

136th Synod of the Diocese of Fredericton

RESOLUTIONS (submitted after circular print deadline)

MOTION 2017-06 – Notice of Motion re. Youth Delegate/Substitute Age Threshold

The Rev. Dan McMullen / The Rev. Christian Persaud

I give notice that, at the next regular session of the Diocesan Synod, I will move that the Constitution be amended to lower the age ceiling for youth delegates from 35 to 25.

MOTION 2017-07 – Mediation Support in New Brunswick Family Courts

The Rev. Thomas Nisbett / Ms. Kathy Page

MOVED THAT:

The Diocesan Synod urge the Government of New Brunswick to:

- a) Introduce a system of Mediation Support for all cases proceeding through the New Brunswick Court of Queen's Bench - Family Division that cannot be resolved with a single hearing;
- b) Give judges in the Court of Queen's Bench - Family Division the option, through legislation, of requiring parties to participate in a Mediation Program prior to any Court hearing; and,
- c) Establish a cadre of trained, volunteer professionals to provide Mediation Services to parties journeying through the Family Court system.

Background: *Marriage break-ups are stressful at the best of times. The Court system is, by its very nature, combative and inflexible. In a Family Court environment it is almost impossible for parties to construct a series of arrangements that would be acceptable to both parties -- usually someone wins and someone loses. All too often, it is the children who suffer most when estranged parents bicker openly in public or in private.*

While the Church does not, in any way, advocate divorce over marriage, it is a fact of life in our society and its ramifications must be taken seriously. Custody battles and child support hearings occur frequently and are almost always unpleasant undertakings. Such episodes rarely happen without lasting social, psychological and emotional scars for those concerned.

Any neutral observer at a Family Court in New Brunswick has only to visit once or twice to realize that cases come before a judge up to four or five times before final resolution. Almost always, issues could have been resolved through mediation prior to the formal hearing.

In 2009, the mediation function within the New Brunswick Court of Queen's Bench - Family Division was eliminated in an attempt to save money. Many of the issues that should be resolved before a scheduled hearing are now left for a judge to decide. This ties up valuable Court resources for hours at a time. It is the opinion of the proponents of this Motion that the elimination of Mediation Services in the Family Court has served to increase costs, not reduced them.

Currently, the Government of New Brunswick has a pilot project in the Family Court in Saint John to ascertain the efficacy of a mediation process in certain Family proceedings. As with most pilot projects, however, many of its proponents feel that it is under-resourced and lacks the credibility or effectiveness of something permanent.

One cost-effective option to re-establish a Mediation System for the Court of Queen's Bench - Family Division might be through the use of trained volunteers from a variety of helping professions outside the Court system. Social workers, medical professionals, clergy, retired officers of the Courts, and others could be vetted, trained and commissioned to provide mediation support to parties journeying through the Family Court system. This, it is believed, would help to lessen the stress, antagonism and harm that the process inevitably inflicts on its participants.

MOTION 2017-08 – Protection of Religious Freedom

The Rev. Shirley Noseworthy / The Rev. Robert LeBlanc

MOVED THAT:

The Diocesan Synod write the federal Minister of Justice to express the Synod's opposition to the proposed repeal of section 176 of the **Criminal Code**, which specially protects faith leaders and faith communities from violence and disturbance in worship.

***Background:** On June 6, 2017, as the House of Commons drew to a close, the Liberal Government of Canada introduced Bill C-51, which includes a clause to repeal section 176 of the Criminal Code that gives specific protection to individuals to practice their religion – regardless of what that religion may be – without fear of interference and obstruction.*

While the government claims that its intent is to clear obsolete, redundant, or unconstitutional sections from the Criminal Code as well as strengthen sexual assault laws, the Bill contains a startling clause to drop Section 176, which specifically protects religious freedom of faith leaders and faith communities from violence and disturbance.

The section is not obsolete, having been used to lay charges as recently as this year. CTV reported on June 12 that the Ottawa Police charged a 52-year old woman with "breach of judicial release and disturbing a religious worship" after an April 30 incident in which a screaming woman allegedly leapt onto the communion rail at St Patrick's Basilica just before Mass and tore the right arm off the Corpus of Christ on the Crucifix.

On October 24, 2017, Saskatchewan MP David Anderson expressed concern during Question Period with comments made by the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, sponsor of Bill C-51. Anderson said, "She is removing the only special Criminal Code protection for religious leaders and places of worship." He went on to say, "C-51 strips away protections for religious communities and their leaders – of all faiths. At a time when violent attacks and vandalism directed toward people of faith are increasing, we want to know why."

Bill C-51 has already passed second reading vote and will be studied by the House of Commons Justice Committee this fall.

At a time when secularism is on the rise and the Christian church is in decline in Canada, it is important that Canadians are free to practice their religion without fear. The removal of these protections sets a dangerous precedent for something so important to who we are as Canadians and as Anglicans in the

Diocese of Fredericton. I urge this 136th session of Diocese Synod to call on the Liberal Government to stand up for the democratic rights of Canadians and support this fundamental freedom. As laity and clergy in the Anglican Diocese of Fredericton, let us step forward to defend the rights that we currently have and not allow the Government to attack our right to worship in peace.

Section 176 of the Criminal Code of Canada reads as follows:

176 (1) Every one who

(a) by threats or force, unlawfully obstructs or prevents or endeavours to obstruct or prevent a clergyman or minister from celebrating divine service or performing any other function in connection with his calling, or

(b) knowing that a clergyman or minister is about to perform, is on his way to perform or is returning from the performance of any of the duties or functions mentioned in paragraph (a)

(i) assaults or offers any violence to him, or

(ii) arrests him on a civil process, or under the pretence of executing a civil process, is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

(2) Every one who wilfully disturbs or interrupts an assemblage of persons met for religious worship or for a moral, social or benevolent purpose is guilty of an offence punishable on summary conviction.

(3) Every one who, at or near a meeting referred to in subsection (2), wilfully does anything that disturbs the order or solemnity of the meeting is guilty of an offence punishable on summary conviction.

MOTION 2017- 09 - A Missional People

The Rev. David Peer / Mrs. Coralie Losier

MOVED THAT:

- a) The Diocesan Synod recommend to the Greater Chapters that their January/February meeting agenda include the video series based on the book **Surprise The World: The Five Habits of Highly Missional People** by Michael Frost;
- b) The Archdeacon, Lay and Cleric members of Diocesan Council from each Greater Chapter work together to provide leadership for this meeting and encourage and support the clergy, parish lay and substitute synod members and wardens to enable parishes or groups of parishes to engage with the book during Lent;
- c) Each Parish Corporation's cleric, wardens, delegates and substitutes to synod work together to have their parish and its congregations study the book during Lent; and
- d) After Lent, the Archdeacon, Cleric, and Lay member of Diocesan Council report back to council at each meeting on the missional actions taken by parishes or groups of parishes in their Greater Chapter.

Background: The Synod program committee recognize that delegates are coming to synod to participate in a decision-making body that has as its primary aim discerning the will of God for the Diocese of Fredericton. The Bishop asked us to reflect on a program for Synod that is mission focused: what does it look like to make an impact on our communities? What do we do, beyond Sunday morning and outside our buildings, that shows we are kingdom-oriented believers?

As Christians gathered together, our definition of mission spans a spectrum of understanding and expectations. Nevertheless, our task as disciples of Christ is to live our faith in action. Your Diocesan Synod program committee wanted to introduce a way of looking at mission that would provide a practical approach to following Jesus, to being a disciple, and to building communities that bless the wider community.

*The Synod program committee selected a short video series to show at Synod based on the book **Surprise The World: The Five Habits of Highly Missional People** by Michael Frost as a way of looking at our mission to the wider community, following each video with an interview as a way of understanding the impact of disciples in our Diocese. Our expectation is that Synod delegates will take this way of looking at mission back to Greater Chapters and parishes, and that leaders in the Greater Chapter, Deaneries, parish corporations, and congregations will encourage congregations to engage with the book in Lent. Our hope is that congregations will study the book in Lent and respond. We also hope that the Archdeacon, Cleric, and Lay member of Diocesan Council will report back at each meeting of the Council on actions taken by parishes or groups of parishes in their Greater Chapter, as a way of revealing the work of the people of this diocese.*

MORNING PRAYER MONETARY OFFERING DIRECTION

Bishop McAllister College and Anglican Seminary, Kyogyera, Uganda *“Soaring to Great Heights”*

The Rev. Canon Paul Jeffries writes:

...We are very excited to be the beneficiaries of the Synod collection... for the Library construction project. We have made good progress this year. We ran out of funds in early September when we



were beginning work on the oversite (concrete slab). But we have raised enough funds now to complete it. The next phase is the biggest hurdle as it is the most costly phase, the suspended slab for second floor. Its cost has been estimated at 140,000,000 Ugandan shillings (\$50,000 Canadian). My goal is to raise these funds from three sources. Old Students Association 45 million/\$16,000; current students 45 million/\$16,000; and overseas church support 50 million/ \$17,850.

These photos are not the library, but will give you an idea of what I'm talking about.

...we will greatly appreciate what ever support is sent to us.

Greetings to everyone at your end!

God bless!

Website: <http://bishopmcallistercollege.com/>

