

EXTRACT FROM THE ORIGINAL SET ASIDE MOTION WITH REGARD TO EMAIL SENT TO JOHN TROUGHTON IN AUGUST 2016

To return to my justification for sending the email to John Troughton - I replied at length to Mr. Kitchin's accusation and his demand for a confession, in my letter of 20th October.

I wrote first about the principle of confidentiality:⁸¹:

"I did not receive a reply to this email, nor, as I understand it, was the question raised at the invitation committee.

However, matters which require confidentiality may be introduced to the invitation committee through the proper channel - which was Mr. Troughton, the Senior Circuit Steward - and they can then remain confidential within the invitation committee.

⁸⁰ S.O. 040 "a circuit steward, or any other member of the Circuit Meeting concerned or on his or her own initiative, request the Chair of another District to appoint a Consultative Committee to consider the matter"

⁸¹ Appendix I page 7 second half of page.

Whoever brought this email to light is the person who breached the confidentiality of it."

I then moved to support my case on the grounds of S.O. 040:

"As for the content of the email and its relevance to confidentiality:

First, do you deny that there was an investigation which involved considerations relevant to Rev. Pruden at that point in 2016?

Second, do you deny that John Troughton has a right, and indeed a duty as Senior Circuit Steward, to raise a point of information at the invitation committee in question with reference to this investigation?

Third, do you consider it wise to have kept the Circuit ignorant of the background while extending the appointment of Rev Pruden as Superintendent Minister for a further five years?

Do you not think that the invitation committee was unwise not to even consider this matter themselves and present a report on this to the Circuit meeting?

For my part, even though I may eventually accept that Rev. Pruden was completely innocent of impropriety, once all the facts are known, most people might consider it unwise for the Circuit to proceed with such matters when investigations, such as are ongoing in this case, are still proceeding.

Is it a breach of confidentiality to raise, within the Church, such a question - which may impinge on the integrity of the Church?

You may note however, that I did not rush precipitately into this argument. The proper channel for this was John Troughton. I asked him to make the query in the hope the Rev Pruden might attempt to reassure me and seek reconciliation even at this stage."

This view was largely based upon Standing Orders concerning failure to fulfil obligations.⁸² I considered that Rev Pruden had not fulfilled his obligations as Superintendent - in particular to three particular churches in the District.

There was a quandary; stewards have rights to certain information, particularly when the integrity of the Church is involved.

⁸² **STANDING ORDER 040 Failure to Fulfil Obligations. (1) Where it is alleged or appears to the Chair that a minister in the active work has persistently or repeatedly failed adequately to fulfil his or her obligations, but there appears to be no ground for a charge under the provisions of Part 11, the Chair may, upon receipt of a reasoned request in writing from the Superintendent, a circuit steward, or any other member of the Circuit Meeting concerned or on his or her own initiative, request the Chair of another District to appoint a Consultative Committee to consider the matter.**

A "reasoned request", from a circuit steward to request that a chair from another district intervene, (which is allowed in the Standing Orders⁸³) could only be possible if the steward in particular was aware of the problem.

It would be wrong to deny him his right to consider this.

I was not suggesting that John Troughton take such action, but I was giving him enough information to allow him to consider his duties in this respect and decide whether he should take such action.

I did not give *details* of the complaint – that would have been a contravention of S.O. 1157.

I thought that the only rational position to take in the circumstances was to delay the appointment until the question of Rev Pruden's obligations was settled.

However, I did not recommend this, for I consider the responsibility for the decision in this to be that of John Troughton.

In spite of this explanation sent to Mr. Kitchin on 20th October, in his letter of 4th November Mr. Kitchin again wrote⁸⁴:

"Sign and return the written undertaking previously sent to you"

Mr. Kitchin simply ignored the possible conflict between S.O. 040⁸⁵ and S.O. 1157.

This, in my opinion, was simply slapdash – and contrary to his duties as leader of the inquiry⁸⁶. This should be considered under S.O. 1100, for I believe it is *prima facie* evidence that Mr. Kitchin, for all his qualities and distinction elsewhere, was not competent to conduct this inquiry.⁸⁷

The matter of the supposed breach of confidentiality has still not been settled⁸⁸. As late as my letter of December 1st I was still asking to have

⁸³ S.O. 040

⁸⁴ Appendix YY page 2 last line.

⁸⁵ Standing Orders page 299

⁸⁶ S.O. 1124 (14) (iii) "take into account any response received from the person concerned"

⁸⁷ S.O. 1100 (3) (iv) and Bellamy 1:20 (1)

In addition to the general principles already set out at 1.1 above, the complaints and discipline process also seeks to embody the following specific principles:

(a) that the possibility of reconciliation should be explored carefully in every case in which that is appropriate;

(b) that help and support should be offered both to the complainant and to the respondent at every stage during the process;

(c) that the person or body making the decision at each stage should be competent to do so;

(d) that there should be no difference in principle in the way in which complaints against ordained and lay people are dealt with.

⁸⁸ See as example appendix G page one last para – letter from Mr. Kitchin dated 15th October.