

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

18th March, 2025

Proposition No. P.2024/105

POLICY & RESOURCES COMMITTEE

RECTORIES IN PLURALITY

AMENDMENT

Proposed by: Deputy J A B Gollop

Seconded by: Deputy J P Le Tocq

1. Immediately following Proposition 1, to insert the following proposition:

“1A To resolve in principle that the customary law obligation requiring parishes to provide rectory accommodation for Rectors should be repealed, and to direct the next Policy & Resources Committee to:

- i. Undertake consultation with affected stakeholders, including Rectors and the Church of England, to assess the legal, financial, and practical implications of repeal;
- ii. Conduct a full review of the legal and financial consequences of removing this obligation, including compliance with Article 1, Protocol 1 of the European Convention on Human Rights (ECHR), the potential need for compensation, and the impact on parishes and the Church; and
- iii. Return to the States by December 2026 with either a detailed Projet de Loi to repeal the obligation or further policy proposals.”

Rule 4(1) Information

- a) The amendment neither supports nor detracts from the States' strategic objectives.
- b) In preparing the proposition, consultation has been undertaken with the Law Officers of the Crown.
- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no financial consequences to this amendment.
- e) Drafting advice has been sought from officers working to the Policy & Resources Committee and the States' Greffier.

Explanatory note

This amendment seeks to establish a resolution in principle that the customary law obligation for parishes to provide rectory accommodation should be repealed. While the original proposition in the Policy Letter focuses on the narrower issue of rectory maintenance in plurality arrangements, this amendment addresses a broader, but related, issue regarding the long-term sustainability and legal enforceability of parish obligations.

The Committee initially considered drafting an amendment to repeal the customary law duty outright but, following legal advice, has determined that further work is required before such a change can be enacted. The advice highlighted potential legal risks, including compliance with the European Convention on Human Rights (ECHR), financial implications, and the need for consultation with key stakeholders, including Rectors and the Church of England.

By resolving in principle to repeal the obligation and directing the next Policy & Resources Committee to conduct the necessary consultation and analysis, this amendment provides a clear policy direction while ensuring that the legal and financial risks are properly managed. This approach balances the need for reform with the importance of due process, stakeholder engagement, and legal certainty.