

for this position, but that does not mean that the impression he had of the interview would have been the same as that experienced by a general listener.

**5. Proper Interest**

- 5.1 Under Section 10 of the Measure, a Complainant must have a "proper interest" in bringing the Complaint. "Proper interest" is not defined in the Measure or in the Rules, but the Code of Practice at Paragraph 34 suggests that it should include "anyone who personally observes or experiences the alleged misconduct". My view is that not everyone listening to the interview would be able to establish a proper interest by arguing that they had "personally experience" the alleged misconduct but that the Complainant was in a different position to that of the general public.
- 5.2 The interview relates directly to him and refers specifically to him. Presumably, although he does not say so, the Complainant saw or heard the interview.
- 5.3 I have no doubt, therefore, that the Complainant does have a proper interest in bringing this Complaint.

**6. Sufficient Substance**

- 6.1 Paragraph 68 of the Code of Practice defines "sufficient substance" as meaning that, on the face of the Complaint and any evidence in support:
- the allegations, if proved, would amount to misconduct coming within one or more of the grounds listed in Section 8 of the Measure; and that
  - the issues raised are not trivial but justify further consideration being given to the Complaint;

The alleged misconduct is clearly not trivial. The Code, however, at paragraph 8 states that "Disciplinary proceedings against the clergy.... should only be about misconduct that is potentially sufficiently serious for referral to a Bishop's Disciplinary Tribunal. Proceedings under the Measure are not for the determination of grievances".

- 6.2 For the reasons set out above, I do not believe that the alleged misconduct meets this threshold.
- 7. Conclusion**
- 7.1 My assessment is that the Complainant does have a proper interest in bringing this Complaint and that the part of the complaint which relates to the BBC interview is in time.
- 7.2 My assessment is also that the matters contained within the Complaint are not trivial but nevertheless do not justify further consideration being given to the Complaint.

**DPA**

Owen Carew-Jones  
Diocesan Registrar

22 January 2018

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