

Deanery of Jersey Safeguarding (Clergy Risk Assessment) Regulations 202-

Made by the Deanery Synod

11 November 2025

Approved by the Bishop

Coming into force - -

The Jersey Deanery Synod, in pursuance of its duty under Canon C25.3(1) of the Canons of the Church of England in Jersey 2022 and its powers under Canon G of the said Canons and subject to the approval of the Right Reverend Bishop of Salisbury, make the following Regulations to form part of the law of Jersey in accordance with the said Canon;

1. In these Regulations:-

- (a) the “2025 Regulations” shall mean the Safeguarding (Clergy Risk Assessment) Regulations 2024 made by the House of Bishops in 2024 and approved by General Synod in February 2025 and published under GS 2369;
- (b) a reference to “the Jersey Canons” is to the Canons of the Church of England in Jersey 2022;
- (c) references respectively to the Bishop and to the President of the Disciplinary Division shall be understood as those terms are defined in the Jersey Canons; and
- (d) references to an Independent Jersey Lawyer shall be understood as meaning a suitably qualified and practising advocate or solicitor of the Royal Court of Jersey chosen for his or her independence from the person required to undergo assessment.

2. The 2025 Regulations shall be treated by the Church of England in Jersey as Regulations also made and brought into force for the purposes of Canon C25 of the Jersey Canons and shall be subject to the provisions of these Regulations. The foregoing is irrespective of whether any amendment to the Jersey Canons or any other provision in Jersey law shall be made to have substantially similar effect in Jersey law to Amending Canon 42 (Safeguarding) as that has effect in the law of England.

3. The 2025 Regulations as applied by these Regulations shall apply to any risk assessment which is undertaken pursuant to a direction made by the Bishop under paragraph 2(2) of Canon C 25 of the Jersey Canons. In a case where an archbishop gives a direction within the scope of paragraph 2(1) of Canon C 25 of the Jersey Canons, the 2025 Regulations shall apply as provided in Regulation 9 of the 2025 Regulations.

4. In applying the 2025 Regulations by these Regulations it is determined that:
 - (a) the persons who will carry out risk assessment;
 - (b) the procedure for commencing assessment;
 - (c) the process for preparation of a draft written report;
 - (d) the right to review a draft written report;
 - (e) the process for a final report to be given and for it to be shared; and
 - (f) consideration in accordance with data protection law of personal information contained in a draft report or a final report prior to such a report being sharedshall not differ whether under the 2025 Regulations as enacted or as applied by these Regulations, save for any specific provision made in these Regulations.
5. For the purposes of 2025 Regulations as applied by these Regulations, any considerations or actions in respect of a risk assessment under paragraph 2 of Canon C30 of the Canons of the Church of England as they have force in England shall apply to any risk assessment under paragraph 2 of Canon C25 of the Jersey Canons.
6. For the purposes of Regulation 4 of the 2025 Regulations as applied by these Regulations, where the terms of reference or the process by which assessment will be carried out (as explained in the written statement) involve the person directed to undergo assessment doing so outside of Jersey then the terms of reference and/or process determined shall consider the requirements of the person for return travel by air or sea as well as factors which may impact upon arrangements for such travel and the associated need for accommodation outside of Jersey and the expenses therefor and the source of funding to reimburse the same. In assessing whether a failure to comply with a direction under Canon C25.2 of the Jersey Canons without reasonable excuse is to be regarded as a failure to do an act required by the ecclesiastical laws of Jersey, regard shall be had to the reasonableness of any requirement imposed in the terms of reference or explained in the written statement under Regulation 4 of the 2025 Regulations as applied by these Regulations.
7. For the purposes of Regulation 4 of the 2025 Regulations as applied by these Regulations, the obligation at paragraph (4)(e) thereof to give the assessed person a written statement which reminds the person of their right to request a review of the direction must refer to the right to do so under Canon 25.2(5) of the Jersey Canons to the President of the Disciplinary Division.
8. For the purposes of Regulation 7(4) of the 2025 Regulations as applied by these Regulations the ability to share with the police or other statutory authority will include the ability to share with the States of Jersey Police or any relevant department or agency of the Government of Jersey.
9. For the purposes of 2025 Regulations as applied by these Regulations, where and to the extent that Regulation 7(5) of the 2025 Regulations confers an obligation on the DSO (as defined in Regulation 10 of the 2025 Regulations), when acting under Regulation 7 of the 2025 Regulations, to consult the diocesan registrar and have due regard to the registrar's advice, where the final written report concerns the Dean or a priest or a deacon licensed to a benefice in Jersey or who is resident in Jersey and officiating primarily in Jersey or where it is proposed that the final written report be shared with a person or authority in Jersey this obligation shall also extend to ascertaining that in providing advice the diocesan registrar has obtained from an Independent Jersey Lawyer formal advice upon the laws of Jersey consequent on any relevant matter arising from the final report and that this advice is reflected in the registrar's advice.

10. The Secretary to the Jersey Deanery Synod shall cause these Regulations to be published on the website of the Deanery of Jersey (jerseydeanery.je) and transmitted to the Greffier of the Ecclesiastical Court to be caused to be enrolled, with a copy annexed of the 2025 Regulations.
11. These Regulations shall be cited under the name Deanery of Jersey Safeguarding (Clergy Risk Assessment) Regulations 202- and shall come into force upon publication by the Secretary to the Deanery Synod of the date of receipt of the written confirmation received by the Secretary of the Bishop's approval of these Regulations. This provision shall have force irrespective of the date on which the 2025 Regulations would otherwise come into force in respect of the Diocese of Salisbury as a matter of the law of England.