

**IN THE MATTER OF A COMPLAINT UNDER THE CLERGY DISCIPLINE MEASURE 2003
BEFORE THE BISHOP'S DISCIPLINARY TRIBUNAL**

BETWEEN:

The Venerable Dr Edward Dowler Complainant

And

The Rev'd Paul Parks Respondent

The Allegation

1. Following a complaint of misconduct made on 4 August 2017 by the Archdeacon of Hastings (The Ven Dr Edward Dowler), on 17th December 2018, the President of Tribunals directed that a complaint be referred to a tribunal in the following terms, that:

The conduct of the respondent, the Rev'd Paul Parks, Rector of Ore (St Helen with St Barnabas), was unbecoming or inappropriate to the office and work of a clerk in Holy Orders within section 8(1)(d) of the Clergy Discipline Measure 2003 in that on diverse occasions he has assaulted and/or threatened to harm his wife, Lois Parks, including putting her in a headlock, threatening her with a knife or letter opener, and detaining her against her will.

2. At the outset of these proceedings, the complaint was formally put to the Respondent who admitted the misconduct alleged.
3. Following discussions between the parties it was confirmed by Ms Weeraratne QC, Counsel for the Respondent, that – save for minor details – the contents of the Designated Officer's bundle and other material contained in the papers placed before the Panel were admitted, and that consequently no witnesses as to fact were required to give evidence. It is important to note therefore, that not only were the principal incidents in which the respondent is alleged to have assaulted and / or threatened to harm his wife admitted, but also 'lesser' allegations of verbal abuse and what has been described as 'controlling behaviour' over the course of the marriage. These lesser incidents are detailed in the documents received from the Sussex Police (REMD/1)¹ and in other statements contained in the bundle and, it was accepted by Ms Weeraratne QC, formed the context in which the more serious incidents occurred.

¹ p.95 - 152

The Facts of the Misconduct

4. The background to and circumstances of the misconduct thus admitted are as follows:

- The respondent was born on 24 August 1959 – he is now aged 60.
- The respondent joined the army (Parachute Regiment) on 27 August 1975 and served until 24 August 1981; it is not disputed that during this time he served in Northern Ireland at the height of ‘The Troubles’.
- The respondent left the army in 1981 and served in the Reserve until 1986 when he enlisted with the SAS (TA) with whom he served from May 1986 until he was discharged in March 1989.²
- The respondent subsequently felt called to ordained ministry, and following training was ordained Deacon in 1998 and Priest the following year.³
- In 2002 he met his second wife, Lois and they married in 2003.
- Before the marriage took place, there were two incidents in which the respondent was verbally abusive to Lois:
 - When on her leaving do from work, the defendant telephoned her and called her a *‘fucking slag’, ‘fucking whore’* and asked her, *‘why are you out with men, you’re going to be a vicar’s wife, you shouldn’t be acting like a cheap whore’*. The following day he apologised explaining that he had trust issues as a result of his first wife’s infidelity.⁴
 - Shortly before the wedding, when Lois questioned the respondent’s account of a particular event, he responded by telling her to *‘get out of my house, nobody calls me a liar’*.⁵

² p.83

³ Respondent’s answer to the complaint – p.20

⁴ Police statement of Lois Parks – 10/5/2017 – p.110

⁵ Ibid

- Shortly after the marriage when the couple returned from honeymoon, the respondent went into a rage, pushed his new wife down on the floor, and stood over her screaming and shouting. He would not let her move for about an hour. When he eventually stopped and turned away, Lois hit him with a metal guitar stand. The Respondent accused her of breaking his shoulder and told her that she had to help him to dress and to take him to a crematorium where he was engaged to take a funeral and that afterwards they would go to hospital and to the police. In the event, after the funeral had concluded, he told her that there was nothing wrong with his shoulder but that she *'needed to learn a lesson.'*⁶
- In 2004, the Respondent was licensed to the parish of Hurst and Winnersh. On the evening of his licensing he used threatening behaviour towards Lois who reported to the Area Dean that the Respondent was violent towards her, although she subsequently retracted her claim.⁷
- In 2005, by consent, the Respondent moved to a different parish in Wokingham. Lois continued to make allegations of abusive and manipulative behaviour by the Respondent towards her to frighten and control her. These included abusive text messages, holding her in an arm lock, driving at high speed towards a brick wall when she was in the passenger seat, and alleging that she had used violence towards him. These allegations were reported to Bishop Stephen Cottrell (then Bishop of Reading).⁸ In a meeting with Bishop Stephen, the Respondent admitted his violent and aggressive behaviour. Bishop Stephen subsequently referred the respondent to a psychologist – Dr Elizabeth Mann – but the Respondent did not believe that he needed help, was distrustful and did not fully co-operate with the assessment process.⁹
- In 2011, Lois was ill following the birth of her youngest child. The respondent refused to allow her to leave her bed for a period of some hours. He threatened to kill her and called her Jezebel. When he finally let her go, he blamed Lois for making him a monster.¹⁰

⁶ Ibid – p.111

⁷ REMD/2 – Letter from Bishop Stephen Cottrell to Dr Mann – 20/9/05 – p.154

⁸ Ibid – p.155

⁹ Statement of Paul Parks – 26/9/17 – p.21

¹⁰ Police Statement of Lois Parks – 10/5/17 – p.112

- In March 2017, the Respondent accused Lois of having an affair. He also questioned whether she had disclosed to anyone anything about their history. In the course of the argument that followed he smashed her tablet and attempted to break her phone, called her a *'fucking cunt'*, held a dagger-shaped letter opener towards her face, told her that he would gouge her eyes out, and pushed her on her temple very hard stating that he would shove her front skull into the back of her head. He detained her for a couple of hours before he calmed down. Again, he blamed Lois for his conduct and made her apologise to him.¹¹
- Some weeks later, in the course of an argument, Lois threw a computer mouse across the room. The respondent told her she had to stop her extreme violence. She asked him whether he thought that it was the same level of violence as that previously shown to her by him – he said that it was exactly the same. This conversation was recorded.¹²
- On 9th May 2017, and on subsequent days, Lois disclosed to church members that she had been mentally and emotionally abused by the respondent throughout their married life.¹³ She also contacted Deborah Jackson (the Bishop's wife) and the Bishop of Lewes (Richard Jackson) to whom she repeated her allegations.
- On the same day, Lois reported to the police that she had been a victim of domestic violence for 14 years, that she believed the Respondent had PTSD and mental health issues and was suicidal.¹⁴ She was spoken to by the police, a DASH questionnaire was completed¹⁵, and a statement taken on 10/5/2017. In addition to specific incidents of abusive and threatening behaviour, Lois alleged that the respondent tried to convince her not to see family and friends, that he told her what she could do and who she could contact reminding her that she was a *'vicar's wife; make sure you behave like it'*, that he used belittling language, that he forbade her to have a facebook account, that he advised her not to return to her teaching career as she was *'not well enough to cope with it and it will have a detrimental effect on family life'*, that if she ever went to the police or to the Bishop and he was punished, that he

¹¹ Ibid

¹² Police statement of Amy Salvage – p.115

¹³ Statement of Karen Walker – p.157; Statement of Lynne Clayton – p.168

¹⁴ Police report – p.99

¹⁵ p.105

would track her down and kill her. She also stated that since 2010 she had kept a 'narrative diary' of events in case anything happened to her.¹⁶

- On 11 May 2017, the Respondent was arrested and interviewed under caution. In that interview he denied that he had refused to allow her a facebook account or to return to teaching saying that both were joint decisions. He did admit that in so far as specific allegations that were put to him were concerned that they were true, and admitted that he had told Lois that if she reported him he would kill her.¹⁷
 - The respondent was bailed with a condition that he could not return to the family home. He was collected from the police station by the Archdeacon of Hastings who took him to Burrswood, a health and wellbeing retreat centre.¹⁸
 - The respondent was subsequently admitted voluntarily to a psychiatric unit at Woodlands Centre for Acute Care, where he remained as an inpatient from 17/5/17 to 19/6/17.¹⁹
 - On 21/5/17, Lois withdrew her support for any prosecution of her husband. In a statement made that day she confirmed that, *'everything that I have told the Police, happened'*, but she stated that she was never physically injured, that her husband was now getting psychiatric treatment and the psychiatrists did not think that he should be prosecuted, that the Diocese were very supportive of rehabilitation, and that if the respondent was punished they would lose their home and income.²⁰
 - Following a submission to the CPS, a decision was made to take no further action. The respondent has however been suspended since the date of his arrest on 11 May 2017.
5. In the 'Statement of case of the Respondent' prepared on the Respondent's behalf, it is stated that: *'Mrs Parks has described there being "six episodes of a more serious nature". The respondent accepts that this is evidence of serious threatening behaviour towards his wife for which he continues to express remorse.'* Although the statement of case continues at para 3 to

¹⁶ Police statement of Lois Parks – p.112

¹⁷ Interview – p.135

¹⁸ Statement of Edward Dowler – p.93

¹⁹ Report of Dr Birkett – p.262

²⁰ Police statement of Lois Parks – 21/5/17 – p.142

state that the respondent suffers from a mental illness (PTSD) which *'impaired his capacity to reason to such an extent that he was unable to understand what he was doing...so that...he was not in fact culpable for his actions....he accepts that PTSD is no defence to his conduct for the purposes of these regulatory proceedings.'*²¹

6. Accordingly, on the balance of probabilities, taking into account:
 - a) the accepted and admitted contents of the Designated Officer's bundle from which the circumstances of the misconduct set out at paragraph 4 above are drawn;
 - b) the admissions of fact made by the Respondent in his police interview, in his initial response to the complaint in September 2017 and in his statement prepared for these proceedings;
 - c) the admissions in the 'Statement of Case for the Respondent' in which, on his behalf, it is accepted that he has committed acts of serious threatening behaviour; and
 - d) the formal admission of the complaint at the outset of these proceedings,the Panel is unanimously satisfied that the complaint of misconduct is proved.

The Respondent's Case

7. Although the misconduct was admitted and found proved, it was submitted on behalf of the Respondent that his culpability for his misconduct was significantly diminished as a result of his psychiatric condition. In support of that submission, the defence relied upon a number of witnesses (in addition to the Respondent and his wife), who could give evidence about the Respondent's mental health both at the time of the misconduct and subsequently. The evidence relied upon by the Respondent was not accepted by the complainant. It was therefore agreed by all parties, that it would be most helpful for the Panel to hear any such evidence to be adduced in support of mitigation first, in order that submissions on penalty from both sides could be made in the light of that evidence.
8. The evidence relied upon by the Respondent included evidence from Professor Jamie Hacker Hughes – a consultant clinical psychologist, and Dr Mike Birkett – a consultant psychiatrist. In addition, the defence relied upon a written report and statement from Dr Harriet Garrod – a counselling psychologist who was not called to give evidence.
9. The Respondent relied upon the evidence of these three clinicians in support of his contentions that a) he suffers from PTSD, and b) that the misconduct alleged and admitted is directly

²¹ Statement of Case for the Respondent – p.171

referable to that PTSD which therefore significantly reduces his culpability for his actions. The Respondent therefore relied upon them as expert evidence.

10. Expert evidence can only be adduced under Rule 36 of the Clergy Discipline Rules 2005 (as amended). Ms Weeraratne QC accepted that none of the expert evidence, upon which she sought to rely, complied with that Rule in that:
 - (i) No permission was sought prior to the hearing to admit the evidence;
 - (ii) None of the expert witnesses were wholly independent from the Respondent as each had been involved in his care and treatment and / or had been paid to produce their report. The permission must be in respect of a named expert or specific subject; and
 - (iii) None of the written expert reports complied with Rule 36(4) – specifically Rule 36(4)(b)-(d)

11. The Panel were however satisfied that expert evidence as to the Respondent's mental health was reasonably required for the purposes of determining the level of his culpability. Further, the Panel was very conscious of the Overriding Objective that cases should be dealt with justly, in a way that is fair to all relevant interested parties; that the rules are to be applied 'so far as is reasonably practicable'; and that undue delay and expense are to be avoided. The Panel noted that neither Ms Weeraratne QC on behalf of the Respondent, nor the Designated Officer on behalf of the Complainant sought an adjournment to obtain further expert evidence that complied with the rules. Moreover, given that all the material upon which the Respondent sought to rely (including the expert evidence) had been served on the Complainant and Designated Officer in advance of the hearing, there was no prejudice to the Complainant caused by allowing the evidence to be adduced.

12. Accordingly, the Panel gave permission for the expert evidence to be presented, noting that it would ultimately be for the Panel to determine whether and to what extent they could place weight on that evidence.

PTSD

13. The Panel firstly considered whether they could be sure on the balance of probabilities that the Respondent did suffer from PTSD at the relevant times.

14. The Panel felt that overall, the evidence relied upon in this regard was unsatisfactory.

15. The Respondent relied upon the conclusions set out in the written report of Dr Harriet Garrod²², and in the reports of Dr Mike Birkett²³ and Professor Jamie Hacker Hughes²⁴ together with their oral evidence. Each of these clinicians confirmed a diagnosis of PTSD. However, the Panel noted that:

- a) there were clearly a number of reports from other clinicians which we were told did not support a diagnosis of PTSD but which were not placed before us at any stage, although they had been made available to Drs Birkett and Hacker Hughes;
- b) no fully independent psychiatric assessment appeared to have been carried out at any stage, or – if it had been – it was not produced to the panel by either side;
- c) the actual diagnosis of PTSD was made by Dr Garrod in July 2017. It was entirely unclear from her report however what information she was given by either the Respondent or his wife about threatening behaviour in the marriage, or what information she had from other sources (e.g. the police, past medical records and assessments); she makes no mention of the abuse meted out to Lois Parks save to say that the Respondent reported, *'intolerance to frustrating domestic situations'*, and that he *'has difficulty managing emotions and becomes angry quickly, resulting in threatening his wife recently and being verbally hostile.'* Dr Garrod was not called to give evidence by either side – the Panel found this surprising given the weight that they were asked to place on her diagnosis;
- d) Dr Birkett relied upon Dr Garrod's diagnosis, and does not appear to have carried out an independent assessment of his own;
- e) Professor Hacker Hughes, did carry out a full assessment of the Respondent, and the Panel were greatly helped by his clear and objective oral evidence; however, that objectivity was tempered by the fact that – as he frankly conceded – he had approached the assessment on the assumption that the Respondent did have PTSD, and he only assessed him for that condition. Nevertheless, he did confirm the diagnosis of PTSD;
- f) The diagnosis of PTSD was based *inter alia* on accounts of trauma that the Respondent has disclosed about childhood experiences and also his experiences as a serving soldier in Northern Ireland and elsewhere. There is limited independent verification of those experiences, and the Designated Officer identified a number of apparent discrepancies in the re-telling of them to others. However, no evidence was placed before us to contradict

²² p.36 *et seq*

²³ p.66 + 258

²⁴ p.223

the Respondent's assertions; there is no dispute that the Respondent was in the army and no dispute that he served in Northern Ireland at the height of The Troubles.

16. On all of the material placed before us, on the balance of probabilities and notwithstanding our concerns as outlined above, the Panel concluded that the Respondent does have PTSD from which he was suffering in the course of his marriage.

Culpability

17. The Panel next considered the extent to which, if at all, the mental disorder from which Panel accepts the Respondent suffers, affects his culpability for the misconduct admitted.
18. The evidence before the Panel, and as set out in our findings on misconduct, demonstrated a lengthy history of domestic abuse by the Respondent towards his wife Lois from before their marriage in 2003 to his eventual arrest in 2017. That abuse ranged from the use of belittling language to what has been described as 6 more serious episodes in which he used or threatened to use serious violence and upon which the charge of misconduct was founded. Those identifiable episodes were diagnosed by Drs Garrod, Birkett and Hacker Hughes as 'dissociative episodes' in which the Respondent would have had no idea about or control over his actions and about which he subsequently had no, or only partial memory. It was the Respondent's evidence, supported by his wife, that he had no independent recollection of any of these episodes and had to be told what he had done by Lois Parks. It is the Respondent's contention that in those circumstances his culpability for these episodes was low as they were, in effect, unconscious acts.
19. The Panel accepted the evidence that they were given that dissociation is a manifestation of PTSD, and further accepted the evidence that they heard about the effects of dissociation. However, there was disagreement amongst the Panel members whether all of the 6 episodes were indeed 'dissociative' or, if they were, the extent to which the Respondent had control over his actions in every case.
20. The only evidence that the Respondent had dissociative episodes was his self-report that he had no knowledge of what he was doing and that he had to be told about them afterwards. The Panel entirely understood that it would be difficult if not impossible to obtain independent evidence on this issue and that self-report will almost inevitably be the only evidence that a

person did not have control or recall their actions. The Panel further gave due weight to Professor Hacker Hughes' professional opinion that the Respondent did suffer from a dissociative subtype of PTSD. However, Professor Hacker Hughes confirmed that there was a spectrum of dissociation and therefore a spectrum of both control during a dissociative episode and subsequent memory of it afterwards. The minority opinion of the Panel noted the following factors which appeared to be inconsistent with a conclusion that all of the more serious episodes was a dissociative episode:

- a) In the first incident, the Respondent ceased his behaviour – not because Lois Parks hit him – but because he had to stop to get ready to take a funeral. Furthermore, after he had taken the funeral, he discussed the incident and what had taken place telling his wife that she *'needed to learn a lesson, girl'*;
- b) The Panel were told that after a dissociative episode, there would be great shame and guilt; to the contrary in this case, on a number of occasions the Respondent continued to blame and threaten his wife after violent acts telling her that she had made him act in that way, that it was her behaviour that was at fault, and – significantly – he threatened her with further violence should she tell the police or bishop about his conduct;

In addition, although Professor Hacker Hughes stated that he believed the Respondent's assertions that he had no or limited memory of the events and that, in his clinical opinion, these were dissociative episodes, the Panel considered that the weight that they could attach to his opinion was reduced given that a) the report of these incidents had come from Lois Parks in an email, and was not further questioned by Professor Hacker Hughes about it; b) by the time that Professor Hacker Hughes saw the Respondent he had already been given the diagnosis of PTSD with dissociative sub-type.

Nevertheless, the majority view of the Panel on the balance of probabilities, was that some, though not necessarily all of these episodes were dissociative.

21. The Panel next considered the additional matters of 'lesser conduct' which formed the factual matrix in which those more serious episodes had taken place. There was admitted evidence that even before the start of the marriage in 2003, the Respondent used abusive language to his wife criticising her actions, who she saw, what she wore, calling her a *whore* and a *slag*; he limited her access to family and friends and prevented her from using social media; he accused her of having an affair without evidence or justification; he controlled her working life encouraging her to leave her teaching career to work as his PA. The Panel considered whether this conduct, which manifested itself throughout the period of the marriage until May 2017, was solely a

manifestation of symptoms of PTSD, or was coercive and controlling behaviour independent of and notwithstanding the mental disorder from which it is accepted that the Respondent suffered.

22. When considering whether or not the Respondent suffered from dissociative episodes, the Panel took into account and accepted the evidence that they were given that such episodes would take place in a 'safe' place; however, no evidence was placed before the Panel to suggest that paranoia and hyper-vigilance would also only manifest themselves in private. There was no evidence of any similar abusive behaviour to that complained of by Lois Parks towards anyone else; to the contrary, the evidence relied upon by the Respondent indicated a highly functional individual. The account that he gave to Professor Hacker Hughes of, '*various levels of tenseness and hyper-vigilance*' including '*severe and marked hyper-vigilance most or all of the time*', was not supported by any other evidence. Indeed to the contrary, the Respondent relied upon his MDR²⁵ supporting his assertion that he was a capable vicar who had the support of his parishioners. Whilst, therefore, the Panel did not exclude the possibility that there may have been some correlation between symptoms of PTSD and the abuse of his wife, the Panel did not accept that PTSD entirely explained his behaviour; neither did it excuse it. On the balance of probabilities, the Panel's view was that the evidence showed a clear pattern of domestic abuse involving controlling and coercive behaviour for which the Respondent was fully culpable.
23. The Panel next considered the extent to which the Respondent did, or should have, taken steps to address his behaviour.
24. On the Respondent's evidence, even if it was correct (as the Panel accepted it may have been) that some or all of the serious episodes of threatening behaviour were dissociative, it was also his case that he was told about each of them by his wife after they had occurred. These episodes included one which took place whilst his wife was very ill after giving birth to their youngest child. He also admitted the lesser incidents of abusive and controlling behaviour. And yet, at no point between 2003 and March 2017 did he take any steps of his own initiative to seek help either for himself or for his wife and family.
25. Whilst understanding and accepting that admitting to behavioural issues of this seriousness and seeking help for them would have been a difficult process for any individual, whether suffering

²⁵ p.72

from a mental disorder or not, the Panel were extremely concerned by the Respondent's failure to actively address what he must on his own evidence have known was wholly unacceptable conduct towards his wife, both as a husband and a priest. The Panel noted, that the Respondent had a diploma in Relate counselling²⁶, and must, as a priest have had an awareness of and training in safeguarding issues. As far back as 2005 in his interview with bishop Stephen Cottrell, the Respondent admitted that he was aggressive and violent towards his wife²⁷, but he entirely failed to address this – to the contrary, he tried to frustrate the process by actively failing to co-operate with Dr Elizabeth Mann to whom he had been referred by his bishop as part of a process of '*healing and restoration*'. Instead, he continued to use abusive and threatening behaviour towards his wife for an additional 11 years. Moreover, it was admitted evidence, that he threatened Lois Parks, that should she ever go to the police or to his Bishop again, he would kill her.

26. Taking all of these matters into account, it was the Panel's unanimous view that whilst they accept, as stated above, that a) the Respondent has and had PTSD, and that b) some if not all of the more serious episodes of threatening behaviour were, on the balance of probabilities, dissociative episodes, nevertheless, the evidence placed before them demonstrated a clear pattern of domestic abuse throughout the marriage of which the Respondent was fully aware but in respect of which he took no meaningful steps to address, thereby putting his wife at risk of harm and betraying the trust of his wife, the Church and the wider Community. The Panel therefore considered that the Respondent bears a significant level of culpability for the abuse of his wife over many years.

Approach to Penalty

27. The factual basis upon which the Panel approached the issue of penalty was therefore as follows:

- (i) The Respondent suffered from PTSD;
- (ii) On the balance of probabilities, some if not all of the 6 most serious episodes of threatening behaviour were dissociative episodes caused by the PTSD;
- (iii) PTSD did not fully explain and did not excuse the sustained pattern of domestic abuse suffered by Mrs Parks between 2003 and 2017;

²⁶ p.20 – para.12

²⁷ p.155

- (iv) The Respondent failed to take any appropriate action to address his behaviour or to cooperate with efforts made by others to assist him and his wife, thereby enabling the abuse to continue;
- (v) The Panel therefore concluded that notwithstanding the Respondent's mental disorder he was substantially culpable for his misconduct.

28. The Panel received detailed submissions on penalty from both the Designated Officer on behalf of the complainant, and Ms Weeraratne QC on behalf of the Respondent.

29. Our attention was drawn to paragraph 4 of the Code of Practice to the Clergy Discipline Measure 2003 which sets out the purpose of discipline and to the Guidance on Penalties 2016 which reiterates that any penalty imposed should be in due proportion to the misconduct, having taken into account and given due weight to all material circumstances including the particular facts of the misconduct.

30. The Panel in considering appropriate penalty took into account, the admissions made by the Respondent both to fact in his initial response to the complaint dated 26 September 2017, and at the Tribunal hearing into the misconduct – both as alleged in the complaint as worded but also the contextual background in which that complaint arose. The Panel noted the expressions of remorse made by the Respondent in his written and oral evidence. The Panel took into account the detailed evidence about the progress that the Respondent has made in the course of extensive therapy with Ms Emma Meyer (Sun Tui), and which is expected to continue. The Panel heard evidence from a number of clinicians who were of the opinion that the Respondent no longer poses a risk either to his wife who continues to support him, or to the wider public; they, as well as his therapist, were of the view that he was fit to return to work on a phased return, subject to an Occupational Health assessment and ongoing supervision and monitoring. The Respondent himself told the Panel of his wish to return to ministry as soon as possible.

31. The Panel considered each of the penalties available to it in turn:

The Panel considered that given the seriousness of the misconduct admitted and found proved, the length of time over which it was perpetrated and the degree of harm caused, that neither a conditional discharge nor a rebuke would be sufficient to dispose of this case.

In respect of an injunction, the Panel considered that there were no terms in which an injunction could be made which would be appropriate to this case.

32. The Panel then considered removal from office with or without a prohibition. They noted the contents of paragraph 7 in the Guidance on Penalties 2016 in respect of acts of misconduct in private life, including violence in the home, which states that, *'[violence in the home] should not be tolerated, and removal from office and prohibition for a specific period of time or for life should normally follow'*.
33. The Panel concluded that in all of the circumstances of this case it was not appropriate for the Respondent to remain in office for the following reasons:
- a) The seriousness of the misconduct,
 - b) The length of time over which it was perpetrated,
 - c) The effect that his conduct would inevitably have on the trust that his parishioners could place in him as their parish priest, particularly in circumstances where in that role he may well have to provide pastoral support to others who have experienced the effects of domestic abuse.
34. In the Panel's view, the Respondent's misconduct was extremely serious and demanded a significant penalty. The Panel therefore considered whether the removal from office should be accompanied by either a limited prohibition or prohibition for life. The Panel considered that behaviour of this type causes enormous reputational damage to the Church and to the trust that is placed in the Clergy by the wider society. The Panel had to balance the seriousness of the misconduct and these concerns with the evidence that the Panel heard and the conclusions it reached about the Respondent's mental disorder, his levels of culpability and the prospect of rehabilitation through lengthy and ongoing therapy. The Panel were conscious of the Respondent's hope to return to active ministry which is supported by his wife and treating therapist, and note that there has been no reported repetition of abusive behaviour over the course of the last 2 years. However, the Panel observed that during this period of time he has had a great deal of support and intervention on a weekly basis; furthermore, he has been subject to these proceedings, which may well have been an additional factor that has served to regulate his behaviour. It was the Panel's sincere hope that the support that the Respondent has received and the progress he has made to date continues. However, the Panel were not satisfied that the Respondent has at this stage fully addressed all the issues that led to the misconduct and are of the unanimous view that he should not be able to return to ministry – particularly parish ministry - at this time. It may well be that, given the seriousness and the nature of this

misconduct, it will never be appropriate for the Respondent to exercise parish ministry again; however, the Panel do consider that there is a realistic prospect of rehabilitation such that he could at a later date exercise ministerial functions in some other capacity.

Penalty

35. Accordingly, the Panel directs that the Respondent be removed from office and prohibited from exercising any functions as a member of the Church of England Clergy for a period of 2 years from today's date²⁸ and that his name be entered on the Archbishops' List in accordance with Section 38 of the Measure.

HHJ Heather Norton (Chair)

Karen Czapiewski

Reverend Sarah Evans

Lynda Fisher

Reverend Graham Noyce

²⁸ 10th January 2020