

**In the matter of a Complaint under the Clergy Discipline Measure 2003
Before the Bishop's Disciplinary Tribunal for the Diocese of Sheffield**

RE THE REVEREND KEITH HANSON

DECISION

1. The President of Tribunals has referred the following matter to the Bishop's Disciplinary Tribunal for the Diocese of Sheffield ("the tribunal") for determination. It is alleged that:

"The conduct of the respondent, the Reverend Keith Hanson, Mission Development Vicar of the Maltby Team Ministry and of Thurcroft St Simon and St Jude, was unbecoming or inappropriate to the office and work of a clerk in Holy Orders within s8(1)(d) of the Clergy Discipline Measure 2003 in that from about mid-September to mid-October 2017, he, a married man:

(i) Had an adulterous relationship with XY; and

(ii) Sent indecent and sexually explicit messages by electronic means to XY"

2. Mr Hanson has chosen not to attend these proceedings. On 10 October 2019 he wrote to the Registrar stating that he was mentally unwell and did not intend to attend the hearing. This letter confirmed what he had previously said in earlier correspondence, dated 31 July 2019, when he also asked that the matter be disposed of as soon as possible. In those circumstances, the tribunal has first considered whether it should exercise its discretion under rule 42 of the Clergy Disciplinary Rules 2005 to hear the matter in his absence.
3. The tribunal has considered the principles set out in *R. v Jones (Anthony William)* [2001] EWCA Crim 168, as considered in the context of disciplinary proceedings in *Adeogba v General Medical Council* [2016] EWCA Civ 162. It has concluded that, in the absence of any medical evidence that the respondent is unfit to attend this hearing, or indeed, any application from Mr Hanson to adjourn the proceedings, it is in the public

interest that the hearing takes place in his absence. In view of Mr Hanson's stated intention that he wishes the matter to be disposed of as soon as possible, it does not consider that there is any realistic prospect in Mr Hanson attending a resumed hearing in the future. It has also taken into account that the complainant has attended the hearing and that it would cause unnecessary distress to her for the matter to be adjourned.

4. The tribunal has given detailed consideration to the evidence in this matter and the submissions of Mr Iles, the Designated Officer. It has applied the law on the burden and standard of proof, namely that the burden of proof is on the complainant, and that the standard of proof required is on the balance of probabilities before it finds any allegation of fact contained in the heads of charge proven. The tribunal has exercised its judgment in deciding whether the facts admitted, or it has found proved, amount to conduct unbecoming or inappropriate to the office and work of a clerk in Holy Orders.
5. The respondent was at the relevant time in 2017 Mission Development Vicar of the Maltby Team Ministry and of Thurcroft St Simon and St Jude. He has subsequently resigned from his office. He is a married man, having married his second wife in 2006. The complainant began attending Thurcroft church in late July 2017, first meeting the respondent at the church at an African drumming group and subsequently attending church services. As described in oral evidence, the complainant has a history of mental illness, which included a period as an in-patient in 2006 as a voluntary inpatient since which time she has been under the supervision of the community psychiatric services. She has been on medication for depression, Prozac. She was accompanied to the hearing by her mental health nurse.
6. Between mid-September and mid-October 2017, the complainant and respondent exchanged a large number of text, and other messages by email, Facebook and WhatsApp. The messaging between them became increasingly sexually explicit. The complainant alleges that on three occasions on 1, 2 and 9 October 2017 they had full sexual intercourse at her home address. In the respondent's answer, supplemental answer and witness statement, he denies that he had visited the complainant's home and that he had had a sexual relationship with the complainant. He admits that he sent the sexually explicit messages, however, he maintains that the context of the messages was part of a sexual fantasy in order to placate the

complainant. He maintains that he is incapable of sexual intercourse as a result of his medication and is impotent. It follows that the main factual issue is whether there was a sexual relationship between the Complainant and the Respondent.

7. The tribunal heard oral evidence from the complainant, who had also provided a witness statement, which exhibited a large number of messages between the respondent and complainant in the period between mid-September and mid-October 2017. In the documentation from the respondent, he has not sought to challenge the accuracy of the messages which are exhibited to the complainant's witness statement. As the tribunal heard, the complainant was able to download the messages from her online accounts and, in the case, of the text messages obtain screenshots of the messages. On enquiry from the tribunal, Mr Iles, the Designated Officer, submitted there is no evidence to suggest that the copies of the messages which the complainant has provided are not genuine. The tribunal accepts Mr Iles's submission that the flow of the conversations between the parties is consistent with the messages accurately reflecting their content. Accordingly, the tribunal has accepted that the content of the messages produced is an accurate record of the messaging which took place.
8. The tribunal has taken into account the answer from the respondent dated 14 December 2017, and his supplemental answer dated 28 February 2018, as well as the content of his statement dated 31 July 2019, as well as the witness statement from his wife, dated 14 December 2018. The answer was accompanied by a list of the respondent's prescriptions and data sheets, setting out the risks of erectile dysfunction. In assessing the weight it has attached to the content of those statements, the tribunal considers that it is highly relevant that the respondent has not attended the hearing and that his account of events has not been subject to cross-examination. Where there is a dispute between the evidence of the complainant and the respondent, the tribunal has preferred the evidence of the complainant. It has been assisted by the content of the messages, which have been produced.
9. The case against the respondent is that the respondent was in an unhappy marriage and entered into an increasingly sexualised relationship with the complainant who had started to attend the respondent's church in late July 2017. Following increasingly frank sexual emails between the parties,

the respondent committed adultery with the complainant three times on 1, 2 and 9 October 2017 at her home. The evidence from the complainant is that on each of these occasions the respondent was capable of maintaining an erection and complete sexual intercourse took place. This evidence is supported by the messages around each of the days in question, which indicate that the respondent had attended the complainant's home and that they had enjoyed sexual intercourse. The messaging on 10 October 2017 from the respondent is particularly explicit about their sexual intercourse.

10. It is not necessary for the purposes of this decision to set out in detail the extent and nature of the sexual messaging, which Mr Iles outlined in detail in opening the case against the respondent. Over a period of time the tribunal considers that the respondent allowed an inappropriate relationship to develop with the complainant, notwithstanding, it is satisfied, that he was aware that she suffered from mental illness. It would appear to be the case that he initially engaged the complainant's interest by constant references to his isolation and loneliness. In the view of the tribunal, the descriptive nature of the respondent's messaging goes far beyond a descriptive fantasy and provides a detailed account of the sexual activity which took place between the parties, as well as discussion about arrangements for him to visit her at her home. There is also a reference to repairs being required to the complainant's lavatory seat, which provides some additional corroboration that the respondent had visited her home.
11. It is not entirely clear how the relationship came to an end. The complainant states in her witness statement that she ended the relationship because she believed that the respondent was only pursuing her for sexual intercourse. In oral evidence, she said that the respondent stopped contacting her shortly after 10 October 2017 and they met in a park when he told her that the affair was over and that if she reported him nobody would believe her with her history of mental illness. In the tribunal's view, the latter account is likely to be correct. The respondent probably realized that discovery of what had taken place was likely to end his career, however, it is to his discredit that his response to the complaint, once made, has been to deny that a sexual relationship took place.
12. The tribunal considers that it is relevant that the respondent was disingenuous in his initial response to the allegations made against him. In the answer to the original complaint, which referred only to a limited

number of messages, he submitted that the messaging had taken place only over a very limited period, three days between 3 and 5 October 2017, when, in fact, the complainant later produced copies of literally hundreds of messages each day over a period of about one month, between mid-September and mid-October 2017.

13. Having carefully considered the totality of the evidence, the tribunal has concluded that the head of charge against the respondent has been proved in both respects. It is satisfied that the respondent committed adultery with the complainant. It accepts the complainant's evidence that sexual intercourse occurred on three occasions at her home on 1, 2 and 9 October 2017. The complainant's account is supported by the content of the messaging around each occasion, which acknowledges that the respondent had visited or was planning to visit her home, and his accounts of the sexual intercourse that took place. By his own admission the respondent accepts that the sexualised messaging was inappropriate from a person in his position. The tribunal is satisfied that the messaging was wholly inappropriate between a parish priest and parishioner, let alone one with a known history of mental illness.
14. For the reasons set out above, the tribunal considers that the respondent's conduct, as found proved and admitted, was conduct unbecoming or inappropriate to the office and work of a clerk in Holy Orders.
15. Following the announcement of the decision, the tribunal invited further submissions from Mr Iles, the Designated Officer, on penalty. Mr Iles drew the tribunal's attention to the Clergy Discipline Commission's Guidelines on Penalties, which the tribunal read and took into account in reaching its decision. Mr Iles drew particular attention to the section on sexual misconduct, and adultery, which advised that "*removal from office and prohibition, either for life or a limited time are usually appropriate for adultery.*"
16. The tribunal considered whether this was an appropriate case for limited prohibition, however, it concluded that it was not one of those cases where the respondent could or should after a period of rehabilitation be permitted to practice again as a priest. In reaching this conclusion, the tribunal took into account the nature and protracted period of the misconduct, the known vulnerability of the complainant, the lack of insight by the respondent, both during the relationship and subsequently,

and the absence of remorse. In the circumstances the tribunal has concluded that, in the public interest, there is only one proportionate sanction that could be imposed, namely prohibition for life.

A handwritten signature in black ink, appearing to read 'David Pittaway', written in a cursive style.

18 October 2019

DAVID PITTAWAY QC
Chair of Tribunal

Tribunal Members

The Venerable Philip Williams, Archdeacon of Nottingham

The Reverend Christine Broad

Mr Peter Hilton

Mrs Davina Tomlinson