

# Paper R5

## Removal of Section P from The Manual of The United Reformed Church

### Ministerial Incapacity and Discipline (MIND) Advisory Group

#### Basic information

Contact name and email address	The Revd Sarah Moore asst.clerk@urc.org.uk
Action required	Decision.
Draft resolution(s)	<b>Resolution 69</b> <b>General Assembly:</b> a) abolishes the procedure outlined in Section P of the Manual “Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers” b) rescinds Resolutions 14 and 15 from the 2007 meeting of the General Assembly and any and all resolutions passed since by Mission Council, Assembly Executive or the General Assembly concerning the content and operation of the Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers. c) removes the text of Section P Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers from the Manual of the United Reformed Church d) notes that all references in the Structure to the “Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers” are now obsolete and shall be removed.

#### Summary of content

Subject and aim(s)	Removal of Section P Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers.
Main points	

<b>Previous relevant documents</b>	Mission Council Report General Assembly 2007 Other documentation presented to Mission Council, Assembly Executive and the General Assembly since 2007 that have amended the process.
<b>Consultation has taken place with...</b>	Secretary for Ministries Legal Advisor.

## Summary of impact

<b>Financial</b>	None.
<b>External (eg ecumenical)</b>	None .

1. The Procedure for dealing with cases of incapacity involving ministers or Church Related Community Workers was accepted by the General Assembly in 2007. This was inserted into The Manual at section P.
2. Various additions and amendments have been made to section P over the intervening years with its oversight coming from the Ministerial Incapacity and Discipline Advisory Group. The process itself has never been used at all stages.
3. Concern has been raised about the legality, helpfulness, and general fitness for purpose of section P as the recent changes to the Ministerial Disciplinary Process have been brought into use. Particular concern has been raised that should an office-holder who had been subject to section P bring litigation against the denomination as a result of that process, use of an incapacity process or anything like it in its current form may be found by a Court of Law to be unlawful. As well as a substantial legal bill in such circumstances the URC could be compelled to accept changes to our procedures imposed by a court that raise other difficulties for the councils of the church and those who facilitate our life and polity.
4. It is therefore proposed that the current Procedure for dealing with dealing with cases of incapacity involving ministers or Church Related Community Workers be abolished and the current Section P of the Manual deleted.
5. Discussion has taken place between the Clerk, Assistant Clerk and General Secretariat concerning the references to the Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers contained within the Structure of the United Reformed Church. Regular attendees of meetings of the General Assembly and of synods will be aware that the Rules of Procedure normally require changes to the Structure to be referred to the synods for agreement and return to the next meeting of the General Assembly for final ratification. This group are of the view that the General Assembly may abolish the Procedure for dealing with cases of incapacity involving ministers or Church-Related Community Workers with a single vote and that the relevant parts of the Structure are rendered obsolete instead of being changed or added to in and of themselves so can simply be removed.