

MINISTERIAL DISCIPLINE IN THE METHODIST CHURCH IN GREAT BRITAIN

An address given to the Ecclesiastical Law Society Conference on 30 March 1992
by the Revd. Brian E. Beck, Secretary of the Methodist Conference.

I am very grateful for the invitation to share in this interesting discussion. The issues which Bishop Ronald Bowlby has raised find their counterpart in the experience of the Methodist Church, although we do not have, I am glad to say, the particular problems of freehold. In what follows I intend to be largely descriptive, and will deal first with the system which we operate at present, before moving on to ways in which we are trying to change it.

But first, some preliminary points, to give a context to what I describe.

1. We have no freehold. All ministers are stationed by the Conference, although an invitation system operates, by which ministers may be invited by a circuit. Such invitations are always subject to confirmation by the Conference, and may be overturned by it. The principle of stationing by the Conference applies to all ministers, even if they are permitted to be without appointment, to serve in the sectors or other appointments outside the control of the church, or are retired.

2. Stationing is technically annual. Each year the Conference formally adopts the stations of all the ministers for the coming year. Nevertheless there are declarations of intent. In the case of offices like my own there will be designation for a period, normally six years in the first instance, with extensions of three years at a time. For circuit appointments the normal pattern is an initial invitation for five years, with the possibility of extensions of three years at a time, up to eleven, after which invitations are annual. Changes in appointment take place on the 1st September, although the President has power to change an appointment at any time during the year if need should arise.

3. I have deliberately referred to ministers being stationed to a circuit, not a church, even though in a relatively small number of cases a minister may have pastoral charge of only one local church. Our history has determined that our approach to ministerial appointments is in terms of an area of mission, the circuit, rather than a parish.

So there is built into our system the authority of Conference, exercised through a Stationing Committee, over all appointments, and the theoretical possibility of being moved for any reason whatever. In practice of course things are very different. The human factors, family circumstances, children's education, spouse's employment and so on, limit the possibilities of movement which in theory exist.

As I have said, we are in a process of change. So I describe first the procedures we have now, then changes we are proposing to make.

CURRENT PROCEDURES

We have to distinguish between ending an appointment, that is, terminating it before the expected end of the period for which a minister was invited to a circuit, and ending his (or her) recognition as a minister by the Conference.

Termination of a particular appointment can come about by mutual agreement, but where there is disagreement between the minister and the circuit (that is, usually, the circuit wants a fresh appointment and the minister does not want to go!) the Chairman of the district has power to appoint a curtailment committee to resolve the disagreement. The committee will hear both parties and make a recommendation to the Stationing Committee which reports to the Conference. Frequently the judgment will be, that although there is something to be said on both sides of the argument, if it has become acrimonious it is better for all concerned in the long run if the minister is moved on.

Ending recognition as a Methodist minister (eg for a moral offence such as adultery and desertion of the family home, or on a doctrinal issue, such as refusal in any circumstances to baptise infants) is a more serious and complex matter.

Sometimes a minister may offer a resignation. In such cases the President will appoint a small committee to advise on whether the resignation should be accepted, and, if so, what declaration as to the person's continuing status as a (lay) local preacher or a member of the church should be made. If no resignation is offered and serious offences are alleged, there will be recourse to formal disciplinary proceedings.

Charges must be brought. They may be on the grounds of 'any breach of the discipline of the church . . . or any words, acts or omissions incompatible with the office or standing of the person charged in relation to the church'. They must be submitted in writing to Chairman of the district, who is responsible for setting the process in motion. The Chairman has the power of summary dismissal of the charge if it is considered vexatious, a repetition of charges already dealt with, or in some other way an abuse of the process.

If the case is to proceed, the Chairman appoints a consultative group, of seven ministers, including the Chairman, two chosen by him or her, and two by each of parties. The intention at this stage is to see whether the parties, accuser and defendant, can be reconciled. Proceedings are strictly confidential and the only known outcome is a statement by the accuser as to whether the charges will be proceeded with or dropped. Notice of this must be given at the end of one month from the consultation.

In certain cases this consultative process can be by-passed. In matters of litigation or public knowledge, where, for example, a minister has been before the courts or there is a public scandal, the Chairman can act, and direct the Synod Secretary, acting *ex officio*, to bring a charge. In such cases the consultative group is by-passed and the matter goes straight to a Pastoral Committee.

The Pastoral Committee which sits as a court in all these cases is constituted of nine ministers, five chosen from a panel appointed by the Conference and four chosen by the district Chairman. It is to be completely independent. Both parties have the possibility of challenging its membership. They also have the right to attend the hearing, be present for all the evidence and to be represented. Hearings are in private.

There is provision for appeal, to a committee of nine appointed by the Conference. Appeal is by report. The same conditions of impartiality and the possibility of challenge apply. Beyond this there is the possibility for the accused minister to appeal to the Ministerial Session of the Conference. It is a large

gathering, of 288 ministers, and is a survival of the nineteenth-century process of judgement by one's peers.

The outcome of the process will be a judgement, by the Pastoral Committee or on appeal, which will result, if there is a conviction, in removal from full connexion with the Conference (ie the minister will cease to be recognised as such) 'or some lesser penalty', which might be a compulsory change of station, compulsory retirement, counselling, restitution, or a 'presidential reprimand'. The sentence takes effect when the time for appeal has expired. Every case is reported to the Conference for the record.

At present, as you will have noticed, the process is exclusively in the hands of ministers. This represents our historic tradition. For how long this will survive I do not know. Attitudes are changing.

NEW PROPOSALS

On the whole the system I have just described has served us reasonably well. It has sought to secure natural justice for the person accused, and to avoid the suspicion of kangaroo courts. But there have been areas of difficulty.

One difficulty has been that the process is so weighted in favour of justice for the accused that it is intimidating to the complainant. An inexperienced and vulnerable person wishing to bring a complaint against the behaviour of a minister does so in the expectation that the church will 'do something about it'. It is a deterrent then to be told that he or she must frame a charge, be sure that the terms are water-tight, and conduct the prosecution, even with a representative, on his or her own account. There is a danger that the process will be too demanding, to say nothing of the danger that the accused may secure an acquittal on a technicality because of the complainant's inexperience.

Secondly, the counselling group tends to be a pre-trial and fails in its essentially conciliatory purpose. People regard it as a preliminary hearing, and are wary of declaring their full case whether in accusation or defence.

Then there is the ambiguous role of the district Chairman, acting both as pastor and as judge. An element of this dual role is inescapable in the pastoral office, but it is accentuated when the Chairman has a formal role in the process.

There is also the difficulty of getting consistent and workable judgements. There are not many of these cases, and the Pastoral Committee may not consider all the consequential questions that can rise. For example, who pays if counselling is prescribed? What are the implications for pension if a minister is prematurely retired? Frequently, once the verdict has been established, pastoral considerations may affect sentence. Is justice then seen to be done by those who know of the public event, but not of the pastoral factors which led to an apparently more lenient sentence than was expected?

Lastly, there are problems about the enforcement of lesser penalties. There may be arguments about whether the accused has, or has not, complied with the sentence, and whether the reasons given for not doing so are adequate. Who is responsible for follow-up?

For all these reasons we are at present introducing modifications to our procedures. The principles have been approved, and we are at the stage of drafting the legislation for the Conference to adopt. These are the main changes we are proposing:

1. We want the consultative group to be seen more clearly as a conciliation mechanism outside the disciplinary process. It will cease to be an invariable step leading to trial, and will be an alternative, which the district Chairman can invoke when it is apparent that what is presented is not a fault for which a minister ought to be disciplined but a personal disagreement or misunderstanding. The new provisions will not lay down a hard and fast constitution for the consultative group, which might in fact be a single individual.

2. We have distinguished the complaint and the charge, the complaint *being that which is registered by the person aggrieved, and the charge the formal accusation brought at a later stage.* The first step will now be for the complaint to be referred to a small committee of inquiry (no more than three persons, including one with legal expertise) to investigate. It will have power to interview all parties and determine whether a case exists which ought to be the subject of a charge. If so, it will be responsible for bringing the charge, and prosecuting it before the Pastoral Committee (to be re-named a Disciplinary Committee) and to take it to appeal if necessary. Both parties will have the right to attend the hearing and be represented, but the responsibility for prosecution will be lifted from the shoulders of the complainant.

3. There will be the same provisions as before for appeal, but we are attempting to clarify the grounds. Some people seem to imagine that an appeal simply means they have the chance to have another go at a case they have lost!

4. In order to monitor consistency and attend to the question whether justice is seen to have been done, the President will have the power to refer a case to appeal if the sentence (not the verdict) seems out of keeping with the treatment of apparently analogous cases or with the gravity of the offence of which the accused has been found guilty.

5. We are including provisions for the follow-up of the sentence, for the announcement of the outcome of a hearing and for the pastoral care of the parties, including, beside the minister and his or her family, those injured by the events and the local church itself, perhaps suddenly deprived of a loved and seemingly faultless pastor.

6. All this has led us to ask, what are our expectations of ordained ministers? It may be of interest to quote the answer we reached. It is in terms of what might be called the top and bottom line. The top line, our positive expectations, would be:

- A sense of vocation;
- A firm, honest Christian faith;
- A spirituality complementary to such a faith;
- Growth in personal maturity and the fruits of Christian grace;
- Responsible relationships;
- Seriousness in exploring and presenting the faith.

The bottom line, behaviour which, unless there were unusual extenuating circumstances, would be likely to lead to dismissal, would be:

- Continuous non-attendance at an appointed station without official leave of absence;
- Persistent and serious neglect of pastoral duties;
- Wilful and flagrant disregard of our discipline and usage;
- Malicious disparagement of the work and position of another minister or colleague;

Racial or sexual abuse or harassment;
 Proven responsibility for the breakdown of the marriage of another party through liaison with a partner in that marriage;
 Wilful, indefensible destruction of another's property or inflicting of bodily harm or the causing of such unacceptable loss, damage or injury through serious, culpable negligence;
 Dissemination of doctrines contrary to the established standards of doctrine in the Methodist Church.

7. Finally, we are venturing into new ground, by looking at questions of ministerial competence. Many of the complaints against ministers are not about moral or doctrinal faults, they are about consistent unsatisfactory performance, inability to cope, unreliability. The symptoms are often frequent changes of appointment, and expressions of dissatisfaction over long period. A minister may become very difficult to station, because he (or she) gains a reputation for being a dead loss. Sometimes this is because a minister is trapped. Having entered the ministry in the early twenties, he or she now finds in later life that they are in the wrong vocation, but there is no means of escape. They have training for nothing else, no other source of income and live in a tied house. In other cases the problem may be more temporary, a mid-life crisis of confidence which, with help, can be surmounted.

We are still working on the details of our proposals in this area. Cases need to be identified, and the problems diagnosed. The stress must be on positive curative action, counselling, further training, medical treatment and so on, but the bottom line must be the possibility of dismissal for those who cannot, or will not address the problems or seem bent on exploiting the system to their own ends.

Let me end with two theological footnotes. The first is simply a matter of clarification. I have spoken of dismissal, of ceasing to recognise a person as a Methodist minister, for which the traditional terminology is of exclusion from full connexion with the Conference. But nothing can nullify the ordination itself, and ordination is not repeated if there is a subsequent reinstatement.

Secondly, I realise that the system I have described can sound rigorist. It is important always to remember that the Church itself is under judgement. Those who pass sentence must themselves answer before God. But we are dealing here with the behaviour of ministers and other office-holders who have a standing as the authorised representatives of the church and the gospel. When something goes wrong the Church itself is placed in a position where it must own or disown what has happened. Self-discipline by the Church is a manifestation of obedience to and witness for the gospel. There is a double edge to this. I am grateful that the ordinal in use when I was ordained contained those words (from the Consecration of Bishops in the BCP), 'Be so merciful that you be not too remiss; so minister discipline that you forget not mercy.' I have found that balance a constant guide. But it is more than mercy. The Church bears witness to the gospel not only by the discipline it imposes on itself but also by acts of forgiveness, and this must mean in appropriate cases the possibility of reinstatement. But that is another story and another set of problems.