

**GENERAL SYNOD**  
**DRAFT AMENDMENTS TO CODE OF PRACTICE**  
**ISSUED UNDER THE CLERGY DISCIPLINE MEASURE 2003**

The Clergy Discipline Commission under section 39(2) of the Clergy Discipline Measure 2003 has issued the following amendments to the Code of Practice:

**Police and secular employment investigations**

1. In paragraph 87 for the words from “However, it will almost always be appropriate for the criminal aspect to be determined first” to the end substitute “Unless the police, or another statutory agency (e.g. HMRC) have expressly stated that the disciplinary proceedings will prejudice either their investigation or a criminal trial, the allegation of misconduct under the Measure should proceed”.
2. In paragraph 89 -
  - (a) for the words “it would normally be” substitute “a view should be formed about whether it is”;
  - (b) for the words ‘secular body’ substitute ‘employer’; and
  - (c) at the end after “with” insert “under the Measure. Those concerned must have regard to the need to avoid undue delay”.
3. Delete paragraph 90.
4. In paragraph 92 for the words from “it would normally be appropriate to await” until the end substitute “it is not necessary to pause any CDM proceedings pending the outcome of any police investigation. The police or other relevant statutory agency should be asked whether continuing with the proceedings would prejudice their investigation or any future criminal trial. If it would not then the procedures under the Measure should continue”.

**Publishing penalties**

5. Delete paragraph 311.
6. In paragraph 312 -

- (a) after “Where a penalty by consent has been agreed with the bishop” insert  
“, or archbishop, or a penalty under section 30 or 31 has been imposed,”;
- (b) for the words “on the diocese’s website” substitute “on the Church of England website. The diocesan or provincial registrar should notify the President of Tribunals and send a copy of the Form 7 along with any further information necessary in order for the details to be published. The President will then cause the following to be published: the name of the respondent, the date penalty was agreed or imposed, the statutory ground of misconduct.”

### **Consequential changes**

7. The Contents page, marginal notes and paragraph numbers are amended consequentially upon the amendments identified above.

### **Commencement**

8. The amendments to the Code of Practice shall come into force on a date for issue appointed by the Clergy Discipline Commission.

**On behalf of the Clergy Discipline Commission**

**Dame Sarah Asplin (Chair)**

**May 2022**

Church House, London