

Paper R4

Curtailement of a pastoral tie or appointment

MIND Advisory Group

Basic information

Contact name and email address	andy.braunston@urc.org.uk
Action required	Adoption of resolution.
Draft resolution(s)	<p>33. General Assembly, noting that the Structure [paragraph 2 (6)] recognises that:</p> <p><i>The General Assembly which shall embody the unity of the United Reformed Church and act as the central organ of its life and the final authority, under the Word of God and the promised guidance of the Holy Spirit, in all matters of doctrine and order and in all other concerns of its common life...</i></p> <p>And acting under function (xxix)</p> <p><i>to do such other things as may be necessary in pursuance of its responsibility for the common life of the church,</i></p> <p>resolves that an Assembly Commission for Discipline, acting on behalf of General Assembly, may, as part of its decision-making within the Ministerial Disciplinary Process, and with the minister's name remaining on the Roll of ministers of the United Reformed Church, curtail their pastoral tie or appointment.</p> <p>34. Where such a decision is made, the General Assembly, through its Pastoral and Welfare Committee shall grant a period of, normally, between three and six months, from the conclusion of the disciplinary case, for a new Call to be found by the minister.</p> <p>35. General Assembly notes that an Assembly Commission for Discipline may further direct that the minister whose pastoral tie or appointment has been curtailed shall not engage with the pastorate/project, save for the purposes of handover and farewell, despite any suspension being lifted at the conclusion of the case.</p>

36. Further to paragraphs 1-3 ,General Assembly amends the Ministerial Disciplinary process (Section O) as follows:

a) Change section 6:5 to read

At the conclusion of the hearing the Assembly Commission for Discipline is to determine, on the balance of probabilities, whether any or all of the allegations made against the minister have been proved.

In respect of any proven allegation, it must decide either to impose no sanction, or that the accused minister should receive a written warning, **or that any pastoral tie or appointment should be curtailed, or that his or her name should be deleted from the Roll of Ministers.**

If the accused minister is the subject of an earlier written warning which remains current, the Assembly Commission for Discipline must take that into account.

A written warning, **or curtailment of any pastoral tie or appointment, may be accompanied by directions regarding the minister's future ministry, conduct or remedial steps to be taken.**

The Assembly Commission for Discipline may direct that, in the event it curtails a pastoral tie or appointment, the minister does not return to their existing post save for the purposes of farewell and handover.

[Note for Margin: Any extension of housing and stipend, normally for a period of between three and six months, is the concern of the Pastoral Reference and Welfare Committee.]

b) Change Appendix Q:7 to read

If the Commission does not accede to the minister's desire expressed in the admission notification, the Investigation Stage is to continue to the conclusion of the Hearing. If the Commission accedes to the minister's desire, it may attach Directions to a written warning, **curtail any pastoral tie or appointment, or **make** recommendations in the event of deletion, and the same consequences are to follow as if those sanctions were imposed at the close of a Hearing.**

c) add to Appendix S after Part I:

Part two Curtailment

37. A finding of Curtailment has the effect of concluding any office or appointment which a minister may hold in a local church or any Council of the Church.
38. Any extension of housing and stipend, normally for a period of between three and six months from the date when curtailment takes effect, shall be a question for decision by the Pastoral Reference and Welfare Committee.
39. Directions may be given by the Assembly Commission for Discipline to accompany curtailment in the same way as provided by Part I of this Appendix in respect of written warnings. But the minister remains on the Roll and eligible to be called or appointed to a new sphere of ministry. Pending such call or appointment, the minister will be an associate member of the Synod of the province or nation of residence on the same basis as a retired minister.

c) Change Appendix T:1 to read

An Assembly Commission for Discipline, whether it directs the deletion of a minister's name from the Roll, gives a written warning, **curtains a pastoral tie or appointment**, imposes no sanction or declares that none of the allegations against the minister have been proved, must give a written statement of reasons for reaching its decision.

d) Change Appendix T:7 to read

It will be the responsibility of the Moderator of Synod, or the Assembly Representative for Discipline as the case may be, to ensure that the fact of any deletion from the Roll, the Directions if any accompanying a written warning, **the curtailment of any pastoral tie or appointment, and** any lifting of a suspension or any recommendations made under Paragraphs 2(g) or 2(h) above, are sufficiently communicated to those within the Church who need to be aware of them. The Secretary of the Assembly Commission for Discipline is to give notice directly to any outside organisation with or for whom a former minister is known to work of any recommendations under Paragraph 2(g) relevant to that organisation. The Secretary of the Assembly Commission for Discipline is to remind all recipients of the sensitive nature of the distributed information and the need for care and discretion in how it is used.

Summary of content

Subject and aim(s)	General Assembly, exercising its powers under the Basis of Union and Structure of the United Reformed Church confirms by resolution that an Assembly Commission for Discipline, acting in its name, has the authority to curtail a Minister's office or appointment when making decisions within the disciplinary process.
Main points	<p>In rare cases, a ministers' behaviour can amount to a breach of vows because of specific circumstances in their appointment or pastorate whereas, in a different context, the breach may not have happened. In such cases, a warning is not sufficient, but deletion from the Roll is draconian. This provision would allow a minister to stay on the Roll, but to work in a different context.</p> <p>There are instances where the extent and severity of a minister's misconduct has been influenced by local factors connected with their office or appointment. In circumstances where the nature of the misconduct has not been sufficiently severe for a finding of removal of the ministers name from the Roll of ministers of the URC, the removal of the minister from the local situation will be beneficial to enable a fresh start for the minister and those that have been affected by their misconduct.</p> <p>The ability to curtail an office or appointment has not hitherto been a sanction available to an Assembly Commission within the Ministerial disciplinary process. Where appropriate, Assembly Commissions have previously issued a written warning with directions requiring a minister to move from their current call or office.</p> <p>These resolutions formally recognise that an Assembly Commission does have the authority of the General Assembly to curtail a minister's office or appointment.</p>
Previous relevant documents	Section O.
Consultation has taken place with...	

Summary of impact

Financial	Stipend and associated payments would continue to be paid while the minister found a new role – this has no overall impact on expenditure over a situation where the minister remains on the roll.
External (eg ecumenical)	None.