

Structures and Procedures: A Protocol for the admission of Religious Congregations and Members for Pastoral Ministry in England and Wales

Background to this Paper

For some time there have been difficulties with individuals and new religious orders coming into England and Wales in their relations with the local Church. There is also concern when religious are invited from religious congregations who already have an established presence in England and Wales. This paper is intended to address some of these issues and to make recommendations to both individuals and new religious congregations about the processes of establishing a domicile in England and Wales, and further, to ministering within the local Church.

In the following, religious congregation is used generically to address religious orders, congregations and other institutes of apostolic life.

For Religious Congregations

1. If a religious congregation wishes to establish itself in the jurisdiction of the Bishops' Conference of England and Wales, they should immediately approach the local Ordinary into whose diocese they wish to be domiciled.
2. It is strongly recommended that all religious congregations, especially those of Pontifical Right, should consider being registered as a charity in civil law, following the procedures as laid down by the Charity Commission and that the Superior of the congregation should have formal training in financial and safeguarding laws and protocols to ensure that they are aware of their civil and canonical responsibilities.
3. If the local Ordinary responds positively to an approach from a religious congregation to establish a house within his jurisdiction, or if he approaches the religious congregation himself, he must adhere to the universal law governing these matters, and be aware of the Particular Law governing the congregation (cf CIC nn681; 678 §2,3).
4. Members of new religious congregations should be encouraged by the local Ordinary to become members of the Conference of Religious of England and Wales (CoREW)
5. The members of the religious congregation coming to England and Wales must have appropriate letters of Good Standing and if appropriate, Testimonial of Suitability for Ministry, from the legitimate major superior of the congregation.
6. All new religious congregations coming to England and Wales must align themselves with a Safeguarding Commission before they begin any ministry. All members of the community must undergo a recognised training course for Safeguarding principles in England and Wales and subsequent Vetting and Barring disclosures. CSAS will be able to support the new community in this work.
7. The Diocesan Ordinary has the responsibility for ensuring the significance of Safeguarding and the requirements to follow the National Safeguarding Procedures of the Catholic Church in England and Wales is clearly understood by the members of the new religious congregations. He, or his recognised delegate, will ensure that all necessary safeguarding checks, including those in para. 5 above, are implemented.
8. No member of a religious congregation of any type should undertake any pastoral work in the dioceses of England and Wales until they have completed the formal Safeguarding protocols.
9. Diocesan Ordinaries are responsible for ensuring that the Guidelines for Welcoming Priests from Overseas are followed.

10. Canonical agreements made between the Diocese and the religious congregation are not binding in civil law unless the parties expressly agree a provision which is binding.
11. The Diocesan Ordinary should ensure that the agreement with the religious congregation covers any conflict resolution, termination of ministry, time limits, renewal, amendments, holiday provision, retreats, numbers of religious in houses, liaising with Vicars for Religious, financial arrangements with the Diocese and fundraising activities.

The agreement should state clearly, either within it or as an annex to it, the scope and parameters of the apostolic work to be undertaken by the religious congregation. The agreement should state within it the necessary provision of insurance to be taken out for the religious congregation whilst working in this jurisdiction. Help for this can be obtained from CoREW or the local Diocese.

The agreement should also state the necessity of being aligned to a Safeguarding Commission (diocesan or otherwise) and which Commission.

Signed copies of this agreement should be lodged with the Diocesan authorities and the religious congregation.

12. If a new religious congregation seeks to enter England and Wales and there already exists within the jurisdiction a house of that congregation, there has to be a formal relationship with the local major superior who must be party to these deliberations.

For individual members of religious congregations

1. Any member of a religious congregation entering England and Wales from overseas must abide by the Immigration Law of the UK. This is especially important for non-EU nationals who arrive on Tier 2 and Tier 5 visas. They are particularly bound by the legal restrictions of those visas and it is the responsibility of the local superior to ensure there is no violation of those provisions.
2. Any member of a religious congregation entering England and Wales for pastoral ministry of any kind must be aware of and complete appropriate Safeguarding training in this country. This will include the presentation of a Testimonial of Suitability for Ministry from his legitimate major superior, the undertaking of some form of local formation on the Church in England and Wales, and submission to a Vetting and Barring disclosure before any pastoral ministry begins. The local major superior must be party to these deliberations.
3. The local superior should, with reference to the general provisions laid down in the agreement with the Diocese on the scope of apostolic work, ensure that a proper induction of any new member of the community, priest or otherwise, is taken place within a month of arrival.
4. The Local Ordinary must consult the Major Superior who is already present in the territory of England and Wales, so that those invited are in compliance with the particular law of the congregation.

General Provisions

1. This protocol is in addition to the existing agreements with dioceses and any Particular Law of the dioceses regarding apostolic work of religious.
2. This protocol should be read in conjunction with the structures and procedures already agreed by the Bishops' Conference of England and Wales for the Polish Mission and the Italian Catholic Mission within their jurisdiction.

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Agreed and accepted by the Bishops' Conference and Conference of Religious for England and Wales
January 2019