

## IN RE: THE REVEREND RICHARD COEKIN

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### Note of Advice

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1. We have been asked to advise the Reverend Richard Coekin on the accuracy of the press releases issued by the Archbishop of Canterbury and the Bishop of Southwark on 5 and 6 June 2006, respectively, in relation to Mr Coekin's successful appeal against the summary revocation by the Bishop of Southwark of his licence.

#### **Archbishop of Canterbury's press release**

2. The press release issued by the Archbishop of Canterbury, in our view, seriously misrepresents the findings contained in the report of the Bishop of Winchester dated 2 June 2006.
3. In his report, the Bishop of Winchester not only found "*that the procedure leading up to [the Bishop of Southwark's] decision ... was seriously flawed (paragraph 29)*" (paragraph 38), but also found that "*summary revocation was a disproportionate outcome in the circumstances of the case*" (paragraph 37).
4. The Archbishop's press release (as we read it) implies that if the Bishop of Southwark had followed the correct procedure the summary revocation would have been upheld. In fact, the contrary is the case. Summary revocation was found to be a disproportionate outcome regardless of the procedure adopted.
5. Many will read the Press Release only. By the omission of one of the Bishop of Winchester's two critical findings, it seems to us that the Archbishop's statement is seriously misleading.

#### **Bishop of Southwark's press release**

6. The press release issued by the Bishop of Southwark, in our view, contains serious inaccuracies.
7. Contrary to paragraph 2, the Archbishop did not conclude that the ordination arranged by Mr Coekin was illegal. The Archbishop did regard Mr Coekin's conduct as meriting censure because, amongst other things, the Bishop of Winchester had found that Mr Coekin "*bore some degree of responsibility*" for "*the use of a parish*

*church for the acts of worship of religious bodies outside the scope of the Canons*", which he found to be a breach of Canon law (paragraphs 33 and 34). The Bishop of Winchester had also found, contrary to the Bishop of Southwark's contentions, that the CESA ordination was not in breach of Canon law (paragraph 31). Consequently, the ordination itself was legal. The only illegality found in connection with the ordination concerned the venue in which it occurred.

8. Contrary to paragraph 3, the Archbishop did not cancel the revocation of Mr Coekin's licence for technical reasons. The Archbishop cancelled the revocation "*for the reasons given in [the Bishop of Winchester's] report*". The Bishop of Winchester had concluded that the procedure leading up to the Bishop of Southwark's decision to revoke was "*seriously flawed*" (paragraph 38) and that, even when the conduct of Mr Coekin meriting censure was taken into account, "*summary revocation was a disproportionate outcome in the circumstances of the case*" (paragraph 37). These conclusions are matters of substance, not technicalities.
9. Contrary to paragraph 4, the Archbishop has not determined that the undertakings recommended by the Bishop of Winchester fall within Canon law. The Archbishop did state that the content of the draft undertakings "*reflects the legal obligations which Canon law imposes upon any licensed minister*". Whilst the Archbishop has expressed this view, it cannot have the status of a determination of the legal issues involved in circumstances where (1) the Bishop of Winchester had expressly declined to address the arguments advanced on Mr Coekin's behalf at the appeal hearing about the scope of the duty of canonical obedience (paragraph 30) and (2) the issue whether the draft undertakings reflect legal obligations imposed by Canon Law cannot be determined without addressing the arguments advanced about the scope of the duty of canonical obedience.

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8 June 2006