of Glasgow: Yoker Old linked with Yoker St Matthew's		14	Rev John Henry Whyte, formerly of Gourrock: Ashton
	15	Rev Alexander Glen Bowie, Principal Chaplain, RAF		17	Rev James Aird Trevorrow, formerly of Glasgow: Cranhill
	20	Rev Alexander Douglas Stirling, formerly of Rhu and Shandon		18	Rev Francis Symington Gibson, formerly of Kilarrow and Kilmeny
	29	Rev Major Sandy Goodwin, formerly Head Teacher at Tabeetha School		27	Rev David Iain Souter, formerly of Perth: Kinnoull
2018					
September	2	Rev Robert Wood Clark Galloway, formerly of Cromarty	January	11	Rev Herbert Marshall Gibson formerly of Glasgow: St Thomas' Gallowgate
	16	Rev James McKay MacDonald, formerly of Kilmarnock: St John's Onthank		22	Rev William Henry Greenway Bristow former Army Chaplain
				23	Rev Adam McCall Bowie, formerly of Cavers and Kirkton with Hobkirk and Southdean
October	25	Rev David John Hislop Harbison, formerly of Beith: High linked with Beith: Trinity		28	Rev Andrew Graham Black, formerly of Gladsmuir linked with Longniddry
November	9	Rev James Adrian Miller Dowswell, formerly of Lerwick and Bressay	February	1	Rev Euphemia Helen Clouston Irvine, formerly of Milton of Campsie
	12	Rev Kenneth Peat Forrest, formerly Auxiliary Minister at Langbank linked with Port Glasgow: St Andrew's		5	Rev Alwyn James Cecil MacFarlane, formerly of Glasgow: Newlands South
	22	Rev William Frank Campbell, lately of Ale and Teviot		20	Very Rev Dr Duncan Shaw of Chapelverna, formerly of Edinburgh: Craigentinny St Christopher's
				22	Rev George Lockhart Lugton, formerly of Guernsey: St Andrew's in the Grange
December	3	Rev Alan Chalmers Ross, formerly of Eskdalemuir linked with Hutton and Corrie linked with Tundergarth		23	Rev Arthur Sherratt, formerly of Saltcoats: St Cuthbert's
	6	Mr Alan Hutchison DCS, formerly of Glencorse linked with Roslin and the Bilston Mission		28	Rev Isobel Jarvie Brain, formerly of Ballantrae
	10	Rev Arrick Dempster Wilkinson, formerly of Fisherton linked with Kirkoswald	March	2	Rev Jennifer Macrae, lately of Haddington: St Mary's
	13	Rev David White McCreadie, formerly of Kirkmabreck		6	Rev Sarah Margaret Tran, formerly of Nigeria
				17	Ms Christine Stone, formerly of Nepal
				20	Rev Eric Douglas Aitken, formerly of Clackmannan

April 10 Rev Ian Masson Fraser, formerly of Rosyth  
 16 Rev Elizabeth Mills Gregson, formerly of Glasgow: Drumchapel St Andrew's  
 25 Rev John Harley Jenkinson, formerly Auxiliary Minister at Cumbernauld: Kildrum  
 28 Rev Janet Phillips Hotchkies MacMahon, formerly of Kilmaronock Gartocharn

May 3 Rev Alexander David Moore Graham, formerly of Aberdeen: Rosemount  
 3 Rev Michael Robert Philip, formerly of Falkirk: Bainsford  
 5 Rev Archibald Millar, formerly of Perth: St Stephen's  
 5 Rev Gordon Grant Stewart, formerly of Perth: St Leonard's-in-the-Fields and Trinity  
 5 Rev David MacInnes, formerly of Kilmuir and Paible  
 6 Miss Margaret Reid, formerly of Malawi  
 6 Rev William Duncan Crombie, formerly of Glasgow: Calton New linked with St Andrew's  
 8 Rev Margaret Jay Garden, formerly of Cushnie and Tough  
 10 Rev Ronnie Yule, lately of Fraserburgh: South linked with Inverallochy and Rathen: East

The General Assembly, upstanding, were led in prayer by the Very Rev Dr Derek Browning.

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 18th May 2019.

The following people were presented to the General Assembly:

## COUNCIL OF ASSEMBLY

*Staff Member Retiring:*  
 Edith Scott, Stewardship Consultant, 18 years

*New Staff Members:*  
 Sandy Reid, Maintenance Officer  
 Laura Crawford, Communications Officer  
 Ruth MacLeod, Interim Head of Communications  
 Helen Silvis, Communications Manager  
 Jill Stevens, Web Editor

## ASSEMBLY ARRANGEMENTS COMMITTEE

*Staff Member Retiring:*  
 Linda Jamieson, PA to Principal and Depute Clerks, Department of the General Assembly, 21 years

*New Staff Members:*  
 Susan Taylor, Executive Assistant, Department of the General Assembly

## CHURCH AND SOCIETY

*New Staff Members:*  
 Calum Strang, Flourishing Local Communities Programme Manager  
 Katherine Gilmour, Gender Justice Officer

## MISSION AND DISCIPLESHIP COUNCIL

*New Staff Members:*  
 Rev Angus Mathieson, Council Secretary  
 Felicity Burrows, Development Assistant: Resourcing Worship and Online Resources  
 Diane Knowles, Development Assistant: Church Without Walls

## MINISTRIES COUNCIL

*New Staff Members:*  
 Rev Dr Kenneth Fleming, Co-ordinator for New and Emerging Ministries  
 Miss Eileen-Joann McCormick, Continuing Ministerial Development Project Officer  
 Mrs Nicola Nicholls, Administrator  
 Mr Craig Renton, Depute Council Secretary

Mrs Mairi Thomson, Initial Ministerial Education Operations Manager

*Ministers recently inducted and introduced to their first charge or appointment:*

Rev Hilary Beresford, Kilwinning: Mansefield Trinity  
 Rev Rodolphe Blanchard-Kowal, Portlethen  
 Rev Terrance Burns, Cromarty l/w Resolis and Urquhart  
 Rev Dr Amos Chewachong, Newport-on-Tay  
 Rev Stuart Crawford, Newton Mearns  
 Rev Annette Gordon, Carnoustie: Panbride  
 Rev Heidi Hercus, Lochbroom and Ullapool  
 Rev Hanneke Marshall, Bridge of Weir: St Machar's Ranfurly  
 Rev Allan Morton, Kennoway, Windygates and Balgonie: St Kenneth's  
 Rev Deon Oelofse, Elgin: St Giles' and St Columba's South  
 Rev Ali Pandian, Healthcare Chaplain with NHS Lanarkshire  
 Rev Teri Peterson, Gourock: St John's  
 Rev Hanna Rankine, Airdrie: Clarkston  
 Rev Fiona Reynolds, Monifieth  
 Rev Dr Martin Ritchie, Edinburgh: Greenbank  
 Rev Timothy Sinclair, Glasgow: Partick Trinity  
 Rev Peter Sutton, Edinburgh: St Cuthbert's  
 Rev Thomas Telfer, Kilchrenan and Dalavich l/w Muckairn  
 Rev Kipchumba Too, Denny: Westpark  
 Rev Neil Watson, Belhaven l/w Spott  
 Rev Dr Philip Wright, Kirkintilloch: St Columba's

*Ordained Local Ministers recently introduced to their first appointment:*

Rev Derek Henderson, Abercorn l/w Pardovan, Kingscavil and Winchburgh  
 Rev James Hogg, Troon: St Meddan's  
 Rev Carl Irvine, Gordon Presbytery  
 Rev Sonia Palmer, Elgin: St Giles' and St Columba's South  
 Rev Alison Quilter, Polbeth Harwood l/w West Kirk of Calder  
 Rev Carol Rattenbury, Rosskeen  
 Rev Dr Rita Welsh, Edinburgh: Holy Trinity

*Recently Appointed Ministries Development Staff:*

Mr Matthew McKenzie, Dundee Lochee in partnership with Dundee Camperdown  
 Mr Michael McMullin, Edinburgh Gorgie Dalry Stenhouse  
 Mr Alan Midwinter, Edinburgh St David's Broomhouse  
 Mrs Naomi Sutton, Glasgow: St Christopher's Priesthill and Nitshill  
 Mrs Elaine Wardrop, Kilmarnock St Andrew's and St Marnock's

*Recently Retired Ministers:*

Rev Matthew Bicket, Carnoustie: Panbride  
 Rev Michael Frew, Edinburgh: Slateford Longstone  
 Rev Alan Greig, Avonbridge and Torphichen  
 Very Rev William Hewitt, Clerk to the Presbytery of Glasgow  
 Rev Diane Hobson, Aberdeen St Mark's  
 Rev Norma Moore, Jamestown  
 Rev Iain Murdoch, Wishaw Cambusnethan Old and Morningside  
 Rev Douglas Nicol, Hobkirk and Southdean with Ruberslaw  
 Rev David Redmayne, Beath and Cowdenbeath North

#### SOCIAL CARE COUNCIL

*New Staff Members:*

Elaine Nisbet, Unit Manager, Walter and Joan Gray, Shetland, Residential Care for Older People  
 Liann Weir, Managing Co-ordinator, The Mallard, Glasgow, Services for Children and Young People with Disabilities  
 Gillian MacKenzie, Unit Manager, The Elms, Edinburgh, Residential Dementia Service  
 Margaret Dobbie, Project Manager, Counselling and Support Services, Lothians  
 Sheila Gordon, Director, Children and Family Services

*Staff Members Retiring:*

Rena Barton, Support Worker, Threshold Housing and Residential Support, 11 years  
 John Deary, Support Worker, Threshold Glasgow, Support for People to Live Independently, 12 years  
 Sheila McDermott, Support Worker, Threshold Glasgow, Support for People to Live Independently, 10 years  
 Fiona Guthrie, Visitor Centre Worker, Perth Prison Visitor Centre, 14 years

#### WORLD MISSION COUNCIL

*Staff Member Retiring:*

Rev Colin Johnston, Mission Partner (Zambia, Tiberias, Cairo), 25 years

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 18th day of May 2019."

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 4.07 pm with the Benediction pronounced by the Moderator.

ASSEMBLY HALL  
EDINBURGH, 25 May 2018, 4.07 pm

SECTION C – OVERTURE FROM PRESBYTERY

Cases

42/1 ..... Overture Anent the Westminster Confession of Faith



## OVERTURE ANENT THE WESTMINSTER CONFESSION OF FAITH

### Overture

#### From the Presbytery of Melrose & Peebles

Whereas:

1. 'The Westminster Confession is justly regarded as one of the most impressive of all the Confessions framed by the Reformers or their successors in the sixteenth and seventeenth centuries... Yet the status it enjoys has also provoked searching questions about the theological adequacy and continuing relevance of its teaching – questions which began to come to the surface in the eighteenth century, grew acute in the nineteenth and are still with us today.' (Professor Alasdair Heron – Introduction to The Westminster Confession in the Church Today, Saint Andrew Press 1982);
2. The Confession was drafted in 1646 by an Assembly of English parliamentarians and clergy, with assessors from Scotland, against the background of the English Civil War and moves to unite the Churches of both countries under Presbyterian government;
3. The Confession was adopted by the General Assembly of 1647 as 'most orthodox and grounded upon the Word of God' and further approved by the Scottish Parliament in 1649 as 'the public and avowed Confession of the Church, containing the sum and substance of the faith of the Reformed Church';
4. Through these measures the Westminster Confession effectively superseded the Scots Confession drawn up by John Knox and others and approved by the Scottish Parliament of 1560;
5. Over succeeding centuries varying formulae of subscription were required of candidates for ordination and holders of certain public offices. These ranged from seeking recognition of the Confession as a statement of the Church's faith to its acceptance as an expression of personal belief;
6. By the late nineteenth century serious unease was being expressed over aspects of the Confession's teaching, in particular the doctrines of divine decrees (double predestination), election and limited atonement. This led the United Presbyterian Church in 1879 and the Free Church in 1892 and 1894 to pass Declaratory Acts, qualifying adherence in respect of such doctrines and allowing liberty of opinion on matters 'not entering into the substance of the faith'. These Declaratory Acts continue as 'leading documents' in the Church of Scotland's constitution in the area of doctrine;
7. The Articles Declaratory of the Church of Scotland in Matters Spiritual, appended to the 1929 Uniting Act, declare the Westminster Confession to be 'the principal subordinate standard of the Church of Scotland... approved by the General Assembly of 1647 (and) containing the sum and substance of the Faith of the Reformed Church.' The associated formula of subscription requires ordinands to affirm their belief in 'the fundamental doctrines of the Christian faith contained in the Confession of Faith of this Church';
8. In the General Assembly of 1968 significant concerns were raised over the Confession's accessibility and practical usefulness as a 'subordinate standard' in articulating the Church's faith in a language and style relevant to contemporary theological challenges;
9. Over the next four years the issues were debated at kirk session, presbytery and Assembly levels with the General Assembly of 1972 adopting an Overture recommending certain amendments of the Declaratory Articles. These involved introducing references to the Apostles' and Nicene Creeds as 'declarations of the faith of the Universal Church' and to the Scots and Westminster Confessions as 'historic statements of the faith of the Reformed Church.' Reference to the Westminster Confession as 'subordinate standard' was removed. In addition it was proposed that a short statement of faith be included in the Preamble read at services of ordination, with ordinands required to subscribe a revised Formula declaring their belief in 'the fundamental doctrines of the Christian Faith affirmed in the Preamble';

10. In terms of the procedure for amending the Declaratory Articles these recommendations were referred to presbyteries in two successive years where they received the required approval of more than two-thirds of presbyteries in both years. Notwithstanding this support further debate ensued in the General Assembly of 1974 leading to the rejection of the amendments in favour of a counter motion to depart from the matter 'until a new Statement of Faith is accepted by the General Assembly';
  11. Over subsequent years efforts were made to produce such a Statement, with some seeking a simple, credal formula while others argued for a more substantial and detailed text. In 1978 the General Assembly drew attention to the first Declaratory Article as 'an authoritative guide in any statement of Christian belief' and in 1982 a collection of essays was published under the title *The Westminster Confession in the Church Today*. Over the next two years further amendments of the Declaratory Articles, Preamble, Questions and Formula were considered but failed to find the necessary support. Eventually, in 1992 the General Assembly, following consultation with presbyteries, approved the Statement of Christian Faith which is printed inside the back cover of *Common Order* 1994. The question as to whether this met the conditions of the successful 1974 counter-motion for re-visiting the matter remains open;
  12. In 1986, in response to a petition from Dr Kenneth Stewart, an elder from Stirling, the General Assembly passed a Declaratory Act dissociating itself from the intemperate language employed by the Confession when referring to the Pope, the Mass and the Roman Catholic Church, declaring that it no longer affirmed such terms. The petitioner successfully argued that such expressions were 'beyond modification except by their exclusion', though they remain in the text of Confession;
  13. In recent years questions have continued around the role of the Westminster Confession as an effective 'Standard' for the Church, both in terms of its accessibility to those required to subscribe it and its practical usefulness as an exposition of the Church's faith for today's members and enquirers;
  14. Last year's Reformation 500 commemoration offers a timely opportunity for reaffirming our catholic, reformed, evangelical and ecumenical identity alongside other Churches, perhaps through a broader set of confessional documents;
  15. In 1983 the Presbyterian Church USA published a *Book of Confessions* containing twelve statements of faith beginning with the ancient creeds, continuing with a number of Reformed texts (including the Scots and the Westminster Confessions) and concluding with contemporary affirmations of faith. Revised and updated editions have been issued in subsequent years. Arguably, a similar publication for the Church of Scotland, in print and/or on-line, could prove a valuable resource for church members and enquirers;
  16. Much valuable theological work was undertaken in the years following the 1968 General Assembly and the various reports and verbatim records of Assembly debates remain readily available as a basis for fresh analysis and study;
- It is humbly overtured by the Presbytery of Melrose and Peebles, to the Venerable the General Assembly of the Church of Scotland, that the General Assembly instruct the Theological Forum:
- (1) to review the reports and debates on the role of the Westminster Confession of Faith arising from the General Assembly of 1968 and the years following;
  - (2) to give fresh consideration to the issues raised therein in light of developments within Reformed and ecumenical theology since 1646 in which the Church of Scotland has been actively involved;
  - (3) to advise the General Assembly on the continuing role of a 'Subordinate Standard';
  - (4) to look afresh at the wording and terms of reference of the Formula of subscription used in services of ordination;
  - (5) to explore the possibility of producing a Book of Confessions, in print and/or on-line as a teaching resource for office-bearers, members and enquirers;
  - (6) to report to the General Assembly of 2020.

Or to do otherwise as to your Venerable Court may seem good.

## **PROPOSED DELIVERANCE**

### **The General Assembly**

1. Receive the Overture.
2. Instruct the Theological Forum -
  - (1) to review the reports and debates on the role of the Westminster Confession of Faith in the Church's life arising from the General Assembly of 1968 and the years following;
  - (2) to give fresh consideration to the issues raised therein in light of developments within Reformed and ecumenical theology since 1646 in which the Church of Scotland has been actively involved;
  - (3) to advise the General Assembly on the continuing role of a 'Subordinate Standard';
  - (4) to look afresh at the wording and terms of reference of the Formula of subscription used in services of ordination;
  - (5) to explore the possibility of producing a Book of Confessions, in print and/or on-line as a teaching resource for office-bearers, members and enquirers;
  - (6) to report to the General Assembly of 2020.





SECTION D – STANDING ORDERS

**Standing Orders**

- 43/1 ..... Commissions
- 43/1 ..... Conduct of Business
- 43/4 ..... Members not Commissioners
- 43/5 ..... Committee Reports and Overtures
- 43/7 ..... Conduct of Cases
- 43/10 ..... Order of Debate
- 43/14 ..... Committees and their Membership
- 43/18 ..... Alteration and Suspension



## THE CHURCH OF SCOTLAND GENERAL ASSEMBLY 2018

### 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. Presbyterian 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 105.)

**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 thereanent 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 113. 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 SO 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, Stewardship and Finance Committee and the Church of Scotland Pension Trustees.

(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 involved in the life of a congregation within the bounds of the Presbytery and be regularly involved in the life and worship of the Church of Scotland. 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 129 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. Matters Relating to 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.

**56. 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.

**57. 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

**58. 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 (Act I 2014). Standing Orders 59 – 61 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 59 - 61 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

**59. 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.

### 60.

- (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 59.
- (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.

**61. 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 this SO 61. 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**

**62. 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.

**63. In Private.** Papers relating to business dealt with by Presbyteries in private, or which the Committee on Overtures and Cases (SOs 70 - 71) consider should be taken in private, shall be printed separately and may be dealt with by the Assembly in private.

**64. 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 cases the expenses of printing in sufficient numbers for the use of Commissioners shall be borne by the party having interest in the same or desiring a Deliverance from the Assembly.

**65. 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**

**66. 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.

**67. 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**

**68. 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.

**69. 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 59 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**

**70. 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.

**71. 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.

**72. 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.

**73. 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**

**74. 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.”

**75. 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.

**76. Appeal; Complaint; More than one Appellant.** In such cases as those referred to in SO 75 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.

**77. 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.

**78. Dissents and Complaints.** In SOs 75 to 77, “Appeal” includes “Dissents and Complaints” and “Appellant” includes “Complainer”.

**79. 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.

**80. 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 SOs 74 to 79.

**81. 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

**82.** 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

### 83. TIME-BOUND

On the motion of the Business Committee or moved as part of the deliverance of the Assembly Arrangements Committee, the General Assembly may resolve that the Report and draft Deliverance relating to a particular Council or Committee's Report be taken in a time-bound process of debate and decision. Such a motion shall be moved at least 24 hours in advance of the presentation of the Report concerned.

Having so resolved the General Assembly shall operate the following timetable:-

- (a) Start times shall be allotted to specified Sections of the Report and to the related sections of the draft Deliverance. Discussion of any Section of the Report shall not commence later than its allotted start time, but may begin earlier if debate of the previous Section has been completed.
- (b) If discussion and debate of a particular Section of the Report has not been concluded within its allotted time, then further consideration of associated sections of the draft Deliverance shall be sisted and the General Assembly shall take up the next Section of the Report.
- (c) If, at the close of the debate on the last Section of the Report, there is still time before the Order of the Day requires to be implemented or business is due to conclude, then the General Assembly shall return for further debate of any outstanding sections of the draft Deliverance remaining relative to each Section of the Report
- (d) If the Order of the Day or anticipated close of business is imminent, then any outstanding sections of the draft Deliverance shall be voted upon without debate, except that other motions printed in the Daily Papers shall also be taken, without debate, the Convener simply having the right to indicate whether or not the Council or Committee is willing to accept the motion.

- (e) Where motions printed in the Daily Papers do not relate directly to the Report and draft Deliverance proposed by the Council or Committee, they will be taken either at the end of the appropriate Section, if there is time available according to the allotted timetable, or at the end of the appropriate Section when the procedure leading to the Order of the Day (or close of business) is being implemented.

**84. 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.

**85. 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.

**86. Priority.** The Deliverance on the Report of a Committee shall take precedence of any other motion on that subject.

**87. 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 41. 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.

**88. 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.

**89. 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

**90. The Chair.** Every speaker shall address the Assembly through the Moderator, and the correct address is "Moderator".

**91. In Support.** When a motion or motions have been made and seconded, any Member (including a formal seconder in terms of SO 95) may take part in subsequent debate.

**92. Speeches.** (1) Except as provided in SOs 84 and 87, 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.

**93. 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.

**94.** There shall be no right of reply to a debate except as provided for by SOs 84 and 87.



**95. 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)
 

15 minutes
  - Convener responding to a question
 

4 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

**96. 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

**97. 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.

**98. 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.

**99. 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.

**100. 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 87 shall apply to both.

**101. 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.

**102. 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.

**103. Deliberative Vote.** The Moderator or Acting Moderator in the Chair shall have no Deliberative Vote.

**104. 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 SOs 100 and 101 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**

**105.** 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.

#### **(f) DISSENTS**

**106. 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.

**107. 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.

**108. 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.

**109. 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.

**110. 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

**111. Committees.** The Committees of the General Assembly shall be those listed in SO 113 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.

**112. Quorum.** Save for the Judicial Proceedings Panel and those bodies where provision is already made for a quorum, the quorum of Standing Committees of the General Assembly listed in SO 113 shall be three. When a meeting ceases to be quorate, business must be suspended. The quorum shall apply also to sub-committees and other bodies constituted from the relevant Standing Committees where such sub-committees and other bodies have decision-making powers, but not otherwise.

**113. 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...27

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 Panel on Review and Reform.

#### 2. Church and Society Council...32

Convener, 2 Vice-Conveners, 27 members appointed by the General Assembly 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-Conveners of the Council.

#### 3. Ministries Council...47

Convener, 4 Vice-Conveners, 38 members appointed by the General Assembly 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...Up to 11

Up to 3 ministers and 1 member appointed by the Ministries Council, who having served a term of 4 years shall be eligible for re-appointment for a second 4 year term;

Up to 4 appointed by the General Assembly on the nomination of the Trustees, who having served a term of 4 years shall be eligible for re-appointment for a second 4 year term;

Up to 3 appointed by the Baird Trust, for a term of office determined by that Trust.

Any Trustee (other than one appointed by the Baird Trust) may serve for up to a further two four-year terms if elected also as Chairperson or Depute Chairperson.

#### 6. Committee on Chaplains to HM Forces...18

Convener, Vice-Convener and 16 members appointed by the General Assembly.

There are also 2 non-voting members: one representative from and appointed by each of the Ministries and the Church and Society Councils.

#### 7. Mission and Discipleship Council...33

Convener, 3 Vice-Conveners and 25 members appointed by the General Assembly, the Head of Stewardship, 1 member appointed from and by 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 includes at least 3

individuals with specific expertise in each of the areas of Congregational Learning, Church Without Walls and Resourcing Worship.

#### 8. Committee on Church Art and Architecture...18

Convener, Vice-Convener and 16 members appointed by the General Assembly. Notwithstanding SOs 114 & 118, members shall be appointed for a term not exceeding eight years. The Committee shall have the power to invite a representative of each of the following bodies to attend its meetings: the General Trustees, the Scottish Episcopal Church, the National Association of Decorative Fine Arts Societies and Historic Environment Scotland.

#### 9. Social Care Council...31

Convener, 2 Vice-Conveners and 28 members appointed by the General Assembly.

#### 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 Committee...8 plus representatives, co-optees and corresponding member

- a) 6 members appointed by the General Assembly one to be attached, for the purposes of ecumenical accompaniment, to each of the Church and Society Council, the Ministries Council, the Mission and Discipleship Council, the Social Care Council, the World Mission Council and the Theological Forum.
- b) Convener 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 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.
- d) 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).
- e) The General Secretary of ACTS shall be invited to attend as a corresponding member.
- f) For the avoidance of doubt, while only those persons appointed under paragraphs a) and b) above shall be entitled to vote, before any vote is taken the views of members representing other churches shall be ascertained.

#### 13. Legal Questions Committee...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...13

Convener, Vice-Convener and 6 members appointed by the General Assembly, 1 representative (voting member) from and appointed by each of the Ministries, Church and Society, World Mission, Mission and Discipleship and Social Care Councils, the Solicitor of the Church, the National Adviser (Head of Safeguarding) as Secretary to the Committee, the Secretary of the Council of Assembly and up to 4 members co-opted by the Committee for their expertise. For the avoidance of doubt it is declared that only the following

persons will be entitled to vote: Convener, Vice-Convener, the six Assembly appointed members and the five representatives from each of the Ministries, Church and Society, World Mission, Mission and Discipleship and Social Care Councils.

**15. World Mission Council...32**

Convener, 2 Vice-Conveners, 28 members appointed by the General Assembly and 1 member appointed by the Presbytery of International Charges.

**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...Up to 16**

Convener, up to 8 ministers and deacons and up to 7 elders elected by the immediately preceding General Assembly from among its commissioners.

**18. Judicial Commission**

2 Conveners, 2 Vice-Conveners and a pool of 40 ministers, elders and deacons 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 118, 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 Convenership 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**

Trustees are appointed as required, by the General Assembly on the nomination of the Trust.

**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*s.

**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**

A Panel of ministers, elders and deacons appointed by the General Assembly who are suitably experienced in the law and practice of the Church and whose number shall, in accordance with the Discipline of Ministry Act (Act III, 2001), section 1(1)(e), be determined, from time to time, by the Legal Questions Committee. Notwithstanding SOs 114 & 118, appointments shall be for three years with the option of further consecutive terms. In calculating how many Panel members may be appointed, no account shall be taken of any members whose current term has expired but who are deemed to remain as members of the Panel by operation of the Discipline of Ministry Act (Act III, 2001), section 1(1)(f).

**26. Theological Forum...12**

Convener, Vice-Convener and 10 members appointed by the General Assembly, 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.

**27. Registration of Ministries Committee...5**

Convener, Vice-Convener and 3 members. 1 member is

appointed by the Legal Questions Committee, 1 member by the Ministries Council and 3 members by the General Assembly. The Convener and Vice-Convener are appointed by the General Assembly from the General Assembly appointees. One or other of the Clerks to the General Assembly and the Secretary to the Ministries Council attend the Committee *ex officio* in an advisory capacity but are not members. The Committee is clerked by a person from the Ministries Council who is not a member of the Committee.

## (b) MEMBERS

**114. Period of Service.** All Members of each of the Standing Committees shall retire after serving for four years.

**115. Representatives.** Bodies entitled to appoint representatives shall be permitted to make changes in their representation for special reasons in any year.

**116. 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.

**117. 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.

**118. 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 retirement 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.

**119. 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.

**120. 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.

**121. 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

**122. 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.

**123. 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**

**124. 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.

**125. 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.

**126. 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.

**127. 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**

**128. 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 SO 113 which may be amended by the Principal Clerk in accordance with the decisions of the General Assembly.

**129. 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.