

inquiry. It became clear during the investigation that these sorts of allegations also raised historically troubling issues for at least one witness [Mother]. I had to balance how much of what each witness told me was their unvarnished memory, or was the product of a joint memory or a memory distorted by upset and the very distressing nature of the allegation, particularly for [Mother]. For example, I note that [Mother] had in fact invited [AN-F23] by text to look after [AN-A141] on the day in question - this differed from her account to me. I felt that all of the individuals were to be commended for the gracious way in which they cooperated with such a distressing inquiry.

30. I was also aware that only [the Rector] had written down the content of any of the first discussions about the incidents and that the other witnesses were relying on their memories of events.

Touching penises

31. Supporting matters:
- a. [AN-A141] made the allegation in the first place.
 - b. This was an 'opportune time' - [Father], [Mother] and [AN-A141] were about [Irrelevant] to move to [DPA], so any complaint would be difficult to investigate (as they were moving to a new area where they had no support systems and where there would be a different team of social workers and a different police force to the social workers and police force in [the borough]).
 - c. [AN-A141] and [AN-F23] were alone for a period of time unsupervised by either [Father] or [Mother].
 - d. [Father] noticed that [AN-F23] had his belt buckle undone when he went to the trampoline.
32. Undermining matters:
- a. Having initially made the allegation, on being pressed about this by his parents, [AN-A141] then denied that there had been any touching. He then made claims that were clearly impossible about where the touching had taken place, and appeared to treat the 'facts' as a joke. His final 'word' on the matter was, apparently, to tell [Father] that it had not happened.
 - b. [AN-A141]'s demeanour was apparently sunny and untroubled both immediately after the incident and also when relating it to his parents, appearing to treat the focus on him as a time for play (that is, he behaved in every respect like a happy little three year old).

- c. [AN-A141] and [AN-F23] had been alone together for a period of time but in a place (the trampoline) that could clearly be seen from the flat by anybody who cared to look out of the window. Whilst [Mother] makes the very good point that she cannot, in fact, see that far down the garden [AN-F23] was not to know that her unaided eyesight is so poor.
- d. When [Father] encountered [AN-A141] and [AN-F23] unawares on the trampoline they were both lying down apart from each other looking upwards.
- e. Whilst [AN-F23]'s belt was undone, this is not a conventional buckle, but a clip, and so could have come undone in the ordinary course.
- f. [AN-F23] did not try to hide the fact that his belt was undone or do it up in a furtive manner, indeed quite the reverse.
- g. [AN-F23] denies any touching.

33. Discussion:

- a. These were matters raised by a 3 year old child at a moment of upheaval and change. The family were packing up their flat and things were clearly chaotic. [AN-A141] was excited ('ping-ponging' from person to person) and was also, quite understandably, in the way of those who were packing. There was clearly excited and diverting playing in the garden and on the trampoline with [AN-F23]. But, as [The Rector's wife] pointed out, should [AN-F23] have wanted to have touched [AN-A141] improperly there were other places well out of the view of anyone in the flat (who would on that day have included not just [Father] and [Mother] but also the packers).
- b. [AN-A141]'s description of the alleged touching is confused, contradictory and is intimately woven into innocent fantasy and game playing.
- c. [AN-A141] made no complaint about being frightened of [AN-F23] at the time of the allegation nor of being traumatised or upset by any behaviour, nor did he say that he had been told to keep whatever had happened a secret.
- d. The complaints made were as a result of deeply concerned and understandably worried leading questions by his parents. The contradictory answers given appeared to have been given, in my opinion, subconsciously to placate whichever person was asking him at the time.

c. agreed to undertake one to one safeguarding training organised by **the**, **Church** within one month of his return to work, such training to be evidenced by proof in writing.

43. I recommended that the written warning and the Report should be annexed to each other and put on **AN-F23**'s file. In line with the LADO's and the DSA's advice, it was not considered necessary for a further risk assessment to be undertaken nor for restrictions to be placed on **AN-F23**'s ability to work with children.

44. I noted, with concern, that what this investigation had highlighted was **the Church's** own failure in relation to implementing the Diocese of London's safeguarding policies in one discrete regard, that is that compulsory training had not been offered to the laity in the same way as it had been to the clergy. I have to acknowledge my own failures in not noticing that this had ever been implemented.⁴ Since this time all of **the Church's** parish volunteers and staff have undergone appropriate safeguarding training provided by the Diocese of London. Staff and volunteers who deal with our choirs have safeguarding training supplied by **DPA**. Our newly elected PCC will be devoting the whole of its next meeting to safeguarding when it meets in June.

45. I feel that it is only fair that the comments by the **borough** LADO should be noted. In an email dated 6 September 2018 she said, having received my Report:

From: **Name Redacted** **DPA**
Subject: Re: Safeguarding Concern
Date: 6 September 2018 at 13:35
To: **Rector** **DPA**
Cc: **DPA** **AN-X2**
DPA

Dear all,

Thank you **Rector** for forwarding the investigation document. Not only am I grateful for the sharing of the information as it so often happens that external agencies to local authority omit doing so post closure of the matter to the LADO service, but also for **AN-X2**'s report that is reflective of a comprehensive and truly balanced investigation. The refined analysis of all the factors relating to this case had contributed to a solid conclusion and helpful recommendations. I am also pleased to learn that the recommendations regarding training are to be applied first prior to **AN-F23** returning to **DPA**. The hope would be that **AN-F23** would reflect on the inappropriateness of his behaviour so as to avoid any future incidents occurring of a similar nature. It is evident from the investigation that **AN-111** is a resilient child who is afforded safe and parenting suggestive of a high standard of care and consideration. When casting the net wider with these types of investigations, one always have to consider whether the recipient of the inappropriate behaviour as demonstrated during this case, would be less fortunate in his/her degree of resilience with subsequent undesirable consequences (the impact on trust of adults, how such an incident makes them feel and internalising it to name but a few), hence the pressing need to have this remedied.

⁴ The requirement for training under the 2015 Policy for Safeguarding in the Diocese of London applied to "all those working or volunteering with children, young people and / or vulnerable adults" (page 13)