



The
United
Reformed
Church

Section O: Ministerial Disciplinary Process

A General Introduction

This is a general introduction which seeks to avoid technical terms. It is in no way a substitute for the Disciplinary Process itself or the Guidelines drawn up by Mission Council's Ministerial Incapacity Procedure and Disciplinary Process Advisory Group (MIND).

The process applies to Ministers of Word and Sacrament and to church related community workers. In this document "minister" is used to cover both groups.

Ours is not an offence based process but is concerned with alleged breaches of Ordination and Commissioning vows.

In cases falling short of Gross Misconduct, the Synod Moderator will call in two people called "synod appointees" one of whom will be a member of the joint panel and the other will be a member of the synod panel (as to which expressions see below). The task of the synod appointees is to investigate the concerns identified by the Synod Moderator and attempt to work out with the minister's co-operation a means of restoring his/her ministry. It is to be hoped that this approach will be successful but, if this should prove not to be the case, the synod appointees have the power to impose "Cautions" on the minister. Should these in turn fail to achieve the desired result, the synod appointees will report back to the Synod Moderator with a recommendation that s/he should move the process on to the next stage, which would involve the calling in of the mandated group.

In cases involving allegations of Gross Misconduct or (in non-Gross Misconduct cases) where the Caution Stage has failed to resolve the situation, the Synod Moderator appoints a mandated group (MG) of three people from a synod panel which will be led and chaired by a member of a trained joint panel (JP) who may come from another synod, but need not do so. It is important that the members the MG have no connection with minister or pastorate.

The JP leader of the MG will train the colleagues appointed to the MG which will investigate the allegations, interviewing relevant parties and taking such other action as is necessary to establish whether there is a reason to take the allegations seriously. If there is such reason the MG is then responsible for preparing and presenting the case against the minister to an Assembly Commission (AC) of five people from an Assembly appointed panel. Those on the AC must also have no connection with minister or pastorate.

If there is Police/Crown Prosecution Service involvement the Church's Disciplinary Process is suspended until such matters are concluded.

In presenting its case to the AC the MG may call witnesses who can be cross-examined by the minister (who may be accompanied by a friend or Union representative and who can choose to be legally represented at his/her own expense). The minister may then speak on her/his own behalf (and be cross-examined) and call witnesses who may be cross-examined.

As noted the process is not offence based requiring a criminal standard of proof ("beyond reasonable doubt") but one which requires a civil standard of proof ("on the balance of probabilities").

If the AC agrees that the MG has established its case that there has been a breach of ministerial discipline it can determine that a minister should be deleted from the Roll, or it may decide that a written warning is sufficient.

If a minister disputes such a finding s/he may appeal and if the AC dismisses a case, the MG can appeal.