

Anglican Network in Canada NEWS RELEASE

## Anglican Church of Canada chooses litigation over negotiation

FOR IMMEDIATE RELEASE: 19 April 2008

The Anglican Church of Canada's House of Bishops has rejected an overture from the Anglican Network in Canada (ANiC) to seek negotiated settlements of property disputes rather than pursue litigation.

Bishop Donald Harvey, moderator of ANiC, expressed his disappointment, and said that, while he was fully aware of the sensitivities of "diocesan autonomy" and wasn't surprised at this response, "I had hoped the Primate would have attempted to facilitate negotiations between the dioceses and the Anglican Network parishes."

In a [letter to the Bishops](#) of the Anglican Church of Canada (ACoC), dated 11 April 2008, Bishop Harvey wrote:

*As you know, litigation has occurred in various parts of Canada as a result of the votes of some parishes to join ANiC. Further litigation is contemplated or expected in other places. I think we can all agree that such litigation has been damaging for the mission of the church and is a poor witness to the very people with whom we are called to share the good news of Jesus Christ. At the end of the day, neither the Anglican Church of Canada (ACoC) nor ANiC will end up a "winner" in the courts and we will both find our mission hindered by the distraction and cost of such litigation.*

*We would like to propose a meeting at the earliest possible opportunity with the Primate, the Most Reverend Fred Hiltz, and any affected ACoC bishops, together with representatives from ANiC, and our respective legal counsel, to discuss the possibility of pursuing alternate dispute resolution mechanisms (i.e. negotiation, mediation or arbitration) to address the outstanding issues between the ANiC parishes and the ACoC bishops or dioceses. It would be much better for everyone concerned if we could work out some interim arrangements between ourselves without the necessity of resorting to the civil courts.*

*We recognize that any decisions will have national impact and therefore propose that all affected bishops be at such discussions, which would be without prejudice to either party's legal rights to employment issues, ownership and use of parish property and assets or any other issue that should arise from the discussions.*

*In the spirit of 1 Corinthians 6, we pray that you will consider meeting with us in a spirit of peace and in a more amicable setting to discuss the way forward in light of the profound theological differences that have arisen between us and that are currently being addressed in the global Anglican Communion. Peaceful negotiations will always leave the door to future reconciliation open but we fear that further litigation will lead to irreparable harm that will close that door forever.*

The ACoC [statement](#) from their recent House of Bishop meeting and an April 18 [Anglican Journal story](#) confirm the rejection of ANiC's peacemaking overtures.

Currently, four ANiC parishes are in legal disputes with ACoC dioceses:

- Parishioners of St Mary of the Incarnation (Metchosin) in Victoria were locked out of their church by Bishop James Cowan of the Diocese of British Columbia on April 4<sup>th</sup>. A court ordered the Diocese to return the church building to the parishioners the following day and ordered the parties to return to court before May 3 to consider a longer interim order.
- The Diocese of Niagara took three southern Ontario ANiC churches to court seeking to evict the congregations from their buildings or, failing that, to have joint administration and shared use of the church buildings. The three churches, St George's (Lowville), St Hilda's (Oakville) and Church of the Good Shepherd (St Catharine's) were given sole access to their buildings in an initial court decision and now await the longer interim decision of Madam Justice Milanetti stemming from a hearing on March 20.

As well, the Diocese of New Westminster issued statements of "Presumption of Abandonment of Ministry" to clergy in ANiC parishes in the Vancouver area. Some of these clergy, including the Rev Dr J I Packer, a world-renowned Anglican theologian, serve in the Vancouver parishes of St John's Shaughnessy, the largest Anglican parish in Canada, St Matthias and St Luke and Church of the Good Shepherd, the largest Chinese Anglican church in Canada. In addition, clergy and deacons in three other ANiC parishes in the Fraser Valley were served with these notices, including St Matthew's and Church of the Holy Cross in Abbotsford and Church of the Resurrection in Hope. Clergy were given until Monday, April 21, to respond to these charges.

Anglican Network in Canada parishes are committed to remaining faithful to Holy Scripture and established Anglican doctrine and to ensuring that orthodox Canadian Anglicans are able to remain in full communion with their Anglican brothers and sisters around the world. Since the ANiC launched its ecclesial structure last November under the jurisdiction of the Anglican Province of the Southern Cone, it has received two bishops – Donald Harvey and Malcolm Harding – and 15 parishes.

**Contact:**

Marilyn Jacobson, communications  
Anglican Network in Canada  
604 929-0369  
604 788-4222 cell  
[mjacobson@anglicannetwork.ca](mailto:mjacobson@anglicannetwork.ca)  
[www.anglicannetwork.ca](http://www.anglicannetwork.ca)