

Secularists call for an end to Chancel Repair Liability in Lords debate

Posted: Fri, 23rd Jan 2015

Secularists made a strong case for abolishing Chancel Repair Liability (CRL) in a debate in the House of Lords on Friday 16 January 2015, in which peers urged the Government to remove CRL, described as a "medieval anomaly," from the statute book.

Since the dissolution of the monasteries by Henry VIII, some Anglican parishes can demand money from local property owners to repair their church regardless of whether or not they are Anglicans.

The [debate](#) was initiated and led by Lord Avebury, an honorary associate of the National Secular Society, who said that the "only fair solution is abolition." He emphasised that he was only aware of two instances of churches suing for CRL, once in the 1930s and once around ten years ago. In the 1980s the Church's synod and the Law Commission had agreed to phase out or abolish CRL. Yet in the last decade, following CRL registration legislation, as many as 17,000 properties have been registered, in many cases blighting their value and saleability.

Only around one in twenty of the 5,200 parishes who could register CRL had done so, probably because of difficulties in ascertaining liability from old records which are imprecise or missing, or out of concern that registration would cause "harm to the mission of the church." The Bishop of Derby confirmed that the Church "support[s] abolition in principle ... [but] needs to be recompensed," despite, as Lord Avebury pointed out, it having recovered minimal CRL in the last century and with little prospect of recovering much in future.

The Earl of Lytton, a Chartered Surveyor, highlighted CRL's potential to "destroy more third party property value than it confers in benefit in terms of chancel repair," in other words the value of property could be significantly reduced by a CRL registration even if the Church ends up never benefiting from it.

Lord Cashman, also an NSS honorary associate, argued that reform of CRL "could help to improve the UK's standing in the World Bank rankings" for "ease of doing business." He noted that the UK is ranked 68th on the ease of the registration of property, against our overall ranking of eighth.

Lord Cashman said that in parishes where hundreds or even thousands of properties were registered "untold distress is caused to a significant proportion of the community" if CRL is enforced, "including many without the knowledge or resources to cope with it." The peer also pointed out that in Gorleston, liable residents were made an 'offer' by the local vicar to "pay the parish £50" to receive a "certificate of exemption" from CRL which he promoted as cheaper than insurance, but, following legal questions, these and all the registrations had been revoked.

NSS honorary associate Lord Taverne cited the example of one landowner who was "nearly driven to suicide" over CRL, and spoke of the "trauma" experience by landowners who purchased houses without knowing that the land was subject to CRL. Lord Taverne said that "the case for abolition of this oppressive anachronism is overwhelming" and said that CRL "can ruin lives." The peer noted the Archbishop of Canterbury's "deep concern about social justice" and urged the abolition of CRL.

"as soon as possible."

The Earl of Lytton said that the unquantifiable and theoretically limitless liability was enforced in a "capricious manner" and that the blight of registration can "destabilise family finances, destroy livelihoods and wreck lives."

Speaking for the Government, Lord Ashton said "I believe that the church is in discussions with the National Secular Society, for example, in dealing with this. The Government have said that they are prepared to join in those discussions or to take account of them. The Government have no plans to change the law at present" but if given "evidence of actual hardship taking place, we will consider this measure."

Lord Kennedy, Labour's front bench spokesperson, was keen for CRL to be abolished and urged the Government to become much more proactively involved, for example to welcome such discussions."

The NSS, along with other local campaigners affected by the tax, has been calling for an end to the archaic liability and been in negotiations with the Church and senior civil servants and politicians at Ministerial and constituency level. It has also been working closely with Lord Avebury in formulating the [Chancel Repairs Bill](#), its second reading is expected after the General Election.

Many homeowners had bought homes on land liable to pay the levy, often without any knowledge of the tax, and were shocked to receive letters stating a liability on the land to pay money for chancel repairs.

NSS Executive Director Keith Porteous Wood, said; "We particularly welcome Labour's support, and hope that the Government will reflect on the harm done by CRL, particularly given some of the examples cited in the debate, and work with us to find a way to abolish CRL. I also hope that, until abolition, the Church will develop ways of alleviating the suffering caused by CRL, which is of little benefit to the Church in any case."

The full debate can be read [here](#).

- [Share on What's App](#)
- [Share on Facebook](#)
- [Share on Twitter](#)
- [Share on Email](#)
- [Subscribe to RSS Feed](#)

Tags: [Disestablishment](#)

Related Campaigns

•

[**Disestablish the Church of England**](#)

A state religion has no place in a 21st century democracy.

[Read More](#)

Related Articles

NSS announces major conference on protecting liberal values

Kenan Malik, Joan Smith and more speaking at NSS Secularism 2024 conference in London. [Read More »](#)

New extremism definition may put free speech at risk, NSS warns

Proposed definition could 'label secularists as extremists'. [Read More »](#)

A state Church is no bulwark against extremism – but secularism is

With its commitment to the separation of religion and state and safeguarding the rights of all individuals, secularism can provide an effective defence against the spread of extremism, says Stephen Evans. [Read More »](#)

Report: CofE safeguarding “below standards” of secular institutions

Most victims and survivors unsatisfied with safeguarding approaches, while safeguarding 'weaponised' to remove those "seen as a nuisance", report finds. [Read More »](#)

Resist calls for £50m a year for churches, NSS urges minister

Churches trust also calls for churches to host NHS services. [Read More »](#)