

Understanding the Canterbury Vacancy in See Committee (ViSC) Election Result

The circulation of the initial details of the election of 16 people to serve on the Canterbury Vacancy in See Committee (ViSC) signalled that the sorry saga was continuing. A proper understanding awaits publication of the full voting record as required by the rules ([paras 30-32](#)). This record which sets out the journey from first preference votes to the outcome of who is elected is always complicated because of the use of the Single Transferable Vote (STV). It is even more so in this election because it is not a simple matter of electing those with most votes as might be expected in a democratic process. Nor is STV (with its careful consideration of preferences) as able to secure a more proportional representation of voters among those elected as it is in other elections. This is because there are so many requirements which need to be met in relation to the outcome and these act as what are called “constraints” on the result.

In particular, these include the new constraint just introduced which seeks to prevent two people who are part of the same worshipping community (what is technically called having a “relevant connection” with each other) from being on the ViSC. This applies to elected candidates not having such a connection with any *ex officio* members (although *ex officio* members can have a relevant connection with each other as is the case in Canterbury with the Dean and the Archdeacon of Canterbury both being based in the Cathedral). It also prevents two people with such a connection both being elected to the ViSC. This constraint now runs alongside the longstanding constraints in ViSC elections that there should be a certain number of clergy and certain number of laity elected from each Archdeaconry in the diocese (here 2 and 4 respectively).

This additional “relevant connection” constraint further complicates and distorts the election process. As noted in [Appendix 2 of the STV Rules 2020](#):

When constraints are required in an election they impinge on the expressed wishes of the voters. The inclusion of Part 6, which addresses the way in which constraints are to be considered, is not intended as an encouragement to their use.

Sadly the General Synod in passing the new Regulations with limited scrutiny do not appear to have been briefed [in the Synod paper](#) explaining the new proposals on this recognised problem. Nor were they fully informed of other implications of the new Regulations or the way these would be applied in an actual election process. The Canterbury ViSC election has now demonstrated the problems that indeed arise when more constraints are required in an STV election.

An odd result

The peculiar way in which constraints impinged upon this election is evident from the figures that have been so far made available. These simply give the number of first preference votes for each candidate. Although this is usually a fairly reliable pointer to some degree as to which candidates will be finally elected it is not a sure guide because each single vote expressed in a first preference is then transferable (hence STV) in whole or in part to another candidate should it not be needed in full or at all by the first preference. This transfer might be because they are the bottom candidate and so are eliminated from the process or because they are elected but have more votes than needed to be elected.

There were immediately obvious anomalies given the distribution of the 88 votes being counted to try to elect 16 ViSC members from the 23 candidates. These were most notably:

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- Two candidates managed to get elected despite nobody having them as their first preference
- Four were elected with only one person having them as their first preference
- One candidate who got 10 votes (behind one with 16 and two with 11 and ahead of all the other 19 candidates) was not elected
- The majority (8) of the 15 candidates elected had gained two or less first preferences and another 3 had received only 3 or 4 first preferences.
- In fact 11 of the 15 finally elected had between them only 21 of the 88 first preference votes.

Some of these oddities arise simply because of the need to elect 2 clergy and 4 laity from 3 different Archdeaconries and are perhaps replicated in other ViSC elections. But this does not explain everything. Notably,

- The only ordained woman whose first preference votes were counted (the other on the ballot was excluded as explained below) was standing to represent the clergy of Ashford Archdeaconry. She got 10 first preference votes but it was a clergyman from that Archdeaconry with only 8 first preference votes who got elected ahead of her
- A lay woman in Maidstone who got no first preference votes was elected over a lay woman in Maidstone who got 2 first preference votes.

What is going on?

So how did all this happen? What went wrong? There appear to be at least the following five steps which need to be considered in trying to understand this bizarre outcome.

Ineligible candidates with “relevant connection” on ballot

Firstly, two candidates were on the ballot paper who could not be elected. I know one of these (a young lay man) worships in the church led by an evangelical member of General Synod and so an *ex officio* member of the ViSC already. I suspect the other (an ordained woman) must also have had a “relevant connection” with an *ex officio* member. Their ineligibility was not made clear on the ballot paper although voters were informed of it separately after voting opened.

Questions can be raised as to the justice of ruling them out on this basis not least as they were eligible for election when the election was called and may well have been eligible for election on the day nominated. This is however unlikely to have contributed to the voting oddities noted above because they were immediately declared ineligible and any voters who had voted for them as their first preference had their second preference (assuming they recorded one) registered as a first preference. We therefore do not know how many voters’ first preferences were for these two candidates or if any votes were lost due to their immediate exclusion.

This process is in line with the STV Rules ([Section 3\(3\)](#)) given the new regulation prohibiting relevant connections but it is the case that in the past, and under the Regulations when the election started, they would have been eligible for election.

Candidates judged elected unopposed on ballot

Secondly, and here **contrary to the STV Rules**, and representing the opposite problem, there were 5 candidates who should not have been on the ballot paper but were.

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This is because of the longstanding constraints based on the need for certain numbers of clergy and laity from each Archdeaconry. The first rule about constraints states

Rule 75 of the Church Representation Rules (constraints in elections) applies to an election conducted under these Rules with whatever modifications are necessary ([Section 24\(2\)](#))

This Rule [reads](#)

75 (1) Where there is a requirement in an election conducted under these Rules or under rules made under Rule 42 or 56 for a given number, or at least a given number, of the places available to be filled by candidates of a defined category, the presiding officer must examine the valid nominations to ascertain the number of candidates of that category.

(2) If the number of candidates of that category who are nominated is less than or equal to the required given number –

(a) those candidates are declared elected and their names are not included on the voting paper, and

(b) the requirement for a given number is disregarded and the election proceeds with the number of seats to be filled being reduced by the number of persons declared elected.

(3) The presiding officer must circulate with the voting papers a separate notice giving the name of each person who has been declared elected under paragraph (2).

(4) In the application of this Rule to an election which involves a system of electronic voting, a reference to something included on or circulated with a voting paper is to be read as including a reference to it being provided as part of the procedure provided for by the system being used in the election for electronic voting.

As there were 4 candidates for the 4 seats to be filled by lay members in Ashford and only 1 candidate for the 2 seats to be filled by clergy in Maidstone under 75(2) they should not have been on the ballot but been elected unopposed. This is what has been done in Oxford's election as is [evident on their website](#) which also sets out the nominations (something Canterbury never posted) and notes "An election will now be required for every constituency except for laity in Oxford archdeaconry and laity in Berkshire archdeaconry".

I noted this breach of the rules [in my previous account](#) but then later added a correction on the basis that the "relevant connection" rule may be important as one of the 4 Ashford lay candidates had a relevant connection with one of the clergy candidates. It is important to recognise the nature of that correction. My correction in part stated:

I understand all 4 lay candidates for Ashford are not guaranteed election because of the new "relevant connection" rule...Ashford Town Parish with eight church buildings and six clergy (of very varied theological persuasion) can now only have one representative on the ViSC.

This did not explain the inclusion of the other 4 candidates on the ballot (despite being assured of election) but could possibly have been thought of as a "necessary modification" to applying Rule 75. This would have been on the basis that where there was now a competition between candidates with a relevant connection and it should be the electorate who should decide which

candidate took the place on the basis of having the most votes. This is not, however, how the count took place.

Election of least popular candidate where there was a “relevant connection”

Thirdly, it appears that it was first determined that as there were 4 seats for lay candidates in Ashford and 4 candidates they would all be elected. This as noted above should have been done before issuing the ballot paper. Given they were on the ballot there is within the STV Rules no obvious basis on which they could be deemed elected at this stage (other than reaching the quota) simply because by those Rules they should not have been standing for election. Given they were on the ballot and one received no votes, two received 1 vote, and one received 2 votes none of them would appear to have passed the quota to be deemed elected.

What should apparently have happened within the Rules is that they would be designated “guarded candidates” meaning “a candidate who has not yet been deemed elected but who must eventually be elected if a conformant result is to be achieved” ([Section 24\(4\)](#)). A conformant result is “the election of the required number of candidates fulfilling all the constraints in force” ([Section 24\(3\)](#)).

The problem here is that this decision in relation to the lay candidate with one vote who had a relevant connection with a clergy candidate with 10 votes appears to have been judged to make that female cleric immediately ineligible for election because of the relevant connection. The STV Rules state

whenever a candidate is deemed elected, or is chosen for exclusion, or becomes guarded or doomed, the presiding officer must immediately ascertain whether any continuing candidate or candidates must be classified as a guarded candidate or as a doomed candidate to ensure that a conformant result is possible ([Section 26\(3\)](#))

It appears she was therefore designated a “doomed candidate” (“a candidate who has not yet been excluded but who must eventually be excluded if a conformant result is to be achieved”, [Section 24\(5\)](#)) because it was impossible to have two people elected if they were connected. In this scenario it follows that

At the end of each stage, if any candidate is classified as a doomed candidate, the next stage is the exclusion of that candidate in accordance with Rules 21 and 22 ([Section 26\(6\)](#))

It might be thought that the more democratic and logical process where there are candidates with a “relevant connection” (a novel type of constraint not envisaged when the STV rules were formulated) would be to *first* see if any of the connected candidates was able to be elected on the basis of first preferences. Here with 10 votes the clergywoman is almost certainly deemed elected as having passed the quota. The relevant connection rule then makes the lay man with only one vote “doomed” rather than her. The result then is that only 3 lay people are able to be elected from that Archdeaconry. There is even a case that with the new relevant connection rule in force no candidate with a relevant connection should be deemed “guarded” or “doomed” until as late as possible in the process to see which one the electorate wanted to be on the ViSC by reaching the quota first (or all the others connected to them being eliminated because they are the bottom candidate).

So it would appear this is what explains why the only clergywoman standing and who got 10 votes was excluded in order to secure the election of a lay man with whom she had a relevant connection who got only 1 vote. This also explains why one of the candidates with 0 first preferences was elected (the other with no initial support presumably gained transferred votes during later stages and overtook the lay candidate for Maidstone who started with 2 first preference votes).

This demonstrates that the new “relevant connection” constraint is being implemented without reference to the relative support the connected candidates have among the voters. If one of them is in a category where their election is required to secure what is called a “conformant result” then this process means that even if nobody at all wants them elected they will be elected at the expense of another candidate even if that person is the most popular candidate on the ballot.

The outcome also depends on the number of candidates in different categories. If, for example, there had been 5 lay candidates in Ashford and not only 4, then that simple change (even if the 5th candidate also got no first preference votes) would have meant the election of the clergywoman with 10 votes, rendering the lay person with 1 vote to whom she was connected the doomed candidate and ensuring the election of the other 4 lay candidates as “guarded”.

It is not clear to me what would happen were the connection to be between candidates in the same House ie both lay or both clergy in the same Archdeaconry (or different Houses in different Archdeaconries) and both connected candidates need to be elected to fill all the seats. Nor is it clear what would have happened if there had been only 2 clergy standing in Ashford instead of 4 and so both the connected candidates being elected unopposed to fill all seats. Here the “relevant connection” rule and “the election of the required number of candidates fulfilling all the constraints in force” would not both be able to be followed and one would have to take precedence.

What happened to votes of those elected unopposed?

Fourthly, if the 4 Ashford lay candidates were marked as “guarded” (and not simply deemed elected unopposed as they should have been before the ballot paper was issued) then the Rules are clear that

Any candidate classified as a guarded candidate remains a continuing candidate, and is to be credited with the value of any voting records transferable to that candidate at any later stage of the count, until that candidate attains the quota ([Section 26\(5\)](#)).

This means that the four voters who gave them their first preference were stuck to them probably until the end of the count. If they had not been on the ballot paper however (i.e. if the STV Rules were followed) then the first preference of those voters would have been recorded for whoever had their second preference on the ballot in the actual election.

Fifthly, although not certain it would appear that the inclusion on the ballot of only one clergy candidate for Maidstone also led to problems. He secured 11 first preference votes (equal second highest). It is not clear exactly what happened next. It would appear that if the STV Rules were followed then he would be deemed elected on the basis of that number of votes being above the quota. His surplus votes would then be transferred but as fractions of a vote. If, however, the STV Rules had been followed and he had not been on the ballot at all then those

first preference votes would all have been given in full by those 11 voters to any stated second preferences on the actual ballot paper.

Some other oddities

Election of ordained woman to CNC: Only 2 *ex officio* members

The new Regulation has also created new constraints on whom the ViSC can elect to represent the diocese on CNC. This includes the constraint that one seat should (if at all possible) be filled by an ordained woman. There was, however, no similar attempt to ensure ordained women are actually elected to serve on the ViSC. In Canterbury, the only two ordained women standing for election (out of the 9 ordained candidates) were both it appears eliminated because of the new “relevant connection” rule. In one case this was despite being very popular in the vote but being pushed out by a lay man with only one first preference vote. We don’t know how many votes the other ordained woman got (and she may have got even more than this if the electorate were not told she was ineligible) as they were not recorded.

As a result of this, all 5 elected clergy are male so the ViSC contains no elected clergywoman at all. There are 2 *ex officio* ordained women – a rep from General Synod and the Chair of the House of Clergy. There is therefore now 1 of the 3 CNC seats where there could in effect be only two (both not elected to the ViSC) candidates eligible for election. This means that there is a reasonable chance that 1 of the 3 CNC spaces could be filled by one of them unopposed leaving a contest for at most 2 seats.

Ordained male clergy likely excluded from CNC

I think it is the case that on the ViSC there will be 14 *ex officio* members (10 clergy, including 3 bishops, and 4 laity) and 17 elected members (5 clergy and 12 laity). Apparently there have been no additional people nominated to serve by the Archbishop’s Council. Of these 31, the three bishops are not eligible to be on the CNC and neither is the Chair (chosen by the Archbishop’s Council on the evening of the ViSC result being declared, but not yet announced). Neither, now, however are any of the 10 male clergy eligible to serve on CNC unless no ordained woman stands. This is because there are only 3 seats and these are designated for one lay woman (assuming one of the 10 laywomen stand), one clergywoman, and another lay person (because at least half of the CNC reps must be lay).

How will the election to CNC be run?

There is also the question as to whether the election process for the CNC reps will follow the practice of the election process for the ViSC or follow the STV Rules. For example,

- Were only one ordained woman to stand would she still appear on the ballot but then be treated as a “guarded candidate” (as with the 5 in this election)?
- Or would a sole ordained woman standing not appear on the ballot paper (as apparently required by the rules) and the number of candidates to be elected then reduced to 2 allowing those who would have voted for her as their first preference to give that first preference to another candidate instead)?
- How would a nominated ordained man be treated in the count if an ordained woman was standing? Would he not be put on the ballot or put on it but then either declared “doomed” from the start or even ruled ineligible and his votes never counted?

As with the ViSC election, these details of how votes are to be counted could determine the outcome and who gets elected but there are no clear answers as to the processes to be used.

Conclusion: Process Problems and Why They Matter

As the above shows, there are major questions about the process of election to the ViSC now added to the previous long list of problems in Canterbury diocese in relation to its ViSC. This makes it important for the result sheet to be published as soon as possible so there can be transparency and greater clarity. A number of these are also potentially important for future ViSC elections using the new regulation. It would appear that

- The rules were broken by including on the ballot 5 candidates who, given how the count was then conducted, should simply have been declared elected unopposed and not placed on the ballot
- That breach probably impacted the outcome as the 15 voters (about 17% of total) who made them a first preference effectively wasted their full vote in whole or in part (unless the rule about “guarded candidates” was also not followed)
- The new “relevant connection” rule and how it was applied led to the elimination of one of the most popular candidates and secured the election of a candidate with only 1 first preference vote (a tenth of the support for the candidate to whom they were connected)
- Ironically, given the Synod wanted to ensure women, particularly ordained women were better represented in the CNC process, the two eliminated by the “relevant connection” rule were the two ordained women nominated.
- The two candidates on the ballot with a relevant connection represented quite different viewpoints within the church and were never going to form a sort of “bloc vote” on the ViSC from a large single congregation because of their “connection” (which was the main concern of those supporting this new regulation).
- The “relevant connection” that deemed them “connected” arose because both are part of a large and diverse team ministry and it would not have applied and impacted the count if they were not in a team but in distinct parishes
- This rule was not in force at the time the see became vacant or when the election was called
- No explanations were offered at any point to the electors about relevant connections or how this was being understood in relation to how votes would be counted

The election of candidates to ViSC should be such as to secure a ViSC which is properly representative of the diocese and the preferences of those electing members and which is also seen to be representative. There are however now serious questions as to whether these outcomes have been achieved in relation to the ViSC elections due to a combination of

- Failure to follow the rules for the election with possible consequences as to who was elected
- The new rule in relation to candidates with a “relevant connection” and how that has been applied to produce an unrepresentative result

It is arguably even more important that the ViSC election of members to serve on the CNC should also be—and be seen to be—producing a result which is representative of the diversity of the diocese. For that to happen there needs to be not only a greater compliance with the voting rules but much greater transparency as to how those rules will be implemented. In particular there must be clarity, in advance, as to how the new constraints in relation to a relevant

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connection and to electing both a clergywoman and a lay woman to the 2 lay and 1 clergy places on CNC will be implemented.