

**Part III: The Disciplinary Tribunal**

9.

There shall be a Disciplinary Tribunal of the Church in Wales which shall have power to hear and determine a complaint, whensoever it arises, of:

- (a) teaching, preaching, publishing or professing, doctrine or belief incompatible with that of the Church in Wales;
- (b) neglect of the duties of office, or persistent carelessness or gross inefficiency in the discharge of such duties;
- (c) conduct giving just cause for scandal or offence;
- (d) wilful disobedience to or breach of any of the provisions of the Constitution or of the Statement of Terms of Service published pursuant to the Clergy Terms of Service Canon 2010;
- (e) wilful disobedience to or breach of any of the rules and regulations of the Diocesan Conference of the Diocese in which such person holds office or resides;
- (f) disobedience to any judgement, sentence or order of the Archbishop, a Diocesan Bishop, the Tribunal, or any Court of the Church in Wales
- (g) made against any of the following who, at the date of the conduct giving rise to the complaint or at the date of the complaint was:
  - (i) a Cleric who held a licence granted by a Bishop of the Church in Wales;
  - (ii) a Cleric who held Permission to Officiate granted by a Bishop of the Church in Wales;
  - (iii) a Cleric in receipt of a pension or entitled to a deferred pension benefit from the Church in Wales;
  - (iv) a cleric in receipt of any emolument or other financial benefit from the Church in Wales;
  - (v) a person in training for an authorised ministry in the Church in Wales, sponsored for such training by a Bishop of the Church in Wales, and who had agreed in writing to be bound by the provisions of this section;
  - (vi) a Churchwarden or Sub-warden who held office in a parish of the Church in Wales;
  - (vii) a lay member of the Church in Wales who held a licence, permission to officiate or commission issued by or on behalf of a Bishop of the Church in Wales.

*Composition*

10.

- (1) There shall be 24 members of the Tribunal appointed as follows:
  - (a) six members appointed by the Bench of Bishops;
  - (b) twelve clerical members, two from each diocese, elected by the Order of the Clergy of the Diocesan Conference of that diocese;
  - (c) two legally qualified members being Chancellors or persons eligible to be a Chancellor appointed by the Standing Committee of the Governing Body;
  - (d) two members, each being either medically qualified or a trained counsellor, appointed by the Standing Committee of the Governing Body; and
  - (e) two lay persons, being Members of the Church in Wales, appointed by the Standing Committee of the Governing Body.
- (2) In any case in which a Bishop or an Assistant Bishop is the subject of a reference to the Tribunal the membership of the Tribunal shall include a Diocesan Bishop or an Assistant Bishop, nominated by the President, who shall serve as a full member of the Tribunal dealing with the case for which he is nominated.
- (3) Five members of the Tribunal, two of whom shall be clerical members including at least one elected under subsection (1)(b), shall form a quorum of the Tribunal and their decision or the decision of the majority of them shall be the decision of the Tribunal.
- (4) When a Diocesan Conference elects clerical members pursuant to subsection 1(b) it shall at the same time make a supplemental list of two clerical members from which a casual vacancy in the appointments made under subsection (1)(b) shall be filled.

11.

- (1) Subject to subsections (4) and (5) there shall be a Committee of the Tribunal the role of which shall be to decide in respect of each reference whether or not there is a case to answer.
- (2) The membership of the Committee shall comprise a minimum of three persons drawn from the membership of the Tribunal, one of whom shall be a clerical member elected under section 10(1)(b).
- (3) In any case in which a Bishop or an Assistant Bishop is the subject of a reference to the Tribunal the membership of the Committee shall include a Bishop or an Assistant Bishop nominated by the President who shall serve as a full member of the Committee dealing with the case for which he is nominated.