

2013 No. 1917

ECCLESIASTICAL LAW, ENGLAND

The Clergy Discipline (Amendment) Rules 2013

Made - - - - *5th July 2013*

Laid before Parliament *2nd August 2013*

Coming into force in accordance with rule 37(2)

In pursuance of sections 26(1) and (2) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991(a) as amended by sections 45(1) and (2) of the Clergy Discipline Measure 2003(b), the Rule Committee constituted in accordance with section 25 of the said 1991 Measure as amended by section 45(3) of the said 2003 Measure makes the following rules to amend the Clergy Discipline Rules S.I. 2005 No. 2022 —

Amendments to the Clergy Discipline Rules

1. The Clergy Discipline Rules 2005 are amended as follows.

Institution of proceedings against priests or deacons

2. Rule 4 is amended by adding after sub-rule (2) the following sub-rules—

“(3) The complainant may in the written complaint request that the complainant’s contact details should not be disclosed to the respondent and shall give reasons for any such request.

(4) Where a request is made under sub-rule (3), the complainant’s contact details shall not be disclosed to the respondent and shall be deleted from copies of any documents to be served on the respondent unless the registrar otherwise directs.

(5) Where the registrar makes a direction under sub-rule (4)—

- (a) the registrar shall forthwith in writing notify the complainant of the reasons for making the direction, and
- (b) the complaint shall lapse unless within 14 days the complainant informs the registrar that the complainant wishes the complaint to proceed notwithstanding the direction made by the registrar under sub-rule (4).”.

Form of statements in support

3. Rule 6 is amended by adding after sub-rule (2) the following sub-rules—

“(3) The maker of a statement in support may in the statement request that the maker’s contact details should not be disclosed to the respondent and shall give reasons for any such request.

(a) 1991 No.1.
(b) 2003 No.3.

(4) Where a request is made under sub-rule (3), the relevant contact details shall not be disclosed to the respondent and shall be deleted from copies of any documents to be served on the respondent unless the registrar otherwise directs.

(5) Where the registrar makes a direction under sub-rule (4)—

- (a) the registrar shall forthwith in writing notify the complainant and the maker of the statement of the reasons for making the direction, and
- (b) the statement shall not be used in the proceedings unless within 14 days the complainant informs the registrar that the complainant wishes the statement to be used in support of the complaint notwithstanding the direction made by the registrar under sub-rule (4).”.

Complaint out of time

4.—(1) Rule 8 is amended as follows.

(2) After sub-rule (1) the following sub-rules are inserted—

“(1A) The complainant may in the written application request that the complainant’s contact details should not be disclosed to the respondent and shall give reasons for any such request.

(1B) Where a request is made under sub-rule (1A), the complainant’s contact details shall not be disclosed to the respondent and shall be deleted from copies of any documents to be served on the respondent unless the President otherwise directs.

(1C) Where the President makes a direction under sub-rule (1B)—

- (a) the President shall forthwith in writing notify the complainant of the reasons for making the direction, and
- (b) the application shall lapse unless within 14 days the complainant informs the President that the complainant wishes the application to proceed notwithstanding the direction made by the President under sub-rule (1B).”.

(3) In sub-rule (2) for the words “Within 7 days of receipt of the application the” there is substituted the word “The”.

Receipt of complaint

5.—(1) Rule 9 is amended as follows.

(2) In sub-rule (1) for the words “paragraph (c)” there are substituted the words “sub-rule (1A)”.

(3) The whole of the sentence beginning with “Where a complaint alleges misconduct” is omitted from sub-rule (1).

(4) After sub-rule (1) there is inserted the following sub-rule—

“(1A) Where a complaint alleges misconduct which might constitute a criminal offence, the acknowledgment shall state that resolution of the complaint under the Measure may be postponed to await the outcome of police or other investigations.”.

Notifying the respondent about the complaint

6.—(1) Rule 10 is amended as follows.

(2) In sub-rule (1) after the words “Subject to sub-rule (2),” there are inserted the words “rule 4(5) and rule 6(5),”.

(3) For sub-rule (2) there is substituted the following sub-rule—

“(2) The registrar may in exceptional circumstances for no longer than is necessary delay notifying the respondent that a complaint has been made.”.

(4) For sub-rule (3) there is substituted the following sub-rule—

“(3) When notifying the respondent under sub-rule (1), the registrar shall send the respondent a copy or, where rules 4(4), 6(4) or 8(1B) apply, an edited transcript of the complaint or the relevant written evidence in support, as the case may be.”.

(5) Sub-rule (4) is omitted.

Respondent’s answer

7. Rule 17 is amended by inserting the following sub-rules after sub-rule (4)—

“(4A) The maker of a statement in support may in the statement request that the maker’s contact details should not be disclosed to the complainant and shall give reasons for any such request.

(4B) Where a request is made under sub-rule (4A), the relevant contact details shall not be disclosed to the complainant and shall be deleted from copies of any documents to be served on the complainant unless the registrar otherwise directs.

(4C) Where the registrar makes a direction under sub-rule (4B), the registrar shall forthwith in writing notify the respondent and the maker of the statement of the reasons for making the direction.”.

Penalty by consent

8. Rule 27 is amended by adding the following sub-rules after sub-rule (8)—

“(9) Where—

- (a) the bishop has directed that the complaint be formally investigated, or the President has referred the complaint to a tribunal, and
- (b) the respondent admits in writing the misconduct which is the subject of the complaint, and
- (c) the bishop considers that the imposition of a penalty by consent would be appropriate,

the bishop shall invite the respondent, the complainant and the Designated Officer to make written representations if they so wish upon the proposed penalty within 14 days, and sub-rules (4), (5) and (6) above shall thereupon duly apply.

(10) Within 14 days of sending written confirmation to the respondent, the bishop shall notify the archbishop, the registrar of the diocese and the Designated Officer of any penalty imposed in accordance with sub-rule (9) above.”.

Reference to the Designated Officer for formal investigation

9. In rule 28(5) for the word “investigate” there are substituted the words “cause inquiries to be made into” and after the words “send or deliver” there are inserted the words “or cause to be sent or delivered”.

Form of application

10. In rule 31(3) after the word “same” there is inserted the word “time”.

Appointment of members of the tribunal

11. Rule 37 is amended by adding the following sub-rule after sub-rule (2)—

“(3) Where the date for the hearing of the complaint has been fixed under rule 38(2) below the President may shorten the time within which the respondent may make written representations about the suitability of any proposed member of the tribunal.”.

Absence from a hearing

12. At the end of rule 42 there are added the words “or that written notice of the hearing has been duly sent or delivered in accordance with rule 101”.

Pronouncement of the tribunal’s determination of the complaint

13.—(1) Rule 50 is amended as follows.

(2) In sub-rule (2) after paragraph (b) there are added the words—

“,

save that, in the event of the Chair’s death or incapacity after the tribunal has determined a complaint but not yet pronounced it in public, the determination shall be pronounced by another member of the tribunal nominated for that purpose by the Registrar of Tribunals”.

(3) In sub-rule (3) for the words “each member” there are substituted the words “the Chair, or in the event of the Chair’s death or incapacity, by another member of the tribunal nominated for that purpose by the Registrar of Tribunals”.

Pronouncement of penalty

14.—(1) Rule 52 is amended as follows.

(2) At the end of sub-rule (1) there are added the words “, save that, in the event of the Chair’s death or incapacity before pronouncement in public, the imposition of the penalty shall be pronounced in public by another member of the tribunal nominated for that purpose by the Registrar of Tribunals”.

(3) The following sub-rule is inserted after sub-rule (2)—

“(2A) In the event of death or incapacity of any one member of the tribunal after the tribunal has determined a complaint, whether or not the determination has been pronounced in public, the President may appoint another person from the relevant category of the provincial panel in substitution for that member for the purpose of considering whether a penalty should be imposed; provided that the President shall not make any such appointment until the respondent has been afforded a reasonable opportunity to make representations about the suitability of the proposed person.”.

Suspension of a priest or deacon during proceedings

15. In rule 60(1) after the word “deacon” in the first place where it occurs there are inserted the words “holding any preferment in a diocese”, and after the word “bishop” in the first place where it occurs there are inserted the words “of the diocese”.

Suspensions following conviction and inclusion in a barred list

16. After rule 61 there are inserted the following rules—

“Suspension of a priest or deacon following conviction for a criminal offence

61A.—(1) Where a priest or deacon holding any preferment in a diocese is convicted of any criminal offence referred to in section 30(1)(a) of the Measure the bishop may suspend the priest or deacon from exercising or performing without the leave of the bishop any right or duty of or incidental to the office of priest or deacon, as the case may be.

(2) A notice suspending a priest or deacon under sub-rule (1) shall be in form 14a in the Schedule or in a form which is substantially to the like effect, and may specify any rights or duties which by leave of the bishop are not suspended.

Suspension of a priest or deacon included in a barred list

61B.—(1) Where a priest or deacon holding any preferment in a diocese is included in the children’s barred list or adults’ barred list established in accordance with the Safeguarding Vulnerable Groups Act 2006, the bishop may suspend the priest or deacon from exercising or performing without the leave of the bishop any right or duty of or incidental to the office of priest or deacon, as the case may be.

(2) A notice suspending a priest or deacon under sub-rule (1) shall be in form 15a in the Schedule or in a form which is substantially to the like effect, and may specify any rights or duties which by leave of the bishop are not suspended.”.

Contents of notice of suspension

17.—(1) Rule 62 is amended as follows.

(2) For the words “rule 60(2) or 61(2)” there are substituted the words “rule 60(2), 61(2), 61A(2) or 61B(2)”.

(3) In paragraph (b)—

- (a) in sub-paragraph (ii) after the word “concluded,” there is inserted the word “or”,
- (b) immediately after sub-paragraph (ii) there is inserted the following sub-paragraph—
 - “(iii) a penalty is imposed under section 30 of the Measure,” and
- (c) for the word “earlier” there is substituted the word “earliest,” and for the words “in either case” there are substituted the words “as the case may be”.

(4) In paragraph (c)(i) after the words “have not been concluded” in the second place where they occur there are inserted the words “, or any step under section 30 of the Measure has not been concluded,”.

Notification to others of suspension

18. For rule 63 there is substituted the following rule—

“Notification to others of suspension

63.—(1) A copy of the notice of suspension of a priest or deacon under rule 60(2), 61(2), 61A(2) or 61B(2) shall be sent or delivered by the bishop to—

- (a) the archdeacon of the archdeaconry in which the priest or deacon holds office,
- (b) the rural dean or area dean of the deanery in which the priest or deacon holds office,
- (c) other clergy who hold office in the parish or parishes where the priest or deacon holds office,
- (d) the churchwardens for each parish where the priest or deacon holds office,
- (e) the registrar.

(2) Where the bishop considers it appropriate to do so, a copy of the notice of suspension of a priest or deacon under rule 60(2), 61(2), 61A(2) or 61B(2) may be sent or delivered by the bishop to any of the following—

- (a) the relevant chief constable of police,
- (b) the relevant local authority designated officer,
- (c) the diocesan safeguarding officer,
- (d) a suffragan or assistant bishop of the diocese,
- (e) any other person whom the bishop considers should be notified of the suspension. ”.

Revocation of suspension

19.—(1) Rule 64 is amended as follows.

(2) In sub-rule (1) for the words “rule 60 or rule 61” there are substituted the words “rule 60, rule 61, rule 61A or rule 61B”.

(3) In sub-rule (2) for the words “specified in” there are substituted the words “to whom notice of suspension was sent or delivered under”.

Notification of cessation of suspension

20.—(1) Rule 65 is amended as follows.

(2) In paragraph (b) there are omitted the words “, or the proceedings for the criminal offence,” and after the word “licence,” there is added the word “or”.

(3) Immediately after paragraph (b) there is inserted the following paragraph—

“(c) following conviction for a criminal offence the bishop does not impose a penalty under section 30(1) of the Measure;”.

(4) For the words “specified in” there are substituted the words “to whom notice of suspension was sent or delivered under”.

Appeals by priest or deacon against notice of suspension

21. In rule 66(4) for the words “specified in” there are substituted the words “to whom notice of suspension was sent or delivered under”.

Conviction to become conclusive

22.—(1) Rule 67 is amended as follows.

(2) In the heading to rule 67 for the words “**Certificate of conviction**” there are substituted the words “**Conviction to become conclusive**”.

(3) The words “and the court has sent to the bishop the certificate of conviction in the form used by the court for that purpose” are omitted.

Application to extend two year period to impose penalty under section 30

23. After rule 67 there is inserted the following rule—

“Application to extend two year period to impose penalty under section 30

67A.—(1) An application by the bishop to the President for an extension of the two year period referred to in section 30(3) of the Measure shall be made in writing with reasons, and may be made notwithstanding that the two year period has previously expired.

(2) Within 7 days of receipt of the application the President shall start consultation by providing the priest or deacon with a copy of the bishop’s application, and shall invite the priest or deacon to make written comments within 21 days about the reasons given by the bishop for not imposing a penalty in time.

(3) A copy of any comments received from the priest or deacon shall be supplied by the President to the bishop within 7 days of receipt.

(4) The President shall inform the bishop that within 21 days of receiving a copy of any comments from the priest or deacon the bishop may send written comments in reply to the President and a copy to the priest or deacon.

(5) Having considered any comments of the bishop and the priest or deacon, and if satisfied that the bishop did not know at any relevant time of the existence of the conviction, or as the case may be, of the decree absolute or order, the President may extend the period in writing for a penalty to be imposed under section 30(1)(a) or (b), and if so,

shall specify the time within which the penalty shall be imposed. The President shall send a copy of his written decision to the priest or deacon.

(6) If the President does not extend the two year period he shall in writing so notify the bishop and the priest or deacon.”.

Bishop proposes a penalty after sentence of imprisonment or matrimonial order, etc.

24.—(1) Rule 68 is amended as follows.

(2) At the end of the heading to rule 68 there is added the word “, etc.”.

(3) For “section 30(1)(a) or (b)” there is substituted “section 30(1)(a), (b) or (c)”.

(4) After paragraph (a) the word “and” is omitted and there is inserted the following paragraph—

“(aa) send the priest or deacon a copy of the bishop’s letter to the President and the President’s response, and”.

(5) In paragraph (b) for the word “proposal” there are substituted the words “proposed penalty”.

Inclusion of name in list under section 38(1)(a) to (dd) of the Measure

25. In rule 75(1) and in the heading to rule 75 for the letter “(d)” there is substituted “(dd)”.

Review of an entry in the list – (a), (b), (c) & (dd)

26.—(1) Rule 77 is amended as follows.

(2) In the heading to rule 77 for the letters “(a), (b) & (c)” there are substituted the letters “(a), (b), (c) & (dd)”.

(3) After sub-rule (2) there is added the following sub-rule—

“(3) Where a person has been included in the list under section 38(1)(dd) of the Measure the archbishop of the relevant province shall, with the agreement of the other archbishop, direct that the name of that person together with the particulars recorded be removed from category (dd) of the list on being satisfied that the person is no longer included in the children’s barred list or the adults’ barred list established in accordance with the Safeguarding Vulnerable Groups Act 2006.”.

Notice of suspension of a bishop or archbishop

27. After rule 86 there are inserted the following rules—

“Notice of suspension of a bishop or archbishop following conviction for a criminal offence

86A. For the purposes of rule 61A a notice of suspension on a bishop or archbishop shall be—

- (a) in form 14b in the Schedule or in a form which is substantially to the same effect,
- (b) signed by the archbishop of the province in which the bishop to be suspended holds office, or, in the case of an archbishop to be suspended, signed by the other archbishop, and
- (c) countersigned by the two most senior diocesan bishops in that province or the province of the other archbishop, as the case may be,

and rule 62 shall be construed accordingly.

Notice of suspension of a bishop or archbishop included in a barred list

86B. For the purposes of rule 61B a notice of suspension on a bishop or archbishop shall be—

- (a) in form 15b in the Schedule or in a form which is substantially to the same effect,
- (b) signed by the archbishop of the province in which the bishop to be suspended holds office, or, in the case of an archbishop to be suspended, signed by the other archbishop, and
- (c) countersigned by the two most senior diocesan bishops in that province or the province of the other archbishop, as the case may,

and rule 62 shall be construed accordingly.”.

Applications etc. to the President

28. After rule 102 the following rule is inserted—

“**102A.**—(1) Where any application, appeal or request is made to the President under these rules, the President—

- (a) may give directions for the just disposal of the application, appeal or request in accordance with the overriding objective, and
- (b) may hold a hearing, and if so shall give notice of the hearing to the parties and any other person whom the President considers should be notified.

(2) Any hearing under sub-rule (1)(b) shall be in private except where—

- (a) the President is satisfied that it is in the interests of justice to have a hearing in public, or
- (b) the respondent so requests,

in which case the President shall direct that the hearing shall be in public, but during any part of the proceedings the President may exclude such person or persons as the President may determine.”.

Interpretation

29. In rule 106 in the definition of “President” after the words “President of Tribunals” there are added the words “or the Deputy President of Tribunals, as the case may be, or a person appointed to act in his or her place”.

Amendments to forms 1a, 1d, and 1e

30.—(1) Forms 1a, 1d and 1e in the Schedule to the Clergy Discipline Rules 2005 are each amended as follows.

(2) In the left hand margin—

- (a) for the words “***and address will be disclosed to the person you complain about (“the respondent”) unless there are exceptional circumstances; if you believe there are very good reasons why your identity should not at this stage be revealed to the respondent, state below what those reasons are.***” there are substituted the words “***will be disclosed to the person you complain about (“the respondent”), but you may request that your contact details should not be disclosed.***”,
- (b) for the words “***Important Note: If the bishop does not dismiss your complaint the bishop will send it to the respondent for a response. At that stage your identity will be disclosed to the respondent.***” there are substituted the words—

“***If you tick the box you must give reasons – your contact details would then be disclosed to the respondent only if the registrar so directed.***”,

- (c) for the notes relating to the section of the form beginning “**The misconduct about which I complain is as follows:**” there are substituted the words—

“The matters about which you may complain are set out in section 8 of the Clergy Discipline Measure 2003. Summarise the facts of your complaint; include the names if known of anybody you refer to.

Please note: If your complaint concerns serious criminal conduct then you should report it to the police or other relevant body. If you do not, the bishop may be under a duty to do so.”

- (3) For the words “**I request the registrar to consider not disclosing my identity to the respondent at this stage, for the following exceptional reasons:**” there are substituted a tick box and the words—

“I request that my contact details should not be disclosed to the respondent for the following reasons:”.

Amendments to forms 1b, 1f, and 1g

31.—(1) Forms 1b, 1f and 1g in the Schedule to the Clergy Discipline Rules 2005 are each amended as follows.

- (2) In the left hand margin—

- (a) for the words “*When your complaint is received by the bishop your name and address will be disclosed to the person you complain about (“the respondent”) unless there are exceptional circumstances; if you believe there are very good reasons why your identity should not at this stage be revealed to the respondent, state below what those reasons are.*” there are substituted the words—

“When your complaint is received by the Archbishop your name will be disclosed to the person you complain about (“the respondent”), but you may request that your contact details should not be disclosed.”,

- (b) for the words “**Important Note: If the Archbishop does not dismiss your complaint the bishop will send it to the respondent for a response. At that stage your identity will be disclosed to the respondent.**” there are substituted the words—

“If you tick the box you must give reasons – your contact details would then be disclosed to the respondent only if the registrar so directed.”,

- (c) for the notes relating to the section of the form beginning “**The misconduct about which I complain is as follows:**” there are substituted the words—

“The matters about which you may complain are set out in section 8 of the Clergy Discipline Measure 2003. Summarise the facts of your complaint; include the names if known of anybody you refer to.

Please note: If your complaint concerns serious criminal conduct then you should report it to the police or other relevant body. If you do not, the Archbishop may be under a duty to do so.”

- (3) For the words “**I request the registrar to consider not disclosing my identity to the respondent at this stage, for the following exceptional reasons:**” there are substituted a tick box and the words—

“I request that my contact details should not be disclosed to the respondent for the following reasons:”.

Amendments to form 1c

32.—(1) Form 1c in the Schedule to the Clergy Discipline Rules 2005 is amended as follows.

- (2) In the left hand margin—

- (a) next to the section of the form requiring the applicant’s full name and contact address to be stated there is inserted the following note—

“When your application is received by the President of Tribunals your name will be disclosed to the person you complain about (“the respondent”), but you may request that your contact details should not be disclosed.”,

- (b) for the notes relating to the section of the form beginning “**A summary of the misconduct about which I wish to complain is as follows:**” there are substituted the words—

“Summarise the facts of your complaint.

The matters about which you may complain are set out in section 8 of the Clergy Discipline Measure 2003.

Please note: If your complaint concerns serious criminal conduct then you should report it to the police or other relevant body. If you do not, the President may be under a duty to do so.”.

- (3) After the words “My e-mail address is:.....” there are inserted a tick box and the words—

“I request that my contact details should not be disclosed to the respondent for the following reasons:

.....
.....
.....
.....”

and in the left hand margin there is inserted the following note—

“If you tick the box you must give reasons – your contact details would then be disclosed to the respondent only if the President so directed.”.

Amendments to form 3

33. In form 3 in the Schedule to the Clergy Discipline Rules 2005 after the words “My e-mail address is:.....” there is inserted a tick box and the words—

*“I request that my contact details should not be disclosed to the *respondent/*complainant for the following reasons:*

.....
.....
.....
.....”

and in the left hand margin there is inserted the following note—

*“*Delete as appropriate.*

If you tick the box you must give reasons – your contact details would then be disclosed only if the registrar so directed.”.

Amendments to forms 4 and 5

34. Forms 4 and 5 in the Schedule to the Clergy Discipline Rules 2005 are each amended by omitting—

- (a) the section that begins “My contact address,” and ends “**My e-mail address is:.....”, and
- (b) in the left-hand margin the words “**Telephone & e-mail details are optional, but it could be helpful to the President to have them.”.

Amendments to forms 12a, 12b, 13a and 13b

35. In forms 12a, 12b, 13a and 13b in the Schedule to the Clergy Discipline Rules 2005 for the words “within 14 days from when the suspension takes effect.” there are substituted in each form

the words “Church House, Great Smith Street, London SW1P 3AZ, within 14 days of receipt by you of this notice. At the same time you should send a copy of any appeal to me.”.

Forms 14a, 14b, 15a and 15b

36. After form 13b in the Schedule to the Clergy Discipline Rules 2005 there are added forms 14a, 14b, 15a and 15b set out in the Schedule to these rules.

Citation and commencement

37.—(1) These rules shall be known as the Clergy Discipline (Amendment) Rules 2013.

(2) These rules shall come into force on such date as the Archbishops of Canterbury and York may jointly appoint, and different dates may be appointed for different rules.

*C R George
C J Angus
T J Briden
R D H Bursell
J P Dziegiel
+C Guildford
C E Hardman
T P Jones
L P M Lennox
V J H Rees
+A St. Albans
A Sloman
C E Vann*

Church House, London
Approved by the General Synod on
5th July 2013

J Philips
Clerk to the Synod

SCHEDULE

Rule 36

FORMS

FORM 14a (Rule 61A)

Clergy Discipline Measure 2003

Notice of suspension under section 36(1)(c) of the Measure to a priest or deacon

Insert the name of the person to be suspended.

To:.....

Insert the date of conviction, the court and the offence.

You have been convicted of a criminal offence, namely

Enter the date from when the suspension takes effect.

You are now suspended with effect from whilst consideration is given as to whether a penalty will be imposed on you under section 30 of the Clergy Discipline Measure.

ANY RIGHT TO A STIPEND AND HOUSING WILL NOT BE AFFECTED DURING ANY PERIOD OF SUSPENSION

Unless revoked the suspension will continue until the expiry of the period of three months following the date of service of this notice on you or until a penalty is imposed under section 30 of the Clergy Discipline Measure, whichever occurs earlier. Further successive notices of suspension, which may be in different terms from any previous notice, may be served on you for similar periods pending conclusion of any step under section 30 of the Measure.

The effect of the suspension is that you are forbidden to exercise or perform without my permission any right or duty of or incidental to the office of *priest or *deacon EXCEPT the following rights or duties:

**Delete as appropriate.*

Enter here the rights and duties which the suspended person MAY exercise or perform WITHOUT having to seek permission first.

Any appeal must be in writing setting out the grounds of appeal, and must be received by the President, c/o The Legal Office of the National Institutions of the Church of England, Church House, Great Smith Street, London SW1P 3AZ, within 14 days of receipt by you of this notice. At the same time you should send a copy of any appeal to me. The President may within 28 days after receipt of your written appeal either confirm or revoke the suspension.

If you need further clarification about this notice of suspension you should contact the registrar. You may also wish to contact your own legal advisor.

The notice must be signed and dated.

Signed.....

Bishop of.....

Dated.....

FORM 14b (Rule 86A)

Clergy Discipline Measure 2003
Notice of suspension under section 37(1)(c) of the Measure to a bishop or archbishop

Insert the name of the person to be suspended.

To:.....

Insert the date of conviction, the court and the offence.

You have been convicted of a criminal offence, namely

Enter the date from when the suspension takes effect.

You are now suspended with effect from whilst consideration is given as to whether a penalty will be imposed on you under section 30 of the Clergy Discipline Measure.

ANY RIGHT TO A STIPEND AND HOUSING WILL NOT BE AFFECTED DURING ANY PERIOD OF SUSPENSION

Unless revoked the suspension will continue until the expiry of the period of three months following the date of service of this notice on you or until a penalty is imposed under section 30 of the Clergy Discipline Measure, whichever occurs earlier. Further successive notices of suspension, which may be in different terms from any previous notice, may be served on you for similar periods pending conclusion of any step under section 30 of the Measure.

**Delete as appropriate.*

The effect of the suspension is that you are forbidden to exercise or perform without my permission any right or duty of or incidental to the office of *bishop or *archbishop EXCEPT the following rights or duties:

Enter here the rights and duties which the suspended person MAY exercise or perform WITHOUT having to seek permission first.

You may appeal against this suspension to the President of Tribunals. Any appeal must be in writing setting out the grounds of appeal, and must be received by the President, c/o The Legal Office of the National Institutions of the Church of England, Church House, Great Smith Street, London SW1P 3AZ, within 14 days of receipt by you of this notice. At the same time you should send a copy of any appeal to me. The President may within 28 days after receipt of your written appeal either confirm or revoke the suspension.

If you need further clarification about this notice of suspension you should contact the registrar. You may also wish to contact your own legal advisor.

The notice must be signed and dated.

Signed.....

Archbishop of.....

Dated.....

This notice must be countersigned by the two most senior diocesan bishops of the province of the archbishop giving the notice, to signify their consent.

Countersigned.....

Bishop of.....

Dated.....

Countersigned.....

Bishop of.....

Dated.....

FORM 15a (Rule 61B)

Clergy Discipline Measure 2003

Notice of suspension under section 36(1)(d) of the Measure to a priest or deacon

Insert the name of the person to be suspended.

To:.....

**Delete as appropriate.*

You have been included in the *children's barred list and *adults' barred list established in accordance with the Safeguarding Vulnerable Groups Act 2006.

Enter the date from when the suspension takes effect.

You are now suspended with effect from
whilst consideration is given as to whether a penalty will be imposed on you under section 30 of the Clergy Discipline Measure.

ANY RIGHT TO A STIPEND AND HOUSING WILL NOT BE AFFECTED DURING ANY PERIOD OF SUSPENSION

Unless revoked the suspension will continue until the expiry of the period of three months following the date of service of this notice on you or until a penalty is imposed under section 30 of the Clergy Discipline Measure, whichever occurs earlier. Further successive notices of suspension, which may be in different terms from any previous notice, may be served on you for similar periods pending conclusion of any step under section 30 of the Measure.

**Delete as appropriate.*

The effect of the suspension is that you are forbidden to exercise or perform without my permission any right or duty of or incidental to the office of *priest or *deacon EXCEPT the following rights or duties:

Enter here the rights and duties which the suspended person MAY exercise or perform WITHOUT having to seek permission first.

You may appeal against this suspension to the President of Tribunals. Any appeal must be in writing setting out the grounds of appeal, and must be received by the President, c/o The Legal Office of the National Institutions of the Church of England, Church House, Great Smith Street, London SW1P 3AZ, within 14 days of receipt by you of this notice. At the same time you should send a copy of any appeal to me. The President may within 28 days after receipt of your written appeal either confirm or revoke the suspension.

If you need further clarification about this notice of suspension you should contact the registrar. You may also wish to contact your own legal advisor.

The notice must be signed and dated.

Signed.....

Bishop of.....

Dated.....

FORM 15b (Rule 86B)

Clergy Discipline Measure 2003
Notice of suspension under section 37(1)(d) of the Measure to a bishop or
archbishop

Insert the name of the person to be suspended.

To:.....

**Delete as appropriate.*

You have been included in the *children's barred list and *adults' barred list established in accordance with the Safeguarding Vulnerable Groups Act 2006.

Enter the date from when the suspension takes effect.

You are now suspended with effect from
whilst consideration is given as to whether a penalty will be imposed on you under section 30 of the Clergy Discipline Measure.

ANY RIGHT TO A STIPEND AND HOUSING WILL NOT BE AFFECTED DURING ANY PERIOD OF SUSPENSION

Unless revoked the suspension will continue until the expiry of the period of three months following the date of service of this notice on you or until a penalty is imposed under section 30 of the Clergy Discipline Measure, whichever occurs earlier. Further successive notices of suspension, which may be in different terms from any previous notice, may be served on you for similar periods pending conclusion of any step under section 30 of the Measure.

**Delete as appropriate.*

The effect of the suspension is that you are forbidden to exercise or perform without my permission any right or duty of or incidental to the office of *bishop or *archbishop EXCEPT the following rights or duties:

Enter here the rights and duties which the suspended person MAY exercise or perform WITHOUT having to seek permission first.

You may appeal against this suspension to the President of Tribunals. Any appeal must be in writing setting out the grounds of appeal, and must be received by the President, c/o The Legal Office of the National Institutions of the Church of England, Church House, Great Smith Street, London SW1P 3AZ, within 14 days of receipt by you of this notice. At the same time you should send a copy of any appeal to me. The President may within 28 days after receipt of your written appeal either confirm or revoke the suspension.

If you need further clarification about this notice of suspension you should contact the registrar. You may also wish to contact your own legal advisor.

The notice must be signed and dated.

Signed.....

Archbishop of.....

Dated.....

This notice must be countersigned by the two most senior diocesan bishops of the province of the archbishop giving the notice, to signify their consent.

Countersigned.....

Bishop of.....

Dated.....

Countersigned.....

Bishop of.....

Dated.....

EXPLANATORY NOTE

(This note is not part of the rules)

These rules are made pursuant to section 26 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 as amended by section 45 of the Clergy Discipline Measure 2003. The rules amend the Clergy Discipline Rules S.I. 2005 No. 2022 which provide a code of procedure for the determination under the Clergy Discipline Measure of formal complaints alleging misconduct against a clerk in Holy Orders other than in relation to matters involving doctrine, ritual or ceremonial, and for the imposition of penalties following certain findings or orders of secular bodies.

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