

<p>1 Friday, 1 November 2019</p> <p>2 (10.30 am)</p> <p>3 THE CHAIR: Good morning, everyone. Welcome to Day 5 of</p> <p>4 this public hearing. Ms Carey?</p> <p>5 MS CAREY: Good morning, chair. May I ask, please, that</p> <p>6 Baroness Hollins is sworn.</p> <p>7 BARONESS SHEILA HOLLINS (sworn)</p> <p>8 Examination by MS CAREY</p> <p>9 MS CAREY: I think you are Baroness Sheila Hollins?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Chair, we are turning to two real topics of evidence</p> <p>12 this morning: some evidence in relation to the</p> <p>13 Pontifical Commission for the Protection of Minors, or</p> <p>14 PCPM, as we have called it; and also we are going to ask</p> <p>15 the Baroness some questions about the training that was</p> <p>16 given in Valladolid this year.</p> <p>17 Baroness, I hope, in front of you, you have your</p> <p>18 witness statement, and there may be various exhibits</p> <p>19 I am going to call up onto the screen.</p> <p>20 A little about you, if I may, at the outset.</p> <p>21 I think you are an independent crossbench life peer?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. You have a background in child psychiatry and</p> <p>24 psychotherapy?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 1</p>	<p>1 Q. The Emeritus Professor of Psychiatry with Disability.</p> <p>2 You have been the President of the Royal College of</p> <p>3 Psychiatrists and, indeed, you are a founder member of</p> <p>4 the PCPM.</p> <p>5 <b>A. Mmm-hmm.</b></p> <p>6 Q. I think, if anyone wishes to, there are more details</p> <p>7 about the Baroness's background in paragraph 1 of her</p> <p>8 witness statement.</p> <p>9 Can I look at the background, though, to the PCPM.</p> <p>10 Can I ask you this: having joined the PCPM, did you come</p> <p>11 to learn why Pope Francis decided to establish the PCPM?</p> <p>12 <b>A. Well, I think there were a number of things: the</b></p> <p>13 <b>scandals that had taken place in Boston, for example,</b></p> <p>14 <b>and in Ireland. Cardinal O'Malley, who was the cardinal</b></p> <p>15 <b>in Boston at the time in 2011 -- in 2012, when the</b></p> <p>16 <b>Pontifical Commission -- I think it was the end of 2012,</b></p> <p>17 <b>when the Pontifical Commission was first proposed by</b></p> <p>18 <b>Cardinal O'Malley to Pope Francis. Cardinal O'Malley</b></p> <p>19 <b>had been one of Pope Francis's advisors. It was then</b></p> <p>20 <b>the following year that Pope Francis suggested that he</b></p> <p>21 <b>should indeed establish the Pontifical Commission. But</b></p> <p>22 <b>I think another reason for that was that in 2012, the</b></p> <p>23 <b>Pontifical Gregorian University held a conference --</b></p> <p>24 <b>I think it was called Towards Healing -- and I was</b></p> <p>25 <b>a speaker at that conference. I think that conference,</b></p> <p style="text-align: center;">Page 2</p>
<p>1 <b>which invited bishops from all Bishops' Conferences</b></p> <p>2 <b>around the world, really tried to think about what the</b></p> <p>3 <b>issues were and how it should be dealt with. So that</b></p> <p>4 <b>was the stimulus.</b></p> <p>5 Q. I don't think we have heard, actually, very much about</p> <p>6 the Pontifical Gregorian University. Can you just help</p> <p>7 explain, what is that university set up for?</p> <p>8 <b>A. I mean, there are a number of pontifical universities,</b></p> <p>9 <b>and they originally, I think, were set up to teach</b></p> <p>10 <b>philosophy and theology. The Pontifical Gregorian</b></p> <p>11 <b>University in Rome is unusual in that it also has an</b></p> <p>12 <b>institute of psychology, and the head of the institute</b></p> <p>13 <b>of psychology, Father Hans Zollner, is the person who</b></p> <p>14 <b>has taken quite a lead on the church's response, and it</b></p> <p>15 <b>was his initiative which led to the 2012 conference</b></p> <p>16 <b>which I attended.</b></p> <p>17 Q. So if I understand what you are saying correctly, there</p> <p>18 was no one issue that prompted Pope Francis to set up</p> <p>19 the PCPM, but a number of concerns and scandals being</p> <p>20 raised that led to the establishment of the PCPM; is</p> <p>21 that fair?</p> <p>22 <b>A. I believe so.</b></p> <p>23 Q. I think the aim of the PCPM is explained in paragraph 5</p> <p>24 of your witness statement, where you say this:</p> <p>25 "In a chirograph ..."</p> <p style="text-align: center;">Page 3</p>	<p>1 Which is an official formal statement:</p> <p>2 "... on March 22 of 2014, Pope Francis wrote that</p> <p>3 the commission's task is to advise the Roman Pontiff on</p> <p>4 effective policies for the protection of minors and</p> <p>5 vulnerable adults and educational programmes for all who</p> <p>6 are involved in this work."</p> <p>7 So there's an advisory role and an educational role?</p> <p>8 <b>A. Well, it's to advise on both.</b></p> <p>9 Q. Right.</p> <p>10 <b>A. So it was not charged with implementation of policies.</b></p> <p>11 Q. Had there been any, as far as you're aware,</p> <p>12 committee/person who was advising on this area prior to</p> <p>13 the establishment of the PCPM?</p> <p>14 <b>A. I'm sure that the Secretary of State in the Vatican</b></p> <p>15 <b>would have had some responsibility in that respect, but</b></p> <p>16 <b>there was no other body that I recall.</b></p> <p>17 Q. If we can call on screen, please, INQ004371_003 --</p> <p>18 chair, it is behind your tab 2 -- I just want to look at</p> <p>19 the formal statutes for the PCPM. Article 2, if we can</p> <p>20 highlight that, please. We can see there set out at</p> <p>21 article 2:</p> <p>22 "The protection of minors is of paramount</p> <p>23 importance. The purpose of the commission is to propose</p> <p>24 initiatives to the Roman Pontiff, according to the</p> <p>25 procedures and determinations specified in these</p> <p style="text-align: center;">Page 4</p>

<p>1 statutes, for the purposes of promoting local 2 responsibility in the particular churches for the 3 protection of all minors and vulnerable adults." 4 On any view, Baroness, it is quite a broad aim 5 there, but can you just help put into layman's terms 6 what was the commission really set up to do? 7 <b>A. Well, I mean, essentially to -- first of all, we have to</b> 8 <b>remember that the church is a global church and, whilst</b> 9 <b>the abuse inquiries that have taken place and the</b> 10 <b>disclosures of abuse that had occurred had happened</b> 11 <b>mostly in western countries, there was an awareness that</b> 12 <b>this was a worldwide issue, not just for the church but</b> 13 <b>within society at large, and that trying to raise</b> 14 <b>awareness about this was seen as extremely important,</b> 15 <b>and then to think about: well, what could we advise the</b> 16 <b>church, the global church, to do in order to help</b> 17 <b>children and vulnerable adults be safer?</b> 18 <b>So that was our remit. It was very broad. It was</b> 19 <b>left for us to try to determine what were the best</b> 20 <b>initiatives and policies that we could recommend, and so</b> 21 <b>some of it was about identifying best practice,</b> 22 <b>identifying weaknesses in different areas, and making</b> 23 <b>proposals to the Holy Father, and those included</b> 24 <b>a variety of things, including educational initiatives</b> 25 <b>that we proposed, but -- and some of those educational</b></p> <p style="text-align: center;">Page 5</p>	<p>1 <b>initiatives arose out of our own experience as members</b> 2 <b>of the commission with those of us who had educational</b> 3 <b>experience going to different places and endeavouring to</b> 4 <b>identify the best approaches in terms of education so</b> 5 <b>that we were informed in what we were doing.</b> 6 Q. Can I pause you there, because it might help the chair 7 and panel to understand the numbers in the PCPM, and 8 then I was going to turn to how you became involved in 9 it. Can you just help with what is the makeup of 10 the PCPM? 11 <b>A. So there were 17 members, and in the first year, 2014,</b> 12 <b>there were eight founder members. I had been very --</b> 13 <b>felt that it had been very important that the majority</b> 14 <b>of the members should be lay people and that there</b> 15 <b>should be at least 50 per cent women, because, you know,</b> 16 <b>this -- we needed to represent the makeup of the church</b> 17 <b>membership in a broader way. It was not necessary for</b> 18 <b>people to be Catholic, but it was expected that people</b> 19 <b>would have some relevant professional experience, both</b> 20 <b>from the law, from psychiatry and psychology, and also</b> 21 <b>we felt that it was very important that we should have</b> 22 <b>survivor members of the panel -- of the commission, and</b> 23 <b>there were -- yes.</b> 24 Q. So there are eight founder members spread across -- 25 representatives from a number of countries, or English</p> <p style="text-align: center;">Page 6</p>
<p>1 speaking? Can you help us with that? 2 <b>A. So they were not all English speaking. We always had to</b> 3 <b>have -- we had Italian, Spanish and French speaking. To</b> 4 <b>begin with, only -- the majority of the members were</b> 5 <b>European, and during that first year, we were charged</b> 6 <b>with identifying members who came from further afield so</b> 7 <b>that all continents would be represented, and we worked</b> 8 <b>very hard to try to broaden the expertise and the</b> 9 <b>geographical knowledge of the membership.</b> 10 <b>So in the second year, the membership rose to 17.</b> 11 Q. How often did the PCPM meet? 12 <b>A. I think normally twice a year, but in the first year,</b> 13 <b>I think we met four times. One of those occasions was</b> 14 <b>when we invited six victim/survivors of abuse to come to</b> 15 <b>meet Pope Francis, but -- and there was the opportunity</b> 16 <b>for calling an urgent meeting if it was required. But,</b> 17 <b>normally, it was just two meetings a year.</b> 18 Q. Was there any need for an urgent meeting whilst you were 19 on the PCPM? 20 <b>A. There was an occasion when one of the working groups</b> 21 <b>that I was involved in had an urgent meeting in Rome to</b> 22 <b>meet with the president about a matter that the Healing</b> 23 <b>and Care Working Group were concerned with, but I do not</b> 24 <b>recall an urgent meeting of the whole commission being</b> 25 <b>called.</b></p> <p style="text-align: center;">Page 7</p>	<p>1 Q. If I understand it right, we have the PCPM that expanded 2 from its eight to 17 members, but Working Groups within 3 it; is that right? 4 <b>A. We had six Working Groups, yes.</b> 5 Q. Those six Working Groups, what, roughly, did they cover? 6 <b>A. They covered healing and care, which was -- I think is</b> 7 <b>fairly self-explanatory. There was one about formation</b> 8 <b>and education of church leaders. I was involved in both</b> 9 <b>of those groups. There was a guidelines working group,</b> 10 <b>which -- and often the work of one group would be</b> 11 <b>informed by the work of the other groups.</b> 12 <b>There was a group dealing with spiritual matters,</b> 13 <b>another group dealing with legal matters, including</b> 14 <b>Canon law. Have I forgotten one?</b> 15 Q. I think we are missing a sixth. But it probably doesn't 16 matter for these purposes. You've probably covered the 17 main groups that are relevant to this inquiry. 18 How often did the Working Groups meet? 19 <b>A. Well, the Working Groups might meet in between, and it</b> 20 <b>depended: they might meet digitally; they might do their</b> 21 <b>work by correspondence; or they might meet -- they might</b> 22 <b>have meetings elsewhere. So, for example, I arranged</b> 23 <b>a meeting of the working group on healing and care which</b> 24 <b>took place in England in order for our group to meet</b> 25 <b>with the members of the Survivor Advisory Panel that you</b></p> <p style="text-align: center;">Page 8</p>

1 heard about yesterday.  
 2 Q. Yes, we did, thank you.  
 3 **A. And I arranged that meeting over a three-day period,**  
 4 **because this group's work had been identified as an**  
 5 **example of good practice and engagement with survivors,**  
 6 **and we wanted, as a Pontifical Commission, to understand**  
 7 **whether there was any learning from that group which**  
 8 **could inform the work of the -- you know, could advise**  
 9 **on similar groups advising other parts of the church.**  
 10 Q. I think you say in your statement that, in fact, with  
 11 the assistance of the PCPM, members from Brazil, the  
 12 Philippines and Zambia, the Bishops' Conferences in  
 13 those countries, have taken the lead and established --  
 14 lead from the UK and established their own Survivor  
 15 Advisory Panels in their respective countries?  
 16 **A. Yes, that's right.**  
 17 Q. Just one other matter: during your time on the PCPM --  
 18 I think you started in 2014, until is it December 2017?  
 19 **A. Mmm.**  
 20 Q. Over that three years --  
 21 **A. Four years.**  
 22 Q. Four years, forgive me. Did the Pope attend any  
 23 meetings?  
 24 **A. During that time, we had two formal meetings with**  
 25 **Pope Francis. We also met him on other occasions; for**

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1 **recommending them, I don't have that date in front of**  
 2 **me, but I would have thought it was probably 2015 that**  
 3 **we first submitted a first draft to Pope Francis, but**  
 4 **I --**  
 5 Q. It gives us a rough idea. They probably came out some  
 6 time in 2016 then?  
 7 **A. I think it's more likely that it was 2016 that they were**  
 8 **sent to Bishops' Conferences.**  
 9 Q. I'm sure we can establish the date elsewhere.  
 10 The purpose of the document, though, what was the  
 11 purpose behind the guidelines template?  
 12 **A. Well, so in I think it was 2011, Archbishop Scicluna,**  
 13 **who was then Monsignor Scicluna, who'd worked with the**  
 14 **CDF, had written, or the Pope had written, to all**  
 15 **Bishops' Conferences asking them to submit guidelines**  
 16 **and the guidelines were to be submitted to the**  
 17 **Congregation of the Doctrine of the Faith.**  
 18 **We were aware that, although those lines had been**  
 19 **submitted, and there were half a dozen conferences that**  
 20 **had not submitted guidelines, nobody had actually looked**  
 21 **at the guidelines to consider whether they were fit for**  
 22 **purpose, and so there was an endeavour to engage with**  
 23 **the CDF to consider whether we could help them to review**  
 24 **the guidelines and to consider whether they were fit for**  
 25 **purpose, and it was felt that was going to be a huge**

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1 **example, on the occasion when the survivors came to meet**  
 2 **Pope Francis.**  
 3 Q. That's what I was going to ask, actually.  
 4 **A. We stayed in the house where he lives, and he came to**  
 5 **meet us over dinner. He came -- he said mass for**  
 6 **everybody in the morning and spoke directly to**  
 7 **everybody, and then he met the individual survivors for**  
 8 **as long as they wanted to meet him. I think he spent**  
 9 **about three-plus hours meeting people individually.**  
 10 Q. A moment ago you spoke of the guidelines, and I'd like  
 11 to ask you about the work of the PCPM. Can we call up  
 12 on screen, please, INQ004373. Chair, it is behind your  
 13 tab 3. If we go to the next page, please, there is an  
 14 introduction, and then, the next page, we have in  
 15 English here what's called the "PCPM guidelines  
 16 template".  
 17 Baroness, there is no date on the document that we  
 18 have, but can you help: when were they created?  
 19 **A. Oh, heavens.**  
 20 Q. If it helps you, the introduction says:  
 21 "Pope Francis, in his letter of 2 February 2015 ..."  
 22 So presumably after that date. Are we in 2015 or  
 23 2016?  
 24 **A. Well, they took -- I mean, we spent a long time**  
 25 **developing them and agreeing them, and so, when he wrote**

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1 **task.**  
 2 **In the end, it was decided that we would set about**  
 3 **writing model guidelines and sending them with -- asking**  
 4 **Pope Francis to send them to every Bishops' Conference**  
 5 **and religious order, major religious order, recommending**  
 6 **that their guidelines should comply with these. So that**  
 7 **was done.**  
 8 Q. So, rather than having to review, presumably globally,  
 9 a number of guidelines, it was decided to draw up this  
 10 template so that they could make their guidelines fit in  
 11 with this template; is that right?  
 12 **A. Yes, that's right. I understand that, further to that,**  
 13 **because I had the opportunity to meet Cardinal O'Malley,**  
 14 **who is the founding president, and still the president,**  
 15 **of the Pontifical Commission, a couple of weeks ago, and**  
 16 **I asked him about the guidelines, and he told me that**  
 17 **the Pontifical Commission is working on -- or has been**  
 18 **working on an audit tool -- I don't know the details.**  
 19 **But I understand that the expectation is that, when**  
 20 **Bishops' Conferences meet the Pope, which they do every**  
 21 **five years as a conference, that they will be expected**  
 22 **to take an audit of their guidelines. So I have no more**  
 23 **information than that.**  
 24 Q. No. I may come back to that in a moment. But, if  
 25 I understand it correctly, then, this is effectively

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<p>1 a guideline of what should be in a particular country's 2 own territorial guideline? 3 <b>A. Yes.</b> 4 Q. Do you know the answer to this, Baroness: what if 5 a particular conference in a country declined to produce 6 a guideline in accordance with this template? 7 <b>A. Well, I mean, I think the point is that, you know, these</b> 8 <b>are advisory, they're recommended, and you know that the</b> 9 <b>structure of the Catholic Church is such that the Pope</b> 10 <b>is really a pastor, not a governor, and the cardinal is</b> 11 <b>also a pastor, not a governor. So each bishop is</b> 12 <b>essentially the competent authority.</b> 13 <b>In fact, you looked at the statutes, and if I could</b> 14 <b>just say, even the statutes use the word "competent" in</b> 15 <b>two different ways. So the competent authority is</b> 16 <b>the -- "competence" refers to the authority that the</b> 17 <b>person holds, but "competency" refers to the skills and</b> 18 <b>the knowledge and the experience to be able to</b> 19 <b>implement. There is sometimes a mismatch between those</b> 20 <b>two.</b> 21 Q. Does it come to this: this is a recommendation that you 22 would hope and anticipate would be followed in any given 23 country, but it's not mandatory, and there would be no 24 sanction if a country decided not to follow these 25 guidelines?</p> <p style="text-align: center;">Page 13</p>	<p>1 <b>A. Well, the Pope has said that there is zero tolerance for</b> 2 <b>anybody who will harm a child, and he means that, and as</b> 3 <b>far as he's concerned, that is mandatory -- you know, it</b> 4 <b>is a mandatory requirement. But in terms of what the</b> 5 <b>Pope can actually do about it, bishops have that</b> 6 <b>authority, and they are -- so the bishop can accept</b> 7 <b>a resignation from a bishop, and indeed he could laicize</b> 8 <b>a bishop who has been found guilty of a crime in his own</b> 9 <b>country, but it's quite -- so there is an advisory role</b> 10 <b>which -- and expectations, and there is a moral</b> 11 <b>authority that Pope Francis has.</b> 12 Q. Can I ask, in terms of the Roman Catholic Church in 13 England and Wales, was it envisaged that these 14 guidelines would actually have any real practical effect 15 on the Catholic Church in this country, given that we 16 have had guidelines in place now since post Nolan in 17 2001? 18 <b>A. I mean, I don't have any -- when I was working on the</b> 19 <b>Pontifical Commission, I was not a representative of</b> 20 <b>the Church in England and Wales, so -- I'm simply</b> 21 <b>a member of the church here. So I would expect that the</b> 22 <b>guideline template that we provided was an example of</b> 23 <b>good practice that every Bishops' Conference would take</b> 24 <b>note of and check their own guidelines against.</b> 25 Q. We will have a look at a couple of the guidelines within</p> <p style="text-align: center;">Page 14</p>
<p>1 this template. Can we turn to page 4 in the document. 2 You can see there, at paragraph 4: 3 "The commission strongly recommends that the ideal 4 to be attained is one set of guidelines for the 5 protection of minors and vulnerable adults to which all 6 dioceses, religious orders and Catholic organisations in 7 the territory adhere." 8 So that's the aim. 9 <b>A. Yes.</b> 10 Q. One can see there there is a section dealing with safe 11 recruitment. If we go to the next page, a section 12 dealing with formation and training. At paragraph 7, in 13 the section entitled "Creating a safe church 14 environment", the PCPM recommended: 15 "The guidelines should include clear and 16 well-publicised diocesan standards of ministerial 17 behaviour, including appropriate boundaries in pastoral 18 relationships given to priests, religious, teachers, 19 staff, volunteers and all those in service to the church 20 who have access to minors and vulnerable adults in the 21 care of the church." 22 A little further down: 23 "Dioceses are to create and maintain safe 24 environment training programmes." 25 Baroness, may I ask you this: I understand this was</p> <p style="text-align: center;">Page 15</p>	<p>1 trying to apply across conferences worldwide, but would 2 you accept that's actually a very generic statement to 3 make when it comes to creating a safe church 4 environment? It doesn't really assist any individual 5 conference with how they go about ensuring that there is 6 a safe church environment? 7 <b>A. I think this is a problem which became very clear in</b> 8 <b>the February meeting this year which Pope Francis</b> 9 <b>invited cardinals or representatives of bishops</b> 10 <b>conferences worldwide to attend. As I understand it,</b> 11 <b>one of the outcomes of that was a suggestion --</b> 12 <b>a recommendation that there should be regional task</b> 13 <b>forces to help Bishops' Conferences implement the</b> 14 <b>guidelines.</b> 15 <b>So the guidelines are there. Yes, they are broad.</b> 16 <b>I think, actually, when you read it carefully, there's</b> 17 <b>quite a lot in there. I mean, for example, if you go on</b> 18 <b>to the next sentence, the training that's provided</b> 19 <b>should be age appropriate, including what sexual abuse</b> 20 <b>is, how to identify it, and so on, all of those things.</b> 21 <b>There is quite a lot of detail in there. The actual</b> 22 <b>"how to do it", I would expect a country -- you know,</b> 23 <b>England and Wales to be able to understand and to act</b> 24 <b>upon it, but -- because I think that there would be</b> 25 <b>appropriate competency, professional competencies, that</b></p> <p style="text-align: center;">Page 16</p>

<p>1 could be called upon to advise and to assist with this.                  2 <b>But there will be some countries where that's not.</b>                  3 <b>So the need for assistance in implementation is</b>                  4 <b>really, really important.</b>                  5 <b>I mean, I could just say, you know, that I --</b>                  6 <b>I mean, I think maybe you will ask me about the "One</b>                  7 <b>Church" approach later, but I did a piece of work for</b>                  8 <b>the Bishops' Conference in England and Wales, which was</b>                  9 <b>about sexuality and training for children and young</b>                  10 <b>people, which was a report I was asked to do by the</b>                  11 <b>bishops because they were concerned about what young</b>                  12 <b>people understood and knew about sexuality and</b>                  13 <b>relationships, and it has led on to a curriculum which</b>                  14 <b>has been adopted by the church, and I think that has</b>                  15 <b>been very important. But there are always difficulties</b>                  16 <b>in a Bishops' Conference where you're wanting to adopt</b>                  17 <b>something which, you know, can be made available</b>                  18 <b>throughout the country, and yet, if somebody objects,</b>                  19 <b>for whatever reason, then it can delay the</b>                  20 <b>implementation of it. But that has been implemented and</b>                  21 <b>the Catholic Church supported the recent introduction of</b>                  22 <b>statutory relationships and sex education in schools,</b>                  23 <b>and I think, you know, that is one of the things that,</b>                  24 <b>for example, this guideline hoped would happen.</b>                  25 Q. May we turn the page, please, to "Responding to</p> <p style="text-align: center;">Page 17</p>	<p>1 complaints of abuse" and section 9. One can see there                  2 a number of bullet points. I won't go through them all.                  3 But the second bullet point down, that the guideline                  4 within the country should contain a clear statement of                  5 compliance with requirements of civil authorities and                  6 church authorities. A little further down, there should                  7 be a clear statement about referral of criminal                  8 behaviour to the police or the relevant authority;                  9 procedures in place when a complaint is not referred to                  10 the police; and towards the bottom of the page, there                  11 should be as little delay as possible in arranging for                  12 a person wishing to make a report to meet a church                  13 representative, and such meetings should be held in                  14 a place which the person making the report finds                  15 acceptable. There should always be the option for the                  16 person making the report to speak to a layperson.                  17 From your experience, Baroness, why was it important                  18 to have in there reference to there being little delay                  19 in the person making the report meeting a church                  20 representative?                  21 <b>A. Because we had heard many situations from different</b>                  22 <b>countries where there had been delays or refusals to</b>                  23 <b>meet people making complaints.</b>                  24 Q. From your experience, what was the effect of either that                  25 delay or refusal on the victim?</p> <p style="text-align: center;">Page 18</p>
<p>1 <b>A. Devastating.</b>                  2 Q. Final page, please, the closing statement of commitment                  3 by both the bishops and the religious leaders:                  4 "Each set of guidelines is only as strong as the                  5 commitment of the church leadership behind it. For                  6 members of the church and the general public to accept                  7 and believe that the Catholic Church is sincere in                  8 creating and maintaining a safe environment for minors                  9 and vulnerable adults, each bishop and each religious                  10 superior needs to affirm their commitment to this goal.                  11 Without this affirmation, the guidelines are just words                  12 on a piece of paper. That alone will not keep minors                  13 and vulnerable adults safe."                  14 Did you, whilst you were on the PCPM, get any sense                  15 that there was any particular country that was opposed                  16 to adopting this template?                  17 <b>A. As I understand it, the countries which have been</b>                  18 <b>particularly slow to adopt guidelines have included some</b>                  19 <b>countries in Africa, particularly French West Africa and</b>                  20 <b>a couple of countries in the Middle East.</b>                  21 Q. May I turn to a different section in your statement and                  22 deal with what you say are some of the challenges faced                  23 by the PCPM. I'm looking now, Baroness, at your                  24 paragraph 9 onwards. I think you said at the bottom of                  25 page 2, paragraph 9:</p> <p style="text-align: center;">Page 19</p>	<p>1 "It became increasingly apparent to me in 2017 that                  2 advice would not be enough unless methods were found to                  3 support church leaders to implement the guideline                  4 recommendations in different regions and countries. The                  5 need for formation ..."                  6 Which is the training and development:                  7 "... which focused on the personal preparation for                  8 becoming a priest or religious and also for formation on                  9 safeguarding for church leaders and everyone working for                  10 the Catholic Church was recognised but was not within                  11 the competence and resourcing of the PCPM."                  12 How did you come to the view that advice would not                  13 be enough?                  14 <b>A. I sensed resistance in some quarters that it was</b>                  15 <b>being -- my sense was that, although, on the face of it,</b>                  16 <b>people understood the sort of legal requirements, the</b>                  17 <b>procedures that we needed, that somehow people hadn't</b>                  18 <b>got really close enough to the subject to be able to</b>                  19 <b>truly, truly understand what this was about. So that's</b>                  20 <b>what I thought.</b>                  21 <b>I thought that, unless and until there was a really</b>                  22 <b>engagement with the subject -- it's difficult, actually,</b>                  23 <b>for people to engage. I mean, I've had years of</b>                  24 <b>training as a psychotherapist and psychiatrist and</b>                  25 <b>working with victims of abuse. But some people don't</b></p> <p style="text-align: center;">Page 20</p>

<p>1 want to go there. They're afraid. It's too difficult.                  2 They don't really want to know. And I think, until you                  3 have actually sat down with people and really listened                  4 to them and really heard that some of those fears can be                  5 assuaged and that you can become confident in knowing                  6 how to take this agenda forward.                  7 So a lot of people still take the view that this is                  8 something that can be done, dealt with and moved on                  9 from, and it can't, because people will wake up every                  10 morning remembering, and they need to be accompanied.                  11 So where abuse has taken place, that accompaniment is                  12 going to be lifelong, and it is that which it seemed to                  13 me really hadn't been, by many church leaders,                  14 completely understood, and I felt that some of that was                  15 to do with the lack of training, the lack of formation,                  16 that bishops had had when they became bishops.                  17 Although the Pontifical Commission had had some                  18 success, for example, in enabling victims/survivors of                  19 abuse to teach what's known as the "baby bishops'                  20 course" so that they would hear directly from                  21 a survivor, and that direct hearing seems to change                  22 things.                  23 So, for me, I felt that we had provided the advice,                  24 that we had recommended the best policies, but,                  25 actually, unless they were implemented, and implemented</p> <p style="text-align: center;">Page 21</p>	<p>1 really with the heart that's required to carry this                  2 through and to understand that this is going to be an                  3 essential and ongoing commitment, then the guidelines on                  4 their own wouldn't work.                  5 Q. In your time on the PCPM, did you ever get a sense that,                  6 within the church in England and Wales, there wasn't the                  7 heart behind this, or is that a comment you make in                  8 relation to other countries?                  9 A. Do you know, my first kind of engagement with this and                  10 the Catholic Church was with Cardinal Cormac, and he                  11 asked me if I would assist him when he was invited by                  12 the Vatican to go to Ireland to, as it were, inspect the                  13 Catholic Church in Ireland.                  14 Q. Is that 2011 or 2012?                  15 A. 2011. When he rang me and asked me, he said that he                  16 felt that he needed the help of a professional,                  17 particularly a woman, and somebody who knew how to                  18 listen.                  19 I actually thought that he was a very compassionate                  20 man. I had met him first when my daughter was in                  21 intensive care. He came uninvited. He just came to                  22 visit her in hospital, quite quietly, and I found him to                  23 have a very deep empathy for us in that situation.                  24 So when he rang me five years later and said would                  25 I help him, you know, I thought, "This is a man I can</p> <p style="text-align: center;">Page 22</p>
<p>1 work with". So I did. I went to Ireland with him, and                  2 I spent three weeks with him, listening. So I knew that                  3 he, and also Mark O'Toole, who then was a rector of                  4 Allen Hall Seminary and is now a bishop, was also there,                  5 and I found both of them very, very good to work with,                  6 and it's that engagement which actually then brought me,                  7 really, into making a commitment to help in whatever way                  8 I could.                  9 I haven't had a deep involvement with other bishops                  10 until more recently, in the last year or two.                  11 Q. We will come on to, in particular, Valladolid in                  12 a moment. May I ask you, now, about the PCPM's                  13 relationship with the CDF, the Congregation of                  14 the Doctrine of the Faith. I am turning, Baroness, to                  15 your paragraphs 12 and 13.                  16 I think it can be summarised in this way, that when                  17 you started work on the PCPM, the CDF practice was to                  18 refer enquiries about the progress of the case back to                  19 the bishop in the inquiry's diocese, and that the PCPM                  20 came to the view that that was not an adequate response.                  21 Why did the Pontifical Commission come to that view?                  22 A. Well, we heard directly from some victims and survivors                  23 that they had perceived their own bishop as the problem                  24 rather than the solution, and so, to refer it back to                  25 their bishop, when perhaps they had already failed to</p> <p style="text-align: center;">Page 23</p>	<p>1 get a response from their bishop, was perhaps not                  2 helpful. However, this is the way that the Vatican                  3 works, the dicasteries within the Vatican work, because                  4 the bishops have the responsibility for the dioceses,                  5 and essentially the CDF is saying, "This is your                  6 problem. What are you going to do about it?"                  7 Put it another way: the CDF does not have the                  8 competence, the authority, to deal directly with                  9 victims. They have the competence to deal with cases,                  10 and by "case", they mean a priest who has been referred                  11 to them on a disciplinary charge.                  12 Q. You say in your paragraph 12 that the PCPM did not                  13 consider this an adequate response and asked                  14 Pope Francis to ask the CDF to add this responsibility                  15 to its work.                  16 A. Yes.                  17 Q. You say:                  18 "I understand this practice may have now changed,                  19 but I do not know for sure."                  20 That leads on to some evidence we heard yesterday,                  21 for example, from Mr Pearson, who is the chair of                  22 the National Safeguarding Commission. For example, he                  23 said, in October 2018, he wrote to the CDF to ask for                  24 their assurance that the CDF hadn't leaked some                  25 confidential information about a survivor, and he said</p> <p style="text-align: center;">Page 24</p>

1 yesterday he didn't get a reply at all. Is that  
 2 something that you have encountered yourself or heard  
 3 about yourself when working on the PCPM?  
 4 **A. I mean, they didn't reply. They had -- my understanding**  
 5 **is that they have probably -- definitely too small**  
 6 **a staff to do the job that they're tasked with, the CDF.**  
 7 Q. Can you help with the numbers in the CDF?  
 8 **A. I don't know now. It may be they have more, but**  
 9 **I understand from recent conversations that they still**  
 10 **don't have enough. It's a small staff.**  
 11 Q. A handful -- 10 or 20?  
 12 **A. Yes, it's 10 or -- I'm sure it's less than 20, but I may**  
 13 **be wrong. I think it's -- no, I wouldn't like to**  
 14 **commit. But it is of that order. It's certainly not**  
 15 **running into the kind of hundreds that you might expect**  
 16 **to deal with complaints coming from around the world.**  
 17 **I asked Archbishop Gallagher about that recently,**  
 18 **and he said, "It's difficult to find people with the**  
 19 **right skills to help us with this work".**  
 20 Q. It's one thing for the CDF to take the stance that,  
 21 actually, this is a problem that should be dealt with on  
 22 its own back in the territory where the problem came  
 23 from, but what about the fact that they don't even  
 24 acknowledge receiving a letter from either a victim or  
 25 survivor or someone like Mr Pearson? Was that something

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1 **A. The correspondence that was published between him and**  
 2 **Marie Collins at the time of her resignation suggested**  
 3 **that he felt that, if he had been asked, he would have**  
 4 **been pleased to meet her, but she felt that was not the**  
 5 **case, and indeed had met him previously in Dublin. So**  
 6 **there was a sense that we were not being treated with**  
 7 **the respect that we thought a Pontifical Commission**  
 8 **should be treated with.**  
 9 **I understand from Cardinal O'Malley that that has**  
 10 **now changed and there really is a much closer working**  
 11 **relationship and the possibility of collaboration now.**  
 12 Q. Can I ask you about Marie Collins, please, in particular  
 13 an article that appeared in the paper in 2017. I think  
 14 it came to this, that the PCPM did advise the CDF to  
 15 respond to letters received from victims and survivors,  
 16 and whilst the CDF did not directly refuse to follow  
 17 that advice, it didn't do so, and that Marie Collins,  
 18 who was herself a victim of sexual abuse as a child, and  
 19 set up her own foundation, resigned from the PCPM.  
 20 If we can call up on screen, please, INQ004641,  
 21 chair, behind your tab 5, an article in the  
 22 Catholic Herald on 27 March 2017 on this topic. We can  
 23 see there that it refers to Marie Collins' resignation  
 24 on 1 March, citing what she called "unacceptable"  
 25 resistance to the commission's proposals from the

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1 that the PCPM felt was just unacceptable?  
 2 **A. I'm not aware of -- that wouldn't have come to my**  
 3 **attention during my time as a member of the PCPM, but we**  
 4 **had the experience, for example, as members of**  
 5 **the commission, of asking advice of the CDF, and at one**  
 6 **point I was receiving advice from somebody, a Canon**  
 7 **lawyer, who was extremely helpful to some work and**  
 8 **research I was doing, and then he was told that he was**  
 9 **not to assist me.**  
 10 **Actually, if you go back to the statutes, they do**  
 11 **say that consultations with other dicasteries -- other**  
 12 **responsible bodies will be conducted by the president or**  
 13 **the secretary on his behalf, and we were trying to**  
 14 **bypass that provision and the CDF basically took the**  
 15 **view that they wouldn't accept requests from anybody who**  
 16 **wrote to them because they didn't have the staff to deal**  
 17 **with it. That was one interpretation.**  
 18 **Another interpretation was that Cardinal Mueller,**  
 19 **who was then the president of the CDF, was not**  
 20 **recognising -- was seeing a very legalistic perspective**  
 21 **and was seeing that as their competency and that we were**  
 22 **not, you know, a body that had any entitlement to have**  
 23 **expectations of them. I don't know.**  
 24 Q. He might have thought you were butting in, to put it  
 25 colloquially?

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1 Vatican's doctrine office, so CDF, which is responsible  
 2 for processing cases against abusive priests:  
 3 "Collins mentioned in particular the alleged refusal  
 4 by the CDF to implement proposals approved by the Pope  
 5 and to collaborate with the commission."  
 6 A little further down, Baroness, we can see your  
 7 name where it states that you, a psychiatrist and  
 8 specialist in child abuse, have tended to view the  
 9 clergy abuse problem from a purely canonical or legal  
 10 perspective, when, in fact, a multidisciplinary approach  
 11 is required to address the lasting trauma suffered by  
 12 victims. You are quoted there as saying:  
 13 "Some church leaders get it, and some church leaders  
 14 don't."  
 15 Can I ask you, please, to expand a little on that  
 16 quotation which is attributed to you. Firstly, did you  
 17 say that?  
 18 **A. I don't know. But, I mean, I might have done.**  
 19 Q. You certainly don't dispute that you didn't, if I can  
 20 put it like that?  
 21 **A. It is the sort of thing that people have been saying --**  
 22 Q. Yes.  
 23 **A. -- and I think it is true. I think trying to understand**  
 24 **what I meant is perhaps more important and I think**  
 25 **that's probably what you would like me to --**

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<p>1 Q. Yes, help us, what is it that you were saying wasn't 2 "got"?</p> <p>3 <b>A. I think it's about -- I think my perspective is that 4 people understand the need for procedures and policies, 5 but -- at a cognitive level, there is a sort of 6 cognitive empathy, but not an emotional empathy. It is 7 the failure to actually understand at a deeper level 8 what the -- why this really matters. I believe that we 9 can teach empathy. I believe empathy can be taught. 10 But if it hasn't been taught, and if -- and not 11 everybody develops empathy naturally. If people have 12 grown up in a particularly empathetic family, maybe they 13 will have more emotional connectivity and more emotional 14 understanding, but my sense was that some people didn't 15 get it at an emotional level, and that doesn't mean they 16 didn't get it at a legalistic perspective.</b></p> <p>17 Q. Is that a comment that you think is applicable to either 18 bishops or leaders of the religious orders in the Church 19 in England and Wales?</p> <p>20 <b>A. I think it's true of probably large sections of 21 the population, and I think it's inevitably going to be 22 true of leaders in most institutions. I don't have 23 personal knowledge of all of the leaders in England and 24 Wales within the church, within religious institutions, 25 but from some of the evidence I have been hearing, it</b></p> <p style="text-align: center;">Page 29</p>	<p>1 <b>seems to me that some of them lack that empathy, that 2 deep empathy.</b></p> <p>3 Q. Is that something you gleaned from having spent a number 4 of days with them in Valladolid this year?</p> <p>5 <b>A. No. What I would say about Valladolid is that we -- 6 I think some of them, prior to that event, had not had 7 training of this kind and had not developed an emotional 8 empathy with victims and survivors in the way that 9 I think and believe and hope most of them now would have 10 a different capacity for.</b></p> <p>11 Q. Just finally dealing with the article, in your view, how 12 significant was it that Marie Collins resigned from the 13 PCPM? Did it undermine the work and the aims of 14 the PCPM?</p> <p>15 <b>A. I think being a survivor member of the commission was 16 extraordinarily difficult, and one of the reasons for 17 that was because of the press intrusion, and also 18 because of the Twitter feeds, and Marie Collins was 19 considered at times to be -- to have let down other 20 survivors by being a member of the commission, so she 21 sometimes got quite hostile, you know, criticism for 22 trying to help the commission. But because she was 23 a survivor, she was the one that the media always wanted 24 to talk to after one of our meetings, and that was very, 25 very -- very, very difficult.</b></p> <p style="text-align: center;">Page 30</p>
<p>1 <b>So the stress for her and the strain was extremely 2 problematic.</b></p> <p>3 <b>Also, in her own life, she'd had the difficulty of 4 bishops and church leaders in her own country and in her 5 own experience refusing to meet with her, not believing 6 her, and this had had a profound impact on her life. 7 And so to experience any resistance from the church 8 leadership was profoundly upsetting for her, and I think 9 more so than maybe for professional members of 10 the commission. So we missed her hugely, but it did 11 make us question whether it was fair to have identified 12 members of the commission as survivors, which is one of 13 the reasons why we then consulted with the Survivor 14 Advisory Panel to see if there was a safer and more 15 productive and effective way of engaging with survivors.</b></p> <p>16 Q. You mentioned the SAP there. We heard from Mr Marshall 17 yesterday, the current chair, that there is a review 18 being conducted in relation to SAP which I think you are 19 conducting, or in charge of conducting. Do you yet know 20 the terms of reference for your review of the SAP?</p> <p>21 <b>A. Yes, I do. The terms of reference --</b></p> <p>22 Q. What are you going to be looking into?</p> <p>23 <b>A. Sorry?</b></p> <p>24 Q. What are you going to be looking into?</p> <p>25 <b>A. Well, I am going to be -- so I'm going to be -- I want</b></p> <p style="text-align: center;">Page 31</p>	<p>1 <b>to look at the strengths, at any barriers. I want to 2 see how far the remit that the SAP was given when it was 3 first founded have been fulfilled., but to consider 4 whether there are any barriers, in particular, and to 5 consider whether its role could be extended or developed 6 in any way.</b></p> <p>7 <b>The review has commenced. It isn't complete yet. 8 But it has included a survey which was conducted 9 electronically. There were two -- a couple of late 10 responses which need to be incorporated into the review. 11 It's included meeting with stakeholders and members of 12 the Survivor Advisory Panel, and we are hoping to 13 present the findings to the Survivor Advisory Panel in 14 the first instance, to discuss it with them in January 15 before submitting our final report.</b></p> <p>16 Q. Has the review considered at all the role that SAP might 17 play in training given to dioceses or orders?</p> <p>18 <b>A. Yes, indeed, it has.</b></p> <p>19 Q. Is there any proposal -- we understand -- we heard from 20 Mr Marshall yesterday that SAP have done some training 21 in relation to the Archdiocese of Westminster, but it's 22 on a slightly ad hoc -- my word -- basis. Is there any 23 proposal that SAP might be involved on a more national 24 or widespread level?</p> <p>25 <b>A. Well, it's part of the consideration that I and my</b></p> <p style="text-align: center;">Page 32</p>



<p>1 co-reviewer, who is a survivor himself, are discussing  2 with people, as to the best way to do this; whether --  3 what has seemed clear from the work that SAP members  4 have done in training is that it's very much appreciated  5 by the people that they have trained. But the structure  6 within which they do that needs to be thought about very  7 carefully. So whether it should be actually part of  8 the Survivor Advisory Panel, that would make a very big  9 job, essentially, for what is a smallish group of  10 volunteers. Whether there should be a separate  11 organisation, what its relationship should be with CSAS,  12 these are all things that need to be considered, and we  13 are beginning to talk to different people about this.</p> <p>14 So, for example, at the moment, I have done some  15 training where I have involved Survivor Advisory Panel  16 members, and indeed other survivors. It's been quite  17 helpful, I think, that I have been able to negotiate the  18 terms on which the training is delivered. But the  19 Survivor Advisory Panel members are becoming more  20 empowered and more confident in knowing what the terms  21 are that -- under which they would be prepared to offer  22 their training.</p> <p>23 So they're beginning to negotiate how they will  24 deliver their training, how they need to be supported  25 when they deliver any training, you know, how the</p> <p style="text-align: center;">Page 33</p>	<p>1 programme is constructed so that they're able to have  2 some debriefing after delivery and training,  3 particularly where it involves giving personal  4 testimony. These are kind of quite sensitive matters,  5 and learning from experience about how best to structure  6 that and make it a safe experience for everybody and an  7 effective experience without it being too much for any  8 one individual.</p> <p>9 So, you know, we're trying to think with people  10 about, you know, how could that -- you know, really,  11 really helpful training and how to listen, you know, the  12 art of active listening. It is not easy.</p> <p>13 So to make it safe for them and effective for the  14 people they're trying to train. You know, that's what  15 we are thinking about.</p> <p>16 Q. Thank you. Can I turn now, please, then to the training  17 that you delivered in May of this year. By way of  18 background, I think it was in June 2017 -- chair, I'm  19 looking at paragraphs 16 onwards in the Baroness's  20 statement -- there were discussions amongst a number of  21 priests with bishops. There was, in fact, a training  22 programme devised by December 2017, and, Baroness, there  23 are a number of people in this room who want to try to  24 understand why, if the plan was devised in June 2017, it  25 takes two years before the training is actually</p> <p style="text-align: center;">Page 34</p>
<p>1 delivered in May 2019? Can you help with the delay?</p> <p>2 A. I don't think that's quite fair. This was  3 a conversation between two colleagues who had worked  4 together, who said, "Do you think it would be helpful if  5 we offered to do some training for the bishops?" So it  6 was an unsolicited -- you know, it was a conversation  7 over a meal. That's where it began.</p> <p>8 The first attempt to think about it seriously was  9 in December when four or five of us came together to  10 think about it and to come up with some ideas. Those  11 first two -- we involved Father Hans Zollner in it,  12 I was involved in it. We came up with a training,  13 I shared it with Bishop Mark O'Toole, who said,  14 "Actually, do you know what? This isn't really the kind  15 of training we need. We have had that kind of training.  16 What we need is something which involves survivors, and  17 it's very different to what you have proposed here.  18 What you have proposed is very basic".</p> <p>19 Q. I think you then revised the proposal, and that was  20 submitted to the conference in February 2018.</p> <p>21 A. Yes, that's right. That's right, it was submitted  22 in February and, as I understand it, the Bishops'  23 Conference meets twice a year.</p> <p>24 Q. It does.</p> <p>25 A. So I was approached in August, I think it was, asking</p> <p style="text-align: center;">Page 35</p>	<p>1 whether the training that we had proposed was ready.  2 Well, it wasn't really ready because it was an outline  3 proposal, and, you know, we had approached them quite  4 independently and suggested that we would be willing to  5 offer this because we thought it would be helpful.</p> <p>6 The next meeting of the conference --</p> <p>7 Q. Baroness, can I pause you there, because the detail of  8 how we ended up in May 2019 is actually set out in your  9 statement, which will be published in full. I think,  10 really -- I think you have countered and said it is  11 perhaps an unfair criticism, but there's a general sense  12 that things take a long time to come to fruition, and  13 this is perhaps an example of that, although we have  14 heard of others.</p> <p>15 In the run-up to you providing the training, did SAP  16 play any role in helping you devise a training  17 programme?</p> <p>18 A. So when I was asked to lead it, I certainly talked to  19 members of SAP, who I had worked with previously, to ask  20 their advice and to ask them whether they thought they  21 would be willing to help with it. Because I thought it  22 was a huge ask to invite survivors to come and  23 participate in a three-day training. And I didn't want  24 to say that I would be able to involve them unless  25 I knew that I had their willingness in principle.</p> <p style="text-align: center;">Page 36</p>

<p>1 <b>So I started just trying to engage the levels of</b>  2 <b>interest and what they believed needed to be involved in</b>  3 <b>the programme. It took some time.</b>  4 Q. I understand. The training itself, I think you say, was  5 attended by 36 bishops in total, including the  6 22 diocesan bishops. There were two who were unable to  7 attend because of illness. There were also -- is this  8 right? -- a number of members, four members, of the SAP,  9 three of whom were survivors, and the fourth,  10 Panna Modi, who was a social worker. There were  11 additional survivors, one, in fact, who has given  12 evidence to this inquiry, another who had been to Rome  13 to tell Pope Francis about her abuse, and a number of  14 other people involved. I think the themes and aims you  15 set out at your paragraph 25 of your statement, and you  16 say this:  17 "The guiding theme of the programme was to help the  18 bishops to understand more clearly the importance of  19 listening to and accompanying people who have been  20 abused and those close to them and to recognise the  21 long-term effects of abuse. To achieve this, the  22 training included a number of presentations."  23 Understood. Did you get any sense that there was  24 still a need for bishops to understand more about how  25 they deal with survivors, listen to them and respond to</p> <p style="text-align: center;">Page 37</p>	<p>1 them when they meet them?  2 <b>A. At the beginning or the end of the programme?</b>  3 Q. At the beginning.  4 <b>A. At the beginning, yes.</b>  5 Q. We have heard in other case studies within this  6 investigation that in fact bishops, indeed archbishops,  7 have been meeting with victims and survivors for  8 a number of years now, and I wondered, really, why they  9 hadn't already got that message before the training in  10 Valladolid?  11 <b>A. I don't think it is the message. I think all of them</b>  12 <b>probably had met victims and survivors of clerical</b>  13 <b>abuse, but what I think is that they hadn't all actually</b>  14 <b>had the confidence and the skill to really sit and</b>  15 <b>listen.</b>  16 <b>I know that when we began, everybody was nervous.</b>  17 <b>There was no deference. People sat together.</b>  18 <b>I remember, with one survivor giving her testimony,</b>  19 <b>that two bishops afterwards said to me, "We were</b>  20 <b>watching you because we wanted to learn how to listen,</b>  21 <b>because we didn't know how to listen just like that".</b>  22 <b>So I think that's what I mean about empathy can be</b>  23 <b>taught. It's that deep emotional attention; not being</b>  24 <b>so shocked that you show your shock so that the person</b>  25 <b>stops telling you because they think you can't manage it</b></p> <p style="text-align: center;">Page 38</p>
<p>1 <b>and you can't hear it. I think, for many of them, they</b>  2 <b>perhaps hadn't been really able to hear before.</b>  3 Q. I think you gave, as part of the training,  4 a presentation on disability, mental health and abuse,  5 and you gave a PowerPoint which said at the beginning  6 that disabled children are at a statistically greater  7 risk of being abused than children without disabilities.  8 Children with intellectual impairments and children with  9 autism are particularly at risk. The risk of abuse does  10 not diminish as they make the transition to adulthood.  11 Are there particular points of learning if a complaint  12 is made by someone with learning difficulties or autism?  13 Can you try and help us with how one needs to treat  14 those kind of victims?  15 <b>A. Yes. This is true, of course, in all public services,</b>  16 <b>within the NHS and within social care as well, that</b>  17 <b>often there are assumptions made that a child or</b>  18 <b>a vulnerable adult will not be able to tell or will not</b>  19 <b>be reliable, and the skill of listening to somebody who</b>  20 <b>has real difficulty with communication is just even</b>  21 <b>harder.</b>  22 <b>The difficulty then is about whether it's left to</b>  23 <b>the people who are the usual carers of the person, the</b>  24 <b>disabled person, or whether the expectation should be</b>  25 <b>that the person with the professional expertise in</b></p> <p style="text-align: center;">Page 39</p>	<p>1 <b>safeguarding should be the person who learns to listen.</b>  2 <b>There is a skills gap on both sides. I would say</b>  3 <b>that the skills gap is easier to fill if it's the person</b>  4 <b>with the safeguarding expertise who takes the trouble to</b>  5 <b>learn how to listen to the disabled child or adult than</b>  6 <b>for the usual caregiver, who is accustomed to the</b>  7 <b>communication style of the person with the learning</b>  8 <b>disability, but who has no knowledge of safeguarding.</b>  9 <b>So that is the point --</b>  10 Q. I was going to say, do you think there is a need for  11 specific training for handling reports of abuse by  12 complainants with learning disabilities or other  13 vulnerabilities?  14 <b>A. Yes, I do.</b>  15 Q. Is that something that has been taken away from  16 Valladolid and is going to be perhaps looked at further  17 or implemented by the church? Are you aware if there is  18 any work in that area?  19 <b>A. I'm not aware of any work in that area. We did -- we</b>  20 <b>used one of my picture books to try to help bishops to</b>  21 <b>understand this point. But the picture book probably</b>  22 <b>helped them as much just with understanding their own</b>  23 <b>responses to the story of abuse taking place, for</b>  24 <b>anybody, not just for a disabled child. But perhaps --</b>  25 <b>they all had an opportunity to take a copy of that</b></p> <p style="text-align: center;">Page 40</p>

<p>1 particular book with them. I hoped that they would  2 consider, you know, enquiring whether their own  3 safeguarding commissions have those competencies.  4 Q. Can I ask you about one other matter that arose during  5 the training. I think the chair and panel are aware  6 that there was a session which involved or allowed to  7 bishops to watch the film "Spotlight". I think, in your  8 summary of the training, you made reference to the fact  9 that, following watching the film, a number of bishops  10 were visibly shaken and, for some, this will have  11 stirred up personal memories. What was the tenor of  12 the discussion that followed the watching of the film?  13 <b>A. They were moved, shocked. Many of them had seen the</b>  14 <b>film before. I think it's the fourth time I've seen it.</b>  15 <b>Each time you see it, you see and hear something</b>  16 <b>different, about, for example, societal blindness. You</b>  17 <b>know, even the fact that the journalist at the end</b>  18 <b>suddenly realised that he had known but hadn't known,</b>  19 <b>and it was that sort of -- kind of realisation of the --</b>  20 <b>how you cannot know something, be completely blind to</b>  21 <b>something, which is in plain sight. So I think, for</b>  22 <b>some of them, maybe it raised thoughts about how they'd</b>  23 <b>done something themselves. But the conversation was not</b>  24 <b>really at that length, it was more about they picked up</b>  25 <b>some of the things that were shocking.</b></p> <p style="text-align: center;">Page 41</p>	<p>1 I know that for some of them there would have been  2 reminders of, perhaps, personal abusive experiences in  3 their own childhoods, which made it difficult. You  4 know, in a group of that size, you would of course  5 expect --  6 Q. Do you know how many of the bishops -- it wasn't  7 compulsory. How many of the bishops participated in  8 that viewing?  9 <b>A. The majority, but I don't know the numbers.</b>  10 Q. Just finally, please, can we call up on screen  11 INQ004317. Baroness, this is the summary of the key  12 points that arose from the evaluation forms that were  13 given to the bishops at the end of the training. There  14 were five questions asked. They were asked to complete  15 the forms anonymously. Then, effectively, the responses  16 were analysed. If we can turn to page 3 in this  17 document, we will see there a summary of the key  18 learning.  19 So the bishops were asked, "What were the three most  20 significant inputs for you personally?". All of the 36  21 bishops included the testimonies of the victims and  22 survivors.  23 Asked if they now felt more confident about meeting  24 survivors, 28 of the 36 did feel more confident, as  25 a result of the safeguarding training conference, about</p> <p style="text-align: center;">Page 42</p>
<p>1 meeting survivors and their families.  2 If we go over the page:  3 "In what ways, if at all, have the presentations,  4 discussions and reflections this week changed your  5 perception of your leadership role and relationships  6 (priests, survivors, parishioners ...)?"  7 The common responses were:  8 "To seek new ways of listening ...  9 "To renew their safeguarding efforts with more  10 confidence and energy ..."  11 Question 4:  12 "Are you confident that you have the resources and  13 support that you need to help you in your safeguarding  14 ministry ... have your views changed ...?"  15 Fewer than half of the bishops, ie, 16, were  16 confident that they have the necessary resources.  17 However, the conference week had given many ideas to  18 pursue and "some of these ideas were [not] mentioned by  19 the 'not confident' bishops as things to address next".  20 Can you help with that?  21 <b>A. Sorry, you said "were not mentioned". It actually says</b>  22 <b>"some of these ideas were mentioned".</b>  23 Q. Sorry, "were mentioned by the 'not confident' bishops".  24 Can you help us with that summary:  25 "The conference week had given many ideas to pursue,</p> <p style="text-align: center;">Page 43</p>	<p>1 and some of these ideas were mentioned by the 'not  2 confident' bishops ..."  3 Can you help us with what the ideas were that were  4 being spoken of there?  5 <b>A. For example, working more closely with lay people who</b>  6 <b>have professional skill; supporting each other; meeting</b>  7 <b>in their kind of regional province groups so that they</b>  8 <b>could provide support and shared experience. What else?</b>  9 <b>I think when they talked about resource, they -- it</b>  10 <b>was a sort of realisation that bishops can ask for help.</b>  11 Q. Who?  12 <b>A. Can ask for help. People who have the competencies, the</b>  13 <b>professional competencies. There was another aspect to</b>  14 <b>this, which was that -- well, I invited all of</b>  15 <b>the bishops to write a letter to themselves working out</b>  16 <b>what it was they were going to do differently. The</b>  17 <b>majority gave me a copy of that letter addressed to</b>  18 <b>themselves, sealed, and I said I would send it to them</b>  19 <b>in three months' time, which I did.</b>  20 <b>I certainly had a couple of bishops say to me, "It</b>  21 <b>was quite a surprise to get that letter, but it was</b>  22 <b>really helpful. It's reminded me of the things that</b>  23 <b>I committed to do".</b>  24 <b>So I think there was a sort of real energy that came</b>  25 <b>from it, that some of them realised there were gaps,</b></p> <p style="text-align: center;">Page 44</p>

<p>1 <b>perhaps, that they hadn't previously been aware of, and</b>  2 <b>that's what -- I think, you know, recognising where</b>  3 <b>you're -- what you're missing is kind of a really</b>  4 <b>important help to being able to make progress.</b>  5 Q. Can I ask you about that box 5, then. When the question  6 was posed, "Do you have any new insights about the  7 related pastoral support needed by bishops and clergy?",  8 22 bishops mentioned their need for more support, ie,  9 greater peer support and greater external support. Was  10 there any reference to the need for greater resources in  11 either a financial sense or a staffing sense to help  12 them with their pastoral support?  13 <b>A. The reference I recall is that they had found it</b>  14 <b>extremely helpful to have lay professional help during</b>  15 <b>their meeting, and they thought that would be useful.</b>  16 <b>They thought that it would be very helpful to have</b>  17 <b>regional Survivor Advisory Panels that they could turn</b>  18 <b>to, and they recognised there would be a financial</b>  19 <b>resource in establishing those.</b>  20 <b>I think a recognition that this is perhaps a bigger</b>  21 <b>job than some of them had actually fully understood</b>  22 <b>before.</b>  23 Q. Then, finally, please, if we may turn to the next page  24 in the document, "Follow-up action":  25 "The CBCEW [the conference] and individual bishops</p> <p style="text-align: center;">Page 45</p>	<p>1 need to make detailed plans to follow up on the actions  2 they saw to be needed, particularly in terms of  3 'knowing' victims/survivors in their own diocese, and  4 with respect to their own continuing training and  5 support needs."  6 Do I take it from that that the follow-up action is  7 now -- lies really with the conference and/or the  8 bishops themselves? Have they asked, Baroness, if you  9 are going to be involved in any future training or any  10 future follow-up work?  11 <b>A. They haven't asked. I haven't offered.</b>  12 <b>There was one outstanding matter, which I went away</b>  13 <b>with, with the other leaders of the training, which was</b>  14 <b>to think about how the bishops might be able to find</b>  15 <b>some confidential source of advice for issues which they</b>  16 <b>are struggling with.</b>  17 <b>I'm thinking of therapeutic or counselling support,</b>  18 <b>because some of them find this very difficult, and it's</b>  19 <b>difficult to know where you would go as a bishop if you</b>  20 <b>wanted to see a therapist. So I've been doing some</b>  21 <b>thinking about that.</b>  22 <b>But I felt it was really important that the bishops</b>  23 <b>left the training taking away the responsibility, owning</b>  24 <b>any future work and determining what their own needs</b>  25 <b>are, because they are the ones who have the</b></p> <p style="text-align: center;">Page 46</p>
<p>1 <b>responsibility.</b>  2 MS CAREY: Baroness, that concludes all the questions that  3 I wanted to ask of you.  4 Chair, is there anything that you or the panel would  5 like to ask Baroness Hollins?  6 THE CHAIR: Ms Sharpling?  7 Questions from THE PANEL  8 MS SHARPLING: Thank you, Baroness Hollins. I have a couple  9 of questions in your professional capacity. As this is  10 a public inquiry, perhaps you could tell us what is the  11 value of active listening to a victim/survivor who  12 comes, perhaps for the first time, to disclose traumatic  13 events in their past?  14 <b>A. Because if you are able to sit and to hear something</b>  15 <b>which is extraordinarily painful and which a person has</b>  16 <b>not been able to tell before, and you are able to hear</b>  17 <b>it, then that goes a huge way to feeling believed and</b>  18 <b>to -- I mean, it just changes everything.</b>  19 MS SHARPLING: Is it a therapeutic intervention?  20 <b>A. I think it is a therapeutic intervention, and it's</b>  21 <b>not -- it's not something which everybody can do.</b>  22 MS SHARPLING: My second question is that you described to  23 us that empathy was something that could be learnt and  24 we have seen institutional leaders who found that  25 difficult. I was going to ask you, again, in your</p> <p style="text-align: center;">Page 47</p>	<p>1 professional capacity, is empathy with child abuse  2 particularly difficult, as compared with empathy for  3 a victim who has lost their life savings or been  4 physically assaulted?  5 <b>A. I think it's more difficult on both a cognitive and an</b>  6 <b>emotional level, but I do believe it can be taught.</b>  7 <b>There is actually a programme in -- well, I spoke at</b>  8 <b>a conference -- I spoke at Massachusetts General</b>  9 <b>Hospital about this because there is a professor there</b>  10 <b>who has been evaluating the effectiveness of training</b>  11 <b>doctors and nurses in empathy, and they found that it</b>  12 <b>reduced the litigation when the doctors and nurses had</b>  13 <b>been trained in empathy. But they realised that they</b>  14 <b>didn't -- hadn't been teaching how to be empathetic to</b>  15 <b>people with disabilities, which they had asked me to go</b>  16 <b>and talk to them about.</b>  17 MS SHARPLING: It struck me as odd, simply because a priest,  18 of course, and a bishop, may hear confession, and active  19 listening might be a part of that.  20 <b>A. Although the confession is usually -- I mean,</b>  21 <b>increasingly, it's kind of face to face or it's side by</b>  22 <b>side, but I think there's an element of active listening</b>  23 <b>where face -- you know, eye contact is sometimes</b>  24 <b>important.</b>  25 MS SHARPLING: Thank you.</p> <p style="text-align: center;">Page 48</p>

<p>1 THE CHAIR: Thank you. We have no further questions.  2 (The witness withdrew)  3 MS CAREY: Chair, would it be a convenient moment for our  4 mid-morning break?  5 THE CHAIR: Yes, we will return at 12.05 pm.  6 (11.47 am)  7 (A short break)  8 (12.05 pm)  9 THE CHAIR: Mr Saad?  10 MR SAAD: Chair, the next witness is Dr Colette Limbrick.  11 May she be sworn, please?  12 DR COLETTE ALEXANDRA LIMBRICK (affirmed)  13 Examination by MR SAAD  14 MR SAAD: Your name, please?  15 <b>A. Colette Alexandra Limbrick.</b>  16 Q. You are the current director of CSAS, the Catholic  17 Safeguarding Advisory Service?  18 <b>A. Yes.</b>  19 Q. You have been in that role since June 2015; is that  20 right?  21 <b>A. Yes.</b>  22 Q. I'm going to take you, please, to the first witness  23 statement that you provided, which is behind your tab 1,  24 Dr Limbrick, and same in your bundle, chair, and that  25 was dated 19 October 2017.</p> <p style="text-align: center;">Page 49</p>	<p>1 <b>A. Yes.</b>  2 Q. Dealing with your background first, your professional  3 background is in social work, spanning both children and  4 adult services; is that right?  5 <b>A. Yes.</b>  6 Q. You worked in local authority social services settings?  7 <b>A. Yes.</b>  8 Q. As well, you worked in the charitable sector for the  9 NSPCC?  10 <b>A. Yes.</b>  11 Q. You hold a doctorate in social work, a diploma in social  12 work and a degree in social welfare and psychology; is  13 that right?  14 <b>A. Yes, that's right.</b>  15 Q. I'm going to go, please, first to paragraph 6 in that  16 statement, which is on page 2, and just the first line  17 of it. You say that CSAS is the national agency for  18 driving and supporting improvements in safeguarding  19 practice within the Catholic Church. Just to help me,  20 please, on paragraph 12, so on page 4 of your statement,  21 you give more detail about what you describe as the  22 primary role of CSAS. What would you describe the  23 primary role of CSAS to be, please?  24 <b>A. It has a range of functions. So it's an advisory  25 service to anybody within the Catholic Church in England</b></p> <p style="text-align: center;">Page 50</p>
<p>1 <b>and Wales, so that would include the dioceses, the  2 religious congregations, Catholic organisations, so  3 separate charities that don't come under the diocesan or  4 religious congregation structures. It has a quality  5 assurance function. It produces and revises policy and  6 procedure.</b>  7 Q. That's in respect of safeguarding children and young  8 people and adults at risk?  9 <b>A. Yes.</b>  10 Q. In bullet point form, you set out some of the roles and  11 tasks that CSAS have. As you say, providing advice to  12 members of the church about safeguarding issues, to lay  13 people about safeguarding issues, developing and  14 supporting the delivery of safeguarding training within  15 the church?  16 <b>A. Yes.</b>  17 Q. Ensuring that the national safeguarding policies and  18 procedures are contemporary and relevant, comply with  19 best practice and are published for implementation  20 across the Church in England and Wales?  21 <b>A. Yes.</b>  22 Q. That's a summary, together with your answer, as to what  23 the role of CSAS is.  24 If I take you, please, to paragraph 16 of your  25 statement, which is on page 6, you set out what the CSAS</p> <p style="text-align: center;">Page 51</p>	<p>1 team comprises of, although I think that is outdated now  2 because this is a fairly old statement. What's the  3 current position? How many people are there that work  4 for CSAS?  5 <b>A. So I remain as the full-time director. I have  6 a full-time safeguarding manager and we have just  7 appointed a full-time training coordinator. We also  8 then have, still, the equivalent of 3.6 -- sorry, that's  9 3.6 full-time equivalent administrative support staff.</b>  10 Q. In addition to the roles you have described?  11 <b>A. Yes.</b>  12 Q. So three full-time members, plus that --  13 <b>A. Plus that 3.6 administrative.</b>  14 Q. Do you feel that's sufficient for the tasks that you are  15 asked to do?  16 <b>A. Currently, yes.</b>  17 Q. You say that there is a process of review of current  18 policies and procedures. Again, this is an old  19 statement. So you say there it's going on for  20 18 months. We heard evidence yesterday from the chair  21 of the NCSC, Christopher Pearson, that that review is  22 2015 to 2018; is that right?  23 <b>A. I think what I would say is that was a period of  24 significant review, but they are always under review,  25 because it's a changing landscape, and we change them in</b></p> <p style="text-align: center;">Page 52</p>

<p>1 <b>accordance with changes in legislation and statutory</b>  2 <b>guidance and things that are happening in the external</b>  3 <b>world.</b>  4 <b>When I first came into post, one of the key</b>  5 <b>priorities was to have a look at the policies and</b>  6 <b>procedures, so, yes.</b>  7 Q. So that was a period of almost looking at them all again  8 between 2015 and 2018. That's not to say they are now  9 set in stone and aren't to be changed. They are under  10 constant review.  11 <b>A. Not at all, no.</b>  12 Q. There is a difference, is there not, between a policy  13 change and perhaps tinkering, if you like, with some of  14 the policies thereafter?  15 <b>A. Yes.</b>  16 Q. Dealing with the latter -- sorry, the former first, the  17 substantive change, can you just describe, please, in  18 your own words, how that procedure -- what that  19 procedure looks like?  20 <b>A. So the need for a substantive change could be identified</b>  21 <b>by CSAS, the NCSC, it could come from people in the</b>  22 <b>field, so out in the dioceses, for example. But,</b>  23 <b>regardless of that, the redrafting takes place in</b>  24 <b>consultation with the professional staff who are</b>  25 <b>appointed across the dioceses, within the religious</b></p> <p style="text-align: center;">Page 53</p>	<p>1 <b>congregations and in the safeguarding commissions. We</b>  2 <b>also consult with a Canon lawyer, and also a civil</b>  3 <b>lawyer, to make sure that what we are producing doesn't</b>  4 <b>contravene anything in law, Canon law or civil law, to</b>  5 <b>make us aware of that.</b>  6 <b>Once we have drafted -- there will be several</b>  7 <b>iterations, so we will have maybe an initial draft, we</b>  8 <b>will go out to consultation, it will also include the</b>  9 <b>Survivor Advisory Panel now, we may run to a second</b>  10 <b>draft. It will go back to the NCSC. They may want to</b>  11 <b>make some adjustments to it or further suggestions, so</b>  12 <b>we could go out to consultation again.</b>  13 Q. What is that process? What does that entail?  14 <b>A. The consultation?</b>  15 Q. Yes.  16 <b>A. It can involve either creating some small working groups</b>  17 <b>of people to develop up the policy and procedure, or we</b>  18 <b>will send it out electronically and ask people to feed</b>  19 <b>back on it and then we will review all of those and try</b>  20 <b>to incorporate all those changes.</b>  21 <b>We have to get to a position of a policy and</b>  22 <b>procedure that is workable within the dioceses in order</b>  23 <b>that we can have it signed off within the dioceses.</b>  24 <b>It's not -- may I expand slightly?</b>  25 <b>It is not that we can simply produce something</b></p> <p style="text-align: center;">Page 54</p>
<p>1 <b>within CSAS and say, "That is the definitive document".</b>  2 Q. Yes, it has to be a collaborative process with other  3 parts of the church -- the NCSC obviously for one, but,  4 as you also say, a Canon lawyer, for example?  5 <b>A. And those working in the field. It is really important</b>  6 <b>that they are part of that process because they are</b>  7 <b>working the cases day to day.</b>  8 Q. That would be a safeguarding coordinator, as an example,  9 would it?  10 <b>A. And commission chairs, yes.</b>  11 Q. And commission chairs.  12 Could I ask you, when there's a change to a policy,  13 a substantive policy, a change, if I can call it that,  14 how is that change communicated to everybody that needs  15 to know about it?  16 <b>A. So once it's ratified by the NCSC and has been approved</b>  17 <b>at the Bishops' Conference, the policy change will be</b>  18 <b>sent out by email with the detail, either a copy of</b>  19 <b>the changed document, so it will have the tracked</b>  20 <b>changes in it, so it's very explicit, or there will be</b>  21 <b>an explanation of the change underneath. One year, we</b>  22 <b>had a number of changes, so a presentation was given at</b>  23 <b>one of the safeguarding coordinator meetings. We went</b>  24 <b>through all of the changes in that format. So it will</b>  25 <b>depend, really, on the nature of the change.</b></p> <p style="text-align: center;">Page 55</p>	<p>1 <b>But people generally won't be hearing it for the</b>  2 <b>first time when it's sent out.</b>  3 Q. Because of the consultation process?  4 <b>A. That's right, yes.</b>  5 Q. How is the process different if a change is minor to  6 a policy?  7 <b>A. In terms of my ability to change it, if it's minor,</b>  8 <b>I can just make that change. So, for example, the</b>  9 <b>latest change concerned including more information about</b>  10 <b>indecent images of children. So I was able to just make</b>  11 <b>that change, it wasn't a policy issue.</b>  12 Q. That was actually in the document we looked at  13 yesterday --  14 <b>A. That's right.</b>  15 Q. -- with Mr Pearson. You effectively added a footnote,  16 didn't you, to that document and in the footnote you set  17 out all the definitions of images?  18 <b>A. That change was communicated and there were a couple of</b>  19 <b>other changes to other documents at the same time, and</b>  20 <b>they were communicated by sending out the tracked</b>  21 <b>changes version, a Word document, so people could see</b>  22 <b>very clearly --</b>  23 Q. What the changes --  24 <b>A. -- what the changes were, and they were sent a link to</b>  25 <b>the website.</b></p> <p style="text-align: center;">Page 56</p>

<p>1 Q. Could I take you, please, to a document I will put up on 2 screen, that's CHC001936_002. It is the very top bullet 3 point. This is from a Survivors Advisory Panel 4 document. I just wanted to ask your view, please, on 5 the top bullet point, which says: 6 "Let the church drive the policy/response not the 7 insurers." 8 Implicit in that is perhaps that insurers do drive 9 the policy. Can I ask you whether you agree or disagree 10 with that? 11 <b>A. I disagree. They inform policy, but I don't think they 12 drive it; not in my experience.</b> 13 Q. Do you believe, in which case, people have been left 14 with a false impression that they do? 15 <b>A. I wonder -- when I read that, I was wondering whether 16 that concerned the issuing of apologies to victims and 17 survivors, which is often considered to have been driven 18 by insurers. I wondered if it meant that. I haven't -- 19 though it clearly says "drive the policy", that wasn't 20 my immediate thought, so that was ...</b> 21 Q. Well, the column furthest to the left as we look at it 22 says "communication" and in the middle "demonstrate 23 practically true acknowledgement of the issues". It may 24 well be, therefore, that you are right, so it may not 25 apply to the policies we have been talking about,</p> <p style="text-align: center;">Page 57</p>	<p>1 actually drafting a document. Okay. 2 I want to move on to the topic of the relationship 3 between the NCSC, CSAS and also the conferences of 4 religious and the Catholic Bishops' Conference. I'm 5 looking, if it assists you, at paragraph 21 of your 6 statement, which is at page 9. 7 Can you explain, please, on a day-to-day basis, at 8 a practical level, what is the relationship between CSAS 9 and NCSC, first of all? 10 <b>A. So on a day-to-day level, it will involve me 11 corresponding with the chair of the NCSC, the 12 vice-chairs or any other members that are involved in 13 perhaps some of the work that we are developing 14 together.</b> 15 <b>More broadly, it involves a collaboration, in terms 16 of working up the work plan for CSAS and what the 17 priorities are, and we will do that at meetings, so 18 I will go to an NCSC meeting and say, "We need to be 19 including this in the work plan or developing this", 20 because of things that have come, perhaps, from the 21 dioceses or religious or the external world.</b> 22 Q. Just to pause there and to be clear: as director of 23 CSAS, you are not a member of the NCSC, but you do 24 attend all of their quarterly meetings? 25 <b>A. Yes, I am just there in attendance.</b></p> <p style="text-align: center;">Page 58</p>
<p>1 Q. You produce an annual business plan, do you, and a work 2 plan, and that's submitted to the NCSC for their 3 scrutiny and approval? 4 <b>A. Yes, and that's updated in between meetings and the 5 updated version will go to the NCSC.</b> 6 Q. Am I right in saying that there's no national process or 7 requirement for CSAS to refer safeguarding complaints to 8 the NCSC. However, there will be dialogue between you 9 and the lay chair about them, should you feel it 10 necessary? 11 <b>A. Yes, that's right. Can I expand slightly on that?</b> 12 Q. Please. 13 <b>A. Complaints come in directly to the NCSC through the 14 website sometimes, which is why we have a collaboration 15 to ensure that we don't duplicate a response if it's 16 sent to both of us, or who is best placed to respond. 17 But also, things come directly into CSAS, and there are 18 things that I feel it is appropriate for the chair to 19 respond to because the correspondence needs to go to 20 somebody in a particular position within the church and 21 it feels appropriate that it would go from a strategic 22 lead rather than an operational office.</b> 23 Q. We heard yesterday that the role of chair of the NCSC is 24 one -- described as being one day a week, but we also 25 heard from Mr Pearson that he devotes substantially more</p> <p style="text-align: center;">Page 59</p>	<p>1 time to the role than that. What's your view as to 2 whether or not one day a week is sufficient? 3 <b>A. I don't think it is sufficient, no.</b> 4 Q. Do you think it's actually more of a full-time job than 5 anything else? 6 <b>A. I don't know if it's a full-time job. I think 7 Mr Pearson would be best placed to say that. But I know 8 it is significantly more than a day a week that he 9 devotes to it.</b> 10 Q. Had he not have devoted more time than is originally 11 described, progress would have been slower, would it 12 not? 13 <b>A. I suspect so, yes.</b> 14 Q. It naturally follows, doesn't it? 15 <b>A. Yes.</b> 16 Q. Looking at paragraph 22 of your statement, CSAS is 17 located within the department of Christian 18 responsibility and citizenship, which is one of 19 the departments of the Bishops' Conference. You are 20 accountable to the Bishops' Conference and the 21 Conference of Religious; is that right? 22 <b>A. Yes.</b> 23 Q. Can you help, please, with the concept of being 24 independent from a conference but being accountable to 25 them?</p> <p style="text-align: center;">Page 60</p>

<p>1 <b>A. I don't think it would be right to say that CSAS is</b>  2 <b>independent of the conference.</b>  3 Q. Very well.  4 <b>A. Because it is an office of the Bishops' Conference, and</b>  5 <b>I am employed by CaTEW, which is the Catholic Trust, and</b>  6 <b>appointed by them.</b>  7 Q. So you wouldn't describe CSAS as independent?  8 <b>A. Not in that sense. But the conference doesn't exert any</b>  9 <b>influence over safeguarding, in terms of the day-to-day</b>  10 <b>work of CSAS. So the work that we do is built up with</b>  11 <b>the NCSC, and we develop the work plan. It is not</b>  12 <b>governed by Bishops' Conference.</b>  13 Q. In the process for developing policy, is it not right  14 that subcommittees of either conference are part of  15 that, so they look at the policy before it's ultimately  16 submitted to the two conferences as a final version?  17 <b>A. More so with the Conference of Religious. So there's --</b>  18 <b>it used to be called the Conference of Religious</b>  19 <b>Executive Advisory Safeguarding Group. I think it's now</b>  20 <b>the Conference of Religious Safeguarding Group. We</b>  21 <b>would use that as a consultation point for some policy</b>  22 <b>and procedure development, and they had links out to the</b>  23 <b>wider congregations.</b>  24 <b>We would also consult more broadly with the</b>  25 <b>safeguarding leads.</b></p> <p style="text-align: center;">Page 61</p>	<p>1 Q. But would the two conferences not, via that process, be  2 able to effect safeguarding policy?  3 <b>A. The conference of -- well, that was the process with the</b>  4 <b>Conference of Religious. There wasn't a similar process</b>  5 <b>and isn't a similar process --</b>  6 Q. With the Bishops' Conference, I see.  7 <b>A. No, so that doesn't exist. So the Conference of</b>  8 <b>Religious is used as a consultative group, not as a --</b>  9 <b>not for them to influence, other than -- they would</b>  10 <b>influence policy and procedure from their perspective,</b>  11 <b>as part of the wider consultation.</b>  12 Q. You, as director of CSAS, have meetings with both  13 conferences, don't you?  14 <b>A. Mmm-hmm.</b>  15 Q. You also chair meetings with safeguarding commission  16 chairs, and you also have ad hoc contact with commission  17 chairs as issues arise; is that right?  18 <b>A. Yes.</b>  19 Q. You say you have no contact, or had had no contact, with  20 the Congregation of the Doctrine of the Faith or the  21 Holy See. Does that remain the position?  22 <b>A. Yes.</b>  23 Q. I'm looking now, please, Dr Limbrick, at paragraph 24 of  24 your statement, which is on page 10, which describes the  25 extent to which CSAS is involved in safeguarding and</p> <p style="text-align: center;">Page 62</p>
<p>1 child protection matters. Firstly, in paragraph 24, the  2 policy and procedures state, don't they, that if an  3 allegation has been made against somebody that has  4 a role within the church, for example, a bishop, you, at  5 CSAS, must be contacted; is that right?  6 <b>A. Yes.</b>  7 Q. Having been told about such an allegation, what is it  8 that CSAS does at that point?  9 <b>A. So I would inform the chair of the NCSC and then keep</b>  10 <b>him apprised of the situation. The more significant</b>  11 <b>role is to arrange for another diocese to take over the</b>  12 <b>investigation and looking into that case.</b>  13 Q. To be clear, I used -- I cited the bishop as one  14 example. For any role within the Catholic Church, if  15 somebody -- does that apply it will always move to  16 another diocese or just if it is a bishop?  17 <b>A. No, just if it is a bishop or -- the point is that if --</b>  18 <b>the bishop appoints the safeguarding coordinator, in</b>  19 <b>terms of the diocese, so it is important to not have the</b>  20 <b>diocese investigating its own line manager.</b>  21 Q. Of course.  22 <b>A. That's the principle behind that.</b>  23 Q. So allegation is made against the bishop. CSAS are told  24 about it.  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 63</p>	<p>1 Q. CSAS orchestrate, do they, the move of the management of  2 the complaint from that particular part of the church to  3 another?  4 <b>A. Yes.</b>  5 Q. How else -- do you then have oversight of the case  6 thereafter?  7 <b>A. I wouldn't say we have oversight. So the diocese that</b>  8 <b>is managing it, the professional person would manage</b>  9 <b>that case as if it were a case within their own diocese.</b>  10 <b>They will keep me updated on progress on that case, or</b>  11 <b>they will come to me if there are any particular issues</b>  12 <b>that need resolution.</b>  13 Q. You obviously record the referral, and you --  14 <b>A. Yes.</b>  15 Q. Would it be wrong to say you keep tabs on it? Would  16 that be overstating it, or is that right?  17 <b>A. No, I think that would be right because, for my own</b>  18 <b>records, at some point, I need to know that it has come</b>  19 <b>to a conclusion and what actions need to be taken,</b>  20 <b>because, you know, if it is a serious allegation that</b>  21 <b>there is substance to, then further actions need to</b>  22 <b>follow, and I need to make sure that those take place.</b>  23 Q. Has there ever been a situation in which you have a case  24 that you are keeping tabs on and the people that are  25 actually managing the case have done something that you</p> <p style="text-align: center;">Page 64</p>



<p>1 feel isn't compliant with your procedures?</p> <p>2 <b>A. No, nothing comes to mind.</b></p> <p>3 Q. If that were to happen, what would you do?</p> <p>4 <b>A. Well, if I appointed somebody to -- I say "appointed",</b></p> <p>5 <b>sorry, asked somebody, I think would be the fairest</b></p> <p>6 <b>comment, to do that, and I knew they weren't complying</b></p> <p>7 <b>with procedures, we'd have a discussion about why they</b></p> <p>8 <b>weren't complying and what the issues were.</b></p> <p>9 Q. All right.</p> <p>10 <b>A. And if we couldn't resolve that, then, ultimately,</b></p> <p>11 <b>I would probably ask them to, you know, cease from</b></p> <p>12 <b>continuing with the management of the case.</b></p> <p>13 Q. But would you have -- I mean, you could ask, but would</p> <p>14 you have the power to do that?</p> <p>15 <b>A. I think that's a very good question. I think if I asked</b></p> <p>16 <b>them not to, then probably I would go to their</b></p> <p>17 <b>commission chair or their bishop, ultimately, and say,</b></p> <p>18 <b>you know, "You need to remove them from the case</b></p> <p>19 <b>because ..." but, personally, I don't have the power</b></p> <p>20 <b>because I don't line manage any of them or I don't</b></p> <p>21 <b>employ them.</b></p> <p>22 Q. That's one situation in which CSAS can become involved</p> <p>23 in a particular case. Is it also right that you can</p> <p>24 become involved in other cases as a result of being</p> <p>25 contacted by a safeguarding office, and I'm looking at</p> <p style="text-align: center;">Page 65</p>	<p>1 paragraph 25, if it assists you, or religious</p> <p>2 congregation for advice -- if they ask you for advice,</p> <p>3 that's another way of you becoming involved in a case?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Having given the advice that was sought, what is CSAS's</p> <p>6 involvement thereafter?</p> <p>7 <b>A. Nothing beyond that, unless it is advice that maybe</b></p> <p>8 <b>I would need to go back on to see what the outcome of it</b></p> <p>9 <b>was, whether they'd actioned it. But, generally, the</b></p> <p>10 <b>advice is given, a record is made of that, and then the</b></p> <p>11 <b>diocese continues to manage the case. Quite often, the</b></p> <p>12 <b>advice is around, perhaps, a procedural point or</b></p> <p>13 <b>a negotiation point with a religious order or another</b></p> <p>14 <b>organisation, something like that, rather than very</b></p> <p>15 <b>detailed case specific. It can vary.</b></p> <p>16 Q. So that we are clear, what do you mean by a negotiation</p> <p>17 point?</p> <p>18 <b>A. So if it is a case concerning a religious order that is</b></p> <p>19 <b>aligned to a diocese, it might just a point about</b></p> <p>20 <b>working out, you know, who is responsible for what or if</b></p> <p>21 <b>the case involved more than one diocese, you could have</b></p> <p>22 <b>a victim/survivor who lives in one diocese, the abuse</b></p> <p>23 <b>occurred in a different diocese, and the accused person</b></p> <p>24 <b>is actually in a third diocese. You know, I could get</b></p> <p>25 <b>involved in those discussions around making sure that</b></p> <p style="text-align: center;">Page 66</p>
<p>1 <b>the victim is supported where they are and that the</b></p> <p>2 <b>statutory authorities, where they are taking the case</b></p> <p>3 <b>forward, that the safeguarding coordinator in that area</b></p> <p>4 <b>leads, so that we don't end up with difficult situations</b></p> <p>5 <b>of people, you know, on the other side of the country</b></p> <p>6 <b>trying to lead on a case.</b></p> <p>7 Q. I want to move on, please, to another topic, which is</p> <p>8 the Disclosure and Barring Service checks. You describe</p> <p>9 them in your statement, which you should find behind</p> <p>10 your tab 4, Dr Limbrick, and the same tab for you,</p> <p>11 chair. That's at paragraph 8, please, of that statement</p> <p>12 on page 3. It is right, isn't it, that CSAS is</p> <p>13 registered with the DBS to process criminal record</p> <p>14 disclosure applications on behalf of the church?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Indeed, in 2018, you processed something short of 14,000</p> <p>17 DBS applications. There are some situations, aren't</p> <p>18 there, where CSAS don't carry out the DBS procedure --</p> <p>19 for example, where they're carried out by other</p> <p>20 statutory organisations; is that right, like Catholic</p> <p>21 schools?</p> <p>22 <b>A. Yes, so schools would carry out their own, yes.</b></p> <p>23 Q. At paragraph 10 of your statement, on page 4, the DBS</p> <p>24 application process applies to the clergy and religious,</p> <p>25 all of them; is that right? All clergy and religious?</p> <p style="text-align: center;">Page 67</p>	<p>1 <b>A. All eligible clergy and religious.</b></p> <p>2 Q. Appointments of clergy and religious are made by bishops</p> <p>3 and religious superiors, and whilst decisions on</p> <p>4 appointments to lay roles, you say, in the church are</p> <p>5 made by the relevant person within dioceses, parishes</p> <p>6 and religious congregations.</p> <p>7 In relation to audits now, I want to go to tab 3.</p> <p>8 It is a statement you gave in June this year. Chair,</p> <p>9 it's the same tab in your bundle.</p> <p>10 I want to first go, please, to paragraph 3 of that</p> <p>11 statement, which is on the fifth page. Before you took</p> <p>12 up the role in 2015, what was your understanding of</p> <p>13 the audits that had already occurred?</p> <p>14 <b>A. Well, when I came into post, I was aware that there had</b></p> <p>15 <b>been a programme of diocesan audits and the religious</b></p> <p>16 <b>safeguarding commissions, and my predecessor had</b></p> <p>17 <b>conducted the diocesan audits and some of the religious</b></p> <p>18 <b>commission ones, and there were some left for me to</b></p> <p>19 <b>complete when I came into post.</b></p> <p>20 Q. There were four audits yet to be completed, and you</p> <p>21 completed those --</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. -- in order for the whole programme to be completed?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. What was your feeling about how the audits were</p> <p style="text-align: center;">Page 68</p>

<p>1 conducted?</p> <p>2 <b>A. I thought that they covered several areas, very</b></p> <p>3 <b>important areas to cover. But I was concerned that they</b></p> <p>4 <b>didn't look in sufficient detail to certain areas.</b></p> <p>5 Q. Would "tick-box exercise" be fair or unfair?</p> <p>6 <b>A. I think it was more than a tick-box exercise. You know,</b></p> <p>7 <b>they did look at cases and they did look at, you know,</b></p> <p>8 <b>the files and DBS processing, or CRB as it was then, so</b></p> <p>9 <b>I do think it was more than a tick-box exercise. But</b></p> <p>10 <b>I don't think it gave sufficient weight to particular</b></p> <p>11 <b>themes --</b></p> <p>12 Q. We will come on to --</p> <p>13 <b>A. -- because it was broad, and there is a place for both,</b></p> <p>14 <b>I would say.</b></p> <p>15 Q. Now, between 2015 and 2018, CSAS did not select any</p> <p>16 diocese or religious institutions for further audit,</p> <p>17 save for two examples, and I will come on to those in</p> <p>18 a moment. But why was it that CSAS didn't select</p> <p>19 anywhere for audit during that three-year period?</p> <p>20 <b>A. Because there had been the first programme of audit,</b></p> <p>21 <b>I wasn't aware that there was a need to revisit any of</b></p> <p>22 <b>them, and we were working on a review of policy and</b></p> <p>23 <b>procedure, and also looking at what was an appropriate</b></p> <p>24 <b>methodology or structure for ongoing quality assurance</b></p> <p>25 <b>work.</b></p> <p style="text-align: center;">Page 69</p>	<p>1 Q. The two exceptions were, the Archdiocese of Westminster</p> <p>2 and the Diocese of Hallam?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Why was the Archdiocese of Westminster selected?</p> <p>5 <b>A. I didn't select either of them. I was approached by</b></p> <p>6 <b>the --</b></p> <p>7 Q. Sorry, that's my fault with my question. Why were they</p> <p>8 audited?</p> <p>9 <b>A. Westminster was audited because they had had a change of</b></p> <p>10 <b>safeguarding coordinator. The previous audit they felt</b></p> <p>11 <b>reflected the work that had gone before, and they wanted</b></p> <p>12 <b>me to go and have a look at the work that was being</b></p> <p>13 <b>undertaken under the current arrangements. And the</b></p> <p>14 <b>safeguarding coordinator by then had been in post for</b></p> <p>15 <b>a while and they wanted to see whether improvements were</b></p> <p>16 <b>being made.</b></p> <p>17 Q. That's the April 2016 audit, is it? I'm looking at</p> <p>18 page 4 of your statement, 2.21.</p> <p>19 <b>A. Yes, that would be right, yes.</b></p> <p>20 Q. Could you help us, please, with why the</p> <p>21 Diocese of Hallam was audited?</p> <p>22 <b>A. Yes, that came out of a discussion around some difficult</b></p> <p>23 <b>staffing -- a difficult staffing situation that they</b></p> <p>24 <b>had, and they were concerned about the quality of</b></p> <p>25 <b>the work that had been undertaken within the diocese.</b></p> <p style="text-align: center;">Page 70</p>
<p>1 Q. Just to help us understand it, who is "they"?</p> <p>2 <b>A. Sorry, by this time, there was a temporary -- an interim</b></p> <p>3 <b>safeguarding coordinator in post, who worked in</b></p> <p>4 <b>a different part of the -- she worked in education and</b></p> <p>5 <b>counselling within the diocese in a different role, and</b></p> <p>6 <b>she had contacted me, I believe it was her. I think I'd</b></p> <p>7 <b>also had a discussion with the commission chair.</b></p> <p>8 <b>I can't be absolutely precise, from memory, who. But we</b></p> <p>9 <b>had discussions about -- you know, that they wanted</b></p> <p>10 <b>somebody to come and have a look, perhaps, to see the</b></p> <p>11 <b>extent of the difficulties, somebody with a safeguarding</b></p> <p>12 <b>background.</b></p> <p>13 Q. In what I would call an ad hoc audit like that,</p> <p>14 something that's been done upon request, or upon you</p> <p>15 being told of an issue, having completed an audit, is</p> <p>16 there a follow-up process thereafter for you to</p> <p>17 determine whether or not recommendations, if they had</p> <p>18 been made, have been implemented?</p> <p>19 <b>A. Yes. So if there are recommendations or areas for</b></p> <p>20 <b>improvement, however it's put out, we would receive an</b></p> <p>21 <b>action plan, and then, periodically, we would follow</b></p> <p>22 <b>that up.</b></p> <p>23 Q. Now, during this year, there has been, has there not,</p> <p>24 a planned programme of quality assurance across all of</p> <p>25 the 22 dioceses and all six religious safeguarding</p> <p style="text-align: center;">Page 71</p>	<p>1 commissions?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. In a latter statement, you provide an update on that.</p> <p>4 So I will go to that and then we will go back to this</p> <p>5 statement, please. If we go to the statement behind</p> <p>6 your tab 4, paragraphs 3 to 6, which are on pages 2 to 3</p> <p>7 of your statement.</p> <p>8 How is progress on the review?</p> <p>9 <b>A. So all of the dioceses and the religious commissions</b></p> <p>10 <b>have now been reviewed. We are finalising -- there are</b></p> <p>11 <b>one or two reports still to finalise, but the rest are</b></p> <p>12 <b>done and, if they are not, you know, they're in their</b></p> <p>13 <b>final draft, some of them, but they are -- the work is</b></p> <p>14 <b>completed, apart from collating it or writing it up into</b></p> <p>15 <b>an overview report.</b></p> <p>16 Q. You also, following the case study of this inquiry into</p> <p>17 the Archdiocese of Birmingham -- have you had the</p> <p>18 opportunity to look at the Archdiocese of Birmingham</p> <p>19 since then?</p> <p>20 <b>A. Yes. So the Archdiocese of Birmingham was going to be</b></p> <p>21 <b>visited later in the year, because it had been under</b></p> <p>22 <b>a great deal of scrutiny already, and we -- they had new</b></p> <p>23 <b>staffing, so we were giving the opportunity to see how</b></p> <p>24 <b>that would turn around.</b></p> <p>25 <b>Increased resourcing to CSAS meant that we could</b></p> <p style="text-align: center;">Page 72</p>

<p>1 actually complete this work sooner than originally                  2 anticipated, so we went earlier. The audit of                  3 Birmingham was undertaken by Christine Edgar, who is the                  4 safeguarding manager in my team, and she has noted the                  5 improvements. There are improvements in place. There                  6 is regular supervision of the staff, and the additional                  7 resource that Birmingham had put in was turning the                  8 cases around into making sure that they were properly                  9 reviewed and managed as they should be.</p> <p>10 Q. I'm sorry to jump around, but to go back to your earlier                  11 statement, which is behind tab 3, and if we go to                  12 page 7, please, paragraph 12. You describe the process                  13 for addressing the findings of the audit. Can you                  14 explain what that process is, please? Do you require an                  15 action plan, for example?</p> <p>16 A. Yes. Yes. If there are recommendations or areas for                  17 improvement or development, we require an action plan.                  18 That will be sent in to CSAS and then, periodically, we                  19 will ask for updates on that.</p> <p>20 Sometimes the diocese or the commission will just                  21 send us updates as they complete actions on it.</p> <p>22 Q. The action plan itself would give a timescale, would it,                  23 for things -- if you have identified an area that needs                  24 to be improved on, you provide a timescale?</p> <p>25 A. Not always, because it is not always -- it is not always</p> <p style="text-align: center;">Page 73</p>	<p>1 easy or straightforward to determine how soon a diocese                  2 or a religious commission can achieve a particular                  3 thing, because I don't have control over their                  4 resources, and I think they are best placed to consider                  5 that and determine that.</p> <p>6 I think if an action plan comes back and there are                  7 significant delays, it keeps coming back with things not                  8 moving on, then there will be dialogue about, you know,                  9 what the obstacles are to that.</p> <p>10 Q. I want to go now, please, to page 9 of your statement                  11 and the topic of reviews and changes to the CSAS audit                  12 process. At paragraph 19 you say that you are not aware                  13 of any external reviews of the CSAS auditing process                  14 since the Flack Report, which was before your tenure.                  15 Is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. None have been commissioned by CSAS since your                  18 appointment. The audit programme that we -- the earlier                  19 one, the one that predated your involvement with CSAS,                  20 as you say, focused on compliance with national policies                  21 and procedures in a range of areas: CRB and safe                  22 recruitment practice; induction, supervision, support                  23 and training; casework and recording practice. You have                  24 already given your view as to that. I want to look,                  25 please, at paragraph 22.</p> <p style="text-align: center;">Page 74</p>
<p>1 You undertook a review of a quality assurance                  2 process, did you?</p> <p>3 A. Yes.</p> <p>4 Q. Or of the processes and priorities?</p> <p>5 A. Yes, this is what I was referring to earlier, when we                  6 were considering the previous audit programme and                  7 considering moving it into something that was perhaps                  8 more thematic.</p> <p>9 Q. A copy has been provided to the inquiry but you                  10 summarise the following areas, the areas that they                  11 address, don't you?</p> <p>12 A. Yes.</p> <p>13 Q. So at paragraph 22.1: prevention of harm and promotion                  14 of well-being; creating safer environments;                  15 communication; safe recruitment; movement of clergy and                  16 religious; management of safeguarding concerns and                  17 allegations; risk identification; assessment and                  18 management; response of the church to survivors/victims                  19 and others affected by abuse within the church;                  20 management and care of individuals accused or convicted                  21 of abuse; and governance.</p> <p>22 Now, does an audit -- any of the audits that took                  23 place in 2019, do they look at all of these topics, or                  24 just one of them?</p> <p>25 A. No, the 2019 audits look at management of safeguarding</p> <p style="text-align: center;">Page 75</p>	<p>1 concerns and allegations and risk identification,                  2 assessment and management.</p> <p>3 Q. So you have identified themes that you would like to be                  4 explored in an audit, but before undertaking the audit                  5 itself, you identify which of those themes are going to                  6 be looked at in depth?</p> <p>7 A. Yes, that was this year's approach, yes.</p> <p>8 Q. Just so that I am clear, that means governance, for                  9 example, is not looked at; you simply pick the themes                  10 and those are the only things that are looked at?</p> <p>11 A. Yes. For any particular audit. But if I could just add                  12 that, in terms of governance, alongside this, we have                  13 conducted three desktop pieces of work around the                  14 supervision arrangements for safeguarding coordinators,                  15 the line management arrangements for safeguarding                  16 coordinators and the membership of the Safeguarding                  17 Commission. So those are governance-related issues that                  18 we have looked at as a separate piece of work, but they                  19 didn't involve looking at case files, et cetera.</p> <p>20 Q. So in the audits that have been conducted this year, as                  21 you say, the two themes were: management of safeguarding                  22 concerns and allegations; and risk identification,                  23 assessment and management. Why were those two picked                  24 above the others?</p> <p>25 A. I think we felt -- this was a discussion with the NCSC.</p> <p style="text-align: center;">Page 76</p>

<p>1 <b>We recognised these were priority areas for the church</b>  2 <b>to understand or for us, nationally, to have an</b>  3 <b>understanding of whether the appropriate thresholds were</b>  4 <b>being applied to allegations and concerns being raised.</b>  5 Q. How did you identify -- what was it that gave you that  6 recognition, if you like?  7 <b>A. I think it was some of the reporting from this inquiry.</b>  8 <b>We had had ongoing discussions in the NCSC since I have</b>  9 <b>been in post about, how do we know things are being done</b>  10 <b>as they should be done? So I think it was an evolution.</b>  11 Q. Do you say in paragraph 26 that, when focusing on these  12 two areas, CSAS will look at the referral of allegations  13 and concerns to statutory authorities, and the purpose  14 of this part of the quality assurance exercise is to  15 understand the factors that influence decisions to refer  16 or not to refer allegations or concerns to statutory  17 agencies, establish what other actions, if any, were  18 taken in cases where allegations were made or concerns  19 were raised, and establish whether there are any  20 allegations or concerns that were not referred, but  21 should have been, and to ensure that the appropriate  22 referral is made.  23 In paragraph 27, was there an issue as to how good  24 communication was between safeguarding coordinators and  25 the local police service? Is that what's described</p> <p style="text-align: center;">Page 77</p>	<p>1 there?  2 <b>A. Yes. So paragraph 27 relates to some of</b>  3 <b>the difficulties experienced by safeguarding</b>  4 <b>coordinators. They want to make a referral directly</b>  5 <b>into the police and don't always have a local contact,</b>  6 <b>so they end up dialling 101, and end up speaking with</b>  7 <b>a call handler who doesn't perhaps always appreciate the</b>  8 <b>nature of the concern or that they want to make an</b>  9 <b>allegation. So that was a difficulty not experienced by</b>  10 <b>all dioceses; some dioceses have very strong and</b>  11 <b>productive relationships with police and the</b>  12 <b>statutory -- you know, the other statutory authorities,</b>  13 <b>very good working relationships, but it was an issue for</b>  14 <b>some.</b>  15 Q. At paragraph 28, you say that CSAS will also look at the  16 management of risk in relation to individuals within the  17 church about whom there are concerns, and that's been  18 part of the audit process this year, has it?  19 <b>A. Yes.</b>  20 Q. You have examined whether and when independent risk  21 assessments are being commissioned in cases where  22 concerns remain about individuals?  23 <b>A. Yes.</b>  24 Q. The application of the independent risk assessments.  25 And you examine the use of safeguarding plans?</p> <p style="text-align: center;">Page 78</p>
<p>1 <b>A. Yes.</b>  2 Q. You examine the extent to which the restrictions and  3 support set out in safeguarding plans are informed by  4 evidence of known risks, and determine whether reviews  5 of safeguarding plans are carried out in accordance with  6 national policy and procedure.  7 I wanted to take you, please, to INQ004787, which is  8 a schedule, chair, behind your tab 11. This is  9 a schedule of recommendations proposed by interested  10 persons and witnesses. I just want to give you an  11 opportunity to respond to what's said at page 21 by  12 Robert Brown, a safeguarding coordinator and designated  13 safeguarding lead at the Diocese of Plymouth. He says  14 in particular on page 22, the following page:  15 "In respect of recent CSAS audits, these are, again,  16 very helpful, but are very limited and focused on one  17 area. Given the limited resourcing available to CSAS  18 and the time that such reviews take, this will always be  19 the case."  20 I wanted to give you an opportunity to respond to  21 that point.  22 <b>A. Yes. I mean, they are limited because they are thematic</b>  23 <b>and they are intended to be focused on particular areas</b>  24 <b>so that we can have a deeper look at those areas.</b>  25 <b>I would equally say there is a place for baseline</b></p> <p style="text-align: center;">Page 79</p>	<p>1 <b>quality assurance work that looks at a wide range of</b>  2 <b>areas.</b>  3 Q. Do you think, going forward, that the next round of  4 audits will pick two different topics and you will only  5 look at those two topics, or do you think that could  6 work in tandem with what you describe as baseline  7 quality assurance work?  8 <b>A. I think that's a discussion that I need to have with the</b>  9 <b>NCSC. I think we need to look at the benefit from this</b>  10 <b>audit and see whether it was a valuable exercise or not,</b>  11 <b>whether it provided the insights that we hoped. I think</b>  12 <b>we need to have a consideration about what those next</b>  13 <b>priorities would be, from the -- just listening to the</b>  14 <b>evidence from the hearings alone, the focus very much</b>  15 <b>needs to be on the response to victims and survivors,</b>  16 <b>I would say.</b>  17 <b>But I think we need to have a discussion about</b>  18 <b>whether it should be a wider approach than just a theme.</b>  19 <b>It is not a decision just for me, really.</b>  20 Q. Looking at enforceability of CSAS policies, so I'm  21 looking at page 12 of your statement which is behind  22 tab 3, it's been touched on slightly earlier in your  23 evidence today, but does it come down to this: CSAS does  24 not have any powers to ensure compliance with its  25 policies. You can bring matters of non-compliance to</p> <p style="text-align: center;">Page 80</p>

<p>1 the attention of bishops and religious leaders, and it                  2 is their responsibility to ensure that policies are                  3 complied with and take remedial action where there are                  4 concerns?                  5 <b>A. Yes.</b>                  6 Q. That said, you say at paragraph 30 that you have never                  7 known a situation where there has been an active refusal                  8 by a diocese or religious institution to comply with                  9 a CSAS policy, nor, am I right in saying, any part of                  10 the church deliberately adopting a policy that was not                  11 consistent with CSAS policy in relation to safeguarding?                  12 <b>A. Not that I'm aware of.</b>                  13 Q. Not that you're aware of?                  14 <b>A. Not that I'm aware of, yes.</b>                  15 Q. But you acknowledge that some commissions have not                  16 always been compliant with policy and procedure?                  17 <b>A. Yes, I think, you know, we know from the quality                  18 assurance exercise that was undertaken from 2010, and                  19 from this one, that there are some areas of                  20 non-compliance.</b>                  21 Q. You have been able to identify from the audits carried                  22 out this year that there is non-compliance; is that                  23 right?                  24 <b>A. There are some areas of non-compliance, and, looking at                  25 the -- why we were keen to look thematically was so we</b></p> <p style="text-align: center;">Page 81</p>	<p>1 <b>could actually try to understand why. So rather than                  2 just say, for example, a safeguarding plan wasn't                  3 reviewed in accordance with the timescales and the                  4 national procedures, it's quite important to understand                  5 why that was. So it was moving away from this -- you                  6 referred earlier to a tick-box exercise. This is trying                  7 to move away from something that just says                  8 "non-compliant", to saying, "Let's look at the reasons                  9 why", and it may be that the timescales are not                  10 appropriate. You know, there will be all sorts of                  11 reasons.</b>                  12 Q. The findings in these audits, will they be published?                  13 <b>A. They will be -- I don't know if they will be published                  14 publicly. I don't have an answer to that, I'm afraid.</b>                  15 Q. Will they form part, for example, of the NCSC annual                  16 reports that are published on their website?                  17 <b>A. I think the themes probably will, yes.</b>                  18 Q. But the audit for an individual part of the diocese may                  19 or may not be available on their website in due course,                  20 for example? That discussion hasn't taken place?                  21 <b>A. No.</b>                  22 Q. You talk in your witness statement about what was found                  23 by the SCIE report on the Archdiocese of Birmingham that                  24 highlighted, as you described it, "Little was seen that                  25 related to the national safeguarding policies and</p> <p style="text-align: center;">Page 82</p>
<p>1 procedures and the auditors saw little evidence of CSAS                  2 resources being routinely used". When you read that,                  3 were you surprised?                  4 <b>A. Sorry, can I just --</b>                  5 Q. Yes, of course. Paragraph 31, page 12 of the statement.                  6 When you read that, what was your reaction?                  7 <b>A. Yes, because I would have expected the diocese to be                  8 working in accordance with national policy and                  9 procedure.</b>                  10 Q. Indeed, you produced a statement on 22 October 2018 --                  11 to put that in context, the SCIE report was published                  12 in November 2018. That should be, Dr Limbrick, your                  13 tab 13. I want to go to page 4 of that. Can I have                  14 this brought up on screen, please. The document is                  15 CSA005794. I'd like to go to page 4 of that document,                  16 please, paragraph 12. You were asked whether or not the                  17 Archdiocese of Birmingham adheres to national policies                  18 and guidelines when handling cases of child sexual                  19 abuse, and at paragraph 12, you set out, in a similar                  20 way as you had done earlier in your evidence about                  21 actually what the role of CSAS is, and that it is not                  22 a policing service. Is that the point being made,                  23 perhaps? That you wouldn't necessarily know how the                  24 Archdiocese of Birmingham was doing?                  25 <b>A. Not unless we had been out to undertake some quality</b></p> <p style="text-align: center;">Page 83</p>	<p>1 <b>assurance, and we hadn't at the time of writing the                  2 statement or at the time of the publication of the SCIE                  3 report.</b>                  4 Q. Okay.                  5 <b>A. So I didn't actually know.</b>                  6 Q. Or you could say, "I wouldn't know. There hasn't been                  7 quality assurance, but, as far as I can tell from my                  8 limited dealings, I have no specific concerns"?                  9 <b>A. Yes, and they were limited, in that these were through                  10 conversations, perhaps, about cases, if the coordinator                  11 talked to me about a case, so in terms of her                  12 understanding of policy and procedure, for example, that                  13 was demonstrated in that discussion, but I certainly                  14 hadn't been there and couldn't make any meaningful                  15 comment.</b>                  16 Q. Yes. You couldn't make meaningful comment because,                  17 really --                  18 <b>A. I didn't know.</b>                  19 Q. -- your experience was limited to those conversations as                  20 you've described?                  21 <b>A. Yes --</b>                  22 Q. I take it --                  23 <b>A. -- those types of things.</b>                  24 Q. -- that had the safeguarding coordinator, for example,                  25 never called you to ask for advice, your experience of</p> <p style="text-align: center;">Page 84</p>

<p>1 the archdiocese would have been nil?</p> <p>2 <b>A. Yes, I would say so.</b></p> <p>3 Q. So the question I want to ask is this: during that</p> <p>4 period of 2015 to 2018 in which you're developing</p> <p>5 policy, is your ability to develop that policy</p> <p>6 effectively hindered by the fact that you don't have</p> <p>7 knowledge of what is going on on the ground in certain</p> <p>8 parts of the church?</p> <p>9 <b>A. I think knowledge about what is going on on the ground</b></p> <p>10 <b>is why we consult on the policies and procedures so</b></p> <p>11 <b>widely, so that they are informed by people who are</b></p> <p>12 <b>actually using them and undertaking the casework, for</b></p> <p>13 <b>example.</b></p> <p>14 Q. But have you ever -- in those consultations, has</p> <p>15 a safeguarding coordinator ever said to you, "by the</p> <p>16 way, I don't follow national procedures"?</p> <p>17 <b>A. No, they wouldn't say that, but they may say, "Oh, that</b></p> <p>18 <b>wasn't my understanding", or, "Can we just clarify</b></p> <p>19 <b>what's expected here?"</b></p> <p>20 MR SAAD: I'm going to move on to another topic, chair.</p> <p>21 Would that be a convenient point for lunch?</p> <p>22 THE CHAIR: Yes. We will return at 2.00 pm.</p> <p>23 (1.00 pm)</p> <p>24 (The short adjournment)</p> <p>25 (2.00 pm)</p> <p style="text-align: center;">Page 85</p>	<p>1 THE CHAIR: Mr Saad?</p> <p>2 MR SAAD: Thank you, chair.</p> <p>3 The next topic is the "One Church" approach. Could</p> <p>4 I bring a document up on screen, please: CHC001743_001.</p> <p>5 Now, these are minutes of the meeting held on 7 June at</p> <p>6 the NCSC. The item under "Action list", which is under</p> <p>7 item 3, please, "Religious alignment":</p> <p>8 "James Boner advised that he had spoken to</p> <p>9 Kathy Perrin regarding her list of religious</p> <p>10 congregations. The list had been compiled from the</p> <p>11 internet and included Scottish orders and enclosed</p> <p>12 orders.</p> <p>13 "He advised members that CoR believes that all</p> <p>14 religious orders in England and Wales are now aligned to</p> <p>15 a local commission or one of the six religious</p> <p>16 commissions.</p> <p>17 "Helen Sheppard informed members that she was aware</p> <p>18 of one religious order which was not compliant. It was</p> <p>19 agreed that this information should be passed to the</p> <p>20 mixed commission."</p> <p>21 That was the position as understood by the NCSC</p> <p>22 in June 2016. Could I go, please, to bring another</p> <p>23 document up on screen, CHC001700, please. Under</p> <p>24 "Matters which do not appear on", under 3(ii):</p> <p>25 "The CoR executive has formally requested CSAS to</p> <p style="text-align: center;">Page 86</p>
<p>1 undertake a review of the arrangements for alignment of</p> <p>2 religious congregations to commissions within the</p> <p>3 dioceses of England and Wales. This review has yet to</p> <p>4 commence, but meantime, CSAS is reporting to the NCSC</p> <p>5 and CoR that the congregations in the table attached are</p> <p>6 not yet currently aligned.</p> <p>7 "CSAS to bring this matter to the attention of</p> <p>8 the bishops at their April 2018 plenary meeting with</p> <p>9 a request for bishops to agree the principle of how to</p> <p>10 respond in relation to congregations that refuse to</p> <p>11 align. Outcomes from bishops' plenary to be reported at</p> <p>12 the June NCSC meeting."</p> <p>13 With that in mind, can we go to NCS000012_001.</p> <p>14 Chair, it is behind your tab 8. Are you able to help</p> <p>15 us, is this the table that's referred to in the minutes</p> <p>16 of orders that are not aligned?</p> <p>17 <b>A. I believe, yes.</b></p> <p>18 Q. Can we go through each, please. Little Sisters of</p> <p>19 Jesus. Reason not aligned:</p> <p>20 "Exempted from arrangement due to 'nature of</p> <p>21 order'."</p> <p>22 Can you help with us that?</p> <p>23 <b>A. Yes, do you mind if I refer to some notes here, because</b></p> <p>24 <b>I have got some detail?</b></p> <p>25 Q. If it assists in giving your answer, please do.</p> <p style="text-align: center;">Page 87</p>	<p>1 <b>A. So the Little Sisters of Jesus, in 2013, it was agreed</b></p> <p>2 <b>that they were exempt from the alignment arrangements.</b></p> <p>3 <b>This religious order lives in social housing, it has no</b></p> <p>4 <b>official ministry or role with children.</b></p> <p>5 <b>They describe their presence as a presence of</b></p> <p>6 <b>prayer, sharing the ordinary life of their neighbours.</b></p> <p>7 <b>So that was the rationale behind that.</b></p> <p>8 Q. Who is it that makes the exemption or agrees to the</p> <p>9 exemption?</p> <p>10 <b>A. Well, that exemption was agreed by my predecessor,</b></p> <p>11 <b>I believe.</b></p> <p>12 Q. So the exemption is granted effectively by the director</p> <p>13 of CSAS?</p> <p>14 <b>A. That was, at that time, I believe.</b></p> <p>15 Q. That was, at that time?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. But Mr Child, as we heard yesterday, was quite</p> <p>18 extensively involved in the process -- of this process,</p> <p>19 wasn't he?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Missionary Order of the Apostles of Jesus. "Unable to</p> <p>22 make contact". What does that mean: that you didn't</p> <p>23 know how to contact them or you had contacted them and</p> <p>24 hadn't heard back?</p> <p>25 <b>A. I can't remember exactly which of those that is, but</b></p> <p style="text-align: center;">Page 88</p>

<p>1 <b>they are now aligned to Birmingham.</b></p> <p>2 Q. The Society of Catholic Medical Missionaries.</p> <p>3 "Withdrawn from agreement". Are you able to help us</p> <p>4 with what happened there?</p> <p>5 <b>A. Yes, they said that they were withdrawing from the</b></p> <p>6 <b>agreement on the basis that they couldn't pay the</b></p> <p>7 <b>financial levy. With alignment, the religious orders</b></p> <p>8 <b>pay a levy per member.</b></p> <p>9 Q. Is there anything you can do about that?</p> <p>10 <b>A. Yes. Yes, absolutely. So we are -- when I go to the</b></p> <p>11 <b>bishops' plenary meeting in November, we will be</b></p> <p>12 <b>proposing that there is -- alignment isn't an</b></p> <p>13 <b>invitation, you're not invited to align, you are aligned</b></p> <p>14 <b>by virtue of being present in a diocese. That's the</b></p> <p>15 <b>position that should be taken.</b></p> <p>16 <b>The financial levy is a completely separate matter,</b></p> <p>17 <b>in my opinion, and in the opinion of the NCSC.</b></p> <p>18 Q. So following March 2018, you went to the bishops'</p> <p>19 meeting in November 2018, or you were about to go to</p> <p>20 the November meeting?</p> <p>21 <b>A. So I'm talking about taking this proposal back</b></p> <p>22 <b>in November of this year, but this matter has been to</b></p> <p>23 <b>the bishops' plenary meetings before.</b></p> <p>24 Q. Sisters for Christian Community. "CSAS note: nature of</p> <p>25 their community means they cannot be classified as an</p> <p style="text-align: center;">Page 89</p>	<p>1 order and they have had no public ministry</p> <p>2 since July 2013."</p> <p>3 So similar to what we heard earlier, when another</p> <p>4 order had been given an exemption?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Benedictine Sisters. "Refused alignment". Do you know</p> <p>7 the rationale behind the refusal?</p> <p>8 <b>A. No. We have tried to do some work behind this, and I'm</b></p> <p>9 <b>going to make a joint visit with a colleague of mine</b></p> <p>10 <b>later this year. We are trying to understand the actual</b></p> <p>11 <b>nature of their ministry and to get to the bottom of</b></p> <p>12 <b>what the issues are.</b></p> <p>13 Q. Can I perhaps get more of a flavour for the</p> <p>14 correspondence that flows, up to the point you get to</p> <p>15 here, which is the refusal. Who is it that approaches</p> <p>16 the order and talks to them about whether they're</p> <p>17 aligned or not and how they ...?</p> <p>18 <b>A. In the first instance, it would have been CSAS, when</b></p> <p>19 <b>alignment was initially set up, and then, as new orders</b></p> <p>20 <b>are found to be in the country, then we may be notified</b></p> <p>21 <b>of those by a diocese, or it may be that they just</b></p> <p>22 <b>surface and the safeguarding coordinator would tell us.</b></p> <p>23 <b>So we would make contact with them.</b></p> <p>24 <b>But, often, the diocese would have made contact with</b></p> <p>25 <b>them in the first instance to talk about the</b></p> <p style="text-align: center;">Page 90</p>
<p>1 <b>requirements to align and to link them into the diocesan</b></p> <p>2 <b>office. We would send letters in relation to alignment</b></p> <p>3 <b>explaining the need for the agreement.</b></p> <p>4 Q. In this situation, you have heard back from them,</p> <p>5 "Sorry, no, we don't want to align", and they have or</p> <p>6 haven't given a reason for it?</p> <p>7 <b>A. I can't tell you off the top of my head, I'm afraid.</b></p> <p>8 <b>I'd have to look at the records.</b></p> <p>9 Q. But the position is, you are hoping to have dialogue</p> <p>10 with them in the future?</p> <p>11 <b>A. Yes. There has been ongoing dialogue. My colleague,</b></p> <p>12 <b>Mrs Eileen Campling, who works with CSAS on this, visits</b></p> <p>13 <b>the orders and explains the alignment process and what</b></p> <p>14 <b>the expectations are.</b></p> <p>15 Q. Carmelite of Mary Immaculate:</p> <p>16 "11 priests of this order work in parishes in</p> <p>17 Southwark, Westminster, Cardiff and Wrexham Dioceses.</p> <p>18 They are all aligned to the separate dioceses."</p> <p>19 So you're saying, because they are already aligned</p> <p>20 to other parts of the safeguarding structure, there is</p> <p>21 no need for the order itself to be aligned to the</p> <p>22 diocese --</p> <p>23 <b>A. To any particular diocese --</b></p> <p>24 Q. -- or a religious safeguarding commission?</p> <p>25 <b>A. -- because they are spread out. We are aware that there</b></p> <p style="text-align: center;">Page 91</p>	<p>1 <b>are four Carmelites in Wrexham and the Wrexham office</b></p> <p>2 <b>has confirmed with us that they are well known to them,</b></p> <p>3 <b>they are linked in to them for safeguarding purposes.</b></p> <p>4 Q. On to the next page of the same document, please, two</p> <p>5 left. College Sisters of the Holy Trinity/Italian</p> <p>6 Catholic Mission. "Unable to make contact".</p> <p>7 <b>A. They have returned to Italy, which is why they couldn't</b></p> <p>8 <b>be located.</b></p> <p>9 Q. How did you know -- how do you know that?</p> <p>10 <b>A. Mrs Eileen Campling tracked -- made attempts to track</b></p> <p>11 <b>them down and found that out.</b></p> <p>12 Q. Finally, St Hugh's Charterhouse. "Refusal to align -</p> <p>13 solitary life". That's the rationale behind the</p> <p>14 refusal, is it?</p> <p>15 <b>A. That's what I understand. The Bishop of Arundel and</b></p> <p>16 <b>Brighton is in contact with them. He visits them and</b></p> <p>17 <b>they are aware that they have access to safeguarding in</b></p> <p>18 <b>Arundel and Brighton.</b></p> <p>19 Q. I want to move on to the next topic, please, which is</p> <p>20 the Safe Spaces Project. You talk about that in your</p> <p>21 statement which is behind tab 4, CSA005921.</p> <p>22 Dr Limbrick, if you could go to page 12 of that</p> <p>23 statement, that is where you set out the background, and</p> <p>24 so forth, of that project. Do you have that in front of</p> <p>25 you?</p> <p style="text-align: center;">Page 92</p>

<p>1 <b>A. Yes, I do.</b></p> <p>2 Q. Could you describe, please, what the Safe Spaces Project</p> <p>3 is?</p> <p>4 <b>A. Yes. It's a collaboration between the Catholic Church</b></p> <p>5 <b>of England and Wales and the Church of England, and it</b></p> <p>6 <b>is for the commission -- well, it will be a national</b></p> <p>7 <b>helpline and it will also be a network of</b></p> <p>8 <b>community-based therapeutic services, and there will be</b></p> <p>9 <b>some advocacy provision as well. There is also</b></p> <p>10 <b>provision for small grants to develop localised services</b></p> <p>11 <b>for the benefit of victims and survivors of abuse.</b></p> <p>12 <b>It's a Christian approach to it, rather than</b></p> <p>13 <b>strictly a Catholic approach to it, and we will be</b></p> <p>14 <b>appointing an external organisation to run this</b></p> <p>15 <b>provision.</b></p> <p>16 Q. When do you think it will be -- go live?</p> <p>17 <b>A. February next year is the anticipated date.</b></p> <p>18 Q. Towards a Culture of Safeguarding, which you deal with</p> <p>19 on page 17 of the same statement, can you tell us what</p> <p>20 Towards a Culture of Safeguarding is?</p> <p>21 <b>A. I think, essentially, it's a set of standards and</b></p> <p>22 <b>requirements for -- so they're standards around</b></p> <p>23 <b>training, they're standards for the safeguarding</b></p> <p>24 <b>commissions, and some of those fit into current</b></p> <p>25 <b>safeguarding policy and procedures and others sit alone</b></p> <p style="text-align: center;">Page 93</p>	<p>1 <b>in the TACOS document.</b></p> <p>2 Q. It set out ten recommendations, did it?</p> <p>3 <b>A. That's right.</b></p> <p>4 Q. I won't go through each one, but can I pick a few and</p> <p>5 ask for your comment on them. Recommendation 2, which</p> <p>6 is on page 18, talks about national minimum standards</p> <p>7 for training that should be developed for and with</p> <p>8 priests. The process for setting national standards to</p> <p>9 provide an opportunity for a dialogue with priests and</p> <p>10 other clergy concerning the barriers to engagement in</p> <p>11 training and how these might be resolved. How has that</p> <p>12 recommendation been implemented?</p> <p>13 <b>A. So there is a national -- there is national training,</b></p> <p>14 <b>there are three modules for clergy, and the same</b></p> <p>15 <b>training corresponds to parish safeguarding</b></p> <p>16 <b>representatives, which also features in this, and those</b></p> <p>17 <b>modules are delivered through the diocesan officers.</b></p> <p>18 <b>They have been recently updated and they're due to be</b></p> <p>19 <b>developed further to involve the perspective of</b></p> <p>20 <b>the Survivor Advisory Panel.</b></p> <p>21 Q. Recommendation 3, which is on the next page:</p> <p>22 "Discussion should take place at a national and</p> <p>23 local level to identify ways to raise the profile of</p> <p>24 safeguarding as a positive occurrence, including ways to</p> <p>25 celebrate good practice. Examples are Sunday dedicated</p> <p style="text-align: center;">Page 94</p>
<p>1 to safeguarding, celebration of well-being, the Catholic</p> <p>2 Communications Network actively looking for and</p> <p>3 reporting positive safeguarding stories."</p> <p>4 Do you feel that recommendation has been</p> <p>5 implemented?</p> <p>6 <b>A. Yes, I think it's work in progress. That's not</b></p> <p>7 <b>a recommendation that you can sign off and say, "We have</b></p> <p>8 <b>done that". It has to be relentless.</b></p> <p>9 Q. Do you feel there's still work to be done to really</p> <p>10 embed safeguarding into the culture of the church?</p> <p>11 <b>A. I think we have to continue to embed it. I think</b></p> <p>12 <b>there's evidence of it being embedded. I think we have</b></p> <p>13 <b>to continue, because we have orders coming into the</b></p> <p>14 <b>country and orders leaving the country, we have new</b></p> <p>15 <b>people coming into posts, we have clergy being ordained.</b></p> <p>16 <b>It is something that just has to keep going.</b></p> <p>17 Q. Finally, recommendation 10, which is on your page 22,</p> <p>18 please:</p> <p>19 "Those accountable for budget allocation in dioceses</p> <p>20 need to review processes and procedures for identifying</p> <p>21 safeguarding needs and to ensure their budget is</p> <p>22 adequate to ensure safe process and minimisation of</p> <p>23 risk. Dioceses may find it helpful if a needs</p> <p>24 assessment tool were available to assist them in their</p> <p>25 task."</p> <p style="text-align: center;">Page 95</p>	<p>1 Do you have any oversight on that, or do you have</p> <p>2 any real working knowledge of how budgets are allocated</p> <p>3 within certain parts of the church?</p> <p>4 <b>A. No.</b></p> <p>5 Q. So you're unable to comment as to whether or not that</p> <p>6 recommendation is being implemented or not?</p> <p>7 <b>A. I can comment insofar as the quality assurance that we</b></p> <p>8 <b>did with the religious safeguarding commissions, as part</b></p> <p>9 <b>of the 2010 onwards programme, was looking at the work</b></p> <p>10 <b>of the commissions, and one of the questions was around</b></p> <p>11 <b>whether the needs assessment was taking place. But</b></p> <p>12 <b>I can't give you the detail of that because I don't have</b></p> <p>13 <b>access to that here and now.</b></p> <p>14 Q. I'm going to move on, please, to one discrete topic,</p> <p>15 indeed, one question, before I move on to the Edi Carmi</p> <p>16 report.</p> <p>17 We understand from Kathy Perrin that CIS, the</p> <p>18 Catholic Insurance Service, and CSAS are revisiting</p> <p>19 guidance for the church on the handling of civil claims.</p> <p>20 Can I ask you, how are the views of victims and</p> <p>21 survivors being taken onboard during this exercise?</p> <p>22 <b>A. The Survivor Advisory Panel will be consulted with on</b></p> <p>23 <b>it, so within that context only.</b></p> <p>24 Q. Can we please bring up on screen INQ004779.</p> <p>25 Dr Limbrick, you will be aware that Edi Carmi has been</p> <p style="text-align: center;">Page 96</p>



<p>1 asked to review a number of safeguarding files, and she                  2 looked at a number from the diocese and archdiocese and                  3 also religious orders.                  4 <b>A. Yes.</b>                  5 Q. She was also asked to conduct a review of CSAS policies,                  6 and has produced that as part 2 of her report, which is                  7 the document we see.                  8 What I would like to do, please, is take you to                  9 certain paragraphs within that report to give you an                  10 opportunity to respond to some parts of it.                  11 <b>A. Yes.</b>                  12 Q. Can we go to paragraph 1.2.5, please, which is on                  13 page 4. This is a concluding paragraph in a section                  14 about the overall structure and accessibility of                  15 the CSAS procedures. She says:                  16 "Overall, this splitting of procedural instructions                  17 between so many locations risks staff being unable to                  18 locate exactly the right procedure at the time it is                  19 needed. It certainly led to the auditors struggling to                  20 do so. It would be better to have all procedures                  21 incorporated together, with forms, et cetera, in an                  22 appendix. Policy and guidance material could be                  23 separate documents, or separate chapters in one manual                  24 specifically addressing the church's handling of                  25 allegations of child abuse."                  Page 97</p>	<p>1 What's your view of that, please?                  2 <b>A. Well, there is one manual, and it has separate chapters.</b>                  3 <b>There are a number of underpinning principles to the</b>                  4 <b>policies and procedures which is around safe</b>                  5 <b>recruitment, the referral of allegations and concerns,</b>                  6 <b>the management of risk, and then there's guidance around</b>                  7 <b>creating safe environments, and all of those core</b>                  8 <b>principles underpin the different sections of</b>                  9 <b>the manual.</b>                  10 <b>Now, there's a document that was brought up</b>                  11 <b>yesterday afternoon which relates to the management of</b>                  12 <b>concerns and allegations.</b>                  13 Q. For children?                  14 <b>A. For children, yes. And there's an equivalent for</b>                  15 <b>adults. I appreciate that's outside of here.</b>                  16 <b>Within that, it sets out in detail different stages</b>                  17 <b>and processes. I think one of the challenges is, there</b>                  18 <b>are more detailed procedures relating to parts of that</b>                  19 <b>document, or there are additional documents to</b>                  20 <b>supplement that, and when we consulted on the policies</b>                  21 <b>and procedures, we had to consider whether everything</b>                  22 <b>should be contained in one very long document for people</b>                  23 <b>to work through or whether we made reference to things</b>                  24 <b>and then created the detail into another document.</b>                  25 <b>I think it is very challenging to get it right.</b>                  Page 98</p>
<p>1 <b>I really do. I think that the procedures do follow</b>                  2 <b>through, but maybe I'm saying that because I'm working</b>                  3 <b>within it.</b>                  4 Q. Who -- the procedures, and to take the one we referred                  5 to yesterday as an example, who are they meant for?                  6 <b>A. They are aimed at a wide audience, and this is one of</b>                  7 <b>the challenges.</b>                  8 Q. It may be a layperson --                  9 <b>A. Yes.</b>                  10 Q. -- or somebody who may be a safeguarding coordinator                  11 with tremendous experience?                  12 <b>A. Absolutely, yes. The nature of the ministry within the</b>                  13 <b>church is, it's being -- ministry is taking place at</b>                  14 <b>a parish level, with lots of volunteers and parish</b>                  15 <b>safeguarding reps. It is important that they know what</b>                  16 <b>to do if they are concerned about something or need to</b>                  17 <b>pass on an allegation.</b>                  18 <b>Equally, the procedures are read by people that are</b>                  19 <b>affected by them, not just victims and survivors, but</b>                  20 <b>people who have been accused, so they often will want to</b>                  21 <b>refer to the section that relates to them.</b>                  22 <b>Because we are not -- we are having to deal with</b>                  23 <b>some civil processes and we are also dealing with the</b>                  24 <b>penal side of things, the things that exist in Canon</b>                  25 <b>law, which are not the province of a safeguarding</b>                  Page 99</p>	<p>1 <b>coordinator but still need to be referred to or there</b>                  2 <b>needs to be information available about.</b>                  3 Q. Can we go, please, to the bottom of the same page, which                  4 is "Omissions":                  5 "The current procedures do not provide any specific                  6 mention of how to manage non-recent allegations, when an                  7 adult reports childhood abuse. The procedures state                  8 that there is no difference between these and current                  9 allegations, but this does not take account of reporting                  10 arrangements when the alleged perpetrator is deceased,                  11 or the required responses when the alleged victim does                  12 not want the matter reported to the police."                  13 What is your position on that, please?                  14 <b>A. It is not contained within the main body of</b>                  15 <b>the procedures. The quick guide flowchart does make</b>                  16 <b>reference to reporting if somebody is deceased. So</b>                  17 <b>I absolutely agree that needs to be made explicit in the</b>                  18 <b>main body of the procedures.</b>                  19 <b>In the adult -- the reporting of allegations and</b>                  20 <b>concerns relating to adults, we do deal with what to do</b>                  21 <b>if the adult doesn't wish to proceed with making the</b>                  22 <b>complaint. So I think we have addressed it, but we</b>                  23 <b>haven't moved it over into this.</b>                  24 Q. Yesterday, we brought up a flowchart, and there was                  25 a box which spoke about past?                  Page 100</p>

<p>1 <b>A. Yes.</b>                  2 Q. But your point is, it's on the flowchart, it's not                  3 actually in the main procedures, and perhaps it ought to                  4 be?                  5 <b>A. Yes, absolutely.</b>                  6 Q. Paragraph 2.9.2, please, on page 11 in the URN. This                  7 was a paragraph that we referred to in evidence                  8 yesterday. I will read the paragraph which is taken                  9 from the procedures and put into the report italicised:                  10 "There are occasions during an investigation when                  11 there is a need to prevent scandal, protect the freedom                  12 of witnesses and to safeguard the course of justice, and                  13 so a temporary withdrawal from ministry, ecclesiastical                  14 office or other post within the church is necessary."                  15 The view expressed there is that, by citing "prevent                  16 scandal" as the first reason for temporary removal, that                  17 may suggest to the reader that the Catholic Church may                  18 be more motivated by reputation than by the need to                  19 protect children.                  20 Do you accept that that is an impression that could                  21 be given?                  22 <b>A. Yes, I do, because when the matter was raised yesterday</b>                  23 <b>afternoon, my first thought was, how on earth did we let</b>                  24 <b>that sit there? And it wasn't until, of course, the</b>                  25 <b>information came forward that I was reminded that</b></p> <p style="text-align: center;">Page 101</p>	<p>1 <b>actually it had a different meaning, which is why, when</b>                  2 <b>it went through the consultation stage, it would have</b>                  3 <b>remained. We would have had the advice of a Canon</b>                  4 <b>lawyer on why it was there in the first place and what</b>                  5 <b>it meant. But I absolutely agree that having it at the</b>                  6 <b>front there, and without any footnote to explain its</b>                  7 <b>canonical meaning, it's not helpful.</b>                  8 Q. Isn't that the point, because, as you say, these                  9 procedures are meant for a wide spectrum of people, and                  10 without any reference to what the canonical sense of                  11 the word may be, people will take it as its ordinary                  12 meaning?                  13 <b>A. Yes. I do accept that, yes.</b>                  14 Q. You say it went through the consultation process, and                  15 "We would have been reminded of what it meant in the                  16 canonical sense". Did nobody say, "Well, we had better                  17 either make that clear or not use that word", and use                  18 language that's more common about what you are trying to                  19 convey?                  20 <b>A. I can only say I don't think anybody could have done,</b>                  21 <b>because we would have taken it into account.</b>                  22 Q. 2.10, please, section 10, which is offers of support:                  23 "Support for those affected by allegations of abuse                  24 within the church setting."                  25 What it says is:</p> <p style="text-align: center;">Page 102</p>
<p>1 "Section 10 helpfully sets out the different                  2 responsibilities of the safeguarding coordinator as                  3 opposed to the bishop/religious congregation leader,                  4 with the former responsible for the support of                  5 the alleged victim/survivor and family, and the latter                  6 for the accused person.                  7 "Whilst this should be clear, the audits found that,                  8 in practice, the safeguarding coordinator tended to deal                  9 with both, and very often only offered support to the                  10 accused person.                  11 "When this lack of support to the alleged victim/s                  12 was explained, it was either that the identity of                  13 the alleged victim/s was not known, or that support was                  14 being provided externally from the church, or that there                  15 was a police investigation/prosecution in progress.                  16 None of these rationales is appropriate as offers of                  17 support could be made via the police, agreeing with the                  18 investigating officer when to write a letter to be                  19 passed to alleged victims and agreeing what is to be                  20 offered and when. Police will usually agree to pass                  21 letters to alleged victims."                  22 Your view on that section, please?                  23 <b>A. I think it's a challenge in a small safeguarding team.</b>                  24 <b>I mean, the procedure of the policy position is clear,</b>                  25 <b>that we expect the safeguarding office to provide the</b></p> <p style="text-align: center;">Page 103</p>	<p>1 <b>support to victims and survivors, not primarily to the</b>                  2 <b>person that's accused. I think in a small office things</b>                  3 <b>can – a lot of things can fall to people, and sometimes</b>                  4 <b>people can end up trying to juggle both roles, but it's</b>                  5 <b>certainly not an ideal position to be in.</b>                  6 <b>Would you like to me to continue?</b>                  7 Q. Please.                  8 <b>A. In terms of the support, you know, I appreciate, in</b>                  9 <b>terms of these cases, the evidence that Edi Carmi has</b>                  10 <b>put forward, but there are some very good examples of</b>                  11 <b>support to victims and survivors in the church as well,</b>                  12 <b>and the safeguarding coordinators, who are</b>                  13 <b>professionals, social work backgrounds, police</b>                  14 <b>backgrounds --</b>                  15 Q. Can I perhaps suggest this, that if one looks across the                  16 piece, there will be some good examples and there will                  17 be some bad examples?                  18 <b>A. Yes, that's right.</b>                  19 Q. The reality is, the quality of what work can be done is                  20 inconsistent from one part of the church to the other?                  21 <b>A. Yes, I think that would be a fair statement. I don't</b>                  22 <b>think that's confined to the church, but, yes, it will</b>                  23 <b>be variable.</b>                  24 Q. Just to highlight the positive points in the report, if                  25 I can go to page 13, please, section 2.13, and beneath</p> <p style="text-align: center;">Page 104</p>

<p>1 that, 2.13.1. This is regarding section 13 of your  2 procedures: "Returning to the lay state/dispensation  3 from vows or the clerical state."  4 The view was:  5 "This section is excellent and should be seen as an  6 example for other religious denominations."  7 So I highlight that. Point 4.1.1, please, which is  8 on the same page at the bottom. This is "Disclosure of  9 abuse and the sacrament of reconciliation":  10 "This is the fourth document in chapter 2 of  11 the manual. It provides confidentiality for any  12 disclosure given in the context of the sacramental  13 confession. Whilst not unique to the Catholic Church,  14 this is of concern in terms of the paramouncy principle  15 of the Children Act 1989, ie is that the child's best  16 interest and welfare is the first and paramount  17 consideration."  18 Do you believe there is a tension between the  19 paramouncy principle and the confidentiality of  20 a disclosure in the context of the sacramental  21 confession?  22 <b>A. Yes, absolutely.</b>  23 Q. Finally, please, I want to look at INQ004787, which is  24 a document we referred to earlier, and it's a schedule  25 of recommendations proposed by interested persons and</p> <p style="text-align: center;">Page 105</p>	<p>1 witnesses. Before taking you to some specific  2 recommendations, there were some proposals that were  3 very common in the schedule, and I would like to ask  4 about them more broadly.  5 Mandatory reporting being put on a statutory  6 footing. What is your view on that?  7 <b>A. I think it is a very complex area. I am, in  8 principle -- I fully support mandatory reporting, but  9 I am aware that there are some sound arguments for  10 non-mandatory reporting, where it can potentially put  11 the child or young person -- can expose them to further  12 risk, and I think that's a complex area that needs  13 absolute consideration.</b>  14 Q. Have you formed a view yes or no in your own mind?  15 <b>A. No.</b>  16 Q. Independent auditing programme is another one. If I can  17 take you, please, to page 34 in this document. At the  18 bottom there, it's the beginning of what was written by  19 Bishop Marcus Stock in his statement. Can I go to the  20 next page, please, which shows the rest of what he said.  21 He says in the top right, we can see there:  22 "My principal concern is that, hitherto, the NCSC  23 has commissioned the Catholic Safeguarding Advisory  24 Service to audit the compliance of dioceses and  25 religious congregations, I believe that in the future an</p> <p style="text-align: center;">Page 106</p>
<p>1 independent body should be commissioned to carry out  2 this audit function instead. This is now the view of  3 the commission."  4 I also say, before I hand over to you, can we look  5 at Rachel O'Driscoll, a lay member of the NCSC -- is she  6 the lay vice-chair?  7 <b>A. The lay vice-chair, yes.</b>  8 Q. "The NCSC needs to be in a position to assess the degree  9 to which policies and procedures are being implemented.  10 While not wanting to pre-empt the findings of  11 the independent review of safeguarding structures, my  12 feeling is that there needs to be an independent,  13 comprehensive and systematic programme of audit in  14 place - with audit activity conducted by an external  15 body and the outputs reported to the NCSC (to inform its  16 strategic activity). Without a programme of this  17 nature, the degree to which a 'culture of  18 safeguarding/One Church' approach is being achieved  19 cannot be assessed in a systematic manner."  20 What's your view on the idea that auditing may be  21 done, or should be done, by an independent body?  22 <b>A. I think that there's pros and cons. I think it's  23 definitely advantageous to have an external body looking  24 at the work of the safeguarding within the church.  25 I also think that it can be helpful to have the ability</b></p> <p style="text-align: center;">Page 107</p>	<p>1 <b>to do it internally as well, because you can mobilise  2 fairly quickly if you need to perhaps look at  3 a particular area. So I think there's room for both.</b>  4 <b>I think one of the other -- the advantages of having  5 an external body look at it is, there is an inherent  6 tension, I feel, with CSAS as an advisory body drafting  7 up policy and procedure and also being the body that  8 then does the quality assurance, and I think that maybe  9 the breadth of all of those things in one place --  10 that's why I think external scrutiny would be helpful as  11 well.</b>  12 Q. Clergy to have their equivalent of the CoR's "Integrity  13 in Ministry" handbook. Do you agree that that ought to  14 be done?  15 <b>A. Yes, and I think that works in hand.</b>  16 Q. Do you know why it hasn't been done up to now?  17 <b>A. No, I don't know.</b>  18 Q. And a central case management or data management system.  19 What is your view on that? It isn't up on screen. I'm  20 asking you about a broad topic?  21 <b>A. I'm sorry.</b>  22 Q. Not at all. My fault.  23 <b>A. By that, do you mean CSAS having a central database?</b>  24 Q. Is it right that the church -- let's take the diocesan  25 structure alone. You've got those 22 parts of</p> <p style="text-align: center;">Page 108</p>

<p>1 the church. If there's an allegation made within the                  2 Archdiocese of Birmingham, for example, the Archdiocese                  3 of Birmingham will hold that information. But it won't                  4 be available to the Diocese of Middlesbrough, for                  5 example. But if an allegation were made against                  6 somebody in the Archdiocese of Birmingham and that                  7 person decided to move to the Diocese of Middlesbrough,                  8 and an allegation were made against that person there,                  9 the Diocese of Middlesbrough wouldn't know about the                  10 allegation in the Archdiocese of Birmingham necessarily.                  11 Do you agree with that, firstly?</p> <p>12 <b>A. There are other processes in place that in part address                  13 this, which is around the internal movement of clergy,                  14 for example, within England and Wales, and they have                  15 a celebret which says they are in good standing and, if                  16 they are not in good standing, then that celebret should                  17 be removed from them because they shouldn't be able to                  18 undertake any ministry. So that is one example of                  19 another process.</b></p> <p>20 Q. Would you qualify as being of good standing if an                  21 allegation had been made but was subsequently not                  22 proven?</p> <p>23 <b>A. I think we have to be careful with what we mean by -- so                  24 if it was proven to be it absolutely didn't happen and                  25 we would have, you know, police intelligence, for</b></p> <p style="text-align: center;">Page 109</p>	<p>1 <b>example, a statutory agency saying, "We are absolutely                  2 satisfied that was a malicious allegation", for example,                  3 that's one thing.</b></p> <p>4 Q. If an allegation had been made and it was decided that                  5 a criminal prosecution would not be -- would not secure                  6 conviction?</p> <p>7 <b>A. No, I mean, those -- there would still be concerns about                  8 that person, then, that the church would need to manage.</b></p> <p>9 Q. And so if that person decided to move to the Diocese of                  10 Middlesbrough, they would be informed about that?</p> <p>11 <b>A. They should be informed about that. I can't tell you if                  12 that happens. But, you see, there should be a dialogue                  13 between -- if you are incardinated into Birmingham, say,                  14 and you're going to move to another diocese, then there                  15 should be discussion between the bishops. So there                  16 should be information that's transferring.</b></p> <p>17 Q. That's a system that is reliant on individuals doing                  18 what they perhaps should do.</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Would a central management system, where all of                  21 the information is just in one place, take it out of                  22 the individuals and it is there in the system?</p> <p>23 <b>A. Yes, absolutely. I think it would help. It would make                  24 information accessible. I think some caveats around                  25 that type of information being available to everybody,</b></p> <p style="text-align: center;">Page 110</p>
<p>1 <b>I think there would need to be some restrictions about                  2 people being able to access that, with good reason.</b></p> <p>3 Q. Has anybody thought about having this before?</p> <p>4 <b>A. I don't know. I'm not sure if that was something that                  5 was intended from the Cumberlege Report. But certainly                  6 it's not something that CSAS has at the moment. We are                  7 not notified of every case, for example.</b></p> <p>8 Q. No.</p> <p>9 <b>A. If the idea -- I think it's something -- CSAS's purpose                  10 would need to be reviewed to consider whether that's                  11 what it should be doing. So maybe the independent                  12 review will pick up on these types of matters. But                  13 I can certainly see the benefit of being able to find                  14 out that softer information.</b></p> <p>15 Q. Can I go, please, to page 9 of the same document. These                  16 are recommendations made by D2. I'd like to focus on                  17 the third paragraph, which is:</p> <p>18 "D2 invites the NCSC and CSAS to revisit the                  19 functions of the safeguarding coordinator to absolutely                  20 remove any potential conflict between the interests of                  21 victims and survivors of abuse and the perpetrators of                  22 child sexual abuse. Again, the separation of                  23 the management of safeguarding plans and the pastoral                  24 care offered to those accused or convicted of abuse must                  25 be stark."</p> <p style="text-align: center;">Page 111</p>	<p>1 What's your view on that?</p> <p>2 <b>A. Well, the safeguarding coordinator doesn't work alone in                  3 the management of safeguarding plans, so they're                  4 responsible for convening the meeting and gathering the                  5 information and putting the plan together.</b></p> <p>6 <b>The person that is subject of a plan will be managed                  7 by the parish priest in the diocese, for example, where                  8 they're attending, or by other people within the church.                  9 So there's an administrative function to it that doesn't                  10 necessarily correlate to being a support person to the                  11 person that's subject of a plan. It comes back to the                  12 issue of the way in which teams are constructed.</b></p> <p>13 Q. Have you seen situations in which the safeguarding                  14 coordinator is the point of contact for the victim and                  15 survivor but is also the person providing pastoral                  16 support, or at least orchestrating it, for the alleged                  17 perpetrator?</p> <p>18 <b>A. Well, they wouldn't be really supporting the                  19 perpetrator, but they would be responsible for the                  20 administration of a safeguarding plan.</b></p> <p>21 Q. I want to go to page 26, please. This is from                  22 Bridget McNulty, who is a parish safeguarding                  23 representative for the parish of St Mary's All Saints at                  24 Newport. She says:</p> <p>25 "A practical recommendation that I think the inquiry</p> <p style="text-align: center;">Page 112</p>

1 could make to improve safeguarding and assist me in my  
 2 role in a situation ... is to introduce clarity about  
 3 the roles of individuals in terms of compliance with  
 4 safeguarding plans, for example, who should be involved  
 5 and what functions are expected of them."  
 6 It can be difficult, can't it, if there is  
 7 a safeguarding plan to say a parishioner can only attend  
 8 mass at a certain time each week? Who actually enforces  
 9 it?  
 10 **A. So in the safeguarding plan, there's a section that sets**  
 11 **out people's responsibilities, both in terms of support**  
 12 **for the person, but also who is going to perhaps monitor**  
 13 **any of the restrictions that are being put in place. So**  
 14 **that should be decided at a local level, really, because**  
 15 **it's the local circumstance that counts there, in terms**  
 16 **of when somebody can attend where, where they're**  
 17 **expected to sit, whether or not they can have a cup of**  
 18 **tea after mass, whether they can get involved in any**  
 19 **other activities and, if they can, who is going to be**  
 20 **present to ensure that they comply with what's expected**  
 21 **of them.**  
 22 Q. Practically speaking, is it difficult to find people  
 23 that are able to enforce a safeguarding plan like that,  
 24 though, other than perhaps the priest?  
 25 **A. I think, if you've got -- if you've got parish reps who**

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1 particularly the policies and procedures, are very  
 2 dense, and in my view CSAS would benefit from the advice  
 3 of organisations using 'easy read' or 'Plain English' on  
 4 their websites. A good example of this would be the  
 5 East Riding of Yorkshire's leaflet regarding adult  
 6 safeguarding that uses 'easy read'.  
 7 Are they not particularly user friendly, your  
 8 procedures?  
 9 **A. I think it depends who is using them.**  
 10 Q. Well, this is a safeguarding coordinator?  
 11 **A. Well, I would expect a safeguarding coordinator not to**  
 12 **need an easy read. I would expect a safeguarding**  
 13 **coordinator to understand the language and the processes**  
 14 **that are set out in it.**  
 15 Q. So it's really --  
 16 **A. I can see that if you are a victim or survivor or you**  
 17 **are a member of the public and you were looking for**  
 18 **something, they may be dense and very difficult to**  
 19 **navigate, but for a professional audience as well, for**  
 20 **that role, I would expect them to understand the**  
 21 **language.**  
 22 Q. Thank you. Are there any further proposals that we  
 23 haven't touched upon already that you would ask the  
 24 inquiry to consider?  
 25 **A. I've looked at some of the recommendations, and there is**

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1 **are experienced and feel confident in this -- their role**  
 2 **should be set out clearly. I would expect it to say,**  
 3 **for example, "and the parish safeguarding rep will**  
 4 **attend the same mass and make sure that they sit**  
 5 **wherever they have been appointed to sit and will**  
 6 **report" --**  
 7 Q. You're having to rely on a volunteer, aren't you?  
 8 **A. Yes, that's right.**  
 9 Q. Page 23, please, finally. I want to go to -- this is  
 10 Sister Agnes Clare Smith, who is safeguarding  
 11 coordinator at the Institute of Our Lady of Mercy.  
 12 I want to go to (c), please, the first line of which is  
 13 at the bottom and then it continues to the next page:  
 14 "The new CSAS website is an improvement, but is  
 15 still not easy to navigate, especially for  
 16 nonprofessionals, so I would recommend that a better  
 17 search facility be added."  
 18 Is that feedback that you're familiar with?  
 19 **A. Sorry?**  
 20 Q. Is that feedback that you're familiar with?  
 21 **A. Sometimes. Sometimes people find things difficult to**  
 22 **find. I think once people know, you know, where to go**  
 23 **for it.**  
 24 Q. And (d):  
 25 "Some of the information sections on the website,

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1 **mention there of a complete separation of safeguarding**  
 2 **away from the church. I don't think that's a good idea.**  
 3 **I can appreciate the circumstances that have led people**  
 4 **to believe that, but I think if it's lifted out of the**  
 5 **church, then it won't be properly owned and it will**  
 6 **become something that happens over there again rather**  
 7 **than something that the church should be, and is, taking**  
 8 **ownership of and working with, and I think that would be**  
 9 **a step backwards, to have a completely separate agency**  
 10 **that you refer allegations to. That's my professional**  
 11 **view.**  
 12 **I do think that there is room to separate -- to**  
 13 **have, you know, more oversight in terms of -- there**  
 14 **certainly needs to be a strengthened centre that has**  
 15 **some authority and is able to undertake quality**  
 16 **assurance in a better way, perhaps, and to manage**  
 17 **complaints.**  
 18 MR SAAD: Those are all the questions I have. Chair, do you  
 19 have any questions?  
 20 THE CHAIR: Yes, I have a couple of questions.  
 21 Questions from THE PANEL  
 22 THE CHAIR: You told us about your role in monitoring  
 23 compliance with procedures. Do you have a clear role in  
 24 monitoring the professional assessment component of your  
 25 ongoing contact? I don't mean through audit work, but

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1 actually as you hear about things on a daily basis and  
 2 you may or may not disagree with the diocesan position?  
 3 **A. I think, in those circumstances, we have an ongoing**  
 4 **dialogue, so in terms of quality assurance, it's in**  
 5 **action almost. I'm not sure if I'm misunderstanding**  
 6 **you, sorry.**  
 7 THE CHAIR: Not quite. But it is almost like -- what I'm  
 8 describing may well be a dispute resolution protocol of  
 9 some kind.  
 10 **A. We have -- we don't have the ability nationally. We are**  
 11 **not mandated to do that. But we do it on an informal**  
 12 **basis. So if there's -- we have a protocol, for**  
 13 **example -- stop me if I'm going down the wrong way. We**  
 14 **have a protocol that sets out co-operation and**  
 15 **collaboration between safeguarding commissions and --**  
 16 **the religious and safeguarding commissions, so that**  
 17 **should alleviate -- if there is an issue, the protocol**  
 18 **sets out what should happen. If they can't reach that**  
 19 **agreement, then they will come to CSAS for advice and we**  
 20 **will try to, you know, move it on.**  
 21 THE CHAIR: Is the advice you may or may not give in these  
 22 circumstances always accepted by the parties who are in  
 23 dispute?  
 24 **A. I'd say not necessarily, because if we have two or three**  
 25 **parties not in agreement, then only one party might be**

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1 **process, it will be discussions whilst we are there to**  
 2 **say, "We think you need to do this with this case", and**  
 3 **it will be dialogue with the commission chair, perhaps.**  
 4 THE CHAIR: What would they then do?  
 5 **A. We would expect them to consider that advice, and we**  
 6 **would expect them to take the advice.**  
 7 THE CHAIR: I suppose what I'm getting at is, how do you  
 8 make a particular diocese accountable for their  
 9 safeguarding practice -- not you personally, but how  
 10 does the system make a particular area, if there is one,  
 11 or more than one, accountable for their safeguarding  
 12 weaknesses, if you have identified them?  
 13 **A. Well, as it stands, the accountability sits within the**  
 14 **diocese or within the religious safeguarding commission,**  
 15 **so I think it's about being able to explain what the --**  
 16 **firstly, understand the issue, explain what the issue is**  
 17 **and explain what needs to be done. Beyond that, I can't**  
 18 **enforce that.**  
 19 THE CHAIR: No, indeed I didn't expect you to be able to do  
 20 that. But can the NCSC do that?  
 21 **A. No, it's not able to enforce it anymore.**  
 22 THE CHAIR: So who can? Who can do that?  
 23 **A. The bishop in the diocese, for example, or**  
 24 **a congregation leader. That's the recourse. That's the**  
 25 **route you would have to take.**

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1 **happy at the end of it. I don't know if it's always**  
 2 **accepted. I can't think of an instance where it hasn't**  
 3 **been.**  
 4 THE CHAIR: But in view of your acknowledged expertise,  
 5 would it not be considered that your view should  
 6 prevail?  
 7 **A. I think that's what I mean by "a strengthened centre".**  
 8 **There needs to be the authority in the centre to say**  
 9 **that that's the position and that's what needs to**  
 10 **happen.**  
 11 THE CHAIR: But it doesn't necessarily happen at the moment?  
 12 **A. I wouldn't say on every occasion, no.**  
 13 THE CHAIR: Thank you. Another question I have is  
 14 concerning the position you obviously have, which takes  
 15 an overview of which dioceses are more or less good than  
 16 others at safeguarding and the entire process. You must  
 17 have a view on that, I assume?  
 18 **A. I have a partial view because we are looking at**  
 19 **different aspects of the safeguarding process.**  
 20 THE CHAIR: But you will almost certainly know who  
 21 persistent offenders are, for example?  
 22 **A. Through the quality assurance process of -- I would say**  
 23 **this year I would have a better idea, yes.**  
 24 THE CHAIR: What do you do with that information?  
 25 **A. Well, it's through the recommendations through the audit**

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1 THE CHAIR: But it is possible they may be part of  
 2 the problem?  
 3 **A. It is possible, yes.**  
 4 THE CHAIR: Is there a scenario in which they can be moved  
 5 on to be accountable for poor safeguarding practice if  
 6 it occurs on more than one occasion, for example?  
 7 **A. If we felt that a bishop, for example, wasn't**  
 8 **fulfilling -- wasn't keeping people safe through**  
 9 **decisions he was making, then we would look to the**  
 10 **external regulator, we would report to the**  
 11 **Charity Commission, if we felt that was an appropriate**  
 12 **thing to do.**  
 13 THE CHAIR: Has that ever happened?  
 14 **A. I haven't reported anybody to the Charity Commission.**  
 15 **I'm aware in a previous case study that one of**  
 16 **the safeguarding coordinators reported religious to the**  
 17 **Charity Commission.**  
 18 THE CHAIR: Thank you very much. We have no further  
 19 questions.  
 20 (The witness withdrew)  
 21 MR SAAD: Chair, the next witness is Michelle Russell.  
 22 Perhaps we take the break now and she can give evidence  
 23 after that?  
 24 THE CHAIR: We will return at 3.05 pm.  
 25 (2.50 pm)

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<p>1 (A short break)  2 (3.07 pm)  3 MS SHARON MICHELLE RUSSELL (affirmed)  4 Examination by MS CAREY  5 MS CAREY: Ms Russell, your full name, please?  6 <b>A. Sharon Michelle Russell.</b>  7 Q. I think it is right that, in fact, you gave evidence to  8 the inquiry in the Ealing Abbey case study on 8 February  9 this year?  10 <b>A. That's right.</b>  11 Q. If anyone wishes to look at your evidence, they can find  12 that on the inquiry website, but I want, today, to deal  13 with some more general matters in relation to the  14 Charity Commission. I think it is right that you work  15 for the Charity Commission and have done so since 2002;  16 is that correct?  17 <b>A. That's right.</b>  18 Q. You have held a number of roles whilst there, including  19 lawyer, senior lawyer, and you are currently the  20 director of investigations, monitoring and enforcement,  21 and have been in that role since October 2014?  22 <b>A. That's right.</b>  23 Q. Perhaps in layman's terms, which I'm keen to adopt this  24 afternoon wherever possible, can you just tell us in  25 practical terms, what do you do?</p> <p style="text-align: center;">Page 121</p>	<p>1 <b>A. I'm responsible for the commission's work, which is at</b>  2 <b>the more difficult and complex end of compliance, so all</b>  3 <b>of the commission's statutory inquiry work, intelligence</b>  4 <b>team, proactive monitoring, and accountancy work as</b>  5 <b>well.</b>  6 Q. It may be we touch on a number of those terms throughout  7 the course of your evidence. Just one matter, so it is  8 clear for everyone: where, in the course of your  9 evidence, you refer to the Charities Act, it is  10 predominantly to the 2011 Act, albeit that was updated  11 in 2016?  12 <b>A. That's correct.</b>  13 Q. Basics, please, if I may. What is the role of  14 the Charity Commission in relation to the regulation of  15 charities?  16 <b>A. The Charity Commission is a civil regulator. It's the</b>  17 <b>registrar and regulator of charities. So our role is to</b>  18 <b>hold charities to account for wrongdoings and to</b>  19 <b>register charities. We have an online register of</b>  20 <b>charities on our public website.</b>  21 Q. I think charity is a legal status conferred on an  22 organisation and there are various conditions that must  23 be complied with to become a charity. For these  24 purposes, though, is it right that there are nearly  25 170,000 charities on the commission's register?</p> <p style="text-align: center;">Page 122</p>
<p>1 <b>A. That's right, registered, yes.</b>  2 Q. In terms of the Catholic Church in England and Wales,  3 that includes all 22 dioceses; is that right?  4 <b>A. Yes, each as an individual registered charity.</b>  5 Q. What about the orders? Are they all charities?  6 <b>A. Orders may be registered separately with us as well,</b>  7 <b>yes.</b>  8 Q. Do you know how many orders are registered with the  9 Charity Commission?  10 <b>A. I don't know offhand, no.</b>  11 Q. Is that information you would be able to find out if it  12 becomes relevant in due course?  13 <b>A. Yes, or by -- publicly, by a search of our website for</b>  14 <b>various terms.</b>  15 Q. The Charity Commission has been in existence since 1853  16 and it has been a legal entity since 2006; is that  17 right?  18 <b>A. That's right.</b>  19 Q. May we call up on screen, please, your statement at  20 paragraph 10 in CYC000140. Chair, you will find  21 Ms Russell's statement behind the first tab. I want to  22 just ask you, please, about the Charity Commission's  23 objectives. If we go to page 2, please, and  24 paragraph 10 enlarged, can we see set out there that  25 pursuant to a section of the Act, there are five</p> <p style="text-align: center;">Page 123</p>	<p>1 objectives. I will just break them down and ask you  2 about them.  3 Public confidence objective, which is to increase  4 public trust and confidence in charities.  5 The public benefit objective: to promote awareness  6 and understanding of the operation of the public benefit  7 requirement. Can you help us, what is the public  8 benefit requirement?  9 <b>A. Part of the two-strand test for whether or not you're</b>  10 <b>recognised as a charity is that you must have charitable</b>  11 <b>objects, but also you must operate for the public</b>  12 <b>benefit.</b>  13 Q. Who determines what the public benefit is?  14 <b>A. The courts, over the years, have determined what that</b>  15 <b>test means in practice, but we have published guidance</b>  16 <b>on our website which explains that to charities.</b>  17 Q. There is the compliance objective: to promote compliance  18 by charity trustees with their legal obligations in  19 exercising control and management of the administration  20 of their charities.  21 A charitable resources objective: to promote the  22 effective use of charitable resources. Who determines  23 what is an effective use of the charitable resource?  24 <b>A. Again, it's dealt with in the same way as I explained</b>  25 <b>before, but this is really referring to our enabling</b></p> <p style="text-align: center;">Page 124</p>

<p>1 <b>function, so particularly when we provide advice and</b>                  2 <b>guidance or consents, there are certain consents that</b>                  3 <b>charities require under the legislation.</b>                  4 Q. Then an accountability objective: to enhance the                  5 accountability of charities to donors, beneficiaries and                  6 the general public.                  7 You go on in your statement to set out the functions                  8 of the Charity Commission. If I can ask you, please,                  9 about paragraph 11, and we can call it up on screen, in                  10 fact -- not necessarily all of these functions will be                  11 relevant in terms of the inquiry's work, but is it right                  12 that the commission has functions that include                  13 determining whether or not institutions are a charity?                  14 Clearly, that does apply in this context.                  15 Encouraging and facilitating the better                  16 administration of charities; and I think, thirdly,                  17 identifying and investigating apparent misconduct or                  18 mismanagement in the administration of charities.                  19 So that's the functions of the commission. I'd like                  20 to sort of try and bring that into context in relation                  21 to safeguarding. Can you help, please, Ms Russell: what                  22 is the role of the Charity Commission with regard to                  23 safeguarding?                  24 <b>A. So our responsibility on safeguarding is about holding</b>                  25 <b>charities to account for the governance of how they go</b></p> <p style="text-align: center;">Page 125</p>	<p>1 <b>about protecting the people that they come into contact</b>                  2 <b>with as a result of their work as a charity.</b>                  3 Q. I think there are a number of documents available on the                  4 commission's website, which includes a strategy on                  5 safeguarding -- is that correct?                  6 <b>A. That's right.</b>                  7 Q. There is also what's called a risk framework, which                  8 explains the principles of how you assess risk in                  9 deciding when and how to deal with individual cases.                  10 What does that actually mean?                  11 <b>A. There are 170,000 charities, there are 400 people that</b>                  12 <b>work in the Charity Commission. We have to take</b>                  13 <b>a risk-based approach in terms of how we deal with both</b>                  14 <b>consents and also some of the compliance work, and</b>                  15 <b>that's the framework which guides us, and we are public</b>                  16 <b>about -- with charities and the public, about how we</b>                  17 <b>approach the decisions about what we intervene with and</b>                  18 <b>how we deal with the issues that come before us.</b>                  19 Q. Can I ask you this: is the Charity Commission                  20 responsible in any way for trying to prevent child                  21 sexual abuse in any given charity?                  22 <b>A. No, the responsibility on safeguarding the people who</b>                  23 <b>come into contact with charities, either beneficiaries,</b>                  24 <b>staff, is the responsibility of the charities</b>                  25 <b>themselves.</b></p> <p style="text-align: center;">Page 126</p>
<p>1 Q. Is it right, though, that the Charity Commission is                  2 there to ensure that the charity has proper systems in                  3 place to mitigate the risk of child sexual abuse and                  4 deal with it properly if a report is made to them of                  5 such abuse?                  6 <b>A. That's correct.</b>                  7 Q. So if a victim complained to the Charity Commission that                  8 they had been abused, would the Charity Commission get                  9 involved in determining whether that abuse had happened?                  10 <b>A. No. So we are not the agency that is responsible for</b>                  11 <b>dealing with the allegations or incidents of abuse</b>                  12 <b>themselves. That would be the other statutory agencies</b>                  13 <b>that have that responsibility. Our responsibility is</b>                  14 <b>overseeing and holding to account the charities for the</b>                  15 <b>governance of how they deal with those issues.</b>                  16 Q. If a victim reported -- I understand that you can't look                  17 at what the priest did or didn't do, but "I am unhappy                  18 with how the diocese dealt with my allegation". Would                  19 that be something, potentially, the Charity Commission                  20 would look at?                  21 <b>A. Potentially, yes, if there had been a failing on the</b>                  22 <b>part of the charity.</b>                  23 Q. If we look at some of the duties of the charity set out                  24 at paragraph 27, and there is no need to call it up on                  25 screen, thank you, paragraph 27 in your statement,</p> <p style="text-align: center;">Page 127</p>	<p>1 Ms Russell, I think there you set out what the duties of                  2 the charities and their trustees are. Can you just put                  3 that into simple language, so that we can all                  4 understand?                  5 <b>A. So there are very few specific duties of charity</b>                  6 <b>trustees in the legislation, ie, the Charities Act.</b>                  7 <b>There are a couple, like registering and filing your</b>                  8 <b>annual returns. But most of the other obligations on</b>                  9 <b>charity trustees are what's called fiduciary duties that</b>                  10 <b>are based in common law. For example, to act in the</b>                  11 <b>best interests of the charity and to ensure that the</b>                  12 <b>charity is not exposed to undue risk.</b>                  13 Q. I think, if we look at the wording that you set out in                  14 your paragraph 27, you mention there the fiduciary                  15 duties, including acting exclusively in the charity's                  16 best interest, managing its assets and resources                  17 prudently, which includes to avoid exposing the                  18 charity's assets, beneficiaries or reputation to undue                  19 risk.                  20 Can you help us with that last phrase, where there                  21 is reference to the trustees avoiding exposure,                  22 including to reputation. What does that actually mean,                  23 in terms of the Charity Commission and how they approach                  24 this?                  25 <b>A. So reputation in charity law is an asset of the charity.</b></p> <p style="text-align: center;">Page 128</p>



<p>1 <b>However, it also relates to public trust and confidence</b>  2 <b>in the charity. So, for example, a charity's reputation</b>  3 <b>would be protected not necessarily by trying close down</b>  4 <b>or stop something affecting its reputation adversely,</b>  5 <b>but more, for example, in terms of giving the public</b>  6 <b>confidence that how it was responding to failures that</b>  7 <b>had happened were being dealt with responsibly, as you</b>  8 <b>would expect a charity to do so.</b>  9 Q. So it doesn't mean, lest there be any misunderstanding,  10 that the trustee should sweep a child sexual abuse  11 allegation under the carpet and quieten it down; that's  12 not what it means here about protecting reputation in  13 that sense?  14 <b>A. Absolutely not.</b>  15 Q. You say at paragraph 29 that in the context of  16 safeguarding, the Charity Commission has an important  17 role focusing on the conduct of the trustees and the  18 steps they take to protect the charity and its  19 beneficiaries now and in the future. How does the  20 Charity Commission focus on the conduct of trustees?  21 <b>A. So where, for example, allegations or incidents have</b>  22 <b>arisen, our remit would be in ensuring the charity</b>  23 <b>trustees are handling those responsibly and properly,</b>  24 <b>and that includes reporting those in to the relevant</b>  25 <b>statutory agencies, whether that's police or the LADO,</b></p> <p style="text-align: center;">Page 129</p>	<p>1 <b>the local authority designated officers, for example.</b>  2 Q. If the Charity Commission learnt that a diocese or an  3 order didn't have an adequate reporting system into the  4 police or the social services or in fact failed to make  5 those reports, what would the Charity Commission do upon  6 learning of that?  7 <b>A. In individual cases, do you mean?</b>  8 Q. Mmm.  9 <b>A. So it would depend on the circumstances of each case,</b>  10 <b>but if there was a concern that they had failed in</b>  11 <b>managing those issues properly, then our intervention</b>  12 <b>could range from going out and doing a visit or an</b>  13 <b>inspection or a meeting with the charity through to</b>  14 <b>setting them an action plan, a voluntary action plan,</b>  15 <b>which covered the areas that we thought were -- that</b>  16 <b>needed to be addressed and remedied and following that</b>  17 <b>up afterwards, or escalating in the more serious cases</b>  18 <b>where we feel that we need to intervene using our</b>  19 <b>powers.</b>  20 Q. That probably brings me on to dealing with what are  21 called serious incident reports and how they come to the  22 notice of the commission. First things first: what is  23 a serious incident, as far as the Charity Commission is  24 concerned?  25 <b>A. To some extent, it's what the title says, which is an</b></p> <p style="text-align: center;">Page 130</p>
<p>1 <b>incident or event which is serious and either, in</b>  2 <b>itself, results in or risks significant damage or loss</b>  3 <b>or harm, in this context, for example, to the people of</b>  4 <b>the charity, either beneficiaries or those that it comes</b>  5 <b>into contact with.</b>  6 Q. It might help you and everyone following this to just  7 call up onto screen paragraph 33 of your statement at  8 CYC000140, just so that we can see there effectively the  9 Charity Commission's definition of a serious incident.  10 If we highlight paragraph 33, we can see there:  11 "Serious incidents' are regarded by the commission  12 as an adverse event, whether actual or alleged, which  13 results in significant loss of the money or assets,  14 damage to a property and harm to a charity's work,  15 beneficiaries or reputation."  16 I suspect, for our purposes, damage to a charity's  17 property is not one that need trouble us this afternoon,  18 but how does the Charity Commission learn that there is,  19 or may be, a serious incident taking place within  20 a charity?  21 <b>A. So the main way in which we would learn about it is from</b>  22 <b>the charity reporting itself to us under the serious</b>  23 <b>incident reporting regime, so the expectation that they</b>  24 <b>would do so, but we do hear about incidents where the</b>  25 <b>trustees don't come to us from, for example, members of</b></p> <p style="text-align: center;">Page 131</p>	<p>1 <b>the public or beneficiaries or whistleblowers of</b>  2 <b>charities coming to us or, indeed, statutory agencies</b>  3 <b>referring matters of concern to us.</b>  4 Q. So there's effectively a self-reporting requirement on  5 the trustees, and how does that practically take effect?  6 Do they have to file a monthly report, a yearly report?  7 How does it work?  8 <b>A. It usually works on the basis of the individual</b>  9 <b>incident. The legal requirement is, by the time</b>  10 <b>a charity gets to the end of a financial year, it must</b>  11 <b>have confirmed to us that they have reported all of</b>  12 <b>the relevant serious incidents that they should have.</b>  13 <b>The expectation, good practice expectation, is that they</b>  14 <b>should report the incident promptly. They have some</b>  15 <b>discretion as to exactly when to do that, but the</b>  16 <b>expectation is it's promptly.</b>  17 Q. Can we consider that in the context of a child sexual  18 abuse complaint coming to the attention of either  19 a diocese or an order. Would a report to a diocese or  20 an order of child sexual abuse allegation amount, in  21 your view, to a serious incident as the  22 Charity Commission defines it?  23 <b>A. Yes.</b>  24 Q. Can you think of any circumstances where a child sexual  25 abuse allegation or report wouldn't meet the serious</p> <p style="text-align: center;">Page 132</p>

1 incident report criteria?  
 2 **A. I suppose it's possible, for example, that if**  
 3 **allegations were raised but after a period of due**  
 4 **diligence or quick checking, for example, it was**  
 5 **a mistaken allegation that was made or withdrawn or**  
 6 **a case of mistaken identity that could be proven, then**  
 7 **they wouldn't necessarily have to report that. But**  
 8 **I think in most cases the starting point would be, in**  
 9 **the scenario you described, of child sexual abuse, that**  
 10 **that was a reportable incident.**  
 11 Q. Presumably, because it results in or risks significant  
 12 harm to the charity's work, beneficiaries or reputation;  
 13 it would fulfil that criteria?  
 14 **A. That's right.**  
 15 Q. So, in the example where a report is made to a diocese  
 16 or an order, who is actually responsible for letting the  
 17 Charity Commission know that there has been such  
 18 a report?  
 19 **A. So the obligation is on the trustees.**  
 20 Q. Right.  
 21 **A. However, our guidance makes clear that they can delegate**  
 22 **with authority that to be someone else within the**  
 23 **charity.**  
 24 Q. Would that include safeguarding coordinators or not?  
 25 **A. So, in the context of safeguarding reports, it would be**

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1 serious incidents, that a report could be mismanaged for  
 2 a number of months before the Charity Commission came to  
 3 know about it?  
 4 **A. By "report", do you mean the --**  
 5 Q. Serious incident report, yes?  
 6 **A. The incident, how they are handling it?**  
 7 Q. How they are handling it.  
 8 **A. Yes, there could be concerns in terms of how they're**  
 9 **dealing with it.**  
 10 Q. So although you would hope that you would be notified of  
 11 a serious incident relatively soon to the charity  
 12 becoming aware of it, if there were mismanagement going  
 13 on, that could quite happily just trundle along until  
 14 someone at the end of the year thinks, "Oh, we have got  
 15 to notify the Charity Commission and comply with our  
 16 requirements there and let them know then"?  
 17 **A. Yes, in theory, yes.**  
 18 Q. That could happen. Actual reporting of a serious  
 19 incident. I think it is right that there is guidance on  
 20 the website?  
 21 **A. That's right.**  
 22 Q. In fact, these days, it can be done digitally?  
 23 **A. Yes. So in order to try and make it easier for**  
 24 **charities to report incidents and get the right**  
 25 **information first time, we have launched a digital**

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1 **common, for example, if there was a safeguarding unit or**  
 2 **a safeguarding lead, that that would be the individual**  
 3 **that makes the report on behalf of and authorised by the**  
 4 **charity trustees to do so.**  
 5 Q. If I understand you correctly, it's not the position  
 6 that if the report is made on a Monday, by Tuesday the  
 7 reporter has to let you know that there's been  
 8 a potential serious incident. It's not prescribed like  
 9 that, is it?  
 10 **A. No. It would depend on the circumstances of each event.**  
 11 Q. Of course.  
 12 **A. So, for example, sort of commonsense is, if it is a live**  
 13 **risk of harm issue which is materialising, although we**  
 14 **would expect them to go, for example, to the police**  
 15 **first, we would expect to be told that very soon, in**  
 16 **that example.**  
 17 Q. In the context of an historic allegation being brought  
 18 to the attention of an order or diocese where there  
 19 isn't that live potential risk, presumably, then, good  
 20 practice to report as soon as possible, but no  
 21 requirement to do so the next day or shortly thereafter?  
 22 **A. That's correct.**  
 23 Q. Is it possible, therefore, though, that if the only  
 24 requirement is that, by the end of the financial year,  
 25 the charity has to notify the Charity Commission of

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1 **online service, which we have worked with charities to**  
 2 **develop, and that is live at the moment.**  
 3 Q. So it is not a complicated procedure to notify the  
 4 Charity Commission of a serious incident?  
 5 **A. It's made much easier, yes.**  
 6 Q. I think I interrupted you when you were talking about  
 7 some of the other ways that the commission is notified.  
 8 I would like to ask you, please, about paragraph 39 in  
 9 your statement, where you say the commission carries out  
 10 some tracking of media reports and may see concerns or  
 11 issues raised in the media, referring to the name of  
 12 a well-known registered charity or registered charity  
 13 number. How does the commission track media reports?  
 14 **A. So we use a service which highlights in the national and**  
 15 **local media various trigger words for charities, so we**  
 16 **would get the daily reports for those, and if there was**  
 17 **a concern in those that was very serious that we didn't**  
 18 **know about, that may, for example, trigger our proactive**  
 19 **engagement or intervention.**  
 20 Q. I'm asked to ask you if there are records kept at the  
 21 Charity Commission of media reports regarding concerns  
 22 about allegations of child sexual abuse?  
 23 **A. So the terms of our licence system, we are not allow to**  
 24 **keep those records. However, if a particular media**  
 25 **report led us to intervene or was relevant to a live**

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<p>1 case, we would clearly source that separately and that  2 would be held on the individual file of the charity.  3 Q. Having looked at how the Charity Commission gets  4 notified, can you just help us with, once you're  5 notified of a concern or a serious incident, what steps  6 does the Charity Commission take in relation to that  7 notification?  8 <b>A. So each case is individually looked at by a specialist  9 officer, and what would happen with it would depend on  10 the nature of the complaint and how old it was, when it  11 happened, whether or not other agencies were involved.  12 But it could be we are satisfied that the charity, on  13 the basis of the information they have given us, is  14 managing it, and we would ask to be updated if there are  15 material changes or an update to it, but we would  16 disengage on that basis. Or we might give advice on  17 guidance. Or, if we are concerned, we would trigger  18 that into a formal case with a specialist case officer  19 dedicated to it who may contact the charity. We may ask  20 for exchange of information if we don't understand or  21 require it, or that may lead to a meeting with the  22 charity, and, as I explained before, perhaps an action  23 plan, or if we are concerned in the sort of most acute  24 cases in terms of escalation to an inquiry.</b>  25 Q. We will come on to potentially a statutory inquiry under</p> <p style="text-align: center;">Page 137</p>	<p>1 the terms of the Charity Commission, not to confuse it  2 with this inquiry, in due course.  3 Just practically, you might -- once you get notified  4 of the concern, is there a system which by the  5 Charity Commission requires evidence from the charity?  6 <b>A. So I would say in almost all cases, if it's triggered  7 into a one-on-one case, we would engage with the charity  8 to require more information. We can do that if we have  9 particular concerns or there is a confidentiality issue  10 with the data to use our statutory powers. The most  11 common would be under section 52 of the Charities Act to  12 ask for that information.</b>  13 Q. You mentioned, I think, a moment ago, sometimes  14 potentially going to visit the charity. What happens on  15 a visit when that happens?  16 <b>A. So you might get a visit which is a meeting with the  17 trustees or some of the trustees and the staff to  18 explore the issues of concern that we're interested in,  19 or it may be a type of meeting which is more akin to an  20 inspection, where we may spend a day or two days in the  21 charity inspecting some of the records.</b>  22 Q. Having looked at a very generalised approach, I want to  23 try to focus now on serious incident reporting within  24 the Roman Catholic Church. Can I turn, please, to -- it  25 is, in fact, the statement of Harvey Grenville prepared</p> <p style="text-align: center;">Page 138</p>
<p>1 for this inquiry. It is behind your tab 2, Ms Russell,  2 and yours, chair. I think it is the position,  3 Ms Russell, that you are able to answer the questions  4 based on the evidence that Mr Grenville gave in that  5 statement.  6 Can we start, please, with the bottom of your first  7 page and really this, that I think the  8 Charity Commission was asked about how many allegations  9 of child sexual abuse had been reported to the  10 Charity Commission by charities connected with the Roman  11 Catholic Church in England and Wales in the past five  12 years. If we could call up on screen, please,  13 CYC000417_002, and the table there at the bottom, is it  14 right that between April 2014 and July 2019, there were  15 203 allegations or claims involving child sexual abuse  16 reported to the commission by charities connected with  17 the Roman Catholic Church in England and Wales?  18 <b>A. Yes, that's right, according to the records we have.</b>  19 Q. You break down there the RSIs -- that's shorthand, is  20 it, for --  21 <b>A. Reporting serious incidents.</b>  22 Q. Thank you. By charity type. We can see 157 of those  23 were reported by charity type "religious activities".  24 What are we actually talking about there?  25 <b>A. That would include, for example, the dioceses or it</b></p> <p style="text-align: center;">Page 139</p>	<p>1 <b>might include orders or other charities that hit the  2 triggers of "Catholic" or "Roman Catholic" in the title  3 that classify themselves as a religious -- of  4 a religious activity.</b>  5 Q. Perhaps it speaks for itself, but 42 of the RSIs related  6 to education and training. Is that effectively Catholic  7 schools and the like?  8 <b>A. I think that's highly likely to be. Again, it's what  9 the charities have classified themselves, but that would  10 include, for example, schools.</b>  11 Q. Are you able to say, out of the 157, assuming that does  12 relate to the diocese and orders, how many were reported  13 by dioceses and how many were reported by orders?  14 <b>A. I don't know that information off the top of my head,  15 but a deeper dive of those would be able to identify  16 which charities they related to.</b>  17 Q. Now, 203 over what is effectively a five-and-a-bit-year  18 period does not sound like a large number of serious  19 incidents reported to the Charity Commission. Would you  20 agree with that?  21 <b>A. On the face of it, that's right.</b>  22 Q. But I think you say at your paragraph 15 that, in  23 general, the Charity Commission has gone on public  24 record in expressing its concern about the apparent  25 under-reporting of serious incidents by the charity</p> <p style="text-align: center;">Page 140</p>

1 sector as a whole?  
 2 **A. That's correct.**  
 3 Q. I think the commission itself has tried to address that  
 4 by various means, and I think you go on to say at  
 5 paragraph 35 in the statement that, in fact,  
 6 between February 2018 and January 2019, there was  
 7 a 141 per cent increase of serious incidents reported to  
 8 the commission; is that right?  
 9 **A. That's right.**  
 10 Q. That must be across all charities, not just the  
 11 Roman Catholic ones?  
 12 **A. Correct.**  
 13 Q. Out of that 141 per cent increase, are you able to give  
 14 us an indication of whether that included an increase in  
 15 reporting by the Roman Catholic Church-related  
 16 charities?  
 17 **A. So we have had a look at, in particular, the number**  
 18 **reported by those, and we can see that there was an**  
 19 **increase year on year. In fact, probably slightly**  
 20 **before February 2018. February 2018 is significant to**  
 21 **the charity sector because that is when the scandal or**  
 22 **profile in relation to Oxfam hit the media and,**  
 23 **therefore, the issue of whether or not charities were**  
 24 **reporting serious incidents to the regulator had much**  
 25 **more profile. So more charities were doing deeper dive**

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1 held by the commission over that five-year period  
 2 between April 2014 and July 2019 and you set out there  
 3 the numbers of reporting from the respective dioceses?  
 4 **A. That's right.**  
 5 Q. I think it is right to make this observation: there's  
 6 reporting across any category of harm, not just those  
 7 related to child sexual abuse or safeguarding; is that  
 8 right?  
 9 **A. That's correct.**  
 10 Q. Although it is likely that a number of these will be  
 11 related to child sexual abuse and safeguarding issues?  
 12 **A. Highly likely, yes.**  
 13 Q. If we just cast our eye down the table of recorded RSIs  
 14 in that period, one can see there's a number of reports  
 15 on the Birmingham Diocesan Trust, and, again, 19 from  
 16 Plymouth, but thereafter, relatively low numbers,  
 17 including a number of zeros against a number of  
 18 different diocesan trusts. Does it surprise you the  
 19 number of diocesan trusts that have not made RSI reports  
 20 to the Charity Commission over that five years?  
 21 **A. So it is of concern to us that in some of the dioceses**  
 22 **no reports at all have been --**  
 23 Q. Just to put some context, Cardiff there, Lancaster,  
 24 Menevia, I think it should be, Shrewsbury and Wrexham.  
 25 Albeit they may not be the largest dioceses in England

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1 **audits themselves to go through their records to then**  
 2 **report historic incidents to us where they may not have**  
 3 **done previously.**  
 4 Q. Just to give the statistics, prior to February 2018 and  
 5 the Oxfam scandal hitting the news, in 2017 to 2018, the  
 6 Charity Commission had received 1,147 reports, and  
 7 from February 2018, at Oxfam, to January of this year  
 8 that went up to 2,765, the 141 per cent increase?  
 9 **A. That's right.**  
 10 Q. If I understand you correctly, you say that, in general  
 11 terms, reporting has increased from the Roman Catholic  
 12 Church, although they were doing that perhaps prior to  
 13 the Oxfam scandal; is that right?  
 14 **A. Yes, I think when we analysed the statistics, it was**  
 15 **actually the year before, in particular, where we could**  
 16 **see that had risen. Although the numbers, as you said**  
 17 **before, are still relatively low in comparison.**  
 18 Q. Now, in fact, I think the Charity Commission was able to  
 19 help with reporting by the Roman Catholic dioceses. If  
 20 we look at your paragraph 20, Ms Russell, and call up on  
 21 screen page 5 of the statement, we know that there are  
 22 22 Roman Catholic diocesan trusts. You set out all the  
 23 names of the dioceses and, indeed, their charity numbers  
 24 in the table that we can see. The trusts were reviewed  
 25 against the current reporting serious incidents data

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1 and Wales, they still nonetheless cover either a wide  
 2 geographical or a number of different parishes and,  
 3 indeed, parishioners. What is the Charity Commission  
 4 doing about the fact that there are no reports made by  
 5 some dioceses?  
 6 **A. So we took some action -- it was off the back of**  
 7 **the Birmingham inquiry --**  
 8 Q. This is the case study into -- that this inquiry held  
 9 into Birmingham; is that right?  
 10 **A. Yes, but also our own statutory inquiry into the**  
 11 **Birmingham diocese.**  
 12 Q. We will come back to Birmingham in a moment. I want to  
 13 deal with that as a slightly discrete topic. But  
 14 I think, did that result in the commission asking the  
 15 diocese for a large amount of information to try to  
 16 understand what was going on with reporting?  
 17 **A. That's right. We considered that if there were some**  
 18 **issues in one and some under-reporting, that we needed**  
 19 **to reach out collectively to all of the dioceses, and we**  
 20 **wrote to Vincent Nichols, asking for information and**  
 21 **assurance that RSI reporting was adequate across all of**  
 22 **them, and that resulted in us engaging -- each of**  
 23 **the dioceses engaging back with us around how they were**  
 24 **approaching matters.**  
 25 Q. I can probably deal with that in this way: I think you

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1 wrote to the cardinal on 24 January. Can we look,  
 2 please, at CYC000411. There is the commission's letter  
 3 to the cardinal, headed "Regulatory concerns over  
 4 safeguarding matters", setting out why you were writing  
 5 to Cardinal Nichols. It mentions the Birmingham inquiry  
 6 that the Charity Commission was conducting, which I will  
 7 come back to. Effectively, if we go over the page,  
 8 a number of requests set out there for information from  
 9 21 of the 22 dioceses.

10 The Diocese of Birmingham was excluded, is this  
 11 right, because the Charity Commission was conducting  
 12 a statutory inquiry into that diocese?

13 **A. Correct.**

14 Q. So that's why there were 21 out of 22. We can see it is  
 15 a wide-ranging request for information relating to  
 16 current safeguarding governance. If we look towards the  
 17 bottom of the page, in the middle there, the number and  
 18 nature of outcomes of safeguarding incidents; copies of  
 19 risk assessments; copies of reviews or audits; written  
 20 evidence of action taken and the like.

21 Did those 21 dioceses provide the information to the  
 22 Charity Commission that you requested there?

23 **A. Yes, they did.**

24 Q. The reason why Birmingham was excluded is because  
 25 Birmingham was subject to what the Charity Commission

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1 It closed on 3 September this year. We are looking now  
 2 at the report published at the conclusion of that  
 3 statutory inquiry; is that right?

4 **A. That's right.**

5 Q. If we go -- set out there, as we can see, is the fact  
 6 that the Archdiocese of Birmingham became a case study  
 7 in this inquiry's Roman Catholic investigation; that, as  
 8 part of the preparation for the Archdiocese of  
 9 Birmingham case study, the archdiocese had commissioned  
 10 a SCIE report, effectively an audit, of what was going  
 11 on by the safeguarding team. Chair, as I am sure you  
 12 will recall, the SCIE report raised a number of concerns  
 13 into the Archdiocese of Birmingham. That was ventilated  
 14 in part at the case study hearing and following the  
 15 conclusion of this inquiry's case study the  
 16 Charity Commission opened the statutory inquiry.  
 17 A number of inquiries there, but that's it in  
 18 a nutshell.

19 You set out there some of the concerns. If we could  
 20 perhaps just scroll down towards the bottom of the page,  
 21 we can see the section there:

22 "The report stated that there were 43 safeguarding  
 23 agreements in a filing cabinet with varying degrees of  
 24 compliance. Some files consisted of only an unsigned  
 25 agreement, no sense of what the conviction may be, none

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1 calls a statutory inquiry. Can you explain to us,  
 2 please, what is a statutory inquiry?

3 **A. So a statutory inquiry is an inquiry -- an**  
 4 **investigation, a formal investigation, which is a power**  
 5 **in the Charities Act, so it is a statutory power which**  
 6 **is exercised, and it's usually reserved to where there**  
 7 **are either serious concerns in the charity or where**  
 8 **public trust and confidence dictates that the commission**  
 9 **needs to formalise its engagement with the charity.**

10 Q. What does it actually entail happening?

11 **A. So it's a formal investigation. The trustees are**  
 12 **written to and advised that we have opened it and what**  
 13 **those serious concerns are.**

14 **We would normally meet the charity in a formal**  
 15 **meeting to express what those concerns are. Sometimes**  
 16 **we would carry out a formal books and records visit.**

17 **In this particular case -- do you want me to**  
 18 **explain --**

19 Q. I was going to have a look, actually, at the Birmingham  
 20 Diocesan Trust actual statutory inquiry. If we can call  
 21 onto screen CYC000413. Chair, it is behind your tab 8  
 22 in the bundle if you would like to look at it on paper.  
 23 Perhaps if we go to the second page, at the top, we can  
 24 see there that the statutory inquiry by the  
 25 Charity Commission was opened on 21 December last year.

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1 of them seemed to have been reviewed. To be clear, they  
 2 were mostly adults who had been convicted of a sexual  
 3 crime against a child or adult. They are likely to be  
 4 on the sex offenders register. These are people who we  
 5 know should be subject to restrictions but may have been  
 6 forgotten. All of these need urgent review."

7 There was clearly a concern about how those  
 8 safeguarding agreements had been set up and indeed  
 9 monitored.

10 Chair, as you may recall, the report found paper  
 11 records were stored in a haphazard fashion, and the  
 12 recording of cases was chaotic, which echoes the  
 13 conclusion of the report which concluded that the  
 14 recording system by Birmingham was wholly inadequate.

15 So there were clearly concerns by Birmingham that  
 16 resulted in the statutory inquiry being set up. Over  
 17 the course of December 2018 to September 2019, just help  
 18 us with what steps the Charity Commission took, were  
 19 undertaking, until they got to the position where they  
 20 could close the statutory inquiry in September of this  
 21 year?

22 **A. So we opened the statutory inquiry just before**  
 23 **Christmas, and we also engaged with statutory agencies,**  
 24 **as you would expect us to, because of what appeared to**  
 25 **be live safeguarding risks which we didn't have**

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<p>1 confidence which were being managed. In January, we                  2 held an urgent meeting, which I attended, with the                  3 trustees in Birmingham, going through our concerns and                  4 why we'd opened the inquiry and what to us appeared to                  5 be a lack of grip and assurance to us about how they                  6 were dealing with it.                  7 We followed it up with a team, working with the new                  8 interim head of safeguarding, going through the records                  9 to verify ourselves what the audit was suggesting about                  10 the lack of records and systematic procedures that were                  11 in place, and we worked with the charity through an                  12 action plan of items that they were doing, and it ended                  13 up with us disengaging by us using our powers to direct                  14 that they take the residual actions that we felt needed                  15 to be taken to give public assurance that these matters                  16 were being gripped, with appropriate follow-up from us                  17 at the relevant points.                  18 Q. Two final topics, please, if I may. One is in relation                  19 to what are called ex gratia payments. If I can just                  20 call onto screen, please, CYC000412. We have helpfully                  21 set out there at page 3 of that document what the                  22 Charity Commission deems to be an ex gratia payment. If                  23 we look at the bottom of the page, set out there is                  24 a payment made by a charity in particular circumstances,                  25 where the charity believes they are under a moral</p> <p style="text-align: center;">Page 149</p>	<p>1 obligation to make a payment; that the trustees are not                  2 under a legal obligation to make a payment; and the                  3 trustees cannot justify the payment as being in the                  4 interests of the charity. I think you say at                  5 paragraph 16, Ms Russell, of your statement that charity                  6 law requires trustees to require charities' funds and                  7 property only in furtherance of the purposes of                  8 the charity?                  9 <b>A. In Mr Grenville's statement, yes.</b>                  10 Q. Yes, thank you. But that a charity trustee could make                  11 an ex gratia payment in cases where it may fairly be                  12 said that if a charity were an individual, it would be                  13 morally wrong of him to refuse to make the payment?                  14 <b>A. That's right.</b>                  15 Q. I want to ask you, is there potentially a tension for                  16 a charity in not wanting their funds to be dissipated,                  17 but where they believe they are under a moral obligation                  18 to make the payment, how does the charity resolve that                  19 potential tension?                  20 <b>A. It's a balancing exercise, and, in effect, it's whether                  21 or not the decision that they have come to is in the                  22 range of reasonable decisions for a set of charity                  23 trustees to make.</b>                  24 Q. Would a request by a victim or survivor for counselling                  25 potentially be something that would meet the criteria</p> <p style="text-align: center;">Page 150</p>
<p>1 for being an ex gratia payment?                  2 <b>A. Potentially. However, it's also possible, depending on                  3 the charity and their powers, that they would already                  4 have the power to do that without coming to us to                  5 request an ex gratia payment. It depends on the                  6 governing document and the powers that the individual                  7 charity has.</b>                  8 Q. If there weren't such a power within their own charity                  9 setup, nonetheless, would it be the case that if they                  10 couldn't do it already, it could be allowed as an                  11 ex gratia payment, because it would be morally the right                  12 thing to do?                  13 <b>A. That's right.</b>                  14 Q. Finally, this: the inquiry heard earlier this week from                  15 a complainant who was one of a number of individuals                  16 making a civil claim against an order, and the witness                  17 told us that the civil claim was settled and that the                  18 payment he received was signed off on a cheque with the                  19 bottom of the order's charity account. Can you help us,                  20 is it permissible for a charity to settle a civil claim                  21 with funds from the charity account?                  22 <b>A. Yes, in principle, if they have got the power to do it,                  23 and if it is in the range of reasonable decisions for                  24 a set of charity trustees to make.</b>                  25 Q. So there is no blanket ban on funds being settled from</p> <p style="text-align: center;">Page 151</p>	<p>1 charity accounts?                  2 <b>A. No.</b>                  3 MS CAREY: Ms Russell, that's all I wanted to ask you this                  4 afternoon. Thank you very much.                  5 Chair, are there any questions from you or the                  6 panel?                  7 THE CHAIR: No, we have no questions. Thank you,                  8 Ms Russell.                  9 <b>A. Thank you.</b>                  10 <b>(The witness withdrew)</b>                  11 MS CAREY: Thank you very much. Chair, that concludes all                  12 the witnesses for this week. May I request now that we                  13 adjourn until Monday at 10.30 am?                  14 THE CHAIR: Yes, thank you.                  15 (3.53 pm)                  16 (The hearing was adjourned to                  17 Monday, 4 November 2019 at 10.30 am)                  18                  19                  20 I N D E X                  21                  22 BARONESS SHEILA HOLLINS (sworn) .....1                  23                  24 Examination by MS CAREY .....1                  25</p> <p style="text-align: center;">Page 152</p>

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