

**IN THE MATTER OF SECTION 17 OF THE CLERGY DISCIPLINE MEASURE 2003**

**AND**

**IN THE MATTER OF A COMPLAINT AGAINST**

**THE MOST REVEREND AND RIGHT HONOURABLE STEPHEN COTTRELL,  
ARCHBISHOP OF YORK**

**DECISION**

**Anonymity**

1. The complainant in this case is entitled to anonymity.

**The Parties**

2. The complainant is a victim of sexual abuse and abuse of power, committed by David Tudor in 1984 and 1985 when she was aged 15 and 16. At that time David Tudor was a vicar in Reigate and also served as chaplain at a school in Redhill, both being within the Episcopal Area of Croydon in the Diocese of Southwark. The complainant was a pupil at the school and was involved in youth activity in the parish. She has standing to bring this complaint. She also has permission to bring it out of time which was granted by the Deputy President of Tribunals by a written decision dated 22<sup>nd</sup> January 2025.
3. The respondent is the Archbishop of York. Before that, between 2010 and 2020, he was Bishop of Chelmsford.

**The Referral**

4. This referral arises out of a complaint concerning the respondent's handling of safeguarding issues relating to David Tudor during the period when the respondent was Bishop of Chelmsford and David Tudor was the Team Rector of Canvey Island, a parish within the Diocese of Chelmsford. A complaint against an Archbishop would normally be handled by the other Archbishop, in this case the Archbishop of Canterbury. However, in view of the current vacancy in the See of Canterbury, responsibility for handling the complaint was delegated to the Bishop of London as the next most senior Bishop in the Church of England.
5. On 12<sup>th</sup> June 2025 the Bishop of London asked the Designated Officer to conduct a formal investigation into the complaint under section 17(1) of the Clergy Discipline Measure 2003 ('the Measure'). The Designated Officer completed her investigation on 11<sup>th</sup> December 2025 and has referred the matter to me to decide, in accordance with

section 17(2) of the Measure, whether there is a case to answer in respect of which a disciplinary tribunal should be requested to adjudicate.

6. I grant an extension of the time limit for the Designated Officer's report. I am satisfied that there is good reason why it could not be completed before the statutory deadline of 12<sup>th</sup> September 2025.

### **Background**

7. There was a sexual relationship between David Tudor and the complainant in 1984 and 1985 when she was aged 15 and 16. He was a vicar in Reigate and she was a pupil at a school where he served as chaplain. The complainant says that sexual intercourse between them took place on approximately 10 occasions. She says that the first such occasion was in April 1984, when she was aged 15. David Tudor has admitted that sexual intercourse took place but has maintained that this only occurred after the complainant reached the age of 16.
8. In January 1988 David Tudor was tried in the Crown Court at Guildford. He was acquitted of rape. As he did not deny that sexual intercourse with the complainant had taken place, it is likely that the jury could not be sure that the first act of vaginal intercourse had occurred before the complainant reached the age of 16. Although this would have been critical in a criminal trial, whether the complainant was just under or just over 16 when vaginal intercourse first occurred is of much less relevance from the perspective of clergy discipline. Even on David Tudor's own account, what occurred constituted serious sexual abuse and a gross abuse of power on his part.
9. I do not doubt that this abuse has had serious and lifelong consequences for the complainant.
10. The complainant was not the only teenage girl abused by David Tudor. At about the same time, David Tudor was convicted of sexual offences against other girls, but those convictions were overturned on appeal on the basis that they should not have been tried together. Since the late 1980s, other victims have come forward.
11. It is apparent that David Tudor had a sexual interest in teenage girls and was prepared to exploit his position to groom them, in gross breach of trust, with a view to a sexual relationship. As a charismatic young vicar, he was well placed to abuse teenage girls in this way.
12. As a result of these matters, David Tudor was inhibited from ministry for a period of five years but was later restored to ministry and served in the Diocese of Southwark. He became the Team Vicar of Canvey Island in the Diocese of Chelmsford in 1997 and was Team Rector from 2000. He remained Team Rector at the time of the respondent's appointment as Bishop of Chelmsford in 2010.

13. In 2006 a risk assessment was carried out by the Lucy Faithfull Foundation as a result of new allegations made against David Tudor in 2005, but he was permitted to remain in post. The assessment was that the risk of Tudor committing a sexual offence was low and could be further lowered by taking appropriate steps, such as a safeguarding agreement.
14. From 2006 a safeguarding agreement was in place between David Tudor and the diocese which provided among other things that Tudor would have no unsupervised contact with any child within the church or the church environment including any activities affiliated with the church held in any location; that he would not act as a school governor and would not lead any school assemblies or have any involvement with other school activities on school premises other than as a parent; that he would not lead or participate in any school or youth organisation services on school premises; that within church settings where children were present, he would seek to position himself in clear view of other adults present; and that the safeguarding agreement would be regularly reviewed.
15. I would observe that the existence of and perceived necessity for these restrictions ought to have been the strongest possible indication that David Tudor was not suitable to be allowed to minister as a parish clergy person. However, it was not the respondent's decision to allow him to return to ministry or to serve as a vicar in the Canvey Island parish.
16. Such review meetings did take place regularly. From at least 2014 they took place annually at a meeting between the Area Bishop, the Diocesan Safeguarding Adviser (Ms Amanda Goh) and David Tudor. At all times it appeared that Tudor was complying with the terms of this agreement.
17. David Tudor was appointed as the Area Dean of Hadleigh in 2008 by the respondent's predecessor as Bishop of Chelmsford. The appointment was for a period of five years. He was reappointed in 2013, by which time the respondent had become Bishop of Chelmsford, and again in 2018. In 2015 he became an Honorary Canon of Chelmsford Cathedral.
18. David Tudor was eventually suspended from ministry by the respondent in 2019. That occurred as a result of a new allegation of historic sexual misconduct made against him, for which he was arrested, although no criminal proceedings were pursued. On 29<sup>th</sup> October 2024 a disciplinary tribunal found him guilty of sexual abuse (which ultimately was admitted) against two under age girls committed in the period 1983 to 1988 and imposed a penalty of prohibition for life.

19. Even now, because of the well-known fact that it is difficult for victims of sexual abuse to report their experiences, it is not possible to be sure of the full extent of such abuse committed by David Tudor.

### **The complaint**

20. The complaint against the respondent is that he must have become aware of the dangerous presence of David Tudor in the Diocese of Chelmsford when or soon after he became Bishop of Chelmsford in 2010, and should have suspended him or taken steps to ensure that he did not pose a risk to girls or young women; instead, the respondent allowed him to continue to minister as a vicar in the diocese, re-appointed him as Area Dean in 2013 and again in 2018, appointed him as an Honorary Canon of Chelmsford Cathedral, and praised him publicly in January 2018, saying that ‘We’re very lucky to have David Tudor as a priest because he’s a Rolls Royce priest and he stands out far above many others’.

### **The Registrar’s Preliminary Scrutiny Report**

21. Section 11(1) of the Measure provides that when a complaint has been made, it will be referred in the first instance to the Registrar of the diocese concerned and that the Registrar will scrutinise the complaint with a view to forming a view as to whether there is sufficient substance in the complaint to justify proceeding with it in accordance with the provisions of the Measure. Among other things, this enables complaints which lack substance to be dismissed at an early stage, without calling on the respondent to provide an answer.

22. Preliminary scrutiny of the complaint was carried out by the Registrar of the Diocese of London.

23. The Registrar’s report to the Bishop of London dated 10<sup>th</sup> April 2025 concluded ‘that the complaint generally lacks sufficient evidence to enable most of it to be dealt with under the Measure’. That was essentially because the complainant had been unable to provide evidence of what precisely the respondent knew about the abuse committed by David Tudor when he became Bishop of Chelmsford in 2010. The Registrar also referred to the absence of any legal power available to the Bishop to suspend or remove an office holder in the absence of new allegations against him. The Registrar commented that ‘it may have been unwise’ to have given David Tudor the role as an Honorary Canon at Chelmsford Cathedral in 2015 and to have re-appointed him as Area Dean in 2013 and 2018, but said that the respondent ‘might have felt entitled to rely on the 2006 risk assessment and [David Tudor’s] subsequent apparently “safe” behaviour’, although in the light of current safeguarding practice and culture within the Church of England ‘the wisdom of those decisions now appears questionable’. But they should be considered against the information actually

available and the safeguarding duties, guidance and protocols in force at the time, which until 2016 were more relaxed than they now are.

24. The only allegation which the Registrar considered to merit a response was the allegation that the respondent failed to comply with his safeguarding obligations on the re-appointment of David Tudor as Area Dean in 2018.
25. In reaching these conclusions, the Registrar drew attention to the change in the legal landscape resulting from the Safeguarding and Clergy Discipline Measure 2016, which imposed a positive duty on a Bishop to have regard to safeguarding guidance, and which came into force only on 1<sup>st</sup> October 2016, with no equivalent duty prior to that date.

### **The Bishop of London's initial decision**

26. The Bishop of London accepted the Registrar's recommendations and reasoning. She requested a formal written answer from the respondent to the allegation that he failed to have regard to his safeguarding duties in relation to the re-appointment of David Tudor as Area Dean in 2018 but otherwise dismissed the complaint pursuant to section 11(3) of the Measure.

### **The review process**

27. A complainant who is dissatisfied with a Bishop's decision to dismiss a complaint may request the President of Tribunals to review the dismissal. The complainant did request a review of the Bishop of London's decision pursuant to section 11 of the Measure.
28. By a decision dated 6<sup>th</sup> May 2025, I held that the decision of the Bishop of London was plainly wrong, principally because the Registrar's report (whose reasoning the Bishop had adopted) had proceeded on the basis that there was uncertainty as to what the respondent actually knew about David Tudor's previous misconduct when he became Bishop of Chelmsford in 2010. In contrast, public statements made by the respondent had made it clear that he had been fully briefed about David Tudor on becoming Bishop of Chelmsford. The Registrar's report was therefore founded on a false premise.
29. I made clear, however, that my decision did not represent any concluded view about the merits of the complaint. It was simply that the complaint needed to be properly investigated and should not have been dismissed as lacking sufficient substance to be dealt with under the Measure.

### **The respondent's answer**

30. The respondent has now provided his answer to the complaint and the Designated Officer has completed her investigation. It is necessary to quote extensively from the respondent's answer.

31. He began by offering an apology for oversights and mistakes which he accepts were made, while maintaining that these did not amount to misconduct for the purpose of the Measure:

'I am glad to have the opportunity to respond to these very legitimate concerns and questions. It gives me an opportunity to explain why and how certain decisions were made, to apologise for oversights and mistakes that were made, and, I hope – since I believe the complainant will read this statement – give her an opportunity to get a fuller picture of what did and didn't happen with regard to the appalling abuse DT perpetrated against her and others, and how the Church dealt with his case over a long period of time.'

32. The respondent confirms that he was briefed about David Tudor in his first few weeks as Bishop of Chelmsford in 2010. He was given to understand that the arrangement which he inherited had been made on the basis of a thorough knowledge of Tudor's past and in accordance with advice from safeguarding professionals and legal advice.

33. The respondent explains that he continued to receive advice about whether steps could be taken to remove Tudor from ministry or to limit his ministry:

'This was discussed in regular meetings with safeguarding professionals in the Chelmsford diocese and among members of the Chelmsford senior team. The consistent advice we received was that (1) there was no power to remove an incumbent from office on account of a risk assessment and (2) in any event the advice of the independent risk assessor was that any risk was low and could be managed.'

34. The respondent explains that David Tudor had been appointed as Area Dean of Hadleigh by his predecessor in 2008, with knowledge of Tudor's background and the 2006 risk assessment. Although the respondent had overall responsibility for Tudor's re-appointment as Area Dean in 2013, he has no actual memory of the process leading up to this re-appointment, which was primarily dealt with by the Area Bishop and the Archdeacon. Similarly, the respondent has no memory of the process leading up to the further re-appointment as Area Dean in 2018.

35. Although he has no actual memory of these processes, the respondent states as follows:

‘However, for both these reappointments, I am sure I would remember if the safeguarding professionals with whom we work closely to monitor DT and ensure he adhered to the limitations on his ministry required by the risk assessment and safeguarding agreement had ever questioned the propriety of these additional responsibilities as Area Dean. They didn’t.

I now regret that DT’s appointment as Area Dean was renewed in 2013 and 2018. I have said so publicly and apologised for the hurt this has caused victims and survivors. They deserve an explanation as to how this happened, since I see how it casts doubt on the substance of my narrative, namely that we were alerted to the dangers DT posed and were working hard to manage him within a role that we were not able to remove him from. I have also asked myself many times in the past six months, why this happened.

Recent senior safeguarding training has helped my understanding how allowing this to happen is now seen. Not to excuse what happened, but in order to understand it within the context of the rigorous safeguarding approach we took with DT, remembering that with DT we knew what we were dealing with. We knew he shouldn’t have been allowed back into ministry, but since he had been, and we couldn’t remove him, we were working hard, as is the case with all good safeguarding, to manage and minimise the risk he posed based upon the recommendations of a risk assessment and various safeguarding agreements. I reiterate that an independent risk assessment had classified DT as being “low risk”.

...

... Area Bishop, Archdeacon and safeguarding professionals were in regular contact with and about DT. There was another priest appointed to the parish to ensure that the boundaries and limitations of the 2006 risk assessment were in place and strictly observed. There were regular meetings, though most of these were with the area Bishop of Bradwell who had pastoral oversight of Canvey Island and safeguarding professionals. Since [DT] could not be removed from office, the key to managing him was ensuring he was part of the diocese.’

36. The respondent makes clear, however, that although he believes that this was the rationale for reappointing David Tudor as Area Dean, he now accepts that this was a mistake and should not have happened because it failed properly to take account of the position of Tudor’s victims:

‘I now regret that this was allowed to happen and accept overall responsibility for the decisions made. They were not sufficiently informed by consideration of the potential impact on DT’s victims. But neither do I believe they constitute misconduct under the measure. With hindsight and with the greater awareness we now have of the trauma victims suffer, they were a mistake but made with the

very best intentions of continuing to manage DT well and minimise the risks he posed.'

37. In 2015 David Tudor was appointed as an Honorary Canon of Chelmsford Cathedral. However, this appointment was not (as it is in some dioceses) an individual appointment to reflect some element of personal merit or contribution to diocesan life. Rather it was the result of a new diocesan policy that all Area Deans (44 in all) should be appointed as Honorary Canons for the duration of their holding this position. It is apparent that the respondent considered the position of David Tudor at this time and decided that there was no basis on which to exclude him from the new policy of general application which the diocese had introduced. The respondent was, however, aware that this might be a sensitive appointment which would attract some public comment.
38. Next, the respondent refers to the allegation that he publicly praised David Tudor's ministry, describing him as a 'Rolls Royce priest' which the parish (or possibly the diocese) was lucky to have. He says that he does not recall making any such comment, although he accepts that he may have referred to the fact that Tudor's parish was among the fastest growing parishes in the diocese at the time.
39. The respondent accepts that he was briefed at some point that David Tudor had settled a civil claim made by one of his previous victims. This related to conduct occurring before Tudor's ordination. He took the view that it related to matters which had already been dealt with and understood that the victim had no desire to make a complaint against Tudor.
40. Finally, the respondent refers to the coming into force of the Safeguarding and Clergy Discipline Measure 2016 on 1<sup>st</sup> October 2016, which strengthened the safeguarding regime and for the first time imposed positive duties on diocesan bishops. However, he makes the point that this Measure is concerned with risk of future harm, so that it provided no basis on which he could have removed David Tudor from office as a result of conduct many years in the past which (as it was understood) had been dealt with, and says that as soon as new allegations surfaced in 2019, he did promptly suspend Tudor, who was ultimately removed from office and prohibited from ministry.

## **Discussion**

41. In the light of the evidence which is now available, I shall consider the complainant's various allegations in order to determine whether there is a case to answer in respect of which a disciplinary tribunal should be requested to adjudicate. It seems to me that a disciplinary tribunal should only be requested to adjudicate if there is a real prospect, taking the case against the respondent at its highest, that the respondent would be found to have committed misconduct. That is the test which I shall apply.

Misconduct is a demanding concept. It includes conduct which is unbecoming or inappropriate to the position of a clergyperson and also conduct which amounts to neglect or inefficiency. But it does not extend to every decision which, with hindsight, can be seen to have been mistaken or ill judged.

42. I take the claimant's allegations in turn.

*'The respondent should have suspended David Tudor'*

43. The first allegation is that the respondent must have become aware of the presence of David Tudor in the Diocese of Chelmsford when or soon after he became Bishop of Chelmsford in 2010, and should have suspended him or taken steps to ensure that he did not pose a risk to girls or young women; instead, the respondent allowed him to continue to minister as a vicar in the diocese.

44. It is clear that the respondent was aware of the presence of David Tudor and was fully briefed on all relevant circumstances as they were then known. He inherited a difficult situation when he became Bishop of Chelmsford in 2010. He was right to describe it, as he has done publicly, as 'horrible and intolerable'. The decision to permit David Tudor to return to ministry was appalling, viewed from the perspective of 2025, or even of 2010. It took no account of the position of his victims, including the complainant. How it could have been considered appropriate even at the time is hard to understand, but that is not a matter which presently arises for consideration. The decision to reinstate David Tudor was made long before the respondent became Bishop of Chelmsford and is not a decision for which he can be held responsible.

45. Given the situation which he inherited, the respondent had no power to remove or suspend David Tudor from ministry. Mr Tudor had been allowed to return to ministry, appointed as Rector of Canvey Island, and appointed as Area Dean well before the respondent's appointment as Bishop of Chelmsford. His ministry was being monitored in accordance with a safeguarding agreement with which Mr Tudor was apparently complying. The respondent discussed the possibility of removing Mr Tudor from office but was advised that this was not possible.

46. There is in my judgment no possibility whatever that the respondent's failure to suspend or remove David Tudor could be regarded as misconduct. It was something which he had no power to do.

*'The respondent should have taken steps to ensure that David Tudor did not pose a risk to girls or young women'*

47. The respondent did take steps to ensure that David Tudor did not pose a risk to girls or young women. Such arrangements were already in place in the form of the safeguarding agreement, which was regularly monitored, and that process was continued. There is, moreover, no evidence that David Tudor failed to comply with the safeguarding agreement during his time as Rector of Canvey Island or that he misconducted himself towards any girl or young woman during that time. By this time he was a married man with a family, and while that is no guarantee against impropriety or sexual abuse, there is no evidence that Tudor misconducted himself during this period. The allegations against him, including those which were made in 2019, related to a much earlier period.

48. Again, therefore, there is in my judgment no possibility that the respondent could be held to have committed misconduct in this regard.

*'The respondent re-appointed David Tudor as Area Dean in 2013 and again in 2018'*

49. The allegation that the respondent re-appointed David Tudor as Area Dean in 2013 and again in 2018 is, in my view, the most serious of the allegations against him. As appears from what I have set out above, the respondent now accepts that this was a mistake, which did not take account of the pain which this would cause to Tudor's victims, including the complainant, and that these appointments should not have been made. I agree with that view.

50. However, it is clear that the context in which these appointments were made was that the risk presented by David Tudor was being regularly monitored, he was complying with the safeguarding agreement which was in place, and the safeguarding professionals responsible for monitoring that compliance expressed no concern about his re-appointment as Area Dean. Moreover, any risk which he presented would have arisen, not from his appointment as Area Dean, but from his existing role in the Canvey Island parish from which, as matters stood, he could not be removed. It is relevant also that on both occasions, in 2013 and in 2018, the decision was not to make a new appointment but to maintain the existing position in circumstances where no concerns had been expressed about Tudor's role as Area Dean or the way in which he was performing his current responsibilities.

51. None of this means that the respondent was right to re-appoint David Tudor as Area Dean or that his decisions cannot fairly be criticised. But it is relevant to the issue whether those decisions amounted to misconduct, which is a separate issue.

52. Moreover, the respondent has explained that in 2018 he was reluctant to re-appoint David Tudor but was told that there was nobody suitable to replace him as Area Dean. Accordingly, he re-appointed him for a period of only two years instead of the usual

five years. He accepts now that this is an appointment which should not have been made.

53. I have considered carefully whether, in these circumstances, a disciplinary tribunal could reasonably find that the respondent was guilty of misconduct for making these appointments. I have concluded that it could not do so. They were mistaken and regrettable appointments, as the respondent himself now accepts. He should have appreciated that they would be regarded as deeply painful for victims and survivors of David Tudor such as the complainant. However, in the very difficult circumstances which the respondent had inherited from his predecessor, I conclude that they were made in good faith and do not amount to misconduct; and that a disciplinary tribunal could not reasonably conclude otherwise.

*'The respondent appointed David Tudor as an Honorary Canon'*

54. It is now clear that David Tudor's appointment as an Honorary Canon of Chelmsford Cathedral was not a recognition by the respondent of some outstanding service in the diocese and was not personal to him but was simply an application of the new diocesan policy that all 44 Area Deans should be appointed as Honorary Canons. In my judgment that puts the appointment in a different light. The decision that all Area Deans should become Canons was a collective decision by the leadership team in the diocese, albeit one for which the respondent was responsible.

55. It might, I suppose, have been theoretically possible to appoint all Area Deans except for David Tudor as Honorary Canons, but that would hardly have been realistic in circumstances where Tudor was complying with the safeguarding agreement. It might have been possible for the respondent to veto or to abandon the new diocesan policy, but that would have prejudiced the position of other Area Deans, whose additional unpaid responsibilities the diocese wished to recognise.

56. In these circumstances, I do not think it could reasonably be said that the acceptance of this new policy could amount to misconduct by the respondent. Nor could the fact that it was implemented without making an exception for David Tudor. When viewed in its proper context, it adds little to the allegation that Tudor should not have been re-appointed as Area Dean.

*'The respondent praised David Tudor publicly'*

57. The allegation is that the respondent praised David Tudor publicly in January 2018, saying that 'We're very lucky to have David Tudor as a priest because he's a Rolls Royce priest and he stands out far above many others'.

58. The difficulty with this allegation is that there is no reliable evidence of what, if anything, the respondent actually said, let alone of any context in which he may have

said anything to this effect. The complainant does not claim to have been present when this was said and the respondent does not recall making this statement. It appears to be based on a press report, which may or may not be fully accurate.

59. Even if this or something like it was said, however, it would need to be put in context.
60. On such evidence as currently exists, I am not satisfied that a disciplinary tribunal could reasonably conclude that a statement to this effect was made which would justify a finding of misconduct.

*'The respondent failed to investigate the settlement of a civil claim'*

61. Finally, the complainant has alleged that in 2012 David Tudor paid compensation of £10,000 to a woman for an assault committed prior to his ordination. The respondent accepts that he was briefed about such a settlement at some point but understood that David Tudor had settled a civil claim made by one of his previous victims. He took the view that it related to matters which had already been dealt with and understood that the victim had no desire to make a complaint against Tudor. In this regard, as with the other allegations made against him, the respondent acted in accordance with the advice which he received.
62. I consider that the respondent could and should have been more curious about this new information. It was evidence that David Tudor's offending was more widespread than had previously been known, which might well have called into question the conclusions of the risk assessment carried out by the Lucy Faithfull Foundation. It raised the possibility that there were further victims, whose identities were as yet unknown. It seems to me that it would at least have afforded the respondent an opportunity to seek an assurance from Tudor that there were no further victims of his abuse whose identities were not yet known. However, the likelihood must be that, if such an assurance had been sought, it would have been given, so that the matter would not have been further advanced.
63. Ultimately, and bearing in mind that the respondent acted in accordance with advice received from safeguarding officers, I do not consider that a disciplinary tribunal could reasonably find that the respondent's failure to do more with this information could be regarded as misconduct.

## **Conclusion**

64. For reasons which I have sought to explain, I conclude that although some mistakes were made in the handling of David Tudor's case, there is no case for the respondent

to answer in respect of which a disciplinary tribunal should be requested to adjudicate.

65. I now declare that to be my decision with the consequence, pursuant to section 17(4) of the Measure, that no further steps shall be taken in regard to the present complaint.

**Publication of this decision**

66. In view of the publicity which the allegations against the respondent have received, it seems to me that it would be in the public interest for this decision to be published on the Church of England website, so that it will be public knowledge that those allegations have been investigated and ruled on by an independent judge.

67. I am therefore minded to give a direction accordingly, but before doing so I will give both the complainant and the respondent the opportunity to make representations whether this decision should be published, although not to revisit the substance of my decision. Any such representation should be made before Friday 16<sup>th</sup> January.

A handwritten signature in black ink, appearing to read 'Stephen Males'.

**The Right Honourable Sir Stephen Males**  
**President of CDM Tribunals**  
**24<sup>th</sup> December 2025**