



method of juridical ecumenism. In the future, the Symposium hopes to make a contribution to wider ecumenical discourse and legal scholarship. It is also our ambition that in coming years the membership of the Symposium will grow so that the law of all the member churches of the Porvoo Communion can be included in our study together.

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Colloquium of Anglican and Roman Catholic Canon Lawyers

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The Colloquium of Anglican and Roman Catholic Canon Lawyers met for the 22nd time in its history at St Stephen's House in Oxford from 26 to 28 September 2023 (a new venue for the colloquium). We were hospitably welcomed by Canon Robin Ward and the community at St Stephen's House, who provided an excellent venue for our gathering.

The Colloquium took its customary form with presentations from both the Anglican and Catholic perspectives on five aspects of a general topic, which on this occasion was 'the rights and duties of the clergy'. Each presentation was followed by lively discussion among the members of the colloquium. Our first session, looking at rights and duties arising from ordination was chaired by Chancellor Mark Hill KC; the Rev'd Raymond Baudon (Anglican Diocese of Southwark) presented a paper on the position of the ordaining bishop and addressed questions about lawfulness and validity of ordination, with particular reference to the complex question of divorced persons and ordination. Canon Andrew Cole (Diocese of Nottingham), who joined the Colloquium by Zoom, presented the Catholic perspective on the requirements for ordination and considered those rights and duties which arose from ordination itself rather than from office. This led into a discussion of the Catholic concepts of ordination and the clerical state, as well as an examination of possible Anglican analogues.

The next papers addressed the rights and duties of office holders, with special reference to appointment, which offered a contrast with those rights and duties which flow from ordination alone. The Rev'd Stephen Coleman (Diocese of London) and the Rev'd Robert Ombres OP (Blackfriars Oxford) presented papers on this theme in a session chaired by Professor Norman Doe. The papers considered the interaction of various parties in appointment and the particular role of the bishop alongside other possible participants in the appointment

process. The notion of authority flowing from appointment was identified as a common idea, as was the need for offices to spell out rights and duties.

This was followed by papers on the economic life of the clergy under the chairmanship of the Rev'd Robert Ombres OP. Mrs Charlotte Wright (Solicitor, Hugh James, Diocese of Swansea and Brecon) and the Rev'd Luke Beckett OSB (Ampleforth Abbey) looked at the different ways in which the issues of clergy remuneration were handled (including the reasoning behind the differing terminology used) and also the duties of the clergy with respect to church property. It was noted that both systems were experiencing a gradual shift away from the old medieval idea of the benefice and the ways in which this is playing out (most recently the Church of England's adoption of common tenure).

The consideration of more specific areas continued with papers on the role of the clergy in the governance of the Church. This session was chaired by the Rev'd Stephen Coleman. Contributions were received from Chancellor Mark Hill KC (Dioceses of Chichester, Leeds and Europe) and the Rev'd Benjamin Earl OP (Santa Sabina, Rome). The role of the clergy, especially bishops, in the governance of the respective churches was outlined, as were the relative possibilities for the involvement of the laity and the applicability of the concept of separation of powers.

The final area considered related to the rights and duties as to worship and teaching. These papers were presented by the Rev'd Russell Dewhurst (Diocese of Chichester) and the Rev'd Sr Helen Costigane SHCJ (St Mary's University, London) under the chairmanship of Chancellor Mark Hill KC. Both illuminated the way in which these areas were approached within the wider context of church life by authorisation, permission, liturgical law, and the need to consider the rights of others. Discussion centred on the question of whether the clergy had any true rights in this area, or whether they instead had powers and faculties.

A lively discussion led to the suggestion of the following agreed principles, but there was no dispute that all were looking forward to meeting again next year.

Agreed statement of principles of law on ordained ministry: rights and duties

Preamble

Among the members of the church, by the will of God some are ordained ministers who carry out Christ's mission. Since the time of the Apostles, there have been three orders of ministry: deacons, priests (presbyters), and bishops. There is no absolute right to ordination. Ordination once validly received is indelible. The duties and rights of ordained ministers are founded on scripture, defined by law, and discharged and exercised for the salvation of souls. Duties command or prohibit. Rights enable and permit. The constitution and conferral of an ecclesiastical office vests in a competent ecclesiastical authority. Admission to an ecclesiastical office may take a variety of forms, such as free conferral, appointment subsequent to presentation, and election which may require subsequent confirmation.

I. Duties and rights arising from ordination

1. There are certain duties and rights common to both the lay and ordained faithful.
2. There are duties and rights arising from ordination.
3. All clerics share some duties and rights. Other duties and rights are distinct to each order.
4. A bishop has oversight to govern, teach, and minister. A priest shares with and assists the bishop in the care of souls. A deacon assists these. All are called to fulfil a ministry appropriate to their particular order.
5. Clergy should not act in any way or engage in any occupations, habits or recreations inconsistent with their sacred calling but should lead a disciplined life appropriate to their clerical state and office.

II. Duties and rights relating to appointment to office

1. There is no absolute right to an ecclesiastical office.
2. Clergy with an ecclesiastical office are bound by specific duties and enjoy specific rights.
3. All ordained ministers have a duty to submit to the discipline of their ordinary.
4. Clergy have a right to retain their office until its tenure is lawfully terminated.

III. Economic duties and rights

1. Clergy in full-time ministry are entitled to appropriate remuneration and provision for welfare and retirement.
2. Clergy may be required to live in a specific place to discharge their duties. In those circumstances they have a right to suitable housing which is adequately maintained.
3. Clergy must not engage in secular employment or other occupation which affects their ministry without permission from the diocesan bishop or other designated authority.
4. Clergy must comply with the duties laid upon them by canon law with respect to church property.

IV. Duties and rights as to church governance

1. Duties and rights with regard to church governance are ordinarily attached to ecclesiastical offices although some are inherent to the orders of diaconate, presbyterate and episcopate.
2. Certain governmental offices are proper to the various degrees of ordained ministry.
3. In addition to any duties and rights with regard to the governance of their own dioceses, bishops, in virtue of their episcopal ordination, have collegial

responsibilities and rights for the governance of the broader church in accordance with the structures established by law.

4. Clerics holding ecclesiastical office are required to exercise the power of governance inherent to that office in accordance with the law.

V. Duties and rights as to worship and teaching

1. The duty and right to ordain belongs to bishops.
2. The celebrant at the Eucharist, and the minister of anointing and reconciliation is only a priest or bishop.
3. Duties as to study, prayer and worship arise from ordination, including obligations connected to the daily office and the Eucharist.
4. Duties of providing worship and teaching are attached to those offices which are entrusted with the care of souls.
5. Ordained ministers have the duty and the right to preach the Word of God.

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