



HOUSES OF PARLIAMENT

UNCORRECTED TRANSCRIPT OF ORAL EVIDENCE

HOUSE OF LORDS
HOUSE OF COMMONS
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TAKEN BEFORE
THE ECCLESIASTICAL COMMITTEE

UNCORRECTED ORAL EVIDENCE: NATIONAL CHURCH GOVERNANCE MEASURE

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Held in Public

Questions 1 - 14

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HOUSES OF PARLIAMENT

Oral Evidence

Taken before the Ecclesiastical Committee

On Wednesday 12 November 2025

Members present:

Baroness Butler-Sloss (The Chair)
The Earl of Cork and Orrery
Lord Dannatt
Jonathan Davies
Marsha De Cordova
Baroness Eaton
Lord Faulkner of Worcester
Lord Glenarthur
Lord Griffiths of Burry Port
Baroness Harris of Richmond
Lord Jones
Danny Kruger
Lord Lisvane
Baroness McIntosh of Hudnall
Dr Al Pinkerton
Lord Shinkwin
Rebecca Smith
Sarah Smith
Lord Taylor of Holbeach
Martin Vickers

Examination of Witnesses

Rt Revd Andrew Watson, the Lord Bishop of Guildford, Episcopal Lead for the Measure, Church of England; Rt Hon Sir David Lidington KCB CBE, Chair of the National Church Governance Programme Board, Church of England; Revd Alex McGregor, Head of the Legal Office and Lead Lawyer for the Measure, Church of England; Stephanie Harrison, Director of the National Church Governance Programme, Church of England; Harvey Howlett, Deputy Director of the National Church Governance Programme, Church of England; Rt Hon Sir Robert Buckland KC, Third Church Estates Commissioner, Church Commissioners; Rosie Slater Carr, Chief Operating Officer, Church of England Central Services.

Examination of witnesses

The Lord Bishop of Guildford, Sir David Lidington, Reverend Alex McGregor, Stephanie Harrison, Harvey Howlett, Sir Robert Buckland and Rosie Slater Carr.

Q1 **The Chair:** I just need to tell everyone who has just arrived that there are likely to be House of Commons votes in possibly 20 minutes and when that happens we shall have to adjourn for 15 minutes or so. Before I invite the Lord Bishop of Guildford I just need to go around and ask members to state their interests.

Lord Shinkwin: No interests, Lord Chair.

Lord Jones: No interests, Lord Chair.

Baroness McIntosh of Hudnall: No, Lord Chair, none.

Lord Griffiths of Burry Port: No interests.

Lord Lisvane: Lord Chair, I am a churchwarden and chair of the Fabric Committee of Hereford Cathedral. I am a governor of the Hereford Cathedral Perpetual Trust, a parish safeguarding officer, a fee-earning organist, and I am married to a Church of England priest and rural dean.

Rebecca Smith: I have no interests to declare.

Baroness Harris of Richmond: I am High Steward of Ripon Cathedral and my nephew is a priest on the Isle of Man.

Martin Vickers: I have nothing to declare.

The Chair: I have nothing current but because we are likely to be talking about safeguarding, I did a report on Chichester and a visitation in Exeter, both of which related to safeguarding. I was for many years a judge trying family cases, principally safeguarding.

Marsha De Cordova: None from me.

Lord Faulkner of Worcester: No interests for me.

Baroness Eaton: Nor me, no interests.

Danny Kruger: No interests.

Lord Taylor of Holbeach: No interests.

The Earl of Cork and Orrery: The same liturgy, I am afraid: governor of the Chichester Cathedral Restoration Trust, governor of the Society for Advancing the Christian Faith, and a treasurer and trustee of my local parish church fund.

Sarah Smith: No interests.

Jonathan Davies: Nothing to declare from me.

Dr Al Pinkerton: Nothing, Lord Chair.

The Chair: We have lost the other two at the moment. When we have them I will ask them. I may have to interrupt.

Bishop, thank you very much for bringing your team today. Would you be kind enough to introduce those who will also be speaking as well as you?

The Lord Bishop of Guildford: I certainly will. Thank you very much, Madam Chair. I am Andrew Watson. I am Bishop of Guildford and I have been the episcopal lead on the national governance project. On my far left is Rosie Slater Carr, who is the chief operating officer of Church of England Central Services. Next along is Stephanie Harrison, who has been the programme director for the governance project. On my immediate left is Alex McGregor, who is our legal adviser. On my immediate right is Sir David Lidington, who has been chair of the National Church Governance Programme Board. Beyond him we have Sir Robert Buckland, who is the Third Church Estates Commissioner, and then Harvey Howlett, who has been the deputy director of the national governance work, is on my far right.

The Chair: Would you like to give an introduction?

The Lord Bishop of Guildford: I would. Madam Chair, the previous reform of national Church governance took place in 1998 and it established the Archbishops' Council, but other proposed changes envisaged and even framed in the legislation never came to fruition. The implementation of those changes has left a rather opaque and complicated set of central structures, and you will no doubt have been aware of some of the difficulties that have emerged in the operation of the system that was established.

The current proposals have been developed over five years through an initial review undertaken by the Bishop of Leeds, followed by a programme board chaired by Sir David with me as the episcopal lead. The proposals were approved by the Church Commissioners' Board of Governors and the Archbishops' Council before going to General Synod, and we hope that you found the briefing helpful.

Fundamental to the work has been a call to bring greater clarity and simplicity to the national organisations that serve the Church. We have clarified their role as charities, which serve and support the Church, and have provided much clearer mechanisms for them to respond to questions from the General Synod. Importantly, there has not been change to the agreement made with the Speaker in 1998 and 2012 on the role of the Second Church Estates Commissioner to answer questions in the House of Commons about the work of all the national Church institutions.

Colleagues can take you through the draft Measure clause by clause if that would be helpful to the committee, but in headline terms the draft Measure before you seeks to simplify our national Church bodies and to give each one of them a clear set of responsibilities. Under these arrangements the

Church Commissioners continue to be responsible for the investment at the core of the Church's historic endowments, the payment of their pre-1998 pension liabilities for the clergy, and the determining of the quantum of funds available at any time for distribution in support of the mission of the Church. They will continue to have the final say in the funds that are available.

The national society continues to be responsible for our Church schools and engagement with young people working with the Church in Wales under its royal charter. The pensions board continues to oversee the pensions of over 40,000 people in their different pension schemes and to support clergy with retirement housing, while taking on an expanded remit to help prevent poverty and support clergy throughout their ministry to prepare for retirement. A new charity, Church of England National Services, or CENS, will replace both the Archbishops' Council and the Church of England Central Services to enable a new body dedicated to serving and supporting the wider Church through the provision of grant funding, services, advice and guidance.

Framing the legislation to support this has been a very careful process of listening with very significant stakeholder engagement all the way through. During the revision stage there were over 400 suggested amendments brought by members of the synod and some members of the public, too, along with further proposals that developed along the way, a process which has undoubtedly strengthened the legislation now coming before you.

Our steering committee and programme board have sought to model an undefended approach to suggestions from synod members and those from outside of synod, given the shared desire to bring significant improvement to the governance of our national Church.

What has emerged through all this is a coherent set of proposals that makes the purpose of the new charity very clear. It is to advance the Christian religion in accordance with the faith and practice of the Church of England, in particular by furthering, enabling, enhancing and co-ordinating its work and mission. We are aware that the Church Commissioners have written to you about the funding mechanisms in the draft Measure. We believe that the mechanisms established in Section 8 of the draft Measure for the funding of CENS increase the accountability to the commissioners for any funds distributed and give them a statutory power to seek such additional information from CENS as the commissioners require to be satisfied about the use of the funds. CENS is also placed under a duty to give particular regard to the cure of souls in parishes in determining the use of all the funds coming to them at present. This is a significantly stronger arrangement than exists at present and will offer greater assurance to the commissioners about the use of funds they make available towards the mission of the Church and especially its parishes.

Alongside the major changes in charitable structures, there is increased provision in the Measure for detailed questioning of the national institutions by the General Synod and the proposed mechanism for the synod itself to call an inquiry if things go seriously wrong. We have also included a specific

statutory duty, responding to the work led by Lord Boateng as chair of the Archbishops' Commission for Racial Justice, for each of the national institutions to produce diversity charters and to monitor and report on the diversity of the respective boards in key committees.

Finally, the Measure contains a number of commencement and transitional order-making powers, which we would be very happy to explore in the conversation. The success of these governance proposals will be seen in terms of the culture change that the Church urgently needs. It will take the trustees of all our NCIs and particularly of CENS to be committed to that change to make it happen. The trustees of all our bodies are responsible in law for the stewardship of very large amounts of charitable expenditure and they will also in practice be important custodians of the Church's public reputation. We therefore need people with the experience, skills and time to take on this heavy burden of service.

As you will be aware, the draft Measure contains a power for CENS to pay reasonable remuneration to its chair in circumstances where the board considers this necessary. Since we met informally with you in early September we have reflected further on the views of the Charity Commission as to this matter and on the helpful discussion with members of the committee at that informal briefing stage. We therefore have come to the view that we should seek to appoint the first chair on the basis that they are not remunerated. It has never been our intention to undermine the guidance of the Charity Commission here, but there has rather been a collective desire to find the best possible candidate in a pool that is already narrowed on the basis that we are seeking a practising Anglican. The members of the programme board would like to thank members of this committee for their wisdom in helping us reconsider this. At the same time we remain of the view that there may be circumstances where the board of CENS believes that reasonable remuneration should be considered, but we accept the need to test all other options before that power is deployed.

I hope that provides a broad introduction. With your permission, Madam Chair, I just wanted to ask Sir David to add a few words about the culture change that we believe the legislation supports.

Sir David Lidington: Thank you, Lord Chair. I came into this role at the request of the previous Archbishop of Canterbury. I am a practising member of the Church of England but not somebody who had ever taken an interest in the administrative structures of the Church of England. What has frankly shocked me was the levels of mistrust that there were between the different institutions and members of those institutions. If in my mind there has been one overriding objective in this exercise, it has been to try to amend the administrative arrangements of the Church of England in such a way as would be conducive to creating a culture of much greater trust and mutual confidence and co-operation with all those who work in and serve the Church of England. You cannot do everything just by administrative changes, but I think that greater accountability so it is clear who and which body is responsible for which function—something which, as the Bishop of Leeds's report says and as the committee will know, is not

there in the current arrangements—would be a significant improvement. So too would be the greater simplicity in the lines of accountability, the appointment of committees and so on that we set out here.

My feeling is that those levels of mistrust are currently very deep indeed. It led me, for example, to conclude that we need to not just reframe and change the powers of the Archbishops' Council but expressly to abolish the Archbishops' Council as it currently exists and to replace it with something different. It is full of very well-meaning, hard-working people. It was set up with the best of intentions. It has not worked. I have had so many members of synod coming and talking to me about conspiracies, hidden agendas and so on, but equally suspicions from members of the House of Bishops saying that they really do not have much faith in the General Synod. If I want to see one thing above all come out of this, it is a much greater trust and co-operation in the future.

The Chair: Thank you very much. Does anybody else in your team want to speak, Bishop?

The Lord Bishop of Guildford: I do not think so at this stage. Thank you, Madam Chair.

The Chair: We have a lot of questions, but I will ask Mr Vickers first because he has to leave.

Q2 **Martin Vickers:** Thank you, my Lord Chair. Yes, I have a number of concerns similar to those expressed by Mr Kruger in the letter that has been circulated.

Sir David just spoke about direct lines of accountability and so on but then I read, for example, phrases about having "due regard" to the view expressed by the Synod. Phrases like that I am familiar with, as you will be, Sir David, from endless legislation, and this appears to me to be taking away direct accountability. Expressions like "with due regard" are littered all over the place in the legislative discussions. I just have a general fear that the whole process is becoming yet more bureaucratic. I recognise that the Church is a large, complex organisation and inevitably has a bureaucracy to administer it, but I do feel that, having read through the report last night and spoken to Danny Kruger about it, the best way forward is to at least put a stop on the process for the time being. We do not want to have a clash with Synod and so on, but could we just put a pause on the proceedings for a few months to have further discussions and perhaps further process within this Committee as we discussed, Madam Chair, in the private session?

The Chair: I think that it might be helpful to hear Danny Kruger, who has rather set this off. I wanted to give Martin Vickers the chance to speak because I knew he had to leave, but Danny Kruger can now explain what his points are.

Danny Kruger: Thank you. I will try to do so briskly but I have a number of concerns.

The Chair: Please take each of them.

Q3 **Danny Kruger:** I shall. Thank you. Let me start by saying how much I appreciate the work that has been done and the good intentions of the team and, of course, Sir David's work—two of my favourite former colleagues sitting there. I have great respect for you all and for you, Bishop, so please do not take this in any other sense than that, but I am very concerned about the state of the proposed Measure. I just want to acknowledge the help that I have had in this work from a group of constituents of mine who share my interest and concern for the local church. That is where this is coming from.

I have two major concerns. The first is that the Measure, which as we have heard replaces the Archbishops' Council with CENS, has a wider spending remit than the Archbishops' Council did, including and specifically the ancillary charitable purposes that are named as such in Section 3(3)(b). Subsection (a) is fairly vague and talks about the "work and mission" of the Church and what should be funded, but then you have subsection (b), which adds "ancillary" to it, so "ancillary" is adding vagueness to vagueness.

Related to that, and I suppose at the heart of my anxiety, is that the Measure will on my reading of it—I am being very blunt, and I know this is not the intention, but I will just speak plainly—essentially allow CENS to ask for money from the Church Commissioners. Section 8 specifies that the Church Commissioners shall pay to CENS the funds it requires for "the proper exercise of its functions". There is some discretion about the overall amount it can pay, but indeed the explicit constraint on the amount that can be paid under Section 8, given that that has been given statutory construction, suggests there is no room for implying a wider discretion over the purpose of the money. So the plain reading of Section 8 is that—

The Chair: Danny, we must stop. I am so sorry but your vote has started. Nobody needs to leave except the MPs.

Sitting suspended.

The Chair: Lord Dannatt, can you declare your interests?

Lord Dannatt: Lord Chair, thank you. I say again for the record I am a trustee of Norwich Cathedral Trust and churchwarden of All Saints Church, Keswick and Intwood.

The Chair: Thank you. Lord Glenarthur?

Lord Glenarthur: Lord Chair, I have been involved for some time with a disciplinary issue involving a bishop in the Scottish Episcopal Church.

The Chair: Thank you. Yes, Danny Kruger, carry on.

Q4 **Danny Kruger:** To try to reprise that point quickly, my concern is that under Section 8 the essential mechanism is that CENS is required to set out a framework for how it intends to spend its money but it sets out its

own framework. Nobody is required to approve that. It has its own framework. It presents that to the Church Commissioners, Synod can feed back on it but there is no requirement for CENS to adapt it. CENS sets its own spending plans or its own framework for spending and then it simply asks the Church Commissioners for the money that it regards necessary to fulfil those functions. That is the point I make about having significantly wider discretion about the money it receives and a wider remit, especially given it can have "ancillary" charitable purposes, which is extremely wide. It is required to present a certificate but again it is circular. The certificate merely confirms compliance by CENS with its own plans, so it marks its own homework.

Thank you for your letter, Robert, which is from the First Church Estates Commissioner as well. That suggested that "lines of accountability are strengthened under this Measure compared to, and you make a comparison with the previous arrangements under the 1998 Measure, which suggested it had a weaker certification regime. Compliance with the 1998 Measure reflected the very tightly drawn criteria that was strictly limited to the Church Commissioners' functions at the time, the cure of souls in parishes. You also suggest that there are no statutory provisions under the 2018 Measure, which is the one that has been used increasingly of late, which again is very widely drawn. I think what you are doing there, if I may, is confirming the abuse of that Measure. It was not supposed to be the main funding stream for the Church but it has become so. This is my general concern about having very widely drawn spending criteria that allow all sorts of things that go way beyond what the Church Commissioners originally were set up to do. That is my first concern, about the width of the remit.

My second is about the transfer of the residual functions from the Church Commissioners. My main point here is that the Church Commissioners are properly answerable to Parliament through the Second Church Estates Commissioner, but those functions are now being transferred to CENS, which is not answerable to Parliament in the same way, because the Second Church Estates Commissioner, who sits on the board of the Church Commissioners, does not sit on CENS and cannot therefore be held responsible or accountable for what CENS spends its money on. I am also concerned it is not clear what these functions are that are being transferred. It suggests that everything that is not listed, everything that is not retained by the Church Commissioners, will be transferred, so what has been retained is the payment of stipends primarily—bishops' costs and so on. So basically everything except the fixed costs of the Church, which will remain with the Church Commissioners, is being transferred to CENS. It is not specified what it is exactly but it is significant and it carries enormous spending power.

It includes, by the way, and relevant to your role, Sir Robert, the supervision of parish and diocese and restructuring, which is being transferred over to CENS, which has been your function. Your role is being abolished and your role is being given to CENS. I am very concerned that this huge power to adjudicate on church closures, which has been held by

effectively an officer of the Crown, a distinguished public figure, is now being passed to this unaccountable bureaucracy, the last possible body that I think should be responsible for such an important function.

On this question of the transfer of functions, one important improvement to the Measure that was accepted by Synod—I must say in the face of opposition by the steering committee of the Measure, so presumably the colleagues attending today; it was opposed by them—proposed by Marcus Walker, does require that there should be “particular regard” paid to the cure of souls, to the traditional functions of the Church Commissioners. I would be interested to know what the sanction is and who should decide whether particular regard has been paid and what happens if they decide it has not. It feels unenforceable by the courts or by the Charity Commission, so it is simply a nod to a decent principle with no actual teeth.

My overall point, Lord Chair, is that in my view there need to be proper checks and balances between these quite different functions carried out by the Church Commissioners responsible for the endowment, CENS, which is the new body proposed to administer Church institutions, and Parliament, which is ultimately responsible for the established Church. I note what Sir David said about trust between institutions. Well, what is being done is an attempt to smooth over all the tensions, which in my view were checks and balances between these bodies, in the interests of rationalisation and simplification. The result will be a huge power held in the hands of a new charity that is unaccountable to Parliament or to Synod to do what it likes.

A particular line jumped out from the letter that we received from the Estates Commissioners concerning the role of the Second Church Estates Commissioner. It says, “The Second Church Estates Commissioner would continue to represent the Church of England in the House of Commons”. Well, that does not even reflect the reality now because she does not represent the Church of England. She represents the Church Commissioners. That is her function in Parliament. That is clear in *Erskine May* and that role of representation of the Church Commissioners will be significantly degraded in my view by this.

There are a number of other small issues that I will not dwell on but all of them are reasons in my view for pausing or declaring inexpedient this Measure. Independent safeguarding is being transferred to CENS. I regard that as suboptimal. I am concerned about the transfer of the Mission, Pastoral and Church Property Committee, as I have mentioned. This is the role of rationalisation of church closures and so on. I think that should be an independent function. We have discussed the question of remuneration of the chair and I am glad to hear that the intention is not to pay the first one, but the function remains, as we have heard, that CENS will have total discretion over whether to pay its chair in future. That is something the Charity Commission has explicitly asked them not to do.

There is a slightly delicate question. I have great respect for the Church’s lawyer but he is the Church’s lawyer in all functions. I am looking at you, Mr McGregor, and I have great respect for you, but the fact is that Mr McGregor, as I understand it, has been the legal adviser for every single

part of this process. I am concerned on behalf of the Church Commissioners that there has not been separate legal advice given to the Church Commissioners to answer the question of whether its interests—which are, of course, ultimately the public’s interests—are being served by this transfer.

Lastly, I raise the question of the order-making powers. There are no fewer than nine order-making powers, delegated powers, created by this Bill to be detailed later by statutory instruments, some of them very significant, including the power to adjust the constitution of CENS itself. I repeat my general point about this circular accountability by which CENS will be essentially autonomous. I regard this as not the way to answer Sir David’s challenge, which I respect, to create trust among the different parts of the Church, let alone trust from the laity, which ultimately are the people for whom the Church exists. I have suggestions about removal of particular clauses that I have highlighted, but I think we should pause. I would vote against this Measure if it comes to a vote today. If it does not and we want to consider further given the constraints of time, I would be content with that. Thank you.

The Chair: Lady Harris?

Baroness Harris of Richmond: I think I might have liked to have heard from the Bishop in response to that before I ask my question, in case my question is answered by that. Thank you.

The Lord Bishop of Guildford: There are so many different areas. I hope that I have captured them all and I may turn to colleagues on some of them. The “due regard” point was I think the first point that came up—what does “due regard” mean and why is that in the legislation. I do not know if Sir David would like to respond to that one.

Sir David Lidington: Put simply, as a matter of law the trustees of a charity are the people who are responsible for ensuring that decisions taken are in line with that charity’s objectives as registered with the Charity Commission and in compliance with charity law and such other law as relates to the activities of the charity. Therefore, we could not phrase legislation in a way that would give the General Synod or anybody else the right to override what would be the legal responsibilities of charity trustees, but we accepted the point that the synod needed to be able to have an influence and help shape the deliberations of the trustees. That is why the “have due regard” phrase is in there and, of course, is further supported by the clauses in the Measure which create the formal scrutiny mechanisms and special report procedures, which are not provided for in current arrangements and which are something that was widely welcomed in the synod.

The Lord Bishop of Guildford: On ancillary purposes, I want to turn to Alex on my left.

Reverend Alex McGregor: Yes. Ancillary charitable purposes are purposes that either support or directly facilitate the carrying out of the

charity's main purposes. They cannot be an end in themselves. That is inherent in the term "ancillary". This power is included so that were CENS to consider that it needed to do things such as advancing education in accordance with the tenets of the Church of England or promoting the care and conservation of heritage assets, such as church buildings, there could be no doubt that those were within its powers, but everything it does under the ancillary power has to be with the main power as its end; that is, furthering the work and mission of the Church of England.

The Lord Bishop of Guildford: On the CENS point—the question of whether CENS just asks for money of the Church Commissioners and then spends it as it wishes—Sir Robert might be the best equipped to answer that.

Sir Robert Buckland: Yes. I am grateful to Mr Kruger, Lord Chair, for referring to the letter that I and the First Church Estates Commissioner wrote after the consultation event last week. I do not see, with respect, that there is a change here to the degree or in fact to any degree that is being suggested by Mr Kruger and others. At the moment the situation is that there are two funding streams, which are well established, one under the Section 2 funding stream and then a second funding stream that relates to the power under the 2018 Measure, but both are now subject to the overall mission of the Church of England. The Walker amendment was accepted—I think "particular regard" is a strong phrase within that clause as it is now drafted. With respect, perhaps there is a misunderstanding as to what it is that the commissioners do.

It has always been the case that the commissioners control the money, and that will remain the case, and it should remain the case. However, the distribution of money is a two-stage process. First, the commissioners agree the amount to be given to at the moment the Archbishops' Council, soon to be CENS if this Measure is adopted, and it is then for that institution—AC at the moment, CENS potentially in the future—to decide how it is distributed. It is a two-stage test. Both organisations are charities. They are both subject to charity law and the strictures of the Charity Commission and, of course, their own fiduciary duties.

If anything, there is more accountability as a result of the framework that is being set up because you now have a sense of providing—more than a sense, the statutory duty on CENS to provide—the Church Commissioners with information in relation to how they allocate their funding. That is an improvement on the current situation, which means that CENS will have to submit a funding framework back to the commissioners for each period, setting out the amount of money they expect to require to enable the proper exercise of their functions, the proportion of that amount that they expect to require from the Church Commissioners, and then for each of the CENS functions the proportion of that amount that is attributable to the exercise of that function.

If you look at the overarching duty in Section 3, which Mr McGregor has referred to, you have got this sealed. The idea that one of the bodies of the Church of England can go off on a frolic of its own and start spending

money in a way that would be wholly inconsistent with the mission is, with respect, misconceived.

I will deal with the question of the role that I currently deal with, Lord Chair, as raised by Mr Kruger. He asked quite proper questions about what will happen to the Mission, Pastoral and Church Property Committee, a very important committee that I currently have the honour of chairing. It is a transfer of the current function from the commissioners to CENS. It is important that that committee remain as an arm's-length body. This is the point that Mr Kruger quite properly makes: he is worried that there would be some potential for undue influence or more than a perception of conflict, and he is right to say that.

I can assure him that the appointments process itself reinforces that arm's-length nature. The chair of the committee would be independently appointed by the King; eight members of the committee would be appointed by the appointments committee, subject to the criteria to be set out in the legislation; and then four members of that committee would be appointed by that appointments committee upon recommendation of the CENS governance and nominations committee. Those recommendations are predominantly there to ensure that the committee meets the specifications of the legislation. I would regard that as an independent, arm's-length body that is there to make the quasi-judicial decisions that currently serve the Church very well and would continue to serve the interests of our Church.

My role will end. My personal involvement does not end because I will continue a transitional role as a trustee. I will be serving on both the Church Commissioners and the CENS board during the transitional period until the chair of the new Mission, Pastoral and Church Property Committee is appointed. However, as the number of overall members of the governing body is reduced—and it did seem sensible pro rata to reduce the number of Church Estates Commissioners from three to two—I will say this about one of the concerns that I harbour about the future. The other role that the Third Church Estates Commissioner has is chairing the Bishops and Cathedrals Committee. It will be essential that there is a voice within the new institutions who takes forward that work of advocacy and support for cathedrals and bishoprics, and that is part of the work that will be done in order to make sure that this transition is as smooth as possible.

In a nutshell, Lord Chair, my concern is that if we do delay further we are not putting off an evil day, but are frankly putting more cost on the Church institutions in a way that does not serve the interests of those people who communicate weekly—regularly—within our church family. Having thought about the matter very carefully—and offering myself up as a sacrifice—I think that the transition is something that we can manage well. We are not going to be unduly obsessed with deadlines, because deadlines can be deadly; we all know that in project management. We want to make sure that we retain that essential division of labour between the Church Commissioners and the functions that we believe this new streamlined and

more accountable, central authority will be able to discharge. I hope that is of some help.

The Chair: On this fair point, the Second Church Commissioner wants to say something.

Q5 **Marsha De Cordova:** Robert, you spoke about transition, and you will be having a dual role. You said that you do not like timelines or timeframes, but I would like to know how long that transitional period will be for.

Sir Robert Buckland: On the transition, we are talking quite a few years away. We are talking about 2027 for the vesting and then potentially going into 2028 in terms of my dual role. I have made it very clear that we will not press the go button until everything is right. Nothing would be worse than to do something that is a pig in a poke. I think that everybody understands that here.

The Lord Bishop of Guildford: We could bring in Stephanie at that point.

Sir Robert Buckland: Yes, thank you, Bishop.

Marsha De Cordova: It would give us clarity as to how long the whole transition process will take, which is why it would be useful to know that.

Sir Robert Buckland: Steph will be able to answer that. Can I just say, Marsha, that by way of clarification of Mr Kruger's point about what you answer for: as a result of an agreement between one of your predecessors, Sir Tony Baldry, and the Speaker, you are answering not just for the work of the commissioners but for all the central institutions of the Church.

The Chair: Bishop, did you have some more points?

The Lord Bishop of Guildford: Yes, I do have a few more points to make but I just want to go to Stephanie on the specific transition point, which would be helpful.

Stephanie Harrison: On the transition point, we have been working extremely hard to develop a detailed timeline for that transition. We hope to commence that transition in January 2027 with the movement of Church of England Central Services to CENS. The intention is then to have concluded the transfer of assets and staff by October 2027. There are some assets that are more complicated to transfer. For example, Lambeth Palace Library could take longer, and in the policy we talk about that potentially taking until 2030. Our aim is very much to try to find solutions to that so that we can all work together as one team within CENS as soon as possible.

The Lord Bishop of Guildford: I have a few other points in response to Mr Kruger. As we have heard, the Second Estates Commissioner is there to answer questions in Parliament about all the NCIs. That has been an agreement with Mr Speaker for many years. The Third Estates Commissioner is not appointed by the Crown; it is appointed by the Archbishop. The chair of the new Mission, Pastoral and Church

Property Committee will be appointed by the Crown, so it will be a more independent role than currently exists.

As Sir Robert explained very clearly, one of the major changes that was made while we were considering amendments was an amendment from Marcus Walker saying that impact needs to be much more independent. We accepted that amendment and the result is what we have before us, which is partly why Marcus Walker felt able to support the final reading of the Measure in General Synod. There was another aspect of it. The point about how far the discretion of the CENS trustees to make decisions off their own bats has been well answered.

Lord Taylor of Holbeach: Would you mind if I—as long as no one else—

The Chair: I think that they will get picked up by other people. When the Bishop has finished, I want to ask Baroness Harris and Lord Lisvane to deal with things and, of course, Lord Taylor in due course. Is there anything else you wanted to say?

The Lord Bishop of Guildford: There is one final thing. The Church Commissioners board were given independent legal advice—Alex did not advise them—and they came to the conclusion, with one abstention, that they were fully supportive of this change.

Q6 **Baroness Harris of Richmond:** I commend your efforts to simplify and streamline what is a very complex and seemingly unhappy organisation at the moment. I am glad to hear that you are seeking better lines of accountability. My question is that it appears that nothing has been done to include a scrutiny body in the Measure, in spite of Sir David's recommendation at the time that one should be set up. I am talking specifically about scrutiny. There are no safeguards at all to protect innocent members of the clergy who could be suspended or left in limbo, often for many months or in some cases years.

I ask this because of an incident I was involved with a number of years ago, which involved an innocent member of the clergy who was left by the Church in limbo for two years and it was—and still is—a deeply troubling problem, both for him and for me. Are there any plans to introduce an independent scrutiny body in the future?

The Lord Bishop of Guildford: Thank you very much. I have two points there. On the broader scrutiny point, this Measure does put a much greater level of scrutiny in there, both in terms of the scrutiny committee section—Section 21 of the Measure—and the committee of inquiry. If something goes seriously wrong in the Church of England, the General Synod can call a committee of inquiry.

The Chair: That requires 100 members.

The Lord Bishop of Guildford: It does, yes, but the scrutiny committee does not require that. The scrutiny committee is an ongoing committee that holds CENS and the other NCIs to account in that way. On the specific issue you raise, that really falls within the Clergy Conduct Measure. I am

not the world's specialist, but Alex will give an idea of how that will improve the situation—if it is proved expedient—from the current situation under the Clergy Discipline Measure.

Reverend Alex McGregor: My Lord Chair, without side-tracking the committee back into the Clergy Conduct Measure, which we received your draft report on, that Measure—if it comes to be enacted in due course after further consideration—does have provisions in it. One is for steps short of suspension being taken in the future, which do not currently exist. There is no current provision for anything short of suspension. That Measure provides for things to be done to hold the ring if there are allegations against a member of the clergy that do not go as far as suspension but could restrict the clergy from dealing with the particular subject matter of the complaint.

There is still provision for suspension. Where a member of the clergy is suspended, there is a right to have that suspension reviewed by an independent judge. That is quite an important safeguard that I am aware some clergy do rely on. In the case that Baroness Harris is concerned about—which I have corresponded with her about in the past—I cannot remember if there was an appeal in that case or not, but there is provision for appeals.

Baroness Harris of Richmond: Where will that sit in this new set-up?

Reverend Alex McGregor: It will not; it will continue to be dealt with under the jurisdiction of either the Clergy Discipline Measure if that remains on the statute book, or the Clergy Conduct Measure if that is enacted.

Baroness Harris of Richmond: So it will not be within this in any way whatsoever?

Reverend Alex McGregor: No.

The Chair: Lord Lisvane, particularly on delegated powers.

Q7 **Lord Lisvane:** I have a couple of additional questions that are of a rather niche nature and that we might dispose of quite quickly. Mr Kruger mentioned order-making powers earlier. I spent three years on the Delegated Powers and Regulatory Reform Committee. Were this a Government Bill, I think that committee would go into carnivore mode. These are quite extensive powers with, it seems, relatively limited constraints on them, and it is—what drafters are always told to avoid—making provisions that allow or expect a body to pull itself up by its own bootstraps. Can Mr McGregor assuage our concerns about the extent and the content of the order-making powers?

The Chair: I will just add to that. Section 2(4) reads: "CENS may by order amend Schedule 1". I have been very slow on the uptake until Danny Kruger put me on to it, but are you really intending to have a clause that provides you to change the entire constitution of CENS at the beginning of Schedule 1? It would not be acceptable, as Lord Lisvane says, in Parliament, and I cannot see how it can be acceptable. It is very late that

I have realised it, but it is a killer, if I may put it like that. I am surprised, Alex, that you have not seen it.

Reverend Alex McGregor: It is one of those situations where the judge says, "You have not really got a case, have you?" The order-making powers in the Measure fall into two broad categories. One of those categories is a power to make orders that give effect to the transfer provisions of the Measure and are concerned with the timing of the transfers for which the Measure provides and for the making of incidental provision to make sure that the transfers happen smoothly. They are not free-standing powers in any sense; they are there to enable the transfer provisions to be effective and give an effect to.

The second set is the set that the Lord Chair has referred to. I can see why, on the face of it, you might think that those provisions are surprising. However, what we are doing here is setting up a charity. If a charity is set up by a trust deed or as a charitable incorporated organisation or as a company limited by guarantee, the governing document of the charity would normally include provision enabling the charity trustees to amend that document themselves. All these provisions do to amend Schedule 1 is to give the trustees of CENS the powers that ordinary charity trustees would have in relation to the governing document of their charity.

Those powers do not extend to things like amending the purposes of the charity, but only the administrative provisions as to the way it is set up. Moreover, unlike in the case of an ordinary charity, they are subject to specific statutory constraints here: first, that they have to be approved by the General Synod; and secondly, that they have to be laid before Parliament as a negative statutory instrument. That is far more protection in terms of opportunities for the legislature of the Church and of the United Kingdom generally to intervene than would be the case in respect of any other charity, which could simply amend its own provisions that are of this nature.

The Chair: On the face of it, it becomes an Act of Parliament. I think that presents certain difficulties.

Lord Lisvane: I was admiring the way that Mr McGregor was playing the bowling there. I think that colleagues may well want to come in on your explanation of the two categories of delegated power. They do still seem to me—at least the second category—to apply to constitutional arrangements, and that does seem to be a little concerning.

If I might pursue my two niche questions, my Lord Chair, the first is: there are a lot of appointments that are to be made by His Majesty. Are those by Letters Patent?

Reverend Alex McGregor: The Measure does not specify. The way appointments are made by the Crown varies—as I am sure Lord Lisvane knows better than I do—some by warrant and some by Letters Patent. I think that it would be for the Crown Office to take a view on how these appointments were to be made. I cannot give an answer to that myself.

Lord Lisvane: In drafting those provisions, I wonder whether Mr McGregor was thinking about paragraph 4 of Schedule 1 – vacating office – so that you are not faced with cancelling a whole lot of Letters Patent. Perhaps I can leave that one for you to mull over.

Reverend Alex McGregor: I am grateful to Lord Lisvane for the point.

Lord Lisvane: The second niche point was where you talk about “grave concern”. What would constitute grave concern, and can you give us a statutory comparator, perhaps in public order legislation or something of that sort?

Reverend Alex McGregor: I cannot immediately give a comparator, but this was a point that was considered in some detail by the revision committee for the Measure as to how to express the intended threshold for convoking a committee of inquiry. In the end, it would be for the synod to decide whether or not it had a grave concern. If the synod passed such a resolution, then *prima facie* the synod would be taken to have a grave concern. It is a matter of judgment on the facts of the particular case and that judgment is exercised by the synod.

Lord Lisvane: Are you sure that you have “grave” and “concern” the right way around? A major loss of money is something of great gravity, but the concern might be a passing unease. You have not attached gravity for the concern. Again, perhaps that is something you might like to look at. As a drafting matter, it did strike me oddly.

The Lord Bishop of Guildford: I think that if 100 people in synod believed something was of grave concern, it would be a grave concern and the committee of inquiry would be called.

Lord Lisvane: Yes, but I am not sure that one should make a statutory provision subject to public approval.

Q8 **Lord Taylor of Holbeach:** Bearing in mind that my experience of legislation is that we have, in the parliamentary system, a good way of dealing with it and Ministers are frequently compelled to change a statutory instrument through a positive instrument as opposed to a negative one so that it is debateable and can be discussed in Parliament, I do think that the difficulty is that the Church wants to make this change—and I can understand why it wants to make the change, I can see that—but I am concerned about the relationship between the Church and Parliament. I am concerned about the relationship between the Church and this Committee.

I am also very concerned with the self-sacrificing role of the Third Estates Commissioner, because instead of having the Third Estates Commissioner coming here and talking to us about the work that is involved in CENS, we will have somebody entirely different. Will he be accountable to this committee? Will he come before us and tell us the progress or difficulties that he has encountered?

This Measure will not go through without some snags and problems. I believe that the Church makes a mistake if it tries to pursue it without

having some duality of the parliamentary process and the ecclesiastical process. I feel that you are wanting to be let loose to make this change, but I do believe that there are problems in the relationship of the church with Parliament as a result.

The Chair: Would somebody like to answer that or just take it as an observation?

The Lord Bishop of Guildford: I think that it is an observation. I do not quite know why the observation has been made in the sense that the Second Estates Commissioner will still be responsible to Parliament for all work of the NCIs, including CENS, so I do not see that there is any change there. As we have said, particularly with the Third Estate Commissioner's relationship towards the Mission, Pastoral and Church Property Committee advisory work, people realised that the amendment that we accepted during the revision stage was giving proper independence to that role with a Crown appointment heading that up rather than an Archbishop's appointment, as we have with the Third Estates Commissioner; that it is actually strengthening that. I do not see why the relationship is shifting in the way that has been explained. It does not tally at all with my understanding of what we are doing.

Q9 **Lord Shinkwin:** Sir David referred to levels of mistrust. Given that the concerns we have had this afternoon around transparency and accountability are crucial to the public having faith in faith institutions such as the Church of England, how do you feel this would enhance public confidence in the Church of England, Bishop?

The Lord Bishop of Guildford: Thank you. It is a very good question. I think that it would because it will be much clearer who is responsible, both when things go right and when things go wrong. At the moment there is often a lot of muddle. The General Synod comes up with a vote of, "We want to go in this direction"; then five years later someone introduces another debate and, "Why have we not made progress from five years ago?" It is extremely hard to identify who is responsible here. Under these arrangements, it is very clear that the CENS trustees are responsible for the mission of the Church. They are the ones who have ultimate accountability for that. At the moment that is extremely lacking.

I know that in reading words on paper it is sometimes a bit difficult to see how this will work out, but certainly those who have been engaged with this think it will work. In General Synod when we took it, it was a major piece of work, as you know, and you are, quite rightly, taking it very seriously, as you should. Synod took it very seriously, again quite rightly as they should. We listened and worked through a vast number of amendments, accepting a number of them and saying no to others. We came up with something that synod voted for unanimously in the House of Bishops, unanimously in the House of Clergy, and with only 10 votes against in the House of Laity, so roughly 97% of synod said, "Yes, this works".

They have obviously been on the journey over the last three or four years, which has perhaps enabled them to work through that, and they know that the committee and the programme board that Sir David has led so well has been very open to criticism. The tricky thing at this stage is that we are bringing a piece that we cannot amend, as we know, which makes it quite challenging. Stephanie, do you want to add to that?

Stephanie Harrison: I just wanted to add that when we began this process, we looked at how we could try to build that trust. We wanted to make sure that each of the charities had a clear and distinct purpose. At the moment in the Church what you often get is this blurring of the lines. Are the Church Commissioners responsible for that or is the Archbishops' Council responsible? In our new model, each of the charities will have a distinct purpose. We are building a delegations framework that says, "This is where this decision will be taken".

Sections 8 and 9 clearly set out the funding framework. I know that Mr Kruger has some issues with that funding framework, but the funding framework sets out very clearly what we expect in the Church. Additional things like the synodical scrutiny committee and the committees of inquiry allow synod to engage with us in different ways. We have not been able to have those conversations other than in question time, for example. We would rather be having more regular engagement with synod, talking about their concerns, understanding their worries. This Measure gives us that opportunity to do those things.

One of the things that I would say to this committee is: after final approval, what I really sensed in the synod was hope. Change was possible. Change in the Church was possible, and I think that if we do not find this Measure expedient or delay the Measure, we take away an element of that hope. We desperately need to change the way we operate. It is important to hear your concerns. We want to listen to that feedback. That is part of the cultural change that we need. We do not need to be deaf to those things, but we just need this opportunity.

Q10 **Baroness Eaton:** I am changing the subject completely and I have a couple of things that I want to raise. I am rather concerned about where accountability sits for safeguarding in the new arrangements. Previously, we knew precisely who held the responsibility and now I am not sure that having a charity in a broad sense gives people confidence that there is somewhere where responsibility sits. Secondly, as there was a great deal of focus and attention on the need for independence in the safeguarding process, how does that sit with it coming to CENS? That is the first one.

The second one I am interested in is the reference to diversity on a number of occasions. How does religious practice diversity sit in there? If we have the point of cure of souls, how do those two things work together in the context of the Church of England? How will the cure of souls actually be fulfilled?

The Chair: Could I just add to the first point that Baroness Easton made, because it is one that I was going to make, rather than asking it later? I

understood that the Church of England was intending to have a wholly independent senior body to deal with the very vexed issue of safeguarding. I entirely understand why safeguarding is at the moment going into CENS because it has to go somewhere. How quickly will you get it out? Can you promise to us that there will be an independent chair of an independent committee at the head of national safeguarding? If you cannot, the lack of trust that you have at the moment will be seriously enhanced.

The Lord Bishop of Guildford: I can start on that one. I will start at a bit of a lower level and then we will work up to that higher level, if that is okay.

Members of the committee will obviously be very aware that this has been a very challenging time around the area of safeguarding in the Church of England. Huge strides have been made, both in terms of resourcing this area properly and in the proper level of independence that quite rightly is being called for so that no one could be accused of marking their own homework. Because this was flagged up very clearly when we met informally, it is something that I have given some serious thought to.

You probably know, but you may not, that the level of independence that is coming in at every stage of safeguarding is massively increasing at the moment. For example, every diocese used to have as part of their safeguarding team a diocesan safeguarding adviser. They now have a diocesan safeguarding officer. You ask what the difference is. The difference is that an officer can go over the head—in fact, needs to go over the head— of a diocesan bishop or anyone else if they have concerns that the diocesan bishop is not doing their job. Those diocesan safeguarding officers now come under a regional lead. Our diocesan safeguarding officer, Jackie, was a former detective inspector with Surrey police, with many years of experience in this area, and our regional lead is a senior social worker, again with decades of experience in this.

Every diocese also has what is called a safeguarding advisory board, which is independently chaired. It includes police, social services, LADOs and archdeacons, among others. In our case, the former head of safeguarding at the Prince's Trust is the independent chair of that board within the diocese.

There is a very rigorous system developed of auditing the safeguarding culture and record of every diocese. It is called INEQE. I cannot remember what the letters spell out. It is sometimes compared with Ofsted. It is led by Jim Gamble, who many of us will know was for many years head of the Child Exploitation and Online Protection Centre in the UK. Those audits are extremely thorough. The dioceses that have experienced them thus far have found them to be very thorough, very fair, and useful as well.

Our national director of safeguarding, Alexander Kubeyinje, has vast experience as a director of children's social care in Lambeth, Southend, Bedford and Herefordshire. He has been involved in quite a number of these developments, including the work at the Redress Project Board,

which appeared before this committee last month, I think, and has been significantly shaped by the voice of survivors.

Meanwhile, of course, the Church has commissioned various independent safeguarding experts to lead reviews into past cases of abuse, most famously the Makin review, which led to Archbishop Justin's decision to resign as Archbishop of Canterbury last November.

That is only a snapshot but it is a clear indication of the direction of travel in this area, which has only gathered pace since the IICSA report in 2022. The General Synod is committed to both proper financing and proper independence in this area. As to where we have got to in that specific area that has been raised, it is over to Rosie.

Rosie Slater Carr: The Measure assumes that the safeguarding functions of the council move to CENS as soon as it is reasonably practical once CENS is established. The national Church is currently undertaking a programme of work on the future of the Church's safeguarding, as you have heard mentioned. It is unlikely that this work will be completed ahead of the date on which we hope the relevant sections of the National Church Governance Measure come into force. Therefore, it is anticipated that the current safeguarding committees would be maintained by CENS in substantially the same form and remain in place until the safeguarding structures work has been completed. That is to ensure that the work on CENS does not impact or slow down that work.

When matters are transferred from the council to CENS, the National Church Governance Measure—this Measure—allows for the relevant transfer order to transfer a specified function to a specified committee of CENS; for example, those specified in the abuse redress. It is therefore possible for that oversight to continue.

The safeguarding structures programme that you mention, Lady Chair, has been established. That programme board is independently chaired by Dame Christine Ryan. There are two separate project boards, one that is around safeguarding scrutiny and complaints and one that is around the safeguarding structures. It is likely that it will be some months before the board is ready to present a full and comprehensive set of recommendations to the General Synod. However, an update on the work on safeguarding structures will be made to the General Synod when it meets in February next year.

The Chair: That does not answer my question. My question is: will it be removed entirely from CENS for a separate, independent body overseeing safeguarding? If it remains as a committee of CENS, you will still be, as the Bishop has said, marking your own homework as seen by the public.

Stephanie Harrison: The Measure was carefully set up so that we had a place to move the national safeguarding team. We were clear that we had to have a specific place for that team when the Archbishops' Council was dissolved. What we cannot say, because we are not responsible for that aspect of work, is what the safeguarding structures team will decide. They

are working towards that at the moment, but we are unable and cannot say that to you. We are very clear that we are committed to that work but we are not responsible for that piece of work, so I do not feel that we can be drawn on it.

- Q11 **The Chair:** Bishop, can I ask at the last moment, because we are getting very late: will it at any stage be an independent body unconnected with CENS? It does not matter when but is that what is intended?

The Lord Bishop of Guildford: There are two aspects of this work, one of which is overseeing the training, making sure that safeguarding is kept front and centre. That is a trustee responsibility in any charity. I think that what you are asking about is the scrutiny function. What I would certainly be pushing for—and I am sure, given the level of independence that, as I say, is there at every stage in this developing world—is that the scrutiny function must be an independent one. As Stephanie says, this has been in parallel with this work and we cannot prejudge exactly what that independent group will come up with.

Sir David Lidington: If it is helpful, Lord Chair, as the various reports were commissioned and the issue of safeguarding took on a higher profile within the Church, for reasons we all know, I was asked that we should not, in the group I was chairing, deal with the issue of safeguarding but to take that out precisely because it was going to be investigated. Any discussion that we have had in my group and references made to safeguarding have been on the assumption that we would have a holding framework. If there are still residual functions for the Church of England NCIs in regard to safeguarding, then those will be held by CENS. However, our assumption has always been that there would be a completely separate and independent body. Had it been otherwise, then we would certainly have come to you with a much more detailed scheme of how we saw safeguarding being treated in the future. There is a new Archbishop of Canterbury coming in early next year. Office holders will obviously want to take their own view and explain that to you.

The Lord Bishop of Guildford: There was one other issue raised, if I might, Lord Chair, about the diversity point and religious practices. I think that is a very good question. What that is not saying is that we want a Buddhist in this senior role and different religious practices in that sense.

Baroness Eaton: Within the Church of England I meant.

The Lord Bishop of Guildford: Many of you will know that Church tradition in the Church of England is quite a wide thing, from evangelical to more catholic. What that is seeking to do is to say that we need to recognise the variety of Church tradition that holds within the Church of England.

Sir David Lidington: I was banging on about it in our group again and again because at the back of my mind was the fear that if you get a majority in the synod, to have those trustees elected by synod all from a particular style of Church man or woman-ship, then what about the other

traditions? The duty to have regard to diversity of religious opinion was a phrase put in to try to ensure that we had some balance of representation for more than just one view within the Church.

Baroness Eaton: Thank you. I speak as a Catholic Anglican.

Q12 **Lord Jones:** Time is of the essence. I have no doubt that this body, Bishop, is worthy of trust in aiming to face up to a mighty challenge of a secular society, a digital society, and all the crises facing the Church of England. We wish it to prosper and it has a major challenge in aiming to do so.

However, in hearing your answers—and I know that Stephanie is desperate to get on with the business—this Committee knows it is appointed by the British Parliament and it has powers. It seems you have stubbed your toe on the increasing realisation that the Committee has powers given to it by the British Parliament.

My question to you, and particularly perhaps to David who I have seen in another place, is: do you acknowledge that the ultimate authority rests with Parliament and this Committee? I have heard our excellent lawyer Alex mention the monarch in so far as his decisions, but my understanding is that all his decisions concerning the Church relate ultimately to the decision of the Parliament, to which we belong. It seems to me that until you convince this Committee, your progress, desperately needed, shall not proceed.

The Lord Bishop of Guildford: We totally accept that. We have always acknowledged that if this committee deems this not expedient we will have to go back. What would be extremely helpful is to have much greater clarity about what really is wrong with this.

It seems to me that there have been so many criticisms thrown from so many places, some of them I would have to say based on a misunderstanding of what we are doing. I think that this committee needs to recognise that it is very unusual for a major piece of work like this to be accepted universally by two of the Houses of synod and almost universally by the third, 10 against and 134 for or something. Part of that was the recognition of the listening exercise that has gone on. These are people, remember, who are elected. The bishops are not, but the clergy and the laity are elected. Every parish in the country has a chance in those elections to be elected on to General Synod. They have come to the conclusion that this will help us massively in the mission of the Church and the clarity and the trust-building that Sir David and Stephanie in particular have spoken of so powerfully.

I absolutely hear some of the concerns and some of them I take to heart. However, I really would urge this committee that if you are going to deem it not expedient, we need to know what specifically it is, otherwise to just say, "Go back to the drawing board and start again" is to continue with the existing system, and anyone who has dared to venture into the world of the national Church institutions—how it all works, how it does not work—knows how dysfunctional it is. Are you really wanting us to just continue

along that when quite such a large proportion of the General Synod is saying this is the way forward? I am just worried that the best will be the enemy of the good.

To my mind, this is a good way forward. It may not be the best, we may have missed a few things along the way, but I would urge this committee to—

The Chair: I am very concerned that it is now 5.55 pm, which is half an hour longer than we had intended. We have not yet heard from Lord Griffiths. Could you keep it short and with a short response?

Lord Griffiths of Burry Port: A Welsh Methodist preacher is not the person to whom—

The Chair: That is why I said it.

- Q13 **Lord Griffiths of Burry Port:** Having listened very carefully to the debate, I feel that there would be something inherently wrong to deny the wishes of the committee as it puts its scheme before us. Having said that, I have heard some very legitimate and very proper and pointed remarks and observations made from this side of the table.

I must say that this and the previous debates we had about conduct have left me thinking that this instrument is no longer fit for the purpose of helping the Church to achieve its objectives. I would say that I am drawn, on the basis of what I have heard, to feel I will want to vote that this is expedient. I will want to lay upon the committee that they heed very carefully even the misconceptions and misunderstandings that they may feel they have been subjected to as they move forward, and the rest of us must feel that we can trust them to do that. That would be my recommendation and that is where my vote will be.

Over and above and beyond all that, I just have these feelings about the fit for purpose aspect of this Committee for the work that we are now doing. When I first joined the Committee in the year that King Uzziah died, I know that Measures that came before us were not complicated and that expedience was exactly what we sought to achieve.

The Chair: I have to agree with you. I have been on this Committee, in fact, for 10 years, and the last 18 months or two years is the first time that I have ever had anything of real substance. Baroness Harris, could you keep it very short because it is nearly 6 o'clock.

- Q14 **Baroness Harris of Richmond:** It will be very short. I do not know if it is possible, but because of the complexity of this, is there an organogram that you could let us have with a comparison of what we have at present?

Sir David Lidington: If it would help, Lord Chair, I think that we could offer any member of the committee organograms and other supplementary material and the conversations about some of the detailed matters. One thing that I do not think can be emphasised strongly enough, and we perhaps have not communicated clearly enough, is the degree to which

this has been an iterative process over three years. The Measure we have now is not what would have been drafted at the start. In the conversations we have had—with critics, members of the synod, people from different Church traditions within the Church of England, bishops, some of whom were very cautious and wary of some of the changes that we wanted to make, particularly on scrutiny—and discussions within the task force and the board itself, we have all made changes and compromises and altered our view.

We believe that what we have is a package that is balanced, which holds together. It probably does not give anybody exactly what they would want but, as the synod vote showed, was capable of commanding extraordinarily broad-based support from all factions and all functions within that General Synod. My fear is that if this cannot go forward, we are left with a status quo that is dysfunctional. The Bishop of Leeds's report three or four years ago said that there are some bodies in the Church that are purporting to make decisions on things for which they have no responsibility and others are failing to exercise responsibilities that they do have in law. The survivors of abuse have denounced the Archbishops' Council publicly for its handling of safeguarding in many cases over the years; and, given that the General Synod normally meets, to my frustration, only twice a year, the opportunities for any revisions or new legislation are extremely limited and progress is very slow.

I would reiterate the point that Stephanie made earlier. I think that there is a sense of hope—and I can say this; she has not—not just among the General Synod but among the staff of the Church of England as well, who waste far too much time at the moment servicing umpteen committees and where the Church keeps referring things from one body to another and nobody will take a decision.

To get to a new structure—to get that messy task inherent in any transition and reorganisation over, people focused on their new responsibilities and to move forward in the way that this committee, I believe, would want them to do—as a former parliamentarian my suggestion for you and the committee to take forward, looking to the future, is that perhaps some mechanism might be found for dialogue, whether through informal session or other ways. I think of the many hours that we have spent talking to people who had various concerns at earlier stages. I wish we had been able to take this committee away for a day or two at an earlier stage. Going forward—not just for this place, I am thinking more generally—there is perhaps an issue for the committee to examine about how it wishes its work and its interactions with the Church of England bodies to continue in the future.

Lord Taylor of Holbeach: Can I just say, Lady Chair, I think that we should find this Measure expedient.

The Chair: We cannot deal with it at the moment, for the very practical reason that the Second Church Estates Commissioner is not here.

Lord Taylor of Holbeach: I see. Sorry.

The Chair: I will bring this public meeting to an end with profound thanks to the Bishop and his team, who have been kept for an excessively long time by us. We are extremely grateful. We will have to have our private deliberation on another occasion.