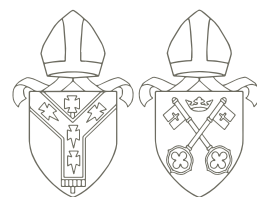


Final Report of the
**Archbishops’
Commission
for Racial Justice**



THE ARCHBISHOPS'
COMMISSION FOR
RACIAL JUSTICE

⊕ THE CHURCH
OF ENGLAND

RACIAL JUSTICE

December 2024

Complaints

- This section of the report is the result of three years' work and consideration. It goes into considerable detail and should be seen as a substantial contribution to a wider process of reform of church culture and processes which is needed to restore public confidence in the church.
- Good complaints handling can lead both to the restoration of individual wellbeing and to corporate learning within the Church. Church leaders should not fear complaints but welcome them as an opportunity for growth.

'I poured out my complaint before him; I shewed before him my trouble.'

Psalm 142:2, KJV

Complaints as gifts

However much we hope, pray and work to become a Church thoroughly characterised by racial justice, it will remain true that 'if we say that we have no sin, we deceive ourselves, and the truth is not in us' (1 John 1:8). There will still be incidents in which individuals – clergy and lay, whatever their roles in and relations to the Church – speak and act in racist ways towards others. And there will still be habits, processes and structures in our life together that discriminate against people on racial grounds.

We also 'deceive ourselves, and the truth is not in us', if we think that that all of these problems will be visible to an observer standing somewhere on the sidelines – however attentive and well-intentioned they might be. It is often only the cries of those who are being harmed that alert us to the insidious ways in which sin is at work in our life together.

In this sense, we should think of the complaints made by those who have been harmed as being, potentially, gifts to the Church – gifts that can help us to identify and to address the sin at work among us. They can be gifts that call us to penitence.

If we are to live in a Church alert to the sin 'in what we have thought, in what we have said and done, through ignorance, through weakness, through our own deliberate fault', we will therefore need to make space for people to complain. We will need to ensure that their voices are heard. And we will need to make sure that those voices are amplified according to the seriousness of the sin that has

prompted them. We will need to make sure that we are a Church where even – and perhaps especially – those in the positions of greatest power can be challenged. We will need to make sure that we are a Church that can learn, collectively, from voices raised in complaint, so that our response is not restricted to those individuals who have done harm, but can encompass the deep-rooted patterns of our life together that have enabled that harm.

If we are to live in a Church alert to the sin 'in what we have thought, in what we have said and done, through ignorance, through weakness, through our own deliberate fault', we will therefore need to make space for people to complain. We will need to ensure that their voices are heard.

That is not to say, of course, that every complaint is a gift. A few are vexatious, a few are misdirected and a few are blown out of proportion. Nevertheless, a Church that habitually tries to minimise complaints, to manage them away or to ensure that voices raised in complaint do not make too much noise will inevitably end up protecting itself against the work of the Spirit. It will end up protecting itself against the justice that Christ calls the Church to display.

Mishandling complaints

The Church of England has been, and still is, a Church that all too often protects itself against justice in this way. The Makin Review is only the latest in a long line of reports that have made this point in relation to safeguarding.²⁷ Even where the individuals involved did not prioritise self-protection, our institutional culture often pushes them to focus on protecting the institution or themselves. This is reflected, for example, in the type of legal advice that is sought and followed.

The same is true in relation to racial injustice: all too often the Church’s culture and processes end up insulating those in power from critique and protecting institutional reputation at the expense of those who have been harmed.

The Church is not alone in this. In other contexts – from English cricket²⁸ to the Post Office²⁹ – we have seen institutions working in this way. To highlight one example: Dame Laura Cox’s independent inquiry into the bullying and harassment of staff in the House of Commons –

which included consideration of racist incidents and the routes available for staff to make formal complaints about their treatment – found a

*lack of support given to those who have been bullied, harassed or sexually harassed; a culture that has actively sought to cover up such abusive conduct; [and] a palpable lack of protection for individuals reporting such abuse.*³⁰

Many people that she spoke to described

*their profound fear of complaining about such abuse... This fear of being disbelieved, of losing their job, of being unsupported, isolated and ostracised, and of struggling to find work again after being branded a “troublemaker” all compounded the original allegations of abuse.*³¹

All of these failures are enabled by ‘a culture, cascading from the top down, of deference, subservience, acquiescence and silence’.³² She reports that:

²⁷ Keith Makin, Independent Learning Lessons Review: John Smyth QC (2024), <https://www.churchofengland.org/sites/default/files/2024-11/independent-learning-lessons-review-john-smyth-qc-november-2024.pdf>.

²⁸ Independent Commission for Equity in Cricket, Holding up a Mirror to Cricket (2023), <https://theicec.com/wp-content/uploads/2023/07/HOLDING-UP-A-MIRROR-TO-CRICKET-REPORT-ICEC-2023.pdf>. See especially Ch 8 on complaints processes.

²⁹ See <https://www.postofficehorizoninquiry.org.uk>.

³⁰ Dame Laura Cox, The Bullying and Harassment of House of Commons Staff: Independent Inquiry Report (2018), <https://www.parliament.uk/globalassets/documents/Conduct-in-Parliament/dame-laura-cox-independent-inquiry-report.pdf>, p. 3. For the report’s discussion of racist incidents, see §§123, 200, 294.

³¹ Cox, Bullying, §37.

³² Cox, Bullying, p. 4.

*Many expressed frustration with what are seen as repeated failings at the most senior levels of the House to commit to tackling these issues and to take action, rather than merely to promise change, produce ‘tick-box’ policies and then just allow everything to return to normal.*³³

To pick another example from a very different context, a report by the Independent Commission for Equity in Cricket contains similar findings. Existing complaints systems, they say:

*are unfit for purpose and require urgent reform. Evidence gathering revealed a gulf in perception between those in authority, who generally feel that the systems they operate are effective, and those seeking to raise concerns, who find the systems inadequate and the outcomes unsatisfactory... [T]he general attitude to complaints is too defensive, regarding them as a problem to be solved rather than appreciating that they can be a source of valuable feedback and insight... Most instances of discrimination go unreported for a variety of reasons, including confusion about the process, a perception that nothing will be done and a fear of victimisation.*³⁴

Every single one of these points can and has been made, forcefully, about complaints processes in the Church of England. A report compiled for the Commission by the Race Equality Foundation notes that most of those it spoke to who had experienced racist incidents in the Church chose not to make use of the Church’s formal

complaints processes. For those who did use the formal complaints procedure, the handling of their complaints seemed ‘to have exacerbated the impact of racist incidents, causing participants to feel marginalised and disempowered’.³⁵

A report compiled for the Commission by the Race Equality Foundation notes that most of those it spoke to who had experienced racist incidents in the Church chose not to make use of the Church’s formal complaints processes.

As a Commission, we have spoken to many others who do not trust the Church’s existing complaints procedures, who are worried that they will be victimised if they raise complaints, and who find existing processes confusing, inaccessible and off-putting.

³³ Cox, Bullying, §32.

³⁴ ICEC, Holding up a Mirror, 8.1.10–11.

³⁵ Race Equality Foundation, Racist Complaints Handling Within the Church of England: A Qualitative Study on Experiences of Making Racism Complaints Within the Church of England (2024), p. 30. On poor complaints handling as itself an injustice, see the Parliamentary and Health Service Ombudsman, Principles of Good Complaint Handling (2009), <https://www.ombudsman.org.uk/sites/default/files/page/0188-Principles-of-Good-Complaint-Handling-bookletweb.pdf>, p. 3.

Culture and process

To address this situation, there is a need for both changes in our *culture* and changes in our *processes*, and the two need to go hand in hand.³⁶

There is a need for changes in our *culture*, because we know that no formal process is immune from being used to control and to silence those who complain. No formal process is immune from being used to protect the institution’s reputation or to shield those in positions of power. If changed complaints procedures are launched within a Church that remains self-protective and that remains reluctant to make those in positions of power fully accountable, those procedures will inevitably fail.³⁷

We are, at present, a Church concerned about our reputation in exactly the wrong way. All too often, it seems, we try to preserve our reputation as a Church which is thoroughly decent, where the good guys are in charge, and where problems are isolated to a few bad actors. We need instead to be cultivating a reputation as a Church that knows it is on the way, a Church that can face up honestly to its widespread failings, and a Church that is ready to take serious and costly steps toward repair. We need to cultivate a reputation as a Church where the voices of victims and survivors are habitually heard – and are indeed regarded as gifts through

which God is calling the Church deeper into God’s own life. We need to cultivate a reputation as a Church in pursuit of the justice of God’s kingdom.

There has been a lot of talk in the Church of England in recent years about becoming a ‘simpler, bolder, humbler’ Church.³⁸ Perhaps the most important word in that slogan in this context is ‘humbler’ – and we might also say, in line with the reflections above, that this needs to involve the Church of England becoming a more penitent Church. Our liturgies tell us that penitence is not something we do once at the beginning of our journey with Christ and then leave behind. We need to turn to it again and again, week by week, day by day. Again and again, we need to say:

*We have erred, and strayed from thy ways
like lost sheep,
We have followed too much the devices
and desires of our own hearts,
We have offended against thy holy laws,
We have left undone those things
which we ought to have done,
And we have done those things
which we ought not to have done,
And there is no health in us.*

The Book of Common Prayer

³⁶ For similar recognitions that a change in culture needs to accompany changes in process, see Cox, *Bullying*, §77; Parliamentary and Health Service Ombudsman, *Principles of Good Complaint Handling*, p. 6.
³⁷ Cf. Parliamentary and Health Service Ombudsman, *Making Complaints Count: Supporting Complaints Handling in the NHS and UK Government Departments* (2020), <https://www.ombudsman.org.uk/publications/making-complaints-count-supporting-complaints-handling-nhs-and-uk-government-1>, pp. 13–14.
³⁸ Starting with a debate led by the Archbishops at Synod: <https://www.churchofengland.org/sites/default/files/2021-06/gs-2223-vision-and-strategy.pdf>

To be a penitent Church, we need to cultivate a holy suspicion of our motives and our habits – including cultivating a holy suspicion of the ways in which we are using our processes to protect the institution, to silence complainants and to manage their grievances away.

A change of culture needs to be supported and enabled by changes in *process*. We need processes that will create more and better possibilities for the Church to hear the voices of those who have been harmed within it, and to be called by those voices to penitence. We need processes that make it easy for those harms to be reported, for those reports to be followed up, and for justice to be sought. In the absence such good processes, we risk failing to hear the call of God speaking to us through the voices of those who complain or through the voices of those responding to complaints.

1. Understanding racism

Complaints procedures can easily become unsuitable as routes for addressing racist incidents if they are largely run by people who have no extensive experience of racism themselves, but who assume that they already know all that they need to know. It is all too easy even for well-meaning people, sincerely interested in handling complaints well, to fail to recognise the presence, the severity and the impact of racist incidents. It is all too easy for them to fall into thinking that people who complain about racist incidents are exaggerating or over-reacting. It is all too easy to downplay the impact of actions that have had a deeply felt discriminatory impact, just because they appear to have been undertaken without conscious racist intent. It is all too easy to be ignorant of the ways in which racist incidents can be symptoms of racist cultures and systems, and need to be understood in relation to those cultures and systems.

CALLS TO ACTION

- Processes within the Church that seek to respond to complaints about racist incidents should, wherever possible, involve people of Global Majority Heritage who themselves have a deep understanding of the nature and consequences of racism.

- ▶ Those involved in investigating and making decisions about such complaints should have access to timely, impartial and expert advice on recognising, understanding and responding to racism.³⁹
- ▶ Everyone involved in making decisions about such complaints should have had appropriate training, not just on matters of unconscious bias, but on recognising, understanding, and responding to racism. (In relation to the new Clergy Conduct Measure, for instance, it is vital that such anti-racist training be the norm for Regional Lead Assessors and for anyone appointed as a Designated Person to handle a complaint about racist behaviours.)



Members of the Gypsy, Traveller and Roma communities have so much to contribute to Church and community life – especially on Palm Sunday! However, the evidence shows that they are often overlooked or discriminated against within parishes and schools.

³⁹ On the need for appropriate expertise in the investigation of complaints, see Cox, *Bullying*, §57, and Anna Bull and Rachel Rye, *Silencing Students: Institutional Responses to Staff Sexual Misconduct in UK Higher Education* (University of Portsmouth, 2018), https://1752group.com/wp-content/uploads/2018/09/silencing-students_the-1752-group.pdf, §2.1.ii.

2. Attending to power

The Commission has heard again and again that one of the factors dissuading people from raising complaints about racist incidents is their perception that most of the power in the process is stacked against them. We have heard from clergy, for instance, that they fear being branded as troublemakers and having that reputation follow them for the rest of their ministry, damaging their chances of securing posts or receiving the support that they need.

There is a tendency in the Church of England to think that power imbalances can be mitigated in

entirely informal ways, such as by the affability and approachability of those in power. But consider, for instance, an ordinand who wishes to raise a complaint against their sponsoring bishop. Such an ordinand is in an extraordinarily vulnerable position and no number of warm assurances from the bishop (however sincere) remove that vulnerability.

It is impossible for such asymmetries of power to be removed entirely, but there are ways in which they can be mitigated.

CALLS TO ACTION

- ▶ The Church of England centrally, and dioceses locally, should ensure that those who are considering raising complaints about racist incidents have well-signposted access to impartial, confidential advice from people who know both racism and the Church well.
- ▶ Wherever possible, those complaining about racist incidents should have access to people with a good understanding of both racism and the Church who can support them through the complaint process, so that they do not have to face it alone. The presence of such supporters standing alongside complainants or respondents should not be treated as an unnecessary escalation, but as a welcome levelling of the playing field.
- ▶ As the Church of England continues to review how information about people (such as the ‘blue files’ kept on clergy) is stored and used, serious thought needs to be given to preventing the victimisation of those who have raised complaints. We need to ask what forms of transparency and accountability are needed in the creation, storage and use of that data to minimise the chance that it can be a means of perpetuating injustice.
- ▶ Where people are in a situation of asymmetrical power, they may well be concerned that the very fact of their raising a complaint could be used against them. An ordinand at a Theological Education Institution, for instance, might be concerned that the very fact of making a complaint will count against them in the reports written to their bishop, and might negatively affect their future in the church. As far

as possible, people in such a position should not have to rely only upon the informal assurances of those involved, but should have access to processes that have visibly been designed to minimise the chances of such consequences.

3. Taking informal resolution seriously

We have heard repeatedly that people shy away from making complaints because they believe that the informal stage of the process will not be taken seriously and given a chance to produce a resolution. They fear that a cumbersome, bureaucratic and legalistic process will be quickly triggered and that the resulting process will be damaging for all involved (whether complained against or complaining), making any kind of genuine reconciliation or redress impossible.

One of Jesus’ few pieces of detailed teaching on procedures for church life sets out what to do when someone in the Church sins against you. Jesus lays out a process that slowly escalates from the personal (‘go and point out the fault when the two of you are alone’), through a more formal process involving ‘two or three witnesses’, to the involvement of the wider church (Matthew

18:15–17). For many complaints in the life of the Church, slow escalation like this is what is needed. Furthermore, complainants need to be able to trust that the scale of the process used to respond to their complaint will be proportionate to the problem.⁴⁰

Of course, in some cases the matter complained about will be so serious that the formal stage of the process will need to be triggered immediately. In others, it will quickly be apparent that, even though the issue is a minor one, one or other of the parties has no interest in restoring relationships, blocking the way forward for informal resolution. In still others, it will be clear that the complainant needs to be kept safe from the likely re-traumatising effect of pursuing informal resolution. Nevertheless, where the possibility genuinely exists, the informal stage needs to be given a real chance to work.

⁴⁰ On seeking a proportional process, see The British and Irish Ombudsman Association, Guide to Principles of Good Complaint Handling: Firm on principles, flexible on process (2007), <https://www.ombudsmanassociation.org/sites/default/files/2021-03/BIOAGoodComplaintHandling.pdf>, pp. 21–23.

CALLS TO ACTION

- ▶ The informal stage of complaints proceedings needs to be undertaken with an honest intention to discover what has happened. (This will mean not being averse to lifting stones just for fear of what might be lurking underneath.) There must also be a desire to discover what routes to just reconciliation might be possible. This demands pastoral wisdom (informed by an understanding of racism), which will be undermined if the focus is on managing liabilities or protecting the institution’s reputation.
- ▶ Reporting is important, even at the informal stage of a complaints process. Clear records need to be kept if the Church is to be in a position to spot emerging patterns, or to learn in other ways from incidents of harm, or if those involved in later stages of a particular complaints process are to understand what has already happened.⁴¹
- ▶ It is important that the pursuit of informal resolution is informed by genuine understanding of racism, of the trauma that it causes and of the impact of that trauma on people’s lives. No victim of racism should be pressed into a process of reconciliation that fails to address the nature and severity of the harm done or that risks re-traumatising them.

4. Keeping things simple

The report from the Race Equality Foundation demonstrates that the information available to people who want to complain in a church context is often difficult to find and bewildering and that there is no consistency from diocese to diocese about what is communicated and how.

CALLS TO ACTION

- ▶ All dioceses, and all other relevant church bodies, should provide easily accessible and clear information on the routes available for making complaints, and on the process that will be followed if a complaint is made. This should include information on raising complaints about clergy, about diocesan staff and about other relevant categories of people.

⁴¹ See the recommendations on reporting and learning in Healthwatch, Shifting the Mindset: A Closer Look at Hospital Complaints (2020), <https://www.healthwatch.co.uk/report/2020-01-15/shifting-mindset-closer-look-nhs-complaints>.

- ▶ Borrowing from and adapting Dame Laura Cox’s recommendations to the House of Commons,⁴² we recommend that all policies in this area include:
 - a clear statement at the head of the document that racist behaviour is unlawful and will not be tolerated
 - a clear statement of commitment at the head of the document from the senior leadership of the diocese or church body
 - detailed examples of the different forms of unacceptable behaviour covered by the policy including racist behaviours
 - a clear explanation of the steps that complainant needs to take
 - assurances as to the confidentiality of reports and formal complaints and how that will be maintained
 - signposting to advice, support and counselling services available with contact details clearly visible and clearly described
 - a clear statement of the timescales for complaints procedures
 - a clear explanation of the nature of report logs and record keeping
 - clear information on how, when and by whom the policy is to be implemented, reviewed and monitored
- ▶ All dioceses, and all other relevant church bodies, should provide clear information about local and national policies on bullying and harassment, on whistleblowing, and on grievances, including information on how they might be used to respond to experiences of racism.⁴³
- ▶ In the case of the Clergy Conduct Measure, the Church of England should provide clear, accessible information that explains the kinds of expectations that people can rightly have of clergy at all levels in relation to racially just behaviour. It should include the kinds of behaviour that might contravene those expectations and appropriately lead to complaints in the three categories covered by the Measure (grievance, misconduct, serious misconduct) and perhaps some suitably anonymised case studies that illustrate these possibilities. Some of this information might be included within revised Guidelines for the Professional Conduct of the Clergy.

⁴² Cox, Bullying, §229. See also Parliamentary and Health Ombudsman and Complaints Standards NHS, Making Sure People Know How to Complain and Where to Get Support (no date), https://www.ombudsman.org.uk/sites/default/files/6_Making_sure_people_know_how_to_complain_01_0.pdf.

⁴³ One little-used route available to some clergy is the Grievance Procedure for clergy on Common Tenure, available at <https://www.churchofengland.org/sites/default/files/2017-10/grievanceprocedure-cop.pdf>. The supporting advice for this (<https://www.churchofengland.org/sites/default/files/2017-10/grievanceprocadvice-sa.pdf>) suggests that it may be used ‘in cases where discrimination is alleged or inferred’.

5. Continuing to learn

In this area of complaints, our work as a Commission has been hampered by a serious lack of available data. We fully expect personal data relating to specific complaints to be kept confidential, but that should be no bar to keeping and making available anonymised and aggregated data. It has, however, proven extraordinarily

difficult to find information about the complaints processes that have taken place in the Church in recent years – and extraordinarily difficult to conclude that the Church is in a position to spot patterns in all that activity and to learn collectively from it.

CALLS TO ACTION

- ▶ Dioceses and other relevant church bodies need to keep clear, consistent records of all complaint processes that take place and to make anonymised data routinely available to the Racial Justice Unit.⁴⁴
- ▶ Dioceses and other relevant church bodies should have regular ‘lessons learned’ meetings to reflect upon recent complaints processes and ask what lessons they suggest that the Church needs to learn.⁴⁵

⁴⁴ For similar recommendations in other contexts, see Cox, Bullying, §§119, 342; Anne Whyte QC, The Whyte Review: An independent investigation commissioned by Sport England and UK Sport following allegations of mistreatment within the sport of gymnastics (2022), <https://www.sportengland.org/guidance-and-support/safeguarding/whyte-review>, §68; Parliamentary and Health Service Ombudsman, Principles of Good Complaint Handling, p. 4.

⁴⁵ See Parliamentary and Health Service Ombudsman, Making Complaints Count, p. 16.

6. Aiming for justice

The aim of a complaints process in the life of the Church is neither to protect the reputation of the institution, nor to secure its operations from interruptions. The aim should instead be to pursue the justice – including the racial justice – that is a hallmark of the kingdom of God. The first and most urgent aim is to pursue such justice for those who have been harmed by the sins of the Church and by the sins of those within it; the second is to do what can be done to prevent others from being

harmed by the same and similar sins in future. Where a complaint is upheld – that is, where it becomes clear that harm has indeed been done to someone – the response needs to be one of penitent acknowledgement and restorative action. There are many consequences of sin that cannot fully be undone in this life, but elements of restoration are often available to us and recompense is often possible where restoration is not.

CALLS TO ACTION

- ▶ Penitent acknowledgement will normally be a key step in the response once a complaint has been upheld. Those who have harmed the complainant or let them down need to acknowledge the harm done, accept responsibility, commit to putting things right insofar as that lies within their grasp, and commit to learning from the experience. The Church should be the last body in which such sincere apology is avoided for fear of liability. The Parliamentary and Health Service Ombudsman insists that ‘Apologising is not an invitation to litigate or a sign of organisational weakness’.⁴⁶ The Church should be among the first to learn that lesson.
- ▶ Where a complaint is upheld, the Church should not pursue the kind of cheap reconciliation that seeks to cover over the problem as quickly as possible, or hide it from others who have experienced similar harm and who might be prompted to complain in their turn. Responses need to be proportionate, certainly. But responses should also, as far as possible, acknowledge and respond to the harm that has been done. This is especially true when it comes to the harm done to the complainant’s ability to know themselves as loved by God and welcomed into the fellowship of God’s people. Responses need, as far as possible, to enable the wider Church to face up to and learn from the harm done in its midst. The response should be such, in other words, as to enable the Church of England to be a penitent church.

⁴⁶ Parliamentary and Health Service Ombudsman, Principles of Good Complaint Handling, p. 6. They cite the Compensation Act 2006 to the effect that ‘An apology, an offer of treatment or other redress, shall not of itself amount to an admission of negligence or breach of statutory duty’. See also the guidance in Parliamentary and Health Service Ombudsman and Complaint Standards NHS, A Closer Look: Providing a remedy (2022), https://www.ombudsman.org.uk/sites/default/files/7_Providing_a_remedy_01_0.pdf, pp. 6–8.



On 4 September 2024, UKME/GMH clergy from across the southern province came together for a day in Westminster, in fulfilment of FLTA P15 (see Appendix 3). After discussions within the great hall at Church House they enjoyed worship at St Margaret’s, the parish church for Parliament, followed by dinner in a marquee in the Lambeth Palace grounds.

Ensuring good communication and support

We want to ensure that clergy from UKME/GMH backgrounds feel supported and are able to thrive. The link below provides an opportunity to sign up to receive useful information from the Racial Justice Unit and gives details of supportive networking groups within the Church, including the Anglican Minority Ethnic Network (AMEN):

<https://www.churchofengland.org/mission-ministry/inclusivity/racial-justice/register-gmhukme-communication-network>

<https://www.amenanglican.net>

*‘Attend to my cry; for I am brought very low:
deliver me from my persecutors; for they are stronger than I.’*

Psalm 142:6 KJV