

**IN THE MATTER OF A COMPLAINT UNDER THE CLERGY DISCIPLINE
MEASURE 2003**

THE BISHOP'S DISCIPLINARY TRIBUNAL FOR THE DIOCESE OF BLACKBURN

Complainant: Mr. George Turner

Respondent: The Reverend Andrew Humphreys Rea

WRITTEN DETERMINATION OF PENALTY

Delivered on 29th September 2008.

Introduction

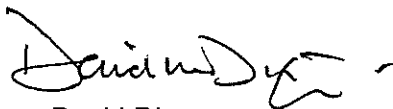
1. This is a determination by the Tribunal of the penalty in the above matter where conduct alleged by the Complainant has been admitted by the Respondent, the Tribunal being convened for the purpose of hearing the parties solely on the matter of penalty.
2. The Complaint was that of engaging in conduct unbecoming or inappropriate to the office and work of a clerk in Holy Orders contrary to section 8(1) (d) of the Clergy Discipline Measure 2003 in that whilst serving as a curate in the parish of St. Mark Layton , Blackpool, and whilst lawfully married to his wife, Ann, the Reverend Andrew Humphreys Rea left her and moved into the home of Jean Holmes Melkvik, a parishioner , in about January 2007 and formed an intimate and unprofessional relationship with her.
3. The Complaint was made by the Complainant on the 18th July 2007 and the Complaint was referred for preliminary scrutiny under section 11 of the Clergy Discipline Measure 2003, which resulted in the Bishop of Blackburn deciding under section 12 of the Measure that there should be a formal investigation of the complaint under section 17 of the Measure.
4. By his Answer dated the 14th September 2007, the Respondent denied the allegation made by the Complainant.
5. Following formal investigation of the complaint, the President of Tribunals, pursuant to section 17(3) of the Measure, on the 1st April 2008 referred the determination of the allegation set out at paragraph 2 above to this Tribunal.
6. Immediately prior to the Directions hearing held on 19th June 2008, the Respondent admitted the allegation of misconduct and the hearing by this Tribunal was therefore to determine the appropriate penalty in respect of the admitted misconduct.

The Hearing

1. Mr Adrian Iles, as the Designated Officer appeared on behalf of the Complainant and Mr. John Lodge of Counsel appeared on behalf of the Respondent.
2. The Tribunal heard Mr. Iles put forward his outline of facts and submissions as to penalty after which Mr. Lodge put forward his submissions by way of mitigation to such outlines of fact and submissions on penalty by the Designated Officer. Mr Iles then replied.
3. The Tribunal then retired to consider its decision on penalty.
4. The Tribunal decided upon the penalty and delivered the same in open Court on 29th September 2008, that the Respondent be prohibited from exercising any of the functions of his Orders for a period of 15 (fifteen) months from the 29th September 2008.
5. The reasons for the penalty imposed were:
 - a) The Tribunal considers that the responsibilities of a priest arise out of ordination – not whether a Stipendiary or Non Stipendiary Minister (and this will also cover House for Duty clergy). In addition, whilst in this case there was no specific pastoral relationship between the Respondent and Mrs. Melkvik, as a priest, Mr. Rea had a greater pastoral responsibility to members of the church, it being accepted that Mrs. Melkvik was a member of the Church of which the Respondent was a Non Stipendiary Curate.
 - b) The Tribunal is of the view that suspension should be considered separately from that of penalty, the former having no element of punitive sanction.
 - c) The Tribunal does not accept that the Respondent showed true remorse at such an early stage in the proceedings as is suggested by Mr.Lodge.
 - d) The Tribunal accepts, however, that there has been an admission of guilt by the Respondent, this having been legally made in June 2008, and further that there is no evidence of the Respondent having aggravated the inevitable disruption and concern to which the sequence of events in this matter gave rise in the parish. Further the Tribunal has had regard to the references produced on behalf of the Respondent.
 - e) The Tribunal acknowledges that the Respondent's marriage had broken down prior to the admitted misconduct and that the relationship with Mrs.Melkvik did not break up that marriage. It was also noted that Mrs. Melkvik is a widow. The Tribunal is also minded to recognise, from the papers that have been put before it, the personal circumstances of the Respondent both prior to and in the very early days of his ordained ministry.

- f) Nevertheless, as an ordained minister and on the Respondent's admission of an intimate and unprofessional relationship with a parishioner, a period of prohibition is inevitable and in this case the tribunal considers that a period of 15 (fifteen) months prohibition from exercising any of the functions of his Orders from the 29th September 2008 is the appropriate penalty and so determines.
- g) The Respondent resigned in June 2007 from ministry in the parish. In a matter of this nature resignation is not sufficient and as the House of Bishops' guidance on penalties indicates needs to be coupled with a penalty of prohibition. The Tribunal has noted that when the period of prohibition which has been imposed has run its full course, the Respondent will have been out of parochial ministry for some two and a half years.

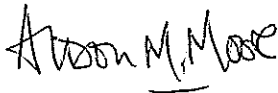
The Tribunal would add, not as part of the formal determination, that the references put forward on behalf of the Respondent, show him to be a man of specific gifts which it hopes will not be lost to the Church and that after the period of prohibition has ended the Respondent might return to priestly ministry (not necessarily in the same parish or locality) to enable the Church to have the benefit of such gifts. This will be a matter for the Diocesan Bishop to decide at the time.



David Dixon



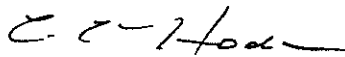
Richard Grunwell



Alison Moore



Ruth Stables



Christopher Hodson

Dated 3rd November 2008

To: The Respondent
 The Complainant
 The Designated Officer
 The Bishop of Blackburn
 The Registrar of the Diocese of Blackburn

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NOTICE OF PENALTY IMPOSED BY THE TRIBUNAL

We order that the Respondent be prohibited for a period of 15 (fifteen) months from exercising any of the functions of his Orders, and this prohibition shall be with effect from the 29th day of September 2008.

The reasons for imposing this penalty are set out in the written Determination of Penalty dated 3rd November 2008.

CANON C HODSON (Chairman)

THE REVEREND D M DIXON

MR R L GRUNWELL

MRS A MOORE

THE REVEREND K R STABLES

Certified copy of the Penalty pronounced on 29 September 2008



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Registrar of Tribunal and Provincial Registrar

To: The Respondent
The Complainant
The Designated Officer
The Bishop of Blackburn
The Registrar of the Diocese of Blackburn