STATUTORY INSTRUMENTS

2026 No. 882

ECCLESIASTICAL LAW, ENGLAND

The Clergy Conduct Rules 2026

Made - - - - *11th July 2026*

Laid before Parliament *30th July 2026*

Coming into force in accordance with rule 1(2)

CONTENTS

PART 1
INTRODUCTORY
1. Citation, commencement and interpretation
PART 2
OVERRIDING OBJECTIVE
2. Overriding objective
3. Duty to co-operate
4. Powers
PART 3
PROTECTED PARTIES
5. Litigation friend: appointment
6. Litigation friend: removal
7. Litigation friend: change of circumstances
8. Service on litigation friend
PART 4
MAKING A COMPLAINT
9. Complaint form: main information
10. Complaint form: additional information
11. Complaint about exercise of function conferred by or under the CCM
12. Permission to make complaint out of time
PART 5
REFERRALS AND ALLOCATION
13. Referral of a complaint
14. Allocation of complaint
15. Action after allocation of complaint
PART 6
GRIEVANCE
16. Application of this Part
17. Provision of Code of Practice
18. Response to a grievance

19. Withdrawal of admission
20. Decision on a grievance
21. Grievance record
22. Reallocation

PART 7
COMPLAINT OF MISCONDUCT

23. Application of this Part
24. Provision of Code of Practice
25. Response to a complaint of misconduct (but not serious misconduct)
26. Withdrawal of admission
27. Advice from the Investigation and Tribunals Team
28. Report
29. Conciliation
30. Reallocation

PART 8
COMPLAINT OF SERIOUS MISCONDUCT

31. Application of this Part
32. Provision of Code of Practice
33. Response to a complaint of serious misconduct
34. Findings on the basis of admissions
35. Partial admissions
36. Withdrawal of admission
37. Report
38. Representations and decision
39. Order for production of documents by person not party to complaint
40. Failure to comply with an order under rule 39

PART 9
SAFEGUARDING ISSUES DURING INVESTIGATION

41. Addition of safeguarding professional as party to complaint
42. Role of safeguarding officer, director or professional

PART 10
CASE MANAGEMENT

43. Duty to manage cases
44. General powers
45. Duty of registrar to consult Chair
46. Power of Chair to act on own initiative

PART 11
DIRECTIONS

47. Giving directions
48. Matters on which directions may be given

PART 12
EVIDENCE

49. Witness statements for use at hearing
50. Use of witness statements for other purposes
51. Expert reports
52. Exclusion of evidence
53. Oral evidence

PART 13
HEARINGS: GENERAL PROVISION

54. Conduct of hearings: general

55. Cross-examination of witnesses in person
56. Amendments to allegations
57. Tribunal or court sitting in private
58. Personal attendance of witness
59. Absence from hearing
60. Power to exclude from hearing
61. Special measures
62. Power to order identity not to be published

PART 14

TERMINATION, SUBSITUTION AND WITHDRAWAL

63. Proceedings cease on death of respondent
64. Substitution on death, incapacity etc of complainant
65. Withdrawal of complaint

PART 15

PENALTIES AND DECISIONS

66. Penalties: misconduct (but not serious misconduct)
67. Penalties: responsible bishop's view
68. Penalties: imposition without a complaint
69. Pronouncement of decisions
70. Penalties or sanctions imposed without a complaint: copies of decision

PART 16

DEPOSITION FROM HOLY ORDERS

71. Priests and deacons: notice
72. Priests and deacons: appeals
73. Priests and deacons: decision
74. Archbishops and bishops: notice
75. Archbishops and bishops: representations etc

PART 17

RESTRICTION ORDERS AND SUSPENSIONS

76. Notice of restriction order
77. Notice of suspension
78. Record of decision on restriction order or suspension
79. Notice of revocation of restriction order or suspension
80. Service of notice under this Part
81. Provision of copies of notice under this Part

PART 18

THE ARCHBISHOPS' LIST

82. Access to the list
83. Notice of inclusion in the list
84. Protected convictions
85. Appeal against particulars or inclusion in error

PART 19

WORK IN OTHER CAPACITIES

86. Work in other capacities: complaints under the CCM, CDM or EJM
87. Work in other capacities: findings in disciplinary proceedings etc
88. Power under rule 87: time limit
89. Review by President of Tribunals of penalty under rule 87

PART 20

APPEALS AND REVIEWS

90. Application for permission to appeal etc.

91. Determination of application for permission to appeal etc.
92. Application for permission to appeal etc out of time
93. Striking out appeal or review
94. Absence of a party
95. Re-calling witnesses to give evidence before the appeal court
96. New evidence
97. Production of documents by person not party to complaint
98. Amendment or withdrawal
99. Powers of appellate court etc.
100. Determination by majority
101. Making an appeal or a request for review
102. Decisions on review
103. Restriction orders and suspensions: decisions on review or appeal
104. Penalties: decisions on review

PART 21
APPLICATIONS: GENERAL PROVISION

105. Form and content of applications
106. Notice of applications
107. Disposal of applications with a hearing
108. Disposal of applications without a hearing
109. Dismissal of vexatious etc applications
110. Copy of order made on an application

PART 22
SERVICE OF DOCUMENTS

111. Methods of service
112. Meaning of "proper address"
113. Timing of service

PART 23
ROYAL PECULIARS

114. Application of CCM to Royal Peculiar clergy

PART 24
MISCELLANEOUS

115. Time limits
116. Recording and publication of decisions
117. Reporting convictions etc.
118. Reporting divorce or separation order
119. Vexatious litigants: restraint orders
120. Excluded offences
121. Irregularities
122. Word and page limits

SCHEDULES

Schedule 1 — Forms
Schedule 2 — Royal Peculiars
Schedule 3 — Recording and publication of decisions

The Rule Committee makes these Rules in exercise of the powers conferred by sections 83 and 94 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018(**a**).

PART 1
INTRODUCTORY

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Clergy Conduct Rules 2026.

(2) These Rules come into force immediately after the commencement of section 2 of the Clergy Conduct Measure 2026(**b**).

(3) In these Rules, the Clergy Conduct Measure 2026 is referred to as "the CCM".

(4) A reference in these Rules to giving or sending a document to a person is to be read with rule 111.

(5) An expression used in these Rules and in the CCM has the same meaning in these Rules as in the CCM.

(6) A reference in these Rules to a numbered Form is to the Form numbered as such in Schedule 1.

PART 2
OVERRIDING OBJECTIVE

Overriding objective

2.—(1) The overriding objective of these Rules is to enable complaints to be dealt with justly.

(2) Dealing with a complaint justly includes, so far as practicable—

(a) ensuring that the parties are on an equal footing,

(b) ensuring that the parties and all relevant interested persons are kept informed of the procedural progress of the complaint,

(c) saving expense,

(d) dealing with the complaint in a way that is fair to all relevant interested persons and proportionate to the importance of the matter and the complexity of the issues, and

(e) ensuring that the complaint is dealt with expeditiously and fairly.

(3) A tribunal, court or person exercising a function under the CCM must seek to give effect to the overriding objective—

(a) in exercising that function,

(b) in exercising any function conferred by these Rules, and

(c) in interpreting a provision of these Rules.

(4) A reference in this rule to a complaint includes a reference to an appeal or review arising out of a complaint.

(**a**) 2018 No. 3.
(**b**) 2026 No. 1.

Duty to co-operate

3.—(1) Each party to a complaint, or to an appeal or review arising out of a complaint, must co-operate with a tribunal, court or person exercising a function under the CCM or these Rules in order to further the overriding objective.

(2) A failure to co-operate by a party to a complaint, or to an appeal or review arising out of a complaint, may result in adverse inferences being drawn against that party at any stage.

(3) And a failure to co-operate by an appellant or by an applicant for a review may, in particular, result in that party's appeal or application being struck out.

Powers

4.—(1) Where an application, appeal or request under the CCM or these Rules is made to the President of Tribunals, 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.

(2) If the President decides to hold a hearing under paragraph (1)(b), the President must give notice of the hearing—

(a) to each party, and

(b) to any other person whom the President considers appropriate.

(3) The President may, on the President's own initiative, give directions for the just disposal of an application, appeal or request in accordance with the overriding objective.

(4) The President may make any order or take any other step for the purpose of managing a complaint in accordance with the overriding objective.

PART 3
PROTECTED PARTIES

Litigation friend: appointment

5.—(1) The President of Tribunals may appoint a person under section 17 of the CCM as the litigation friend for another person (referred to in this Part as "the protected party") if the President is satisfied that the person wishing to be so appointed—

(a) can fairly and competently conduct the proceedings on the complaint in question for the protected party, and

(b) has no interest adverse to that of the protected party.

(2) An application for the appointment of a person under section 17 of the CCM as a litigation friend must be made in accordance with rule 105.

(3) The application must be made by—

(a) the person who wishes to be appointed as the litigation friend, or

(b) a person who seeks the appointment of another person as a litigation friend for the protected party.

(4) The application must be accompanied by a certificate of suitability given in writing in the form set out in Form 1.

(5) The certificate in Form 1 must be signed and dated by the person who wishes to be appointed as the litigation friend and must be verified by a statement of truth made by that person.

(6) The President of Tribunals may determine the application without a hearing.

(7) Having determined the application, the President must give written notice of the determination to—

(a) the protected party, and

(b) the person wishing to be appointed.

(8) Where a person is appointed as a litigation friend after the complaint is made, the person appointed must give a copy of the order making the appointment to—

(a) the respondent, and

(b) the responsible bishop.

(9) In the case of a complaint of serious misconduct which has been referred to a tribunal or court, references in this Part to the President of Tribunals are to be read as references to the Chair of that tribunal or court.

Litigation friend: removal

6.—(1) The President of Tribunals may by order—

(a) direct that a person may not act as a litigation friend,

(b) terminate the appointment of a litigation friend. or

(c) appoint a new litigation friend to replace an existing one.

(2) An application for an order under this rule—

(a) must be made in accordance with rule 105, and

(b) must be supported by evidence.

(3) A person may not be appointed under paragraph (1)(c) unless the President of Tribunals is satisfied that the person meets the conditions set out in rule 5(1)(a) or (b).

Litigation friend: change of circumstances

7.—(1) Where a child for whom a litigation friend is acting on a complaint reaches the age of 18 before the complaint has been concluded, the appointment of the litigation friend continues unless and until the order of appointment is discharged (see paragraph (3)).

(2) Where a person who lacks capacity to make a complaint or to participate in proceedings on the complaint and for whom a litigation friend is acting ceases to lack capacity before the complaint has been concluded, the appointment of the litigation friend continues unless and until the order of appointment is discharged (see paragraph (3)).

(3) In a case within paragraph (1) or (2), the protected party or the litigation friend may apply to the President of Tribunals for the discharge of the order of appointment of the litigation friend.

(4) An application under paragraph (3)—

(a) must be made in accordance with rule 105, and

(b) must be supported by evidence.

(5) Where a person appointed as a litigation friend on a complaint dies before the complaint has been concluded, the proceedings on the complaint are stayed until the President of Tribunals appoints a new litigation friend.

(6) Where the complainant or the respondent loses capacity to participate in proceedings on the complaint, no step may be taken in the proceedings until a litigation friend is appointed for the person unless, pending the appointment, the President of Tribunals gives permission for that step to be taken.

Service on litigation friend

8.—(1) This rule applies in relation to a document that is required or authorised to be given to a protected person under the CCM or these Rules.

(2) The document—

(a) must, if it is given, be given to the protected person's litigation friend, and

(b) may also be given to the protected person.

(3) If a document is given to the protected person's litigation friend under paragraph (2)(a), it is treated for the purposes of the CCM and these Rules as being given to the protected person (whether or not it is also given to the protected person).

PART 4

MAKING A COMPLAINT

Complaint form: main information

9.—(1) A complaint must be made in writing in the form set out in Form 2.

(2) The complaint form must specify—

(a) the responsible bishop,

(b) the complainant's full name, postal address, telephone number and email address,

(c) the name of the person against whom the complaint is made and (if the complainant knows it) the office or other position currently held by that person,

(d) the basis on which the complainant has a proper interest in the complaint (see section 15 of the CCM),

(e) in summary form, the nature and details of the alleged conduct,

(f) the date on which, or the period within which, the alleged conduct took place,

(g) the relevant events in chronological sequence,

(h) an indication of whether, in the complainant's view, the complaint amounts to a grievance, misconduct or serious misconduct, and

(i) if the complainant's view is that the complaint amounts to a grievance, an indication of the resolution sought.

(3) If the complaint is made after the end of the limitation period under section 19(2) of the CCM (where that period is applicable), the complaint form must also give the reasons why the complaint was not made before the end of that period.

(4) The complainant may attach to the complaint form documents that are relevant to the complaint.

(5) The complaint form must be signed and dated by the complainant and must be verified by a statement of truth made by the complainant.

Complaint form: additional information

10.—(1) If the complainant is a person who has a proper interest in the complaint by virtue of a nomination under section 15(2)(a)(ii), (4)(a) or (5)(a) of the CCM (nomination by a PCC or

the bishop's council of a diocese), the complaint form must be accompanied by a copy of the resolution making the nomination.

(2) If the complainant is an archdeacon who has a proper interest in the complaint by virtue of a nomination under section 15(6) of the CCM, the complaint form must be accompanied by a copy of the instrument making the nomination.

(3) If the complainant is a person appointed by the President of Tribunals as a litigation friend under section 17 of the CCM, the complaint form must be accompanied by a copy of the order of the President making the appointment.

(4) If the complainant is a person who is subject to a restraint order under section 32 of the CCM, the complaint form must be accompanied by a copy of the permission given by the President of Tribunals under section 32(2)(a) or (b) of the CCM.

Complaint about exercise of function conferred by or under the CCM

11.—(1) This rule applies to an application to the President of Tribunals under section 16(10) of the CCM for permission to make a complaint about the exercise of a function conferred by or under the CCM.

(2) The application must be made in accordance with rule 105.

(3) A copy of the application must be given to the person who would be the respondent to the complaint if the application for permission under section 16(10) of the CCM were to be granted ("the would-be respondent").

(4) The President of Tribunals may determine the application without a hearing.

(5) Before determining the application, the President may request representations from the would-be respondent on the application.

(6) If the President exercises the power under paragraph (5), the President must inform the would-be respondent of the right to make written representations on the application; and representations on the application must be made before the end of 14 days beginning with the day after the President makes the request.

Permission to make complaint out of time

12.—(1) Before deciding whether to give permission under section 21(1)(e)(ii) of the CCM (permission to bring complaint after end of limitation period) for a complaint of misconduct (but not serious misconduct) to proceed, the lead assessor must—

(a) send the complaint form to the respondent (see rule 9 on the complaint form), and

(b) give the respondent an opportunity to make written representations on the reasons given in the complaint form for why the complaint was not made before the end of the limitation period.

(2) Representations under paragraph (1) must be made before the end of 14 days beginning with the day after the respondent receives the complaint form under that paragraph.

(3) If the respondent makes representations under paragraph (1), the lead assessor may—

(a) send those representations to the complainant, and

(b) give the complainant an opportunity to make written representations on those representations.

(4) Representations under paragraph (3)(b) must be made before the end of 14 days beginning with the day after the complainant receives the respondent's representations.

(5) The lead assessor's decision whether to give permission under section 21(1)(e)(ii) of the CCM must be made before the end of 14 days beginning with—

(a) if the complainant makes representations under paragraph (3)(b) before the end of the 14-day period under paragraph (4), the day after the lead assessor receives them;

(b) if the complainant is given an opportunity to make representations under paragraph (3)(b) but the lead assessor does not receive any from the complainant before the end of the 14-day period under paragraph (4), the day after the end of that period;

(c) if the complainant is not given an opportunity to make representations under paragraph (3)(b), the day after the lead assessor decides not to give the complainant an opportunity to do so.

(6) If the complaint form on a complaint made after the end of the limitation period does not give any reasons for why the complaint was not made before the end of that period, and the lead assessor would (if the complaint had been made before the end of that period) have allocated it as a complaint of misconduct (but not serious misconduct), the lead assessor must return the complaint form to the complainant with a direction to the complainant to give reasons for why the complaint was not made before the end of the limitation period.

(7) Reasons under paragraph (6) must be given before the end of seven days beginning with the day after the complainant receives the form and direction under that paragraph.

(8) Where reasons are given under paragraph (6), paragraphs (1) to (5) apply in relation to the complaint.

(9) The lead assessor may extend the 14-day period referred to in paragraph (2), (4) or (5) or, if the period has come to an end, the lead assessor may revive the period; but, in doing either of those things, the lead assessor must be satisfied that doing so is necessary, having had due regard to the overriding objective.

(10) Where the lead assessor acts under paragraph (9), the provisions of this rule are to be read accordingly.

PART 5

REFERRALS AND ALLOCATION

Referral of a complaint

13.—(1) The responsible bishop or the President of Tribunals, having received a complaint, must make the referral under section 20(1)(a) of the CCM, and any referral required under section 20(2) or (3) of the CCM, before the end of five days beginning with the day after the complaint was received.

(2) Where there is more than one lead assessor on the panel of assessors, the question of which of them to make the referral to under section 20(1)(a) of the CCM is to be determined by the responsible bishop or, where the complaint is against an archbishop, the President of Tribunals, having taken into account the availability of each of the lead assessors.

(3) The information which the responsible bishop or President of Tribunals must give for the purposes of section 20(9) of the CCM when referring a complaint is a factual summary of any previous complaint made against the respondent under the CDM, the EJM or the CCM and the outcome of that complaint.

Allocation of complaint

14.—(1) A lead assessor, having had a complaint referred under section 20 of the CCM, must decide what action to take under section 21(1) of the CCM; and the decision must be made before the end of 14 days beginning with the day after the lead assessor receives the referral.

(2) Where the lead assessor requires clarification of a matter in order to be able to make that decision, the lead assessor may seek that clarification from the complainant before making the decision.

(3) The lead assessor, having made the decision, must record the decision in the form set out in Form 3.

(4) If the lead assessor sought and received clarification under paragraph (2), the record of the decision must specify the matter and the clarification.

(5) If the lead assessor makes the decision under section 21(1)(b) of the CCM (allocation as misconduct but not serious misconduct), the appointment under section 22(4) of the CCM of a case assessor must also be made before the end of the 14-day period referred to in paragraph (1); and the record of the decision must specify the name of the case assessor appointed.

(6) If the lead assessor makes the decision under section 21(1)(d) or (e)(i) of the CCM (dismissal where complaint vexatious or without merit or out of time) or under section 21(1)(e)(ii) of the CCM (permission for out of time complaint to proceed), the record of the decision must specify the reasons for the decision.

(7) The notification to the responsible bishop under section 21(4) of the CCM must be accompanied by a copy of the record of the decision and must be made before the end of five days beginning with the day after the lead assessor made the decision under section 21(1) of the CCM.

(8) The lead assessor may extend the 14-day period referred to in paragraph (1) or, if the period has come to an end, the lead assessor may revive the period; but, in doing either of those things, the lead assessor must be satisfied that doing so is necessary, having had due regard to the overriding objective.

(9) Where the lead assessor acts under paragraph (8), the provisions of this rule are to be read accordingly.

(10) Where a complaint includes more than one allegation and the lead assessor thinks that the allegations, if each made in a separate complaint, would be allocated differently under section 21(1) of the CCM, the lead assessor must allocate the complaint—

(a) if the allegations include an allegation which the lead assessor thinks would be allocated as serious misconduct, as a complaint of serious misconduct, or

(b) if the allegations do not include an allegation of the kind referred to in sub-paragraph (a), as a complaint of misconduct (but not serious misconduct).

Action after allocation of complaint

15.—(1) The responsible bishop, having received a notification under section 21(4) of the CCM, must notify each party to the complaint of the lead assessor's decision.

(2) The notification required by paragraph (1) (the "decision notice") must be given—

(a) in writing, and

(b) before the end of the five days beginning with the day after the notification under section 21(4) of the CCM is received.

(3) Where section 22(2) of the CCM applies (allocation as grievance: appointment of designated person), the decision notice must also include the name of the designated person.

(4) Where section 22(4) of the CCM applies (allocation as misconduct: appointment of case assessor), the decision notice must include the name of the case assessor appointed.

(5) Where section 22(5) of the CCM applies (allocation as serious misconduct: referral to Investigation and Tribunals Team), the referral to the Investigation and Tribunals Team must be made when the decision notice is given.

(6) The decision must be accompanied by—

(a) a copy of the complaint form in Form 2, and

(b) a copy of the lead assessor's decision in Form 3.

PART 6

GRIEVANCE

Application of this Part

16.—(1) This Part applies where a complaint is allocated under section 21(1)(a) or 24(7)(b) of the CCM as a grievance.

(2) But this Part ceases to apply in relation to a complaint if, on a referral under section 23(3) of the CCM, the lead assessor re-allocates the complaint as one of misconduct (whether or not serious misconduct).

Provision of Code of Practice

17.—(1) The designated person in relation to the complaint must, before the end of seven days beginning with the day after the person was appointed under section 22(2) of the CCM, provide a copy of the Code of Practice to each party to the complaint.

(2) The Code of Practice may be provided by way of an electronic link.

Response to a grievance

18.—(1) A response to the complaint must be provided by the person against whom it is made in the form set out in Form 4.

(2) The response must be provided to the designated person before—

(a) the end of 14 days beginning with the day after the respondent received the complaint, or

(b) if the designated person notifies the respondent of a different period for a response (whether longer or shorter than the 14-day period), the end of that different period.

(3) The response must —

(a) state whether or not the respondent admits, in whole or in part, the complaint,

(b) if no admission is made, include a response to the complaint,

(c) if a partial admission is made—

(i) specify each part of the complaint that is not admitted, and

(ii) include a response to each of those parts, and

(d) if a full or partial admission is made, include a proposal for resolving the complaint.

(4) The response must be signed and dated by the respondent and must be verified by a statement of truth made by the respondent.

(5) If the respondent fails to provide a response in the period provided for by paragraph (2), the designated person must proceed to deal with the complaint despite that failure.

Withdrawal of admission

19.—(1) The respondent may withdraw an admission made in accordance with rule 18 if permitted to do so by the President of Tribunals.

(2) An application to withdraw an admission must be made in accordance with rule 105.

Decision on a grievance

20.—(1) The designated person must, after receipt of the response under rule 18 or, if no response is received, after the expiry of the period provided for by rule 18(2), decide whether the complaint is—

(a) upheld in full,

(b) upheld in part, or

(c) dismissed.

(2) As soon as reasonably practicable after making a decision under this rule, the designated person must—

(a) record the outcome of the complaint in the form set out in Form 5, and

(b) give a copy of Form 5 to the parties to the complaint.

(3) The record of the outcome of the complaint must include—

(a) a summary of the grievance and the issues in respect of which the designated person made a decision,

(b) a summary of the information relied on for the purposes of that decision,

(c) a statement of whether the grievance was upheld in full, upheld in part or dismissed,

(d) if the grievance is wholly or partly resolved, specify the steps taken to resolve it, and

(e) if the grievance is not wholly resolved, state that fact.

Grievance record

21.—(1) The designated person must create a record (a "grievance record") consisting of—

(a) the complaint form,

(b) the response form (if there is one),

(c) the record of the outcome, and

(d) any other documents relevant to the decision on the grievance (including, in particular, correspondence and minutes of meetings).

(2) The designated person must provide a copy of the grievance record to the responsible bishop in relation to the complaint.

(3) The responsible bishop must place the grievance record on the file, commonly known as the "clergy file", which the responsible bishop maintains for the clerk in Holy Orders and which records the clerk's work history, training, duties and performance.

Reallocation

22.—(1) Where a referral is made under section 23(3) of the CCM by the designated person (referral and recommendation for reallocation), the decision of the lead assessor on what to do

under section 23(4) of the CCM must be made before the end of five days beginning with the day after the lead assessor receives the referral.

(2) The lead assessor, having made that decision, must, before the end of three days beginning with the day after that decision was made, inform—

(a) the parties to the complaint, and

(b) the responsible bishop or, if the complaint is against an archbishop, the President of Tribunals.

PART 7

COMPLAINT OF MISCONDUCT

Application of this Part

23. This Part applies where a complaint is allocated under section 21(1)(b) or 23(4)(b) of the CCM as a complaint of misconduct (but not serious misconduct).

Provision of Code of Practice

24.—(1) The case assessor in relation to the complaint must, before the end of seven days beginning with the day after the person was appointed under section 22(4) of the CCM, provide a copy of the Code of Practice to each party to the complaint.

(2) The Code of Practice may be provided by way of an electronic link.

Response to a complaint of misconduct (but not serious misconduct)

25.—(1) A response to the complaint must be provided by the person against whom it is made in the form set out in Form 4.

(2) The response must be provided to the case assessor before—

(a) the end of 14 days beginning with the day after the respondent received the complaint, or

(b) if the case assessor notifies the respondent of a different period for a response (whether longer or shorter than the 14-day period), the end of that different period.

(3) The response must—

(a) state whether or not the respondent admits, in whole or in part, the complaint,

(b) if no admission is made, include a response to the complaint,

(c) if a partial admission is made—

(i) specify each part of the complaint that is not admitted, and

(ii) include a response to each of those parts.

(4) The response must be signed and dated by the respondent and must be verified by a statement of truth made by the respondent.

(5) If the respondent fails to provide a response in the period provided for by paragraph (2), the case assessor must proceed to deal with the complaint despite that failure.

Withdrawal of admission

26.—(1) This rule applies if a response under rule 25 includes an admission.

(2) The respondent may withdraw the admission if permitted to do so by the President of Tribunals.

(3) An application to withdraw the admission must be made in accordance with rule 105.

Advice from the Investigation and Tribunals Team

27. The case assessor must seek advice from the Investigation and Tribunals Team if, during the investigation under section 24 of the CCM—

(a) a question of law arises, or

(b) a question arises on the interpretation of a provision of a code of practice issued under section 5A of the Safeguarding and Clergy Discipline Measure 2016(**a**).

Report

28.—(1) The case assessor must complete the investigation and issue the report under section 25(2) of the CCM before—

(a) the end of four months beginning with the day after the case assessor is appointed, or

(b) the end of such longer period as the President of Tribunals may direct on the application of the case assessor.

(2) An application under paragraph (1)(b) must be made in accordance with rule 105.

Conciliation

29.—(1) This rule applies where the parties reach an agreement under section 26(1) of the CCM (agreement to refer complaint of misconduct for conciliation).

(2) The period within which representations may be made under section 26(2)(a) of the CCM (who to appoint as conciliator) is 14 days beginning with the day after the opportunity to make those representations is given.

(3) The responsible bishop or the President of Tribunals must, when giving each of the parties that opportunity to make representations, propose names of potential conciliators with details of their suitability, experience and qualifications for appointment.

(4) When making the appointment under section 26(2)(b) of the CCM, the responsible bishop or the President of Tribunals must provide the person appointed with a copy of each of the following—

(a) the complaint form,

(b) the respondent's response (if there is one), and

(c) the evidence in support of each.

(5) If, following the appointment of the conciliator, the parties agree that a conciliation has been reached—

(a) the agreement in the form in which it is to be recorded under section 26(4) of the CCM must be signed by the parties to the complaint, and

(b) the conciliator must give a copy of the signed agreement to the responsible bishop or, if the complaint is against an archbishop, the President of Tribunals.

(**a**) 2016 No. 1. Section 5A was inserted by section 1(1) of the Safeguarding (Code of Practice) Measure 2021 (No. 3).

Reallocation

30.—(1) Where a referral is made under section 24(6) of the CCM by the case assessor (referral and recommendation for reallocation), the decision of the lead assessor on what to do under section 24(7) of the CCM must be made before the end of five days beginning with the day after the lead assessor receives the referral.

(2) The lead assessor, having made that decision, must, before the end of three days beginning with the day after that decision was made, inform—

(a) the parties to the complaint, and

(b) the responsible bishop or, if the complaint is against an archbishop, the President of Tribunals.

PART 8

COMPLAINT OF SERIOUS MISCONDUCT

Application of this Part

31. This Part applies where a complaint is allocated under section 21(1)(c), 23(4)(c) or 24(7)(c) of the CCM as a complaint of serious misconduct.

Provision of Code of Practice

32.—(1) The Investigation and Tribunals Team must, before the end of seven days beginning with the day after the complaint is referred to the Team under section 22(5) of the CCM, provide a copy of the Code of Practice to each party to the complaint.

(2) The Code of Practice may be provided by way of an electronic link.

Response to a complaint of serious misconduct

33.—(1) A response to the complaint must be provided by the person against whom it is made in the form set out in Form 4.

(2) The response must be provided to the Investigation and Tribunals Team before—

(a) the end of 14 days beginning with the day after the respondent received the complaint, or

(b) if the Investigation and Tribunals Team notifies the respondent of a different period for a response (whether longer or shorter than the 14-day period), the end of that different period.

(3) The response must—

(a) state whether or not the respondent admits, in whole or in part, the complaint,

(b) if no admission is made, include a response to the complaint, or

(c) if a partial admission is made—

(i) specify each part of the complaint that is not admitted, and

(ii) include a response to each of those parts.

(4) The response must be signed and dated by the respondent and must be verified by a statement of truth made by the respondent.

(5) If the respondent fails to provide a response in the period provided for by paragraph (2), the Investigation and Tribunals Team must proceed to deal with the complaint despite that failure.

Findings on the basis of admissions

34. If a response under rule 33 includes an admission, the tribunal or court may make a finding of misconduct (either serious misconduct or other misconduct), or a finding of fact, on the basis of the admission (without considering any further evidence).

Partial admissions

35.—(1) This rule applies if the respondent makes a partial admission to the misconduct alleged in the complaint (whether in a response under rule 33 or subsequently in the proceedings).

(2) The Investigation and Tribunals Team may make an application to the Chair of the tribunal or court to discontinue proceedings in respect of the complaint (including the parts of the complaint in respect of which no admission is made).

(3) Before making an application under paragraph (2), the Investigation and Tribunals Team must consult the complainant.

(4) An application under paragraph (2) must be made in accordance with rule 105.

Withdrawal of admission

36.—(1) This rule applies where the response under rule 33 includes a full or partial admission.

(2) The respondent may withdraw the admission if permitted to do so by—

(a) if the application is made before the complaint has been referred to the tribunal or court, the President of Tribunals, or

(b) in any other case, the Chair of the tribunal or court.

(3) An application to withdraw the admission must be made in accordance with rule 105.

Report

37.—(1) The Investigation and Tribunals Team must complete the investigation and make the report to the President of Tribunals under section 27(2)(b) of the CCM—

(a) before the end of five months beginning with the day after the case is referred to the Investigation and Tribunals Team, or

(b) such longer period as the President of Tribunals may direct on the application of the Investigation and Tribunals Team.

(2) An application under paragraph (1)(b) must be made in accordance with rule 105.

Representations and decision

38.—(1) Written representations (if any) made by a party to the complaint under section 27(4) of the CCM must be made before the end of the representation period.

(2) The "representation period", in relation to a report, is the period of 14 days beginning with the day after the report is given to the party under section 27(4) of the CCM.

(3) The decision of the President of Tribunals on what to do under section 27(5) of the CCM must be made before the end of 28 days beginning with the day after the representation period ends.

(4) The President of Tribunals must give a copy of the written record of the decision on what to do under section 27(5) of the CCM to—

(a) each party to the complaint,

(b) the responsible bishop in relation to the complaint (unless the complaint is against an archbishop), and

(c) the Investigation and Tribunals Team.

(5) Where the President of Tribunals makes the determination under section 27(9) of the CCM (referral to lead assessor of complaint of misconduct but not serious misconduct), that determination counts as the President's decision for the purposes of section 27(5) of the CCM.

Order for production of documents by person not party to complaint

39.—(1) This rule applies where a complaint is allocated as one of serious misconduct under section 21(1)(c), 23(4)(c) or 27(4)(c) of the CCM.

(2) The Investigation and Tribunals Team or the respondent may apply for an order for production of documents by a person who is not a party to the complaint.

(3) But the respondent may not apply for an order for the production of documents by the Investigation and Tribunals Team.

(4) The application may be made at any time after the complaint to which it relates has been made.

(5) The application must be made —

(a) if the complaint has been referred to a bishop's disciplinary tribunal or the Vicar-General's court under section 27(5) of the CCM, to the Chair of the tribunal or court, and

(b) in any other case, to the President of Tribunals.

(6) The application—

(a) must be made in accordance with rule 105, and

(b) may be made without notice being given to any person (but, where the application is made under paragraph (5)(b), the President may direct under rule 4 that written notice of the application must be given to specified persons).

(7) The President or Chair may make an order on the application only if satisfied that the production of documents specified or described in the application is relevant and necessary for dealing fairly with the complaint.

(8) The order must specify or describe the documents or the classes of document which the person to whom the order is directed must produce.

(9) The order must state that—

(a) the person to whom the order is directed must obey the order,

(b) failure to do so may be a contempt, and

(c) if the order is not obeyed, the person to whom it is directed may be liable to imprisonment or a fine or both.

(10) Where an order under this rule is made without reasonable notice of the application having been given to the person to whom the order is directed, that person may apply to the President or Chair for discharge or variation of the order within the period specified in the order.

(11) The period specified in the order under paragraph (10) must be at least 14 days beginning with the day after the order is made.

Failure to comply with an order under rule 39

40.—(1) If the person to whom an order under rule 39 is directed fails to comply with the order without reasonable excuse and would, as a result, be in contempt of the President if the President

had power to commit for contempt, the President may send the High Court a signed certificate stating the failure to comply.

(2) The High Court may—

(a) on receiving a certificate under paragraph (1), inquire into the alleged failure to comply, and

(b) after hearing any witness for or against the person to whom the order is directed and any statement in defence, exercise the same jurisdiction and powers as if the person were guilty of contempt of the High Court.

(3) If the complaint to which the order relates has been referred to a tribunal or court under section 27(5) of the CCM, paragraphs (1) and (2) apply as if the references to the President of Tribunals were a reference to the tribunal or court (in so far as section 62 of the CCM would not otherwise apply to the failure to comply).

PART 9

SAFEGUARDING ISSUES DURING INVESTIGATION

Addition of safeguarding professional as party to complaint

41.—(1) On an application under section 28(1)(b) of the CCM, the President of Tribunals may, if satisfied that an issue relating to the safeguarding of a child or vulnerable adult arises, order that the relevant safeguarding professional is to become a party to the complaint.

(2) The application—

(a) must be made in accordance with rule 105,

(b) must be accompanied by a copy of every document in the applicant's possession which relates to the complaint, and

(c) may be made without notice being given to any person (but the President may direct under rule 4 that written notice of the application must be given to specified persons).

(3) In these Rules, "relevant safeguarding professional" means—

(a) a diocesan safeguarding officer,

(b) the national director of safeguarding, or

(c) a member of the national safeguarding team.

Role of safeguarding officer, director or professional

42.—(1) This rule applies where a relevant safeguarding professional is a party to a complaint, including where that person becomes a party in accordance with section 20(4) or (5) of the CCM or an order made under rule 41.

(2) The relevant safeguarding professional—

(a) may attend any meeting or hearing in relation to the complaint (subject to the power to exclude persons from the hearing under rule 60);

(b) at the invitation of the Chair of the tribunal or court, may make written submissions in relation to a penalty for the misconduct to which the complaint relates, by reference to the safeguarding of children and vulnerable adults.

(3) The President of Tribunals must secure, or must give directions for securing, that the relevant safeguarding professional is provided with—

(a) a copy of every notice or other document given or application made in relation to the complaint before the relevant safeguarding professional became a party, and

(b) if any of the copy documents accompanying the application under rule 41(2)(b) does not come within sub-paragraph (a) of this paragraph, a copy of that document.

PART 10
CASE MANAGEMENT

Duty to manage cases

43.—(1) The Chair of the tribunal or court to which a complaint of serious misconduct is referred (referred to in this Part as "the Chair") must further the overriding objective by actively managing the proceedings on the complaint.

(2) Active management of proceedings includes—

(a) encouraging the parties to, and any other persons concerned in, the proceedings to co-operate with each other—

(i) in the conduct of the proceedings, and

(ii) in resolving, as far as possible, matters that are in dispute between them,

(b) identifying the issues at an early stage,

(c) deciding which issues are to be resolved,

(d) deciding promptly whether any, and if so which, issues require a full hearing in person and, accordingly, disposing of other issues summarily or on consideration of written representations,

(e) setting timetables or otherwise controlling the progress of the proceedings,

(f) considering whether the likely benefits of taking a particular step justify the cost of taking it,

(g) dealing with as many aspects of the complaint as the tribunal or court can on the same occasion,

(h) dealing with the complaint in a way that minimises the need for parties to attend the tribunal or court in person,

(i) making effective use of technology, and

(j) giving directions to ensure that the resolution of a complaint proceeds quickly and efficiently.

General powers

44.—(1) The powers conferred by this rule are in addition to the Chair's other powers.

(2) The Chair may, except where these Rules provide otherwise—

(a) extend or shorten the time for compliance with a requirement of, or of an order made under, the CCM or these Rules (even if an application for extension is made after the time for compliance with the requirement has expired);

(b) give permission to a party to amend on such terms as the Chair considers just a document relating to the proceedings on the complaint;

(c) adjourn or bring forward a hearing;

(d) require a party or a party's legal representative to attend a hearing;

(e) hold a hearing and receive evidence by telephone, video link or any other method of direct oral communication;

(f) direct that part of the proceedings may be dealt with as separate proceedings;

(g) stay the whole or part of the proceedings or judgment either generally or until a specified date or event;

(h) consolidate the proceedings with other proceedings on a complaint of serious misconduct;

(i) hear two or more sets of proceedings on the same occasion;

(j) direct a separate hearing of an issue;

(k) decide the order in which issues are dealt with;

(l) exclude an issue from consideration;

(m) dismiss or give judgment on proceedings after a decision on a preliminary issue;

(n) take any other step, or make any other order, for the purpose of managing the proceedings in accordance with the overriding objective.

(3) Where the tribunal or court makes an order, the order may—

(a) impose conditions;

(b) specify the consequences of failure to comply with the order.

(4) A power under these Rules to make an order includes a power to vary or revoke the order.

(5) The power under paragraph (2)(a) may be exercised by the registrar of tribunals.

Duty of registrar to consult Chair

45. Before taking a step in relation to proceedings on a complaint of serious misconduct, the registrar of tribunals must consult the Chair; and the Chair may take the step instead of the registrar.

Power of Chair to act on own initiative

46.—(1) The Chair may, except where a provision of these Rules or another enactment provides otherwise, exercise powers under these Rules on the Chair's own initiative (as well as on an application).

(2) Where the Chair proposes to make an order on the Chair's own initiative, the Chair—

(a) may give any person likely to be affected by the order an opportunity to make representations, and

(b) where the Chair does so, must also specify the time by which, and the manner in which, the representations may be made.

(3) Where the Chair wishes to hold a hearing to decide whether to make an order on the Chair's own initiative, the Chair must give each party to the complaint at least three days' written notice of the hearing.

(4) The Chair may make an order on the Chair's own initiative without hearing the parties to the complaint or giving them an opportunity to make representations.

(5) Where the Chair makes an order on the Chair's own initiative—

(a) a person affected by the order may apply to have it set aside, varied or stayed, and

(b) the order must include a statement of the right to make an application under sub-paragraph (a).

(6) An application under paragraph (5)(a) must be made in accordance with rule 105.

(7) The application must be made—

(a) within such period as the Chair may specify, or

(b) if the Chair does not specify a period, before the end of seven days beginning with the day after the order to which the application relates was served on the person making the application.

PART 11
DIRECTIONS

Giving directions

47.—(1) The Chair of the tribunal or court to which a complaint of serious misconduct is referred may, in any proceedings on the complaint, give directions for the conduct of the proceedings.

(2) When determining whether to give directions and, if so, which directions to give, the Chair must seek to give effect to the overriding objective.

(3) Directions may be given—

(a) orally or in writing;

(b) with or without a hearing.

(4) The registrar of tribunals may give directions to the extent authorised by these Rules.

(5) If the Chair holds a hearing for the purpose of giving directions, it is the duty of the parties to attend or take part in the hearing, either in person or by legal representatives.

(6) The Chair may request the attendance of another person at the hearing.

Matters on which directions may be given

48. The matters on which directions may be given include—

(a) matters mentioned in Part 10 (case management);

(b) matters on which the tribunal or court in question requires evidence and the nature of that evidence;

(c) the presentation of evidence;

(d) the disclosure or inspection of documents;

(e) the appointment of expert witnesses (including limiting the number of witnesses appointed), the exchange of expert reports and the identification by the experts concerned of the matters on which they agree and those on which they disagree;

(f) the limitation of the number of witnesses which a party to a complaint may call;

(g) the timetable for hearing oral evidence at a hearing;

(h) the preparation and presentation of documents for a hearing;

(i) the giving or sending of documents for a hearing to a party to a complaint or to the tribunal or court in question.

PART 12
EVIDENCE

Witness statements for use at hearing

49.—(1) This rule applies to a witness statement intended for use in proceedings before the tribunal or court to which a complaint of serious misconduct has been referred.

(2) The witness statement must be signed by the person making it and may not include evidence which the person would not be allowed to give orally.

(3) The witness statement must indicate—

(a) which matters come from the witness's own knowledge and which are matters of information or belief, and

(b) in the case of a matter of information or belief, the source of that information or belief.

(4) The witness statement must include at the end a declaration of truth signed and dated by the witness and in the following form—

"I believe that the contents of this witness statement are true."

(5) A party wishing to rely on the witness statement in a hearing on the complaint must call the witness to give oral evidence at the hearing unless—

(a) the parties agree that the witness statement may be put in evidence,

(b) the witness has died or is too ill to attend, or

(c) the registrar of tribunals or the Chair of the tribunal or court directs otherwise.

(6) Where the witness is called to give oral evidence, the witness statement of that witness stands as the witness's evidence in chief unless the Chair directs otherwise.

(7) The witness, when giving oral evidence, may with the permission of the Chair—

(a) amplify the witness statement;

(b) give evidence on a matter which has arisen since the witness statement was made.

(8) If a party exchanges the witness statement with another party but does not call the witness to give oral evidence at the hearing or put the statement in evidence without calling the witness, the other party may put the witness statement in evidence without calling the witness to give oral evidence.

Use of witness statements for other purposes

50.—(1) A witness statement may be used only for the purposes of the complaint in the proceedings in which it is served.

(2) But paragraph (1) does not apply if or to the extent that—

(a) the witness gives consent in writing to the use of the statement for specified purposes,

(b) the Chair of the tribunal or court gives permission for the use of the statement for specified purposes, or

(c) the witness statement has been put in evidence at a hearing held in public.

Expert reports

51.—(1) No party to a complaint of serious misconduct may call an expert or put in evidence an expert report without the permission of the Chair of the tribunal or court dealing with the complaint.

(2) Expert evidence must be given in the form of a single written report by experts acting jointly on the instructions of the parties acting jointly unless the Chair, having had due regard to the overriding objective, considers that it would be in the interests of justice for a separate written report to be prepared in relation to either or each party by an expert acting on the instructions of that party.

(3) Where the Chair gives permission to put in evidence an expert report, the Chair must direct that the report satisfies each of the following requirements—

(a) it must contain a statement that each expert understands the duty which that expert has to the tribunal or court and has complied with that duty;

(b) it must be addressed to the tribunal or court (and not to the parties by whom the experts are instructed);

(c) it must specify each expert's qualifications;

(d) it must give details of the material on which the experts have relied in making the report;

(e) it must contain a statement of the substance of the facts and instructions which are material to the opinions given in the report or on which those opinions are based;

(f) it must specify those of the facts stated in the report which are within the experts' own knowledge and those which are not;

(g) it must specify who carried out any examination, measurement, test or experiment which the experts have used for the report, specify that person's qualifications and indicate whether the examination, measurement, test or experiment was carried out under the experts' supervision;

(h) if there is a range of opinions on matters in the report, it must summarise those opinions and give reasons for each expert's own opinion;

(i) it must summarise the conclusions reached;

(j) if the experts are unable to give an opinion without qualification, it must specify that qualification.

(4) The expert report must be signed and dated by each expert and verified by a statement of truth in the following form—

> "I confirm that I have specified those of the facts stated in this report which are within my own knowledge and those which are not. Those within my own knowledge I confirm to be true. The opinions I have expressed represent my own true and complete expert opinion on the matters to which they refer."

(5) Where a separate written report is prepared in relation to a party by an expert acting on the instructions of that party, the references in paragraphs (3) and (4) to the experts or parties are to be read as references to the expert or party concerned.

Exclusion of evidence

52.—(1) The Chair of the tribunal or court dealing with a complaint of serious misconduct may, in the case of evidence which would otherwise be admissible, give directions to exclude the evidence on the grounds that it is irrelevant or unnecessary.

(2) The Chair of the tribunal or court may give directions to exclude evidence which should, in the opinion of the Chair, be excluded in the interests of justice.

Oral evidence

53. Oral evidence must be given on oath or affirmation.

PART 13
HEARINGS: GENERAL PROVISION

Conduct of hearings: general

54.—(1) The tribunal or court to which a complaint of serious misconduct is referred must, in accordance with the overriding objective—

(a) set a timetable for the hearing of the complaint,

(b) decide whether or to what extent the hearing is to be held electronically, digitally or virtually, and

(c) conduct the hearing in the manner it considers most appropriate, having due regard to the issues before it.

(2) The registrar of tribunals must give directions for the time, date and place of each session of the hearing (including, in a case where the hearing is to any extent to be held in a manner referred to in paragraph (1)(b), instructions on how to join and participate in the hearing).

(3) The hearing in its entirety must be recorded by audio, audio-visual or other electronic means.

Cross-examination of witnesses in person

55.—(1) A respondent may not cross-examine a witness in person where the alleged misconduct is—

(a) conduct of a sexual nature towards the witness,

(b) violent, controlling, coercive or threatening conduct towards the witness, or

(c) conduct towards the witness which took place when the witness was a child.

(2) A respondent may not cross-examine a witness in person where it appears to the tribunal or court—

(a) that the quality of evidence given by the witness would be likely to be diminished if the cross-examination were conducted by the respondent in person and would be likely to be improved if a direction under this rule were to be given, and

(b) that it would not be contrary to the interests of justice to give such a direction.

(3) The Investigation and Tribunals Team may apply to the Chair of the tribunal or court for a direction that paragraph (2) applies in relation to the witness specified in the application.

(4) An application under paragraph (3) must be made in accordance with rule 105.

(5) The respondent—

(a) may, before the end of 14 days beginning with the day after a copy of an application under paragraph (3) was received, make representations in writing to the Chair, and

(b) must, if representations are made under this paragraph, give a copy of the representations to the Investigation and Tribunals Team at the same time as the representations are made.

(6) In determining an application under paragraph (3), the Chair must have due regard to—

(a) any views expressed by the witness as to whether the witness is content to be cross-examined by the respondent in person,

(b) the nature of the questions likely to be asked, in light of the issues in the proceedings,

(c) whether there has been any relationship between the witness and the respondent and, if so, the nature of that relationship, and

(d) any other relevant circumstances.

(7) Where the Chair is satisfied that paragraph (1) or (2) applies in relation to a witness, the Chair must—

(a) give a direction to that effect,

(b) invite the respondent to arrange for a legal representative to act for the purpose of cross-examining the witness, and

(c) direct the respondent to notify the registrar of tribunals by the end of the period specified in the direction whether a legal representative is to act for that purpose.

(8) If, by the end of the period specified under paragraph (7)(c), the respondent has not given the notification to the registrar of tribunals—

(a) the Chair must consider whether it is in the interests of justice for the witness to be cross-examined, and

(b) if the Chair considers that it is, the tribunal or court must appoint a legal representative to cross-examine the witness.

(9) A person appointed under paragraph (8)(b) is appointed to act in the interests of the respondent but is not responsible to the respondent.

(10) The tribunal or court must meet the costs that—

(a) are incurred in respect of an appointment under paragraph (8)(b), and

(b) do not exceed the amount that the Chair determines is reasonable in the circumstances.

Amendments to allegations

56.—(1) At any time before the hearing begins, the registrar of tribunals may, on an application made in writing by the complainant, direct that an allegation of misconduct in the complaint is to be amended.

(2) At any time after the hearing begins (but before the complaint is determined), the Chair of the tribunal or court may, on an application made orally by the complainant, direct that an allegation of misconduct in the complaint is to be amended.

(3) The registrar of tribunals or the Chair may only give a direction under this rule if satisfied that the amendment—

(a) is necessary for the just disposal of the proceedings in accordance with the overriding objective,

(b) is appropriate in the circumstances of the case, and

(c) can be made without injustice to the complainant or the respondent.

Tribunal or court sitting in private

57.—(1) The circumstances in which the tribunal or court may sit in private for the purposes of section 31(3)(b) of the CCM are those in which it is satisfied that doing so is necessary—

(a) to protect the privacy of a child or protected party giving evidence in person, or

(b) to prevent prejudice to the proceedings.

(2) The following persons (and no others) may attend a hearing of the tribunal or court held in private—

(a) the complainant and the respondent,

(b) where the complainant or respondent is a litigation friend appointed under section 17 of the CCM, the protected party (which has the meaning given in rule 5),

(c) the legal representative of the respondent,

(d) the registrar of tribunals for the province in which the hearing is held,

(e) the Investigation and Tribunals Team,

(f) the responsible bishop or a person nominated by that bishop,

(g) if the complaint is against a priest or deacon, the archdeacon who has a proper interest in the complaint under section 15 of the CCM,

(h) any person involved in the administration of the hearing, and

(i) any person permitted by the tribunal or court to attend.

Personal attendance of witness

58. The Chair of the tribunal or court may, at any stage of the proceedings on the complaint, require the personal attendance at the hearing of—

(a) the author of a witness statement, or

(b) an expert who has produced a report, or is giving evidence in another form, in accordance with rule 51.

Absence from hearing

59. If the complainant or respondent is absent from a hearing on the complaint, the tribunal or court may proceed with the hearing only if satisfied that the absent party has been given written notice of the hearing.

Power to exclude from hearing

60. The tribunal or court may exclude a person from the hearing if, in the opinion of the tribunal or court, the person—

(a) has disrupted the hearing or threatens to disrupt the hearing, or

(b) has otherwise interfered with the administration of justice.

Special measures

61.—(1) This rule applies if the Chair of the tribunal or court decides that a party's ability to participate, or a witness's ability to give evidence, in the proceedings is being, or is likely to be, diminished on any of the following grounds—

(a) age, immaturity or lack of understanding;

(b) communication or language difficulties (including literacy);

(c) physical disability or impairment or a physical health condition;

(d) a mental health condition or a significant impairment of an aspect of intelligence or social functioning (including learning difficulties);

(e) the impact of the subject-matter or facts relevant to the proceedings;

(f) a relationship with a party or witness;

(g) social, domestic or cultural circumstances;

(h) the presence of any other factor causing vulnerability in the party or witness.

(2) The Chair may give directions, or make an order, to put in place special measures for the purpose of—

(a) enabling, or increasing the ability of, the party to participate in the proceedings, or

(b) enabling, or increasing the ability of, the witness to give evidence in the proceedings.

(3) The Chair may reach the decision under paragraph (1) either on an application by the party or witness or on the Chair's own initiative.

(4) An application for the purposes of this rule may be made orally or in writing; and an application in writing must be made in accordance with rule 105.

(5) Before exercising a power under paragraph (2), the Chair must consider views expressed by the party or witness (as the case may be).

(6) The special measures which may be put in place under paragraph (2) include, in particular—

(a) allowing a support person to be present at the hearing when the party or witness gives evidence,

(b) preventing a party or witness from seeing another party or witness by the use of screens,

(c) allowing a party or witness to give evidence by a means referred to in rule 54(1)(b) (in so far as the hearing is not already being held by such means),

(d) hearing a party or witness give evidence in private,

(e) admitting pre-recorded video evidence,

(f) questioning a party or witness through an intermediary, and

(g) using a device or other aid to help a party or witness communicate.

Power to order identity not to be published

62.—(1) The tribunal or court may order that the name and other identifying details of a person who is involved, or referred to, in the proceedings must not be published or otherwise made public.

(2) The tribunal or court may make an order under paragraph (1) only if satisfied that the order—

(a) is desirable to protect the private life of a person,

(b) is desirable to protect the interests of a child, or

(c) is otherwise in the interests of the administration of justice.

(3) An order under paragraph (1) may be of a defined or indefinite duration (and may, accordingly, have effect beyond the conclusion of the proceedings).

PART 14

TERMINATION, SUBSITUTION AND WITHDRAWAL

Proceedings cease on death of respondent

63. Proceedings under the CCM and these Rules cease on the death of the respondent.

Substitution on death, incapacity etc of complainant

64.—(1) This rule applies if the complainant dies or is or becomes incapacitated or otherwise incapable of participating in the proceedings; and for this purpose, the reference to being

incapacitated includes a reference to lacking capacity for the purposes of the Mental Capacity Act 2005(**a**).

(2) A person may apply to the President of Tribunals to be substituted as the complainant in relation to the complaint.

(3) An application under paragraph (2) must—

(a) be made on notice to the respondent and in accordance with rule 105, and

(b) state the grounds on which the person has a proper interest in the complaint for the purposes of section 15 of the CCM.

(4) The President of Tribunals may grant an application under paragraph (2) if satisfied that the person has, for the purposes of section 15 of the CCM, a proper interest in the complaint.

(5) If no application under paragraph (2) is made, or if none is granted, and the President of Tribunals considers it reasonable in all the circumstances, the President of Tribunals may order that the complaint is treated as being withdrawn.

(6) If a complaint is treated as being withdrawn under paragraph (5), no further action is taken in relation to the complaint under the CCM or these Rules.

Withdrawal of complaint

65.—(1) The complainant may withdraw the complaint in accordance with this rule.

(2) The complainant may withdraw the complaint if permitted to do so by the President of Tribunals, subject to paragraph (3).

(3) In the case of a complaint of serious misconduct which has been referred to a tribunal or court, the complainant may withdraw the complaint if permitted to do so by the tribunal or court.

(4) An application for permission to withdraw a complaint must be made in accordance with rule 105.

(5) If an application for withdrawal of a complaint is granted, no further action may be taken in relation to the complaint under the CCM or these Rules.

(6) If the President of Tribunals or the Chair of the tribunal or court, as the case may be, refuses to grant an application for withdrawal of a complaint, the President or Chair may order that another person with a proper interest be substituted for the complainant.

PART 15

PENALTIES AND DECISIONS

Penalties: misconduct (but not serious misconduct)

66.—(1) Before imposing a penalty under section 38(1) or (3) of the CCM, the responsible bishop or the President of Tribunals must give each of the parties an opportunity to make written representations on—

(a) whether or not it is appropriate to impose a penalty;

(b) which penalty or penalties (if any) under section 37(1) of the CCM it is appropriate to impose.

(2) The representations (if any) must be made before the end of 14 days beginning with the day after the invitation to make those representations is given.

(**a**) 2005 c. 9.

Penalties: responsible bishop's view

67.—(1) This rule applies where the tribunal or court on a complaint of serious misconduct, acting under section 39(5) of the CCM, invites the responsible bishop to give a written opinion on the appropriate penalty.

(2) The responsible bishop must provide the opinion before the end of 14 days beginning with the day after the invitation is given.

(3) The tribunal or court must (in addition to giving a copy to the respondent under section 39(6)(b) of the CCM) give a copy of the written opinion to—

(a) the Investigation and Tribunals Team, and

(b) if a relevant safeguarding professional is a party to the complaint, that party.

Penalties: imposition without a complaint

68.—(1) This rule applies where a bishop or archbishop, or the President of Tribunals, proposes to exercise the power to impose a penalty under—

(a) section 46(1) of the CCM (conviction for offence), or

(b) rule 87(5)(a) (work in other capacities).

(2) The Investigation and Tribunals Team must—

(a) prepare the report required for the purposes of section 46(3) of the CCM before the end of 14 days beginning with the day after the person proposing to exercise the power makes a request for the report, and

(b) within the period specified in sub-paragraph (a)—

(i) give a copy of the report to the respondent, and

(ii) if a diocesan safeguarding officer or the national director of safeguarding is required to be consulted under section 46(3)(c) of the CCM before the penalty is imposed, give a copy of the report to that person.

(3) The period within which the cleric may make representations under section 46(3)(b) of the CCM is 14 days beginning with the day after the invitation to make those representations is given.

(4) If the cleric makes representations under section 46(3)(b) of the CCM, the cleric must, within the period specified in paragraph (3)—

(a) give a copy of the representations to the Investigation and Tribunals Team, and

(b) if a diocesan safeguarding officer or the national director of safeguarding is required to be consulted under section 46(3)(c) of the CCM before the penalty is imposed, give a copy of the representations to that person.

(5) If the person proposing to impose the penalty consults a diocesan safeguarding officer or the national director of safeguarding under section 46(3)(c) of the CCM—

(a) the consultation must be conducted in writing,

(b) the person consulted must respond to a request for consultation before the end of 14 days beginning with the day after the request was made, and

(c) a copy of the response must be provided to the respondent.

(6) For the purposes of the application of this rule in relation to the exercise of the power under rule 87(5)(a) (power to impose penalty for misconduct committed in work in ``````````````````````other capacity), references in paragraphs (2) to (5) to provisions of section 46 of the CCM are references to those provisions as applied by rule 87(5)(b).

Pronouncement of decisions

69.—(1) The Chair of the tribunal or court on a complaint of serious misconduct must pronounce in public—

(a) the determination of a complaint by the tribunal or court, and

(b) the penalty (if any) imposed.

(2) The Chair—

(a) may make a pronouncement under paragraph (1) at the end of the hearing or at a later date, and

(b) must not make a pronouncement under paragraph (1)(b) before making the pronouncement under paragraph (1)(a) in respect of the complaint.

(3) The Chair may sit alone for the purposes of making a pronouncement under this rule, except where the pronouncement is made at the end of the hearing.

Penalties or sanctions imposed without a complaint: copies of decision

70.—(1) This rule applies if a bishop or archbishop, or the President of Tribunals, imposes a penalty or administrative sanction under section 46 of the CCM (conviction for offence etc.).

(2) A bishop or archbishop who imposes a penalty or sanction must send a copy of the written record of the decision under section 46(7) of the CCM to—

(a) the clerk in Holy Orders on whom the penalty or sanction is imposed,

(b) the Investigation and Tribunals Team,

(c) either the provincial registrar (in the case of a decision made by an archbishop) or the diocesan registrar (in the case of a decision made by a bishop), and

(d) if a diocesan safeguarding officer or the national director of safeguarding was consulted under section 46(3)(c) of the CCM before the imposition of penalty or sanction, that person.

(3) If the President of Tribunals imposes a penalty or administrative sanction under section 46 of the CCM—

(a) the decision on the penalty or administrative sanction to impose must be recorded in writing, and

(b) the President of Tribunals must send a copy of the written record of the decision to—

(i) the clerk in Holy Orders on whom the penalty or sanction is imposed,

(ii) the other archbishop,

(iii) the Investigation and Tribunals Team,

(iv) the provincial registrar, and

(v) the national director of safeguarding, if that person was consulted under section 46(3)(c) of the CCM before the imposition of the penalty or sanction.

PART 16
DEPOSITION FROM HOLY ORDERS

Priests and deacons: notice

71.—(1) This rule applies where the responsible bishop in relation to a priest or deacon intends to exercise the power under section 41(2) of the CCM to depose the priest or deacon from Holy Orders.

(2) The notice of the intention to depose the priest or deacon from Holy Orders under section 41(4) of the CCM must be in the form specified in Form 6.

(3) The notice must—

(a) state that the responsible bishop intends to depose the priest or deacon from Holy Orders,

(b) specify the reasons for that decision,

(c) explain the right of appeal under section 41(5) and (6) of the CCM, and

(d) explain the effect of section 41(7) of the CCM (minimum period before deposition can take effect).

(4) The notice must be served personally on the priest or deacon; and, in making the arrangements for personal service of the notice, the responsible bishop must have due regard to the Code of Practice.

(5) But the President of Tribunals, if satisfied on an application by the responsible bishop that service under paragraph (4) is not practicable, may direct that the notice—

(a) may be sent in accordance with rule 111, or

(b) may otherwise be given in accordance with the President's directions.

(6) An application under paragraph (5)—

(a) must be made in accordance with rule 105, and

(b) may be made without notice being given to any person (but the President may direct under rule 4 that written notice of the application must be given to specified persons).

(7) If the notice is to be given in accordance with a direction under paragraph (5), it must be accompanied by a written offer from the responsible bishop of the opportunity for a meeting with the responsible bishop.

Priests and deacons: appeals

72.—(1) An appeal under section 41(5) of the CCM against a notice of intention to depose a priest or deacon from Holy Orders is made by giving notice in the form specified in Form 7 to the provincial registrar.

(2) The notice must —

(a) state the appellant's name, postal address, telephone number and email address, and

(b) specify the grounds for making the appeal.

(3) The notice must be accompanied by —

(a) a copy of the decision referred to in section 41(1) of the CCM (imposition of penalty of prohibition for life), and

(b) a copy of the notice of intention in respect of which the appeal is made.

(4) The archbishop must determine the appeal without a hearing but may, for the purposes of determining the appeal, request information or clarification from—

(a) the appellant,

(b) the Investigation and Tribunals Team, or

(c) if a relevant safeguarding professional is a party to the complaint, that party.

(5) On an appeal under section 41(5) of the CCM, the archbishop may—

(a) confirm the notice of intention to depose the priest or deacon, or

(b) set aside the notice of intention.

(6) The archbishop must give written notice of the decision on the appeal to—

(a) the appellant,

(b) the responsible bishop,

(c) the Investigation and Tribunals Team, and

(d) if a relevant safeguarding professional was a party to the complaint on which the decision referred to in section 41(1) of the CCM was made, that party.

(7) Notice given for the purposes of paragraph (6)(a) must be served personally on the appellant; and, in making the arrangements for personal service of the notice, the archbishop must have due regard to the Code of Practice.

(8) Paragraphs (5) and (6) of rule 71 apply in relation to the service of a notice under paragraph (7) of this rule as they apply in relation to the service of a notice under paragraph (4) of that rule, with the reference in rule 71(5) to the responsible bishop to be read as a reference to the archbishop.

Priests and deacons: decision

73.—(1) The deposition of a priest or deacon from Holy Orders is given effect by instrument in writing executed under the hand and seal of the responsible bishop.

(2) A copy of the instrument sealed by the responsible bishop must be served personally on the priest or deacon; and, in making the arrangements for personal service of the instrument, the responsible bishop must have due regard to the Code of Practice.

(3) The responsible bishop must give a copy of the instrument to—

(a) the diocesan registry of the diocese of the responsible bishop, and

(b) any other person whom the responsible bishop considers appropriate.

(4) If the responsible bishop decides not to depose a priest or deacon from Holy Orders, the responsible bishop—

(a) must make a written record of the decision and the reasons for it, and

(b) must place that record on the priest or deacon's clergy file.

(5) A copy of the written record must be served personally on the priest or deacon; and, in making the arrangements for personal service of the copy record, the responsible bishop must have due regard to the Code of Practice.

(6) The responsible bishop must provide a copy of the written record to—

(a) the complainant,

(b) the Investigation and Tribunals Team, and

(c) if a relevant safeguarding professional is a party to the complaint on which the decision referred to in section 41(1) of the CCM was made, that party.

(7) Paragraphs (5) and (6) of rule 71 apply in relation to the service of a copy of an instrument or report under paragraph (2) or (5) of this rule as they apply in relation to the service of a notice under paragraph (4) of that rule.

(8) In paragraph (4)(b), "clergy file" has the meaning given in rule 21(3).

Archbishops and bishops: notice

74.—(1) This rule applies where it is proposed to put a resolution to depose a bishop or archbishop from Holy Orders to the Upper House of the Convocation of a province, in accordance with section 42 of the CCM.

(2) Notice of the proposed resolution under section 42(5) of the CCM must be in the form specified in Form 8.

(3) The notice must—

(a) state that the Upper House of the Convocation of the province intends to consider a resolution to depose the bishop or archbishop from Holy Orders,

(b) specify the reasons for that decision,

(c) specify the date of the meeting at which the resolution will be put to the Upper House, and

(d) explain the effect of section 42(6) and (7) of the CCM (hearing and minimum period before the resolution may be put to the Upper House).

(4) The notice must be served personally on the bishop or archbishop to whom the proposed resolution relates; and, in making the arrangements for personal service of the notice, the registrar of the Convocation must have due regard to the Code of Practice.

(5) Paragraphs (5) and (6) of rule 71 apply in relation to service of a notice under paragraph (4) of this rule as they apply in relation to service of a notice under paragraph (4) of that rule, with the reference in rule 71(5) to the responsible bishop to be read as a reference to the registrar.

(6) The fact that the notice was served or otherwise given and the manner in which it was given must be proved by a certificate.

Archbishops and bishops: representations etc

75.—(1) This rule applies where notice has been given under rule 74 of a proposed resolution of the Upper House of the Convocation of a province to depose a bishop or archbishop from Holy Orders.

(2) A bishop or archbishop who makes written representations under section 42(6) of the CCM must, at the same time as making them—

(a) give a copy of the representations to the Investigation and Tribunals Team, and

(b) if a relevant safeguarding professional was a party to the complaint on which the decision under section 42(1) or (2) of the CCM was made, give a copy of the representations to that party.

(3) A bishop or archbishop who intends to take the opportunity, given in accordance with section 42(6) of the CCM, to be heard before the Upper House personally, must give written notice of that intention to the Upper House at least 14 days before the hearing is due to take place.

(4) The bishop or archbishop may be legally represented at the hearing.

(5) The president of the Upper House of the Convocation may invite written submissions in relation to the proposed resolution from—

(a) the Investigation and Tribunals Team, and

(b) if a relevant safeguarding professional was a party to the complaint on which the decision under section 42(1) or (2) of the CCM was made, that party.

(6) The Investigation and Tribunals Team and a relevant safeguarding professional who was a party to the complaint on which the decision under section 42(1) or (2) of the CCM was made must be given the opportunity to be heard before the Upper House of the Convocation in relation to the proposed resolution.

PART 17
RESTRICTION ORDERS AND SUSPENSIONS

Notice of restriction order

76.—(1) This rule applies where a relevant officer decides to impose a restriction order on a cleric in accordance with sections 34 and 35 of the CCM.

(2) The relevant officer must give notice of the restriction order to the cleric in the form set out in Form 9.

(3) The notice of restriction order must—

(a) specify the grounds under section 34(1) of the CCM on which the restriction order is imposed,

(b) state that the restriction order takes effect on the date of service of the notice,

(c) state that the restriction order, unless revoked, has effect for a period of three months beginning with that date,

(d) state that a further restriction order may subsequently be imposed,

(e) state that the effect of a restriction order is that the cleric must not take certain action specified in the notice ("restricted action"), except in so far as the relevant officer has given permission,

(f) if the relevant officer, at the time of imposing the restriction order, gives permission for the cleric to take restricted action in accordance with the permission, specify the action and the terms of the permission,

(g) state that a request from a cleric for permission to take restricted action (so far as it is not permitted on the terms specified in the notice under sub-paragraph (f)) must be made in writing to the relevant officer,

(h) state that taking restricted action (without permission) constitutes misconduct under section 3 of the CCM, and

(i) state that the cleric may, before the end of 14 days beginning with the day after the service of the notice of the restriction order, appeal against the decision to impose the restriction order.

(4) If, after giving notice of the restriction order, the relevant officer gives permission for the cleric to carry out restricted action, the permission must be given in writing.

Notice of suspension

77.—(1) This rule applies where a relevant officer decides to impose a suspension on a cleric in accordance with sections 34 and 36 of the CCM.

(2) The relevant officer must give notice of the suspension to the cleric in the form set out in Form 10.

(3) The notice of suspension must—

(a) specify the grounds under section 34(1) of the CCM on which the suspension is imposed,

(b) state that the suspension takes effect on the date of service of the notice,

(c) state that the suspension, unless revoked, has effect for a period of three months beginning with that date,

(d) state that a further suspension may subsequently be imposed,

(e) state that the effect of a suspension is that the cleric is prohibited from carrying out any function of, or incidental to, the cleric's office except in so far as the relevant officer has given permission,

(f) if the relevant officer gives permission at the time of imposing the suspension for the cleric to carry out a particular function, specify that function and the terms of the permission,

(g) state that a request from a cleric for permission to carry out a function (so far as it is not permitted on the terms specified in the notice under sub-paragraph (f)) must be made in writing to the relevant officer,

(h) state that carrying out a function of, or incidental to, the cleric's office while suspended (without permission) constitutes misconduct under section 3 of the CCM, and

(i) state that the cleric may, before the end of 14 days beginning with the day after the service of the suspension notice, appeal against the decision to impose the suspension.

(4) If, after giving notice of the suspension, the relevant officer gives permission for the cleric to carry out a function of, or incidental to, the cleric's office, the permission must be given in writing.

Record of decision on restriction order or suspension

78.—(1) This rule applies if—

(a) at least one of the conditions in section 34(1) of the CCM is met in relation to a cleric, and

(b) the relevant officer decides either to impose an order under section 34(2) of the CCM or not to do so.

(2) The relevant officer must—

(a) record the decision in the form set out in Form 12, and

(b) retain a copy of that record for such period as the relevant officer considers appropriate.

(3) The record of the decision must include—

(a) the reasons for the decision, and

(b) if the relevant officer has consulted a person in accordance with section 35(3) or 36(3) of the CCM, a summary of the person's advice.

(4) If the advice referred to in paragraph (3)(b) is given in writing, a copy of the advice must be included in or attached to the record of the decision.

Notice of revocation of restriction order or suspension

79.—(1) This rule applies if a relevant officer revokes a restriction order or suspension under section 34(3) of the CCM.

(2) The relevant officer must give notice of the revocation to the cleric in the form set out in Form 11a or 11b.

(3) The revocation takes effect on the date specified in the notice.

Service of notice under this Part

80.—(1) This rule applies in relation to a notice under —

(a) rule 76 (notice of restriction order),

(b) rule 77 (notice of suspension), and

(c) rule 79 (notice of revocation of restriction order or suspension).

(2) The notice must be personally served on the cleric, except where a direction under paragraph (3) is given.

(3) The President of Tribunals, on an application made by the relevant officer, may direct that a notice of suspension —

(a) may be sent in accordance with rule 111, or

(b) may otherwise be given in accordance with the President's directions.

(4) An application under paragraph (3) —

(a) must be made in accordance with rule 105, and

(b) may be made without notice being given to any person (but the President may direct under rule 4 that written notice of the application must be given to specified persons).

Provision of copies of notice under this Part

81.—(1) This rule applies in relation to a notice under —

(a) rule 76 (notice of restriction order),

(b) rule 77 (notice of suspension), and

(c) rule 79 (notice of revocation of suspension).

(2) If the cleric is a priest or deacon, the relevant officer must give a copy of the notice to —

(a) the archdeacon of the archdeaconry in which the cleric holds office or exercises ministry,

(b) the rural dean or area dean of the deanery in which the cleric holds office or exercises ministry,

(c) the other clergy who hold office or exercise ministry in a parish where the cleric holds office or exercises ministry,

(d) the churchwardens for each parish where the cleric holds office or exercises ministry,

(e) the diocesan registrar,

(f) where the suspension is on the grounds specified in section 34(1)(f) of the CCM or otherwise relates to the safeguarding of a child or vulnerable adult, the diocesan safeguarding officer, and

(g) any other person whom the relevant officer considers appropriate.

(3) If the cleric serves in a cathedral church, the relevant officer must give a copy of the notice to—

(a) the other clergy who serve in the cathedral church,

(b) the registrar of the diocese,

(c) where the suspension is on the grounds specified in section 34(1)(f) of the CCM, or otherwise relates to the safeguarding of a child or vulnerable adult, the diocesan safeguarding officer and the cathedral safeguarding officer, and

(d) any other person whom the relevant officer considers appropriate.

(4) If the cleric is a chaplain to the armed forces, the relevant officer must give a copy of the notice to—

(a) the Secretary of State,

(b) the provincial registrar,

(c) where the suspension is on the grounds specified in section 34(1)(f) of the CCM, or otherwise relates to the safeguarding of a child or vulnerable adult, the national safeguarding team, and

(d) any other person whom the relevant officer considers appropriate.

(5) If the cleric is a minister with a licence to preach from the archbishop of the province, or with a licence from the University of Oxford or Cambridge, the relevant officer must give a copy of the notice to—

(a) the provincial registrar, and

(b) any other person whom the relevant officer considers appropriate.

(6) If the cleric is a bishop, the relevant officer must give a copy of the notice to—

(a) the archbishop of the province which includes the diocese,

(b) the other bishops of the diocese (including assistant bishops),

(c) the diocesan secretary,

(d) the diocesan registrar,

(e) the provincial registrar,

(f) where the suspension is on the grounds specified in section 34(1)(f) of the CCM, or otherwise relates to the safeguarding of a child or vulnerable adult, the diocesan safeguarding officer and the national safeguarding team, and

(g) any other person whom the relevant officer considers appropriate.

(7) If the cleric is an archbishop, the relevant officer must give a copy of the notice to—

(a) the other archbishop,

(b) each diocesan bishop of the archbishop's province,

(c) the diocesan secretary for each diocese in the archbishop's province,

(d) the provincial registrars, and

(e) any other person whom the relevant officer considers appropriate.

PART 18

THE ARCHBISHOPS' LIST

Access to the list

82.—(1) The Archbishops of Canterbury and York must make the list maintained under section 58(1) of the CCM available to—

(a) the President of Tribunals,

(b) the Investigation and Tribunals Team,

(c) diocesan and suffragan bishops,

(d) persons appointed as lead assessors, and

(e) provincial and diocesan registrars and their deputies.

(2) The list must not be open to public inspection or made available to a person who is not listed in paragraph (1).

Notice of inclusion in the list

83.—(1) The archbishop of the relevant province must, before the end of 14 days beginning with the day after a person is included on the list maintained under section 58(1) of the CCM, give written notice of the inclusion to the person.

(2) A notice under paragraph (1) must—

(a) state that the person has been included on the list,

(b) specify the particulars recorded on the list in respect of that person, and

(c) state that the person has a right of appeal—

(i) against the particulars included on the list (under section 58(3) of the CCM), and

(ii) against the fact of inclusion in the list, but only on the grounds that the person's name was included in error (under section 58(4) of the CCM).

Protected convictions

84.—(1) This rule applies where—

(a) the inclusion of a clerk in Holy orders in the list maintained under section 58(1) of the CCM is based on a conviction or caution, and

(b) the conviction or caution becomes protected.

(2) The particulars recorded on the list, in relation to the clerk, may include the fact that the conviction or caution has become protected.

(3) The grounds on which the clerk may appeal under section 58(3) of the CCM against the particulars recorded in the list include the grounds that the conviction or caution has become protected.

(4) For the purposes of this rule, a conviction or caution is "protected" if it is protected for the purposes of an order made by the Secretary of State under the Rehabilitation of Offenders Act 1974(**a**).

Appeal against particulars or inclusion in error

85.—(1) This rule applies for the purposes of an appeal under section 58(3) or (4) of the CCM.

(2) The appeal must be made before the end of 14 days beginning with the day after the notice under rule 83(1) is given; but this paragraph does not apply to an appeal in a case within rule 84.

(3) The appeal must be made by notice in writing in the form set out in Form 13.

(4) The notice of appeal must—

(a) state the appellant's name, postal address, telephone number and email address, and

(b) specify the grounds of appeal.

(5) The notice must be signed and dated either by the appellant or by a legal representative acting for the appellant.

(6) If the notice is signed and dated by the appellant, it must be verified by a statement of truth made by the appellant.

(7) If the notice is signed and dated by a legal representative acting for the appellant, it must be verified by a statement made by the legal representative to the effect that the representative is authorised by the appellant to sign the notice.

(**a**) 1974 c. 53.

(8) The appellant may attach evidence in support of the appeal to Form 13.

(9) The President of Tribunals must before the end of 21 days beginning with the day after the notice is given—

(a) determine the appeal, and

(b) give written notice to the appellant of the outcome, specifying the directions (if any) given under section 58(5) or (6) of the CCM.

PART 19

WORK IN OTHER CAPACITIES

Work in other capacities: complaints under the CCM, CDM or EJM

86.—(1) This rule applies where there is a finding of misconduct on a complaint under the CCM, CDM or EJM against a clerk in Holy Orders who also carries out work in another capacity.

(2) The responsible bishop in relation to the complaint or, if the complaint is against an archbishop, the President of Tribunals must provide the information specified in paragraph (3) to—

(a) the person who employs, engages or appoints the clerk to carry out the work in the other capacity, or

(b) if it appears to the responsible bishop or the President (as the case may be) that there is no person who comes within sub-paragraph (a) but that there is a person to whom it would be appropriate to provide the information, that person.

(3) For the purposes of paragraph (2), the information is—

(a) a summary of the finding,

(b) a statement of each description of misconduct under section 3(1) of the CCM to which the finding relates, and

(c) the penalty (if any) imposed for the misconduct.

Work in other capacities: findings in disciplinary proceedings etc

87.—(1) This rule applies where there is a finding against a clerk in Holy Orders who also carries out work in another capacity in any disciplinary proceedings or process relating to that work.

(2) The person against whom the finding is made must, before the end of 14 days beginning with the day after the person is notified or becomes aware of the finding, provide the information specified in paragraph (3) to the relevant authority.

(3) For the purposes of paragraph (2), the information is —

(a) the name of the person who made the finding,

(b) the details of the finding, and

(c) the sanction (if any) imposed.

(4) In this rule, "relevant authority" means—

(a) in relation to a priest or deacon against whom a finding is made, the bishop of the diocese in which the priest or deacon exercises ministry,

(b) in relation to a bishop, the archbishop of the province which includes the diocese, and

(c) in relation to an archbishop, the other archbishop and the President of Tribunals.

(5) If a bishop or archbishop or the President of Tribunals is satisfied that the conduct in respect of which the finding was made constitutes misconduct—

(a) a penalty or administrative sanction may be imposed on the clerk in Holy Orders without the need for a complaint to be made, and

(b) subsections (2)(a) and (b), (3), (4), (6) to (8) and (11) of section 46 of the CCM apply in relation to the power under sub-paragraph (a) of this paragraph as they apply in relation to the power under section 46(1) of the CCM.

Power under rule 87: time limit

88.—(1) The power under rule 87 may not be exercised after the end of two years beginning with the day on which the finding in the disciplinary proceedings or process is made.

(2) But the President of Tribunals may on application extend that period if, after giving the clerk in Holy Orders in question an opportunity to make representations, the President is satisfied that the applicant for the extension did not know of the finding.

(3) An application under paragraph (2) may be made by the relevant authority (as defined in rule 87(4)).

(4) The power under this rule does not affect the generality of the power under rule 115.

Review by President of Tribunals of penalty under rule 87

89.—(1) A clerk in Holy Orders on whom a penalty has been imposed in exercise of the power under rule 87(5)(a) may apply to the President of Tribunals for a review of the penalty.

(2) On an application for a review under this rule, the President of Tribunals must invite written representations from—

(a) the clerk in Holy Orders,

(b) the bishop or archbishop who imposed the penalty, and

(c) the Investigation and Tribunals Team.

(3) Where an application for a review is made under this rule, the implementation of the penalty may be postponed only if the President of Tribunals so orders.

PART 20

APPEALS AND REVIEWS

Application for permission to appeal etc.

90.—(1) An application under section 53 of the CCM for permission to appeal or apply for a review may—

(a) in the case of an application under section 53(1)(a), be made orally to the tribunal or court in question upon the pronouncement of its decision, or

(b) in the case of an application under section 53(1)(b), be made in writing to the Dean of the Arches and Auditor before the end of 21 days beginning with the day after the applicant receives the written decision of the court or tribunal.

(2) An application under section 53 of the CCM must be in the form set out in Form A1 and must—

(a) state the applicant's full name, postal address, telephone number and email address,

(b) if the applicant has a legal representative, state the legal representative's name, postal address, telephone number and email address,

(c) specify the tribunal or court which heard the complaint and the date or dates of the pronouncement of the decision to which the appeal or review relates, and

(d) state whether the application is for permission—

(i) for the respondent to the complaint to appeal against the imposition of a penalty,

(ii) for the respondent to the complaint to appeal on a question of law or fact,

(iii) for the Investigation and Tribunals Team to appeal on a question of law, or

(iv) for the Investigation and Tribunals Team to apply for a review of a penalty under section 52(4) of the CCM.

(3) An application under section 53 of the CCM by the Investigation and Tribunals Team must (in addition to complying with paragraph (2)), state the name, postal address, telephone number and email address of the respondent's legal representative, in so far as the Team has that information.

(4) An application under section 53(1)(b) of the CCM must be accompanied by—

(a) a copy of the written decision to which the appeal or review would relate, and

(b) a completed draft notice of appeal in the form set out in Form A2 setting out the grounds of appeal or review.

(5) An applicant under section 53(1)(b) of the CCM must give the application to the registrar of tribunals and must—

(a) where the applicant is the respondent to the complaint, give a copy of the application to the Investigation and Tribunals Team, or

(b) where the applicant is the Investigation and Tribunals Team, give a copy of the application to the respondent.

Determination of application for permission to appeal etc.

91.—(1) The person who, under section 53(2) of the CCM, is to hear the application for permission under section 53(1)(b) of the CCM ("the judge") must give written notice of the hearing to—

(a) each person who, if permission were given for an appeal or review, would be a party to it, and

(b) any other person whom the judge considers appropriate.

(2) A hearing is to be held in public except in circumstances in which the judge is satisfied that it is in the interests of justice to sit in private.

(3) Where a hearing is held in public, the judge may exclude such persons as the judge decides from the whole or part of the hearing.

(4) Before determining the application, the judge must give each person referred to in paragraph (1)(a) 14 days within which to make written representations in response to the application; and each of those persons—

(a) must give any such representations to the registrar of tribunals, and

(b) must give copies of them to the applicant.

(5) The judge may give permission to the applicant only if satisfied—

(a) that there would be a real prospect of success on the appeal or review, or

(b) that there is another compelling reason why the appeal or review should be heard.

(6) The determination of the application must be recorded in writing and sent to the parties.

(7) Where the judge grants the application for permission, the judge may direct that the issues to be heard on the appeal or review are to be limited in the way specified.

Application for permission to appeal etc out of time

92.—(1) The respondent to the complaint or the Investigation and Tribunals Team may apply for permission to appeal or apply for a review out of time.

(2) The application must be made in the form set out in Form A3.

(3) The application must set out the reasons why the appeal or application for review was not made in time.

(4) The application must be accompanied by—

(a) a copy of the decision to which the appeal or review would relate, and

(b) a completed draft notice of appeal in the form set out in Form A2.

(5) The applicant must give the application to the registrar of tribunals and must give a copy of it—

(a) if the applicant is the respondent to the complaint, to the Investigation and Tribunals Team, or

(b) if the applicant is the Investigation and Tribunals Team, to the respondent to the complaint.

(6) Section 53(1)(b) and (2) of the CCM and rule 91(1) to (4) apply to an application under this rule.

(7) The judge may give permission to the applicant only if satisfied—

(a) as mentioned in rule 91(5),

(b) that there was a good reason why the applicant did not bring the appeal or make the application for review within the time allowed, and

(c) that the other party would not suffer significant prejudice as a result of the delay.

(8) Section 53(4) and (5) of the CCM and rule 91(6) and (7) apply to an application under this rule.

Striking out appeal or review

93.—(1) The appellate court may, on an application or on its own initiative, strike out an appeal or review if it is satisfied that the appeal is not being pursued with due expedition.

(2) In this Part, the "appellate court" is whichever of the Arches Court of Canterbury or the Chancery Court of York is, in accordance with section 52(5) of the CCM, hearing the appeal or review.

Absence of a party

94. Where a party to an appeal or review is absent from a hearing on the appeal or review, the Dean of the Arches and Auditor (and only the Dean) may proceed with the hearing only if satisfied that the absent party has been given written notice of the hearing.

Re-calling witnesses to give evidence before the appeal court

95.—(1) No witness who gave evidence on a complaint of misconduct may be called to give oral evidence at an appeal or review arising from the complaint without permission from the appellate court.

(2) The respondent to a complaint of misconduct who is appealing against a finding of fact and proposes that a witness who gave evidence to the tribunal or court hearing the complaint should give oral evidence at the appeal must give the Investigation and Tribunals Team and the appellate court notice in writing of the intention to seek permission; and the notice must be given at least 14 days before the day set for the directions hearing.

(3) A notice under paragraph (2) must—

(a) specify the name of the witness in question, and

(b) give the reasons why it is considered necessary for the witness to give evidence to the appellate court.

(4) The appellate court may give permission under this rule only if it is satisfied that the evidence is necessary for the just disposal of the appeal or review.

New evidence

96.—(1) No evidence may be put before the appellate court which was not put before the tribunal or court on the complaint unless the Dean of the Arches and Auditor has given permission (but see paragraph (8)).

(2) An application by the respondent to the complaint for permission under paragraph (1) must be made in accordance with rule 105; and the application must—

(a) identify the new evidence,

(b) explain why the evidence was not before the tribunal or court on the complaint, and

(c) explain the relevance and importance of the new evidence in relation to the matters determined on the complaint and the issues raised in the appeal or review.

(3) Where the application relates to evidence from a new witness, it must be accompanied by a copy of a statement by the witness; and the statement must—

(a) set out the proposed evidence,

(b) indicate which matters in the statement come from the witness's own knowledge and which are matters of information or belief,

(c) indicate the source of any matters of information or belief,

(d) include a declaration that the witness believes that the contents of the statement are true, and

(e) be signed and dated by the witness.

(4) The applicant must give the other party a copy of the application and, if applicable, an accompanying witness statement.

(5) Before determining an application under this rule, the Dean of the Arches and Auditor must give the other party at least 14 days within which to make written representations in response to the application; and the other party must give the applicant a copy of any such representations.

(6) The Dean of the Arches and Auditor may determine an application under this rule with or without a hearing.

(7) The Dean of the Arches and Auditor may permit evidence that was not before the tribunal or court on the complaint to be put before the appellate court only if satisfied—

(a) that the evidence was not available and could not reasonably have been obtained for the hearing on the complaint,

(b) that the evidence, if it had been before the tribunal or court on the complaint, could have had an important bearing on the determination of the matters before it, and

(c) that the evidence appears to be credible.

(8) In exceptional circumstances, the Dean of the Arches and Auditor may, instead of determining the application, refer it to the appellate court for determination; and the references in this rule to the Dean are to be read accordingly.

Production of documents by person not party to complaint

97.—(1) In the case of an appeal or review arising from a complaint of serious misconduct, the respondent to the complaint or the Investigation and Tribunals Team may apply for an order for the production of documents by a person who was not a party to the complaint.

(2) The respondent may not apply for an order for the production of documents by the Investigation and Tribunals Team.

(3) The application must be made to the Chair of the appellate court or to the Dean of the Arches and Auditor sitting alone.

(4) The application must be made in accordance with rule 105.

(5) The applicant must give a copy of the application to—

(a) the Investigation and Tribunals Team or the respondent (as the case may be),

(b) the complainant, and

(c) if a relevant safeguarding professional was a party to the complaint, that party.

(6) The Chair of the appellate court or the Dean of the Arches and Auditor may make an order on the application only if satisfied that the provision of documents specified or described in the application is relevant and necessary for dealing justly with the appeal or review.

(7) Where an order is made under this rule, permission under rule 96 is to be treated as given for any documents produced in response to the order to be put before the appellate court.

(8) Rules 39(8) and (9) and 40(1) and (2) (contempt of court etc.) apply to an order under this rule as they apply to an order under rule 39; and for that purpose, rule 40(1) and (2) has effect as if the references to the President of Tribunals were references to the Chair of the appellate court or the Dean of the Arches and Auditor.

Amendment or withdrawal

98.—(1) The appellate court may, on an application by the person bringing the appeal or review and after giving the other party an opportunity to respond to the application—

(a) allow the appeal or application for review to be withdrawn, or

(b) allow the notice of appeal to be amended.

(2) The power under paragraph (1) is also exercisable by the Dean of the Arches and Auditor at any time before the hearing on the appeal or review begins.

(3) The terms on which the power under paragraph (1)(b) may be exercised include adjourning or postponing the hearing.

Powers of appellate court etc.

99.—(1) The appellate court may—

(a) confirm, reverse or vary a finding of the tribunal or court which heard the complaint,

(b) refer a particular issue back to the tribunal or court for hearing and determination in accordance with such directions as the appellate court may give,

(c) order the complaint to be reheard by the same or a differently constituted tribunal or court,

(d) confirm or set aside a penalty imposed by the tribunal or court or replace it with any other penalty under the CCM, and

(e) impose one or more penalties under the CCM if—

(i) the tribunal or court did not impose a penalty, or

(ii) when upholding an appeal on a question of law by the Investigation and Tribunals Team.

(2) Parts 11 to 13 of these Rules (directions, evidence, hearings: general provision) apply to proceedings before the appellate court with such modifications as are necessary or appropriate.

Determination by majority

100. The determination by the appellate court on an appeal or review is to be made by a majority of its members.

Making an appeal or a request for review

101.—(1) This rule applies for the purposes of an appeal against a decision, or a request for a review of a decision, under rule 89 or section 50 or 51 of the CCM.

(2) The appeal or request for review must be made before the end of 14 days beginning with the day after the decision is made.

(3) The appeal or request for review must be made by notice in writing in the form set out in Form 14.

(4) The notice must—

(a) state the name, postal address, telephone number and email address of the person making the appeal or request,

(b) if the person has a legal representative, state the legal representative's name, postal address, telephone number and email address,

(c) state the decision to which the appeal or request relates, and

(d) specify the grounds for making the appeal or request for review.

(5) The grounds on which an appeal or request for review may be made are that the decision to the which the appeal or review relates—

(a) was based on an error of fact,

(b) was wrong in law, or

(c) was unreasonable.

(6) A copy of the decision in respect of which the appeal or request is made must accompany the notice.

(7) The notice must not include, or be accompanied by, any evidence that was not submitted for the purposes of the original decision.

Decisions on review

102.—(1) On a review under section 50(1) of the CCM, the President of Tribunals may—

(a) confirm the decision,

(b) substitute for the decision a decision to allocate the complaint as one of—

(i) misconduct (but not serious misconduct), or

(ii) serious misconduct, or

(c) remit the decision to the lead assessor for reconsideration with such directions (if any) as the President considers appropriate.

(2) On a review under section 50(2) of the CCM, the President of Tribunals may—

(a) confirm the decision, or

(b) reverse the decision.

(3) If a decision is reversed under paragraph (2)(b), the President of Tribunals must remit the decision to the lead assessor to reconsider and make a decision under section 21(1)(a), (b) or (c) of the CCM.

(4) On a review under section 50(3) of the CCM, the President of Tribunals may—

(a) confirm, reverse or vary a finding of fact or recommendation,

(b) remit the matter to the case assessor for reconsideration with such directions (if any) as the President considers appropriate, or

(c) direct the lead assessor to appoint a different case assessor and remit the matter to that person for reconsideration with such directions (if any) as the President considers appropriate.

Restriction orders and suspensions: decisions on review or appeal

103.—(1) On an appeal under section 50(4) or (5) of the CCM against a decision to impose a restriction order or suspension, the President of Tribunals or person hearing the appeal may—

(a) confirm the decision,

(b) reverse the decision, or

(c) vary the terms of the restriction order or suspension.

(2) On a review under section 50(6) of the CCM of a decision not to impose a restriction order or suspension, the President of Tribunals may—

(a) confirm the decision,

(b) reverse the decision and, accordingly, impose a restriction order or suspension on the person to whom the decision relates, or

(c) remit the decision to the relevant officer for reconsideration with such directions (if any) as the President considers appropriate.

Penalties: decisions on review

104. On a review of a decision to impose a penalty under rule 89 or section 50(7) or 51(1) of the CCM the President of Tribunals may—

(a) confirm the penalty,

(b) vary the penalty,

(c) reverse the decision to impose the penalty, or

(d) remit the decision to the person who imposed the penalty (or who would have power to impose the penalty at the time the decision is remitted) for reconsideration with such directions (if any) as the President considers appropriate.

PART 21

APPLICATIONS: GENERAL PROVISION

Form and content of applications

105.—(1) An application that is required to be made in accordance with this rule must be made in writing in the form set out in Form 15.

(2) The application must—

(a) state the order, appointment, discharge, direction or relief sought by the applicant,

(b) state the grounds for seeking the order, appointment, discharge, direction or relief, and

(c) if required by the provision of the CCM or these Rules under which the application is made, include evidence in support of the application.

(3) The application must be made as soon as reasonably practicable after the conditions for making the application are met.

(4) If there is a delay in making the application, the application must specify the reasons for that delay.

(5) The application may be signed and dated either by the applicant or by a legal representative acting for the applicant.

(6) If the application is signed and dated by the applicant, it must be verified by a statement of truth made by the applicant.

(7) If the application is signed and dated by a legal representative acting for the applicant, it must be verified by a statement by the legal representative to the effect that the representative is authorised by the applicant to sign the application.

(8) The application must be given to the person who is specified in the provision of the CCM or these Rules as the person to whom the application may be made.

Notice of applications

106.—(1) This rule applies where an application is made under a provision of the CCM or these Rules, except where it is provided that the application must or may be made without notice to the other parties.

(2) A copy of the application must be given to the parties or the other party to the complaint at the same time as it is given to the person referred to in rule 105(8).

Disposal of applications with a hearing

107.—(1) This rule applies where—

(a) the President of Tribunals holds a hearing on an application in accordance with rule 4, or

(b) the tribunal or court holds a hearing on an application.

(2) Notice of the hearing must be given to the parties at least three days before the first day of the hearing.

(3) If a party to a complaint fails to attend a hearing on an application relating to the complaint—

(a) the President of Tribunals, or the tribunal or court hearing the application, may proceed to determine it in the party's absence, and

(b) if an order is made on that application, the President, tribunal or court may (on that person's own initiative or on an application by a party) set aside the order and re-list the application for a further hearing.

Disposal of applications without a hearing

108.—(1) This rule applies where, on an application under the CCM or these Rules—

(a) an order is made without a hearing being held, and

(b) the parties to the complaint in respect of which the application is made, or other persons affected by the order, have not had an opportunity to make representations in relation to the application.

(2) A party to the complaint, or a person affected by the order, may apply to the tribunal or court or to the President of Tribunals for the order to be set aside, varied or stayed.

(3) An application under paragraph (2), in relation to an order, may only be made—

(a) before the end of seven days beginning with the day after a copy of the order is given to the applicant under rule 110, or

(b) within such longer period (if any) as is specified in the order.

Dismissal of vexatious etc applications

109. If, on an application for an order under the CCM or these Rules, the person to whom the application is made considers that it is vexatious or wholly without merit and dismisses it, the order dismissing the application must record that it was considered to be vexatious or totally without merit.

Copy of order made on an application

110.—(1) This rule applies if an order is made on an application under the CCM or these Rules.

(2) A copy of the order must be given to —

(a) the parties to the complaint to which the order relates, and

(b) the other persons (if any) specified in the order.

PART 22

SERVICE OF DOCUMENTS

Methods of service

111.—(1) A document required or authorised to be given to a person under the CCM or these Rules may be given by any of the following methods—

(a) delivering it to, or leaving it at, the person's proper address (see rule 112);

(b) sending it by first class post, or by another delivery service which provides for delivery on the next business day, to the person's proper address (see rule 112);

(c) sending it by electronic means (but see paragraph (2) of this rule);

(d) personal service;

(e) such other manner as the President of Tribunals, the registrar of tribunals or if, in the case of a complaint of serious misconduct, the complaint has been referred to a tribunal or court, as the Chair of that tribunal or court may direct.

(2) A document may not be given to a person by electronic means, or in a particular electronic form, if that person has stated in writing to the person authorised to send the document an unwillingness to be given a document by electronic means or in that particular electronic form.

(3) Where a document is personally served, that fact must be proved by a certificate.

(4) A reference in these Rules to a document being sent to a person is a reference to it being given to that person in accordance with paragraph (1)(a), (b) or (c).

Meaning of "proper address"

112.—(1) The proper address of a person, other than a person who comes within paragraph (2) or (3), is—

(a) the person's usual or last-known address, or

(b) if the person has appointed a legal representative, the business address of that person.

(2) The proper address of the President of Tribunals, or of the Investigation and Tribunals Team, is care of the Legal Office of the National Institutions of the Church of England.

(3) The proper address of the Dean of the Arches and Auditor is the address of the provincial registry of the province concerned.

Timing of service

113.—(1) A document given to a person under the CCM or these Rules is to be treated as having been received by that person on the day specified in the following table—

Method of service	*Date of receipt*
Delivering document to or leaving it at proper address	If it is delivered to or left at that address on a business day before 4.30 p.m., that day; or, if not, the next business day after that day.
First class post, or other delivery service which provides for delivery on the next business day, to proper address	The second business day after the day on which the document was posted, or left with, delivered to or collected by the service provider, if that day is itself a business day; or, if not, the next business day after that day.
Electronic means	If the email or other electronic transmission is sent on a business day before 4.30 p.m., that day; or, if not, the next business day after it was sent.
Personal service	If the document is served personally before 4.30 p.m. on a business day, that day; or, if not, the next business day after that day.

(2) In the table, "business day" means a day which is not a Saturday or Sunday and which is not Christmas Day, Maundy Thursday, Good Friday or a bank holiday in England under the Banking and Financial Dealings Act 1971(**a**).

(**a**) 1971 c. 80.

PART 23
ROYAL PECULIARS

Application of CCM to Royal Peculiar clergy

114. Schedule 2 (which makes provision for the application of the CCM and these Rules to clergy holding office in Royal Peculiars) has effect.

PART 24
MISCELLANEOUS

Time limits

115.—(1) The President of Tribunals may extend the duration of a period provided for under these Rules, or revive a period which has expired, unless the extension or revival would be inconsistent with a provision of the CCM.

(2) Paragraph (1) does not affect the power of any other person to extend or revive a period under these Rules.

Recording and publication of decisions

116. Schedule 3 (which makes provision for the recording and publication of decisions under the CCM) has effect.

Reporting convictions etc.

117. Where a clerk in Holy Orders is required under section 55(2) of the CCM to inform a bishop, archbishop or the President of Tribunals of an occurrence specified in section 55(1) of the CCM, the information must be provided in writing.

Reporting divorce or separation order

118. Where a clerk in Holy Orders is required under section 56(1) of the CCM to inform a bishop, archbishop or the President of Tribunals that a divorce order is made final or a judicial separation order is made, the information must be provided in writing.

Vexatious litigants: restraint orders

119. An application for an order under any of the following provisions of the CCM must be made in accordance with rule 105—

(a) section 32(1) (restraint order);

(b) section 33(4) (permission to make or proceed with complaint, application or request);

(c) section 33(5) (variation or discharge of a restraint order).

Excluded offences

120.—(1) The following provisions of the CCM do not apply in relation to excluded offences—

(a) section 34 (restriction orders and suspensions: power to impose),

(b) section 46 (conviction for offence etc: power to impose penalty etc), and

(c) section 55 (conviction, arrest, caution etc).

(2) In this rule, "excluded offence" means an offence under any of the following provisions—

(a) section 72 of the Highway Act 1835(**a**) (riding on footpaths etc.);

(b) any provision of Part 6 of the Road Traffic Regulation Act 1984(**b**) (speed limits);

(c) the following provisions of the Road Traffic Act 1988(**c**) —

(i) section 14 (seat belts: adults);

(ii) section 23 (carrying persons on motorcycles);

(iii) section 24 (carrying persons on bicycles);

(iv) section 29 (careless and inconsiderate cycling);

(v) section 35 (compliance with traffic directions);

(vi) section 36 (compliance with traffic signs);

(vii) section 41A (breach of requirements as to brakes, steering-gear or tyres);

(viii) section 47 (obligatory test certificates);

(d) a provision specified in Schedule 3 to the Road Traffic Offenders Act 1988(**d**) (fixed penalty offences).

(3) An offence ceases to be an excluded offence if the person convicted of it is ordered to be disqualified from holding or obtaining a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988.

Irregularities

121.—(1) An irregularity or error of procedure in proceedings under the CCM or these Rules does not invalidate any step taken in the proceedings unless—

(a) the President, the registrar of tribunals or the Chair of the tribunal or court orders that the step is invalid on those grounds, or

(b) on appeal, the Arches Court of Canterbury or the Chancery Court of York holds that the step is invalid on those grounds.

(2) The President, the registrar of tribunals or the Chair of the tribunal or court may give directions to correct or waive the irregularity.

Word and page limits

122.—(1) In each form in Schedule 1 specified in the first column of the following table, the number of words used in the section of that form specified in the second column must not exceed 3000—

Form	Section (and subject matter)
2	9 (nature and detail of alleged conduct)
4	3 (response to complaint)
7	4 (grounds for appeal against deposition)
13	3 (Archbishops' list: evidence for appeal)
A2	2 (grounds of appeal)
A3	5 (reasons why appeal not made in time)

(**a**) 1835 c. 50.
(**b**) 1984 c. 27
(**c**) 1988 c. 52
(**d**) 1988 c. 53

Form	Section (and subject matter)
14	3 (grounds for seeking appeal or review)
15	6 (information in support of application)

(2) Where a Form in Schedule 1 allows attachments to be made to the Form, the number of pages attached must not exceed 25 pages of A4 size in a legible form.

(3) Where the words used for the purposes of paragraph (1) include a link to a webpage, the number of words contained in the webpage count towards the word limit of 3000.

(4) Where an attachment to a Form (referred to in paragraph (2)) includes a link to a webpage, the number of A4 pages which would be used if the webpage were to be printed in legible form counts towards the page limit of 25.

(5) The President of Tribunals may disapply or increase the word limit under or the page limit under paragraph (1) or (2) if, on application made by the person to whom the limit applies, the President is satisfied that there are exceptional circumstances which justify doing so.

+ David Walker
Morag Ellis KC
Christopher Angus
Ruth Arlow
Timothy Briden
Louise Connacher
Julie Dziegiel
Sandra McCalla
Luke Miller
Darren Oliver
Kate Wharton

These Rules were approved by the General Synod.

A.S. McGregor
11th July 2026 Registrar of the General Synod

SCHEDULES

SCHEDULE 1

Rule 1(6)

Forms

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 1 – Certificate of Suitability (Part 3)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	Date of complaint (if already made)
Name of Complainant	
Name of Respondent	
Date	

1. I consent to act as litigation friend for

I am able to conduct the proceedings on behalf of the above-named person fairly and competently and I confirm that I have no interests adverse to those of that person.

STATEMENT OF TRUTH

I believe that the facts stated in this application are true

Signature

Date

/ /

Full name

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 2 – Complaint form (Part 4)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	
Name of Complainant	
Name of Respondent	
Date	

Part A: This must be completed by all complainants

1. What is your full name?

2. What is the name of the person against whom you are making the complaint?

3. If known, what is the office or position in the Church of England that the person against whom you are complaining holds?

4. What is the name of the responsible bishop to whom this complaint is made? (see section 16)

5. What is the basis of your proper interest in the complaint (see section 15)

6. What is the date on which, or the period within which, the alleged conduct took place?

7. In your view, does your complaint amount to a grievance, a complaint of misconduct or a complaint of serious misconduct?

You must read the guidance notes [link] before answering this question. The indication you give is not binding and your complaint will be allocated to the suitable track by the lead assessor

☐ Grievance ☐ Misconduct ☐ Serious Misconduct

8. If you have chosen "Grievance", what resolution are you seeking?

9. What, in summary form, is the nature and detail of the alleged conduct?

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages

If necessary you may continue on a separate sheet

10. You may attach relevant evidence to your complaint (subject to the exhibit limit of 25 pages). You must include a timeline of relevant events.

☐ I have included a timeline of relevant events in chronological order

List of exhibits

(1) Timeline of relevant events in chronological order

(2)

(3)

(4)

(5)

STATEMENT OF TRUTH

I believe that the facts stated in this complaint are true

Signature

☐ Complainant

☐ Litigation Friend (see Part 3)

Date

/ /

Full name

Part B: Only complete this section if you consider that your complaint is, or may be allocated as, one of misconduct (but not serious misconduct) and you are making the complaint more than one year after the last occurrence of the conduct.

You must read the guidance notes [link] before completing this section

A complaint of misconduct may be made only if the conduct alleged or the last instance of it in a course of conduct occurred within the 12 months ending with the date on which the complaint is made.

If you consider that you have a good reason why the complaint was not made before the end of that 12-month period, you must seek the permission of the lead assessor for the complaint to proceed.

The reason why the complaint was not made before the end of that 12-month period is as follows:

Part C: Additional Information under rule 10 (complete as necessary)

☐ I enclose a copy of the resolution of the PCC nominating me to make this complaint (section 15(2)(a)(ii)).

☐ I enclose a copy of the resolution of the bishop's council nominating me to make this complaint (section 15(4)(a) and (5)(a)).

☐ I enclose a copy of the written instrument from another archdeacon nominating me to make this complaint (section 15(6)).

☐ I enclose a copy of the order of the President of Tribunals appointing me as litigation friend (section 17).

☐ I am subject to a restraint order and I enclose a copy of the order granting permission for me to bring this complaint (section 32).

NOT TO BE SHARED WITH THE RESPONDENT

Part D: Contact details. You must complete this section. Your details will not be shared with the Respondent.

Address

Post Code

Telephone Number

Email address

This from must be given to the responsible bishop in accordance with rules 111 and 112.

Details on how to contact the responsible bishop are found on the relevant diocesan or provincial website.

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 3 – Decision on allocation (Part 5)

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

Name of lead assessor

The complaint is allocated to the following track

☐ Grievance ☐ Misconduct ☐ Serious Misconduct ☐ None (see below)

In making this decision I took into account the following points by the Complainant

Dismissal under section 21(1)(d)

Having considered the complaint, I have concluded that it is vexatious and/or totally without merit and recommend to the responsible bishop that it be dismissed.

The reasons are as follows

Decision under section 21(1)(e)

☐ The complaint of misconduct, having been made after the end of the 12-month limitation period provided for in section 19(2), is dismissed.

☐ I find that there was a good reason why the complaint of misconduct was not brought within that 12-month period and give permission for it to proceed.

The reasons are as follows

Dismissal under section 21(1)(f)

Having considered the complaint, I have concluded that the person making the complaint does not have a proper interest within the meaning of section 15.

The complaint therefore stands dismissed.

The reasons are as follows

For cases allocated as misconduct only

The name of the case assessor is

The case assessor will be in contact with the parties directly.

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 4 – Response to complaint form (Parts 6, 7 and 8)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

1. What is your full name?

2. I have read the complaint made against me and it is:

You must read the guidance notes [link] before answering this question.

☐ wholly admitted ☐ partly admitted ☐ denied

3. You must set out the following in the box below

- If you deny the complaint, you must respond in full to the allegations.
- If you partly admit the complaint, you must set out which parts are admitted and, for each part admitted, any mitigation and you must set out which parts are denied and, for each part denied, a response to that part.
- If you wholly admit the complaint, you must set out any mitigation.
- **For cases of grievance only:** where you have wholly or partly admitted the complaint you must include a proposal for resolving the grievance.

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages

If necessary you may continue on a separate sheet

4. **You may attach evidence to your complaint (subject to the exhibit limit of 25 pages).**

List of exhibits

(1)

(2)

(3)

(4)

STATEMENT OF TRUTH

I believe that the facts stated in this response are true

Signature

☐ Complainant

☐ Litigation Friend (see Part 3)

Date

/ /

Full name

NOT TO BE SHARED WITH THE COMPLAINANT

Part D: Contact details. You must complete this section. Your details will not be shared with the complainant.

Address

Post Code

Telephone Number

Email address

In a case of a grievance, this form must be sent to the designated person.

In a case of misconduct, this form must be sent to the case assessor.

In a case of serious misconduct, this form must be sent to the Investigation and Tribunals Team.

See further details here [link]

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 5 – Decision on Grievance (Part 6)

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

1. Name of Designated Person

2. The grievance is

☐ upheld in full ☐ upheld in part ☐ dismissed

3. The reasons are as follows
The reasons must include

- *a summary of the grievance and the issues considered by the designated person*
- *a summary of the information relied upon in making the decision*
- *which parts are upheld and which parts are dismissed*

Resolution

The designated person must set out the steps taken to resolve the grievance to the satisfaction of the parties.

If it has not been possible to resolve the grievance, then that must be stated.

2

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 6 – Notice of intent to depose from Holy Orders (Part 16)

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

To *[enter the name of the cleric]*

The following tribunal, having imposed a prohibition for life on you [*enter the name of the tribunal]*

on the [*enter the date of the imposition of the penalty*]

And the tribunal having made a recommendation to me that you be deposed from your Holy Orders.

And having considered that recommendation

I GIVE YOU NOTICE that in accordance with section 41 of the Clergy Conduct Measure 2026 I intend to depose you from your Holy Orders.

The reasons for my decision are as follows

Appeal

You may within the period of 28 days from the date of this notice appeal against this decision to the archbishop of this province.

Details on how to appeal can be found here. [*link*]

I will not exercise the power to depose you from your Holy Orders until the expiry of 28 days from the date of this notice or, if an appeal is made within that 28-day period, the disposal of that appeal.

You may wish to seek legal advice.

The effects of deposition from your Holy Orders are as follows:

(1) You shall be incapable of officiating or acting in any manner as a minister of the Church of England and of taking or holding any preferment therein, and you shall cease to enjoy all rights, privileges, advantages and exemptions attached to the office of minister in the Church of England.

(2) Every licence, office and place held by you for which it is by law an indispensable qualification that the holder should be a minister of the Church of England shall be ipso facto determined and void.

(3) You shall be discharged and free from all disabilities, disqualifications, restraints and prohibitions to which, if the Clerical Disabilities Act 1870 had not been passed, you would, by force of any of the enactments mentioned in the first schedule to that Act or of any other law, have been subject as a person who had been admitted to the office of minister in the Church of England, and from all jurisdiction, penalties, censures, and proceedings to which, if that Act had not been passed, you would or might, under any of the same enactments or any other law, have been amenable or liable in consequence of your having been so admitted and of any act or thing done or omitted by you after such admission.

(4) Save that, under section 45(2) of the Clergy Conduct Measure, a further complaint under that Measure may be made against you for conduct not already dealt with under that Measure or the Clergy Discipline Measure 2003 before the deposition took effect.

Signature

Date

/ /

Full name

Office held

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 7 – Appeal against deposition from Holy Orders (Part 16)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

1. What is your full name?

Address

Post Code

Telephone Number

Email address

2. I am appealing against a notice of intention to depose from Holy Orders given by the bishop of [*enter name of bishop*]

3. Given on the following date

/ /

4. My grounds of appeal are as follows:

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages.

If necessary you may continue on a separate sheet

List of exhibits

(1) Timeline of relevant events in chronological order

(2)

(3)

(4)

5. I confirm that I attach the following to this appeal

☐ A copy of the decision of the bishop's disciplinary tribunal and, if separate, a copy of the decision imposing the penalty of prohibition for life.

☐ A copy of the notice of intention to depose from the bishop

STATEMENT OF TRUTH

I believe that the facts stated in this appeal are true

Signature

☐ Applicant

☐ Litigation Friend (see Part 3)

Date

/ /

This appeal must be sent to the office of the relevant Provincial Registrar. Further details may be found here [link]

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 8 – Notice of intent to depose from Holy Orders: bishops and archbishops (Part 16)

Diocese/Province	**Date of complaint**
Name of Complainant	
Name of Respondent	
Date	

To *[enter the name of the cleric to be suspended]*

The Court of the Vicar General for the Province of

having imposed a prohibition for life on you on [*enter the date of the imposition of the penalty*]

And the court having made a recommendation to the Upper House of the Convocation of

that you be deposed from your Holy Orders.

I GIVE YOU NOTICE THAT in accordance with section 42 of the Clergy Conduct Measure 2026 the Upper House of the Convocation intends to consider a resolution to depose you from Holy Orders.

The reasons for the decision are as follows

The resolution will be put to the Upper House at a meeting to take place on the [*insert date*]

You may submit to the Upper House written representations concerning the resolution to depose you from Holy Orders. Any written representations must be sent before the end of 28 days from the date this notice is served on you.

You may appear before the Upper House at the meeting and be legally represented. If you wish to attend the meeting, you must give at least 14 days' notice in writing of your intention to do so.

The Upper House will not finally consider the resolution to depose you from Holy Orders until the end of 28 days from the date of service of this notice on you or, if you have made written representations, until the completion of the consideration of those representations and, if you give notice that you intend to appear before the Upper House at a hearing, the end of that hearing.

Further details on how to submit written representations and give notice of your intention to appear at a hearing can be found here [*link*]

You may wish to seek legal advice.

The effects of deposition from your Holy Orders are as follows:

(1) You shall be incapable of officiating or acting in any manner as a minister of the Church of England and of taking or holding any preferment and shall cease to enjoy all rights, privileges, advantages and exemptions attached to the office of minister in the Church of England.

(2) Every licence, office, and place held by you for which it is by law an indispensable qualification that the holder should be a minister of the Church of England shall be ipso facto determined and void.

(3) You shall be discharged and free from all disabilities, disqualifications, restraints and prohibitions to which, if the Clerical Disabilities Act 1870 had not been passed, you would, by force of any of the enactments mentioned in the first schedule to that Act or of any other law, have been subject as a person who had been admitted to the office of minister in the Church of England and from all jurisdiction, penalties, censures and proceedings to which, if that Act had not been passed, you would or might, under any of those enactments or any other law, have been amenable or liable in consequence of your having been so admitted and of any act or thing done or omitted by you after such admission.

(4) Save that, under section 45(2) of the Clergy Conduct Measure 2026 a further complaint under that Measure may be made against you for conduct not already dealt with under that Measure or the Clergy Discipline Measure 2003 before the deposition took effect.

Signature

Date

/ /

Full name

Office held

4

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 9 – Notice of a Restriction Order (Part 17)

Diocese/Province	Date of complaint (if already made)
Name of Complainant	
Name of Respondent	
Date	

To *[enter the full name of the cleric to be subject to the restriction order]*

Office or position held in the Church of England

You are now subject to a restriction order which prohibits you from carrying out any of the following actions unless I have given prior permission in writing.

Specified Actions

(1)

(2)

(3)

The restriction order is effective from the date you are served with this notice.

Unless revoked, the restriction order will continue until the expiry of the period of three months following the date of service of this notice on you.

Further notices which may be in different terms from any previous notice may be served on you.

Carrying out a restricted action without permission will constitute misconduct under section 3.

A request by you to carry out a specified action must be made in writing to me.

The statutory ground you are suspended under is (see section 34)

☐ A complaint under the Clergy Conduct Measure 2026 against you has been allocated as misconduct or serious misconduct and has not yet concluded.

☐ You have been arrested, or interviewed under caution, on suspicion of committing an offence or have been charged with an office without having been arrested or interviewed.

☐ Proceedings against you for an offence have been commenced.

☐ You have been convicted of an offence.

☐ You have been included in a barred list.

☐ I am satisfied that you present a significant risk of harm on the basis of information that has been provided to me from

- ☐ the diocesan safeguarding officer
- ☐ the national director of safeguarding
- ☐ a member of the national safeguarding team
- ☐ a local authority
- ☐ the police

Appeal

You may within the period of 14 days from the date of service of this notice appeal against the decision to impose the restriction order.

The appeal must be made on Form 14 and sent to the Office of the President of Tribunals. Further details can be found here [*link*].

You may wish to seek legal advice.

Exclusions

I grant permission for you to perform the following actions which would otherwise be restricted during the period the restriction order is in operation [*if none, leave blank]*

(1)

(2)

(3)

Signature

Date

/ /

Full name

Office held

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 10 – Notice of Suspension (Part 17)

Diocese/Province	Date of complaint (if already made)
Name of Complainant	
Name of Respondent	
Date	

To *[enter the name of the cleric to be suspended]*

Office or position held in the Church of England

You are suspended from carrying out any function of, or incidental to, your office except in so far as I have given permission.

The suspension is effective from the date you are served with this notice.

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. Further notices of suspension which may be in different terms from any previous notice may be served on you.

Carrying out any function of, or incidental to, your office while suspended and without my permission will constitute misconduct under section 3.

A request by you to carry out any function of, or incidental to, your office while suspended must be made in writing to me.

The statutory ground you are suspended under is (see section 34 CCM)

☐ A complaint under the Clergy Conduct Measure 2026 against you has been allocated as misconduct or serious misconduct and has not yet concluded,

☐ You have been arrested, or interviewed under caution, on suspicion of committing an offence or have been charged with an offence without having been arrested or interviewed.

☐ Proceedings against you for an offence have been commenced.

☐ You have been convicted of an offence.

☐ You have been included in a barred list.

☐ I am satisfied that you present a significant risk of harm on the basis of information that has been provided to me from

- ☐ the diocesan safeguarding officer
- ☐ the national director of safeguarding
- ☐ a member of the national safeguarding team
- ☐ a local authority
- ☐ the police

Appeal

You may within the period of 14 days from the date of service of this notice appeal against the decision to impose the suspension.

The appeal must be made on Form 14 and sent to the Office of the President of Tribunals. Further details can be found here [*link*].

You may wish to seek legal advice.

Exclusions

I grant permission for you to perform the following functions during the period of suspension [*if none, leave blank]*

(1)

(2)

(3)

Signature

Date

/ /

Full name

Office held

In the case only of the suspension of a bishop

The consent of the two most senior bishops of the province must also be obtained (see section 36(4))

Signature

Date

/ /

Full name

Office held

Signature

Date

/ /

Full name

Office held

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 11a– Notice of Revocation of Restriction Order (Part 16)

Diocese/Province	Date of complaint (if already made)
Name of Complainant	
Name of Respondent	
Date	

To *[enter the full name of the cleric]*

Office or position held in the Church of England

The notice dated [ ] imposing a restriction order on you is revoked effective from the [ ].

Signature

Date

/ /

Full name

Office held

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 11b – Notice of Revocation of Suspension (Part 16)

Diocese/Province	Date of complaint (if already made)
Name of Complainant	
Name of Respondent	
Date	

To *[enter the name of the cleric]*

Office or position held in the Church of England

The notice dated [ ] suspending you from carrying out any function of, or incidental to, your office is revoked effective from the [ ].

Signature

Date

/ /

Full name

Office held

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 12 – Decision on suspension or restriction order (Part 17)

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

1. Full name of cleric

Office or position held in the Church of England

The statutory ground considered by the relevant officer (see section 34)

☐ A complaint under the Clergy Conduct Measure 2026 against the cleric has been allocated as misconduct or serious misconduct and has not yet concluded.

☐ The cleric has been arrested, or interviewed under caution, on suspicion of committing an offence or has been charged with an offence without having been arrested or interviewed.

☐ Proceedings against the cleric for an offence have been commenced.

☐ The cleric has been convicted of an offence.

☐ The cleric has been included in a barred list.

☐ You are satisfied that the cleric presents a significant risk of harm on the basis of information that has been provided to you from

- ☐ the diocesan safeguarding officer
- ☐ the national director of safeguarding
- ☐ a member of the national safeguarding team
- ☐ a local authority
- ☐ the police

2. The reasons for my decision are as follows

- *This section must be completed in all cases*

Summary of advice received

You must list the person(s) you consulted before making your decision and give a summary of the advice you received. If the advice was in writing you must append a copy of the adfvice to this form.

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 13 – Appeal: Archbishops' List (Part 18)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	**Date of complaint**
Name of Complainant	
Name of Respondent	
Date	

1. What is your full name or, if you are a legal representative, the name of your firm?

Address

Post Code

Telephone Number

Email address

Official use only
Ref Number:

2. I am appealing

☐ against the particulars recorded in the list / a conviction has become protected under the Rehabilitation of Offenders Act 1974

☐ against the inclusion in the list on the basis that my name was included in error

3. I rely upon the following

☐ the attached evidence ☐ the evidence set out in the box below

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages.

If necessary you may continue on a separate sheet

Official use only
Ref Number:

STATEMENT OF TRUTH

☐ I believe that the facts stated in this appeal are true

☐ I am duly authorised by the appellant to sign this application

Signature

☐ Applicant

☐ Litigation Friend (see Part 3)

☐ Legal Representative

Date

/ /

Full name

Name of applicant's legal representative's firm

Position held (if legal representative)

This appeal must be sent to the Office of the President to Tribunals.
Further details may be found here [link]

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form A1 – Application for permission to appeal

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	Date of complaint (if already made)
Name of Complainant	
Name of Respondent	
Date	

1. What is your full name [*the appellant*]?

2. What court or tribunal heard the complaint you are seeking to appeal or review?

3. What was the dates or dates of the pronouncement of the decision to which the appeal or review relates?

4. I am seeking an appeal or review of:

- ☐ a finding of law
- ☐ a finding of fact (respondent only)
- ☐ the imposition of a penalty (respondent only)
- ☐ the penalty on the basis that it was unduly lenient (Investigation and Tribunals Team only)

5. **The reasons why permission should be granted are as follows**

Signature

☐ Litigation Friend (see Part 3)

Date

/ /

Full name

I attach the following documents

☐ A copy of the decision to which the appeal or review relates

☐ A completed draft notice of appeal in Form A2 setting out the grounds

---

NOT TO BE SHARED

Contact details. You must complete this section. Your details will not be shared with any other party.

Address

Post Code

Telephone Number

Email address

If you have a legal representative, you must provide the contact details of your legal representative or, if you are the Investigation and Tribunals Team, you must provide the contact details of the respondent's legal representative in so far as you have that information.

Name of legal representative

Address of firm

Post Code

Telephone Number

Email address

This form must be given to the registrar of tribunals and the other parties.
Further details can be found here [*link*]

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form A2 – Notice of Appeal

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	**Date of complaint (if already made)**
Name of Complainant	
Name of Respondent	
Date	

1. What is your full name [*the appellant*]?

2. The grounds of appeal are as follows

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages

If necessary you may continue on a separate sheet

Official use only
Ref Number:

Signature

☐ Litigation Friend (see Part 3)

Date

/ /

Full name

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form A3 – Application for permission to appeal out of time

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

Part A: Must be completed by all appellants

1. What is your name [*the appellant]*?

2. What court or tribunal heard the complaint you are seeking to appeal or review?

3. What was the dates or dates of the pronouncement of the decision to which the appeal or review relates?

4. I am seeking an appeal or review of:

- ☐ a finding of law
- ☐ a finding of fact (respondent only)
- ☐ the imposition of a penalty (respondent only)
- ☐ the penalty on the basis that it was unduly lenient (investigation and Tribunals Team only)

5. The reasons why the appeal was not made in time are as follows

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages

If necessary you may continue on a separate sheet

6. The reasons why permission should be granted are as follows

Signature

☐ Litigation Friend (see Part 3)

Date

/ /

Full name

I attach the following documents

☐ A copy of the decision to which the appeal or review relates

☐ A completed draft notice of appeal in Form A2 setting out the grounds

---

NOT TO BE SHARED

Part C: Contact details. You must complete this section. Your details will not be shared with any other party.

Address

Post Code

Telephone Number

Email address

If you have a legal representative you must provide the contact details of your legal representative or, if you are the Investigation and Tribunals Team, you must provide the contact details of the respondent's lawyer in so far as you have that information.

Name of legal representative

Address of firm

Post Code

Telephone Number

Email address

This form must be given to the registrar of tribunals and the other parties.
Further details can be found here [*link*]

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 14 – Appeal or Review (Part 20)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	Date of complaint
Name of Complainant	
Name of Respondent	
Date	

1. What is your name or, if you are a legal representative, the name of your firm?

Address

Post Code

Telephone Number

Email address

2. I am appealing or seeking a review of the following decision

☐ A decision under section 21 or 24 to allocate a complaint as a grievance

☐ The dismissal of a complaint against a deacon, priest or bishop under section 22(8)(a)

☐ A finding of fact contained in a report under section 25 or a recommendation made in the report

☐ A restriction order imposed under section 34

☐ A suspension imposed under section 34

☐ A decision by the relevant officer not to impose a restriction order or a suspension

☐ A penalty imposed on a deacon, priest or bishop in a case of misconduct

---

☐ I attach a copy of the decision on which I am seeking an appeal or review

3. The grounds I rely upon in support of my request are as follows

☐ the attached evidence ☐ the evidence set out in the box below

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages.

If necessary you may continue on a separate sheet

STATEMENT OF TRUTH

☐ I believe that the facts stated in this appeal are true

☐ I am duly authorised by the appellant to sign this application

Signature

☐ Applicant

☐ Litigation Friend (see Part 3)

☐ Legal Representative

Date

/ /

Full name

Name of applicant's legal representative's firm

Position held (if legal representative)

This appeal must be sent to the Office of the President of Tribunals.
Further details may be found here [link]

For appeals by an archbishop against a restriction order or suspension, the appeal must be sent to the Dean of the Arches and Auditor.
Further details may be found here [link]

Official use only
Ref Number:

THE CHURCH OF ENGLAND

The Clergy Conduct Measure 2026

Form 15 – Applications (Part 21)

For help in filling out this form read the guidance notes at [website address]

Diocese/Province	**Date of complaint (if already made)**
Name of Complainant	
Name of Respondent	
Date	

1. What is your name or, if you are a legal representative, the name of your firm?

2. Are you the ☐ Complainant ☐ Respondent ☐ Legal Representative

☐ Investigation and Tribunals Team

☐ Other (please specify)

3. What order, appointment, discharge, direction or relief are you seeking?

4. What are the grounds for seeking that order, appointment, discharge, direction or relief?

5. How do you wish this application to be dealt with?

☐ at a hearing in person ☐ at a remote hearing ☐ without a hearing

6. What information are you relying on in support of your application?

☐ the attached witness statement ☐ the evidence set out in the box below

Under rule 122 this form has a word limit of 3000 words and an exhibit page limit of 25 pages.

If necessary you may continue on a separate sheet

STATEMENT OF TRUTH

☐ I believe that the facts stated in this application are true

☐ I am duly authorised by the applicant to sign this application

Signature

☐ Applicant

☐ Litigation Friend (see Part 3)

☐ Legal Representative

Date

/ /

Full name

Name of applicant's legal representative's firm

Position held (if legal representative)

Rule 105(8)
This application must be given to the person who is specified in the provision of the CCM or the Rules to whom the application may be made.

Rule 106
Except where it is provided that an application must or may be made without notice, a copy must be given to the other parties at the same time as it is given to the person referred to in rule 105(8).

SCHEDULE 2

Rule 114

Royal Peculiars

Jurisdiction

1.—(1) The CCM does not apply to an allegation of misconduct against a clerk in Holy Orders who holds office in a Royal Peculiar unless and until the relevant assessor decides, in accordance with the statutes of the Royal Peculiar, that the alleged misconduct is likely to call into question the clerk's fitness to exercise ministry.

(2) If the relevant assessor makes the decision referred to in sub-paragraph (1), the allegation of misconduct is to be treated for the purposes of the CCM and these Rules as having been made in the form of a complaint and allocated as a complaint of serious misconduct; and a reference in this Schedule to a complaint under this Schedule is to be read accordingly.

(3) The CCM and these Rules have effect accordingly; and for that purpose—

(a) a reference to the responsible bishop is (subject to paragraph 7(1)) to be read as a reference to the person to whom an allegation of misconduct is required to be made under the statutes of the Royal Peculiar concerned,

(b) a reference to the Vicar-General's court or a bishop's disciplinary tribunal is to be read as a reference to a disciplinary tribunal under paragraph 3,

(c) a reference to the relevant officer is to be read as a reference to the President of Tribunals,

(d) a reference to the Code of Practice is to be read as a reference to guidance prepared by the relevant assessor about the operation of the system for dealing with allegations of misconduct against clerks in Holy Orders who hold office in the Royal Peculiar, and

(e) the other modifications set out in this Schedule are to apply.

(4) In this Schedule, "the relevant assessor", in relation to a Royal Peculiar, means the person who, under the Royal Peculiar's statutes, has responsibility for deciding how to deal with allegations of misconduct against clerks in Holy Orders who hold office in the Royal Peculiar.

(5) A reference in this Schedule to the statutes of a Royal Peculiar also includes a reference to—

(a) any other instrument relating to the governance of the Royal Peculiar, and

(b) any guidance prepared by the relevant assessor about the operation of the system for dealing with allegations of misconduct against clerks in Holy Orders who hold office in the Royal Peculiar.

Investigation

2. In section 27 of the CCM (complaint of serious misconduct), subsection (9) has effect as if for paragraphs (a) and (b) there were substituted the following—

"(a) the President must refer the complaint to the relevant assessor, and

(b) the allegations of misconduct in the complaint are to be dealt with under the statutes of the Royal Peculiar concerned."

Disciplinary tribunal

3.—(1) A disciplinary tribunal to which a complaint is referred under section 27(5) of the CCM consists of three persons—

(a) one of whom serves as the Chair (see sub-paragraph (2)),

(b) one of whom is a clerk in Holy Orders appointed by the President of Tribunals from the Royal Peculiars panel (see paragraph 4), and

(c) one of whom is a lay person appointed by the President of Tribunals from that panel.

(2) The Chair of the disciplinary tribunal is a person appointed by the President of Tribunals who—

(a) satisfies the judicial-appointment eligibility condition on a 7-year basis (see section 10(2)(d) and (6) of the CCM), or

(b) holds or has held high judicial office or the office of circuit judge.

(3) The President of Tribunals may not make an appointment under sub-paragraph (1)(b) or (c) of a person who was appointed to the Royal Peculiars panel by the dean of the Royal Peculiar in which the person who is subject to complaint holds office.

(4) The Chair of the disciplinary tribunal must give directions for how the complaint is to proceed.

Royal Peculiars panel

4.—(1) All the persons who hold office as the dean of a Royal Peculiar must jointly maintain a list, known as "the Royal Peculiars panel", of persons suitable for appointment as a member of a disciplinary tribunal under paragraph 3.

(2) The Royal Peculiars panel consists of the persons nominated under sub-paragraph (3).

(3) The dean of each Royal Peculiar must nominate for inclusion on the Royal Peculiars panel—

(a) two clerks in Holy Orders, and

(b) two lay persons, each of whom is an actual communicant.

Suspension

5. Section 35 of the CCM (restriction order) does not apply to a clerk in Holy Orders subject to a complaint under this Schedule; and sections 34 and 36 of the CCM (suspension) are to be read as if references to section 35 were omitted.

Penalties

6. Sections 37 to 40 of the CCM (penalties etc.) apply to a finding or admission of a complaint under this Schedule that a clerk in Holy Orders has committed misconduct likely to call into question the clerk's fitness to exercise ministry as they apply to a finding or admission of serious misconduct.

Deposition from Holy Orders

7.—(1) Section 41 of the CCM (deposition of priest or deacon) has effect as if the references to the responsible bishop were references to the bishop of the diocese in which the Royal Peculiar is treated by section 68(6) of the CCM as situated.

(2) Part 16 of these Rules applies to a complaint under this Schedule with such modifications as are necessary or appropriate in consequence of this paragraph.

Conviction for offence etc: power to impose penalty etc

8. In the application of section 46 of the CCM (conviction for offence etc) to a clerk in Holy Orders who holds office in a Royal Peculiar, the power under that section is exercisable by the President of Tribunals.

Appeal and review

9.—(1) Section 50 of the CCM (review by President of Tribunals on complaint) applies to a complaint under this Schedule; and for that purpose—

(a) subsection (1) applies as if it included a reference to a decision taken by the relevant assessor that the alleged misconduct is not likely to call into question the fitness of the clerk in Holy Orders to exercise ministry, and

(b) subsection (2) applies as if it included a reference to a dismissal by the relevant assessor of the alleged misconduct on the grounds that it is vexatious or totally without merit.

(2) Section 51 of the CCM (review by President of Tribunals of penalty on conviction etc) applies to a clerk in Holy Orders on whom a penalty has been imposed under section 46 of the CCM (as modified by paragraph 8) as if the clerk were an archbishop on whom a penalty had been imposed under that section.

(3) Section 52(1) to (4) of the CCM (appeal etc to court) applies to a complaint under this Schedule.

(4) Section 53 of the CCM (permission to appeal) applies to an appeal or application for review under section 52 of the CCM (as it is applied by sub-paragraph (3)); and for that purpose, subsections (1)(a) and (3) are to be ignored.

(5) Part 20 of these Rules applies to a complaint under this Schedule with such modifications as are necessary or appropriate in consequence of this paragraph and paragraph 10.

Composition of appeal panel

10.—(1) An appeal or application for review under the CCM as modified by paragraph 9 of this Schedule must be made to a panel that consists of—

(a) the Dean of the Arches and Auditor,

(b) one clerk in Holy Orders appointed by the President of Tribunals from the Royal Peculiars panel, and

(c) one lay person appointed by the President of Tribunals from that panel.

(2) The President of Tribunals may not make an appointment under sub-paragraph (1)(b) or (c) of a person who was appointed to the Royal Peculiars panel by the dean of the Royal Peculiar in which the person who is subject to the complaint holds office.

SCHEDULE 3

Rule 116

Recording and publication of decisions

Interpretation

1.—(1) In this Schedule, a reference to a numbered provision is a reference to the provision of the CCM numbered as such.

(2) In this Schedule, a reference to recording a decision or anything else is a reference to recording it in accordance with section 64(1); and the information recorded must include the name of each party to the complaint or other proceeding or process.

(3) In this Schedule, a reference to publishing a decision or anything else is a reference to publishing it on the Church of England website.

(4) A power or duty to publish the name of a person under this Schedule is subject to the power under rule 62(1) (which enables the tribunal or court hearing a complaint of serious misconduct to order that the identity of certain persons may not be published).

Allocation of complaint (section 21(1)(a) to (c))

2. A decision on how to allocate a complaint under section 21(1)(a) to (c)—

(a) may (but need not) be recorded, and

(b) must not be published.

Dismissal of complaint (section 21(1)(d) to (f))

3.—(1) A decision under section 21(1)(d) (recommendation to dismiss complaint as vexatious etc.)—

(a) must be recorded, but

(b) unless the respondent to the complaint requests publication of the decision (see sub-paragraph (2)), must not be published.

(2) If the respondent to the complaint requests publication of the decision, it must be published; and the information published must include the name of the respondent.

(3) A decision under section 21(1)(e) or (f) (dismissal of complaint as being out of time or being made by person without proper interest)—

(a) must be recorded, but

(b) must not be published.

Grievance (section 23)

4.—(1) A decision to act under section 23(4)(b) or (c) (reallocation of grievance as complaint of misconduct or serious misconduct)—

(a) must be recorded, but

(b) must not be published.

(2) Where a grievance is resolved, or the designated person is satisfied under section 23(6) that it is not possible to resolve a grievance, the fact of the resolution or of the impossibility of a resolution—

(a) must be recorded, but

(b) must not be published.

Misconduct that is not serious misconduct (sections 25 and 38)

5.—(1) Where the responsible bishop (acting under section 25(6)) or the President of Tribunals (acting under section 25(7)(a)) implements a recommendation under section 25(3) or (5), a concise summary of the complaint and the recommendation—

(a) must be recorded, and

(b) must be published.

(2) Where the President of Tribunals, acting under section 25(7)(b), determines a complaint or gives directions, a concise summary of the complaint and (depending on what the President does) the determination or the directions—

(a) must be recorded, and

(b) must be published.

(3) Where the responsible bishop or the President of Tribunals decides under section 38(1) or (3) to impose a penalty, the decision as to which penalty to impose—

(a) must be recorded, and

(b) must be published.

(4) Information published under sub-paragraph (1)(b), (2)(b) or (3)(b) must include the name of the respondent.

Serious misconduct: referral or dismissal (section 27)

6.—(1) Where the President of Tribunals, acting under section 27(5) (see rule 38(5)), decides to refer or dismiss a complaint in full or in part, the fact of the referral or dismissal and whether it is of the complaint in full or in part—

(a) must be recorded, and

(b) must be published.

(2) If the President so chooses, the President's reasons for the decision—

(a) may be recorded, and

(b) may be published.

(3) Information published under sub-paragraph (1) or (2) must include the name of the respondent.

(4) Information under sub-paragraph (2) may be recorded and published at the same time as, or after, the information under sub-paragraph (1) to which it relates is recorded and published.

Serious misconduct: determination (sections 27, 31 and 38)

7.—(1) Where a tribunal or court, acting under section 31(2), determines a complaint of serious misconduct, the full text of the judgment of the tribunal or court—

(a) must be recorded, and

(b) must be published.

(2) Where a tribunal or court, acting under section 31(2), makes an interim decision on a complaint of serious misconduct, and if the Chair of the tribunal or court so chooses, the interim decision—

(a) may be recorded, and

(b) may be published.

(3) Where the tribunal or court, acting under section 38(2), (4) or (5), decides to impose a penalty, the decision as to which penalty to impose—

(a) must be recorded, and

(b) must be published.

(4) Information published under sub-paragraph (1)(b), (2)(b) or (3)(b) must include the name of the respondent.

Vexatious litigant: restraint order (sections 32 and 33)

8.—(1) Where a restraint order is made under section 32(4), the fact of the order being made, the period for which it has effect and a variation or discharge of the order—

(a) must be recorded, and

(b) must be published.

(2) Information published under sub-paragraph (1)(b) must include the name of the applicant for the restraint order and the name of the person against whom it is made.

Restriction order (sections 34 and 35)

9.—(1) Where a restriction order is imposed under section 34(2)(a), the fact of the order being imposed, the period for which it has effect and any revocation of the order—

(a) must be recorded, and

(b) must be published.

(2) Information published under sub-paragraph (1)(b)—

(a) must include the name of the person on whom the restriction order is imposed, and

(b) must be accompanied by a statement that any person wishing to find out about the effect of the order may contact the registrar of the registry in which the information is recorded.

Suspension (sections 34 and 36)

10.—(1) Where a suspension is imposed under section 34(2)(b), the fact of the suspension being imposed, the period for which it has effect and any revocation of the suspension—

(a) must be recorded, and

(b) must be published.

(2) Information published under sub-paragraph (1)(b) must include the name of the person on whom the suspension is imposed.

Conditional discharge (section 40)

11. Where a conditional discharge is made under section 40, the fact of the order being made, the person to whom the order applies and the period specified in the order—

(a) must be recorded, but

(b) must not be published.

Deposition from Holy Orders (sections 41 and 42)

12.—(1) Where a priest or deacon is deposed from Holy Orders under section 41 or the Upper House of either Convocation resolves to depose a bishop or archbishop from Holy Orders under section 42, the fact of the deposition or resolution—

(a) must be recorded, and

(b) must be published.

(2) Information published under sub-paragraph (1)(b) must include the name of the person who is deposed or in respect of whom the resolution is passed.

Conviction for offence, inclusion on barred list etc. (section 46)

13.—(1) Where a decision is made to impose a penalty under section 46 (conviction for offence etc: power to impose penalty etc.), the decision as to which penalty to impose—

(a) must be recorded, and

(b) must be published.

(2) Information published under sub-paragraph (1)(b) must include the name of the person on whom the penalty is imposed.

Reviews and appeals (section 50)

14.—(1) Where a request for review is made under section 50(1) (allocation of complaint as grievance)—

(a) the fact of the request being made must not be recorded, but

(b) if the President of Tribunals so orders, the text of the President's decision on the request and the reasons for it must be published.

(2) Where a request for review is made under section 50(2), (3), (6) or (7) (dismissal of complaint as vexatious etc; report on complaint of misconduct; decision not to impose restriction order or suspension; imposition of penalty by responsible bishop)—

(a) the fact of the request being made must be recorded, and

(b) if the President of Tribunals so orders, the text of the President's decision on the request and the reasons for it must be published.

(3) Where an appeal is brought under section 50(4) or (5) (appeal against restriction order or suspension)—

(a) the fact of the appeal being brought must be recorded, and

(b) if the President of Tribunals or (as the case may be) the Dean of the Arches and Auditor so orders, the text of the President or Dean's decision on the appeal and the reasons for it must be published.

(4) In the case of an appeal under section 50(5) heard by a person appointed by the Dean of the Arches and Auditor under section 50(5)(b), sub-paragraph (3)(b) is to be read as if the references to the Dean were references to the person appointed.

(5) Information published under sub-paragraph (1)(b), (2)(b) or (3)(b) must include the name of the person making the request for review or bringing the appeal.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules are made under section 83 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 and carry into effect provisions of the Clergy Conduct Measure 2026 ("the CCM").

Rule 1 provides for these Rules to come into force immediately after the commencement of section 2 of the CCM (which creates the new jurisdiction for disciplinary matters). Rule 1 also introduces Schedule 1, which sets out all the Forms provided for in these Rules.

Rule 2 sets out the overriding objective of the Rules which is to enable complaints under the CCM to be dealt with justly.

Rule 3 requires parties to a complaint to co-operate with the tribunal or court hearing the complaint and anybody else with responsibilities under the CCM.

Rue 4 gives the President of Tribunals a general power to give directions and hold hearings.

Rule 5 enables the President of Tribunals to appoint a litigation friend for anyone who is a protected party (a child, for example).

Rule 6 enables the President of Tribunals to remove a litigation friend.

Rule 7 provides for what happens where a litigation friend is acting on a complaint but circumstances change (for example, the child in question becomes 18).

Rule 8 makes provision about the service or other delivery of documents to a litigation friend.

Rule 9 sets out the main information to include in a complaint form.

Rule 10 sets out additional information to include in a complaint form.

Rule 11 sets out the procedure for making a complaint about the exercise of a function imposed by the CCM or the Rules.

Rule 12 sets out the procedure for seeking permission to make a complaint out of time.

Rule 13 provides that, once a complaint is made, it is to be referred to the lead assessor on the panel of assessors.

Rule 14 sets out the procedure for allocating a complaint, according to whether it involves a grievance, misconduct that is not serious misconduct, or serious misconduct.

Rule 15 provides that, once a complaint is allocated, the parties must be notified.

Rule 16 introduces the provisions on the procedure for dealing with a grievance.

Rule 17 ensures that the parties to a grievance are provided with the Code of Practice produced by the Clergy Conduct Commission.

Rule 18 sets out the procedure for the respondent to a grievance to make a response.

Rule 19 enables the respondent to a grievance to withdraw an admission to a grievance if the President of Tribunals allows that.

Rule 20 sets out the procedure for deciding a grievance.

Rule 21 requires the creation of a "grievance record", which includes the complaint form on the grievance, the response form and a record of the outcome.

Rule 22 sets out the procedure for the reallocation of a complaint.

Rule 23 introduces the provisions on the procedure for dealing with a complaint of misconduct which is not serious misconduct.

Rule 24 ensures that the parties to a complaint of misconduct are provided with the Code of Practice produced by the Clergy Conduct Commission.

Rule 25 sets out the procedure for the respondent to a complaint of misconduct to make a response.

Rule 26 enables the respondent to a complaint of misconduct to withdraw an admission to the complaint if the President of Tribunals allows that.

Rule 27 requires the case assessor on a complaint of misconduct to seek advice from the Investigation and Tribunals Team.

Rule 28 requires the case assessor, having completed an investigation into the complaint, to issue a report of the investigation.

Rule 29 sets out the procedure where the parties to the complaint reach an agreement under the conciliation process.

Rule 30 sets out the procedure for the reallocation of a complaint.

Rule 31 introduces the provisions on the procedure for dealing with a complaint of serious misconduct.

Rule 32 ensures that the parties to a complaint of serious misconduct are provided with the Code of Practice produced by the Clergy Conduct Commission.

Rule 33 sets out the procedure for the respondent to a complaint of serious misconduct to make a response.

Rule 34 enables the tribunal or court hearing a complaint of serious misconduct to make findings of fact based on admissions by the respondent.

Rule 35 enables the Investigation and Tribunals Team to apply for the tribunal or court for proceedings to be discontinued where the respondent has made partial admissions.

Rule 36 sets out the procedure for the respondent to withdraw an admission.

Rule 37 requires the Investigation and Tribunals Team, having completed an investigation into the complaint, to issue a report of the investigation.

Rule 38 sets out the procedure for parties to a complaint to make representations and the procedure for the President of Tribunals to make a decision.

Rule 39 sets out the procedure for requiring a person who is not a party to a complaint to produce documents which the court hearing the complaint thinks will be relevant.

Rule 40 provides that a person who fails to comply with an order under rule 39 faces the possibility of being held in contempt.

Rule 41 sets out the procedure for adding a safeguarding professional as a party to a complaint.

Rule 42 gives a safeguarding professional power to attend hearings and make written submissions about the appropriate penalty to impose.

Rule 43 requires the Chair of the tribunal or court to manage complaints actively by, for example, encouraging the parties to a complaint to co-operate.

Rule 44 gives the Chair of the tribunal or court some general case management powers, including power to adjourn a hearing or require a party to attend.

Rule 45 requires the registrar of tribunals to consult the Chair of the tribunal or court before taking steps on the proceedings on a complaint.

Rule 46 enables the Chair of the tribunal or court to exercise powers under these Rules on his or her own initiative.

Rule 47 enables the Chair of the tribunal or court to give directions for the conduct of the proceedings.

Rule 48 lists the matters on which directions may be given (for example, presentation of evidence).

Rule 49 sets out the requirements which witness statements must meet.

Rule 50 provides that, in general, a witness statement for proceedings on a complaint may not be used for other purposes.

Rule 51 sets out the procedure for using an expert report in proceedings on a complaint.

Rule 52 gives the Chair of the tribunal or court power to exclude evidence.

Rule 53 enables oral evidence to be given.

Rule 54 requires the tribunal or court to set a timetable for hearing a complaint and to decide whether it is to be in person, remote or hybrid.

Rule 55 sets out instances in which the respondent to a complaint is prohibited from cross-examining a witness in person.

Rule 56 enables the complainant to ask the registrar of tribunals to amend an allegation of misconduct.

Rule 57 sets out the limited cases in which the tribunal or court is entitled to sit in private.

Rule 58 enables the Chair of the tribunal or court to require a particular witness or expert to attend a hearing in person.

Rule 59 provides that, if a party to a complaint is absent from a hearing, the tribunal or court may not proceed unless satisfied that the party has been given written notice of the hearing.

Rule 60 enables the tribunal or court to exclude from a hearing a person who is, for example, being disruptive.

Rule 61 sets out the special measures that may be put in place where the ability of a party to participate in proceedings on a complaint by, for example, language difficulties or a mental health condition.

Rule 62 enables the tribunal or court on a complaint to order that the identity of a person involved in the proceedings is not to be published.

Rule 63 provides that proceedings on a complaint come to an automatic end if the respondent dies.

Rule 64 sets out what is to happen where the complainant dies or becomes incapacitated or is otherwise incapable of participating in the proceedings — for example, the complainant may be replaced by somebody else.

Rule 65 sets out the procedure for the complainant to withdraw a complaint.

Rule 66 enables the parties to a complaint to make representations before a penalty is imposed.

Rule 67 sets out circumstances in which the responsible bishop can be required to produce a written opinion on the appropriate penalty.

Rule 68 sets out the procedure for imposing a penalty in circumstances in which there has not been a complaint, including where a clerk in Holy Orders has been convicted of an offence.

Rule 69 requires the Chair of the tribunal or court on a complaint to make a public pronouncement of the decision.

Rule 70 provides for copies of decisions to impose penalties or administrative sanctions to be sent to the respondent and certain other persons.

Rule 71 sets out the procedure for giving a priest or deacon notice of an intended deposition.

Rule 72 sets out the procedure for a person to appeal against a notice under rule 71.

Rule 73 sets out the procedure for making a decision whether to depose a priest or deacon.

Rule 74 sets out the procedure for giving an archbishop or bishop notice of an intended deposition.

Rule 75 sets out the procedure for an archbishop or bishop to make representations in response to a notice under rule 74.

Rule 76 sets out the procedure for giving notice of a restriction order.

Rule 77 sets out the procedure for giving notice of a suspension.

Rule 78 sets out the procedure for recording the decision made on whether to make a restriction order or suspension.

Rule 79 sets out the procedure for giving notice of the revocation of a restriction order or suspension.

Rule 80 makes provision for serving or otherwise giving notice of a restriction order or suspension or of a revocation.

Rule 81 makes provision for certain persons to be given a copy of a notice of a restriction order or suspension or a revocation.

Rule 82 lists who is entitled to have access to the Archbishops' list under section 58 of the CCM.

Rule 83 requires the archbishop to give notice to a person whose name is included on the list.

Rule 84 enables a clerk to appeal against the inclusion on the list of a conviction which has become protected under the Rehabilitation of Offenders Act 1974.

Rule 85 enables a clerk to appeal against the inclusion on the list of information that is incorrect.

Rule 86 provides that, where a finding of misconduct is made under the CCM or a predecessor Measure against a clerk who also works in another capacity (as a doctor or lawyer, for example), the finding of misconduct is to be notified to an appropriate person involved in that other work.

Rule 87 provides that, where a finding is made against a clerk in disciplinary proceedings relating to work that the clerk carries out in another capacity, that finding is to be notified to a senior member of clergy.

Rule 88 imposes a time limit of two years on the process under rule 87.

Rule 89 enables a clerk to appeal against the imposition of a penalty under the CCM where an adverse finding in disciplinary proceedings relating to other work that the clerk does.

Rule 90 sets out the procedure for applying for permission to appeal or request a review.

Rule 91 sets out the procedure for determining an application under rule 90.

Rule 92 sets out the procedure for applying to bring an appeal out of time.

Rule 93 enables the court hearing an appeal to strike out the appeal.

Rule 94 provides that, if a party to a complaint is absent from a hearing on an appeal, the court may not proceed unless satisfied that the party has been given written notice of the hearing.

Rule 95 provides that, in general, a witness who gave evidence on a complaint of misconduct is to be called to give evidence on an appeal or review arising from the complaint.

Rule 96 provides that, in general, only new evidence may be put before the court on an appeal or review.

Rule 97 sets out the procedure for requiring a person who was not a party to a complaint to produce documents to the court on an appeal or review.

Rule 98 sets out the procedure for amending or withdrawing an appeal.

Rule 99 sets out the powers available to the court on an appeal or review.

Rule 100 provides that decisions by the court on an appeal or review may be taken by majority.

Rule 101 sets out the procedure for bringing an appeal or requesting a review.

Rule 102 sets out the powers available to the President of Tribunals on a request to review a decision to allocate a complaint as a grievance, a decision to dismiss a complaint or a finding of fact in the report of an investigation on a complaint.

Rule 103 sets out the powers available to the President of Tribunals or other person hearing an appeal against the imposition of a restriction order or suspension.

Rule 104 sets out the powers available to the President of Tribunals on a request to review the imposition of a penalty.

Rule 105 sets out the general requirements for making an application under these Rules.

Rule 106 provides that, in general, notice of an application must be given to the parties.

Rule 107 sets out the procedure for dealing with an application at a hearing.

Rule 108 sets out the procedure for dealing with an application where there is no hearing.

Rule 109 provides that, where an application is dismissed for being vexatious, the order of dismissal must record that.

Rule 110 requires a copy of an order made on an application to be sent to the parties.

Rule 111 sets out the ways in which a document may be served or otherwise delivered.

Rule 112 defines a person's "proper address" for the purposes of the provisions on service.

Rule 113 sets out when a document that is served or otherwise delivered is taken to be delivered.

Rule 114 introduces Schedule 2, which makes special provision for complaints of serious misconduct against clerks in Royal Peculiars.

Rule 115 gives the President of Tribunals a general power to extend a time limit under these Rules.

Rule 116 introduces Schedule 3, which provides for certain decisions to be recorded by the relevant diocesan or provincial registrar and to be published on the Church of England website.

Rule 117 requires certain information about the conviction of a clerk to be provided in writing.

Rule 118 requires certain information about the divorce or separation of a clerk to be provided in writing.

Rule 119 sets out the procedure for applications relating to vexatious litigants.

Rule 120 lists certain road traffic offences which are excluded from the provisions of the CCM relating to convictions of clerks.

Rule 121 provides that, in general, procedural irregularities do not invalidate the proceedings on a complaint.

Rule 122 imposes word and page limits on certain sections in the Forms in Schedule 1.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.