

<p>1 Friday, 5 July 2019 2 (10.00 am) 3 THE CHAIR: Good morning, everyone. Welcome to Day 5 of 4 this public hearing. Ms Scolding? 5 MS SCOLDING: Good morning, chair and panel. We have two 6 witnesses we are going to take simultaneously this 7 morning: the Archbishop of Wales and the Provincial 8 Secretary to the Church in Wales. 9 ARCHBISHOP JOHN DAVIES (sworn) 10 MR SIMON LLOYD (sworn) 11 Examination by MS SCOLDING 12 MS SCOLDING: It should be obvious who is who, although you 13 are both wearing episcopal purple. I think the cross 14 might give it away. So if I can -- 15 ARCHBISHOP JOHN: That's pink. 16 MS SCOLDING: Okay, we can have a discussion about that. If 17 I could just indicate, Archbishop John is what you would 18 like to be known by? 19 ARCHBISHOP JOHN: Thank you. 20 MS SCOLDING: There is a bundle in front of you with 21 a witness statement. Could I just identify, have you 22 had an opportunity to read this witness statement 23 recently? 24 ARCHBISHOP JOHN: Yes, I have. 25 MS SCOLDING: Is it true, to the best of your knowledge and</p> <p style="text-align: center;">Page 1</p>	<p>1 belief? 2 ARCHBISHOP JOHN: It is. 3 MS SCOLDING: Now turning over to -- I believe you wish to 4 be called Mr Lloyd, the Provincial Secretary for the 5 Church in Wales. Again, in your bundle there is 6 a witness statement which you have prepared. Have you 7 had an opportunity to read that witness statement 8 recently? 9 MR LLOYD: I have. 10 MS SCOLDING: Is it true, to the best of your knowledge and 11 belief? 12 MR LLOYD: It is. 13 MS SCOLDING: Just a few preliminary matters addressed to 14 both of you. Firstly, it isn't a test of memory, so if 15 you need to refer to anything, then please feel free to 16 do so. Secondly, we can have breaks as often as you 17 like. We will be having a break at around 11.15, in any 18 event. We are likely to still be going at that time, 19 but please do stop, for any reason, at any time. 20 Next, we have two screens -- we are not entirely 21 sure that it is going to work, but we have been told 22 from the AV guys that they are going to do what they 23 can. So we will be getting documents up on the screens 24 in front of you, but nearly all of those documents are 25 also in one of your bundles.</p> <p style="text-align: center;">Page 2</p>
<p>1 Chair and panel, I will try and identify which 2 tab of which bundle it is in, because those bundles 3 haven't been combined, because the bundles were made 4 before the decision was made to take you simultaneously. 5 Can I just also explain why we are hearing you both 6 together. Really, it's because we would like you to 7 help us, as much as possible, to have as full a picture 8 of the structures, policies and procedures of 9 the Church in Wales, and it seemed to us sensible to try 10 and do this. But it is somewhat of an experiment, so 11 you're going to have to bear with us to see how it 12 works. 13 What I am going to try and do is try and gather your 14 collective knowledge, so there will be some questions 15 which will obviously be for one of you or another, and 16 I will try and indicate that at the beginning of asking 17 it. Others of you may well want to chip in afterwards 18 or may well feel that you would more appropriately be 19 able to answer that question, in which case if you could 20 just indicate such. 21 The only thing I would ask is, for the benefit of 22 the transcribers, if we don't have you both talking at 23 once. So that's fine. 24 Firstly, if I could turn to you, please, 25 Archbishop John. You are the most Reverend John Davies,</p> <p style="text-align: center;">Page 3</p>	<p>1 the Archbishop of Wales; is that correct? 2 ARCHBISHOP JOHN: It is. 3 MS SCOLDING: You have held this post since 2017; is that 4 right? 5 ARCHBISHOP JOHN: Correct. 6 MS SCOLDING: As well as archbishop, you are also the 7 diocesan Bishop of Swansea & Brecon. 8 ARCHBISHOP JOHN: I am. 9 MS SCOLDING: How long have you been a diocesan bishop for? 10 ARCHBISHOP JOHN: I was elected in 2008. 11 MS SCOLDING: How long have you been a priest? 12 ARCHBISHOP JOHN: I was ordained deacon in 1984, priest in 13 1985. 14 MS SCOLDING: Have you always been a priest in the 15 Church in Wales, or have you also been a priest in other 16 parts of the Anglican Communion? 17 ARCHBISHOP JOHN: Always served in the Church in Wales, but 18 in different dioceses. 19 MS SCOLDING: Turning now to you, Mr Lloyd, you are wearing 20 several hats today, so I am going to ask you, firstly, 21 about those hats. Firstly, you are the Provincial 22 Secretary of the Church in Wales. What does that mean? 23 MR LLOYD: Mostly, that means that I'm the, for want of 24 a better word, the chief executive of the representative 25 body. So I run the organisation of the central</p> <p style="text-align: center;">Page 4</p>

<p>1 Church in Wales. The representative body holds the 2 majority of the assets, both buildings and financial, 3 for the Church in Wales. It is my job to run the team 4 that looks after all of that. 5 MS SCOLDING: So you're the sort of -- the provincial 6 secretary is the sort of central admin job? 7 MR LLOYD: Yes, that's right. 8 MS SCOLDING: But you are also lay secretary to the 9 governing body of the Church in Wales. Could you 10 explain to us the difference between the representative 11 body and the governing body? 12 MR LLOYD: Certainly. The representative body is the 13 trustee body. That's where the assets are held, so the 14 members of the representative bodies are the trustees of 15 the charity. The governing body is best described as 16 being the parliament of the Church in Wales. So that's 17 the senior decision-making body about things like 18 policy. So I'm its secretary. 19 MS SCOLDING: Is that purely an administrative role, or does 20 it mean you have a power to make any decisions in 21 respect of the governing body? 22 MR LLOYD: No, it is simply an administrative role. 23 MS SCOLDING: You're also the Registrar for the Archbishop 24 in Wales. What does that mean? 25 MR LLOYD: That's a role that's really emerging. So it's</p> <p style="text-align: center;">Page 5</p>	<p>1 a legal position. I'm not a legally qualified person. 2 It's a role that is emerging in some of 3 the responsibilities that we're accruing to that element 4 of the job. 5 MS SCOLDING: So are any of the elements of the job of being 6 registrar, is any of that to do with safeguarding? 7 MR LLOYD: Yes. 8 MS SCOLDING: Could you tell us a little bit about that, 9 then, what your responsibilities are in respect of 10 safeguarding, acting as either registrar or as 11 provincial secretary? I suspect the lay secretary role 12 is purely shuffling papers and making sure everything is 13 ready for government? 14 MR LLOYD: That's right. That's exactly what that is. If 15 we start off with the provincial secretary role, the 16 safeguarding manager is one of my direct reports. So we 17 have a new one about to start a week on Monday, and that 18 person runs the safeguarding team, but my involvement 19 is, both in terms of line management of the people, but 20 also, to a degree, making sure that I'm kept well 21 informed, and we will come on to the triage system 22 a little later, I expect. 23 MS SCOLDING: Yes. 24 MR LLOYD: It is not a decision-making role, but it is 25 a sort of oversight role.</p> <p style="text-align: center;">Page 6</p>
<p>1 MS SCOLDING: As far as the registrar role, what part of 2 that role might touch upon safeguarding? 3 MR LLOYD: That's a change which is coming along at the 4 moment. That is to allow me to have authority to make 5 referrals to the disciplinary tribunal if we get into 6 a position where a bishop should, but is choosing not 7 to. 8 MS SCOLDING: So it's going to give you the power to -- in 9 effect, the same power as a bishop to refer matters to 10 the disciplinary tribunal, which, again, we will come on 11 to later. 12 MR LLOYD: Yes. 13 MS SCOLDING: Archbishop John, what is your direct 14 responsibility for safeguarding at the moment? 15 ARCHBISHOP JOHN: There are six, when we are all in post, 16 six diocesan bishops in Wales. Each one of those has 17 what we might call a portfolio. My specific portfolio, 18 in relation to the Bench of Bishops, is safeguarding. 19 MS SCOLDING: So not only are you the archbishop and 20 a diocesan bishop, but you're also the Lead Bishop on 21 Safeguarding, so to speak? 22 ARCHBISHOP JOHN: That's correct, yes. 23 MS SCOLDING: I am going to ask a few questions about the 24 structure of the Church in Wales before we launch into 25 safeguarding practices and processes, so we've got</p> <p style="text-align: center;">Page 7</p>	<p>1 a little bit more of an understanding of how it works, 2 how the safeguarding works in practice. 3 So I think, whichever one of you wants to answer 4 this question: the Church in Wales is disestablished. 5 What does that mean in practice? 6 ARCHBISHOP JOHN: It's actually the Church of England that 7 disestablished in Wales, but, in layman's terms, it 8 means that it is an entirely separate province of 9 the Anglican Church, entirely self-governing. 10 MS SCOLDING: So whilst it sort of is friends with -- well, 11 it is part of the worldwide brotherhood of churches, 12 you're completely separate from and have a completely 13 separate administrative structure of the way you operate 14 your laws? 15 ARCHBISHOP JOHN: Entirely. 16 MS SCOLDING: Both the Church in Wales itself and/or the 17 diocese all have charitable status; is that right? 18 ARCHBISHOP JOHN: Correct. 19 MS SCOLDING: And the Church in Wales is made up of six 20 dioceses, which accord to broad geographic areas; is 21 that right? 22 ARCHBISHOP JOHN: That's correct. 23 MS SCOLDING: As I understand it, you have 1,295 churches 24 and 594 parishes. What's meant by a "parish" in the 25 Church in Wales?</p> <p style="text-align: center;">Page 8</p>

<p>1 ARCHBISHOP JOHN: Parish is the local unit overseen usually 2 by an inducted parish priest. That has its own 3 structure of clergy and lay people who usually meet 4 together as what's called a parochial church council, 5 and they would take decisions that affect the church 6 locally. But they cannot take decisions that would in 7 any way, shape or form conflict with practice or policy 8 as set by the governing body or the representative body. 9 So they're there to do the work of the Church in Wales 10 at a local level. 11 MS SCOLDING: Do the parishes each have someone who is in 12 charge of safeguarding? 13 ARCHBISHOP JOHN: Yes. 14 MS SCOLDING: You might call them a parish safeguarding 15 officer or a child protection officer? 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: Is that person someone who is automatically 18 a member of the parochial church council, or is it just 19 whoever volunteers for the job? 20 ARCHBISHOP JOHN: That's a question I feel I cannot answer, 21 but I would -- if they were not a member of 22 the parochial church council, I would certainly expect 23 that they would report regularly to the parochial church 24 council in relation to matters of safeguarding. 25 MS SCOLDING: Then one step up from a parish, am I right</p> <p style="text-align: center;">Page 9</p>	<p>1 that you operate a deanery system still? 2 ARCHBISHOP JOHN: Yes. 3 MS SCOLDING: Could you just explain very briefly what 4 a deanery system is? 5 ARCHBISHOP JOHN: I suppose the best way to put it might be 6 to say to avoid tribalism and local rivalry. 7 Technically, it would enable conversations about policy 8 and practice to take place on a broader canvas, and 9 purely at the local level. 10 MS SCOLDING: So a deanery is made up of a group of 11 parishes. 12 ARCHBISHOP JOHN: A group of parishes, yes. 13 MS SCOLDING: Do they all get together? Do you have what's 14 called a Deanery Synod or a Deanery Parliament or 15 whatever -- 16 ARCHBISHOP JOHN: Deanery Conference, Deanery Synod, yes. 17 MS SCOLDING: How often, or how regularly, would that meet? 18 ARCHBISHOP JOHN: My recollection is that it is required to 19 meet at least quarterly. 20 MS SCOLDING: Would safeguarding ever be the topic of 21 discussion during the course of those Deanery 22 Conferences? 23 ARCHBISHOP JOHN: The business of the Deanery Conference 24 would be locally determined. But one of the things that 25 would be made very clear is that safeguarding policy and</p> <p style="text-align: center;">Page 10</p>
<p>1 practice is something that needs to be embedded in not 2 just the parishes, but the broader areas too. 3 MS SCOLDING: Do you appoint people as deans, who sort of 4 have overall responsibility for a deanery area, or do 5 you not do that? 6 ARCHBISHOP JOHN: The area dean is elected by the clergy of 7 the parishes that make up the deanery. 8 MS SCOLDING: Turning to the next building block up, you 9 have archdeacons, don't you? 10 ARCHBISHOP JOHN: Yes. 11 MS SCOLDING: Could you just explain a little bit the role 12 of an archdeacon, particularly in respect of sort of 13 line management or safeguarding or anything which looks 14 a little bit like that. 15 ARCHBISHOP JOHN: If you were to ask an archdeacon these 16 days, he or she might answer that they are the people to 17 whom everything gets sent. "Ask the archdeacon". But 18 the archdeacon would be a member of the bishop's senior 19 staff and would have a particular responsibility in 20 areas -- certain areas of administration and oversight 21 on behalf of the bishop and the bishop's staff in the 22 larger area which is his or her archdeaconry. 23 MS SCOLDING: Then there is obviously the bishops. So how 24 many archdeacons are there in every diocese? Is there 25 a fixed number?</p> <p style="text-align: center;">Page 11</p>	<p>1 ARCHBISHOP JOHN: It varies. Some have three, some have 2 two. 3 MS SCOLDING: There are roughly, as I understand it, around 4 sort of 550, roughly, clerics, currently in the 5 Church in Wales? 6 ARCHBISHOP JOHN: Yes. It's 400-and-something stipendiary 7 paid clerics and 100-and-something non-stipendiary, 8 unpaid clerics. 9 MS SCOLDING: You also have something called benefices. You 10 have 349 benefices. Would one of you like to explain 11 what a benefice is? 12 ARCHBISHOP JOHN: It's an alternative term for "parish". 13 MS SCOLDING: Roughly, as I understand it from some 14 documentation you have given us, your rough Sunday 15 attendance is about 27,000, roughly, on a Sunday, and 16 you conduct around 5,000 baptisms and about 2,000 17 weddings a year. Is that roughly right? 18 ARCHBISHOP JOHN: I think that's correct, on the latest 19 available data. 20 MS SCOLDING: So, obviously, the Church in Wales is what 21 would be called technically synodically led, but there 22 aren't any Diocesan Synods; is that right? 23 ARCHBISHOP JOHN: No, there are. There's a Conference -- 24 the term we use in Wales is the "Diocesan Conference", 25 which must meet annually in each diocese. It can meet</p> <p style="text-align: center;">Page 12</p>

<p>1 more frequently, if it wishes. It tends to be only 2 annually. 3 MS SCOLDING: That's made up, I'm assuming, of 4 representatives sent by the Deanery Conference to the 5 Diocesan Conference? 6 ARCHBISHOP JOHN: There are different methods of election 7 for membership of the Diocesan Conference. There are 8 ex officio members. Those would be the serving clergy. 9 Lay people are elected sometimes by parishes, sometimes 10 by deaneries. 11 MS SCOLDING: There is also something called "the Bench of 12 Bishops". Perhaps you'd like to explain to us what that 13 is? Is there an actual bench? 14 ARCHBISHOP JOHN: I was going to say, it sounds rather 15 wooden. But it's the meeting of the six diocesan 16 bishops with each other, obviously, and facilitated by 17 the administrative staff from the provincial office. 18 MS SCOLDING: How regularly do you meet, as a group of 19 individuals? 20 ARCHBISHOP JOHN: We meet at least four times a year. 21 Sometimes we'd meet, shall we say, on the back of other 22 meetings that take place, if there are particular issues 23 that need clarification or discussion. 24 MS SCOLDING: And -- 25 ARCHBISHOP JOHN: Sorry to interrupt you, and we meet over</p> <p style="text-align: center;">Page 13</p>	<p>1 two to three days on each occasion for the full meeting. 2 MS SCOLDING: What's your relationship with the governing 3 body? Because we know in the Church of England, which 4 we have heard a bit more about than the Church in Wales, 5 the sort of House of Bishops or the 6 Archbishops' Council, the House of Bishops might propose 7 legislation and that would then be discussed at the 8 Diocesan Synod or in the governing body meetings. How 9 does it work in respect of the relationship between the 10 Bench of Bishops and the governing body, which is your 11 parliament? 12 ARCHBISHOP JOHN: As archbishop, I'm president of 13 the governing body, which sounds quite grand. It's not 14 necessarily so. But the Bench of Bishops primarily is 15 the group that promulgates or, rather, promotes 16 legislation in the governing body that would relate to 17 faith, order and doctrine. There are mechanisms whereby 18 lay members or clerical members of the governing body 19 can propose what's called a private members' motion, but 20 if it relates to faith, doctrine, order, I think I'm 21 correct in saying that that also has to be backed by the 22 majority of the bishops. 23 MS SCOLDING: Yourself, as archbishop, I think you describe 24 yourself as "first amongst equals". 25 ARCHBISHOP JOHN: Mmm.</p> <p style="text-align: center;">Page 14</p>
<p>1 MS SCOLDING: Well, you don't necessarily describe yourself. 2 I think that's what's been ascribed to your role. But 3 do you have any jurisdiction over the other bishops? 4 ARCHBISHOP JOHN: When a bishop is elected in the 5 Church in Wales, he or she will, as with clergy, swear 6 certain declarations and make certain oaths. Among 7 those, a newly elected bishop swears an oath of what's 8 called canonical obedience to the archbishop. That 9 gives me, I would say, very limited jurisdiction, if 10 I can use the term "jurisdiction", over that bishop. 11 In terms of the dioceses of the other bishops, 12 I have no jurisdiction whatsoever. They are entirely 13 independent and, for want of a better term, 14 self-governing. 15 MS SCOLDING: So you have no powers of direction or no 16 powers to interfere in the way that they may well be 17 conducting their dioceses? 18 ARCHBISHOP JOHN: Certainly not to interfere, and one would 19 say influential opportunities, rather than direct 20 control or command. 21 MS SCOLDING: Is there any system of visitation that you 22 operate, or do you have any kind of power to suspend 23 their activities, either in a particular area or them, 24 themselves, particularly in respect of safeguarding? 25 ARCHBISHOP JOHN: In general terms, if something appears to</p> <p style="text-align: center;">Page 15</p>	<p>1 have gone catastrophically wrong in a particular 2 diocese, I think that it would be open to me to ask for 3 a visitation of the diocese to take place. 4 In terms of suspension, I'm told that there is an 5 inherent power of the archbishop, metropolitan power, 6 to suspend another bishop, but that is arguable. It 7 dates back, I think, to the pre-Reformation days. There 8 is nothing in our disciplinary procedures as they 9 currently stand that enables me to suspend another 10 bishop. But that is being addressed, I should say. 11 MS SCOLDING: When is that being addressed? 12 ARCHBISHOP JOHN: That's currently under discussion because 13 of particular local circumstances. 14 MS SCOLDING: When you say you have a system of visitation, 15 is it similar to the system as we have heard about in 16 the Church of England, ie, you send people in -- 17 I mean -- well, let me ask you a question: have you ever 18 had to do it? 19 ARCHBISHOP JOHN: No. 20 MS SCOLDING: Have any of the archbishops had to do it, in 21 living memory? 22 ARCHBISHOP JOHN: I'm not aware of that, and nor am 23 I familiar with the process operating in the 24 Church of England. But what you outline, sending in 25 a team of people to, shall we say, investigate, is the</p> <p style="text-align: center;">Page 16</p>

<p>1 likely process that would be followed.</p> <p>2 MS SCOLDING: You say that you're elected. Who are you</p> <p>3 elected by?</p> <p>4 ARCHBISHOP JOHN: All bishops in the Church in Wales are</p> <p>5 elected by an electoral college made up of elected</p> <p>6 clergy and lay people from each diocese and the</p> <p>7 electoral college also elects the archbishop from among</p> <p>8 the existing diocesan bishops.</p> <p>9 MS SCOLDING: How much of your time as archbishop is taken</p> <p>10 up with diocesan business and how much of it is taken up</p> <p>11 with what I would call archbishop business and how much</p> <p>12 of it is taken up with archbishop-outside-Wales</p> <p>13 business?</p> <p>14 ARCHBISHOP JOHN: The large proportion of my time is spent</p> <p>15 as diocesan Bishop of Swansea & Brecon. If something</p> <p>16 emerges in another diocese which has to involve me, that</p> <p>17 can take up a huge amount of my time. But it depends</p> <p>18 very much on circumstances.</p> <p>19 In terms of work outside Wales, that's fairly</p> <p>20 minimal.</p> <p>21 MS SCOLDING: Can I just identify -- so because you're</p> <p>22 elected and, as I understand it, travels, so your sort</p> <p>23 of secretariat travels with you, so the seat of</p> <p>24 the archbishop is currently your property in Brecon, as</p> <p>25 I understand it.</p> <p style="text-align: center;">Page 17</p>	<p>1 ARCHBISHOP JOHN: Yes.</p> <p>2 MS SCOLDING: That's where it holds. So every single time</p> <p>3 you elect a new archbishop, does that mean literally all</p> <p>4 the files and papers have to move from Monmouth to</p> <p>5 Swansea & Brecon and somewhere else?</p> <p>6 ARCHBISHOP JOHN: Material to do with the role of archbishop</p> <p>7 would tend to be held at the provincial office. I think</p> <p>8 Mr Lloyd can confirm that.</p> <p>9 MR LLOYD: That's right, and a great deal these days is held</p> <p>10 electronically.</p> <p>11 MS SCOLDING: Where is the provincial office?</p> <p>12 MR LLOYD: It's in Cardiff.</p> <p>13 MS SCOLDING: You just have one in the south of Wales? You</p> <p>14 don't have an office in the north of Wales as well?</p> <p>15 MR LLOYD: No.</p> <p>16 MS SCOLDING: Maybe if we could pass on to Mr Lloyd to</p> <p>17 identify, there is a written constitution, as</p> <p>18 I understand it, in the Church in Wales?</p> <p>19 MR LLOYD: That's correct.</p> <p>20 MS SCOLDING: I don't think we need to take you through the</p> <p>21 intricacies of the written constitution of the Church</p> <p>22 in Wales, because I think that probably would take all</p> <p>23 day. So just to identify some highlighted facts to make</p> <p>24 sure my understanding is clear, there are three sets of</p> <p>25 people that make up the policy-making body, ie, the</p> <p style="text-align: center;">Page 18</p>
<p>1 governing body, as you call it. They are laity, clerics</p> <p>2 and bishops. Is that right?</p> <p>3 MR LLOYD: That's correct.</p> <p>4 MS SCOLDING: Is it kind of a third/a third/a third, in</p> <p>5 terms of either numbers or power in terms of decision</p> <p>6 making?</p> <p>7 MR LLOYD: In terms of numbers, no, there are only six</p> <p>8 bishops. So it wouldn't be a third/a third/a third.</p> <p>9 Most decisions of the governing body are a simple vote</p> <p>10 of the whole governing body, but it is possible to vote</p> <p>11 by house.</p> <p>12 MS SCOLDING: How often does the governing body meet?</p> <p>13 MR LLOYD: The governing body normally meets twice a year.</p> <p>14 MS SCOLDING: So who decides what you get to vote on in the</p> <p>15 governing body? Do you get to vote on anything? Is it</p> <p>16 like a parliamentary system, in that there are debates</p> <p>17 and then people have to vote one way or another, or is</p> <p>18 it just the bishop turns up and says, "This is what</p> <p>19 we're doing today, guys. Right. Hands up"?</p> <p>20 MR LLOYD: The governing body looks at all sorts of things,</p> <p>21 so there are some things which are legislative, which</p> <p>22 are amendments to the constitution. It's a living</p> <p>23 document. It moves as we need it to move. It has</p> <p>24 thematic discussions, so it might talk about rural</p> <p>25 ministry, it might talk about other areas of -- the</p> <p style="text-align: center;">Page 19</p>	<p>1 social outreach of the church. And it will talk about</p> <p>2 things which are particular to the church. So over the</p> <p>3 last couple of years, it's talked a great deal about</p> <p>4 evangelism and how the church can reach out.</p> <p>5 MS SCOLDING: Does it make any decisions about the policies</p> <p>6 and the practices of the church in respect of child</p> <p>7 protection or safeguarding?</p> <p>8 MR LLOYD: Yes, it does. The way the safeguarding policy</p> <p>9 works is, the new safeguarding -- or the major revision</p> <p>10 to the safeguarding policy in 2016 went through the</p> <p>11 governing body.</p> <p>12 MS SCOLDING: Right.</p> <p>13 MR LLOYD: The way we work -- again, that is because the</p> <p>14 safeguarding policy is a living document, the sort of</p> <p>15 incremental changes to it, like the 2018 revision, went</p> <p>16 through the representative body. Were we to completely</p> <p>17 revise the thing again, it would go back to governing</p> <p>18 body.</p> <p>19 MS SCOLDING: There appears to be something called</p> <p>20 a standing committee, which is appointed every three</p> <p>21 years. What is that and does that have anything to do</p> <p>22 with safeguarding or child protection?</p> <p>23 MR LLOYD: Yes, it does. It's the standing committee of</p> <p>24 the governing body, and it has a role in preparing the</p> <p>25 way for big governing body thematic debates. So it has</p> <p style="text-align: center;">Page 20</p>

<p>1 a number of things to do with the governing body. 2 In terms of safeguarding, yes, it does have a role. 3 It has a role to appoint the members of the Safeguarding 4 Panel and, as one of those members -- and a separate 5 decision to appoint its chair. 6 MS SCOLDING: So the standing committee appoints the 7 Safeguarding Panel. 8 MR LLOYD: Correct. 9 MS SCOLDING: We will come on to talk about the Safeguarding 10 Panel and who it is made up of in a minute. Can I just 11 check, for practical purposes, who controls the policies 12 and procedures of the church in respect of child 13 protection? So the governing body vote upon it and, 14 what, it then gets enshrined as part of the written 15 constitution or it is issued as separate guidance? How 16 does that work? 17 MR LLOYD: It is not part of the constitution. It is 18 a separate document of the Church in Wales which 19 ultimately has been approved by the governing body. 20 MS SCOLDING: We will come on in a minute to talk about 21 whether or not you must follow it, should follow it, can 22 follow it, can think about it. We will do that later. 23 Can I just ask a couple of practical questions: what's 24 the position in respect of claims when it comes to the 25 Church in Wales, so civil claims. What's the insurance</p> <p style="text-align: center;">Page 21</p>	<p>1 position? 2 MR LLOYD: The insurance position is that the parishes and 3 the representative body are jointly and severally 4 insured. So the practical reality is the claim would 5 come to the representative body. 6 MS SCOLDING: So that's a different situation to the one in 7 England, in that, because you're jointly and severally 8 insured, you would be managing the claims process, I'm 9 assuming? 10 MR LLOYD: I can't comment on the Church of England because 11 I don't know. 12 MS SCOLDING: That's fine. Can I just identify that 13 financially you're fairly secure. You tell us in your 14 witness statement that there are reserves of 15 £437 million. 16 MR LLOYD: That's right. That's part of the assets. The 17 whole assets are greater, but that includes all the 18 buildings, for example. 19 MS SCOLDING: Yes. So if you were to dissolve the 20 Church in Wales, it would be worth a great deal more? 21 MR LLOYD: Yes. 22 MS SCOLDING: Particularly things like cathedrals, I would 23 imagine. 24 Can I just check, it looks, from the information 25 that we have been given, that certainly the structure of</p> <p style="text-align: center;">Page 22</p>
<p>1 the Church in Wales -- or there are moves afoot, shall 2 we say, to change the way that the Church in Wales is 3 organised, at least in part, and this comes from 4 a review which was undertaken in 2012. Is that correct, 5 Mr Lloyd? 6 MR LLOYD: That's correct. 7 MS SCOLDING: Ralph, ANG000373_006-007, please. Chair and 8 panel, if you want to look at it in your bundles, it's 9 behind tab 24 of Archbishop Davies' bundle and behind 10 tab 11. But, as I understand it, you won't have it, so 11 don't worry, we are just getting it up. 12 006. Could you enlarge 2, please. Fundamentally, 13 as I understand it, this review was commissioned because 14 there was a view that everybody was getting a bit older 15 and there weren't people coming through the pipeline, 16 and it says, in particular: 17 "... and the almost total distance of young people 18 in Wales from the church. This makes the present time 19 a Kairos moment that is a moment of crisis and judgment 20 with the possibility within it of creative response to 21 what Christ is asking of us at this time." 22 What Christ appears to have asked of them at this 23 time -- appears to have asked of you at this time, is to 24 enlarge the number of areas, in effect. So it goes from 25 being a parish system, as I understand it, to a ministry</p> <p style="text-align: center;">Page 23</p>	<p>1 area; is that right? 2 MR LLOYD: That's correct. I just wonder if the archbishop 3 would like to comment on this? 4 ARCHBISHOP JOHN: What Christ is asking of us at this time 5 is whether we have taken our eye off the ball, I think; 6 whether we have perhaps become too much of an 7 institution rather than a body of people who reach out 8 into communities. 9 So it was a challenge not to be too self-interested 10 and self-preservatory, if that term exists, and to 11 reflect on whether the structures that we actually had 12 at the time were the best structures for doing what we 13 ought to be doing, which was a term used earlier on with 14 Mr Lloyd: evangelism. 15 MS SCOLDING: Ralph, could you get up 007. Could we move on 16 to 009, I think, clause 5. Yes, the recommendations. 17 So one of the issues that they raised was that there 18 wasn't really a flow up and down between parishes to 19 bishops and back again, so it felt quite stasis, so the 20 governing body was a bit -- you know, everybody kind of 21 knew each other and a bit backslappy rather than a truly 22 representative body of the Church in Wales. So have you 23 instituted changes to that, those changes and those 24 recommendations which have been made? 25 ARCHBISHOP JOHN: I think it is fair to say that the process</p> <p style="text-align: center;">Page 24</p>

<p>1 to enable the bottom-up rather than the top-down has 2 always existed. The difficulty, really, has been trying 3 to encourage people at local level to articulate the 4 kind of changes that they might wish to see taking 5 place. And so this was saying that we really did need 6 to do more to try and encourage it. And I think, to 7 some extent -- and Mr Lloyd can probably confirm this -- 8 that has happened.</p> <p>9 There appears to be more appetite, certainly at 10 governing body level, for private members' motions, for 11 example, or private discussions on the floor of 12 the governing body to take place.</p> <p>13 MS SCOLDING: Could we move to 011 and 012, please, Ralph? 14 The next page, please. No, back to that page. So, 15 fundamentally, what's recommended -- if we can go to 16 recommendation 3 and recommendation 4, it recommended 17 that things went from sort of parish and deaneries to 18 what's called a ministry area. Can somebody describe to 19 me what's meant by a "ministry area", and who leads it?</p> <p>20 ARCHBISHOP JOHN: The recommendation from this review was, 21 as you have said, that ministry areas be created.</p> <p>22 Again, what was behind that was a recognition that there 23 was perhaps too much insularity in parishes, and that 24 possibly the deanery was too large an area to facilitate 25 proper teamworking. So ministry areas were, if you</p> <p style="text-align: center;">Page 25</p>	<p>1 like, the meat in the sandwich between the parish and 2 the deanery.</p> <p>3 Each of the dioceses has -- because the governing 4 body has agreed, each of the dioceses is required to go 5 through the process of setting up ministry areas, but 6 it's a process that is taking place at different paces 7 in each of the six dioceses. Its fundamental aim, 8 however, is not to create yet another layer of 9 bureaucracy or administration, but to enable people, lay 10 and ordained, to work together as ministerial teams, 11 recognising that the ministry of the church is not 12 entirely confined to those of us who wear slightly 13 eccentric clothing.</p> <p>14 MS SCOLDING: Yes. I mean, my understanding is that the 15 thrust of this, both set out in the recommendation and 16 more broadly throughout the report, is that, in effect, 17 these ministry areas would often be led by people who 18 were not full-time clerics; they'd either be 19 non-stipendiary ministers or they would be lay people.</p> <p>20 ARCHBISHOP JOHN: That's a possibility. That's 21 a possibility.</p> <p>22 MS SCOLDING: Is that something which is happening at the 23 moment, or is this something -- is this kind of -- is 24 this drastic change or is this gradual, evolutionary 25 change?</p> <p style="text-align: center;">Page 26</p>
<p>1 ARCHBISHOP JOHN: I can only really comment from the 2 perspective of my own diocese, and, as you might expect, 3 when a significant change of this nature is either 4 proposed or starts to happen, there will be those who 5 get it, those who don't yet get it, those who might get 6 it at some point and those who really never want to get 7 it. And parishes are not going to disappear, 8 necessarily. I mean, for example, I do know that in 9 some dioceses what were deaneries have become ministry 10 areas, have become parishes, but it's really open to 11 each individual diocese to set its own pace and, to some 12 extent, to create its own structures, how it really 13 wants to operate. That can be governed sometimes by 14 sheer geography, because you might, for example, 15 identify a ministry area, which makes sense in theory, 16 but certainly, in parts of my diocese, the geography 17 would be such that it's a vast geographical area, which, 18 in terms of cohesion as a working unit, would be found 19 to be very challenging.</p> <p>20 MS SCOLDING: Now, one of the other things that this review 21 found was that the Church in Wales still showed 22 unnecessary -- and this was part and parcel of the not 23 things flowing from the top down rather than from the 24 bottom up -- was that there was still too much deference 25 and dependence and that bishops needed to collaborate</p> <p style="text-align: center;">Page 27</p>	<p>1 more. What has been done to try and, one, reduce the 2 amount of deference; and, two, for the Bench of Bishops 3 to collaborate with each other on things?</p> <p>4 ARCHBISHOP JOHN: Can I start with the Bench of Bishops? 5 We would say that we do not always agree on everything, 6 but we work collegially. So our discussions at bench 7 meetings would be very open, very frank. I have to say, 8 also, very good humoured and very friendly, because we 9 are a small number, and if there were, shall we say, to 10 be a major fallout with a small number of people, that 11 would be, for the life of the province, quite difficult. 12 So, in terms of matters of policy, practice, faith, 13 order, we would have open and warm conversations.</p> <p>14 As far as deference is concerned, it's sometimes 15 surprised me that people still regard the bishop with 16 a degree of deference. That doesn't mean to say that we 17 are encouraging a lack of respect or disrespect for the 18 office, but, yes, I'm sometimes surprised at the level 19 of what you might -- what you have described as 20 deference and what the report described as deference.</p> <p>21 From my own perspective, I would hope -- I can't 22 answer for myself -- that people would find me 23 approachable, and very, very receptive to comment, 24 contact and so on.</p> <p>25 MS SCOLDING: Do you think -- obviously, we have heard a lot</p> <p style="text-align: center;">Page 28</p>

<p>1 in the Church of England about the idea of clericalism, 2 which is a sort of -- really, it's an extension of 3 deference taken to a degree. Do you think clericalism 4 still exists in the Church in Wales? 5 ARCHBISHOP JOHN: I would say it depends very much on the 6 cleric. There will always be the cleric, if I can use 7 the term that's sometimes banded around, "Father knows 8 best and what Father says goes". That is something to 9 be discouraged, because I think that disempowers the 10 laity and fails to recognise that they have a share in 11 the whole ministry of the church. But it depends very 12 much on local circumstances and people's personalities. 13 MS SCOLDING: In fact, that was something which also came 14 out of the review, was the review that clergy were 15 taking all the initiatives and there needed to be more 16 leadership and leading. 17 Did that include, on safeguarding, that lay people 18 in the church needed to take more responsibility and 19 more ownership, not just of the church generally but 20 also of safeguarding? 21 ARCHBISHOP JOHN: I think it's fair to say that, in terms of 22 the life of the church, safeguarding awareness is 23 something that is comparatively new, and, yes, perhaps 24 amongst the lay people, if we were looking at what might 25 be described as a typical case where a cleric is</p> <p style="text-align: center;">Page 29</p>	<p>1 accused, or it's been suggested that a cleric has done 2 something inappropriate, there would be almost 3 inevitably, I think, a body of lay people whose 4 immediate reaction might be, "He or she wouldn't have 5 done that". So an awareness of safeguarding is 6 something which we are trying to -- the profile of which 7 we are trying to increase amongst the laity as well as 8 amongst the clergy. 9 MS SCOLDING: What work have you done to try to work on what 10 you have said, which I think in research -- some recent 11 research in the Church of England has been found to be 12 the case also in the Church of England, that there's an 13 immediate disbelief that a cleric would be capable of 14 such things. Are you doing any specific work, whether 15 theologically or pastorally, around this with the laity? 16 ARCHBISHOP JOHN: I think that that sort of work would have 17 to begin in a parish, for example, with a parochial 18 church council, with information about safeguarding 19 matters or safeguarding practice being disseminated, 20 whether it be through written material, such as parish 21 magazines, such as newsletters, whether it be 22 disseminated through diocesan communications, diocesan 23 newspapers, diocesan websites, parochial websites. 24 I think every means is being used to try and ensure that 25 the "S" word, the "safeguarding" word, is received and</p> <p style="text-align: center;">Page 30</p>
<p>1 understood across the province at all levels. 2 MS SCOLDING: Can I also ask, Archbishop John, and this may 3 well be a slightly impolite question, but what's the 4 rough age of your congregations? Are they more mature 5 or are they a mixture of young and old? I know there is 6 no one typical congregation, but is there a sort of -- 7 can you describe to us, because obviously there are 8 different challenges if you are dealing with lots of 9 25-year-olds than if you're dealing with lots of 10 65-year-olds. 11 ARCHBISHOP JOHN: I would say predominantly senior. And, 12 therefore, perhaps going back to one of your earlier 13 questions, more inclined to deference and disbelief. 14 MS SCOLDING: There was some discussion in this review at 15 021, please, Ralph, about the number and nature of 16 dioceses and whether or not they should be changed and 17 that there should be one central administrative centre 18 in -- and I'm about to cause most Welsh people to cry -- 19 in Llandaff. I think that's right. Has that been 20 implemented? 21 ARCHBISHOP JOHN: No. May I give you a reason, or one 22 fundamental reason, for that, is that it would be so 23 enormously time consuming it would raise, once again, 24 what I have already referred to as tribalism, because 25 everybody wants their own piece of their own governance,</p> <p style="text-align: center;">Page 31</p>	<p>1 and, frankly, it would distract us from our primary 2 task, which has already been identified as evangelism. 3 That doesn't mean to say that we are not talking in some 4 cases about trying to work across diocesan boundaries, 5 and, as, again, you know, in terms of policies such as 6 safeguarding, they are provincial and must be 7 implemented provincially. 8 MS SCOLDING: Can I also ask, this review, which is back in 9 2012, can we go to 023, please, Ralph. It identifies 10 here, down at the bottom, at (3): 11 "The responsibility ..." 12 Now, at this time, I believe you'd only just 13 appointed a full-time, trained professional administered 14 by the provincial office. Is that right? 15 ARCHBISHOP JOHN: Yes, I think Mr Lloyd can confirm this. 16 MR LLOYD: That's correct. 17 MS SCOLDING: So before that point in time, one of 18 the points that the review makes was that safeguarding 19 was very much a bolt-on to other clerics' concerns and 20 queries, and, therefore, it possibly wasn't getting the 21 attention that it deserved? 22 ARCHBISHOP JOHN: Cure of souls. 23 MR LLOYD: I think it is true to say that there wasn't 24 a full-time officer and it was done diocese by diocese 25 by a variety of people.</p> <p style="text-align: center;">Page 32</p>

<p>1 MS SCOLDING: Can I also ask, the last question about this 2 review, as we saw right at the beginning, it 3 demonstrated that there was only a limited amount of 4 youth work but that there should be a lot more youth 5 work undergone, so to speak, and a lot more of that kind 6 of work going on in the Church in Wales. Has that been 7 implemented, and, in which case, do you now have a large 8 number of youth services and who manages that within the 9 church? 10 ARCHBISHOP JOHN: Again, local circumstances do vary hugely, 11 but I can say, I believe, in relation to all the 12 dioceses, that they have appointed officers -- if I say 13 for my own diocese, we have four deaneries, and in each 14 of these deaneries we are -- we have appointed three, we 15 are seeking to appoint a fourth, a specific paid officer 16 to develop work with children, young people and 17 families. So, yes, that has been taken on board very 18 seriously indeed. 19 MS SCOLDING: And the paid officer for children, young 20 people and families, what training or responsibilities, 21 as far as either of you are aware, do they have in 22 respect of child protection or safeguarding? 23 ARCHBISHOP JOHN: DBS checks, full Safe Church training, 24 must sign up and be trained through all our processes 25 before they can be employed.</p> <p style="text-align: center;">Page 33</p>	<p>1 MS SCOLDING: Turning now to cathedrals, can you tell us, 2 what is the position of the cathedral? Do they operate 3 separately from dioceses? And this is to either of you. 4 ARCHBISHOP JOHN: Each cathedral would have its dean and 5 chapter, but in terms specifically of safeguarding, they 6 are no different from any other church. They don't have 7 their own safeguarding policies. They are subject to 8 the provincial policy and must follow it. 9 MS SCOLDING: Because certainly -- can we get up ANG000385, 10 please, Ralph, page 014 and page 015. This was a review 11 of cathedrals, which I understand was principally 12 carried out because of concerns to do with resourcing 13 and administration. But what seems to be clear -- could 14 we get up the first -- in fact, the whole page is kind 15 of relevant. But what they're roughly saying is that 16 there wasn't any open advertisement of clerical staff, 17 and, in particular, that there needed to be much more 18 professionalism, shall we say, of personnel. Did that 19 extend to safeguarding, that there has been, until 20 relatively recently, possibly a lack of professional 21 approach or attitude in cathedrals to the issue of 22 safeguarding? 23 ARCHBISHOP JOHN: I suppose I can speak from my own 24 experience, because, before becoming diocesan bishop, 25 I was dean of a cathedral. At the time I became dean,</p> <p style="text-align: center;">Page 34</p>
<p>1 shall we say, matters of safeguarding and child 2 protection in particular were coming on to the agenda. 3 As far as I was concerned, there was absolutely no 4 concession given to anybody who had any reservations 5 about becoming part of the, shall we say, child 6 protection regime, and, again, I can say from my own 7 experience that certain adult members of the cathedral 8 choir in the cathedral at which I was dean left because 9 they did not wish to be, as it was then, CRB checked, 10 and they were told very clearly, unless that was the 11 case, they couldn't continue to participate in the life 12 of the choir or the cathedral. 13 MS SCOLDING: Ralph, would you mind getting up 025, please. 14 "Safeguarding", if you could get that up. It says in 15 this report: 16 "It is vital that cathedrals ensure the safeguarding 17 of young people ... 18 "The head of safeguarding of the Church in Wales 19 reports that cathedrals are taking appropriate 20 action ... and that three cathedrals have had that but 21 no staff appointment. The cathedral safeguarding 22 coordinators have the essential role. In order to 23 maintain objectivity, the person appointed should be 24 independent, not an employee and not related to any 25 cathedral staff."</p> <p style="text-align: center;">Page 35</p>	<p>1 Was this being said in this review because that was 2 what was happening to date, so there wasn't -- again, 3 coming back to the personnel issues, there wasn't the 4 relevant objectivity in terms of making sure that people 5 dealing with safeguarding weren't, you know, somebody's 6 brother, father, where there then could be those sorts 7 of conflicts of interest, if you had to say, "Look, Dad, 8 you've got to go and get a DBS check", for example. 9 ARCHBISHOP JOHN: I think at the time of the review, 10 certainly the processes were far less sophisticated than 11 they are now, so they may not have been as rigorous as 12 they should have been. 13 MS SCOLDING: But this is only in 2016, so this is 14 relatively recently. So are you saying that there has 15 been a reinforcement of rigour, shall we say, post 2016? 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: Can I ask -- and I think this set of questions 18 is possibly more sensible -- firstly, about safer 19 recruitment and then about the employment of clerics. 20 Then I'm going to ask about the disciplining of clerics 21 in appropriate cases. 22 So, as far as safer recruitment is concerned, when 23 did the church first start operating what we would know 24 as safer recruitment practices? 25 MR LLOYD: I don't know precisely.</p> <p style="text-align: center;">Page 36</p>

<p>1 MS SCOLDING: Okay. You identify the practice currently -- 2 I think the archbishop does, at paragraph 29. In terms 3 of what your current safeguarding practice is, could you 4 identify what that is, in terms of safer recruitment? 5 ARCHBISHOP JOHN: Safer recruitment of clerical staff? 6 MS SCOLDING: Both clerical staff and clerics. 7 ARCHBISHOP JOHN: Enhanced DBS checking. In terms of 8 clerics, one would expect to have confirmation that they 9 were, to use a localised term, "safe to receive", and 10 there might also be, shall we say, informal telephone 11 conversations with a sending bishop if a cleric was 12 coming in from an outside diocese, as to whether there 13 were matters about which we needed to know. 14 MS SCOLDING: Maybe it would be useful if we got up 15 paragraph 29, ANG000535_010. 16 So all clerics are appointed -- can I just check, is 17 the process of discernment and training diocesan led or 18 nationally led in the Church in Wales? 19 ARCHBISHOP JOHN: Provincially. 20 MS SCOLDING: So you recruit everyone, no matter where they 21 end up, at a central level? 22 ARCHBISHOP JOHN: Yes. There is a provincial discernment 23 board. 24 MS SCOLDING: So they then recommend everyone. Do you then 25 have a sponsoring diocesan bishop who then sends you to</p> <p style="text-align: center;">Page 37</p>	<p>1 ordination training or, again, is that done at 2 a provincial level? 3 ARCHBISHOP JOHN: The route would probably be an individual 4 would emerge in a diocese, would be seen by the local 5 diocesan Director of Vocations and, if they were then 6 deemed to be suitable for further discernment, they 7 would then go to the Provincial Board which would 8 recommend or not recommend. 9 MS SCOLDING: Do you know what safer recruitment procedures 10 happen in respect of the Provincial Board? If you don't 11 know, please say? 12 ARCHBISHOP JOHN: No, I'm not clear about that. 13 MS SCOLDING: Can I just double-check, in respect of clergy, 14 where do clergy train in the Church in Wales? Is there 15 one place, two places? 16 ARCHBISHOP JOHN: There's one institute which trains at 17 different levels. Mr Lloyd could give you far more 18 detail about that than I could give you, if you want it. 19 MS SCOLDING: Yes, please. Mr Lloyd, passing over to you? 20 MR LLOYD: Yes. There is one institute, which is called the 21 St Padarns Institute, which has been in existence for 22 two or three years. And that provides all of 23 the training for the whole of Wales. In exceptional 24 circumstances, sometimes people train outside of Wales, 25 but that is very much the exception rather than the</p> <p style="text-align: center;">Page 38</p>
<p>1 rule. 2 MS SCOLDING: Right. The 2012 review made a number of 3 recommendations about training and clerical education. 4 Is the creation of the St Padarns Institute as a result 5 of what happened in the 2012 review? Because they said 6 there needed to be some more consistent training that 7 went on, both pre and post ordination. 8 MR LLOYD: I'm not sure of the precise link, but I suspect 9 that was the genesis of it. 10 MS SCOLDING: Is the model -- the 2012 review again 11 identified that people should be ordained over a longer 12 period of time with more experiential learning, shall we 13 say, hands-on learning, and less of that. Do you know 14 enough about the way St Padarns operates to know whether 15 that has been implemented? 16 MR LLOYD: To a large extent, yes. So most candidates, 17 full-time candidates, will spend half of their week in 18 a learning environment, mostly on the Cardiff campus of 19 St Padarns and the other half of the week learning in 20 a parish context. 21 MS SCOLDING: Is that a two-year course, a three-year 22 course? 23 MR LLOYD: I think it is ordinand-specific, so the courses 24 are set looking at the previous experience of who is 25 going through.</p> <p style="text-align: center;">Page 39</p>	<p>1 MS SCOLDING: Is there an expectation that a lot of people 2 might have performed significant lay ministerial roles 3 and then will come to ordination maybe that way? 4 MR LLOYD: I think that's what causes the bespokeing. 5 I think that there is a look at the whole life, previous 6 education and previous experience. 7 MS SCOLDING: Do you know whether, during ordination 8 training, ordinands receive training in respect of child 9 protection and safeguarding? 10 MR LLOYD: Yes, they do. 11 MS SCOLDING: Is that the same as clerics receive? Is it 12 a different sort of training? Can you provide us with 13 any assistance about the nature of the training they 14 receive? 15 MR LLOYD: My understanding is, it's a progressive set of 16 training as they go through the training process. But 17 I don't know the absolute specifics of that. 18 MS SCOLDING: Turning back to one question about safer 19 recruitment that I omitted to ask a few moments ago, 20 when did you first start checking clerics? When did you 21 first start undertaking CRB or DBS checks on clerics? 22 MR LLOYD: I can't recall precisely, but my suspicion is in 23 the mid -- sometime -- whenever the CRB was brought in. 24 MS SCOLDING: Just for the purposes of the record, in 25 Archbishop Davies' statement, at paragraphs 30 through</p> <p style="text-align: center;">Page 40</p>

<p>1 to 39, there is quite a detailed discussion about the 2 way that checking takes place. There is just one 3 further question I wanted to ask you: what happens when 4 a blemished disclosure is received? 5 MR LLOYD: The blemished disclosure -- this is a system 6 which is changing at the moment, so at the moment, when 7 blemished disclosures are received, they initially go to 8 the triage meeting and we look at what the blemish is. 9 Blemishes can be all sorts of things and some of them 10 may have no relevance to safeguarding at all. We are 11 cautious if there is any concern that the blemish may 12 have a relationship with safeguarding, it will be 13 referred to the Safeguarding Panel. 14 MS SCOLDING: I think, Mr Lloyd, you're probably the 15 appropriate person for the next set of questions, which 16 is about the employment status of clerics in Wales. So 17 what is the status of clergy in Wales? Are they 18 employees, are they self-employed? How do you 19 characterise them? 20 MR LLOYD: They are office holders, they are not employees. 21 MS SCOLDING: Do they have written terms and conditions of 22 service? 23 MR LLOYD: Yes, they do. They have terms of service, which 24 is a document that came into being in about 2010. 25 MS SCOLDING: Ralph, would you mind getting up</p> <p style="text-align: center;">Page 41</p>	<p>1 ANG000359_003. These are the terms of service for 2 what's known as common tenure. 3 MR LLOYD: That's right. 4 MS SCOLDING: Can I ask, which clerics are on common tenure, 5 so to speak? Are all clerics in the Church in Wales 6 subject to common tenure or only some of them? 7 MR LLOYD: The answer is all new clerics are subject to 8 common tenure, but my understanding is there are still 9 a very few, who were in post before common tenure came 10 in, who are not on common tenure. 11 MS SCOLDING: When did common tenure come in? 12 MR LLOYD: I believe it was 2010. 13 MS SCOLDING: Can we go firstly now, Ralph, to 015, internal 14 pagination number 6. At paragraph (xii) it says -- this 15 is the terms and conditions. How many clerics are -- 16 out of there -- you have talked about the stipendiary. 17 Do both stipendiary and non-stipendiary clerics have to 18 sign these terms and conditions of service? There is 19 a nod from Archbishop John. 20 ARCHBISHOP JOHN: Yes. There will be particular bits of 21 terms of service which obviously wouldn't apply to 22 non-stipendiaries, but those tend to be financial. 23 MS SCOLDING: What percentage, do you think, of current 24 clerics have had to sign up to these terms and 25 conditions?</p> <p style="text-align: center;">Page 42</p>
<p>1 ARCHBISHOP JOHN: I can speak, if I may, from the 2 perspective of my own diocese. To clarify, those who 3 have not signed up are automatically caught by the terms 4 of service net should they move from one post to another 5 and, in terms of the proportion of my cohort of clergy 6 that haven't signed up, I would say -- I can't be number 7 specific, but fewer than a handful. 8 MS SCOLDING: If you only have 12 clerics in your diocese, 9 then "fewer than a handful", might be quite a few. 10 ARCHBISHOP JOHN: I have about 75 -- 11 MS SCOLDING: So a handful out of 75. 12 ARCHBISHOP JOHN: -- stipendiary/non-stipendiary. 13 MS SCOLDING: This identifies that a cleric must keep up to 14 date with issues affecting ministry and must participate 15 in continuing ministerial development and training 16 courses and attend clergy schools and chapter meetings. 17 Does continuing ministerial development include 18 safeguarding as part and parcel of the usual 19 professional development that you would undertake? 20 ARCHBISHOP JOHN: I think that we view safeguarding with 21 such importance that it would be rolled out separately 22 and required to be undertaken by all clerics. 23 MS SCOLDING: Could we turn now to 019, page 8. At the 24 bottom, it says "Discipline". It says: 25 "The standards expected of clergy are set out in</p> <p style="text-align: center;">Page 43</p>	<p>1 this statement, the professional ministerial guidelines 2 and the constitution of the Church in Wales. 3 "A cleric who is found to be in breach of 4 the standards will be subject, following investigation, 5 to the disciplinary policies and procedures ..." 6 We will come on to those in a minute: 7 "Serious acts or omissions may result in removal 8 from office and could result in deposition from 9 Holy Orders." 10 So that is -- is breach of that what you would do if 11 you needed to discipline a cleric for failing to take 12 safeguarding seriously, for example? 13 ARCHBISHOP JOHN: I think that might be, shall we say, an 14 ultimate sanction. It would depend -- deposition from 15 Holy Orders, removal from office, that would be 16 case-specific, I would have thought. But in terms of 17 a cleric who refuses to participate in safeguarding 18 training, then I suppose the immediate ultimate sanction 19 would be I would suspend them. 20 MS SCOLDING: So in respect of the professional ministerial 21 guidelines, it might be sensible if we get those up. 22 Now, these have been in force since 2010. ANG000374 -- 23 ARCHBISHOP JOHN: If I may, I think it is 2007. 24 MS SCOLDING: 2007, sorry. The clergy terms of service came 25 into force in 2010 and the professional ministerial</p> <p style="text-align: center;">Page 44</p>

<p>1 guidelines in 2007. 2 If we can just look at some of the relevant 3 professional ministerial guidelines, can we look at 005, 4 please, Ralph, paragraph 1.3 of that. So it identifies 5 that professional and personal conduct is bounded by law 6 and legal sanction. Clergy who, as at ordination and on 7 being licensed or instituted, make a declaration of 8 canonical obedience ..." 9 And what its also says is: 10 "Obligations of sacrificial self-discipline above 11 and beyond the requirements of secular and 12 ecclesiastical law." 13 Does that, therefore, mean that you hold clerics to 14 higher standards of ethical behaviour than you would 15 ordinary members of the public? 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: And that's effectively what you are saying? 18 ARCHBISHOP JOHN: Yes. 19 MS SCOLDING: Would that be something that you might think 20 about using a breach of if you were dealing with 21 discipline in respect of clerics or other office 22 holders? 23 ARCHBISHOP JOHN: I guess, of course, it would be, again, 24 case-specific. It would depend on all the surrounding 25 circumstances. But, ultimately, if somebody was sitting</p> <p style="text-align: center;">Page 45</p>	<p>1 lightly to that higher standard, then, yes, again, there 2 could be the sanction of suspension followed by 3 investigation, followed, if necessary, by referral to 4 the Disciplinary Tribunal. 5 MS SCOLDING: Could I take you to 007, which is 2.1 to 2.11. 6 This is a bit more detail about what a cleric is 7 meant to be doing, and, again, it's got sensitivity, 8 justice, pastoral care. And 2.5 is quite important: 9 "Clergy should discern and make clear their own 10 limitations of time, competence and skill and they will 11 need to seek support." 12 Then, again, down at 2.6: 13 "Recognising the difference between pastoral care 14 and recognising appropriate sexual, emotional and 15 psychological boundaries." 16 And maybe particularly important, in 2.10 and 2.11, 17 when we're talking about the abuse of power and 18 clericalism: 19 "They should be aware of the danger of dependency 20 and manipulation or collusion, and clergy should be 21 aware of the potential for abusing their privileged 22 relationship. 23 In fact, the potential for abusing their privileged 24 relationship is also replicated elsewhere in the 25 guidance. Now, could I take you to paragraph 2.13 on</p> <p style="text-align: center;">Page 46</p>
<p>1 009, please, Ralph. No. Could we go to the next page? 2 Ah, could we go to ANG000374_009. That's my fault. 3 Could we get up 2.12 and 2.13. "Taking notes". Then it 4 says 2.13: 5 "Every ordained person should have appropriate 6 training in child protection. Provincial and diocesan 7 guidelines and requirements must be known and observed." 8 Is reference to that the most recent and up-to-date 9 policy or was that the policy in force at the time? 10 ARCHBISHOP JOHN: That would have been the policy in force 11 at the time. That's been, obviously, updated by the two 12 safeguarding policies 2016 and 2018. 13 MS SCOLDING: In a way, what's been imported into the terms 14 and conditions of service is a direct obligation and as 15 well that obligation you say must be known and observed. 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: What do you mean by "must be known and 18 observed". 19 ARCHBISHOP JOHN: In terms of the clergy, they are required 20 to undergo Safe Church training. That's a mandatory 21 requirement. And, if someone were to refuse, then, 22 again, the sanction would be, well, suspension until 23 you're properly trained. 24 MS SCOLDING: So can we -- 25 ARCHBISHOP JOHN: If I may interrupt you, one would hope not</p> <p style="text-align: center;">Page 47</p>	<p>1 to get to such, you know, a drastic set of 2 circumstances, that someone would be spoken to and told, 3 frankly, "Get on with it". 4 MS SCOLDING: Do you keep any records of who has done the 5 training? 6 ARCHBISHOP JOHN: Yes. 7 MS SCOLDING: Do you keep records in the diocese or the 8 province of who has done the training and when? 9 ARCHBISHOP JOHN: Yes. 10 MR LLOYD: To add to that, they're kept provincially. 11 MS SCOLDING: Since when have they been kept provincially? 12 Do you know when that, sort of, retaining records about 13 things like child protection would have come in, having 14 undertaken training in it? 15 MR LLOYD: I don't know when it came in. I do know that the 16 training that's been done in the last few years is 17 recorded centrally. 18 MS SCOLDING: Archbishop John, you talked, when we were 19 talking about the terms and conditions, a little bit 20 about disciplinary processes. We've got evidence about 21 the process in Wales in your witness statement at 22 paragraph 5 and also about some circumstances where that 23 process had to be, in effect, used. What powers do you 24 have to discipline clerics, as a diocesan bishop, and is 25 that exercised by you as an archbishop, by you as</p> <p style="text-align: center;">Page 48</p>

<p>1 a diocesan bishop or by the Church in Wales as a body? 2 ARCHBISHOP JOHN: It would be exercised by me as the 3 diocesan bishop, and if I could give you a kind of case 4 study, if I receive a telephone call, a complaint, from 5 a parishioner or indeed someone from outside the church, 6 making an allegation of whatever against a cleric, my 7 immediate response would be to take that seriously and 8 invite the person making the complaint to put it in 9 writing so that I can be satisfied that they are taking 10 it seriously themselves, and that they're not being 11 vexatious. 12 Once I have received that complaint, it would 13 largely depend on the nature of the complaint, but if it 14 had anything whatsoever to do with a safeguarding issue, 15 or a potential safeguarding issue, my immediate reaction 16 would be to refer it to the safeguarding professionals 17 at the provincial office. 18 MS SCOLDING: Would you then -- do you have to take -- the 19 safeguarding officers, do you have to take their advice, 20 or is it something -- do they give you advice? Is it 21 direction? Is it an order? Is it a sort of friendly 22 nod and a wink? How does it work? 23 ARCHBISHOP JOHN: At the present time, it would be 24 recommendation. I think I would like to see it become 25 directional. It would certainly not be a nod and</p> <p style="text-align: center;">Page 49</p>	<p>1 a wink. And in no circumstances would I ignore the 2 recommendation of a safeguarding professional. If they, 3 for example, said, if it were a cleric holding 4 permission to officiate, that that should be withdrawn, 5 whether temporarily, or whatever, I would accept that 6 advice. If the advice were this particular individual 7 should be suspended pending investigation, I would take 8 that advice. 9 MS SCOLDING: Does your power to discipline individuals 10 include just clerics, or does it include other office 11 holders, such as lay readers, lay ministers, youth 12 workers, churchwardens? 13 ARCHBISHOP JOHN: I can't be specific about the terms of 14 the current Canons, but there have been changes which 15 enable officers, certain officers, also to fall within 16 the ambit of the Disciplinary Code. 17 MS SCOLDING: I think ANG000346_007-009 might help us on 18 this. My notes say that it might help us on this. 19 I may well be wrong about that. 20 ARCHBISHOP JOHN: I think there's a reference to 21 churchwardens somewhere, certainly. 22 MS SCOLDING: This is the Disciplinary Tribunal. So there 23 is power for the Disciplinary Tribunal to say, a person 24 in training, a cleric -- so the first four are clerics, 25 then a person in training, then a churchwarden, and also</p> <p style="text-align: center;">Page 50</p>
<p>1 a lay member who held a licence, permission to 2 officiate, or commission. So anyone who holds an 3 official lay ministry is also subject to your 4 Disciplinary Code and guidance? 5 ARCHBISHOP JOHN: That is a fairly recent change to our 6 practice and procedure which has emerged, to go back to 7 an earlier line of questioning about ministry areas, 8 because part and parcel of the development of ministry 9 areas has been the emergence of a number of -- shall we 10 call them new ministries held by lay people within the 11 church. Those are authorised or commissioned or 12 licensed by the diocesan bishop and, therefore, these 13 people are in a very similar position, shall we say, to 14 the ordained clergy and, therefore, it's felt 15 appropriate that they should also be part of the same 16 disciplinary regime. 17 MS SCOLDING: Can I just identify, you run -- could you just 18 explain to me how your discipline process works in 19 Wales? So somebody phones you up and says, "I'm really 20 unhappy about JS. They have been behaving very badly in 21 respect of safeguarding. They are not following the 22 risk assessment I have asked them to undergo. They're 23 not doing any of that". You phone the provincial 24 safeguarding officer and then possibly suspend them. 25 What do you do in respect of discipline and who is</p> <p style="text-align: center;">Page 51</p>	<p>1 responsible for that? 2 ARCHBISHOP JOHN: In your example, we are talking about 3 a layperson who might have one of these licences? 4 MS SCOLDING: No, a cleric. 5 ARCHBISHOP JOHN: Immediate reference to the Registrar of 6 the Tribunal, who would, through the triage system that 7 operates in the provincial office, involve the 8 provincial secretary, representatives of the human 9 resources department, safeguarding and legal. 10 MS SCOLDING: Can you tell us about that triage system, and 11 then we will go on to what happens in discipline. Would 12 you like to tell us about the triage system? What is 13 that and when does it operate, when does it come into 14 play? 15 MR LLOYD: It's been operating for about 12 to 18 months 16 now, and it came out of a concern I had about different 17 bits of the provincial office staff, different people, 18 operating in isolation from each other. So it's a place 19 where a situation of concern relating to a person can be 20 brought, and where we ensure two things. One is, it's 21 clear who is leading on it, so is it a safeguarding 22 matter, is it a human resources matter, is it something 23 we ought to be putting the insurers on notice about? 24 And then we make sure it's taken forward into the 25 appropriate place.</p> <p style="text-align: center;">Page 52</p>

1 So it is partly information sharing and partly
 2 ensuring it's very clear who is leading.
 3 MS SCOLDING: So does that triage process include making
 4 decisions about whether matters should go to
 5 a Disciplinary Tribunal or should -- the discipline
 6 process should start, or is it more about managing the
 7 situation on the ground in respect of safeguarding?
 8 MR LLOYD: It's an operational management. It's not
 9 a decision-making meeting.
 10 MS SCOLDING: I note the time, chair. I don't know whether
 11 now would be a suitable moment for a break?
 12 THE CHAIR: Thank you. We will return at 11.30 am.
 13 MS SCOLDING: Thank you very much.
 14 (11.15 am)
 15 (A short break)
 16 (11.31 am)
 17 MS SCOLDING: Thank you very much, chair and panel. We were
 18 talking about disciplinary tribunals, but I'm going to
 19 zig zag back to a question that I asked you before the
 20 break, which I understand that, during the course of
 21 the break, you have managed to clarify amongst
 22 yourselves.
 23 My understanding in respect of how many clerics
 24 there still are in the Church in Wales who are not on
 25 the clergy standards terms and conditions of service is

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1 medically-qualified members and clergy.
 2 MS SCOLDING: Right. So it would go to somebody to then
 3 work out, is there something in this and, if there is
 4 something in this, does it go through, like, what we
 5 would look at as a normal disciplinary process?
 6 ARCHBISHOP JOHN: There might, if I may say, actually be an
 7 even earlier stage which might be called, in legal
 8 terms, further and better particulars. If the complaint
 9 as received is very vague, we might appoint somebody to
 10 beef it up or make some more enquiries to see whether
 11 there is substance. The Investigatory Committee will
 12 say if they believe there is a case to answer, and my
 13 understanding of it is that it's ultimately the bishop's
 14 decision to then formally refer it for a hearing.
 15 MS SCOLDING: Right.
 16 ARCHBISHOP JOHN: I'm sorry to say I see heads being shaken.
 17 That can be clarified.
 18 MS SCOLDING: We might need some clarification of that.
 19 Maybe let's come back to that. You then have
 20 a Disciplinary Tribunal. Is that both sides get to put
 21 in written evidence and oral evidence and there is what
 22 might look like a trial?
 23 ARCHBISHOP JOHN: Yes.
 24 MS SCOLDING: You have already identified that -- can I just
 25 check, the Clergy Discipline Measure doesn't just apply

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1 that there are only 25 of clerics in the entirety of
 2 Wales who no longer have that. Do you think that that
 3 sounds about right?
 4 MR LLOYD: I do.
 5 MS SCOLDING: Thank you. Back to disciplinary tribunals.
 6 Can I just ask, what is the process for clerical
 7 discipline, then? If you could just run us through the
 8 stages. So you have told us you get the telephone call,
 9 it's gone to the safeguarding service, they have given
 10 you certain advice, and you think, right, okay, I can
 11 use my powers or the Clergy Discipline Tribunal can use
 12 the powers. Who are the bodies who make the ultimate
 13 decision as to whether somebody should be disciplined or
 14 not in Wales?
 15 ARCHBISHOP JOHN: The complaint comes in, it's formalised in
 16 writing, I send it off to the Registrar of
 17 the Disciplinary Tribunal. There can then be what's
 18 called an Investigatory Committee, which will look into
 19 it formally to see whether there is a case to answer.
 20 MS SCOLDING: Who would be the Investigatory Committee?
 21 ARCHBISHOP JOHN: Members of the tribunal. But they would
 22 not be people who might ultimately sit on a tribunal
 23 were it to have a full hearing.
 24 MS SCOLDING: Who are members of the tribunal?
 25 ARCHBISHOP JOHN: There are legally-qualified members,

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1 to clerics, it would also apply to bishops as well,
 2 wouldn't it?
 3 ARCHBISHOP JOHN: Yes.
 4 MS SCOLDING: And, in fact, to yourself as an archbishop?
 5 ARCHBISHOP JOHN: Yes.
 6 MS SCOLDING: You have already identified, although you have
 7 the power to suspend, or in fact the Clergy Discipline
 8 Tribunal also has a power to suspend, as I understand
 9 it, under their rules, so there's a concurrent power of
 10 either yourself or that, you have no power to suspend
 11 a bishop; is that right?
 12 ARCHBISHOP JOHN: That's something which has recently
 13 emerged and that is something which is going to be
 14 addressed.
 15 MS SCOLDING: I think I asked you this already, but
 16 apologies if I already have: have you ever had to use
 17 your suspensive powers?
 18 ARCHBISHOP JOHN: In terms of a cleric, yes.
 19 MS SCOLDING: How regularly have you used those powers?
 20 ARCHBISHOP JOHN: Infrequently.
 21 MS SCOLDING: Have any of those cases been to do with
 22 safeguarding?
 23 ARCHBISHOP JOHN: Yes.
 24 MS SCOLDING: How quickly after the complaint was received
 25 did you suspend them?

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<p>1 ARCHBISHOP JOHN: I'm afraid I can't recall with precision. 2 MS SCOLDING: That's fine. So once matters have gone to the 3 Clergy Discipline Tribunal, my understanding under the 4 relevant regulation, which is regulation 11 of 5 the Clergy Discipline Tribunal Rules -- Ralph, 6 ANG000346_008. I apologise, Ralph, if you wanted to tie 7 your shoelace or do something, but your services are 8 required. 9 Clause 11 at the bottom of the page: 10 "There shall be a committee of the tribunal which 11 will decide in respect of each reference whether or not 12 there is a case to answer, one of whom is a clerical 13 measure." 14 So, in other words, once it's gone to the tribunal, 15 in a way, it's out of your hands; is that right? 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: You identify in your witness statement six 18 cases in which clerics have been the subject of 19 discipline related to child sexual abuse. If we could 20 please get Archbishop John's witness statement up, 21 000535_008 and 009. So you have helpfully provided us 22 with a summary of the cases -- Ralph, would you mind 23 getting up 25(a) to (e). Would you mind enlarging it 24 slightly? Although maybe that is just for my benefit 25 rather than anybody who has better eyesight.</p> <p style="text-align: center;">Page 57</p>	<p>1 I note something immediately here that we haven't 2 heard about in the Church of England, which is under 3 (a), "subsequently deposed from Holy Orders". Firstly, 4 for the benefit of individuals who know nothing about 5 this, what is being deposed from Holy Orders; and, 6 secondly, could you tell us about what that means in 7 practice? 8 ARCHBISHOP JOHN: If you make the distinction between being 9 put out of office and deposed from Holy Orders, put out 10 of office would mean your current appointment is 11 something which you are no longer entitled to hold; 12 deposed from Holy Orders means you are no longer able to 13 function as a cleric. 14 MS SCOLDING: In other words, you are no longer entitled to 15 say you're the Reverend, you can't wear clerical dress, 16 you can't even officiate at places where you wouldn't 17 need a licence? 18 ARCHBISHOP JOHN: For our purposes, you are no longer 19 a cleric. 20 MS SCOLDING: It's what, I think, in the Catholic Church, is 21 sometimes called laicization? 22 ARCHBISHOP JOHN: Yes. 23 MS SCOLDING: But to be deposed from Holy Orders. 24 Do you find that -- and I think we can say in this 25 case you have identified that individuals, where they</p> <p style="text-align: center;">Page 58</p>
<p>1 have been convicted, have been deposed from Holy Orders, 2 where they have been convicted of child sexual abuse? 3 ARCHBISHOP JOHN: Yes. 4 MS SCOLDING: Could we go to (f), please, on the next page. 5 This is the case about someone who we are not going to 6 name, but this demonstrated a bit of a lacuna in your 7 particular rules. So the CPS didn't pursue 8 a prosecution, but it was brought before a Disciplinary 9 Tribunal who said, "Right, this individual should be 10 deposed from Holy Orders", but they appealed and then he 11 was then reinstated but said he couldn't be licensed to 12 any clerical position or be given a permission to 13 officiate without undergoing a risk assessment. So, in 14 other words, they said, "You can come back in, but it's 15 conditional upon you undergoing a risk assessment"? 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: He then, as I understand it, didn't, or 18 refused to submit himself to the risk assessment. Can 19 you compel a cleric to undergo a risk assessment in your 20 rules as part of their terms of service? 21 ARCHBISHOP JOHN: I'm not absolutely certain, but I don't 22 think I can compel. 23 MS SCOLDING: But you can offer it and say, "Well, we are 24 not going to allow you to be a cleric" -- 25 ARCHBISHOP JOHN: Yes.</p> <p style="text-align: center;">Page 59</p>	<p>1 MS SCOLDING: -- in these sorts of circumstances? 2 ARCHBISHOP JOHN: Yes. 3 MS SCOLDING: So there was then a further -- after a civil 4 claim was brought, there was then a further tribunal 5 which deposed somebody from Holy Orders, but by that 6 time, he had in fact, in effect, stopped being a cleric. 7 He had resigned. And therefore the court, the 8 provincial court -- I'm assuming that's like the Court 9 of Appeal. 10 ARCHBISHOP JOHN: The Appeal, yes. 11 MS SCOLDING: That found that, because he wasn't in office, 12 he could no longer be subject to disciplinary rules. 13 ARCHBISHOP JOHN: Yes. I think it is fair to say found very 14 reluctantly that that was so and, as a result of that, 15 what you refer to as the lacuna has now been closed. 16 MS SCOLDING: How has it been closed? 17 ARCHBISHOP JOHN: By legislation and the governing body 18 amending the disciplinary procedures. 19 MS SCOLDING: So before that, there would have been the 20 possibility of people resigning from office and then, if 21 you didn't want to depose them from Holy Orders, so to 22 speak, they probably could have got away with it or it 23 would have been difficult for you to insist on 24 disciplining them? 25 ARCHBISHOP JOHN: Yes.</p> <p style="text-align: center;">Page 60</p>

<p>1 MS SCOLDING: Is that right? Okay. Can I just 2 double-check. Now, this was back -- this really wasn't 3 that long ago. So you have now changed the law in that 4 respect; is that right? 5 ARCHBISHOP JOHN: Yes. 6 MS SCOLDING: That's fine. Can I deal with other changes to 7 the disciplinary process that are proposed. Ralph, 8 could we get up ANG000365_003. This is the report from 9 a Working Group of the tribunal, which basically 10 identified -- it was a kind of, "What are we doing? Are 11 we doing the right thing?" Now, my understanding of 12 the significant conclusions, as far as we are concerned, 13 is there isn't going to be any change to their powers, 14 but there's going to be a first stage system, which is 15 going to be implemented, which is going to be paper only 16 to decide if there is a case to answer. So, at the 17 moment, as you've identified, there would be 18 a committee, as we looked at in the rule earlier. You 19 refer the matter to the Disciplinary Tribunal, they then 20 institute something called a committee. It's almost 21 like a kind of grand jury process in the UK or what used 22 to be the committal process in England and Wales, where 23 there's like a full-style -- an old-style committal 24 where people decide whether there is anything going on 25 and then there's a trial. So you're planning to get rid</p> <p style="text-align: center;">Page 61</p>	<p>1 of that first stage and just have a paper-based system 2 where the president of the tribunal says, "Yes, this 3 looks like there's something in it", or, "No, there 4 isn't"? 5 ARCHBISHOP JOHN: Yes. 6 MS SCOLDING: What is going to be held, if you know the 7 answer to this, as to be a case to answer: is it 8 something which has some possibility of success, 9 something which is definitely going to -- if I could 10 just indicate, Archbishop John, you are a former 11 solicitor? 12 ARCHBISHOP JOHN: Yes. 13 MS SCOLDING: So when I'm talking about what burden of -- 14 what proof are you going to demonstrate, what's the 15 evidential basis, you are familiar with those sorts of 16 concepts, aren't you? 17 ARCHBISHOP JOHN: Yes, I am. The burden of proof in 18 a Disciplinary Tribunal is balance of probabilities 19 rather than beyond reasonable doubt, as it would be in 20 a criminal prosecution. 21 MS SCOLDING: So it's on the balance of probabilities that 22 there is a case to answer. What's meant by "a case to 23 answer"? 24 ARCHBISHOP JOHN: I could say that's a very good question. 25 Looking at the facts, weighing the evidence, is it</p> <p style="text-align: center;">Page 62</p>
<p>1 likely that a tribunal would find that the allegation is 2 proved and that, therefore, the cleric is subject to 3 a formal disciplinary sentence of some sort. 4 MS SCOLDING: Can I ask, at the moment, if this were to be 5 a case which involved child sexual abuse and the victim 6 and survivors wanted to play some process, is there any 7 mechanism for them playing any process, being provided 8 with any legal advice, as to the workings of 9 the disciplinary tribunal, as far as you're aware at the 10 moment? 11 ARCHBISHOP JOHN: As far as I'm aware, they would certainly 12 have to be offered support, appropriate support. In 13 terms of whether they would also be offered formal legal 14 advice, I would defer to Mr Lloyd. 15 MS SCOLDING: Mr Lloyd? 16 MR LLOYD: Our policy would be to provide the support the 17 survivor needed. So, yes, if necessary. But it would 18 be -- it is something we don't have firm rules on, 19 because we try to work on a case-by-case basis. 20 MS SCOLDING: Okay. As I understand it, one of the things 21 that came out of this report is that the Bench of 22 Bishops asked the Working Group some questions, one of 23 which was that the chair of the Safeguarding Panel 24 should be able to make referrals to the Disciplinary 25 Tribunal Working Group. Is that right?</p> <p style="text-align: center;">Page 63</p>	<p>1 ARCHBISHOP JOHN: I wouldn't say the Bench of Bishops asked 2 the question. Shall we say, if you were in a situation 3 where it was felt that, when the buck stopped with the 4 bishop, the bishop didn't follow a recommendation, ought 5 there to be another route whereby he or she -- 6 MS SCOLDING: We are going to come on to see a couple of 7 examples of that later. 8 ARCHBISHOP JOHN: Okay. 9 MS SCOLDING: What's come out of that? Is there going to be 10 the power for the chair of the Safeguarding Panel to be 11 able to make referrals to the Disciplinary Tribunal? 12 ARCHBISHOP JOHN: There is a proposal to go to the governing 13 body, I believe, in September. 14 MS SCOLDING: We have heard all about how long it can take 15 for General Synod to get things through. How long does 16 it take for the law to change in Wales. Mr Lloyd? 17 MR LLOYD: Normally, about six months. So we can move very 18 quickly. 19 MS SCOLDING: Is it likely to be the sort of thing which 20 would be the subject of opposition, do you think? 21 MR LLOYD: No. 22 MS SCOLDING: I know it is difficult for me to say something 23 which is hypothetical at the moment. 24 Can we now move just to a couple of other sort of 25 issues which have come up in England and it would be</p> <p style="text-align: center;">Page 64</p>

<p>1 useful to know what your perspective in Wales is. 2 Permission to officiate. I think Archbishop John is 3 probably the best person to answer this. 4 Until very recently, there wasn't a formal policy in 5 place, as I understand it. In June 2019, a formal 6 policy arrived, and we have a copy of it at, Ralph, 7 ANG000647. 8 So, what is your policy on permission to officiate, 9 Archbishop John? 10 ARCHBISHOP JOHN: A cleric seeking permission to officiate 11 in a diocese would require enhanced DBS check, would be 12 required to be deemed to be safe to receive, whether 13 that be by better or by CCSL, and also have to undergo 14 a compulsory Safe Church -- Safe Church training. 15 MS SCOLDING: Can I just ask, what is in a CCSL which, for 16 the benefit of those watching along, is a clergy current 17 status letter. What's in that? 18 ARCHBISHOP JOHN: It's a long list -- it comprises a long 19 list of questions about the cleric's performance, 20 whether there is anything known about the cleric's past 21 that would give any cause for concern. It comes in two 22 parts, part A and part B, one of which is specific 23 answers to specific questions, and the other part would 24 be a letter indicating the sending bishop's or the last 25 diocesan bishop's view of the person as being suitable</p> <p style="text-align: center;">Page 65</p>	<p>1 for continuing to minister. 2 MS SCOLDING: Can I just double-check, you have just 3 described the system as it operates in England. Do you 4 have the same thing in Wales, then? Is it identical, 5 the way that the document looks, the CCSL letter? 6 ARCHBISHOP JOHN: It's extremely similar. I can't say it's 7 the same in each and every respect. One respect in 8 which, in my own diocese, it differs slightly is that 9 you may or may not be familiar with what's called the 10 Archbishops' List. 11 MS SCOLDING: Yes. So you have the same thing. You have 12 the Archbishops' List? 13 ARCHBISHOP JOHN: No, we don't. We are not permitted access 14 to the current Archbishops' List in England, which is 15 a source for some concern, but is, again, being looked 16 at. We used to have it. But it may well be, for data 17 protection reasons, or others, that that is no longer 18 available. 19 MS SCOLDING: So this maybe raises a sensible time to ask 20 you the question, do you have the equivalent of 21 the Archbishops' List in Wales? 22 ARCHBISHOP JOHN: We do. 23 MS SCOLDING: Who is on that list, Mr Lloyd? 24 ARCHBISHOP JOHN: Yes, even as archbishop's registrar -- 25 MS SCOLDING: Is Mr Lloyd in charge of the list?</p> <p style="text-align: center;">Page 66</p>
<p>1 MR LLOYD: Yes. It is a list of those who have been 2 formally put onto it, mostly by the Disciplinary 3 Tribunal. 4 MS SCOLDING: Are there different sections? Because when we 5 have heard about the Archbishops' List in England, 6 there's the "They have done something a little bit bad" 7 and then there's the, "You really need to watch out" bit 8 of the list. So I would say there are gradations on the 9 list, or certainly there used to be. How does the list 10 operate? Is it just one list of people and how is it 11 circulated and to whom? 12 MR LLOYD: There is one list, it's held in the provincial 13 office and bishops can consult it by talking to us. It 14 is not a paper-circulated list. It is held in one 15 place. 16 MS SCOLDING: So a bishop would need to know -- how does 17 a bishop know that somebody might be on that list, or is 18 it something that they're obliged to do before they 19 employ anyone? 20 MR LLOYD: They are recommended to check with us to see if 21 the name is on the list. 22 MS SCOLDING: When I hear the word "recommended" in the 23 context of this inquiry, I start to develop sort of some 24 unhappiness. You say "recommended". How frequently do 25 they, in fact, look at it before they employ people?</p> <p style="text-align: center;">Page 67</p>	<p>1 I mean, I use the word "employ". I know they don't 2 employ them. I know they are office holders. But for 3 ease of reference. 4 MR LLOYD: The answer is, I don't know because I don't 5 personally look after that. 6 MS SCOLDING: But if somebody wasn't looking at the list, 7 how would it come to your attention? 8 MR LLOYD: The answer is, I don't know. I don't know. 9 MS SCOLDING: That's absolutely fine. So there is 10 a potential difficulty, in that you've got this list of 11 people who have been subject to discipline, for all 12 sorts of reasons, some of which those outside the church 13 might see as less significant than others, some of which 14 everybody would agree are that, and you can't 15 necessarily guarantee that a bishop will look at that 16 list before he makes a decision that somebody should 17 have a term of service. Is that right? 18 MR LLOYD: I can't guarantee that, no. 19 MS SCOLDING: Can I also ask something about the PTO file, 20 then. Ralph, would you mind getting back up 21 ANG000647_001. So I see you've got what I think is 22 probably quite standard in terms of the necessity for 23 there to be an enhanced DBS check and, if somebody comes 24 from outside the UK, they will have to liaise with the 25 relevant office as to what you can do in respect of</p> <p style="text-align: center;">Page 68</p>

<p>1 criminal records checks. But can I have a look at 6 and 2 7. So it seems to me, this is about references and 3 personnel files. So if the cleric is moving from the 4 Church of England, the bishop will obtain what we have 5 just discussed, a CCSL, before granting PTO. Do 6 I assume, when the cleric then arrives from the 7 Church of England, you will get their blue file, their 8 personnel file? I don't know -- one, do you call it 9 a blue file in Wales? 10 ARCHBISHOP JOHN: We call it a clergy personal file. 11 MS SCOLDING: Do you receive their clergy personal file if 12 they move to Wales? 13 ARCHBISHOP JOHN: Sometimes yes, sometimes no. The 14 protocols are not clear. Some dioceses will send the 15 original file. Some dioceses will send a copy of 16 the original file. Sometimes the file has been what we 17 call weeded. It depends -- the practice, I have to say, 18 is unsatisfactory and inconsistent, from my perspective. 19 MS SCOLDING: Between England to Wales? 20 ARCHBISHOP JOHN: Yes. 21 MS SCOLDING: How frequently do clerics move from England to 22 Wales. Because a system being unsatisfactory possibly 23 people could live with, if it was one person every three 24 or four years. How frequently is there a transfer from 25 England to Wales and vice versa.</p> <p style="text-align: center;">Page 69</p>	<p>1 ARCHBISHOP JOHN: I would say it's regular but infrequent. 2 But, having said that, quite a number of clerics from 3 the Church of England tend to retire in Wales. 4 MS SCOLDING: So it is an issue in particular in respect of 5 PTO, permission to officiate? 6 ARCHBISHOP JOHN: Probably -- again, I can't be 7 number-specific. I would say it's a very mixed picture. 8 MS SCOLDING: So we have got the CCSL. But then, at 6, it 9 says: 10 "If the cleric is moving from another diocese, the 11 bishop will, before granting PTO, have obtained 12 a written reference with an explicit statement that the 13 document contains details of all relevant concerns of 14 a safeguarding nature." 15 Why is there a different status for clerics moving 16 within Wales than there is clerics moving from England 17 to Wales? Could you help me with that? 18 ARCHBISHOP JOHN: When I saw that myself I raised the same 19 question in my own mind. My own practice would be to 20 follow exactly the same procedure for both. 21 MS SCOLDING: Can I just ask, in basics, in terms of 22 personnel files, do personnel files move from diocese to 23 diocese -- 24 ARCHBISHOP JOHN: Yes. 25 MS SCOLDING: -- or are they kept at the provincial offices?</p> <p style="text-align: center;">Page 70</p>
<p>1 ARCHBISHOP JOHN: No, they are kept in each individual 2 bishop's office and, if a cleric moves from diocese A to 3 diocese B, the file goes with them. 4 MS SCOLDING: Do you think that's a terribly good idea? On 5 the one hand, I understand the fact that it's a clergy 6 personnel file and therefore they are clerics of 7 the diocese and it's important to have it on hand. On 8 the other hand, particularly -- are your files still 9 paper or are they electronic? 10 ARCHBISHOP JOHN: In terms of my own office, they are both. 11 Correspondence in particular will be held electronically 12 and in paper form. Historical records tend to be in 13 paper form on the file. 14 MS SCOLDING: Anything from before about 15 years ago would 15 tend to be in paper form? 16 ARCHBISHOP JOHN: Yes. 17 MS SCOLDING: Do you think you should possibly consider, if 18 not holding the originals of the clergy personnel files, 19 there being the possibility of holding everything 20 securely at a central location, to enable, for example, 21 the provincial safeguarding officer or the provincial 22 registrars to have ready access to personnel files in 23 cases of safeguarding problems? Or, in fact, other 24 problems that may arise. 25 ARCHBISHOP JOHN: In terms of what you have referred to</p> <p style="text-align: center;">Page 71</p>	<p>1 earlier on as employment, if we just use the term 2 generically, I think that there would be merit, 3 certainly, in suggesting that a single document for each 4 cleric from across the province being held centrally for 5 ease of access would be a sound idea. 6 MS SCOLDING: Can I just ask -- again, I only ask this 7 because, in the Church of England, there have been all 8 sorts of problems that have been found in respect of 9 records being kept or not kept, things being accurate 10 and up to date. Who has access to your clergy personnel 11 files? Who can look at them at the moment? 12 ARCHBISHOP JOHN: Usually only myself and my PA, and anybody 13 else with my specific permission. 14 MS SCOLDING: So your provincial safeguarding officers don't 15 have carte blanche? They have to go via the bishop? 16 ARCHBISHOP JOHN: That's, strictly speaking, correct. But 17 I would never, ever refuse a safeguarding officer access 18 to any file. 19 MS SCOLDING: Well, I know you wouldn't, but I don't think 20 you can necessarily speak on behalf of everyone who's 21 ever held that office. 22 ARCHBISHOP JOHN: Indeed I can't. 23 MS SCOLDING: So there is the possibility then. Do you 24 think it might be a good idea to be able to have the 25 provincial safeguarding advisor, and anybody else who is</p> <p style="text-align: center;">Page 72</p>

<p>1 involved in safeguarding -- I know you don't necessarily 2 want those files seen by Uncle Tom Cobley at all, but 3 anyone who is engaged in a safeguarding matter to be 4 able to refer to those files so that it can make full 5 and accurate decisions, looking at context. 6 ARCHBISHOP JOHN: I would say that would be a sound idea and 7 I would support it. 8 MS SCOLDING: Sorry, we have veered slightly off topic onto 9 record keeping; however, I have solved some questions 10 that, otherwise, I would have to ask you later, anyway, 11 about that. 12 If we could go back to PTO, is PTO something which 13 is automatically granted, is it discretionary, how does 14 that work? 15 ARCHBISHOP JOHN: It is discretionary. The practice is that 16 a cleric seeking PTO would, certainly in my case, 17 approach me and write to me formally. If they were 18 known to me from my own diocese, then there ought not to 19 be a difficulty in providing them with a PTO. If they 20 are from outside the province or, indeed, from another 21 diocese, the usual checks would be made -- DBS, CCSL, 22 before permission to officiate were granted. 23 MS SCOLDING: Can we get up ANG000647_002, Ralph. This 24 identifies the training and PTO requirements. Can 25 I ask, are these just coming into force, or have these</p> <p style="text-align: center;">Page 73</p>	<p>1 already been put into force and they're just written 2 down now? 3 ARCHBISHOP JOHN: Again, from my own perspective, I can say 4 these mirror the practice I would have followed before 5 this code was actually written. 6 MS SCOLDING: Is your practice consistent with all other 7 dioceses, or has it been diocesan bishop by diocesan 8 bishop -- Mr Lloyd looks like he wants to answer that 9 question. 10 MR LLOYD: My understanding is, this is just the 11 codification of existing practice. 12 MS SCOLDING: Since when has this existing practice been in 13 place? 14 MR LLOYD: In terms of a formal instruction relating to the 15 training of PTO, I think it was -- formally went through 16 the bench about two years ago. But that, again, was 17 formalising best practice. 18 MS SCOLDING: So from at least two years ago to now, no 19 cleric should have been granted PTO without having 20 undertaken the relevant training module, and how do 21 you -- are records kept of who has attended those 22 modules by the provincial safeguarding office? 23 MR LLOYD: The training records are now held at St Padarns 24 and, yes, no cleric should have been issued a PTO unless 25 they have had the training.</p> <p style="text-align: center;">Page 74</p>
<p>1 MS SCOLDING: Is there something which comes on a CCSL where 2 you could sort of tick a box saying, "Are they up to 3 date with their training?", and what dates there are? 4 ARCHBISHOP JOHN: Yes. 5 MS SCOLDING: As far as the conditions of PTO, and, again, 6 I want to find out, has this always been the case that 7 it's only granted for a five-year period? 8 ARCHBISHOP JOHN: Yes, it is renewable. 9 MS SCOLDING: But has that always been the case or is that 10 something which has just come in? Again, I can only 11 really talk about the Church of England, but we have 12 seen examples of PTO being granted pretty much for life. 13 You know, somebody just says, "You get PTO", certainly 14 before about 15 years ago. 15 ARCHBISHOP JOHN: I mean, I have been a bishop for 13 or so 16 years and, in my experience as a bishop, there has 17 always been a renewal. 18 MS SCOLDING: Right. Okay. It says: 19 "PTO shall never be restricted by attempting to 20 exclude ministry involving children and adults at risk." 21 What does that mean? That you won't impose any 22 conditions saying, "You can have PTO but you can't do 23 the children's service on a Sunday"? I'm not really 24 sure -- I'm slightly unclear about the language of that. 25 ARCHBISHOP JOHN: I'm afraid I share your confusion.</p> <p style="text-align: center;">Page 75</p>	<p>1 MS SCOLDING: I'm not sure whether or not that's meant to be 2 saying -- I mean, I'm assuming what it's meant to be 3 saying, and I can only assume that that's what it's 4 meant to be saying, is that you shouldn't impose any 5 conditions. So you either grant it or you don't. 6 MR LLOYD: My understanding is, that's exactly what that's 7 trying to say. 8 MS SCOLDING: Yes. Somebody might want to have a quick look 9 at whether or not that wording could be slightly 10 tightened. 11 MR LLOYD: Indeed. 12 MS SCOLDING: In other words, you won't say -- and then it 13 says: 14 "PTO should be granted to cover the entire diocese. 15 So any geographical restrictions and the reasons shall 16 be notified in writing to all archdeacons and the 17 relevant provincial safeguarding officer." 18 What is meant by that? Would you sometimes say, 19 "You can only be in sort of, I don't know, St Isan's in 20 Colwyn Bay" or something? 21 MR LLOYD: That's the intention of that. If there was 22 a particular reason -- I don't know, if somebody was not 23 well, or something like that. That's the intention. 24 But the other part of that clause is to make sure that 25 everybody relevant knows that.</p> <p style="text-align: center;">Page 76</p>

<p>1 MS SCOLDING: What monitoring is there of what goes on with 2 PTO? I mean, in fact, maybe I should ask a question 3 which is an obvious prequel to this: how often do you 4 have to call on clerics to perform services or to 5 undergo parts of ministry who have PTO rather than 6 full-time clergy? 7 ARCHBISHOP JOHN: That is very, very much defined by 8 geography. In rural areas, with a proliferation of 9 church buildings and a lack of stipendiary or 10 non-stipendiary clergy, frankly, we rely very heavily on 11 retired clerics holding PTO. In urban/suburban areas, 12 it would be less so. But there are certainly parts of 13 the province where the ministry of the Church in Wales 14 would find it very difficult to be sustained in the 15 absence of PTO holders. 16 MS SCOLDING: So they're an absolutely vital -- but who 17 would monitor to make sure that if there was 18 a geographic condition, for example, that that was being 19 stuck to, that they weren't ministering in every parish? 20 ARCHBISHOP JOHN: The wording of the PTO in my own diocese 21 is quite specific, in that you exercise that ministry 22 by -- at the request of an area dean or an incumbent. 23 There will be areas of the province where PTO holders 24 are conducting services every week and, in terms of 25 their performance, and in terms of any concerns, one</p> <p style="text-align: center;">Page 77</p>	<p>1 would expect those performance questions or concerns to 2 be articulated to the area dean or to my office. 3 MS SCOLDING: But is the area dean or the incumbent, 4 depending on what the situation is, responsible for sort 5 of having a look in or keeping an eye out or saying to 6 the churchwardens, who are probably the people on the 7 ground who will be there at the parish, "Look, he keeps 8 talking to Johnny, who is 10. We are not really sure 9 that that's a sensible thing to do". I mean, does it 10 work like that? That's all quite an informal nexus, 11 isn't it? 12 ARCHBISHOP JOHN: In terms of the renewal process, that 13 renewal has to be supported by a formal request. If 14 concerns have been expressed, one would certainly expect 15 those to be expressed at that particular moment. In 16 terms of policing, shall we say, week by week, month by 17 month, I'm not aware of any specific regime. 18 MS SCOLDING: In other words, people can't simply turn up 19 and say, "I want PTO". 20 ARCHBISHOP JOHN: No. 21 MS SCOLDING: It has to come via an incumbent or the dean or 22 a cleric saying, "Look, I can't do Sunday here or Sunday 23 here. Johnny Bloggs has told me he can do Sunday here. 24 I think he is a jolly good ...", and does he give you 25 a reference?</p> <p style="text-align: center;">Page 78</p>
<p>1 ARCHBISHOP JOHN: Sorry, could you clarify the question? 2 MS SCOLDING: Is the cleric who requests that the individual 3 should have PTO -- do they have to give a reference of 4 the person who wants to be given PTO or is it simply 5 a reference from the diocese where they were in 6 full-time practice, so to speak, full-time ministry, 7 rather? 8 ARCHBISHOP JOHN: The reference would come from the previous 9 diocese. 10 MS SCOLDING: I'm assuming -- what happens to everyone who 11 isn't on this scheme at the moment? Is it, when they 12 come up for renewal, they will have to be subject to the 13 relevant training, or is it, as of now, everybody has to 14 have training and, if you haven't had training, you fall 15 off the list automatically. 16 ARCHBISHOP JOHN: That's correct. From, again, my own 17 experience, there have been retired clerics holding PTO 18 whose PTO has come up for renewal or is current and if 19 they have not had the appropriate training, that PTO 20 will be temporarily withheld. 21 MS SCOLDING: Now, I am going to ask a question now which 22 might seem silly, but do you have a current, up-to-date 23 list of everyone who has PTO in Wales? 24 MR LLOYD: Yes, we do. 25 MS SCOLDING: Who holds that list?</p> <p style="text-align: center;">Page 79</p>	<p>1 MR LLOYD: It's held centrally by the provincial office. 2 MS SCOLDING: Who passes that information to the provincial 3 office? 4 MR LLOYD: The bishops' officers. 5 MS SCOLDING: So you're reliant on the bishops' officers 6 letting you know whom they have granted a licence to or 7 is it the case that any licence is copied to the 8 provincial office? 9 MR LLOYD: I'm not aware of exactly how it works but, yes, 10 we are reliant on the bishops telling us to whom they 11 have granted PTO, but the list is held centrally. It is 12 held electronically and therefore available. 13 MS SCOLDING: I'm sorry to ask you quite so many boring 14 questions about PTO, but because of what happened in 15 Chichester, it is quite a sort of live issue, 16 particularly if you are, as Archbishop John says, very 17 reliant upon PTO in certain areas, it becomes a real 18 issue to make sure that they are as up to date as 19 anybody else's. 20 So if, for example, tomorrow, I were to go to 21 somewhere in St Asaph and see the people with PTO and 22 notice that a lot of those clerics hadn't had up-to-date 23 safeguarding training who had PTO. What would then 24 happen? Either of you. 25 ARCHBISHOP JOHN: If they have not got up-to-date</p> <p style="text-align: center;">Page 80</p>

<p>1 safeguarding training, they should not be functioning. 2 MS SCOLDING: Does anybody do a sweep of that? 3 ARCHBISHOP JOHN: Yes. 4 MS SCOLDING: Would the provincial safeguarding officer do 5 a sweep of that or would that be the bishop's job, 6 Mr Lloyd? 7 MR LLOYD: That's the bishop's job. 8 MS SCOLDING: So, again, we are relying on the bishop doing 9 that. Is there any ordinand or diktat that says to the 10 bishop, "You need to check, every six months, everyone 11 that has PTO to make sure that it's been undertaken. 12 I think you require training to be undertaken once every 13 three years, that their training is up to date". If you 14 can't help me, I will ask Ms Howe this afternoon, but it 15 may well be that you can help me, Mr Lloyd. 16 MR LLOYD: The answer is that this is an emerging process. 17 We realise that this is something we could do more 18 tightly. So what is happening is that, because of 19 the move of safeguarding training into St Padarns, what 20 we have done is to bring all of the -- there are 21 a number of different lists held in various locations. 22 They have been brought together. So, as of today, it is 23 not as tight as it is going to be in six months' time, 24 because what we are moving towards is exactly what you 25 are asking, which is, can you look at any person with</p> <p style="text-align: center;">Page 81</p>	<p>1 PTO and be absolutely sure straight away whether they 2 have been trained recently or not? 3 MS SCOLDING: Can I now move on, because I think even I have 4 exhausted the joys of PTO, to chaplains, which is, can 5 you describe, what is the position in respect of any 6 oversight the Church in Wales has of chaplains who would 7 operate in institutions within Wales? 8 ARCHBISHOP JOHN: Chaplains would be employed by those 9 institutions or by the statutory authority, such as the 10 Prison Service, and they would have a licence from the 11 diocesan bishop, within whose particular diocese that 12 institution was located, to function as a cleric. 13 MS SCOLDING: As part of that licence, do they have any 14 obligations to undertake any kind of safeguarding? 15 ARCHBISHOP JOHN: Yes. Before I would grant a licence, they 16 would have to have gone through the Church in Wales' 17 Safe Church training. 18 MS SCOLDING: So they would have to have gone through the 19 Safe Church training before they could be granted 20 a licence. Would there be any other conditions or 21 anything like -- in a similar way to the fact that you 22 have a policy on the grant of PTO which requires DBS 23 checks, references, do you do any of that? 24 ARCHBISHOP JOHN: Oh, yes. I'm sorry, I should have made 25 that clear. The grant of a licence would be on the same</p> <p style="text-align: center;">Page 82</p>
<p>1 terms as it would be licensing a cleric to a parish, and 2 there have been instances where clerics in an 3 institution -- say, for example, a school, a private 4 school, have said, "Well, I've already been DBS 5 checked", if they have come from the Church of England. 6 That doesn't wash. They have to be DBS checked again. 7 They have to go through our own Safe Church training 8 regardless of any training that they have had elsewhere 9 and regardless of any DBS checking that they might have 10 to go through for the institution in which they're 11 employed. 12 MS SCOLDING: Do you have any supervision of them, though? 13 I mean, do you have any -- does the bishop or anybody 14 else have any supervision of them to make sure that 15 they're -- because, obviously, in a way, they act in 16 your name, but they're not really part of your 17 organisation. What do you do to try and bind them in, 18 as far as safeguarding is concerned? 19 ARCHBISHOP JOHN: In terms of their conduct as a cleric, 20 they are subject to our procedures as well as the 21 employment procedures of the institution in which they 22 work. 23 MS SCOLDING: Do you have any sort of formal process of 24 oversight or monitoring of them? Or would that only 25 become relevant if their organisation referred something</p> <p style="text-align: center;">Page 83</p>	<p>1 to you? 2 ARCHBISHOP JOHN: The latter. 3 MS SCOLDING: So you, yourselves, don't do anything; you 4 rely on the institution referring you to concerns. Do 5 institutions reliably refer you to concerns? 6 ARCHBISHOP JOHN: I engage with the institutions usually. 7 So, say, for example, it is a hospital chaplain, I'd 8 visit the hospital; if it is a school, I would be 9 present in the school; if it is a prison, again -- but 10 if there were -- 11 MS SCOLDING: Do you have time to do that? I'm assuming 12 maybe because the province is slightly smaller. I'm 13 just imagining. Do you have time to visit every 14 chaplaincy that there is on a fairly regular basis as 15 a diocesan bishop? 16 ARCHBISHOP JOHN: I may not physically be present in the 17 place, but I am in contact with the clergy who are 18 working there and functioning there. 19 MS SCOLDING: How is that? 20 ARCHBISHOP JOHN: In some cases, as with hospital 21 chaplaincy, a number of diocesan clergy operate 22 sessional work in the hospitals. In terms of their lead 23 chaplain, the lead chaplain is somebody with whom 24 I would have intermittent -- not frequent, but 25 intermittent contact. But I would certainly expect, if</p> <p style="text-align: center;">Page 84</p>

<p>1 there were any issues surrounding their conduct as 2 a cleric, that the institution would draw those to my 3 immediate attention. But I have -- if I can guess your 4 next question, I don't have a formal procedure for doing 5 that. 6 MS SCOLDING: Again, do you think that's something that it 7 might be sensible, just so that -- because I suppose the 8 concern that this investigation might have is, 9 otherwise, there could be people to whom you have given 10 a licence, about whom you have no supervision or 11 oversight, who could well be perpetrating acts of abuse, 12 particularly as they tend to be situated in places where 13 people of a special vulnerability exist, whether that's 14 in prisons, in hospitals or with children. That's 15 largely going to be the three places you're going to 16 find chaplains. 17 ARCHBISHOP JOHN: Yes. I think what you suggest would be 18 sensible. 19 MS SCOLDING: As far as you're aware, I think we have 20 already identified this, but just to clarify, any kind 21 of full-time youth workers or anything like that are run 22 by the dioceses; the province doesn't have anything to 23 do with them? 24 ARCHBISHOP JOHN: They would be employed by the diocese. 25 MS SCOLDING: So the provincial safeguarding officer has</p> <p style="text-align: center;">Page 85</p>	<p>1 nothing to do with checking them out before they get 2 employed to make sure that -- I mean, obviously there 3 would be safer recruitment practices which the diocese 4 would practice. Is there anything else, in particular, 5 in respect of youth workers and those who are 6 supervising youth work with children? I think 7 particularly because probably the amount of youth work 8 you do is relatively small and -- sorry to say, but it 9 seems quite discrete. Do you do anything or does the 10 safeguarding team do anything about that? 11 ARCHBISHOP JOHN: In terms -- even if they're employed by 12 the diocese, they are still subject to the provincial 13 procedures for safeguarding and the policy. 14 MS SCOLDING: Can I now turn to sort of the safeguarding 15 structure within the Church in Wales. So you are, as 16 I understand it, Archbishop John, the current lead on 17 safeguarding. How long have you held that role? 18 ARCHBISHOP JOHN: Since becoming archbishop. 19 MS SCOLDING: And prior to that, who held that role? Does 20 the archbishop traditionally hold that role? 21 ARCHBISHOP JOHN: It's deemed to be such an important area 22 that it's the archbishop's bag, if I can put it like 23 that. 24 MS SCOLDING: Are there any full time -- I think maybe 25 I'll pass over to Mr Lloyd for the rest of these</p> <p style="text-align: center;">Page 86</p>
<p>1 questions. 2 Are there any full-time employees or officers 3 employed by the province in respect of safeguarding? 4 MR LLOYD: As of today, no. As of a week on Monday, yes. 5 MS SCOLDING: So who should be employed -- tell me about the 6 structure of safeguarding, in terms of the nonclerical 7 bit of it, in the Church in Wales? 8 MR LLOYD: So at the moment, we have three posts. We have 9 one full-time safeguarding manager and we have two 10 full-time safeguarding officers, one of whom roughly 11 covers North Wales and one of whom roughly covers 12 South Wales. 13 MS SCOLDING: Are they all based in, again, forgive me, 14 Llandaff? 15 MR LLOYD: No. The safeguarding manager will be based in 16 central Cardiff. One of the officers is based 17 elsewhere, works from home in South Wales, and the other 18 one works from home in North Wales. 19 MS SCOLDING: Do they have particular responsibilities other 20 than geographic? 21 MR LLOYD: No. And the reason I talk about loose geographic 22 cover is, there are occasions where we need to balance 23 workloads or, if somebody is conflicted because there's 24 a personal relationship, they will cover for each other. 25 MS SCOLDING: So there are sort of three of them in total.</p> <p style="text-align: center;">Page 87</p>	<p>1 MR LLOYD: There are three of them, yes. 2 MS SCOLDING: Does one of them manage the other, or are 3 they -- 4 MR LLOYD: The safeguarding manager will manage the other 5 two. 6 MS SCOLDING: Sorry, that's me asking a question which was 7 blindingly obvious from the fact one of them is called 8 a manager. So I apologise for that. 9 You've also got something called a Safeguarding 10 Panel. 11 MR LLOYD: Yes. 12 MS SCOLDING: What does it do and how does it act? 13 MR LLOYD: The Safeguarding Panel is the place where 14 decisions are made. So it meets roughly every six 15 weeks. It has a chair who is a layperson -- the current 16 chair is a former chief constable. And the safeguarding 17 officers will take cases to them with recommendations, 18 and the panel will make decisions. 19 MS SCOLDING: So it is a mixture of lay people and clerics? 20 MR LLOYD: Yes, it is. 21 MS SCOLDING: Are the preponderance clerics or lay people? 22 MR LLOYD: The majority is lay people. 23 MS SCOLDING: Of those lay people, do they all have some 24 kind of experience and expertise? You have talked about 25 a former senior police officer. Do any of the other</p> <p style="text-align: center;">Page 88</p>

<p>1 people have a background in child protection or 2 safeguarding? 3 MR LLOYD: Yes, a number of them are social work 4 professionals. There are medically-qualified people in 5 that group as well. 6 MS SCOLDING: How often do they meet? 7 MR LLOYD: About every six weeks. 8 MS SCOLDING: So about every six weeks there will be 9 a Safeguarding Panel. Maybe I will ask Ms Howe about 10 how it works in practice, but the safeguarding officers 11 will take cases to that panel. Is it then the 12 responsibility of the panel or the safeguarding officer 13 to make decisions about what should happen? 14 MR LLOYD: The officers will take a recommendation to the 15 panel. The panel will either approve it or modify it. 16 So the decision-making place is the panel. 17 MS SCOLDING: What happens if the safeguarding officer 18 disagrees with the panel? I mean, I'm thinking, this is 19 quite a similar -- this looks a bit like local authority 20 decision making, certainly in bits of England. I don't 21 know what it's like in Wales, that things go to a panel, 22 somebody presents something before a panel and they say 23 yes or no. If, for example, the new gentleman were to 24 come and say, "Do you know what, all these people 25 sitting on the Safeguarding Panel, they don't know what</p> <p style="text-align: center;">Page 89</p>	<p>1 they're doing, or they disagree with a particular 2 decision, they think a particular decision hasn't been 3 taken in context. Where could they take that to? 4 MR LLOYD: The membership of the Safeguarding Panel is -- it 5 is not self-appointing. It's appointed by the standing 6 committee. So if there was a dispute -- to take the 7 first of your examples, if there was a concern about 8 competence or individuals were not regularly attending 9 meetings, it would be for the safeguarding officers, 10 through me, to draw that to the attention of 11 the provincial standing committee, and the provincial 12 standing committee has the power to remove members. 13 MS SCOLDING: Can I ask, when was the policy first 14 introduced about child protection or safeguarding in the 15 Church in Wales? 16 MR LLOYD: It's been an emerging story. I haven't got the 17 date in front of me, but it's sort of emerged since 18 about 2000. 19 MS SCOLDING: Your current practice -- can we get your 20 current guidance up, which is ANG000356_003. So this is 21 the most up-to-date version. 22 MR LLOYD: That's right. 23 MS SCOLDING: How regularly is it updated? 24 MR LLOYD: It was -- it's a living document, so this 25 particular version first came in as a major revision in</p> <p style="text-align: center;">Page 90</p>
<p>1 2016. What happened after that was, we then asked for 2 comments on it, we received well over 100 comments and 3 then the group worked through all of those and those 4 comments were implemented with some other things which 5 had come along simply because, as time goes on, more 6 areas need covering, and we then went with the 2018 7 policy. 8 It is our intention that this is a living document 9 and that regularly, through the representative bodies' 10 People Committee, we will keep amending it, publicising 11 the amendments, so that this stays as up to date as it 12 possibly can be. 13 MS SCOLDING: Can I just ask, who has to follow this 14 guidance? 15 MR LLOYD: Everybody. 16 MS SCOLDING: And what do they have to do with it? 17 MR LLOYD: Everybody is required to -- 18 MS SCOLDING: When you say "everybody", is that all clerics 19 and lay people and everything to do with the church? 20 MR LLOYD: Yes. 21 MS SCOLDING: What is the status of this guidance? Is it 22 something you can look at if you feel like it? 23 MR LLOYD: As I was saying earlier, in its 2016 version, it 24 went to the governing body, so therefore it's an 25 official Church in Wales document. And, therefore,</p> <p style="text-align: center;">Page 91</p>	<p>1 you're required to follow it. 2 MS SCOLDING: So it's "you must follow it". 3 MR LLOYD: You must follow it. 4 MS SCOLDING: Is there any use of the term "due regard" at 5 any stage or is it "must". We saw in the clergy terms 6 of service it says "must". I understand that's for 7 clerics, but in terms of other office holders? 8 MR LLOYD: I'm not aware that it says "due regard", but 9 I can't be absolutely sure about that. 10 MS SCOLDING: It's fine. I just wanted to make sure that it 11 didn't say that and that it said "must". 12 So before 2016, you had a code of good practice. 13 Would you mind getting this up, please, Ralph, 14 ANG000371. Again, this was revised in November 2007. 15 Was this code of practice again something which people 16 had to follow or was it discretionary, or do you not 17 know? 18 MR LLOYD: The answer is, I don't know. It's well before 19 I arrived. 20 MS SCOLDING: That's fine. Now, one of the issues that 21 Ms Carmi raises in her report, which I am going to take 22 you to in full in a few moments, but general matters, is 23 that there's not necessarily a very good explanation in 24 the current policy of who does what in the context of 25 the church, the role of the provincial safeguarding</p> <p style="text-align: center;">Page 92</p>

<p>1 officer, the Safeguarding Panel, internal 2 investigations, et cetera, et cetera. Do you agree, 3 having had a look at Ms Carmi's report, that that's 4 a particular concern? 5 MR LLOYD: I completely agree with her. 6 MS SCOLDING: That's fine. So are you intending to amend 7 matters to clarify, so that everybody understands the 8 conversation we have just had, about who does what and 9 where centrally? 10 MR LLOYD: Yes. 11 MS SCOLDING: As far as training is concerned, do you know 12 when the first training strategy for the Church in Wales 13 was put -- came into force? 14 MR LLOYD: No. 15 MS SCOLDING: I think, in fact, it is in your witness 16 statement, and I think, in fact, it says in 2016 was 17 when it first came into force. 18 MR LLOYD: Thank you for reminding me. 19 MS SCOLDING: That's fine. That's absolutely fine. Do you 20 know which organisation developed this training? Or 21 shall I assist you with that as well? 22 MR LLOYD: No. The training was developed in association 23 with the NSPCC and also an organisation called Llamau 24 who particularly worked with us on Adults at Risk. 25 MS SCOLDING: In fact, I'm slightly wrong. If I take you to</p> <p style="text-align: center;">Page 93</p>	<p>1 your witness statement at paragraph 43 -- I'm afraid my 2 version of the witness statement doesn't have a URN on 3 it. Let me just double-check. Oh, no, ANG000538, 4 paragraph 41 onwards -- just to give you a little bit of 5 a hand here -- at page 013, because it isn't a test of 6 memory. This is the passages about safeguarding 7 training. So, as I understand it, recommendations were 8 made as a result of the Historic Cases Review, which we 9 will come on to discuss in a moment, which were 10 developed and agreed in 2014. The NSPCC was then 11 commissioned to develop it. It was first started 12 in January 2015 and it says: 13 "There was a clear direction that the training was 14 mandatory." 15 I suppose the question I have to ask is, mandatory 16 for who? 17 MR LLOYD: Mandatory for anybody who is, first of all, 18 a cleric or operating either as a layperson or with PTO 19 with a bishop's licence and for those who are involved 20 in work with other children or vulnerable adults. 21 MS SCOLDING: How was this direction enforced? 22 MR LLOYD: It is a progressive thing. So we started by 23 training clerics. We then brought in, with a separate 24 group of trainers, training for lay people, and, as 25 I say in my witness statement, we are now trying to</p> <p style="text-align: center;">Page 94</p>
<p>1 bring all that together. It struck me as the wrong 2 thing to do to be having a separate training track for 3 clerics and a separate training track for lay people 4 when the whole thrust of the Harries Report is about 5 building teams in ministry mission areas which are 6 comprised of both lay people and clerics. So if people 7 are working together, they should be training together. 8 MS SCOLDING: So there is training which has been devised by 9 the NSPCC and an organisation which works with 10 vulnerable adults which every cleric should now have 11 attended? 12 MR LLOYD: Yes. 13 MS SCOLDING: And every layperson who might have anything to 14 do with children and vulnerable people should have 15 attended. 16 MR LLOYD: Should have attended. Whether they all have 17 I think is a -- there are a lot of people. There are 18 regular training courses offered. I can't absolutely 19 guarantee that everybody who should have attended has. 20 But it is not because there wasn't the opportunity to 21 train them. 22 MS SCOLDING: Is there a list kept of who attends the 23 training to make sure that if individuals want, for 24 example, for a churchwarden, or something like that, 25 that they aren't allowed to occupy that role without</p> <p style="text-align: center;">Page 95</p>	<p>1 having done the training? 2 MR LLOYD: Yes, there is. 3 MS SCOLDING: How regularly updated, firstly, is the 4 training, or the requirement for training, for both 5 clerics and lay people? 6 MR LLOYD: So the training will be regularly updated. One 7 of the reasons for moving the training delivery to 8 St Padarns is to make sure that the delivery of training 9 is done by people who are experts in delivering 10 training. The authorisation of the content will be done 11 by the safeguarding -- social work qualified staff. 12 In terms of training update, I will need to check 13 that. But I think we ask for retraining every five 14 years. 15 MS SCOLDING: Do you think five years is good enough? 16 I mean, is that practically all you can expect? Because 17 I'm just thinking, things can change quite a lot. 18 I mean, five years ago, for example, the chair of this 19 particular inquiry hadn't, I don't think, quite as yet 20 published her report in respect of Rotherham. So things 21 like child sexual exploitation, things like that, were 22 not as well known about. It is quite a fast-moving 23 area. And I'm just thinking -- like, I think five years 24 ago I'm not sure whether Snapchat even existed or the 25 new one, the peer-to-peer things, where you pay people</p> <p style="text-align: center;">Page 96</p>

<p>1 for shout-outs and things like that. There are all 2 sorts of stuff, certainly to do with social media, 3 that's happened quite quickly over the past five years. 4 Do you think it's current enough? Sorry, I have been -- 5 the people at the back, I have been barracked by the 6 back of the stalls, who tell me that it is every three 7 years, Mr Lloyd. 8 MR LLOYD: Yes, I beg your pardon. 9 MS SCOLDING: No, no. 10 MR LLOYD: But even at three years, no, I don't think it is 11 frequent enough. I think we need to be increasing our 12 capacity in this area so that we can train more 13 frequently. 14 MS SCOLDING: Can I also ask about a practical thing, which 15 is, geographic distance is a significant factor in 16 Wales. How do you make sure that the courses are all 17 situated -- for example, we have just heard about the 18 fact that, in rural areas, you're really reliant on 19 elderly clerics with PTO. I know that neither the bus 20 nor the train system in Wales is as it should be, shall 21 I put it that way, and that those connections can 22 sometimes be quite difficult to make. How do you make 23 sure that the harder-to-reach individuals are ...? 24 MR LLOYD: Two things. This is -- again, the reason for 25 moving the training to the St Padarns Institute, is,</p> <p style="text-align: center;">Page 97</p>	<p>1 they are providing theological training across the whole 2 of Wales, not just for people entering into licensed 3 ministry, but for all sorts of other individuals who 4 want to engage with theological training. 5 So they are set up to do two things. One is to make 6 much greater use than we do at the moment on 7 safeguarding training of electronic modules and, as 8 I said in my witness statement, that's something we 9 haven't brought in yet which is coming in. And the 10 other is by making sure that we have got mobile 11 trainers, who are able to not only train in the easy 12 places, but also go out to the harder-to-reach areas. 13 What we don't do anymore is go and train in every 14 local village. We try to bring cohorts of people 15 together not too far from where they live. 16 MS SCOLDING: You set out in some detail at paragraphs 51 17 through to 58 of your witness statement -- Ralph, if you 18 wouldn't mind just skipping to those relevant pages, 19 just so people can see them on screen -- to identify 20 that there is going to be sort of four levels of 21 courses, in effect? 22 MR LLOYD: That's right. 23 MS SCOLDING: Who is going to have to do which levels? 24 You've got 0, 1, 2, 3, 4. Is that to be worked on? 25 MR LLOYD: That's still being worked on. What we're doing</p> <p style="text-align: center;">Page 98</p>
<p>1 at the moment is working in participation with the 2 Church of England, who are rather further ahead than us 3 on this at the moment. 4 MS SCOLDING: We have heard quite a lot about C0 to C4. Is 5 it going to be a system that looks a little bit like 6 that? 7 MR LLOYD: It is going to be a system that looks a little 8 bit like that, yes. 9 MS SCOLDING: Can I now turn to reporting safeguarding 10 concerns, and this is something that both of you may 11 well have views about. Who, in the church, is 12 responsible for reporting safeguarding concerns to 13 statutory agencies? 14 MR LLOYD: To statutory agencies? That would be done by the 15 social work -- the safeguarding team. 16 MS SCOLDING: So the safeguarding team have responsibility 17 for doing that. If, for example, it came to the 18 attention of a cleric in the diocese or a bishop in the 19 diocese -- are there any formal responsibilities on them 20 to have to report matters to the provincial safeguarding 21 team or to the safeguarding authorities themselves? 22 ARCHBISHOP JOHN: I think that that would depend on the 23 circumstances. If there were doubt as to whether 24 something needed to be reported, then I think the 25 appropriate step would be for the cleric or the bishop</p> <p style="text-align: center;">Page 99</p>	<p>1 concerned to have an informal conversation with the 2 safeguarding professional. 3 MS SCOLDING: I suppose the question is, for people like 4 yourself, Archbishop John, who is the lead on 5 safeguarding, I can imagine you would pick up the phone 6 to the safeguarding officer at the drop of a hat and 7 say, "This has come to my attention. I'm really worried 8 about this". What assurance can you give this 9 investigation that there is consistency of approach in 10 respect of ensuring that such referrals are made? 11 ARCHBISHOP JOHN: All I can do is speak from the perspective 12 of my own diocese and, for example, in each and every 13 mailing that I send out from my office to my diocesan 14 clergy, the names and telephone numbers and email 15 addresses of the safeguarding professionals in the 16 province appear. 17 MS SCOLDING: Do you think there should be a compulsion for 18 clerics of all hues to be compelled and other church 19 officers to be compelled to report matters, either 20 directly to statutory agencies or to the provincial 21 safeguarding officer, in cases where abuse is -- there 22 is a reasonable suspicion, shall we say, that abuse has 23 taken place or there's been a disclosure or something 24 which amounts to a serious allegation? 25 ARCHBISHOP JOHN: If you can define a reasonable suspicion,</p> <p style="text-align: center;">Page 100</p>

<p>1 then, yes, I would say -- you know, I would say 2 certainly there ought to be a compulsion to report it to 3 the safeguarding professionals in the province. 4 MS SCOLDING: Would that be something you could or would 5 consider putting in your clerical terms and conditions 6 of service, for example? 7 ARCHBISHOP JOHN: It would certainly be worth consideration. 8 MS SCOLDING: But do you think the difficulty of identifying 9 what amounts to a reasonable suspicion is such that it 10 wouldn't be capable of practical enforcement? You say 11 that. You're obviously saying that for a reason. Is 12 that because you think it might be something that might 13 be quite difficult to work out in practice? 14 ARCHBISHOP JOHN: I mentioned earlier on in my evidence the 15 risk that there may be vexatious complaints, which can 16 arise for any number of reasons. Hence, in my own case, 17 I would always expect someone to formalise a concern or 18 a complaint in writing. 19 MS SCOLDING: What would happen if they were illiterate? 20 ARCHBISHOP JOHN: I suppose I would have to arrange to see 21 them or arrange for someone to interview them so that 22 notes could be taken of what their concerns are. 23 MS SCOLDING: What about if English wasn't -- I don't know 24 how much of an issue -- how diverse is the constituency 25 of the Church in Wales, in terms of linguistic</p> <p style="text-align: center;">Page 101</p>	<p>1 difference, other than, obviously, Welsh? 2 ARCHBISHOP JOHN: In terms of linguistic difference, the 3 proliferation of Welsh depends, again, on geography, and 4 there are certain parts of my own diocese where Welsh 5 might be the first language for a small number of 6 people. The Diocese of Monmouth, very little Welsh as 7 a first language. However, the Diocese of Bangor, it 8 would be much more -- 9 MS SCOLDING: Welsh would probably be the first language for 10 the majority of people there? 11 ARCHBISHOP JOHN: Yes. There are, as well, other languages 12 that are emerging, as we know. 13 MS SCOLDING: Yes. Can I ask a question about victims and 14 survivors. How are victims and survivors currently 15 managed? If this would be better dealt with by the 16 provincial safeguarding officer, please do say so. How 17 do you currently manage individuals who come forward to 18 report concerns or who are victims and survivors of 19 either clerical child sexual abuse or abuse by other 20 officers of the church? 21 MR LLOYD: I think I'd want to say something general about 22 that, which is, we would seek to put things in place 23 which were specific to that individual. But I think the 24 detail you'd be better asking Ms Howe this afternoon. 25 MS SCOLDING: Can I ask, do you know if you have ever paid</p> <p style="text-align: center;">Page 102</p>
<p>1 for counselling or any other form of pastoral support? 2 Now, I am going to ask Ms Howe about this, but just from 3 your own perspective. 4 MR LLOYD: I believe we have. 5 MS SCOLDING: Can I ask something which is more in your 6 purview, which is, when would you report matters to the 7 Charity Commission? 8 MR LLOYD: We would report something to the 9 Charity Commission -- our internal rule on this, because 10 this is something relatively new, and I know the 11 Church of England have looked at this. Our internal 12 rule is, if we feel it necessary to report it to our 13 insurers, we would also report it to the 14 Charity Commission. 15 MS SCOLDING: So have you reported all the claims that EIO 16 identified -- there have been 14 of them. Have you 17 reported all of those to the Charity Commission, or did 18 that predate the necessity to report serious incidents 19 in respect of the church, because the church was in 20 a different position to other charities in that respect. 21 MR LLOYD: My understanding is they predate it. 22 MS SCOLDING: I think I will ask any other questions I have 23 about the pastoral support you provide -- unless you 24 want to tell me anything more about the pastoral support 25 you provide to victims and survivors, I will leave that</p> <p style="text-align: center;">Page 103</p>	<p>1 to Ms Howe. 2 Can I ask what spiritual and theological support you 3 provide to victims and survivors of abuse? That is 4 probably best aimed at Archbishop John. 5 ARCHBISHOP JOHN: Yes. I mean, one would offer pastoral 6 support and one obviously can't insist on somebody who 7 is in that position actually accepting. But one would 8 certainly make every effort to ensure that they were 9 properly supported pastorally. 10 There is no fixed body that provides that. It 11 would -- if the allegation, for example, had been of 12 behaviour of a cleric, one would think very seriously 13 indeed before asking a cleric to provide the pastoral 14 support. One would look at each case individually, but 15 would obviously ask the question whether support would 16 be (a) welcomed and (b) provided. 17 MS SCOLDING: Can I ask about the seal of the confessional. 18 Now, I know the pair of you were in fact sitting in the 19 public gallery yesterday -- I noticed you. So you would 20 have heard the discussion very eruditely put forward by 21 Dr Bursell and very clumsily put forward by myself about 22 the issue in respect of the exception to the seal of 23 the confessional. What is the current practice of 24 the Church in Wales in terms of whether or not the seal 25 of the confessional exists, and, secondly, whether or</p> <p style="text-align: center;">Page 104</p>

<p>1 not there is a duty to report, ie, either -- an 2 exception, shall we say, to the seal of 3 the confessional? 4 ARCHBISHOP JOHN: The Canon to which -- about which we heard 5 a great deal yesterday is -- arguably still applies in 6 the Church in Wales. However, in 1984, the 7 Church in Wales revised its prayer book and provided 8 within the 1984 prayer book not only a right for the 9 ministry of confession and absolution, but also prefaced 10 it with a rubric which made reference to what is called 11 the "practice of confessing to a priest under the oath 12 of secrecy" being maintained at the Reformation, and so 13 on. My own view on this is really very -- I would hope 14 to be able to say -- robust, and, if I may -- I don't 15 want this to turn into a sermon, but I personally fail 16 to see how the reliance upon the seal sits comfortably 17 alongside what one finds in scripture. Would you like 18 me to expand a little on that? 19 MS SCOLDING: If you wish, but -- 20 ARCHBISHOP JOHN: No, you're in charge. 21 MS SCOLDING: I would say no. I think it is clear. As 22 I understand from a discussion that we had this morning, 23 both in the Old and New Testament, there is multiple 24 references, firstly, to the need to do justice and, 25 second, to the need to refer or defer to statutory</p> <p style="text-align: center;">Page 105</p>	<p>1 authorities in appropriate cases. 2 ARCHBISHOP JOHN: Yes, that's certainly the case. But the 3 thrust of the gospels is that the vulnerable should 4 never suffer as a result of any neglect on the part of 5 a Christian. 6 MS SCOLDING: I know that's your view. What I would like to 7 do is get up the ministerial guidelines to see whether 8 or not in fact what your clear view is is reflected. 9 Ralph, ANG000374_011, paragraph 3.14. 10 Now, these are the professional ministerial 11 guidelines. So 3.14: 12 "Clergy should be aware of circumstances in which 13 confidential information can or should be disclosed. In 14 no circumstances clergy should refer to guidance. 15 Children or evidence need to know that their concerns 16 will be taken seriously and referred. Special 17 considerations, however, apply where the information is 18 disclosed in the context of formal confession." 19 So can we now go, Ralph, please, to 019, which sets 20 out the special rules. Could you enlarge, please, 7.2 21 to 7.4. So 7.2 says there should be no disclosure of 22 what's revealed, and it's held even after death. The 23 priest may not refer to what's been learnt in 24 confession. Some appropriate action, et cetera, 25 et cetera.</p> <p style="text-align: center;">Page 106</p>
<p>1 Then it says, 7.3: 2 "The priest should urge the person to report his 3 behaviour to the police. Should make this a condition 4 of absolution." 5 Then it says, 7.4: 6 "If a priest's behaviour greatly threatens his own 7 well-being, the priest should insist upon action on the 8 penitent's part. It should be noted that at law there 9 is no absolute duty of confidentiality. The court or 10 the police may require disclosure. In exceptional 11 circumstances, there may also be an overriding duty to 12 break confidence, especially where the safety of 13 children or of vulnerable adults is involved, but more 14 rarely where the well-being of the person is at risk. 15 Should the police believe there is such a possibility, 16 it should be made clear to the penitent in advance." 17 Now, I think I know what it is you're trying to say, 18 but it's a little bit ambiguous. Now, as a lawyer, 19 I would read "it should be noted that at law there is no 20 absolute duty of confidentiality" followed by the two 21 paragraphs as meaning, if you think it's really serious, 22 you can go to the police. But if you read it with 7.2, 23 I don't know whether or not -- I suppose what I'm trying 24 to say is, is it clear enough? 25 ARCHBISHOP JOHN: I don't think it is.</p> <p style="text-align: center;">Page 107</p>	<p>1 MS SCOLDING: Do you think it's something which should be 2 clarified? Because if the position of 3 the Church in Wales is, in cases which involve the 4 safety of children or the well-being of the person, then 5 there should be -- you know, the duty of confidence can 6 be broken, so to speak. 7 ARCHBISHOP JOHN: I personally couldn't see how anyone, in 8 good conscience, could not pass the information on. You 9 know, if they subscribe entirely to the doctrines of 10 the church about care, compassion, justice. 11 MS SCOLDING: Is your view reflected generally in the 12 Church in Wales or are there the same problems as we 13 heard about in England yesterday, of a difference of 14 view in respect of, I suppose, the sacrosanct nature of 15 the seal of the confessional? 16 ARCHBISHOP JOHN: That would very much depend upon the 17 theological position of individual clergy and lay 18 people. But in terms of the view of my fellow bishops, 19 I think they would agree with me, that it's 20 unsatisfactory and insufficiently clear. 21 MS SCOLDING: Can I now turn on -- I think -- we have dealt 22 with the record keeping and we have dealt with the 23 historic files issue. In 2016, there was a review, and 24 we will come on to it, of past practices which 25 identified some significant concerns in general about</p> <p style="text-align: center;">Page 108</p>

<p>1 record keeping. Can we get up ANG000363_017. This was 2 a review of deceased clerics and, at 2.1 -- it's the 3 bottom, page 15. 4 So this was one of the findings of the review, but 5 I think it reflects on record keeping in general, in 6 particular in respect of safeguarding. What it 7 basically says is, "Your records are a bit of a mess. 8 What have you done to try to improve them?" And it 9 finds that there isn't any electronic management system, 10 that there is no systematic way of verifying that all 11 files have been reviewed. And if we then go on to the 12 next page, at 018, it says, 2.2: 13 "On the personal files where safeguarding concerns 14 were identified, there was no reference to 15 investigations/enquiries undertaken. There was no clear 16 record of the safeguarding allegations and the nature of 17 the concerns, how these were handled, how ...", 18 et cetera, et cetera. As far as I can see, that's a bit 19 of a "must try harder" or, really, "it's not good 20 enough". What have you done about that? 21 MR LLOYD: I think I would agree: it's not good enough. 22 I think the straight answer is, not enough yet. 23 MS SCOLDING: Some recommendations were made on the next 24 page. If we go to 4.1, if you could just enlarge that, 25 and then it sets out clearly what needs to happen in</p> <p style="text-align: center;">Page 109</p>	<p>1 terms of the files, and can I just say, Ms Carmi, this 2 was one of the issues that she raises in her report. 3 She says, "Look, there's lots of information", but she 4 said she found it difficult to identify what had gone 5 on, who had done what, what had happened when? 6 MR LLOYD: I completely agree with Ms Carmi. Without 7 wanting to make excuses, not having a head of 8 safeguarding in post for the considerable time because 9 of sickness has set us back on this. There are clear 10 plans in place for both the HR systems for employees and 11 also for the safeguarding records to have proper 12 electronic case management for both. The plans are not 13 implemented yet, but they're well advanced. 14 MS SCOLDING: Can I also ask another question which I think 15 you have already answered, but just so I can clarify in 16 my own mind: safeguarding files are kept separate to 17 clergy files. What is kept on both? For example, we 18 have had situations in England where things were kept on 19 the safeguarding file but weren't on the clergy file. 20 So when somebody moved from one diocese to another, the 21 blue -- the confidential personnel file wouldn't show 22 anything about it. What are you doing to ensure there's 23 appropriate cross checking and copying? Particularly in 24 the light of the concerns about the nature and the 25 content of records that we have seen to date.</p> <p style="text-align: center;">Page 110</p>
<p>1 MR LLOYD: I agree with that. That is something that 2 concerns me, is I don't think there is a sufficient 3 protocol at the moment to make sure that the blue file, 4 the clergy file, is referencing out that there is more 5 information held on the safeguarding records. But one 6 of the difficulties is, at the moment, if the file is 7 a paper file and it is kept many miles from Cardiff, and 8 the safeguarding records are electronic, it's 9 impracticable to keep all the files in one place, which 10 is why I think an electronic system is the right way 11 forward. 12 MS SCOLDING: What would you do, would you scan all the 13 paper files onto the electronic management system? I'm 14 sorry, this is a really -- I know people go mad about my 15 obsession with record keeping. It is boring, but 16 necessary. 17 MR LLOYD: I think that we would look at that. Part of me 18 thinks that, provided the electronic record says that 19 there is an older paper record, and this is where it is 20 and you can call it in if you need it, saves an awful 21 lot of time scanning an awful lot of information into 22 the system. But we would look at it. 23 MS SCOLDING: But, very often, we have found in this 24 investigation that it is the older documentation which 25 tends to be written in an age before people realised</p> <p style="text-align: center;">Page 111</p>	<p>1 they had to censor themselves, which quite often has 2 some damning, shall we say, conclusions about people's 3 suitability and/or contains various allegations which 4 were not acted upon at the time. 5 MR LLOYD: I'm not suggesting we lose it or hide it. It is 6 just whether it is practicable to scan the whole lot 7 onto the system. But I very much take the point you're 8 making. 9 MS SCOLDING: Thank you very much. Can we turn now to the 10 Historic Cases Review. Sorry, again, I think this is 11 you, Mr Lloyd. I apologise. I think before the break 12 it was the archbishop, but now it's you. 13 So can we just briefly get the Historic Cases Review 14 up, please, Ralph. ANG000368. So could you just tell 15 us briefly, who did this, why was it done and what was 16 done? 17 MR LLOYD: The easy question is, it was done by 18 Elaine Cloke, who, at that point, worked for the 19 Children's Commissioner for Wales office. She wasn't an 20 employee at that time. She later became an employee. 21 Why it was done is something that I have been 22 pondering. I think it's -- the most likely explanation 23 for that, and I don't know for certain, is because it 24 was clear the Church of England were doing it. 25 MS SCOLDING: I think, in fact, someone in their witness</p> <p style="text-align: center;">Page 112</p>

<p>1 statement does say that: basically, the 2 Church of England were doing it, so we felt we had to do 3 it. 4 Now, as I understand it, it was meant to include all 5 office holders but it was only people who were alive 6 where any information about safeguarding concerns 7 existed. Is that right? 8 MR LLOYD: That's correct. 9 MS SCOLDING: How did people ensure that everybody had been 10 captured? 11 MR LLOYD: Again, as part of the documents we have 12 submitted, there was an extensive review file by file by 13 Elaine Cloke with comprehensive reports on each of 14 the dioceses. 15 MS SCOLDING: As I understand it as well, it was designed -- 16 it was co-designed with the Children's Commissioner of 17 Wales and you wrote to all the Children's Safeguarding 18 Boards and any other statutory agencies that might have 19 had anything to do with the church and asked them to 20 provide you with all information -- 21 MR LLOYD: That's right. 22 MS SCOLDING: -- as well as Elaine Cloke going through, by 23 hand, all of the relevant personnel records. I also 24 understand that you set a helpline number up for anybody 25 who required support during that time?</p> <p style="text-align: center;">Page 113</p>	<p>1 MR LLOYD: That's correct. 2 MS SCOLDING: And enabled those individuals to make 3 referrals, or referrals could be made from the helpline; 4 is that right? 5 MR LLOYD: That's correct. 6 MS SCOLDING: Did Ms Cloke have access to all the files, as 7 far as you're aware? Because in England there were all 8 sorts of difficulties with files being kept in people's 9 garages. Was that the same in Wales? Because I'm just 10 thinking, you have got six dioceses -- and forgive me, 11 I don't mean to be rude -- but there is a bit of "pass 12 the hat" when it comes to who is the archbishop, so you 13 may have files being moved from place to place to place 14 to place and quite a sort of disparate structure. How 15 did you make sure they hadn't all sort of disappeared 16 off into someone's loft when people had retired? 17 MR LLOYD: As far as I'm aware, all the files that we have 18 were examined by Elaine Cloke. 19 MS SCOLDING: The reality is -- can we go to 013, please, 20 Ralph. The total numbers that were referred -- here we 21 are. 4.3, please, Ralph. The independent officer 22 referred 219 files to the Safeguarding Panel. So this 23 was from everything. Most of them were incomplete 24 service records. Of these cases, only five files were 25 identified as containing information relating to child</p> <p style="text-align: center;">Page 114</p>
<p>1 protection, which were referred on. Do you think that 2 sounds like an unrealistically low number? That might 3 be a question best aimed at Ms Howe, rather than you. 4 MR LLOYD: I think, if you can ask Ms Howe that, because 5 obviously I wasn't around. 6 MS SCOLDING: I will ask Ms Howe that. 7 MR LLOYD: What I would say, however, is I have no doubt 8 about the thoroughness of the investigation. 9 MS SCOLDING: Can we go to 015, please. Ms Cloke made 10 a large number of recommendations in her recommendations 11 from 8 onwards, which sort of said some things that you 12 might necessarily not have thought the church should 13 have needed to have been told. Things like: please 14 don't grant a licence to schedule 1 sex offenders, for 15 example, unless they have had a risk assessment; or, 16 people need to be CRB checked. 17 Could we go to the next page, please, Ralph? So all 18 I really wanted to know is -- that's the Welsh. Can we 19 go to the next page, the page after that, which would be 20 the English version of it. Thank you very much. Sorry, 21 Ralph, it's kind of every other page because it's 22 simultaneously translated. It sets out a large number 23 of recommendations. I don't think I need to take you 24 through them all, but what was done to implement all of 25 them? Was there a check-box list, was there a task and</p> <p style="text-align: center;">Page 115</p>	<p>1 finish group. What was done to try and drive this 2 change through? 3 MR LLOYD: My understanding is that there was a group that 4 went through these recommendations and made sure they 5 were implemented, but I would also commit that I think 6 we probably need to go and review them again with a new 7 safeguarding manager coming in to make absolutely sure 8 nothing has been missed. 9 MS SCOLDING: In particular, I'm interested in the fact that 10 she made a recommendation about the paramountcy of 11 the child's interests and the fact there should be no 12 interviews prior to statutory investigation and no 13 provision of character references. Do you have any idea 14 why that particular recommendation was made? I think 15 that appears to have been the case, there were some 16 circumstances where people went off and were a little 17 bit "Perry Mason", shall we say, rather than leaving it 18 to the bodies who knew what they were doing. 19 MR LLOYD: I'm afraid I don't. 20 MS SCOLDING: That's fine. She also recommended revising 21 disciplinary procedures. Has that happened? 22 MR LLOYD: Can we bring up the recommendation? 23 MS SCOLDING: Well, I can't -- it is one of those. In 24 particular, in respect of resignation. Yes, 25 disciplinary procedures, 15, 16 and 17:</p> <p style="text-align: center;">Page 116</p>

<p>1 "Resignation must not be considered as a recourse 2 for dealing with child protection allegations or 3 concerns." 4 I'm assuming Ms Cloke said that because to that 5 point in time, that might have been what had happened. 6 Archbishop John, you might be able to help us? 7 ARCHBISHOP JOHN: I'm thinking about one case in particular, 8 a very serious case, which is actually referred to in my 9 witness statement where very serious allegations were 10 made back in the '80s and the person concerned resigned 11 and, shall we say, in doing so, escaped the net. Now 12 that we have revised our procedures, that person has not 13 escaped the net and there is currently a process under 14 way hopefully to have that person deposed from 15 Holy Orders. 16 MS SCOLDING: Can I also just talk two points about delay. 17 Ms Cloke recommended further guidance and policies, but 18 it then took until 2016 for them to actually be 19 produced, which is a quite lengthy process. Is there 20 any explanation for that relatively long period of time 21 between 2010 and 2016? 22 MR LLOYD: I think that -- my understanding, and this was 23 before I joined the Church in Wales, is that there was 24 quite an extensive exercise undertaken by an external 25 person. I don't know why it took a number of years.</p> <p style="text-align: center;">Page 117</p>	<p>1 MS SCOLDING: That's absolutely fine. Again, Ms Cloke 2 recommended the rollout of training which finally 3 happened in 2015. Again, you may well not know the 4 answer to this question, but that's a relatively long 5 period of time before implementing the training. Do you 6 have any explanation for that? 7 MR LLOYD: I don't. 8 MS SCOLDING: The other thing to check is, has the Bench of 9 Bishops attended training? 10 ARCHBISHOP JOHN: Yes. 11 MS SCOLDING: Because one of the recommendations is that 12 that should happen. Good. 13 ARCHBISHOP JOHN: I also attended all the other sessions 14 other than the one in which I was trained so that the 15 clergy and others who were present were aware that the 16 bishops took the matter as extremely serious and 17 important. 18 MS SCOLDING: Just three last points about the historic 19 review. Ralph, would you mind getting up ANG000368_021. 20 I'd like 31, 33 and 36, please. 31 is the clear -- this 21 is one of the recommendations. Again, I just wanted to 22 ask, where does that come from and why do you think she 23 made that recommendation? And 33 as well. Because she 24 seems to recommend there that there needs to be 25 amendment to your current -- to the current guidance on</p> <p style="text-align: center;">Page 118</p>
<p>1 the confessional. I don't know whether that's the 2 guidance we got up. I suspect it may well have been the 3 predecessor version of that. But a need for a clear 4 understanding of forgiveness. Is that because what the 5 Historic Cases Review found was lots of people saying, 6 "Oh, I'm terribly sorry" and everyone going, "Well, he's 7 said he's terribly sorry. We will let him back in 8 then". Archbishop John, if you can help me on that. 9 ARCHBISHOP JOHN: That may well be so. I'm afraid I can't 10 give a definitive answer to that, but it would seem to 11 suggest that that is the case. 12 MS SCOLDING: If we can go to paragraph 36, please, Ralph. 13 As you can see, there were a large number of 14 recommendations made. The last one, please, Ralph: 15 "An awareness of the United Nations Convention on 16 the Rights of the Child should be promoted at every 17 opportunity. Safeguarding training should reflect 18 that." 19 Can I just double-check, what awareness has there 20 been and how does the training reflect that? I mean, 21 the NSPCC are delivering it. So did you specifically 22 say to them, "We, in particular, want to look at some of 23 those issues when we are doing our training"? 24 ARCHBISHOP JOHN: My recollection is that that would have 25 been referred to. Whether it was referred to in great</p> <p style="text-align: center;">Page 119</p>	<p>1 detail or not, I'm afraid I can't say. 2 MS SCOLDING: Chair, I note the time. I have two further 3 topics, so I'm probably going to be no more than about 4 15/20 minutes, but I'm thinking it would be more 5 sensible if I did that after lunch. But I'm entirely in 6 your hands, chair. 7 THE CHAIR: Yes. We will return at 2.00 pm. 8 MS SCOLDING: Thank you very much. Thank you both. Again, 9 you are on oath, so ... 10 (12.57 pm) 11 (The short adjournment) 12 (2.00 pm) 13 MS SCOLDING: Good afternoon, chair and panel. Just before 14 the break I was dealing with Ms Cloke's Historic Cases 15 Review Report of 2010. Again, I think I will address 16 these questions to Mr Lloyd, if I may. 17 There was then a review of deceased clergy in 2016, 18 which I believe was produced as a result of 19 the inception, in fact, of this investigation and this 20 inquiry. I think the Church in Wales felt it was 21 necessary in order to do something, recognising that 22 deceased clergy hadn't been looked at. 23 Ralph, first one of this afternoon: ANG000363_003. 24 Could you just tell me a little bit about, what was this 25 review and how did it work?</p> <p style="text-align: center;">Page 120</p>

<p>1 MR LLOYD: The review was, as it says, of deceased clergy 2 files. We hadn't checked them, so we wanted to be 3 absolutely complete, and we commissioned another 4 independent reviewer, Anest Gray Frazer, to do that. 5 Same procedure, calling the files in and checking them. 6 MS SCOLDING: Again, just as I identified with Ms Cloke, 7 there would be some possible difficulties with some of 8 the files, particularly in respect of deceased clergy, 9 as to where they were, who had them. What sort of trawl 10 did you undergo to try and make sure that people's 11 sheds, cellars, basements were examined and looked at? 12 MR LLOYD: One of the advantages is, there are only -- apart 13 from the very few kept in the provincial office, there 14 are only six possible locations. So it was just 15 extensive conversations with the bishops and their 16 officers. 17 MS SCOLDING: So the bishops don't, in Wales, as they did in 18 England, when they retire, take their files with them? 19 Archbishop John. 20 ARCHBISHOP JOHN: You mean the bishops take their own files? 21 MS SCOLDING: Yes. 22 ARCHBISHOP JOHN: No. 23 MS SCOLDING: That's what happened -- 24 ARCHBISHOP JOHN: Not as far as I'm aware. 25 MS SCOLDING: ANG000363_017. At the bottom of the page,</p> <p style="text-align: center;">Page 121</p>	<p>1 2.1. Again, I think we saw this slightly earlier: 2 "No current or retrospective electronic management 3 information system." 4 I think we have dealt with that. Paragraph 2.2, can 5 we go to the top of the next page, please: 6 "No clear reference to investigations and enquiries 7 taken. The outcome of the investigation was not clearly 8 recorded and evidenced." 9 Again, I think we dealt with that this morning and 10 you have identified that that is a problem with your 11 current records still. I mean, this was obviously 12 records which would have gone back quite a long way. 13 MR LLOYD: Yes. 14 MS SCOLDING: Thirdly, there was, if we can go down to the 15 next one, inconsistency between what should have been on 16 file and what was. So the majority of files reviewed 17 weren't kept in line with any procedures; no detailed 18 information was available in respect of whether somebody 19 had attained any training, et cetera, et cetera. 20 So in as far as the report found there weren't very 21 many problems identified on deceased clergy, that has to 22 be very much caveated by the fact that in fact you were 23 entirely reliant on the files and, if the files weren't 24 any good, you wouldn't necessarily have known whether or 25 not there were any?</p> <p style="text-align: center;">Page 122</p>
<p>1 MR LLOYD: That's correct. 2 MS SCOLDING: At 018, that's that. Because what she found 3 at 2.5 -- Ralph, would you mind -- there was no 4 information that required further investigation, 5 safeguarding awareness work, but, however, overall, she 6 found that recording was very poor and inconsistent. 7 That's right, isn't it? I mean, that isn't set out 8 there, but that's set out later. 9 MR LLOYD: Yes. 10 MS SCOLDING: Then at 019, there is a series of 11 recommendations that I think we went to earlier. And 12 can I just investigate, that's currently being 13 undertaken, but has not as yet finished; is that right? 14 MR LLOYD: Sorry, what specifically? 15 MS SCOLDING: The record management. Basically, she says, 16 "This is what needs to be on a file. This is what 17 a file needs to look like". 18 MR LLOYD: Yes. 19 MS SCOLDING: We are back to my favourite topic: file 20 management and record keeping. 21 MR LLOYD: The answer is, yes, it is a work in progress but 22 not yet complete. 23 MS SCOLDING: The last issue that I want to ask both of you 24 about is the report of Ms Carmi. Now, just to set 25 a little bit of background out, we asked Ms Carmi to</p> <p style="text-align: center;">Page 123</p>	<p>1 review -- random, really, in effect -- we selected 2 random files but which we thought reflected different 3 sorts of issues, one from every diocese in the 4 Church in Wales. She has produced a very detailed 5 report at EWM000466 in which she is perfectly happy with 6 four out of the six. So what we did is, we got one from 7 each diocese in Wales. So six examples in total. For 8 four of the six, there are no negative comments. In 9 fact, there are positive comments. And these were all 10 safeguarding matters which had been dealt with 11 between April 2017 and April 2018. So within the past 12 couple of years, so to speak. 13 So for four of the six, Ms Carmi doesn't identify 14 any particular difficulties. For two of the six, 15 however, and we will deal with one of those in some 16 detail with Ms Howe, but the case which we are going to 17 call WA1 -- Ralph, if we can go to 060, please. There 18 is a little summary at 24.1.1 to 24.1.4 of roughly what 19 happened. I don't think we need to go through it in any 20 detail. Basically, a choirmaster and organist at 21 a particular church who lived in a property owned by the 22 church in some way, shape or form, which he lived in 23 rent free, invited one of the former choirboys, who was 24 then aged 17, back to his house and the young person 25 then reported that consensual oral sex had taken place.</p> <p style="text-align: center;">Page 124</p>

<p>1 What then happened was, recommendations were made. 2 The police didn't take forward the grounds that he had 3 been raped, but, I mean, in event -- in the event, there 4 wasn't any prosecution. But, as I understand it, the 5 provincial Safeguarding Panel were involved, 6 recommendations were needed that the choirmaster and 7 organist should be suspended, subject to an independent 8 risk assessment and relevant disciplinary processes. 9 The difficulty happened in this case was that the 10 incumbent of the church opposed this, and so the 11 problems, as identified at 24.5.1 of Ms Carmi's report, 12 which is EWM000466_063, she characterises, it says: 13 "Some of the vicar's responses in this case were 14 inappropriate." 15 She carried out a number of inappropriate responses, 16 but most importantly of which she said, "I'm not going 17 to do anything about the safeguarding agreement", and 18 she indicated that, and she also sort of seemed to 19 oppose the need for a risk assessment, and she refused 20 to take to her parochial church council the need for 21 this individual to have a risk assessment. 22 As well, she undertook actions in respect of that 23 individual, telling him what he could and couldn't do, 24 without having engaged with the PSO, which in this case 25 is the Provincial Safeguarding Officer.</p> <p style="text-align: center;">Page 125</p>	<p>1 So her critical lesson to be learnt, if we can turn 2 over at 064, and this is something which comes up in 3 a number of the cases in England as well, 24.5.3 to 4 24.5.5, is, how do you insist on safe practice in the 5 face of an opposition from an incumbent within the 6 church? Because what I would have assumed should have 7 happened is that the bishop in this case should have 8 said to the incumbent, "You are not following what the 9 Provincial" -- because the Safeguarding Panel clearly 10 said, "One, you have to suspend him; two, he has to be 11 subject to a risk assessment". She opposed both those 12 things and, therefore, there was a lot of fanning 13 around -- sorry to say that, faffing around, before 14 anything eventually happened, and the bishop didn't take 15 any disciplinary action. 16 So what do you think, Archbishop John, about what 17 Ms Carmi says about that? I mean, how do you manage 18 a situation where you've got a recalcitrant incumbent 19 saying, "I'm not going to do anything". 20 ARCHBISHOP JOHN: I think you suspend them. 21 MS SCOLDING: And do you think the bishop was right in this 22 case -- it is difficult because it is one of your 23 brethren bishops. You may feel slightly uncomfortable 24 in this situation -- 25 ARCHBISHOP JOHN: Not at all.</p> <p style="text-align: center;">Page 126</p>
<p>1 MS SCOLDING: -- as the head of safeguarding, but what do 2 you think the bishop should have done in that case? 3 ARCHBISHOP JOHN: Followed the recommendations of 4 the safeguarding officer. 5 MS SCOLDING: The Welsh church is a fairly -- "small" is 6 probably wrong, but it is quite a small group of 7 individuals, all of whom might know each other for 8 a long period of time. 9 ARCHBISHOP JOHN: Wrong is wrong, regardless of who is 10 alleged to have done it. 11 MS SCOLDING: But do you think, practically, it can 12 sometimes be difficult for bishops to issue effective 13 discipline against clerics, even in these sorts of 14 situations? 15 ARCHBISHOP JOHN: I think, if you can't administer the 16 discipline, you don't do the job. 17 MS SCOLDING: Do you think it would have been easier in that 18 case if, for example, the Provincial Safeguarding 19 Officer had been able to make the referral, as there 20 currently is now the suggestion? So the Safeguarding 21 Panel could have said to the Diocesan Safeguarding 22 Officer "The bishop isn't doing anything. You need to 23 make the referral to the Disciplinary Tribunal"? That 24 could have been a way forward? 25 ARCHBISHOP JOHN: I think it would have been certainly</p> <p style="text-align: center;">Page 127</p>	<p>1 helpful, if not very appropriate, if there had been an 2 alternative means of securing proper process. 3 MS SCOLDING: Also, as well, on the facts of this case, 4 Ms Carmi was critical on the basis of the fact that 5 there wasn't an internal church investigation, because 6 what happened was the police decided to, in effect, take 7 no further action, but there were obviously live issues 8 of fact as to what may have happened and what may not 9 have happened. 10 Now, there are some issues about how you would carry 11 out such an investigation, and I accept it's -- maybe we 12 will deal with those with Ms Howe, but do you think, 13 with the benefit of hindsight, that some form of 14 internal church investigation should have taken place? 15 ARCHBISHOP JOHN: The allegations were very serious. In 16 terms of burden of proof, the police would have been 17 looking at a different burden of proof than the 18 disciplinary process would have been looking at. And 19 I think that it was -- it would have been an entirely 20 appropriate step to have taken to have an internal 21 investigation. 22 MS SCOLDING: The reality is, would an individual who is an 23 organist and a choirmaster have been able to be subject 24 to your clerical discipline? And/or would there have 25 been an alternative disciplinary process, regulatory</p> <p style="text-align: center;">Page 128</p>

<p>1 process, which could have taken place?</p> <p>2 ARCHBISHOP JOHN: I am not absolutely certain at the time,</p> <p>3 and I think possibly not.</p> <p>4 MS SCOLDING: And again --</p> <p>5 ARCHBISHOP JOHN: But that doesn't mean to see there</p> <p>6 wouldn't have been steps which might have been taken in</p> <p>7 relation to his or her employment.</p> <p>8 MS SCOLDING: The other thing I'm thinking is in respect of</p> <p>9 the Disclosure and Barring Service. Obviously, there</p> <p>10 are circumstances in which a referral could have been</p> <p>11 made to the Disclosure and Barring Service. I don't</p> <p>12 think it was, on the particular facts of this case, but,</p> <p>13 again, with hindsight, is that one of those things that</p> <p>14 possibly should have been done?</p> <p>15 ARCHBISHOP JOHN: That would have been appropriate.</p> <p>16 MS SCOLDING: The other criticism that Ms Carmi makes in</p> <p>17 this case is the fact that there wasn't any contact with</p> <p>18 the alleged victim, who was a vulnerable individual,</p> <p>19 relatively young and who, whatever had happened, there</p> <p>20 appears to have been consensual -- there appears to have</p> <p>21 been agreement that there was some form of sexual</p> <p>22 activity which took place between a 17-year-old and</p> <p>23 a much older person, who had been in a position of</p> <p>24 responsibility with him. What do you think, with the</p> <p>25 benefit of hindsight, the church should have done, if</p> <p style="text-align: center;">Page 129</p>	<p>1 anything?</p> <p>2 ARCHBISHOP JOHN: I would have thought, in such a very</p> <p>3 delicate set of circumstances, maybe have sought some</p> <p>4 professional advice as to how best to support the</p> <p>5 victim.</p> <p>6 MS SCOLDING: And do you think, again, that's something that</p> <p>7 the Provincial Safeguarding Officer should have thought</p> <p>8 about? I mean, that would be likely to be something</p> <p>9 that would be more in the province of the Provincial</p> <p>10 Safeguarding Officer than anybody else.</p> <p>11 ARCHBISHOP JOHN: Hindsight is a wonderful gift, but let's</p> <p>12 put it like this: I think certain other steps could have</p> <p>13 been taken and a gap or a failure of process, such as</p> <p>14 this demonstrates, is quite likely to throw up areas in</p> <p>15 which better processes can be put in place.</p> <p>16 MS SCOLDING: Again, I'd like to take you to a case which we</p> <p>17 are going to call WA3. This is, again, a case about the</p> <p>18 behaviour of somebody who is ordained and the management</p> <p>19 of the process of PTO. Ralph, 046066 -- the document</p> <p>20 you've just brought up, 000466_066. 26.1.1 to 26.1.3,</p> <p>21 just for everyone's benefit, is the summary. The</p> <p>22 individual was a head teacher. She was also an ordained</p> <p>23 minister. Her husband was convicted of sexual offending</p> <p>24 and received custodial sentences. He was a head teacher</p> <p>25 in somewhere. There were concerns about her behaviour</p> <p style="text-align: center;">Page 130</p>
<p>1 and her judgment. Children had been to stay in her</p> <p>2 home. And she spoke in her defence at her husband's</p> <p>3 trial and she also apparently sought to persuade much of</p> <p>4 the church congregation of her husband's innocence.</p> <p>5 There was concern with statutory agencies about</p> <p>6 professional judgments that she'd made and this was</p> <p>7 something that the local authority were involved in and</p> <p>8 they recommended a risk assessment, and the individual,</p> <p>9 in effect, retired, I think prior to that process being</p> <p>10 finished. She wasn't ever suspended from her</p> <p>11 ministerial role.</p> <p>12 Now, I suppose the first question I would ask is,</p> <p>13 why wasn't she suspended from her ministerial role,</p> <p>14 particularly given the concerns which were indicated</p> <p>15 from the other statutory agencies about her behaviour,</p> <p>16 which would be considered to be conduct unbecoming</p> <p>17 a cleric? Do you know -- Archbishop John, could you</p> <p>18 provide us with any assistance about this?</p> <p>19 ARCHBISHOP JOHN: I'm afraid I can't. It's not my diocese,</p> <p>20 so the details of the case are not known to me.</p> <p>21 MS SCOLDING: I mean, she'd stood aside, as I understood it,</p> <p>22 between 2012 and -- but then she said she wished to</p> <p>23 return. And Ms Carmi's concern is, there was then,</p> <p>24 I would again say, quite a long period of delay where</p> <p>25 there was various wranglings about what documents could</p> <p style="text-align: center;">Page 131</p>	<p>1 be received from the local authority in order for an</p> <p>2 independent risk assessment to take place. And you</p> <p>3 asked the county council ten times, as I understand it,</p> <p>4 for the relevant documentation, which I think raises an</p> <p>5 issue about whether or not there needs to be -- are</p> <p>6 there any formal -- and I will ask Ms Howe this --</p> <p>7 information sharing protocols between local authorities</p> <p>8 and yourselves at the moment?</p> <p>9 ARCHBISHOP JOHN: I wouldn't know what they are in detail.</p> <p>10 I would have thought there are statutory requirements</p> <p>11 that various documents probably should be, or have to</p> <p>12 be, shared.</p> <p>13 MS SCOLDING: Well, not necessarily. I mean, there would be</p> <p>14 between statutory agencies, but of course you're not</p> <p>15 a statutory agency, you're a voluntary agency. I think</p> <p>16 that's probably a question best dealt with by Ms Howe.</p> <p>17 What Ms Carmi identifies at 26.4, which is 068, is,</p> <p>18 firstly, she identifies there's problems with the way</p> <p>19 that the records were kept on this case. And there were</p> <p>20 various highlights in terms of the difficulties and the</p> <p>21 report recommended the need for disciplinary</p> <p>22 proceedings, and so, again, I ask, do we know why</p> <p>23 disciplinary proceedings weren't ever taken out?</p> <p>24 ARCHBISHOP JOHN: I'm afraid I don't.</p> <p>25 MS SCOLDING: Would there have been an issue at that</p> <p style="text-align: center;">Page 132</p>

<p>1 particular point in time on the basis that she had sort 2 of stepped aside in 2012? Would it have been possible 3 to have brought disciplinary proceedings in that 4 context? Because she wasn't necessarily a cleric in 5 office at that time. 6 ARCHBISHOP JOHN: I'm not entirely sure what happened or 7 what the definition of stepping aside is. It seems to 8 me it suggests that she simply refrained from 9 undertaking any duties. That doesn't mean to say she 10 was no longer a cleric. So she would have remained 11 subject to our disciplinary procedures. 12 MS SCOLDING: What she also says at 26.4.5 is, in effect, 13 she said in 2012, "Can I come back to ministry?", and it 14 then took until February 2018 for her to withdraw, so 15 there was like a six-year process, in effect, or various 16 forms of delay. Archbishop John, do you have anything 17 you want to say about that? 18 ARCHBISHOP JOHN: Well, apart from the fact that the delay 19 seems to be entirely unreasonable, but I don't know what 20 the circumstances that led to the delay were. 21 MS SCOLDING: So what Ms Carmi says at 26.5.1 is: 22 "The lesson from the practice in this case is the 23 need to deal with concerns as they arise, and if the 24 view is that individuals are not suitable to have PTO, 25 this needs to be addressed openly and consideration</p> <p style="text-align: center;">Page 133</p>	<p>1 given for the need for disciplinary processes. This 2 both better protects children and young people." 3 Do you have any comments you want to make about 4 that? 5 ARCHBISHOP JOHN: Other than to agree with it, no. 6 MS SCOLDING: In total, there was a summary of learning from 7 the Church in Wales at 31, which is 075, please, Ralph. 8 I'm terribly sorry to say this, but -- could we go down 9 to the next bit, 31.2, which is local learning. 10 I think fundamentally we have got some issues with 11 record keeping again. I think we have already dealt 12 with those. It says it is not clear on whether or not 13 this is a reflection of the way records are maintained. 14 I mean, it may well be that they came to us in 15 a slightly different form because they came via various 16 people. What they also say: 17 "So I think there are some lessons to be learned 18 about record keeping." 19 Do you accept you do need to learn some lessons 20 about record keeping? 21 ARCHBISHOP JOHN: Absolutely. 22 MR LLOYD: Absolutely. 23 MS SCOLDING: As far as the safeguarding policy is 24 concerned, it identifies there is good guidance for 25 churches, but it is less good at explaining what happens</p> <p style="text-align: center;">Page 134</p>
<p>1 once cases have been referred up the food chain, so to 2 speak. Do you, again, agree with that? 3 MR LLOYD: I do, yes. 4 ARCHBISHOP JOHN: Yes. 5 MS SCOLDING: We have then talked about the reluctance to 6 consider or implement suspension. I mean, Ms Carmi, in 7 her overall conclusions, which I don't think I need to 8 take you to, in effect, says this feeds into her concern 9 about whether or not safeguarding -- issues to do with 10 suspension should be in the purview of safeguarding 11 professionals, rather than the bishop, in those sorts of 12 circumstances, and that, in effect, what she's saying 13 is, there should be a transfer of responsibility in 14 those sorts of cases, so that the decision in respect of 15 suspension should be made by the safeguarding 16 professional, rather than by the bishop, where there 17 could be a reluctance. As we have seen in these two 18 cases. 19 ARCHBISHOP JOHN: In that the ministry which a cleric 20 exercises is a ministry which he or she exercises on 21 behalf of the bishop and under the terms of his or her 22 oath of canonical obedience, I think there's something 23 to be said for the bishop being the person who might, 24 shall we say, ultimately suspend. But I think it would 25 be equally appropriate if, rather than a recommendation</p> <p style="text-align: center;">Page 135</p>	<p>1 from the safeguarding professionals, there would be 2 a direction to the bishop that he or she must suspend 3 and that the bishop will required to follow that 4 direction. 5 MS SCOLDING: Would there be any difficulty in doing that, 6 in saying that the bishop would have to -- would there 7 be any jurisdictional difficulty in basically giving the 8 Provincial Safeguarding Officer the power to say to the 9 bishop, "You have to do this". 10 ARCHBISHOP JOHN: I think if that were to be incorporated 11 into the procedures formally, then the bishop's choice 12 would be removed. 13 MS SCOLDING: In effect, what she says is that that is the 14 most significant issue that she can see, other than 15 issues to do with appropriateness of risk assessment and 16 who is a church officer, which don't particularly impact 17 upon cases in Wales. With the cases in Wales, she 18 identified that, even though you've got, in effect, 19 a national safeguarding service, and you've got 20 a provincial Safeguarding Panel that looks a little bit 21 like a sort of local authority multi-disciplinary panel, 22 if an incumbent wanted to dig their heels in, they still 23 could, and ultimately the decision making in these cases 24 relies upon a bishop taking the recommendations of your 25 professionals seriously.</p> <p style="text-align: center;">Page 136</p>

1 ARCHBISHOP JOHN: Any bishop who doesn't take such
 2 recommendations seriously now I think would be acting
 3 irresponsibly.
 4 MS SCOLDING: But this is relatively recent. This is only
 5 a couple of years ago. This isn't 20 years ago or even
 6 10 years ago. So do you think the message has really
 7 got through, if we're still seeing this happening?
 8 ARCHBISHOP JOHN: I can't speak for the clarity of mind of
 9 all my colleagues.
 10 MS SCOLDING: I have no further questions. I don't know
 11 whether the chair and panel have any further questions.
 12 I apologise, it's been a fairly rapid romp through,
 13 shall we say, a number of different topics. Thank you
 14 both very much for being so clear, but I pass over to
 15 the chair and panel.
 16 Questions by THE PANEL
 17 THE CHAIR: Just one clarification, probably for Mr Lloyd:
 18 you referred to the Archbishops' List earlier on. Can
 19 you tell us how many people are currently on the
 20 Archbishops' List?
 21 MR LLOYD: I don't have that information to hand, chair.
 22 THE CHAIR: Can you obtain it for us?
 23 MR LLOYD: I can.
 24 THE CHAIR: And also, how many are there for safeguarding
 25 concerns?

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1 THE CHAIR: Thank you, Archbishop.
 2 MS SCOLDING: Thank you both very much. Thank you. You are
 3 free to go.
 4 (The witness withdrew)
 5 MS SCOLDING: We turn now to Ms Faye Howe. You have, in
 6 fact, I believe, three witness statements from Ms Howe
 7 in your bundles.
 8 MS FAYE HOWE (sworn)
 9 Examination by MS SCOLDING
 10 MS SCOLDING: Please take a seat, Ms Howe. Just a few
 11 preliminaries, which I think you've heard, because I saw
 12 you sitting at the back this morning. This isn't a test
 13 of memory. If you need to refer to notes or your
 14 witness statement, please do so. We can have a break
 15 whenever you need, and we will be having a break by
 16 3.15 pm, in any event. There is a paper bundle in front
 17 of you, which should have all of the documents, but, as
 18 you will have seen, I get Ralph to put things on the
 19 screen when needed.
 20 There are three witness statements in this case that
 21 you have filed. I'm not going to take you to the rear
 22 of them to ask for your signature, but can I just
 23 double-check, have you had an opportunity to read these
 24 witness statements recently?
 25 A. Yes.

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1 MR LLOYD: Again, I can obtain that information for you.
 2 THE CHAIR: Thank you very much, archbishop. Thank you,
 3 Mr Lloyd.
 4 MS SCOLDING: Thank you both very much.
 5 ARCHBISHOP JOHN: May we comment, purely on learnings that
 6 we have taken from this process?
 7 MS SCOLDING: Yes.
 8 ARCHBISHOP JOHN: There was one particular matter that I can
 9 clarify, if it helps the panel. Apologies for my lack
 10 of clarity of mind in relation to the procedure with
 11 regard to PTO and the policy that you have. The point,
 12 PTO shall never be restricted by attempting to exclude
 13 ministry involving children or adults at risk. It
 14 became clear to me later that that meant, you either
 15 have PTO or you don't. It would be very foolish to say,
 16 "I will give you PTO, but you mustn't conduct any
 17 services with children". That's what that is all about.
 18 Secondly, if I may, from the perspective of
 19 ministry, we have been following very carefully the
 20 procedures of this inquiry and have picked up things
 21 along the way which we are already taking on board and
 22 also, from today's proceedings, as you will have
 23 gathered, there are matters, several matters, that we
 24 have taken on board and we will be dealing with, and we
 25 thank you for making those matters clear to us.

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1 Q. And are they true, to the best of your knowledge and
 2 belief?
 3 A. They are, yes.
 4 Q. So can you please tell the inquiry who you are, what you
 5 do and what your professional background is?
 6 A. Okay. My name is Faye Howe. I'm Provincial
 7 Safeguarding Officer for the Church in Wales. I have
 8 been employed there since 1 October 2014. My background
 9 is, I have been a career social worker all my life with
 10 experience in local authorities in the court systems, in
 11 adult services, but primarily in safeguarding for
 12 Children's Services.
 13 Q. Are you still a registered social worker?
 14 A. I am indeed.
 15 Q. I understand that Ms Cloke, who was the head of
 16 safeguarding, was the provincial safeguarding manager,
 17 has been unable, because of ill-health, to produce
 18 a witness statement in this case?
 19 A. Yes.
 20 Q. So you stand partly in her stead. Can I just ask you
 21 one question: you wanted to clarify something about the
 22 structure of safeguarding on the basis of the evidence
 23 you heard from Mr Lloyd this morning. It was to correct
 24 a misapprehension he was under.
 25 A. Yes. It was said that there was a social work manager,

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<p>1 who is just about to come into appointment next week, 2 and that's full time, but there are only two part-time 3 provincial safeguarding officers. I work three days 4 a week and my colleague in the north works four days 5 a week. 6 Q. So there is sort of two-point-something? 7 A. Just over, yes. 8 Q. Two-point-something individuals per week? 9 A. And I thought that was quite significant in what you've 10 been talking about. 11 Q. Do you think that's enough? 12 A. No, not at all. And I think it has been recognised. 13 Q. How many people do you think there should be working for 14 your service? 15 A. I think it needs to be at least double that. Part of it 16 is, although we're working for the whole of Wales, and 17 I know that in terms of population and number of 18 churches, and so on, we're probably not much bigger 19 than, say, the Diocese of Oxford, or something like 20 that, but I think relatively -- I know where my 21 colleagues in the Church of England have got more 22 resources, and we have got also the geographical issue 23 in Wales, especially in the north and west, which is 24 huge and demands overnight stays, et cetera. 25 Q. So this is in part a plea to say, can we double the size</p> <p style="text-align: center;">Page 141</p>	<p>1 of the -- 2 A. It is an opportunity, isn't it? 3 Q. Can I just identify a little bit. You were in post when 4 the safeguarding policies that I took Mr Lloyd to 5 earlier, the 2016 policy, was in place? 6 A. It was just starting when I came in. Because I was 7 2014, if you remember, in the October. 8 Q. Yes. 9 A. And at that time -- I think, you know, part of 10 the reason that I was taken on, there was Elaine Cloke 11 was working as the only safeguarding person for Wales at 12 that time and was obviously doing casework but was also 13 wanting to develop the policies, and so, as part of 14 that, she brought me in to support her with that work as 15 well. And initially, we had somebody independently came 16 in who gave us a rough draft of how it should be, and 17 then I think -- because I was quite keen with experience 18 in local authority work of doing policy stuff, that 19 I looked at the stuff that was in the Church of England 20 and also the Methodist Church and we worked out our 21 policy from there. 22 Q. So you sort of took a bit of the best of everything? 23 A. Best practice, yes. Well, which we thought was best 24 practice. 25 Q. Do you know why the policies were updated in 2016? Was</p> <p style="text-align: center;">Page 142</p>
<p>1 it just felt that they were out of date? 2 A. They were out of date, and also we had two separate 3 policies: one for children and young people; and one for 4 adults. And because the legislation in Wales was 5 combining these things, we felt that we ought to have 6 safeguarding which covered both of them. And so there 7 was no missed opportunity in our churches that they 8 thought that they were only, say, looking at children's 9 cases. 10 Q. Can I just sort of clarify and identify for the panel, 11 I have -- and for everybody else, I think I did this 12 within my opening, but you're right in that the 13 Social Services and Well-Being measure, 2014, is the 14 relevant Welsh measure which sort of brings together 15 issues -- 16 A. Both. 17 Q. -- around safeguarding both in respect of children and 18 both in respect of adults? 19 A. Yes, so that's different from England. 20 Q. Yes, which is different from England, where there is 21 separate guidance and policies. But what Ms Carmi says 22 about your policies is, they're very good and 23 comprehensive in terms of what should go on at church 24 level, but they're less good at identifying what happens 25 when things come to you?</p> <p style="text-align: center;">Page 143</p>	<p>1 A. Yes. 2 Q. And they're also -- she also has some issues about, 3 they're not terribly good at identifying, for example, 4 when an internal investigation might take place, who 5 might run that, what that might look like, and risk 6 assessments as well was another area. Do you have 7 anything you would like to say about that? 8 A. I think that's something that we've identified in -- 9 that is part of going through this process with IICSA, 10 that it isn't written down there, and that we're working 11 very much on an almost individual basis, rather than 12 having a setout plan of what to do. 13 As you are aware, we have been without a head of 14 safeguarding for almost a year now. A new person is 15 coming in, and I think that is the time that we start 16 looking at developing the more internal processes that 17 need to be down in black and white. 18 Q. Talking as someone who is there at the coalface on the 19 ground, at the moment, and you run a service which is 20 a sort of national service in that respect, how often do 21 people phone you up or make referrals to you about child 22 sexual abuse? 23 A. On child sexual abuse, actually, it's probably not as 24 frequently as other issues that are coming our way. So 25 a lot of our work is dealing with agreements for people</p> <p style="text-align: center;">Page 144</p>

1 **who are sex offenders.**
 2 Q. So risk assessments and safeguarding agreements for
 3 people to attend parish churches or other places of
 4 worship?
 5 **A. Absolutely, yes, and also quite a lot of referrals on**
 6 **adult issues. So it may be cases of -- there are**
 7 **sometimes mental health issues or vulnerability within**
 8 **the church, people being exploited for financial abuse.**
 9 **So it's not just sexual abuse, and it's not just**
 10 **children's issues. So we are getting more of**
 11 **the non-recent cases coming through.**
 12 Q. How often do you think somebody phones you up or emails
 13 you about child sexual abuse, whether current or
 14 non-recent?
 15 **A. Well, I got one on the train coming here yesterday.**
 16 Q. Was that the first one you've had for a week, two weeks,
 17 a month, two months?
 18 **A. It's hard to say. It is sporadic. You can't really put**
 19 **a figure on it at any one time.**
 20 Q. Do you keep data or maintain statistics about how many
 21 people make referrals, the nature of the referrals?
 22 **A. I believe our provincial secretary keeps the data, but**
 23 **I haven't got that to hand. I tend to work on**
 24 **a day-by-day basis. I've got my book and the referrals**
 25 **that come in there.**

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1 **A. Yes, exactly.**
 2 Q. When you have referrals, when do you refer things on to
 3 Social Services and/or to the police?
 4 **A. If it's -- anything that I think that is a criminal**
 5 **act -- I'm sorry, I'll take a glass of water.**
 6 Q. That's okay. Please do.
 7 **A. We refer to statutory authorities or the police when**
 8 **there is criminal issues around, and also obviously, if**
 9 **it's child sexual abuse, then referring to**
 10 **Social Services so that they will arrange a strategy**
 11 **meeting.**
 12 Q. Do you have a timescale within which you make such
 13 referrals? Is there any -- do you keep a record of all
 14 referrals? Do you keep data of any referrals you make?
 15 **A. As I say, everything is written down in my notebook, and**
 16 **then it's transferred obviously to an individual report.**
 17 **But then there is -- the timescales are there at that**
 18 **time immediately that that referral is passed on. But**
 19 **obviously, if it is something that needs to go to the**
 20 **police or to Social Services, it's done on that day, if**
 21 **at all possible, except if it's -- well, if it's**
 22 **a weekend, then not with Social Services.**
 23 Q. Can I just double-check, Social Services in Wales
 24 operates on local authority area.
 25 **A. Yes.**

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1 Q. How do you then manage those sorts of referrals? Do you
 2 have a case management -- an electronic or a paper case
 3 management system? I know there have been some concerns
 4 about paper recording.
 5 **A. Yes.**
 6 Q. Do you agree that the file management and record keeping
 7 needs a complete overhaul?
 8 **A. Absolutely. I mean, I think I said to you, I come from**
 9 **a local authority background, primarily, where they have**
 10 **got -- they're not sophisticated, but they're certainly**
 11 **more sophisticated than anything that we have got. The**
 12 **whole issue for us is that -- you know the**
 13 **Michael Mansfield mantra of, "If it is not written down,**
 14 **it didn't happen".**
 15 Q. Yes.
 16 **A. When you're in local authority, every phone call, every**
 17 **email that comes in is just put into a database, and**
 18 **that's really helpful.**
 19 **And when you come to, say, having to go to court, or**
 20 **something like that, you just print out your chronology.**
 21 **Well, we are working really in the dark ages, with**
 22 **a laptop, and -- but it is on the "to do" list.**
 23 Q. So you think it is absolutely essential that you have
 24 what I think most local authorities have, which is like
 25 a running record?

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1 Q. But there isn't -- in England, there is something called
 2 the LADO system, the Local Authority Designated Officer.
 3 **A. Yes.**
 4 Q. So that's something that someone like you would phone up
 5 if there's any queries. Does that system exist in
 6 Wales?
 7 **A. No. I'm aware of the LADO system and I think it is**
 8 **a very good idea. When I came into post, I remember**
 9 **Elaine and I spoke about this and actually went to some**
 10 **of the -- I have forgotten the correct title, the**
 11 **safeguarding --**
 12 Q. LCSB, the Local Children's Safeguarding Boards as they
 13 then were. They have now been abolished and we are now
 14 dealing with relevant partners.
 15 **A. Okay, times go on. We did try speaking to them about**
 16 **bringing in something similar, because there were issues**
 17 **when -- say a referral came to our attention, and it**
 18 **was, say, a relatively minor issue -- I think I put in**
 19 **my witness statement one example of, say, a music**
 20 **director inappropriately taking a young person out on**
 21 **their own, which is contrary to our safeguarding**
 22 **policies. Then, is that something? Because that's**
 23 **a person in a position of trust. It could be potential**
 24 **grooming. Do we refer that immediately to the local**
 25 **authority or not? And if we had a LADO system, we would**

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<p>1 be able to have that discussion, I think, quite openly, 2 and have a professional response.</p> <p>3 Whereas in Wales at the moment, I don't know whether 4 you're aware, but there are 22 unitary authorities, 5 which are massive, and each unitary authority will have 6 at least five area bases, and you can only phone up the 7 area where this person is actually residing, so you 8 can't just go anywhere.</p> <p>9 You have to speak to the duty officer and that 10 changes twice a day, so you're getting hundreds of 11 different people that you're possibly looking for for 12 advice, and the inconsistency there is quite worrying.</p> <p>13 What you don't want is either an overzealous 14 reaction or an underrated response; you want 15 a professional one, and I think that you're not getting 16 that with the system that we've got at the moment.</p> <p>17 Q. Does that, therefore, make it difficult for you to play 18 a part, for example, in multi-agency child protection 19 procedures? I think that child protection procedures in 20 Wales are similar to England, in that there will be 21 a multi-disciplinary meeting and decisions will be made 22 about whether further referrals should be made, 23 et cetera, et cetera. Am I right in thinking that?</p> <p>24 A. We have strategy meetings as part of the part 4 process, 25 so that, when a referral is made, that's a multi-agency</p> <p style="text-align: center;">Page 149</p>	<p>1 process. So in one of the cases that you spoke about 2 before, that's where we went in the first instance, so 3 that there was a cross-checking with the police, with 4 education, and other services that are relevant.</p> <p>5 Q. How frequently are you brought in to attend those sorts 6 of meetings? Do you think as frequently as you should 7 be, or --</p> <p>8 A. No, these ones are just case specific. So I haven't 9 been to any of -- I think my colleague has been to some 10 of the MAPPA meetings, but I haven't.</p> <p>11 Q. What relationship do you have with the Welsh Government? 12 Do they ever consult you about child protection-related 13 issues, as far as you're aware?</p> <p>14 A. Not me personally, no.</p> <p>15 Q. Or your office, somebody in your office?</p> <p>16 A. I would have thought that was the conversation they 17 would have with Simon Lloyd.</p> <p>18 Q. How about the relationship with the Children's 19 Commissioner? Do you have anything to do with her? Do 20 you ever phone them or their office up about any 21 particular issues or problems?</p> <p>22 A. No. Again, I think that any discussions have been 23 between Simon Lloyd.</p> <p>24 Q. Do you have any information protocol -- information 25 sharing protocol arrangements with either local</p> <p style="text-align: center;">Page 150</p>
<p>1 authorities or with the police?</p> <p>2 A. No, we don't, and I think that's a gap as well.</p> <p>3 Hopefully -- I know that the person is here at the 4 moment, but our new safeguarding manager I'm hoping will 5 be able to take this issue forward for us. Because, 6 again, it's really dependent on the personal networks 7 that you make yourself, so if I have an issue, I have 8 contacts in, say, a police Protection Unit or something, 9 but that's not as good as having a proper protocol for 10 sharing information.</p> <p>11 Q. How about information sharing with England? In fact, we 12 have seen a very good example in one of the Edina Carmi 13 cases of there were three -- two dioceses in England and 14 one in Wales and you all worked very well together. But 15 that wasn't because there was any formal information 16 sharing protocols in place, it was just because you were 17 all sensible people and got on with it.</p> <p>18 Would it be useful in terms of sharing information 19 between England and Wales generally?</p> <p>20 A. Yes. Were you specifically talking about the 21 Church of England?</p> <p>22 Q. Yes, the Church of England.</p> <p>23 A. Because that is much easier, because we are safeguarding 24 professionals and we come with the belief that any 25 safeguarding information should be shared across the</p> <p style="text-align: center;">Page 151</p>	<p>1 piece. But when it comes to local authorities, it is 2 different.</p> <p>3 Q. How about your information sharing with English local 4 authorities. You have a whole rung of local authorities 5 where there's English -- you will have children or 6 individuals who are worshiping in Wales but living in 7 England, or vice versa. What relationship do you have 8 with those particular local authorities, if any?</p> <p>9 A. Again, it would just be on a particular case, then we 10 would have to liaise with them on that situation.</p> <p>11 Q. Can I just ask, in terms of your office generally, and 12 obviously I'm asking you really because Ms Cloke isn't 13 here, who was your manager, how often do you see the -- 14 it is said that you see the Safeguarding Panel once 15 every six weeks.</p> <p>16 A. Yes.</p> <p>17 Q. Do you go and present to the Safeguarding Panel or is 18 that something that Ms Cloke would have done?</p> <p>19 A. No, it was the head of safeguarding and the two officers 20 came to that panel.</p> <p>21 Q. Could you tell us what happens when you go to the panel 22 and what discussions do you have and what outcomes are 23 there?</p> <p>24 A. The panel already has the written reports that we do 25 a week prior to the panel setting up. And so they have</p> <p style="text-align: center;">Page 152</p>

<p>1 read through all of those and, if we have made 2 recommendations, then they have seen those, or sometimes 3 we are not making a recommendation, but actually asking 4 for the panel to give us a discussion about what their 5 thoughts are, because they're the persons making the 6 recommendations.</p> <p>7 Q. Would you mind giving me a couple of practical examples 8 of things you've taken to the panel, say in the past six 9 months or so, which are to do with child safeguarding 10 rather than vulnerable adults, so we can see how it 11 works in action?</p> <p>12 A. One recently, we had a referral by somebody who said 13 that they lived with a cleric many years ago and that 14 they understood that this cleric had had an affair with 15 a 15-year-old girl at a school and that he was, at that 16 time, not a cleric but a teacher, and that they were 17 concerned that this person was now a cleric and that 18 that particular incident had all been covered up at the 19 time. So that incident came to the panel. But the 20 outcome was that I had to go and have a look at the 21 person's clerical file, the blue file that you keep 22 referring to, and there was no record of that person 23 actually being at the school.</p> <p>24 It was so long ago, and the school in question 25 actually didn't exist anymore. I don't think that, in</p> <p style="text-align: center;">Page 153</p>	<p>1 any case, education keep records of who their staff were 2 at any particular time. I think they're time limited. 3 So it would have been impossible, anyway, to have 4 checked whether -- the facts of that. All I could do 5 was go back to the referrer and say, "This information 6 is not as you said to me".</p> <p>7 Q. In respect of the Safeguarding Panel, from your 8 perspective as a social work professional, do they have 9 a good understanding of current safeguarding practices 10 and processes?</p> <p>11 A. I don't know about "current". There are two social 12 workers on there, but they're not practising social 13 workers at the moment. There are two GPs and there is 14 a retired teacher and a cleric.</p> <p>15 Q. And do you find it useful to have a multiprofessional 16 panel to discuss issues and ideas with and do they 17 usually follow the recommendations that you make?</p> <p>18 A. Yes, they do. I think it is very useful to have an 19 independent panel because it's just sort of either 20 agreeing or disagreeing with what we put forward, and it 21 gives me some confidence to follow through with what 22 we've decided to do.</p> <p>23 Q. Have they ever disagreed with a decision you've asked 24 them to make?</p> <p>25 A. I'm not aware of one, personally.</p> <p style="text-align: center;">Page 154</p>
<p>1 Q. If they did disagree with a decision and you thought 2 that that was wrong or professionally incorrect, what 3 would you do about that?</p> <p>4 A. I think I would take it up with the safeguarding 5 manager, in the first place, as the person that was 6 managing the safeguarding team. I don't know. We 7 haven't had that issue so far.</p> <p>8 Q. Who, ultimately, makes the decisions to say, "Yes, we 9 need to explore this further. We need to do a risk 10 assessment. We need to do this". Is it the 11 Safeguarding Panel that make the decisions and you 12 implement that?</p> <p>13 A. No, it is normally a recommendation that comes from 14 myself or my colleague as to whether a risk assessment 15 is required or not.</p> <p>16 Q. Have you ever referred someone for disciplinary action 17 when a bishop has not, or do you not -- I mean, you 18 don't have that power at the moment?</p> <p>19 A. No.</p> <p>20 Q. But there is some discussion about you having that 21 power?</p> <p>22 A. Absolutely, yes.</p> <p>23 Q. Do you think that is a power you would usefully like? 24 Do you think it would be a useful tool in your armoury 25 and do you think you'd use it?</p> <p style="text-align: center;">Page 155</p>	<p>1 A. I think it would be useful to have more of a direction 2 to the bishops, and it has just been said recently, 3 then, if that didn't go along with, then other 4 mechanisms would kick in as to how that was dealt with.</p> <p>5 Q. Can I just ask you a basic question. You have talked 6 about the large geographic area. How much time do you 7 spend out and about, so to speak, so in parishes, in 8 dioceses, as opposed to in your provincial central 9 office?</p> <p>10 A. Or home.</p> <p>11 Q. Or home.</p> <p>12 A. It's visits depending on what needs to be done. So I'm 13 not going around visiting clergy groups, if that's what 14 you mean. It is only case led. That is my job at the 15 moment. So if there's a meeting, say, for an offender 16 agreement, for instance, then that's a meeting I would 17 go to, to strategy meetings. So it is those sort of 18 things. It's difficult to say -- evaluate how much in 19 a week that I'm out. Remember, I'm working three days 20 a week, so if I'm one day a week out on the road, that's 21 two days left dealing with all the admin stuff.</p> <p>22 Q. Who deals with the vetting and barring element, so the 23 DBS element, of safeguarding? Is that something that 24 you do as part of your role or is that something that an 25 administrator would --</p> <p style="text-align: center;">Page 156</p>

1 **A. No, it wasn't safeguarding when I first came into this**
 2 **position, but that's now out in our -- what we call our**
 3 **secretariat within the RB offices, and so we only come**
 4 **in to have a discussion about DBS when there's**
 5 **a blemished DBS, and I think it was explained this**
 6 **morning that, at first, it will go to the triage and, if**
 7 **it is not seen as a safeguarding risk then that's just**
 8 **taken back. If there is a safeguarding risk, then there**
 9 **is further investigation and it's taken to the**
 10 **Safeguarding Panel.**
 11 Q. What responsibility do you have for delivering or
 12 organising safeguarding training? Is there anything
 13 that you have to do at the moment, or was that part of
 14 your job?
 15 **A. No, thankfully, I am free of training. When the**
 16 **training was first rolled out, in 2015, that was just**
 17 **prior to the policies being actually published, but the**
 18 **policy was actually up and running. So the whole of**
 19 **2015 was training all of the clerics in Wales in order**
 20 **to introduce them to the new policy, which wasn't quite**
 21 **in print, if you see what I mean.**
 22 Q. Yes, I do. Can I ask you about dealing with victims and
 23 survivors.
 24 **A. Yes.**
 25 Q. When somebody makes a disclosure, what referrals -- what

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1 **and saying that this is something that we would like to**
 2 **move forward to in the future.**
 3 Q. So you don't have any formal counselling or pastoral
 4 policies. At the moment, it is all on an ad hoc basis?
 5 **A. Yes, very much --**
 6 Q. How often do victims and survivors approach you for
 7 support with, you know, pastoral support, counselling
 8 support?
 9 **A. It is very infrequent, and it is kind of individualistic**
 10 **stuff as well. I remember one fairly recently where**
 11 **there was a court case, for instance. The person that**
 12 **was in court was a member of the church. The victim was**
 13 **a relative of his. And when the matter went to court,**
 14 **the cleric was in court with his clerical collar on, and**
 15 **the survivor -- yes -- was very upset by that and made**
 16 **a complaint to the bishop and, as a way forward, the**
 17 **bishop and myself met with this person, obviously**
 18 **apologised for what went on and said going forward, you**
 19 **know, we would deal with this differently, but also**
 20 **offered her counselling if she wanted it, which she**
 21 **refused. But I think she was very happy with the**
 22 **sensitive way it was picked up, although it was**
 23 **horrible --**
 24 Q. And do you encourage bishops, or do you tell them -- for
 25 example, we had a bishop come in on Tuesday who said

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1 availability is there of counselling services, and is
 2 that something that you buy in or is that -- do you make
 3 referral to whatever local authority services there are
 4 available?
 5 **A. It's few and far between, but certainly I know of one**
 6 **case where we actually bought in the counselling and**
 7 **that was paid for by the church. We can refer to**
 8 **a couple of organisations within Wales. One is MACSAS,**
 9 **which is the ministerial abuse, and the other one is**
 10 **something called New Pathways, which are an excellent**
 11 **organisation, but the only drawback is that sometimes**
 12 **you have a six-month waiting list before it is taken on.**
 13 Q. So you don't have an ISVA, an independence sexual
 14 violence advisor or direct referral into what are
 15 sometimes called SARCs, so sexual --
 16 **A. We have SARCs, but the ISVA, it's interesting that you**
 17 **mention that, because that's something that is -- I have**
 18 **come across from the English perspective.**
 19 Q. Yes.
 20 **A. And just very recently, interestingly enough, we have**
 21 **had a referral about a cleric who has got PTO in Wales**
 22 **and there's a non-recent abuse case come up from**
 23 **a survivor living in England, and I know that she has**
 24 **been supported by an ISVA, and because of that, it's**
 25 **something that we have talked about within ourselves,**

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1 that one of the issues, one of the things victims and
 2 survivors sometimes want is just for someone to pick up
 3 the telephone and say --
 4 **A. "I'm sorry".**
 5 Q. -- "Are you okay? Is everything okay? Is there
 6 anything we can do for you?" Is that something that you
 7 do or you encourage your bishops to do or how does that
 8 work?
 9 **A. I think a bit of both. As I say, it is an individual**
 10 **sort of response as to what people are needing and we**
 11 **would hopefully respond appropriately. But it is not**
 12 **a regular occurrence either.**
 13 Q. Now, an independent report has been produced. I think
 14 it is about St David's, isn't it, is the relevant
 15 parish?
 16 **A. Yes, which is not one of my dioceses, I hasten to add.**
 17 Q. Sorry, the relevant diocese -- I do apologise, the
 18 Diocese of St David's, not the parish of St David's, let
 19 me be absolutely clear about that.
 20 **A. They would be very offended by that remark.**
 21 Q. I know they will be. I am already identifying the
 22 letter of complaint. I do apologise unreservedly.
 23 Can I ask, Ralph, would you mind putting on screen
 24 ANG000378. So this is a report that was carried out by
 25 somebody called Samantha Jane Waters, and she's provided

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1 us with a witness statement. We have got just
 2 a statement from her. We didn't get her report. My
 3 learned junior is telling me that.
 4 Were you consulted or, as far as you're aware, was
 5 anyone in the provincial safeguarding office consulted
 6 before this report was commissioned?
 7 **A. We weren't, no.**
 8 Q. Were you aware of any issue with the diocese? Because
 9 this was a report which was all about record keeping and
 10 whether or not adequate records had or hadn't been kept
 11 over the years?
 12 **A. Not at all, no.**
 13 Q. Can I take you to paragraph 19 of her witness statement?
 14 **A. I would, but it's disappeared off the screen.**
 15 Q. That's fine. Ralph is reviving it as we speak.
 16 Paragraph 19, please. That identifies -- again, it was
 17 really a review through the diocesan files of
 18 the Diocese of St David's, looking at all the
 19 safeguarding incidents and personnel files. It was
 20 really running through those, identifying whether there
 21 were any problems or any outstanding issues. The
 22 recommendations, really, are very similar to the
 23 recommendations we have seen in three or four other
 24 reports, which is: better record keeping; keeping better
 25 records; having matters put on file; a full

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1 **A. Well, I do, but I realise that my colleagues didn't.**
 2 Q. That's fine. Let's call them the blue files and have
 3 done with it.
 4 So do you agree that the blue files are a mess at
 5 the moment?
 6 **A. I believe so. I mean, the ones that I've seen, yes.**
 7 **There were inconsistencies as well. I have spoken to**
 8 **some other -- to the archbishop, actually. Recently,**
 9 **I looked at one blue clergy file and realised that,**
 10 **since he came to Wales, there is information there and**
 11 **that's recorded accurately. But there was only one of**
 12 **his previous placements when he was in England, and the**
 13 **rest are all just missing. So I was -- because there**
 14 **was an indication that something might have been said**
 15 **much earlier in his career, but there is no evidence**
 16 **there because there are no records of the times that he**
 17 **was in that particular diocese.**
 18 Q. How often do you get to see the blue files? We have
 19 heard, again, that they are kept at the diocese with the
 20 bishop.
 21 **A. With the bishop.**
 22 Q. They are not kept with you --
 23 **A. No.**
 24 Q. -- and they are not kept in Llandaff. Have you always
 25 had free rein or free access to the blue files or are

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1 understanding when a member of clergy transfers; then
 2 referrals should be made rather than bargaining with
 3 potential retirement?
 4 **A. Yes.**
 5 Q. Now, I think we have heard in other examples that we
 6 have already been given that that's the position. Do
 7 you agree that all those practices have occurred and
 8 that that sort of -- those sorts of things need to stop
 9 and there needs to be a radical improvement in record
 10 keeping?
 11 **A. I find the recommendations very odd, to be honest,**
 12 **because she was supposed to be doing, allegedly,**
 13 **a review of safeguarding, but she didn't make any**
 14 **reference to safeguarding. We have got the safeguarding**
 15 **files. So I'm not sure how she did a review.**
 16 Q. Okay. All right. But do you recognise her
 17 recommendations as being ones which, irrespective of
 18 the concerns you might have about which records she had
 19 access to, do you recognise that the recommendations she
 20 makes are probably valid --
 21 **A. Well --**
 22 Q. -- more generally?
 23 **A. She's specifically talking about the blue clergy files.**
 24 Q. The blue files, the individual personnel files. Can we
 25 call them the blue files?

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1 they jealously guarded?
 2 **A. You have got to have permission of the bishop, but**
 3 **I have never been refused access to a blue file.**
 4 Q. Do you think it would be sensible that you would
 5 automatically be given access and there should be
 6 a central record-keeping service so you can look at them
 7 as and when required?
 8 **A. It would make life easier. The other day I had to drive**
 9 **to Brecon from Newport in order to look at two files.**
 10 **So that would have saved four hours, you know.**
 11 Q. As far as you're also aware, the bargaining with
 12 retirees. Do you think that still happens, that people
 13 say, "We can hush this up if you go quietly". Is that
 14 something that's been your experience in terms of if
 15 there have been safeguarding concerns --
 16 **A. I'm not aware of that and I would hope that that wasn't**
 17 **the case.**
 18 Q. Can I also ask you about risk assessments. Who
 19 ultimately decides whether or not a risk assessment
 20 needs to be undertaken either against a cleric or
 21 a church officer? Is it you, is it the Safeguarding
 22 Panel or is it the bishop?
 23 **A. It is a recommendation that comes from me, which is**
 24 **validated by the Safeguarding Panel. And the bishop**
 25 **would be very unwise not to go along with it.**

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1 Q. But do bishops ask you advice about risk assessments?
 2 Because the issue is, you can only provide your
 3 recommendation if people phone you up and say, "I'm
 4 really worried about Joe Bloggs. I'm really worried
 5 about that". Do you find that if there are concerns,
 6 they do phone you up or they just ignore the issue and
 7 therefore it never comes on your radar?
 8 **A. Are you back to risk assessments?**
 9 Q. Yes.
 10 **A. No, the risk assessment is specific to a case, so that's**
 11 **already been under way.**
 12 Q. But do bishops ever phone you up and say, "I'm a bit
 13 worried about X. Can I have a chat about it and do you
 14 think there might need to be a risk assessment?"
 15 **A. Well, if they did, then that's the conversation we would**
 16 **have.**
 17 Q. No, but have you ever had that conversation?
 18 **A. No.**
 19 Q. Okay. Who drafts risk assessments and checks them?
 20 **A. The risk assessments are, in Wales, always carried out**
 21 **as an independent organisation, so we have -- we only**
 22 **commission them.**
 23 Q. Right. So an independent organisation commissions them
 24 and then who signs them?
 25 **A. The person that actually wrote them, the organisation**

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1 **we've got on this particular -- these cases, and because**
 2 **of the geography, we have said that where there is just**
 3 **a low risk, which is identified by the Police or**
 4 **Probation Service, that we will actually just review it**
 5 **every three years in a face to face, but we will check**
 6 **with the incumbent and with the offender manager on an**
 7 **annual basis, but just by email or telephone**
 8 **conversation, that they are still okay and that there**
 9 **are no risks.**
 10 Q. I now want to ask you briefly about your two further
 11 witness statements, one of which -- both of which deal
 12 in respect of sampling issues, so issues to do with the
 13 cases that we sent to Ms Carmi. I am going to ask you
 14 about two cases, one involving an individual called F26,
 15 and one involving an individual called F28.
 16 Can I first ask you some questions about F26. Chair
 17 and panel, this is what I call the second witness
 18 statement, which is ANG000635. This is about bell
 19 ringers.
 20 **A. Excellent.**
 21 Q. I understand you are a bell ringer yourself?
 22 **A. I am indeed.**
 23 Q. So you're more familiar with the terminology than I am.
 24 This is at paragraph 10 of your witness statement, which
 25 is ANG000635_002. Some allegations came to light in

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1 **that wrote them.**
 2 Q. Okay. But who signs any sort of offender management
 3 agreements? Would it be the incumbent, yourself --
 4 **A. Are you on to offender managements, not risk assessments**
 5 **now?**
 6 Q. No, now turning to offender management agreements.
 7 Obviously you have to deal with quite a number of those,
 8 as I understand it?
 9 **A. Yes.**
 10 Q. Who is responsible for signing those and is that
 11 something that you become involved with or is it just
 12 dealt with at the parish level?
 13 **A. No, it is not dealt -- it is very much my remit. So**
 14 **they're signed by myself and by the incumbent and by the**
 15 **offender and by the offender manager.**
 16 Q. Thank you very much. How often are they reviewed with
 17 the offender? Is that something that the MAPPA
 18 procedure deals with or is that something you, as
 19 a diocese, deal with?
 20 **A. No, we agree it with the offender manager, depending on**
 21 **the level of risk. It's usually on an annual basis,**
 22 **although I've just got one very recently where the**
 23 **offender -- the offender manager wants it to be reviewed**
 24 **in three months' time, because it's seen as a higher**
 25 **level of risk. Also, because of the volume of work**

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1 2014 which arose in England, and there was insufficient
 2 evidence for any formal charges but concerns remained
 3 about F26's attitude towards youngsters and there was
 4 a lack of insight into what had taken place?
 5 **A. Yes.**
 6 Q. Therefore, there were written agreements as set out at
 7 paragraph 11 for towers -- can you explain to me -- for
 8 the towers where permission was given for F26 to ring
 9 and these were viewed by the tower captains and
 10 incumbents in Gloucester and Worcester?
 11 **A. Yes.**
 12 Q. So this is the case in fact where Ms Carmi praises the
 13 sort of multidiocesan work that you did with Gloucester
 14 and Worcester in this respect. So what happened is,
 15 this individual then wanted to come and ring some towers
 16 in Wales. So can I just identify, just basically, what
 17 are -- why do you need safeguarding arrangements for
 18 bell ringers, first things first; and, secondly, what
 19 did you do in this case?
 20 **A. We don't usually need safeguarding arrangements for bell**
 21 **ringers.**
 22 Q. Because I would assume, are most bell ringers adults or
 23 are they also children?
 24 **A. No, there's a mixture, but primarily adults, and**
 25 **sometimes very elderly as well.**

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<p>1 Q. Yes. What sort of supervision and safeguarding 2 arrangements would you need to put in -- I mean, how do 3 you have a safeguarding agreement with a tower captain, 4 for example? What is a tower captain, first-off? 5 A. The person who is in charge of the -- anything to do 6 with bells. So he's responsible for the safety within 7 the tower so that nobody gets yanked up to the roof, 8 looking after the bells, and all of that stuff. And 9 it's only him that has the DBS check as well. Nobody 10 else within the tower, or except if somebody is teaching 11 children. 12 Q. So you made arrangements for F26 to ring the bells -- 13 this is at paragraph 13 -- in three different parishes. 14 But disclosure of the concerns, because there weren't 15 any children, but F26 wanted to ring the bells at 16 Llandaff Cathedral but you said no, as I understand it, 17 because there would be children present? 18 A. Yes, and that was before this person came to Wales and, 19 at that time, I think there was still -- he'd taken out 20 some judicial review, so the actual details of what he 21 had done weren't released to us. 22 Q. So, ultimately, what happened and what got resolved in 23 respect of F26? 24 A. At that point, when he was just wanting to ring in 25 specific churches in Wales, if there weren't children</p> <p style="text-align: center;">Page 169</p>	<p>1 present, then permission was given for him to ring 2 there. 3 Q. Right. 4 A. But then he moved to Wales full time in -- I think it 5 was -- was it 2018? 6 Q. Yes. Then you ultimately managed to reach agreement 7 along with -- and you outline this in some detail in 8 your report -- various significant issues -- after 9 various conversations -- in fact, lots of conversations 10 with the Diocesan Safeguarding Advisor, you managed to 11 reach a situation where everybody was agreed that he 12 could ring bells in certain churches but not others? 13 A. Yes, I think by that time more information had been 14 released to us, and so it was easier to be open with the 15 towers and give them more information as well. Because 16 I was unhappy, actually, in just asking towers if he 17 could ring there and had they got no children, which 18 sort of indicated there is a problem but you're not 19 saying what the problem is. 20 Q. So you were able to undertake a relevant risk assessment 21 at that time, and then make a proper assessment of risk? 22 A. We took over the Gloucester risk assessment which had 23 been done. 24 Q. I think Ms Carmi is very complimentary about the work 25 that you, in particular, undertook, and others, in</p> <p style="text-align: center;">Page 170</p>
<p>1 English, in terms of managing this situation, which 2 I think was quite difficult and complicated. Can we now 3 turn to F28. So this is ANG000636. Now, this 4 involves -- 5 A. I think some of the numbers have got muddled up. 6 Q. Sorry, I wanted to check something. It is not a problem 7 at your end. It is my witness statements. I'm just 8 double-checking issues. 9 Can I just ask about this particular case. Could we 10 take the document down, please. There is a problem with 11 the first line of the first paragraph. Don't worry, we 12 don't need to break the feed because nothing was said, 13 but can we just make sure that when that page goes on 14 the screen -- thank you very much. So this is the case 15 that I have dealt with, with both Mr Lloyd and with the 16 archbishop, both of which identifies the incumbent who, 17 shall we say, didn't see the need to undertake the risk 18 assessment processes that you had identified were 19 required. 20 Could you identify to me, were you personally 21 involved in this case? 22 A. I was. 23 Q. Could you just run me through what steps were taken by 24 you, what steps were taken by the Safeguarding Panel and 25 the difficulties that then arose with the individual in</p> <p style="text-align: center;">Page 171</p>	<p>1 question, the incumbent in question, X8 I am going to 2 call her? 3 A. X8 was the first person to inform me that the -- am 4 I allowed to say "organist"? 5 Q. Yes. We're allowed to say "organist". You're allowed 6 to say "organist", you're allowed to say "choirmaster", 7 but please don't mention anybody else's names or 8 anything to do with any geographic areas, thank you. 9 A. So X8 informed me that the choirmaster had been arrested 10 and that there was going to be a strategy meeting in the 11 next couple of days, and so I arranged to attend that 12 together with the incumbent, X8. We didn't have any 13 real details until we got to the strategy meeting, when 14 it was then, as I think you've already discussed the 15 case this morning, the details of that -- you don't want 16 me to go through that again, do you? 17 Q. I don't think we need to go through it again. The only 18 thing I would say is, are you somewhat surprised the 19 police reached the view they did, that they weren't 20 going to take any further action? 21 A. That happened on the second strategy meeting, wasn't it, 22 which was only two days later, and I didn't attend 23 there, which was unfortunate, because I think perhaps 24 I might have challenged that a bit further. But they 25 felt that there was insufficient evidence, it would have</p> <p style="text-align: center;">Page 172</p>

<p>1 been his word against the young person's statement. 2 Part of the issue was that I was told by X8 that the 3 young person had withdrawn the allegation of rape, and 4 that's why there was going to be no further action. 5 Whereas, in fact, the truth was, when I spoke to the 6 chair of the strategy meeting some days later, was that 7 there was just insufficient evidence, which is entirely 8 different. 9 Q. Yes. 10 A. And so we said that the choirmaster should be suspended 11 whilst -- until a risk assessment could be taken. 12 Q. But unbeknownst to you, X8 had in fact met with the 13 person who had been arrested -- 14 A. Yes. 15 Q. -- and spoken to them and then decided that no further 16 action should be taken and that there shouldn't be 17 a risk assessment and she refused to go to the parochial 18 church council? 19 A. Yes. 20 Q. What did you think about that? 21 A. Well, it was a mystery. I think X8 had a former 22 safeguarding role within that place -- am I allowed to 23 say that? 24 Q. Yes, you are. 25 A. And therefore, I think that she felt that she was -- had</p> <p style="text-align: center;">Page 173</p>	<p>1 enough knowledge and expertise to deal with this matter 2 herself. 3 Q. Right. 4 A. And that she chose to ignore the recommendation of 5 the Safeguarding Panel. So the Safeguarding Panel 6 actually had to meet not just in December, which was the 7 usual panel meeting, but had an extraordinary meeting 8 in January, because they were anxious that 9 a recommendation hadn't been carried out. 10 Q. Right. And in fact, as I understand it, just so that 11 I put her response to you, so that we have both sides of 12 the story -- and I'm not going to bring it up; 13 Ms McNeill has told me not to, so I won't. But she 14 says, in effect, that she was bullied into doing it by 15 you, and that she -- 16 A. Not by me, by Elaine. 17 Q. By Elaine. Not by you, by Ms Cloke? 18 A. Yes. 19 Q. She said she was bullied into doing it by Ms Cloke, she 20 had done nothing wrong, she was perfectly content with 21 the situation, and, really, you sort of made her do 22 something which she thought was wholly inappropriate? 23 A. Yes. 24 Q. And you bullied her? 25 A. Yes.</p> <p style="text-align: center;">Page 174</p>
<p>1 Q. Or your team bullied her? 2 A. Yes. 3 Q. What do you say about that? 4 A. Well, I totally disagree with that. She was just not 5 taking any notice of what the recommendations were from 6 the professional safeguarding team, and the difficulty 7 that that then put us into was -- just to explain, in 8 case you're wondering why there was such a time lapse 9 between this and then the risk assessment taking 10 place -- 11 Q. Yes, because there was -- and, in fact, Ms Carmi 12 identifies that there was a significant delay. There 13 was about a six-month period, if I remember rightly. 14 A. There was, and if I can explain, at the time, when we 15 were using risk assessments, we used to go to two 16 specific organisations, one was the NSPCC and the other 17 was the Lucy Faithfull organisation. Both of those 18 insisted that before they undertook any risk assessment, 19 that the person had to be suspended from their post, and 20 that was the underlying delay that happened to us, 21 because we were fighting, if you like, for this person 22 to be suspended, and it wasn't happening. 23 Q. Did you or the team -- obviously, it is different -- 24 write to the bishop. Let's not say what the bishop is 25 called. Did you write to the bishop or speak to the</p> <p style="text-align: center;">Page 175</p>	<p>1 bishop or go along and say, "Look, this is what's going 2 on. This individual won't suspend them. You need to 3 say -- you need to, you know, lay down the law, if 4 necessary by way of disciplinary procedures?" 5 A. There were at least two face-to-face meetings that I had 6 with the bishop. There were also email exchanges and 7 I believe Elaine Cloke also had discussions with this 8 bishop. 9 Q. In the face-to-face meetings that you attended, what did 10 the bishop say? 11 A. On the first time, he was -- he said that the person 12 should be suspended, but then I think was distracted by 13 what FX8 -- I've forgotten what -- 14 Q. X8. 15 A. X8, and he disregarded our discussion. On the second 16 time, I think that we tried to do a compromise agreement 17 whereby -- that we would perhaps use the risk assessment 18 of the HR manager with -- sorry, the person within the 19 PCC, but that wasn't agreed by the -- we went back to 20 the Safeguarding Panel with that compromise and the 21 Safeguarding Panel still said, no, the person has got to 22 be suspended. 23 Q. What did the difficulties -- now, F28, who was the 24 subject of the allegations, had lived on a church 25 property. Did that cause any particular difficulties</p> <p style="text-align: center;">Page 176</p>

<p>1 for you on a practical basis? I mean, what powers do 2 you have, as a safeguarding officer, to say, "Well, 3 somebody might have to leave church property"? Do you 4 have any powers at all over that? 5 A. We don't, no, but the whole issue should have been taken 6 up at that point, you know, the whole tenancy agreement. 7 I think that is why the PCC were involved, which 8 wouldn't normally be part of what they do. And that was 9 why the PCC was asked to do the disciplinary 10 investigation and deal with it, which never happened 11 either. 12 Q. So Ms Carmi -- I think we have gone -- I have gone 13 through the concerns that Ms Carmi raised. But these 14 are, really, that there was delay in agreeing the 15 safeguarding response. 16 A. Yes. 17 Q. And she's seen your witness statement, and in her 18 addendum report, she says, "Well, I can see there were 19 a lot of things going on, but it should have been 20 possible: one, for him to be suspended; and, two, for 21 the risk assessment to have taken place much more 22 quickly". Do you agree with that, that this was 23 a frustrating situation for you, and for everybody else 24 by the sounds of it? 25 A. Absolutely, and I think we have already been discussing</p> <p style="text-align: center;">Page 177</p>	<p>1 today that, going forward, we would have more of 2 a direction to be able to do the suspension rather than 3 just a recommendation. 4 Q. Now, the other issue she raised is the fact that there 5 wasn't any offer of support for the victim at any time. 6 A. Yes. 7 Q. With the benefit of hindsight, do you think that was an 8 error? 9 A. Benefit of hindsight, as the archbishop said this 10 morning, is a great thing. Yes, I would agree. If we 11 had something like we have just mentioned, you know, the 12 Independent Sexual Violence Advisory Service, I think 13 that's what we would have done. 14 Q. What powers do you think you need to have in order to be 15 able to cut through the problems that this case typifies 16 and resolves, which is recalcitrant clerics not doing 17 what you and the Safeguarding Panel think is 18 appropriate? 19 A. I think it's about having that direction and, if the 20 bishop gets in the way of that direction, then there's 21 disciplinary measures taken out on the bishop, to be 22 frank. 23 Q. Which obviously, at the moment, aren't possible? 24 A. No. 25 MS SCOLDING: I don't think I have anything else. I think</p> <p style="text-align: center;">Page 178</p>
<p>1 I have gone through with your colleagues the issues in 2 respect of the conclusions in respect of Ms Carmi's 3 report. Are there any other observations you would like 4 to give us about the conclusions which were reached by 5 Ms Carmi? I mean, we have gone through them as I have 6 given your evidence. Is there anything else you would 7 like to say? 8 A. I think it would be very useful, from our perspective, 9 because it's been a useful exercise doing the whole 10 IICSA thing, that going forward they have -- is it 11 regular audit, but they use SCIE, for instance? 12 Q. They have external audit -- well, they have implemented, 13 from 2016 onwards, a process of auditing all dioceses 14 and now they are doing cathedrals? 15 A. I think that would be very useful for us, because 16 I think my concern is that some really great things are 17 coming out of IICSA, but once that's finished, it might 18 make the bishops and everybody else quite complacent and 19 I would like to see that there could be a regular 20 auditing taking place. Is that fair? 21 Q. Do you think that should take place from individuals 22 outside the church? 23 A. Outside, yes. 24 Q. An external organisation carrying out an audit of your 25 policy?</p> <p style="text-align: center;">Page 179</p>	<p>1 A. Yes. 2 MS SCOLDING: I have no further questions for Ms Howe. 3 Chair and panel, I don't know whether you've got any 4 further questions. 5 THE CHAIR: Mr Frank has one. 6 Questions by THE PANEL 7 MR FRANK: Yes, just one question, really. Whatever happens 8 after IICSA comes to an end, we understand that the 9 process for effecting change in the Church in Wales is 10 much quicker than people expect in England, and 11 certainly the processes could easily be done within 12 a period of six months, as I understand it. 13 A. Yes. 14 MR FRANK: Do you think it might be possible for you to let 15 us know within six months' time as to what changes have 16 effectively been made in pursuance of what's been learnt 17 in the course of this investigation? 18 A. I think that would be very useful. I think the 19 difference with Wales is, because we're small, I think 20 that we're, in that sense, more responsive and able to 21 act quicker than perhaps the Church of England, which 22 has got, what, 42 dioceses, et cetera, et cetera. Yes. 23 MR FRANK: Thank you very much. 24 THE CHAIR: Thank you, and no further questions. Thank you, 25 Ms Howe.</p> <p style="text-align: center;">Page 180</p>

<p>1 MS SCOLDING: I think now is obviously the appropriate time 2 for the afternoon break, chair, with your permission. 3 Shall we return at 3.30 pm? 4 THE CHAIR: 3.30 pm, yes. 5 (3.16 pm) 6 (A short break) 7 (3.30 pm) 8 MS McNEILL: Chair, our final witness for today is Reverend 9 Christopher Watkins. 10 REVEREND CHRISTOPHER WATKINS (sworn) 11 Examination by MS MCNEILL 12 MS McNEILL: Reverend Christopher Watkins, can I just 13 confirm, you are an ordained priest within the 14 Church in Wales at the moment? 15 A. Correct, yes. 16 Q. And you have been a parish priest for 29 years, both 17 across the Church of England and the Church in Wales? 18 A. Correct, yes. 19 Q. Today's evidence, chair and for the witness, has been 20 rather like a funnel. We have seen the policies at the 21 very highest level, filtering down to the Provincial 22 Safeguarding Officer, and from your perspective, we 23 would like to hear about the management of safeguarding 24 at the parish level within the Church in Wales. There 25 will be two phases to my questioning: the first, about</p> <p style="text-align: center;">Page 181</p>	<p>1 a specific case you dealt with, which has been 2 considered by Ms Edina Carmi, in her expert report; and 3 then for your observations on safeguarding within the 4 Church in Wales. 5 I will deal first with the specific case, if I can, 6 because in some ways that may be briefer. Is it right 7 that in 2017, whilst you were a parish priest within the 8 Church in Wales, you had cause to manage the attendance 9 of a convicted perpetrator, Mr Ian Galt, at your parish 10 church? 11 A. Correct. 12 Q. In terms of the brief factual background, is it right 13 that Mr Galt was conflicted in 1999 of assaulting 14 a young boy and served a three-month custodial sentence? 15 A. Yes. 16 Q. He was, at the time of that conviction, a licensed 17 member of the clergy, though his PTO was removed? 18 A. Yes. 19 Q. He was convicted again, in 2013, of inciting a child 20 under the age of 16 to commit a sexual act, for which he 21 was sentenced to a three-year community order and five 22 years on the sex offender register. Is that right? 23 A. That's right. 24 Q. Is it also right that an attendance agreement was put in 25 place by the Church in Wales to manage his attendance at</p> <p style="text-align: center;">Page 182</p>
<p>1 the parish church? 2 A. Yes. 3 Q. When you became involved within that parish, which I am 4 not going to name, was the attendance agreement already 5 in place? 6 A. Yes. 7 Q. What information, if any, did you have available to you, 8 upon taking over that parish, about the attendance 9 agreement and the reasons it was put in place? 10 A. I was told about, when I was appointed by my 11 predecessor, that the agreement was in force. And that 12 was left at that and I was eventually given a copy, but 13 that was much later, of that agreement. 14 Q. So there wasn't, within the parish, a file, for example, 15 about Mr Galt setting out what the facts of 16 the convictions were, the risk he posed or any 17 information like that? 18 A. Nothing whatsoever. 19 Q. Would it have been of assistance to you to have that 20 much information? 21 A. I think we should have had that information, but we 22 didn't. 23 Q. You renewed the attendance agreement of Ian Galt in 24 2015. Is that right? 25 A. That's right, yes.</p> <p style="text-align: center;">Page 183</p>	<p>1 Q. As part of its periodic reviews? 2 A. Yes. 3 Q. If we can have a look at the document on screen, just 4 for the terms, it's ANG000612. It is in the Diocese of 5 Monmouth. I want to look at the very bottom, please. 6 These were the specific restrictions that were in place: 7 "I agree I will only attend [a specific] church. 8 "I agree I will not seek out or accept any role 9 within the church. 10 "I will never allow myself to be alone with a child. 11 I will not initiate contact with children. 12 "I agree I will avoid certain meetings or events. 13 "I agree I will not place myself in the immediate 14 vicinity of children or young people." 15 In practical terms, how easy was it to manage those 16 restrictions within a parish? 17 A. It was relatively simple to manage. There were 18 occasions when -- can I mention the man's name? -- 19 Q. Yes, Mr Galt. 20 A. -- can I mention Ian's name? -- that he would try and 21 conceive ways of attending church to bypass me and 22 bypass the people -- we always arranged for him to be 23 brought to church and taken home. So he tried to 24 conceive ways of getting around that. One instance was 25 an a Palm Sunday when he said, "I've got to be in</p> <p style="text-align: center;">Page 184</p>

1 church. I'm a priest. I need to be in church that day.
 2 It is a day of obligation", which it actually isn't, but
 3 I think he was using it, in a sense, to try and get him
 4 into church. I said, "No, we've got a family service
 5 this morning. We have children attending. You can't
 6 come". So he rang other people to try and -- he rang
 7 a lady --
 8 Q. Let's not name individuals?
 9 A. No, a lady who would also pick him up on occasions if
 10 other people weren't available and he asked her to pick
 11 him up. She rang me to ask if it was okay. So I said,
 12 "No, you don't pick him up, and don't even return his
 13 phone call, just let him stand on the doorstep". I was
 14 being a bit cruel at that point in time, but I just
 15 didn't -- I -- but he was just trying to conceive ways
 16 of coming to church when there were children there.
 17 That's speculation, but he wanted to come to that
 18 particular service.
 19 Q. In theory, it was a simple enough agreement to manage?
 20 A. Yes.
 21 Q. But it did require you specifically, as the parish
 22 priest, to have your wits about you, to be making sure
 23 he was abiding by it?
 24 A. That's right. And he knew, on the monthly family
 25 service, he wasn't allowed to come to church at all on

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1 A. Yes.
 2 Q. Initially?
 3 A. Yes.
 4 Q. And ultimately, Mr Galt was convicted in January 2018 of
 5 a further offence and sentenced to four months in
 6 prison, suspended for two years?
 7 A. Yes.
 8 Q. Is that right?
 9 A. Yes.
 10 Q. So the question for you, then, is, on being made aware
 11 of the allegation, the new allegation in 2017, what
 12 steps did you take?
 13 A. I rang the Provincial Safeguarding Officer and also rang
 14 Mr Galt and said he wasn't allowed to come to church,
 15 and that call was followed up by Ms Howe, who followed
 16 that through as well, and then the police were involved
 17 at that point in time, I think she called the police and
 18 the police got involved at that point in time.
 19 Q. By way of timescales, is it right that you received the
 20 disclosure, and the telephone call made by you to the
 21 Provincial Safeguarding Advisor was on the same day?
 22 A. Yes.
 23 Q. The telephone call by you to Mr Galt and followed up by
 24 the Provincial Safeguarding Advisor to say he could no
 25 longer attend church was the same day?

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1 that day and he wasn't allowed to come any afternoon
 2 when there was the Eucharist, because there was
 3 a possibility the children would be there that
 4 particular day. So when we swapped services around, we
 5 would say he couldn't come on that particular day just
 6 to safeguard ourselves. So that was fairly easy to
 7 manage in that respect. But like I say, he was quite
 8 canny and would try and conceive a way around it.
 9 Q. How widely within the parish was the agreement shared?
 10 Was it just you that knew about it, was it the parochial
 11 church council?
 12 A. I get the impression that I knew about it and that one
 13 or two churchwardens knew about it, but I think that's
 14 as far as it went. It certainly never was discussed on
 15 the PCC level and there was certainly no written
 16 information in any records in church.
 17 Q. It's right, isn't it, that a further allegation was made
 18 against him in July 2017?
 19 A. Correct.
 20 Q. Just to avoid any inadvertent identification of anybody
 21 involved in that case, I'm just going to lead you
 22 through the facts a little bit.
 23 A. Yes.
 24 Q. But it is right, isn't it, that the disclosure was made
 25 to you?

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1 A. Yes.
 2 Q. And that through the Provincial Safeguarding Officer,
 3 the police were notified of the allegation on that same
 4 day?
 5 A. Yes.
 6 Q. Was the diocesan bishop involved in the response at all?
 7 A. I spoke to the diocesan bishop on the Monday and I think
 8 Ms Howe spoke to him as well very soon after that. But
 9 I can't tell you actually when she spoke to him. But
 10 certainly within a matter of probably 48 hours, at the
 11 very most.
 12 Q. During the currency of the police investigation, was the
 13 communication with the police managed by yourself or by
 14 the Provincial Safeguarding Officer or both?
 15 A. Both.
 16 Q. Would you describe the contact with the police as
 17 regular?
 18 A. I was called as a witness. I had to go and give
 19 a police statement. That took about a fortnight before
 20 I got around because it was a shift worker, the
 21 particular policeman who was taking over, and we liaised
 22 up until the point of my statement was finished, and
 23 then I didn't liaise with the police after that, except
 24 when I requested some information of them, which they
 25 wouldn't give me.

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<p>1 Q. In terms of Mr Galt, you said on the same day you 2 immediately called him and said to stop attending church 3 altogether. Was that formalised, going forward? 4 A. Yes. 5 Q. In fact, it is right he didn't attend church services at 6 all until his death soon after? 7 A. That's right. 8 Q. You instead arranged, did you not, for somebody to 9 attend his home and later, I think, his hospital to 10 minister to him there? 11 A. Yes. 12 Q. Why did you take those steps, of preventing him from 13 attending church altogether? 14 A. I just didn't want to take the risk that he would come 15 to church and the same thing happen. The difficulty is, 16 you never know who is going to turn up in church. 17 A family could turn up out of the blue. Part of what 18 happened in this instance. I just wanted to take no 19 risks that he would come back to church. 20 Q. You mentioned the concept of risk. In fact, our expert 21 witness, Ms Edina Carmi, has been very complimentary of 22 the actions you took in this case. She will give 23 evidence, chair and panel, about this on Monday morning. 24 But she said that the actions you took were correct, 25 they were appropriate, they were swift, and they were in</p> <p style="text-align: center;">Page 189</p>	<p>1 line with the Church in Wales's policies. 2 The only slight downside she has identified is that 3 when the attendance agreements were put in place, albeit 4 not by you, no formal risk assessment had been carried 5 out, because the policy in fact didn't require them to. 6 My question for you, therefore, is, would you have been 7 assisted throughout your time dealing with Mr Galt by 8 a detailed risk assessment? 9 A. I think I would have been, but we can't turn the clock 10 back, can we? 11 Q. But you were left in a position, therefore, of trying to 12 do your best to assess and manage the risk that hadn't 13 quite been quantified? 14 A. Yes. 15 Q. Is that fair? 16 A. That's right. 17 Q. And it later transpired, didn't it, that the police and 18 the Probation Service, they certainly considered him to 19 pose a high risk? 20 A. Yes. 21 Q. The second phase of my questioning for you, therefore, 22 is to ask a little bit more about safeguarding from the 23 parish perspective within the Church in Wales. It is 24 important -- it is not reflected in the amount of time 25 your evidence lasts -- because you are the only parish</p> <p style="text-align: center;">Page 190</p>
<p>1 priest we are going to hear from. Is it right that you 2 have had one safeguarding training session within the 3 church in about 2001 to 2003? 4 A. Yes. 5 Q. Was that delivered during your time in the 6 Church of England? 7 A. Yes. 8 Q. In terms of the Church in Wales, you had, you think, an 9 additional safeguarding training session facilitated by 10 the NSPCC? 11 A. Yes, in 2015. 12 Q. In 2015. The question, therefore, is, do you think that 13 that safeguarding training combined equipped you to deal 14 with safeguarding matters at the parish level? 15 A. I think, if I go back to my Church of England days, 16 I had one in, like I say, 2002/2003, something like 17 that, just after I moved to England. But I think 18 I possibly had -- there should have been a follow-up 19 a few years later. But there was nothing, except for 20 I did start a drop-in centre for youth, and the Diocesan 21 Child Protection Officer, as it was called in those 22 days, came in and ran a course for that, which I went to 23 for the people who were going to be working as part of 24 that youth drop-in centre. So that was -- but I think 25 more regular training, because I think we have to update</p> <p style="text-align: center;">Page 191</p>	<p>1 things as we go along. It was mentioned earlier on 2 about media and social media and all that sort of thing, 3 which, you know, I'm pretty dull on, to be perfectly 4 frank. But it's needed, you know. 5 Q. So from your perspective, a little bit more training and 6 certainly more frequent updates would be useful? 7 A. I think more frequent updates, I think so. 8 Q. We hear a great deal of evidence in these inquiries, for 9 obvious reasons, about safeguarding within the church. 10 For you as a parish priest, how often are you actually 11 having to deal with safeguarding cases? 12 A. I think it's fairly infrequently, in all fairness. 13 I dealt with a couple in England and I have dealt with 14 one in Wales. So it is fairly infrequent, really, in 15 a ministry of 29 years. You know, fairly infrequent. 16 Q. It is my loose language. I said the word "cases". So 17 we are talking about the same thing, do you mean 18 disclosures, dealing with active allegations? 19 A. Yes, yes. 20 Q. So you have had three within your 29-year career? 21 A. Yes. 22 Q. But in terms of the other safeguarding responsibilities 23 of a parish priest, which include dealing with 24 attendance agreements, do you have many of those or was 25 this your only one?</p> <p style="text-align: center;">Page 192</p>

<p>1 A. That was my only one. 2 Q. This was your only one. Within your parish, do you have 3 a parish safeguarding officer or similar role? 4 A. We do. 5 Q. What's their function? What do they do within your 6 parish? 7 A. As much as possible, really, but it is quite difficult 8 in the sense -- in many respects. If you don't have 9 many issues, you don't have many occasions to sort of 10 fall upon them -- to call upon them. I think it is 11 something, having been at this inquiry for just this 12 morning and discussions over the last week or so, that 13 we need to look more closely at the people we use as 14 Safeguarding Officers within our church, that sometimes 15 somebody at the PCC or somebody at the annual general 16 meeting will say, you know, "We need somebody for that", 17 so Joe Bloggs does it and perhaps they are not really 18 equipped to do it. And I'm not sure -- and if other 19 people tell me -- I'm not sure whether the Safeguarding 20 Officer has actually done any courses or not. I can't 21 tell you. 22 Q. So at the parish level, would you be assisted by 23 somebody whose job it was to be in charge of 24 safeguarding and who was well trained? 25 A. I think we would. But I think as we move into ministry</p> <p style="text-align: center;">Page 193</p>	<p>1 areas, which we are part of now, as our parish, that we 2 now have three Safeguarding Officers, one for each of 3 the three separate parishes within the ministry area. 4 But also there's a move to appoint somebody that will 5 oversee those three. Now, I don't know how far that is 6 at the moment until I talk to the incumbent and see what 7 she wants to do, but I think it is a discussion I need, 8 and my fellow colleagues need, to have about that and 9 see how we move that forward, because I think we need 10 to -- I think we need to look far more seriously, 11 perhaps, than we all realised in the past. 12 Q. Again, at the parish level, what is the role of 13 the churchwardens in regards to safeguarding? Do they 14 have one, and should they have one? 15 A. I think they should have one, and I think we need -- 16 again, I think that's where the training comes in. We 17 were talking this morning about churchwardens having 18 safeguarding training. I think that needs -- something 19 that needs to be followed through as well. I think, as 20 we appoint the new churchwardens, now is the time to do 21 that, in a sense, to follow through. I have a new 22 churchwarden that's just started. I think perhaps now 23 is the time to say to her, "You need to do the 24 training". 25 Q. That's the parish level. Moving slightly back up the</p> <p style="text-align: center;">Page 194</p>
<p>1 funnel, for want of a better word, the Provincial 2 Safeguarding Officer, and we've heard from Ms Howe, 3 I know she assisted you in dealing with the Ian Galt 4 case? 5 A. She did. 6 Q. Unless you have a live case, such as this, do you have 7 any regular contact with the Provincial Safeguarding 8 Officer? 9 A. No, apart from going through this case, no. 10 Q. So they're a resource available to you if you need them? 11 A. Yes, that's right. 12 Q. But not someone that you are in regular contact with? 13 A. That's right. 14 Q. Do you believe it is well known within parish priests -- 15 sorry, within the Church in Wales, and the parish 16 priests that you work with, do you believe that they 17 well understand the access that they have to Provincial 18 Safeguarding Officers? 19 A. I'm not sure. I'm not sure, to be honest. I think the 20 more -- I think the newer people coming in to -- I think 21 some of the older people, like myself, who -- you know, 22 in our later years, are not so certain, you know, 23 because it's -- we are stuck in a time warp. 24 Q. Have you ever, within your parish ministry, had cause to 25 provide pastoral support to victims and survivors of</p> <p style="text-align: center;">Page 195</p>	<p>1 child sexual abuse, even if you haven't had to be 2 involved in the actual investigation of their 3 allegations? 4 A. Yes. 5 Q. Is that something that you feel you are equipped and 6 trained sufficiently to deliver? 7 A. I think my ministerial training equipped me for that 8 because I worked in the hospital chaplaincy as part of 9 my training. So I'm pastorally equipped do that. 10 I really regard my role as a pastor priest, rather than 11 a parish priest. My role is to pastor people as much as 12 to administer sacraments. I think it's summed up in the 13 ordination vows, you know -- sorry, the induction vows, 14 you know, that the care of souls is both yours and mine, 15 that's what the bishop says to us. I think we have that 16 responsibility. And I feel that I have always taken 17 that responsibility seriously, to care for both victim 18 and perpetrator in those situations. 19 Q. Is it difficult to balance the provision of pastoral 20 support to both then a perpetrator and a victim and 21 survivor? 22 A. Yes. 23 Q. Is there any way that you have found to manage that? Is 24 there delegated different responsibilities to different 25 people, or --</p> <p style="text-align: center;">Page 196</p>

1 **A. If I put my sort of priestly hat on, by caring for the**
 2 **perpetrator, in the sense that I take them communion and**
 3 **administer sacraments to them, in a sense, I'm taking**
 4 **off any preconceptions of who they are and they're**
 5 **a member of my congregation, so I'm then ministering to**
 6 **them in that sense. So I have to take the perpetrator**
 7 **role off them. We can talk about forgiveness and what**
 8 **forgiveness means, but, you know, God forgives them and**
 9 **it's not my position.**
 10 Q. From your perspective as a parish priest, is there any
 11 other steps that you think could, or should, be taken by
 12 the Church in Wales which would improve the ability to
 13 respond to child sexual abuse?
 14 **A. I think -- listening again the last two days, and**
 15 **listening -- and some of the stuff I have read over the**
 16 **last couple of weeks, I think we are going in the right**
 17 **direction, as far as that's concerned, and I think if**
 18 **all these implementations that we have talked about in**
 19 **the last 24 hours are put into place, I think we have**
 20 **got it sussed. If we don't, no, I think the six months**
 21 **thing now that Faye and the gentleman there talked**
 22 **about, I think if that comes into being, and we get the**
 23 **thing right, I think we'll be on the right course.**
 24 Q. The last question I have is, I understand that arising
 25 from, but not limited to, the Ian Galt case, you,

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1 yourself, have quite firm views about the need to depose
 2 convicted perpetrators from Holy Orders. Is that fair?
 3 **A. Yes.**
 4 Q. And you would say that as soon as they are convicted --
 5 **A. I think they should be deposed from Orders at that point**
 6 **in time.**
 7 MS McNEILL: Chair and panel, that concludes my questions of
 8 this witness. Do the chair and panel have any
 9 questions?
 10 THE CHAIR: No, we have no questions. Thank you very much,
 11 Reverend Watkins.
 12 **A. Thank you.**
 13 **(The witness withdrew)**
 14 MS McNEILL: Chair, that concludes all our witnesses for
 15 this day and, indeed, this week.
 16 THE CHAIR: Thank you very much. That concludes today's
 17 hearing.
 18 (3.51 pm)
 19 (The hearing was adjourned to
 20 Monday, 8 July 2019 at 10.00 am)
 21
 22
 23 I N D E X
 24
 25 ARCHBISHOP JOHN DAVIES (sworn)1

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