FREE CHURCH of SCOTLAND

2024 General Assembly

Reports & Documents

Scottish Charity No: SC012925

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PERSONNEL

Rev. MALCOLM MACLEOD ..... Moderator

Rev. Professor Dr ROBERT AKROYD ..... Retiring Moderator

Rev. STEPHEN ALLISON ..... Principal Clerk *pro tem*

Rev. NEIL L. MACDONALD ..... Assistant Clerk

Mr ANDREW GIFFEN ..... CEO

Messrs BALFOUR + MANSON, LLP, EDINBURGH ..... Law Agents

GENERAL ASSEMBLY PROGRAMME

MONDAY 20th MAY 2024
SESSION ONE

MEMORANDUM The Moderator will take the Chair at 6.00pm.

1. Sermon by the Retiring Moderator
2. Constitute
3. Conflicts of Interest
4. Election of Moderator
5. Thanks to Retiring Moderator
6. Presentation of Bible to Moderator by Scottish Bible Society

   (Elaine Duncan, Chief Executive, SBS)
7. Report of the Assembly Business Committee
8. Report of the Assembly Clerks' Office – General
9. Announcements and Adjourn

TUESDAY 21st MAY 2024

SESSION TWO

(9.00am – 5.00pm)

MEMORANDUM The Moderator will take the Chair at 9.00am.

1. Constitute
2. Minutes of 1st Session
3. Conflicts of Interest
4. Moderator's Address
5. Report of Committee to prepare Loyal and Dutiful Address
6. Report of the Mission Board
7. **ORDER OF THE DAY at 2.00pm - Reception of Delegates and Observers**

Megan Patterson	Christian Values in Education (Scotland)	
Chris Greenhalgh	Open Doors UK	

8. Board of Ministry – Supplementary Report 1 (*in private*)
9. Adjourn

MEMORANDUM The Assembly will suspend its sitting from 12.30pm until 2.00pm and will rise not later than 5.00pm.

TUESDAY 21st MAY 2024

SESSION THREE

(6.30pm to 10.00pm)

MEMORANDUM The Moderator will take the Chair at 6.30pm.

1. Constitute
2. Conflicts of Interests
3. **ORDER OF THE DAY** – Reception of Delegates & Observers

Elaine Duncan	Scottish Bible Society	
Mr Andy Hunter	Fellowship of Independent Evangelical Churches (FIEC)	

4. Report of the ETS Board
5. Report of the Ecumenical Relations Committee
6. Overture – Presbytery of Glasgow and Argyll
7. Adjourn

MEMORANDUM The Assembly will rise not later than 10.00pm.

WEDNESDAY 22nd MAY 2024

SESSION FOUR

(9.00am to 5.00pm)

MEMORANDUM The Moderator will take the Chair at 9.00am.

A period will be set apart for prayer before the Session is constituted.

1. Constitute
2. Minutes of 2nd and 3rd Sessions
3. Conflicts of Interest
4. **ORDER OF THE DAY – Reception of Delegates, Representatives & Observers**

Rev. Dr Iain Wright	Orthodox Presbyterian Church	
Rev. John Roger	Presbyterian Church in Ireland	

5. Report of the Board of Trustees
6. **ORDER OF THE DAY at 12.00noon – Visit of Lord High Commissioner**
7. Board of Trustees – Supplementary Report *(in private)*
8. Board of Trustees – Communications Breakout Session
9. Report of the Assembly Clerks – General Assembly Remits
10. Assembly Clerks' Office – Supplementary Report (*in private*)
11. **ORDER OF THE DAY at 2.00pm - Reception of Delegates, Representatives & Observers**

Dr Wilbert Chipenyu	Dumisani Theological Institute	
Rev. Patrick Jok	Sudanese Reformed Church	

12. Adjourn

MEMORANDUM The Assembly will suspend its sitting from 12.30pm until 2.00pm and will rise not later than 5.00pm.

WEDNESDAY 22nd MAY 2024

SESSION FIVE

(6.30pm to 10.00pm)

MEMORANDUM The Moderator will take the Chair at 6.30pm.

1. Constitute
2. Conflicts of Interest
3. **ORDER OF THE DAY – Reception of Delegates, Representatives & Observers**

Rev. Robin Tso	Presbyterian Church of Eastern Australia	
Rev. Andrew Downie	United Free Church of Scotland (*Welcome*)	

4. Report of the Committee on the Establishment Principle
5. Report of the Judicial Commission (*in private*)
6. Report of the Committee on Examination of Records
7. Adjourn

Memorandum The Assembly will adjourn not later than 10.00pm.

THURSDAY 23rd MAY 2024

SESSION SIX

(9.00am to Closing)

1. Constitute
2. Minutes of 4th and 5th Sessions
3. **ORDER OF THE DAY – Reception of Delegates, Representatives & Observers**

Rev. J. C. Potgieter	Reformed Churches in South Africa	
Rev. Joseph Steinberg	International Mission to Jewish People	

4. Conflicts of Interest
5. Report of the Board of Ministry
6. Board of Ministry – Supplementary Report 2 (*in private*)
7. Board of Ministry – Elders' Training Session
8. Report on Deceased Ministers and Elders
9. Appointments
10. Appointment of Commission of Assembly
11. Protestations called for
12. Appoint 2025 General Assembly
13. Thanks
14. Minutes of 6th Session
15. Closure

MEMORANDUM The General Assembly will not rise until the conclusion of its business but may suspend briefly.

NOTE

Reports relating to items of business taken up in Private Session will not be included with General Assembly papers. They will be distributed to Commissioners at the appropriate time in the General Assembly.

REPORT

OF THE

ASSEMBLY BUSINESS COMMITTEE

The Assembly Business Committee met in Smithton Free Church, Inverness, on Tuesday 16th April 2024.

(A) GENERAL ASSEMBLY REPORTS

1. ***Assembly Clerk' Report***. The Committee noted that the Assembly Clerks' Report was in two parts this year due to the number of Assembly remits and the size of the Acts of Assembly which form part of the remits. It was also noted that there would be a Supplementary Report from the Assembly Clerks' Office to update the Assembly on the Review Group appointed by the February 2024 Commission of Assembly to examine issues raised in the Petition brought before the Commission by Rev. Ben Fiddian. It was agreed to recommend that the Supplementary Report be taken in private session.

2. ***Board of Ministry***. The Committee noted that there was a Supplementary Report from the Board of Ministry with applications for admission to the ministry of the Free Church of Scotland from Rev. Dr Scott Kirkland, Rev. Alistair Donald and Rev. Colin Buchanan. It was agreed to recommend to the General Assembly that the Supplementary Report is taken in private in line with the normal practice. The Committee also noted that Rev. Colin Buchanan may not be present in person due to ill-health. It was agreed that, in such circumstances, arrangements would be made for the applicant to appear before the Assembly via Zoom.

3. ***Board of Trustees***. The Committee noted the Board of Trustees Report and took up consideration of its contents. It was agreed to recommend that the Report be split and that matters of a sensitive nature be brought before the Assembly in a Supplementary Report. This recommendation is reflected in the proposed General Assembly Programme.

4. ***Judicial Commission***. The Committee noted the confidential Report submitted by the Judicial Commission on the case considered under their remit in the past year. It was agreed that the Report be taken in private.

(B) GENERAL ASSEMBLY ARRANGEMENTS

1. ***Principal Clerk***. The Committee noted that the Principal Clerk, Rev. Malcolm Macleod, was Moderator-Designate of the 2024 General Assembly. It was agreed to recommend that Rev. Stephen Allison, Assistant Clerk, be appointed Principal Clerk *pro tempore* for the duration of the 2024 Assembly and for meetings of the Commission of Assembly when Mr Macleod, as Moderator, will be called to the Chair.

2. ***Assembly Programme***. The Assembly Programme was proposed showing an Order of the Day at the beginning of each Session on Tuesday and Wednesday for delegates and representatives of denominations and organisations, and an Order of the Day on Wednesday for the visit of the Lord High Commissioner. The draft Programme was adjusted and passed, with private sessions allocated as highlighted in Section (A) above, to be recommended to the General Assembly.

3. ***Private Sessions***. The Committee noted the items of business due to come before the General Assembly which were personal and contained confidential information. It was agreed to recommend that the following items be taken in private: (1) Report of the Judicial Commission; (2) Supplementary Report of the Board of Ministry; (3) Supplementary Report of the Board of Trustees; (4) Assembly Clerks' Supplementary Report on the Group appointed by the Commission of Assembly to look into matters in the Northern Presbyetry.

4. ***General Assembly Roll***. The Roll of the General Assembly was noted as per **Proposed Deliverance (A) Paragraph 2**. The Committee noted that the Presbytery of Glasgow and Argyll was unable to meet the full representation in the appointment of Elder Commissioners, with six out of the allocation of seven filled. The Committee noted the difficulty faced by the Presbytery in identifying Elders who were willing and able to attend the Assembly. It was agreed to remind Presbyteries annually that they are able to appoint Elders from other Presbyteries as their Commissioners if they are unable to meet the full allocation of representation.

5. ***Assembly Committees***. The membership of the Committee on the Loyal and Dutiful Address to His Majesty the King, of the Committee on the Examination and the Records of Boards and Committees, and of the Receiving Party for the Lord High Commissioner, were agreed as per **Proposed Deliverance (A) Paragraph 3**.

The Committee considered the current arrangements for the examination of the records of Boards and Committees. It was agreed to recommend that the current practice be discontinued, and that the examination of all records be undertaken by the Assembly Business Committee.

(C) GENERAL ASSEMBLY DOCUMENTS

1. ***Standing Orders***. The draft Standing Orders, updated with changes arising from the 2023 General Assembly, and with the addition of two sub-paragraphs on amendments and addenda in Section (F), Paragraph 9, Sub-paragraph 4 and 5, were considered and approved by the Committee.

2. ***Guidance for Commissioners***. The Committee approved the Guidance for Commissioners issued at the 2023 General Assembly for distribution to Commissioners at the 2024 General Assembly. The Committee recommends that Guidance in its current form be approved for this and future General Assemblies and that approval of its distribution in the future should be only when updates and revisions are made.

3. ***Briefing for Commissioners***. The Committee also agreed to continue the practice of holding a briefing session for all Commissioners to inform them about General Assembly procedures and protocols before the Assembly meets. It was agreed to arrange a briefing session in St Columba's Free Church at 4.00pm for this purpose. It was also agreed to recommend that the General Assembly approve this as an annual event in preparation for the Assembly.

4. ***Conflict of Interest Policy***. The 2023 General Assembly approved a Conflict-of-Interest Policy for the Assembly going forward. Commissioners are reminded to familiarise themselves with the Policy and raise any questions regarding its use and implementation with the Assembly Clerks.

(D) OVERTURES

1. ***Presbytery of Glasgow and Argyll***. The Committee took up consideration of an Overture from the Presbytery of Glasgow and Argyll regarding marriage, cohabitation, and Church membership. The Committee agreed that the Overture was competent and that it should be brought before the General Assembly at a suitable time in the programme.

(E) GENERAL ASSEMBLY REMIT

1. ***General Assembly Remit***. The 2023 General Assembly instructed the Business Committee to carry out a review of all the current arrangements for meetings of the Assembly and to report on the review to the 2024 General Assembly in light of the rising costs incurred by Presbyteries from the attendance of their Commissioners at meetings of the Assembly in Edinburgh. Due to developments in the past year, resulting in additional work for the Clerks' Office, it has not been possible to address this remit. The Committee recommends that this remit be carried over for another year.

(F) EXAMINATION OF PRESBYTERY RECORDS

1. ***Examination of Records***. The Committee examined the Presbytery records submitted by the Presbytery Clerks. The records of the North America Presbytery were submitted in electronic form. The examination showed that there were various matters regarding the form and content which need to be addressed in each set of Presbytery records. The examination included a review of the records relating to cases of discipline and these were found to have followed the correct procedures. The matters recorded were judged to be minor in all cases except for the matters recorded regarding the records of the Northern Presbytery.

2. ***Attestation of Records***. The Committee agreed to recommend that the records of the Presbytery of Edinburgh and Perth, the Presbytery of Glasgow and Argyll, the Presbytery of Inverness, Lochaber and Ross, the Presbytery of North America, the Presbytery of Skye and Wester Ross, and the Presbytery of the Western Isles, be attested as correct. The Committee also recommends that all the said Presbyteries are instructed to address the matters raised in the Report relevant to them and to inform the Assembly Clerks' Office when they have done so.

3. ***Northern Presbytery***. The Committee recorded various matters in the examination of the form and content of the records of the Northern Presbytery which need attention before the records can be attested as correct. In particular, matters relating to conflicts of interest and to the use of a *record apart* (*reserved minutes*) when dealing with confidential and sensitive matters, require attention. It was agreed that the Assembly Clerks would assist the Presbytery in addressing the issues raised.

4. ***Roll of Presbytery***. The examination of records showed that the historical practice of compiling and maintaining an up-to-date Roll of the membership of the Presbytery (*The Practice*, Chapter 2, Part 1, Paragraph 15) is not followed by any of the Presbyteries. The Roll should be extracted from the minutes of the Presbytery and kept in a separate record, in line with the practice for all other Church Courts, and presented for examination with the Presbytery minutes. Template documents have been prepared and distributed to all Presbytery Clerks to assist them in conforming to this practice.

5. ***Permanent Records***. The Committee continues to highlight to Presbyteries the need to ensure that they are following the instructions of Act 4, Class 2, 2018, regarding the filing of and storage of permanent records.

STEPHEN ALLISON, *Convener*

PROPOSED DELIVERANCE

(A) GENERAL ASSEMBLY REPORTS

1. The General Assembly declare that the Assembly Clerks' Report on the Review Group appointed by the February 2024 Commission of Assembly to examine issues in the Northern Presbytery raised in the Petition submitted to the Commission by Rev. Ben Fiddian be taken up by the Assembly in private.

2. The General Assembly declare that the Supplementary Report of the Board of Ministry with the applications for admission to the Free Church of Scotland ministry be taken in private. They approve the use of Zoom audio-visual technology in cases where applicants are unable to be present in person.

3. The General Assembly declare that the Supplementary Report of the Board of Trustees be taken up in private.

4. The General Assembly note the confidential nature of the Report of the Judicial Commission and they declare that the Report be taken up in private.

(B) ASSEMBLY ARRANGEMENTS

1. The General Assembly note that the Principal Clerk, Rev. Malcolm Macleod, is Moderator-Designate of the 2024 General Assembly. They appoint Rev. Stephen Allison, Assistant Clerk, as Principal Clerk *pro tempore* for the duration of the 2024 Assembly and for meetings of the Commission of Assembly when Mr Macleod, as Moderator, will be called to the Chair.

2. The General Assembly approve the Assembly Programme distributed with Assembly papers showing the General Assembly meeting as appointed on Monday 20th May 2024 at 6.00pm and with a total of six Sessions.

3. The General Assembly appoint the Roll of the Assembly as follows:

Presbytery of Edinburgh and Perth			
Ministers		***Elders***	
Rev. Dr Robert Akroyd	ETS	Mr Michael Bowman	Aberdeen
Rev. Ben Castaneda	ETS	Mr Charlie Webster	Broughty Ferry
Rev. Ali Sewell	Haddington CP	Mr Hugh Henderson	Dundee
Rev. John Johnstone	Kirkcaldy	Rev. Dr Campbell-Jack	Falkirk
Rev. Paul Gibson	Perth	Rev. Alistair Donald	Kirkcaldy
Rev. Paul Clarke	St Andrews	Mr Alex Ogilvie	Montrose
Rev. Israel Guerrero	Spanish CP, Cornerstone	Mr Scott Hamilton	St Andrews
Presbytery of Glasgow and Argyll			
Ministers		***Elders***	
Rev. Ian Watson	Blackwood & Kirkmuirhill	Mr Andrew Wood	Bishopbriggs
Rev. James Murray	Campbelltown	Mr Alan Crooks	Blackwood & Kirkmuirhill
Rev. Thomas Penman	Cumbernauld	Mr Gary Henson	Blackwood & Kirkmuirhill

Rev. Iain M. Morrison	Dowanvale, Assistant	Mr Stephen Strong	Crow Road
Rev. Kenneth Boyd	Govanhill	Mr Douglas McLellan	Dowanvale
Rev. Benjamin Wilks	Newmilns	Mr Kevin Scade	Newmilns
Rev. R. Douglas Cranston	Retired		
Presbytery of Inverness, Lochaber and Ross			
Ministers		***Elders***	
Rev. Matty Guy	Dingwall & Strathpeffer	Mr Donald Forsyth	Dingwall
Rev. Calum I. Macleod	Ferintosh & Resolis	Mr Stuart Macleod	Free North, Inverness
Rev. Stephen Allison	Kiltarlity	Mr Iain A. Macdonald	Greyfriars
Rev. Alec Stewart	Maryburgh	Mr Ian Bryce	Nairn
Rev. Murdo Macleod	Nairn	Mr Donald Maciver	Maryburgh
Rev. Alasdair M. Macleod	Smithton	Mr Iain Mackay	Smithton
Northern Presbytery			
Ministers		***Elders***	
Rev. Calum MacMillan	Rosskeen	Mr Roderick Mackenzie	Tain & Fearn
Rev. Roddy MacRae	Helmsdale & Kinbrace	Mr William MacKenzie	Tain & Fearn
Rev. Alistair MacInnes	Dornoch	Mr Fin MacRae	Tain & Fearn
Presbytery of Skye and Wester Ross			
Ministers		***Elders***	
Rev. Neil L. Macdonald	Lochbroom & Coigach	Mr Robert Macdonald	Duirinish
Rev. Colin L. Macleod	Lochcarron & Applecross	Mr William A. M. Fraser	Plockton & Kyle
Rev. Dan Paterson	Poolewe & Aultbea	Mr Murdo H. Macleod	Plockton & Kyle
Rev. Gordon Martin	Muir of Ord (Assessor)	Mr Donald Mackenzie	Raasay
Presbytery of the Western Isles			
Ministers		***Elders***	
Rev. Malcolm Macleod	Retired	Mr Alex MacRitchie	Back
Rev. Colin F. Macleod	Back	Mr Neil Graham	Back
Rev. Iain Thomson	Garrabost	Mr Christopher Martin	High Free
Rev. Calum I. Macleod	Lochs	Mr Gordon Macleod	North Harris
Rev. Iain MacRitchie	Park	Mr Donald M. Mackinnon	North Tolsta
Rev. Calum M. Smith	Stornoway, Assistant	Mr Murdo A. Murray	Stornoway
Presbytery of North America			
Ministers		***Elders***	
Rev. Kent Compton	Desable & Cape Traverse	Mr Stephen Plouffe	Murray River Free Church

4. The General Assembly appoint their Committees as follows:

Examination of Records (Boards & Committees)	
Minister	***Elder***

Rev. Calum MacMillan	N	Mr Douglas McLellan	GA
Rev. Colin L. Macleod	SWR	Mr Donald M. Mackinnon	WI
Rev. Paul Gibson	EP	Mr Ian Bryce	ILR
Convener	Rev. Calum MacMillan		
Receiving Party for the Lord High Commissioner			
Rev. Calum I. Macleod	ILR	Mr Stephen Strong	GA
Rev. Colin F. Macleod	WI	Mr Robert Macdonald	SWR
Rev. Paul Clarke	EP	Mr Murdo A. Murray	WI
Rev. Kent Compton	NA	Mr Stuart Macleod	ILR

Loyal & Dutiful Address to His Majesty the King			
Rev. Malcolm Macleod	WI	Mr Iain A. Macdonald	ILR
Rev. Dr Bob Akroyd	EP	Mr Gordon Macleod	WI
Rev. Alasdair M. Macleod	ILR	Mr Allan Crooks	GA
Convener	Rev. Malcolm Macleod		

5. The General Assembly, noting the recommendation of the Business Committee, declare that the practice of appointing a Committee of the Assembly to examine the records of Boards and Committees be discontinued. They instruct the Business Committee to carry out the annual examination of such records along with the examination of Presbytery records.

(C) GENERAL ASSEMBLY DOCUMENTS

1. The General Assembly approve and adopt the revised Standing Orders, distributed with Assembly papers, as the Standing Orders for this Assembly.

2. The General Assembly approve the Guidelines for Commissioners to the 2024 General Assembly. They declare that the Guidelines in their current form will be the Guidelines for future General Assemblies. They instruct the Business Committee to bring any substantive changes to the document to the Assembly for their approval.

3. The General Assembly thank the Business Committee for the arrangements for a briefing session for Commissioners on Monday 20th May 2024 prior to the Assembly being constituted. They declare the Briefing Session to be standard provision for all General Assemblies. They instruct the Business Committee and the Assembly Clerks to make suitable arrangements annually.

4. The General Assembly instruct Commissioners to familiarise themselves with the Assembly Conflicts of Interest Policy. They direct that, if Commissioners have any doubts, at any time, as to whether a conflict of interest exists, they should speak to the Assembly Clerks.

(D) OVERTURES

1. The General Assembly note the Overture regarding marriage, cohabitation, and Church membership from the Presbytery of Glasgow and Argyll. They declare it to be competent and receivable. They agree to take up consideration of it in the Assembly Programme.

(E) GENERAL ASSEMBLY REMIT

1. The General Assembly note that the Business Committee was unable to carry out the review of all the current arrangements for meetings of the General Assembly in the light of rising costs as instructed by the 2023 General Assembly. They instruct the Committee to report on the review to the 2025 General Assembly.

(F) EXAMINATION OF RECORDS

1. The General Assembly receive the Business Committee report on the examination of Presbytery records and thank the Committee.

2. The General Assembly note the matters highlighted regarding the form and content of Presbytery records in the Examination Report. They also note that the review of records relating to cases of discipline confirmed that the correct procedures were followed at each stage. They declare that all matters are minor except for the matters highlighted regarding the records of the Northern Presbytery. They attest as correct in form and content the records of the Presbytery of Edinburgh and Perth, the Presbytery of Glasgow and Argyll, the Presbytery of Inverness, Lochaber and Ross, the Presbytery of North America, the Presbytery of Skye and Wester Ross, and the Presbytery of the Western Isles.

3. The General Assembly instruct the Principal Clerk to issue the extract of attestation to the said Presbyteries. They instruct Presbyteries to insert the statement of attestation in their records at the first ordinary meeting following receipt of it.

4. The General Assembly note the matters highlighted in the examination of the records of the Northern Presbytery. They instruct the Assembly Clerks' Office to assist the Presbytery in seeking to remedy the deficiencies in the records. They instruct the Presbytery Clerk to submit the records for further examination when all matters have been addressed.

5. The General Assembly instruct the Principal Clerk to distribute the Examination Report to all Presbytery Clerks. They instruct Presbyteries to note the items that have been highlighted in the Report and to take appropriate action to correct deficiencies. They instruct Presbytery Clerks to report to the Principal Clerk when such corrective action has been completed.

6. The General Assembly note that Presbyteries are not following the historical practice of keeping a Roll of Presbytery as a separate record according to the requirements of *The Practice*. They thank the Assembly Clerks' Office for issuing template documents for this purpose. They instruct Presbytery Clerks to revive the practice of keeping a Roll of Presbytery and to include it with the Presbytery minutes in the annual examination of records.

7. The General Assembly instruct Presbyteries to ensure ongoing compliance with the Conflicts of Interest Policy and have this as an item on the agenda of all meetings before proceeding to take up the business on the agenda.

8. The General Assembly remind all Presbyteries of the terms of Act 4, Class 2, 2018 regarding the Recording of Business. They draw the attention of Presbytery Clerks to Paragraphs 4 and 5 of the said Act regarding the filing, the binding, and the storage of records. They instruct all Presbytery Clerks to ensure that all historical records are stored in a suitable and secure archive or, alternatively, that they are deposited in the Church Offices for safe storage according to Paragraph 5 of the said Act.

APPENDIX ONE

Examination of Presbytery Records

The Business Committee met on Tuesday 16th April 2024 to examine Presbytery records and presents its report as follows:

1. The following records were available in paper format:

Record	
Presbyteries	Edinburgh & Perth; Glasgow & Argyll; Inverness, Lochaber & Ross; Northern; Skye & Wester Ross; Western Isles.

2. The following records were available in electronic format:

Record	
Presbyteries	North America

3. The following records require attention but recommended to be attested as passing the examination:

Record	Attention required
Edinburgh & Perth	1. The Conflict-of-Interest Policy is missing in some Minutes. 2. The Roll of the Presbytery, although included in the Minutes, was not presented for the examination in a separate document as required by *The Practice*. 3. The Form of Commission for Representative Elders at Presbytery are not received or recorded by the Clerk. 4. The Records in Ergogrip 4-ring Binder should be transferred to bound format.
Glasgow & Argyll	1. The Minutes of the meeting held on March 2023 have not been signed by the Clerk. 2. The pages of the Minutes of 20th May 2023 are not numbered. 3. Some pages left blank are not appropriately marked. 4. The Form of Commission for Representative Elders at Presbytery are not received or recorded by the Clerk. 5. The Roll of the Presbytery was recorded in the Minutes but not presented for the examination in a separate document as required by *The Practice*.
Inverness, Lochaber & Ross	1. The Form of Commission for Representative Elders at Presbytery are not received or recorded by the Clerk. 2. The Roll of the Presbytery was recorded in the Minutes but not presented for the examination in a separate document as required by *The Practice*. 3. The Clerk should check when the permanent records of the Presbytery were last placed in bound form. 4. When *in hunc effectum* meetings are appointed by the Executive Committee, the minutes of the *in hunc effectum* meeting should record the fact that they were meeting according to the appointment of the Executive Committee, with the inclusion of the date of the meeting of the Executive.
Skye & Wester Ross	1. First page of the Minutes of 26th September 2023 missing. 2. Minutes of 27th February 2024 not signed by the Moderator. 3. Page numbering of the Minutes of 26th September 2023 in a different format. 4. The Roll of the Presbytery was not recorded in the Minutes and was not presented for the examination as a separate document as required by *The Practice*. 5. There is no record of the appointment of Presbytery Committees.
Western Isles	1. Reserved Minutes (Record Apart) not signed by Moderator and Clerk, and pages not numbers or blank spaces line crossed.
North America	1. Pages of the Minutes are not numbered. 2. Blank spaces not line-crossed and blank pages not appropriately marked. 3. Election of the Moderator not recorded. 4. Commissions for Representative Elders not recorded. 5. The Roll of the Presbytery was not submitted. 6. No evidence of the examination of the financial records of congregations.

4. The following records require attention to the issues raised and that they be resubmitted for further examination:

Record	Attention required
Northern – General	1. The Minutes of the meeting held in May 2023 is signed by the Moderator while he was on sick leave. 2. Conflicts of interest have not been recorded at the meetings held in April and May 2023 when the record of those present shows that different members were conflicted for different reasons.

	3. There is no mention of a POV Programme. 4. The Records should be presented in book order, but they have been submitted in reverse order. 5. The recording of issues and decisions relating to confidential, and potential disciplinary matters, do not conform to the approved practice.

REPORT

OF THE

ASSEMBLY CLERKS' OFFICE – PART 1

(A) GENERAL

1. ***Training for Clerks***. The Assembly Clerks' Office (hereafter ACO) arranged a training event for Presbytery Clerks in June 2023. This was a successful event and appreciated by all who attended. Similar training will be available for all Clerks as and when required, to assist with accurate record-keeping and consistency across the whole Church.

2. ***GDPR***. The Church may receive requests under the provisions of Section 47 of the Data Protection Act 2018, Article 17 of the UK GDPR and the 'right to be forgotten', to erase personal data from official Church documentation such as General Assembly Reports and General Assembly Minutes. Such requests are subject to a one-month response window and therefore, action is required as soon as possible to erase such personal data from our documentation.

2.1 *Erasure Request*. One such request was received earlier this year and appropriate action was taken by the Principal Clerk in consultation with the Legal and Compliance Officer to remove the person's personal data from official Church records, including the removal of the name from General Assembly Minutes by the Principal Clerk. The 'right to be forgotten' is not in every case granted. Section 47/Article 17 sets out the criteria for situations where the request for erasure cannot be granted. Each application is assessed on the basis of the provisions of the legislation and, in the specific case referred to, the erasure took place on the basis that such a request is competent.

2.2 *Future Requests*. The ACO request that authority be granted to the Assembly Clerks to authorise the erasure of a person's personal data from General Assembly records under the provisions of Section 47/Article 17, in consultation with the Legal and Compliance Officer. There may be occasions according to the terms of Section 47/Article 17 when the request can be refused. The ACO also recommend that Clerks of Presbyteries and Kirk Sessions seek the advice of the Assembly Clerks' Office and the Legal and Compliance Officer when requests under Section 47/Article 17 are received.

3. ***Marriage, Separation and Divorce***. The ACO has had a conversation with representatives of the Board of Ministry regarding the theology of marriage, separation, desertion, and divorce in the light of a recent situation of a marriage break-up in the life of a minister. The Church has no stated policy on how a Presbytery should proceed when a minister's marriage fails. The 2012 General Assembly approved a comprehensive Study Panel Report on Marriage, Divorce, Remarriage and Preparation for Marriage. However, the Report did not cover the area of marriage, separation, and divorce in the life of a minister or office-bearer. We recommend that a group be appointed to bring a report to the 2025 General Assembly on the *Theology of Marriage, Separation and Divorce in the life of a Minister or Office-bearer* as a necessary pre-requisite for establishing a policy to assist the Church in managing such sad situations.

4. ***Rolls of Ministers***. The ACO keeps an updated record of Ministers in the following Rolls: (1) Ministers in Charges; (2) Ministers Without Charge Eligible for Call; (3) Resigned Ministers; (4) Retired Ministers; (5) Probationers; (6) Ministers under Discipline.

4.1. The Principal Clerk received notification from the Presbytery of Inverness, Lochaber and Ross that they had suspended Rev. Farquhar Renwick from the ministry *sine die* on 26th June 2023. The ACO is saddened to report that subsequent events led to Mr Renwick being deposed from the ministry by the Presbytery on 4th January 2024.

4.2. The Principal Clerk also received notification from the Presbytery of the Western Isles that they had lifted Rev. Christopher MacRae's suspension from sealing ordinances, imposed by the 2018 General Assembly, on 31st October 2023, but that his suspension from the ministry *sine die* still stands. The Interim Act on the Discipline of Office-bearers, Act 24, Class 2, 2023, Paragraph 7, authorises the Presbytery to grant restoration after consulting with other Presbyteries.

4.3. The Rolls of Ministers have been adjusted and updated in the light of the above events.

5. ***In Hunc Effectum Meetings of Presbytery***. There have been repeated calls over recent years to have more flexibility in the appointment of in hunc effectum (special) meetings of Presbyetry for meetings held to moderate in Calls, and for ordinations and inductions. The Practice of the Free Church of Scotland states with regard to the appointment of *in hunc effectum* meetings that 'the resolution appointing such a meeting and specifying its time and place and the item(s) of business to be transacted must be engrossed in the minutes of the immediately preceding

ordinary meeting at which also public intimation of the *in hunc effectum* meeting must be made '(*TP, Chapter 2, Presbytery, Paragraph 10*). This restriction can be problematic when Presbyteries are liaising with Kirk Sessions and congregation over arrangements for the said meetings. The ACO recommends that this restriction be removed, and that provision be made as per **Proposed Deliverance Section (A), Paragraph 5**.

6. ***Filing of Permanent Records***. The Principal Clerk has had a conversation with the Central Office staff over the filing of the permanent records of Boards and Committees and the requirement that all Church records are transferred from Ergogrip or similar 4-ring A4 binder to hardcover sewn-bound format at least every five years according to the requirements of Act 4, Class 2, 2018. Consideration was given to the cost of the hardcover sewn-bound format and to the fact that all permanent records are now stored electronically. It was agreed to recommend that the requirement for permanent records to be transferred to the hardcover sewn-bound format be for the records of the courts of the Church only and not for the records of Boards and Committees. The recommended changes to the said Act are found in **Proposed Deliverance Section (A), Paragraph 6**.

(B) PRACTICE & PROCEDURES GROUP

1. ***Appointment of the Group***. The 2023 General Assembly agreed to bring the ongoing work of reviewing the practices and procedures of the Church under the Assembly Clerks' Office. A Practice & Procedures Group was set up in June 2023 according to Terms of Reference approved by the Board of Trustees. The members of the Practice & Procedures Group are appointed by the Assembly Clerks Office with the approval of the Board of Trustees. Members of the group can be Ministers, Office-bearers, or Church members. The Assembly Clerks' Office can appoint advisers for projects as required. The current additional members are the Assembly Clerks, Rev. Benjamin Wilks, Mr John Macaulay (Free North, Inverness), Mrs Fiona Cameron (Glasgow), Mr Murdo Murray (Stornoway) and Mr Alexander MacRitchie (Back).

2. ***Principal Clerk***. The Principal Clerk has been working on a full-time basis for six months for the Practice & Procedures Group under the supervision of the Board of Trustees since his retirement from pastoral ministry on 31st October 2023. This arrangement comes to an end on 30th April 2024.

3. ***Filling a Vacancy***. The Board of Trustees and the Assembly Clerks' Office agreed that work needed to be done on revising and updating the whole process for filling a vacancy in a congregation. The Principal Clerk has prepared a draft document which has been discussed by the Assembly Clerks' Office and the Practice & Procedures Group. The draft has also been discussed with a group representative of the Boards of the Church. The next stage of the process is to consult with Presbyteries before bringing updated and revised proposals to the 2025 General Assembly.

4. ***Capability Policy for Ministers***. The 2023 General Assembly instructed the Board of Trustees to prepare a capability policy for ministers in consultation with Boards and Presbyteries of the Church. The Board of Trustees agreed that to prepare such a policy would naturally fall under the remit of the Practices & Procedures Group. The Principal Clerk has prepared a draft Capability Policy with the assistance of Mr Andrew Giffen, CEO, and Ms Ashleigh Dunn, consultant on the Board of Trustees. The draft Policy has been discussed by the Board of Ministry, the Mission Board, and the Board of Trustees. The next stage of the process is to consult with Presbyteries before bringing the updated and revised proposals to the 2025 General Assembly.

5. ***Documentation***. The Principal Clerk has also prepared guidance documents and templates to assist Presbytery Clerks, Kirk Session Clerks, and Clerks to the Deacons Court. These include templates for records and extract of minutes, guidance on the procedures relevant to each Court of the Church, and general guidance and templates for Petitions and Overtures. The documents are now available on the Church Website where they can be accessed under Church Practice and Procedure.

(C) GENERAL ASSEMBLY REMIT

1. ***Nominations***. The 2022 General Assembly instructed the Assembly Clerks to review and revise the current arrangements for nominations to fill vacancies on Boards and Committees. The proposed updated and revised arrangements are found in the **Proposed Deliverance, Paragraph (C)**.

(D) NOMINATIONS TO BOARDS & COMMITTEES

1. ***Board of Ministry.*** Rev. Paul Clarke and Rev. Colin L. Macleod complete their first four-year term on the Board of Ministry at this Assembly. We are thankful that they are willing to be appointed for a second four-year term.

2. ***Board of Trustees***. Rev. Calum I. Macleod and Mr Alastair Oliver complete their terms on the Board of Trustees at this Assembly. Mr Neil Longwe becomes ineligible for membership on the Board on his expected graduation from ETS and moving into full-time ministry.

3. ***ETS Board***. Mr William Mackenzie and Mr Ross S. Finlay complete their first four-year term on the ETS Board at this Assembly. The ACO is thankful that they are willing to be appointed for a second four-year term.

4. ***Mission Board***. Rev. Jeremey Ross resigned from pastoral ministry and therefore became ineligible to serve on the Mission Board.

5. ***Digitalisation***. The ACO has considered the digitalisation of the process for nominations to fill vacancies on Boards and Committees. In general terms, the whole process would be set up on the Church Website where the Assembly Clerks, Presbyteries, and Boards and Committees could submit and access information according to the process set out in the Act on Nominations to Boards and Committees. The digitalisation would also retain the principles set out in the Nominations Act. We are requesting approval in general terms on this proposal so that initial steps can be taken to look into how this would work.

6. ***Presbytery Nominations***. A summary of the nominations received from Presbyteries is found in **Appendix One**.

MALCOLM MACLEOD, *Principal Clerk*
STEPHEN ALLISON, *Assistant Clerk*
NEIL L. MACDONALD*, Assistant Clerk*

PROPOSED DELIVERANCE

(A) GENERAL

1. The General Assembly thank the Assembly Clerks for the training event arranged for Presbytery Clerks. They instruct the Assembly Clerks' Office to consider what training could be provided for all those involved in preparing and maintaining records of Boards and Committees.

2. The General Assembly note the Church's legal requirement to conform to the terms of the Data Protection Act 2018 and the UK GDPR, which controls how personal information is used by organisations, businesses, or the government. They approve of the action taken by the Principal Clerk and the Legal and Compliance Officer to erase personal data from Church records in response to a request under the said legislation. They authorise the Assembly Clerks' Office to process such requests in the future, in consultation with the Legal and Compliance Officer, and to deal with such requests according to the terms of Section 47 and Article 17 on a case-by-case basis. They instruct Clerks of Presbyteries and Kirk Sessions to seek the advice of the Assembly Clerks' Office and the Legal and Compliance Officer when such request are received.

3. The General Assembly appoint a group to study the theology of marriage, separation, and divorce in the life of Minister's and Office-bearers. They declare that the group shall include one representative each from the Board of Ministry, ETS, and the Mission Board, plus the Principal Clerk and up to three additional members. They instruct the group to report to the 2025 General Assembly with a biblical statement and with recommendations regarding a settled position on the matter.

4. The General Assembly note with sadness that Rev. Farquhar Renwick was deposed from the ministry by the Presbytery of Inverness, Lochaber, and Ross on 4th January 2024. They note with thankfulness that Rev. Christopher Macrae, suspended from the ministry *sine die* by the 2018 General Assembly, was granted restoration to gospel ordinances by the Presbytery of the Western Isles on 31st October 2023.

5. The General Assembly note the difficulties encountered by Presbyteries when appointing *in hunc effectum* meetings arising from the restriction in *The Practice of the Free Church of Scotland, Chapter 2, Part 1, Paragraph 10.1*., that the resolution appointing such a meeting must be engrossed in the minutes of the immediately preceding ordinary meeting at which also public intimation of the *in hunc effectum* meeting must be made. They remove the said restriction in the case of *in hunc effectum* meetings appointed for moderating in a Call to fill a vacancy, for ordinations and inductions, and for meetings with congregations appointed for routine business. They declare that it shall be competent for Presbyteries to appoint an *in hunc effectum* meeting in such cases when there is not more than one ordinary meeting in the intervening period between the date of appointment the meeting and the date of the *in hunc effectum* meeting taking place.

6. The General Assembly note the increasing costs of transferring all Church records to hardcover sewn-bound format every five years. They also note that all permanent records are also stored electronically and are easily accessible. They declare that the requirement to have permanent records transferred to the hardcover sewn-bound format applies to the records of the Courts of the Church only and that Boards and Committees are excluded. They amend Act 4, Class 2, 2018, Paragraph 4.2 to read as follows: 'All minutes and records of Church Courts and Congregational Finance Committees shall be transferred from the Ergogrip or similar 4-ring A4 binder to hardcover

sewn-bound format for the permanent record on a regular basis. This shall be done at least every five years.' They insert the following as new Paragraph 4.3: 'All minutes and records shall be stored electronically and backed up to an external drive or cloud space for secure, long-term storage.'

(B) PRACTICE & PROCEDURES GROUP

1. The General Assembly thank the Board of Trustees and the Assembly Clerks' Office for establishing a Practice & Procedures Group under the oversight of the Assembly Clerks' Office. They thank all the members of the Group for their assistance in the compiling and editing of documents.

2. The General Assembly approve the Board of Trustees decision to pass the remit regarding a capability policy for ministers to the Practice & Procedures Group. They thank the Principal Clerk, the CEO, and Ms Ashleigh Dunn for the work done on preparing a draft capability policy. They instruct the Group to consult with all Presbyteries and Boards of the Church and to report on the completed remit to the 2025 General Assembly.

3. The General Assembly thank the Principal Clerk for the work done in preparing template documents and guidance documents to help the Clerks of the Courts of the Church. They also thank Ms Sarah Robinson and Ms Sharon Macleod for making all the documents available on the Church Website. They instruct all Clerks to access and use all the documents as and when required to ensure consistency of practice across the Church.

4. The General Assembly thank the Practices & Procedures Group, and especially the Principal Clerk, for the work done on the revision of the process for filling up a vacancy in a congregation. They instruct the Group to consult with all Presbyteries and to report to the 2025 General Assembly with a proposal for revised and updated proposal.

(C) GENERAL ASSEMBLY REMIT

1. The General Assembly thank the Assembly Clerks for the work done on the revision and update of procedures to fill vacancies on Boards and Committees. They enact and ordain as follows:

The General Assembly, seeking to revise and update the arrangements for filling vacancies on Boards and Committees, enact and ordain as follows:

A. OVERVIEW

1. General Assembly

1.1. *Principle*. It is a principle of biblical Presbyterianism that the government of the Church is in the hands of the *presbyters*, the ordained ministers and elders of the Church.

1.1.1. *General Assembly*. The General Assembly is the highest court of the Church. It is a representative body comprised of Commissioners elected and appointed by Presbyteries.

2. Boards & Committees

2.1. *Assembly Business*. The General Assembly appoints Boards and Committees to carry out the business of the Assembly between meetings of the Assembly.

2.2. *Remits*. The Assembly determines the remits of each Board and Committee.

2.3. *Membership*. The Assembly appoints the membership of each Board and Committee.

2.4. *Presbyteries*. Members are appointed to Boards and Committees on the basis of nominations from the Presbyteries to reflect their role in the governance of the Church.

3. Assembly Clerks' Office

3.1. *The Role*. The role of the Assembly Clerk and the Assembly Clerks' Office (hereafter, ACO) includes implementing the Assembly's instructions, arranging practically whatever is required for the convenience of the Assembly or its Commission, and organising the business coming before the Assembly for the purpose of the order and efficiency of the Assembly when it meets.

3.2. *Vacancies on Boards and Committees*. In the governance structure of the Church, it is the duty of the ACO to receive nominations from Presbyteries for vacancies on Boards and Committees when they occur, and, following consultation with the relevant Board or Committee, to make recommendations from these submissions to the General Assembly.

B. MEMBERSHIP OF BOARDS AND COMMITTEES

1. General

1.1. *Annual Appointments*. Members are appointed to Boards and Committees by the General Assembly annually.

1.2. *Authority*. Boards and Committees do not have the authority to appoint members.

1.3. *Unexpected Vacancies*. Boards and Committees will inform the ACO whenever an unexpected vacancy arises during the year. In such cases, the procedure in Paragraph 4.3 to 4.6 below will be followed.

1.4. *Priority*. When making recommendations to the General Assembly to fill vacancies on boards and committees, priority will be given to persons nominated who possess the skills set and experience desired by the relevant Board and Committee.

1.5. *Presbytery Representation*. Consideration will also be given to the overall representation of Presbyteries on boards and committees with the exception of the ETS Board and the Ecumenical Relations Committee.

2. Eligibility

2.1. *Eligibility*. Membership of Boards and Committees shall be confined to Ministers holding a seat in a Presbytery of the Church or to *bona fide* acting Elders of the Church.

2.2. *Exceptions*. There is an exception regarding eligibility for membership of Boards and Committees in the following cases:

2.2.1. Regarding the Board of Trustees, according to Act 6, Class 2, 2014, Paragraph 1.1.4., in that up to two of the six office-bearers appointed may be Deacons.

2.2.2. Regarding the Conduct and Complaints Committee, according to Act 24, Class 2, 2023, in that six members of the Committee must be Ministers or Elders of the Church, four additional members must be members of the Free Church of Scotland and at least three of those additional members must be female.

2.3. *Restriction*. In accordance with Act 24, Class 2, 2003, Paragraph 5, the ACO shall not normally nominate any Minister to membership of an Assembly Board or Committee during the first three years of his ministry. This restriction also applies to a Minister admitted from another denomination during the first three years of ministry in the Free Church.

3. Term of Service

3.1. *Term*. Members will normally be appointed to Boards and Committees for a four-year term, renewable for a second and final four-year term.

3.2. *Re-appointment*. A person serving a full term on any Board or Committee specified in this Act, shall not be eligible for nomination to any Board or Committee until at least one year has elapsed from the date at which the full term of appointment ended.

3.3. *Phased Terms*. The ACO will seek to ensure that initial appointments of Board and Committee members provide for a phased programme of retirement from service.

4. Termination of Appointment

Appointments to Boards and Committees may be terminated at any time for any of the following reasons:

4.1. *Miscellaneous*. The appointment may be terminated due to resignation, death, or discipline.

4.2. *Uninterrupted Absence*. Uninterrupted absence from meetings by any member of a board or committee during the period from the General Assembly to 31st December in any calendar year, without good reason given by him and sustained by the relevant Board or Committee, shall be considered a resignation of his membership of that Board or Committee.

4.3. *Notification*. The termination of the appointment of any member of a Board or Committee, for any of the reasons mentioned above, shall be reported to the ACO as soon as possible after the event.

4.4. *Temporary Appointment*. Upon notification of a vacancy, the ACO shall consult with the relevant Board or Committee and shall proceed to appoint a replacement who shall serve on a temporary basis until the ensuing General Assembly.

4.5. *Presbytery Support*. The ACO will contact the relevant Presbytery to ensure that the temporary appointment has their support.

4.6. *Reporting*. The ACO will report on the termination and on the temporary appointment to the General Assembly in the Nominations Report.

5. Additional Appointments

5.1. *Clerks*. Boards and Committees shall appoint their own clerks, in consultation with the ACO, except where an Act of Assembly specifies who shall hold the role.

5.1.1. In cases where an Act of Assembly specifies who holds the role of clerk, and a board or committee wish to change the arrangement, they shall bring a report to the General Assembly seeking such a change.

5.1.2. The ACO shall provide training for all Clerks to Boards and Committees.

5.1.3. The appointment of Clerks to Boards and Committees will be in accordance with the terms of Act 10, Class 2, 2015.

5.2. *Consultants*. Boards and Committees may appoint consultants and advisers for a three-year term to add expertise to the decision-making process. The appointment will be reviewed at the end of the three-year term and may be renewed for a second and final three-year term.

5.2.1. Consultants or advisers may be male or female and need not be members of the Free Church of Scotland.

5.2.2. Consultants or advisers will be selected based on their expertise and what they can add to the skill set of the board or committee to assist them in fulfilling their remit.

C. NOMINATIONS PROCESS

1. Boards and Committees

1.1. *Skill Set*. It is the responsibility of Boards and Committees to prepare, and keep under review, an outline of the skills and expertise required for fulfilling their remit.

1.2. *Skills Audit*. Boards and Committees will conduct an audit of the skills and experience required when vacancies arise in their membership, keeping such an audit under review.

1.3. *Skills Gap*. Boards and committees will provide the ACO with updated information on the audit of skills and experience by 31st October annually.

1.4. *Recommendation*. When carrying out the skills audit, and identifying a skills gap, Boards and Committees may identify a person who in their view possesses the gifts and experiences required. In such cases, they may make a recommendation to the ACO.

2. Assembly Clerks' Office

2.1. *Assessment*. The ACO shall, in October annually, consider vacancies on Boards and Committees due to arise at the forthcoming General Assembly.

2.2. *Communication*. They shall inform each Board and Committee of upcoming vacancies and the steps which are to be followed.

2.3. *Presbytery Nominations*. They shall notify each Presbytery, not later than 14th November, requesting nominations to fill the vacancies which require nominations by their Presbytery.

2.4. *Documentation*. They will provide Presbyteries with a suitable form for completing the nominations process.

2.4.1. They will also furnish Presbyteries with the revised and updated skills information received from each Board and Committee in the light of impending vacancies.

3. Presbyteries

3.1. *Responsibility*. Presbyteries will give due diligence to securing nominations for vacancies on Boards and Committees as requested by the ACO.

3.2. *Nominations*. Presbyteries will normally nominate Ministers and Elders from within their own bounds.

3.2.1. Presbyteries may nominate Ministers and Elders from other Presbyteries when there is a shortage of eligible and available nominees within their own bounds.

3.3. *Skills and Experience.* Presbyteries will give careful consideration to the information on the set of skills expected of nominees for each vacancy before making a nomination.

3.3.1. Presbyteries will submit reasons for the suitability of the persons whom they nominate in the Form issued by the ACO.

3.4. *Availability*. Presbytery will ensure that the persons to be nominated are available and willing to serve before returning the Nominations Form to the ACO.

3.5. *Submission*. Presbyteries will submit their nominations to the Principal Clerk by the 31st of January.

4. Consultation and Reporting

4.1. *Returns*. The ACO will collate and summarise nominations to fill vacancies received from Presbyteries and shall include this summary in their report to the General Assembly.

4.2. *Consultation*. The ACO will consult with each relevant Board or Committee regarding the suitability of nominations to fill vacancies received from Presbyteries.

4.3. *Alternative Nominations*. The ACO may recommend the appointment of a person to a Board or Committee not nominated by a Presbytery, in consultation with the relevant board or committee, when (1) when the needs of Boards and Committees appear to them to require such action; (2) when suitable persons have not been nominated by Presbyteries; or (3) when Presbyteries have not submitted nominations for a vacancy.

4.4. *Assembly Report.* Having completed the steps above, the ACO will report to the General Assembly with recommendations for filling the vacancies arising at the time.

D. REPEALS

1. The General Assembly repeal Act 29, Class 2, 2010 anent Audit of Skills and Experience.

Here ends the Act on Nominations to Fill Vacancies on Boards and Committees.

(D) NOMINATIONS

1. The General Assembly note that Rev. Calum I. Macleod and Mr Alastair Oliver complete their terms on the Board of Trustees at this Assembly. They also note Mr Neil Longwe becomes ineligible for membership on the Board on his expected graduation from ETS. They thank Mr Macleod, Mr Oliver, and Mr Longwe for their contribution to the work of the Board.

2. The General Assembly note that Rev. Jeremey Ross resigned from the pastoral ministry and therefore became ineligible to serve on the Mission Board. They thank Mr Ross for his contribution to the work of the Board and wish him well in his work as Chief Executive of Blythswood Care.

3. The General Assembly declare that the Judicial Commission be disbanded on the closure of all the cases under its consideration. They thank those who continue to serve as members of the Commission.

4. The General Assembly approve, in general terms, the proposal to digitalise the process of nominations for Boards and Committees. They instruct the Assembly Clerks' Office to investigate the feasibility of doing this in consultation with the Communications Manager. They direct that the principles set out in the Act on Nominations to Fill Vacancies on Boards and Committees are always maintained.

5. The General Assembly note that the figure in the year column in the tables below, refers to the new year of service in a four-year term, and that the figure in the term column refers to which four-year term the year refers to. They appoint the following membership of Boards, Committees, the Conduct and Complaints Committee, and the Judicial Commission:

Board of Ministry		***Presbytery***	***Year***	***Term***
	Rev. Paul Clarke	EP	1	2
	Rev. Thomas Davis	WI	4	1
	Rev. Colin L. Macleod	SWR	1	2
	Rev. Calum M. Smith (Training Church)	WI	2	1
	1 member appointed by Senate			1
	Dr Richard Oosterhoff	SWR	2	1
	Mr Murdo MacPhail	WI	3	1
	Mr Alan Woodley	SWR	3	1
	Mr Rod Morrison	GA	3	1
	ETS Principal *ex officio*			
Chairman:	Rev. Paul Clarke			

Clerk:	Mr Donald A. Macleod		

Board of Trustees		***Presbytery***	***Year***	***Term***
	Mr Donald Forsyth	ILR	3	2
	Mr Gordon Macleod	WI	4	1
	Mr Alan Crooks	GA	4	1
	Mr Donald Morrison	GA	1	1
	Mr Mark Robinson	N	2	2
	Rev. Neil MacMillan	EP	4	1
	Rev. Alasdair Macaulay	N	3	1
	Rev. Benjamin Wilks	GA	2	1
	Rev. Iver Martin	EP	4	1
	Rev. Robin Gray	ILR	1	1
	Dr Charles L. Crichton	SWR	1	1
	Mr Neil Graham	WI	3	1
Chairman:	Mr Donald Forsyth			
Clerk:	Chief Executive Officer			
Adviser	Principal Clerk *ex officio*			

Ecumenical Relations Committee		***Presbytery***	***Year***	***Term***
	Mission Director	*ex officio*		
	Mission Board Chairman	*ex officio*		
	Principal Clerk of Assembly	*ex officio*		
	Assistant Clerk Representative	*ex officio*		
	Principal of ETS			
	Moderator of the Assembly			
	Mr Alastair Simison	EP	2	2
Convener:	Rev. Iver Martin			
Clerk:	Principal Clerk of Assembly			

ETS Board		***Presbytery***	***Year***	***Term***
	Principal *ex officio*			
	1 other member of Senate			
	Chairman Board of Ministry			
	President SRC			
	Rev. Andrew Longwe	EP	4	1
	Rev. Nigel Anderson	SWR	3	1
	Rev. Iain MacRitchie	WI	3	1
	Mr William Mackenzie	N	1	2
	Mr Ross S. Finlay	ILR	1	2
	Dr George Coghill	EP	2	1
Chairman:	Mr William Mackenzie			
Clerk:	Seminary Secretary			

Mission Board		***Presbytery***	***Year***	***Term***
	Rev. Rory Stott	ILR	1	1
	Rev. Dr Alastair Wilson	EP	4	1
	Rev. Jonathan de Groot	GA	3	1
	Rev. David Macleod	WI	4	2
	Rev. Andrew Macleod	N	2	1
	Rev. Donald G. Macdonald	SWR	2	2
	Mr Iain K. Macleod	GA	2	1
	Mr Duncan MacPherson	WI	4	1
Chairman:	Rev. David Macleod			
Secretary	Mission Coordinator			

6. The General Assembly re-appoint the **Conduct and Complaints Committee** as follows:

Member	Name	Presbytery	Year	Term
Minister	Rev. David Court	E&P	3	1
Minister	Rev. Alasdair Macleod	ILR	2	1
Minister	Rev. Ewen Matheson	WI	2	1
Elder	Mr David Sutherland	ILR	3	1
Elder	Mr Gordon Macleod	WI	3	1
Elder	Mr Neil Campbell	E&P	2	1
Communicant 1	Mr Brian Morton	GA	2	1
Communicant 2	Mrs Fiona Cameron	GA	2	1
Communicant 3	Mrs Sheila Fraser	ILR	2	1
Communicant 4	Mrs Anne MacDonald	EP	3	1
Chairman	Mr David Sutherland			
Vice-Chairman	Mr Gordon Macleod			

7. The General Assembly re-appoint the **Judicial Commission** as follows:

Presbytery		*Year*	*Term*
Edinburgh & Perth	Rev. David C. Meredith	1	4
	Rev. Neil MacMillan	3	2
	Mr John MacRae	1	4
	Mr Neil Campbell	3	2
Glasgow & Argyll	Rev. Ivor MacDonald	1	4
	Rev. Ian M. Watson	3	2
	Mr Evan MacDonald	1	4
	Mr Rod Morrison	3	2
Inverness, Lochaber & Ross	Rev. Dr Malcolm M. Maclean	3	2
	Rev. Angus MacRae	1	4
	Mr Andrew Murchison	1	4
	Mr John Macaulay	3	2
Northern	Rev. Howard Stone	3	2
	Rev. Gordon Mair	3	2
	Mr Bill Ferrier	1	2
	Mr John Skinner	3	2
Skye & Wester Ross	Rev. Nigel Anderson	3	2
	Rev. Roddie Rankin	1	2
	Mr Ian Macdonald	3	2
	Mr Stewart Clarke	1	2
Western Isles	Rev. Andrew Coghill	1	2
	Rev. Ewen Matheson	2	2
	Mr Angus Graham	3	1
	Mr Murdo Murray (Stornoway)	1	4
Chairman:	Mr Neil Campbell		
Clerk:	Principal Clerk		

8. The General Assembly re-appoint Rev. David Court (Christ Church, Edinburgh), Rev. Gordon Martin (Urray and Strathconon), Rev. Murdo Macleod (Nairn), and Mr Sandy Finlay (Free North, Inverness), as additional members of the Judicial Commission in relation to the case currently under consideration.

APPENDIX ONE

Nominations from Presbyteries

Board of Ministry			
Presbytery	**E&P**	**G&A**	**IL&R**
Minister	Rev. Paul Clarke	Rev. Paul Clarke	Rev. Paul Clarke
Minister	*No nomination submitted*	Rev. Colin L. Macleod	Rev. Colin L. Macleod

Presbytery	Northern	S&WR	WI
Minister	Rev. Paul Clarke	Rev. Paul Clarke	Rev. Paul Clarke
Minister	Rev. Colin L. Macleod	Rev. Colin L. Macleod	Rev. Colin L. Macleod

Board of Trustees			
Presbytery	**E&P**	**G&A**	**IL&R**
Minister	*No nomination submitted*	Rev. Douglas Cranston	Rev. Robin Gray
Elder/Deacon	*No nomination submitted*	Mr Donald Morrison	*No nomination submitted*
Elder/Deacon	*No nomination submitted*	Mr Duncan Campbell	*No nomination submitted*
Presbytery	**Northern**	**S&WR**	**WI**
Minister	*No nomination submitted*	*No nomination submitted*	Rev. Mark Macleod
Elder/Deacon	*No nomination submitted*	Dr Charles Crichton	Mr Joe MacPhee
Elder/Deacon	*No nomination submitted*	*No nomination submitted*	Mr Gregor Sutherland

ETS Board			
Presbytery	**E&P**	**G&A**	**IL&R**
Elder	*No nomination submitted*	Mr William Mackenzie	Mr William Mackenzie
Elder	*No nomination submitted*	Mr Ross S. Finlay	Mr Ross S. Finlay
Presbytery	**Northern**	**S&WR**	**WI**
Elder	Mr William Mackenzie	Mr William Mackenzie	Mr William Mackenzie
Elder	Mr Ross S. Finlay	Mr Ross S. Finlay	Mr Ross S. Finlay

Mission Board			
Presbytery	**E&P**	**G&A**	**IL&R**
Minister	Rev. James Ross	Rev. Angus Lamont	*No nomination submitted*
Presbytery	**Northern**	**S&WR**	**WI**
Minister	Rev. Euan Dodds	*No nomination submitted*	Rev. Rory Stott

REPORT

OF THE

MISSION BOARD

Chairman's Introduction

As you scan the papers for the Mission Board Report, you can see that the remit of the Board is extremely wide and varied. You will note in Section (A) that there are many people involved in this work and we are thankful for the way that each person serves with diligence and a zeal for God's glory and gospel progress. Over this last year, the team has been stretched for various reasons. Consequently, in Section 3.1 of the Report we are requesting that the General Assembly agree to increase membership of the Board from eight members to ten. This will hopefully help us to be successful in following the instructions of the General Assembly for the year ahead.

Where, on a particular issue, a Board is not successful in doing what the General Assembly asks, that wouldn't usually be highlighted in the introduction. However, I thought it helpful to 'come clean'. At the 2023 General Assembly, the Mission Board was instructed to establish a permanent Sub-group of the Mission Board (Act 10, Class 2, 2023 anent Christian Education Group). This amendment, and subsequent remit, came without notice or time for consideration, but we were assured at the time, that there were a number of people able and willing to serve on that group. Over the last year we have approached various people, the majority of whom were not willing to serve on such a group. The common view was that such a group may hinder rather than help the excellent work of Christian Values in Education (Scotland). For that reason, we are requesting that that remit be closed and the work of the Joint Project with CVE (Scotland), which the Free Church helps to finance, be supported.

In terms of general ministry, there are many encouragements as we see new churches being planted and admitted, other churches developing as they engage with development track and many other congregations persevering quietly and steadily in the work of the gospel. There are also challenges which have resulted in Alternative Ministerial Arrangements and new ministry strategies being explored in some areas. Details of such are included in Sections (B) and (C).

As with previous years, we would crave prayer for the ongoing work of Church Planting. We are thankful for Rev. Neil MacMillan who has 'poured himself out' in the role of Church Planting Director over the last three years and now steps down to focus on ministry in Cornerstone. An interim arrangement is in place meantime, as Mr MacMillan continues to work with Rev. David Meredith and Rev. Derek Lamont to give support to Church Planters. The Mission Board is currently reviewing the role of Church Planting Director and are requesting the General Assembly to *'instruct the Mission Board to review the post, considering how best to fulfil this supporting role, and if appropriate to proceed to make a suitable appointment, subject to budgetary provision and the agreement of the Board of Trustees'.*

Another focus of the Mission Board is the development of rural ministry. Whilst thankful for, and committed to, ministry in urban areas, we believe that it is important not to neglect rural ministry. The is the third consecutive year we have hosted a Rural Conference in Dingwall. These events have been of huge interest and encouragement. The next step is to explore the possibility of a Centre for Rural Ministry with the Presbytery of Skye and Wester Ross.

These are just a few notes to highlight. Within the wider Report there are great encouragements in seeing the ongoing work with young people within the Free Church. Although we are fully committed to the vision of having 'a healthy gospel church for every community in Scotland', we continue to partner with gospel workers across all nations. One of our current goals would be to foster deeper relationships with these workers that congregations within the Free Church send and support.

The remit and report of the Board is wide and varied but the mission is clear and simple - to make the gospel of Jesus Christ known. That is our prayer going forward into another year.

(A) GENERAL

1. ***Mission Board Staff***

1.1. ***Mission Director***. Rev. David Meredith works full-time as the Mission Director. The remit of the post is to: (a) support the Mission Board in the development of strategic and operational planning for existing and proposed ministries at home and overseas; (b) establish regular contact with Presbyteries and their Strategy Committees, and to equip them to take more responsibility for strategic development within their bounds; (c)

maintain and develop links with other Christian churches and agencies; (d) provide a link between the different Boards and Committees within the Church; and (e) to provide oversight and mentoring for Church Planters. The Mission Director's Report appears in **Appendix One** of this Report.

1.2. ***Mission Coordinator***. Mrs Sarah Johnson and Mrs Rhiannon Mackintosh have been working as Mission Coordinators in the structure of a job-share. Mrs Sarah Johnson is currently on a period of maternity leave, which began in July 2023. The Mission Board was thankful to hear of the safe arrival of Mr and Mrs Johnson's daughter and commits their family to the prayers of the Church. The post of Mission Coordinator is covered in full by Mrs Rhiannon Mackintosh. The typical remits of Mrs Sarah Johnson are Church Planting and Church Equipping, and the remits of Mrs Rhiannon Mackintosh are Church Development, Global Mission, and Clerk to the Mission Board.

2. ***Mission Board Consultants***. Rev. Malcolm Macleod, Principal Clerk, Miss Wilma Nicholson, Chair of Women for Mission, and Mrs Sarah Lytle, Secretary for Women for Mission, serve on the Board as Consultants. The Board wish to thank them for their invaluable support of the work of the Board.

3. ***Board Members.*** The Board would like to thank all its members for their time, commitment and effort in supporting the mission of the Church. The Board extends its thanks to their congregations, especially when Mission Board commitments take them away from their local congregations. The Board is especially grateful to Rev. Jeremy Ross who stepped down from the Board as Vice-Chairman with four years of service. The Board is grateful for his commitment to the work of the Board. The Mission Board welcomed Mr Iain K. Macleod to the Board.

3.1 The Mission Board, when discussing vacancies arising, agreed to ask the General Assembly to increase its membership from eight members to ten, comprising of seven Ministers and three Elders. This will facilitate the wide remit of the Mission Board. This is included in the Board of Trustees Report.

4. ***Mission Board Groups***. The work of the Mission Board is carried out via four smaller Groups comprised of Mission Board members and experienced practitioners – Church Planting, Church Development, Church Equipping, and Global Mission. Each Group aims to fulfil its remit as given by the Mission Board, aims to meet quarterly, and reports to the Board regularly, with any structural, financial or governance recommendations being decided by the Board. The Mission Director is invited to join each group as an advisor.

5. ***Women for Mission***. It has been another busy year for the WfM Committee especially this year as we have the Annual General Meeting in May and our Bi-annual Conference in September. This year our AGM will be held on the 18th of May at Livingston Free Church. God willing, we hope to have Mr Adam Otto, Ali Macdonald and others as our speakers. During our time together the accounts will be presented by our treasurer Holly Smith and the new projects for 2023/2024 will be announced.

We are amazed every year how many projects we are able to assist! We are grateful to our IT/publicity colleagues on the Committee, Ms Sharon Macleod and Ms Catriona Logan, for their help with this. Last year our AGM was held at Bon Accord Free Church Aberdeen, and this was the first time a meeting had been held in the North-east of Scotland. We had a healthy turnout of women from across Scotland. There was also the opportunity to listen-in via YouTube. We were privileged to hear from Mrs Megan Patterson, Christian Values for Education, Mrs Kam Cockburn, Bethany Christian Trust, Ms Sarah Cumming, Choices, and Ms Emily Giffen who was a Support a Volunteer Fund recipient. Afterwards there was a time of fellowship over coffee and baking.

This year on the 21st of September we will have our Bi-annual Conference, which again will be held in Inverness. The title will be Equipping Women. The main speakers will be Ms Sharon Dickens, Director of Women's Ministries with 20Schemes and author of *Unexceptional* which has the tag line 'ordinary women doing extraordinary things through God', which the WfM Committee felt was an exciting and challenging topic for our Conference. Mrs Anne Macdonald, the Youth and Young People Worker at Bon Accord Free Church in Aberdeen, will also be giving a talk. Booking for this Conference will be announced shortly.

Following Covid, there has been a marked decline in applications for our two schemes so over the past year the Committee have sought to publicise:

Support a Volunteer: this helps with travel costs for anyone going to camp or doing mission work at home or abroad.

Heart for Home: Free Church congregations can apply for funding towards e.g. literature, coffee and crèche facilities.

As with every year, we are always amazed at how much money the Free Church raises for our annual projects and 2023 was no exception. From praise evenings, coffee mornings, and curry nights, we were delighted to hear about all the fundraising that went on last year. Our 2022/23 project Refuge and Strength raised £44,419.91, which was

divided between Sparkle Sisters, Bethany Christian Trust and MISIUR (Peru). The 2023/24 Breaking Barriers project is raising funds for Christian Values in Education (Scotland), International Mission to Jewish People, Release International (Nigeria), and International Justice Mission.

Following the reprint of our Cookbooks into *Ultimate Favourite Recipes*, we are happy to report that the Books have sold very well, and we were able to repay the loan we received from the Free Church quickly. We are grateful to God for the loan provision, and for the excellent Cookbook sales. The funds raised from Cookbook sales go to our Disaster and Relief Fund enabling us to react when needed. Over the past year WfM have made donations to the humanitarian crises in Gaza and the Barnabas aid appeal for Morocco.

There has been a change in members of the Committee with Chairperson, Mrs Janet Murchison, retiring in September 2023 from the post. The Committee is grateful to Mrs Murchison for her years working with WFM in a variety of areas. Miss Wilma Nicolson has replaced her as Chairperson. Members of the Committee are happy to speak at local meetings to publicise the work of the WFM. We meet in person twice a year and at other times by Zoom.

Once again, we are thankful that we have a loving and gracious God who encourages and supports us with the work of Women for Mission. Each member of the Committee has different skills that they bring to a close-knit team. Two members of the group are also represented on the Free Church Mission Board.

6. ***Mission to the World***. The Board is thankful for its encouraging ongoing partnership with Mission to the World (MtW).

7. ***Healthy Gospel Church Podcast***. The Board wish to thank Rev. David Meredith and Mr Simon Kennedy for their diligent work in recording and producing the Healthy Gospel Church podcast. The Board thanks all the guests who have taken part in the podcast.

8. ***Communications***. The Board wish to thank Miss Sarah Robinson, Communications Manager and for the work she does to publicise and communicate the work of the Board. The Board also thanks Mr Simon Kennedy, Communications Officer, for his ongoing work publicising the work of the Board.

(B) MINISTRY GENERAL

1. ***Sustentation Fund Schedules***. The Board received and processed the following Sustentation Fund Schedule: St. Columba's, Dunfermline, Greyfriars, Dunblane.

2. ***Locally Subsidised Charges***. There was one Locally Subsidised Charge under the Oversight of the Board which has now come to an end: South Uist and Benbecula. Rev. Thomas Penman was inducted to Cumbernauld Free Church on the 16th of March 2024 which brought the local subsidy to an end in South Uist.

3. ***Alternative Ministerial Arrangements***. There are two ongoing Alternative Ministerial Arrangements under the oversight of the Board: Castletown Community Church, and Helmsdale and Kinbrace.

3.1. ***Castletown Community Church.*** The Board received a Sustentation Fund Schedule from the congregation of Castletown and Community in the Northern Presbytery, requesting a locally subsidised ministry increasing from 80% to 100%, with the shortfall in the Ministry Levy covered by funds released by the congregation of Lybster. With all the requisite supporting documents, and approval from the Board of Trustees for the release of funds, the Board recommends that the Petition's crave be granted according to the terms of Act 14, Class 2, 2014, anent Locally Subsidised Charges. The Petition appears in **Appendix Two** of this Report.

3.2. ***Helmsdale and Kinbrace.*** The current Alternative Ministerial arrangement with Helmsdale and Kinbrace has expired. The Board are working with the Presbytery to arrange a suitable arrangement.

4. ***Sabbatical Leave.***

4.1. ***Sabbatical Leave Requests***. The Board received and approved a sabbatical leave request from Rev. Gavino Fioretti, Rev. Calum MacMillan and Rev. Alasdair MacAulay.

(C) CHURCH PLANTING

1. ***Church Planting Director***. Rev. Neil MacMillan chose to step down from his role of Church Planting Director, in November of 2023 to devote time to his growing congregation. Mr MacMillan served as Church Planting Director from November 2020 until November 2023. The Board is extremely grateful to Mr MacMillan for his hard work and the steady progress already made in the Church's vision of planting 30 churches by 2030. The Board commits the work of Mr MacMillan in his time as Church Planting Director to the prayers of the Church. As the work continues to expand, the role of Church Planting Director expands too. The responsibilities of the Church Planting Director are set out as follows: recruit, assess and oversee training for Church Planters,

review Church Planting plans for each location, and to formulate and implement a strategic Church Plan with a clear vision. The Board is considering the future of the role of the Church Planting Director in consultation with the Board of Trustees. The work is currently being undertaken by a Church Planting Executive, appointed by the Board, comprising of Rev. Neil MacMillan, Rev. David Meredith, and Rev. Derek Lamont, with the support of the Mission Coordinator as an interim arrangement.

2. ***Church Plants in Progress***. The following Church Plants have been established or are in the process of being established:

Presbytery	***Church Plant***
Edinburgh & Perth	Charleston, Dundee
	Esk Valley
	Galashiels
	Levenmouth
	Montrose
	Winchburgh
	Spanish Speaking Congregation Gilmerton Leith
Glasgow & Argyll	Govan, G51
	Helensburgh Bearsden Merchant City Glasgow Paisley
Inverness, Lochaber & Ross	Merkinch
	Tornagrain Community Church
Northern	NPConnect

3. ***Progress Updates***

3.1. ***Haddington Community Church***. After five years on Church Planting status, Haddington Community Church became a fully sanctioned charge at the 2023 October Commission of Assembly. The Board give thanks for the development and growth within the Church Plant to reach this stage so quickly.

4. ***Church Plant Grants***. The following Church Plant grants were awarded by the Board:

Church Plant	***Amount***
Leith	£10,000
Spanish Speaking Congregation	£10,000

5. ***Church Plant Finance***. In 2023, Rev. Neil MacMillan committed a substantial amount of time to fundraising for 30 x 30. We are glad to report that this investment of time has been worthwhile and significant sums have been raised to support the new churches started as part of 30 x 30.

6. ***Church Planting Group***. The Church Planting Group meets throughout the year**.** Rev. Dr Phil Stogner (Glasgow City Free Church), Rev. Chris Davidson (Merkinch Free Church,) Rev. Athole Rennie, (Grace Church Leith), and Rev. Tom Muir (Esk Valley Church) serve on the Group alongside Rev. Neil MacMillan and Mrs Sarah Johnson. The Group helps to guide the Church Planting planning process. Rev. Dr Phil Stogner (Glasgow) and Rev. Chris Davidson (Inverness) also serve the Group by acting as Church Planting catalysts for the west of Scotland and the Highlands respectively. The Board thank each of the Group members for their involvement.

7. ***30 x 30 Vision***. The vision to plant 30 new churches by 2030 as agreed by the General Assembly in 2017 is progressing. The Church Planting Executive is working to develop a pipeline of future Church Planters, together with the assessment, training, coaching, and funding necessary for their successful deployment. Recruitment and fundraising continue to be a priority. Since 2017, sixteen Church Plants have been started or are in the process of being approved by the Mission Board: Haddington Community Church, Christ Church Glasgow, Charleston, Merkinch, Winchburgh, Helensburgh, Tornagrain, Galashiels, Montrose, Levenmouth, NPConnect, Hope Church Leith, Spanish Speaking Congregation in Cornerstone, Gilmerton and Merchant City, Glasgow. In August of 2023 an overnight meeting for leaders of the congregations that are planting or that we hope will plant churches as part of 30 x 30 was hosted by the Board. The Minister and one Elder from each church plant and parent congregation, were invited, along with members of the Board of Trustees, Mission Board and Central Office staff. We took time

to share the vision, and to discuss the when and how, allowing opportunity for discussion, sharing and feedback. It is always encouraging to meet together for prayer, discussion, sharing and planning.

8. ***Vision Day***. A Church Planting Vision Conference was held on the 11th November 2023 in Glasgow. The main speaker was Dr Dan Strange who led sessions on Making Faith Magnetic. There were various seminars to equip the church for evangelism in various different contexts. The Conference also heard from many of the Church Planters about their context and how to partner with them in prayer and through practical support also. The Board is grateful to Dr Dan Strange for leading the main sessions, and to all the seminar speakers.

9. ***UK Partnership***. The UK Partnership took place at the beginning of November in Edinburgh. Five Church Planters shared about their upcoming church plants to raise support and funds. This partnership resulted in further funding for the Free Church of Scotland. Since 2013 the UK Partnership has raised over $1,189,550 for Free Church Plants and over $3,300,000 for church planting in the UK. This is an outstanding level of support, and the Mission Board expresses its deep gratitude to God for the tremendous leadership that Rev. Ed Norton, Independent Presbyterian Church, Memphis, TN, and Rev. Frank Hitchings, Lookout Mountain Presbyterian Church have given to the UK Partnership. The next meeting of the UK Partnership will take place in Colorado in October 2024.

10. ***Assessment***. The next Church Planting Assessment events will take place in May and September 2024.

11. ***Training***

11.1. ***Incubator Training***. Rev. Tom Muir leads monthly training using 'City to City Incubator' materials for those in their first two years of church planting. The Board wish to thank Rev. Tom Muir for his willingness to lead the Incubator Training.

11.2. ***Generation Women***. Mrs Catriona Lamont and Mrs Louise MacMillan offer support to the wives of Church Planters. The group meet regularly for a time of teaching, sharing and prayer. The Board are very grateful to Mrs Lamont and Mrs MacMillan for their time and commitment to this.

11.3. ***Peer-to-Peer***. Rev. Chris Davidson leads bi-monthly peer-to-peer sessions with Church Planters who are now beyond the Incubator Training stage. These sessions are an opportunity for Church Planters to meet, to keep learning together and to share with, pray for, and encourage one another.

12. ***Coaching***. A Coach is appointed to each of the Church Planters for their first two years of Church Planting. Coaches continue to work with Planters to set and meet personal, relational, and missional goals that enable Church Planters to plant and grow a healthy congregation. The Coaching programme is overseen by Rev. Jonathan De Groot and Rev. Calum M. Smith. The Board is grateful to the time they give to coaching. The Board wish to thank those who are involved in the coaching of Church Planters.

13. ***Church Planting Manual***. The Board continues to work on a Church Planting Manual and are hugely grateful for the work of Dr Gary Layton in this regard.

14. ***Leadership BootCamp***. This year the Board is trialling a different approach to Bootcamp. Rather than a three-year programme with an annual residential event and new participants invited each year, the Board is testing an 18-month programme with one set of participants. The 18-month programme began in August 2023 with a five-day residential near Aviemore and is followed by three weekend meet-ups spread between the north and the south. Teaching during these times will focus on gospel theology, gospel change, leadership in the Church and at work, leadership skills, service and calling. These meet-ups also include challenging group activities and plenty of time to discuss, share and pray together. The Board was glad to welcome eight young people to the 2023/2024 programme. The Board is grateful to Rev. Neil MacMillan, Rev. Tom Muir, Rev. Innes MacSween, Miss Jo Hulks and Mrs Rhiannon Mackintosh for their service in leading the programme.

(D) CHURCH DEVELOPMENT

1. ***Consultation with Presbyteries***. The following consultations with Presbytery were appointed for 2023: (1) Western Isles and (2) Glasgow and Argyll. The Consultation with the Presbytery of Western Isles was carried out on the 19th December 2023. The Consultation with the Glasgow and Argyll Presbytery took place on the 27th February 2024. The 2024 planned consultations are: Edinburgh and Perth, and Inverness Lochaber and Ross.

2. ***Development Track.*** The Board ran a successful Development Track from 2018 to 2021. We are glad to report that due to renewed interest we will run a new two-year track from October 2024. This will follow a similar pattern as before with one overnight followed by four-day seminar series, two held in Edinburgh and two in Inverness. The Mission Director has also held seminars in the Skye and Wester Ross and Western Isles presbyteries. These seminars will be offered to other presbyteries as part of the CPD programme. The Board is developing a development track suitable for office bearers.

3. ***Congregational Survey***. The Board carried out the Congregational Survey in 2023, for statistics from the period of January 2022 to December 2022. The Board is grateful to the congregations who participated in the survey. The information provided allowed us to collate statistical information for the denomination along with useful information to help with the Board's planning.

The Board, in an effort to improve the efficiency and to ensure the relevant data is collected, made significant reductions by dividing the survey into an annual mandatory congregational statistical survey, which helps build a picture of the growth, trends and patterns across the denomination, and a separate congregational survey which is to be returned every three years. The congregational survey provides us with valuable insight and feedback into congregations across the denomination. We also hope that this can be used as a time for Kirk Sessions to reflect on their congregation, and praise God for how He is at work in His church.

At the time of writing, the data for the Congregational Survey for the period January 2023 to December 2023 is being collated. The Board appreciate the time that local congregations have given to discussing and completing the survey for this year.

4. ***Presbytery Oversight Visits***. The Board is currently in the process of reviewing the Presbytery Oversight Visit (POV) forms and congregational survey. The Board hopes to streamline the process, ensuring the relevant information is gathered, but not repeated.

5. ***Rural Ministry***. The Board is conscious of the opportunities in our rural areas. Over 5.46 million people live in Scotland, with over 930,000 of them living in rural areas. Rural Scotland accounts for 17% of the total population in Scotland (6% in remote rural and 11% in accessible rural) and has consistently done so since 2011. The Board recognises that we are called to be a Church for every community in Scotland. The Church Development Track has held Seminars to equip Ministers on the Track who are in rural situations. Another *In-a-Big-Country Conference* was held on the 20th April 2024.

6. ***Centre for Rural Ministry.*** The Board is exploring the possibility of a Centre for Rural Ministry with the Presbytery of Skye and Wester Ross with the possibility of the appointment of a part-time Rural Ministry Development Officer who would be funded through external fundraising.

7. *Resources*. *Elders Training* The Board is grateful to Rev. Peter Turnbull who undertook the work of creating digital resources for Office-bearers. The Board is grateful for this work, which can be found in the Report of the Board of Ministry. The Board is grateful to Rev. Peter Turnbull for the time he committed to creating this resource.

8. ***Church Development Group***. The Church Development Group meets throughout the year. Rev. David Meredith, Convener, (Mission Director), Rev. Jeremy Ross (Dunfermline), Rev. Andy Pearson (St Peters, Dundee), Rev. Peter Turnbull (Burghead), Mrs Megan Grey (Gardenstown), Mrs Marina MacRae (Helmsdale), and Mrs Rhiannon Mackintosh (Clerk) make up the Group. The Board thanks each of the Group members for their involvement.

(E) CHURCH EQUIPPING

1. ***Free Church Youth Camps***. In July 2023 Free Church Youth Camps delivered 10 camps. In total 278 campers attended, with 94 leaders and 27 cooks volunteering. Overall, the camp programme ran smoothly, however, there were some challenges due to a camp having to be sent home early due to a sickness bug. Both campers and leaders fed back that camp was a positive experience, and of great spiritual benefit and encouragement. The Board are grateful to God for His provision and are prayerful that they will be used for many generations to grow His kingdom, and for His glory. There are 11 camps planned this summer. There are currently 310 campers registered to attend. The Board gives thanks to Miss Mairi Beaton, Camps Coordinator, and Mr Donald Macleod, Camps Supervisor, for all their work in bringing the Camps programme together.

2. ***Big Free Rally***. The Big Free Rally 2023 was held at Smithton Free Church on Saturday 1st October. Mr Davi De Paula spoke on the topic of how to keep going in our daily Christian walk, encouraging those present on how to live for Christ post camp when it can be isolating to be a Christian. Over 300 young people and leaders attended and there was a good mix of all ages and camps. The Big Free Rally 2024 has been set for Saturday 28th September 2024.

3. ***Youth Conference 2024***. The 2024 Youth Conference took place in Lendrick Muir from Friday 17th to Sunday 19th March with around 200 delegates attending over the weekend. Rev. Thomas Davis was the main speaker. The theme was 'Idolatry', looking at the book of 1 John. Practical Seminars also took place during the weekend. The Board would like to thank the 2024 Youth Conference Committee members for their hard work: Mr Iain Murchison (Convener), Mr Ian Macleod (Vice-Convener), Miss Molly Tough (Bookings), Miss Katie

Gillies (Music), Miss Maddy Cumming (Social Media & Handbook), Mr Ross Macleod (Tech), and Miss Abby Morrison (Finance).

4. ***Sunday School***. The Board wish to thank all Sunday School teachers and co-ordinators for their generous serving with their time and talents.

4.1. ***Sunday School Certificates***. This year, downloadable Certificates for Primary 1-7 are available on the Free Church website for Sunday Schools to use at the end of the school year.

5. ***Free Church of Scotland Day of Prayer***. Every year the Board sets aside a day to pray for our nation and the work of our denomination. Last year, our Day of Prayer took place on Wednesday 29th November 2023. Each congregation was encouraged to arrange time for prayer in a way that was suitable for their own situation. To help guide prayers, some prayer points were prepared. Everyone was invited to join a central prayer time on zoom led by the Moderator, Rev. Dr Bob Ackroyd. The 2024 Day of Prayer is scheduled to take place on Wednesday 27th November.

6. ***Praying for One Another***. Praying for One Another prayer points continue to be made available to individuals and congregations each week. The Board hopes that these are a great encouragement to those who use them and that they help to enrich our prayers for congregations and individuals.

7. ***Resource Packs***. The Board is producing four resource packs: 1-2-1 Discipleship, Partnering with Parents, Women's Ministry, and Youth Fellowship as a resource for those involved in these programmes and ministries in their congregations. At the time of writing, the resource packs are being edited and designed. The resources should be available on the Free Church website in due course.

8. ***Teens' Conference***. Booking is now open for the second Teens' Conference. 'Kingdom People' is the theme of the Conference taking place from Friday 7th to Sunday 9th June at Lendrick Muir. Anyone in the S5 or S6 age-group, as of January 2024, whether already a Christian or just interested to find out more, is very welcome. Rev. Iain Morrison from Dowanvale will be speaking at the Conference as well as other talks and seminars on relevant topics. The Board would like to thank the 2024 Teens' Conference Committee members for their hard work: Mrs Anne MacDonald (Bon Accord), Miss Carrie Marlow (Free North), Miss Kirsty McClaren (St. Andrews), Mr Gordon Macleod (North Harris), and Mr Robbie Sweet (Glasgow).

(F) GLOBAL MISSION

1. ***Global Mission Annual Grant Amounts***. The Board received an Annual Grant Report from each Mission Partner after which it was agreed to continue support for the Mission Partners in 2024 as follows:

Person / Project	***2024***
Nepal: Rev. Suraj Kasula	£2,450
India: Dhuma Church Plant	£3,400.00
International Mission to Jewish People (*formerly CWI*)	£7,500.00
Poland: Christ the Saviour Church	£5,500.00
South Africa: Mr Wilbert Chipenyu	£4,200.00
Central Asia	£15,000.00
Asia: Rev. Martin Paterson	£15,000.00
Greece: Mr Matthew and Maria Lingard	£2,400.00

2. ***Global Mission Fully Funded Support***. The Board continues to support the following ministries in 2023 with fully funded packages.

Person / Project	***Support Amount 2022***
Asian Outreach Glasgow	Salary, housing, expenses
Middle East	Salary, housing, expenses

3. ***Middle East***. The Board continues to pray for the work of its Global Partners in this region of the world and with its diaspora people. The Board is encouraged by the work of Rev. Seòras and Mrs Sarah M in their leadership of a team in the Middle East working with diaspora people**.** The Board is thankful for the work of Rev. Colin and his work with the Church in the Middle East.

4. ***India***. The Board is giving financial support to a new Church Plant by the Presbyterian Free Church of Central India. The Board reports that annual grants to the denomination have come to an end, and that a separate Church Plant, which had been receiving funding support, is now self-sustaining. The Board rejoices in this progress and continues to pray for the church planting work in India. The Global Mission Group is also in the process of expanding the connection with the Presbyterian Free Church of Central India from the Board itself to local congregations in the denomination.

5. ***Krakow***. The Board reports that Christ the Saviour Church, a Church Plant in Krakow, Poland, has received a renewed round of annual grant funding at 70% of the originally allocated amount. Rev. Aleksander 'Saško' Nezamutdinov, Church Planter, is encouraged by the growth of the Church Plant, and the Global Mission Group is in the process of forming a closer partnership with this ministry.

6. ***South Africa***

6.1. ***Dumisani Theological Institute***. The Board reports that annual grant funding is no longer being assigned to Dumisani Theological Institute. However, it remains in prayerful partnership with the Institute and is working to build this partnership further.

6.2. ***Dr Wilbert Chipenyu***. The Board continues to partner with the Principal of Dumisani Theological Institute, Dr Wilbert Chipenyu, to whom the Board gives grant funding. The Board commends Dr Chipenyu and his family to the prayers of the Church.

7. ***Greece***. The Board continues to partner with Mr Matthew and Mrs María Lingard, who are assisting the local church in Athens in their ministry to young people, university students, and addicts, among other activities, and are in partnership with One Collective. The Board commits this ministry to the Lord in prayer.

8. ***International Mission to Jewish People***. The Board continues to partner with International Mission to Jewish People in their work.

9. ***OM***. The Board continues to partner with Operation Mobilisation (OM) in their mission work. The Board reports that Mr Chic Lidstone has taken on the role of Church Support Officer for Scotland. The Board would like to thank Mr Lidstone for his communication and work with the Free Church of Scotland.

10. ***EPCI***. The Board receives a significant annual donation towards the work of global mission from the Evangelical Presbyterian Church of Ireland (EPCI). The Board wish to record its thanks to the EPCI for their ongoing partnership in mission.

11. **OMF**. The Board reports its ongoing partnership with OMF and has been encouraged by the progress being made.

(G) CHRISTIAN EDUCATION

1. ***Christian Values in Education (Scotland)***. The Board is grateful to the work of Christian Values in Education (Scotland), particularly for the work of Ms Kirsty Moffat who has been working on materials to support the deliverance RSHP lessons in schools under Education Scotland's Curriculum for Excellence. The resources are now available on the CVE website. The Board is thankful for the free resources produced, which include activity plans intended to be used alongside the RSHP.Scot resources to help facilitators consider how to ensure the language, resources and activities used in their RSHP lessons are objective, and inclusive of pupils who have religious beliefs, and to alert them to potential parental concerns. Alternative resources, such as videos, images and PowerPoint slides are sometimes suggested to replace content that promotes particular ideological beliefs as factual, or that may be inappropriate in the classroom. All the resources can be accessed on the CVE Scotland website. There is a simple registration page to complete which allows access to a webpage which contains the downloads for each curriculum Level (https://cve-scotland.org.uk/register/). The Board is thankful for the work of CVE and commends their work to the prayers of the Church.

2. ***Christian Education Group.*** The Mission Board at the 2023 General Assembly were given the remit to establish a permanent sub-group of the Mission Board (Act 10, Class 2, 2023 anent Christian Education Group). The Board recognised the need for a sensitive, and positive approach towards Christian teachers who face many challenges in mainstream education. The Board, having attempted to establish the Group, and asked suitable members to join the group, did not find willing suitable members able to serve on such a group. The Board is grateful for the work done in the area of Christian Education under the joint project with CVE (Scotland) and, given that it has proved impossible to establish a new Group, recommend that this remit be closed.

(H) ADMISSION OF NEWTON MEARNS NEW CHURCH

1. ***Newton Mearns New Church.*** The Mission Board received an application from the Presbytery of Glasgow and Argyll for the group worshipping as Newton Mearns New Church to be admitted to the Free Church of Scotland. The Mission Board is supportive of the application and recommends that the Petition's crave be granted. The Presbytery's Petition can be found in Appendix 3 of this Report.

(I) FINANCE

1. ***Disaster and Relief Fund***.

	2023 £	2022 £	2021 £	2020 £
Opening fund	12,246	18,074	12,662	14,678
Income	28,191	9,265	16,537	7,991
Outgoings	17,703	15,093	11,125	10,007
Closing fund	22,734	12,246	18,074	12,662

Disaster and Relief Fund - Detail

Income:

Congregational Donations	25,941	2,753	8,278	6,511
Individual Gifts	2,250	6,362	6,814	1,085
Gift Aid			1,369	259
Investment Income			77	136
Total	28,191	9,115	16,538	7,991

Outgoings:

Grants:

Tear Fund - Turkey & Syria Earthquake	2,500		
Open Doors - Turkey & Syria Earthquake	2,500		
Open Doors - Manipur	5,000		
OM - Moroccan Earthquake	3,000		
Christian Aid - Libya Floods	2,000		
Operacion San Andres (2023=Cyclone in Peru)	2,500		5,000
Tear Fund - Pakistan flood		6,000	
Tear Fund - East Africa famine		5,000	
UFM - Ukraine		4,000	
SSDS			2,000

India Oxygen Appeal			2,000	
OM Emergency Afghanistan			2,000	
Tear Fund - Coronavirus Appeal				10,000
Costs:				
Bank Charges	203	93	125	7
Total	17,703	15,093	11,125	10,007

2. ***Remittances***. The Board reviewed the remittances for 2023 and contacted Presbyteries regarding remittance shortfall, doing so in accordance with Act 1, Class 1, 2018, Paragraph 7.

3. ***Grant Funding***. The Mission Board in 2023 was given additional funding from the Board of Trustees which can now be accessed through the Healthy Gospel Church Development Fund. Application for grant aid from this funding can be made to the Mission Board for projects or workers to help facilitate the vision of a Healthy Gospel Church for every community in Scotland. The Board can also award grants through the Small Grant Fund which can be used for short-term missional trips or small mission projects.

DAVID MACLEOD, *Chairman*
JONATHAN DE GROOT, *Vice-Chairman*

PROPOSED DELIVERANCE

(A) GENERAL

1. The General Assembly receive and adopt the Report of the Mission Board and thank all its members, especially the Chairman, Rev. David Macleod, Rev. Jonathan De Groot, Vice-Chairman, Rev. David Meredith, Mission Director, Rev. Neil MacMillan, Church Planting Director, Mrs Sarah Johnson and Mrs Rhiannon Mackintosh, Mission Coordinators.

2. The General Assembly thank the members and adherents of the Church who by their prayerful interest, financial contributions, ongoing interest, and support in the sharing of the Gospel in Scotland and overseas.

3. The General Assembly thank the Chief Executive Officer, the Finance Manager, Compliance Officer, Communications Manager, and members of the Offices' staff for their contributions to the work of the Board.

4. The General Assembly acknowledge with gratitude, the invaluable and inspiring part played by *Women for Mission* in raising funds and fostering an awareness of mission activity.

5. The General Assembly thank Mission Board consultants, Miss Wilma Nicolson, Mrs Sarah Lytle, and Rev. Malcolm Macleod, for their commitment to serve the work of mission in this way.

6. The General Assembly thank the Conveners of the Mission Board Groups, and those who serve on these Groups, for serving the work of mission in this way.

7. The General Assembly thank the Communications Officer and Rev. David Meredith, Mission Director, for their work on the Healthy Gospel Church podcast.

8. The General Assembly thank the Communications Manager and the Communications Officer for their work publicising the work of the Board.

(B) MINISTRY GENERAL

1. The General Assembly give thanks for the diligent work undertaken in Locally Subsidised Charges and Alternative Ministerial Arrangement Charges.

2. The General Assembly receive the Petition of the Northern Presbytery regarding the congregation of Castletown Community Church and grant its crave. They declare that the ministry of Rev. Howard Stone in the congregation of Castletown and Community will continue on a full-time basis under the provisions of Act 14, Class 2, 2014 anent Establishment of Locally Subsidised Charges with effect from 1st July 2024 with the shortfall in the Ministry Levy covered by the release of funds from the congregation of Lybster. They note that the terms

of the said Act make provision for a three-year appointment. They declare that in this case the locally subsidised arrangements will come to an end on 31st August 2025.

(C) CHURCH PLANTING

1. The General Assembly give thanks for the diligent work undertaken in established Church Plants.

2. The General Assembly thank Rev. Neil MacMillan, for his work as Church Planting director from the period of November 2020 to November 2023.

3. The General Assembly recognise the importance of the role of a Church Planting Director in fulfilling the vision of planting 30 churches by 2030 in accordance with the Healthy Gospel Church Vision.

4. The General Assembly note that Rev. Neil MacMillan has stepped down from the role of Church Planting Director and thank him for his services. They recognise the ongoing need to have a dedicated worker to support the work of Church Planting and the Church's vision to plant 30 churches by 2030. They instruct the Mission Board to review the post, considering how best to fulfil this supporting role, and if appropriate to proceed to make a suitable appointment, subject to budgetary provision and the agreement of the Board of Trustees. They repeal Act 30, Class 2, 2018.

5. The General Assembly note with thankfulness the progress made in fulfilling the goal of planting 30 churches in Scotland by 2030. They thank the Board for the plans for assessment, training, coaching and funding in order to create a pipeline of Church Planters. They note the need for fundraising in order to fulfil this vision and commit the matter to the prayers of the Church.

6. The General Assembly thank Rev. Tom Muir, Rev. Chris Davidson, Mrs Catriona Lamont, Mrs Louise MacMillan, Rev. Jonathan De Groot and Rev. Calum M. Smith and all those involved in Coaching for their time, effort, and care towards those in Church Planting situations.

7. The General Assembly give thanks for the Gospel generosity expressed by the UK Partnership towards Church Planting in Scotland.

(D) CHURCH DEVELOPMENT

1. The General Assembly give thanks for the diligent work undertaken by the congregations involved in the Church Development Track. The General Assembly commend the work of the new development track and the development of a track for office bearers.

2. The General Assembly thank the Mission Board for carrying out the Congregational Survey.

3. The General Assembly instruct all congregations to complete the annual Congregational Statistical Survey within the deadline given.

4. The General Assembly thank the Board for continuing to address the needs of rural ministry. They commend the rural conference, *In a Big Country*, and the ongoing vision to support Presbyteries and rural congregations to develop their ministry, to the prayers of the Church.

5. The General Assembly commend the Mission Board and the Presbytery of Skye and Wester Ross for investigating the possibility of a Centre for Rural Ministry and the appointment of a part-time Rural Ministry Development Officer.

6. The General Assembly thank Rev. Peter Turnbull for his work developing resources for Elders and commit this resource to the prayers of the Church.

(E) CHURCH EQUIPPING

1. The General Assembly thank the Camps Coordinator and the Camps Supervisor, and all who contributed to the Camps programme in 2023.

2. The General Assembly thank the Youth Conference Committees for arranging the Conference in 2024.

3. The General Assembly thank all teachers for their devoted service in our Sunday Schools.

4. The General Assembly commend the '*Praying for One Another*' resource to all congregations.

(F) GLOBAL MISSION

1. The General Assembly give thanks for the diligent work undertaken by those involved in Global Mission.

2. The General Assembly send greetings to all Free Church members working with mission organisations.

3. The General Assembly thank the Evangelical Presbyterian Church of Ireland for their ongoing partnership, prayerful and financial support of the overseas work of the Board.

(G) CHRISTIAN EDUCATION

1. The General Assembly note the completion of the first stage of the joint project with Christian Values in Education (Scotland) and the availability of additional resources to support the deliverance of Relationships, Sexual Health and Parenthood of Curriculum for Excellence in Scottish schools. They thank the Project Management Committee, and especially Ms Kirsty Moffat, Project Leader, for the work done in bringing the Project to this stage. They commend the resources now available on the CVE website to teachers, parents, and others interested in the education of our young people. They commit the ongoing Project to the prayers of the Church.

2. The General Assembly thank the Mission Board for efforts made in seeking to establish a Christian Education Group under the Board's remit as instructed by the 2023 General Assembly. They note that the efforts made, proved unsuccessful in that it was not possible to find suitable members who were willing to join such a Group. Noting the ongoing work of the Joint Project with Christian Values in Education (Scotland), they close the remit to establish a Christian Education Group.

(H) ADMISSION OF NEWTON MEARNS NEW CHURCH

1. The General Assembly receive the Petition of the Presbytery of Glasgow and Argyll regarding the group worshipping as Newton Mearns New Church and grant its crave. They establish the body of Christians presently worshipping at Belmont House School under the name of Newton Mearns New Church as a fully sanctioned pastoral charge of the Free Church of Scotland, under the terms of Act 1, Class 1, 2018, anent the Sustentation Fund, effective from the rising of the Assembly. They declare that the new congregation shall be known Mearns Free Church within the Presbytery of Glasgow and Argyll under the ministry of the Rev. Dr Scott Kirkland on his admission as a Minister of the Free Church of Scotland. They further declare Dr Kirkland's appointment to be without restriction according to the provisions of the said Act and grant him a seat in the Presbytery of Glasgow and Argyll.

2. The General Assembly instruct the Presbytery of Glasgow and Argyll to meet on the Lord's Day 26th May 2024 and, prior to the public worship of God, to appoint General Assessor Elders to form a Kirk Session with Dr Scott after he has answered the Questions and signed the Formula and to become Minister of the newly established congregation, and thereafter to meet with the congregation for a service of public worship for the purpose of formally establishing the congregation and welcoming them into the Presbytery.

3. The General Assembly instruct the Presbytery, having formally established the congregation, to proceed with the arrangements for Dr Scott to answer the Questions and, on receiving satisfactory answers, to sign the Formula, in the presence of the congregation, before welcoming him as the minister of the newly established congregation.

4. The General Assembly instruct that the Kirk Session be constituted immediately following the adjournment of the Presbytery, and that they proceed with the arrangements for Messrs. Charles Amery Behr, Jack Geddes, Andrew Little, David Merriman, Sandy McDougall, Alastair McLellan, Murray McNicol and John McNicol to answer the Questions and, on receiving satisfactory answers, to sign the Formula, in the presence of the congregation, before admitting them as Elders in the congregation.

(I) FINANCE

1. The General Assembly thank the Mission Board for the funding they award individuals and congregations to facilitate the denominational vision of a healthy gospel church for every community in Scotland.

APPENDICES

Appendix One

Mission Director's Report

I am honoured to serve for another year in a highly supportive and collegiate church environment. The Mission Director has no formal power; he can only operate through the consent and invitation of the wider Church.

I have the unique privilege of working with all Free Church congregations. One of our new strengths is the diversity of the congregations within the Free Church family. I have survived long enough to be the longest serving minister within the denomination still in employed active ministry. However, I am by no means the oldest minister. Longevity is not a superpower, but it has given me an insight into change and development. Kiltarlity was in single figure membership; it almost closed. Dundee was in a perilous state. Buying St Peter's was seen by many as folly. The survival of many of our churches is nothing short of miraculous; the growth of others is a source of wondrous joy. Many of the churches I preached in when I was first in ministry no longer exist. I think of places like Croy, Ardersier, Saltcoats and Drumchapel. I have been in Free Church congregations I would never have dreamed were possible: Galashiels, Gardenstown and Montrose are but three examples.

In ministry, some things must always change, and some things must never change. Wisdom from our heavenly Father is required to know which is which. Through annual congregational reports, the requirement to submit a development plan to accompany a Sustentation Fund Schedule along with a more rigorous Presbytery Oversight Visit (POV) Procedure, we provide multiple opportunities to reflect on change and stasis. Reformation is ongoing, repentance is a constant need, but grace is freely given.

Let me focus on 3 key objectives from the events of this last year:

Culture

'Develop and foster a culture of mission at all levels of the denomination' is one of the roles given to the Mission Director. Culture is fundamental to what we do. We have all heard the adage, attributed to Peter Drucker that 'culture eats strategy for breakfast.' The tone and atmosphere within a congregation speaks louder than any development plan.

Mission, outreach and growth are certainly topics of conversation within the denomination. The collapse of our adherent base has been a blessed reality check. The rarity of cradle Free Kirkers has awakened us to the fact that we were commissioned by God and shaped by history to go beyond our denominational mindset and work for the wider community or parish. The concept of the parish church has gone but the call to be the church at the heart of the community with the community at its heart remains.

The Mission Board defines mission culture as characterised by 'visionary leadership, effective communication, cultural sensitivity, winsome evangelism and deliberate discipleship.' These features will never be found in perfect form, but we can say that they are on the agenda and by God's grace, the denomination is seeing increased depth in all these areas.

Portfolio Mission

I use this phrase to speak of variety in mission. There is no one strategy. Follow the development of the New Testament church and you will note church planting, revitalisation, cross-cultural mission as well as preaching in secular and religious contexts. Early church life reveals large churches and small, one to one evangelism, reading the Bible with others. There is mission across all socio-economic groupings. Frankly, I wonder if we have become too specialised these days. Do we put rural and urban, schemes and estates, rich and poor into unnecessary silos?

We have stimulated action in rural ministry through the third '*In A Big Country*' conference held in Dingwall in April. We are in discussion with the Presbytery of Skye and Wester Ross regarding the establishment of a Centre for Rural Ministry. A person with expertise and experience in rural mission would train and mentor individuals and congregations. The centre would also disseminate ideas of robust biblical practice in rural areas. The Centre would be based in Skye, the centre is a resource the presbytery plans to share with the wider Church.

Revitalisation is a significant part of what we encourage. I have held a workshop with the Western Isles presbytery where we met with the presbytery during the day and then with members of congregations at an evening session. We met with the presbytery of Skye and Wester Ross at a meeting in Sleat to look at revitalisation. We aim to offer these workshops to all presbyteries within the next two years.

We help local congregations with their local strategies. Congregations can access this at many levels, from a one-off discussion to a full-blown walk through a strategic process. Often a set of outside eyes brings objectivity to both opportunities and challenges. In the last year, we have met with individual ministers, kirk sessions and wider leadership teams as well as whole congregations. A congregational vision day can be invigorating.

Church planting is a major part of our mission portfolio. Church planting has been successful in providing bringing the gospel to parts of the country where there is not a strong biblical presence. Even with our stated objective of planting 30 new congregations by 2030, we are scratching the surface in terms of need and opportunity. The two main inhibitors to further church planting expansion are workers and finance. Pray for more harvesters for the white fields of Scotland. As the numbers of churches increase, so the financial needs become more challenging.

Most of our plants have developed to the point where they require new or developed buildings and manses. A basic plant requires about £50,000 each year and more than double that if a church and manse are to be acquired.

Problems appear on my desk each week but I'm glad to report that the vast majority of problems arise out of growth.

Partnership

I have been asked to 'develop, maintain and expand strategic partnerships … for the wider mission work of the denomination.' Our mission is to aim for 'a healthy gospel church for every community in Scotland.' The use of the indefinite article is deliberate, we are certainly not 'the' church but part of a colourful mosaic of gospel focused churches in Scotland (and London).

Fruitful meetings have been held with organisations with whom we have formal links, Operation Mobilisation, Mission to the World and OMF. We are working towards a formal agreement with UFM. These are organisations which facilitate evangelism in some of the least reached places on the planet.

It is unlikely, in the medium term, that we will send missionaries out from the central denomination. International mission has not stopped. We have as many Free Church missionaries working internationally as ever.

In the UK, fruitful meetings have been held with MAF, CAP, Open Doors, Release International. Contact details have been provided in the Ministers' Monthly Memo which we would encourage you to follow up.

In the last few years, it has been an honour to visit mission fields where we have had a significant input in the past: Peru, South Africa and India. The work of the church has rightly been handed over to national leaders. We now work with these churches by invitation and view them as equal ecumenical partners.

In a recent visit to the Indian Church, we were warmly encouraged to maintain a 'fatherly interest.' The India church is shocked at any view which would view the term 'mother church' as offensive. They use the term with affection and remind us that good parents keep in regular contact with the children. Along with Dr Alistair Wilson it was an honour to visit India and re-establish our links with the Presbyterian Church of Central India.

The Mission Board team are a delight to work with and I am thankful for the support of Rev. David Macleod, Mrs Sarah Johnson, Mrs Rhiannon Mackintosh, Miss Mairi Beaton, and of course, Rev. Neil MacMillan.

DAVID C. MEREDITH, *Mission Director*

Appendix Two

Petition from Northern Presbytery

CASTLETOWN & COMMUNITY

Unto the Venerable General Assembly of the Free Church of Scotland, appointed to meet in Edinburgh on 20th May 2024, the petition of the Northern Presbytery humbly shows that:

1. Whereas the Rev. Dr Howard Stone has been Minister of Castletown & Community Free Church since 1993.
2. Whereas Rev. Dr Howard Stone has been on Alternative Ministerial Arrangements, under the provisions of Act 13, Class 2, 2014, since 2019, during which time Mr Stone has served on the basis of eighty percent of full-time ministry basis.
3. Whereas the Alternative Ministerial Arrangements come to an end on 30th June 2024.
4. Whereas Dr Howard Stone undertakes many duties within the Presbytery in addition to his ministry in Castletown and Community Free Church.
5. Whereas it is the Congregation and the Presbytery's unanimous desire that Dr Stone continues his ministry in Castletown and Community until he retires from the pastoral ministry on 31st August 2025.
6. Whereas Dr Stone will continue in his appointment as Interim-Moderator for the congregation of Wick and Lybster until his retirement from the pastoral ministry.
7. Whereas it is the unanimous desire of the Presbytery that Dr Stone serve as a full-time minister for the duration of the appointment.
8. Whereas the congregation of Castletown and Community Free Church is financially non-viable and unable to meet the Ministry Levy and the Administration and Training Levy.

9. Whereas the congregation of Castletown & Community Free Church is committed to remitting a minimum of £11,000 to central funds over the fourteen-month period from 1st July 2024 to 31st August 2025.

10. Whereas the full-time ministry of Rev. Dr Howard Stone for the said period will be subsidised by the congregation of Lybster to the extent that the shortfall in meeting the Ministry Levy and the Admin and Training Levy will be covered by them.

11. Whereas the Board of Trustees granted the congregation of Lybster permission for a change of use of funds raised from the previous sale of property so that £30,000 is available to subside the full-time ministry in the said period.

12. Whereas the congregation of Castletown and Community has submitted a ministry development plan to the Mission Board according to the requirements of Act 14, Class 2, 2014 anent Establishment of Locally Subsidised Charges.

Wherefore, the Petition of the Northern Presbytery humbly craves that the General Assembly take these premises into consideration. They declare that the ministry of Rev. Dr Howard Stone in the congregation of Castletown and Community will continue on a full-time basis under the provisions of Act 14, Class 2, 2014 anent Establishment of Locally Subsidised Charges with effect from 1st July 2024 subject to the funds from Lybster Free Church being available. They note that the terms of the said Act make provision for a three-year appointment. They declare that in this case the locally subsidised arrangements come to an end on 31st August 2025.

Or do otherwise as the Assembly in its wisdom may deem best.

And your Petitioners will ever pray.

Appendix Three

Petition from Glasgow and Argyll Presbytery

NEWTON MEARNS NEW CHURCH

Unto the Venerable General Assembly of the Free Church of Scotland indicted to meet at Edinburgh on 20th May 2024, the Petition of the Free Presbytery of Glasgow and Argyll humbly shows that:

1. Whereas the Kirk Session of the group presently worshipping as Newton Mearns New Church in Belmont House School are unanimously desirous that the congregation be admitted to the Free Church of Scotland.

2. Whereas the members of the group voted by clear majority in favour of the application to be admitted as a congregation of the Free Church of Scotland.

3. Whereas the Free Presbytery of Glasgow and Argyll are satisfied that the establishment of a new congregation in Newton Mearns fits in with their overall strategy for ministry, noting the absence of any Free Church Congregation to the immediate South West of the city of Glasgow.

4. Whereas the group have agreed to comply with the Church's Remittances Scheme on their admission to the Free Church Presbytery of Glasgow and Argyll

5. Whereas their projected income of at least £100,000 per annum, and the ordinary income to date, clearly indicate their ability to meet the requirements of the Remittances Scheme.

7. Whereas the Mission Board and Board of Trustees are both supportive of the application.

8. Whereas at a meeting of a Committee of Presbytery with the congregation on 3rd March 2024, the congregation expressed clearly their desire that Rev. Dr Scott Kirkland, presently exercising ministry there, continue to do so following the group's admission to the Free Church of Scotland.

9. Whereas at that same meeting the congregation expressed clearly their desire that the following men be appointed elders in the congregation: Messrs. Charles Amery Behr, Jack Geddes, Andrew Little, David Merriman, Sandy McDougall, Alastair McLellan, Murray McNicol, John McNicol.

May it therefore please your Venerable Court to:

1. Establish the body of Christians presently worshipping at Belmont House School under the name of Newton Mearns New Church as a fully sanctioned pastoral charge of the Free Church of Scotland, effective from the rising of the Assembly.

2. Declare that the new congregation shall be known as Mearns Free Church within the Presbytery of Glasgow and Argyll under the ministry of the Rev. Dr Scott Kirkland on his admission as a minister of the Free Church of Scotland.

3. Declare Dr Kirkland's appointment to be without restriction according to the provisions of Act 1, Class 1, 2018 regarding the Sustentation Fund and grant him a seat in the Presbytery of Glasgow and Argyll.

4. Instruct the Presbytery of Glasgow and Argyll to meet on Lord's Day 26th May 2024 prior to the public worship of God to appoint General Assessor Elders to form a Kirk Session with Dr Kirkland after he has answered the Questions and signed the Formula and become minister of the newly established congregation, and thereafter to meet with the congregation for a service of public worship for the purpose of formally establishing the congregation and welcoming them into the Presbytery.

5. Instruct the Presbytery, having formally established the congregation, to proceed with the arrangements for Dr Kirkland to answer the Questions and, on receiving satisfactory answers, to sign the Formula, in the presence of the congregation, before welcoming him as the minister of the newly established congregation.

6. Instruct that the Kirk Session be constituted following the adjournment of the Presbytery, and proceed with the arrangements for Messrs. Charles Amery Behr, Jack Geddes, Andrew Little, David Merriman, Sandy McDougall, Alastair McLellan, Murray McNicol and John McNicol to answer the Questions and, on receiving satisfactory answers, to sign the Formula, in the presence of the congregation, before admitting them as elders in the congregation.

REPORT

OF THE

THE COMMITTEE ON THE ESTABLISHMENT PRINCIPLE IN THE TWENTY FIRST CENTURY

(A) INTRODUCTION

The events of 2020 and 2021 exposed a tension which exists between church and state[1] in Scotland. Coronavirus disease 2019 (Covid-19) is a contagious respiratory disease, which was first identified in Wuhan, China, in December 2019. The disease rapidly spread globally, with the World Health Organisation declaring a pandemic on 11th March 2020[2]. Subsequently, Scotland went in to first lockdown on 24th March 2020. The Scottish Government instituted a second lock down on mainland Scotland in January 2021[3] due to the rapid spread of a variant of the disease. During the second lockdown, the Scottish Government directed that churches should close, while other locations where people gather (construction sites, manufacturing, and elite sport) were not subject to the same restriction. The Free Church, out of an abundance of love and caution, and recognising the risk to people of a highly transmissible respiratory pathogen, adhered voluntarily to the government direction.

There were, however, ministers and priests, led by Dr William Philip, in a range of denominations who brought legal proceedings against the decision-making of the Scottish Government. The case brought was in two parts. Firstly, with reference to the Establishment Principle that the Scottish Government had no authority to compel the church; and then also using Human Rights legislation that the decision of the government was disproportionate. On 24th March 2021, judgment by Lord Braid, who heard the case, was placed on the Scottish Courts website. The judgment considered, "by judicial review, the lawfulness of the enforced closure, in January 2021, of places of worship in Scotland"[4]. In the course of the judgment the Establishment Principle was considered, but the Court's finding was that closure of churches was disproportionate and therefore unlawful under Human Rights legislation.

With this background, a Petition was brought to the 2021 General Assembly to "form a Committee to consider how the Church should interpret and apply the Establishment Principle in the 21st century and advise the Church accordingly." This report sets out to do so. Within its remit, the first question to be asked is, "What is the Establishment Principle?" While a precise definition has never been reached – even in legislative contexts – we can provide some historical context and leading characteristics of the Establishment Principle.

(B) UNDERSTANDING THE ESTABLISHMENT PRINCIPLE – A HISTORICAL OVERVIEW

1. The *raison d'etre* of the Establishment Principle is the Lordship of Christ. It recognises that Jesus Christ is Lord of His Church, and also the King of Kings from whom all governments derive their power, regardless of whether they recognise His Lordship. In a Scottish context, it was espoused in one legendary interaction when Andrew Melville is said to have taken the sleeve of James VI, calling him "God's sillie[5] [sic] vassal" and furthermore stating, "There are two kings and two kingdoms in Scotland. There is Christ Jesus the King and His Kingdom the Kirk, whose subject King James VI is, and of whose kingdom not a king, nor a lord, nor a head, but a member"[6]. Melville was speaking in theological terms of "Two Kingdoms", where church and state are conceived and inhabit two simultaneous but separate jurisdictions. Note that, while the language of Establishment is similar in Scotland and England, the development and outworking are very different.

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[1] A note on capitalised forms: Throughout this report "Church" is capitalised when used in reference to our own, or another, denomination. We have endeavoured to use "church" without capitalisation when referring more generally to the visible church collectively. Similarly, the capitalised "State" is only used in the report when referring to a specific government, e.g. the Scottish Ministers. We have endeavoured to use "state" without capitalisation when referring to the more nebulous idea of earthly government in general. When we have quoted material, we have used the authors' conventions, which do not always abide by this rule.

[2] https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020

[3] https://www.covid19inquiry.scot/covid-19-pandemic-scotland-timeline-key-dates

[4] https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-docs-for-opinions/2021csoh032.pdf

[5] Scots language of the c17th "sillie" in this context means "frail" – the King himself is under authority

[6] Burleigh, *History of Church in Scotland*, p205

2. Crucially, the Establishment Principle is just that – a *principle*. In the Memoirs of Rev. Alexander Moody Stuart (1809-1898), Dr Gibson[7] is quoted in connection with the Establishment Principle, "I never called it a doctrine: it is simply a church principle: Church Establishment is not a doctrine, and Voluntaryism is not a heresy"[8]. This has been the consistent position of the Free Church. Notwithstanding, adherence to the Principle is a critical part of the constitutional identity of the Free Church of Scotland and has been since 1843.

3. There are several ecclesiastical documents and movements which would provide nuance and heighten understanding of the reasoning behind the Establishment Principle. These include provisions in the Reformation period, the conflicts of the Covenanters, the period from 1690 which concludes with The Treaty of Union in 1707, issues related to patronage and the Ten Years' Conflict. Space does not permit full discussion of these here. For our purposes, we re-enter history with the Patronage Act – an 18th-century law which permitted landowners or patrons to place ministers in parishes contrary to the wishes of the parishioners. This Act, and its interpretation by secular courts ultimately resulted in the 1843 formation of the Free Church – a *church* free from intrusion by the *state*.

4. God's word establishes[9] distinct duties to the church and to the state which are the business of the sovereign and the business of the Lord. These areas are known as jurisdictions. The idea of separate jurisdictions of church and state relates to the critically important principle of *spiritual independence*: that is, areas in the life of the church into which the state cannot trespass, namely doctrine, worship, discipline and governance. Indeed, it was the issue of spiritual independence upon which the Free Church of Scotland was born, out of resistance to the interference of the Courts and more broadly the Establishment. Though we are independent of state *control*, as Dr Thomas Davis observes in his paper commissioned by this Committee:

> … there are still numerous areas in which the jurisdictions of Church and State overlap. Obvious examples today would be employment law, tax obligations, health and safety legislation, data protection, charitable status etc. All of these involve a relationship of some sort between the Church and State … regardless of the particular church's position on the Establishment Principle. (*Going Round in Circles, Dr Thomas Davis*)

5. These two principles of Establishment and spiritual independence, have different emphases and identify different aspects of how church and state relate to one another. For the Establishment Principle to work in full effect, the church works in harmony with godly government; but regardless, it falls to the church to pray for, pastor and to commend and challenge the government[10]. Furthermore, the church will *always* assert its spiritual independence regardless of the government in power.

6. From the Reformation onwards, theological writers have utilised the Establishment Principle in the face of the facts and circumstances they faced. Whether it was securing the church in national life post-Reformation, or in Chalmers' case, seeking to draw funding for the church for Gospel purposes, the underlying principle was *Establishment*. A recent writer has described the relationship as one where church and state are "good neighbours and good friends"[11]. One 19th-century Free Church writer, Charles J. Brown, describes the principle in elegant terms: "the Establishment Principle, or the *Principle of the National Recognition of Religion*, maintains the scriptural view of the universal supremacy of Christ as King of nations as well as King of saints, with the consequent duty of nations as such, and civil rulers in their official capacity, to honour and serve Him by recognising His truth and promoting His cause"[12]

7. Taking William Balfour's approach (*The Establishment Principle Defended, 1873*), we see from the Reformation onwards how the Kirk understood the relationship between church and state in theological terms. Examples from the Second Book of Discipline detail such an interaction in the following ways:

> In Chapter 1:10, "The **spiritual rulers should require the Christian magistrate to minister justice and punish vice**, and to maintain the liberty and quietness of the kirk within their bounds."
>
> 1:14, "The magistrate neither ought to preach, minister the sacraments, not execute the censures of the kirk, nor yet prescribe any rule how it should be done, but command the ministers to observe the rule

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[7] Dr James Gibson, 1799-1871, Professor of Systematic Theology & Church History, Free Church College, Glasgow,
[8] Alexander Moody Stuart, *Memoirs* 1899, p194-5
[9] 2 Chronicles 19; Matthew 16.9; 22.21 (ESV)
[10] 1 Tim 2:1-4
[11] D. A. Robertson, *Church and State*, in *Crown Him Lord of All*, Ed. C. Graham
[12] Charles J Brown, *Christ's Kingship over the Nations*, p1, republished by Still Waters Revival Books https://www.puritandownloads.com/christs-kingship-over-the-nations-maintained-and-defended-in-the-establishment-principle-or-the-principle-of-the-national-recognition-of-religion-by-c-j-brown/

commanded in the word, and punish the transgressors by civil means. The ministers exercise not the civil jurisdiction but **teach the magistrate how it should be exercised according to the word."**

1:15, "The magistrate ought to assist, maintain and fortify the jurisdiction of the kirk. The ministers should **assist their princes in all things agreeable to the word**…."

8. As Principal Iver Martin has highlighted[13], the fact that the Second Book of Discipline was commissioned at the behest of the governor of Scotland suggests that the church was expected to determine not only its own theological foundation but that of the state, and that in theological terms.

9. In 1904 the Free Church minority argued before the House of Lords that the Westminster Confession was the standard adopted by the Disruption Free Church in 1843. In other words, its identity was bound up in that position on this very issue[14]. The Judgment of the House of Lords confirmed that view, and in his Opinion, Lord James of Hereford confirmed that the Free Church could not change its position on the Establishment Principle "and yet at the same time preserve its identity"[15].

10. The Free Church of Scotland holds to the Establishment Principle, as set out in the Westminster Confession, as adopted as by the denomination in 1843, as confirmed in the House of Lords in 1904, and as re-asserted by subsequent General Assemblies.

(C) UNDERSTANDING THE ESTABLISHMENT PRINCIPLE – A LEGISLATIVE OVERVIEW

1. We now come to the Church of Scotland Act 1921, in the course of the early 20th century. Through the union negotiation, there were attempts to recognise the Principle in the laws of Scotland. The United Free Church rejected the established basis of the Kirk so, in order to facilitate union, the Church of Scotland Act was passed in 1921. According to Francis Lyall, "This Act, with the Declaratory Articles scheduled to it, is one half of the major reconstruction of relations between the CoS and the state"[16]

2. According to Professor Colin R. Munro, the 1921 Act is "more of a recognition by the state of a concordat which allowed that the Church had its own sphere of jurisdiction"[17]. However, Munro goes on to point out that "it is an Act of Parliament which sets out the relations of church and the state, whereas there is no corresponding legislation found – or necessary – in respect of other churches"[18]. This is because the protections granted to the National Church are also afforded to other Christian churches in section 2 of the Act, in certain circumstances. By extension of the Human Rights Act, these rights also apply to non-Christian denominations[19].

3. There are two important elements of the Church of Scotland Act 1921. Firstly, that it manifests in legislation the Establishment Principle, namely that church and state agree to engage with and support one another. Perhaps, though, this does not look quite how Chalmers had envisaged: "We knock at the door of government, not in the crouching position of supplicant for ourselves, but in the firm and high attitude of donors … saying, 'this is our contribution. what is yours?'"[20]. While the 1921 Act doesn't address endowment, it does seek to suggest equality between church and state. The Scotland Act 1998 did not grant the Scottish Parliament power to amend the Church of Scotland Act 1921[21].

4. Secondly, and more importantly, the Act recognises the importance of spiritual independence. The legislation referred to "Matters Spiritual", which was within the exclusive jurisdiction of the Church of Scotland. It was hoped at the time that the 1921 Act would end, issues of ecclesiastical governance (Rodger, *ibid,* p93). However, subsequent litigation has delineated the limits of that jurisdiction.

5. In a Free Church context, spiritual independence is a non-negotiable. In his paper, Dr Thomas Davis pointed to the words of James Bannerman, stating that a proper understanding of spiritual independence is what enables Establishment:

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[13] *Church and State in Scotland : 1707 - 2023*, a paper delivered at The Evangelical Theological Society, 2023, San Antonio, Tx
[14] Murray, *Freedom to Reform*, p15
[15] Orr, Free Church Appeals, 1904, p589
[16] Lyall, "Church of Scotland Act 1921" in DSCHT, p.185)

[17] Munro, CR, Does Scotland have an Established Church?", in *Ecclesiastical Law Journal,* p.644
[18] *ibid*, p.644
[19] Stair Encyclopaedia, Constitutional Law, para 643
[20] Thomas Chalmers, Lectures on the establishment and extension of national churches, delivered in London, from April Twenty-fifth to May Twelfth, 1838, p43
[21] Walker, *The Union and the Law,* Journal of the Law Society of Scotland, 18 June 2007

> There is one fundamental condition, then, essential to an alliance between the Church and state, and on which both parties in the alliance have equally the right to insist: the condition, namely, that the Church and the state, as distinct societies, shall be recognised as mutually independent in their existence and entire offices and functions. Without this, there can be no true or scriptural alliance[22].

6. Dr Davis provides two very helpful quotes from Cunningham and Smeaton, highlighting how spiritual independence was compromised during the Ten Years' Conflict, and how the Church holding to the Establishment Principle was in danger of being abandoned due to union with the United Presbyterians. Both principles point to the Headship of Christ, over His church and over the nations of the world.

> "In other words, Christ's authority means that spiritual independence must be maintained; at no point should the State encroach into the prerogatives of the Church. Christ's Church must be *respected*. And at the same time, Christ's authority means that States should be willing to invest in the Church, supplying material support to aid her in her mission. Christ's Church must be *resourced"* (*Going Round in Circles*, Dr Thomas Davis).

7. Whether we can legitimately expect the governments of London or Edinburgh to offer discrete funding for evangelism may be a debate for another day, though the Church does receive funding through differing and indirect routes from government, such as charitable status.

8. It is important to be clear that in asserting Establishment Principle, the Free Church holds that no-one should suffer discrimination or persecution on the basis of religious affiliation. This basic proposition has been the position of the Free Church since its inception. In 1846, The Free Church passed a Declaratory Act which disclaimed "intolerant or persecuting principles, and does not regard her Confession of Faith, or any portion thereof, when fairly interpreted, as favouring intolerance or persecution (Act 12, Class 1 1846). It is a basic right that everyone should be free to worship God as they please; equally that there is also a right to evangelise. Freedom of religion means that it is open to anyone to change their religion without fear or adverse consequence. It is not unreasonable to expect the state to protect the rights of minorities and ensure that there is Freedom of Religion.

(D) ESTABLISHMENT IN CONTEMPORARY SCOTLAND

1. With the rise of secularism in the 20th century, coupled with the ever-diminishing influence of the Christian church, today's Scotland is unrecognisable from its Reformation roots. At one time discussion on the place of the Church in society excited intense debate; today it is often met with indifference. Writing in 2014, the words of Principal Donald Macleod still have a relevance today:

> "The temptation to triumphalism is particularly acute for those of us who are in ministry. It is all too easy to misconceive our role, seeing it as a juridical and authoritarian one rather than as a caring and pastoral one. We seek not so much to serve but to be recognised, supported and obeyed. We entertain expectations of revival which often reflect only the hope of greater power and influence, and the longing for a day when the church will sit in the world's places of honour. The vision of church dominance of education and politics and the concern for a closer church-state partnership can all too easily become protests against the way of the cross. We have to keep on reminding ourselves that the church is in the community not to lord it over but to serve it: and if the community fails to appreciate us, that is no sign that after the heady days of the 19th century with their *Hosannas!* and palm branches, things are now very much back to normal – back to what Christ meant them to be."[23]

In a multi-cultural nation, questions of the place and relevance of the church have a refreshed relevance. In days when a Free Church member running for high office owned her biblical principles and was pilloried by the press, we see that the Church can also be met with outright hostility. This cannot lessen our resolve to speak truth to the state, or the public.

2. That the question to what extent religion may affect politics is even asked in Scotland, is testimony to a seismic shift that has taken place in ecclesio-political life. But it is one which raises deeper ecclesiastical questions: If government is impervious to religious input, what are churches like the Free Church of Scotland, committed constitutionally to the Establishment Principle? Is such a commitment purely hypothetical in a society where government is largely secular?

(E) APPLYING THE ESTABLISHMENT PRINCIPLE TODAY

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[22] Bannerman, *The Church of Christ* (Vol. 1), p111

[23] Donald Macleod, *Glory to Golgotha,* p101, although originally given at the Banner of Truth conference, Leicester in 1982.

1. In the light of such a relationship, even if functionally hypothetical, **how might a church committed constitutionally to a largely inoperative principle understand and adhere to its position? There are a number of points for us as a denominational to note:**

2. As the Free Church of Scotland

(a) First, scripture is sometimes addressed to kings and government, as distinct identifiable categories. This suggests that civil authorities lie within a specific interest. The Establishment Principle can thus be argued theologically. Psalm 2:10 is an authoritative command, specifically to kings:

> "Now therefore, O kings, be wise, be warned, O rulers of the earth."
>
> Paul's injunction in 1 Timothy 2:1-3 that the church must pray specifically for kings surely implies that God regards kings, and governments, as governmentally as well as personally accountable to Him.
>
> Furthermore, the divine appointment of government is stated in Romans 13, a fact that again implies strongly that those who hold positions of authority bear a particular responsibility and accountability.

(b) The Establishment Principle and the attendant principle of spiritual independence are interconnected. The two kingdoms are separate yet related by way of accountability to one ultimate Master.

(c) The Establishment Principle can be adhered to hypothetically even if not operationally. A principle can be subscribed to, even if in reality, it appears to be far removed from being a visible reality; nevertheless we seek to apply the Principle. The fact that a secular magistrate (President, First Minister, Prime Minister) has decided to legislate in an anti-Christian direction does not alter his or her ultimate accountability to God or responsibility to assist the cause of the gospel. However, where that same secular magistrate moves in a direction which interferes with the spiritual independence of Christ's church, then we are duty-bound to assert the Crown Rights of the Redeemer before our own. That said there are important elements of the Establishment Principle which are still very visible in the relationship between church and state. We rejoice in the privilege of being able to address the King through words of the Loyal and Dutiful Address and we are honoured by the attendance at our Assembly of His Grace, the Lord High Commissioner. These are both ancient emblems of the close and meaningful relationship we have with the state.

(d) Which raises a final question: whether the church bears a responsibility to make representation to government on matters that impact the moral or religious wellbeing of the nation. A church subscribing to the Establishment Principle will surely answer in the affirmative and seek to use all legitimate and available means to communicate its concerns to government. Indeed, where the church recognises the theological dimension to its relationship to the state, it is incumbent on the church to make use of such means to respectfully yet firmly promote God's stated will for a wholesome society. This is why the Free Church of Scotland has appointed a Public Engagement Co-ordinator. His role is to interact with Government officials as opportunity arises, and participate, on behalf of the denomination, in government consultations which relate to moral issues.

3. Although Scotland today is in a different place to where it was in 1707, when the Acts of Union enshrined the place of the Scottish church in national life, there are important opportunities where the church can, in a gracious, respectful and Christlike manner, be a prophetic voice even if that voice is disregarded. That prophesy is ignored is no new phenomenon.

4. In writing the introductory remarks to William Balfour's *The Establishment Principle Defended,* James Begg helpfully sets out some further areas of application. Begg describes what we should expect from our rulers when they acknowledge the universal supremacy of Christ. While they are principally aimed at rulers, these are also areas which we as a denomination and as individuals can pray for, model and take part in:

(a) **Endowment of the church.** We see the same today with the funds received from Gift Aid, where the Government gives 25% on top of your donation without any additional cost to the donor. Additionally, the Free Church is a Designated Religious Charity (DRC), which means the denomination is exempt from certain provisions of the Charity and Trustee Investment (Scotland) Act in how the DRC operates. While ideas around endowment were prominent in the 19th-century Free Church, for very legitimate reasons, our situation is different. That said, we are thankful to God for these financial arrangements which benefit the Free Church.

(b) **Protecting the Sabbath.** The Sabbath has long been under pressure in Scotland both from encroachment of commerce and its treatment by society as merely another day. While our witness is not restricted to

Sundays, it is important that the church is visible in its love of the Sabbath, and the positive benefits it exhibits: rest, fellowship and public worship.

(c) **The promotion of scriptural education in schools.** Begg reminds us of the importance of the education sector, and teachers in particular, and of how we support, encourage and pray for our teachers and children in education. This requires engagement not least because educational standards are set by the state and implemented by the local education authority. This can also be broadened to a wide range of social services. Where the Church provides care homes, childcare and Christian education, the Church must be free to recruit staff who are sympathetic to the ethos of Christian social care. In both education and social care, the default position of the state has been neutrality – though we know from experience that state neutrality is not neutral. Therefore, just as we engage with national government, we are required to engage with local government too, advocating for, and on behalf of Christian values.

(d) **Prayer in Parliament.** We acknowledge that *Time for Reflection* within the Parliament seeks to include a wide variety of beliefs. However, it does provide an occasion to present Gospel to our Parliamentarians. In recent successive years our Moderator been invited and has accepted this opportunity. Indeed, many Christians are involved in the life of the Parliament in differing ways. It is critical that all the Parliament does, is clothed in prayer and that our Parliamentarians are conscious of the responsibility they hold before the Lord. We are required to pray for them and inform them that we are praying for them[24].

(e) **Appointing days for humiliation and thanksgiving.** In a secular age it may be difficult to anticipate the government appointing such days, and yet for the nation to stand before the Lord, both seeking repentance and offering thanksgiving, would be an unimaginable blessing. Nevertheless, we would commend having a National Day of Prayer, where our focus is outward-looking across our nation, for our leaders and institutions and particular for the people.

(f) **Appointing chaplains.** The Free Church has a long history of involvement in chaplaincy to the military, and in recent years we have seen this widen out in to other public institutions from prisons, universities and hospitals, into differing sports and an array of workplaces. These are all vital areas of engagement and are to be encouraged and broadened.

(g) **Organisational Liberty.** As Principal Donald Macleod observed, "the most significant freedom for the Church which we look to the state to protect, is freedom of the Church to appoint its ministers and priests, and for them to fully enjoy freedom of worship; that is, to preach what they like" (Principal Donald Macleod's Blog post - The Establishment Principle Today)[25]. In a world where "no-platforming" has become commonplace, and where discussion is limited to what is approved, it is vital, as Principal Macleod highlighted, "for the pulpit to jealously guard the freedom to tell it as God sees it." (ibid Macleod)

(h) **Listen to the Voiceless and Poor -** One of the most important areas in which the Government has a responsibility under the Establishment Principle is to listen when the Church articulates on behalf of the Voiceless and the Poor. Again, Principal Macleod provides helpful insight: "the church must educate government as to those Christian values which should form the basis of its administration. The most fundamental and relevant of these is stated in Isaiah 61.8, 'I, the LORD, love justice'. We must be careful not to join the current chorus of protest against the concept of human rights. God is concerned for the rights of all his creatures and hates to see them violated. This is why he is always on the side of the victims of injustice, and it follows from this that the rights of widows, orphans, aliens, immigrants, the sick, the unemployed, the disabled, the homeless and the marginalised must lie at the heart of any political witness borne by the church. Our voice cannot be limited to narrow issues of law-and-order, far less to questions of sexual morality. We must speak in support of the powerless and the speechless".[26] The Free Church of Scotland speaks on issues of family life, the poor and the vulnerable. Through public engagement the Free Church regularly engages with the Scottish Government. There are a number of recent examples of this where, as a denomination, we have participated in the legislative consultation process on Prostitution to help tackle sexual exploitation[27], supporting the appointment of a Commissioner for Older People and seeking reform of the criminal law to address misogyny[28].

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[24] 1 Tim 2:1-4

[25] https://donaldmacleod.org.uk/dm/the-establishment-principle-today

[26] Proverbs 31:8-9; Macleod ibid

[27] https://freechurch.org/christian-groups-open-letter-to-scottish-government/

[28] https://freechurch.org/public-engagement-group/

5. Writing in 1833, Charles J. Brown, who would go on to join the Disruption Church, says in *Church Establishments Defended,* that the church, though distinct from the state, is not opposed to it. On the contrary, both church and state have God the Father, Son and Spirit as the foundation from which they flow. Both are bound to take the moral as the unerring standard of their administrations. By contrast, in 2021, The Opinion of Lord Braid in the *Philips case* recognises that "the State may, and does, regulate a host of civil matters that can affect places of worship, for example health and safety law, compulsory purchase and planning, occupiers' liability. These are civil, not spiritual matters." There may be additional areas which the State describes as civil but which impact the church. Contested areas around freedom of assembly, freedom of speech and freedom of thought, all rights protected under the Human Rights Act, may become matters which touch upon the spiritual independence of the church.

6. Lastly, it must be remembered that government is an institution which has been appointed by God. So, while we may have our differences where we challenge, criticise, or even protest against it, we must always remember that governments are appointed by God. The men and women who serve, are those who protect us against chaos. We recognise the legitimacy of government; we are thankful for the form and system of government in our country, for democratic elections, for people willing to engage in public service and for the institutions of the state which ensure order, guarantee personal freedom, hold wrongdoers to account and protect our borders[29].

(F) CONCLUSIONS

1. While this Committee has not sought to be the first Free Church body to provide a succinct working definition of the Establishment Principle, we hope we have given a good practical guide to its characteristics, original purpose, and modern-day application. We are aware that this exercise arose out of Legal Opinion on the State's right to cause places of worship to cease meeting in person during Covid-19 regulations, and that the 2021 Assembly formed this Committee in order to ascertain the Establishment Principle's bearing on that Opinion.

2. While the Committee does not feel this is the place to judge secular legislation, we would conclude that there is a clear demarcation between the state imposing a specific regulation for a specific amount of time due to an acute national crisis, and interfering in matters of doctrine which would have a strict bearing on spiritual independence. This is a question which may face much sterner challenges from future legislation which may undermine freedom of conscience, freedom of expression, freedom of assembly and freedom of private and family life. For example, the proposed ban on "conversion practices" currently being considered by the Scottish Parliament. In such cases, it has been noted that the Free Church's Public Engagement Co-ordinator expresses our concerns to our legislators. We are called to submit to the governing authorities appointed by God (Romans 13) but there may come a time when we are called to give the response of Peter when commanded to stop preaching the gospel: "We ought to obey God rather than men" (Acts 5:29).

3. In seeking to define and apply the Establishment Principle, the Committee commissioned five papers from leading writers in their field. They are:

(1) *The Establishment Principle: New Testament Perspective* – Rev. Dr Alastair Wilson

(2) *Tracing Establishment: The development of Presbyterian Applications concerning Church's relationship to the Civil Magistrate* – Rev. Dr Harrison Perkins

(3) *Calvin on the 'Two Kingdoms*' – Dr Jon Balserak

(4) *Going Round in Circles* – Rev. Dr Thomas Davis

(5) *The Establishment Principle: Systematic Theology* – Rev. Prof. Andrew McGowan

(6) *Church and State in Scotland: 1707 - 2023* – Principal Iver Martin

These supplementary papers, where permission has been granted by the authors are available on the Free Church website, and the Committee thanks the writers most gratefully for their helpful contributions.

NEIL D. M. MACLEOD, *Convener*

PROPOSED DELIVERANCE

1. The General Assembly receive and adopt the Report and thank the Committee.

2. The General Assembly declare that the Committee has fulfilled its remit, and that the Committee is now discharged.

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[29] Proverbs 29:2,4,12,14,16,18; Romans 13:1-7

3. The General Assembly instruct the Assembly Clerk's Office, Boards of the Church, and the Public Engagement Group to consider national strategies to (a) enhance understanding of the Biblical and Theological basis for the Establishment Principle and (b) to implement the practical application of the Establishment Principle outlined in section (E) of the Report.

4. The General Assembly instruct Presbyteries of the Church to consider locally relevant strategies to (a) enhance understanding of the Biblical and Theological basis for the Establishment Principle and (b) to implement the practical application of the Establishment Principle outlined in section (E) of the Report.

OVERTURE

OF THE

FREE PRESBYTERY OF GLASGOW AND ARGYLL

MARRIAGE, COHABITATION AND CHURCH MEMBERSHIP

Unto the Venerable the General Assembly of the Free Church of Scotland indicted to meet at Edinburgh on Monday 20th May 2023, the Overture of the Free Presbytery of Glasgow and Argyll humbly shows that:

1. Whereas marriage is a creation ordinance.

2. Whereas marriage is publicly recognised by Church and State.

3. Whereas communicant membership of the Church is by credible profession of faith in Christ.

4. Whereas public sins are barriers to communicant membership and subject to church discipline.

5. Whereas irregular marriage (except 'by cohabitation with habit and repute') has been defunct since the Marriage (Scotland) Act 1939 and then 'by cohabitation with habit and repute' statutorily removed under the Family Law (Scotland) Act 2006.

6. Whereas society is increasingly made up of cohabiting couples.

7. Whereas one or both partners in a cohabiting relationship may come to faith in Christ.

8. Whereas one or both partners may be unwilling to enter legal marriage.

9. Whereas communicant membership has a bearing on participation in the Lord's Supper and Baptism (whether on profession of faith by an individual or on the profession of faith by a parent or parents).

10. Whereas there is no clarity regarding the Church's view of a cohabiting relationship particularly against the background of several changes in law in connection with marriage and cohabiting, including the aforementioned Acts and the Marriage and Civil Partnership (Scotland) Act 2014.

11. Whereas the Church and State now have clearly different, albeit overlapping, definitions of marriage.

12. Whereas pastorally this is a scenario currently faced in our congregations.

Wherefore, it is humbly overtured by the Free Presbytery of Glasgow and Argyll that the General Assembly take these premises into consideration and that:

1. They appoint a Committee to consider how the Church should interpret and apply changes in family and marriage law in society to applications for admission into the communicant membership of the Church.

2. They instruct the Committee to report their findings to the 2025 General Assembly with recommendations as to how to advise the Church on the matter.

REPORT

OF THE

BOARD OF TRUSTEES

(A) GENERAL

1. ***Healthy Gospel Church Vision***. The vision of the Free Church is of "A Healthy Gospel Church for Every Community in Scotland". The Board of Trustees has been pursuing that vision as it has worked with Boards and Presbyteries to support the ministry of local congregations. The CEO, Mission Director, Church Planting Director and Communications Manager led healthy Church Gatherings in each Presbytery. A video and discussion series on Healthy Church Characteristics was launched in February 2024.

2. ***Board Membership***. Rev. Calum Iain Macleod and Mr Alastair Oliver have completed their second term on the Board. Mr Neil Longwe is stepping down from the Board as he prepares to enter his first year of ordained ministry. The Board thank them for their service.

3. ***Board Activity and Projects***. During the year, the Board considered a wide range of matters including vision and strategy, communication, risk management, finance, investments, pension scheme funding, congregational property, funds and loans, the remittance system, the impact of vacancies on congregations, new legislation, legal matters, professional advisers, and correspondence on various topics. Many of these matters are outlined further in the report below.

4. ***Board Purpose and Vision***. The Board also considered its purpose and its vision for how it operates. The Board of Trustees exists to nurture health in every part of the Church. Board members seek to be united in the gospel, working collaboratively as a group and with others. They seek to be missional and generous in outlook, acting as a catalyst to help enable healthy growth. They want to be open and approachable, with a willingness to listen, learn and adapt. Board members try to be confident yet humble, dealing with the difficult issues rather than avoiding them.

5. ***Central Office Staff***. We are grateful for all the staff who serve in the Central Office, and we recognise God's provision of those who have been appointed during the year. Mr Jacob Dunn replaced Ms Chloe Briggs as Admin Assistant in August 2023. Mr Donald Macleod officially started as the Board of Ministry Officer in June 2023. Rev. Neil MacMillan decided not to accept an extension to his role as part-time Church Planting Director and finished in the role at the end of November. The Church Planting 30x30 work is continuing under an executive group while the Mission Board and Board of Trustees consider the future of the role. Two members of staff are currently on maternity leave.

6. ***Remittance System Review.*** The Board has instigated a review of the current remittance system with a view to bringing proposals for a new system to a future General Assembly.

7. ***Legal advisers and law agents.*** Balfour & Manson have been the Law Agents for the Free Church for a number of years. During 2023 key personnel retired or moved firm. The Board asks that the General Assembly grant it the authority to appoint legal advisers and law agents for the Free Church on the basis of suitable experience and the needs identified. The General Assembly in 2022 previously granted the Board permission to approve solicitors for property transactions.

8. ***Life Assurance and Standard Life Group Pension.*** The level of Life Assurance cover for Ministers was improved during the year and the upper age limit was increased. The Board also arranged for a review of the current Standard Life Pension Scheme charges and default fund.

9. ***Mission Board Membership.*** The Mission Board, when discussing vacancies arising on the Board, agreed to ask the General Assembly to increase its membership from eight members to ten, comprising of seven Ministers and three Elders, to facilitate the wide remit of the Mission Board. As this is a governance matter it is included here in the Board of Trustees Report.

(B) FINANCE

1. ***Annual Report and Accounts***. At the time of writing, the Annual Report and Financial Statements for the year ending 31st December 2023 were in preparation. The commentary below is based on draft figures. It is expected that audited accounts will be available by the time of the General Assembly and that a Financial Summary will be circulated to Commissioners.

2. ***Financial Position***. The draft statutory accounts show a positive net movement in funds of £588,000 for the

year. Income for the year was 3.6% above budget and expenditure was 1.9% below budget, resulting in a management accounts operating surplus of £293,000 (2022: £208,000). We give thanks to God that the Church was able to meet its expenditure in 2023 and to once again start the new year in a good financial position with the ability to continue its mission and ministry.

3. ***Remittances and Donations***. The Board of Trustees would like to thank congregations and individual members for their efforts to maintain remittance levels and mission donations during 2023. The Board recognises the significant challenges facing congregations with rising costs and that household finances are squeezed. Remittance income for the year was 3.2% below what was due to be remitted and 5.3% below budget.

4. ***Bank Interest and Congregational Funds***. A significant amount of the 2023 operating surplus was due to bank interest being higher than anticipated. The higher bank interest rates allowed for interest of 2.75% to be paid on congregational funds balances of £5,390,000.

5. ***Investments Funds.*** The General Fund and Pension Fund investment portfolios are monitored by a joint Investment Committee comprising representatives of the Board and the Pension Trustee. The funds continue to be managed by Brewin Dolphin.

General Fund – As at 31st December 2023, the General Fund was valued at £5,820,000, with an annual return for the fund of 8.6%. Annual income from the investments (yield of 2.31% in the year) was used to help fund the activities of the Church. The fund also produces income for congregations that have endowment funds invested via the share pool. The value of each unit in the share pool was worth £5.07 at the end of 2023 compared with £4.99 in 2022. Interest on the capital sums held for the endowment funds was distributed at 13p per unit.

Pension Fund – As at 31st December 2023, the Pension Fund was valued at £7,295,000, with an annual return for the fund of 5.9%. Annual income from the investments was used to help pay pensions in payment.

Mr Don Macleod joined the Investment Committee in November 2023.

6. ***Trustee Loans***. As at December 2023, the Board had loans outstanding to congregations totalling £2,958,000 (2022: £2,333,000). In addition to the loans outstanding, the Board has a further £250,000 of committed loans which are awaiting drawdown.

7. ***Stipend***. As part of the budgeting process for 2024, a Sub-Group of the Board reviewed the Stipend level and consulted with Treasurers and Ministers before recommending an increase in stipend to £27,580 per annum from 1st January 2024. This represents a 5% increase from the previous year. Given the cost-of-living pressures, it is likely that a similar increase will be needed again from 1st January 2025.

8. ***2024 Budget***. The Free Church of Scotland budget for 2024 shows a breakeven position. The Board of Trustees is committed to achieving a balanced budget for ongoing operations. Any annual deficit should be due to additional strategic investment towards a Healthy Gospel Church, for example Church Planting grants, Healthy Church Development grants and Minister-in-Training grants.

9. ***Invalid Ministers Fund***. The Board seeks the permission of the General Assembly to wind up the Invalid Ministers Fund. This fund was originally set up by the General Assembly to pay grants to ministers to cover pulpit supply and help with costs during illness, but the annual income from the fund is so small that it is of little help to congregations. The Board has reviewed the rules around reclaim of supply costs and has made adjustments to them to allow congregations with a minister off long-term sick to receive the same help as a vacant congregation. The Board recommends that the Invalid Ministers Fund be wound up. Paragraph E5.5 of Act 21, Class 2, 2023 should also be deleted to allow for congregations to receive help with supply costs before stipend stops.

(C) PENSION SCHEME

1. ***Free Church of Scotland Pension Scheme***. The Defined Benefit Free Church of Scotland Pension Scheme was closed to new members on 31st December 2007 and a new Standard Life Defined Contribution Group Pension was put in place. Like many other Defined Benefit Schemes the Free Church Pension Scheme had been reporting a significant deficit for many years. The Church was required by The Pensions Regulator to make recovery contributions with the aim of removing the deficit within a reasonable timeframe.

2. Under UK Pension regulations a formal scheme valuation is undertaken and reported every 3 years. The last formal valuation at the end of 2021 indicated a deficit of £2,300,000 and inflation linked recovery contributions of £450,000 per annum were agreed and planned until 2028.

3. Significant changes to the economy during 2022 had a fundamentally positive impact for Defined Benefit pension schemes. At the end of 2022 a valuation of the scheme assets and liabilities reported that the closed Free Church Pension Scheme was no longer in deficit. This allowed the Pension Board and the Board of Trustees to follow the advice of our professional advisers to lock into the improved funding position by adopting a more

cautious investment strategy. Such a strategy seeks to match future scheme payments with the assets held by the scheme.

4. Simultaneously, and after a long period of consultation, The Pensions Regulator has brought forward new legislation which is likely to be implemented by early 2025. This will bring a raft of changes in the management of Defined Benefit Pension Schemes including a significant increase in the administrative oversight.

5. As a result of the improved scheme funding position together with a disproportionate and growing administrative burden of a small, mature, closed and diminishing scheme, the Pension Board and the Board of Trustees have agreed to consider the possibility of a scheme buy-out by an insurance company. This means the management, assets, liabilities and administration of the pension scheme are taken over by an insurance company who specialise in pension schemes such as this. They are better placed to comply with the increasing pension regulations and will guarantee that all members benefits are maintained.

6. Considering the long-term management of the Scheme is something that the Pension Regulator requires Pension Boards to do. The Regulator wants to see Scheme risks reduced and is very positive about smaller schemes like ours being passed to specialist insurance companies.

7. Throughout 2023, the Pension Trustee Directors and Central Office Staff have therefore been working to make the scheme ready for a scheme buy-out. The buy-out by an insurance company will require the scheme to be fully funded on what is called a solvency basis. In effect this is the cost of securing the scheme liabilities with an insurance company. The cost of the buy-out will be in the region of £2,000,000; an amount slightly less than the Free Church has agreed to pay until 2028 under the existing deficit recovery plan. The Church will be required to pay this up front at the time of transition, but the Church will no longer need to make any of the remaining £450,000 per annum recovery contributions, and congregational remittances can be allocated more effectively to help support the Healthy Gospel Church vision.

8. Furthermore, if the Free Church was to continue to run the scheme until the very end, it is anticipated that we would incur an additional £2,000,000 in professional and administration costs. Transferring the scheme to an insurance company avoids these costs, provides greater security for scheme members, removes from the denomination the risk and administrative burden of the scheme, and means that the Free Church no longer has to pay the annual recovery contributions.

9. Paying the solvency premium up front is possible because over the last ten years the Free Church has built up sufficient reserves to do so as the result of sales of property and legacies that have been received.

10. For all these reasons the Board of Trustees has decided that it is in the best interests of the denomination and scheme members to use reserves to fund the buy-out and to transfer the scheme to an insurance company as soon as practically possible.

11. The Pension Trustee Directors will communicate as and when appropriate with all scheme members.

(D) SUB-GROUPS OF THE BOARD

1. ***Communications Group***. The Communications Group has continued to progress the communication strategy. An increasing number of promotional videos have been produced by the Communications Team. The *Healthy Church Podcasts* have continued and there have been further improvements to websites and the sharing of news stories.

2. ***The Future of The Record***. The Communications Group has been considering the future of *The Record*. Circulation numbers have continued to decline, the publication continues to make a financial loss, and a long-term Editor has not been identified. The General Assembly are invited to have a discussion about the future of the publication with feedback to the Communications Group.

3. ***Public Engagement Group***. The Board is thankful to Rev. Stephen Allison for his work as Public Engagement Coordinator. Following the 2023 General Assembly, Ms Dee Fraser stepped down as an adviser to the Board. Mr Neil Longwe joined the group as link person with the Board of Trustees. The Board is in the process of appointing an additional female member of the group. More information regarding the work of the Public Engagement Group over the last year is contained within the Public Engagement Coordinator's Report in Appendix One.

4. ***Compliance Group***. The Compliance Sub-Group has continued to support congregations in the areas of Safeguarding, Risk Management, Health and Safety, and Complaints handling. In April 2024, Mr Andrew Macaulay took over from Mr Donald Macleod as Safeguarding Training Co-ordinator. The Legal & Compliance Officer is assisting congregations with the new *Register of Persons Holding a Controlled Interest in Land*. The Operations Manager is continuing to develop a Compliance Handbook for congregations.

DONALD C. FORSYTH, *Chairman*
CALUM IAIN MACLEOD, *Vice-Chairman*

PROPOSED DELIVERANCE

(A) GENERAL

1. The General Assembly receive and adopt the Report of the Board of Trustees and thank the Chairman, members of the Board and the Central Office staff for their work.

2. The General Assembly grant the Board of Trustees the authority to approve legal advisers and law agents for the Free Church of Scotland, its Presbyteries, and congregations.

3. The General Assembly note the wide remit of the Mission Board and the Board's request to increase its membership from eight members to ten. They revise the terms of Act 13, Class 2, 2015, to the extent that the membership of the Mission Board is seven Ministers and three Elders. They declare that the revised Act reads as follows:

> 'The General Assembly, noting that no substantive issues have been identified that would prevent the appointment of a unified Mission Board, appoint a Mission Board to discharge the functions of the Home Missions Board and the International Missions Board as presently constituted. The Board shall assume responsibility for developing appropriate denominational partnerships at home and abroad, as well as partnerships with other organisations and agencies, in order to enhance the Church's ability to reach out with the Gospel. Membership of the Board shall be ten members in total, comprising seven ministers and three elders appointed by the General Assembly for a four-year term renewable for one further term of four years. The Chairman shall be appointed from the membership of the Board by the General Assembly for a four-year term, renewable for one further term of four years, subject to any member not serving more than eight years on the Board. The quorum shall be three members of the Board.'

(B) FINANCE

1. The General Assembly acknowledge with gratitude the financial provision made by the Lord through His people for the work of the Church. They thank those who gave in a regular, responsible, and generous manner in support of that work.

2. The General Assembly approve the winding up of the Invalid Ministers Fund and declare that the remaining balance be moved to the general fund to help with supply costs in congregations where the minister is absent through ill-health. They delete paragraph E5.5 from Act 21, Class 2, 2023 to allow for assistance with supply costs in line with the rules for vacant congregations.

(C) PENSION SCHEME

1. The General Assembly thank the Board of Trustees, Pension Trustee Directors, and Central Office Staff for all the work that has been done to progress a buy-out of the pension scheme. The General Assembly affirm the decision of the Board of Trustees to use reserves to cover the buy-out costs.

(D) SUB-GROUPS OF THE BOARD

1. The General Assembly thank the Communications Group, the Public Engagement Group and the Compliance Group for their work.

2. The General Assembly thank Mr Donald Macleod for his work as Safeguarding Training Co-ordinator.

3. The General Assembly thank Ms Dee Fraser for her work on the Public Engagement Group.

APPENDIX ONE

Public Engagement Coordinator's Report

The main work of the Public Engagement Group has been responding to consultations since the last General Assembly and we are grateful to the support received from many members of the Free Church of Scotland with specialist knowledge and expertise in a variety of areas. We have also sought to develop the wider work of the Public Engagement Group over the last year.

I have continued to develop relationships with other Christian voices in the political realm. This has included Care, the Catholic Church in Scotland, the Apostolic Church, the Christian Institute, Evangelical Alliance, Greater Love and Logos Scotland.

I have also been part of the Scottish Churches Parliamentary Office, the Care Not Killing Steering Group and the Social Issues Team of Affinity. I continued to support the Let Us Pray Campaign opposing the proposed ban on Conversion Therapy. I have spoken at conferences they have organised in Scotland.

In addition to this, I have been part of the Scottish Government's Faith and Belief Representatives Group which has involved meetings with civil servants and Government Ministers. I was also invited to attend the First Minister's reception for Faith and Beliefs representatives at Edinburgh Castle in June.

I attended the National Prayer Breakfast of Scotland where our moderator, Bob Akroyd, was invited to lead one of the prayers. I also arranged for Bob to deliver Time for Reflection in January at the Scottish Parliament. The Moderator and I also met with Douglas Ross MSP (leader of the Scottish Conservative Party) and Anas Sarwar MSP (leader of the Scottish Labour Party) to discuss issues of concern to the Free Church of Scotland. We requested meetings with other party leaders but were unable to arrange these.

The Group responded to the consultation on Reforming the Criminal Law to address Misogyny. We noted that Jesus challenged social norms by elevating women and celebrating them as individuals. The Bible gives special protection to women in the Old Testament law and calls on us to see the often-overlooked abuse that goes on. The Apostle Paul said, "Let there be no filthiness nor foolish talk nor crude joking, which are out of place, but instead let there be thanksgiving." (Ephesians 5:4). For all these reasons, we welcome the proposals to criminalise misogynistic harassment as having no place in our society or any other society and we felt the proposals struck the right balance between greater protection and freedom of expression.

We responded to the consultation on A Human Rights Bill for Scotland welcoming the focus on human dignity as the basis for how our courts should approach human rights.

We also considered the proposals for a Commissioner for Older People in Scotland. Drawing on pastoral experience and the need to honour our elders, we supported these proposals.

The Group responded to the Consultation on the draft Statutory Guidance on the Delivery of Relationships, Sexual Health and Parenthood (RSHP) Education in Scottish Schools. Whilst the revised guidance is an improvement on previous drafts, the Group still believes more can be added to improve the guidance. The Group welcomes the inclusion of a specific section on Faith and Belief and the recognition that schools must be respectful of different faith and belief backgrounds. However, they say more could be added to this section to include consultation with parents regarding faith backgrounds of children and a clearer right of withdrawal. We would encourage parents to read the Guidance and engage at a local level with schools.

The Group also responded to the Scottish Parliament's Health, Social Care and Sport Committee the call for views in relation to Abortion Services (Safe Access Zones) (Scotland) Bill. This Bill is seeking to introduce so called "buffer" zones around abortion clinics. We do not advocate pro-life vigils as a wise or appropriate way to engage with this issue. However, we oppose buffer zones as a disproportionate interference with freedom of expression, which sets a dangerous precedent of the state being able to ban both protests and efforts to persuade individuals to change their mind on controversial issues. A democratic society should allow free and open debate. On the back of this response, I was invited to give evidence before the Committee in relation to the Human Rights considerations and gave evidence to the Committee on Tuesday 12th March.

We have continued to work around the proposed ban on Conversion Practices in Scotland. We issued a press release when the consultation was launched, which was picked up by a few sources. We responded to the consultation and issued guidance to support presbyteries, congregations and individuals within the Free Church of Scotland to respond to the consultation. Bob Akroyd, David Meredith, and I held a meeting with the Equalities Minister, Emma Roddick MSP, to discuss our concerns.

Issues around a proposed ban on Conversion Practices represents one of the biggest threats to the spiritual independence of the Church that we have faced since the Disruption. The consultation states that "conversion practices" refer to acts which are intended to change or suppress a person's sexual orientation or gender identity.

They are proposing a new criminal offence that would cover anyone providing a service or engaged in a coercive course of conduct where a specified individual experiences actual harm (whether physical or psychological). They are also proposing the introduction of a Civil Protection Order which can be applied for by individuals, police, local authorities and in some cases third party organisations where there is "potential harm" to an individual or the wider public. Such an order can place almost any conditions on individuals provided the judge is satisfied they would reduce the likelihood of harm occurring. A breach of these orders would be a criminal offence.

The Free Church of Scotland utterly condemns abusive, coercive, and violent practices. The Bible teaches that everyone is worthy of respect. Christians seek to embody the love of Jesus in every aspect of life, including discussions about sex and identity. However, abusive practices are already illegal in Scots Law. Accordingly, the

new proposals are designed to criminalise practices which are not threatening or abusive.

The Public Engagement Group were clear in our response that "Other practices might be considered distasteful or wrong but in a free society it is government overreach and a disproportionate interference with the rights to freedom of religion and family life" to make practices which are not threatening or abusive, illegal.

The definition of "conversion practices" lacks clarity, is unworkable in practice and is potentially so broad that virtually any practice which is not "affirming" of those who identify as homosexual, or transgender could be criminalised. This would mean potentially criminalising conversations, pastoral care, sermons, prayer and parental guidance.

Finally, we have continued to advocate against the Assisted Dying for Terminally Ill Adults (Scotland) Bill. Bob Akroyd signed a joint letter with the Moderator of the United Free Church opposing these proposals. We imminently expect the bill to be published and will respond to any call for views. We also welcome the introduction of Miles Briggs MSP's Right to Palliative Care (Scotland) Bill and will be responding to the consultation in due course.

We greatly value the prayers and support of the wider Church as we engage in this work. There are a lot of issues to engage with but we have made progress in getting meetings with officials. Please pray for further winsome engagement in the future as we seek to set the right tone in our engagement with Government and others. We must pray for our law makers (1 Timothy 2:1-2) and support them where we are able (Romans 13:1-7). However, where they call on us to do something contrary to God's word, we must also be ready to humbly challenge them. We obey God rather than men (Acts 5:29).

STEPHEN ALLISON, *Public Engagement Coordinator*

APPENDIX TWO

The Record Discussion

The future of the church magazine, *The Record* is currently under review. The magazine has been in circulation since 1861 (first as a weekly magazine and then as a monthly edition from 1862). It was the primary source of church news for most people until the last couple of decades. But now, many people get their church news from the denominational website, Facebook or from the social media profiles of the individual congregations.

This has led to falling circulation figures for *The Record* which combined with rising costs and the failure to recruit an editor, is making it difficult to see how *The Record* can survive. The challenges experienced by this publication are far from unique. Newspapers and many other forms of print media are faced with the same scenario of falling demand, as more and more people turn to digital media and online news.

Whilst there is a digital version of *The Record* available, the uptake of it has been slow. There are currently just 13 active subscribers.

Current Physical Circulation – 1,800 copies per edition

Current deficit per year – £11,000

The Covid lockdown had a significant impact on *The Record*. It was only available in digital format for several months and when print copies resumed, the number of orders reduced significantly. *The Record* also faces an additional challenge, in that many of its core readers are older Free Church people who are gradually diminishing in number.

The Communications Sub-Committee of the Board of Trustees are of the view that rather than allow the current trajectory to continue until its demise is impossible to prevent, that we should prepare for it to end well. However, we are also aware that for many people, *The Record* is an important connection with the denomination and contributes to their sense of belonging. There is therefore a risk that ceasing production of *The Record* may increase feelings of isolation from the denomination and could alienate some of its readers. This could potentially have a more significant impact on the church than the current deficit.

The Communications Group would like to hear your views on the future of *The Record*. If there is a clear steer that *The Record* should continue, we would wish to make it clear that this will only be possible if we can find an editor. Appointing an editor will, however, add an additional cost which will increase the deficit. It is likely that the cost of the magazine will have to rise significantly.

There will be a 20-minute break-out session where you are asked to form groups of 5 or 6 people to discuss the following questions and write down some responses to them which the Communications Group can then follow up on.

There will also be a short time allocation to allow for anyone who wishes to comment, after the break-out session.

Discussion Questions:

1: What do you feel is the purpose of *The Record*?

2: Do you think it important is to retain *The Record* even if it operates in deficit?

3: Do you have any suggested names for an editor?

4: What cost increase do you think is fair and would be acceptable to the readership?

(N.B. *The Record* is currently £2 an edition. The Church of Scotland magazine is currently £3.50)

5: What kind of articles would you like to see in *The Record*?

6: Are there items currently included in the magazine that you feel should not be there?

DONALD C. FORSYTH, *Chairman*
CALUM IAIN MACLEOD, *Vice-Chairman*

REPORT

OF THE

ASSEMBLY CLERKS' OFFICE – PART 2

General Assembly Remits and Overtures

(A) GENERAL ASSEMBLY REMIT

1. ***ETS Staff***. The 2020 General Assembly, at its October meeting, instructed the Assembly Clerks to examine all Acts of Assembly relating to ETS staff and to revise and update the relevant Acts to ensure consistency and accuracy in the light of recent changes, and to report to the 2021 General Assembly. This remit has been carried over in recent years. Rev. Stephen Allison in particular, has worked on this over the last two years. The revision and consolidation of the relevant Acts have now been completed in consultation with the ETS Board. The completed remit in the form of a draft Act is found in the Proposed Deliverance Paragraph (A) 2.

(B) OVERTURE – GENERAL ASSEMBLY ARRANGEMENTS

1. ***General Assembly Representation***. The 2023 General Assembly approved the revision of the arrangements for Presbytery representation at the General Assembly prepared by the Assembly Clerks' Office (hereafter ACO). The current arrangements are under Act 1, Class 1, 1942, and this being a Class 1 Act, the revised arrangements were passed to the Presbyteries as an Overture according to the terms of the Barrier Act. The responses from Presbyteries are as follows: Edinburgh and Perth - approved *simpliciter*; Glasgow and Argyll - approved *simpliciter*; Inverness, Lochaber and Ross - approved *simpliciter*; Northern - approved *simpliciter*; Skye and Wester Ross - approved *simpliciter*; Western Isles – approved *simpliciter*. The Assembly Clerks' Office recommend that the interim arrangements be passed into the permanent laws of the Church as in the Proposed Deliverance (B).

(C) OVERTURE - DISCIPLINE OF OFFICE-BEARERS

1. ***Conduct, Complaints and Discipline of Office-bearers***. The 2023 General Assembly approved the revision of the arrangements for Conduct, Complaints and Discipline of Officer-bearers. The current arrangements are under the provisions of Act 2, Class 1, 2010, and other various Acts. The said Act being a Class 1 Act, the revised arrangements were passed to the Presbyteries as an Overture according to the terms of the Barrier Act. The responses from Presbyteries are as follows: Edinburgh and Perth - approved *simpliciter*; Glasgow and Argyll - approved *simpliciter*; Inverness, Lochaber and Ross - approved *simpliciter*; Northern - approved *simpliciter*; Skye and Wester Ross - approved *simpliciter*; Western Isles – approved *simpliciter*. The Assembly Clerks' Office recommend that the interim arrangements be passed into the permanent laws of the Church as in the Proposed Deliverance (C).

2. ***Review***. The Principal Clerk and Mr Andrew Giffen, CEO, have met with the Chairman and Vice-Chairman of the Conduct and Complaints Committee to review the implementation of Act 24, Class 2, 2023, the Interim Act on the Conduct, Complaints and Discipline of Officer-bearers. The ACO has also received feedback from the Board of Ministry from the perspective of their role in pastoring ministers. The Committee has been overloaded with complaints since it was established. There have been delays in responding to references from Presbyteries, compounded by the lack of clarity in the application of the Act and the role of the Committee and the role of Presbyteries, and differing views on where pastoral oversight ends and the work of the Committee begins.

2.1. *Triage Group*. During the review, it became clear that there was a conflict-of-interest issue arising from the Presbytery Clerk being a member of the Triage Group (*Section D Paragraph 5 of the Act*). It was agreed to recommend to the General Assembly that Paragraph 5 be revised so that the Presbytery Clerk is not a member of the Triage Group but that he should be consulted when the Group are assessing the complaint referred to them.

2.2. *Terminology*. It was also highlighted that there was potential for confusion with the multiple use of the term 'Adviser' throughout the Act in different contexts and with different qualifiers. It was agreed to address this by either explaining the use of 'Adviser' or by finding a suitable replacement term.

2.3. *Barrier Act*. The ACO is of the view that the recommended changes in the Triage Group and in the use of the term 'Adviser' are minor and are simply for improving the Act and for meeting the requirements of the General Assembly Conflicts of Interest Policy. The ACO therefore, recommend that the Overture be passed into

the permanent laws of the Church as a Class 1 Act with the minor changes included. The changes are highlighted in red font in the Proposed Deliverance.

2.4. *Regulations and Guidance*. The review also noted that Section C, Paragraph 1.1.3 of the Act requires the Conduct and Complaints Committee to prepare and publicise regulations and guidance in areas related to Complaints and Discipline. Work has been done on this in the past, but it has not been possible to finalise the regulations and guidance due to the Committee's workload. It also became clear that there is a need for regulations and guidance for Presbyteries and Kirk Sessions regarding the Committee's role and regarding referrals to the Committee. It was agreed to recommend that ACO be tasked to prepare such regulations and guidance for Presbyteries.

2.5. *Clerking*. The discussion with the Chairman and Vice-Chairman of the Committee highlighted the need for a person to be appointed to the Committee as a Clerk. It is imperative that records are kept of each stage of the investigation process and the appointment of a Clerk is vital to secure this, and to support the Committee. The ACO recommends that a Clerk be appointed to the Conduct and Complaints Committee for these reasons.

MALCOLM MACLEOD, *Principal Clerk*
STEPHEN ALLISON, *Assistant Clerk*
NEIL L. MACDONALD*, Assistant Clerk*

PROPOSED DELIVERANCE

(A) GENERAL ASSEMBLY REMIT

1. The General Assembly thank the Assembly Clerks for the work done on the revision and update of Acts of Assembly relating to ETS staff to ensure consistency and accuracy. They enact and ordain as follows:

The General Assembly, seeking to consolidate the Constitution and Governance Arrangements of Edinburgh Theological Seminary, enact and ordain the following:

A. THE SEMINARY

1. History.

As the Free Church of Scotland is in continuous descent from the Free Church of 1843, so is Edinburgh Theological Seminary heir to the theology, principles, and traditions of the Disruption Church and of the Colleges instituted in her early years. Prior to 2014 Edinburgh Theological Seminary was known as the Free Church College and the Seminary Board was known as the College Board.

2. The Seminary. Edinburgh Theological Seminary (hereafter 'the Seminary') is a non-residential Seminary, Reformed, Evangelical and Presbyterian. Its aim is to produce a fully equipped ministry, prepared in all the disciplines of the Reformed tradition. It is the successor of the Free Church of Scotland College.

3. Accountability. The Seminary is not an independent body corporate: it is under the exclusive control of, and is responsible to, the Free Church of Scotland acting through its General Assembly and boards and committees appointed by that Assembly.

4. Doctrine. Doctrinally, the Seminary is committed to an unswerving loyalty to the Scriptures of the Old and New Testaments which are the Word of God, and an unqualified subscription to the Westminster Confession of Faith. Academically, it is loyal to the Disruption policy of maintaining a high standard, comparable normally to that of the universities, in its curriculum, teaching and examinations.

5. Validation. The Seminary is authorised to have its degrees validated by the University of Glasgow provided the Seminary Board is satisfied that the agreement between the Seminary and the University of Glasgow safeguards the Confessional position of the Seminary, the sole jurisdiction of the Senate over course content and the rights of the General Assembly.

B. THE PRINCIPAL

1. The Principal is the Chief Executive of the Seminary. He is accountable to the General Assembly through the Seminary Board.

2. Remit. The Principal is expected to carry out the following duties:

2.1. To provide leadership for the strategic development of the Seminary with a view to managing its affairs and ensuring that it delivers the outputs set out in its strategic plan, agreed by the Seminary Board and by the General Assembly.

2.2. To chair the Senate and ensure that the Senate fulfils its remit.

2.3. To assist the Seminary Board in recruiting staff of appropriate talent, competence, and Christian standing who best meet Seminary objectives.

2.4. To organise the Seminary staff, departments, and structures for the optimal delivery of Seminary objectives.

2.5. To manage the academic and non-academic staff and ensure the satisfactory performance of their duties.

2.6. To participate in the teaching of undergraduate and postgraduate programmes.

2.7. To deal with all human resources issues including disputes, complaints, and grievances within the prescribed legislation.

2.8. To ensure that all management and supporting functions meet the Seminary's needs in an effective and efficient manner.

2.9. To establish and maintain good internal communications, both formal and informal, with the General Assembly, its Boards and Committees, Presbyteries and Congregations.

2.10. To establish and maintain relations with external individuals and institutions.

2.11. To liaise as required with the Seminary Board and Senate and secure for both bodies the reports and information which they require to fulfil their remits.

2.12. To establish and maintain good external communication and relations with accreditation bodies and users of the services of the Seminary.

2.13. To represent the Seminary effectively to all relevant external constituencies.

2.14. To ensure the financial viability of the institution and support the Seminary Board in this task.

2.15. To oversee and directly support efforts to raise funding and major gifts for the Seminary from private donors, charitable organisations and other sympathetic individuals and institutions.

2.16. To produce a draft strategic plan and to procure the reports required to sustain the functions of Senate and the Seminary Board.

2.17. To implement the Seminary policies as these are approved by the Seminary Board and Senate.

3. The Authority of the Principal.

3.1 *Authority*. The Principal as Chief Executive carries the prime burden of ensuring the success of the institution as a whole and must have authority commensurate with the accountability described above.

3.2 *Uncertainty*. Any uncertainty or dispute over the extent of the Principal's authority shall be brought to the attention of the Chairman of the Seminary Board, who will resolve the matter in conjunction with the Principal Clerk.

4. Appointment of the Principal.

4.1 *The Resignation of the Principal.* A Principal who is due to retire, or who intends to resign from his duties, shall intimate this fact, whenever possible, to the Seminary Board by 1st May of the year which precedes his final year in office.

4.2 *Nominations for the New Principal.* The Seminary Board shall write to Presbyteries informing them of the impending vacancy in the office of Principal, drawing attention to the Remit of the Principal and the following requirements and asking for two nominations:

4.2.1. All suitable candidates must subscribe to the whole doctrine contained in the Westminster Confession of Faith and be ordained ministers in the Free Church of Scotland.

4.2.2. As the role of Principal will normally include part-time teaching and supervision within the undergraduate and postgraduate programmes, the Seminary Board must ensure that the teaching of core subjects is carried out by staff who are suitably qualified at postgraduate level and reformed in doctrine, worship and practice.

4.2.3. The Principal is expected to uphold the witness, dignity and prestige of the Seminary without detriment to good relations, and also takes note of any actions or proposed actions on the part of others that could either benefit or prejudice the Seminary.

4.3 *Interviews for New Principal.* The Seminary Board shall appoint an interview panel from its own members and identify a suitable list of candidates for interview from the nominations listed above, in addition to any new Seminary Board nominees.

4.3.1. Upon completion of all interviews the interviewing panel will make a recommendation to the Seminary Board. If the Seminary Board agrees with the recommendation, the successful candidate will be informed as soon as possible as to the Board's decision and asked if he is prepared to accept the appointment. The Board will report their decision and the candidate's willingness to be appointed to the General Assembly who will have the final decision on whether to make the appointment.

4.4 *Appointment of New Principal.* In the event of his willingness to take up the appointment, and if the appointee is already an ordained minister of the Free Church of Scotland, he will be inducted to the position by the Presbytery of Edinburgh and Perth after following a procedure on the analogy of a call to a pastoral charge.

4.4.1. All parties retaining the right of Appeal or Dissent and Complaint to the General Assembly.

4.4.2. The new Principal will be granted a seat on the Presbytery of Edinburgh and Perth.

4.5 *Remuneration.* A full-time Principal will be remunerated at a salary set by the Seminary Board in keeping with its budget constraints. The total remuneration package of a Principal must not be less than that of a Minister in a pastoral charge in the Free Church of Scotland.

4.6 *Terms of Appointment.* The newly appointed Principal must sign Terms of Appointment as agreed by the Seminary Board.

4.7 *Term of Office.* The term of office for a Principal will normally be five years, renewable with the consent of the Principal and the Seminary Board.

4.8 *Call to Principal.* In the event of a Principal of the Seminary accepting a Call to a pastoral charge, the Presbytery of Edinburgh and Perth are empowered to release him from his charge. The Presbytery shall immediately inform the Seminary Board of such a Call.

C. COURSE ORGANISERS

1. Course Organisers. Course Organisers are heads of departments within the Seminary. The number of Course Organisers in the Seminary and the subjects attached to them will be determined by the Seminary Board.

2. Senate. A majority of the Senate will normally be ordained Ministers of the Free Church of Scotland.

3. Doctrinal Subscription. All Course Organisers must subscribe to the whole doctrine contained in the Westminster Confession of Faith and must be office-bearers in a church which, to the satisfaction of the Seminary Board, exercises biblical discipline in matters of heresy or immorality.

4. Duties. The duties of the Course Organisers are, in general, to teach their subjects conscientiously and competently in accordance with the requisite standards and with the curriculum approved by the Senate.

4.1. *Cooperation*. The Course Organisers will co-operate with each other, formally in Senate and informally in the daily life of the Seminary, so as to promote its internal welfare and its external prestige; and by their labours in their chosen fields of study to edify the Church and to defend the faith.

4.2. *Programmes of Study*. Each Course Organiser shall, at the time of his appointment and at other times as circumstances may require, prepare programmes of studies for his classes within the framework of the Seminary curriculum and in consultation with the Senate and the Seminary board, the aim of such consultation being to ensure that a proper balance is preserved within the curriculum and to avoid unnecessary duplication of effort.

4.3. *Annual Update*. At the end of each session, he shall supply the Senate and Seminary Board with a record of classwork covered, objectives and achievement in research and any work published by him.

5. Charges. Charges of heresy or immorality against any Course Organiser who is an office-bearer in the Free Church of Scotland shall be dealt with in accordance with the principles and practice of the Free Church in relation to such charges against ministers.

5.1. *Consideration*. Charges of failure to comply with academic duties shall be considered by the Seminary Board and referred, if necessary, to the General Assembly to whom he is ultimately responsible.

5.2. *Non-Free Church Office-bearers*. Where a Course Organiser is not an office-bearer in the Free Church of Scotland, they will be subject the disciplinary and complaints policy approved by the Seminary Board.

6. Entitlement. Each Course Organiser is entitled to adequate accommodation, furniture and equipment for teaching purposes, and to a retiring room with its necessary furnishings.

6.1. *Changes*. Changes of accommodation or furniture and equipment should not be made without his knowledge and consent.

6.2. *Freedom*. In the organisation of his own department in his teaching and studies he enjoys traditional academic freedom within the framework of the Seminary standards and the curriculum.

7. Standards. In his academic work, both in his teaching and in his studies, each Course Organiser is expected to maintain, during his tenure of office, the standards of application and achievement expected of him by the Church which appoints him and by the students who look to him for instruction.

8. Student Life. The Course Organisers, being the senior members of a theological Seminary, are called to promote, by all suitable means, the spiritual life of the students under their charge.

9. Appointment of Course Organisers.

9.1 *Resignation of Course Organiser.* A Course Organiser who is due to retire, or who intends to resign from his academic duties, shall intimate this fact whenever possible to the Seminary Board not later than 31st December, prior to the end of the academic year.

9.2 *Nominations for New Course Organiser.* The Seminary Board shall write to Presbyteries informing them of the impending vacancy, drawing attention to the fact that Candidates who are nominated must normally already possess, or be willing to work towards, a degree at postgraduate level in disciplines relevant to their nomination and asking for two nominations.

9.2.1 Members of the Seminary Board may also nominate suitable candidates, giving reasons for their nominations. The Seminary Board may also advertise the position inviting applications.

9.2.2 The Seminary Board will write to each candidate informing them that they have been nominated and asking them to indicate their willingness, in principle, to teach at the Seminary, either on a full-time or part-time basis. If a candidate is willing, he should submit his CV to the Board.

9.3 *Process of Appointment for the New Course Organiser.* The Seminary Board will intimate the impending vacancy to the Clerk of Senate at the University of Glasgow, inviting the Faculty to nominate a representative to be associated with the Board in making a new appointment.

9.3.1 The names which have been nominated will be interviewed by a panel appointed by the Seminary Board, with the representative from Glasgow University in attendance.

9.3.2 Upon completion of all interviews the interviewing panel will, after ascertaining that each of the candidates are acceptable to the University of Glasgow, make a recommendation to the Seminary Board. If the Seminary Board agrees with the recommendation, the successful candidate will be informed as soon as possible as to the Board's decision and asked to indicate his willingness to accept the appointment within a timeframe set by the Board.

9.3.3 Where the Course Organiser is already an ordained minister of the Free Church of Scotland, he will be inducted to the position by the Presbytery of Edinburgh and Perth following a procedure on the analogy of a call to a pastoral charge, all parties retaining the right of Appeal or Dissent and Complaint to the General Assembly.

9.4 *Remuneration*. A full-time Course Organiser will be remunerated at a salary set by the Seminary Board in keeping with its budget constraints. The total remuneration package of a full-time Course Organiser must not be less than that of a Minister in the Free Church of Scotland.

9.5 *Terms of Appointment.* Each newly appointed Course Organiser must sign Terms of Appointment as agreed by the Seminary Board.

9.6 *Term of Office.* The term of office will normally be five years for a Course Organiser, renewable with the consent of all parties.

9.6.1 Where the Course Organiser is not an office-bearer in the Free Church of Scotland, the Seminary Board must ensure that his Terms of Appointment include doctrinal subscription showing unqualified acceptance of the whole teaching of the Westminster Confession of Faith.

9.6.2 Where the Course Organiser is not an office-bearer in the Free Church of Scotland, the Seminary Board must ensure that his Terms of Appointment refer to the Disciplinary and Complaints Policy approved by the Seminary Board, including the process to suspend him from his position in the event of him falling short of behavioural or theological standards of morality and orthodoxy, pending appropriate disciplinary procedures.

9.7 *Call to Course Organiser.* When a Course Organiser, who is a minister of the Free Church of Scotland and inducted to his position at the Seminary, receives a Call to a pastoral charge, the Presbytery of Edinburgh and Perth have the authority to release him from his charge. The Presbytery shall immediately inform the Seminary Board of this fact.

10. *Absence from Duty of a Course Organiser or the Principal.* Absence from duty will fall into four categories as follows: (1) Leave due to illness; (2) Annual Leave; (3) Compassionate Leave; (4) Special Leave.

10.1 *Absence because of Illness.* All illness which prevents a Course Organiser from taking a scheduled class shall be reported immediately to the Principal (or, in the case of his illness, to the Vice-Principal) as soon as practicable. The Course Organiser, failing whom the Principal, shall ensure that appropriate arrangements are in place for the conduct of classes and other duties during such illness.

10.1.1 Absence because of illness will be managed according to the same scheme applying to Ministers under Act 21, Class 2, 2023 - Ministers' Absences due to Ill-health with the Principal (or, in his absence, the Vice-Principal) taking the role assigned to the Presbytery Clerk and the Seminary Board functioning the in the place of the Presbytery.

10.1.2 Where there is a need to release the Course Organiser from his chair due to long term illness, this shall be reported to the General Assembly or its Commission by the Board.

10.2 *General provisions.* All discussions on personnel matters should be held in camera, and any papers distributed should be returned to the Clerk by the close of the meeting. The Clerk should proceed to shred all documentation, other than papers retained for the purposes of the minutes. All discussions on personnel matters should be treated as strictly confidential.

10.3 *Annual Leave Entitlement.* Full-time Course Organisers are entitled to annual leave according to the same principles that apply to ministers under Section 2 of Act 22, Class 2, 2023 on Leave of Absence for Ministers.

10.3.1 The holiday entitlement is for seven weeks annual leave.

10.3.2 There is no additional entitlement for public holidays.

10.3.3 Annual leave may not be taken during teaching term time. Also, a Course Organiser shall arrange his annual leave in such a way that it does not impede his examination and other Seminary commitments.

10.3.4 No holiday period shall exceed 28 successive days without the Course Organiser informing the Senate of his proposed arrangements and obtaining their consent.

10.3.5 All holiday entitlement shall be taken up before 31st December or extended to 28th February of the following year with the agreement of the Senate.

10.4 *Compassionate leave.* Compassionate leave may be granted by the Senate following the same principles applicable to ministers under Section 4 of Act 22, Class 2, 2023 - Leave of Absence for Ministers.

10.4.1 In a case involving Special Circumstances the Senate must consult with the Chairman of the Seminary Board in order to extend the period of compassionate leave.

10.5 *Special Leave.* A Course Organiser may be granted special leave, outwith teaching term time, by the Senate, at the specific request of a department of the Church. This will be dealt with in accordance with the principles set out in Section 6 of Act 22, Class 2, 2023 – Leave of Absence for Ministers.

10.5.1 A Course Organiser's primary responsibility is to the Seminary, and this should be recognised by all who seek his services for other work in the Church. Every effort should, therefore, be made so that disturbance to the work of the Seminary is kept to a minimum.

10.5.2 Interchange has always played an important and useful role in the academic world and, while it is to be encouraged, primary consideration must be given to the work of the Seminary.

10.5.3 A Course Organiser may not, without the permission of the Senate and the concurrence of the Seminary Board, undertake any engagements during teaching term time which would preclude him from his responsibilities in the Seminary.

11. CPD. The Seminary Board should take steps to ensure that all Course Organisers undertake continued professional development programmes.

12. Designation of Professor. The Seminary Board has the authority to confer the academic designation of Professor on a Course Organiser or lecturer who substantially meets the following criteria: 'The lecturer has published three monographs (or fifteen academic articles or equivalent); has shown academic leadership within the Seminary and outside (involvement in learned bodies, speaking at academic conferences, leading an international research project); has experience of teaching at Postgraduate level; is asked by others to write references for book proposals, research proposals; has done PhD examining, or has been an external examiner in more than one institution.'

D. CHURCH HISTORY PROGRAMME LEADER

1. Authority. The Seminary Board are empowered to appoint a full-time MTh Programme Leader / Lecturer in the department of Church History instead of the appointment of a Church History Course Organiser.

2. The Appointee. The Programme Leader / Lecturer may be male or female and the person will be appointed based on suitability and qualifications for the post. The appointee should hold a relevant doctorate and, if possible, some track record of relevant publications.

3. Church Affiliation. The Programme Leader / Lecturer in Church History must be a communicant member under the pastoral discipline of a Reformed Church, shall give unqualified subscription to the Westminster Confession of Faith, and shall be in full sympathy with the doctrinal position of the Free Church.

4. Responsibilities. The Programme Leader / Lecturer's responsibilities shall include the following:

4.1. Providing supervision in MTh (Taught) in Scottish Church History and Theology.

4.2. Engaging in research and publications, particularly in the field of Scottish Church History

4.3. Assisting in the delivery of lectures, seminars and tutorials in the Church History Department.

4.4. Assisting in the general administration responsibilities at Seminary.

4.5. Providing pastoral and academic support to BTh and MTh students.

5. Post Graduate Studies. The Programme Leader / Lecturer will work alongside the Director of Post Graduate studies in supervising post graduate students and will work within existing BTh structures in delivering an agreed programme of lectures under the management of the Principal.

6. A Full-time Member of Staff. The General Assembly declare that the Programme Leader / Lecturer will be a full-time member of staff. They will be appointed in the same way as Course Organisers and be subject to the same terms of appointment.

E. CENTRE FOR MISSION

1. General. The Centre for Mission is a department of Edinburgh Theological Seminary with a full-time lecturer in Mission Studies who will be appointed in the same way as a Course Organiser and be subject to the same terms of appointment.

2. Remit. The remit of the Seminary Centre for Mission is as follows:

2.1 To promote serious engagement with mission studies, and reflective participation in mission practice, among Seminary staff and students by means of formal academic courses and other mission-focused events.

2.2 To engage in, and foster, constructive interaction with students, mission agencies, and serving missionaries (local and global) so as to ensure effective training for those preparing for, or engaged in, various forms of mission service.

2.3 To encourage serving missionaries (local and global) by providing opportunities for theological development and biblical research in topics of relevant interest.

2.4 To provide education in mission studies to the wider Church.

2.5 To respond to specific requests for theological and practical training of leaders and key workers by the wider church, mission agencies, and, in particular, by the Mission Board and the Board of Ministry of the Free Church of Scotland.

F. OTHER LECTURERS

1. It will be the responsibility of the Seminary Board to oversee and determine the appointment of lecturing staff at the Seminary.

2. Course Organisers may plan to utilise part-time or guest lecturers in the delivery of their courses.

3. Part-Time Lecturers.

3.1 All part-time lecturers must be communicant members under the pastoral discipline of a Reformed Church, shall give unqualified subscription to the Westminster Confession of Faith, and shall be in full sympathy with the doctrinal position of the Free Church.

3.2 A Part-time Lecturer's appointment will be approved by the Seminary Board.

3.3 A Part-time Lecturer will be remunerated by way of honoraria at a level set by the Seminary Board.

4. Guest Lecturers.

4.1 A Guest Lecturer will deliver no more than three lectures in any one academic year.

4.2 A Course Organiser will have the authority to appoint a Guest Lecturer.

4.3 A Guest Lecturer will be remunerated by way of honoraria at a level set by the Seminary Board.

5. Modular Lecturers in Practical Theology

5.1 Within the Practical Theology department practitioners can be called upon to deliver particular modules.

5.2 A Modular Lecturer in Practical Theology must subscribe to one of the reformed confessional standards or the Doctrinal Statement of Affinity to which the Free Church of Scotland belongs.

5.3 A Modular Lecturer in Practical Theology will be nominated by the Practical Theology Course Organiser and approved by the Senate.

5.4 A Modular Lecturer in Practical Theology will be remunerated by way of honoraria at a level set by the Seminary Board.

6. Temporary Replacement Lecturers. A Temporary Replacement Lecturer is willing to provide cover in the case of the absence of a Course Organiser in an emergency or due to sick leave. The Principal is empowered to make arrangements for temporary replacement lecturers and will report to the Senate and the Board.

G. THE SENATE

1. **The Senate**. The Senate is the Seminary's senior academic authority and is authorised to oversee the academic governance of the Seminary through its remit, membership and terms of reference as set out below.

2. **Remit**. The remit of the Senate is to oversee the academic activity of the Seminary; to uphold its academic standards, quality and programmes; to approve its academic policies; and to advise the Seminary Board on the academic and strategic direction of the institution.

3. **Membership**. The membership of the Senate shall comprise the Principal (Chairman), Vice-Principal, the Course Organisers, the Church History programme leader, the full-time lecturer in Mission, two external members appointed by the joint agreement of the Senate and of the Seminary Board, the President or a nominee of the President of the Students' Representative Council, the Chair of the Seminary Board or his nominee, two external advisers from the Church community as determined by the joint agreement of the Senate and Seminary Board.

3.1 The External Members and Advisers will be appointed for three years in the first instance and may be appointed for a further three years period. Beyond this they shall not be appointed for a further period without a break of at least one year.

3.2 The External Members should subscribe to the whole doctrine of the Westminster Confession of Faith.

4. **Powers.** The powers of the Senate shall be as follows:

4.1 The Senate may formulate standing orders for the transaction of its business with a view to ensuring collegiality and equality on the principle that all members have one vote. Advisers to the Senate have no vote.

4.2 The Senate may appoint groups and sub-committees as it determines necessary for the fulfilment of its remit. It may access such papers and documents within the Seminary as it deems expedient for the transaction of its business. These can include reports from the Principal and Vice-Principal, other staff and staff groups.

4.3 The Senate shall appoint the Seminary Secretary to procure agenda, papers and reports and ensure that actions arising from meetings are communicated as necessary.

4.4 The Senate shall regulate student discipline and execute an appellate function in the case of disharmony between members of teaching staff and one or more of their students. In matters of discipline relating to private students the Senate's decision shall be final.

4.5 The Senate shall meet at least three times a year and may determine such number of meetings as it deems expedient.

5. **Terms of Reference.** Subject to the requirements of the Board of Ministry of the Free Church of Scotland, of validation and accrediting bodies, the Senate's Terms of References shall include:

5.1. Approving and directing the Academic Strategy of the Seminary.

5.2. Advising and participating in the production of the Seminary's Vision, Mission Values and Strategic Plan.

5.3. Securing appropriate arrangements for assuring quality and standards of provision.

5.4. Ensuring that student experience enables successful outcomes.

5.5. Approving and regulating schemes of study and schemes of assessment leading to all awards.

5.6. Appointing external examiners and determining their conditions of service.

5.7. Approving and regulating a pedagogic framework for teaching and learning and setting up a coherent assessment framework across all departments.

5.8. Ensuring coherent student experience across all departments encompassing both pedagogy, assessments, and pastoral issues.

5.9. Prescribing conditions under which persons may be admitted to the Seminary and the regulations under which students shall be permitted to continue their studies in the Seminary.

5.10. Regulating the discipline of students and producing such codes of conduct and appropriate structures for this purpose.

5.11. Ensuring and maintaining an appropriate academic support service for libraries and IT.

5.12. Ensuring that appropriate counselling and pastoral arrangements are in place for students and promoting a Christian culture amongst students and staff.

5.13. Advising on student feedback, reviewing feedback data and taking such actions as are deemed necessary.

5.14. Advising the Principal and the Seminary Board on reputational and other risks arising out of the academic activities.

5.15. Maintenance and control of Senate finances.

5.16. Advising the Principal and the Seminary Board on the effectiveness of the academic programmes and in particular their fitness in respect of candidates for Free Church ministry.

5.17. Advising on external partnerships, linkages and memoranda of understanding.

5.18. Advising on such other matters as the Seminary Board and/or the Principal may refer to the Senate.

6. **Accountability.** The Senate is accountable for the fulfilment of its remit to, and reports, to the Seminary Board. Accountability will normally be exercised through the Chairman who is, *ex officio*, the Principal of the Seminary.

H. THE SEMINARY BOARD

1. General Assembly. The Edinburgh Theological Seminary Board is appointed by the General Assembly to oversee the operation of the Seminary.

2. Membership. The membership shall be comprised of ten members including the Principal, one member of the Senate appointed by the Senate, the Chairman of the Board of Ministry and the President of the Students' Representative Council, all *ex officio*. The ordinary membership shall comprise three Elders and three Ministers appointed by the General Assembly for a four-year term renewable for one further term of four years.

2.1. *Elders*. Elders appointed to the Board shall have suitable qualifications or experience in education, preferably tertiary education, or in the administration or promotion of education.

2.2. *Chairman*. The Chairman shall be appointed from the membership of the Board by the General Assembly for a four-year term, renewable for one further term of four years.

2.3. *Restriction*. The Chairman of the Board shall not be a member of the Senate.

2.4. *Advisers*. The Board may appoint advisers from time to time as deemed expedient.

2.5. *Quorum*. The quorum shall be three members of the Board.

3. The Remit. The remit of the Seminary Board be as follows:

3.1 *Finance.*

3.1.1 To be responsible for the financial function of the Seminary including fund-raising, financial control and liaison with the Board of Trustees.

3.1.2 To administer the finances of the Seminary (always excepting income from donations or bequests placed by donors or legatees at the disposal of the Senate).

3.1.3 To administer the College Endowment Fund subject to the following terms and conditions:

3.1.3.1 All donations to the College Endowment Fund shall be added to the capital of the Endowment Fund.

3.1.3.2 At the end of each financial year the Seminary Board will, at its discretion, decide on the amount of the Endowment Fund which is to be invested in the Share Pool.

3.1.3.3 The Seminary Board may, at its discretion, allocate sums from the College Endowment Fund to cover Seminary Board approved Special Projects or any unforeseen items of College related expenditure not provided for in the annual budget of the College Seminary Fund Account.

3.1.3.4 At the discretion of the Board, annual interest on the College Endowment Fund shall either be credited to the Ordinary Revenue of the Seminary Fund or be added to the capital held on behalf of the Endowment Fund in the Share Pool.

3.1.3.5 The Board shall engage in appropriate activities to solicit contributions to the College Endowment Fund.

3.1.4 To prepare the Seminary Budget and submit it to the Board of Trustees during the annual budgeting cycle.

3.2 *Planning.*

3.2.1 To produce and approve a Strategic Plan for the Seminary, to revise the plan as required and to maintain 3 to 5 years' planning horizon.

3.2.2 To discuss with the Board of Trustees, in conjunction with the Principal, the funding implications of the Seminary plans.

3.3 *Promotion*

3.3.1 To promote the interests of the Seminary within and outwith the Free Church and to implement a strategy designed to heighten awareness of the Seminary as a study destination.

3.3.2 To maintain the Seminary as a centre of Biblical and Reformed teaching.

3.4 *Property, Facilities and Administration*

3.4.1 To maintain and improve the fabric and furnishings of the Seminary.

3.4.2 To maintain and oversee the provision of a library function and such other academic and student support services including IT, pastoral support, as are required for the effectiveness of the Seminary.

3.4.3 To ensure an adequate administration function.

3.4.4 To set the starting and closing dates of Seminary sessions, giving due notice of any change in the pattern thereof.

3.5 *Relations with the Senate.*

3.5.1 To ensure that the Senate fulfils and is enabled to fulfil its remit.

3.5.2 To examine all measures of output in respect of standards, quality, assessment, pedagogy and student experience in respect of feedback, student satisfaction and reports from the Principal and from Senate including student attrition statistics.

3.5.3 To take such steps as are necessary for the maintenance of institutional excellence.

3.5.4 To adjudicate in staffing disputes and staffing difficulties which Senate may refer to it.

3.5.5 To support and maintain such relations with other institutions and accrediting bodies as are proposed and approved by the General Assembly and the Senate.

3.6 *Staffing.*

3.6.1 To adjudicate with regard to disciplinary or disputed matters affecting College non-Senate staff, both full-time and part-time.

3.6.2 To recruit and appoint all staff and to determine the terms and conditions of employment of all, other than as determined by Act of Assembly.

3.6.3 To keep the salaries of the Principal and of all full-time academic staff under regular review and, if necessary, to bring proposals there anent to the attention of the Assembly.

3.6.4 To formulate staffing contracts and conditions of service.

3.6.5 To review the performance of the Principal on an annual basis.

3.6.6 To receive a report of the operation by the Principal of a review system for academic and non-academic staff.

4. General Assembly. The Seminary Board shall report to the General Assembly annually. Their report shall include a Report from the Principal. The Principal's Report shall include developments in educational strategy, curriculum development, assessment reviews and pedagogical methodology as standing items so that the Assembly is fully apprised as to the teaching practices and curriculum at the Seminary.

I. THE STUDENTS

1. The Seminary exists primarily for the training of Free Church Students who are admitted in accordance with regulations and procedure laid down from time to time by the General Assembly. Students who are not of the Free Church but whose church connections and personal characteristics are acceptable to the Free Church may also be admitted as private students.

2. The Senate will also provide facilities in the Seminary for Students and Ministers undertaking a post-graduate course of study.

3. The responsibility for admitting private students lies with the Senate. The students must satisfy the Senate that their spiritual and academic qualifications are such as to enable them to benefit from a course in the Seminary. Normally three members of academic staff will interview prospective private students.

4. All the students who enter the Seminary are understood to profess their faith in Christ and obedience to Him. They will participate in the spiritual life of the Seminary.

5. During their attendance at Seminary courses all students are expected to behave with the decorum worthy of their profession and their aspirations, and to comply with the internal code of conduct prepared by the Senate.

6. Complaints by individual students will be dealt with according to the complaint's procedure approved by the Senate, which shall be published annually and given to all students.

7. A Seminary Students' Representative Council exists within the Seminary as a recognised body. Its functions are to represent the students in matters affecting their interest as a whole; to afford a recognised means of communication between the students and the Church authorities; and to promote academic unity among the students.

J. FIVE-YEAR REVIEW

1. Every five years the General Assembly will appoint a committee to carry out a Five-year Review of the Edinburgh Theological Seminary.

1.1 *Membership.* The membership of the Review Committee shall comprise a convener, a representative appointed from the membership of the Board of Trustees, from the Board of Ministry and from the Mission Board, and at least one other Minister or Elder.

1.2 *Advisors.* The Review Committee will make use of suitable advisers, including the chairmen of the Board of Ministry and the Board of Edinburgh Theological Seminary, as well as a student from Edinburgh Theological Seminary, and a Free Church minister having recently graduated from the Seminary.

2. The Review Committee will not engage in an assessment of the quality of the academic provision given in the Seminary or to consider the doctrinal orthodoxy of Seminary Staff.

3. The Review Committee will consider the governance, academic strategy, and sustainability of the Seminary as well as the opinions of the various customers who use the Seminary. Further, the Committee will consider the place of the Seminary within the wider ministry training structures and strategy of the Church.

4. The Review Committee will also investigate whether recommendations from previous Reviews have been implemented.

5. The Review Committee will produce a report for the General Assembly in which they shall make a judgement as to the fitness of the education and the training provided by the Seminary and make such recommendations as they see fit for ensuring that the education and training meets the needs of the students and those who send the students to the Seminary.

K. REPEALS

The General Assembly repeal the following Acts of Assembly: Act 5, 1852; Act 2, Class 1, 1879; Act 1, Class 1, 1888; Act 21, Class 2, 1967; Act 23, Class 2, 1970; Act 14, Class 2, 1974; Act 20, Class 2, 1977; Act 4, Class 2, 1979; Act VII, Class 2, 1979; Act VIII, Class 2, 1979; Act 9, Class 2, 1979; Act 22I, Class 2, 1980; Act 20, Class 2, 1986; Act 21, Class 2, 1988; Act 16, Class 2, 1995; Act 26, Class 2, 1999; Act 17, Class 2, 2001; Act 18, Class 2, 2001; Act 40, Class 2, 2006; Act 42, Class 2, 2006; Act 50, Class 2, 2006; Act 47, Class 2, 2008; Act 45, Class 2, 2012; Act 46, Class 2, 2012; Sections 1 – 7 of Act 26, Class 2, 2014; Act 32, Class 2, 2015; Act 27, Class 2, 2017, Act 6, Class 2, 2018; Act 32, Class 2, 2018; Act 14, Class 2, 2019; Act 16, Class 2, 2019; Act 17, Class 2, 2020; Act 16, Class 2, 2021

Here ends the revised Consolidating Act on ETS.

(B) OVERTURE - PRESBYTERY REPRESENTATION

1. The General Assembly, seeking to ensure the greatest possible efficiency and equity in the election by Presbyteries of their Commissioners to the General Assembly, and to ensure that the interests of all the constituted gatherings of the people of God are accounted for in the representations of Presbyteries, with the consent of Presbyteries, enact and ordain as follows:

1. ***Presbyteries***. The following from the complete Roll of the Presbytery will be included in the qualifying total when calculating the representation of Presbyteries at the General Assembly:

1.1. The number of Congregations and Pastoral Charges.

1.2. The number of established Church Plants.

1.3. Ministers who have been granted a seat in the Presbytery based on their appointment as Course Organisers or as Principal at Edinburgh Theological Seminary.

1.4. Ministers who have been granted a seat in the Presbytery based on a General Assembly appointment.

1.5. Ministers who have been granted a seat in the Presbytery based on a Presbytery appointment which is made under the provisions of General Assembly legislation.

2. ***Definitions***. For the purposes of this Act, the following definitions will apply:

2.1. *A Congregation*. A Congregation is a group of communicant members, adherents, and their children, gathered in a particular area under a Minister and a Kirk Session for worship, instruction, fellowship, mission, and service. There are three categories of Congregation.

2.1.1. *Financially Viable*. A financially viable congregation has ordinary income which enables them to support a full-time pastoral ministry and also contribute to the mission work of the Church. They are entitled to a full-time Minister without any restriction on the appointment.

2.1.2. *Financially Marginal*. A financially marginal congregation has ordinary income which is slightly above the threshold at which they are able to support a full-time pastoral ministry. They will have the right to a Minister on a five-year renewable appointment.

2.1.3. *Financially Non-viable*. A financially non-viable congregation has ordinary income which is below the threshold at which they can support a full-time pastoral ministry. They do not have the right to call a full-time Minister.

2.2. *A Pastoral Charge***.** A pastoral charge is a sphere of pastoral duty (a congregation) to which a Minister may be appointed or inducted.

2.3. *Consolidated Charge*. A consolidated Charge, where there are two or more Congregations linked together, each with their own Kirk Sessions, will be reckoned by the number of Kirk Sessions in the consolidated Charge.

2.4. *Church Plant*. The term Church Plant shall mean a Church Plant which has been established for at least three years, and which is a body of communicant members of the Free Church of Scotland under the oversight of a parent congregation whose Kirk Session has appointed at least two of its Ruling Elders with direct responsibility for the Church Plant, and which meets regularly with others for public worship on the Lord's Day. The period of three years will be calculated from the date of the induction of a Minister or Probationer to the Church Plant.

2.5. *Completed Roll*. The Complete Roll shall mean the total of the number of qualifying Charges, Congregations, Church Plants, and other ministerial appointments listed in Paragraph 1, irrespective of whether the said Charges, Congregations and Church Plants are filled or vacant.

3. ***Representation***. The Presbyteries of the Church will be represented in the General Assembly as follows:

3.1. *Ministers*. The number of Ministers to be appointed as Commissioners by each Presbytery will be one third of the total number calculated according to Paragraph 1.

3.1.1. All Ministers who have a seat in the appointing Presbytery are eligible to be appointed as Commissioners.

3.2. *Elders*. The number of Elders to be appointed as Commissioners by each Presbytery shall be equal to the number of Ministers appointed in Paragraph 3.1 above.

3.3.1. Elders appointed as Commissioners will be *bona fide* acting Elders of the Free Church of Scotland and who shall have signed the Formula.

3.3.2. Elders may be appointed from the same Presbytery or from another Presbytery.

4. ***Annual Review***. The number of representative Ministers and Elders from each Presbytery shall be reviewed by the Principal Clerk in the January preceding the General Assembly.

4.1. *Presbyteries*. Each Presbytery shall transmit to the Principal Clerk, the Complete Roll of the Presbytery annually, correct as of 31st December. The Complete Roll shall show all the qualifying seats in the Presbytery as such are listed in Paragraph 1 above.

4.2. *Assembly Clerks*. The Assembly Clerks' Office will determine and intimate to each Presbytery the number of Commissioners to the forthcoming General Assembly to be returned by them.

5. ***Failure to Appoint***. Each Presbytery shall normally be expected to appoint its full number of Ministers and Elders each year. In the event of failure to do so, the Presbytery concerned shall submit to the Principal Clerk, along with the Form of Commission, a statement of the reason for such failure. The reasons submitted will be reported to the Assembly Business Committee which shall report in general terms to the General Assembly.

6. ***Repeals***. The General Assembly repeal Act 1, Class 1, 1942.

Here ends the revised Act on Presbytery Representation at the General Assembly.

(C) OVERTURE – DISCIPLINE OF OFFICE-BEARERS

1. The General Assembly, desiring the nurture, growth, and wellbeing of the people of God, and recognising the need for discipline within the life of the Church as a biblical principle that helps to secure such development, and seeking to revise and update the disciplinary processes of the Church to ensure fairness and natural justice to all parties, with the consent of Presbyteries, enact and ordain as follows regarding Complaints received against Office-bearers of the Church:

SECTION A – OVERVIEW

This Act is arranged as follows:

Section A provides an overview of the Act.

Section B sets out the nature and purpose of discipline. It also explains the role of private counsel and the difference between church discipline and the civil courts.

Section C outlines some general provisions in relation to the Act including the establishment of the Conduct and Complaints Committee, rules governing Conflict of Interest, subjects of discipline under this Act, Jurisdiction, rules of evidence, Companions, potential outcomes, the rules governing Appeals, Requests for Review and Dissent and Complaints, reopening cases, the rules governing sists and the rules dealing with the absence of the Respondent.

Section D deals with the initial procedure following the receipt of a Complaint including the triage process and the provision of pastoral care to those involved in the Complaint. It also outlines the process for dealing with an allegation of Heresy.

Section E deals with the process for the investigation of a Complaint.

Section F deals with the report of the Investigation Group and explains the next steps after the Complaint is admitted or denied.

Section G deals with the Disciplinary Hearing in the event the Complaint is denied.

Section H outlines the processes to be followed in a case relating to Congregational Health.

Section I contains a Glossary of Terms.

Section J deals with the repeal of previous legislation.

SECTION B – NATURE AND PURPOSE OF DISCIPLINE

1. **The Nature of Discipline**. The General Assembly recognise the Scriptural emphasis on the place of discipline in the life of the Church. The purpose of the gospel is to make disciples of the Lord Jesus and to develop their Christian character through the regular activities of the preached Word, teaching, prayer, corporate worship, accountability relationships, pastoral oversight. This *formative discipline* takes place under the regular ministry of the Gospel. *Corrective discipline* is exercised by the Church when a believer's behaviour is contrary to the Word of God and detrimental to the good name of the Lord Jesus. This Act is concerned with *corrective discipline*. It is carried out with the authority of Christ, the Head of the Church (Matthew 18:15-17). It is based on the love of God the Father (Hebrews 12:6) and is exercised with pastoral care for the development of the people of God (Hebrews 12:10).

2. **Informal Resolution.** It is clear from our Lord's instructions in Matthew 18:15-17 that where someone sins against you it is appropriate to first bring the issue to them directly, either on your own or with one or two others. However, where the matter remains unresolved it is right "to bring it to the Church" (Matthew 18:17). This Act is concerned with how the Church should deal with a Complaint received by the Church. It must be recognised that there are some circumstances where the Complainant feels unable to go directly to the Respondent and this will not prevent the Church from intervening. It is inappropriate in some cases, including allegations of criminality and safeguarding concerns, to seek *informal resolutions* and the matter **must** be reported to the Church and the appropriate civil authorities.

3. **The Purpose of Discipline.** The purpose of Church discipline is to restore, heal, and build up believers (Galatians 6:1-2) and to maintain the honour of the name of our Lord Jesus Christ. Discipline is carried out in line with our biblical principles, our Presbyterian form of Church Government and Chapter 30 of the Westminster Confession of Faith. All processes must be just, compassionate (2 Corinthians 2:6-8), accessible and timeous in their impact upon the Respondent, Complainant and the body of Christ, the Church. Confidentiality must be maintained in all processes to uphold the wellbeing of Complainants, Respondents and Witnesses.

4. **Church Discipline and Civil Courts**. Church discipline is not the same as processes carried out by the secular courts (whether civil or criminal). The Church cannot therefore divest itself of the responsibility of ascertaining facts and their relevance. No proceedings or judgment of a secular court can be regarded as a substitute for due ecclesiastical process, though such judgments may help in determining whether a process is required. Church Courts must form their own judgments independently of proceedings in other courts.

SECTION C – GENERAL PROVISIONS

1. **Conduct and Complaints Committee**. The General Assembly will establish a Conduct and Complaints Committee.

1.1. *Remit*. The Conduct and Complaints Committee will be responsible for:

1.1.1. Overseeing the Conduct and Complaints procedure of the Free Church of Scotland in relation to Office-bearers. This includes oversight of disciplinary processes and responsibility for oversight of the Triage Group and the Investigation Group.

1.1.2. Maintaining lists of suitable individuals to serve in the various capacities during a conduct and complaints process.

1.1.3. Preparing and publicising regulations and guidance in areas related to Complaints and *discipline* including regulations for carrying out an investigation, standards of conduct, examples as to what constitutes a disciplinary offence, and regulations outlining the procedures to be followed by Kirk Sessions in proceeding with a disciplinary case against an ordinary member of the Church. Any regulations shall be laid before and be subject to alteration, revocation, amendment, or modification by the General Assembly or its Commission.

1.1.4. Reviewing any completed disciplinary process with a view to improving future practice. An *external reviewer* shall be someone appointed by the General Assembly or its Commission from outside the Free Church of Scotland to review any concluded case. Due to the need to consider doctrinal and theological matters in any review the *external reviewer* must be a Christian. At the conclusion of the case, they will review the process and recommend any learning points for future cases. They shall report to Conduct and Complaints Committee and to the Principal Clerk. If they become aware of a serious failing, they may also report this matter to the General Assembly or its Commission via the Principal Clerk.

1.1.5. Keeping all required records in a secure manner and complying with all legal data protection obligations and Free Church of Scotland policies.

1.2. *Reporting.* The Committee will report to the General Assembly or its Commission as and when required.

1.3. *Membership.* The Committee will be appointed by the General Assembly following nominations from Presbyteries. The Committee will have up to ten members. Six of the members must be Ministers or Elders within the Free Church of Scotland. Four additional members must be members of the Free Church of Scotland and at least three of those additional members must be female. All members of the Committee must have appropriate experience and expertise and have availability for regular training. Members of the Assembly Clerks' Office are not eligible to serve on this Committee in any capacity.

1.3.1. A Clerk will be appointed to assist the Committee in maintaining records and in carrying out administrative duties relating to cases under its consideration. Additional Clerks may be appointed on a case-by-case basis as required. The appointments will be made by the Assembly Clerks' Office in consultation with the Chairman and the Vice-Chairman of the Committee.

1.3.2. Except where varied by the rotational principle the members will be appointed for a term of four years, renewable for a second term of four years. The maximum term of continuous service shall be eight years after which no member of the Committee shall be eligible for further service until one year has elapsed. In the first year of the implementation of this Act under a rotational principle three of the Minister/Elder members and one of the three female members shall be appointed in the first instance for a period of five years and, if appointed for a further four years, shall be permitted to serve for nine continuous years.

1.3.3. The General Assembly shall appoint one of the Elder or Minister members of the Committee as Chairman and one as Vice-Chairman. The Chairman and Vice-Chairman must come from different Presbyteries.

1.3.4. The Committee will also be empowered to make use of *Consultants* who may come from outside the Free Church of Scotland.

1.3.5. The Committee will appoint one of their female members as the Nominated Female Representative who may also receive Complaints.

1.3.6. The identity of the Chairman, Vice-Chairman and the Nominated Female Representative shall be clearly communicated within the Church along with their contact details for use when raising a Complaint. The Principal Clerk's contact details will be communicated alongside this for use where the *Complaint* may relate to a member of the *Committee*.

2. Conflict of Interest.

2.1. In any case where a member of the Committee has a Conflict of Interest, this must be declared, and an alternative person should be found to fulfil the role in the case. For the purposes of this Act only, a Conflict of Interest which will prevent someone acting, may be a genuine Conflict of Interest or a perceived conflict. Where another person is aware of a potential Conflict of Interest, they should inform the Principal Clerk who will decide whether there is a Conflict of Interest.

2.2. No one shall serve on an Investigation Group in any proceedings involving the Presbytery in which they reside.

2.3. No one shall be appointed to the Investigation Group in any single case or series of related cases against a Respondent where they have previously acted as an Adviser for the Respondent.

2.4. Where at any stage in procedures under this Act multiple Conflicts of Interest arise, and no person named in this Act can make an appropriate decision, the matter should be brought to the attention of the Principal Clerk who will appoint appropriate alternative decision makers. Where the Principal Clerk is himself conflicted one of the Assistant Clerks shall assume this responsibility.

3. Subjects of Discipline. The following shall be subject to investigation and discipline in terms of this Act:

3.1. *Ministers.* All Ministers including Ministers who are staff members at ETS, church planters, missionaries, retired Ministers, resigned Ministers, and those on the Roll of Ministers Without Charge.

3.2. *Probationers.* A *probationer* is any person who has been licensed by a Presbytery as a preacher of the gospel but who has not yet been ordained.

3.3. *Candidate.* A *candidate* is any person who has been approved by the Board of Ministry as a candidate for the ministry in the Free Church of Scotland.

3.4. *Elders.* An *Elder* is any person who has been ordained as an Elder of a Congregation but for the purposes of this Act only shall not include anyone who is also a Minister. Elders includes those who are not currently serving as ruling Elders but who were previously ordained as an Elder.

3.5. *Deacons.* A *Deacon* is any person who has been ordained as a Deacon of a Congregation.

3.6. For the avoidance of doubt, this Act only applies to *Church Office-bearers* and does not apply to:

3.6.1. *Communicant members* or *adherents* except where *members* undertake the roles set out in 3.1 to 3.5 above.

3.6.2. A *former Office-bearer* who was previously deposed from office and has not been restored.

3.6.3. *Church employees* (persons who work for the Free Church of Scotland by reason of having an employment contract from the Free Church or any Congregation) except where they are members of the Free Church of Scotland and undertake any of the roles set out in 3.1 to 3.6 above; or

3.6.4. *Board consultants, board advisers, and finance committee members* except where they are members of the Free Church and undertake any of the roles set out in 3.1 to 3.5 above.

3.7. *Deceased Respondent*. Where a Respondent is deceased, it is not appropriate to proceed with a discipline case, although the Church Court with Jurisdiction may still conduct their own investigation into the circumstances and prepare a report into the matter identifying learning areas for the Church. The Church Court may seek the assistance of the Conduct and Complaints Committee in conducting their investigation. The Church Court may meet with any Complainants to assure them that although they cannot conduct any process, they are seeking to learn whether there are any general lessons which may be learnt from the Complaint(s).

4. Jurisdiction. The Presbytery or the Kirk Session will have Jurisdiction over the Subjects of Discipline.

4.1. Presbytery. Ministers, probationers, and candidates come under the Jurisdiction of the Presbytery. A Presbytery has Jurisdiction over an individual who has a seat on the Presbytery or who resides within the bounds of the Presbytery. Where a Minister no longer resides within the bounds of any Presbytery, the Presbytery where they last resided retains Jurisdiction.

4.2. *Kirk Session*. Elders and Deacons come under the Jurisdiction of the Kirk Session of the local congregation of which they are communicant members and office bearers. Where they are no longer a ruling elder within a congregation, they will come under the Jurisdiction of the Kirk Session where they are a communicant member. If they are no long a communicant member within the Free Church of Scotland, the Kirk Session which last had jurisdiction will retain Jurisdiction.

4.3. *Multiple Parties*. In any case involving multiple parties who come under the Jurisdiction of more than one Church Court, all parties should be dealt with by the same Court.

4.3.1. If the parties belong to different Congregations, the Kirk Sessions will consult with the Presbytery who shall advise as to which Kirk Session will deal with the matter.

4.3.2. If the parties belong to different Presbyteries, the Presbyteries will seek the advice of the Assembly Clerks' Office who will give advice as to which Presbytery will deal with the matter.

4.3.3. If one of the parties against whom the Complaint is made is a Minister, ETS staff member, probationer or candidate, the Presbytery concerned must take up the case against all parties and in due course advise the Kirk Session having responsibility for the other person(s).

4.4. In all cases involving multiple parties the Court dealing with the case will keep all other Courts informed of the progress on the process of the case and will report the eventual outcome.

4.5. *Congregational Health*. Where an issue of Congregational Health arises, the Presbytery in which the Congregation is situated will have Jurisdiction.

5. Evidence.

5.1. *Presumption of Innocence.* The Respondent is presumed innocent until proven guilty.

5.2. *Standard of Evidence*. The standard of evidence required for the Respondent to be found guilty of the Complaint shall be on the balance of probabilities providing the requirements of Paragraph 5.3 are met. "Balance of probabilities" means that the Kirk Session or Presbytery will be satisfied that on the evidence before them it is more likely than not that the allegation is true. This is in accordance with the requirements of 1 Timothy 3:2 and Titus 1:7 that an Elder must be blameless and above reproach.

5.3. *Witnesses*. The testimony of more than one witness shall be necessary to establish any Complaint in accordance with the standard set out in Deuteronomy 19:15 and 1 Timothy 5:19 where a single *witness* is insufficient.

5.3.1. However, it is understood that supporting evidence, such as documentary evidence or video evidence can serve as the equivalent of one of those *witnesses*, and this shall satisfy the principle expressed by the Biblical passages. A *witness* will be required to establish the authenticity of the supporting evidence, unless agreement is reached that the supporting evidence is authenticated.

5.3.2. It is necessary to establish the credibility and reliability of each *witness* before deciding whether there is sufficient evidence for the purposes of Paragraph 5.2 above. Deuteronomy 19:16-21 makes clear that a *witness* should be carefully examined and where a communicant member is proven to be a Malicious Witness, they themselves could be subject to disciplinary procedures.

5.3.3. In assessing the credibility and reliability of each *witness* it is competent to consider Hearsay evidence of statements made at the time of the incident to show whether a *witness* has been consistent in their evidence. Such evidence may also include a description of distress. However, this kind of Hearsay evidence will not qualify as a second *witness statement* for the purposes of Paragraph 5.3.

5.3.4. Previous signed *witness statements* can also be used to illustrate previously inconsistent statements which may assist the Church Court in determining the credibility and reliability of the *witness*.

5.4. *Hearsay*. Hearsay evidence is generally excluded from consideration except where either:

5.4.1. The *witness* is now deceased.

5.4.2. For the purposes of establishing credibility and reliability of a *witness* in accordance with Paragraph 5.3.3.

5.5. *Circumstantial Evidence*. Circumstantial evidence may be used in pursuing a Complaint. However, it is generally recognised that where circumstantial evidence alone is being used multiple strands of circumstantial evidence must be produced to establish a Complaint.

5.6. *A Course of Conduct*. A Complaint may relate to a course of conduct, as opposed to a particular incident. In such cases the testimony of multiple credible and reliable *witnesses* to the course of conduct will be sufficient, even where there are not multiple *witnesses* as to any individual incidents.

6. Companion. It is open to anyone who appears before a Church Court or Committee to be accompanied by a Companion for support, although usually that person is not permitted to speak. ~~A Respondent's Companion may be their Adviser~~.

7. Potential Outcomes. In all cases where the Complaint is admitted or established by a Church Court, the Kirk Session or Presbytery may decide on one of the following courses of action:

(1) *No Action* (Paragraph 7.1)

(2) *Minor Censure – Admonition or Rebuke* (Paragraph 7.2)

(3) *Major Censure - Suspension from Privileges, Suspension from Office, Deposition from Office, or Removal of Status (*Paragraph 7.3)

7.1. *No Action*. To take no further action due to the minor nature of the Complaint.

7.2. *Minor Censure*. For less serious offences, to impose a *minor censure* such as Admonition or Rebuke.

7.2.1. *Minor censure* may be accompanied with an instruction to the Respondent to undertake appropriate pastoral counselling.

7.2.2. *Admonition* is the lightest form of *minor censure* and involves counselling against sin and exhortation to more careful and worthy conduct.

7.2.3. *Rebuke*, which is a more serious form of Admonition, and may be administered before the Kirk Session or Presbytery or before the Congregation.

7.3. *Major Censure*. For more serious offences or for repeated minor offences, to impose a *major censure* such as *Suspension* or *Deposition*.

7.3.1. *Suspension from Privileges*. Suspension from Gospel privileges is the denial of participation in the Lord's Supper or Sacrament of Baptism for the Respondent's child for a fixed period to encourage repentance. In the case of a Minister, the Suspension of Privileges includes the Temporary Suspension of the right to preach the gospel but does not include the severance of the pastoral tie. The Minister suspended from privileges will continue to receive the stipend. Restoration of privileges at the end of the fixed period is not automatic but depends on the Court being satisfied that the offender is truly penitent. Where an offender is not penitent after a period of time a more severe censure may be imposed following a further meeting of the Church Court with the Respondent and the Presenter of the Case.

7.3.2. *Suspension from Office*. Suspension from Office includes suspension from Gospel privileges as in 7.3.1. above. In the case of a Minister, Suspension from Office includes the suspension of the licence to preach the Gospel, the severance of the pastoral tie for a Minister in a Congregation, and the termination of appointment for a Minister in a Free Church appointment.

7.3.2.1. Suspension from Office may be for a fixed period or indefinitely. Where suspension is for a fixed period, restoration is not automatic but depends on the Church Court being satisfied the person is truly penitent.

7.3.2.2. Where the party is paid a stipend, this will cease upon Suspension from Office.

7.3.2.3. Suspension of a Minister from Office will always include a declaration that the Minister is removed from his Congregation. Immediately on the Minister being suspended from Office, the outcome is to be intimated in his Congregation, the Congregation declared vacant, and another Minister appointed as Interim-Moderator.

7.3.3. *Deposition from Office or Removal of Status*. This is the most severe form of *censure*. This will be accompanied by removal of gospel privileges such as the Lord's Supper and the Sacrament of Baptism.

7.3.3.1. Where the party is paid a stipend, this will cease upon deposition.

7.4. *Restoration from Suspension.* A Minister or Probationer suspended from Office may apply by petition for restoration to the Presbytery which currently has Jurisdiction over him. The application for restoration will be intimated to all Presbyteries. Elders and Deacons suspended from Office will apply for restoration to the Kirk Session who has Jurisdiction over them, who will also notify the Kirk Session which imposed the suspension.

7.4.1. Any case for restoration will also be intimated to the Conduct and Complaints Committee.

7.4.2. A person suspended from Office may be restored to Gospel privileges without being restored to Office.

7.4.3. The name of a Minister whose suspension from Office is lifted will be added to the Roll of Ministers Eligible for Call. He will not be automatically restored to his previous congregation.

7.5. *Restoration from Deposition or from Removal of Status*. It is competent for a Minister to be restored to his status, and for a Probationer to have his licence restored, upon professions of repentance which seem to be borne out by a course of consistent conduct, but great caution is requisite in entertaining the question of such restoration.

7.5.1. A Minister deposed or Probationer removed may apply by petition for restoration to the Presbytery which currently has Jurisdiction over him. The application for restoration will be intimated to all Presbyteries.

7.5.2. A Minister or Probationer may be restored to Gospel Privileges without being restored to office or status.

7.5.3. The name of a Minister or Probationer restored to Office will be added to the Roll of Ministers Eligible for Call or the Roll of Probationers respectively.

7.5.4. Elders and Deacons deposed will apply for restoration to the Kirk Session who has Jurisdiction over them, who will also notify the Kirk Session which imposed the suspension.

7.5.5. Restoration of an Elder or Deacon who has been deposed is restoration of privileges which includes eligibility for election to office.

7.5.6. Any case for restoration will also be intimated to Conduct and Complaints Committee.

8 Appeals / Reviews / Dissents. In order to ensure the integrity of the process an *appeal, request for review,* or a *dissent and complaint* will only be permitted at the point of disposal of a case.

8.1. Process. The decision of a Kirk Session may be appealed / reviewed by the Presbytery; and the decision of a Presbytery may be appealed / reviewed by the Commission of Assembly or directly to the General Assembly.

8.2. *Appeal*. An appeal is the procedure whereby the Respondent brings a matter under the review of a higher Church Court. A written appeal with reasons must be submitted within ten days of the Respondent being given the written decision of the Church Court.

8.3. *Request for Review*. A *request for review* is the procedure whereby the Complainant or the Presenter of the Case requests that a higher Church Court reviews the decision in the case. A written request for *review with reasons* must be submitted within ten days of the Complainant or the Presenter of the Case being given the written decision of the Church Court.

8.4. *Dissent and Complaint*. A Dissent and Complaint is the procedure whereby any member of a Church Court who has objected to the decision of the Church Court during the decision-making process may bring the matter under review by a higher Church Court.

8.4.1. The intention to dissent and complain must be stated immediately by the member of the Church Court, upon the pronouncement of a final decision.

8.4.2. The member of the Church Court will be given ten days from the date of pronouncement of the final decision to formally submit to the Church Court their written *dissent and complaint* with reasons.

8.5. *Simple Dissent*. A *simple dissent* is the procedure whereby any member of a Church Court whose conscience is aggrieved by the decision of the Church Court may have a dissent recorded in the Minutes of the Court. A *simple dissent* without a complaint does not bring the matter under the review of a higher Church Court.

8.6. *Grounds.* An *appeal*, *request for review* or a *dissent and complaint* may only be brought on the grounds of procedural irregularity, severity of *censure* or misapplication of Scripture or Church law. It is not usually appropriate for a higher Church Court to re-examine *witnesses* and accordingly no appeal can be brought in relation to the factual decision except where a finding has been made without support from the evidence or is plainly wrong.

8.7. *Sisting Proceedings*. Any *appeal*, *request for review* or *dissent and complaint* shall *sist* the carrying out of the *censure* until the higher Church Court has considered the case.

8.8. *Hearing*. An *appeal*, *request for review* or *dissent and complaint* shall be heard within one month of the relevant written document being received by the clerk of the higher Church Court. Where more than one party has raised an *appeal*, *request for review* or *dissent and complaint* in relation to the same matter they shall all be dealt with together by the higher Church Court.

8.9. *Independent Adviser at Hearing*. At the General Assembly or its Commission, the Principal Clerk will advise the Assembly on the procedure for the hearing. If the appeal, request for review or dissent and complaint is being considered by a Presbytery, the Principal Clerk will appoint an *Independent Adviser* to the Court to advise on procedure.

9 Re-opening a Case. Once a final decision has been pronounced in the proper form, the case cannot be re-opened except on the presentation of new material evidence, which the Church Court could not have been aware of at the time of the original decision.

9.1. *Petition*. Where someone believes a case should be re-opened, a petition, outlining the new evidence that has come to light ("Petition"), should be submitted.

9.1.1. Where a case relates to a Minister, Probationer or Candidate the Petition should be submitted to the General Assembly or its Commission.

9.1.2. Where a case relates to an Elder or Deacon the Petition should be submitted to the local Presbytery.

9.2. *Triage Group*. In the event that the Church Court to which the Petition has been submitted decides to re-open a case it reverts to the Triage Group to put in place a new Investigation Group and begin the process.

9.3. *Restoration*. Where new evidence makes clear that the Respondent was innocent, they will be restored to their Office.

10 Sisting Proceedings.

10.1. *Situations*. The Presbytery or Kirk Session may *sist* proceedings under this Act, in whole or in part, in any of the following situations:

10.1.1 Pending the outcome of any civil or criminal proceedings or relevant investigations which relate to the Complaint with a decision whether to sist proceedings or not being taken on a case-by-case basis.

10.1.2 Due to the ill-health of the Respondent or of a material *witness* which prevents the Respondent or material *witness* from taking part in such proceedings. In the case of the Respondent a medical report should be provided.

10.1.3 For any other reason deemed appropriate.

10.2. *Request for Sist.* The Investigation Group, the Presenter of the Case or the Respondent may make a request to the Presbytery or Kirk Session that the proceedings be sisted.

10.3. *Duration of Sist*. Once a *Sist* has been imposed, it shall be presumed to continue until such time as the circumstances leading to its imposition no longer pertain, although the Moderator and Clerk of the Church Court who imposed the *Sist* should review the *Sist* every month to ensure that it is still required and may decide it is no longer appropriate.

10.4. *Review*. The appropriateness of the *Sist* continuing shall also be subject to review, upon request by the Respondent, at three-monthly intervals from the date of its imposition. Each of these reviews shall be undertaken and decided upon by the Principal Clerk, whom failing one of the Assistant Clerks, who shall have power to lift the *Sist* upon cause shown by the Respondent.

11 Absence of Respondent. Where a Respondent repeatedly fails to appear before a Church Court or Committee, a charge of Contumacy may be brought against them.

11.1. *The Process*. This non-appearance need not prevent the Church Court considering the evidence before it and coming to a verdict on the original accusation. However, if they wish to proceed to deposition of a minister as a *censure*, they must report the matter to the General Assembly or its Commission as only the General Assembly has the authority to depose a Minister in his absence.

SECTION D – INITIAL PROCEDURE FOLLOWING A COMPLAINT

1. Making a Complaint. The following parties can raise a Complaint:

1.1. A communicant member of the Free Church of Scotland.

1.2. An adherent of the Free Church of Scotland.

1.3. A member of the public.

1.4. Any Church Court where circumstances come to their attention which indicate that an issue requires investigation.

1.5. In all cases, individuals will be identified within the church who can provide support to those considering making a Complaint.

2. Timely Manner. A Complaint should be submitted in timely manner in order to preserve and maintain the quality of the evidence.

3. Receiving a Complaint. Complaints should be submitted to the Chairman, the Vice-Chairman, and the Clerk of the Conduct and Complaints Committee.

3.1. *Acknowledgement.* A Complaint should be acknowledged within three days.

3.2. *Nominated Female Representative*. Parties may elect to report their Complaint to the Nominated Female Representative of the Committee, who will pass the Complaint to the Chairman and Vice-Chairman.

3.3. *Church Court*. Where a Church Court receives a Complaint the ~~Presbytery~~ Clerk and / or Moderator will pass the Complaint to the Chairman and Vice-Chairman of the Conduct and Complaints Committee.

3.4. *Duty of Office-bearers*. It is the duty of every Office-bearer in the Church who receives notice of a Complaint to pass the Complaint to the Chairman and Vice-Chairman of the Conduct and Complaints Committee.

3.5. *Online Submission.* A Complaint may also be submitted via the Free Church website (www.freechurch.org). Information will be provided on the website as to how complaints are dealt with and who will receive the information. An alternative route for the submission of a Complaint will be available for situations where contact with any of the named individuals may be inappropriate or unsuitable.

3.6. *Conflict of Interest*. In the event of a potential Conflict of Interest (such as where a Complaint relates to a member of the Conduct and Complaints Committee*)* the Complaint can be brought to the Principal Clerk whom failing another member of the Assembly Clerk's Office who will arrange for an independent Minister or Elder within the Free Church of Scotland with appropriate training and expertise to oversee the Complaint (the "Independent Person"). The *Independent Person* will follow the rest of the procedures outlined in this Act but shall be free to appoint appropriate independent individuals in consultation with the Assembly Clerks' Office.

3.7. *Safeguarding*. If the Complaint involves allegations of criminality or safeguarding concerns, the Church's safeguarding and criminality reporting processes should be followed alongside the Conduct and Complaints process.

3.8. *Temporary Suspension – Initial Stage.* Upon receiving the Complaint, the Chairman and the Vice-Chairman of the Conduct and Complaints Committee, in consultation with the CEO of the Free Church of Scotland ("CEO") and the Principal Clerk, will decide whether Temporary Suspension is appropriate.

3.8.1. *Respondent.* Where Temporary Suspension is considered appropriate the Chairman will inform the Respondent that they are temporarily suspended.

3.8.2. *Presbytery.* The Chairman will also inform the Presbytery who will hold a meeting within seven days to ratify the temporary suspension. At such a meeting, they will hear from the Respondent and the Chairman of the Conduct and Complaints Committee.

3.8.3. If the Respondent is a Minister, and he is placed under Temporary Suspension, the Presbytery will appoint an Interim-Moderator to the Respondent's Congregation.

3.8.4. Where the Respondent is a candidate or probationer, a Temporary Suspension on the Respondent may pause the candidate's training and will render the probationer ineligible to receive a call from a vacant Congregation or to respond to such a call.

3.9. *Temporary Suspension – Later Stages.* If at any later point during the investigation process the Chairman and the Vice-Chairman of the Conduct and Complaints Committee, in consultation with the CEO and the Principal Clerk, come to the view that Temporary Suspension is now required they may impose a Temporary Suspension and then seek Presbytery ratification under Paragraph 3.7.2.

3.10. *Temporary Suspension – Exception for Serious Cases.* In the most serious cases (such as those involving safeguarding concerns or criminality) the Chairman of the Conduct and Complaints Committee can impose immediate Temporary Suspension but will then inform the Presbytery for ratification under Paragraph 3.7.2.

4. Resignation. Once a Complaint has been received by the Committee, the Respondent will not be entitled to resign their status.

5. Triage Group. Upon receiving a Complaint, a Triage Group will be formed under the authority of the Committee to decide which category the Complaint falls under.

5.1. *Membership.* The membership of the Triage Group will be the Chairman and the Vice-Chairman of the Conduct and Complaints Committee, and one of the female members of the Conduct and Complaints Committee appointed by the chairman.

5.2. *Consultation.* The Triage Group will consult as follows when a case of alleged misconduct has been submitted to them for their consideration:

5.2.1. When a case has been submitted by a communicant member of the Church, by an adherent, or by a member of the public, the Group will invite the Clerk of the Presbytery in which the misconduct is alleged to have occurred.

5.2.2. When a case has been submitted by a Presbytery, the Group will invite the Clerk of the Presbytery to the Triage meeting.

5.2.3. When a case has been submitted by a Kirk Session, the Group will invite the Session Clerk to the Triage meeting.

5.2.4. In all situations, the Clerk will provide the Triage Group with background information on the case under consideration, but he will be excluded from the decision-making process.

5.3. *Complaint*. The Triage Group shall consider the Complaint and decide how best to proceed with the matter. They may consult with others as they deem it appropriate. Where a Complaint is not submitted timeously it is appropriate to consider the reasons why there has been a delay and the impact this may have had upon the quality of the evidence. They will decide into which category the Complaint falls.

6. Complaint Categories. The Triage Group will place the Complaint into one of the following categories:

(1) *A Low-Level Complaint* (Paragraph 6.1)

(2) *A Disciplinary Offence* (Paragraph 6.2)

(3) *A Heresy Complaint* (Paragraph 6.3)

(4) *A Non-disciplinary Complaint* (Paragraph 6.4)

6.1. *A Low-Level Complaint.* The Triage Group will determine whether the Complaint is a *Low-Level Complaint*.

6.1.1. In determining whether a Complaint is *Low-Level* the Triage Group shall speak with the Complainant.

6.1.2. Where the Complaint is believed to be *Low-Level*, the Triage Group will report to the Kirk Session or Presbytery with Jurisdiction who will meet within twenty-one days to decide whether to declare the Complaint to be *Low-Level.*

6.1.3. Where the Kirk Session or Presbytery declares the Complaint is *Low-Level*, the procedures under this Act will cease unless there is a request for review or a dissent and complaint. Pastoral care will continue for all parties.

6.1.4. Where the Kirk Session or Presbytery does not believe the Complaint is *Low-Level* the Triage Group will appoint an Investigation Group.

6.2. *A Disciplinary Offence*. The Triage Group will determine whether the Complaint relates to a potential *disciplinary offence*.

6.2.1. Where the Triage Group decides that the matter does relate to a potential *disciplinary offence*, they will decide whether the matter relates to *conduct* or amounts to an allegation of Heresy.

6.2.2. Where the Triage Group determines that the matter relates to a potential Conduct Disciplinary Offence, they will (unless the matter is considered sufficiently minor) appoint an appropriate Investigation Group, led by a member of the Conduct and Complaints Committee, to investigate the circumstances and report in accordance with Sections E & F of this Act.

6.2.3. *Presenter of the Case.* The Triage Group will determine who will be the Presenter of the Case (usually the Chairman or the Vice-Chairman of the Conduct and Complaints Committee*).* The Presenter of the Case will normally have been the reviewer of the Case but will not have been part of the Investigation Group.

6.2.4. *Informal Resolution.* Where the Triage Group is of the view the conduct that is the subject of the Complaint is minor and can be dealt with informally, they will report to the Kirk Session or Presbytery with Jurisdiction and propose how best to deal with the matter. The Kirk Session or Presbytery will report back to the Triage Group the outcome of the informal resolution and whether the matter is resolved. The Triage Group will assess the report and decide if further intervention is required.

6.3. *A Heresy Complaint.* The Triage Group may determine that the Complaint relates to an allegation of Heresy.

6.3.1. The Triage Group will consult with the Principal Clerk and the Principal of Edinburgh Theological Seminary to consider if the General Assembly has a settled opinion on the theological question or if the issue is one on which the Church recognises a liberty of opinion. The Principal of Edinburgh Theological Seminary may consult with other faculty members at ETS.

6.3.2. If there is a settled position on the matter, the Respondent will be asked if he accepts the Church's position. If the Respondent accepts that he has made an error and resolves to correct his thinking, that is the end of the matter (unless the same issue is raised again). If the Respondent refuses to change his opinion, then the *Triage Group* will proceed with a normal disciplinary procedure under Sections E-G of this Act.

6.3.3. Where the Church does not have a settled opinion on the matter, a Theological Committee will be appointed to investigate the question and report to the General Assembly or its Commission.

6.3.3.1. The Theological Committee will discuss the theological question with the Respondent.

6.3.3.2. The General Assembly or its Commission will receive a report from the Theological Committee and may sustain the report, seek further clarity, or make their own finding on the issue. It is open to the Theological Committee and the General Assembly or its Commission to declare the matter to be one on which Scripture allows liberty of conscience and accordingly make no ruling as to the correct interpretation of Scripture.

6.3.3.3. After a conclusion on the theological question has been reached, the Triage Group will again consider the accusation of Heresy. If the accusation is contrary to the now settled position of the Church, the Respondent will be asked if he accepts the Church's position on the matter. If the Respondent accepts the Church's settled position and confirms he has amended his thinking, that is the end of the matter (unless the same issue is raised again). If the Respondent refuses to change his opinion, then the Triage Group will proceed with a normal disciplinary procedure under Sections E-G of this Act.

6.4. *A Non-disciplinary Complaint.* The Triage Group will make an initial assessment as to whether the matter is a *Non-disciplinary Complaint*. Issues which will be deemed *Non-disciplinary* include Capability and issues of Congregational Health.

6.4.1. *Capability*. Where an issue relates to Capability for Ministry, the Triage Group will refer the matter to the Chair of the Board of Ministry who will support the Presbytery in proceeding under the Church's capability procedures. Where a Capability issue is raised in relation to a member of ETS Staff the Triage Group will refer the matter to the ETS Board to follow ETS's capability procedures. Where the Complaint relates to both conduct and capability the conduct aspects will be investigated first as a Disciplinary Complaint under Paragraph 6.2.

6.4.2. *Congregational Health.* Where an issue is related to Congregational Health, the Triage Group will consider what evidence they have that the health of the Congregation is unsatisfactory. Evidence of this may include an undue falling away of attendance at public worship and/or undue withdrawal of financial support of the Congregation. Congregational Health could also relate to a break down in the relationships in the Congregation, such as between the Congregation / Office-bearers and the Minister or between the Congregation and the Office-bearers. A Congregational Health issue will be reported to the Presbytery and the matter will be investigated in accordance with the procedure set out in Section H of this Act.

6.4.3. *POV Reports*. If in the process of carrying out a Presbytery Oversight Visit of a Congregation an issue of Discipline, Capability for Ministry or Congregational Health is identified, the Presbytery shall bring the matter to the attention of the Chairman of the Conduct and Complaints Committee who will convene the Triage Group.

7. Pastoral Care. At the same time as a Triage Group is convened, the Chairman will contact the Church Court with Jurisdiction and the *Board of Ministry* to advise that a Complaint has been received and request that they ensure appropriate pastoral care is provided.

7.1. *The Presbytery.* The *Presbytery's Pastoral Team* will put in place arrangements for appropriate pastoral care with the approval of the *Board of Ministry*.

7.2. *The Kirk Session.* In a case involving an Elder or Deacon, a referral will be made by the Kirk Session to the *Presbytery Pastoral Team* to put in place appropriate pastoral care.

7.3. *Board of Ministry*. The *Board of Ministry* will ensure that appropriate pastoral care is in place through its *Reference Team*. Where the *Board* is not satisfied with the arrangement of the *Presbytery's Pastoral Team* or are of the view that it is more appropriate in the circumstances of the case to call on those out with the Presbytery to provide *Pastoral Care*, they may intervene and make alternative arrangements.

7.4. *Recipients of Pastoral Care*. A person who is unsatisfied with the *Pastoral Care* provided may also make their concerns known to the *Board of Ministry Reference Team*.

7.5. *Confirmation*. The *Board of Ministry* will report back to the Conduct and Complaints Committee that *Pastoral Care* is in place but will maintain confidentiality and will not be required to report on the content of any pastoral care.

7.6. *Recipients*. The following will be provided with appropriate pastoral care:

7.6.1. The Respondent and his family.

7.6.2. Any Complainant(s) and their family.

7.6.3. Any *witnesses* in respect of the *Complaint.*

7.6.4. The Congregation, bearing in mind the need for confidentiality.

7.6.5. Any Office-bearers involved in the *Complaint.*

7.7. *Congregational Health*. In cases involving Congregational Health, pastoral care will be provided to the Minister and the Elders of the Congregation.

7.8. *Caretaker Minister*. The *Board of Ministry*, in consultation with the Presbytery and the *Mission Board*, may appoint a Minister as caretaker to provide pastoral care to a Congregation for a defined period if they consider this necessary. They may request that the Board of Trustees makes available budgetary provision for the *Caretaker Minister.*

7.9. *Conflict of Interest.* Anyone appointed by the *Presbytery Pastoral Team* or by the *Board of Ministry* to provide pastoral care will not participate in any procedure before a Church Court relating to the discipline case even if they are members of the Church Court.

8. Adviser. The *Board of Ministry* will also ensure that an Adviser has been appointed to assist the Respondent with matters of Church law and procedure.

8.1. *Powers of the Adviser.* During an investigation interview they are not permitted to answer questions on behalf of the Respondent but may ask questions or make clarifying statements. During a *Hearing* they may present the Respondent's defence.

8.2. *Privilege*. The relationship between the *Adviser* and the Respondent shall be governed by privilege and confidentiality in order to enable the Respondent to freely discuss the case with their *Adviser*. This means that *Advisers* cannot disclose the details of their conversations.

9. Notifying the Respondent. If the Triage Group determines an *Investigation* is required, the Chairman of the Conduct and Complaints Committee will write to the Respondent to confirm that a Complaint has been received, advising as to its general nature, and providing a list of *Advisers* who the Respondent may approach to receive advice and guidance in relation to Church law and procedure. The Respondent will also be given an overview of the process written in plain English.

10. Reporting. The outcome of the Triage Group's assessment will be reported for information to the Principal Clerk and the CEO. *The Investigation Group* will report to the Kirk Session or Presbytery on a monthly basis.

11. Investigation Group. The Investigation Group will be appointed by the Conduct and Complaints Committee in consultation with the Triage Group.

11.1. *Membership*. Members of the Investigation Group will be appointed who have appropriate experience depending on the nature of the *Complaint*. At least one woman and one man will always be appointed to the Investigation Group.

11.2. *Co-opted Members*. Normally, members of the Conduct and Complaints Committee will be appointed to the Investigation Group. However, where the circumstances require it or particular expertise is required, others can be co-opted onto the Investigation Group or may act as *Consultants*. The typical size of an Investigation Group will be three people including a female member.

11.3. *Remit*. The remit of the Investigation Group is to investigate the matter and prepare a report on their findings.

11.4. *Exclusions.* No one will be appointed to the Investigation Group who is a member of the same Presbytery as the Respondent or a member of any local Congregation within the same Presbytery.

11.4.1. Exception. The exception to the rule in Paragraph 11.4 occurs in a case of Capability or Congregational Health where the Investigation Group will be appointed by the Presbytery and will be support by the Conduct and Complaints Committee. In these cases, the Chair of the Investigation Group will be a member of the Presbytery.

SECTION E – INVESTIGATION OF A POTENTIAL DISCIPLINARY MATTER

1. The Court of Jurisdiction. If the decision is made to commence with an *Investigation,* the Chair of the Investigation Group will report to the Kirk Session or Presbytery that they are conducting an *Investigation*.

2. The Respondent. The Investigation Group will again intimate in writing to the Respondent the terms of the *Disciplinary Complaint* and advise on the next steps.

2.1. *Response*. They will ask the Respondent to provide a written response to the Complaint within fourteen days and they will invite the Respondent to an interview with the Group.

2.2. *Extension*. The Respondent may request in writing more time to respond to the Complaint and will be given a maximum of twenty-eight additional days to respond.

2.3. *Failure to Respond*. Where the Respondent fails to respond or refuses to respond this will be noted in the final report.

3. Respondent's Adviser. At any investigatory interview the Respondent's *Adviser* may be present.

4. Witnesses. The Investigation Group will also contact the Complainant(s) and any other *Witnesses* to take statements (which shall be read over by and signed by the *Witnesses*) and collect any other evidence. They may also record the full interviews with the *Witnesses* with the permission of the *Witnesses*.

5. Further Allegations. If, during the investigation, the Investigation Group becomes aware of further allegations against the Respondent, which may constitute a Disciplinary Offence, then they shall also investigate those allegations.

6. Time Limits. In the interest of all parties, the Investigation Group shall complete the Investigation as soon as reasonably practicable. They shall carry out an Investigation and prepare a report not later than three months from the date that the Chairman received the Complaint.

6.1. *Special Circumstances*. Where there are special circumstances which mean the *Investigation* cannot be concluded in three months, the Investigation Group will report to the Kirk Session or Presbytery the reason for the delay and will notify the Respondent and the Complainant.

6.2. *Delay*. The Kirk Session or Presbytery will decide whether the delay is reasonable and will declare a new time limit.

7. Support for those Investigating. Members of the *Investigation Group* may require taking a leave of absence from other duties within the Church, including pastoral ministry, while investigating the case. The Principal Clerk in consultation with the Presbytery and the CEO is empowered to grant such requests.

SECTION F – REPORT OF THE INVESTIGATION GROUP

1. Report. The Investigation Group will prepare a report on their investigations to include the following:

1.1. *Parties*. The report will include details of the Complaint, the Complainant, and the Respondent.

1.2. *A Case to Answer*. The report will include the recommendations of the Investigation Group as to whether there is a Case to Answer.

1.3. *A Charge*. The report will include details of the appropriate *Charge*. The *Charge* may relate to a course of conduct instead of any one incident. The Investigation Group may consult the Church's Solicitor for advice on the wording of the *Charge*.

1.4. *Evidence*. The report will include the evidence on which the *Charge* is based but will, as far as possible, maintain the confidentiality of the *Witnesses*.

2. Review of Report. The report will be reviewed by a member of the Conduct and Complaints Committee who has not been involved in the Investigation This will usually be the Presenter of the Case.

3. No Case to Answer. Where the report concludes there is no Case to Answer this will be reported to the Kirk Session or Presbytery with Jurisdiction who will meet within 21 days to decide whether they agree there is No Case to Answer. Where the Kirk Session or Presbytery declares there is no Case to Answer, the procedures under this Act will cease unless there is a request for *Review* or a *Dissent and Complaint*.

4. Complainant. The Investigation Group will update the Complainant on the progress of the Complaint. However, they will not provide the Complainant with a copy of the report to maintain confidentiality.

5. Respondent. A copy of the report will be sent to the Respondent with a letter asking them to give an answer to the Complaint and the *Charge*. The Respondent will be asked to give their response to the letter in writing within twenty-one days.

5.1. *Office-bearers*. The Respondent as an Officer-bearer within the Church has agreed to subject himself to the judicatories of the Church and accordingly owes a duty of candour to Church Courts.

5.2. *A Meaningful Response*. The Respondent is therefore required to give a meaningful answer to the report and to either admit or deny the allegations. Silence is not a meaningful response, and a negative inference can be drawn from silence.

6. Confession. Where the Respondent admits the *Charge*, the Presenter of the Case, in consultation with the Chair of the Investigation Group, will consider the nature and extent of the confession to satisfy themselves as to whether or not it covers the total allegation or allegations.

6.1. *A Genuine Confession*. If they are satisfied the Confession covers the total allegation or allegations and that the Confession is genuine, they will ask the Clerk of the Kirk Session or Presbytery to convene a meeting to consider the report and the Confession, along with their recommendation as to an appropriate outcome in accordance with Section C Paragraph 7.

6.2. *Kirk Session or Presbytery*. In considering the appropriate outcome in accordance with Section C Paragraph 7, the Kirk Session or Presbytery will have due regard to whether they believe genuine repentance on the part of the Respondent.

6.3. *Mitigating Circumstances*. They will also hear from the Respondent and / or their *Adviser* as to whether there are any mitigating circumstances. It may be necessary to obtain a medical report or other evidence to support the existence of mitigating circumstances.

6.4. *Aggravation.* They will also consider whether there has been any aggravation as part of the offence. They may take up victim impact statements to assist in this process.

7. Denial. Where the Respondent denies the Charge, the Presenter of the Case will notify the Clerk of the Kirk Session or Presbytery of the need for a *Disciplinary Hearing*.

SECTION G – THE DISCIPLINARY HEARING

1. Preliminary Matters. The Kirk Session or Presbytery will hold a special meeting immediately after receiving notification from the Presenter of the Case for the purpose of making arrangements for the *Disciplinary Hearing* to be held no sooner than twenty-eight days' time and no later than three months' time.

1.1. *Citation*. The Clerk of the Kirk Session or Presbytery will issue Citations to the Respondent, Complainant, and all *Witnesses*. He will also notify the Presenter of the Case of the date of the *Hearing*.

1.2. *Different Kinds of Citation*. There are two kinds of Citation:

1.2.1. The first kind is a *Citation* delivered openly in the Court to those involved who are present at the time when the decision is taken to issue the Citation. The *Citation* should be minuted.

1.2.2. The other *Citation* is a formal written summons requiring attendance at a Church Court and delivered to the person named or to his/her dwelling and the fact of its being so delivered duly certified. Such certification may be made by someone appointed by the Court to deliver the *Citation*, or by use of Registered Mail, or recorded delivery using the facility which involves official notice from the Post Office that delivery to the address has been made. The Court should minute at its next meeting the receipt of appropriate confirmation from the person appointed or the company so contracted.

1.3. *Failure to Appear*. When the Court is ready to proceed with the case and has been satisfied that all *Citations* have been duly delivered, it calls all parties concerned before it. If a person duly cited does not appear at the time and place specified, a second *Citation* should be served.

1.4. *Contumacy.* Where a person duly cited two times, fails to appear or to give a satisfactory reason for non-appearance they are liable for *censure* for *Contumacy*. For the avoidance of doubt, one of the two citations may be the Citation delivered openly before the Court.

1.5. *Female Consultant.* In any case proceeding to a *Hearing*, the Kirk Session or Presbytery should appoint a suitably experienced *Female Consultant* to the Court who can take part in any discussions of the Kirk Session or Presbytery regarding their decision but who will not have the right to vote.

1.6. *Training.* Prior to the *Hearing*, the Principal Clerk will arrange for appropriate training to be provided to members of the Church Court who will be making the decision. Only members of the Church Court who have participated in the training can take part in the Hearing and make the decision. The Principal Clerk will also appoint an *Independent Adviser* to the Court to advise on procedure.

1.7. *Questioning the Witness.* The Kirk Session or Presbytery should empower three people to question the Witnesses on behalf of the Court during the *Hearing*. One of these three people should be the *Female Consultant* to the Court. Any other member of the Kirk Session or Presbytery who has questions should pass them to these designated questioners. The Moderator shall not be one of these people as they will be responsible for chairing the *Hearing.*

1.8. *Disclosure.* The Presenter of the Case will note the requirement that each party in the *Hearing* is required to disclose any documents that may be considered relevant to the case. They will also provide the Respondent with a list of *Witnesses* for the *Hearing.* This disclosure should take place within seven days of a hearing being arranged.

2. Legal Representation.

2.1. *The Presenter of the Case.* The Presenter of the Case, in consultation with the Principal Clerk and the CEO, may, owing to the complexity of a case, decide to appoint *Legal Representation* to prosecute the case on behalf of the Presenter of the Case.

2.1.1. In a case where it is decided to appoint *Legal Representation*, the Respondent will have an automatic right to appoint *Legal Representation* to ensure fairness.

2.1.2. In all cases where the Respondent appoints *Legal Representation*, the Presenter of the Case may also decide to appoint *Legal Representation*.

2.2. *Respondent*. The Respondent will be informed of their right to ask for *Legal Representation* where the case is sufficiently complex. In all other cases they must seek the permission of the Principal Clerk who will, in consultation with the CEO, determine if the case is sufficiently complex to warrant the appointment of *Legal Representation.*

2.2.1. Where permission to appoint *Legal Representation* as in Paragraph 2.2 above is not given, the Respondent may fund their own *Legal Representation*.

2.2.2. Where the Respondent does not have *Legal Representation*, their *Adviser* may assist in representing them or they may represent themselves. However, in a case involving sexual misconduct or abuse, the Respondent is prohibited from questioning any of the *Witnesses* (their *Adviser* or *Legal Representation* will question the *Witnesses*), although they may still choose to conduct their own defence, particularly making any closing statements.

2.3. *Budgetary Provision.* The Board of Trustees will make budgetary provision to cover the costs of *Legal Representation* for both parties where *Legal Representation* has been appointed in terms of Paragraphs 2.1. and 2.1.1. or where permission has been given to the *Respondent* in terms of Paragraph 2.2.

2.3.1. Where Permission is not granted, but the Respondent proceeds to appoint *Legal Representation* in terms of Paragraph 2.2.1., and the Presenter of the Case exercises their right to appoint *Legal Representation* in response under Paragraph 2.1.2., the Board of Trustees will make budgetary provision to only cover the costs of the Presenter's *Legal Representation*.

3. List of Witnesses. Fourteen days before the *Hearing* the Respondent must provide the Investigation Group, the Presenter of the Case*,* and the Church Court with a list of any additional *Witnesses* whom they have asked to attend the *Hearing* and provide copies of any evidence upon which they intend to rely.

3.1. *Support for Witnesses*. In submitting lists of witness the Presenter of the Case and the Respondent will indicate to the *Church Court* whether any steps need to be taken to assist the witnesses in giving evidence. For example, a vulnerable witness may appear via video link from another room.

3.2. *New Evidence*. Where new evidence comes to light during the *Hearing*, the Court hearing the case must decide whether the evidence materially changes the case. They may suspend the hearing to allow time for all parties to consider the new evidence.

3.3. *Members of the Court*. Any *Witnesses* who are members of the Court will not be entitled to sit as members of the Court at the *Hearing*.

3.4. *Budgetary Provision*. The Board of Trustees will allocate a budget for the expenses of the *Witnesses* attending the *Hearing*.

4. Continuance. It is competent for either party to ask the Kirk Session or Presbytery, up to seven days before the start of the case, for a continuance of the *Hearing* to allow more time for the preparation of the case. This may be required if additional *Witnesses* or evidence has been identified by the Respondent*.* Continuance will be granted at the discretion of Moderator and Clerk of the Kirk Session or Presbytery and will not be withheld unreasonably.

5. The Hearing.

5.1. *Proceedings*. On the date of the *Disciplinary Hearing*, both sides will be allowed to present their case, hear evidence from all *Witnesses*, and allow cross examination of the *Witnesses*.

5.1.1. The Presenter of the Case will present the report of the Investigation Group regarding the Complaint according to the provisions of Paragraph 2.1 above as required in each case.

5.1.2. The case of the Respondent will be presented according to the provisions of Paragraph 2.2 above.

5.2. *Recording*. The proceedings at the Hearing will be recorded. At the end of the proceedings all recordings will be securely stored by the Conduct and Complaints Committee.

5.3. *Private Hearing*. The *Disciplinary Hearing* will be conducted in private.

5.4. *Public Announcement*. The decision of the *Disciplinary Hearing* is public and will be communicated to the Church as a whole.

5.4.1. The Church Court, in consultation with the Free Church Communications Manager, will decide on any communication to the media or responses to requests for comment.

5.4.2. No member of a Church Court should discuss the matter with the media without the permission of the relevant Church Court.

6. Review. Where an *Appeal*, *Dissent and Complaint* or *Request for Review* is made, no public statement of the outcome will be made either within the Church or to the media until after the Higher Court has considered the case.

7. Solemn Assurance. All who are about to give evidence before a Kirk Session or Presbytery shall be required to give a solemn assurance before doing so that they will speak the truth, that they have no malicious motive and are not knowingly biased.

8. Closing Statements. The Presenter of the Case and the Respondent or their representatives will be entitled to make closing statements to the Kirk Session or Presbytery once all the evidence has been heard. After which point, they will be asked to leave the room while a decision is reached.

9. Hearing Regulations. The Principal Clerk, in consultation with Conduct and Complaints Committee, is empowered to prepare regulations on how a *Hearing* should be conducted, provided that such regulations shall be laid before and be subject to alteration, revocation, amendment or modification by the General Assembly or its Commission. These regulations will include rules of evidence, make provision for vulnerable *Witnesses* giving evidence, and give details on how evidence can be taken where a *Witness* is unable to attend the *Hearing* due to age, illness, or location.

10. Decisions. At the end of the *Hearing* the Kirk Session or Presbytery will reach a decision on the formal *Charge* through private discussion in accordance with the principles of evidence in Section C Paragraph 5. The *Female Consultant* and the *Independent Adviser on Procedure* will be present at this discussion. The decision will be reached by majority.

10.1. *Complex Cases*. In complex cases, the Kirk Session or Presbytery may adjourn to give themselves time to consider their decision and shall appoint a date (within 7 days) for a future meeting where they will reach their decision.

10.2. *The Record*. The Kirk Session or Presbytery should record their decision along with the reasons for their decision. This will be an official minute of the Court.

10.3. *Not-guilty Verdict*. If the Respondent is found not guilty the reasons for this decision will be clearly stated and communicated within the wider Church - this is important for restoring the reputation of someone who has been wrongfully accused.

10.4. *Guilty Verdict.* If the Kirk Session or Presbytery find the Respondent guilty, they will then decide on the appropriate outcome. The outcomes available to the Court are outlined in Section C Paragraph 7.

10.4.1. Before deciding on the outcome, they will hear from the Respondent as to whether there are any mitigating circumstances and consider whether there has been aggravation.

10.4.2. It may be necessary to obtain a medical report or other evidence to support the existence of mitigating circumstances or aggravation. They may obtain victim impact statements.

10.5. *A Final Decision.* The decision of the Kirk Session or Presbytery will be final, unless an *Appeal*, *Request for Review* or a *Dissent and Complaint* is raised.

SECTION H – PROCEDURE IN CASES RELATING TO CONGREGATIONAL HEALTH

1. Investigation. Where the Triage Group concludes a matter relates to Congregational Health the *Investigation Group* will report on the matter to the Presbytery having responsibility for oversight of ministry in the area.

1.1. *Presbytery*. The Presbytery will appoint a Committee to consider the report of the Investigation Group and to carry out further investigation in seeking to resolve the situation. The Committee will be chaired by a member of the Presbytery.

1.2. *Investigation Group*. At least one member of the *Investigation Group* will be appointed to the Presbytery Committee.

2. Course of Action. The Presbytery will decide on an appropriate course of action. The Conduct and Complaints Committee will produce guidance outlining options available to Presbyteries, particularly with a view to de-escalating the situation.

3. Support. Mediation may be provided for the *Congregation*, and other forms of support which are deemed appropriate, to try and restore harmony in the *Congregation*.

4. The Record. If the various steps to address the issues should fail, then the Presbytery must record in their minutes a statement of the facts, the steps taken by the Presbytery, and the results.

5. A Hearing. Presbytery may decide at this point to proceed with a *Hearing* at Presbytery of the various parties. The Investigation Group will continue to provide support to Presbytery on how best to proceed.

5.1. The *Finding.* If at the *Hearing*, the Presbytery conclude that the ends of the ministry are not being served, and that the state of the Congregation is due to defects or mismanagement personal to the Minister, and/or may be due to the fault of any Office-bearers or members of the Congregation, they will record this in their minutes.

5.2. *Improvement Plan*. The Presbytery will consider whether any additional steps may be taken to improve the situation. The Presbytery should consult the Mission Board for support in preparing an improvement plan.

5.2.1. Where the Presbytery is able to put in place an Improvement Plan, they will communicate their recommendations to the Congregation, Office-bearers and Minister and provide support in implementing the Plan.

5.2.2. The Presbytery will review the situation six months after the implementation of the Improvement Plan.

5.3. *Removal of Parties*. Where the Presbytery see no possibility of improvement without the departure of either the Minister, any of the Office-bearers, or Members of the Congregation, they will initiate appropriate action to remove those parties from the Congregation.

5.3.1. *The Minister.* Where it appears the issues relate to defects or mismanagement on the part of the Minister (but which does not amount to a disciplinary offence), they will hold a further *Hearing* for the purpose of deciding whether the pastoral tie should be dissolved. The Minister will be present at the *Hearing* and will be given an opportunity to address the Presbytery on the issues.

5.3.1.1. If the Presbytery decide to dissolve the pastoral tie, they will inform the Principal Clerk and the CEO by extract of proceedings giving the reasons and requesting that the Minister's name be added to the Roll of Ministers without Charge.

5.3.1.2. On the dissolution of the pastoral tie, the Minister will be entitled to six months stipend, or stipend until such time as they receive a call, whichever is sooner. If the Minister is within ten years of state pension age, has given at least ten years' service to the Church, and chooses to retire, a request may be made to the Board of Trustees for additional financial support.

5.3.1.3. The Minister will not be expected to immediately leave the manse and the Presbytery, Congregation and Minister will agree how long the Minister and his family may continue to occupy the manse.

5.3.2. *Office-bearers*. Where it is apparent that the issues relate to defects or mismanagement on the part of an Office-bearer, or Office-bearers, the Presbytery may remove the Office-bearer from office following a *Hearing* where the Office-bearer will be given the opportunity to address the Presbytery.

5.3.3. *Members*. Where it is apparent that the issues relate to a member or members of the Congregation, the Presbytery will consider what action is appropriate in each case. The members will be entitled to address the Presbytery on the matter before a decision is taken.

5.3.3.1. The Presbytery may consider an Admonition is appropriate in the circumstances of this case and the actions which have led to the current situation.

5.3.3.2. The Presbytery may order that they be relieved of all public functions entrusted to them in the Congregation.

5.3.3.3. The Presbytery may encourage the Member or Members to consider attending another Congregation in the interests of the gospel.

6. **Disciplinary Offence**. If at any time the members of *Investigation Group* become aware of evidence of a *Disciplinary Offence* on the part of anyone to whom this Act would apply, they will immediately refer the matter to the Chairman of the Conduct and Complaints Committee who will then proceed as in any other case of a *Disciplinary Offence*.

SECTION I – GLOSSARY OF TERMS

The following definitions shall apply within this Act:

1. **Admonition** means an exhortation to more careful and worthy conduct, accompanied by counselling against sin. It is the lightest form of Church *censure*.

2. **Adviser** means a Minister or Elder, selected from a list maintained by the Conduct and Complaints Committee, who acts as an Adviser to a Respondent in relation to Church law and procedure.

3. **Assistant Clerk** means an assistant to the Principal Clerk of the General Assembly.

4. **Bullying** means conduct amounting to offensive, threatening, abusive, malicious, intimidating, or insulting behaviour that may be an abuse or misuse of power, position or knowledge through means that undermine, humiliate, denigrate, or injure the person concerned and which is behaviour occurring in circumstances where it would appear to a reasonable individual that it would amount to bullying of that person.

5. **Capability for Ministry** means the ability of a Minister to fulfil the requirements of ministry. Capability for Ministry is usually regarding an issue over which they have no control. For example, if a person becomes unable to fulfil their ministry due to an illness or disability and adjustments or support cannot help. However, Capability for Ministry is not exclusively related to health.

6. **Case to Answer** means that there is sufficient evidence (in accordance with Section C. Paragraph 5) to prosecute the Respondent based on the report.

7. **Church** means the Free Church of Scotland.

8. **Church Court** means the Kirk Session, the Presbytery, the Commission of Assembly, and the General Assembly, as the case may be.

9. **Citation** means an order given by the Session Clerk or Presbytery Clerk for the Respondent, Complainant, and all Witnesses to appear at a Hearing of a Church Court.

10. **Commission** means a Commission of the General Assembly as appointed from time to time.

11. **Companion** means the person who accompanies a Respondent, Complainant or Witness when they appear before any Church Court or Committee in the Church.

12. **Complainant** means the person making the Complaint.

13. **Complaint** means a notice of a potential Conduct Disciplinary Offence, or an allegation of Heresy against anyone to whom this Act applies (see Section C, Paragraph 3). A Complaint can also relate to a matter of Congregational Health. Where a Complaint relates to a decision of a Church Court, Deacons' Court, or Finance Committee, the Complaint should proceed under existing review processes such as Appeal and Dissent and Complaint and will not be dealt with by the procedures in this Act.

14. **Conduct and Complaints Committee** means a committee established under Section C, Paragraph 1 of this Act.

15. **Conduct Disciplinary Offence** means conduct which is either:

15.1 Declared contrary to, and censurable by, the Word of God, or

15.2 Declared censurable by an Act or universal custom of the Church which is agreeable to the Word of God.

15.3 For the avoidance of doubt Harassment, Victimisation, and Bullying are censurable as they are contrary to, and censurable by, the Word of God and Contumacy is censurable as a Universal Custom of the Church.

16. **Congregation** means a congregation of the Free Church of Scotland.

17. **Congregational Health** means an issue in a Congregation where it is not always easy to identify the root cause – often we can observe the symptoms of an unhealthy situation, but investigation is required. Evidence of an issue of Congregational Health may include an undue falling away of attendance at public worship and/or undue withdrawal of financial support of the Congregation. It may also relate to a break down in the relationships in the Congregation.

18. **Consultant** means a person with specialised expertise appointed to assist the process at any stage to give a specialist perspective.

19. **Contumacy** means the deliberate defiance of the authority of a Church Court. This includes:

19.1 A breach of an order or instruction of any Church Court (including failure to appear before a Church Court when duly cited).

19.2 A refusal to accept, or an attempt to subvert, the authority of any Church Court.

19.3 Breach of the confidentiality of a Church Court or Committee (this includes the issuing by any person of any form of statement about, or details concerning, an alleged offence, or participating in any interview or discussion with the media or publishing any material on social media regarding an alleged offence unless authorised to do so by the Court); and

19.4 Covert recording of Church Court proceedings.

20. **Conflict of Interest** means a connection between either the Complainant, or the Respondent, or any Witness involved in the process, and anyone acting at any stage under this Act, which could compromise that person's judgment, decisions, or actions. For example, a family relationship or a personal friendship is be classed a connection that raises potential conflict.

21. **Deacon** means an ordained Deacon as defined in Section C, Paragraph 3.5 of this Act.

22. **Elder** means an ordained Elder as defined in Section C, Paragraph 3.4 of this Act.

23. **ETS** means Edinburgh Theological Seminary.

24. **General Assembly** means the General Assembly of the Free Church of Scotland.

25. **Harassment** means unwanted physical, verbal, or non-verbal conduct which has the purpose or effect of violating the dignity of another person made in the image of God or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. In deciding whether conduct has that effect, consideration shall be given to the perception of that person, the other circumstances of the case and whether it is reasonable for the conduct to have the said effect.

26. **Hearsay** means information that an individual has heard from other people but does not know from their own experience whether or not it is true. An example would be a Witness telling you what they saw – in that case you can give evidence that they told you what they saw but not whether or not they actually did see it.

27. **Heresy** means a gross error of doctrine held and divisively maintained by someone within the Church which is in opposition to any substantial truth or truths grounded upon the Word of God and the system of doctrine found in the Westminster Confession of Faith. Where an error is pointed out to someone from Scripture, and they allow their thinking to be transformed by Scripture, they are not guilty of Heresy.

28. **Independent Adviser** means a person appointed by the Principal Clerk to assist the Presbytery at a Hearing.

29. **Investigation Group** means an investigation Group appointed in accordance with Section D, Paragraph 10 of this Act.

30. **Jurisdiction** means the power to make decisions and judgements in relation to particular matters or individuals over which the Church Court has oversight as defined in Section C, Paragraph 4 of this Act.

31. **Kirk Session** means the kirk session of a Congregation.

32. **Legal Representation** means suitably professionally qualified individuals who can present a case on behalf of either the *Presenter of the Case* or the *Respondent*. This may include the involvement of solicitors and/or advocates.

33. **Low-Level Complaint** means a Complaint that has no serious purpose or value. Often a Low-Level Complaint is one about a matter so trivial or one so meritless on its face that investigation would be disproportionate in terms of time and cost. Someone who repeatedly brings Low-Level Complaints could themselves be subject to discipline procedures.

34. **Malicious Witness** means a Witness who has been shown to have deliberately given false testimony with the intention of causing harm to an individual or their reputation. Deuteronomy 19:16-21 makes clear a Malicious Witness should themselves be subject to discipline. However, it is not the case that every mistaken Witness is automatically malicious, and care should be taken not to discourage Complainants from bringing

Complaints through the fear of discipline. The intention to cause harm and to act with malice requires to be proven to the same standard of evidence as any other discipline case.

35. **Minister** means an ordained minister as defined in Section C, Paragraph 3.1 of this Act.

36. **Nominated Female Representative** means a female member of the Conduct and Complaints Committee appointed by the Conduct and Complaints Committee to receive Complaints in accordance with Section C, Paragraph 1.3.4 of this Act.

37. **Presbytery** means the presbytery to which the Congregation of the Respondent belongs.

38. **Presenter of the Case** means a member of the Conduct and Complaints Committee who will serve as prosecutor to present the case before the Church Court. Usually this will be the Chairman or Vice-Chairman of the Committee. The Presenter of the Case must not have been involved in the Investigation Group. They will also review the report of the Investigation Group before it is presented to the Presbytery or Kirk Session.

39. **Principal Clerk** means the Principal Clerk of the General Assembly.

40. **Rebuke** means a more serious form of Admonition, declaring conduct sinful, and exhorting the Respondent to cease such sin in the future. It may be administered before the Kirk Session or Presbytery or before the Congregation.

41. **Respondent** means the person who is the subject of a Complaint.

42. **Sist.** To *sist* a case means to delay or suspend proceedings for a period. (See Section C, Paragraph 10)

43. **Subjects of Discipline** means the parties who are subject to investigation and discipline in terms of this Act as detailed in Section C, Paragraph 3.

44. **Suspension from Office** means a suspension of a person's status as an office-bearer of a Congregation. Suspension from Office may endure for a limited period of time or indefinitely.

45. **Suspension of Privileges** means denial of access to the Lord's Supper and to be denied the Sacrament of Baptism for one's children. Suspension of Privileges may endure for a limited period of time or indefinitely. Restoration of Privileges is not automatic but depends on the Court being persuaded that the offender is truly penitent.

46. **Temporary Suspension** means suspension of a Respondent while awaiting the outcome of a Complaint process. For the avoidance of doubt, Temporary Suspension shall not constitute or form a part of any form of *censure* and is without prejudice to the matter under investigation. In the case of a Minister or staff member of ETS, the stipend will continue to be paid as long as he remains in his Congregation or appointment. Temporary Suspension is not required in every Complaint. It depends on the seriousness of the allegation and the need to protect the public.

47. **Theological Committee** means a body established from time to time to prepare a report on any theological question relevant to a charge of Heresy. The Theological Committee will be appointed by the Principal Clerk, the Principal of Edinburgh Theological Seminary, and the Chairman of the Conduct and Complaints Committee. They can appoint as many people as they deem appropriate. Those who are not Office-bearers in the Free Church of Scotland can be appointed as Consultants to the Committee.

48. **Triage Group** means a group formed under the authority of the Conduct and Complaints Committee in terms of Section D, Paragraph 5 of this Act.

49. **Victimisation** means subjecting another person to a detriment because that person has brought a Complaint under this Act, given evidence or information in connection with proceedings under this Act, or done any other thing for the purposes of or in connection with this Act, unless that person acted with malicious intent in so doing.

SECTION J – REPEALS

The General Assembly hereby repeal:

1. Act 1, 2008 (Class I) – Act anent interviewing Women, Children and Vulnerable Adults.
2. Act 8, 1994 – Act anent the Practice – Supplement to Chapter on Discipline.
3. Act 1, 1990 (Class I) – Act anent Problem Ministries (Repealing Act 3, Class I, 1892).
4. Act 27, 1978 – Act anent Definitions for Inclusion in "The Practice".
5. Act 28, 1978 – Act anent Statement of Principle in regard to Discipline.

6. Act 6, 1912 – Act anent Revision of Libels.

7. Act 14, 1860 – Act anent Revisal of Libels when a Presbytery are the Libellers.

8. Act 15, 1860 – Act anent Revisal of Libels when any party or parties other than the Presbytery, are the Libellers.

9. Act 8, 1854 – Act anent Correction of a Libel by the General Assembly.

10. Act 4, 1853 – Act anent Complaints and Appeals not Sisting Procedure in Cases of Libel against a Minister.

11. Act 5, 1853 – Act anent Judging as to the Relevancy of a Libel against a Minister where the Presbytery are Libellers.

12. Act 6, 1852 – Act anent The Form of Process in respect to a Minister ceasing to exercise his Functions after being served with a Libel.

13. The ancient practice of an "Oath of Purgation" is also abolished as not having any Scriptural warrant.

Here end the Act on Conduct, Complaints and Discipline of Office-bearers.

2. The General Assembly, noting that Section C, Paragraph 1.1.3 of Act 24, Class 2, 2023, requires the Conduct and Complaints Committee to prepare and publicise regulations and guidance in areas related to complaints and discipline, instruct the Committee to prepare such regulations and guidance and to report to the 2025 General Assembly on the completed exercise through the Assembly Clerks' Office.

3. The General Assembly, noting the need for clarity in the role of the Conduct and Complaints Committee and the role of the Courts of the Church in matters relating to pastoral oversight and dealing with complaints, instruct the Assembly Clerks' Office to prepare regulations and guidance to support Presbyteries and Kirk Sessions.

REPORT

OF THE

EDINBURGH THEOLOGICAL SEMINARY BOARD

The work of the Seminary has continued apace with an excellent spirit in the Faculty and a lively and engaged group of Students. One major milestone is the construction of a revised, modular curriculum and its revalidation by Glasgow University. This flexible curriculum will begin this autumn and we are excited to see how it develops as it is the result of much work and consideration. Strategically it will help the Seminary face the challenge of a dynamic environment for theological education, with several apparent alternatives in the marketplace and Students facing a range of challenges in their specific circumstances. This inbuilt flexibility will be an attractive addition to what we are offering, helping us compete.

As we continue meeting the challenge to grow and develop, we are thankful for our historic rootedness in the work of the Free Church of Scotland. The Board is glad to see the work that has gone into the Act of Consolidation anent Edinburgh Theological Seminary. This will make the task of adhering to our legislation much simpler.

However, it is important to note that the role of the Free Church of Scotland in ETS is not merely one of legislation. We are here to serve the Church, we want to be a resource for the wider denomination, of course, in training men for pastoral ministry which must remain a core aim, but also various other offerings for lay people. Elders and laypeople who are well grounded in our doctrine can only be a blessing to the Church and we would love to see more people, in the Free Church and beyond, take advantage of the Courses we offer.

We are deeply grateful for the support that the Free Church gives ETS each year. We are conscious of the increased demands on the finances of individuals and congregations and do not take the sacrificial giving that we receive for granted; it ensures we are able to do what we do. Growing our development efforts to secure support beyond the annual denominational grant is a major challenge for ETS going forward. Virtually no Seminary can survive on fees alone, we need to develop a support base in Scotland and around the world and that takes time and dedicated, focused effort. This is chiefly, though not solely, the responsibility of the Principal, and the Board is mindful of the need to ensure that the Principal's time is not dominated by administrative work to the detriment of development and strategy. This entails additional administrative capacity to free up space in an already over full schedule, something that the ETS Board is actively pursuing, seeing it as a key step in establishing that support base.

ETS gladly hold to a warm, clear, confessional position which helps us as we go out to seek support. Like potential students, potential supporters need clarity as to what precisely it is that they are committing to. Trust needs to be established, maintained, and developed. Of course, much of this must be done relationally, but having a convictional foundation as ETS does, along with its connectedness to a like-minded denomination gives reassurance that any support will, by God's providence, be used for Gospel purposes for the good of Christ's Church.

One aspiration is to secure sufficient external funding to be able to separate our Systematic and Practical Theology Departments. As circumstances permit, the Board intends to explore various routes to ensure that, as separately functioning Departments, both Systematic and Practical Theology are given the attention they deserve so that Students will benefit from their important place in the training process.

For a denomination like the Free Church of Scotland, having a theological training institution like ETS is a blessing. Of course, it comes with costs in manpower and in finances, but being able to train future pastors gives oversight that is hugely valuable. Having this in a historic institution, an institution that unlike so many others that could be named, has not drifted from its confessional moorings is something to be thankful for, thankful to those that went before but also of course thankful to God who so ordained it. Additionally, ETS is a gift to the wider Church. It shows a commitment to theological education that benefits churches across the country and indeed allows the Free Church to be an influence for good in places beyond its immediate doors. This has grown in the recent past and there is real potential for this to grow further in the years ahead if we are able to grasp the opportunities presented to us. Please pray for wisdom and continued provision in the year ahead as we seek to leverage this gift we have been given and use it for His glory.

(A) ADMINISTRATION

1. ***ETS Office Staff***. The Board is, as always hugely grateful to Mrs Heather Watson and Mrs Ruth Smith in the ETS Offices for their continued hard work. It is hard to envisage an ETS without their diligent care and attention. They are a hub for so many Staff and Students, and their evident commitment to the work we do is such

an encouragement to all connected to ETS. We do hope to ease their burden somewhat in the coming year with additional admin resource. This will allow them to focus on continuing to improve the way we do things for everyone's benefit.

2. ***IT Staff***. We are also conscious of an ever-increasing dependence on IT facilities and wish to acknowledge the commitment and skill of Mr Ewan Smith in this department. The Board is delighted that Mr Smith, after serving as an IT contractor for a number of years, has now been appointed as part-time IT Administrator. This appointment recognises the essential place that IT facilities have at ETS and will ensure security for both Mr Smith and ETS.

(B) STUDENT NUMBERS

Student numbers taking the ranges of Courses in 2023-24 were as follows (previous year's figures are in parentheses:

PROGRAMME	FULL-TIME	PART-TIME
BTH	17 (17)	30 (35)
MASTER OF THEOLOGY (RESEARCH)	3 (0)	10 (13)
MASTER OF THEOLOGY IN SCOTTISH CHURCH HISTORY & THEOLOGY (TAUGHT)	0 (1)	2 (6)
MASTER OF MISSIOLOGY (TAUGHT)	2 (2)	13 (11)
CERTIFICATE IN THEOLOGY/ DIPLOMA IN CHRISTIAN STUDIES (SATURDAY COURSE)	195 (171)	
ACCESS TO THEOLOGY	20 (19)	
DIPLOMA IN CHRISTIAN YOUTH WORK	2 (8)	
SABBATICAL STUDIES	2 (1)	
INDIVIDUAL STUDY PROGRAMME	11 (8)	
TOTAL	308 (302)	

(C) ETS CENTRE FOR MISSION

The ETS Centre for Mission is a core part of the Seminary and exists to encourage and support the Church, in the UK and throughout the world, to engage in mission rooted in careful theological reflection and responsible and effective practice.

1. ***The Remit***. At the 2019 General Assembly, the following remit was approved for the ETS Centre for Mission:

- To promote serious engagement with mission studies, and reflective participation in mission practice, among ETS Staff and Students by means of formal academic courses and other mission-focused events.
- To engage in, and foster, constructive interaction with students, mission agencies, and serving missionaries (local and global) so as to ensure effective training for those preparing for, or engaged in, various forms of mission service.
- To encourage serving missionaries (local and global) by providing opportunities for theological development and biblical research in topics of relevant interest.
- To provide education in mission studies to the wider Church.
- To respond to specific requests for theological and practical training of leaders and key workers by the wider Church, mission agencies, and, in particular, by the Mission Board and the Board of Ministry of the Free Church of Scotland.

This approved remit is helpful both to those who work in the context of the ETS Centre for Mission and to the wider church as it provides clarity and direction for the activities of the Centre for Mission.

2. ***Recent Activities***

2.1. ***MTh in Missiology***. We had nine new Students in the MTh in Missiology intake of 2023–24. We now have 10–15 Students registered on the programme at any one time. We expect to have two MTh in Missiology Students graduating with the MTh in Missiology in the 2023–24 academic session. Another two Students are currently working on their dissertations and should be finished around summer 2024, although they may only graduate in the following academic session.

2.2. ***Other Postgraduate Programmes***. We have several students working on the MTh by Research and the MTh in Scottish Church History and Theology. Several students have recently completed their degrees and will graduate this academic session. One graduate of the MTh in Scottish Church History and Theology has recently started a PhD at the University of Edinburgh. We have been pleased to hear of several graduates publishing articles in various journals and other outlets.

2.3. ***Postgraduate Seminars***. The ETS Postgraduate Seminars are intended to provide a context for deepening of relationships among ETS Students in addition to exchange of ideas and honing of critical skills. The Seminar Programme of includes a wide range of topics (including regular input on mission and World Christianity) from invited speakers from the UK and beyond. There are also regular discipline-specific seminars for both the MTh in Missiology and the MTh in Scottish Church History and Theology.

2.4. ***Research Studies.*** We continue to provide supervision for research students. As Rev. Dr Daniel Sladek has recently completed his PhD, we are now able to offer a greater range of supervision options. Our research Students continue to address a fascinating range of topics.

2.5. ***Sabbatical Studies.*** This Course permits Students to pursue an informal but directed research project over a short period of time (usually a few weeks). We have had two Students on this programme during the past year. One Student subsequently applied for the MTh in Missiology and is currently progressing well on that programme. The other Student has participated in the various aspects of the life of the ETS community and, although not looking to pursue further formal studies (he has already completed at least one postgraduate research degree), he has expressed his great appreciation for his time with ETS. This Student belongs to a rather different theological tradition to ETS's typical constituency and so his positive commendation is helpful in building engagement with a wider constituency.

2.6. ***Connections with Mission Agencies.*** Rev. Dr Alistair Wilson continues to represent ETS on Global Connections Scotland (formerly Mission Representatives Fellowship), although he has only been available to attend meetings occasionally during the past year.

2.7. ***Mission Input in the BTh Degree.*** Dr Wilson has provided blocks of classes on Mission and World Christianity for the undergraduate PT1 and PT2 courses.

2.8. ***Conferences.*** Dr Wilson has had a paper proposal accepted for the July 2024 meeting of the Tyndale Fellowship New Testament Study Group. His paper will address an aspect of his current writing project, 'A missional reading of Luke's Gospel'.

ALISTAIR WILSON
Coordinator of the ETS Centre for Mission

(D) STUDENT REPRESENTATIVE

The Student body continue to give thanks for the education we are receiving at Edinburgh Theological Seminary. It is a privilege to be able to study theology in a setting which has both a high regard for God and His Word, and a high regard for rigorous academic standards. I believe I speak for all the Students when I say that we are hugely appreciative of the teaching Staff who guide Students through the various disciplines in the degrees which we are taking. We appreciate the huge workload that the Lecturers have and so note our gratitude to all their efforts in teaching and assessing the Student body throughout the year. We are also grateful to the work of Rev. Iver Martin in his capacity as the Principal, and the efforts of Mrs Heather Watson, Mrs Ruth Smith, Mr Ewan Smith, and Mr Byron Goodwin who keep ETS running so smoothly.

This year marks the end of the old curriculum. As a graduating Student, I am grateful to all I have learned over the course of my studies but, looking at the new curriculum design for the years ahead, I trust that this will improve on what is already an excellent course of studies. In particular, it is to be commended that more modular flexibility has been included and more opportunities opened up for different areas of study.

On a related note, the Student body is grateful to God that ETS will continue to be validated by Glasgow University as it begins this new curriculum. It is to be hoped that this partnership continues for a long time.

In terms of the Seminary's wider engagement, it was encouraging to see ETS hold its second Theological Conference which was well attended. The lectures were informative and helpful, and the event provided an

excellent way to connect with supporters and alumni. It is also to be noted that the Postgraduate Seminars continue to be given by a wide array of voices in academia and the opportunities for postgraduates and interested undergraduates from experts across the globe is valued.

Life in the Seminary continues to be a great blessing to those students who are able to attend classes in person. The opportunity to have fellowship with other Students is wonderful and appreciated by the student body. It is always a particular joy to worship with a reading from Scripture, a prayer, and a Psalm in between classes each morning.

As some Students do need the flexibility of online learning, the student body continues to be thankful for the excellent provision of online options. This really helps students who live at quite a distance from Edinburgh, students who are balancing childcare, and international students.

The student body gives thanks that ETS continues to be an institution that is not only teaching us to be excellent students of theology but is also teaching us to love Jesus more and more.

DAVID TRIMBLE
Student Representative

(E) PRINCIPAL'S REPORT

I want first to pay tribute to our entire team at ETS. Whatever is contained in the Report, could not have happened without the sterling efforts of a superb academic and administrative team who, while very different from one another, work superbly because of their common love for, and commitment to the Seminary.

The main focus of in-house attention over the past year has been the development of a revised BTh curriculum which is designed to provide more flexibility to Students. This curriculum follows the recommendations of the 2019 Quinquennial Review and was agreed in principle by the General Assembly in 2023. The revised curriculum was validated in February 2024 by the University of Glasgow and will come into force in September 2024.

There are several differences between the old and new arrangements. Instead of two Semesters, there will be a return to three terms which will better suit the timing of our courses. Secondly, instead of each course having equal credit weighting and class time provision, there will now be some variation. The Senate and Board agree that, while maintaining a core curriculum, allowing Students a measure of flexibility to devote to topics of their own interest, will be a good and healthy development. The new arrangement will allow for various elective offerings and will also mean a greater measure of efficiency. A third difference will be that classes for four-year, part-time Students will take place over three days (Tuesday, Wednesday and Thursday), thus allowing congregation-based students to spend Mondays and Fridays at their training congregations. In making such provision, we sincerely hope that Training Churches will not expect more local commitment which will encroach on study time. We also hope that every effort will be made to encourage Students to attend classes in-person where possible, thus allowing for an optimum collegiate educational experience.

The revised curriculum has been a team effort, but particular acknowledgement should be paid to Rev. Dr Daniel Sladek, who, supported by Rev. Dr Zachary Purvis have done most of the heavy administrative lifting.

1. *Administration*

Over the last year, I have attended to the submission of Quality Assurance Agency documents, Joint Board reports, Government designation submissions and the revalidation documents.

2. *Teaching*

I assisted Dr Purvis in teaching the CH202 component of the Second Year Church History course. This component (which is compulsory for Free Church students), which take place in the Second Semester, covers the history of the Scottish church from 1700 until the present day and includes the Ten Years' Conflict, the Disruption and the Union Controversy.

3. *Ambassadorial Activity*

The lasting success of ETS depends on its reputation worldwide. Hence, as well as administration and teaching, a necessary component of the Principal's role is to represent ETS at various key events, meet relevant people from academic and ecclesiastical circles, and engage in marketing activities in order to attract students and raise external funding.

Success in this area is difficult to measure but nonetheless, it is considered a necessary activity in order to maintain the reputation of ETS as a major theological educator within reformed and wider evangelical circles.

This necessarily involves travel, so over the past year I attended the PCA General Assembly in Memphis, Tennessee (where ETS had an exhibitor's table), the Reformation Worship Conference in Powder Springs, Georgia (where we were kindly granted an exhibitor's table free of charge by the hosting congregation, Midway Presbyterian Church); the Evangelical Theological Society meeting in San Antonio, Texas, at which I presented a paper on *Church and State in Scotland : 1707-2023*. This year I also attended Twin Lakes Fellowship, hosted by First Presbyterian Church, Jackson, MS. Their Pastor, Dr David Strain, himself a former Free Church minister, kindly grants ETS exhibitor space at this event every year. Further to these trips I have also visited several key people in England, where I was given opportunity on various occasions to explain the range of courses offered at ETS.

We have now set up an alumni email correspondence. The alumni list goes back some 13 years to 2010 but if you attended ETS (or the Free Church College, as it was then), and wish to be placed on the list please contact the Secretary who will be happy to add your name.

Finally, I would like to once again state how important ETS is to the church in Scotland and beyond. As possibly the greatest asset the Free Church owns and operates, ETS is thankful to have the full support of its parent church and remains fully committed to the highest quality of theological education for both today's and tomorrow's generations of ministers and gospel workers.

IVER MARTIN, *Principal, ETS*
WILLIAM MACKENZIE*, Chairman*
ANDREW LONGWE*, Vice-Chairman*

PROPOSED DELIVERANCE

1. The General Assembly receive and adopt the Report, and thank the Board, especially the Chairman and Vice-Chairman, for its work.

2. The General Assembly express their thankfulness to God for the ongoing growth of Edinburgh Theological Seminary. They commend the work of the Seminary to the prayers of the Church.

3. The General Assembly thank Principal Iver Martin for his leadership of the Seminary and encourage him to continue with his work of leading and promoting the Seminary.

4. The General Assembly thank the full-time staff of Edinburgh Theological Seminary for their relevant, accurate and dedicated teaching of the Reformed Faith. They also thank visiting Lecturers and others for their contribution to the instruction of Students.

5. The General Assembly thank the Seminary Secretary Mrs Heather Watson, Mrs Ruth Smith, and Mr Ewan Smith in the ETS Offices for fulfilling the various tasks connected to their roles.

6. The General Assembly thank the non-staff members of the Senate and the Advisers for their wise and prayerful counsel and their support for the work of the Seminary.

7. The General Assembly thank Ms Sharon Macleod of Fivepenny Media for the continually high standard of publicity materials.

8. The General Assembly thank Mr Byron Goodwin for his work in helping maintain the building that ETS shares with the Free Church Offices.

9. The General Assembly give thanks for the good relations between the Seminary and the University of Glasgow. They note with gratefulness the recent revalidation of undergraduate and postgraduate programmes.

10. The General Assembly note their encouragement arising from the number of students attending ETS and commend them to the prayers of the Church.

11. The General Assembly encourage Free Church Ministers to consider the Master of Theology degree.

12. The General Assembly commend the revised modular arrangement to the wider Church.

13. The General Assembly note with thankfulness that legislation relating to Edinburgh Theological Seminary has now been consolidated. They instruct the Board to continue to manage, review and update such legislation as requirements dictate. They further instruct the Board to bring any proposals for revision to the General Assembly for approval.

REPORT

OF THE

ECUMENICAL RELATIONS

Introduction

If the Lord prayed that his disciples would be "one", it is incumbent on the Church to earnestly seek as much meaningful interaction as is possible in a world where the church is divided. Such interaction can take place on differing levels. Locally there can be regular fellowship, mutual encouragement, and support. It is even possible to engage in dialogue with some whose theological position is very different to ours, without necessarily compromising our convictions.

The work of the Committee is to maintain good relationships; some of which have been in existence for many years. While it is tempting to ask whether, in ever changing circumstances, such relationships always remain meaningful, it is important to remember how precious our continued friendship is to our brothers and sisters. The Committee, therefore, is eager to stay in contact with other churches and maintain a live relationship, even when such contact is slender.

One remarkable observation of the committee is the regularity with which requests come in from various churches who wish to establish a relationship with us. Equally, there is no shortage of invitations to attend meetings, colloquies, assemblies and synods. While we would be glad to attend all of these if finances permitted, we have to restrict our attendance to those churches and organisations within our geographical and financial reach.

With each invitation is the reminder that God has His church in many varied parts of the world. We rejoice at the contact that can be made, even if it extends no further than a letter of greeting and encouragement.

(A) GENERAL

1. ***Categories and Contacts***. The Committee holds a list of all the denominations with which we have ecumenical relations allocated to the following categories: mutual eligibility, ecclesiastical fellowship, corresponding relations, and ecumenical contact. Also on the list, the Committee records the organisations with which we have gospel partnership and with which we have a shared interest. The list is revised regularly and helps steer the Committee in its activities. The current list is found in **Appendix One**.

2. ***Three-year Cycle***. The Committee operates under the general rule that we send delegates and representatives to churches with which we have ecumenical relations every third year. The Committee is of the view that this practice should continue and that efforts will be made to stagger visits so that expenditure on such visits will be balanced year on year.

(B) INTER-CHURCH RELATIONS

1. ***Reformed Church in the Netherlands***. The Committee reported to the 2023 General Assembly that the Reformed Church in the Netherlands Liberated was suspended from the membership of ICRC due to the decision of their 2017 General Synod to admit women to all Offices in the Church. In May 2023, the Reformed Churches in the Netherlands Liberated (*Nederlandse Gereformeerde Kerken*) and the Dutch Reformed Church (*Nederlands Gereformeerde Kerken*) were merged to form a new denomination with the name Reformed Churches in the Netherlands (*Nederlandse Gereformeerde Kerken*). Representatives of the Committee met with representatives of the Reformed Churches in the Netherlands (RCN) in Edinburgh in January 2024 to discuss relationships and to share matters of mutual interest.

2. ***United Free Church of Scotland***. The Committee received a letter from the United Free Church of Scotland in January 2024 requesting a meeting with our representatives to discuss matters of mutual interest such as vision and mission, church planting and revitalisation, training for ministry, safeguarding, and minister's accommodation. Representatives of the Committee met with Rev. Colin Brown, Rev. Tom McWhirter, and Rev. Martin Whitehead on 13th March 2024. The meeting was cordial, and discussion took place as to how we could share experience and resources with them to assist gospel witness.

3. ***International Presbyterian Church***. Rev. Dr Bob Akroyd, Moderator of the 2023 General Assembly, attended the International Presbyterian Meeting (IPC) in York on Friday 24th November 2023. Dr Akroyd brought the Church's greetings to the meeting and shared something of our vision for 'A Healthy Gospel Church for Every Community in Scotland.'

4. ***Presbyterian Church of America***. Rev. David C. Meredith attended the 50th General Assembly of the Presbyterian Church in America in Memphis, TN, from 13–16 June, 2023.

5. ***Presbyterian Free Church (Central India)***. The First Synod of the Presbyterian Free Church (Central India) (PFC – CI) was held in Jabalpur, Madhya Pradesh, India, on 29-30 November 2023. Rev. Dr Alistair Wilson and Rev. David C. Meredith were appointed to attend the Synod as the Church's representatives. The Free Church of Scotland resumed work in India in 1924. There are now three Presbyteries of the PFC – CI and they have been linked together to form a Synod. The 1st Synod marked a milestone of 100 years of the Presbyterian Free Church in India.

6. ***Sudanese Reformed Church***. The Church has a relationship of ecclesiastical fellowship with the Sudanese Reformed Church. Rev. Patrick Jok is in regular contact with the Committee and keeps us updated with the regular reports of their General Synod. Such is the instability of the situation in Sudan, travel is unadvisable due to the risks and, therefore, we have not been able to send representatives to Sudan to support the church there. The Committee is pleased that Rev. Patrick Jok will be present at the 2024 General Assembly, and we look forward to an update from him in person.

7. ***Evangelical Presbyterian Church of England & Wales***. The Committee is in regular correspondence with the Evangelical Presbyterian Church of England and Wales (EPCEW), sharing experiences and giving mutual support. Additionally, Rev. Dr Bob Akroyd, Rev. Iver Martin and Rev. David Meredith have been invited to preach in their Hexham congregation which is within easy driving distance of Edinburgh.

8. ***Affinity***. The Free Church is represented on the Affinity Council which meets biannually. There are current discussions taking place over the feasibility of Affinity morphing into the UK branch of the Gospel Coalition. Progress on this initiative will be reported to the 2025 General Assembly.

9. ***Evangelical Alliance Scotland***. The Committee noted that Rev. Fred Drummond is stepping down as head of Evangelical Alliance Scotland after 17 years. We thank him for his friendship to our denomination and wish him the Lord's richest blessing in his future ministry.

(C) CORRESPONDENCES

1. ***United Reformed Churches in North America***. The Committee received a letter from the United Reformed Churches in North America (URCNA) on the 22nd May 2023 to inform us that their 2022 Synod at Niagara had agreed to enter into Ecumenical Contact (Phase I) with the Free Church of Scotland. According to the URCNA mandate, Ecumenical Contact will focus on studying matters of general concern between the URCNA and the "foreign" federation. The URCNA Committee for Ecumenical Contact with Churches Abroad (CECCA) has divided the world into regions and assigned coordinators to each. Rev. Jason Tuinstra, with whom we have had previous communications, has been assigned the Coordinator of Europe. The Committee welcomes this move and look forward to the exchange of official observers and consultation over issues of joint concern.

2. ***Presbyterian Church of Eastern Australia***. The Committee received a letter from the Presbyterian Church of Eastern Australia (PCEA) inviting the Church to a fraternal delegate to their 2024 Synod due to meet in Hunterston Presbyterian Church, 155 Adelaide Street, Raymond Terrace, NSW, on Tuesday 7th May 2024. The PCEA is the only denomination with which we have a relationship of mutual eligibility, and we regret that, once more, we were unable to appoint a delegate due to budgetary restrictions and the date of their Synod being close to the date of our own General Assembly. The Committee agreed that the Moderator should send the Church's greetings to their Synod when it meets.

3. ***Orthodox Presbyterian Church***. The Committee received a letter of invitation from the Orthodox Presbyterian Church (OPC) to send a fraternal delegate to their 90th General Assembly scheduled to meet on 19th June 2024 on the campus of Seattle Pacific University, 3307 3rd Avenue West, Seattle, Washington 98119-1997. The Committee noted that Rev. Malcolm Macleod has attended the 89th General Assembly of the OPC and that we should follow the normal practice of sending delegates to churches with which we have ecumenical relations every three years due to the significant cost annual trips. We were sorry to hear of the news of the passing of Ruairidh, the youngest son of Rev. Dr Iain Wright, Minister of the OPC Orlando Park congregation in Illinois, who was tragically lost in a traffic accident. We extend our condolences to Dr Wright and his family at this sad time.

4. ***United Free Church of Scotland***. The Committee received a letter from the Interim General Secretary of the United Free Church of Scotland inviting the Free Church in Scotland to appoint a representative to be present at their General Assembly, which is being held in The Salutation Hotel, 34 South Street, Perth, PH2 8PH, from Wednesday, 5th – Friday, 7th June 2024. It was agreed to accept the invitation and that the Moderator of the 2024 General Assembly should attend as the Free Church representative.

(D) INTERNATIONAL CONFERENCE OF REFORMED CHURCHES

1. ***European Conference of Reformed Churches***. The European Conference of Reformed Churches is due to meet from 10th to 13th September 2024 at Yarnfield Park, Stone, Staffordshire. The theme of the Conference is 'Preaching' and among the speakers are Rev. Timothy McGlynn, Prof. Maarten Kater, Rev. Stephen Roger. The Committee appointed Rev. Nigel Anderson and Rev. Malcolm Macleod, Principal Clerk, to attend the Conference as the Church's representatives.

2. ***International Conference of Reformed Churches***. The next meeting of the International Conference of Reformed Churches is scheduled to take place in the Kosin Presbyterian Church in South Korea in October 2026. The Committee is of the view that the Church should be represented at this meeting, given that the Free Church of Scotland is a founding member, and given we have much to learn and much to contribute to the wider reformed world. The Church also has established ecumenical relations with the Kyoungki Presbytery of the Hapdong Presbyterian Church of Korea and a visit to Korea in October 2026 would enable us to reciprocate the visit of their representatives at our 2022 General Assembly.

(E) GENERAL ASSEMBLY REMIT

1. ***2023 General Assembly***. The 2023 General Assembly instructed the Committee to carry out a review of its remit under Act 8, Class 2, 2017, and also of its ongoing ecumenical activity. The Assembly instructed the Committee to report to the 2024 General Assembly.

2. ***Revised Act***. The Committee carried out a thorough and extensive review of all matters relating to its remit and work. The revised proposals include changing the name of the Committee to Interchurch Relations Group. The following categories for interchurch relations are retained: mutual eligibility, ecclesiastical fellowship, corresponding relations, and ecumenical contact. The revised proposals in the form of a draft Act are found in **Proposed Deliverance Section (E)**.

IVER MARTIN, *Convener*

PROPOSED DELIVERANCE

(A) GENERAL

1. The General Assembly receive the Report of the Committee on Ecumenical Relations and thank its members.

2. The General Assembly note the normal practice of the Committee to send delegates and representatives to other denominations once every three years. They instruct to Committee to continue this practice as far as possible and to deviate from it only in exceptional circumstances.

3. The General Assembly note that the Committee has formed a list of denominations and organisations with which the Church has ecumenical relations or gospel partnership. They approve the List and instruct the Committee to keep it under review and to report any changes to the General Assembly.

(B) INTERCHURCH RELATIONS

1. The General Assembly note the unification of the Reformed Churches in the Netherlands Liberated (*Nederlandse Gereformeerde Kerken*) and the Dutch Reformed Church (*Nederlands Gereformeerde Kerken*) to form a new denomination with the name Reformed Churches in the Netherlands (*Nederlandse Gereformeerde Kerken*). They thank the Committee for establishing a conversation with representatives of the newly established denomination. They encourage the Committee to maintain contact with them in the future.

2. The General Assembly thank the Committee for the meeting with representatives of the United Free Church of Scotland in January 2024 to discuss matters of mutual interest. They encourage the Committee to maintain contact with the United Free Church of Scotland in the future. They thank Rev. Dr Bob Akroyd, Moderator of the 2023 General Assembly, for attending the General Assembly of the United Free Church of Scotland in June 2024.

3. The General Assembly thank Rev. Dr Bob Akroyd for attending the International Presbyterian Meeting (IPC) in York on Friday 24th November 2023.

4. The General Assembly thank Rev. David C. Meredith for attending the 50the General Assembly of the Presbyterian Church in America in Memphis, TN, from 13 – 16 June 2023.

5. The General Assembly thank Rev. Dr Alistair Wilson and Rev. David Meredith for attending Rev. David C. Meredith the 1st Synod of the Presbyterian Free Church (Central India) (PFC – CI) was held in Jabalpur, Madhya Pradesh, India, on 29-30 November 2023. They record their thanks to God for the progress of the gospel

in Central India in the last one hundred years, for the established PFC-CI, and for the formation of the Synod with three Presbyteries.

6. The General Assembly thank the Committee for the regular contact with the Sudanese Reformed Church (SRC) and Rev. Patrick Jok. They commend Rev. Patrick Jok and the SRC to the prayers of the Church.

7. The General Assembly note that Rev. Fred Drummond is stepping down as head of Evangelical Alliance Scotland after 17 years. They thank him for his friendship to our denomination and wish him the Lord's richest blessing in his future ministry.

(C) CORRESPONDENCES

1. The General Assembly note the letter from the United Reformed Churches in North America (URCNA) on the 22nd of May 2023 and the notification that their 2022 Synod at Niagara had agreed to enter into Ecumenical Contact (Phase I) with the Free Church of Scotland. They record their thanks for this interchurch relationship with the URCNA and they instruct the Committee to maintain ecumenical contact with them.

2. The General Assembly note the letter from the Presbyterian Church of Eastern Australia (PCEA) inviting the Church to send a fraternal delegate to their 2024 Synod due to meet in Hunterston Presbyterian Church, 155 Adelaide Street, Raymond Terrace, NSW, on Tuesday 7th May 2024. They approve the Committee's decision not to appoint a delegate due to budgetary provision. They instruct the Committee to examine ways in which the relationship of mutual eligibility can be maintained in a more meaningful and practical way in the future. They thank Rev. Dr Bob Akroyd, Moderator of the 2023 General Assembly, for sending the Church's greetings to the PCEA 2024 Synod.

3. The General Assembly note the letter from the Orthodox Presbyterian Church (OPC) inviting the Church to send a fraternal delegate to their 90th General Assembly scheduled to meet on 19th June 2024 on the campus of Seattle Pacific University, 3307 3rd Avenue West, Seattle, Washington 98119-1997. They approve the Committee's decision not to send a delegate to the 2024 OPC Synod. They thank Rev. Malcolm Macleod, Principal Clerk, for attending the 89th OPC Synod held in Illinois, USA, in June last year. They note with sadness the tragic loss of Ruairidh, the youngest son of Rev. Dr Iain Wright, Minister of the OPC Orlando Park congregation in Illinois, and a regular OPC delegate at the General Assembly. They commend Dr Wright and his family to the prayers of the Church.

4. The General Assembly note the letter from the United Free Church of Scotland inviting the Free Church in Scotland to appoint a representative to be present at their General Assembly, which is being held in The Salutation Hotel, 34 South Street, Perth, PH2 8PH, from Wednesday, 5th – Friday, 7th June 2024. They thank Rev. Dr Bob Akroyd, Moderator of the 2023 General Assembly, for attending the 2023 General Assembly of the United Free Church of Scotland in June 2023. They thank the Committee for appointing the Moderator of the 2024 General Assembly as the Church's representative at the United Free Church of Scotland General Assembly in June 2024.

(D) INTERNATIONAL CONFERENCE OF REFORMED CHURCHES

1. The General Assembly note that the European Conference of Reformed Churches (EuCRC) is due to meet from 10th to 13th September 2024 at Yarnfield Park, Stone, Staffordshire. They thank the Committee for appointing Rev. Nigel Anderson and Rev. Malcolm Macleod, Principal Clerk, to attend the Conference as the Church's representatives.

2. The General Assembly note that the next meeting of the International Conference of Reformed Churches (ICRC) is scheduled to take place in the Kosin Presbyterian Church in South Korea in October 2026. They also note tha the Church has established ecumenical relations with the Kyoungki Presbytery of the Hapdong Presbyterian Church of Korea. They instruct the Committee to plan for a representative to attend the ICRC meeting in Korea in 2026 who would visit the Kyoungki Presbytery of the Hapdong Presbyterian Church of Korea. They instruct the Board of Trustees to make budgetary provision for such a trip.

(E) GENERAL ASSEMBLY REMIT

1. The General Assembly, seeking to revise and update its legislation regarding the Church's ecumenical relations, re-constitute the Ecumenical Relations Committee as the Church's Interchurch Relations Group and enact as follows:

A. GENERAL

1. The Church

The visible church of Christ is 'catholic or universal under the Gospel (not confined to one nation as before under the law) and consists of all those throughout the world that profess the true religion, along with their children, and is the kingdom of the Lord Jesus Christ' (WCOF 25:2).

2. The Unity of the Church

We recognise the unity of the church as grounded in the truth of the apostolic gospel as it is given in the Word of God (John 17; Ephesians 4).

2.1. This unity is attained by growing in spiritual maturity. This maturity is the result of mutual, loving admonition and joint submission to the Word of God.

2.2. The unity of the church is manifested by speaking and acting the truth in love.

2.3. Each member is essential to the church as the body of Christ, and the growth of the body depends on the active participation of each individual part.

2.4. The church is visible and manifested through the world in larger or smaller assemblies. The unity of the church is, therefore, to be sought at the level of the local church and in regional, national, and international assemblies.

3. The Purity of the Church

The catholic (universal) Church is the one body of Christ. The purity of the church is its commitment to the teaching and practice of the doctrine of the Gospel, the administration of the Gospel ordinances, the public worship of God consistent with the Word of God, and the practice of church discipline.

3.1. This commitment to the Gospel is found in varying degrees across the world. In the words of the WCOF, 'This catholic Church has been sometimes more, sometimes less visible. And particular Churches, which are members thereof, are more or less pure, according as the doctrine of the Gospel is taught and embraced, ordinances administered, and public worship performed more or less purely in them' (WCOF 25:4).

4. The Mandate

The Free Church of Scotland recognises the scriptural mandate (Ephesians 4) to express the unity of the church in terms of our relationship with other churches.

4.1. The Church will seek, through its ecumenical relations activity, and by entering fellowship with other churches, to express and promote the unity of the faith. This fellowship will be consistent with biblical unity and truth as a visible demonstration of the unity of the church both to the church and to the world.

4.2. The Church recognises its responsibility to the maturity and unity of the whole church as the body of Christ (Ephesians 4:15). It is committed to call all churches, including our own, to faithfulness, for the purpose of seeking unity of the whole church.

4.3. The principle that the unity of Christ's church must be manifested as fully as possible renders our cooperation with churches with a lesser commitment (qualified subscription) to the WCOF both desirable and even obligatory. As members of the body of Christ with us we have a twofold responsibility to them: (1) to express our common membership in Christ and our family love for them in every way we can; and (2) to instruct and learn from one another to the end that we may supply to each other what each is lacking in love, faith, knowledge, and obedience.

5. The Basis of Unity

5.1. The basis of the Church's Interchurch relationships will be the Holy Scriptures of the Old and New Testament, as summarised in the Westminster Standards (Confession of Faith, the Larger and Shorter Catechism) and confessed in the three forms of unity – the Heidelberg Catechism, the Belgic Confession, the Canons of Dort.

5.2. The Church, in its cooperation with other churches, will not sacrifice or compromise its distinctiveness. The Church will always maintain and uphold its faithfulness to the doctrine of the Gospel, its subscription to the WCOF, and its Presbyterian form of church government.

5.3. Our ecumenical vision requires a balance between our duty (1) to endeavour to effect the unity of the true body of Christ; and (2) to do so without compromising the doctrines of the Gospel.

B. THE GROUP

1. The Purpose

1.1. The general purpose of Interchurch Relations is to promote, foster, and develop relations with other denominations and likeminded believers in seeking the propagation of the gospel and the advancement of Christ's kingdom in Scotland and beyond. The Group will carry out its remit as defined by this Act and as the General Assembly may appoint.

1.2. The purpose of the Group will be:

1.2.1. To express and promote the unity of faith the member churches have in Christ.

1.2.2. To encourage the fullest ecclesiastical fellowship between member churches.

1.2.3. To facilitate and promote cooperation among the member churches in such areas as missions, theological education, and ministries of mercy.

1.2.4. To study the common problems and issues that confront the member churches.

1.2.5. To present a reformed testimony to the world.

2. The Membership

2.1. The Group will have a total of eight members comprising the Mission Director, the Mission Board Chairman, the Principal Clerk, Assistant Clerk Representative, the Moderator, the Principal of Edinburgh Theological Seminary, and two Elders, appointed for a four-year term.

2.2. The Convener will be appointed by the General Assembly and the Principal Clerk will be Clerk to the Group, *ex officio*.

C. INTERCHURCH CHURCH RELATIONS

The Group's remit and activities regarding categories of relationship with other churches and organisations shall be exercised as follows:

1. Mutual Eligibility.

Mutual Eligibility is a relationship which involves the mutual exchange of Ministers in the due process of calling Ministers for the filling of ministerial and other vacancies in the respective denomination.

2. Ecclesiastical Fellowship (Fraternal Relations)

2.1. *The Relationship*. Ecclesiastical Fellowship is a relationship in which the churches involved are Reformed in their confessional standards, church order, worship, and discipline, and who are members of the ICRC, but where there are such differences that union or mutual eligibility are not possible at this time.

2.2. *Implementation*. This relationship is implemented where possible and desirable by:

2.2.1. The exchange of fraternal delegates at major Assemblies on a regular basis.

2.2.2. Joint action in areas of common responsibility.

2.2.3. Consultation, exhortation, and cooperation, on all matters of mutual interest in promoting Christian unity and advancing the work of the Gospel at home and abroad.

2.2.4. Consultation on issues of joint concern, particularly before instituting changes in polity, doctrine, or practice that might alter the basis of the fellowship.

2.2.5. The exercise of mutual concern and admonition with a view to promoting Christian unity.

2.2.6. Agreement to respect the procedures of discipline and pastoral concern of one another.

3. Corresponding Relations

3.1. *The Relationship*. Corresponding Relations is that relationship in which mutual contact with another denomination, which has an unqualified subscription to the Reformed faith, but with which we do not have Ecclesiastical Fellowship. The relationship is undertaken in order to become better acquainted with one another with a view towards entering Ecclesiastical Fellowship at some time in the future.

3.2. *The Implementation*. The relationship is implemented where possible and desirable by:

3.2.1. Exchange of official representatives at major assemblies.

3.2.2. Joint action in areas of common responsibility.

3.2.3. Consultation on issues of joint concern, particularly before instituting changes in polity, doctrine, or practice that might alter the basis of the relation.

4. Ecumenical Contact

4.1. *The Relationship*. Ecumenical Contact is a relationship of mutual contact with other denominations with which we have common ground regarding the Gospel, but with whom we differ regarding subscription to the WCOF and the historic confessions in A.5.1. above. This mutual contact is established and maintained in fulfilment of our stated responsibility to call all churches, including our own, to faithfulness for the purpose of seeking the unity of the whole church (*see Paragraph A.4.2 above*).

4.2. *The Implementation*. This relationship will be maintained by:

4.2.1. Meetings from time to time to discuss areas of common mission interest such as church planting, church development, and missionary activities overseas.

4.2.2. Meetings to consider areas of theological education and the development of discipleship.

4.2.3. Sharing resources and experience of developments in Gospel mission and theological education.

5. Gospel Partnership

5.1. Gospel Partnership is a relationship with Christian organisations who are Reformed and evangelical but with whom we may disagree on secondary matters.

5.2. This relationship will be established on the basis of our biblical mandate in the Great Commission and in our desire to advance the work of the Gospel at home and abroad.

5.3. There will be a particular focus on co-operation in the local context, at home and abroad, and meetings will take place, and updates received from time to time as required.

D. GENERAL

1. Forming Relationships. It will be the responsibility of the Group to make decisions to enter, adjust, or withdraw from fellowship with other denominations and gospel partners. The Group will report to the General Assembly on all such changes.

2. Resources. The undertaking of a bilateral relationship of either Ecclesiastical Fellowship or Corresponding Relations with other denominations carries with it a commitment of substantial resources, in both time and expense, for its implementation. The exchange of officials and delegates at General Assemblies and Synods of such denominations inevitably incur significant costs to the Church. Good stewardship of limited resources is required when the Group engage in such relationships.

2.1. *Budgetary Provision*. The Board of Trustees will make appropriate budgetary provision to enable the Group to maintain meaningful interchurch relations with other churches and denominations. The budgetary provision will be reviewed annually and revised as required in consultation with the Group.

3. Review. The Group will review its relationship with other denominations and gospel partners annually to ascertain whether the desired substantial contact is being (or given the limited resources, is able to be) maintained. If there has been no active relationship or meaningful correspondence for five years, the Group will consider terminating the relationship and reporting on the same to the General Assembly.

4. Annual Review. The Group will seek that balance between promoting biblical unity on the one hand and protecting the interests and ethos of the Free Church on the other in its ecumenical activities. The Group will receive updates on developments, on an annual basis, from all the denominations and organisations with which it is engaged. This will assist the Group in carrying out an annual review of its activities on which a report will be brought to the General Assembly.

5. Repeals.

The General Assembly hereby repeal Act 8, Class 2, 2017.

APPENDIX ONE

Ecumenical Relations – Denominations, Organisations, Delegates and Observers

A List of Denominations and Organisations with which the Free Church has ecumenical relations and partnerships, categorised as per the terms of Act 8, Class 2, 2017:

Category		Denomination / Organisation
1.	***Mutual Eligibility***	Presbyterian Church of Eastern Australia
2.	***Ecclesiastical Fellowship***	Associated Reformed Presbyterian Church
		Canadian Reformed Churches
		Christian Reformed Churches in the Netherlands (CGKN)
		Evangelical Presbyterian Church (Ireland)
		Evangelical Presbyterian Church England and Wales
		Orthodox Presbyterian Church
		United Reformed Churches in North America
		Kyoungki Presbytery, Hapdong, South Korea
3.	***Corresponding Relations***	Associated Presbyterian Churches
		Evangelical Presbytery Church of Peru
		Evangelical Reformed Presbyterian of Peru
		Free Church in Southern Africa
		International Presbyterian Church
		CCAP Livingstonia Synod (Malawi)
		Sudanese Reformed Church (SRC)
		Presbyterian Free Church of Central India
		Reformed Churches in South Africa (GKSA)
4.	***Ecumenical Contact***	Baptist Union Scotland
		Presbyterian Church of Australia
		Presbyterian Church in Ireland
		Presbyterian Church of Singapore
		United Free Church of Scotland
		Reformed Churches in the Netherlands (NGK)
5.	***Gospel Partnerships***	20 Schemes
		Mission to the World (MTW)
		Operation Mobilisation (OM)
		International Mission to Jewish People (IMJP)
		Christian Institute
		Christian Values in Education (Scotland)
6.	***Organisations***	Affinity
		Day One Christian Ministries
		Evangelical Alliance
		Fellowship of Independent Evangelical Churches
		Scottish Bible Society
		World Reformed Fellowship
		International Justice Mission UK

REPORT

OF THE

BOARD OF MINISTRY

Healthy gospel churches need well-trained, well-supported healthy gospel workers with the necessary *character, convictions*, *competencies, collegiality,* and resilience to labour fruitfully for Christ in the changing cultural landscapes of Scotland and the world. We know that the Lord alone sends out workers into His harvest field, and the Lord alone is able to supply the energy that those workers need to toil and struggle in His service; for that reason we call on the Church once again to persevere in praying earnestly to the Lord to raise up more gospel workers for Scotland and the world, and also to pray for those who are already labouring for Christ in the ministry of the gospel. But we know too, that the Lord has entrusted His Church with the task of discipling, identifying, selecting, and training the next generation of gospel workers, as well as supporting those who are already labouring. We are grateful to God for every sign of His grace in enabling Churches and Presbyteries to take intentional steps in these areas, but we know that more needs to be done if we are to fulfil our vision of 'a healthy gospel Church for every community in Scotland'.

The Board recognises in particular that if we want our 'pipeline' of future workers to expand, we need all of our congregations to *invest* sacrificially in discipling all of their members, to *identify* those whom the Lord may be setting aside for this form of service, and to *initiate* opportunities for them to test their teaching gifts. In some instances, that will require a change of Church culture. The Board is keen to collaborate with congregations and Presbyteries to help us all to be more proactive in this area.

As workers emerge and become candidates for ministry, our Minister-in-Training Programme seeks to 'teach, rebuke, correct and train' them wisely, both at Edinburgh Theological Seminary (ETS) and in their local Churches. This programme is still relatively new for us, and while some challenges remain we are grateful that it is now firmly established as the normal pathway into ministry in the Free Church. We are thankful for the opportunity to develop the programme further this year in the ways that the Report below outlines, as we continue to do what we can to support both the students themselves and the training churches in which they learn and serve. Please join us in giving thanks for all of our students, as well as for those who seek by God's grace to train and equip them for the Lord's work.

Finishing at ETS and being licensed for ministry can feel like reaching the finishing line in a long race, but really it is just the end of the warm-up, and the real race is about to begin! We long for all of our Ministers to finish the race and keep the faith, having fought the good fight, and ultimately to receive the crown of righteousness that the Lord will award to all who have loved his appearing. The work of our Presbyteries, their Pastoral Teams and CPD Co-ordinators is crucial in supporting and encouraging our Ministers for the long haul of ministry. The Report below details ways in which the Board has sought to work with these groups and others in the last year, and ways in which we hope to continue to do so in the future.

(A) GENERAL

The principal task of the Board of Ministry is to partner with others to *'equip gospel workers for Christ.'* We rely heavily on volunteers and servants of the Church who give generously of their time to enable us to do that. The Board wishes, therefore, to record its thanks to God for each member of the Student and Ministry Teams, and for the tireless labours of their Conveners, Rev. Dr Thomas C. G. Davis (Student Team) and Rev. Colin L. Macleod (Ministry Team). We are grateful to God too, for the service of our Board of Ministry Officer, Mr Donald A. Macleod; for all those who have advised the Board, and especially Rev. Ali Sewell for his support of the Student Team; for our partners in ETS, the Mission Board, the Board of Trustees, and in each Presbytery; and for each candidate under our care. We commend them all to the prayers of the Church, and to the word of God's grace which is able to build them up and strengthen them in service.

One development this year for which we give special thanks, is a new resource for the training of Elders within our Churches. The training of Elders is within the remit of the Mission Board and ETS as well as the Board of Ministry. The Boards have collaborated over the last year to oversee Rev. Peter Turnbull in the production of the new Elders' Training Course that we are delighted to launch today. We are enormously grateful to Mr Turnbull for the huge amount of work that has gone into devising, writing, filming, and editing the course and are very excited about the result. This resource has huge potential to strengthen the ministry of all of our existing Elders, as well as to train new Elders in the future, and we commend it to the Church wholeheartedly.

(B) STUDENT TEAM

A crucial aspect of the vision for *'a healthy gospel Church for every community in Scotland*' is the need for God to raise up new Ministers to preach and pastor in communities across our nation. The Student Team continues to seek to support this work, and over the past year we have been very thankful to see new applicants for ministry and to see other candidates continue their journey into ministry. The main activities of the Student Team over the past twelve months are summarised below.

1. ***Remit***. The remit of the Student Team is as follows:

1.1. Work with local Churches and Presbyteries to identify, equip, and select godly and gifted individuals to serve as future gospel workers and Free Church ministers.

1.2. Work with training Churches and Presbyteries to provide well-planned, well-resourced, and well-supported training schemes at Foundation and Core levels.

1.3. Work with ETS to ensure that our future ministers receive an excellent theological education and are equipped to fulfil the great commission in the diverse communities of 21st Century Scotland.

2. ***Applications***

2.1. ***Application Process.*** The application process continues to function well. We are immensely grateful to Kirk Sessions and Presbyteries for their cooperation and partnership.

2.2. ***New Applicants for Ministry***. The Board has recognised four men as candidates for Free Church Ministry:

Name	***Studies***	***Licensing***
Sebastian Bjernegard (Christ Church Edinburgh)	Individual Study Programme (ISP) at ETS	Expected January 2025
Simon Rehberg (St Columba's)	Completed BTh at ETS in 2022; will serve as MiT for 2 years	Expected 2026
Elijah Brook (Cornerstone)	ISP at ETS, currently serving with MTW in Leven Church Plant	Expected 2028
Lucas Vianna (Brazil)	TBC – expected to be BTh but visa issues are still be clarified	TBC

3. ***Current Free Church Candidates.*** The current Candidates for Free Church Ministry are as follows:

Candidate	***Expected year of Completion***	***Training Congregation from August 2024***
Keith Nicolson (NP)	2027 (1/4)	Rosskeen
Lewis Macdonald (EP)	2027 (1/4)	St Columba's
Chris Lamont (EP)	2027 (1/4)	Esk Valley
Chris Mclean (EP)	2027 (1/4)	St Peter's
Stephen Plouffe (NA)	2026 (3/5)	PEI
Scott Macleod (WI)	2026 (2/4)	North Harris Free Church
Stephen Strong (GA)	2026 (3/5)	Covenant Church Newmilns
Nathan Kish (ILR)	2025 (1/2)	Kilmallie Free Church
Scott Hamilton (EP)	2025 (1/2)	St Andrews Free Church
James Burnett (EP)	2025 (3/4)	Haddington Community Church
John Macpherson (EP)	2025 (4/5)	St Andrews Free Church
Neil Longwe (GA)	2024 (4/4)	Hope Church Coatbridge

David Ferguson (EP)	2024 (4/4)	Dunfermline Free Church
Davi de Paula (ILR)	2024 (5/5)	Burghead Free Church
David Trimble (GA)	2024 (4/4)	Christ Church Glasgow
Phil Pickett (WI)	2024 (6/6)	Carloway Free Church

3.1. ***Candidate resignations.*** During the past twelve months, the Board of Ministry received resignations from two Free Church Candidates, Alex Ferrier and Jack Gamble Smith. Both were due to personal circumstances and were accepted by the Candidates' respective Presbyteries and the Board. As part of this process, the Student Team recognised that some additional provision is needed in the *Journey to Ministry* legislation which is included in **Proposed Deliverance Section B6** below.

4. ***Structures and Support for Training Churches.*** In its Report to the 2023 General Assembly, the Board recognised the need for more formal assessment, induction and ongoing training of local congregations seeking to be Training Churches. The development of these structures has been a priority of the Student Team over the past year. In order to establish these, some additions details need to be added to Act 21, Class 2, 2022, Training for Ministry. These are included in **Proposed Deliverance Section B7** below.

4.1. ***Training Handbook.*** As part of the implementation of more robust structures for Training Churches, the Student Team have agreed to produce a Training Handbook to be issued at the General Assembly. This provides a clear summary of all expectations for candidates, congregations and presbyteries and is to be updated and reissued annually. The 2024/25 Training Handbook is available to Commissioners along with Assembly Papers and Documents.

4.2. ***Ongoing Training for Training Churches.*** Alongside the Handbook, we are continuing to develop effective support and training for Training Churches. Several 'Training the Trainers' Day Conferences, organised by *The Bonar Trust*, have taken place and we encourage Ministers and Elders to attend these. We also held regular Zoom Seminars to connect local training supervisors across the denomination.

4.3. ***Support for Candidates' Wives***. The Student Team have recognised the need to provide more structured support for Candidates' wives during the Training Programme. A framework for this support is included in the new Training Handbook.

5. ***Communication***

5.1. ***Secure Resources.*** We are very grateful to Miss Sarah Robinson and her colleagues in the Offices for the ongoing administration of the *Secure Resources* section of the Free Church website. This includes a section where congregations can access contact details for Candidates along with other resources for training.

5.2. ***Presbytery Visits.*** The Board has contacted Presbyteries to arrange opportunities to discuss the training programme and to speak about the need to identify, equip, and select godly and gifted individuals to serve as future gospel workers and Free Church ministers.

5.3. ***Interim-Moderators Meeting.*** The Student Team has continued to organise two meetings per year with Interim-Moderators, one of which also includes final year Students and Probationers. These meetings have been positive, although as with previous years, it ought to be noted that a large number of Interim-Moderators did not attend.

6. ***ETS BTh Programme Restructuring.*** The Student Team has worked closely with ETS in order to feed into the BTh restructuring process overseen by the Seminary Board. This restructuring will now mean that Candidates will only have to attend classes on Tuesdays, Wednesdays and Thursdays, rather than Tuesday to Friday. This provides clearer boundaries for balancing the weekly workload of studies and responsibilities in a local Training Church. The Student Team is immensely grateful to ETS for implementing these changes that will enhance the Training Programme.

7. **'*Wednesday School of Ministry*'**. The Student Team has continued to partner with ETS to provide additional training on Wednesday afternoons during the ETS term-time for all Free Church Candidates.

7.1. ***Preaching Lab.*** This year, the Wednesday School of Ministry has introduced a Preaching Lab where Candidates each preach and receive feedback.

7.2. ***Theology of Preaching***. Alongside the Preaching Lab, there has been a Theology and Preaching class (led by Dr Cory Brock and Dr Zack Purvis). From 2024/25 onwards, this Theology of Preaching class will be included in the Practical Theology Course in the restructured BTh.

7.3. ***Training Seminars.*** There have also been seminars covering key topics related to ministry that would lie beyond the scope of the BTh course. These have been led by Free Church Ministers and by wider partners who are specialists in the relevant areas. This year, the seminars have covered the following topics:

- A Godly Husband and Father
- Confidentiality and Professionalism
- Psalm and Hymnody
- Children and Youth Work
- Strategy, Planning and Evaluation
- Ministry to the Elderly
- Training and Appraising Others
- Small Group Leading

7.4. ***Presbyterian Church Ministry Module***. The *Presbyterian Church Ministry Module* is comprised of two parts, Church Principles and Church Practice. The Church Principles aspect of the PCM course is now delivered through the Church History 2.2 Course at ETS (19th Century Scottish Church). The Church Practice aspect of the PCM Module is delivered through Church Practice Training Seminars in the *Wednesday School of Ministry.*

8. ***Scripture Engagement Programme***. The 2022 General Assembly adopted a new Scripture Engagement Programme in place of the previous annual Scripture exams. Rev. Daniel Sladek has been appointed Scripture Engagement Programme Coordinator and the Programme has run successfully over the past twelve months.

9. ***Annual Presbytery Examinations***. The 2023 General Assembly adjusted the legislation relating to annual Presbytery examinations in order for these to tie in better with the new training model. These changes appear to have worked well and the Board is very grateful to Presbyteries for conducting these examinations.

10. ***Thanks.*** The Student Team owes a great debt of thanks to many people who have supported its work over the past year. Particular thanks go to the Board Officer, Mr Donald A. Macleod, for his tireless work in supporting the Team. Sincere thanks are also expressed to the staff at ETS, to Mr Andrew Giffen, CEO, and the Central Office staff, to the Presbytery Committee Conveners who are responsible for caring for candidates, and to key partners such as *The Bonar Trust* who have provided immensely helpful input to support the work of training Ministers.

(C) MINISTRY TEAM

1. ***Remit.*** The Remit of the Ministry Team is to:

1.1. Work with Presbyteries to ensure that every Minister and ministerial family receive the care and support they need to do their work effectively.

1.2. Work with the Free Church Offices to ensure that, in season and out of season, every Minister is treated not only in accordance with the law, but excellently.

1.3. Work with Presbyteries to ensure that every Minister receives the mentoring, continual professional development and ongoing training that they need to grow and thrive as men of God and ministers of the gospel.

1.4. To receive and facilitate notes of interest and applications for entry into the Ministry of the Free Church of Scotland from men already Ordained in other denominations.

2. ***Pastoral Care and Mentoring.*** Rev. Colin L. Macleod continues to lead in this area representing the Board Pastoral Team (BPT), meeting quarterly with all the PPT Conveners to share good practice and encourage the effective running of Presbytery Pastoral Teams (PPTs). The aim is to support pastoral care coverage in each Presbytery with an emphasis on good relations between Ministers, encouraging the fostering of trust and mutual care at the local level, and to ensure that Presbyterial connections are not confined to dealing with formal business and duty.

The Board Reference Team (BRT) serves to ensure that all involved in due process with Act 24, Class 2, 2023 regarding the Conduct, Complaints and Discipline of Office-bearers, receive pastoral support. This Team consists of men and women with a relevant professional background who meet as regularly as is needed and on a quarterly basis in any case. The BRT are working on developing its role in relation to the new Act.

In the course of the past year a number of referrals relating to marriage breakdown in the life of a minister have been received through PPTs and the Conduct and Complaints Committee. The matter has raised concerns over what appears to be a lack of consensus across the denomination as to how these issues should be dealt with in a biblically robust and pastorally sensitive way. In light of this, the Board has requested that the Assembly Clerks' Office take a lead in asking the Assembly to appoint a Group to address the issue and bring a report with recommendations to a future General Assembly.

The Board would like to stress the importance of Ministers having effective mentoring or coaching support as part of overall pastoral care support. In conjunction with the Mission Board, we seek to ensure that new Ministers and Church Planters especially have this support and accountability in place. Rev. Calum M. Smith is the Board Ministry Team's representative in relation to matters concerning Coaching.

3. ***Working Conditions.*** The Board, in consultation with Mr Andrew Giffen, CEO, has produced an updated version of the "Working Conditions for Ministers" document which incorporates a 'Preparation for Ministry' for new Ministers in its first section. This is, in essence, a short-hand summary of helpful tips for those starting out on their journey in Pastoral Ministry. Also included, is a comprehensive list of the relevant legislation that governs good practice.

4. ***Lifelong Training***. There are two strands to the Board's provision for lifelong training – **Continuous Professional Development (CPD)** and the **In-service Development Course** that is run each January. For both, we want to keep as the focus the central themes of Character (Christlikeness), Conviction (theological and doctrinal), Competence (preaching, pastoring and leadership) as well as Contemporary thought and culture. By so doing we aim to integrate Minister-in-Training assessment, training, and development.

4.1. ***CPD***. The policy document with all the details regarding CPD can be found on the Board of Ministry section of the website. We continue to encourage all Ministers to see this as a helpful structure for professional development and ongoing learning, and we believe that mentors have a significant role to play in this regard.

The Board of Ministry provides at least two Church-wide webinars each year as a CPD resource. In addition, we seek to provide 'stand-alone' Webinars in response to needs that have been highlighted. For example, Webinars on a Minister's finances in the present in relation to HMRC requirements and in terms of planning for retirement will be provided throughout the year. Mr Rod Morrison is leading the provision of these Seminars.

Since the last General Assembly, two Webinars have been provided. The first was 'Pastoring the Heart' led by Dr Mark Stirling, and the second was 'Preaching in a gender confused culture wisely, winsomely and without compromise to the Bible's teaching' led by Dr Ros Clarke from *Church Mission Society*. Both were excellent teaching sessions as well as serving as an important opportunity to meet in breakout rooms to discuss, pray, and share experiences with colleagues. The feedback from these Webinars has been really positive. The next Webinar will be on 10th October 2024, and the subject is 'Gospel Coaching'. The Board would like to encourage as many as possible to make use of this provision.

The standards expected for CPD contained in Act 33, Class 2, 2018 have been superseded by provisions introduced by the Board of Ministry in 2022. Act 33 stipulates 40 hours of CPD to be recorded within a framework of the following particular areas: "Bible and Theology; Leadership and Management; Pastoral Care and Ministry; and Contemporary Thought and Culture". The 2022 CPD provisions make no specific stipulation for hours and seeks CPD undertaken to be recorded in terms of "Character (Christlikeness), Conviction (theological and doctrinal), Competence (preaching, pastoring and leadership) as well as Contemporary thought and culture". Therefore, the Board are requesting that Act 33, Class 2, 2018 be amended to reflect the change in CPD expectations.

4.2. ***In-service Development Course***. Rev. Andy Longwe and Mr Donald A. Macleod (Board Officer) take a lead in the planning, organising, and overseeing of this provision. Participants enjoyed a very successful time at the In-Service Development Course in January this year where Grace Church, Leith, provided the venue and Parliament House Hotel, the accommodation. The focus for the programme was 'Passion for Discipleship'. With a variety of good speakers, great food, and an excellent sense of camaraderie, fellowship and fun, the feedback was overwhelmingly positive.

In response to a request from the 2023 General Assembly to make the In-Service provision more broadly available than for Ministers in their first 3 years, Church Planters and then Ministers every 3 years thereafter, the Board, in consultation with the CEO, agreed to open up this provision to every Minister who wishes to attend. Apart from travel and accommodation costs, no charge is applied to those outwith the stipulated attendance requirement. Rev. Andy Longwe has responsibility, along with Mr Donald Macleod, for organising this event, and the Board wishes to register its gratitude for all the hard work put in by both of them.

5. ***Applications for Ministry.*** Throughout the year, the Ministry Team has received a number of initial enquiries about Free Church Ministry from ordained Ministers in other denominations. We are pleased to report

that Rev. Alister Donald, Rev. Colin Buchanan and Rev. Dr Scott Kirkland have successfully made the journey through the relevant Presbytery and Board of Ministry processes to be received into the Free Church Ministry. The Board has also received several additional 'Notes of Interest in Free Church Ministry' from a number of Ministers ordained in other denominations which, following preliminary discussions, have not progressed to formal applications. It appears that 'Notes of Interest' are on the increase which, in general, is a positive indicator.

6. ***Communication.*** The Board is keen to communicate its plans well and consistently and has made progress in moving this aim forward. Discussions with Ms Sarah Robinson (Communications Manager) and Mr Simon Kennedy (Communications Officer) have resulted in one short video presentation highlighting the work undertaken by the Ministry Team being produced and a short promo video for the March webinar being produced. We plan to promote other aspects of the Ministry Team's work and provision as and when required.

(D) LIST OF CHANGES IN MINISTERIAL PERSONNEL

1. ***Changes in Ministerial Personnel***. The following changes in personnel since the 2022 Assembly are brought to the attention of the General Assembly. Since the Principal Clerk maintains Rolls of Ministers that are continuously updated it is our intention to make the Report as up to date as possible including changes notified up to the date of the March Commission of Assembly.

Deaths		
Name	**Congregation**	**Date**
Rev. Murdo Macleod	Retired	6th January 2024
Retirements		
Name	**Congregation**	**Date**
Rev. Colin Morison	Elgin	30th April 2023
Rev. Malcolm Macleod	Shawbost	31st October 2023
Rev. Dr Malcolm M. Maclean	Greyfriars, Inverness	7th November 2023
Resignations		
Name	**Congregation**	**Date**
Rev. Jeremy Ross	Dunfermline	31st August 2023
Rev. Gordon Matheson	Sleat & Strath	25th June 2023
Translations		
Name	**Congregation**	**Date**
Rev. Colin L. Macleod	Lochcarron & Applecross	2nd December 2023
Rev. Derek Lamont	Hope Church Leith Plant	28th January 2024
Rev. Cory Brock	St Columba's Edinburgh	14th March 2024
Rev. Thomas Penman	Cumbernauld	16th March 2024
Inductions		
Name	**Congregation / Role**	**Date**
Rev. Innes MacSween	Tornagrain	1st April 2023
Ordinations & Inductions		
Name	**Congregation**	**Date**
Rev. Israel Guerrero	Spanish Speaking CP, Cornerstone	20th August 2023
Rev. Matty Guy	Dingwall & Strathpeffer	9th September 2023
Rev. James Murray	Campbelltown	9th September 2023
Rev. Donald Smith	Assistant, Bon Accord, Aberdeen	9th September 2023
Rev. Colin Ross	Assistant, Cornerstone	27th September 2023
Rev. Iain M. Morrison	Assistant, Dowanvale	13th October 2023

2. ***Roll of Ministers Without Charge Eligible for Call***. The following Ministers are listed on the Roll of Ministers without Charge Available for Call. Contact details are available from the Principal Clerk, or the relevant Presbytery Clerk.

Name	Presbytery	Date Listed
Rev. Ruairidh Maclean	Glasgow & Argyll	31/07/2013
Rev. Ricky Macdonald	Northern	30/06/2015
Rev. John T. Mann	Northern	07/10/2015
Rev. Michael Braeutigam	Edinburgh & Perth	31/12/2017
Rev. Malcolm Macleod	Western Isles	31/12/2017
Rev. Martin Paterson	Glasgow & Argyll	06/03/2019
Rev. David MacPherson	Edinburgh & Perth	31/01/2020
Rev. John Marker	Northern	26/05/2022
Rev. Seòras McGillivray	Glasgow & Argyll	26/05/2022
Rev. Hamish Sneddon	Edinburgh & Perth	31/08/2022

Presbyteries, Interim-Moderators, and Kirk Sessions are reminded that only Ministers on the Roll of Ministers Without Charge Eligible for Call, along those whose names are on the Roll of Probationers, are eligible for a Call.

3. ***Roll of Probationers***. The following are listed on the Roll of Probationers. Contact details are available from the Principal Clerk, or the relevant Presbytery Clerk.

Name	Presbytery	Date Listed
Rev. Isaac Spiers	Glasgow & Argyll	14/03/2018
Rev. Calum Cameron	Inverness, Lochaber & Ross	11/09/2019
Rev. John Wilson	Northern	06/07/2021
Rev. James Blackwell	Inverness, Lochaber & Ross	07/09/2022
Rev. Angus Macleod	Edinburgh	20/06/2023

PAUL CLARKE, *Chairman*
THOMAS C. G. DAVIS, *Vice-Chairman and Student Team Coordinator*
COLIN L. MACLEOD, *Ministry Team Coordinator*

PROPOSED DELIVERANCE

(A) GENERAL

1. The General Assembly receive and adopt the Report of the Board of Ministry and thank the Board, especially the Chairman and the Conveners of the Ministry Team and the Student Team for their work.

2. The General Assembly thank all the Consultants and Advisers who assist the Board of Ministry, along with those who facilitate In-Service Training.

3. The General Assembly thank the Presbytery Pastoral Teams within each Presbytery for their service.

4. The General Assembly thank Rev. Peter Turnbull for his work on the Elders' Training Course. They encourage each congregation to consider making use of this excellent new resource.

(B) STUDENT TEAM

1. The General Assembly thank the staff at Edinburgh Theological Seminary for the provision of a robust theological education for Free Church Ministry Candidates, for the provision of the *Presbyterian Church Ministry Module*, and for the *Wednesday School of Ministry* preaching lab and Theology of Preaching class.

2. The General Assembly thank Mr Donald A. Macleod, Mr Andrew Giffen, Mrs Jill Steer and the Central Office Staff, Mrs Heather Watson, Mrs Ruth Smith, and Mr Euan Smith for outstanding administrative support for the training of Free Church Candidates.

3. The General Assembly thank all external partners who have supported training over the past twelve months. They thank, in particular, *The Bonar Trust* for the immensely generous financial support given to Free Church Candidates.

4. The General Assembly thank all Training Churches who have employed Free Church Candidates as Ministers-in-Training.

5. The General Assembly thank Presbyteries for their support and partnership in training. In particular, they thank the Conveners of Presbytery Committees responsible for Candidates.

6. The General Assembly declare that the provisions for ending a Candidacy in Act 23, Class 2, 2021 anent Journey to Ministry, be revised. They amend the said Act to the extent that the following paragraph is added as new Paragraph 11 of Section F – Ending a Candidacy: 'If a Candidate wishes to resign, he will write to his Presbytery to submit his resignation. If the Presbytery accepts the resignation, the Presbytery will notify the Board of Ministry. The Board will arrange for an exit interview involving the Candidate, representatives of the Presbytery, and representatives of the Board. If employed by a Training Church, the Candidate will also be required to serve a due notice period in accordance with his contract.'

7. The General Assembly declare that the provisions for the expectations of a Training Church in Act 21, Class 2, 2022 anent Training for Ministry, be revised to the extent that the following paragraphs are added to Section C – Training Churches and Presbyteries, Paragraph 2 - Training Church Initial Steps:

2.5 ***Training Church Accreditation***. Training Churches must be accredited by the Board of Ministry, to ensure good support for both trainees and supervisors. Accreditation involves the following steps:

2.5.1 The Kirk Session must complete the Training Church Accreditation Form.

2.5.2 The Minister and representatives from the Kirk Session will meet with the Board of Ministry Student Team. The Student Team must be satisfied that the congregation is willing and able to meet the expectations set out above.

2.5.3 Prior to receiving a first Minister-in-Training, the minister (and, where appropriate other members of the Kirk Session) must complete a one-day induction organised by the Board of Ministry. This induction will include training in giving sermon feedback, training in supervision and line management, and guidelines for planning a training year.

2.5.4 Accreditation lasts for 5 years or a major change in a Kirk Session (e.g. change of minister), after which it must be renewed.

2.6 ***Training Churches: Ongoing Training and Support.*** All supervisors in training churches with a Minister-in-Training are required to attend In-Service Training every year.

2.6.1 Annual In-Service Training will include an element dedicated to training.

2.6.2 All supervisors are appointed a trainer's mentor by the Board of Ministry. These will meet 4 times per year with supervisors.

2.6.3 All supervisors and ETS teaching staff are required to meet together with the Board of Ministry Student Team twice a year.

2.6.4 Supervisors are also encouraged to attend additional training opportunities arranged by the Board of Ministry and other partner institutions.

8. The General Assembly welcome the Training Handbook 2024/25. They instruct the Board of Ministry to update and publish this Handbook on an annual basis to provide a clear summary of all legislation and guidelines related to training.

(C) MINISTRY TEAM

1. The General Assembly note that the standards expected for Continuous Professional Development (CPD) contained in Act 33, Class 2, 2018, have been superseded by the CPD provisions introduced by the Board of Ministry in 2022 in their Continuous Professional Development – Guidelines for Good Practice Handbook. They revise the said Act to the extent that Paragraph 1 is amended to reflect the changes in the CPD expectations in the said Handbook, and that Paragraph 2.1 is deleted, and the following paragraphs renumbered. They declare the revised Act to be as follows:

The General Assembly note the advice of the Board of Ministry on the need for Continuous Professional Development in the ministry (CPD). The General Assembly enact as follows:

1. The General Assembly direct that all serving ministers commit to ongoing learning and Continuous Professional Development (CPD), to refresh and further equip their ministries. CPD shall include the four broad categories of: Character (Christlikeness), Conviction (theological and doctrinal), Competence (preaching, pastoring and leadership), Contemporary Thought and Culture.

2. The General Assembly issue the following six directives for CPD within the Free Church of Scotland:

2.1. Presbyteries are encouraged to create space in their agenda for CPD activities.

2.2. Presbyteries will normally appoint a CPD Committee, or empower an existing Presbytery Committee to coordinate CPD. In exceptional circumstances, where there are limited resources, Presbyteries may instead appoint a CPD Coordinator who will assist the Presbytery in meeting the CPD requirements.

2.3. Presbyteries should ensure that members are aware of appropriate resources for CPD.

2.4. Deacons' Courts shall normally make provision to cover reasonable costs for CPD activities. Presbyteries are encouraged to provide support for CPD for ministers in charges with limited funds.

2.5. Ministers should strive to achieve a measure of balance in the various categories of CPD and endeavour to formally record their activities in a log.

2.6. The General Assembly instruct the Board of Ministry to liaise with other Boards and ensure that future General Assemblies shall normally include items in the programme relevant to CPD designed to be relevant and helpful to the Ministers, Elders and members of the Church.

MINUTES OF THE PROCEEDINGS
OF THE COMMISSION OF ASSEMBLY
OF THE FREE CHURCH OF SCOTLAND
HELD via ZOOM AUDIO -VISUAL TECHNOLOGY
ON TUESDAY 3rd OCTOBER 2023

1. Constitute. Using Zoom audio-visual technology, on Tuesday 3rd October 2023, on which day a quorum of the Commission appointed by last General Assembly being met, Rev. Dr Robert J. Akroyd, was called to the Chair, and the meeting was constituted with devotional exercises.

2. Note of Business. The Principal Clerk submitted a note of the business to come before the Commission of Assembly as authorised by the General Assembly, Act 28, Class 2, 2023.

3. Conflicts of Interest. Conflicts of interest were noted from: Mr Cameron MacIver regarding the application from Coatbridge Free Church; Mr Gordon Strong regarding the application from Glasgow City and Partick Free Church; Rev. Malcolm Macleod, Principal Clerk, regarding nominations for Moderator-Designate of the 2024 General Assembly.

4. Routine Business

4.1. **Presbytery of Glasgow and Argyll Petition – Crow Road Free Church.** The Commission of Assembly agreed to treat the Petition from the Presbytery of Glasgow and Argyll regarding a change of name for the congregation of Glasgow City and Partick Free Church as routine.

4.1.1. ***The Finding***. It was moved, seconded and agreed that:

The Commission of Assembly receive the Petition of the Presbytery of Glasgow and Argyll regarding the united congregation of Glasgow City and Partick Free Church and grant its crave. They declare that the said united congregation be renamed Crow Road Free Church. They amend Act 8, Class 2, March 2023 accordingly.

5. Mission Board. The Commission of Assembly called for the Report of the Mission Board regarding applications from Bishopbriggs, Hope Church, Coatbridge and Haddington Church Plant to be recognised as fully sanctioned charges, along with an application from Tain and Fearn for the renewal of the Assistant Minister's Appointment. The Report was referred to by Rev. David Macleod, Chair of the Mission Board, who, not being a Commissioner, was given permission to address the Commission.

5.1. ***The Finding***. It was moved, seconded and agreed that:

1. The Commission of Assembly receive the Petition of the Presbytery of Glasgow and Argyll regarding the congregation of Bishopbriggs and grant its crave. They declare that the congregation be granted the status of a fully sanctioned charge. They remove the five-year restriction on the ministerial appointment of Rev. Garry Brotherston. They declare his appointment be unrestricted under the terms of Act 1, Class 1, 2018, Paragraph 3.3, with immediate effect, and that his appointment be continuous with his original induction to the charge.

2. The Commission of Assembly receive the Petition of the Presbytery of Glasgow and Argyll regarding the congregation of Hope Church Coatbridge and grant its crave. They declare that the congregation be granted the status of a fully sanctioned charge. They remove the five-year restriction on the ministerial appointment of Rev. Ivor Macdonald. They declare his appointment be unrestricted under the terms of Act 1, Class 1, 2018, Paragraph 3.3, with immediate effect, and that his appointment be continuous with his original induction to the charge.

3. The Commission of Assembly receive the Petition of the Presbytery of Edinburgh and Perth regarding Haddington Community Church and grant its crave. They grant Haddington Community Church the status of a fully sanctioned charge under the ongoing ministry of Rev. Ali Sewell with immediate effect. They declare that the minister's appointment be without restriction according to the terms of Act 1, Class 1, 2018, Paragraph 3.3, and that his appointment as minister of the fully sanctioned charge be continuous with his induction to the Church Plant.

4. The Commission of Assembly receive the Petition of the Northern Presbytery regarding Tain and Fearn and grant its crave. They extend the congregation's permission to appoint an Assistant Minister for a third three-year term according to provisions of Act 18, Class 2, 2013, Paragraph 8. They declare that such permission will come under review if the congregation fails to meet the requirements of Act 18, Class 2, 2013, Paragraph 2, during the term of the appointment.

6. Moderator-Designate of the 2024 General Assembly. The Commission of Assembly called for the Report of the Assembly Clerks' Office regarding nominations for Moderator-Designate of the General Assembly of 2024 which was presented by Rev. Stephen Allison, Assistant Clerk of Assembly. Mr Allison reported that the process of inviting nominations for General Assemblies' Moderator-Designate, outlined in Act 13, Class 2, 2017, has been successfully completed for the 2024 General Assembly, and that nominations were in favour of Rev. Malcolm Macleod, Principal Clerk. The Principal Clerk also reported that he is willing to accept the nomination should he be appointed.

The Moderator noted his honour to succeed Rev. Iver Martin and to precede Mr Macleod in the role of Moderator of the General Assembly. The Moderator also affirmed Mr Macleod's nomination as a fitting tribute to one who has served the church so diligently, carrying out vital work that is often unseen and underappreciated. Noting his delight at this recognition of Mr Macleod's long and faithful service, the Moderator affirmed this nomination as a token of the love, affection and esteem in which Mr Macleod is held by the church.

Mr Macleod stated that he was honoured to be appointed as Moderator-Designate of the 2024 General Assembly. The Commission of Assembly noted his thanks to those who participated in the nominations process and to Commissioners who approved his appointment.

6.1. ***The Finding***. It was moved, seconded and agreed that the Commission of Assembly receive the report and that they appoint Rev. Malcolm Macleod as the Moderator-Designate of the 2024 General Assembly.

7. **Minutes**. The Minutes of the Commission were read, adjusted and approved.

8. **Close**. There being no further business, the meeting was closed with prayer

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MINUTES OF THE PROCEEDINGS
OF THE COMMISSION OF ASSEMBLY
OF THE FREE CHURCH OF SCOTLAND
HELD IN SMITHTON FREE CHURCH, INVERNESS
ON THURSDAY 8th FEBRUARY 2024

1. Constitute

On Thursday 8th February 2024, on which day a quorum of the Commission appointed by last General Assembly being met, Rev. Dr Robert J. Akroyd was called to the Chair, and the meeting was constituted with devotional exercises.

2. Conflicts of Interest

A conflict of interest was noted from Mr Mark Robinson, Mr Wildon Campbell, and Mr William Mackenzie.

3. Report of the Assembly Business Committee

The Commission of Assembly received the Report of the Assembly Business Committee which was presented by the Principal Clerk.

3.1. ***The Finding***. It was moved, seconded, and agreed that:

1. The Commission of Assembly, noting the terms and provisions of Act 21, Class 2, 2023, approve the decision of the Assembly Business Committee to call a meeting of the Commission on Thursday 8th February 2024 at 6.00pm.
2. The Commission of Assembly declare the Petition in lieu of appeal submitted by Rev. Ben Fiddian to be suitable for reading and receiving.
3. The Commission of Assembly approve the procedure prepared by the Assembly Clerks for expediting the business of hearing the said Petition.
4. The Commission of Assembly declare that proceedings will take place in private session when taking up the said Petition.
5. The Commission of Assembly grant permission for Mr John Macaulay, member of the Business Committee, to remain in the meeting during the private session.

The Commission of Assembly met in Private Session

4. Parties at the Bar

Rev. Ben Fiddian and members of the Northern Presbytery were called to the Bar of the Commission.

4.1. ***The Petitioner***. The Petitioner, Rev. Ben Fiddian, was heard first. Commissioners were then granted the opportunity to ask questions.

4.2. ***The Respondents***. Rev. John A. Macleod and Rev. Alasdair Macaulay presented the case on behalf of the Northern Presbytery after which an opportunity was given to ask questions.

4.3. ***Right of Reply***. The Petitioner, Rev. Ben Fiddian was given the opportunity to reply.

4.4. ***Prayer***. The Moderator called on Rev. Rory Stott and Mr Roddy Macleod to lead the Commission in prayer.

5. Discussion Session

Parties were removed from the Bar and the Commission moved into a session of discussion on the substance of the matter before them.

6. Motions

The Moderator called for motions:

6.1. ***Motion 1.*** It was moved and seconded that:

1. The Commission of Assembly set up and empowers a group of persons, free of conflict of interest, to enquire (1) into the flawed POV process followed by the Northern Presbytery in their POV visit of 22nd March 2023; and (2) into the failure of Northern Presbytery to implement a Return to Work Plan in accordance with the stipulations of the Independent Medical Review, with particular reference to the requirement that the tensions and allegations which surfaced in the failed POV be addressed before and not after the petitioner returns to work.

2. The Commission of Assembly instruct the Group (1) to institute a just process for dealing with the allegations against the petitioner in the disregarded POV report and elsewhere, with a view to his return to work; and (2) to take such action as is necessary to promote the wellbeing of the congregation.

3. The Commission of Assembly instruct the Group to report to the Assembly Clerks' Office on its findings and with recommendations within two months of its appointment. They authorise the Assembly Clerks' Office to take such immediate steps as in their judgement are necessary in the light of the said report and recommendations, which include, if appropriate, steps, to prevent a recurrence of this type of failure within the Northern Presbytery. They instruct the Clerk's Office to report to the 2024 General Assembly on whole matter.

4. The Commission of Assembly declare that the entitlement to full stipend under the terms of Act 21, Class 2, 2023, Section E, Paragraph 5, be extended with respect to the Petitioner for a period of three months to allow completion of the actions requested, and they instruct the Church's Finance Office accordingly.

6.2. ***Motion 2.*** It was moved and seconded that:

1. The Commission of Assembly note the petition from Rev. Ben Fiddian and express their sadness and prayerful concern over the matters raised.

2. The Commission of Assembly note the lack of sufficient evidence that the POV process commenced on 22nd March 2023 was flawed to the extent implied in the petition. They also note that the process was suspended before any remedial action could be taken to address the alleged errors.

3. The Commission of Assembly note the lack of sufficient evidence that the Committee appointed by the Presbytery on 21st November 2023 to assist and support Rev. Fiddian was "conflicted". They also note that Rev. Neil L. Macdonald, Assistant Clerk of Assembly, was appointed by the Presbytery as an adviser to help the Committee fulfil its remit.

4. The Commission of Assembly note that relational issues raised during the cancelled POV process cannot be resolved without commencing a phased return to work. They therefore declare that the appointment of a review conducted by a group external to the Presbytery is unnecessary.

5. The Commission of Assembly note that the Return-To-Work (RTW) plan compiled by the Northern Presbytery Pastoral Team on the 13th October 2023, and the revised RTW plan compiled on the 23rd November 2023, were in accordance with the requirements of Act 21, Class 2, 2023, Paragraphs B.4 and D.1-2., were drafted sensitively with a view to achieving a fair process, and were approved by the Mission Board. They also note that Mr Fiddian declined to agree to either plan.

6. The Commission of Assembly recognise that the Northern Presbytery has exercised due pastoral diligence in managing Rev. Ben Fiddian's absence from work and the needs of the congregation of Bonar Bridge and Lairg, and that any further delay in managing Mr Fiddian's return to work would have further negative effect on himself and the wellbeing of the Congregation.

7. The Commission of Assembly instruct Rev. Ben Fiddian to meet with the Presbytery Pastoral Team by 16th February 2024 to discuss, and to comply with the implementation of Act 21, Class 2, 2023. They instruct the Northern Presbytery to implement the Return-to-Work plan within seven days of agreeing the plan at the said meeting.

8. The Commission of Assembly note that under the terms of Act 21, Class 2, 2023, Section E, Paragraph 5, his right to be paid the full stipend came to an end on 25th January 2024 due to Mr Fiddian's extended absence from work. They declare Mr Fiddian's right to payment of the full stipend be extended from the said date up to a maximum of twelve weeks from the commencement of the plan to allow for a phased return to full-time duties.

9. The Commission of Assembly, noting the terms of the said Act, Section E, Paragraph 1, regarding the minister's failure to consent, declare that, in the case of such failure by 16th February 2024, the right to the payment of the stipend will be terminated. They instruct the Presbytery in this case to complete the process for managing the Minister's absence from work under the terms of the said Act.

6.3. ***Motion 3***. It was moved and seconded that:

1. The Commission of Assembly note the petition from Rev. Ben Fiddian and express their sadness and prayerful concern over the matters raised.

2. The Commission of Assembly note the serious concerns raised by the petitioner over the process followed by the Northern Presbytery in relation to the POV process commenced on 22nd March 2023 and in the management of the petitioner's absence from work.

3. The Commission of Assembly note with sadness the apparent breakdown in trust between the petitioner and the Northern Presbytery and the need for the intervention from the wider church to enable a just and equitable resolution.

4. The Commission of Assembly declare that further investigation is required before they can make an informed decision on the issues raised by the petitioner and the Northern Presbytery.

5. The Commission of Assembly set up and empower a Group to investigate all matters raised in the petition, to interview all parties involved, to assess the state of the congregation of Bonar Bridge and Lairg and to prepare recommendations as to how reconciliation and resolution can be achieved.

6. The Commission of Assembly instruct the Group to report to the Assembly Clerks' Office on its findings and with recommendations within two months of its appointment. They authorise the Assembly Clerks' Office to take such immediate steps as in their judgement are necessary in the light of the said report and recommendations. They instruct the Clerk's Office to report to the 2024 General Assembly on the whole matter.

7. The Commission of Assembly appoint a mediator from the wider church to meet with the petitioner and the Northern Presbytery Pastoral Team by 23rd February 2024 and to support them in coming to a reasonable agreement on a return-to-work plan which takes account of the independent medical report findings. They instruct the Northern Presbytery to implement the plan within seven days of the said meeting.

8. The Commission note that under the terms of Act 21, Class 2, 2023, Section E, Paragraph 5, the petitioner's right to be paid the full stipend came to an end on 25th January 2024. They declare the Petitioner's right to payment of the full stipend be extended from the said date up to a maximum of twelve weeks from the commencement of the plan to allow for a phased return to full-time duties.

9. The Commission of Assembly, noting the terms of the said Act, Section E, Paragraph 1, regarding the minister's failure to consent, declare that if acceptance of the return-to-work plan cannot be reached by 23rd February 2024 and the mediator is of the view that the failure to agree is due to unreasonableness on the part of the petitioner, instruct the Presbytery to complete the process for managing the Minister's absence from work under the terms of the said Act. If the mediator is of the view that the failure to agree a plan is due to unreasonable conditions imposed by the Northern Presbytery, he will report the matter to the Commission of Assembly scheduled to meet on Tuesday 5th March 2024.

6.4. ***Amendment to Motion 1***. The following amendment to Motion 1 was moved and seconded:

That Paragraph 4 of the Motion be deleted and that the following paragraphs be inserted as new paragraphs three to five:

1. The Commission of Assembly appoint a mediator from the wider church to meet with the petitioner and the Northern Presbytery Pastoral Team by 23rd February 2024 and to support them in coming to a reasonable agreement on a return-to-work plan which takes account of the independent medical report findings. They instruct the Northern Presbytery to implement the plan within seven days of the said meeting.

2. The Commission note that under the terms of Act 21, Class 2, 2023, Section E, Paragraph 5, the petitioner's right to be paid the full stipend came to an end on 25th January 2024. They declare the Petitioner's right to payment of the full stipend be extended from the said date up to a maximum of twelve weeks from the commencement of the plan to allow for a phased return to full-time duties.

3. The Commission of Assembly, noting the terms of the said Act, Section E, Paragraph 1, regarding the minister's failure to consent, declare that if acceptance of the return-to-work plan cannot be reached by 23rd February 2024 and the mediator is of the view that the failure to agree is due to unreasonableness on the part of the petitioner, instruct the Presbytery to complete the process for managing the Minister's absence from work under the terms of the said Act. If the mediator is of the view that the failure to agree a plan is due to unreasonable conditions imposed by the Northern Presbytery, they will report the matter to the Commission of Assembly scheduled to meet on Tuesday 5th March 2024.

6.5. ***Right of Reply***. Mr Fraser, the mover of the first motion was given the opportunity to respond to motions 2 and 3, and, with the permission of the Commission of Assembly, he accepted the Amendment to his motion.

7. The Finding

On a vote being taken between the first motion and the third motion, the third motion carried. On a second vote being taken between the third motion and the second motion, the third motion was carried, and the following became the finding of the Commission:

1. The Commission of Assembly note the petition from Rev. Ben Fiddian and express their sadness and prayerful concern over the matters raised.

2. The Commission of Assembly note the serious concerns raised by the petitioner over the process followed by the Northern Presbytery in relation to the POV process commenced on 22nd March 2023 and in the management of the petitioner's absence from work.

3. The Commission of Assembly note with sadness the apparent breakdown in trust between the petitioner and the Northern Presbytery and the need for the intervention from the wider church to enable a just and equitable resolution.

4. The Commission of Assembly declare that further investigation is required before they can make an informed decision on the issues raised by the petitioner and the Northern Presbytery.

5. The Commission of Assembly set up and empower a Group to investigate all matters raised in the petition, to interview all parties involved, to assess the state of the congregation of Bonar Bridge and Lairg and to prepare recommendations as to how reconciliation and resolution can be achieved.

6. The Commission of Assembly instruct the Group to report to the Assembly Clerks' Office on its findings and with recommendations within two months of its appointment. They authorise the Assembly Clerks' Office to take such immediate steps as in their judgement are necessary in the light of the said report and recommendations. They instruct the Clerk's Office to report to the 2024 General Assembly on the whole matter.

7. The Commission of Assembly appoint a mediator from the wider church to meet with the petitioner and the Northern Presbytery Pastoral Team by 23rd February 2024 and to support them in coming to a reasonable agreement on a return-to-work plan which takes account of the independent medical report findings. They instruct the Northern Presbytery to implement the plan within seven days of the said meeting.

8. The Commission note that under the terms of Act 21, Class 2, 2023, Section E, Paragraph 5, the petitioner's right to be paid the full stipend came to an end on 25th January 2024. They declare the Petitioner's right to payment of the full stipend be extended from the said date up to a maximum of twelve weeks from the commencement of the plan to allow for a phased return to full-time duties.

9. The Commission of Assembly, noting the terms of the said Act, Section E, Paragraph 1, regarding the minister's failure to consent, declare that if acceptance of the return-to-work plan cannot be reached by 23rd February 2024 and the mediator is of the view that the failure to agree is due to unreasonableness on the part of the petitioner, instruct the Presbytery to complete the process for managing the Minister's absence from work under the terms of the said Act. If the mediator is of the view that the failure to agree a plan is due to unreasonable conditions imposed by the Northern Presbytery, he will report the matter to the Commission of Assembly scheduled to meet on Tuesday 5th March 2024.

Dissent and Complaint: Mr James M. Fraser submitted his dissent at this decision with leave to complain to the Higher Court and was given leave to submit written reasons within ten days.

8. Appointments

8.1. ***External Mediation*.** The Commission appointed Rev. Dr Robert J. Akroyd, Moderator of the 2023 General Assembly, as the External Mediator.

8.2. ***External Review Group*.** The Commission appointed the following as the External Review Group: Rev. Colin L. Macleod, Convener, Rev. Ewen Matheson, Rev. Neil Lachlan Macdonald, Mr Brian Cameron, Free North, and Ms Ali MacDonald, Smithton.

The Commission of Assembly met in Open Session

9. Parties Recalled

Parties were recalled to the Bar. The Moderator intimated the finding to them, after which both parties acquiesced in the finding of the Commission.

10. Dissent and Complaint

Mr Fraser withdrew his earlier submission of dissent and complaint at the Commission's finding.

11. Prayer

The Moderator called on Rev. Iver Martin to lead the Commission in prayer.

12. Minutes

The Minutes of the Commission were read, adjusted, and approved.

13. Close

There being no further business, the meeting was closed with prayer.

STANDING ORDERS OF THE GENERAL ASSEMBLY

A. AS TO REPRESENTATION OF PRESBYTERIES

1. That all Commissions, transmitted to the Clerk of Assembly, shall be revised by him, insofar as regards their regularity in point of form, and that the Clerk shall prepare a Report on the subject and submit the same to the Committee appointed by the Assembly for the revising of Commissions.

2. That the Clerk of Assembly shall furnish all Presbytery Clerks with printed copies of the form of Commission to Representatives hitherto in use, according to Act 8, Assembly 1853, and Act 9, Assembly 1863, as amended by Act 2, Class 2, 2021.

3. That there shall be attached to Commissions, a statement, certified by the Presbytery Clerk, of the number of charges in each Presbytery at the date of the Commission, and of any changes that have taken place during the previous year.

4. That Clerks of Presbyteries shall send intimation to the Clerk of Assembly on the death of a colleague, or of the induction of a colleague immediately after that event has taken place.

5. That the Assembly Clerks' Office shall consider in the month of January annually any changes in Presbyteries which may have occurred in the course of the previous year, for the purpose of ascertaining the effects as regards representation, and shall immediately thereafter, intimate to the Presbyteries concerned what will be their representation in the ensuing General Assembly.

6. That each Presbytery shall appoint Commissioners to the General Assembly comprising an equal number of Ministers and Elders according to the notification of representation issued by the Assembly Clerks' Office.

7. That the decision of the Assembly Clerks' Office, so intimated to Presbyteries, shall be subject to review by the General Assembly, if appealed against or dissented from.

8. That should any question arise between the month of January and the meeting of Assembly, not provided for by these Orders, the Assembly Clerks' Office shall consider these and how to dispose of such questions.

9. That it shall be competent for Commissioners appointed by the Presbytery of North America to take their place at the General Assembly using audio-visual technology platform according to the principles set out in Act 33, Class 2, 2010 and the arrangements set out in Act 5, Class 2, 2020, but that the must take their seats at the General Assembly in person every three years, commencing in May 2024

B. AS TO THE TRANSMISSION TO THE CLERK OF ASSEMBLY OF PAPERS FOR THE ASSEMBLY BUSINESS COMMITTEE

1. That all papers intended to be transmitted to the Assembly - namely, Memorials, Overtures, Petitions, Applications, References, Complaints and Appeals, with Extracts of Minutes of Inferior Courts, relative thereto, as also Reasons of Complaint or Appeal; and in cases of Libel with the Defences and Evidence adduced - shall be transmitted to the Clerk of Assembly not later than 15th April in each year, in order to be printed in sufficient numbers for the use of the members of Assembly; and that papers passed by the Inferior Courts at a later date shall be transmitted to the Clerk without delay.

2. That the Clerk of Assembly shall lay the aforesaid papers before the Assembly Business Committee and parties concerned shall be in attendance at the meeting. The Committee shall report to the First Session of the General Assembly on the receivability of the documents. In the event of the Committee resolving not to receive a particular document, the parties concerned shall have a right of appeal against the finding of the Committee to the General Assembly.

3. That Presbyteries shall transmit to the Clerk of Assembly, their Returns to Overtures not later than one week before the meeting referred to in C.1 below; that said Presbyterial Returns shall consist of certified extracts from the Minutes of Presbytery; and that a separate leaf of paper shall be used for the Return on each Overture sent down by the General Assembly.

4. That all such papers shall be distributed by the Clerk, except such papers as he may consider undesirable for distribution; that papers not distributed shall be made available to Commissioners at the appropriate time in the Assembly programme; and that if the Committee does not endorse the view of the Clerk, the papers shall be distributed forthwith for the use of the Assembly.

5. That these regulations shall not apply to Applications for authority to sell congregational property, which Applications shall be forwarded from the relevant Deacons' Court (or Finance Committee), through the Presbytery

of their bounds, to the Principal Clerk who shall lay each Application before the Board of Trustees in accordance with the procedure stipulated in Act 14, Class 2, 2015.

6. That in regard to returns from Presbyteries to any Overture transmitted to them under the Barrier Act the total number of Presbyteries in the Church shall constitute the appropriate base for calculating a majority and a non-return shall be taken as signifying disapproval of the matter contained in the Overture.

C. AS TO ASSEMBLY BUSINESS COMMITTEE

1. That the Business Committee of Assembly shall comprise the Principal Clerk, the Assistant Clerks, and the Clerks of all the home Presbyteries, and shall meet at a convenient point around 15th April annually, to examine all papers in the hands of the Principal Clerk due to come before the Assembly. The Committee shall appoint its own Convener and the Principal Clerk shall act as Clerk to the Committee.

2. That the Committee at this meeting shall formulate a Programme of Business for the Assembly, after giving due consideration to the following:

2.1. The number of Reports from Committees and Boards and the length of time thought to be required for each, taking account of which Reports, or sections of Reports, should be the subject of less formal discussion.

2.2. The periods of informal discussion rather than formal debate that the Assembly may wish to take up.

2.3. All other items of business due to come before the Assembly and estimated time thought to be required for each.

2.4. The number of Delegates expected at the Assembly.

2.5. Any Appeals, Dissents and Complaints, Overtures, Petitions or References or any other cases coming to the Assembly from the inferior courts.

3. That the Committee shall in its Report, designate as routine, those Petitions they consider ought to be in this category, and to recommend this to the Assembly in its report, at which point amendments to the contrary may be given in without prior notice, the final decision on whether any Petition be so treated to lie with the General Assembly.

4. That if there be no objection to a Petition being classified as routine, the Motion relating to it in the Proposed Deliverance of the Report shall be moved and seconded. An objection to a proposal to treat a Petition as routine or an amendment to the Motion relating to it, will require that the Petition be taken up at a suitable point in the Assembly Programme.

5. That the Business Committee take up the examination of Presbytery records at the April statutory meeting and report on their findings in the Committee's Report to the General Assembly.

6. That the Business Committee shall present its Report to the Assembly at the first session and its Report shall be bound with all the other reports to be distributed in advance of the Assembly.

F. AS TO THE ASSEMBLY CLERKS

1. That the Assembly Clerks' Office shall present its Report to the Assembly at the first session and its Report shall be bound with all the other Reports to be distributed in advance of the Assembly.

2. That the Assembly Clerks' Office shall see that all papers presented to them in Cases from Inferior Courts, whether forming part of the Record, or produced in evidence before said Courts, have been duly dated and numbered by the Clerk of said Courts, and marked with his initial; and that the Assembly Clerks' Office shall not receive any paper which is not authenticated, unless upon special cause shown, to be reported by them to the General Assembly.

3. That the Assembly Clerks prepare a Report on deceased Minister and Elders for the period commencing from the last Assembly with the Report presented to the General Assembly at the last Session.

E. AS TO DOCUMENTS IN CASES COMING UP TO THE ASSEMBLY

1. That all such documents shall be filed by the Clerk and distributed securely for consideration at the meeting of the Business Committee referred to in C.1 above.

2. That all such documents shall be in a form corresponding to the recognised practice and according to *pro forma* provided by the Assembly Clerks' Office.

3. That all such documents shall be bound together and provided with an alphabetical index; and that a copy thereof shall be securely distributed to each member of the Assembly or placed in their hands if so required.

4. That a copy of all the documents shall be kept by the Clerk of Assembly and stored among the Records of Assembly.

F. AS TO THE GENERAL ASSEMBLY

1. Use of Audio-visual Technology

1. That when exceptional circumstances prevail where the General Assembly is unable to meet physically in one location to constitute the Assembly in the normal way due to restrictions on public gatherings, the Assembly Clerks' Office in consultation with the Moderator and the Assembly Business Committee will appoint the General Assembly to meet using audio-visual technology platform according to the general provisions of Act 5, Class 2, 2020 and the principles set out in Act 33, Class 2, 2010.

2. That meetings constituted using audio-visual technology shall be hosted in the Assembly Hall, St Columba's Free Church, Edinburgh.

3. That in-person meetings of the General Assembly may include an audio-visual technology element for the benefit of Commissioners of the Presbytery of North America only, according to the principles set out in Act 33, Class 2, 2010 and the arrangements set out in Act 5, Class 2, 2020.

2. Devotional Exercises

1. That a bell shall be rung for one minute; and members shall take their places in the House before the Moderator takes the Chair.

2. That the Assembly Hall doors shall be closed each day during the opening exercises to prevent interruption by persons entering the House during that time.

3. That the Assembly shall spend the first hour or more of the first session of the second full day of their meeting in devotional exercises.

4. That any proposal for a pause in the Assembly's proceedings with a view to engage in special devotional exercise, shall be made to the Assembly only through the Moderator.

3. Printing the Acts

1. That the Assembly Clerks' Office shall make arrangements for the printing the Acts of Assembly and that they shall arrange that the Acts be divided into two classes: Class 1 – those which have passed the Barrier Act; Class 2 – Acts which are of General Interest to the Church.

4. Reports of Committees

1. That the Reports of all Boards and Committees reporting to the General Assembly [excepting only a report from any meeting of the Assembly Business Committee with the purpose of reporting on changes to nominations to vacancies on Board and Committees] shall, together with Deliverances to be proposed, be transmitted to the Clerk of Assembly not later than the first day of April. All Reports shall be bound together electronically and sent to Commissioners to the General Assembly not later than ten days before the meeting of the Assembly.

2. That Reports shall not be engrossed in the Record, but, after being printed, a copy of each, certified by the Clerk as being that given in to the Assembly, shall be kept *in retentis*, and the Reports shall be appended to the printed volume of the Acts and Proceedings of Assembly.

3. That verbal Reports shall not be received, and no Sub-Committee shall give in any Report to the Assembly except by express leave of the Assembly.

4. That paragraphs of a proposed Deliverance on the Report of a Standing Committee shall be numbered, and the mover shall not be required to read it when it is already in the hands of members of Assembly.

5. That when any Committee is appointed during the Assembly's sittings it shall be competent to move amendments to the proposed Deliverance on its Report without previous notice.

6. That it shall be competent for Commissioners to give notice in writing of questions to be put to the person presenting a Report to the General Assembly - this without prejudice to the right to add supplementary questions or the right of members generally to propose questions from the floor.

5. The Submission of Amendments and Addenda

1. That amendments and addenda to the proposed deliverances of reports taken during the first session may be moved without previous notice.

2. That amendments and addenda to the proposed deliverances of all other reports taken in subsequent session shall be given in and read by the Clerk as specified in the following table. Amendments or addenda given in after the specified deadline shall not be accepted.

Reports due to be taken up during:	***Amendments and addenda to be given in before***:
1st Session (Monday evening)	Beginning of the Session
2nd Session (Tuesday morning)	Adjournment of 1st Session (Monday evening)
3rd Session (Tuesday evening)	Suspending of 2nd Session (Tuesday lunchtime)
4th Session (Wednesday morning)	Adjournment of 3rd Session (Tuesday evening)
5th Session (Wednesday evening)	Suspending of 4th Session (Wednesday lunchtime)
6th Session (Thursday morning)	Adjournment of 5th Session (Wednesday evening)

6. The Reading of Speeches and Length of Speeches

1. That, previously to the discussion of any question which does not arise upon or contemplate the approval or disapproval of the Report of a Committee, the House shall determine, in such manner as may seem expedient, the order of priority belonging to the motions given notice of, and that, when a motion approving a Report has been made and seconded, the House shall determine in the same manner, the order of priority belonging to any other motions given notice of.

2. That in the discussion of any question the proposer of each motion may address the House for not longer than 25 minutes, and the seconder for 15 minutes; and no subsequent speaker shall address the House for a longer period than 10 minutes; and that these limits shall only be exceeded when the Moderator shall have ascertained that the House desires any speaker to continue and shall intimate the ascertained desire to that effect.

3. That, when meetings of the General Assembly are constituted using audio-visual technology due to restrictions on in-person meetings, in the discussion of any question, the proposer of each motion may address the House for not longer than 15 minutes, and the seconder for 10 minutes; and no subsequent speaker shall address the House for a longer period than 5 minutes; and that these limits shall only be exceeded when the Moderator shall have ascertained that the House desires any speaker to continue and shall intimate the ascertained desire to that effect.

4. That when a Convener or Chairman, not being a member of Assembly, is permitted to present the Report of his Board or Committee, the Convener or Chairman and the mover of the Deliverance shall be required to come to an arrangement by which their combined speeches shall not exceed the time normally granted to the mover of a motion in terms of Standing Order E.6.2, or as that Order may be amended by this or any subsequent Assembly. It shall be competent for the person who presents a Board's Report or Committee's Report to answer questions relating to the Report and to reply to the discussion, even if he be not a member of Assembly.

5. That when the Report of a Board or Committee is moved and seconded, and the Board or Committee has requested that members additional to the mover and seconder are granted permission to present specific areas of the Report, the maximum time allowed for the whole exercise will 45 minutes.

6. That a member of the Assembly in moving or seconding an amendment shall confine himself to the matter of the amendment and shall have the right to speak at a later stage to other matters in the Report and other amendments, provided that the total time taken in speaking shall conform to Standing Order E.4.3.

7. That it shall not be competent for anyone other than a member of the Assembly to ask questions or take part in the discussion.

8. That the Assembly may grant permission to a person who is not a member of Assembly to present a Board's Report or Committee's Report, or an Overture, Petition or Reference. A person granted such permission may ask questions of the proposer of any amendment or addendum to his report, he may refer to any amendment or addendum, but he may not take part in the discussion.

9. That the Assembly may call on persons who are not members of the Assembly to answer questions on specific items of business for reasons of information and clarification. Persons called upon in such instances shall confine themselves strictly to answering the questions put.

7. *Sessions of Informal Discussion*

1. That Sessions for informal discussion may be held during the Assembly in addition to the formal discussion specified in E.4 above, on a recommendation in the Assembly Clerks' Report. The Assembly Clerks' Office shall make its recommendations at the First Session through its Report to the Assembly. All Commissioners shall be expected to attend these discussion sessions. While no formal proposal or motion may be presented at these sessions, the discussion ought, nevertheless, give prolonged consideration to the items specified by the Assembly. The Sessions shall be chaired by the Moderator.

2. That Committees and Boards shall highlight with an asterisk, items in their annual Reports which they consider require substantive debate, in order to assist the Assembly Clerks' Office with its recommendations about informal discussion sessions and to aid Commissioners in their preparations for the Assembly. This shall not preclude any Commissioner asking questions about, or speaking to, other items in reports.

8. The Conducting of Causes

1. That legal representatives shall not be heard at the Bar in any Causes which may come before the House unless the General Assembly makes an exception.

2. That when a Presbytery acquiesces in the sentence of a Commission of Assembly, it shall not be entitled to appear as a separate party at the Bar of the Assembly, but the members of Presbytery may nevertheless be heard.

3. That in no case shall there be more than two speakers for each party at the Bar, including the reply to which the appellant or complainer shall be entitled; and when there are more than two parties, there shall only be one speaker, and one speech for each, besides the reply - it being understood that where there is more than one complainer, each shall be considered as a different party only in case of its appearing to the Assembly that the complaints rest upon distinctly separate grounds.

4. That, previously to hearing the parties in any Cause, the Clerk shall read the following announcement, - viz., "The members are reminded that justice requires the pleadings as at the Bar to be heard by all those who vote in the Cause, and that, in particular, no member ought to vote against either side of the Bar who has not heard the pleadings on that side".

4.1. That the Clerk of Assembly shall not issue the papers to the members of Assembly, with reference to cases which he thinks require to be conducted with closed doors until specially instructed by the Assembly to do so; but he shall report such cases to the Convener of the Business Committee, for its information immediately after its appointment.

4.2. That the Business Committee shall, in their first Report, specify any case which, in their judgment, requires to be conducted with closed doors; and any case which does not appear to them of that character, although the Clerk may have reported it as such.

4.3. That, in all cases thus reported on by the Business Committee the Assembly shall itself determine, by a special deliverance, at what stage of the proceedings the papers shall be issued to the members.

4.4. That in every case which the Assembly appoints to be conducted with closed doors, the instruction to issue the papers shall be accompanied by a special exhortation to the members to keep them private.

9. Motions and Votes

1. That every motion, whether original or amended, if not already in the hands of the Clerk, shall be given into the Clerk in writing, as soon as it shall have been made to the House.

2. That the person who makes the first motion shall be entitled to the privilege of giving a reply, in which new matter must not be introduced; and that thereafter the debate shall be held to be definitely closed, and no other person shall be entitled to speak excepting with regard to the manner of putting a vote.

3. That all motions after the first that are truly amendments on the first motion shall be disposed of in accordance with Standing Order No. E.9.6 below, and that when an amendment raises an issue different from that in other amendments, it shall be dealt with as a direct countermotion.

4. That a person may make more than one motion as an amendment or addendum to the first motion if the additional motion is addressing a different subject matter.

5. With the permission of the Assembly, and in exceptional circumstances, it may be competent for a person to propose a motion as an amendment to another person's amendment or addendum, and such motions must be in the hands of the Clerk when the Session begins.

6. That where there are only two motions before the House, the question put to the vote shall be second or first motion.

7. That when there are three motions, the first question shall be, whether the second or third motion shall be put as amendment against the first; and the second question shall be, whether the first motion or the amendment so fixed shall be the decision of the House.

8. That when there are more than three motions, the first question shall be whether the last proposed, shall be put as the amendment, and so on until only three remain, when the procedure shall be as prescribed in the immediately preceding sub-section.

9. That in Causes, it shall not be competent to move an amendment to the motion, unless it be of such a nature as to decide the case, or to forward it in its progress.

10. That when any proposal has been submitted in the Report of a Committee, any motion for approval of such proposal shall take precedence of any countermotion or amendment.

10. Mode of taking the Vote

1. That on a division being called for, all parties who are not members, but have the privilege of entering the House, shall withdraw.

2. That on a division being called for, the Clerk shall announce that no member ought to vote against a motion or amendment who has not been in attendance during the discussion thereof; that thereafter no one shall be permitted to enter the House till the vote has been taken and the result declared; that two or four Tellers shall be appointed by the Moderator, drawn equally from supporters of each motion before the House; and that these Tellers shall take their place at the Clerk's table. But when the issue of a vote by show of hands is not immediately obvious the Tellers shall count the votes seat by seat, taking up their positions at the ends of each seat in turn, in order to do so.

3. That the vote shall, at the discretion of the House, be taken either by calling of the Roll or by a show of hands, or by card, or by an electronic polling function when audio visual equipment is being used.

4. That as soon as the vote shall have been taken, the Tellers shall report the state of vote to the Clerk of Assembly, who shall write it down, and announce it to the House.

5. That the Report of the Tellers, when announced to the House, shall be held as final and conclusive, and not subject to any revision by scrutiny or otherwise.

11. Dissents

1. That no dissents against any deliverance of the Assembly shall be given in until the matter in which it is pronounced is, for that Session, disposed of, the Minutes are completed and adjusted, and the House is ready to proceed to other business.

2. That prepared reasons for dissent or complaint be not engrossed in the Minutes of the Assembly or its Commission but held *in retentis*. Where a brief statement is written at the time of lodging a dissent, it may at the discretion of the Court be engrossed in the Minute. That, at meetings of the Commission of Assembly, members of the Commission shall have the right to request permission for leave to Complain by submitting to the Assembly Clerk, reasons for a Complaint within ten days, such reasons to be held *in retentis*. Both the Commission and Assembly may refuse to receive Reasons if they are not couched in respectful language.

3. That where Reasons for Dissent are held *in retentis*, the General Assembly or their Commission shall appoint a Committee to answer Reasons, except where the Reasons are deemed frivolous or unspecific. When the Assembly appoints such a Committee, it shall report to the Commission of Assembly at its October meeting. If such a Committee is appointed by the Commission, it shall report to the next stated meeting of the Commission, or to the following General Assembly, whichever falls first. The Committee's Report shall contain both the Reasons and the Answers, and, if the Report is adopted, it shall be engrossed in the Minutes.

12. Drafts of Declaratory or Interim Acts and Overtures

1. That the Draft of any proposed Declaratory or Interim Act, as also the Draft of any Overture which it is proposed to transmit to Presbyteries for their opinion in terms of the Barrier Act, shall be laid on the Table of the Assembly, and circulated among the members, at least one Session of the Assembly before a motion be made for the passing of such Declaratory or Interim Act, or for the transmission of such Overture to the Presbyteries of the Church.

13. Letters addressed to the Moderator

1. That all letters addressed to the Moderator for the purpose of being communicated to the Assembly, shall, in the first instance, be laid by him before the Assembly Business Committee, who shall advise the Moderator as to the way of disposing of them.

14. Deputations from other Churches, etc.

1. That the list of corresponding Churches and Societies shall be as determined by the General Assembly from time to time on the recommendation of the Ecumenical Relations Committee.

2. That deputies from corresponding Churches or Societies shall forward their commission or letters of introduction so as to reach the Clerk of Assembly not later than the first day of May in each year; and he shall submit the same to the Assembly Business Committee so that arrangements may be made for the deputies to address the General Assembly.

3. That deputies from Churches and Societies other than those aforesaid, shall likewise forward Commissions or letters of introduction to reach the Clerk of Assembly not later than the first day of March, and he shall report the same to the Commission of Assembly meeting in that month, who shall be empowered to decide which of the deputies shall be received by, and invited to address, the Assembly. In the event of failure of the Commission to meet, the Assembly Business Committee shall meet at the earliest opportunity, and shall decide which deputies shall be received by, and invited to address the Assembly.

4. That in the case of strangers who may be desirous of being introduced to the Assembly and addressing the House, notice thereof shall be conveyed to the Moderator, who shall report the same to the Assembly Business Committee, that they may advise in the matter.

15. Examination of Presbytery Records

1. That Presbytery Records shall be submitted to the Assembly Clerks' Office in good time to be examined by the Business Committee at the April statutory meeting of the Committee.

2. That the Business Committee shall examine the Presbytery Records and report to the General Assembly on the results of the examination.

3. That the Assembly Clerk is authorised to attest as correct, such records as have passed the examination with regard to form and content.

4. That the Assembly Clerk is authorised to issue a statement of attestation, with an instruction for such a statement to be engrossed in the records of the Presbytery, when the General Assembly has approved the Business Committee Report on the Examination of Records.

5. That the Business Committee Report on the examination of Presbytery Records be sent to Presbyteries and engrossed in their records.

16. Examination of Minutes of Boards and Committees

1. That the Minutes of Boards and Committees shall be called for at the first Session of the Assembly, and that a Committee shall be appointed for examining of the same.

2. That the Committee shall fill up a schedule with the information required by the Assembly regarding each book, the said schedule to be returned when the Report of the said committees shall be called for.

3. That a copy of the Report, as sustained by the Assembly, shall be transmitted to Boards and Committees, and engrossed in their Record.

4. That the Assembly Clerk is authorised to issue a Statement of Attestation from the minutes of the Assembly, or of its Commissions, with an instruction for such a statement to be engrossed in the records of Boards and Committees, when notice of the attestation is not possible physically.

17. Additional General Assembly Committees

1. That a Committee be appointed to prepare a Loyal and Dutiful Address to His Majesty the King.

2. That a Committee be appointed to act as the Receiving Party for the visit of the Lord High Commissioner.

18. Printing of Assembly's Proceedings, etc.

1. That the Minutes of Commission, together with roll of matters to be taken up on the following days, and lists of members of Committees, be printed and placed in the hands of the Members of Assembly on the opening day.

2. That when a motion is duly seconded, and in possession of the Assembly it shall not be competent to make any alterations upon it without the permission of the House, excepting in the shape of an amendment, or second or third motion, as the case may be, regularly proposed to the Assembly.

19. Minutes

1. That the minutes recorded at any of the Sessions of the Assembly shall be passed by the Clerks to Commissioners at the end of each day in electronic form where possible.

2. That proposed corrections be submitted to the Clerks for notice to the General Assembly when the minutes are called for approval.

3. That the minutes be called for approval only at a morning Session of the Assembly, with the exception of the minutes of the last day of the Assembly's sittings, which minutes shall be read over and approved of before the rising of the Assembly.

4. That when the minutes are called for approval, they will not be read, but that submissions for corrections will be reported on by the Assembly Clerks.

20. Standing Orders

1. That the Standing Orders be held as read by vote in the First Session of the Assembly, and immediately before the appointment of Committees of the Assembly, and that they be printed in the first day's proceedings.

2. That the operation of Standing Orders may be suspended on a motion without notice, and by resolution of the Assembly, carried by a majority of at least two thirds of its Commissioners.

3. That a proposal to change Standing Orders must come by Overture from the floor of the General Assembly or from the Assembly Business Committee.

4. That a proposal to suspend Standing Orders may not be made for the purpose of introducing new items of business to the General Assembly other than for emergency items or items of a time-critical nature.

21. Conduct of Commissioners

1. That courtesy demands that all Sessions of the Assembly be attended by Commissioners, and that private meetings should not be held during the Sessions of the Assembly.

2. That with the exception of comfort breaks, the Moderator shall require the permission of the Assembly for absence from the chair during sittings of the Assembly. The Moderator shall not undertake visits on behalf of the Assembly without their prior authority.

3. That the use of all forms of social or electronic communications media during private sessions of the Assembly when confidential matters are being discussed or debated is prohibited.

4. That the use of all forms of social media for the purpose criticising or passing judgement on decisions of the General Assembly or on its Commissioners is prohibited for the sake of the honour and good name of the General Assembly.

5. That all Commissioners will observe a strict livestream code of conduct while addressing the General Assembly and that personal comments regarding, for example, dress and appearance, should be strictly avoided, to ensure our Christian values are presented to viewers in the livestream environment.

22. Recording of Assembly Proceedings

1. Recording of Assembly proceedings by video recorder etc., by television companies, or by sections of the media shall not be permitted unless prior permission has been received from the Assembly Media Officer acting in accordance with guidelines provided by the Assembly Business Committee.

2. Use of flash photography by private individuals during the proceedings of the General Assembly shall not ordinarily be permitted, though exception will be made in cases such as the installation of the Moderator, reception of Delegates, and presentation of individuals to the Moderator.

3. Notwithstanding the above, the Assembly Business Committee shall have the power to make arrangements at any time for the recording in any way, of any part of the Assembly proceedings by any means they consider appropriate.

23. Media Officer

1. The General Assembly shall have the Church's Media Officer act as their Media Officer. The Assembly Media Officer shall be responsible *inter alia* for liaison with representatives of the media and giving such guidance as may be necessary for them to carry out their duties.

G. AS TO BOARDS AND COMMITTEES

1. Types of Committees

1. That the business of the Church between one Assembly and the next ensuing shall be carried on by Standing Committees and Boards together with the Assembly Business Committee. Membership of Committees, Boards and Panels in all cases of *ex officio* appointments shall be confined to ministers holding a seat in a Presbytery of the Church or to *bona fide* acting elders of the Church. In all other cases of *ex officio* involvement in the work of Committees and Boards, those appointed shall be regarded as consultants to the relevant Committee or Board.

2. Composition of Standing Boards and Committees

1. That Standing Boards and Committees shall consist of the following:

1. **Board of Trustees** to discharge the functions of the Board of Trustees as presently constituted; to continue to have members of the Board appointed as directors of the Free Church of Scotland General Trustees' Limited; and to assume oversight of an **Executive Office** comprising the following functions:

1.1. **Administrative Office** to monitor and prepare regular reports on financial performance; to oversee the annual budgeting process; to keep under review matters of legal compliance and risk management; and to provide general administrative support to the Church. The Board shall receive regular reports on financial performance, legal compliance and risk management from the Administrative Office and shall allocate time within its meetings for consideration of these.

1.2 **Assembly Clerks' Office** to make all arrangements for the General Assembly reporting to the General Assembly, either directly or through the Business Committee of the Assembly, in relation to matters connected with the conduct of business at meetings of the General Assembly or meetings of the Commission of Assembly; to receive nominations from Presbyteries for vacancies on Committees and Boards when they occur, and, following consultation with the relevant Committee or Board, to make recommendations from these submissions, through the Board, to the General Assembly; to advise on matters of Church practice and procedure in light of the rules and procedures laid down in *The Practice* and in Church legislation and to initiate reviews of the practice or procedures of the Church where these might benefit from modification; to maintain formal relationships with other churches and ecclesiastical bodies; and, in the case of the Principal Clerk of Assembly, to act as Custodier of Titles.

Any proposals from the Assembly Clerks' Office to modify Church practice or procedures shall be reported to the General Assembly. The Assembly Clerks' Office shall be at liberty to enlist additional assistance as required, and at its discretion, to assist with the fulfilment of the various aspects of its remit.

1.2.1 *Membership of the Board:* Twelve members comprising at least four ministers and at least six office bearers of whom up to two might be deacons. Members shall be appointed by the General Assembly for a four-year term, renewable for one further term of four years. The General Assembly shall appoint one of the Board, who shall always be an elder, as Chairman, for a four-year term, renewable for one further term of four years. The quorum shall be three Trustees. The Principal Clerk of Assembly *ex officio* is appointed as Adviser to the Board.

1.3 **Communications Group** to have overall responsibility for all internal and external communication; to progress the communications strategy developed by the now defunct Communications Oversight Group; to implement improvements in communications across the whole Church; to support the Media Officer in responding to media enquiries on behalf of the Church and to take over the remit of the current Media Group; to consult widely with Boards, Presbyteries and Congregations as required.

1.3.1 *Membership*: The membership and the Chairman of the Group will be appointed by the Board of Trustees.

1.4 **Media Oversight Group** to support the Church's Media Officer and Parliamentary Officer; to help respond to matters which represent a significant threat to the reputation or impact of the Church; to be consulted on, and help shape major responses to, government consultations and the Church's reaction to government legislation and policy. Given the nature of the work, the Group will conduct its business by telephone and email.

1.4.1 *Membership*: Chairman of Mission Board, Chairman of Board of Trustees, Assembly Clerk, CEO and Mission Director. The Public Engagement Coordinator will be included when the Media Officer is consulting the Group on matters relating to the public square or Government policy.

1.5 **Public Engagement Group** to establish ad-hoc committees, relating to particular areas of policy, as required which can prepare an initial draft response to consultations; to establish a sounding body who will be asked for comments on proposed publications by email; to liaise with the Board of Trustees (or its executive) ahead of any publication, via the Chairman and CEO, to protect the institutional reputation of the Church; to support Presbyteries or Kirk Sessions seeking to engage with Local Government, Health Boards, or other public bodies; to work with and support the work of a Free Church Parliamentary Liaison Officer.

1.5.1 *Membership*: the membership will be appointed by the Board of Trustees in consultation with the Public Engagement Coordinator, and that Group will have a maximum of five members including the Public Engagement Coordinator ex officio, who will chair the Group and the Principal Clerk, ex officio, who will act as Clerk to the Group. The Parliamentary Liaison Officer, ex officio, is appointed as an advisor to the Group.

1.5.2 *Sounding Board*: membership will include a representative from each home Presbytery, a representative of the Mission Board, a Member of the ETS Senate, and other representatives decided by the Public Engagement Group.

1.6 **Practice and Procedures Group** under the oversight of the Assembly Clerks' Office to review the practice and procedures of the Church with a view to improving accessibility and clarity and diminishing unnecessary administrative burdens.

2. **Board of Ministry** to discharge the functions of the Board of Ministry as presently constituted; to assume oversight of matters relating to the working conditions of ministers and other personnel, excluding those connected with the Free Church Offices and Edinburgh Theological Seminary; to work with Presbyteries in seeking to further equip ministers and others in areas such as mentoring, leadership and management skills; to consult with Presbyteries and the Missions Boards in assessing and specifying training needs for ministry candidates in the areas of knowledge, skills and character and to develop appropriate delivery mechanisms prior to, during, and following a formal academic training programme; and to assume responsibility for issues currently remitted to the Panel of Pastoral Advice.

2.1 With reference to the provision of pastoral care and advice, the Board of Ministry shall be at liberty to enlist such additional expertise from around the Church as might be required to deal with situations as they arise.

2.2 The Student Finance Scheme shall be overseen by the Board of Ministry in consultation with the Chief Administrative Officer.

2.3 *Membership:* Ten members in total including the Principal of Edinburgh Theological Seminary ex officio, one additional member of the ETS Senate appointed annually by them on an *ex officio* basis, and one additional member who shall be a minister in a Training Congregation nominated by the Board of Ministry. The remaining membership shall comprise three Ministers and four Elders appointed by the General Assembly for a four-year term renewable for one further term of four years. The Chairman shall be appointed from the membership of the Board by the General Assembly for a four-year term, renewable for one further term of four years. The quorum shall be three members of the Board. The Board shall be empowered to appoint Consultants and Advisors as required, particularly to liaise closely with the Mission Board and to assist with interviews and other functions of the Board.

3. **Mission Board** to discharge the functions of the Home Missions Board and the International Missions Board as previously constituted, and to assume responsibility for developing appropriate denominational partnerships at home and abroad, as well as partnerships with other organisations and agencies, in order to enhance the Church's ability to reach out with the Gospel.

3.1 *Membership:* Eight members in total comprising six ministers and two elders appointed by the General Assembly for a four-year term renewable for one further term of four years. The Chairman shall be appointed from the membership of the Board by the General Assembly for a four-year term, renewable for one further term of four years. The Chairman shall be appointed from the membership of the Board by the General Assembly for a four-year term, renewable for one further term of four years. The quorum shall be three members of the Board.

4. **ETS Board** to discharge the functions of the Edinburgh Theological Seminary (ETS) Board as presently constituted.

4.1 *Membership:* Ten members including the ETS Principal, one member of the ETS Senate, the Chairman of the Board of Ministry and the President of the Students' Representative Council, all *ex officio.* The remaining membership shall comprise three elders and three ministers appointed by the General Assembly for a four-year term renewable for one further term of four years. Elders appointed to the ETS Board shall have suitable qualifications or experience in education, preferably tertiary education, or in the administration or promotion of education. The Chairman shall be appointed from the membership of the Board by the General Assembly for a four-year term, renewable for one further term of four years. The Chairman shall not be a member of the ETS Senate. The quorum shall be three members of the Board.

5. **Ecumenical Relations Committee** to promote, foster and develop relations with other denominations and like-minded believers in seeking the propagation of the gospel and the advancement of Christ's kingdom in Scotland and beyond. The Committee will take steps to promote and protect the position of the Free Church of Scotland with respect to her place in the wider Church. The Committee carried out its remit as defined by this Act and as the General Assembly may appoint.

5.1 *Membership*: Seven members in total comprising the Mission Director, the Mission Board Chairman, the Principal Clerk, Assistant Clerk Representative, the Moderator, the Principal of Edinburgh Theological Seminary, and one Elder, appointed for a four-year term, with the Convener appointed by the General Assembly and the Principal Clerk appointed as Clerk to the Committee.

2. That the termination of the appointment of any member of the Boards and Committees specified above in 1.1-1.6, by death, resignation or discipline, shall be reported as soon as possible after the event to the Assembly Clerks' Office. Upon notification, the Assembly Clerks' Office, in consultation with the relevant Board or Committee, shall proceed to appoint a replacement who shall serve until the ensuing General Assembly at which the relevant Board or Committee shall report on the same.

3. That Presbyteries may nominate Elders and Ministers from other Presbyteries to fill vacancies on Boards and Committees when there is a shortage of eligible and available nominees within their own bounds. The General Assembly, noting the above declaration, amend Paragraph 2 of Act 48, Class 2, 2008 as follows: The Committee when seeking nominations from Presbyteries shall outline for their information the skills and expertise expected of nominees for each vacancy. Presbyteries shall normally nominate candidates from within their own bounds. When there is a local shortage of available and eligible Ministers and Elders, Presbyteries may nominate candidates from outwith their own bounds. If a Presbytery is unable to identify a suitable candidate, the Assembly Clerks' Office shall arrange to fill such a vacancy from elsewhere. Appointments made in these cases shall exist for the duration of the term of service specified, unless terminated by death, resignation, translation to another Presbytery or discipline. Presbyteries are directed to ensure that nominees are available, willing and able to serve *before* submitting their names.

4. That in accordance with Act 24, Class 2, 2003, paragraph 5, a Minister shall not normally be nominated to serve on any Assembly Board or Committee during the first three years of his ministry. This restriction shall also apply to Ministers newly admitted to the Free Church from other denominations.

5. That a person serving a full term on any Committee or Board specified in this Act shall not be eligible for nomination to any Committee or Board until at least one year has elapsed from the date at which the full term of appointment ended.

6. That uninterrupted absence from meetings by any member of a Committee or Board during the period from the General Assembly to 31st December in any calendar year, without good reason given by him and sustained by the relevant Committee or Board, shall be considered a resignation of his membership of that Committee or Board, who shall inform the Assembly Clerks' Office accordingly before 31st January of the ensuing year. Upon notification the Assembly Clerks' Office shall proceed to appoint a replacement who shall serve until the ensuing General Assembly at which the Clerks shall report on the same.

7. That the Assembly Clerks' Office shall consider in October annually impending vacancies to Committees and Boards due at the ensuing General Assembly. After this meeting, and not later than 31st October, the Assembly Clerk shall notify Presbyteries, indicating the vacancies which require nomination from within their bounds, as well as the skills required for these positions and inviting them to submit names of suitably qualified personnel by 31st December. Not later than 15th March the Assembly Clerks' Office shall formulate its Report to the ensuing General Assembly giving due consideration to these submissions and any other matters affecting Committee and Board appointments.

8. That with the exception of the Board of Trustees, each Board and Committee referred to in 1-6 above shall hold three statutory meetings per annum, with the liberty to arrange additional meetings as required.

9. That in the selection of names of Ministers and Elders to form any Special Committee, which is to report to a subsequent Assembly, the Assembly shall not be restricted to its own members.

10. That when the appointment of a Special Committee has been resolved on, the Committee shall not be nominated till the following day, except in cases the urgency of which does not admit of a day's delay.

11. That no Committee shall sit while the Moderator is in the Chair at any Session of the Assembly's meeting.

CONFLICTS OF INTEREST POLICY FOR THE GENERAL ASSEMBLY

1. **Preamble**

This Policy applies to the members of the General Assembly appointed as Commissioners by Presbyteries. The General Assembly, its Committees, and any sub-groups set up by the Assembly during Assembly week are referred to hereinafter as "the General Assembly".

2. **Purpose of the Policy**

The aim of this Policy is to protect the Church and the members of the General Assembly from any appearance of impropriety.

3. **Conflict of Interest**

A *Conflict of Interest* is a set of circumstances that creates a risk that professional judgement or actions regarding a *Primary Interest* will be unduly influenced by a *Secondary Interest*.

3.1. ***Primary Interests***. A *Primary Interest* refers to the main interests and responsibilities of an organisation for the accomplishment of its mission.

3.1.1. The focus of the *Primary Interest* is on the main goals and strategies of the organisation in seeking to fulfil its mission.

3.2. ***Secondary Interests***. *Secondary Interest* means any personal or financial interest, activity, or relationship that the person has other than their primary interest within the organisation, which could influence the conduct or outcome of the processes of the organisation at any given level.

3.2.1. *Secondary Interest* includes personal benefit and is not limited to only financial gain but also such motives as the desire for personal advancement, or the wish to do favours for family and friends.

3.2.2. *A Secondary Interest* is also an interest that gives a person authority or inside information that could be used to benefit the person or their immediate family and friends.

3.3. ***Conflict of Interest***. The *Secondary Interest* is not treated as wrong, in and of itself, but becomes objectionable, or becomes a *Conflict of Interest*, when the *Secondary Interest* is significant enough to influence, disrupt or compromise the person's judgements, decisions or actions. Such conflicts can:

(A) Inhibit free discussion.

(B) Result in decisions or actions that are not in the interests of the Church.

(C) Risk giving the impression that the Church has acted improperly.

4. **The Primary Interest of the Church**

The concept of a *Primary Interest* is of particular relevance when compiling a *Conflict-of-Interest* Policy for the General Assembly.

4.1. ***A Presbyterian Church***. The Free Church of Scotland has a Presbyterial form of Church government in which 'The Lord Jesus, as King and Head of his Church, has therein appointed a government in the hand of church-officers, distinct from the civil magistrate' (WCOF, Chapter 30.1)

4.2. ***The Primary Interest***. The *Primary Interest* of the Church is the observance of Christ's commands, obedience to the Great Commission, and a life of government and practice which is conformed to the Word of God.

4.3. ***Office-bearers***. The Office-bearers of the Church (Ministers and Elders) have the responsibility of governing the Church in its various Courts – General Assembly, Presbytery, and Kirk Session.

4.3.1. The Officer-bearers are ordained into their Office in the name of Christ, with the authority of the relevant Court of the Church, and the authority of Christ is vested in them.

4.3.2. The *Primary Interest* of the Church becomes the *Primary Interest* of the Office-bearer as is evident from the *Questions* asked and the *Formula* signed at the time of ordination.

4.4. ***Representation***. The appointment of Commissioners by Presbyteries and representation in the General Assembly is based upon the number of charges in each Presbytery.

4.4.1. Commissioners at the General Assembly are not representatives in the sense that they are to represent their constituents. They are representatives only in as far as they have been elected or chosen by the people.

5. General Assembly – Conflicts of Interest General

1. ***Primary Interest***. The *Primary Interest* of the Commissioner at the General Assembly is neither his Presbytery nor a Board or Committee of the Church to which he is appointed. His Primary Interest is the observance of Christ's commands, obedience to the Great Commission, and a life of government and practice which is conformed to the Word of God as in Paragraph 4.2 above.

2. ***Conflict of Interest***. A *Conflict of Interest* arises when there is a *Secondary Interest* such as when matters specific to a person's local congregation are under discussion or when there is a *Secondary Interest* such as defined in Paragraph 3 above.

3. ***Participation*.** The Assembly may from time to time take up consideration of matters which are particular to one Presbytery where there is a difference of opinion as to how the interests of the gospel are best served in the locality. Commissioners appointed by Presbyteries have the right and the duty to take part in discussion and debate on matters which are local to their own Presbytery.

5.3.1. *Exceptions.* Normally, there is no inherent *Conflict of Interest* arising from the source of a Commissioner's election as stated in Paragraph 4.4.1 above, but there may be occasions when the General Assembly judges that there is a *Conflict of Interest* for other reasons based on the specifics of a particular case.

5.3.2. *Process. Conflicts of Interest* that arise as per Paragraph 5.1.1. may be brought to the attention of the General Assembly by the Moderator, the Clerks, or by any of the Commissioners. On receiving such information, the General Assembly will rule as to whether a conflict does exist.

4. ***Members of Boards and Committees***. The Boards and Committees of the Church are appointed annually by the General Assembly and as such their *Primary Interest*, and that of their membership, in fulfilling their remit is in harmony with the *Primary Interest* of the General Assembly.

5.2.1. *Conflict of Interest*. A *Conflict of Interest* arises only when there is a *Secondary Interest* such as defined in Paragraph 3 above.

5.2.2. *Participation*. The General Assembly will take up consideration of the reports of all Boards and Committees annually. From time to time, the Assembly will take up amendments and addenda to the reports which result in debate and possibly in voting. Commissioners who are members of the Board or Committee under discussion have the right to participate in the debate and to vote in support of the report of Board or Committees without *Conflict of Interest*.

5.2.3. *Exception*. The right of members of Boards and Committees to participate in the debate and vote as described in Paragraph 5.2.2. excludes the right to propose an amendment or addendum to the report of the Board or Committee on which they are serving unless they have stated their disagreement, and the disagreement was noted, when the original decision was taken.

5. ***Exclusion***. A member of the General Assembly shall not vote at any of its meetings on any resolution concerning any matter in which he has, directly or indirectly, a *Secondary Interest* which is material and which conflicts or may conflict with the interests of the Church. However, such a member may take part in the discussion at the discretion of the General Assembly but will be excluded from the Assembly Hall when the vote on the matter is taken.

6. General Assembly – Conflicts of Interest in a Review Process

The General Assembly, from time to time, will take up business arising from individuals or members of the lower Courts of the Church requesting the review of decisions taken, and judgments made, by the lower Courts. Such requests may come to the Assembly through Petitions, Appeals, or Dissent and Complaint.

6.1. ***Parties at the Bar***. When Petitions, Appeals, or Dissent and Complaint are heard by the General Assembly, the Complainants, the Defendants, or the Petitioners will be at the Bar and excluded from the decision-making process and will be excluded from the Assembly Hall when the vote on the matter is taken.

6.1.1. In matters of reviewing the decisions of the lower Courts of the Church, the Defendant will normally be the Court of the Church at which the original decision was taken.

6.1.2. In the case of a decision of a Kirk Session or Presbytery being brought under review, those who were members of the relevant Court when the original decision was taken, will also be at the Bar.

6.2. ***Conflict of Interest.*** A *Conflict of Interest* will be declared by Commissioners who were appointed as Commissioners by the Presbytery concerned but who were not members of the Presbytery when the decision under review was taken. Any person with a *Secondary Interest* as defined in Section 3 above will also declare a *Conflict of Interest*.

6.3. ***Participation***. Members of the General Assembly who have declared a *Conflict of Interest* or who have been declared conflicted will be excluded from the decision-making process but may take part in the discussion at the discretion of the Assembly but will be excluded from the Assembly Hall when the vote on the matter is taken.

7. Assembly Clerks' Office

The role of the Assembly Clerks' Office is to arrange and administer the meetings and work of the General Assembly. They also provide support to Presbyteries and Kirk Sessions, and to Boards and Committees, in their business and in fulfilling their remits.

7.1. ***Advisory Role***. A significant part of the function of the Assembly Clerks' Office, and especially that of the role of the Principal Clerk, is to advise on matters of Church practice and procedure according to the rules and procedures laid down in *The Practice* and in General Assembly legislation.

7.2. ***The Primary Interest***. The *Primary Interest* of the Assembly Clerks' Office in their advisory role is with reference to the principal goals and activities of the Church in fulfilling the great commission and with reference to the government of the Church arising from their election as Officers of the General Assembly as the *Primary Interest* is referred to in Section 4.2 above.

7.3. ***No Conflict of Interest***. There is no *Secondary Interest* that introduces a *Conflict of Interest* arising from the fact that advice has previously been given to a lower Court of the Church on a matter which comes before the General Assembly. The Principal Clerk, or his substitute, may therefore continue to advise the General Assembly as required.

7.3.1. An exception to this arises should the advice given by the Principal Clerk to the lower Court of the Church is being challenged at the General Assembly. In this case there will be a *Conflict of Interest* and the Principal Clerk will not be able to advise the Assembly, nor will he take part in the decision-making process, and will be excluded from the Assembly Hall when the vote on the matter is taken.

7.4. ***Conflict of Interest***. There is a *Conflict of Interest* regarding the Principal Clerk, or any member of the Assembly Clerks' Office, when they have been part of, or associated with, a decision made by a lower Court of the Church which later comes before the Assembly for review. This participation in a process leading to the decision under review becomes a *Secondary Interest* which introduces a *Conflict of Interest*.

7.5. ***Participation***. The *Conflict of Interest* on the part of the Principal Clerk, or the Assistant Clerks, is recorded and means that they cannot participate in the discussion or the debate and nor can they vote in the proceedings. The Principal Clerk or the Assistant Clerks may, however, give advice on procedure as required and as considered appropriate by the General Assembly. They will be excluded from the Assembly Hall when a vote on the matter is taken.

8. The Moderator

The Moderator of any meeting of the General Assembly shall demit the Chair for consideration of any resolution concerning any matter in which he has directly or indirectly an interest or duty which is material and which conflicts or may conflict with the interests of the Church. In the absence of the Moderator of the previous General Assembly, another Commissioner, who has served as Moderator of the General Assembly in the past shall be appointed by simple majority to take the Chair for consideration of that item.

9. **Declaration of Interests**

9.1. ***Personal Declaration***. If a *Conflict of Interest* arises at a meeting of the General Assembly, the member who has a *Conflict of Interest* shall be obliged to declare his interest prior to any discussion taking place. Anyone who thinks they may have a *Conflict of Interest* should consult with the Assembly Clerks.

9.2. ***Declaration by Officers***. If a member of the General Assembly fails to declare an interest which is known to the Moderator or the Principal Clerk, or known to any other member of the Assembly, then such other persons must declare that interest.

9.3. ***Participation***. The member who declares such a *Conflict of Interest* should not be involved in any decision relating to a matter in which he or she has a material interest. He may be present at the discussion but if

the Moderator or Convener of the meeting considers that the presence of the person declaring may inhibit free discussion, or be seen to do so, he should request that the person so declaring absents himself for the discussion.

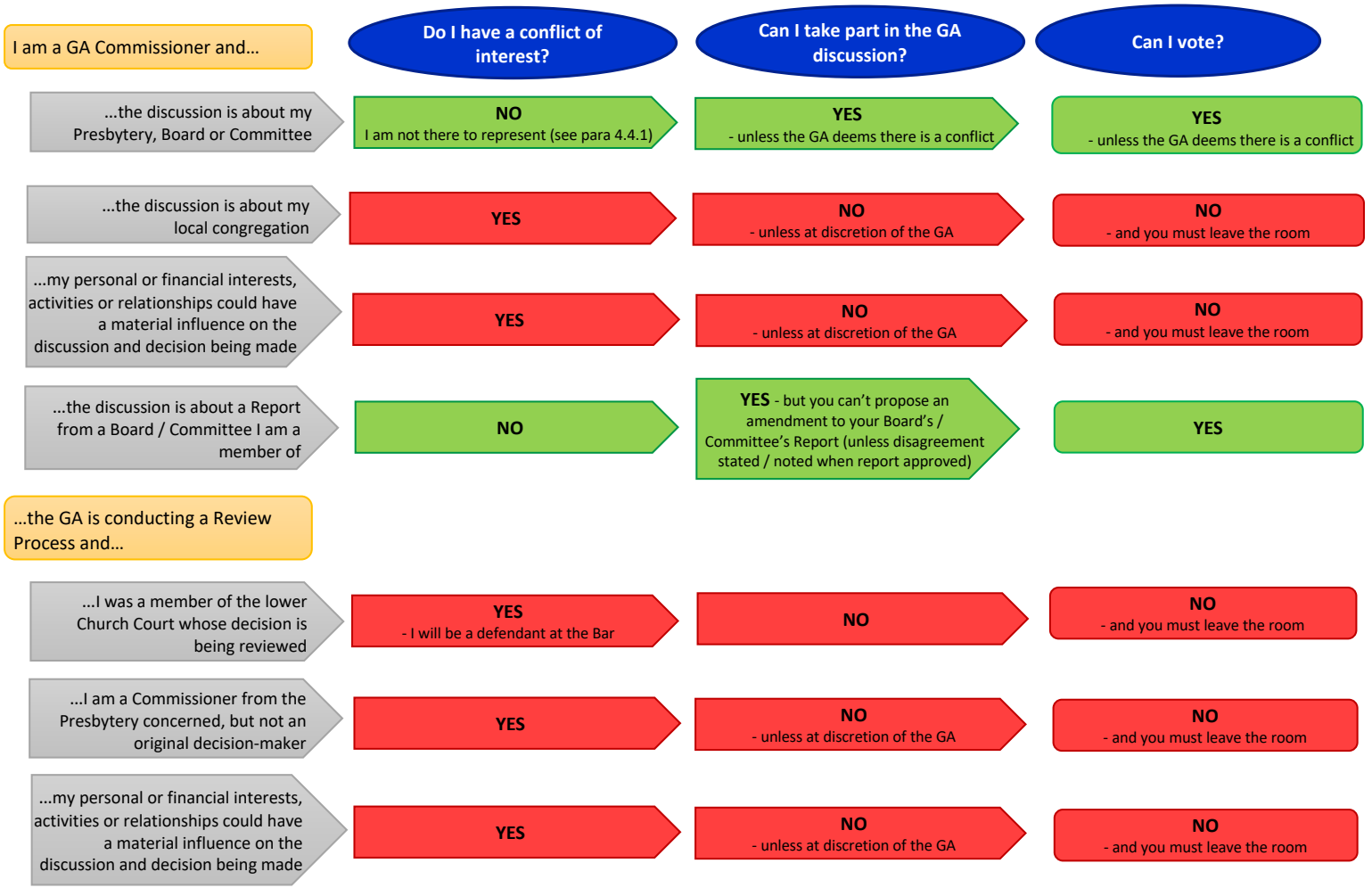
9.4. ***Removal of Parties***. The member who declares a *Conflict of Interest*, or who is found to have a *Conflict of Interest*, shall be excluded from the Assembly Hall when a vote is taken on the matter under consideration.

9.5. ***Recording***. All declarations of interest will be recorded by the Clerk and reported in the Minutes of the General Assembly along with actions taken regarding the Conflict in each case.

APPENDIX ONE

CONFLICT OF INTEREST POLICY – FLOWCHART

The General Assembly ('GA') Conflicts of Interest - Summary Decision Flowchart for Commissioners April 2023

COLOUR CODE – GREEN = participation; RED = no participation

If you have any doubts about Conflict of Interest, you should contact the Assembly Clerks.