



Anglican Diocese of Melbourne

Synod

*A guide for members and prospective
members*

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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 Orders for precise definitions and requirements.

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 at times 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:

- Parish governance and all that that entails
- 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
- Encouraging and sometimes implementing change in areas such as 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.

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. Meetings must be held annually (except when there is no Archbishop in place), and generally they are held over a four-day (actually three nights and a Saturday) session in October each year. Occasionally additional meetings are called for specific purposes.

Who are the members of Synod?

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

The Archbishop

The Archbishop is a member of Synod and presides over or chairs its meetings. Although in practice it has been unusual, the Archbishop is entitled to enter into the debates of Synod, and will nominate another person to chair the meeting while participating.

The House of Clergy

Everyone in the diocese who is ordained and holds a full license from the Archbishop, such as incumbents, priests-in-charge, assistant priests and curates, chaplains and assistant bishops are members of Synod.

Clergy who have the Archbishop's 'permission to officiate' or PTO (such as retired clergy) are not licensed and therefore 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 which have paid their parish 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, alternate representatives are also elected, to take the place of an elected member if a member is unable to be present for a full Synod meeting. There is a formal procedure to be followed by alternate members wishing to attend Synod in the place of an elected member, and the alternate must be a

replacement for the whole session, not just a part of it.

Members of Diocesan Council, the Provincial Council of Victoria and General Synod who are not otherwise members of Synod can apply to the Archbishop to be Synod members. In that capacity, the Chancellor, Deputy Chancellor, the Advocate and the Registrar are also members of Synod by virtue of holding their offices.

Lay members, including alternates, are elected at the beginning of each term and hold office for the entire term (usually three years) unless they resign. To be eligible, they must 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 authorising the holding of elections for Synod membership. 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 Parish Councils, they should remember that they are not delegates from their parishes. Their parishes cannot direct them in how they should vote on any matter.

Why become a lay member of Synod?

Synod plays a crucial role in the life of the Church and especially how it is governed. 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 at Synod.

Potential members do not need to have special legal or other expertise, or even to 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 413 lay members and 361 clergy entitled to attend the 2015 session of Synod, a total of 774. Fewer than two thirds of either group attended any one meeting of the session. This is disappointing, given the importance of Synod for the governance of the Church.

In 2016 there will be approximately 760 members.

Only Synod members can participate in Synod debate, and vote 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 (leave) of Synod.

What is the business of Synod?

The main business of Synod is the governance of the Diocese. This is achieved through **legislation** and **resolutions**, as with Parliamentary governance, and through **elections** to key diocesan and national bodies. Synod also provides an opportunity for members to ask **questions** of fact, principally of the Archbishop, but also of any other member.

By law, the only decisions of Synod that are binding are those agreed to separately by the house of clergy and the house of laity and the Archbishop. The invariable practice of this diocese is to make such decisions in the form of legislation. Decisions of the whole Synod are not made by houses and are therefore not legally binding.

Legislation

Legislation is a record of what Synod has agreed to in matters of church governance. Diocesan legislation is binding, in that clergy, lay office holders, such as churchwardens, members of parish council 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. It is especially important that clergy know and contribute to what is in the legislation since they 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.melbourneanglican.org.au/Whowear/Governance/Acts-of-Synod/Pages/Synod-Legislation.aspx>

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 the national church; and
2. Draft legislation promoted by Archbishop-in-Council and usually drafted for the Council by the Advocate or the Chancellor of the Diocese.

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 2013 Parish Governance Act, brought to Melbourne Synod in 2013 on behalf of Archbishop-in-Council.

Synod can ask Archbishop-in-Council to prepare legislation in a particular area for consideration at a future session. 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. The Advocate is happy to advise and assist members who are thinking of doing this.

Resolutions

While 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. Others 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 known in a considered and representative way. The resolutions of Synod are recorded in the Synod synopsis on the diocesan website.

Elections

Synod members elect people to a number of diocesan committees, as well as those who will represent the Melbourne Diocese on wider Anglican bodies. Diocesan committees elected by Synod, either fully or in part, include Diocesan Council, 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 for in the Archbishop's Mandate summoning Synod to meet.

In Melbourne Synod elections, a quota preferential proportional representation method of counting is used (similar to the method used in electing 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 sitting day, unless the matter is complex and requires more research. In this case, the answer may 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 severe bushfires or floods, or 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 function?

The Mandates

The Archbishop issues a Mandate (authorisation) 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 or alternate representative needs to be elected during a Synod term, the parish must apply to the Archbishop for a fresh Mandate. Names of Synod members elected by the parish 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.

Other mailings supply copies of reports from the various bodies accountable to Synod, such as Diocesan Council, together with details of the motions submitted, budget papers and a list of nominees for any elections. . Practical information about the venue, parking, catering and other organisational details is provided, and should be read carefully.

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 perhaps a view on

matters coming before the Synod meeting.

Standing Orders

This is the name given to the meeting rules for the conduct of Synod. As in other situations, participants need to know the rules!

The Standing Orders 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. Completely rewritten Standing Orders were adopted to commence for the 2016 Synod, and for old hands it will be unwise to assume that everything is unchanged from what has previously applied. A detailed knowledge of the Standing Orders enables members to participate fully in the meeting and to use the meeting procedure to achieve outcomes efficiently and fairly.

Participating in Synod

Synod can be daunting at first because of its formal style and detailed rules of participation. It is advisable for members who wish to take a more active role, by speaking in debates (see below) and proposing motions to understand the key elements of the Standing Orders.

In debate

When addressing Synod for any reason, whether in moving or seconding a motion, asking a question or speaking in debate, Synod members are expected to address, principally, the Archbishop who is addressed as "Mr President". Members should state their name and the legal basis for their right to address the Synod. This will usually be their name and their parish. So the formula is for members to commence speaking by saying: "Mr President, name, parish" (eg "Mr President, Jay Brown, All Hallows', Alicetown").

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, General Synod or Provincial Council, 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 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 a motion that the Synod not consider this matter further. (Such a motion may however itself be superseded by a successful motion to adjourn the house.)

Synod courtesies

Synod members stand when the Archbishop enters or leaves the Synod venue. When a member enters or leaves 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.

Microphones

In exceptional circumstances (such as when a point of order arises) the member should first stand in order to gain the President's attention and then move to the nearest microphone. Members should not stand at a microphone when there is no present reason to do so (for example, there is nothing currently before the meeting to which members may speak).

Circulating or distributing papers or materials

Because it is such a wonderful opportunity to promote the local parish fete or the next religious musical event, strange and sometimes problematic circulars and posters have been known to appear at Synod. Rules are now in place to manage how all such material is to be circulated to this large captive audience. Permission may be granted to advertise training occasions or events but it must be sought from the Synod Business Committee before such distribution or promotion occurs. Refer to the Standing Orders for more details or email the Registrar.

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.

Presenting legislation to Synod

The process for presenting legislation to Synod is quite formal. Proposed legislation will invariably be contained in the papers circulated before the meeting. In each case there will be a “Bill” which is the text proposed for the eventual Act, and an explanatory memorandum which provides background explanation but is not part of the formal Bill.

Consideration by the Synod happens in four separate stages:

1 Introduction and general debate

The mover and seconder of the bill seek to “bring in” the bill, that is, to have it considered by the Synod at all. They 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 the motion. A simple majority vote is required for the bill to move to the next stage. If that motion is carried the Standing Orders allow for a choice of procedure. If notice has been given of any amendments, or if the debate suggests that there may be a wish for individual provisions to be debated, then the bill will be considered in committee. If there is no evidence of a wish for such detailed consideration, the mover may seek leave to proceed straight to the passing of the bill.

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 ‘chair of committees’ or a deputy chair, who are officers elected by Synod at the beginning of each

Synod term. This is the time when 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.

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 sitting 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 Advocate is happy to help any Synod member move or second draft legislation.

Proposing Synod motions

Any member of Synod can propose a motion ahead of time for debate at Synod; each motion must be seconded by another member of Synod and it will not be included on the notice paper unless it is. 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 annually, arranges the order in which motions are placed on the Synod agenda. (Legislation generally has priority over other motions.) 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 meeting day of each Synod session (currently Wednesday), and after that only if Synod agrees by a majority vote. Unless Synod decides that any of these later motions are urgent, they are normally placed on the agenda to follow those submitted by the pre-Synod deadline. There is a risk that later items will not be dealt with before the session concludes.

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 (speaking once only). Any other speaker has three minutes and may speak only once. At the conclusion of the debate the mover speaking in reply has another 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.

In the course of the meeting there are opportunities for the President to ask whether any of the resolutions are 'formal', that is, can be agreed to without debate. If a resolution is formal the mover may speak to it for three minutes before it is formally agreed to. (It is wise for the mover not to say anything that might cause members to revisit their decision to allow it to pass.) If a member objects to a motion being considered formal they can be asked by the President for the reasons for their objection.

A condolence motion and a long-service motion are moved at the end of a Session to record the work of previous members. Names are sought from parishes and members prior to the last day of Synod business.

The origins of Melbourne Synod

Melbourne Synod, which first met in 1856, was one of the first Synods in the worldwide Anglican Church. Adelaide and Toronto were earlier by a year or two, 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.

Glossary of terms

Acts of Synod – Legislation made by the Synod. It may be accessed on the Diocesan website.

Alternate –someone who can replace a lay Synod representative who is unable to attend Synod for the whole of a session.

Amendments to motions – motions may be amended by omitting words, by omitting some words and inserting or adding others, or by inserting or adding words. There are many Standing Orders relating to how and when this may be done. Standing Order (SO) 22.

Bill – name given to draft legislation presented to Synod.

Charge – the address or speech given by the Archbishop at the opening of a new session of Synod.

Clergy member – licensed clergy eligible to attend Synod.

Committee of the whole or '*in committee*'– name given to Synod when in the process of considering legislation.

Condolence motion – motion to record former Synod members who have died during the past year. Names should be given to the Registrar by the beginning of the last day of Synod business.

Formal motions – motions that the Synod determines may be adopted without debate. SO 20.1-20.3

Houses – all the clergy, and all the laity, each voting separately.

Lay members – laity elected to Synod membership by a parish, an Authorised Anglican Congregation or a religious community, and those holding certain offices.

Leave – various procedural steps require leave. Leave is granted to suspend Standing Orders unless 10 members stand in their place, and in any other case unless 5 do so.

Legislation – a record of what the Synod has agreed to in matters of church governance.

Long-service motion – moved annually to commend members about to retire who have served the Synod for longer than 10 years in total. Names should be given to the Registrar by the beginning of the last of Synod business.

Mandate – the summons or call of the Archbishop i) to elect lay Synod representatives, or ii) to call the Synod to meet on a specified date.

Meeting – the period of 3 evenings and a Saturday devoted annually to the business of Synod. Also known as an Ordinary Session.

Members – anyone legally entitled to be present and vote.

Motions-These are of different kinds: those that relate to i) the conduct of the meeting (SO 12); ii) pre-session notices of motion (SO 16); iii) notices of motion after a session has commenced (SO 17); iv) motions (general requirements) SO 18; v) motions relating to finance (SO 19); vi) formal motions (see above)

Objections – may occur in response to a motion to suspend the Standing Orders or to oppose the granting of leave for a particular purpose. (SO 13)

Observers – people who are not members of Synod who may attend the meeting but may not vote. They must sit in a designated area.

Order of the day – an item of business (motion or legislation) given a particular time slot during the meeting. (SO 11)

Petitions – may be presented at the start of each day of business. Certain requirements apply. (SO 5)

President – the Archbishop as the Chair of the Synod.

Questions - may be asked of the Archbishop or of any member of Synod. (SO 4)

Quorum – one third of the total members. (SO 7)

Session – name given to each meeting of the Synod. The session may be called Ordinary or Special.

Standing Orders – the rules which govern the conduct of the meeting. These may be found on the Diocesan website.

Synod – the 'parliament' of the church; its lay members are normally elected every three years.

Term – the duration of a membership of Synod, usually three years.

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