

Paper T1

Updates

Ministerial Incapacity & Discipline

Advisory Group





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Ministerial Incapacity & Discipline Advisory Group: Updates

Basic Information

Contact name and email address	Revd Hugh C.F. Graham Hughf.graham@gmail.com
Action required	Decision
Draft resolution(s)	As attached
Alternative options to consider, if any	None

Summary of Content

Subject and aim(s)	To update relevant documentation.
Main points	The Group suggests changes to the Ministerial Disciplinary Process and the Incapacity Procedure.
Previous relevant documents	The Disciplinary Process and the Incapacity Procedure as laid out in the current edition of The Manual.
Consultation has taken place with...	Members of the MIND Advisory Group, the United Reformed Church's Legal Advisor and the Assembly Clerk

Summary of Impact

Financial	Unknown but limited
External (e.g. ecumenical)	Unknown but limited

MIND Advisory Group

Suggested changes to the Disciplinary Process

Mission Council agrees to make the following changes to the Disciplinary Process:

A.3

Replace the whole of this paragraph with the following:

“Accordingly, where under the provisions of this Disciplinary Process, any notice specifies a time limit for a certain action to be taken by the recipient and that action is not carried out within the time specified in the notice to the satisfaction of the person or body sending the notice, that person or body shall have a discretion to allow a reasonable further period for such compliance, except as regards the strict time limit imposed on the right of appeal under Paragraphs AA.8.1, E.5.3.1 and G.1 and upon the steps to be taken by the Synod Moderator under Paragraphs AA.10.2.4 and AA.10.2.5. In other cases, if the person or body sending the notice considers that sufficient time has been allowed and the action required has still not been carried out or there has been an unreasonable delay in the carrying out of the action (whether or not the Disciplinary Process imposes a time limit for the carrying out of the action), that person or body may proceed, bearing in mind the need for the Process to be conducted as expeditiously as possible.”

AA.1.5.3

Replace the existing paragraph in its entirety with the following:

“If any member of a Synod Panel or the Joint Panel is a member of a local church connected with the case or has any pastoral or personal involvement in the case or is the subject of a disciplinary complaint, that person shall not be one of the Synod Appointees for that case.”

B.3.2

Delete the word **“other”**.

B.3.3

Delete the word **“other”**.

B.4

In each of the expressions **“connected with a case”** and **“involvement in a case”** insert the word **“particular”** between **“a”** and **“case”**.

E.9.1

In the last sentence, after the words **“...appropriate so to do...”** insert the words **“...and having supplied the Mandated Group with a copy of the minister’s statement...”**.

E.9.2 Insert a new second sentence as follows:

“The Secretary of the Assembly Commission shall supply the minister with a copy of the Mandated Group’s Notice.”

G.8.

Add the following to the list at G.8.5 and move the existing G.8.5 and renumber the following accordingly:

G.8.5 “Any Cautions (other than those successfully appealed against).”

Suggested Changes to the Incapacity Procedure

Mission Council agrees to make the following changes to the Incapacity Procedure:

Renumber current paragraph B.1.1 to become B.1.1.1. and add a new paragraph B.1.1.2 as follows:

“Should the General Assembly Representative make the enquiry specified in Paragraph B.1.1.1, the officers of the General Assembly shall appoint a Synod Moderator or other member of Mission Council to be the third member of the Consultation Group along with the General Assembly Representative and the Convener of the PRWC.”

K.5.2

After the word **“include”** insert the words **“in the Decision Record”**.

Delete the words **“the General Assembly Representative”**.

L.11.2

After the word **“include”** insert the words **“in the Decision Record”**.

Delete the words **“the General Assembly Representative”**.