

Abuse Redress Measure

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DRAFT of a Measure of the General Synod of the Church of England to create entitlements to redress in connection with certain persons who suffered abuse; to establish a fund for awards of redress; and for connected purposes.

General principle

1 Dignity, respect and compassion

Every person exercising functions for the purposes of this Measure must, in doing so, have due regard to the principle that every applicant for redress under this Measure, and every person entitled so to apply but yet to do so, should be treated with dignity, respect and compassion. 5

The redress body

2 Archbishops' Council's functions

- (1) The functions conferred by or under this Measure on “the redress body” are functions of the Archbishops' Council. 10
- (2) The Archbishops' Council may delegate those functions to another person.
- (3) The Archbishops' Council may delegate the functions of determining an application for redress and an award of redress under this Measure (but only those functions) to a panel constituted under the rules, whether or not other functions of the Archbishops' Council are delegated to another person under subsection (2). 15
- (4) If the functions of determining an application for redress and an award of redress under this Measure are delegated to another person under subsection (2), that other person may in turn delegate those functions (but only those functions) to a panel constituted under the rules. 20
- (5) Accordingly, a reference to “the redress body” in this Measure is a reference to the person or persons for the time being required to exercise the functions under that provision; **and for so long as a function is delegated under this section, the person making the delegation does not retain the power to exercise the function.** 25
- (6) Neither the Archbishops' Council nor a connected person is liable in damages for anything done or omitted in the exercise or purported exercise of the Council's functions under this Measure or the rules.
- (7) For the purposes of subsection (6), “connected person” means – 30
 - (a) if the Council is not the redress body, the person or persons who are,
 - (b) a member, officer or member of staff of the Council, and

- (c) where paragraph (a) applies, a member, officer or member of staff of the redress body.
- (8) Subsection (6) does not apply if the act or omission is shown to have been in bad faith.

Entitlements to redress

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3 Person who suffered abuse

- (1) An application for redress may be made by a person who suffered **harm or loss in consequence of suffering abuse within the Church of England** if, on at least one occasion when the abuse took place, each of the following conditions was met. 10
- (2) The first condition is that –
- (a) the person who carried out the abuse had authority to perform a role in the Church of England, or
 - (b) the person who suffered the abuse had reasonable grounds to believe that the person who carried out the abuse had that authority. 15
- (3) The second condition is that there was a close connection between activities authorised for performing that role and carrying out the abuse.
- (4) But the second condition was not met on the occasion in question if –
- (a) the person who carried out the abuse also had authority to perform a role outside the Church of England, and
 - (b) the connection between activities authorised for performing that role and carrying out the abuse was closer than the connection referred to in subsection (3). 20
- (5) “Abuse” includes –
- (a) **sexual abuse,**
 - (b) **physical abuse,**
 - (c) **spiritual abuse and other psychological or emotional abuse,**
 - (d) **financial abuse, and**
 - (e) **neglect and maltreatment.** 25
- (6) “Financial abuse” includes –
- (a) **having money or other property stolen,**
 - (b) **being defrauded,**
 - (c) **being put under pressure in relation to money or other property, and**
 - (d) **having money or other property misused.** 30
- (7) The rules may make further provision about –
- (a) **the categories of harm or loss which are relevant for the purposes of subsection (1);**
 - (b) **the categories of abuse in subsection (5).** 35
- (8) The Archbishops’ Council may prepare, and from time to time revise, guidance about –
- (a) **the meaning of “close connection”;**
 - (b) **the meaning of “spiritual abuse”.** 40

4 Dependant of person who suffered abuse

- (1) An application for redress under this Measure may be made by a person who—
 - (a) is the surviving partner, or a dependant child or dependant parent, of a person who suffered abuse and has died but, if still alive, would be entitled to make an application under section 3 relating to that abuse, and 5
 - (b) has, in consequence of the abuse, suffered mental or emotional harm or economic loss.
- (2) **But see section 8(6) as to the circumstances in which an application under this section may be granted.** 10

5 Application on behalf of child

- (1) **An application for redress may not be made under section 3 or 4 by a person aged under 18 but may instead be made by a person aged 18 or over appointed as an appropriate adult for that person by the redress body in accordance with the rules.** 15
- (2) **Where an appropriate adult has not been appointed for a person aged under 18 but that person nevertheless purports to make an application under section 3 or 4—**
 - (a) **the application is paused pending the appointment of an appropriate adult under subsection (1), but** 20
 - (b) **if the redress body decides in accordance with the rules that it is not feasible to make an appointment for that person, the application does not continue to proceed.**
- (3) **Where an application under section 3 or 4 is made by a person appointed as an appropriate adult for a person aged under 18 but the person reaches the age of 18 before the application is determined, the appointment ceases to have effect when that person reaches that age.** 25
- (4) **A person appointed as an appropriate adult for a person aged under 18 must act in that person's best interests in relation to the application for redress.** 30

6 Continuance of application where applicant dies

- (1) Where an application for redress is made under section 3 or 4 but the applicant dies before the application is determined, the application may continue to proceed in accordance with the rules.
- (2) Where the person proceeding with an application for redress by virtue of this section dies before the application is determined, the application may continue to proceed in accordance with the rules. 35
- (3) The person entitled to proceed with an application by virtue of this section is—
 - (a) the deceased's surviving spouse, surviving civil partner or other surviving partner, or 40
 - (b) if there is nobody who comes within paragraph (a), a surviving child of the deceased.
- (4) **The rules may specify circumstances in which it is the deceased's personal representatives (within the meaning of the Administration of Estates Act**

1925) who are entitled to proceed with an application by virtue of this section; and subsection (3) accordingly has effect subject to provision made in rules under this subsection.

Award of redress

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|----------|--|----|
| 7 | Application for redress | 5 |
| | (1) An application for redress under this Measure must be made to the redress body in accordance with the rules. | |
| | (2) The application must be made – | |
| | (a) before the end of the period of five years beginning with the date on which this section comes into force, or | 10 |
| | (b) if the General Synod resolves to extend that period, before the end of the extended period. | |
| | (3) The application may relate only to abuse which took place on or before the date specified in the rules (which may be after the commencement of this section). | |
| | (4) The application may relate to abuse which took place in England, elsewhere in the United Kingdom or outside the United Kingdom. | 15 |
| | (5) But the application may not be made in such cases as are specified in the rules. | |
| | (6) The application may be made or continued by two or more persons acting jointly in such cases as are specified in the rules; and, where an application is so made or continued, a reference in this Measure or the rules to the applicant is to be read as a reference to the persons acting jointly. | 20 |
| | (7) The rules may enable the redress body, in determining an application for redress and subject to the restrictions in subsection (8), to request information from – | |
| | (a) a person identified in the application, or in material relevant to it, as a person who carried out abuse to which the application relates, or | 25 |
| | (b) if that person has died, a surviving relative of that person. | |
| | (8) The redress body may exercise the power conferred under subsection (7) only – | |
| | (a) if it has reasonable grounds to believe that making the request will help it to determine the application (whether in deciding whether the conditions in section 3 have been met or in some other way), or | 30 |
| | (b) in such other circumstances as the rules may specify. | |
| | (9) The Statutory Instruments Act 1946 applies to a resolution under subsection (2)(b) as if this Measure were an Act of Parliament providing for the instrument containing the resolution to be subject to annulment in pursuance of a resolution of either House of Parliament. | 35 |
| 8 | Determination of application for redress | |
| | (1) The redress body must decide the order of priority in which applications for redress under this Measure are to be determined; and in deciding that, the redress body must have particular regard to matters specified in the rules. | 40 |

- (2) Each application for redress is to be determined by the redress body on the basis of **the applicable requirements imposed by this Measure or the rules and –**
- (a) material provided in support of the application,
 - (b) material provided in response to a request made by the redress body (whether to the applicant or for some other purpose),
 - (c) advice from a person appointed by the redress body to provide advice to it, and
 - (d) other material which the redress body considers relevant.
- (3) **The standard of proof on which an application for redress is to be determined is the balance of probabilities.**
- (4) **When determining an application, the redress body must not rule on, and has no power to determine, a person’s civil or criminal liability arising from a matter to which the application relates.**
- (5) The entitlement to redress on the application is not affected by –
- (a) whether any matter to which the application relates was reported to the police or a local authority;
 - (b) whether any matter to which the application relates was reported to a person specified as suitable for that purpose in guidance issued by the House of Bishops or the code of practice issued under section 5A of the Safeguarding and Clergy Discipline Measure 2016;
 - (c) whether the person by or in respect of whom the application is made has been convicted of an offence.
- (6) The redress body may grant an application for redress under section 4 only if it is satisfied that there are exceptional circumstances which justify granting the application.
- (7) **The Archbishops’ Council may prepare, and from time to time revise, guidance as to what for the purposes of subsection (6) would amount to exceptional circumstances.**
- (8) After determining the application, the redress body must notify the outcome of the determination in accordance with the rules.
- (9) **The determination of an application for redress may be paused in circumstances specified in the rules.**
- 9 Determination of award of redress**
- (1) The redress body, on granting an application for redress under this Measure, must determine the award to be made to the applicant; and the award may consist of either or both of the following –
- (a) a payment (a “redress payment”);
 - (b) some other remedy (**which may, where appropriate, be provided to the applicant on more than one occasion, subject to whatever time limit is specified in the rules**).
- (2) **Where the redress body considers that the abuse to which the application relates was aggravated by some factor, the award must specify –**
- (a) **what the aggravating factor is,**
 - (b) **the impact it had on determining the award, and**

- (c) **in so far as the award is a redress payment, the amount of the payment attributable to the aggravating factor.**
- (3) The amount of a redress payment is to be determined, and the payment itself is to be made, in accordance with the rules; **and –**
- (a) **any other remedy is to be provided in accordance with the rules, and** 5
- (b) **rules made under paragraph (a) may, in particular, enable the remedy to be provided to the applicant in stages or on more than one occasion.**
- (4) The redress body may make arrangements for facilitating access for a person awarded a redress payment to advice on the financial management of the award. 10
- (5) The rules may provide that, in a case where compensation for having suffered abuse to which the application relates has been awarded to or in respect of the person who suffered the abuse, the amount of a redress payment is – 15
- (a) if it exceeds the amount of the award of compensation, to be reduced;
- (b) if it does not exceed the amount of the award of compensation, to be zero.
- (6) Rules made under subsection (5) must make provision as to the meaning of the reference in that subsection to an award of compensation.
- (7) **The rules may make provision as to factors which are to be regarded as aggravating for the purposes of this section.** 20
- (8) The rules may make provision –
- (a) for enabling a redress payment to be held on trust;
- (b) for enabling the recovery of a redress payment made in error;
- (c) **for enabling the recovery of a redress payment made to an applicant who the redress body is satisfied knowingly provided false information in making the application.** 25
- (9) The rules may provide that the award of a redress payment –
- (a) does not give rise to a specified liability imposed by Act of Parliament;
- (b) is to be disregarded for the purposes of assessing eligibility for a specified entitlement conferred by Act of Parliament. 30
- (10) The rules may provide that, in the case of an application by a person coming within section 4, this section applies as if the reference to compensation for having suffered abuse were a reference, or included a reference, to compensation for mental or emotional harm or economic loss suffered by the applicant in consequence of the abuse to which the application relates. 35

10 Initial redress payment

- (1) Where the redress body determines that a redress payment should be awarded but has yet to determine the amount of the payment, it may order an amount to be awarded pending the completion of the determination of the amount of the payment. 40
- (2) Where an order has been made under subsection (1) and the amount of the redress payment exceeds the amount ordered under that subsection, the redress body must order a payment of an amount equivalent to the excess.

- (3) In a case where the amount of the redress payment is reduced (including to zero) under provision made in the rules under section 9(5), the reference in subsection (2) of this section to the amount of the redress payment is a reference to the amount of the payment after the reduction is made.

11 Waiver 5

- (1) **Where an award of redress is made under section 9—**
- (a) **any right to bring civil proceedings in relation to relevant abuse is automatically waived, and**
 - (b) **any other right under an enactment or rule of law to recover compensation in respect of relevant abuse ceases to have effect.** 10
- (2) **Where the award of redress is made on an application made in reliance on section 5 (application on behalf of child), subsection (1) has effect in spite of any rule of law that would otherwise restrict or prevent it from doing so.**
- (3) **In this section, “relevant abuse” means—**
- (a) **the abuse to which the award of redress relates,** 15
 - (b) **any abuse to which the application for redress under this Measure related but in respect of which no award of redress was made, and**
 - (c) **any other abuse suffered by the person in respect of whom the application was made for which the applicant would have been entitled to apply for redress under this Measure.** 20
- (4) **This section does not affect the right of appeal under section 12 or the rights under section 15 (reconsideration in light of new information).**
- (5) **The rules may make further provision for the purposes of this section.**

Appeal and reconsideration

12 Right to appeal 25

- (1) An applicant for redress under this Measure may, in accordance with the rules, bring an appeal against a determination under section 9—
- (a) that no award of redress is made to the person, or
 - (b) as to the amount of a redress payment or, in so far as the award is a remedy other than a redress payment, as to the form or content of that remedy. 30
- (2) In a case where the amount of a redress payment was reduced under provision made in the rules under section 9(5), the reference in subsection (1)(b) of this section to the amount of the redress payment is a reference to the amount of the payment before the reduction was made. 35

13 Permission to appeal

- (1) **An appeal under section 12 may be brought only with the permission of a person appointed by the Archbishops’ Council; and an application for permission to appeal must be made in accordance with the rules.**
- (2) A person is eligible for appointment under subsection (1) only if that person—
- (a) holds or has held high judicial office, or 40

- (b) holds or has held the office of circuit judge or has the qualifications required for holding that office.
- (3) In making an appointment under subsection (1), the Archbishops' Council must seek to ensure that **the application for permission and, if permission is granted**, the appeal itself are heard without undue delay. 5
- (4) **An application for permission to appeal may be granted only if the person determining the application considers –**
- (a) **that the appeal has a real prospect of success, or**
 - (b) **that there is some other compelling reason for the appeal to be heard.**
- (5) **In determining an application for permission to appeal, the person doing so is not subject to the direction of the Archbishops' Council or the redress body (if it is not itself the Council).** 10
- (6) In subsection (2)(a), "high judicial office" means –
- (a) high judicial office within the meaning of Part 3 of the Constitutional Reform Act 2005 (see section 60(2) of that Act), or 15
 - (b) membership of the Judicial Committee of the Privy Council.

14 Determination of appeal

- (1) An appeal under section 12 is to be limited to a review of **the determination under section 9; and the rules may make provision as to how that review is to be carried out.** 20
- (2) The appeal is to be decided by –
- (a) **the person who determined the application for permission under section 13, or**
 - (b) **if that person is unable to decide the appeal, another person appointed in the same manner as that person was (see section 13(2) and (3)).** 25
- (3) The person deciding the appeal may appoint **one or more persons** to assist with the decision.
- (4) The person deciding the appeal may –
- (a) confirm the determination, 30
 - (b) reverse the determination, or
 - (c) vary the determination by increasing the amount of a redress payment or changing the form or content of any other remedy.
- (5) The power under subsection (4)(b) to reverse a determination includes a power to award a redress payment or make any other award of redress; and sections 9 and 10 apply accordingly with such modifications as are necessary. 35
- (6) **In deciding the appeal, the person doing so is not subject to the direction of the Archbishops' Council or the redress body (if it is not itself the Council).**
- (7) The decision on the appeal is final (**except in so far as the decision is amenable to judicial review**). 40

15 Reconsideration in light of new information

- (1) **This section applies where, following the determination of an application for redress under this Measure, the applicant obtains information that the**

- applicant was unaware of, and could not with reasonable diligence have discovered, at the time of making the application.
- (2) This section also applies where, following the determination of an application for redress under this Measure, a person other than the applicant has information which that person has reasonable grounds to believe is relevant to the application for redress. 5
- (3) The applicant or other person may, in accordance with the rules, give the information to the redress body for it to reconsider the application for redress in light of the information.
- (4) Pending the outcome of the reconsideration of the application – 10
- (a) the applicant may not bring an appeal under section 12, and
- (b) if the applicant has brought an appeal under that section which has yet to be decided, no further steps on the appeal may be taken.
- (5) The rules may make provision –
- (a) as to the procedure to be followed by the redress body on receiving information under subsection (3); 15
- (b) as to the right of the applicant to appeal against or request a review of the determination of the reconsideration of the application;
- (c) to apply a provision of this Measure with modifications, for the purposes of provision made under paragraph (a) or (b). 20

The redress fund etc.

16 Account for redress awards

- (1) The Archbishops' Council must open an account ("the redress fund") from which payments for awards of redress are to be made.
- (2) The Archbishops' Council must ensure that payment is made from the redress fund of whatever amounts are required for making awards of redress. 25
- (3) But subsection (2) does not require the Archbishops' Council to do anything which would put it in breach of its duties as a charity; nor does it require any member of the Council to do anything which would put that member in breach of the member's duties as a charity trustee. 30

17 Contributions and co-operation.

- (1) The redress body, having made an award of redress, may request from one or more appropriate authorities –
- (a) in so far as the award is a redress payment, a financial contribution;
- (b) in so far as the award involves some other remedy, the authority's commitment to co-operate in the provision of the remedy by taking whatever steps are reasonably required to provide that remedy. 35
- (2) The rules may enable the redress body, having awarded a redress payment, to request a financial contribution from a person identified as having carried out abuse to which the application relates. 40
- (3) An "appropriate authority" is, in the case of a person identified as having carried out abuse to which the application relates and who is of a description

given in the first column of the following table, the person specified in the second column—

<i>Person identified as having committed abuse</i>	<i>Appropriate authority</i>	
An archbishop or a diocesan bishop	The Church Commissioners	
A suffragan bishop or archdeacon	The diocesan board of finance for the diocese which includes the suffragan see or archdeaconry	5
A clerk in Holy Orders who has a form of authority to exercise ministry in a parish	The PCC for the parish	10
The dean, ministers, lay officers or staff of a cathedral	The Chapter of the cathedral	
A clerk in Holy Orders employed by, or licensed to minister at the direction of, a diocesan board of finance	The diocesan board of finance	15
A candidate for ordination undergoing a process of discernment overseen by a clerk in Holy Orders acting in a role commonly referred to as “diocesan director of ordinands”	The bishop of the diocese in which the candidate is undergoing the process	20
A person in training at a theological education institution as a candidate for ordination or a member of staff in the institution	The governing body of the theological education institution	25
A lay worker or reader licensed to a parish, another office holder within a parish or a member of staff or other worker in or volunteer for the PCC for a parish	The PCC for the parish	30
A member of staff in a National Church Institution	The National Church Institution	
An officer or member of staff of a diocesan board of finance	The diocesan board of finance	
A member of staff in the private office of a diocesan or suffragan bishop	The diocesan or suffragan bishop	35
A member or officer of a religious community or a person training to become a member of a religious community	The religious community	40

<i>Person identified as having committed abuse</i>	<i>Appropriate authority</i>	
A person authorised to exercise ministry under a bishop’s mission order	The person responsible for the organisation, governing and financing of the mission initiative or, if no such person is specified in the order, the bishop of each diocese affected	5
A person commissioned or sent by a mission agency	The mission agency	
(4) The amount of a financial contribution is to be determined in accordance with the rules.		10
(5) Financial contributions of different amounts, or co-operation of different kinds , may be requested from different persons (including from different persons of the same description).		
(6) A request under subsection (1)(b) to an appropriate authority may be made on more than one occasion, subject to whatever time limit is specified in the rules.		15
(7) A person specified in the second column of the table in subsection (3) may choose to make a payment into the redress fund, or co-operate with the provision of some other remedy , even if the person has not been requested to do so .		20
(8) In the table –		
“cathedral” means a cathedral to which the Cathedrals Measure 2021 applies or the cathedral church of Christ in Oxford and “ministers”, in relation to a cathedral, is to be read with section 12(12) of that Measure;		25
“mission agency” means a World Mission Agency of the Church of England which is a full member of the Partnership for World Mission and, in the case of a mission agency that is an unincorporated charity, is to be read as referring to the charity trustees;		
“PCC” means parochial church council;		30
“religious community” has the same meaning as in the Canons (see Canon DA 1);		
“theological education institution” means an institution recognised by the House of Bishops as an institution for training candidates for ordination.		35
(9) In the application of this section to the diocese in Europe, subsection (3) has effect as if –		
(a) a reference to a parish were a reference to a chaplaincy, and		
(b) a reference to the PCC of a parish were a reference to the council of the chaplaincy.		40
(10) In a case where a person identified as having carried out abuse to which the application relates is the dean or a member of the clergy, lay officer or member of staff of the cathedral church of Christ in Oxford, this section has effect as if the reference in subsection (3) to the Chapter of the cathedral were a reference to the person specified in the rules.		45

- (11) In this section, a reference to a person identified as having carried out abuse to which an application relates is a reference to a person identified in the application, **or in material relevant to it**, as a person who carried out abuse to which the application relates.
- 18 Power to amend table of appropriate authorities** 5
- (1) The General Synod may by resolution amend the table in section 17(3) by adding, removing or varying an entry.
- (2) Before a draft of a resolution under this section is laid before the Synod for its approval, the Archbishops' Council must carry out such consultation as it considers appropriate. 10
- (3) The Statutory Instruments Act 1946 applies to a resolution under this section as if this Measure were an Act of Parliament providing for the instrument containing the resolution to be subject to annulment in pursuance of a resolution of either House of Parliament.
- 19 Payments by charities to or from redress fund** 15
- (1) The making of payments from the redress fund by or on behalf of the Archbishops' Council is to be treated for all purposes as charitable.
- (2) But subsection (1) is to be read in light of section 16(3).
- (3) Where **an appropriate authority** which is a charity makes a payment into the redress fund, the making of the payment is to be treated for all purposes as charitable. 20
- (4) "Charitable", in relation to a payment into or from the redress fund, means –
- furthering the charity's charitable purposes,
 - being consistent with the charity's constitution,
 - providing public benefit, 25
 - not being contrary to the interests of the charity, and
 - being within the powers exercisable by the charity trustees.
- (5) An expression used in subsection (4) and in the Charities Act 2011 has the same meaning in that subsection as in that Act.
- Miscellaneous* 30
- 20 Insurance**
- (1) **The Archbishops' Council may prepare, and from time to time revise, a code of practice for appropriate authorities on insurance against liability for abuse.**
- (2) **The code may impose requirements on appropriate authorities and may give guidance to appropriate authorities on compliance with those requirements.** 35
- (3) **An appropriate authority must, accordingly, comply with a requirement imposed on the body by the code.**

21 Information sharing

- (1) **An appropriate authority** must co-operate with the Archbishops' Council and, if the Council is not the redress body, with the redress body –
 - (a) with a view to entering into an agreement for the disclosure of information which **will better enable the redress body to exercise functions for the purposes of this Measure**, and 5
 - (b) otherwise in connection with such disclosure.
- (2) **The redress body may for the purposes of this Measure by notice require an appropriate authority or some other person (but not an applicant for redress) to provide it on or before the date specified with –** 10
 - (a) **information, documents, objects or other items of evidence;**
 - (b) **evidence in the form of a written statement.**
- (3) **The Archbishops' Council may put in place arrangements for enabling a person to whom a notice under subsection (2) is given to object to the notice on the grounds that –** 15
 - (a) **the person is unable to comply with the notice, or**
 - (b) **it is not reasonable in all the circumstances to require the person to comply with the notice.**
- (4) **The rules may make provision as to –** 20
 - (a) **the procedure to be followed in making an objection under subsection (3);**
 - (b) **the procedure to be followed and the steps that may be taken on determining the objection.**
- (5) **The rules may make provision enabling the redress body to disclose to specified persons for specified purposes information provided to it in response to a notice under subsection (2).** 25
- (6) **A notice under subsection (2) does not have effect to the extent that –** 30
 - (a) **complying with the notice would involve the disclosure of information which would contravene the data protection legislation, or**
 - (b) **the person to whom the notice applies would be entitled to refuse to comply with the notice in or for the purposes of proceedings in a court.**
- (7) **The processing of personal data described in Article 9(1) of the UK GDPR (special category personal data) by the redress body in accordance with this Measure is assumed for the purposes of paragraph 6 of Schedule 2 to the Data Protection Act 2018 to be necessary for reasons of substantial public interest, in so far as that would not otherwise be the case.** 35
- (8) **In this section, “the data protection legislation”, “processing” and “UK GDPR” each have the same meaning as in the Data Protection Act 2018.** 40

22 Legal costs etc.

- (1) The rules may make provision for the assessment and reimbursement of costs incurred in connection with providing legal advice and assistance for the purposes of this Measure.
- (2) The rules may make provision for the reimbursement of other specified costs. 45

- (3) The rules may require a payment of a specified amount to be made to the solicitor acting on an application for redress or an appeal under this Measure, regardless of the outcome of the application or appeal.

Procedure

- 23 Power to make the rules** 5
- (1) The power to make the rules for the purposes of this Measure is exercisable by the Rule Committee.
- (2) The rules may make whatever provision the Rule Committee thinks necessary or appropriate for carrying into effect a provision of this Measure.
- (3) The rules may make different provision for different cases. 10
- (4) The rules may provide for a person to exercise a discretion.
- (5) Section 83 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (“the 2018 Measure”) applies to the rules as if they were rules under that section.
- (6) **Where, before this Measure was passed, rules proposed to be made under this Measure were approved by the General Synod in accordance with its Standing Orders, rules made after the commencement of this section in a form substantially the same as the approved form are to be treated as having already been approved for the purposes of section 83(9) of the 2018 Measure.** 15

Review 20

- 24 Review of this Measure**
- (1) The Archbishops’ Council must, before the beginning of the final 15 months of the five-year period referred to in section 7(2)(a) –
- (a) carry out a review of the operation of this Measure and the rules, and
- (b) decide, in light of that review, whether the period during which an application for redress may be made should be extended. 25
- (2) **The Archbishops’ Council, having carried out the review under subsection (1)(a), must publish a report of the review and its decision under subsection (1)(b).**
- (3) **The Archbishops’ Council must lay the report under subsection (2) before the General Synod so as to enable the Synod to decide whether to exercise its power under section 7(2)(b) (extension of five-year period).** 30

Interpretation

- 25 Interpretation of references to relatives etc.**
- (1) This section applies for the purposes of this Measure. 35
- (2) A person is the “surviving partner” of a deceased person if that person is the deceased’s surviving spouse, surviving civil partner or other surviving partner.

- (3) A person is the “other surviving partner” of a deceased person if, immediately before the death, they were not married to, or civil partners of, each other but –
- (a) were living together as if they were, or
 - (b) were in a relationship having other characteristics of a marriage or civil partnership. 5
- (4) “Child”, in relation to a person, **includes** a step-child of that person and a child of that person’s civil partner or other partner; and for that purpose –
- (a) a reference to a child is not limited to a person aged under 18, and
 - (b) a reference to a person’s other partner is to be construed in accordance with subsection (3). 10
- (5) A person is a “dependant child” of a deceased person if –
- (a) the person is a child of the deceased for whom, immediately before the death, the deceased had a financial or caring responsibility, or
 - (b) the deceased had, immediately before the death, parental responsibility for the person. 15
- (6) “Parental responsibility” has the meaning given in the Children Act 1989.
- (7) A person is a “dependant parent” of a deceased person if –
- (a) the person is a parent of the deceased, and
 - (b) the deceased had, immediately before the death, a financial or caring responsibility for the person. 20
- (8) “Spouse” includes a person married to somebody of the same sex; and references to being married are to be construed likewise.
- 26 Other interpretation**
- In this Measure –
- “abuse” has the meaning given in section 3; 25
 - “**appropriate authority**” has the meaning given in section 17;
 - “redress body” has the meaning given in section 2;
 - “redress fund” has the meaning given in section 16;
 - “redress payment” has the meaning given in section 9(1)(a).
- Final* 30
- 27 Short title, commencement, extent and application**
- (1) This Measure may be cited as the Abuse Redress Measure 2024.
 - (2) This section comes into force on the day on which this Measure is passed.
 - (3) The other provisions of this Measure come into force on such day as the Archbishops of Canterbury and York may by order jointly appoint; and different days may be appointed for different purposes. 35
 - (4) The power to make an order under subsection (3) is exercisable by statutory instrument; and the Statutory Instruments Act 1946 applies as if the order had been made by a Minister of the Crown and as if this Measure were an Act of Parliament. 40
 - (5) This Measure extends to –

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- (a) the whole of the province of Canterbury, except the Channel Islands (subject to subsection (6)), and
- (b) the whole of the province of York, except the Isle of Man (subject to subsection (7)).
- (6) This Measure may be applied to the Channel Islands or either of them, with or without modifications, under any procedure for doing so which has effect in the Islands or (as the case may be) the Island in question; and for this purpose, the references to the Channel Islands or either of them have the same meaning as references to the Bailiwicks or either of them in the Channel Islands Measure 2020. 5
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- (7) If an Act of Tynwald or an instrument made under an Act of Tynwald so provides, this Measure extends to the Isle of Man subject to such exceptions, adaptations or modifications as are specified in the Act or instrument.
- (8) **This Measure applies to the diocese in Europe as if it were a diocese in the province of Canterbury; and, in the application of this Measure to the diocese in Europe, any function imposed is exercisable only in so far as would be consistent with the applicable domestic law.** 15