

Date of Note: 05 March 2020

Author: Mr Adam Hobson, Executive Assistant (Metropolitical) to the Bishop at Lambeth

Purpose of Note

This note arises from the previous meeting of the Clergy Discipline Measure Working Group in December 2019. It has been written to inform members of the Sheldon Hub of the response of the Working Group to a Report dated 12 December 2019 (“the Report”). The Report existed to represent the concerns, opinions and experiences of Sheldon Hub users in relation to the Clergy Discipline Measure to the Working Group. It was hoped that the Working Group could both respond to the Report at its December meeting, and keep the Report’s contents in sight for the duration of the Working Group’s life. What follows is a brief note outlining the response of the Working Group based on relevant excerpts from the Minutes of the meeting.

It is noted that this File Note has faced some significant delay in drafting, firstly as a result of a delay in the preparation of the minutes arising from the meeting, and secondly as a result of an unforeseen temporary staffing shortage in the Bishop at Lambeth’s office which left Mr Adam Hobson slightly busier than usual.

It is hoped that this note will be read in conjunction with Notes that will follow the subsequent meetings of the Working Group which will further.

Substance of Note

The meeting opened in prayer by the Right Reverend Tim Thornton, the Bishop at Lambeth. Following this, Adam Hobson who joined from Ireland by telephone, was asked to present the Report.

Adam started by saying that the Report largely speaks for itself. He did however draw the attention of the Working Group to Paragraph 7, which reads as follows:

It should be noted that those who have contributed have told of the significant personal distress they experienced as a result of their interaction with the CDM [...] no Hub users sought to minimise the Church’s responsibility for regulating and disciplining clergy. Rather, it was consistently suggested that the Church needs a better, more nuanced system of regulation and discipline so that misconduct is disciplined proportionately.

Adam suggested that the Report should be read in light of this paragraph, which in essence communicates a feeling on the Hub which both admits that wrongdoing needs to be disciplined, while also recognising that our current systems of discipline are disproportionate, often unnecessarily punitive and open to misuse. This reality is causing hurt and pain among many who interact with the Clergy Discipline Measure

The Report having been introduced on these terms, Bishop Tim asked for comments and queries from the Working Group, having noted that continued interaction with Sheldon (particularly their Aston University project) will continue to feed directly into the work of the Working Group.

The Working Group discussed and recognised the fact that the current legislation has caused disaffection on the part of many, to the point of some losing their faith. Adam confirmed that this was his repeated experience from interactions on the Sheldon Hub and elsewhere, and noted that

it was hoped that the Report would focus the mind of the Group on the urgency of the matters at hand.

The Working Group moved to consider suggestions that Respondents need to be protected against Complaints that are subsequently determined to be malicious. The Group discussed the suggestions proposed at Paragraph 31(1), and reluctance was expressed in relation to subjecting Complainants to penalties other than financial ones for making malicious Complaints. The Group committed to considering this further.

On a related note, the Working Group moved to consider Paragraph 39 of the Report, considering whether misuse of the CDM process itself amounted to misconduct. The Working Group expressed feeling that the Complaints process needed to be more thoroughly externally moderated in future in order to ensure that such abuse of the system can not happen.

Many members of the Working Group at this point noted that there was a recognition that the types of criticism of the CDM made in the Report were widespread, admitting they had encountered many of the sentiments contained in the Report before. The Group referred to Paragraph 47 of the Report, recognising that there is a need to separate the pastoral and the disciplinary/judicial elements of the Bishop's role as it is not clear that the Bishop can play both roles. Some members of the Working Group noted that current Code of Practice should give rise to a situation where the Bishop oversees the CDM while delegating pastoral matters to another suitably qualified individual. The Working Group committed to giving more thorough consideration to the role of Bishop at its next meeting.

The Working Group moved to consider the matters raised at Paragraph 36 in relation to communication and adherence to statutory time limits. The Working Group were minded that there needs to be pro-active communication with Respondents on all fronts; for instance, just because someone doesn't respond to one letter offering pastoral support doesn't mean that that person doesn't want or need pastoral support; they might not be in a position to respond at that point in time. A pro-active approach would involve repeatedly offering generous pastoral assistance even in the face of previous silence. The Working Group also noted that Respondents need a point of contact in a diocese who can answer any questions that arise about their Complaint.

Finally, the Working Group returned to consider the sense of injury coming from the Report. Some members suggested that this should give rise to a further discussion about what it means to be a Clerk in Holy Orders, both professionally and pastorally. It was suggested that the sense of moral injury expressed in the Report gives rise to a need for a more open, transparent culture of professional standards, in which clergy know exactly what is expected of them, and how they can do what is expected of them if they are failing to reach an expected standard.

The Working Group thanked Adam for his part in drawing up the Report and committed to being mindful of the principles it enshrined in their continued work.

The Working Group then moved to consider papers submitted by the subgroups dealing with matters around Triaging and Mediation, Safeguarding and the Interim Measures that can be implemented to make the current system more workable until it is edited or replaced.

The Working Group decided to meet again in March 2020, and committed to trying to conduct public consultations in relation to a suite of proposals by July 2020.