



Anglican Network in Canada

Anglican Network in Canada NEWS RELEASE

BC court denies congregation's request for permission appeal

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Today, a judge of the BC Court of Appeal, Madam Justice Rowles, denied a request by the congregation of St. Mary of the Incarnation in Metchosin (St. Mary's), for leave to appeal an earlier decision related to use of their church building. That decision gave the Diocese of B.C. in the Anglican Church of Canada exclusive access to the entire property – which includes two separate church buildings – pending resolution of a trial over who is entitled to ownership of the building.

“We are obviously disappointed,” said Cheryl Chang, Anglican Network in Canada Chancellor, “because the facility the congregation is currently meeting in was not designed for a church and has limitations. However, we're very excited about recent international developments in the Anglican world, particularly the recent Global Anglican Future Conference, which clearly recognized all Anglican Network in Canada parishes, including St. Mary of the Incarnation, as part of a worldwide majority of global Anglicans. We will be consulting with our legal counsel next week to determine our options at this point.”

This court decision only pertains to the matter of who uses the church buildings between now and the eventual trial to decide ownership of the property. It does not affect that ultimate decision of who will be found to be the “beneficial” owner of that property. In other words, a determination of who that property is held “in Trust” for.

In February, St. Mary's congregation, which has a membership roll of 225 people, voted overwhelmingly to realign within the Anglican Network in Canada, under the jurisdiction of the Anglican Province of the Southern Cone.

There are two church buildings in the parish of St. Mary's, the larger of which houses up to 230 people, while the smaller heritage building houses 90 people and has a parish hall.

St. Mary's has an average Sunday attendance of about 130 to 150 people and had used their church building throughout the week for mission and ministry. The few who voted against the realignment could easily have continued to meet in the heritage church and parish hall while the issues of ownership were being determined, thereby preserving the rights of both parties pending the outcome of the ownership decision.

“I guess the secular courts don't appreciate the importance of a church building as a place of worship for a people of faith, in addition to its importance to the ministry of that congregation,” said the Rev Andrew Hewlett, St Mary's associate priest. “It seems the judges have accepted the diocese's argument that allowing us to continue to worship in our building until the ownership is decided puts the diocese and bishop at considerable risk.”

“We realize that when you stand on your convictions, there are real costs, but we have to do the right thing and be faithful Anglican Christians,” added Hewlett. “One thing we’ve learned from our Anglican brothers and sisters in Africa, South America and Asia is that the church grows when it is persecuted. This was also true in the first century. The apostles were martyred for heaven’s sake! It’s a small price to pay for being true to our Anglican heritage.”

“Like others in this congregation, I helped build the church facility on our property 18 years ago and have been helping with and paying for its maintenance ever since,” said Bud Boomer, a parishioner at St. Mary’s. “Now to be denied use of the facility is a bit hard to take. However, our church is about people, not buildings. So, if being faithful Anglicans means we must leave our building, temporarily or otherwise, so be it.”

Members of the Anglican Network in Canada 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 it launched its ecclesial structure last November under the jurisdiction of the Anglican Province of the Southern Cone, ANiC has received two bishops – Donald Harvey and Malcolm Harding – and 17 parishes. ANiC is actively involved with the Global Anglican Future movement which held a historic conference in Jerusalem last month.

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