

## **PROCEDURE 13: COMPLAINTS AGAINST MINISTERS**

### **13.1 THE COMPLAINT OR CHARGE**

- 13.1.1 A member of the Local Church brings the complaint or charge against the minister to the Church Council. The meeting, which considers the complaint or charge, is presided over by a minister appointed by the Region.
- 13.1.2 The Secretary of the Regional Council (if so directed by the Regional Administrative Committee) may lay a complaint or charge against a minister.
- 13.1.3 The complaint or charge is reported through or by the Regional Secretary to the Ministerial Committee of the Region for preliminary investigation.
- 13.1.4 The following constitute the grounds for a complaint or charge:-
  - 13.1.4.1 Wilful and persistent neglect of the duties of a minister.
  - 13.1.4.2 The breach of or non-compliance with any constitutional requirements or procedure of the Church or any competent court of the Church.
  - 13.1.4.3 Grave moral misconduct unworthy of a minister.
- 13.1.5 The Regional Ministerial Committee institutes a full investigation into the charge when the preliminary investigation has established that the charge has substance.
- 13.1.6 In the event of a preliminary investigation establishing that there are grounds for a full investigation the Region may suspend the minister, with full stipend, against whom the charges were laid from any Ministerial duties. An Acting Minister will be appointed for the period to the Church concerned.

### **13.2 INVESTIGATION OF THE COMPLAINT/CHARGE**

- 13.2.1 The complainants must state specifically what the charge is in writing.
- 13.2.2 The party making the charge is heard in the presence of the minister who has the right to reply.
- 13.2.3 Witnesses for and against the charge are heard and evidence taken in chief and cross-examination. Witnesses are allowed to be present in the investigation only during and after their evidence have been heard.
- 13.2.4 The complainant/s and the minister concerned are entitled to speak in the final summing up of the case.
- 13.2.5 A scribe keeps a record of the proceedings, which is signed by all conducting the investigation. A written report is thereafter submitted to the Regional Ministerial Committee immediately after the investigation has been completed.
- 13.2.6 If the Regional Ministerial Committee is satisfied from the written report of the investigation that the charge has been proved it remits its recommendation to the Synod, which in turn makes a recommendation to the Executive Committee for decision and action.

### 13.3 APPEALS

- 13.3.1 Unless an appeal is made within thirty days of the notification of the decision of the Regional Ministerial Committee, the minister concerned ceases to function in a ministerial or pastoral capacity and all his emoluments are suspended within thirty days of such notification.
- 13.3.2 An appeal may be made to the Assembly Ministerial Committee within thirty days but only by the person concerned. The Assembly Ministerial Committee appoints a Reference Committee, which reviews the case; care being taken that no one on the Reference Committee has been involved in the original investigation.
- 13.3.3 The Reference Committee reports its findings to the Assembly Ministerial Committee, which submits them to the Executive Committee for final decision and action. Copies of the findings of the Reference Committee are filed with the Assembly Ministerial Committee.
- 13.3.4 The Executive Committee notifies the appellant, sending a copy to the Assembly and the Synodical/Regional Ministerial Committees.
- 13.3.5 Any minister convicted in a court of law on any grave criminal charge may, at the discretion of the Synod/Regional Council concerned, be suspended forthwith.
- 13.3.6 When a charge has been made a minister may not resort to legal proceedings concerning the charge before the matter has been finally settled in accordance with the procedures set out as above.
- 13.4 CHURCH WITH MORE THAN ONE MINISTER  
When a local church has more than one minister, none of the ministers on the staff of the church concerned presides at a Deacons= or Church Meeting at which complaints or charges against one of the ministers of the church are considered. A minister appointed by the Regional Council presides over the meetings at which such matters relating to one of the ministers of the church are discussed.