

In the matter of a Complaint under the Clergy Discipline Measure 2003
Before the Bishop’s Disciplinary Tribunal for the Diocese of Chelmsford
In the matter of the Reverend William Bulloch

The Venerable Michael John Lodge Complainant

and

The Reverend William Bulloch Respondent

Determination of Penalty

1. By a Determination delivered on 20/1/20 the Tribunal found by a majority that the Complainant had failed to prove paragraph (i) of the allegation of misconduct which is set out at paragraph 1 of the Determination. In his Statement of Case dated 20/3/19 the Respondent admitted paragraph (ii) (a) and (b) of the allegation which was:

“(ii) during 2017, having refused to provide AB with pastoral support at a time when she was in need of such support

- (a) he failed to seek assistance or advice from the diocesan safeguarding team or senior diocesan clergy as to how suitable help or support could be provided for her and/or as to how he should respond to her, and
- (b) in the course of a number of conversations with her was rude and abusive by using foul and obscene language”.

2. The background to this misconduct is set out in the Determination and we will not repeat it here. The essence of the misconduct that he has admitted is that once the pastoral relationship was at an end he failed to seek any advice from the diocesan safeguarding team or senior clergy as to how AB could be helped and/or how he should

respond to AB , and that in his interaction with her (as recorded by her) he was rude and abusive and used foul and obscene language.

3. The end of the pastoral relationship was towards the end of January 2017 and the Respondent accepts that he did not report the consequences of ending the pastoral relationship to the diocese. We have set out in the Determination at paragraph 60 onwards the evidence of what those consequences were and her actions towards the Respondent, which involved visiting his church, telephoning and emailing him.
4. The Archdeacon first spoke to the Respondent about these matters in November 2017 in which we find that he said that there had been little contact with AB since February 2017 and it had been quiet since May 2017. We find that was not true. The recorded conversations are from February but primarily between March/April with a final recording in September. He responded with hostility to her as we can hear on many of the recordings. There was no excuse in our judgement for a priest to speak in that way to anyone, even in the circumstances which we unanimously found had occurred in this case (see paragraph 105 of the Determination).
5. We have considered the written submissions of Mr Iles, the Designated Officer, for the Complainant, and Mr Gau for the Respondent. We have also considered the CDC Guidance on Penalties and the Code of Practice. Both parties agreed that there was no need for a further oral hearing on penalty.
6. The Tribunal discussed the submissions and reached its decision on 2nd March 2020. Delay in the public pronouncement of the penalty has been caused by the 'lock down' and the public health emergency.
7. We have considered the submissions of Mr Gau on behalf of the Respondent with care but are unable to accept them. It is submitted that we should reject the Respondent's admissions of misconduct because of the findings that have been made in the Determination. We disagree. The Respondent has plainly admitted this misconduct in his Statement of Case and we find that his admission was properly made on the basis of what occurred.

8. We further reject the submission of Mr Gau that we should approach our penalty judgement in accordance with the steps he sets out at paragraph 8-11 of his submission, which do not correspond with the legal framework of the CDM.

9. The misconduct which was ‘unbecoming or inappropriate’ was

- (i) The Respondent had acted extremely naively and without an appropriate sense of boundaries in the pastoral relationship whilst it subsisted. This was something the Respondent accepted in his evidence, and about which we made findings at para 105 (iii) of our Determination. For a priest to act without a proper sense of boundaries in a pastoral relationship amounts to misconduct.
- (ii) Once the pastoral relationship was ended and he realised he had been duped, the use of the foul and abusive language and shouting as recorded in the taped conversations amounts to misconduct, as he has admitted. By that time, notwithstanding his realisation that he had been duped, any priest should have realised that the use of such language was both unbecoming and inappropriate.
- (iii) That misconduct becomes more serious when the Respondent realised the extent of the deception (that we unanimously found was present), and what her response to the ending of the pastoral relationship was. He should have involved the diocesan authorities in her care and fully disclosed what had happened. Instead, he did not tell the diocesan authorities, and when they did ask him about it, he minimised the contact that he had with her and did not tell the truth to the Archdeacon in November 2017. Such behaviour was clearly serious misconduct. In our Determination the majority were not satisfied that it was safe to draw the inference from this failure that the

Designated Officer urged upon us. However, it was in our unanimous judgement, serious misconduct for a parish priest not to involve fully the diocesan authorities in the situation that had arisen, to provide assistance to AB and advice to the Respondent.

10. In assessing the culpability of the Respondent we consider the length of time this misconduct lasted which was from February – November 2017. It was therefore a course of conduct. We have also assessed the harm that would have been suffered by AB who was clearly a very troubled person in need of significant support. By his failure to act between February-November 2017 she was deprived of an opportunity for such support. This must have been obvious to the Respondent by February 2017 notwithstanding his realisation of the extent of the deception.
11. We accept the submission of the Designated Officer that the misconduct is serious in part because of the damage that has been done to his own credibility as a conscientious and responsible minister within his own parish. We agree that the Respondent's conduct showed a detachment from the diocese at a time when he needed to involve others in the situation which then existed.
12. We have considered the submission of the Designated Officer concerning 'gifts'. This forms part of the relevant evidential background to the developing pastoral relationship in which he accepts he did not observe appropriate boundaries. We have found at paragraph 8(i) above that this is misconduct, and it is the context in which the admitted misconduct at paragraph (ii) (a) and (b) occurred.
13. We have considered in mitigation that the Respondent admitted misconduct at paragraph (ii) (a) and (b). We give credit for that. However, we are not persuaded that there is any evidence of remorse for this misconduct, nor any evidence of any insight into the possible effect of this admitted misconduct upon AB. We acknowledge that the continuing effects of the deception practiced upon him and his family by AB will not assist in the development of this, but we would expect more of a priest in this regard.

14. We take into account the period of his suspension.
15. The penalty that we impose for this serious misconduct is as follows:
 - (i) removal from office: it is impossible for the Respondent to continue with a priestly ministry in this parish. The misconduct has fundamentally undermined his work as a priest in this parish.
 - (ii) an injunction to undertake and complete within 6 months of returning to ministry (a) an anger management course approved by the appropriate diocesan bishop and (b) a course relating to the safeguarding of children and vulnerable adults as approved by the appropriate diocesan bishop and (c) training in appropriate working, supervision and external relationships approved by the appropriate diocesan bishop.
 - (iii) a rebuke for this misconduct.
16. The pronouncement of this penalty is made during the current public health emergency. We are sure that the practical consequences of our decision at (i) above must be managed by the diocesan authorities with a view to the current restrictions on movement imposed in response to the Coronavirus pandemic.

HH Judge Mark Bishop

The Revd Dr Helen Dawes

Mrs Deborah Inskip DL

Canon Richard Price

The Reverend Prebendary Henry Pryse

Dated this 6th of April 2020.