

## *Ad Clerum 1.4*

### **Complaints about clergy conduct**

The Clergy Discipline Measure 2003 (CDM) and its associated Code of Practice, together with the Clergy Discipline Rules 2005, give us a procedure for dealing with complaints against Clergy for matters relating to conduct and behaviour.

The Measure applies equally to all those in Holy Orders within the Church of England whatever their position within the hierarchy of the Church.

The flowchart below sketches how the CDM process works. Full details are available on the Church of England website at this address:

<http://www.churchofengland.org/about-us/structure/churchlawlegis/clergydiscipline.aspx>

This webpage will direct you to all the legal details as well as linking to two advisory leaflets, one for those wishing to make a complaint and the other for clergy against whom a complaint has been made. (If for any reason you are unable to download the relevant materials, please contact the Bishop of St Albans' Chaplain.)

If a complaint is levelled against a clergy person under the CDM, that person ought, in the first instance, to speak to their Archdeacon who will be able to offer some preliminary guidance. Due to the need under the Measure to ensure that the processes are unbiased, it will not be possible for the Diocesan Registrar or Diocesan Bishop to offer either formal or informal advice or pastoral care to a clergy person who is the subject of a complaint. It will, however, be possible for the Registrar to offer very general advice and point clergy towards other lawyers with expertise in this field. Where clergy are eligible, legal aid is available for this assistance. In certain cases the Diocesan Bishop may need to delegate the handling of a CDM complaint to another bishop.

Alongside the legal processes, the Diocese is committed to providing pastoral care and support for any clergy who are subject to complaint under the CDM. This pastoral care is, of course, independent of the legal process itself. If clergy need pastoral care of this kind they should contact their Suffragan Bishop in the first instance.

The CDM does not deal with issues of capability, which are handled by the Common Tenure legislation (details are here: <http://www.churchofengland.org/clergy-office-holders/common-tenure.aspx>); This webpage also contains a link to the Ecclesiastical Offices [Terms of Service] Measure).

Recently issued guidelines make clear that 'the purpose of the Clergy Discipline Measure 2003 is to deal with 'misconduct that is potentially sufficiently serious for referral to a Bishop's Disciplinary Tribunal. Proceedings under the Measure are not for the determination of grievances'.

Any complaints to do with issues of rituals, doctrine or ceremony are still dealt with under the provisions of the Ecclesiastical jurisdiction Measure 1963.

Revised April 2015.

# CLERGY DISCIPLINE FLOWCHART

