

ONTARIO
JUDICIAL COMMITTEE OF THE GENERAL COUNCIL
(The United Church of Canada)

B E T W E E N:

REVEREND GRETTA VOSPER

Appellant

-and-

THE GENERAL SECRETARY of the GENERAL COUNCIL

Respondent

AFFIDAVIT OF RANDY BOWES

(Pursuant to Section 13.7.6 of The United Church of Canada's Appeals Resource, August 2013)

September 18, 2015

Falconers LLP

Barristers-at-law
10 Alcorn Ave., Suite 204
Toronto, Ontario
M4V 3A9

Julian N. Falconer (L.S.U.C No. 29465R)
Akosua Matthews (L.S.U.C. No. 65621V)

Tel: (416) 964-0495
Fax: (416) 929-8179

Lawyers for the Reverend Gretta Vosper

TO:

Cavaluzzo Shilton McIntyre Cornish LLP

474 Bathurst Street, Suite 300

Toronto, Ontario

M5T 2S6

Elizabeth J. McIntyre

Tel: (416) 964-1115

Fax: (416) 964-5895

Lawyer for the General Secretary of General Council
of the United Church of Canada, Nora Sanders

**JUDICIAL COMMITTEE OF THE GENERAL COUNCIL
(The United Church of Canada)**

BETWEEN:

REVEREND GRETTA VOSPER

Appellant

-and-

THE GENERAL SECRETARY of the GENERAL COUNCIL

Respondents

AFFIDAVIT OF RANDY BOWES

I, Randy Bowes, of the City of Markham, in the Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:

1. I am the Chair of the Board of the West Hill United Church ("WHUC") and as such have knowledge of the matters to which I herein depose.
2. I swear this affidavit on behalf of the members and adherents of WHUC.
3. The WHUC congregation is deeply concerned about our exclusion from any discussion regarding the effectiveness of our Minister, Reverend Gretta Vosper, and from the newly-instated process to tie the evaluation of "effectiveness" to ongoing affirmation of questions asked at the time of ordination. We are shocked and dismayed that the ruling of Nora

Sanders, dated May 5, 2015, which purports to set out a process for addressing concerns about the effectiveness of the Reverend Vosper's ministry, was made without consulting the congregation directly involved and, moreover, all members and adherents of the United Church of Canada ("UCC").

4. In our view, a review of the Reverend Vosper's effectiveness is by extension a review of the effectiveness of WHUC's ministry as a whole. Further, any discussion of our Minister's suitability reflects on the suitability of our congregation's continued membership within the UCC.

Background

5. For ease of reference, we are outlining the procedural steps taken against the Reverend Vosper culminating in the Reverend Vosper's appeals.
 - i. On April 7, 2015, Vera Taylor, Chair of the Metropolitan United Church's (MUC) Official Board, wrote to the UCC Toronto Conference to seek "clear direction about the range of faith interpretation that defines membership" in the UCC with reference to the beliefs of WHUC. The letter specifically requested clarification of "the shared values and core beliefs that now frame membership in the United Church of Canada" and "the implication for those whose beliefs fall outside that frame". The letter did not request that any action be taken with respect to WHUC. A true copy of the letter from Vera Taylor to the Toronto Conference is attached to this affidavit as **Exhibit "A"**.

- ii. On April 15, 2015, the Executive of the Toronto Conference adopted a motion to “request the General Secretary of General Council to outline a process for considering concerns that have been raised regarding the on-going status of an ordered minister, with a focus on continuing affirmation of the questions asked of all candidates at the time of ordination, commissioning or admission in basis of Union 11.3”. The motion made no reference to a formal review. A true copy of the Executive of the Toronto Conference April 15, 2015 minutes is attached to this affidavit as **Exhibit “B”**
- iii. On May 5, 2015, the General Secretary, Nora Sanders, issued a ruling outlining a process for reviewing an ordained minister that tied the evaluation of a minister’s “effectiveness” to the ongoing affirmation of questions asked at the time of ordination. A true copy of the General Secretary’s May 5, 2015 ruling is attached to this affidavit as **Exhibit “C”**.
- iv. On May 11, 2015, the Executive of the Toronto Conference adopted a motion to “order a review of effectiveness of the Rev. Gretta Vosper”. The motion further directed “the Conference’s Interview Committee to undertake the review of the Rev. Gretta Vosper, interviewing her with a focus on continuing affirmation of the questions asked of all candidates at the time of ordination, commissioning or admission in Basis of Union 11.3”. A true copy of the minutes of the May 11, 2015 meeting of the Executive of the Toronto Conference is attached to this affidavit as **Exhibit “D”**.

- v. On June 1, 2015, the Reverend Vosper, through counsel, requested that the Sub-Executive of the Toronto Conference suspend the order for a review, pending the appeal of the General Secretary's ruling. A true copy of the letter from Julian Falconer to Reverend Bryan Ransom is attached to this affidavit as **Exhibit "E"**.
- vi. On June 4, 2015, the Reverend Vosper, through counsel, submitted a Notice of Appeal of the General Secretary's Ruling. A true copy of the Notice of Appeal of the General Secretary's Ruling is attached to this affidavit as **Exhibit "F"**.
- vii. On June 9, 2015, Reverend David Allen confirmed in writing that the Sub-Executive of Toronto Conference had suspended the review of the Reverend Vosper, pending the outcome of the Reverend Vosper's appeal of the General Secretary's ruling. A true copy of the letter from Reverend Allen to Julian Falconer is attached to this affidavit as **Exhibit "G"**.
- viii. On June 9, 2015, the Sub-Executive of Toronto Conference passed a motion to "suspend the review of the Rev. Gretta Vosper pending the outcome of the appeal of the Ruling of the General Secretary of General Council that laid out the review process to be followed." A true copy of the minutes of the Sub-Executive of Toronto Conference's June 9, 2015 meeting are attached to this affidavit as **Exhibit "H"**
- ix. On June 11, 2015, the Reverend Gretta Vosper through counsel, submitted a Notice of Appeal of the Sub-Executive of Toronto Conference's May 11, 2015 order for

review. A true copy of the Notice of Appeal of the Sub-Executive of Toronto Conference's order for a review is attached to this affidavit as **Exhibit "I"**.

- x. On July 23, 2015, counsel for the General Secretary corresponded with counsel for the Reverend Gretta Vosper consenting to a September 18, 2015 deadline for the Reverend Gretta Vosper to file a statement of argument in support of the appeal of the General Secretary's ruling. A true copy of the letter from Elizabeth McIntyre to Julian Falconer is attached to this affidavit as **Exhibit "J"**.
- xi. On July 24, 2015, counsel for the Toronto Conference emailed counsel for the Reverend Gretta Vosper consenting to a September 18, 2015 deadline for the Reverend Gretta Vosper to file a statement of argument in support of the appeal of the Sub-Executive of Toronto Conference's order for a review. A true copy of the email from Beth Symes to Julian Falconer is attached to this affidavit as **Exhibit "K"**.

West Hill United Church is a Member of the United Church of Canada

- 6. WHUC supports the denomination of the UCC. It upholds its responsibilities, including the submission of presbytery dues, significant contributions to the Ministry and Service Fund, congregational representation at presbytery meetings, promotion of Observer subscriptions and provision of copies in the library, informing the congregation about social justice initiatives by UCC, and providing feedback when requested by the denomination. This feedback includes such projects as "Our Words of Faith" and the subsequent Category 3 Remit pertaining to them, and the exploration of "The Meaning of Ministry." We were one of the few, if not the only one of the congregations in our

Presbytery to engage in conversation with the Comprehensive Review Task Group. When our Presbytery engaged in the congregational development program called “SpiritWork” we had so many people come out to the event hosted by the facilitators that they had difficulty using their normal program effectively.

Leadership at West Hill United Church

7. *VisionWorks*: A statement of faith inevitably includes propositions that divide community. WHUC created and continues to revise a statement of how we want to live, which we call VisionWorks. VisionWorks sets out how we ground ourselves in the interconnectedness of life, choosing love to guide our choices and striving to grow in wisdom while living just and compassionate lives in our local and global communities. A version of this document has been available on the WHUC website for over ten years and has been widely shared and requested. A true copy of the current version of West Hill United Church’s VisionWorks statement is attached to correspondence that the WHUC congregation sent to Reverend Bryan Ransom, President of Toronto Conference, on June 17, 2015. A true copy of WHUC’s correspondence to Reverend Ransom is attached to this affidavit as **Exhibit “L”**.

8. *Collaboration*: Leadership at WHUC is viewed as a collaborative effort. Members offer diverse skills, each of which is essential to the well-being of its people and the effectiveness of WHUC in the wider community. A main heading in the first version of the VisionWorks document (2004) was “Our ministry is shared”. The first version of VisionWorks was reviewed during WHUC’s Pastoral Oversight visit in February 2005. The concept of

“shared ministry” has been promoted in all aspects of the life of the congregation and continues to be so to this day.

Continuing Development of Ministry at WHUC

9. *The Elements Committee:* The purpose of the Sunday service is to inspire, challenge, inform, comfort, strengthen, and engage people in just and compassionate living. Since 2003, a committee of members and adherents interested in the format, content, and quality of our services have regularly met to discuss, problem-solve, and plan ways to continue improving our engagement with the community. Committee members include a Board representative, the music director, the choir director, the Reverend Vosper, and 4-5 others. No significant change has been made in the format, order, content, language, length, time, or participants of the morning services without full discussion by the Elements Committee. The Committee considers the potential value of the change, the timing of its introduction, its potential impact on the congregation, how to communicate it, and how to elicit and respond to feedback. The Reverend Vosper and this group have worked collaboratively, creatively, and supportively to develop gatherings that are as barrier-free as possible while still retaining and sometimes revising valued traditions.

10. *Theology, Values, and Language:* the Reverend Vosper has worked closely with the Board over the past ten years, fully disclosing the development of her theological understanding and its implications for ministry. The Reverend Vosper has stressed at all times our shared commitment to personal integrity and the welfare of the congregation. Efforts to work sensitively, creatively, and effectively towards theologically barrier-free ministry is well-supported in progressive Christian scholarship, is fully supported by the Board, and has

been affirmed by the congregation at numerous junctures. The focus on values and on living just and compassionate lives at the personal, community, and global levels has had a profound impact in many circles. Our resources are sought and used internationally. A list of respected academic references in progressive Christian scholarship, upon which we have grounded our theological development, was attached to correspondence that the WHUC congregation sent to Toronto Conference on June 17, 2015, and which is **Exhibit “L”** to this affidavit.

11. *Community Input, Feedback, and Response:* Diverse viewpoints are welcomed in any formal or informal discussion at WHUC. The creation of space where no one will be judged by what they do or do not believe is what has allowed WHUC to become the community that it is. That space has been part of WHUC over the ministry of several ministers, going back to the late Rev. Fred Styles or, before that, to the late Rev. Chauncey McKay. The only requirement at WHUC is that all communication be conducted respectfully. It is regularly stated during services and business meetings that if any person has any concern, question, or objection to any aspect of the decisions, commitments, changes, or message of WHUC, they are invited and encouraged to share their thoughts with the chair of the Board, any member of the Board, the Ministry and Personnel Committee, a member of the Elements Committee, or the Reverend Vosper. Congregants are also invited to make use of the suggestion box in the front lobby of the church. Rich conversations have resulted from this feedback, usually paving a way forward with a greater sensitivity and shared understanding. We use a consensus model of decision making to ensure that the church can make challenging decisions that are embraced by the full community going forward.

WHUC Responsibility for Ministry

12. The congregation and leadership of WHUC have been intimately and actively involved with the ministry we offer. We are accountable for our ministry, working closely with the Reverend Vosper with ample opportunity for feedback. Visitors come from a wide variety of places, and from diverse religious and non-religious backgrounds, to experience what we offer. The feedback we have received is overwhelmingly positive.
13. The congregation, through its Board, expect to be consulted and to participate in collaborative discussions with respect to any potential changes that could affect ministry. Accordingly, the Reverend Vosper has always sought and respected the Board's feedback, including any concerns and guidance, with respect to such changes. The congregation expects to be similarly involved in any process of the General Council that will affect our understanding of ministry.

Communication Between WHUC and UCC

14. Numerous documents, musical pieces, and other inspirational resources, such as VisionWorks, have been available on our website for many years. Our mission, values, theological development, and position on inclusive language are all matters that we are proud to share openly. To date, no concerns have been brought by the denomination to the chair of the WHUC Board regarding any doctrinal or creedal interpretation. We as a congregation have received no indication, formal or informal, from the denomination that the effectiveness, suitability, or direction of ministry at WHUC is questionable as part of the UCC. We have not had a formal Pastoral Oversight visit since a favourable report was presented to Presbytery in February 2005.

15. In response to the Nora Sanders' ruling, we have made several efforts to connect with the denomination. Our correspondence with the denomination includes the following:

- i. On May 8, 2015, I sent a letter on behalf of the WHUC Board to Reverend David Allen, General Secretary of the Toronto Conference. The letter described WHUC's perspective for reconsideration of the process for review defined in Nora Sanders' ruling. This letter included our view that such a review would be construed as casting doubt on whether the congregants of WHUC are welcome within the UCC, and that the review would have broad and profound implications for other ministers and the wider church. Reverend Allen responded that he would share this letter with the Toronto Conference Sub-Executive. We did not receive a response from anyone else. A true copy of my letter to Reverend Allen is attached to this affidavit as **Exhibit "M"**.
- ii. On June 1, 2015, counsel for the Reverend Vosper sent a letter to Reverend Bryan Ransom, President of Toronto Conference, advising of the Reverend Vosper's appeal of Nora Sanders' ruling and inviting discussion of a fair and non-adversarial resolution. To my knowledge, no response was received with respect to this offer. A true copy of the letter from Julian Falconer to Reverend Ransom is attached to this affidavit as **Exhibit "N"**.
- iii. As set out above, **Exhibit "L"** to this affidavit is a letter that the WHUC congregation sent to Reverend Ransom on June 17, 2015. The letter shared the congregation's views on the importance of the work that the Reverend Vosper is doing, not just for the congregation but also for the church and the Christian faith

tradition. The congregation called on the Conference Sub-Executive, and the whole UCC, to “take advantage of the opportunities being presented to open this conversation in a way that can engage all of us in a meaningful and thoughtful dialogue”. This was signed by 70 members and adherents of our congregation. Reverend Ransom did not respond to this letter, although Reverend David Allen acknowledged receipt. The WHUC congregation feels that it is disrespectful and unjust that a letter of support signed by 70 members of the congregation has been virtually ignored.

- iv. On June 18, 2015 counsel for the Reverend Vosper wrote to counsel for the UCC, setting out the common view among WHUC leadership that “there must be a non-adversarial way to address what are fundamental issues of concern to members across the United Church of Canada.” The letter stated that there is “a sincere wish by both Rev. Vosper and members of her congregation to enter into a dialogue with the Toronto Conference Executive and other leadership in an effort to identify a respectful process for addressing these matters.” A true copy of the letter from Julian Falconer to Cynthia Gunn is attached to this affidavit as **Exhibit “O”**.
- v. On June 25, 2015 counsel for the Reverend Vosper telephoned the UCC to request a response to the letter of June 18, 2015. On June 26, 2015, the office of the Moderator and General Secretary sent a short letter to the Reverend Vosper’s counsel acknowledging the request “for a conversation with leadership in an effort to identify a process for addressing issues of concern to members across the United Church of Canada.” The letter advised that the writer was unable to contact “the

people with whom the meeting should be held.” A true copy of the letter from Kathy McDonald to Julian Falconer is attached to this affidavit as **Exhibit “P”**.

- vi. As set out above, **Exhibit “J”** to this affidavit is a copy of correspondence from counsel for the General Secretary of the General Council, Elizabeth McIntyre, to Counsel for the Reverend Gretta Vosper, Julian Falconer. The letter acknowledges the request for a respectful conversation to identify a non-adversarial process for resolving any issues regarding the Reverend Vosper. Counsel flatly denied the request, stating that “[h]aving already considered the matter and made a ruling with respect to the appropriate procedure, [t]he General Secretary is not in a position to reconsider the decision.”

WHUC’s Efforts to Engage in Dialogue

- 16. As set out above, **Exhibit “A”** to this affidavit is the April 7, 2015 letter from Vera Taylor, Chair of the Metropolitan United Church’s (MUC) Official Board, wrote to the UCC Toronto Conference. In May 2015, Reverend Allen shared this letter with the Reverend Vosper. The letter requested clarification of the “shared values and core beliefs” of the UCC with reference WHUC. It is notable that the letter did not refer to the Reverend Vosper, but rather the WHUC congregation. The MUC letter erroneously refers to the WHUC congregation as a whole as atheist when in fact WHUC’s congregation includes a diversity of beliefs. This letter presented a great opportunity for the Conference Executive to engage two congregations in a meaningful dialogue; however, the Conference Executive chose not to do so.

17. We have since corresponded with the MUC Board Chair, Vera Taylor, on August 4, 2015, offering the opportunity for interested members of each of congregation to engage in a conversation. On August 7, 2015 we received a warm response to the idea from one of the MUC ministers, Dr. Malcolm Sinclair. We are currently awaiting a formal response to our offer from the MUC Board. Dr. Sinclair's email also provided further context on the original intent of MUC's request to Toronto Conference. Dr. Sinclair wrote, "As clergy, we make, at ordination, a pledge of 'essential agreement' with the United Church's 'Basis of Union' document....The question is, is that document still foundational for our work? How much of the tradition is essential in the recipe of a faith life? These seem to be fair questions." Further, Dr. Sinclair added that the request was in no way intended as a personal vendetta against the Reverend Vosper. We view MUC's request to Toronto Conference as being in the UCC tradition of exploring and gaining understanding of different perspectives within the church. A true copy of the email exchanges between Randy Bowes and Vera Taylor and between Randy Bowes and Dr. Malcolm Sinclair is attached to this affidavit as **Exhibit "Q"**.
18. We have observed that the proceedings that have been initiated against the Reverend Vosper and WHUC have led to significant reflection on the core beliefs of the UCC as a national community, including the Church's understanding of ministry. I note that both our Toronto Conference and the Hamilton Conference of the UCC tabled motions to re-examine the questions of ordination in light of the General Secretary's ruling. A true copy of an article in the Christian Post, dated June 2, 2015, entitled "Conference Calls on United Church of Canada to 'Review' Ordination Standards Amid Atheist Minister Controversy", as well as an article, dated August 12, 2015, entitled "Take No Action on Basis of Union

Proposal” from the website of the 42nd General Council of the UCC, are attached to this affidavit as **Exhibit “R”**.

19. Since the decision of the Sub-Executive of Toronto Conference to order a review of the Reverend Vosper, both the Reverend Vosper and WHUC have received hundreds of letters, emails, and notes through social media from all over Canada and internationally. Some of these communications are from Ministers and other leaders of the UCC and other churches and religious organizations. The correspondence demonstrates that any review of the Reverend Vosper raises essential questions about the Church’s understanding of ministry. Such discussions require the engagement of the wider church community. The Reverend Vosper has assembled a compendium of written and email correspondence, a true copy of which is attached to this affidavit as **Exhibit “S”**.
20. This ministry of WHUC and the Reverend Vosper has catalyzed interest and reflection even outside the religious community. On September 14, 2015, Jerry Dias, the president of Unifor, which is the largest private sector union in Canada, sent a letter to Reverend Allen. Mr. Dias asked that the Toronto Conference “reconsider the course of action it is on with respect to the review of... Gretta Vosper.” He noted the Reverend Vosper’s solidarity with people around the world who are persecuted for challenging religious fundamentalism, as well as the community leadership undertaken by the WHUC and the importance of the Reverend Vosper to the WHUC community. Mr. Dias concluded that “[n]ow is not the time to be dismantling democratic communities which have a tradition of solidarity with the oppressed. I can say without hesitation that we desperately need more like them, not fewer!” A true copy of the letter from Jerry Dias to Reverend Allen is attached to this affidavit as **Exhibit “T”**.

21. It saddens us that, while our peers in other churches and even non-religious organizations are willing to engage in dialogue to better understand the ministry taking place at WHUC, the leaders of the UCC have chosen to respond to our attempts to initiate conversation with deafening silence.
22. We are extremely disappointed that in a denomination known for its commitment to openness, dialogue, inclusivity, partnership, and diversity, we have been stonewalled and excluded from a review process that bears on the core of our identity as a congregation and as members of the UCC. It is a stunning omission for the denomination to fail to invite the input and participation of the congregation when our minister's suitability, and by extension the suitability of the congregation's membership in the UCC, are being challenged. We are at a loss to understand the fairness of a process that is handled as a closed matter, to be decided exclusively by a small group that is both unknown to us and manifestly ignorant about our congregation. The development of ministry within the UCC is profoundly important. It could and should have been addressed through denomination-wide discussions, which would allow for deeper understanding and reflection throughout the UCC. It is a cause for deep sadness that this option has been rejected in preference for a formal review of one person.
23. The WHUC and the Reverend Vosper have been in contact with theological experts who could assist with questions of doctrinal interpretation for the benefit of any discussions within the UCC on the Church's understanding of Ministry.
24. I make this affidavit for the purpose of the Reverend Gretta Vosper's appeal of the Ruling of Nora Sanders, dated May 5, 2015 and for no other or improper purpose.

SWORN BEFORE ME at)
The City of Toronto, in the)
Province of Ontario, this)
18th day of September, 2015.)



A Commissioner, etc.

A. Matthews.



Randy Bowes

REVEREND GRETTA VOSPER
Appellant

-and- THE GENERAL SECRETARY of the GENERAL COUNCIL
Respondent

ONTARIO
JUDICIAL COMMITTEE OF THE GENERAL
COUNCIL
(The United Church of Canada)

AFFIDAVIT OF RANDY BOWES
(Pursuant to Section 13.7.6 of The United Church of
Canada's Appeals Resource, August 2013)

FALCONERS LLP
Barristers-at-Law
10 Alcorn Avenue, Suite 204
Toronto, ON M4V 3A9

Julian N. Falconer (L.S.U.C.#29465R)
Akosua Matthews (L.S.U.C.#65621V)

Tel: (416) 964-0495
Fax: (416) 929-8179