



Synod

A guide for members and prospective members



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*Prepared by the Synod Business Committee
For The Anglican Diocese of Melbourne
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What is Synod?

Synod is the gathering of the clergy and lay representatives of the Diocese with the Archbishop to make decisions about our corporate life in Christ. We begin each Synod session by coming together as the Body of Christ in a celebration of the Eucharist; the business meetings which follow are an extension of the Eucharistic gathering.

Synod governs our corporate life as Anglicans in Melbourne – and our relationships within the Anglican Church generally and in some respects with wider society - in many ways. Synod members elect Archbishops, most members of Diocesan Council, other diocesan committees, and representatives on wider church bodies. They also make decisions in many important areas, such as:

- Establishing how clergy are appointed to – and removed from – parishes, and how parishes function in terms of their finances, property and office-bearers;
- Ensuring children and vulnerable people are protected in church and church-related activities;
- Promoting, enabling and resourcing our mission;
- Monitoring and reviewing diocesan finances and budgets, and the oversight of diocesan property; and
- Encouraging and sometimes implementing change in areas such as who can be ordained (Melbourne Synod was a pioneer in the women's ordination movement), and in ecumenical relationships.

Synod also comments on issues and concerns in Australian society from the Gospel perspective, such as care of the environment, marriage and family life, education, and refugees.

Who are the members of Synod?

Melbourne Synod, which first met in 1856, was one of the first Synods in the worldwide Anglican Communion. Its creation by Melbourne's first bishop, Charles Perry, recognised the importance of clergy and laity sharing the governance of the Diocese with the Archbishop. The Synod has its legal basis in the Church of England Act 1854 of the Victorian Parliament, which provides that Acts, resolutions, and regulations of the Synod that are within its competence to make, are binding on the members of the Church if they are agreed to by the clergy and the laity and assented to by the Archbishop.

Sometimes described as the Church's "parliament", Synod conducts its business on a model based on the Westminster parliamentary system, similar to that followed by Australia's federal and state parliaments. As with parliaments, each Synod is elected for a term, usually of three years. The minimum is two and a half years; the maximum is three and a half. Meetings must be held annually (except when there is no Archbishop in place), and generally they are held over a four-day session in October each year. Occasionally additional meetings are called for specific purposes.

As with parliaments, Synods are in effect divided into "houses" – the house of clergy and the house of laity – who meet with the Archbishop.

The Archbishop

The Archbishop is a member of Synod who presides over (chairs) the meeting. No binding Act, resolution or regulation of the Synod can be made without the Archbishop's assent as well as that of the Houses of Clergy and Laity. Although in practice it has been unusual, the Archbishop is entitled to enter into the debates of the Synod, and will nominate another person to chair the meeting while participating.

The House of Clergy

All the ordained persons in the diocese who hold a full licence from the Archbishop, such as Incumbents, priests in charge, assistant curates, and chaplains, are members of Synod. The assistant bishops are also members of the House of Clergy. Clergy who have the Archbishop's "permission to officiate" (such as retired clergy) are not members of synod.

The House of Laity

Laity are members of Synod in a number of categories. The majority are elected representatives of their parishes with most parishes entitled to elect two representatives. Parishes with two or more full-time licensed clergy on their staff, and that have paid their parochial assessment in full, are entitled to apply to Archbishop-in-Council to elect an additional representative. There are also categories such as Authorised Anglican Congregations and religious communities entitled to one representative each. In each case, alternates are also elected, to take the place of an elected member if a member is unable to be present for a full Synod meeting.



Why become a lay member of Synod?

As well as parish representatives, there are also elected regional representatives. The number of these representatives is based on the number of clerical synod members who are not licensed to a parish in a stipendiary position, such as school and hospital chaplains. Members of Diocesan Council and regional councils, as well as Melbourne's elected representatives on the Victorian Provincial Council and General Synod - who are not otherwise members of Synod - can apply to the Archbishop for ex officio Synod membership. Other ex officio synod members are the legal officers of the diocese (the Chancellor, Deputy Chancellor and the Advocate), and the Registrar.

Lay members, including alternates, are elected at the beginning of each term and hold office for the entire term unless they resign. To be eligible, they must be between 18 and 71, be residents of the Diocese of Melbourne, and be communicant members of the Anglican Church of Australia. Elections are held in parishes and other bodies when the Archbishop issues a Mandate, a formal document authorizing the holding of elections. The Archbishop also issues a Mandate to summon Synod to meet.

While Synod members are always free to discuss matters coming before Synod with their congregations and Vestries, they should remember that they are not delegates from their parishes. Their parishes cannot direct them in how they should vote on any matter.

Synod plays a crucial role in the governance of the Church. Members of Synod, then, have a significant responsibility to their parish and to the Diocese, a responsibility that should be taken seriously. People interested in representing their parish at Synod should be available, and prepared, to attend each entire annual session of Synod for the duration of their elected term.

The membership of Synod should also reflect the membership of the whole Diocese. People within the Diocese with as many different experiences of life as possible, who feel they can contribute to the Church in this way, should consider representing their parish or region at Synod. Though positions as parish representatives are limited, there are usually vacancies for regional representatives. This opportunity should be explored.

Potential members do not need to have special legal or other expertise, or even be confident as a public speaker. The most important attributes are willingness to attend Synod faithfully, to read all the Synod papers carefully, to listen attentively, and to vote responsibly in all the decisions that come before the Synod.

There were 486 lay members and 362 clergy entitled to attend the 2009 session of Synod, a total of 848. Three-quarters of them attended at least one meeting of the session, but on at least one occasion, attendance did not reach the one-third required for a quorum. This is disappointing, given the importance of Synod for the governance of the Church.

Only Synod members can participate in Synod debate, and in Synod elections. Other interested people (including press representatives) are welcome to attend and observe Synod, but must remain within an area designated as the "public gallery" (as at parliamentary sittings). Occasionally visitors are invited to address Synod on a specific topic, but only with the prior agreement of Synod.



What is the business of Synod?

The main business of Synod is the governance of the Diocese. This takes the form of legislation and resolutions, as with Parliamentary governance, as well as elections to key diocesan and national bodies. Synod also provides an opportunity for members to ask questions of fact, principally of the Archbishop, who is styled the “President” of Synod and addressed as “Mr President”.

Legislation

Diocesan legislation is binding, in that clergy, lay office holders, such as Churchwardens and Vestries and Incumbency Committee members, and all members of the Church resident in the Diocese are required to act in accordance with its directives on matters concerning ministry, church membership and church property. Clergy swear to uphold the acts of Synod when they are ordained and again when they are inducted into parish appointments. The key Acts of Synod can be found on the diocesan website:

<http://www.melbourne.anglican.com.au/main.php?id=3524>

For the Church to hold its consensual unity, its legislation needs to be uniformly respected even if its operation is inconvenient in particular situations. Many ordinary Church attenders might be surprised to learn what some pieces of Melbourne church legislation say about their membership obligations and limitations. Synod members need to give careful thought to potential long term implications when exercising their vote to adopt new legislative requirements intended to have effect indefinitely.

Synod legislation usually comes from two sources:

1. Certain canons passed by General Synod that need to be adopted by the Diocese by means of Diocesan legislation before they take effect in the Diocese; and
2. Draft legislation promoted by Archbishop-in-Council, and usually drafted on the Council’s behalf by the Diocesan Law Committee.

An example of the first is the canon providing for the ordination of women as priests, which was adopted by Melbourne Synod in December 1992 following its passing by General Synod the previous month. An example of the second is the 2009 Professional Standards legislation, brought to Melbourne Synod’s most recent session on behalf of Archbishop-in-Council.

Synod can also ask Archbishop-in-Council to prepare legislation in a particular area for consideration at a future session, and individual Synod members can bring draft legislation privately, though this is both unusual and generally not advisable unless they believe their proposal is likely to attract a high degree of support.

See page 17 for the separate section on presenting legislation to Synod.





Resolutions

While usually not binding, resolutions are influential statements that recommend certain courses of action or offer comment on matters of concern. Most are directed internally to parishes, the Archbishop or Archbishop-in-Council.

Other Synod resolutions often deal with matters of concern in the wider Church and community, offering formal advice or comment to the General Synod, the Anglican Communion, federal and state governments, and other bodies.

They are an important means by which the Anglican Church can make its views and perspectives known in a considered and representative way. The resolutions of Synod are recorded in the Synod synopsis in the annual diocesan Year Book, and on the diocesan website.

See page 19 for the separate section on proposing motions to Synod.

Elections

Synod members elect people to a number of diocesan committees, as well as those who will represent Melbourne Diocese on wider Anglican bodies. Diocesan committees elected by Synod, either fully or in part, include the Council of the Diocese, the Social Responsibilities Committee, the Diocesan Stipends Committee, and the Board of Nominators (the body responsible for preparing a list of candidates for the election of an archbishop by Synod members). Synod also elects Melbourne's representatives on the Provincial Council (which also includes representatives of the other four dioceses in Victoria) and the national General Synod of the Anglican Church of Australia. These elections are mostly held at the first session of a new Synod, with nominations called in the Archbishop's Mandate summoning Synod to meet.

Melbourne Synod elections use a quota preferential proportional representation method of counting (similar to the method used to elect the Australian Senate). The purpose is to encourage representation of the diversity of the diocese among those elected, and to have a fair process for filling casual vacancies.

Questions

At the beginning of each meeting of a session, the agenda provides opportunity for members to ask questions. These are directed to the President (or to another member of Synod relating to a Bill or other business in which that member is concerned), and must be confined to matters of fact, not opinion. Answers to the questions are usually given publicly at the commencement of the next meeting, unless the matter is complex and requires more research. In this case, the answer will be provided to Synod members in writing at a later date.

Other Synod activities

Synod also provides a forum where those attending can hear about Diocesan activities, such as the Church's response to the Black Saturday bushfires for example, through information presentations. Other presentations might highlight the work of mission and welfare agencies or diocesan committees. Synod must first give leave for presentations to be made.



How does Synod work?

The Mandates

The Archbishop issues a Mandate (authorization) for the election of a new Synod, in accordance with the rules established by the Synod Act 1972. Parish representatives are elected in response to that Mandate and not, as is sometimes thought, as part of the elections held at the parish annual meeting. If for any reason a new parish representative needs to be elected during a Synod term, then the parish must apply to the Archbishop for a fresh Mandate. Names of Synod members are then forwarded to the Diocesan Registry.

The Archbishop also convenes Synod by issuing a Mandate, or summons, to members. This is usually done by letter to all members several months in advance of the meeting date. The Mandate states the vacancies for which elections will be held and provides deadlines for the submission of nominations and motions. Practical information about the venue, parking, catering and other organisational details is provided, and should be read carefully. Other mailings supply copies of reports from the various bodies accountable to Synod, such as the Archbishop-in-Council, together with details of the motions submitted, budget papers and a list of nominees for any elections.

The Presidential Address

Synod sessions commence with the Synod Eucharist in St Paul's Cathedral. Following the Eucharist, the Archbishop delivers the Presidential Address, sometimes called the "charge" to Synod. In this address, the Archbishop customarily offers a perspective on matters confronting the Diocese, the wider Church, and the community, often outlining plans and directions, and may also offer a view on matters coming before the Synod meeting.

Standing Rules and Orders

This is the name given to the meeting rules for the conduct of Synod. As they are currently formulated, they can be quite complex to navigate. They have been finely honed over the more than 150 years that Melbourne Synod has been meeting, and provide a carefully considered, comprehensive means of running a meeting that is fair to all participants, while respecting the seriousness of Synod business. The Standing Orders can be found at

<http://www.melbourne.anglican.com.au/main.php?pg=download&id=11875&m=1212570821>

Synod Committees to inquire and report

When a topic needs further work before coming to a conclusion, Synod may resolve to appoint a committee to report on the matter. Standing Orders provide a procedure for setting up a Select Committee of Synod, but it is rarely used because of the complex process to settle on who should serve on the committee. Synod lacks binding power to appoint any other committee, so to avoid questions about authority a motion for a committee to inquire and report on some matter usually requests Archbishop-in-Council to make the appointments constituting a committee. Nevertheless in recent years ordinary Synod resolutions have directly established some working committees, notably in one case a committee to prepare legislation to vary powers and accountability of the Council of the Diocese.





Taking part in Synod

Synod can be daunting at first because of its formal style and detailed rules of participation. Many long-term members are happy to participate simply by attending Synod faithfully, listening carefully to debates and presentations, and voting – both in debates and elections – responsibly. They then report back to their parishes by whatever means their Vicar and Vestry provide, to ensure parishes are kept fully informed of the decisions made by Synod. Their participation is of great value. Others are keen to take a more active role, by speaking in debates (see below) and proposing motions. People who take part in this way need to ensure they understand the key elements of the Standing Rules and Orders.

In debate

When addressing Synod, either in moving or seconding a motion, asking a question or speaking in debate, Synod members are expected to address the President of Synod principally. They must also identify themselves by name and by their Synod membership. So the formula is for members to commence speaking by saying: “Mr President, name (for example, Mary Smith), parish (St John’s, suburb)”. Note: Synod members name their parish in this context only if they are a member of Synod as an elected parish representative. If not, then they should instead identify their membership category, for example, “Council of the Diocese” or “Eastern region representative”, rather than giving the name of their parish.

Synod is a formal assembly, governed by carefully developed, precise rules of participation. It deals with weighty matters concerning the Church and community. Synod members are expected to speak and behave in a manner that reflects the seriousness of the meeting, and in a manner befitting a Christian assembly. This is not to say that there cannot be moments of humour and even good fun! But members must not speak derogatively of other Synod members or of anyone else in the course of a Synod speech. They are generally assured of a better hearing from other Synod members if they have a positive and respectful contribution to make. It is also unacceptable for Synod members to hiss speakers, or “cat call”, or interrupt a speaker (except to ask the President to rule on a point of order), or behave in any other way which could be interpreted as partisan. The Standing Rules and Orders are strict about inappropriate speech and behaviour.

Sometimes a motion is brought forward which Synod members find difficult either to adopt or reject. For example, a motion may call for adoption of a doctrinal or moral stance where bona fide differences of opinion exist within the confessional boundaries of our Church, and the Church as a whole still has an open mind, or where assumptions are asserted as a premise for action without adequate evidence. A procedural method of dealing with such a motion is by moving the “Previous Question”. The “Previous Question” motion must be moved and seconded without debate by members who have not already participated in the debate, and is immediately voted on without speeches. If the motion is passed, the original motion lapses without decision and Synod moves on to the next business. (A motion for the Previous Question may however itself be superseded by a successful motion to adjourn the house.)



Presenting legislation to Synod

Synod courtesies

Synod members stand when the Archbishop enters or leaves the Synod hall. When a member enters or leaves the hall while the meeting is in progress, it is customary for them to incline their head slightly to the Archbishop, as they would do in parliament or a court of law.

Synod dress

The Archbishop, as President of Synod, is traditionally dressed formally in an episcopal cassock. This suggests to Synod members that a degree of care is required about their own dress code. In earlier generations, and still in some dioceses today, clergy are expected to dress for Synod in cassocks or at least in clerical collars. That is not the case in Melbourne, where a more informal style of dress has become acceptable for both clergy and laity. “Smart casual” is generally the expected minimum dress code.

The process for presenting legislation to Synod is quite formal. It happens in four separate stages:

1 Introduction and general debate

The mover and seconder of the bill (the draft legislation) explain the purpose of the legislation and how it works. Synod members then debate the general principles of the legislation, before the Synod votes on it. Opportunity is given for Synod members to ask questions about the bill and its effect in order to understand better the matters on which they will be voting. A simple majority vote is required for the bill to move to the next stage. This stage ensures that protracted work on the detail of the bill is not undertaken without general support for the principle of the legislation.

2 Committee stage

The Synod now becomes a “committee of the whole house”, which discusses the detail of the bill. This stage is chaired by the officer known as the “chair of committees” or a deputy chair, who are officers elected by Synod at the beginning of each Synod term. This is where any amendments are suggested and, after discussion, decided on by a vote. Proposals in committee do not require a seconder. At the end of this stage, a certified copy of the draft legislation incorporating any agreed amendments is produced.



Proposing Synod motions

3 Passing of the bill

This stage is a formal process which happens once the certified copy of the legislation is available. If there have been a number of amendments, this might not be until a subsequent meeting day in the Synod session. The vote at this stage is “by houses”, that is, the clergy vote is taken separately from the vote of the laity. If the bill is not passed (by a simple majority) in each house (clergy and laity) the bill fails. This is an important form of protection, ensuring that legislation is acceptable to both clergy and laity.

4 Assent

The bill does not become church law until the Archbishop assents to it.

The Diocese’s legal officers are always happy to help any Synod member asked to move or second draft legislation.

Any member of Synod can propose a motion for debate at Synod; each motion must be seconded by another member of Synod. In the Mandate summoning Synod to meet, the deadline for submission of motions is set. The Synod Business Committee – elected by the Archbishop-in-Council – arranges the order in which draft legislation and motions are placed on the Synod agenda. In determining the agenda, the committee ensures that appropriate time is allocated for legislation to be debated, as it is the first priority of the Synod. Usually it proposes that bills be made an “order of the day”, that is, allocated a specific time when they will commence. That time allocation requires the approval of Synod once it begins meeting. Next the committee ensures that the most pressing motions before the Synod are placed high on the agenda, followed by the rest of the motions arranged in a suitable order. The committee aims to balance matters in the most reasonable way open to it.

Motions can also be submitted on the first two meeting days of each Synod session, and after that only if Synod agrees by a majority vote (called “leave of Synod”). Unless Synod decides any of these later motions are urgent, they are normally placed on the agenda behind those submitted by the pre-Synod deadline. It is highly likely that later items will not be dealt with before the session concludes. In that case, it is usual for Synod to make a resolution delegating the remaining business to Diocesan Council.



The origins of Melbourne Synod

Both the mover and seconder of a motion have the right to speak to it when it comes before the Synod. Their speeches are subject to a time limit – seven minutes for the mover, and five minutes for the seconder. Other speakers have three minutes. These time limits are enforced unless Synod agrees to a brief extension of time. Speakers can ensure they keep to time limits if, when they write their speeches, they remember the general rule of thumb: 100 words takes one minute to deliver. So a seven-minute speech should be no longer than 700 words. There are time limits on debates, as well as a rule that ensures balance between the number of speakers speaking for and against the motion under consideration. Motions can be amended from the floor of Synod, if those proposing an amendment convince a majority of Synod members to agree with their proposed change. All amendments, both to motions and in the committee stage of legislation, need to be written out clearly and handed to the Synod secretaries to ensure accuracy.

Motions are voted on by the whole Synod, not by separate “houses”.

However, if it is desired that the resolution be binding on members of the Church rather than recommendatory, the vote is taken by houses and requires the assent of the Archbishop.

Once passed, a motion becomes a resolution of Synod.

Melbourne Synod was one of the first Synods in the worldwide Anglican Church. Adelaide and Toronto beat us by a couple of years, and the United States by several decades. Melbourne was, however, the first synod to be authorised by parliamentary legislation. The Victorian Legislative Council passed an Act allowing the creation of a Church Assembly (Synod) in November 1854. When in February 1856, Queen Victoria gave the royal assent to that Act, her government effectively approved the creation of synods throughout the British colonies. Melbourne Synod is still enabled by the 1854 Act of Parliament.

More than 300 years earlier, when the English Parliament legislated to make Henry VIII the Supreme Head of the Church of England in 1534, it declared that clergy and bishops could not assemble and pass canons in any of the king’s realms without the royal assent. The Church of England was to be governed by the monarch, with assistance from the bishops in the House of Lords and the laity in the House of Commons. When the diocese of Melbourne was created in 1847, it was therefore illegal to hold a synod. Our first bishop, Charles Perry, was solely responsible for all aspects of church government, from hiring and firing the clergy to managing church property.

Bishop Perry wanted to share the burden of church government with his diocese, in order to give his clergy security of employment, and to empower the laity whose voluntary contributions made the Church’s work possible in the colony. So he asked the Victorian Legislative Council to help him by passing pioneering legislation to create a governance body of clergy and representative laity.





When the first Church Assembly – later to be called Synod – met on 16 October 1856 at St James’ Church, Melbourne, there were 122 members: the bishop, 53 clergymen, and 68 laymen. As well as the parish clergy, the Assembly included the chaplains to the Melbourne Hospital and the Melbourne Gaol. The first lay members were powerful and wealthy men, including fifteen members of the Victorian Parliament, a judge, several lawyers, businessmen, bankers, headmasters, squatters, and one of the first professors at the fledgling University of Melbourne. Members ranged in age from a 24-year-old deacon to the 62-year old Sir George Stephen, though most were in their thirties or forties. That Assembly was entirely male: women could not even vote for synod representatives until 1914, and could take part in synod as lay members only from 1924 and as clerical members from 1986.

*Information supplied by church historian and
Melbourne Synod member **Dr Peter Sherlock**.*



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Disclaimer:

This document is a general guide to Synod only; readers should refer to the various Acts of Synod and the Standing Rules and Orders for precise definitions and requirements.

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