

6th October 2023

Dear Archbishop Justin and Archbishop Stephen

Re: LLF Proposals

We are writing to assure you of our prayers as you meet next Monday (9th October) with the House of Bishops. We are aware that you will be making a decision on what to bring to November's Synod.

In the course of our previous correspondence (letters of 11th May, 3rd July and 14th August to the College of Bishops) we sought to impress upon you the need to exercise caution commensurate with the significance of the issues under discussion. Instead, it now appears that a decision is about to be made to implement the various changes without the participation of the General Synod, using Canon B5A.1 to authorise, in whole or in part, the draft Prayers of Love and Faith for experimental use as services within the Church of England. We also understand that this process is to be adopted without any published agreed final form of theological or doctrinal evaluation which formed the basis of your assurance to Synod in February 2023 and the presentation and adoption of the amended resolution at that time.

We believe that this way forward, like all routes other than immediate consideration by General Synod in accordance with Canon B2, is not a safe, effective or legitimate means by which the Prayers can be finalised and adopted for use in the Church of England. We are concerned that to introduce new and unprecedented controversial forms of prayer by Canon B5A is a use of this canon which does not grant Synod its proper function and role as a representative deliberative body intended to ensure authentic witness to the Church's mission and to determine that our liturgy is in conformity with our doctrine. This remains the position whether the Prayers (original or modified) are presented in isolation or as part of a package of measures including pastoral guidance of some unspecified kind.

We are obliged to point out that express assurances were provided in the February Synod, and Synod itself adopted the amendment that said no changes would be introduced which might be "contrary to or indicative of a departure from the doctrine of the Church of England". The way forward will therefore require the provision of sufficient theological evaluation and assessment to enable Synod's doctrinal evaluation of any further developments in relation to liturgy along with clear and convincing final legal advice as past legal advice was based on an unconvincing distinction between civil marriage and holy matrimony and provisional until agreement on the final form of the Prayers and the Pastoral Guidance. To seek to proceed without these and without clarity as to the complete Pastoral Guidance and an agreed settlement involving sufficient Pastoral Reassurance would not honour the assurances given or the Comes amendment and would further erode trust. Any attempt to innovate now and deliberate later is fraught with legal and pastoral difficulty.

Given these realities, we would urge you to pause the current process until FAOC has presented coherent theological options and offered an evaluative judgement on the competing and contradictory theologies that exist in the current debate. The following issues require resolution in advance of any liturgical innovation, namely:

- The Church's teaching on Same Sex Marriage;
- The Church's view on the canonical standing (if any) of Same Sex Marriage; and
- Whether it is necessary for the Church to re-engage with and re-assess its doctrine and teaching on Holy Matrimony and sexual intimacy.

We would add that the need for resolution of these issues has been identified by your own legal advisors; and detailed in the course of Advice previously shared with Synod. We emphasise that this route would instil confidence in both process and outcome and ensure the pastoral consistency and stability which is central to the Church's mission.

Should you and your colleagues be of the view that the Prayers should be adopted now (with or without the components previously identified) we urge you to present these innovations to Synod under Canon B2 at the earliest opportunity by bringing the Prayers forward as they stand for First Consideration. This would represent a clear move forward implementing February's decision and is much to be preferred to separating the proposed prayers into different unprecedented and illegitimate routes of B5 and B5A and deferring use of B2 to a later date.

However, despite the constitutional and historical significance of these issues, it is apparent that neither of you are prepared to respond or address the views which have been expressed in our letters. Instead, there is a clear strategy to implement these innovations upon a 'come what may' basis; by whatever means. To this end, your latest formulation appears to rest upon the notion that some of these profound changes may be achieved by indirect means; using Pastoral Guidance for this purpose. Furthermore, it appears that you will only be initially presenting the most anodyne part of the Pastoral Guidance to the Synod in November, whilst leaving placeholders to be filled in at a later date for the sections where the most profound changes are likely. This is fundamentally irreconcilable with the synodal framework by which the Church is regulated. It is essential that what is brought forward to Synod is brought as an integrated scheme. The three elements of the Prayers, Pastoral Guidance and Pastoral Reassurance are integrated realities and they are mutually dependant. It would be contrary to all the commitments given thus far at Synod to then attempt to deal with them in a piecemeal and separate manner. We have been assured throughout that they would be addressed together, concurrently and in their entirety.

We have said all along that we want to be part of the solution rather than part of the problem. Our desire throughout has been to reduce the current serious risks to the Church of England's unity and reputation and to find as consensual, rather than conflictual, a way forward so we can continue to walk together as closely as possible during this ongoing process of discernment.

In the event that you, the Archbishops, are so confident of the legitimacy of your legal position and the by-passing of Synod in this way, it is open for you to commence your own proceedings for a declaration as to the lawfulness and vires of this course of action. However, the fact that there has been no such proposal is telling.

Nonetheless, as you are poised to implement these proposals, we invite you to disclose the legal advice upon which you rely for the purposes of this strategy. We note that previous iterations of the advice have been shared in part with members of Synod. However, the failure to make such a disclosure of advice at this stage might lead to the suggestion that this is due to the inability of your legal advisors to provide any sustainable legal analysis or endorsement for the path which you have seemingly chosen.

Our proposal is that, as is done by other bodies in which there is uncertainty and internal disagreement about due legal process and whether or not proceeding to act in a certain way is constitutional or *ultra vires*, the next step should be for the House and/or the Archbishops to seek secure confirmation that due process has been followed and to clarify the legality of using any proposed route for introducing the Prayers other than Canon B2.

Rather than simply using self-assessment or relying on the inherently uncertain and contested character of internal legal advice, this outcome is best achieved by auto-referring any proposed way forward for judicial review before proceeding with it. This will demonstrate that the concerns that we and others have raised are being taken seriously, establish beyond doubt the legal framework of the Church of England which we all wish to uphold, and avoid the inevitable alternative of other interested parties seeking such judicial review.

We hope that you will seriously consider this proposal, our deep concerns about following any course other than Canon B2 that have led us to make it, and our desire to discern a better way forward.

With love in Christ

Fr Adam Gaunt, Chair of **Catholic Group** in General Synod
Emma Joy Gregory (née Forward), Vice-Chair of **Catholic Group** in General Synod

Tom Middleton, Director of **Forward in Faith** and Secretary of the Council of Bishops of **The Society**

Busola Sodeinde, Church Commissioner and **UK Global Majority rep**
Ade Adebajo, Lay Chair of London Diocesan Synod, Chair of Lambeth Partners and **UK Global Majority rep**
Canon Dr. Addy Lazz-Onyenobi, Member of General Synod and **UK Global Majority rep**

Revd Dr. Rich Johnson, National Leader, **New Wine**
Revd Wole Agbaje, Head of Young Adults, **New Wine**
Revd John Coles, **New Wine** Ambassador
Revd Paul Harcourt, former National Leader, **New Wine**

Revd Archie Coates, Vicar of Holy Trinity Brompton and Head of **HTB Network**
Revd Nicky Gumbel, President of Church Revitalisation Trust, **HTB Network**
Revd Sarah Jackson, CEO of Church Revitalisation Trust, and Chair of **HTB Network** on General Synod
Revd Jago Wynne, Vice-Chair of **HTB Network** on General Synod

Revd Canon John Dunnett, Chair of **Evangelical Group on General Synod (EGGS)**
Jane Patterson, Secretary of **Evangelical Group on General Synod (EGGS)**

Rt. Revd Julian Henderson, President of **Church of England Evangelical Council**
Sarah Tett, Trustee of **Church of England Evangelical Council**

Revd Kieran Bush, Chair of the **ReNew** Planning Team
Debbie Buggs, Member of **ReNew** and Member of General Synod and of the Crown Nominations Commission

Revd John McGinley, Executive Director of **MYRIAD**

Ed Shaw, Ministry Director of **Living Out**
Revd Canon Vaughan Roberts, Co-Founder of **Living Out**
Rt. Revd Keith Sinclair, Trustee of **Living Out**
Helen Lamb, Trustee of **Living Out**

All signatories are leaders of networks/organisations but are signing in their personal capacities, recognising they cannot claim to speak for everyone that they lead.

A copy of this letter has been sent to:

- The College of Bishops
- Members of the Archbishops' Council
- First, Second, Third Church Estates Commissioners
- Secretary to the Church Commissioners' Board of Governors
- Chair, Audit and Risk Committee, Church Commissioners
- Secretary-General of the General Synod of the Church of England