

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Sixth Delegated Legislation Committee

CHANNEL ISLANDS MEASURE

Tuesday 14 July 2020

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The Committee consisted of the following Members:

Chair: GRAHAM STRINGER

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| † Bacon, Gareth (<i>Orpington</i>) (Con) | † Jupp, Simon (<i>East Devon</i>) (Con) |
| † Campbell, Sir Alan (<i>Tynemouth</i>) (Lab) | † Pawsey, Mark (<i>Rugby</i>) (Con) |
| † Caulfield, Maria (<i>Lewes</i>) (Con) | † Selous, Andrew (<i>Second Church Estates Commissioner</i>) |
| Cummins, Judith (<i>Bradford South</i>) (Lab) | † Tami, Mark (<i>Alyn and Deeside</i>) (Lab) |
| Eagle, Ms Angela (<i>Wallasey</i>) (Lab) | † Webb, Suzanne (<i>Stourbridge</i>) (Con) |
| Elliott, Julie (<i>Sunderland Central</i>) (Lab) | † Webbe, Claudia (<i>Leicester East</i>) (Lab) |
| † Everitt, Ben (<i>Milton Keynes North</i>) (Con) | |
| † Fell, Simon (<i>Barrow and Furness</i>) (Con) | Stuart Ramsay, <i>Committee Clerk</i> |
| † Henry, Darren (<i>Broxtowe</i>) (Con) | |
| † Huq, Dr Rupa (<i>Ealing Central and Acton</i>) (Lab) | † attended the Committee |
| † Johnston, David (<i>Wantage</i>) (Con) | |

Sixth Delegated Legislation Committee

Tuesday 14 July 2020

[GRAHAM STRINGER *in the Chair*]

Channel Islands Measure

9.25 am

The Second Church Estates Commissioner (Andrew Selous): I beg to move,

That the Committee has considered the Channel Islands Measure (HC 548).

It is a pleasure to serve under your chairmanship, Mr Stringer. I am grateful to colleagues for turning up this morning; I hope that the Measure will not detain us for long. The Measure is very simple: it will transfer the Channel Islands from the diocese of Winchester to the diocese of Salisbury. The transfer will be achieved by an Order in Council. The reason for it is that back in 2008 there was a safeguarding incident on Jersey, and the handling of the matter led to a dispute between the Dean of Jersey and the Bishop of Winchester. In 2018 the Archbishop of Canterbury appointed a commission, chaired by the former Bishop of London, Lord Chartres, to consider and report on the relationship between the Channel Islands and the wider Church of England.

It is perhaps worth reflecting a little on the history of the Channel Islands' relationship with the Church of England. Until the 16th century, they were part of the Church of France and of the diocese of Coutances. In 1496, before the Reformation, Henry VII obtained a papal bull transferring the islands to the English diocese of Salisbury, but it seems that it was never put into effect—it is not new that we pass legislation in this place but do not always consider its enforcement. The islands finally became part of the Church of England in 1569, when they were transferred to the diocese of Winchester by an Order in Council of Elizabeth I. Since then, the Church of England has been the established Church in the Channel Islands.

The Archbishop of Canterbury's commission reported in September 2019. It concluded that although there remained "residual affection for the historic attachment to the Diocese of Winchester",

the difficulties in the relationship between the islands and the diocese were such that the breakdown was

"too great for it to be retrieved in the foreseeable future."

Having considered the various options, the commission recommended that the islands be transferred to the diocese of Salisbury. There is relatively easy access via Southampton airport or by ferry to Poole, and the diocese of Salisbury has the necessary capacity to oversee the islands, having two suffragan bishops in addition to its diocesan bishop. As I mentioned, there is a historical connection, which goes back to the failed papal bull of 1496. In fact, the first bishop since the Reformation to visit the islands and carry out confirmations was the Bishop of Salisbury, in 1818. Thank you for bearing with me for a little of the history, Mr Springer; I think it is interesting and it sets the scene.

The Measure, which is very straightforward, gives effect to the recommendation of the Archbishop's commission that the Channel Islands be transferred to the diocese of Salisbury. It also tidies up some other matters relating to Church of England governance on the islands.

Section 1, the key provision, provides:

"Her Majesty may by Order in Council provide for...the attachment of the Bailiwicks"—

the Channel Islands are referred to as the Bailiwicks of Jersey and Guernsey—

"to the diocese of Salisbury instead of to the diocese of Winchester, and...the transfer to the Bishop of Salisbury of such jurisdiction as the Bishop of Winchester has in relation to the Bailiwicks."

A Measure is needed to authorise the making of an Order in Council because the royal prerogative alone does not extend to altering the jurisdiction of bishops or the extent of their dioceses. Statutory authority, in the form of this Measure, is needed to confer the necessary legal authority on the Crown to make the transfer of jurisdiction and alter the extent of the two dioceses.

Section 2 sets out consequential amendments to existing Church legislation so that references to "Winchester" become references to "Salisbury".

Section 3 deals with the procedure for extending Church Measures to the Channel Islands, which was first established in 1931 and has been somewhat elaborate and time-consuming, with the result that there is a backlog of Church legislation that ought to be extended to the Channel Islands. Section 3 will enable Church legislation to be extended to the islands much more simply and straightforwardly, which should mean that the backlog of legislation, which deals with important matters such as safeguarding and clergy discipline, can now be cleared and that future delays in extending appropriate Church legislation to the islands can be avoided.

Section 4 deals with Church representation from the Channel Islands to the General Synod of the Church of England, which met in virtual session on Saturday. It extends the scope of the franchise on the Channel Islands—for instance, the minimum age for enrolment on a parish roll is reduced from 17 to 16—and enables members of other Christian Churches in communion with the Church of England to be on an electoral roll for the General Synod if they so wish.

I can tell hon. Members that the Measure was received with favour when it came before the General Synod of the Church of England in February; all the bishops present supported it, including the Bishops of Winchester and Salisbury, and it had overwhelming support in the Houses of Clergy and Laity. The Ecclesiastical Committee, which is composed of Members of the House of Lords and of the Commons, also considered the matter in an extensive Zoom session on 19 June, and we found the Measure expedient. I hope that it will find favour with the Committee this morning.

9.32 am

Mark Tami (Alyn and Deeside) (Lab): It is a pleasure to serve under your chairmanship, Mr Stringer. The Committee will no doubt be shocked to hear that I do not intend to detain it for long. I thank the Second Church Estates Commissioner for his history lesson—we dived around from the 16th century to 1931 and finally hit Zoom time, which is something that I am sure we are all used to. I have only one question. He has already

touched on this, but can he confirm that all the clergy who will be affected by the Measure, not just the bishops, are in favour and are happy with it?

9.33 am

Andrew Selous: I can indeed give the hon. Gentleman that assurance. The former Bishop of London, Lord Chartres, and his commission took extensive soundings from all the clergy on Jersey and Guernsey when they went there last year. This is the settled view of the whole Church, including all the clergy on the islands.

I can also tell the hon. Gentleman that when the Measure came before the General Synod of the Church of England in February, 94 clergy were in favour and

one was against; I am afraid that I do not know why one was against, but the hon. Gentleman will agree that that is pretty overwhelming. Every Bishop was in favour, as were a huge majority of the House of Laity—117 were in favour and only two were against. The Measure has overwhelming support.

We all hope that the Measure will herald a new era for the islands in their relationship with the Church of England, that that relationship will be harmonious in future and that it will lead to the flourishing of the Church on the islands.

Question put and agreed to.

9.34 am

Committee rose.

