

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 OF THE TRIBUNAL

1. This judgement sets out the findings of the Bishop's Disciplinary Tribunal for the Diocese of Southwark in respect of the Reverend David Tudor following a hearing on 19th November 2025. We announced our decision in public session on 20th November 2025 and reserved our reasons. Before doing so we made an Order under Rule 49 of the Clergy Discipline Rules 2005 that there should be anonymity

for the complainant (whom we shall refer to as 'Z' in this Determination). Where it is necessary to do so in setting out the history we will anonymise other names with subsequent letters. We maintain the anonymisation of other complainants ('X' and 'Y') used in proceedings against the Respondent which concluded with the Determination on 29/10/24. We not only anonymise names but exclude any reference which may lead to their identification.

2. The Respondent faced the following allegation set out in the Deputy President's decision dated 18/12/24 :

"The conduct of the Respondent, the Revd Canon David St Clair Tudor, was unbecoming or inappropriate to the office and work of a Clerk in Holy Orders within s 8(1) (d) of the Clergy Discipline Measure 2003 in that he, between about the 28th April 1984- 30 April 1985 formed, while she was a child

- (i) *An intimate sexual relationship and engaged in sexual acts with Z, the first such sexual act occurring when she was aged 15 years and,*

(ii) *By these actions, failed to maintain any or any proper professional or pastoral boundary"*
3. It is accepted on behalf of the Designated Officer that the Respondent was censured on 20/12/88 pursuant to disciplinary proceedings brought by the Bishop of Croydon in 1988 in respect of an inappropriate sexual relationship with 'Z' from when she was 16. This was conduct which the Respondent had admitted in January 1988 in a Crown Court trial. Obviously, the Respondent cannot be subject to further disciplinary proceedings for the same misconduct.
4. 'Z's 16th birthday was on 30/9/84.
5. Therefore, these proceedings are to consider whether the Respondent engaged in sexual acts with 'Z' when she was 15 which would put him in breach of s 8(1) (d) of the CDM 2003. The sexual act alleged in this case was sexual intercourse (i.e. penetrative vaginal sex). These proceedings are to determine a narrow but

important issue: whether it is proved between about 28/4/84 to 29/9/84 (the day before she turned 16) the Respondent had sexual intercourse with 'Z'.

Chronology of these proceedings

6. On 8/2/24 'Z' brought a complaint by Form 1a in which it was alleged that the Respondent had sexually assaulted her from when she was 15 when she attended the youth club at St Philips Reigate where he was Priest in Charge. He also taught RE and was a chaplain at St Bede's School in Redhill which she attended. Her 16th birthday was 30/9/1984.
7. On 20/6/24 the Respondent submitted a Form 2 in which he stated:
"I admit an inappropriate relationship with the complainant but deny the detailed allegations".
8. His accompanying statement denies that any inappropriate relationship with 'Z' began before her 16th birthday. He states that this allegation (of sexual intercourse with 'Z' when she was under 16) had been brought in a criminal trial at Guildford Crown Court in 1988 and he had been acquitted. In respect of the admitted inappropriate relationship he had with her from when she over 16, the Bishop of Croydon had disciplined him in 1988, and he was suspended from ministry for 5 years. He stated that this complaint should have been brought within 1 year rather than after a gap of 36 years which now makes it impossible for him to defend himself from the renewed allegation.
9. In 2018 complainant 'X' made a complaint against the Respondent to the police and no criminal proceedings were undertaken: she then made a complaint in October 2021 under the CDM 2003. The Respondent was suspended from his office as Rector of Canvey Island from 2019. In December 2022 complainant 'Y' brought a complaint under the CDM 2003. The complaints of 'X' and 'Y' were in respect of the period of his ministry 1983-1988 which includes the period of 'Zs' complaint.
10. The Determination of the complaint of 'Z' was stayed until the Determination of the complaints of 'X' and 'Y'. This took place on 29/10/24 when the Respondent

admitted misconduct against 'X' and 'Y' and did not challenge their account of the following:

- (i) 'kissing' 'X' when she was 15
- (ii) 'oral sex' with 'X' when she was 16
- (iii) 'attempted vaginal sex' of X when she was 18
- (iv) 'kissing' of X or requests by Respondent to be kissed by X June 1983-October 1985
- (v) by reason of the Respondent's behaviour towards 'X' from April -June 1983 she had became 'infatuated' with him
- (vi) kissing and touching of 'Y' on 2 occasions: (a) touching her naked buttocks beneath underwear and (b) placing 'Y's' hand on his erect penis when she was 16 and 17 between 1985-1987.

11. As a result of the admission of misconduct the Respondent was subjected to penalty of Prohibition for Life and Removal from Office..
12. The complaint of 'Z' then came before His Honour David Turner KC, the Deputy President who ruled on 18/12/2024 that there was a case for the Respondent to answer and referred the complaint for hearing before this Tribunal.
13. Upon being informed of the decision by the Deputy President and that the Tribunal proceedings would now begin to determine 'Z's complaint, the Respondent communicated with the office of the President of Tribunals making clear that he did not intend to participate in the proceedings (email response 7/1/25). On 8/4/25 directions for the trial were issued and the Respondent's email dated 15/4/2025 repeated that he did not intend to participate in the Tribunal proceedings. He stated that:
 - (i) he was acquitted of the allegation of sexual intercourse with 'Z' when she was under 16 by the Crown Court in 1988
 - (ii) he was suspended from ministry for 5 years
 - (iii) he has regretted the relationship with 'Z' for 38 years
 - (iv) he will not be participating in the Tribunal proceedings

14. Pursuant to the Directions dated 8/4/25 the Respondent was required to file his evidence by 3 June 2025 and did not do so. On 25/9/25 the Registrar gave notice of a Directions hearing to be held on 29/9/25: the Respondent did not attend the hearing. The Registrar also gave further notice of the final hearing listing on 19/11/25.
15. The Respondent did not attend for the final hearing on 19/11/25 and 20/11/25.

Application to proceed in the absence of the Respondent

16. Mr Dobson, on behalf of the Designated Officer applied that the final hearing should proceed in the absence of the Respondent under Rule 42. A tribunal hearing may proceed in the absence of the Respondent provided that the Chair is satisfied that the Respondent has had notice of the hearing in accordance with Rule 101. He submitted that such notice had been given to the Respondent under Rule 101 (1) (d). Notice in respect of the final hearing date and the location had been sent to him at the email address from which he had sent his Form 2 response and his emails of 7/1/25 and 15/4/25. Mr Dobson submitted that it would be in the interests of justice taking into account the provisions of the overriding objective (Rule 1) for the matter to proceed notwithstanding his failure to attend. The Respondent had twice informed the President or Registrar of Tribunals that he would not be attending.
17. Determination of this application was deferred until the morning of 19/11/25. Once it was clear that the Respondent was not in attendance, the Chair, with the unanimous agreement of the Tribunal members, determined that the provisions of Rule 101 had been met and that it was in the interest of justice for the hearing to proceed. It was clear that the Respondent had decided to absent himself from the proceedings as he had made clear in his communications with the Registrar.

The evidence of the complainant

18. We heard from 'Z' who confirmed her witness statement dated 6/5/25 was true save for an amendment at para 7 where at line 13 the word 'not' should be deleted. Her date of birth is 30/9/68 and therefore she turned 16 on 30/9/84. She

explained that she had attended St Bede's School in Redhill from age 11-16 where the Respondent was a chaplain and teacher of RE. Her first knowledge of the Respondent was when she was 14 because he would speak in assembly. She went to speak to him when she was 14 about a personal problem she had with a boy who was asking her out and she did not know what to do. Her friend 'B' had told her to speak to the Respondent about this. When she spoke to the Respondent he suggested that she should start coming to the church where he was then Priest in Charge – St Philips Church, Reigate. She had been attending a United Reformed Church at that point on her own and was not comfortable there, so she enthusiastically agreed to his suggestion. She attended his church and, as she said, '*threw herself into everything*' and felt '*part of something*'.

19. She told us that she also joined the church youth club which met on a Sunday evening after Evensong in the parsonage where the Respondent lived. She walked there from her home which took about 40 minutes via Reigate Park. Her friend 'B' did not attend the church or the youth club because she was a Roman Catholic. However, 'Z' told us that she thought at the time that the Respondent and 'B' were in a relationship: 'B' would ask 'Z' to say to 'B's parents that she was with 'Z' overnight when in fact 'Z' knew she was with the Respondent. She felt that her initial involvement with the Respondent was as a go-between for the Respondent and 'B'.
20. There came a time when he started confiding in 'Z' about the pressures of his job and she felt she was being helpful to him in listening to him and '*being here for him*'. The Respondent then started giving her lifts home after the Youth Club which she told us was a '*kind gesture*'. She saw him frequently at school: she and her friends would go to the chaplaincy at break to see him: there were always lots of people in his room. There were occasions on a Saturday and a Thursday when she and a friend would go and see him at the parsonage: he left the key on a window ledge and told them they could let themselves in.
21. As part of the background, she explained to us that she had not been close to her parents then, and this has continued through her life. She was looking for a father

figure to speak to and confide in and from whom to get guidance and the Respondent provided that to her.

22. Before April 1984, the Respondent had spoken to 'Z' about sex as if it was not significant or important. He told her that if he had sex with her, it would not mean he felt anything different about her. She told us that she thought at the time it was a curious thing to say but she was not in a position to comment on what he said because she had not had sex at that point. In her evidence 'Z' told us that she did not feel she could articulate how '*he got inside my head – if he said that sex was insignificant and did not mean anything, then that is what I would have thought*'.
23. In April 1984 when she was 15 she went on a church trip to Worth Abbey on 28/4/84. The poster for the trip was exhibited in the bundle. She went on a coach from St Philips Church, Reigate with others including her friend 'B'. The Respondent was on the coach and attended the event. In the afternoon at Worth Abbey she had not been feeling well. She had felt faint after lunch. When the coach dropped her off back at the church at about 5 pm she was feeling better and she decided to walk to the cricket club where she knew her parents would be: this was 10 minutes walk from the church. When she got to the club she went to the lavatory and realised that she had blood on her trousers from her period. Her mother was still busy doing the teas and in any event she was not close to her, and her father was not available. So she decided to walk back to the parsonage to see the Respondent where she used the key on the ledge to get in.
24. When she arrived the Respondent came downstairs with her friend 'B' and she explained what had happened and was given a towel by him to wrap around herself. He said he would clean her trousers. He then drove 'B' home. She removed her trousers and underwear when she was downstairs and she washed them. 'Z' waited in the Respondent's bedroom watching TV (she remembered it was an episode of 'Some mothers do 'ave 'em' about learning to fly). She had the towel on around herself.

25. When the Respondent returned she was still in the bedroom. They began to talk and she told us there was nothing unusual about it. He then started to touch her: initially he kissed her and then he touched her legs. She told us that she was not particularly inviting it, but she did not refuse. The Respondent wanted her to touch his penis. He reminded her again that sex did not mean anything although she told us he did not talk very much. She remembered that he locked the bedroom door and got some condoms out from '*his side of the bed*' and asked her to put a condom on him. She did not know how to do this and she found it quite overwhelming. He told her how to do it and she put the condom on. By this time he had taken his clothes off. They then had penetrative vaginal sex.

26. She told us that her reaction to this was '*absolute horror*': it was not inconsequential to her. It was very unpleasant and painful and should have meant more to her than '*what he made it*'. She told us that she wanted to get out of the room as quickly as possible and gathered her things and went back to the cricket club where her parents would still be. She told us that she did not think she would ever forget what happened on that day.

27. She did not tell her parents – nor anybody- what had happened. She felt very alone because the one person she could have told was the person who had done this to her. She did not see the world in the same way again. She took a paracetamol overdose a few days later because she felt she had let God down and would not be able to go to Church anymore.

28. She told us that she could not explain why she continued to spend time with the Respondent and to have sexual intercourse with him after that initial experience. In her witness statement she says that it happened about 10 times more at his house. The sex continued after her 16th birthday in September 1984. In her evidence she states that the sexual acts she sets out (the Respondent placing her hand on his erect penis and stroking it) occurred before she was 16 in September 1984: she remembered it was '*still light -still the summer*'.

29. She told us that the sex '*fizzled out*' after a year. She was looking for ways to get away but it was difficult as he was both a Chaplain and teacher at her school and also Priest in Charge at the church. Having completed her 'O' levels in the summer 1985 she changed schools. At the new school she met people who went to a House Church and so she left St Philips and went with them to that church although she did not tell them about what had happened with the Respondent.

30. 'Z' explained that although she had not spoken to anyone about it, she could not get it out of her mind and eventually she told a teacher Mr Coupe at her new school and he persuaded her to tell her parents. In around February/March 1987 (i.e. when he would have been 18) she then told her mother about what had happened with the Respondent and the next day when she came home she found the police waiting to speak to her. In her statement she states that she '*felt cornered and had to talk about it*'.

31. Before she had spoken to her mother she had become friends with Mike Prentice and his wife, from another church, who '*were aware that it had happened to other people*'. They were giving her pastoral support and had encouraged her to speak to Bishop Wilfred Wood, the Area Bishop of Croydon at the time: this was January 1987. She went to see Bishop Wood with her then boyfriend (whom she says she had told about the Respondent at the end of 1985 i.e. when she was 17).

32. She explained that she told Bishop Wood everything that had occurred and the Bishop told her that the Respondent was getting help with his behaviour. She believed that, having told the Bishop, he would '*sort it out*'.

33. As a result of the police investigation the Respondent was prosecuted in the Guildford Crown Court in January 1988. 'Z' gave evidence in the trial telling the jury, she told us, what she has said to us in this trial. The Respondent accepted that he had had sexual intercourse with 'Z' but not until she was 16 years old.

34. Given that 'Z' has never said that the sexual intercourse when she was 15 was not consensual, it seems most likely that the Respondent was charged under s 6 of the

Sexual Offences Act 1956 of having intercourse with a girl not under 13 and under 16. The jury acquitted him of the allegation that he had had sexual intercourse with her when she under 16.

35. 'Z' told us that following the trial she was unaware that he had been acquitted until she read it in the newspaper. She also told us that it was her assumption that the Respondent would never be permitted to exercise a priestly ministry again and it came as a shock to find out in June 2023 that he had been exercising a ministry in Canvey Island for many years.
36. We received the evidence of the disciplinary proceedings against the Respondent in 1988 in the form of documents . We consider this material at this stage in our consideration of the evidence, although 'Z' had no knowledge or direct involvement in these proceedings in 1988.
37. Bishop Wood laid a formal complaint against the Respondent in respect of '*his sexual misconduct with ['Z'] which he admitted in a Crown Court trial*', and his sexual misconduct with another girl . The complaint was dated 4/11/88 when Bishop Wood deposed to the truth of the allegations , which included those of 'Z' which the Respondent had admitted at the 1988 trial (i.e. no sexual intercourse when she was under 16, but only when she was over 16).
38. On 22/10/88 the Respondent wrote to the Bishop of Southwark (his diocesan bishop with jurisdiction over St Philips Reigate) in response to the complaint laid by Bishop Wood. The Respondent accepted that:
 - (i) he '*failed to match the concept of priesthood to many areas of my personal life*'
 - (ii) '*I can offer no justification or excuse for the past*'
 - (iii) he stated that he wished that he '*had had the courage to seek help when I first realised I was falling short of my ordination vows*'

39. On 10/11/88 the Respondent was served with the complaint of Bishop Wood and on 14/11/88 the Respondent made a full admission of the complaint in these terms :

"The accused hereby applies to the Bishop of the Diocese to exercise his power under Section 31 of the Measure to pronounce a censure upon him in respect of the complaint.

Admission

The accused hereby consents to the pronouncement of a censure upon him as aforesaid".

40. On 20/12/88 the Bishop of Southwark pronounced censure against the Respondent by suspending him for 5 years until the end of 1993 and a prohibition of residing within 10 miles of Redhill in this period.

41. 'Z' told us in her evidence that throughout her adult life she had believed that the Respondent was not able to exercise a church ministry which she said was '*some comfort*' to her. It was therefore a shock to find out in 2023 that he had been serving (at least until 2019) as Rector of Canvey Island. She said that this made her feel that the Church thought his behaviour in the 1980's was inconsequential.

42. The reason she found out about it in 2023 was that, when she was considering the report of the Independent Enquiry into child sexual abuse (chaired by Professor Jay), it had led her to think about what had happened to her in the 1980's. She googled the Respondent and found out about his continued ministry and that there had been other complaints. She discussed this with a friend who is a safeguarding advisor who then took this forward: 'Z's complaint was made on 8/2/24.

Propensity evidence

43. Mr Dobson submits that we should receive evidence which supports his contention that the Respondent had a propensity (i.e. a tendency) to have a sexual interest in teenage girls and acted upon it. Having such a propensity would make it more likely that he would have sex with a girl under 16, than if he did not have such a

propensity. It is accepted that having such a propensity would be insufficient in itself to prove the complaint.

44. To prove that he had such a propensity, Mr Dobson relies upon the Respondent's admitted sexual behaviour in respect of complainants 'X' and 'Y' as set out in the Determination dated 29/10/24. Both 'X' and 'Y' were teenage girls although there is only one incident of admitted sexual behaviour ('kissing') towards a girl under 16.
45. Additionally, he relies upon 2 passages from the report of Dr Earnshaw, senior clinical therapist at the Lucy Faithfull Foundation dated 18/7/06. Her report was commissioned by the Diocese of Chelmsford following complaints unrelated to 'Z' or 'X and 'Y' in respect of a period in the 1970's before the Respondent was ordained (see para 4.8 Determination 29/10/24). We know nothing of those complaints, and we disregard them from our consideration of the complaint before us. No proceedings either criminal or disciplinary arose from the complaints. Mr Dobson does not seek to rely upon any expert opinion of Dr Earnshaw but upon 2 passages where what the Respondent has told Dr Earnshaw has been recorded in the report. Dr Earnshaw has confirmed that her record of what the Respondent said to her would have been drawn entirely from the contemporaneous notes of her interview. She would have encouraged the Respondent to request a copy of the report from the referrer and to read it and to report any error of fact to her which she would correct. The 2 passages are:
 - (i) Para 54 : when asked by Dr Earnshaw whether he would have been more tempted by teenage girls who had crushes upon him, or married or divorcing women, he replied that he would have found teenage girls more attractive
 - (ii) Para 95 : in respect of '*a 16 year old female parishioner*' in 1985 (contended to be a reference to 'Z'), the Respondent accepted that he had met his own emotional and sexual needs rather than being focussed on the needs of his young parishioners.

46. We note that what is recorded by Dr Earnshaw in these passages is hearsay. However, these are civil proceedings and the normal rule in civil proceedings applies that all hearsay is generally admissible but the Tribunal must have regard to its reliability and weight depending upon the circumstances in which the statement is made and recorded.

47. Dr Earnshaw was recording what the Respondent said to her in a formal and professional setting. She was making a contemporaneous note from which this record was made. He would have had an opportunity to have any error of fact corrected. We are satisfied that what is recorded in those passages is a reliable record of what the Respondent said to Dr Earnshaw. On this basis, we will use this material to assist us in determining whether the Respondent had the propensity contended for.

48. Taking the evidence of his admitted behaviour towards 'X' and 'Y', and the record of what he said to Dr Earnshaw in 2006, we accept that the Respondent did have the propensity alleged, namely a sexual interest in teenage girls which he acted upon. We are also satisfied that this would make it more likely that he would have sexual intercourse with 'Z' when she was 15, than if he did not have such a propensity. We will discuss this further in the findings of fact we make.

The Defendants submissions in Form 2 (p81-83)

49. Although the Respondent has not engaged with the Tribunal by attending and giving any evidence, he has submitted Form 2 and made some assertions which we will now summarise. He submits:

- (i) it is incorrect for the complainant to state that she did not pursue a complaint in 1988. In fact the Respondent was prosecuted on her complaint, and she made a separate complaint to Bishop Wood.
- (ii) it is incorrect that this has been triggered in 2023 from reading Professor Jay's ICSA report because the footer on page 1 of her statement is dated 2020

(coinciding with a payment made by the church to a friend of hers): her complaint is made to support a claim for compensation.

- (iii) he did not lie at the trial in 1988 when he said the sex occurred only after she was 16.
- (iv) he '*did have a close relationship with the complainant which, for a while, we both believed might develop into something more serious and long lasting*' but he did not have an intimate relationship with her when she was under 16 (nor would he with anyone else).
- (v) her then boyfriend in 1987 was someone turned down for ordination: her complaint was being used as a '*stick to beat the church*' because of this.
- (vi) he deeply regrets the inappropriate relationship with 'Z' and the hurt it caused which was '*unintentional*'.
- (vii) the passage of time since 1984 makes it impossible to defend this claim.
- (viii) the Tribunal does not have jurisdiction because the claim should have been brought within 12 months.

Legal directions

- 50. Jurisdiction: the Respondent takes a jurisdiction point in his Form 2 which is misconceived. Section 9 CDM 2003 does impose a 12 month time limit which can be displaced for good reason. However, s9(2) provides that there is no time limit in respect of conduct of a sexual nature towards a child. By s 43 CDM 2003 a 'child' is anyone under 18. This Tribunal does have jurisdiction to deal with 'Z's complaint.
- 51. Burden and standard of proof: the burden of proof rests upon the Designated Officer to prove the complaint against the Respondent. The standard of proof is on the balance of probabilities. This means that the complaint is proved if we are satisfied that it is more likely than not that the complaint occurred. This is a lower standard of proof than in the criminal courts.
- 51. We have regard to para 212 of the CDM 203 Code of Practice (referred to in the Deputy President's decision) which provides that where there has been an acquittal of a criminal charge and there is then a complaint to be determined in the Tribunal alleging exactly the same conduct, the complaint may proceed in the

disciplinary proceedings if notwithstanding the acquittal there are good prospects of successfully proving the alleged misconduct. The Tribunal will look for persuasive, reliable and cogent evidence before it can be satisfied that a serious act of misconduct has been committed and we direct ourselves accordingly.

52. Hearsay: we have already directed ourselves para 46 above about hearsay in respect of the passages relied upon in Dr Earnshaw's report. The papers relating to the disciplinary proceedings in 1988 are all 'business records' compiled by someone acting under a duty including the letter from the Headmaster of St Bede's School dated 4/11/86 . They are all admissible documents, and we must assess their weight and reliability. In respect of the view expressed about the Respondent by the Headmaster that *'If he has a weakness in this area, it might be that he relates better to the girls than to the boys'* we are satisfied that we can rely on that assessment so far as it goes. Plainly relating better to girls than to boys cannot prove the complaint, but it provides some supporting corroboration that the Respondent had an easier relationship with teenage girls in the school in the course of his chaplaincy work, than he did with teenage boys. We note though that the headmaster regarded this as *'one of the strongest sides of his ministry'*.
53. Delay: there are 2 aspects of delay which we must consider. Firstly, the effect it will have upon the memory of witnesses. It is some 37 years since these events are said to have occurred and with the passage of time it is inevitable that witnesses' recollections will not be as good as they would have been closer to the time of these alleged events. Secondly, delay has an effect on the ability of the Respondent to defend himself from these allegations. The passage of time may have put him at a serious disadvantage. He may not be able to remember details now that could have helped him. We direct ourselves accordingly.
55. Propensity: we have already dealt with this at para 43 onwards above. Any relevant propensity that we are satisfied that the Respondent did have could only form part of the case against him. His propensity cannot alone prove the complaint. We so direct ourselves.

56. Adverse inference: under Rule 2 of the CDR 2005 all parties are under a duty to co-operate with the tribunal exercising any function under the Measure in order to further the overriding objective. By Rule 2(2) any failure to co-operate may result in adverse inferences being made against that party at any stage in the proceedings. We must decide whether the Respondent's failure to give any evidence to us should count against him. Firstly, we must be satisfied that the Designated Officer's case is so strong that it calls for an answer. Secondly, we must be satisfied that the true reason for not giving evidence is that he did not have an answer that he believed would stand up to questioning. If we find that is the case then we may use his failure to give evidence as additional support for the Designated Officer's case. However, we must remember that it is for the Designated Officer to prove the complaint against the Respondent, and while the Respondent's failure to give evidence can provide support for the case against him, we cannot find the complaint proved wholly or mainly because of that failure. We so direct ourselves.

Determination

57. The Tribunal reached a unanimous decision.

58. At the heart of this case lies the evidence of 'Z' and our assessment of its reliability, cogency and truthfulness. We are satisfied that it is more likely than not that the Respondent had sexual intercourse with 'Z' when she was 15. She gave a clear, consistent and cogent account of these events supported particularly by the contemporaneous document of the Worth Abbey trip which has only recently come to light.

59. We were satisfied that it was more likely than not, that 'Z' is correct in her recollection that the first episode of sexual intercourse occurred on the day of the Worth Abbey trip on 28/4/1984. The poster is clear evidence of the date of that trip.

60. We accept the evidence that 'Z' gave about the circumstances in which she was able to produce this poster to us, so many years later. She told us that her mother had kept a file without her knowledge of material relating to her allegation that led to the January 1988 Crown Court trial, which was obviously a very significant event for 'Z' and her family. 'Z' told us that the family received hate mail after the Crown Court trial and had to move house. 'Z' told us that in 2024 she received advice from her solicitor, following which she realised that she needed to be able to prove that she had attended St Bede's school in 1984. Her husband contacted her mother to ask if she had any material that could prove this, and her mother produced a file containing the Worth Abbey trip poster as well as press cuttings of the trial and a letter dated 19/2/88 which had been sent to 'Z' but which was never passed on to her by her parents. This letter was sent to 'Z' by someone (the name is given in the letter) who was sympathetic to her and her family and who knew they were receiving hate mail. 'Z' explained the lack of a close relationship with her parents, which we accept, which explains why this file was never provided to 'Z' before 2024.

61. It is clear that the Worth Abbey trip on 28/4/84 was always seen to be an important part of the narrative of what happened to her for that poster to have been kept in the file for all these years. This is evidence of the consistency of her account and supports her evidence that she told the jury in the 1988 Crown Court trial what she was telling us in the Tribunal 37 years later.

62. We are also satisfied that her account of that day is cogent. She told us that she felt unwell during the day at Worth Abbey and returned on the coach to the church. She felt well enough to walk for 10 minutes to the cricket club to her parents to get a lift home with them. However, her mother was involved with the teas and her father was playing cricket. She used the lavatory in the club and found out that menstrual blood was on her trousers. We accept that she would have wanted to deal with this as soon as possible, and if her parents were still busy, then the obvious place for her to go to sort this out would be the parsonage where she knew the Respondent was who could help her. She knew where the key was kept and let herself in.

63. We accept that the Respondent said that she could clean her trousers there and gave her a towel and he then took 'B' home who was in the parsonage with the Respondent when 'Z' arrived.
64. We accept that she washed her trousers and underwear and waited with a towel around her. She waited in the bedroom: she remembers the TV programme she watched before the Respondent returned.
65. We accept her account of what happened next. We were impressed with the restraint with which she gave her evidence about the Respondent. She was prepared to credit him with '*a kind gesture*' when she told us that he would drive her home from the youth group on a Sunday evening. Similarly, on the night of the first sexual intercourse when he started to kiss her she said that she '*did not particularly invite it*' but '*I did not refuse*'. She has never suggested a lack of consent, although her account indicates she was an isolated teenager who was deeply influenced by what the Respondent said and did. She explained to us that when he had told her that sex did not mean anything, she accepted that because that was what he thought. In her evidence she told us '*I do not think I can articulate how he got inside my head. If he said it (i.e. sex) was insignificant and did not mean anything, that is what I would have thought*'.
66. We accept her account of what happened next: in particular that the bedroom door was locked by the Respondent, that he kissed and touched her, that he repeated that sex did not mean anything, that he got condoms out and asked her to put one on him. She explained how she did not know what to do and he showed her how to do it, which we accept. We also accept that sexual intercourse then occurred which was painful and distressing her for.
67. Her evidence was that she did not tell anyone about it immediately afterwards and it was not until she spoke to a teacher about it, at her new school to which she went for A levels, that she told her parents in February 1987. She told us that she had told her boyfriend about the sexual intercourse with the Respondent at the end of

1985 (this would have been when she was at her new school at the end of the first autumn term). She also told her friends Mike Prentice and his wife who advised her to tell Bishop Wood and they organised her to see him in January 1987: she told him everything that had occurred with the Respondent covering the entire relationship. We note 'Z's evidence that Mr and Mrs Prentice said to her that they were aware that 'it' had happened to other people. Whilst we accept that 'Z' was told this by them, in the absence of any detail about what they were referring to, we do not take this evidence into account as supporting the truth of what Mr and Mrs Prentice said to 'Z'.

68. We have taken into account delay in the reporting of the first sexual intercourse when assessing the truth of her evidence. Someone who delays making a complaint is not necessarily lying. Equally, someone who makes a prompt complaint is not necessarily telling the truth. We are satisfied that 'Z' s evidence on the reason for the delay is cogent, reliable and truthful. She told us that she did not tell anyone about it after it happened and felt really alone. The one person she could have told was the Respondent, but he was the person who had done this to her. The last people she would have told were her parents. She took an overdose of paracetamol so disturbed by these events was she. She told us that she *'felt that she had let God down and could not go to church anymore'*. We are satisfied that *her* isolation had increased after these events and because of this the delay in reporting does not undermine the truthfulness of her account.
69. We have arrived at this conclusion without consideration of the propensity that we have found that he had at para 48: a tendency to have a sexual interest in teenage girls and act upon it. Having such a propensity does not prove the complaint that he had sexual intercourse with 'Z' when she was 15, but it makes it more likely that he would do this compared to someone who does not have that propensity. The fact that he has such a propensity provides some supportive, but not determinative, evidence that the complaint is true. However, we have reached the conclusion that the complaint is true without consideration of the propensity evidence nor in reliance upon it.

70. In reaching our conclusion we considered the Respondent's Form 2 submissions and reject them as for the following reasons:

- (i) 'Z' accepts she did make a complaint to Bishop Wood seeing him in January 1987. Her case has always been that the sexual intercourse began when she was 15. The jury acquitted the Respondent of that allegation whilst he accepted inappropriate sexual conduct with her from the age of 16.
- (ii) we do not accept that there is any basis for the claim that 'Z' is motivated by a claim for compensation. This is a serious allegation that 'Z' is being deliberately untruthful just to gain compensation. We reject such a suggestion. We have found 'Z's evidence cogent, reliable and truthful. The footer on page 1 of her statement (which we called for and examined) does not denote a year but is a solicitor's reference. The point made by the Respondent that this denotes a date for the statement in 2020 is misconceived. We accept that the 2023 press reporting of the ICSA report by Professor Jay is very likely to have triggered her recollections of what happened with the Respondent in the 1980's.
- (iii) 'Z' told us that her then boyfriend in 1987 was not a disappointed candidate for ordination as the Respondent suggests: they were both in their upper sixth year and aged 18. He was not interested in ordination and he would not have been old enough to be considered and rejected. We accept her evidence on this.
- (iv) We have rejected the Respondent's challenge to the jurisdiction of the tribunal at paragraph 50 above.
- (v) In respect of the effect of delay we have directed ourselves as set out at para 53, and have taken the effect of delay on witness recollections into account. We have also taken it into account in considering whether the Respondent has been disadvantaged in his defence to the complaint by the delay. We accept that a gap of 37 years will make it more difficult to defend a

complaint of this kind. However, whilst noting that the burden of proof lies on the Designated Officer, 'Z's complaint was not new to him. He had been tried and (presumably) gave evidence about it in 1988. There was no reason why the Respondent could not have given some evidence to us about his recollection (or even his lack of it) of the first time they had sexual intercourse (when according to him she was 16). In his letter 22/10/88 to the Bishop of Southwark he states how he wished he had sought help when '*I first realised I was falling short of my Ordination vows*'. There is nothing said by the Respondent in that letter about when that was and what he meant by that. We consider that the Respondent's failure to attend the Tribunal hearing and give any evidence indicates that he did not wish to engage with the allegation and subject himself to questioning about when sexual intercourse started with 'Z'. This provides some additional support for the veracity of 'Z's complaint.

Conclusion

71. We are satisfied that it is more likely than not that the Respondent had sexual intercourse with 'Z' when she was 15 and that the first occasion was on 28/4/84. We are satisfied that by that conduct he failed to maintain any proper professional or pastoral boundary and that this was conduct unbecoming and inappropriate to the office and work of a clerk in holy orders within s 8(1) (d) CDM 2003.

17 December 2025