LEO

DEI ET APOSTOLICÆ SEDIS GRATIA
ARCHIEPISCOPUS S. ANDREÆ ET EDIMBURGENSIS

DECREE
Concerning the pastoral provision for SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso

Preamble

1. The Catechism of the Catholic Church teaches that a parish is 'the place where all the faithful can be gathered together for the Sunday celebration of the Eucharist [...] it 'initiates the Christian people into the ordinary expression of the liturgical life [...] gathers them together in this celebration; it teaches Christ's saving doctrine [and]; it practises the charity of the Lord in good works and brotherly love' (CCC 2179). The Catechism further states that '[the Church] exists in local communities and is made real as a liturgical, above all a Eucharistic, assembly. She draws her life from the word and the Body of Christ and so herself becomes Christ's body' (CCC 752). The Law of the Church provides that a parish is 'a certain community stably constituted in a particular church, whose pastoral care is entrusted to a pastor under the authority of the diocesan bishop' (cf. can. 515, §1);
2. With all of this in mind, it is only after prayer, careful study, sincere consideration and the due observance of ecclesiastical jurisprudence and the canonical provisions before the diocesan bishop alters parishes in the Diocese that has been entrusted to his care and which he shepherds with the cooperation of the presbyterium (cf. can. 369);

The consultation

3. In Lent 2015, a pastoral letter from the Archbishop was sent to the faithful of the Archdiocese entitled *We have Found the Messiah* (hereinafter *WHFM*), in which it was outlined how, against the backdrop of markedly falling Mass attendance, the decline in the number of priests and fewer projected ordinations, a renewal of the Archdiocese would be possible if Catholic communities were gathered closely around Jesus in the Eucharist and in a way that allowed

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them to be pastored effectively by their priests. In the same pastoral letter, it was stated, 'pulling together into fewer but more concentrated parish centres will enable us to intensify our spiritual and evangelical activity' (*WHFM*, p.8);

4. Following the pastoral letter and mindful of can. 50, the Archbishop personally went to all of the clusters of the Archdiocese to speak to them of the principles that he would use when making decisions about the future of the parishes. He met with the parishioners of the SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso on 19 December 2015;
5. At the same cluster meetings, the Archbishop invited each cluster of parishes to hold three further meetings to consider certain questions that he had posed. Again, mindful of can. 50, after these three meetings, each cluster was asked by the Archbishop to submit a report to him detailing the particular circumstances of the parishes in question;
6. The Archbishop met individually with the deans of the Archdiocese and, on two occasions, with the priests of each deanery in order to learn their views on the best form of pastoral arrangement for parishes in their areas;
7. The proper and informed consultation of the Council of Priests (cf. can. 515, §2) took place over three days on 7 March 2018, 28 March 2018 and 25 April 2018;
8. Having received the recommendations of the Council of Priests, on 21 Mary 2018 the Archbishop wrote a letter to be read publicly to the parishioners of SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso on the Eleventh Sunday of Ordinary Time, 2018 to outline his proposal for them. In the same letters the parishes were invited to meet with their Parish Priest and write letters of response to the Archbishop with any further comments and concerns for his consideration (cf. can. 50);
9. The responses (cf. n.8 above) detailed certain concerns of these parishes that stem from the fact that they are located in a rural part of the Archdiocese with particular needs. The response also indicated a greater willingness of the parishioners to cooperate and assist more the priest who would serve the parishes in the time ahead;
10. Following the response, the Archbishop was in a position to decide on the structure of the pastoral provision for the people of the parishes of SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso;

SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso

11. The parishes of SS. Mary & David's, Hawick, founded in 1843, The Immaculate Conception, Jedburgh, founded in 1855, and The Immaculate Conception (St Mary's), Kelso, founded in 1954, currently share a priest who is resident at Jedburgh;
12. SS. Mary & David's, Hawick has not had a resident parish priest since 2017 and The Immaculate Conception (St Mary's), Kelso has not had a resident parish priest since 2003;
13. The parishes in question are located in the Borders, a rural area of Scotland with a low density of Catholics. The churches at Hawick and Jedburgh are separated by 11.4 miles, a 25 minute bus journey or a 23 minute car journey. The churches at Jedburgh and Kelso are 11.1 miles apart or a 24 minute bus journey or a 20 minute car journey. The churches at Kelso and Hawick are separated by 21.6 miles or 98 minutes by public transport (2 buses) and minutes by 37 minutes by car;

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14. The three parishes had been served by the same priest since 2003. This arrangement has been maintained by successive clergy. After a temporary change in the arrangement that had been tried, the parishes have again been returned to the arrangement of 2003;
15. At the 2017 Mass census, the attendance at Hawick was 104, at Jedburgh 55 and Kelso 85. Although the area which the three parishes cover is substantial, the density of Catholics in this region is low;
16. The Archbishop met with the parishioners on 19 December 2015 to outline the situation facing the Archdiocese, the principles that he would use making decisions regarding pastoral provision and to hear the comments and concerns of the faithful (cf. can. 50);
17. The priests of the deanery in which SS. Mary & David's, The Immaculate Conception and St Mary's are located, who are well acquainted with the facts and the circumstances of the area, recommended to the Archbishop that the three parishes should be merged into one;
18. The Council of Priests, having been provided with relevant information regarding both parishes, was lawfully convoked on 7 March 2018, 28 March 2018 and 25 April 2018 to consider carefully the best pastoral arrangement for the parishes of SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso should be merged into one parish (cf. cann. 127; 166; 515, §2) as per 1.c).ii of the Guidelines of the Congregation for Clergy;
19. Wherefore, having considered all that has been put before him and having God alone before his eyes, the Archbishop was in a position to decide regarding the parishes of SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso.

Proposal

20. Whereas, following the extensive consultation since the publication of *WHFM*, on 7 March 2018, 28 March 2018 and 25 April 2018, the Council of Priests met to make recommendations to the Archbishop regarding the parish structure of the Archdiocese and proposed to him that the parishes of SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso should be merged in such a way as to become one parish known as "SS. Mary & David's", as per 1.c).ii of the procedural guidelines of the Congregation for the Clergy, sent to the Ordinaries on 30 April 2013, known as extinctive union;
21. Whereas, given the distances that have to be travelled in this rural area of the Archdiocese, it is proposed that all three church buildings should remain open;
22. Whereas the simplification of pastoral structures that would result from the extinctive union would allow for a more effective pastoring of the territory and would be for the good of souls;
23. Whereas such a merger of parishes and maintenance of open church buildings would ensure the vitality of the Church in the area;
24. Whereas such a merger would ensure an optimum use of resources;
25. Whereas such a merger would provide an optimum use of clergy;

It is decided

26. **In consideration of all of the foregoing and in virtue of the prescripts of cann. 121 and 515, §2 of the Code of Canon Law, and so that the Archdiocese can provide more effectively for the spiritual welfare of the faithful and the good of souls, I, Leo Cushley, Archbishop of St Andrews & Edinburgh hereby**

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DECREE

27. **The extinctive union of The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso into SS. Mary & David's, Hawick, the parish retaining the name "SS. Mary & David's";**
28. That the boundaries will be that of the current SS. Mary & David's parish and extended to include the territory of the former parishes of The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso;
29. That the faithful domiciled in the former territory of the parishes of The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso will become parishioners of SS. Mary & David's;
30. That, as per ecclesiastical jurisprudence, in accordance with the prescripts of cann. 122, 1° and 123 and having due regard for the wishes of benefactors and statutes, all monies, assets and liabilities of the former parishes of The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso will transfer to SS. Mary & David's parish;
31. That the parish registers of the parishes of The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso are now to be held at SS. Mary & David's, Hawick and no longer to be used after the extinctive union takes effect (cf. n.32);

Furthermore

32. This DECREE becomes effective on 16 December 2018, the Third Sunday of Ordinary Time;
33. If a person considers himself or herself aggrieved by this administrative DECREE, that person is within his or her canonical rights to seek revocation or emendation according to the norm of can. 1734 and to make hierarchical recourse according to the norm of can. 1737 and;
34. I instruct that this DECREE be communicated immediately to the parishioners of SS. Mary & David's, Hawick, The Immaculate Conception, Jedburgh and The Immaculate Conception (St Mary's), Kelso. This DECREE is likewise to be published immediately on the archdiocesan website;
35. All things to the contrary notwithstanding.

Given at Edinburgh, 30 October, in the Year of Our Lord, 2018.

+ Leo Cushley

Archbishop of St Andrews & Edinburgh

in cuius rei fidem

Chancellor

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