

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

Complainant: "Z"

Respondent: **THE REVEREND DAVID TUDOR**

Constitution of the Tribunal: **The Revd and Worshipful His Honour Judge Mark Bishop (Chair)**

Canon Her Honour Lindsay Davies

Mr Christopher Harding

The Revd Gavin Knight

The Revd Anne Price

Appearances: **Mr Edward Dobson, the Designated Officer**

DETERMINATION: PENALTY

1. On 30 January 2026 the Tribunal imposed the penalty of Prohibition for Life in respect of the Tribunal's Determination dated 17 December 2025 ('the earlier Determination') that the allegation of clergy misconduct had been proved. The Tribunal also issued an injunction prohibiting contact whether direct or indirect

between the Respondent and 'Z', indefinitely. These are the reasons for the Tribunal's decision.

2. The Tribunal made an Order under Rule 49 of the Clergy Discipline Rules 2005 in the earlier Determination, and that Order continues.
3. The Tribunal did not invite the Bishop to express any view on penalty under s.19(2) CDM 2003.
4. The Respondent did not attend the hearing on 30 January 2026, as he had failed to attend the hearing on 19 and 20th November 2025. He had been notified in writing of the date of the penalty hearing in accordance with Rule 101, and had not responded. The Chair, with the agreement of the Tribunal, determined that the requirements of the rules had been met and that the interests of justice required the hearing to proceed. We were satisfied that the Respondent had decided to continue to absent himself from attendance at these proceedings, as he has done throughout.
5. We have set out our findings of fact in the earlier Determination, and we will not repeat them here.
6. We considered the March 2023 Guidance on Penalties in particular
 - (i) Paragraphs 2 and 2.1 which deal with sexual misconduct of clergy. In this case we find that the Respondent's misconduct was a deliberate and damaging failure to comply with the high standards of Christian behaviour set out in the Ordinal required of clergy. We agree that such sexual misconduct should be dealt with firmly and in a way which would protect those who could be harmed if the Respondent were otherwise to be allowed to remain in ministry. We note that the Respondent is already subject to a Prohibition for Life and a Removal from Office, following the determination 29 October 2024 following his admitted misconduct against 'X' and 'Y'.
 - (ii) Paragraphs 3 and 3.4 which deal with misconduct in public ministry. By virtue of their ordination, great trust is placed in all clergy by church

members and also the wider community. Clergy will often need to provide pastoral support to vulnerable people who will turn to them for help. This intrinsic imbalance in the relationship makes it particularly serious if clergy exploit the trust placed in them to satisfy their own sexual needs. This is what has happened in this case.

- (iii) Paragraph 6 which provides that any penalty should be proportionate to the misconduct involved. We so direct ourselves.
- 7. We must fix a penalty that would have been appropriate for the Respondent at the time he committed these acts of misconduct when he was aged 29 and had been 6 years in ministry with no findings of misconduct at that stage of his life. We remind ourselves that the penalty is in respect of his grooming behaviour which led to sexual intercourse and other sexual acts with 'Z' when she was 15 years old between 28/4/84-29/9/84 (the day before she turned 16).
- 8. We heard from 'Z' who read her Victim Impact Statement ('VIS') which we take into account. She eloquently described the effect that being groomed and abused when she was so young has had upon her throughout her life. At the time of these events, she explained how she had felt intense shame and guilt and this had led her to attempt to end her own life believing that she had let God down in some way. In this belief she was, of course, quite wrong because she was the innocent victim in all this. Tragically such a response is not uncommon by a groomed and abused victim, and adds to the damage that has been done by such abuse.
- 9. The consequences of this abuse led to 2 criminal court hearings for 'Z' which would have been traumatic, with hate mail being delivered to her and her family causing them to move house, which is a particularly shocking aspect of these events. There have been lasting consequences which 'Z' sets out at paragraph 12 of 'VIS' which we will not repeat here but which we have taken carefully into account. It is clear that the Respondent's abuse of her when she was 15 has had a continuing negative effect on her life for over 40 years. We note that as a result of this abuse she lost her faith: a serious and grievous consequence particularly because this has happened through the misconduct of a priest.

10. We take into account her late discovery that the Respondent had been in full time public ministry for many years after her complaint, has added to the distress and damage of the original abuse.

11. We consider first the harm and culpability factors (Stage 1). We are satisfied that this is a case of Greater Harm for the following reasons:

- (i) she was vulnerable both on account of her age and her isolation from her parents which the Respondent knew, and the circumstances in which she had come back to the vicarage for help during her period.
- (ii) there has been physical harm: she attempted to end her life and there have been other physical consequences she sets out in her 'VIS'.
- (iii) there has been spiritual harm : she has lost her faith.
- (iv) there has been psychological harm as she sets out in her 'VIS' particularly (a) she felt she had to move school from where he was Chaplain and (b) where she describes how as a result of his abuse she has led a 'muted life' for the reasons she explains.

12. This is a case of Higher Culpability because this misconduct arose from the opportunity created by the Respondent's grooming of 'Z': grooming like this must have involved significant planning. He must have identified that she would be susceptible to his grooming. We accept that he would not have known that she would turn up when she did on that day, but he had created a situation where his sexual advances towards her in the bedroom that day would lead to the result that he wanted - to satisfy his own sexual needs.

13. There are aggravating factors (Stage 2) which are:

- (i) the misconduct is from April- September 1984 which is, we find, a 'prolonged period of time'. This was not an opportunistic single event but a course of sexual misconduct in the context of grooming over a 6 month period.

- (ii) the misconduct that we have found proved was a criminal offence in 1984 even though there was no lack of consent.
- (iii) the breach of trust goes beyond what is inherent in any finding of sexual misconduct by a priest in a pastoral relationship. In addition, in this case there is a significant disparity in age (29/15), and he was the Chaplain of her school as well as the priest in charge of her church.

14. We do not find any mitigating factors present.

15. We considered the appropriate penalty working upwards from the least serious (Stage 3). We are satisfied that this misconduct when he was 29 and without previous findings of misconduct against him, would have merited a penalty of Prohibition for Life. His misconduct was egregious and of the utmost seriousness. We note that he is already subject to Prohibition for Life by the finding of the Tribunal on 29 October 2024, but that does not mean that the appropriate penalty for this misconduct against 'Z' when she was 15, should not be made. It is proportionate and we impose it in respect of the misconduct found in our earlier Determination.

16. In addition we impose an injunction that the Respondent shall not contact 'Z' either directly or indirectly for an indefinite period. We accept that the Respondent has not contacted 'Z' through these proceedings or for many years, but the injunction will provide 'Z' with the confidence that she will not be contacted by the Respondent, whether directly or indirectly, for any reason in the future.

17. It is our hope that the light that has been shone in these proceedings on the conduct of the Respondent towards 'Z' when she was 15 in 1988, will provide 'Z' with some solace after all these years. She has been listened to and vindicated. We wish her well for the future.