

# MOWatching

newsletter of MOWatch Australia

November 2005

## Women as bishops before Appellate Tribunal

The question of women as bishops in the Anglican Church of Australia is now before the Appellate Tribunal, the Church's highest legal body.

Under a provision of the Church's Constitution, 28 members of General Synod have submitted a question seeking clarification of the constitutional situation. These members, led by Dr Muriel Porter (Melbourne), are representative of a broad sweep of Australian Anglicans. Equally divided between clergy and laity, women and men, they come from eight dioceses – Adelaide, Brisbane, Canberra & Goulburn, Gippsland, Melbourne, Newcastle, Perth, and Tasmania.

However, because they are individuals, they have no formal sources of funds to meet expenses inevitably arising out of their submission, even though their legal team is working *pro bono*. They are seeking donations from people who support the cause of women bishops.

### Submitted question

The question the 28 members have submitted is:

*“Given that:*

1. the opinion of the majority of the Appellate Tribunal, expressed in its 1991 opinion, was, that it was the constraint imposed by section 71(2) of the Constitution that then prevented the ordination of a woman as a priest or the consecration of a woman as a bishop in the Anglican Church of Australia;
2. in the case of the ordination of a woman as a priest, such constraint has been removed in a diocese which has adopted by ordinance the Law of the Church of England Clarification Canon 1992; and
3. the definition of “canonical fitness” as it relates to a person elected bishop contained in section 74(1) of the Constitution was amended to its present form with effect from 5 June 1995;

is there anything in the Constitution which would now prevent –

1. the consecration of a woman in priests' orders as a bishop in this church in a diocese which by ordinance has adopted the Law of the Church of England Clarification Canon 1992; or

*MOWatching* is produced by MOWatch Inc. Editorial responsibility is taken by Charles Sherlock, 3 Lelant St Trentham 3458. Written contributions should be emailed to [c.sherlock@mcd.edu.au](mailto:c.sherlock@mcd.edu.au).

## ‘New leadership, new energy, new ideas’

- Sydney MOW chair

TWENTY PEOPLE attended the Sydney MOW Annual General Meeting on August 6th, 2005, at Saint Luke's Anglican Church, Concord. As we had been one year without a convenor this meeting was a significant one for our organisation.

The Chairperson, Elaine Peterson, presented a report in which she explained the reality of the need for new leadership, new energy and new ideas.

### ‘Alternative voice’

Two options were presented: that Sydney MOW elect new leadership, or go into recess. The meeting resolved into a ‘Committee of the Whole’ to consider these options. It quickly became clear that members were very concerned to maintain an organised presence with an alternative voice within the Anglican Diocese of Sydney.

A successful election of officers was then held, resulting in the following office-bearers:

**Convenor:** Christine Middleton  
email: [xanadu@ihug.com.au](mailto:xanadu@ihug.com.au)

**Secretary:** Carol Russell  
email: [carlaw@bigpond.net.au](mailto:carlaw@bigpond.net.au)

**Treasurer:** Lawrie Russell

**Committee** (*in alphabetical order*):  
Chris Albany, Sue Emeleus,  
Bronislara Lee, Judy Little,  
Elaine Peterson

A sense of encouragement and relief could be felt as the meeting concluded, with a blessing from the Revd Sue Emeleus. □

Carol Russell,  
Secretary, Sydney MOW

*Continued overleaf*

## Women as bishops before Appellate Tribunal

*Continued from front page*

2. the installation of a woman so consecrated as a bishop of such a diocese?

The 28 members are being represented by a team of wonderful, generous *pro bono* lawyers, led by Dr Clyde Croft SC of Melbourne. Muriel Porter is working closely with the legal team as an advisor and research director; her daughter Emily is the team's instructing solicitor. A group of theologians is also preparing to assist with expert advice.

The Diocese of Canberra & Goulburn has been accepted as an official party to the proceedings, supportive of the case promoted by the 28 members.

The Standing Committee of the Diocese of Sydney is opposing the case: its legal team is also representing 'Equal But Different', the Sydney-based group opposed to women's ordination.

### Preliminary challenge from Sydney

The lawyers working for the 28 members have already expended a great deal of time, energy and expertise dealing with the first onslaught from the legal team briefed by Sydney. Without prior warning, they brought a submission to the Tribunal preliminary hearing, held in July 2005, that the question as asked did not constitute a valid question under the terms of the Church Constitution. The '28' team has now submitted its formal response.

Sydney has already signalled that if the Tribunal accepts the question is valid, they will then submit that the Tribunal should not answer it. That in turn will require a detailed, formal reply. Only once that issue has been dispatched (hopefully in favour of the '28'), will the substantive issue then be able to be dealt with. A provisional hearing date for the main issue has been set for August 2006 in Sydney.

### Support funding needed

The lawyers and theologians are most generously donating their time. But inevitable expenses already have arisen, and will continue - large-scale photocopying, teleconferencing, couriers, etc., and probably some travel costs for the lawyers to make submissions to the public hearing. *MOWatch* has auspiced a fund to assist with these expenses, organised by Susan Sandford. Please send donations to

Susan Sandford,  
15 Edmund Street, Clifton Hill, Vic 3068,  
marking the envelope "W-BAT Fund".

Cheques and money orders should be made payable to 'MOWatch Incorporated'. □

## President's Column

It is with mixed feelings that I write, at this time, as the past year has been a particularly difficult one during which I had to make a couple of tough decisions.

First, I decided not to seek a second term of office as General Secretary of the *Tasmanian Council of Churches* and secondly, I had to accept that there were no other opportunities for me to continue to minister in Tasmania.

So rather than writing to you from the Holiday Isle I am presently in a much warmer location, 365 kms west of Brisbane, at Goondiwindi where Jack and I will be for about three months as locum until their new priest arrives early 2006.

During the past few months I have been in touch with many good friends on the mainland who have supported me during this time and I take this opportunity of thanking all of them for their prayers and encouragement. I am looking forward to new adventures in 2006.

I particularly want to thank the executive of *MOWatch* who have continued to work through the decisions of our last AGM, and Charles Sherlock for his offer of assistance to edit our Newsletter.

**The best news of all is that plans are well in hand for a Conference in August 2006** (see separate leaflet). Kathy Toal has set up an account so that you can begin to 'save' for the occasion between now and then. It would be an even greater event if we could have representatives from every diocese and any ideas, support or promotion you can offer to help make this happen would be appreciated.

The proposed date for our 2005 AGM was November but due to my own circumstances 'out west' we may have to postpone it until the New Year. This may prove to be beneficial, however, as we can also take advantage of a couple of planning days for the Conference.

***Whatever else is on your 2006 calendar, set aside a few days in August to join us in Melbourne!***

Val Graydon,  
*MOWatch President*