

TRANSCRIPT OF ORAL EVIDENCE

HOUSE OF LORDS
HOUSE OF COMMONS
MINUTES OF EVIDENCE
TAKEN BEFORE
THE ECCLESIASTICAL COMMITTEE

ORAL EVIDENCE: CHANNEL ISLANDS MEASURE

FRIDAY 19 JUNE 2020

2 pm

Evidence heard in Public

Questions 1 - 6



HOUSE OF LORDS

Oral Evidence

Taken before the Ecclesiastical Committee

on Friday 19 June 2020

Members present:

Baroness Butler-Sloss (Chair)
Fleur Anderson
Sir Peter Bottomley
Mr Ben Bradshaw
Fiona Bruce
Dr Lisa Cameron
Miriam Cates
The Earl of Cork and Orrery
Lord Cormack
Baroness Eaton
Lord Elton
Lord Faulkner of Worcester
Sir Roger Gale
Lord Glenarthur
Baroness Harris of Richmond
Lord Jones
Lord Judd
Lord Lisvane
Rachael Maskell
Baroness McIntosh of Hudnall
Andrew Selous
Sir Desmond Swayne
Martin Vickers

Examination of Witnesses

The Right Reverend Timothy Thornton, Bishop at Lambeth; Jonathan Neil-Smith, Archbishops' Council Central Secretariat and Secretary to the Archbishop's Commission on the Channel Islands; the Very Reverend Timothy Barker, Dean of Guernsey; the Reverend Alexander McGregor, Chief Legal Adviser to the Archbishops' Council and the General Synod; Christopher Packer, Legislative Counsel to the General Synod.

Examination of witnesses

Timothy Thornton, Jonathan Neil-Smith, the Very Reverend Timothy Barker, the Reverend Alexander McGregor and Christopher Packer.

Q1 **The Chair:** I welcome the members from synod, the Right Reverend Timothy Thornton, Mr Jonathan Neil-Smith, the Very Reverend Timothy Barker, the Reverend Alexander McGregor and Mr Christopher Packer. You are all very welcome. Thank you very much for coming to this virtual meeting.

We need to declare, as members of the Ecclesiastical Committee, any relevant interests that we have. Mine is rather unusual. I had my ear turned by a number of people in relation to the problems that arose between the Dean of Jersey and the Bishop of Winchester. Informally, I found myself speaking to a lot of people, including the complainant, who found my email and sent me numerous emails. However, I never played a part in it and the advice that I occasionally gave was entirely informal. My interest is of an unusual kind and certainly will not affect my decision today.

Does anybody else have any interests? Fleur, you come from Jersey. Do you want to declare anything?

Fleur Anderson: No. I come from Jersey but I left when I was five, so I do not think I could have had any influence over this.

The Chair: Does anybody have any interest relevant to today's meeting?

Lord Faulkner of Worcester: I have two Channel Islands interests to declare. I am a vice-chair of the Channel Islands All-Party Parliamentary Group. I am also the chair of the Alderney Gambling Control Commission.

Fiona Bruce: It may not be directly relevant, but I would rather declare it. I am a lay canon of Chester Cathedral.

Martin Vickers: I am a member of the Channel Islands All-Party Parliamentary Group.

Lord Elton: Many years ago, I was Minister in the Home Office with a responsibility for, among other places, the Channel Islands, but I have no continuing connection thereafter.

Baroness Eaton: I am a lay canon at Bradford Cathedral, which may not be relevant, but I would rather declare it.

Fleur Anderson: I am a member of the Channel Islands All-Party Parliamentary Group as well.

Baroness Harris of Richmond: I am a member of the Channel Islands All-Party Parliamentary Group. Also, I am high steward of Ripon Cathedral.

Lord Glenarthur: I have a similar interest to declare as Lord Elton. I took over from him with responsibility for the Channel Islands and the Isle of Man in the mid-1980s. Otherwise, I have no connection.

Lord Judd: For a number of years I was Member of Parliament for Portsmouth and I am a freeman of the city of Portsmouth. I suppose this is relevant in a way.

Andrew Selous: I am also a member of the Channel Islands All-Party Parliamentary Group. Selous, my family name, is actually a Jersey name. There is a Carrefour Selous right in the middle of the island.

The Chair: Bishop, who is going to lead on this? You are. Would you like to go ahead?

Timothy Thornton: Thank you very much to the members of the Committee for giving us your time this afternoon. I am the Bishop at Lambeth and I was the chair of the steering committee that took this Measure through General Synod. I am accompanied today by Chris Packer, the legislative counsel of the General Synod, Alex McGregor, the chief legal adviser to the General Synod, and Tim Barker, the Dean of Guernsey. At the end of my few remarks by way of introduction, I would quite like Tim Barker to say a word or two, given the peculiarities of this Measure and this matter.

I do not think I need to speak for too long. I am sure members of the Committee have read the papers that we have sent on to you. As you will see, the Measure is not very long. While this is a very focused Measure, and I stress that the focus is mainly on the Church of England rather than on matters relating to the Channel Islands as such, it is important to make clear at the beginning that this Measure came about, at least in major part, because of problems that arose in the Channel Islands. They arose primarily, as you have already mentioned, Lord Chairman, from a safeguarding matter. That has to be admitted. It is all very sad that that is the case.

I am also accompanied today by Jonathan Neil-Smith, the secretary to the commission's report, and you have a copy of that, I believe. We are very grateful indeed to Lord Chartres, known to many of you I am sure, who chaired that commission in his own inimitable style and with his own inimitable gestures and language. It was very important that the commission did the work it did. If committee members have any questions about that, I am sure Jonathan will be able to answer them.

As you will see, the main Measure is about moving episcopal oversight from Winchester to Salisbury. The Channel Islands have, for the last few years, been looked after very well by Bishop Trevor Willmott, the Bishop of Dover, on behalf of the Bishop of Winchester. Now we feel it is time to move on more substantially. Having uncovered, in the light not just of the safeguarding issue but of other issues, matters that need to be addressed about relationships between the Channel Islands and the Church of England, we feel that moving the episcopal oversight in this way will clarify and allow a process to be put in place for these matters to be dealt with in due course.

As I say, this is a focused Measure, and its primary focus is to move the episcopal oversight from Winchester to Salisbury. I am pleased to say, if you have not already noticed, that during the General Synod Measure both the Bishop of Winchester and the Bishop of Salisbury spoke in complete support of this Measure.

I would like Tim Barker to say a word or two before we open it up for you to ask us questions or make comments.

The Chair: I am very grateful to you for providing us with the report of Bishop Chartres, which is absolutely fascinating.

Timothy Barker: The Church in the Channel Islands is very positive about the proposed move to Salisbury. We have a long history with the diocese of Winchester, but it is now time to move to a position of stability so that we can focus on our mission and ministry. We are most grateful to Lord Chartres and the members of the commission for their very careful attention to the particular needs of the Channel Islands and our very special history. I am very grateful to all of you for the time, care and attention you are giving us this afternoon.

The Chair: Bishop, does anyone else in your team want to say anything?

Timothy Thornton: No, not at this stage, but I am happy to bring them in as needs be when questions are asked.

Q2 **Lord Cormack:** I ought to briefly declare an interest, as deputy high steward of Lincoln Cathedral. I am just concerned on one point. Having read that fascinating report by Lord Chartres and his colleagues, it seems to me that when the Bishop of Dover was looking after things they worked fairly smoothly. I am not at all opposed to this Measure. It seems to me to make eminently good sense in view of the history. Because the Bishop of Salisbury has a very big episcopal task, is it the intention that an assistant bishop within the diocese of Salisbury will be given day-to-day contact with the Channel Islands as and when necessary?

Timothy Thornton: It would obviously be up to the Bishop of Salisbury to decide how he wants to deploy his resources. I know that he has already been talking with the Deans of Guernsey and Jersey about the right way forward. I can say that, unlike the diocese of Canterbury, the diocese of Salisbury has two suffragan bishops. I am sure that Bishop Nick is thinking about how best to do it. In the very short term, for obvious reasons, Bishop Nick has committed himself to making the relationships with the Channel Islands. In the medium to longer term, it makes sense for Salisbury to think about the best way to deploy its episcopal resources.

The Chair: Dean, do you want to add anything from Guernsey?

Timothy Barker: I do not think I want to add very much at this stage. We are in the very early stages of negotiation with the diocese of Salisbury, with the Bishop of Salisbury. I think it is something we will work out in practice. We have been well served by our attachment to the diocese of Canterbury and we are hugely grateful to colleagues and friends there, but

the practicalities of travelling from the Channel Islands to east Kent are sometimes a little difficult. Somewhere in the south of England makes far more geographical sense.

Lord Jones: I have no question. I wish to say thank you for a revelatory report, thank you to Bishop Tim, and a special thank you, in the particular predicament that I am in, to the technical team. Finally, from north-east Wales, I can tell you that it is raining pieces of string, and cats and dogs.

Lord Judd: First, may I say what I said when we were meeting informally? I found the briefing absolutely fascinating. My wife, who is a historian, found it equally fascinating. May I make this observation? Because of my past and current involvement in Portsmouth, I am naturally sorry that Portsmouth did not lend itself, because it would have been very practical. However, any organisational arrangement is immaterial. What matters is the spirit and understanding of what goes into it. I am, frankly, rather sad that we cannot conclude a period of reconciliation by going on with the Winchester arrangement, which has had a long history. I am just a bit sad that we are trying to find an organisational solution to what is essentially a problem of understanding and human relations.

The Chair: From what I know of the situation, I have to say I am not surprised that that has not been achievable.

Q3 **Lord Faulkner of Worcester:** I have a couple of questions. I too was going to ask about Portsmouth, which is geographically a great deal more convenient for the Channel Islands than Salisbury is. I would be interested if our colleagues from synod would be able to say why Portsmouth has been rejected.

I have rather more important questions than that. The first is the reference in the brief to the clash between what one can call Jersey law, which in effect is Channel Islands law, and the role of deans and their obedience to bishops. There was a very spirited debate in the States of Jersey, pointing out that, as they are not part of the United Kingdom and subject to UK law, they are able to write their own law. The Dean of Jersey, as I understand it, is a states member and has responsibility there. Will this question of a possible conflict of loyalty be resolved by moving the islands from Winchester to Salisbury?

Secondly, why has the report of Dame Heather Steel not been published? Is it the case, as is widely believed, that it exonerated the Dean of Jersey in its findings?

Finally, was any action taken on the letter from Sir Philip Bailhache to the Archbishop of Canterbury, which was published in the *Jersey Evening Post* on 4 November 2015? In that, he said, "No expression of regret has ever been forthcoming for the unjustified humiliation and distress visited upon the dean and his wife". I would welcome comments on that too, please.

Timothy Thornton: Going back to what Lord Cormack was asking, the Committee might like to know that Bishop Trevor Willmott, who was until recently the Bishop of Dover, has now retired and is living in Somerset. He

is in fact an assistant bishop in the diocese of Salisbury and is working very closely with Bishop Nick on this particular matter.

On the question of reconciliation that was raised, I entirely agree with what you say, Lord Chairman. As I said in the synod, I know the Bishop of Winchester is open to the possibility of some form of reconciliation in due course. I am sorry to say that I think it is too early yet to take that forward in any meaningful sense.

It is fair to point out to Committee members that the diocese of Portsmouth is now the only mainland diocese in the whole of the Church of England that only has one bishop. It simply has a diocesan bishop and no suffragan bishops in it at all. Therefore, it was felt by the commission and other people that the resources simply were not there, in terms of the bishop but also the other things that go with that, to support this piece of work, as well as the other reasons, which are clearly stated by the commission members in their report.

On the question of Jersey, I might look to see whether the Dean of Guernsey wants to make any comment. As a former diocesan bishop, I am not sure I want to be drawn into saying whether deans should give any obedience to bishops. That might be a bit above my pay grade. My understanding is that, particularly in relation to safeguarding, it is now crystal clear what the situation is with regard to the Deans of Guernsey and Jersey, and any future relationships with the diocese of Salisbury.

In terms of the Steel report, all I can say is that the report has remained confidential and has only ever been seen by a very small number of people. I am not one of them, so I cannot comment on what it says.

In terms of the letter, I can tell you that the Archbishop of Canterbury, Justin Welby, has had various conversations with the former Dean of Jersey. I know that regret has been expressed on more than one occasion about this whole matter.

Q4 The Chair: Am I not right that the report from Dame Heather Steel was sent to the Bishop of Winchester and it is his responsibility for the report?

Timothy Thornton: The Bishop of Winchester is the person who holds that report. Alex, Chris Packer or Jonathan may want to say something, but I am led to believe that there is no agreement between Heather Steel and the Bishop of Winchester about whether that document should be shared more widely.

Timothy Barker: The Bishop of Salisbury, the Dean of Jersey and I had a very useful conversation yesterday afternoon in which we touched on this very important matter of the relationship of the deans to the bishop. Both the Jersey canons are being revised and Guernsey is proposing to move to its own set of canons for the first time in its history. The canons will articulate very clearly the relationship between the bishop and the deans, and the fact that we receive our commission from the bishop, which puts into effect the letters patent, the Crown warrants that we receive on our appointments. That matter is very much in our minds. We know that the

relationship between the bishop and the deans is crucial to the flourishing of the Church in the islands.

Q5 **Lord Faulkner of Worcester:** I apologise for returning to a similar subject. I am very pleased indeed to hear that the archbishop has expressed his regret to the former dean. Can I ask whether any form of apology has been forthcoming from the Bishop of Winchester?

Timothy Thornton: I am sorry to say that I do not know the answer to that question. I do not think the Bishop of Winchester has issued a public apology. I know that there have been conversations between the bishop and the dean, but I do not know of their nature.

Q6 **The Chair:** Bishop, is there anything else that you or any of your team would like to say to us?

Timothy Thornton: I do not know whether Jonathan Neil-Smith wants to say anything about this, or whether Alex McGregor needs to make any comments from a legal perspective. I see Alex shaking his head.

The Chair: What about the secretary of the commission? Is there anything you would like to tell us?

Jonathan Neil-Smith: I was very interested to hear what was said about Portsmouth. That was one of the areas that the commission looked into in some detail. As Bishop Tim has said, the crucial point was that it lacked the episcopal capacity to absorb oversight of the Channel Islands. At the end of the day, that is the judgment the commission made, having looked at all the evidence.

The Chair: Is there anything else that anybody would like to say before I close the public part of this meeting?

Timothy Thornton: Thank you, Lord Chairman, for your care in this. To repeat, we took this unusually in one session in General Synod, but it had huge support. I would stress that both the Bishop of Winchester and the Bishop of Salisbury spoke very positively about this Measure.

The Chair: Thank you very much, Bishop, for what you have said. I am very grateful to all the speakers for what you have had to say. You have been extremely helpful to us. In the way that others have said, it was a very useful briefing and very helpful to have the commission report. Thank you all very much indeed.