

62. Report of the Law and Polity Conference Sub-committee

First Report of the Law and Polity Conference Sub-committee

1. The Law and Polity Conference Sub-Committee notes that in the report of the Covenants of Care working group at paragraph 7.1 (Agenda page 352), the group proposes, for the reasons there set out, the use of the term “safeguarding contract” for what have become known as covenants of care. Section 69 currently refers to “written contracts” and the use of the word “contract” in this context is therefore not new. The sub-committee wishes, however, to draw to the attention of the Conference that at page 82 of the Agenda, the Law and Polity Committee in paragraph 15 of its first report has already highlighted the need to explore the implications of the continued use of the word “contract” in section 69.
2. The sub-committee does not propose any changes to the draft amendments to Section 69 set out at pages 498-499 of the Agenda. However, in the light of the Supreme Court case and the steps already taken by the Conference in response, which form the background to the Law and Polity Committee’s report at page 82, the Sub-committee advises the Conference that in its opinion the continued use of the word “contract” in section 69 should be given further consideration over the course of the next year. It proposes that the Law and Polity Committee should consult with the Safeguarding Committee on the issue whether an expression which points to a legally enforceable relationship is appropriate and on a suitable alternative if the word “contract” is found to have unintended consequences, and should report its conclusions and recommendations to the Conference of 2018.

*****RESOLUTIONS**

62/1. The Conference adopted the Report.

62/2. The Conference directed the Law and Polity Committee in consultation with the Safeguarding Committee to examine whether the use of the word “contract” in Section 69 is appropriate having regard to its legal implications and to bring to the Conference of 2018 a report of its conclusions and any proposals for consequential amendments to Standing Orders.

Second Report From The Law And Polity Conference Sub-Committee

3. Under Standing Order 131(25) the Law and Polity Conference Sub-Committee may move without notice a resolution seeking to make consequential provisions or to give better achievement of the intention of the Conference. The following resolutions are brought pursuant to this Standing Order.

*****RESOLUTION**

62/3. By way of consequential provision the Conference amended Standing Order 730(12) and (13) as follows:

730 (12) In the case of an application by a person resident outside the home Districts, ~~whether or not within clause (11) above,~~ the Methodist Council....

(13)(a) ~~Notwithstanding clause (11) above, if~~ the Ministerial Candidates Selection Committee

- 62/4.** By way of consequential provision following its acceptance of Notice of Motion 106, the Conference directed the Council, in response to the memorials from the East Anglia, Manchester and Stockport, Northampton, York and Hull, South East and Cumbria Synods accepted by the Conference of 2015:
- (a)** to bring a fuller report of the findings of the Training Review Group to the Conference of 2018; and
 - (b)** to include in its report an account of the evaluations made by the Strategy and Resources Committee of those recommendations and any provisions for implementation which have been made or are proposed.
- 62/5.** By way of consequential provision following its acceptance of Notice of Motion 2017/101, the Conference amended resolution 14/3 to read:
- (a)** The Conference adopts the report and recommendations in paragraphs 1.17 to 1.19 as amended by the Notice of Motion with effect from 1 September 2017 but not the recommendations in paragraphs 1.20 to 1.21.
 - (b)** The Conference directs the Connexional Allowances Committee to bring to the Conference of 2018 an appropriate recommendation for the use of any balance outstanding in the Computers in Ministry scheme fund.
- 62/6.** For the better achievement of its intention, the Conference amended resolution 22/2 to read:
- The Conference directs that the guidance contained in paragraph 2.4.5 of this report on record keeping and pastoral ministry as amended from time to time in accordance with the statements made to the Conference should be placed on the Methodist Church website alongside the section on confidentiality contained in the 2008 Conference report *With Integrity and Skill*.

Consultation on special resolutions

Special resolutions adopted by the Conference are required to be confirmed at the next Conference before coming into effect, with appropriate consultation in the intervening period. It is the Sub-Committee's responsibility to advise the Conference on that consultation.

The substance of the Sub-Committee's advice is set out in the following resolution:

*****RESOLUTION**

- 62/7.** The Conference, having considered the advice of the Law and Polity Conference Sub-Committee, directed in accordance with Standing Order 126 that the appropriate consultation in respect of special resolution 9/5 shall be by submission to the Methodist Council under Standing Order 126(1)(c).