

<p>1 Tuesday, 5 November 2019 2 (10.30 am) 3 THE CHAIR: Good morning, everyone. Welcome to Day 7 of 4 this public hearing. Ms Carey? 5 MS CAREY: Good morning, chair. Chair, may I just deal with 6 a slight amendment to the timetable for today. It was 7 proposed to do some reading this morning, but the 8 witness requirements are such that we would like to deal 9 with the live evidence, and the reading will now be done 10 on Friday morning. 11 That said, may I ask, please, that Ms Carmi is 12 sworn. 13 MS EDINA CARMI (affirmed) 14 Examination by MS CAREY 15 MS CAREY: Ms Carmi, your full name, please? 16 <b>A. Edina Carmi.</b> 17 Q. I know the chair and panel will remember you from 18 evidence given in other investigations, and indeed 19 I think in Ampleforth. In relation to the wider 20 Catholic hearing, is it right that you prepared 21 a report, having reviewed a number of safeguarding files 22 from both dioceses and orders? 23 <b>A. That's correct.</b> 24 Q. By way of background for you, I think, you had a career 25 as a social work practitioner?</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>A. Yes.</b> 2 Q. A manager and senior manager in both the statutory and 3 voluntary sectors? 4 <b>A. Yes, that's correct.</b> 5 Q. You have been an independent safeguarding consultant 6 since 2000? 7 <b>A. Yes.</b> 8 Q. Working for local safeguarding children's boards; you 9 have written more than 70 serious case reviews since 10 2002? 11 <b>A. Yes. Yes, that's correct.</b> 12 Q. Indeed, you have been involved in a number of years 13 covering issues such as child sexual abuse and 14 exploitation, non-recent and institutional abuse? 15 <b>A. Yes, that's correct.</b> 16 Q. I think in preparing your report, which came in five 17 different parts, and we will look at some of those this 18 morning, you were assisted by Lucy Erber -- 19 <b>A. Yes.</b> 20 Q. -- who is also a qualified social worker? 21 <b>A. Indeed, yes.</b> 22 Q. Just dealing with what you were asked to do, is it right 23 that you were asked to review the procedures that you 24 considered to be relevant to the Roman Catholic Church's 25 handling of allegations of child sexual abuse?</p> <p style="text-align: center;">Page 2</p>
<p>1 <b>A. Yes.</b> 2 Q. Primarily, that was a review of CSAS policies? 3 <b>A. Yes.</b> 4 Q. I think you then reviewed 36 files? 5 <b>A. Yes.</b> 6 Q. Ten from dioceses selected at random? 7 <b>A. Yes.</b> 8 Q. Although the request was from ten orders selected at 9 random, two of the orders did not have any safeguarding 10 files, hence why you reviewed only 36 in total? 11 <b>A. Yes, that's two cases from each of the orders or</b> 12 <b>dioceses that submitted.</b> 13 Q. At the time you dealt with the respective parts of your 14 report, is it right that the De La Salle files were late 15 in coming to you, and so they appear as an addendum? 16 <b>A. They do.</b> 17 Q. Effectively, you were asked to review and audit those 18 safeguarding files, which should have been the two most 19 recent safeguarding files, from the respective dioceses 20 and orders? 21 <b>A. Yes.</b> 22 Q. In addition to the files themselves, you had statements 23 from safeguarding staff? 24 <b>A. For some of the --</b> 25 Q. For some of the files?</p> <p style="text-align: center;">Page 3</p>	<p>1 <b>A. Yes.</b> 2 Q. And/or for clergy who were involved in the respective 3 files, and on some occasions you had further queries and 4 so further statements were provided to answer those 5 queries? 6 <b>A. Yes.</b> 7 Q. You were asked to review and evaluate those files by 8 looking at the CSAS policy that was in place at the time 9 of the file? 10 <b>A. That's correct, yes.</b> 11 Q. But is it right that was not always possible? 12 <b>A. Yes. It wasn't always possible in terms of having</b> 13 <b>access at the time we did the audits to the relevant</b> 14 <b>procedures.</b> 15 Q. So where you didn't have an older version of the CSAS 16 policy, you looked at what the current policy says? 17 <b>A. Yes.</b> 18 Q. And tried to come to a conclusion based on what the 19 current policy says? 20 <b>A. Yes.</b> 21 Q. So that everyone is clear, is it right that this was 22 a desktop audit of the paperwork? 23 <b>A. Absolutely, yes.</b> 24 Q. Namely, what the file told you or didn't tell you? 25 <b>A. Yes, and, therefore -- and that's all the evidence, so</b></p> <p style="text-align: center;">Page 4</p>

<p>1 <b>you have to assume that's all there is.</b></p> <p>2 Q. Effectively, you confirmed at the outset of your report</p> <p>3 that you made clear the facts and matters referred to in</p> <p>4 support were from within your own knowledge, and those</p> <p>5 which weren't?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. And the opinions you expressed represent your true and</p> <p>8 complete professional opinion on the matters to which</p> <p>9 they refer?</p> <p>10 <b>A. Yes, they do.</b></p> <p>11 Q. In giving your evidence this morning, can I try to break</p> <p>12 the report down into, I think, three real sections.</p> <p>13 I want to look at a brief review of the CSAS policies?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. And then turn to the conclusions you made in part 5 of</p> <p>16 your report, referring at times to some case files from</p> <p>17 either the dioceses or the orders?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. So that everyone is aware, chair, parts 1 to 5 of</p> <p>20 the report will be published in full. There isn't time</p> <p>21 to go through what is over 100 pages of Ms Carmi's</p> <p>22 report in the hearing. So, inevitably, we are going to</p> <p>23 be selective about what we adduce publicly, but the</p> <p>24 report will be available in full.</p> <p>25 Can we turn then, please, Ms Carmi, to part 2 of</p> <p style="text-align: center;">Page 5</p>	<p>1 your report, and it should be behind tab 2, chair. I'd</p> <p>2 like to start, if possible, by actually just looking at</p> <p>3 the CSAS website. I hope we can call it up on the</p> <p>4 screen, so that everyone can understand how you go about</p> <p>5 finding the policy and what it looks like when you get</p> <p>6 there.</p> <p>7 This is, is it not, the home page of the CSAS</p> <p>8 website, and the procedures and policies are there at</p> <p>9 the top. You click onto the link of "Procedures manual"</p> <p>10 and, to learn how to respond to an allegation of child</p> <p>11 sexual abuse that relates to a child, you would go to</p> <p>12 chapter 2 on the left-hand side of the page, which calls</p> <p>13 up then a number of different documents that may be</p> <p>14 applicable?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. The main policy that you used when dealing with your</p> <p>17 audit was the top policy there, called "Children -</p> <p>18 management of allegations and concerns"?</p> <p>19 <b>A. That's correct.</b></p> <p>20 Q. If we just click on the "View", I suspect,</p> <p>21 unfortunately, we are not going to be able to see it</p> <p>22 because it won't show up, but we have put up a URN,</p> <p>23 CSA005850, which is one of the policies that is</p> <p>24 applicable, and this version is dated 14 January,</p> <p>25 although, if we had gone on to the link, there have been</p> <p style="text-align: center;">Page 6</p>
<p>1 subsequent updates since. So you get to this page,</p> <p>2 Ms Carmi, and one can see there set out are the</p> <p>3 contents. If one just scrolls down to the next page, we</p> <p>4 can see it starts with a policy statement, and then,</p> <p>5 a little towards the bottom, the application of</p> <p>6 the policy.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. So the document goes on, and I think this is a 25-page</p> <p>9 procedure.</p> <p>10 Can you just help us, please, with what you say at</p> <p>11 paragraph 1.2.1 of your report and your overall views</p> <p>12 about the structure and accessibility of this particular</p> <p>13 policy?</p> <p>14 <b>A. When I looked initially, it looked great. You know, you</b></p> <p>15 <b>saw -- this was the manual split into all these things.</b></p> <p>16 <b>When I actually tried to find actual instructions on</b></p> <p>17 <b>what to do when auditing cases, I changed my view</b></p> <p>18 <b>completely, and I found it extremely difficult to</b></p> <p>19 <b>identify.</b></p> <p>20 <b>So although you've first of all got, I can't</b></p> <p>21 <b>remember how many chapters, but within each chapter --</b></p> <p>22 <b>I think in chapter 2 there are something like</b></p> <p>23 <b>11 documents. None of those documents are numbered.</b></p> <p>24 <b>Then, within them, there aren't paragraph numbers.</b></p> <p>25 Q. We can see, if we look at the policy statement, that</p> <p style="text-align: center;">Page 7</p>	<p>1 point amply demonstrated; there are no paragraph numbers</p> <p>2 within policy statement, part 1. So is it impossible,</p> <p>3 therefore, to identify which line or which page or which</p> <p>4 bit you're referring to?</p> <p>5 <b>A. Absolutely. So when there's cross-referencing, and</b></p> <p>6 <b>there ought to be a huge amount of cross-referencing</b></p> <p>7 <b>because, actually, the other big bit was the fact that</b></p> <p>8 <b>it isn't just one document that's relevant. When you</b></p> <p>9 <b>really start to look, you discover that there are all</b></p> <p>10 <b>sorts of other documents that are mentioned which, after</b></p> <p>11 <b>a lot of Googling, you do find are elsewhere in the</b></p> <p>12 <b>manual in any number of the other chapters, none of</b></p> <p>13 <b>which are numbered. Again, you will see -- you know,</b></p> <p>14 <b>like this one is not numbered, "Chapter 2-1".</b></p> <p>15 Q. Was there any hyperlinking?</p> <p>16 <b>A. There is no hyperlinking, nothing like that. You aren't</b></p> <p>17 <b>even aware they're part of the manual. Initially,</b></p> <p>18 <b>I began to think that they were part of some internal</b></p> <p>19 <b>processes that weren't available to me.</b></p> <p>20 Q. Can I just pause you there, because Ms Limbrick told us</p> <p>21 last week that the policies and procedures are intended</p> <p>22 for a wide audience, for a layperson or perhaps a victim</p> <p>23 who wants to know what is going to happen, up to what</p> <p>24 she described as "a safeguarding coordinator with</p> <p>25 tremendous experience", to use her words. You clearly</p> <p style="text-align: center;">Page 8</p>

1 have a safeguarding background, someone who falls at the  
 2 latter end of that scale. Did you find them easy to use  
 3 and navigate around?  
 4 **A. I find them extremely difficult and I'm somebody who has**  
 5 **spent some years actually writing child protection**  
 6 **procedures, the first All London ones and then the ones**  
 7 **for the south-east, and I found it extremely difficult**  
 8 **to find the bits that I wanted. The actual**  
 9 **instructions -- because part of this is, although there**  
 10 **has been an attempt to say "policy" at the beginning,**  
 11 **actually "policy" and "guidance" are sprinkled**  
 12 **throughout each document and, therefore, to separate out**  
 13 **and find what the actual instruction is, who it is for,**  
 14 **the date -- when you're meant to do it, so who it is**  
 15 **for, when it is meant to be done, was extremely**  
 16 **difficult, combined with the fact that there are many**  
 17 **other documents that also provide overlapping**  
 18 **instructions and sometimes contradictory, and sometimes**  
 19 **instructions within this particular document were not**  
 20 **identical in different parts of it.**  
 21 Q. Can I just ask you, what's the problem with mixing of  
 22 the policy and the guidance?  
 23 **A. Well, the problem is, if you're a practitioner, or even**  
 24 **when you're doing an audit, what you are trying to find**  
 25 **out is what is expected of practitioners, and policy is**

Page 9

1 **identical and not conflicting.**  
 2 Q. If I take you to something that is not there, can I ask  
 3 you about your paragraph 1.4.1, where you make reference  
 4 to the fact that the current procedures do not provide  
 5 any specific mention of how to manage non-recent  
 6 allegations when an adult reports childhood abuse?  
 7 **A. Yes.**  
 8 Q. You make the point there that the procedure states that  
 9 there is no difference between these and current  
 10 allegations, but what's the problem with not having  
 11 a specific procedure for reporting of historic  
 12 allegations?  
 13 **A. Because there are some differences. One is the**  
 14 **difference in terms of -- I think there's a difference**  
 15 **in terms of reporting, which is whether you're just**  
 16 **reporting to the police or whether you're reporting to**  
 17 **the local authority, the LADO or Children's Services.**  
 18 **And that's not made clear. Therefore, it looks like you**  
 19 **have to report them all to the LADO, but in two**  
 20 **different places it's written. In one place it seems to**  
 21 **suggest it's just the police; in the other place, not**  
 22 **because of deceased, but because of whether they**  
 23 **currently have a position of responsibility. In the**  
 24 **other place it comes up, it looks like everything has to**  
 25 **go to the LADO, but clearly the practice varies, but in**

Page 11

1 **all very good, you know, and it is the lofty ambitions**  
 2 **and guidances about extra advice, but actually, what you**  
 3 **are trying to get to is the bare bones of what it is**  
 4 **that you, as an individual, whatever role it is, what**  
 5 **you are expected to do, given a particular set of**  
 6 **circumstances, and that does not come out strongly**  
 7 **enough, in my opinion.**  
 8 Q. I think you told us that there are procedural  
 9 instructions in different locations within the CSAS  
 10 website. Can I make it clear: it is not a problem with  
 11 the CSAS website that we couldn't call up; it is  
 12 a problem with our internal structures. If you did it  
 13 normally this morning on a different computer, you would  
 14 come to the right policy.  
 15 But what is the problem with the splitting of  
 16 the procedural instructions between all of those  
 17 locations?  
 18 **A. When you're a practitioner, a member of the public or**  
 19 **whoever you are trying to look up to see what you are**  
 20 **going to do, you need to have a place where you look at.**  
 21 **Whatever the size of it is, it is better for everything**  
 22 **to be together and to be cross-referenced in one**  
 23 **document. And for the relevant instructions to only**  
 24 **appear in one particular section, part of it. If they**  
 25 **must appear in more than one place, for them to be**

Page 10

1 **general isn't to the LADO when the person is deceased**  
 2 **because, actually, what will the LADO do?**  
 3 **At the same point, I noticed that one SCO was**  
 4 **criticised in the report -- the statement provided by**  
 5 **a member of clergy because that SCO has now gone, so**  
 6 **a member of clergy did the statement for IICSA and**  
 7 **criticised the SCO for not reporting it to the LADO when**  
 8 **the person was already deceased.**  
 9 Q. So there's an inconsistency in the policies about when  
 10 the LADO needs to be notified?  
 11 **A. Yes.**  
 12 Q. Particularly if there is a reference to a non-recent  
 13 allegation, where the perpetrator is deceased. Have  
 14 I got that right?  
 15 **A. Yes.**  
 16 Q. Can I just ask you this: if someone wanted to go to this  
 17 policy and find out, when does the LADO need to be  
 18 notified, is there an easy and obvious answer to that  
 19 question?  
 20 **A. No. No. You look in a number of different places. And**  
 21 **that actual question is not answered. You pick it up by**  
 22 **inference in a few different places.**  
 23 Q. Can I ask the same question in relation to, is it easy  
 24 and obvious to identify when the police need to be  
 25 notified about an allegation?

Page 12

1 **A. That is better handled. Again, there are a number of**  
 2 **different places, but I think it does come through**  
 3 **clearly, if there is an allegation that a crime has been**  
 4 **committed, police need to be notified. It isn't always**  
 5 **understood, though, clearly.**  
 6 Q. Is it obvious in the policies who should be making the  
 7 report to the LADO?  
 8 **A. No, no.**  
 9 Q. Is it obvious in the policy who should be making the  
 10 report to the police?  
 11 **A. No. It's not clear in the procedures who the**  
 12 **instructions are being written for. It's muddled up as**  
 13 **to whether it's for a member of the congregation,**  
 14 **whether it's the safeguarding representative within**  
 15 **a parish or the safeguarding coordinator or a member of**  
 16 **the clergy. There is no sort of distinction. So it's**  
 17 **muddled -- it's very muddling, when you read it.**  
 18 Q. Does it make it clear what the reporting requirements  
 19 are if the perpetrator is dead?  
 20 **A. No.**  
 21 Q. I picked quite simple questions to see if that perhaps  
 22 cuts through some of the detail of your report. I don't  
 23 say that critically. But these are the kind of  
 24 questions that certainly a layperson or someone new in  
 25 post may need the answers to.

Page 13

1 we be able to learn?"  
 2 **A. No, I think that that's -- that there is much more**  
 3 **learning that can be done, in terms of learning lessons**  
 4 **from the past, but also in terms of how you respond to**  
 5 **somebody who is saying that they "don't want this**  
 6 **reported to the police", you know, that's not what they**  
 7 **want. Actually, this isn't just about deceased, this is**  
 8 **about non-recent stuff, even where the perpetrator is**  
 9 **still alive, so we had -- there was one about --**  
 10 **I remember very clearly where the alleged victim did not**  
 11 **want it reported to the police, and what you have to**  
 12 **think is, "Is there an allegation of a crime?", because,**  
 13 **if there is, other people could still be at risk. So**  
 14 **you need to explain to the person that there's limits to**  
 15 **the confidentiality, and that if she, or he, does not**  
 16 **want their identity disclosed, you will respect that,**  
 17 **but you need to actually inform the police of the crime**  
 18 **having been committed.**  
 19 **Secondly, that even then, there are limits to that**  
 20 **confidentiality, because if the police do decide to do**  
 21 **an investigation, they may ask for all your notes and**  
 22 **records and, therefore, even that person's identity**  
 23 **could be disclosed, even though you are not disclosing**  
 24 **it initially.**  
 25 **So it's the complications of that that people need**

Page 15

1 **A. Yes.**  
 2 Q. Can I ask you about a document at INQ004766. There is  
 3 what's called the quick guide.  
 4 **A. Have I got it here?**  
 5 Q. It is coming up on your screen. This is one of  
 6 the chapters in the procedures manual. I would just  
 7 like your help, please: do you consider a document like  
 8 this to be helpful to the safeguarding coordinator or  
 9 indeed to any layperson looking at what's going on?  
 10 **A. Yes, it can be helpful.**  
 11 Q. That appears, I think, some way down the CSAS website.  
 12 In your view, should there be a shifting of this and  
 13 perhaps putting this at the front, so there is an easy  
 14 guide to know what to do?  
 15 **A. Yes. This should be integrated into the actual first**  
 16 **document in chapter 2, you know, the main document.**  
 17 **I think it is a stand-alone document, on its own, at the**  
 18 **moment, and it should be an integral part of it, yes.**  
 19 Q. Just dealing with the procedures where the perpetrator  
 20 is deceased, can I just ask you this: are there still  
 21 lessons to be learnt for the church to learn about  
 22 safeguarding in circumstances where the perpetrator has  
 23 died? Do you get a sense from the policies that there  
 24 is any eye to, "Well, we know the perpetrator is dead,  
 25 but what else might we be able to do? What else might

Page 14

1 **to have explained.**  
 2 Q. Is it easy to find out?  
 3 **A. No, it's not mentioned in the procedures. I think what**  
 4 **happens is, if people say they don't want it reported to**  
 5 **the police, it's not reported.**  
 6 Q. Can I ask you then to look, please, in part 2 of your  
 7 report at paragraph 2.4.3, just to conclude the section  
 8 on who needs to be notified. I think you say that there  
 9 is a section in the CSAS policy. Can we put back up on  
 10 screen, please, CSA005850\_007 and take the bottom of  
 11 the page, 4.2.1, "Reporting arrangements for allegations  
 12 against clergy, religious, laypersons and volunteers".  
 13 You say that this section of the policy provides  
 14 instructions about who needs to be notified, but when  
 15 you looked at the audits, Ms Carmi, what did that  
 16 suggest to you?  
 17 **A. Well, the records were not showing who was notified**  
 18 **unless a CMI form was being used.**  
 19 Q. We will come back to that in a moment.  
 20 **A. But, generally speaking, there was no record of who was**  
 21 **notified, not even of police from -- you will pick it up**  
 22 **later on that police had been, but certainly not the**  
 23 **commission, not the bishop. Then there was a real**  
 24 **confusion around the area of insurance and**  
 25 **Charity Commission.**

Page 16

<p>1 Q. So was it possible for you, when you reviewed the audits 2 in the main, to know that the police had been notified? 3 <b>A. If the police had been notified, you tended to pick it 4 up through subsequent communications from the police or 5 to the police. With the others, it was, by and large, 6 not possible to know whether or not they had ever been 7 notified, either the commission -- there was a bit more 8 knowledge of that, but the bishop, there wasn't.</b> 9 Q. Perhaps if we look at the CM1 form, that might help on 10 this point. Can we call up INQ004816. Now, this is the 11 form known as CM1. Before we look at some of 12 the detail, what should happen in relation to this form? 13 <b>A. My understanding is that this form should be filled in 14 at the start with whoever actually makes the original -- 15 receives the allegation and makes it. So it doesn't 16 necessarily start with the safeguarding coordinator; it 17 could be starting with whoever makes the original 18 referral and then it gets continued as time goes on and 19 actions get taken. So the safeguarding coordinator then 20 begins to fill in what she or he does.</b> 21 Q. If we look, there you are, you can see the kind of 22 detail it requires in relation to the allegation, and 23 then where the allegation has come from, who's referred 24 it to the safeguarding coordinator, and some detail 25 needed to be filled in there.</p> <p style="text-align: center;">Page 17</p>	<p>1 If we go over the page, at the top box, questions 2 such as, "Has the person alleged to have perpetrated 3 harm/abuse behaved in any of the following ways?" 4 Essentially, a mini risk assessment at the top there? 5 <b>A. Yes.</b> 6 Q. As you go down page 2 of the CM1 form, various other 7 categories and questions to prompt the safeguarding 8 coordinator or the person filling it in to work out what 9 kind of allegation it is. You can see there's a sexual 10 abuse category on there. If we go to page 3, detail 11 about the subject of the concern. Is that the 12 perpetrator? 13 <b>A. Yes.</b> 14 Q. Who they are, what position they hold, detail about 15 them. Over the page again, to page 5, details about the 16 victim and survivor; the parent/carer, whether they are 17 appropriate. If you go to page 6 in the document, 18 notification details. 19 <b>A. Yes.</b> 20 Q. That sets out there a number of different bodies that 21 may or may not be involved in a safeguarding file, 22 depending on the facts of the case? 23 <b>A. Yes.</b> 24 Q. Generally, do you think this form is a useful form to 25 provide the basic information to maintain and run the</p> <p style="text-align: center;">Page 18</p>
<p>1 safeguarding file? 2 <b>A. I think this is an extremely useful form. One, you can 3 just see what's been happening, but, two, it prompts, 4 I think, the safeguarding coordinator to really think 5 about: what kind of abuse is this; is this a crime; who 6 all needs to be notified? And if -- you know, so 7 there's anybody down there and there hasn't been -- you 8 know, actually questioning it. So it's actually good 9 for the reader to see what's happened, but it also 10 prompts good practice.</b> 11 Q. Now, in relation to the use of that form, if we turn to 12 paragraph 2.6, I think, in your part 2, are you able to 13 give us an indication of how often the CM1 form was 14 actually used in the safeguarding files that you 15 reviewed? 16 <b>A. I can't say the exact number, but I would say that, on 17 the religious orders, probably just in one of them. And 18 on the dioceses, it varies, but it's certainly not 19 uniformly done, but it's more frequent in the dioceses.</b> 20 Q. Did the use of the CM1 form affect your ability to audit 21 the files? 22 <b>A. It affected our ability to more accurately audit the 23 files, and I think it probably also reflected where the 24 better practice could be evidenced in the file.</b> 25 Q. So would you generally, from what you say, advocate the</p> <p style="text-align: center;">Page 19</p>	<p>1 use of CM1? 2 <b>A. Absolutely.</b> 3 Q. In your view, would it be helpful for that message to be 4 disseminated both back to the dioceses and the orders? 5 <b>A. Absolutely.</b> 6 Q. In general terms, can you give us an indication, in 7 terms of record keeping, was there any disparity between 8 the records kept by the orders and the records kept by 9 the dioceses? 10 <b>A. Yes. The audits of the orders, it was really notable 11 that the records were, by and large, inadequate. They 12 were basically emails, letters. A huge thing that was 13 missing was internal communications, internal meetings, 14 internal discussions. Although I do remember in one 15 case where there was reference to having a telephone 16 conversation, which was obviously an important 17 conversation, which wasn't recorded, and you did get the 18 sense it was quite purposefully not recorded, in terms 19 of decision making on that case.</b> 20 <b>I would say, though, that, in actual fact, that 21 particular case I'm referring to, it was a diocesan 22 safeguarding coordinator whose records were being looked 23 at for that religious order, so although -- it's not 24 quite so straightforward that sometimes, you know -- and 25 I don't know whether there's a difference in the</b></p> <p style="text-align: center;">Page 20</p>

<p>1 recording by diocesan safeguarding coordinators of                  2 the work of the diocese as opposed to the work of                  3 religious orders. That, I do not know. But, basically,                  4 with one exception of the religious orders, the                  5 recording was woeful.</p> <p>6 Q. I think you say in your conclusion -- we don't need to                  7 turn it up -- in fact it was the Society of Jesus'                  8 records that, in terms of the orders, were good examples                  9 of a safeguarding file --</p> <p>10 A. Yes.</p> <p>11 Q. -- with good record keeping?</p> <p>12 A. Absolutely, yes.</p> <p>13 Q. I think you said the dioceses tended to make more use of                  14 the CMI form, and the dioceses tended to include                  15 telephone conversations and internal communications?</p> <p>16 A. And they specified -- they had their own internal sort                  17 of instructions for recording, and they actually                  18 specified in them that that needed to be included.</p> <p>19 Q. In general, when one considers record keeping, I think                  20 you said this: there was a lack of uniformity in                  21 recording standards?</p> <p>22 A. Yes.</p> <p>23 Q. And, in particular, where something was not done, it                  24 wasn't possible for you to determine why it hadn't been                  25 done?</p> <p style="text-align: center;">Page 21</p>	<p>1 A. That's right. Because, generally, the rationale for                  2 decisions, or for the lack of a decision, was not                  3 recorded.</p> <p>4 Q. We may come on to look at an example in relation to that                  5 in a moment.</p> <p>6 Can I deal with a different aspect of your                  7 conclusions now, and perhaps if one -- if you turn to                  8 part 5 in your report, Ms Carmi.</p> <p>9 A. Yes.</p> <p>10 Q. I want to just deal with the section where you cover                  11 safeguarding planning, which you will find in section 7.                  12 Chair, it is behind your tab 5 at page 12 of part 5 of                  13 the report.</p> <p>14 Perhaps if we can call up on screen, please,                  15 INQ004794_013. I will actually put up the conclusions                  16 that you came to in relation to safeguarding planning.</p> <p>17 I just want to see if I have understood this                  18 correctly, that where an allegation is made, there may                  19 be a need to manage the risk posed by the alleged                  20 perpetrator, whether they're a member of the clergy or                  21 a lay member of the church?</p> <p>22 A. Yes.</p> <p>23 Q. There needs to be a consideration of the risk they may                  24 pose?</p> <p>25 A. Yes, right from the outset.</p> <p style="text-align: center;">Page 22</p>
<p>1 Q. In order to assess the risk, there are CSAS policies                  2 covering how one determines the risk; is that right?</p> <p>3 A. That's right.</p> <p>4 Q. In fact, there is a policy called a risk information                  5 framework that CSAS has on its website --</p> <p>6 A. Yes.</p> <p>7 Q. -- to try and determine the level of the risk?</p> <p>8 A. Yes.</p> <p>9 Q. Just, then, looking, please, at 7.2 in your report, you                  10 said that in relation to safeguarding planning there is                  11 a wide variation of practice between the orders and the                  12 dioceses, "which perhaps reflects the challenge we found                  13 when trying to understand the required process in the                  14 procedures". Help us: what is it you're trying to say                  15 there?</p> <p>16 A. I'm trying to say that we found it difficult to work out                  17 what somebody should do in this situation. You know, to                  18 actually -- we did eventually work out they are expected                  19 to undertake some kind of risk assessment from the                  20 outset and that there is a procedure for this, although                  21 that took some time to identify, and we only identified                  22 it after we found it in a file.</p> <p>23 Therefore, if we found it hard, I imagine that                  24 practitioners would find it difficult too, and,                  25 therefore, that might be a contributory factor to the</p> <p style="text-align: center;">Page 23</p>	<p>1 lack of consistency in its use.</p> <p>2 Q. If we go to your paragraph 7.2.2, we can see there in                  3 the 34 cases -- this was conducted before you'd done the                  4 De La Salle review -- there was no need for a risk                  5 information framework in relation to 20 of those cases?</p> <p>6 A. Yes.</p> <p>7 Q. For example, no need for a risk information framework                  8 where the perpetrator was deceased?</p> <p>9 A. Yes, that was a lot of the cases.</p> <p>10 Q. That leaves, however, 14 cases where you identified                  11 there was potentially a need for the risk information                  12 framework?</p> <p>13 A. Yes.</p> <p>14 Q. If we go to 7.2.3 in your report, you say there were                  15 five cases in the audit of the orders and one in the                  16 diocesan audit for which there was no evidence of any                  17 risk information framework or safeguarding plan at any                  18 time?</p> <p>19 A. Yes.</p> <p>20 Q. In your view, was there a need, in those six cases, for                  21 that framework to have been undertaken?</p> <p>22 A. Yes, those were ones where it was needed.</p> <p>23 Q. What is the danger if that risk information framework is                  24 not completed?</p> <p>25 A. I mean, there are two aspects: one is the risk</p> <p style="text-align: center;">Page 24</p>

1 **information and then subsequently should be the**  
 2 **safeguarding plan. If this is not completed, if the**  
 3 **assessment is not done, you actually have no idea what**  
 4 **the risk is that you are dealing with and how you can**  
 5 **mitigate against this with a safeguarding plan, and what**  
 6 **are the components that are needed of any safeguarding**  
 7 **plan.**  
 8 **So it's a huge issue if it's not done.**  
 9 Q. Now, there's one particular example that you refer in  
 10 your conclusion to. This was despite, in one case, this  
 11 being the recommendation of an independent investigation  
 12 with the nun concerned, who was undertaking voluntary  
 13 work with the vulnerable people, and without the  
 14 managers of the project, who were the local authority,  
 15 being aware of the allegations. Is that, Ms Carmi,  
 16 a reference to one of the cases you audited from the  
 17 Institute of Our Lady of Mercy?  
 18 **A. It is.**  
 19 Q. I'm going to see if I can summarise that part of your  
 20 audit which, for those who are following, is in part 3,  
 21 at INQ004689\_027. Now, the Institute of Our Lady of  
 22 Mercy has its own Safeguarding Commission and, as  
 23 I understand it, is not aligned to a diocese?  
 24 **A. I think that's right.**  
 25 Q. I think, if I can give a summary of what this case file

Page 25

1 **A. Yes.**  
 2 Q. If I take you, please, to 7.10.3, so \_031, I just want  
 3 to ask you about the lack of the risk assessment and  
 4 your conclusions about it. So the investigator  
 5 recommended it was done, but that recommendation was not  
 6 accepted by the panel. In the file, were you able to  
 7 understand why the panel rejected the recommendation of  
 8 the independent consultant?  
 9 **A. It's not explained, as such. The only hint is that the**  
 10 **order was, themselves, finding this quite difficult.**  
 11 **There is some communication going on with the – sorry,**  
 12 **I've forgotten the name for the head of the order, and**  
 13 **the head of the Safeguarding Commission, but also CSAS**  
 14 **also got involved in it at the time, the director.**  
 15 **There seems to have been some sort of agreement that it**  
 16 **was inappropriate, the report and its recommendations.**  
 17 **I should add that both Lucy Erber and myself were**  
 18 **impressed with the report. We have thought it was**  
 19 **a very comprehensive, well-argued report.**  
 20 Q. So, on the face of the document, you thought the  
 21 independent consultant's report was well argued and well  
 22 reasoned. I think you say as much in your conclusion?  
 23 **A. Yes.**  
 24 Q. The commission, for some reason, have declined to follow  
 25 that recommendation?

Page 27

1 was about, in 2011, the complainant made an allegation  
 2 that she had been both physically and sexually abused by  
 3 a female teacher, who was the nun that you were  
 4 referring to in that conclusion?  
 5 **A. Yes.**  
 6 Q. That abuse was said to have happened back in 1967 to  
 7 1971, so an historic allegation. The complainant did  
 8 not want the matter prosecuted; is that right?  
 9 **A. That's correct.**  
 10 Q. And the order conducted a preliminary inquiry report  
 11 that was carried out by an independent consultant?  
 12 **A. Yes.**  
 13 Q. There is no difficulty with that. That's perfectly  
 14 permissible and in line with the procedures, as  
 15 I understand it.  
 16 **A. Yes.**  
 17 Q. The conclusion of the independent consultant was given  
 18 to the safeguarding panel?  
 19 **A. Yes.**  
 20 Q. And the safeguarding panel rejected the independent  
 21 consultant's recommendations?  
 22 **A. Yes.**  
 23 Q. One of those recommendations, if I understand it right,  
 24 was that there be a risk assessment done on the alleged  
 25 perpetrator?

Page 26

1 **A. Yes.**  
 2 Q. But you couldn't work out why they had come to that  
 3 decision?  
 4 **A. Couldn't work out why and that risk assessment was by**  
 5 **then very much overdue, because, actually, although what**  
 6 **they had done was in line with procedures, the risk**  
 7 **assessment should have been done right at the outset**  
 8 **when the allegation was made. The only evidence that**  
 9 **this nun was still involved in working with vulnerable**  
 10 **people was due – came out in a strategy meeting at the**  
 11 **local authority where she is now living.**  
 12 Q. So, on the face of it, there was a need to have a risk  
 13 assessment done because she was still living and working  
 14 within the community?  
 15 **A. Yes.**  
 16 Q. Now, it may be that there is good reason for why they  
 17 rejected the independent consultant's recommendation?  
 18 **A. There may be.**  
 19 Q. But you just could not tell that from looking at the  
 20 file?  
 21 **A. No.**  
 22 Q. Staying with the Institute of Our Lady of Mercy file,  
 23 can I ask you about a different aspect of this file.  
 24 I think at 7.7.4, if we can look at that on screen at  
 25 \_030, at the top of the page:

Page 28

1 "The alleged victim gave information to the  
 2 independent investigator on the basis of an agreement  
 3 that she would be able to read the [investigator's]  
 4 report."  
 5 **A. That's correct.**  
 6 Q. This may ring bells, chair, with some other evidence you  
 7 have heard in the inquiry. That was explained to her.  
 8 There was a LADO meeting in April 2012 and an agreement  
 9 that the LADO would also be provided with the  
 10 independent investigator's report. Is that right?  
 11 **A. That's correct.**  
 12 Q. The independent investigator and the order's  
 13 safeguarding coordinator were present. I think you say  
 14 this:  
 15 "When arrangements were being made to send the  
 16 report to the alleged victim, the then director of CSAS,  
 17 Mr Childs, intervened and said the complainant is not to  
 18 be given a report of the report."  
 19 **A. That's right.**  
 20 Q. You have set out on screen what Mr Childs said and it  
 21 came to this: the accused was the only one who had  
 22 a right of reply to the report?  
 23 **A. Yes.**  
 24 Q. So the complainant did not get the report, as  
 25 I understand it?

Page 29

1 expertise extends to covering advice on compliance in  
 2 relation to data protection?  
 3 **A. I wouldn't say that that's a huge area of my expertise,**  
 4 **no.**  
 5 Q. And whether you accept there are circumstances where it  
 6 may be necessary not to provide any information to  
 7 a complainant in order to comply with legal requirements  
 8 such as data protection?  
 9 **A. There may be. As I say, I'm not an expert on that. But**  
 10 **I would have thought there's a way around this.**  
 11 Q. Now, I think, in due course, you described the decision  
 12 not to provide the complainant with the report as  
 13 effectively amounting to re-abuse?  
 14 **A. Yes.**  
 15 Q. Why do you go as far as saying that?  
 16 **A. I think one of the things that I've been very affected**  
 17 **by when I've spoken to survivors and victims is actually**  
 18 **how distressing, sometimes, the responses can be, and**  
 19 **they talk about it being even worse than the original**  
 20 **abuse when it is actually at the hands of those people**  
 21 **they have gone to for help. When you read the letter of**  
 22 **complaint from this survivor and you could feel her**  
 23 **anguish and distress, that she had brought something up**  
 24 **and, you know, she only -- she agreed to do this on the**  
 25 **basis that she would have the chance to see the report,**

Page 31

1 **A. No.**  
 2 Q. That was despite the objections of the investigator and  
 3 the extreme distress, you described, of the alleged  
 4 victim and her written complaint about this?  
 5 **A. That's right.**  
 6 Q. I'm asked to ask you this: in relation to this aspect  
 7 and whether the complainant should see the report, do  
 8 you accept, Ms Carmi, that disclosure of personal  
 9 information can engage legal frameworks such as the  
 10 Data Protection Act?  
 11 **A. I do, and I would have thought that would apply from**  
 12 **both sides: from the victim seeing personal details**  
 13 **about the alleged perpetrator and the alleged**  
 14 **perpetrator seeing details about the victim. Although**  
 15 **that can be dealt with through --**  
 16 Q. Let me ask the questions that I have been asked to ask  
 17 you. Do you think that such legal requirements would be  
 18 a matter of concern for the order?  
 19 **A. I do not know what the concern for the order was, other**  
 20 **than the fact that the concern here was about only**  
 21 **the -- no, I can't -- you can overcome the legal**  
 22 **problem. You can do redaction of the personal**  
 23 **information. So, no, I don't see why that should be**  
 24 **a concern for the order.**  
 25 Q. I am asked to ask you whether, in your experience, your

Page 30

1 **and, also, you know, therefore be able to actually point**  
 2 **out if anything is omitted. But, actually, she wasn't**  
 3 **getting that opportunity. I -- it was -- I just felt**  
 4 **that was extremely abusive. It was like saying that she**  
 5 **didn't count, the only person that counted here was the**  
 6 **alleged perpetrator, who could see it.**  
 7 Q. Finally in relation to this file, I am asked to ask you:  
 8 do you accept, Ms Carmi, that, far from this being  
 9 re-abuse, the steps taken by the order could be  
 10 described as steps to comply with the legal requirements  
 11 on the order?  
 12 **A. The legal data protection requirements?**  
 13 Q. Mmm.  
 14 **A. They may be that, but that looks to me -- sounds to me**  
 15 **as a way of not thinking around the issue, and,**  
 16 **therefore, you can think around such issues about data**  
 17 **protection, normally, to be able to find a solution that**  
 18 **actually meets the needs of all those involved whilst**  
 19 **still being compliant.**  
 20 Q. We broke off from looking at the safeguarding planning.  
 21 Can I go back, please, on screen to INQ004779. I just  
 22 want to ask you about a couple of other matters in  
 23 relation to this. At \_013, the bottom of that page,  
 24 reference, please, to "Disclosure of abuse and the  
 25 sacrament of reconciliation". There is, in fact,

Page 32



1 a policy and, Ms Carmi, we looked at it yesterday when  
 2 Monsignor Read gave evidence, about the guidance that's  
 3 given to the clergy where there is a disclosure of abuse  
 4 either by a perpetrator or by a victim, and I would just  
 5 like you, please, to expand on what you say there at  
 6 4.1.1, where you say that, of course, it provides  
 7 confidentiality for any disclosure given in the context  
 8 of the sacramental confession:  
 9 "Whilst not unique to the Catholic Church, this is  
 10 of concern in terms of the paramountcy principle; ie, it  
 11 is in the child's best interests and the welfare is the  
 12 first and paramount consideration."  
 13 Are you able to expand on that, please, given your  
 14 experience in child protection?  
 15 **A. Well, in all other areas of life, if something is said,**  
 16 **if there is a disclosure, you have to actually -- all of**  
 17 **us in our professional lives have to put the welfare of**  
 18 **the child first and disclose and report that concern and**  
 19 **allegation in all other areas of life: the welfare of**  
 20 **the child is paramount. It seems that -- that is the**  
 21 **law of the land. How the fact that within -- and as**  
 22 **I say, the Roman Catholic Church is not isolated in**  
 23 **this, but why this does not apply to religions for**  
 24 **information given in the confessional completely defeats**  
 25 **me. You know, I just cannot understand that, although**

Page 33

1 advice, and then tried to work out whether the threshold  
 2 had been met. Whereas kind of, actually, you just felt:  
 3 make a referral and let the LADO deal with whether the  
 4 threshold has been met, rather than trying to make that  
 5 decision yourself.  
 6 Q. I think the policy from CSAS suggests that, where  
 7 a person's conduct may impact on their suitability to  
 8 work with, or to continue to work with, children, then  
 9 the LADO -- the matter must be referred to the LADO?  
 10 **A. Yes.**  
 11 Q. That's not a particularly difficult test to apply, on  
 12 one view?  
 13 **A. Well, sometimes it was actually what information they**  
 14 **would have about whether the person's work did or didn't**  
 15 **involve working with children.**  
 16 Q. Right.  
 17 **A. Other times -- and that case was particularly in**  
 18 **relation to the -- there was an assumption that the**  
 19 **person didn't, because that was information that had**  
 20 **been had that wasn't in the file, some historical**  
 21 **information that, when there had been earlier concerns,**  
 22 **the decision was that he wasn't working with children.**  
 23 **But his partner definitely was, and in a safeguarding**  
 24 **position, and his partner was meant to have knowledge of**  
 25 **the offences. So it was there -- actually, that's**

Page 35

1 **I know it. It just seems morally wrong.**  
 2 Q. A slightly different topic now, please. Can I pick up  
 3 in part 2 of your report at INQ004779\_009, something we  
 4 touched on earlier about referral to the statutory  
 5 authorities. Now, you have told us that it is not  
 6 particularly easy just to find out some basic answers of  
 7 whom to report to and when. I just want to ask you  
 8 a little bit about the variation of practice in audits  
 9 when LADO was notified. I'm looking, please, at your  
 10 2.5.5 in that section.  
 11 You say there there was a variation in practice.  
 12 Can you help us, what has led to this variation in  
 13 practice, in your view?  
 14 **A. I think -- I can't really answer that because the**  
 15 **rationale for decision making isn't in the audits.**  
 16 **I would suspect there is two things. One is what we**  
 17 **have talked about before, about the clarity of**  
 18 **the procedures, or lack of clarity. I think the other**  
 19 **thing is different practices within -- of safeguarding**  
 20 **coordinators, their background and what their**  
 21 **expectations are. And I think a third reason will be**  
 22 **the responses they get from the LADOs being different.**  
 23 **So you get different instructions, and I noticed that**  
 24 **one where they didn't make a referral that needed to be**  
 25 **made, they'd actually gone to the LADO and asked for**

Page 34

1 a greyer area because it's not the actual alleged  
 2 perpetrator, but actually, it does involve -- and I have  
 3 seen other cases where you have the alleged  
 4 perpetrator's partner, in a virtually identical position  
 5 within a church, actually inviting children into the  
 6 family home and things. So you have to actually  
 7 think -- you have to think wider, think out of the box,  
 8 and you actually -- if in doubt, as these people were,  
 9 they realised there was a problem, they need to make the  
 10 referral and not be put off by, you know, them having to  
 11 decide if it fits the criteria.  
 12 Q. Do you think that the CSAS policies and procedures help  
 13 widen the pool? You said it needed to be there, that  
 14 you have to think more broadly?  
 15 **A. No.**  
 16 Q. Do they encourage that kind of thinking?  
 17 **A. No. No. They shut -- I don't think that in general it**  
 18 **encourages thinking, professional thinking. I think**  
 19 **it's shutting down.**  
 20 Q. I'd like to look at one example of good liaison with  
 21 LADO, and if we can call up on screen, please,  
 22 INQ004767. This is an audit of a file from the diocese  
 23 of Salford. It is \_079, please. We can see this is  
 24 a case that involved -- it was from 2018. It involved  
 25 an adult female reporting to police that she thought

Page 36

1 she'd been abused by a priest in the 1980s.  
 2 **A. Yes.**  
 3 Q. The priest, at the time the allegations were made, was  
 4 now in his 70s. The police took no action. In fact, it  
 5 was the LADO that contacted the diocese. If we pick up  
 6 the chain of events from then, Ms Carmi, is it right  
 7 that the diocese then took steps to check on the priest.  
 8 They found out that he was retired, but he was still  
 9 celebrating mass on a supply basis?  
 10 **A. Yes.**  
 11 Q. Given that this case involved the LADO, what was the  
 12 outcome of the responses by the diocese with the LADO's  
 13 involvement?  
 14 **A. Sorry, I'm just trying to refresh myself.**  
 15 Q. Not at all.  
 16 **A. Basically, what happened here was that there was just**  
 17 **communication with the LADO and taking an advice and the**  
 18 **LADO making the decision that there was insufficient**  
 19 **evidence to really take the matter further, insufficient**  
 20 **evidence for an internal investigation and also for**  
 21 **intervening in the priest's ability to supply mass.**  
 22 Q. I think you say that the director of safeguarding  
 23 involved asked the LADO to convey an offer of support  
 24 and an offer to fund counselling to the victim?  
 25 **A. Yes, on two occasions.**

1 **You felt that kind of a strategy was placed upon -- and**  
 2 **not just the church, but all the different agencies that**  
 3 **might be involved about what needed to be done and what**  
 4 **sort of investigation to be done. Then if it was put**  
 5 **back, also if it was put back that there was no further**  
 6 **action by the statutory authorities, usually also in**  
 7 **terms of what further investigation the church could do.**  
 8 Q. Perhaps before we take our mid-morning break, I am going  
 9 to turn to the conclusions section of your report and  
 10 deal with the conclusions you come to in relation to  
 11 support for the perpetrator where an allegation is made.  
 12 Can we call up on screen, please, INQ004794\_008, please.  
 13 At the start of this section, you set out the procedure,  
 14 which is in the CSAS policy that we looked at earlier,  
 15 that the bishop or religious congregation leader is  
 16 responsible for pastoral support of the accused, who can  
 17 contact the bishop or religious congregation leader in  
 18 relation to their support needs. I would really like to  
 19 ask you, please, about what you conclude at 4.2, and you  
 20 say this:  
 21 "The support provided to many of the alleged  
 22 perpetrators, if they are priests or nuns, is in stark  
 23 contrast to that provided to alleged victims and their  
 24 families."  
 25 Help us, please, with why it is, when you audited

1 Q. Why is that such a positive note to strike?  
 2 **A. Well, it's positive in general in a background, perhaps,**  
 3 **of insufficient -- a culture where there seems to be**  
 4 **insufficient offers of support to the victim. And here,**  
 5 **although the police weren't taking any action and there**  
 6 **wasn't enough evidence, even on the LADO's advice, to go**  
 7 **further, that actually there was a recognition that this**  
 8 **person, through involvement in church, had suffered in**  
 9 **some way and needed help, and actually recognising the**  
 10 **offer of help to go through the LADO, because there**  
 11 **wasn't any direct contact. This is one -- possibly the**  
 12 **only time we saw that, that recognising that, even when**  
 13 **you don't know the identity of the victim, you can**  
 14 **actually make an offer through the people who are in**  
 15 **contact with them -- or alleged victim, I should say**  
 16 **here.**  
 17 Q. I'm going to come back to support for the victim in  
 18 a moment. Generally speaking, where LADOs were involved  
 19 in the files, did that affect the way that the  
 20 safeguarding file progressed?  
 21 **A. Absolutely, yes.**  
 22 Q. In what ways?  
 23 **A. You tended to find that more research was done to**  
 24 **actually understand what it was, what the risks were,**  
 25 **what we were dealing, what was known about the person.**

1 all the files, you came to this conclusion?  
 2 **A. What you see in virtually all the cases, probably all**  
 3 **the cases where support to perpetrators was a needed**  
 4 **part of the response of the church -- I will not say**  
 5 **necessarily by the safeguarding professional, but that**  
 6 **response was provided, sometimes possibly even**  
 7 **overprovided. So you've got the overwhelming, really --**  
 8 **you know, this was an area of great priority you could**  
 9 **see in the audits.**  
 10 **In terms of support for alleged victims, and I add**  
 11 **families here as well, because sometimes it would be**  
 12 **families that would need it, there were a few cases**  
 13 **where this was done well, but, overwhelmingly, there was**  
 14 **just -- it just felt such a stark contrast.**  
 15 **In reading the records, constantly you would be**  
 16 **feeling the compassion for people when talking -- when**  
 17 **I say "alleged perpetrators", I think here the**  
 18 **compassion is for alleged perpetrators who are generally**  
 19 **clergy, possibly who had a role in the church, like an**  
 20 **organist, but, for others, this did not -- this was not**  
 21 **included. The alleged compassion, you didn't see it in**  
 22 **the records. But incredible alleged compassion and**  
 23 **understanding.**  
 24 **When it came to the alleged victims, that was rarely**  
 25 **visible in the reports. If there was consideration for**

<p>1 <b>their needs, it was rarely -- there were some</b>                  2 <b>exceptions, but it was rarely with any sense of great</b>                  3 <b>compassion.</b>                  4 Q. If we perhaps draw together some of the strands of that,                  5 you say, if we go down the page that we have got on                  6 screen, that in relation to the orders, of the 14 cases                  7 you were looking at, at the time, nine had no support                  8 offered to the perpetrators -- in six of the cases, for                  9 example, the perpetrator was dead; in one of the cases,                  10 the perpetrator's identity was not certain. So you set                  11 that out there.                  12 Then if we look over the page, for the dioceses, at                  13 4.2.7:                  14 "Unlike the religious orders, the (alleged)                  15 perpetrators in the diocesan cases are not all                  16 priests/nuns and may not have any role whatsoever in the                  17 church and may no longer attend church. Support offered                  18 seems to be limited to priests or those with an active                  19 role in the church."                  20 Which is I think the point you were just making?                  21 <b>A. Yes.</b>                  22 Q. Again, the report goes on to set out that, in two of                  23 the cases, there could be no support offered because the                  24 perpetrator was deceased. In five of the cases, the                  25 priests were provided with a wide range of support, and</p> <p style="text-align: center;">Page 41</p>	<p>1 you set out at the bullet points there the types of                  2 support the priests were offered. I just want to look                  3 at one of the case files to see if we can give an                  4 example to this. Perhaps that of the Salesians of                  5 Don Bosco which is in part 3 at INQ004689. If we go to                  6 _045, please, this is an audit of one of the files of                  7 the order where it is from 2018. The police wanted to                  8 interview a priest in relation to allegations of child                  9 sexual abuse. The priest is now in his 80s. The                  10 allegations go back to '96/'97, when the priest was                  11 alleged to have abused a boy under 13, I think on five                  12 occasions, when he taught the boy. The priest was                  13 interviewed. He denied the allegations. If we go to                  14 page 46 in the audit and the "support" section at the                  15 top of the page, at 11.4.1:                  16 "There is no information about the complainant other                  17 than that he was a former pupil at the school. There is                  18 no evidence of any consideration given to the                  19 possibility of offering support via the police                  20 delivering a letter to him."                  21 When one looks at the support to the perpetrator                  22 section:                  23 "On the day the police contacted [the alleged                  24 perpetrator] there was immediate support for [him].                  25 "A solicitor was found (and funded) for [him] as an</p> <p style="text-align: center;">Page 42</p>
<p>1 alternative to the police provision of a duty solicitor.                  2 "A named supporter was suggested for him to contact.                  3 "The Provincial telephoned him to assure him of 'our                  4 support'.                  5 "The safeguarding lead maintained good communication                  6 to inform him of the arrangements made for him."                  7 You're not suggesting support for the perpetrator is                  8 wrong or that that's something that shouldn't happen?                  9 <b>A. No.</b>                  10 Q. But not the same level of support is provided, or indeed                  11 offered, to complainants?                  12 <b>A. I think there are two aspects. One, it's not the same</b>                  13 <b>level of support and not the same compassionate</b>                  14 <b>attitude. I think the other one is there needs to be</b>                  15 <b>thought about what involvement there should be of</b>                  16 <b>a safeguarding coordinator in that support, as opposed</b>                  17 <b>to clergy. There were some cases -- this is not the</b>                  18 <b>most extreme of them, but there were some cases -- there</b>                  19 <b>was one where -- again, it is -- the safeguarding</b>                  20 <b>coordinator was providing them with updates, visiting</b>                  21 <b>them. I think in this case some of this happened. They</b>                  22 <b>commissioned their legal representative and they carry</b>                  23 <b>on having contact with their legal representative</b>                  24 <b>throughout, even when the church stops funding, once the</b>                  25 <b>individual is charged, the church stops funding, that</b></p> <p style="text-align: center;">Page 43</p>	<p>1 <b>liaison seems to continue. And taking advice from the</b>                  2 <b>person's solicitor about whether to report worrying</b>                  3 <b>things to the police, things like that, which I think</b>                  4 <b>are really overstepping the boundary. I feel there</b>                  5 <b>needs to be a real -- really a precise definition of</b>                  6 <b>what the safeguarding coordinator's role is with alleged</b>                  7 <b>perpetrators, as distinct from the clergy, rather than</b>                  8 <b>the safeguarding coordinator actually picking everything</b>                  9 <b>up, organising everything and then just allocating</b>                  10 <b>certain tasks to particular clergy to provide support.</b>                  11 Q. Do you think that dual function, namely, support for the                  12 perpetrator and support for the victim, being stored                  13 within the one person, the safeguarding coordinator, do                  14 you think there is a difficulty or a problem there in                  15 the files that you have reviewed?                  16 <b>A. I think there's an intrinsic problem, particularly given</b>                  17 <b>the systemic position of where safeguarding coordinator</b>                  18 <b>is working as part of a church, answerable to clergy,</b>                  19 <b>constantly talking and negotiating with clergy, who are</b>                  20 <b>very often -- have quite strong personal links with the</b>                  21 <b>alleged perpetrator. It feels like a conflict of</b>                  22 <b>interest. And when the member -- the safeguarding</b>                  23 <b>coordinator is themselves a member of the clergy --</b>                  24 Q. I'm going to come back to that.                  25 <b>A. We will come back.</b></p> <p style="text-align: center;">Page 44</p>

1 Q. We will. Can I just finish before the break with one  
 2 other aspect of this file, and if we can look lower down  
 3 the screen, at the paragraph which says 11.6,  
 4 "Safeguarding planning", we have obviously dealt with  
 5 the fact that the perpetrator was in his 80s, but you  
 6 say there:  
 7 "The need for any safeguarding planning was not  
 8 considered. There was a clear implication throughout  
 9 that [the perpetrator] was 80 and living in the care  
 10 provision within the community and so would present no  
 11 risk."  
 12 You say this is not unique to this case and appears  
 13 to be a cultural assumption. Many people might think,  
 14 "Look, if he is that old and not in any regular contact  
 15 with a child, what is the need for there to be  
 16 a safeguarding plan or at least the consideration of  
 17 a safeguarding plan?"  
 18 **A. You need to start with a risk assessment to find out**  
 19 **actually what contact the individual does or doesn't**  
 20 **have with children, you know, and where is the**  
 21 **community, what level of support is there, is there**  
 22 **a school as part of the community, as there was in**  
 23 **a couple of the cases, and what contact does that**  
 24 **individual have with children from the school -- you**  
 25 **know, accidental or actually organised contact. What**

Page 45

1 for assisting the person making the accusation to access  
 2 pastoral support, and that should include having  
 3 a designated contact person and receiving written  
 4 progress updates at regular intervals in respect of the  
 5 allegation.  
 6 **A. Yes.**  
 7 Q. Turning then to the section underneath and the practice,  
 8 you set out there, you say, that the ability of  
 9 the Roman Catholic Church to provide a compassionate and  
 10 supportive safeguarding service to those who have been  
 11 abused through their involvement in the church should be  
 12 one of the most important features of safeguarding:  
 13 "Worryingly, this does not appear to be the case  
 14 from the evidence of the audits."  
 15 **A. Yes.**  
 16 Q. Then, looking at the 34 cases that you audited absent  
 17 the De La Salle files, there were nine cases involving  
 18 an attempt to offer support in some form to either the  
 19 victim or the complainant?  
 20 **A. Yes.**  
 21 Q. 25 cases which did not involve the offer of support?  
 22 **A. Yes.**  
 23 Q. That lack of offer of support was appropriate in five  
 24 cases, which were diocesan files?  
 25 **A. Yes.**

Page 47

1 **relatives are there? What friends and children? So it**  
 2 **is a much wider issue than just their age and whether**  
 3 **their day-to-day working life is bringing them into**  
 4 **contact with children.**  
 5 Q. Which I think probably feeds back to what you're saying,  
 6 there needs to be more sort of lateral thinking about  
 7 this?  
 8 **A. Yes.**  
 9 MS CAREY: Ms Carmi, that might be a convenient moment to  
 10 take our mid-morning break before we turn to look at  
 11 support for those affected from the victim's  
 12 perspective. Would that be a convenient moment, chair?  
 13 THE CHAIR: Yes. We will return at 11.50 am.  
 14 MS CAREY: Thank you.  
 15 (11.35 am)  
 16 (A short break)  
 17 (11.49 am)  
 18 MS CAREY: Thank you, chair.  
 19 Ms Carmi, can we turn in part 5 of your report in  
 20 the conclusions to the section that starts "Support to  
 21 the victim/survivor or complainant". If we call up on  
 22 screen INQ004794\_005. As with the support to the  
 23 perpetrator section, there is a section in the CSAS  
 24 policy which you have set out at the top there which  
 25 says that the safeguarding coordinator is responsible

Page 46

1 Q. But of the remaining 20 cases, is it your conclusion  
 2 that support should have been offered to the alleged  
 3 victim or their family?  
 4 **A. Yes, it is.**  
 5 Q. You say, at the bottom of the page, either no  
 6 consideration was given to making the offer or an  
 7 explanation for the lack of such was given in terms  
 8 of ...  
 9 Now, you have set out there some of the reasons that  
 10 were given for the lack of the offer of support?  
 11 **A. Yes.**  
 12 Q. Can I ask you about some of those, please?  
 13 **A. Yes.**  
 14 Q. Some of the suggested reasons for not offering the  
 15 support was the identity of the alleged victim was not  
 16 known by the church but was known by the LADO or the  
 17 police?  
 18 **A. Yes.**  
 19 Q. I think, in reference to an earlier file, there was an  
 20 offer of support made through the LADO to a complainant  
 21 who was not in contact with the church?  
 22 **A. Yes, and that was unusual.**  
 23 Q. Is there anything in the CSAS policy that says, "Where  
 24 you don't know who they are, think about going via the  
 25 police or via the LADO to make the offer"?"

Page 48

1 **A. Nothing.**  
 2 Q. Do you think, in your view, something to that effect  
 3 would be helpful?  
 4 **A. That would be extremely helpful.**  
 5 Q. One of the other explanations given was an inability to  
 6 offer support during investigations. Can you help us  
 7 with that?  
 8 **A. There seems to be a belief by some that, during a police**  
 9 **investigation, they can't make contact and that might be**  
 10 **whether they do or don't know the identity, no offer of**  
 11 **support can be made, because it would somehow interfere**  
 12 **with the police investigation. Actually, talk to the**  
 13 **police, discuss what offers of support would be**  
 14 **available -- would be okay to offer now/later; discuss**  
 15 **timing. What you discover, actually, is different**  
 16 **police officers take different views on this. So it's**  
 17 **always worthwhile discussing it with the police and**  
 18 **agreeing it with them.**  
 19 Q. Some of the other reasons given was that support was  
 20 assumed to be provided elsewhere, so a presumption was  
 21 made that there was no need to offer any support from  
 22 the church?  
 23 **A. Yes, and that support could be various things. It might**  
 24 **be that a social worker was involved, it might be that**  
 25 **a counsellor or a therapist, but, actually, the kind of**

Page 49

1 **that to end before actually making an offer of support,**  
 2 **by which time it can be just too late in time for the**  
 3 **alleged victim or survivor and, actually, it can be**  
 4 **experienced as insulting to come in then.**  
 5 Q. The final reason given for the lack of offer of support  
 6 was a refusal by the complainant to meet with a member  
 7 of the clergy in a safeguarding role?  
 8 **A. Yes.**  
 9 Q. Was there any thought given to, "Well, if you don't want  
 10 to meet a priest or a bishop, come and meet with someone  
 11 else"?  
 12 **A. No. No thought.**  
 13 Q. If one then looks down to your analysis in relation to  
 14 the orders, you said there were only two of 14 cases  
 15 with evidence in the records of support being offered to  
 16 the alleged victim, and only in one of those cases was  
 17 it offered proactively with a sense of compassion and  
 18 caring. Is that a reference, Ms Carmi, to the Society  
 19 of Jesuits file?  
 20 **A. Yes, it was.**  
 21 Q. I won't call it up on screen now, but did it come to  
 22 this: the Jesuits were notified of an allegation made by  
 23 a complainant living in Australia and the Australian  
 24 province had notified the safeguarding coordinator here?  
 25 **A. Yes.**

Page 51

1 **support offered by the church -- first of all, you**  
 2 **shouldn't make assumptions, but, also, the kind of**  
 3 **support offered by the church can be very different.**  
 4 **You know, it can be about through the congregation, it**  
 5 **can be about through -- if the person is attending**  
 6 **church, about the safeguarding representative's role.**  
 7 **It's actually finding out from the person what would**  
 8 **help them rather than thinking about the pat -- you**  
 9 **know, things you can describe in the way of support.**  
 10 Q. Two of the other reasons given for not offering support  
 11 was, at a meeting with the church's safeguarding team --  
 12 sorry, this is on the second page, if we can call it up  
 13 on screen:  
 14 "A meeting with the church's safeguarding person was  
 15 declined - this was associated in some instances with  
 16 a delay before the offer was made."  
 17 **A. Yes.**  
 18 Q. You say this point raises the issue of unnecessary  
 19 delays in offering to meet with alleged victims?  
 20 **A. Yes.**  
 21 Q. Help us with that?  
 22 **A. That does tie with the police investigation sometimes,**  
 23 **that, actually, they were waiting for the police**  
 24 **investigation to end or an internal investigation,**  
 25 **independent investigation, in one case, waiting for all**

Page 50

1 Q. The perpetrator was dead, but nonetheless the  
 2 safeguarding coordinator here discussed counselling with  
 3 the complainant?  
 4 **A. Yes.**  
 5 Q. Offered compensation?  
 6 **A. Yes.**  
 7 Q. And, in your view, there was good and timely responses  
 8 and liaison with the victim, even though they were  
 9 living many, many miles away?  
 10 **A. Yes, the work there was excellent and involved research**  
 11 **about the alleged perpetrator. So there was some**  
 12 **evidence for the fact that this, you know, had happened**  
 13 **elsewhere.**  
 14 Q. When one turns to the dioceses -- \_007, please -- out of  
 15 the 20 cases audited, in seven cases there were  
 16 sensitive discussions about possible support for the  
 17 alleged victims or the complainant --  
 18 **A. Yes.**  
 19 Q. -- via the safeguarding coordinators. You have set out  
 20 the dioceses there: East Anglia, Middlesbrough,  
 21 Plymouth, Westminster and Salford.  
 22 **A. Yes.**  
 23 Q. If I can just give the example in relation to the  
 24 Diocese of Middlesbrough file, that was dating back  
 25 to October 2018. The dioceses were notified an

Page 52

1 allegation had been made against a priest. The  
 2 complainant alleged that in the late '50s and early '60s  
 3 she had been abused and the priest had died in the  
 4 1990s. So the priest had died. But the safeguarding  
 5 coordinator nonetheless reported the matter to the  
 6 police the next day.  
 7 **A. Yes.**  
 8 Q. The police took no action, but did the safeguarding  
 9 coordinator in that case locate where the priest had  
 10 worked?  
 11 **A. Yes.**  
 12 Q. He'd worked in a different diocese, that of Newcastle  
 13 and Hexham. And within two weeks of being told of  
 14 the allegation, the safeguarding coordinator and  
 15 a priest had met with the complainant, counselling had  
 16 been discussed. They told the complainant if she wanted  
 17 to meet with someone from Hexham and Newcastle, that  
 18 could be arranged, and the complainant accepted the  
 19 offer of counselling and the safeguarding coordinator  
 20 made the required referral.  
 21 **A. Yes.**  
 22 Q. So that was a good example of a safeguarding coordinator  
 23 offering support, even though the perpetrator was dead  
 24 and there could be no action taken by the police in the  
 25 case?

Page 53

1 **and the assessment with an individual, that's the bit**  
 2 **that only a few of them seem to be willing or able to**  
 3 **do.**  
 4 Q. Did you see much evidence in the files of the victims  
 5 and complainants receiving written progress updates at  
 6 regular intervals in respect of their allegation?  
 7 **A. No. I'm not sure I saw that at all.**  
 8 Q. It may, of course, be that there was telephone  
 9 communication and the like, but certainly, in terms of  
 10 the paper trail, you didn't find the evidence of that?  
 11 **A. No.**  
 12 Q. I'd like to just look at two particular case files  
 13 before coming to your overall conclusions. Can we call  
 14 up on screen, please, URN INQ004767 and a case file  
 15 relating to the Diocese of Clifton. Page \_014, please.  
 16 This is a case from 2017/2018 where a perpetrator by the  
 17 name of Peter Kis/Kish was attending two churches in  
 18 Swindon. He was someone who had nine previous  
 19 convictions for child sexual abuse allegations and the  
 20 police had not told the diocese of that fact?  
 21 **A. That's correct.**  
 22 Q. In July 2017, there was concern that he had touched  
 23 a child at the church for the Polish community?  
 24 **A. Yes.**  
 25 Q. Is this right, it was initially thought that there had

Page 55

1 **A. Yes, and there was good communication with the**  
 2 **coordinator's counterpart in the other diocese, getting**  
 3 **the bishop on side, agreeing to meet with the alleged**  
 4 **victim, which was important to her, and also I want to**  
 5 **point out here the coordinator went and met the alleged**  
 6 **victim, and that's something that was missing in quite**  
 7 **a lot of the cases, was this personal contact, to**  
 8 **actually speak to someone. Once you've spoken to**  
 9 **somebody directly, it becomes much easier to think about**  
 10 **offering support.**  
 11 Q. I think, overall, if one goes to your conclusions and  
 12 learning in relation to support offered to victims and  
 13 complainants, you say that, despite the existence of  
 14 the procedure, there is an overall lack of consideration  
 15 given to the provision of support to alleged victims and  
 16 their families. Why do you come to that conclusion,  
 17 Ms Carmi?  
 18 **A. Well, I come to that conclusion because it's not**  
 19 **happening in a lot of cases, and I think that bit about**  
 20 **the lack of personal contact, you sometimes get the**  
 21 **feeling that the safeguarding coordinator is acting --**  
 22 **is okay if they can pass it to the statutory**  
 23 **authorities, okay in terms of supporting a member of**  
 24 **the clergy, but actually having that direct contact and**  
 25 **actually using themselves as a resource in the support**

Page 54

1 been no physical harm caused to the child or any sexual  
 2 abuse?  
 3 **A. That seems to have been what they thought.**  
 4 Q. Initially. Did the priest there ban Peter Kish from  
 5 attending the church for a few weeks?  
 6 **A. That seems to be, according to the safeguarding**  
 7 **representative of the parish, what -- because she was**  
 8 **concerned.**  
 9 Q. If we go to page \_015, paragraph 4.3.2, the concern is  
 10 made in July 2017 that the child has been touched in  
 11 some way. 3 August 2017, the diocesan safeguarding  
 12 coordinator met with the priest --  
 13 **A. Yes.**  
 14 Q. -- to obtain a better understanding of what had  
 15 happened. Presumably, you have no complaint about that  
 16 course of action?  
 17 **A. No, that's good.**  
 18 Q. The priest explained he regarded this as a matter for  
 19 the church and school at the centre, as opposed to  
 20 a safeguarding matter?  
 21 **A. Yes.**  
 22 Q. But the safeguarding coordinator advised of the need for  
 23 a safeguarding plan as well as to try to find out more  
 24 against the perpetrator. Do you know, Ms Carmi, what  
 25 happened to the parish safeguarding rep in the middle of

Page 56

1 all of this?  
 2 **A. No. There are just references to the fact that she got**  
 3 **a text from the priest ending her role as a parish**  
 4 **safeguarding representative, and also to the fact that**  
 5 **she tried to get an explanation and had failed, and then**  
 6 **there were some -- reference to some emails and it was**  
 7 **all very distressing for her.**  
 8 Q. So although the priest has initially told Mr Kish not to  
 9 come to church and the safeguarding coordinator has  
 10 said, "Actually, you need to look at a safeguarding plan  
 11 and try to find out more", was there a safeguarding plan  
 12 conducted at this stage?  
 13 **A. No.**  
 14 Q. You can't help any more as to how it was that the parish  
 15 safeguarding rep came to be dismissed from their post?  
 16 **A. No. No information.**  
 17 Q. But Kish, as I understand it, returned to church?  
 18 **A. He returned to another church.**  
 19 Q. To another church, all right. At the end  
 20 of August 2017, the child then disclosed that she had,  
 21 in fact, been sexually abused?  
 22 **A. Sorry, he did return to that church briefly.**  
 23 Q. Thank you.  
 24 **A. Yes, that's correct.**  
 25 Q. So he's had a brief ban?

Page 57

1 Q. In the Polish church, and the lack of an offer of  
 2 support to the victim and her family?  
 3 **A. Yes.**  
 4 Q. Did you see any evidence of the diocese trying to find  
 5 out whether the family and the child needed support?  
 6 **A. When the parish safeguarding representative was around,**  
 7 **she was clearly talking to them and, you know, discussed**  
 8 **with them about reporting the incident to the police.**  
 9 **But then, after that, no, there's none at all, no**  
 10 **support. She disappears because she's been sacked, and**  
 11 **there's no evidence that anything else is done to**  
 12 **support them.**  
 13 Q. In relation to the adequacy of the safeguarding  
 14 arrangements, I think you say at your 4.11.3 that the  
 15 priest seemed to be new in post and had limited  
 16 proficiency in English. Certainly he required an  
 17 interpreter when he spoke to the safeguarding  
 18 coordinator.  
 19 **A. Yes.**  
 20 Q. You set out there the concerns about the priest's  
 21 understanding. Can you just summarise those for us,  
 22 please?  
 23 **A. Yes. The parish safeguarding representative, after**  
 24 **informing the coordinator of the concern, actually then**  
 25 **spoke to other people and came up with a lot of gossip,**

Page 59

1 **A. Yes.**  
 2 Q. The parish priest has said he doesn't consider it to be  
 3 a safeguarding matter?  
 4 **A. Yes.**  
 5 Q. The safeguarding coordinator has advised a safeguarding  
 6 plan. It doesn't happen. A few weeks later, the child  
 7 discloses that she's actually been sexually abused?  
 8 **A. Yes.**  
 9 Q. This time, the priest contacted the parish safeguarding  
 10 rep and the parish safeguarding rep notified the  
 11 coordinator; is that right?  
 12 **A. Yes.**  
 13 Q. Then Mr Kish was arrested and, in due course,  
 14 in June 2018, he was sentenced to three and a half  
 15 years' imprisonment for the abuse?  
 16 **A. That's right.**  
 17 Q. But I just want to try to understand the appropriateness  
 18 or otherwise of the actions in this case. If we look at  
 19 your paragraph 4.11 at page 18, I think you say at the  
 20 outset that much of the practice was very good --  
 21 **A. Yes.**  
 22 Q. -- but there are two areas for improvement: the lack of  
 23 investigation into the adequacy of the safeguarding  
 24 arrangements?  
 25 **A. Yes.**

Page 58

1 **but the gossip involved actually that there had been**  
 2 **ongoing concerns about this man also when the previous**  
 3 **priest had been there, who may or may not have actually**  
 4 **known about the offences. That was uncertain.**  
 5 **Then, obviously, there was the lack of consultation**  
 6 **by the second priest with the safeguarding**  
 7 **representative about the banning incident, which she**  
 8 **again only discovered through others, and then his**  
 9 **dismissal. So we don't know what that's about.**  
 10 **Then, finally, there's another allegation that the**  
 11 **police mention to the safeguarding coordinator, or the**  
 12 **safeguarding officer in this case, about an 11-year-old**  
 13 **being offered money and that the priest allegedly told**  
 14 **the parents not to tell the police, and he allegedly**  
 15 **fondled her breasts. We don't know what happened to**  
 16 **this. We don't know if this was looked into about the**  
 17 **priest having said this. We know nothing about it at**  
 18 **all, again.**  
 19 **There is no evidence of any follow-up with that**  
 20 **particular church about what their safeguarding**  
 21 **arrangements are, despite the fact that, at a LADO**  
 22 **meeting, it was one of the tasks that the LADO defined**  
 23 **and recommended.**  
 24 **I should say that the safeguarding officer, in her**  
 25 **statement to IICSA, does actually identify that this was**

Page 60

<p>1 <b>lacking.</b>                  2 Q. Just looking at what the file told you, and then                  3 obviously you have got the assistance of the statements                  4 that have been provided by the people involved in the                  5 file, I think, essentially, it seems that there is no                  6 follow-up with the concerns about the safeguarding, even                  7 when the LADO themselves prompted the church?                  8 <b>A. Yes, there was no follow-up, no.</b>                  9 Q. A couple of other matters in relation to this file. Can                  10 we go back to page 17, please, and 4.7.1. You say there                  11 that, in general, the actions of the diocesan                  12 safeguarding services were consistent with procedures,                  13 other than there being no evidence if the insurers and                  14 the Charity Commission were notified. The diocese did                  15 not inform the LADO, but the LADO was, in fact,                  16 informed --                  17 <b>A. Yes.</b>                  18 Q. -- because she had been informed by the police, and you                  19 have told us the safeguarding coordinator explains that.                  20 Can you help us with this: is it necessary for                  21 evidence of a referral to either the insurers or the                  22 Charity Commission to be recorded in a safeguarding                  23 file?                  24 <b>A. It's in the procedures. Whether it should be is another</b>                  25 <b>question, and whether it should be the responsibility of</b></p> <p style="text-align: center;">Page 61</p>	<p>1 <b>the safeguarding coordinator is very debatable. It</b>                  2 <b>would seem to me as something that is appropriate for</b>                  3 <b>the church but shouldn't be appropriate for the</b>                  4 <b>safeguarding coordinator and does not need to be in the</b>                  5 <b>file, no.</b>                  6 Q. Do you agree that the decision whether or not to notify                  7 the insurers is one for the diocese -- is a matter for                  8 the diocese, it is not a matter of safeguarding good                  9 practice?                  10 <b>A. I do agree with that.</b>                  11 Q. Another aspect of this file, can we look at page 19 and                  12 your 4.12. You were asked to consider whether there was                  13 any evidence of cultural concerns that needed to be                  14 addressed, and you say this was a significant                  15 safeguarding matter that took place within a church used                  16 by the Polish community:                  17 "The lack of evidence of any action being taken                  18 about the concerns in relation to the priest's actions                  19 and understanding of safeguarding leads to the                  20 possibility that this may be associated with cultural                  21 issues. Does this lack of action reflect a general                  22 diocesan reluctance to intervene in a parish, or is this                  23 about a hesitation in doing so when a church provides                  24 a service primarily for a particular culture?"                  25 What were you trying to say in that section of</p> <p style="text-align: center;">Page 62</p>
<p>1 the report?                  2 <b>A. Well, I'm saying that -- well, I cannot know what was</b>                  3 <b>behind the lack of action here because we were doing</b>                  4 <b>a desktop piece of work, we were not speaking to the</b>                  5 <b>people concerned. But it does seem strange that you</b>                  6 <b>have all these concerns about the safeguarding in</b>                  7 <b>a particular church and you haven't automatically gone</b>                  8 <b>into that church afterwards and investigated what is</b>                  9 <b>going on.</b>                  10 <b>Now, the reason for that, I do not know, but it</b>                  11 <b>might be associated with a culture, the fact that either</b>                  12 <b>there might be different standards when you are thinking</b>                  13 <b>about different cultures and that, actually, perhaps</b>                  14 <b>you're not imposing the same sort of standards or some</b>                  15 <b>apprehension, lack of knowledge about it and, therefore,</b>                  16 <b>maybe extreme sensitivity of doing the wrong thing.</b>                  17 <b>I mean, I don't know what the reasons behind it are,</b>                  18 <b>but it certainly is of concern, and, you know, it needs</b>                  19 <b>to be looked at as to what the reasons behind it are</b>                  20 <b>and, if it is a cultural issue, what one does about</b>                  21 <b>that, how you equip staff to actually be thinking about</b>                  22 <b>safeguarding, regardless of the culture of the people</b>                  23 <b>attending church.</b>                  24 Q. Did the safeguarding coordinator's statement reveal any                  25 cultural issue or why there might be a cultural issue?</p> <p style="text-align: center;">Page 63</p>	<p>1 <b>A. I don't think so. I think it was more recognition that</b>                  2 <b>they hadn't followed it up and that they needed to go in</b>                  3 <b>and do some training.</b>                  4 Q. In respect of this, did you ever ask for there to be any                  5 clarification around the cultural issue?                  6 <b>A. No. No, I think time was running out at this point.</b>                  7 Q. The final file I'd like to look at before your overall                  8 conclusions is one in relation to the Diocese of                  9 Liverpool, and can we call up on screen, please,                  10 INQ004767_037. I hope, Ms Carmi, this is a file that                  11 will pick up on a number of issues that then inform your                  12 conclusions.                  13 Chair, this was a file relating to a safeguarding in                  14 2017, when the priest, Father William Simpson, who was                  15 at a parish in Liverpool, had allegations made against                  16 him in April 2017. He was in fact arrested. He was                  17 alleged to have sexually abused four altar boys back in                  18 the 1980s, when the boys were aged 7 to 14. In due                  19 course, in January of this year, he was sent to prison                  20 for 26 months for that abuse.                  21 The focus of this file, however -- is this right,                  22 Ms Carmi? -- was on the safeguarding arrangements                  23 between him being arrested and him eventually being sent                  24 to prison?                  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 64</p>



1 Q. I think you said this, that following his arrest, it  
 2 became clear that there had been previous concerns about  
 3 this particular priest?  
 4 **A. Yes.**  
 5 Q. Who did that become clear to?  
 6 **A. It became clear to, I think, the safeguarding**  
 7 **coordinator, when looking at previous history, and the**  
 8 **police, who were asking to see the old files.**  
 9 Q. I think you say that those concerns were either dealt  
 10 with by the then archbishop and referred back to the  
 11 school, or were dealt with under a different procedure,  
 12 but those previous concerns, the priest's version of  
 13 events had always been believed?  
 14 **A. That's right.**  
 15 Q. The safeguarding coordinator in respect of this file,  
 16 was he also a member of the clergy?  
 17 **A. He was.**  
 18 Q. Is this the position, that once the safeguarding  
 19 coordinator knew of the allegations against  
 20 Father Simpson -- I want to ask you about what happened  
 21 in respect of any decision to suspend the priest whilst  
 22 the police investigation was ongoing. I think this  
 23 picks up at your paragraph 8.2.1, when you said:  
 24 "When informed of the allegations ... there was  
 25 a debate between Des Bill, the safeguarding coordinator,

Page 65

1 the safeguarding coordinator that it didn't want to  
 2 suspend the priest, was that based on any risk  
 3 assessment that you could tell?  
 4 **A. No.**  
 5 Q. Then just dealing with your views of this file, I think  
 6 you said that the recording is, overall, of good  
 7 quality?  
 8 **A. Mmm-hmm.**  
 9 Q. But when one turns to support to the complainant and  
 10 8.4.1 at page 39, you said there was no evidence  
 11 whatsoever of any support being offered to the  
 12 complainants in this case, despite the fact that the  
 13 abuse occurred through the relationship of their family  
 14 with the parish priest?  
 15 **A. Yes.**  
 16 Q. Was there any example of letters being sent to the  
 17 police to say, "If the complainants would like some  
 18 support, this is where to contact us"?  
 19 **A. There is no evidence of it ever being considered in any**  
 20 **way at all that there was a role there to offer support,**  
 21 **either during the investigation or after conviction.**  
 22 Q. When one considers support to the perpetrator, you said  
 23 this at 8.4.3:  
 24 "The priest was given a great deal of support by the  
 25 church. He had the support of the Vicar-General and one

Page 67

1 and the Greater Manchester Police about the need for  
 2 [the priest] to be suspended ... the coordinator took  
 3 the view that there was insufficient evidence to support  
 4 such action ..."  
 5 So he didn't want the priest to be suspended; is  
 6 that right?  
 7 **A. He did not want the priest --**  
 8 Q. What about the view of the rest of the diocese, the  
 9 Vicar-General, who is involved, and what about the view  
 10 of the police, please?  
 11 **A. The safeguarding coordinator did not wish to suspend**  
 12 **him, and didn't initially, and supported by the rest of**  
 13 **the clergy, the senior clergy. What happened, in the**  
 14 **end, was a second police officer became involved and**  
 15 **basically said that -- demanded to see the safeguarding**  
 16 **agreement, and of course there wasn't one, and when the**  
 17 **coordinator queried whether there was enough evidence**  
 18 **even to have one, the police officer made it plain that**  
 19 **there was enough evidence to already proceed to trial**  
 20 **and that, unless the church took action to suspend, they**  
 21 **would actually arrest the priest and make it part of**  
 22 **the bail conditions that he cease ministry.**  
 23 **So at that point, there seemed to be an acceptance**  
 24 **that they had to suspend the priest.**  
 25 Q. Do you know -- when the earlier decision was taken by

Page 66

1 other priest. The safeguarding advisor appeared to play  
 2 a supportive role, maintaining contact with the priest,  
 3 arranging his legal representation and advice and also  
 4 maintaining contact with the solicitor [who was acting  
 5 for the priest]."  
 6 **A. That's right.**  
 7 Q. Although I just asked you at the initial stages where  
 8 the decision was taken not to suspend him there was no  
 9 risk assessment, in due course, there was a safeguarding  
 10 plan put into place; is that right?  
 11 **A. Yes.**  
 12 Q. But, again, no evidence this was based on any risk  
 13 assessment?  
 14 **A. Yes, that's right. Planning that a risk assessment will**  
 15 **take place post the police investigation and any**  
 16 **criminal proceedings. It didn't happen, I don't think.**  
 17 Q. I would like to come back to something you mentioned  
 18 earlier about where the safeguarding coordinator is also  
 19 potentially a member of the clergy and look at your  
 20 paragraph 8.11, please. I think you said this, that  
 21 Des Bill, who was the safeguarding coordinator in 2017,  
 22 appears to be a reverend and a deacon:  
 23 "This, in our view, is a potential conflict of  
 24 interest with the safeguarding role and  
 25 responsibilities, and this needs consideration

Page 68

<p>1 nationally by the church."                  2 Why do you take that view, Ms Carmi?                  3 <b>A. Do you want me to answer it in terms of this case or</b>                  4 <b>more generally?</b>                  5 Q. This case firstly, and then we will make it more                  6 general.                  7 <b>A. Okay. In this case, you could actually just -- you got</b>                  8 <b>the sense that this was a colleague that we were talking</b>                  9 <b>about, and he was constantly keeping the priest updated</b>                  10 <b>on where things were on the prosecution, on the</b>                  11 <b>investigation. He was feeding back to the priest what</b>                  12 <b>the police were informing him of, where things were at.</b>                  13 <b>He commissioned the solicitor, which seems to be the</b>                  14 <b>normal practice in arranging funding for that, but he</b>                  15 <b>was in constant contact with the solicitor. When there</b>                  16 <b>was concern that the priest had actually gone to another</b>                  17 <b>priest to find out some information about the family of</b>                  18 <b>the alleged victims, or of the victims -- they're not</b>                  19 <b>alleged anymore, of the victims -- the safeguarding</b>                  20 <b>coordinator did realise that this was wrong, and that</b>                  21 <b>probably the -- possibly the police should be informed.</b>                  22 <b>So he seeks advice and he seeks advice from the</b>                  23 <b>perpetrator's solicitor, who advises him that,</b>                  24 <b>"Actually, no, you don't need to go to the police".</b>                  25 <b>This would just seem completely a conflict of interest,</b></p> <p style="text-align: center;">Page 69</p>	<p>1 <b>but totally wrong to be seeking advice from a solicitor</b>                  2 <b>for the person who is being prosecuted of an offence.</b>                  3 <b>Then, also, there are other concerns that have come</b>                  4 <b>up, which are to do with vulnerable adults and this</b>                  5 <b>particular priest getting money from them. They never</b>                  6 <b>reported to the police. Again, you just feel that this</b>                  7 <b>is a -- possibly a reason behind this, and, again, we</b>                  8 <b>haven't been able -- this is a desktop audit, we haven't</b>                  9 <b>been able to speak to the safeguarding coordinator as to</b>                  10 <b>what this was about. But certainly he does not feel in</b>                  11 <b>his work to have been an independent safeguarding</b>                  12 <b>professional. He feels like he is an employee of</b>                  13 <b>the church working with four colleagues.</b>                  14 Q. Although you haven't been able to speak to the                  15 safeguarding coordinator, you did in fact receive                  16 a statement from Deacon Desmond Bill, who was the                  17 safeguarding coordinator involved in this case?                  18 <b>A. Yes.</b>                  19 Q. Let me ask you this: are you suggesting this is an                  20 actual conflict or a potential conflict?                  21 <b>A. In that case, what you indicated is a potential conflict</b>                  22 <b>because we haven't been able to speak, and it is also</b>                  23 <b>a potential conflict because obviously there are some</b>                  24 <b>individuals who are able to -- even if they are a member</b>                  25 <b>of the clergy, there are some individuals who may be</b></p> <p style="text-align: center;">Page 70</p>
<p>1 able to do the role well. But it is more likely to be                  2 a conflict, and that isn't just based on this case, but                  3 it is based on my knowledge of the Church of England and                  4 the practice of safeguarding professionals there and                  5 that the Church of England has actually made it such                  6 that no -- this has actually made it that this is                  7 a conflict of interest and safeguarding professionals                  8 should not have any role in the church.                  9 Q. So the Church of England has a different stance on this.                  10 There is nothing, as I understand it, is there, in the                  11 CSAS policies that says a safeguarding coordinator                  12 cannot be a member of the clergy?                  13 <b>A. No, nothing.</b>                  14 Q. You consider, if I understand you correctly, there to be                  15 a potential conflict?                  16 <b>A. Yes.</b>                  17 Q. Although you're not suggesting that in this particular                  18 case there was an actual conflict, but you've drawn our                  19 attention to various pieces of evidence that you,                  20 I sense, are uncomfortable with?                  21 <b>A. Yes, extremely uncomfortable. I have to say, this is</b>                  22 <b>one of the cases that shocked us.</b>                  23 Q. I'm asked to ask you this: did you notice a difference                  24 in how things were handled when a safeguarding officer                  25 was a layperson as opposed to when the safeguarding</p> <p style="text-align: center;">Page 71</p>	<p>1 officer was a clergy member?                  2 <b>A. Generally, we didn't know what the professional</b>                  3 <b>background was of the coordinators, so I really can't</b>                  4 <b>comment on that.</b>                  5 Q. I'm asked to ask you whether, in your professional                  6 opinion, safeguarding roles should be undertaken or not                  7 by the clergy?                  8 <b>A. In my opinion, safeguarding roles should not be</b>                  9 <b>undertaken, because it is more likely to be a conflict</b>                  10 <b>of interest, and they are unlikely to have the requisite</b>                  11 <b>experience, training, skills for it, although I do</b>                  12 <b>accept there are some that have had previous training as</b>                  13 <b>social workers, but, even still, I would think it would</b>                  14 <b>be a conflict.</b>                  15 Q. The final point in relation to this file, at                  16 paragraph 8.11.2, page_043. In this case, you say:                  17 "There seems to be a confusion with the non-recent                  18 documents between homosexual behaviour (albeit that some                  19 of the allegations concerned nonconsensual/unwelcome                  20 advances and behaviour) and the sexual abuse of                  21 children."                  22 Can you just help us with that? You have told us                  23 that when this allegation came to light in 2017, it                  24 looked like there had been previous concerns about this                  25 particular member of clergy?</p> <p style="text-align: center;">Page 72</p>

1 **A. Yes.**  
 2 Q. What gave you the sense that there was a confusion  
 3 between homosexual behaviour and child sexual abuse?  
 4 **A. It was quite difficult to make sense of the previous**  
 5 **allegations, to be honest, and some of them were made by**  
 6 **adults and they were about the nonconsensual and**  
 7 **unwelcome advances, which, again, should have been**  
 8 **recognised as abusive as well, because -- although it**  
 9 **was adult and wasn't child abuse.**  
 10 **In this case, it was child abuse. In fact, this**  
 11 **isn't the best example of the cases where this was**  
 12 **shown, a sort of -- a lack of, actually, recognition**  
 13 **that we are talking about a child abuse here as opposed**  
 14 **to homosexual behaviour. What we've seen in some of**  
 15 **the other cases was even more extreme, where -- I'm**  
 16 **thinking there was one where one of the senior clergy**  
 17 **talks about it as, "Well, you know, the child was**  
 18 **uncertain about their sexuality and was wanting to sort**  
 19 **of explore what they were -- what he was", so it was**  
 20 **seen in terms of a sexual experimentation, as opposed to**  
 21 **child abuse.**  
 22 Q. In relation to this particular case, albeit it may be  
 23 just one of a number of examples, you say that it came  
 24 from non-recent documents. Do you know which decade or  
 25 period of time those non-recent documents related to?

Page 73

1 conclusions. Can you confirm to me this: we have  
 2 obviously looked at a number of individual files and  
 3 made reference to both the file and the safeguarding  
 4 coordinator's statements or other clergy statements?  
 5 **A. Yes.**  
 6 Q. Is it right that, for all of the files, wherever there  
 7 was a statement provided, you reviewed it as part of  
 8 your audit?  
 9 **A. I did.**  
 10 Q. If we can call up on screen, please, part 5, if you give  
 11 me just one moment, INQ004794\_011. Notification to the  
 12 Safeguarding Commission. You say there that the  
 13 procedures and policy sets out when the commission is to  
 14 be notified. I won't go through all of the bits of  
 15 the procedure, but when one turns over to your  
 16 conclusions at 6.2, I think you said this:  
 17 "Overall, the practice has insufficient evidence in  
 18 the records of notification, consultation or discussion  
 19 with the safeguarding commissions ... There is no  
 20 significant difference in the practice of religious  
 21 orders and dioceses ..."  
 22 Why, in your view, is it so important that the  
 23 safeguarding file makes reference and records the  
 24 decisions of the Safeguarding Commission?  
 25 **A. The Safeguarding Commission in the Catholic Church has**

Page 75

1 **A. I can't remember. I think it was the 1980s. I think,**  
 2 **in fact, it went up even more. I'm just looking.**  
 3 **I have got it here -- I haven't got it here, I'm sorry.**  
 4 **I can't help.**  
 5 Q. Standing back for a moment, you obviously reviewed  
 6 a number of files, and not just within the Catholic  
 7 investigation, but another investigation and other  
 8 periods of work. Do you think that that confusion  
 9 between homosexuality and child sexual abuse is  
 10 something that was not uncommon when one looked at  
 11 historical allegations?  
 12 **A. I think it's not uncommon in historical and contemporary**  
 13 **allegations. I think this continues to be a challenge.**  
 14 Q. In this particular case, though, did you get any  
 15 evidence that there was -- Liverpool's handling of  
 16 the 2017 allegations suggests that confusion still  
 17 existed?  
 18 **A. No. I can't say that that -- I specifically recall**  
 19 **that.**  
 20 Q. I think, overall, when you stand back and look at this  
 21 file, you came to the view that there was a focus on the  
 22 welfare of the perpetrator and a lack of consideration  
 23 here of the victims?  
 24 **A. Yes.**  
 25 Q. Final few topics, please, in relation to your overall

Page 74

1 **both -- actually does have a role in casework in,**  
 2 **actually, decisions all along. So where you could see**  
 3 **decisions having been made is right from the outset,**  
 4 **where the safeguarding coordinator informs the chair and**  
 5 **agrees on the immediate action and then reports it**  
 6 **regularly to commission meetings. Decisions are taken**  
 7 **about what actions should be taken.**  
 8 **So if you've got no notification of this -- no**  
 9 **record of this, you've actually got no record of where**  
 10 **decisions are being made and where the coordinator is**  
 11 **getting, in fact, their support from, in terms of making**  
 12 **decisions, that they're not totally isolated and doing**  
 13 **this just on their own.**  
 14 Q. I think you are aware that there may well be  
 15 Safeguarding Commission minutes and the like, but is  
 16 your point that you don't know the outcome of  
 17 the Safeguarding Commission's views because it is not  
 18 obvious on the safeguarding file?  
 19 **A. If you are talking about the safeguarding file should**  
 20 **actually record internal discussions and decisions and**  
 21 **the rationale for them, if that is part of a case file,**  
 22 **then there shouldn't be an exception for decisions made**  
 23 **in other meetings, and there were a few that did include**  
 24 **some, and in fact there was one, one of the religious**  
 25 **orders, where there actually were summary notes of**

Page 76

1 the discussions, and that was extremely helpful, because  
 2 you could actually see what decisions were made and  
 3 when, and sometimes why, and made sense of something  
 4 that otherwise wouldn't.  
 5 Q. If we turn on in your report to the table that you have  
 6 prepared at page 15 in this document, this comes back to  
 7 the question of where there needs to be further  
 8 investigation done by the church.  
 9 A. Yes.  
 10 Q. You told us that in six of the cases -- three for the  
 11 orders and three for the dioceses -- you thought that  
 12 further investigation was needed but not undertaken?  
 13 A. Yes.  
 14 Q. Why have you come to that view, Ms Carmi?  
 15 A. These were cases where there was no further action: it  
 16 either didn't meet the threshold or there was no further  
 17 action by the statutory authorities, whether that be  
 18 police and/or the LADO. These are particularly critical  
 19 cases, in my opinion, because where there's actually  
 20 concerns sufficient -- there's sufficient concerns but  
 21 actually no investigation undertaken, that's where you  
 22 don't know what the risk is. Therefore, that's where,  
 23 actually, you see the safeguarding coordinator should be  
 24 really having a very active role in terms of undertaking  
 25 an investigation or commissioning one from somebody

Page 77

1 statements that accompanied the respective files, what's  
 2 the one thing that sort of struck you when reviewing the  
 3 files from the dioceses and the orders?  
 4 A. Well, the overall thing is the fact that, actually, the  
 5 service seems to function extremely well when it comes  
 6 to supporting perpetrators, and which is in stark  
 7 contrast with a lack of support in many cases for -- and  
 8 the lack of consideration of perhaps supporting victims,  
 9 survivors and their families.  
 10 Q. Why does that strike you, having now, in 2019, reviewed  
 11 a number of different files?  
 12 A. Well, it is -- it strikes you as just so obvious, as you  
 13 read it, where the focus of the work is, because when  
 14 you try -- you audit a new case, and you think, "What is  
 15 the focus here, what have they been doing?", and they  
 16 have basically been thinking about the support for an  
 17 accused priest, by and large, or nun or brother, and  
 18 they have been not putting that same level, or anywhere  
 19 near it, into thinking about the support that could be  
 20 offered elsewhere, and with the other aspect of it,  
 21 they -- it's a supportive service, but it's not actually  
 22 an investigative service, so the other aspect that's  
 23 really struck me was that it will refer it on or  
 24 co-operate with police and statutory authorities, but if  
 25 it is put back to the church, there is a, "Oh, what do

Page 79

1 else.  
 2 So to me, these are actually your areas of high risk  
 3 because you actually don't know what's involved.  
 4 Q. One other topic I am asked to ask: we looked a number of  
 5 times this morning at the relevant CSAS policy where  
 6 there is an allegation in relation to a child, the  
 7 management and concern policy. Can I ask you this:  
 8 overall, do you think that policy, as it currently  
 9 stands, is fit for purpose or not?  
 10 A. I think that, within it -- if you were to strip all the  
 11 policy and guidance so you could actually see what the  
 12 instructions are, within it is the embryo of a procedure  
 13 that could work, if you could then sort of make it clear  
 14 who does what and when, so you would reorder it. But it  
 15 needs a complete review. It needs that stripping of  
 16 the information that's not needed if you are trying to  
 17 find out what you need to do, and it needs extra parts  
 18 added.  
 19 You also need to integrate all the bits and pieces  
 20 that you've got in lots of other documents so it's all  
 21 in one document, not duplicated, not with different ...  
 22 So overall, there's the embryo within it of what  
 23 could become a "fit for purpose" procedure.  
 24 Q. Finally this: if one stands back and looks at all  
 25 36 files that you reviewed and takes into account the

Page 78

1 we do now?", and there really is very little in the  
 2 procedures to help on that.  
 3 MS CAREY: Ms Carmi, they are all the questions I had.  
 4 Chair, is there anything that you and the panel would  
 5 like to ask Ms Carmi?  
 6 Questions from THE PANEL  
 7 THE CHAIR: I just have one question that is really  
 8 a clarification, please: in the "Other cultural issues"  
 9 at the end of your report, you refer to one of  
 10 the potential obstacles to a safe church was the  
 11 historical prejudice to children who were left-handed?  
 12 A. What worried me was actually the statement I received on  
 13 this, or that IICSA was given on what was an historical  
 14 case, which was awful treatment of a child, left-handed.  
 15 It talked about that this was a widespread prejudice of  
 16 its time. I don't recall. I lived through that time.  
 17 I was at school at that time. I don't recall this being  
 18 a widespread prejudice at that time and, therefore,  
 19 I think there's something more going on here. Why was  
 20 that a widespread prejudice in the Catholic Church? Is  
 21 it still around? Do we know if it is still around?  
 22 Because it wasn't something I recognised in society,  
 23 I thought, "What was this and what is it?". That's all.  
 24 It is a minor thing. It was about -- well, not minor  
 25 for that person, but it happened in one case and the

Page 80

1 **statement that has been provided now acknowledges that**  
 2 **this was a -- that this was prevalent in the period.**  
 3 **I can't remember what period --**  
 4 MS CAREY: I was just going to ask that question.  
 5 **A. I think it was the 1960s/'70s.**  
 6 MS CAREY: It may be we can find out the answer by reference  
 7 to the chronologies?  
 8 **A. It might be, if you put me to the actual case, it would**  
 9 **show.**  
 10 THE CHAIR: Very briefly, can you summarise what the nature  
 11 of the prejudice was, where it originated?  
 12 **A. No, because that's not really explained. What you do**  
 13 **know is that he was abused -- I can't remember whether**  
 14 **it was physical abuse, emotional abuse. I think this**  
 15 **one might not have had sexual abuse in it. But I can't**  
 16 **remember the details, because I haven't looked at it**  
 17 **recently that I can remember, other than an overview,**  
 18 **but it was a case where he was certainly made to feel**  
 19 **completely isolated in the class, I mean down to not**  
 20 **getting Christmas cards and invitations to parties and**  
 21 **things. It was actually the teachers, the nuns, seemed**  
 22 **to lead. And the statement made to IICSA just accepted**  
 23 **that that was what happened in those times, and it was**  
 24 **not what happened in those times in society. That was**  
 25 **my query and, really, unless we know what that was**

Page 81

1 statements.  
 2 I think, chair, you and the panel have all four  
 3 statements and a few documents behind tab B. I will go  
 4 to them from time to time and put up documents on the  
 5 screen.  
 6 The first thing I would like to ask you a little  
 7 about is your background, and just in case you forget,  
 8 can I ask you to go to your fourth statement, please.  
 9 Chair, can I make clear I am going to adduce -- this is  
 10 just a technical matter, Father Paul -- all four  
 11 statements in full and the numbers are CEW000014,  
 12 CEW002028, CHC002039 and finally CEW000021. So all of  
 13 those to be adduced in full.  
 14 The reason I am doing that is because we will not,  
 15 and we can't hope to, go through everything you say in  
 16 all of those four statements, and necessarily I am going  
 17 to have to be selective, given the time that we have.  
 18 So statement 4. Your background, which you deal  
 19 with from paragraph 9 onwards. I am simply going to  
 20 pluck from it the things which appear to me to be  
 21 important, given the nature of the evidence you are  
 22 about to give.  
 23 First of all, can you confirm that you are a member  
 24 of the Claretian Missionaries?  
 25 **A. That's correct.**

Page 83

1 **about, we don't know if it still exists.**  
 2 THE CHAIR: Thank you very much, Ms Carmi. Thank you.  
 3 MS CAREY: Chair, thank you very much. That concludes  
 4 Ms Carmi's evidence.  
 5 (The witness withdrew)  
 6 MS CAREY: I'm going to hand over now to Mr Altman and the  
 7 next phase of evidence.  
 8 FATHER PAUL ANDREW SMYTH (sworn)  
 9 Examination by MR ALTMAN  
 10 MR ALTMAN: Tell us who you are, please?  
 11 **A. My name is Paul Andrew Smyth.**  
 12 Q. I think you are happy to be known as Father Paul or  
 13 Father Paul Smyth?  
 14 **A. Father Paul is fine.**  
 15 Q. And as you and I established earlier, it is Smyth not  
 16 Smythe.  
 17 **A. That's correct, yes.**  
 18 Q. Father Paul, you have made four statements to the  
 19 inquiry?  
 20 **A. That's correct.**  
 21 Q. The first of which is dated 23 October 2017, and the  
 22 more recent one of which is 2 October 2019. Through the  
 23 course of your evidence, I am afraid we will be dancing  
 24 between them, so forgive me for that if I ask you to go  
 25 to particular paragraph numbers of particular

Page 82

1 Q. Which is a Roman Catholic religious congregation located  
 2 in Hayes in Middlesex?  
 3 **A. Yes, that's where I'm based at the moment.**  
 4 Q. Obviously, there are other locations for it --  
 5 **A. There are other houses in England, yes.**  
 6 Q. -- but it is the particular mission, I suppose, that you  
 7 are a member of?  
 8 **A. It's based there.**  
 9 Q. In Hayes, Middlesex, where you are a priest as well,  
 10 I think?  
 11 **A. I'm a parish priest there as well, yes.**  
 12 Q. You were in formation with the Claretian Missionaries  
 13 from 1980; is that correct?  
 14 **A. That's right.**  
 15 Q. Thereafter beginning studies for the priesthood at  
 16 a seminary?  
 17 **A. That's correct.**  
 18 Q. In the early '80s, you had pastoral experience in  
 19 Guatemala. You found yourself in Chicago for your  
 20 novitiate; is that correct?  
 21 **A. That's correct.**  
 22 Q. Returning from the United States in 1985 resuming your  
 23 studies, and then, in the meantime, a BA in Theology at  
 24 Durham?  
 25 **A. That's correct.**

Page 84

<p>1 Q. Is that correct?                  2 <b>A. Yes, that's correct.</b>                  3 Q. When were you ordained?                  4 <b>A. I was ordained in July 1990.</b>                  5 Q. Then I think you worked for a number of years on                  6 pastoral projects in Guatemala?                  7 <b>A. Yes, that's correct.</b>                  8 Q. Returning to this country in 1996, and developing the                  9 St Claret Centre, which was ...?                  10 <b>A. It is a retreat and conference centre based in</b>                  11 <b>Cambridgeshire.</b>                  12 Q. Then a postgraduate degree in psychology?                  13 <b>A. Mmm-hmm. That's correct, yes.</b>                  14 Q. And an MSc in what you call change agency skills and                  15 strategies?                  16 <b>A. Yes.</b>                  17 Q. Which is?                  18 <b>A. Looking at promoting and encouraging change processes in</b>                  19 <b>individuals, groups and organisations.</b>                  20 Q. Did you become the Major Superior of the Claretian                  21 Missionaries in this country?                  22 <b>A. I did, in 2005, I was appointed to that office.</b>                  23 Q. The Major Superior is, what?                  24 <b>A. That would be the person in the congregation who would</b>                  25 <b>be responsible for leading the members of</b></p> <p style="text-align: center;">Page 85</p>	<p>1 <b>the congregation based within a particular territory; in</b>                  2 <b>this case, England and Ireland.</b>                  3 Q. As a Major Superior, did you become a member of                  4 the Conference of Religious?                  5 <b>A. Yes. I became Major Superior in, I think, May 2005, and</b>                  6 <b>the following January, 2006, I was elected to the board</b>                  7 <b>of the Conference of Religious.</b>                  8 Q. Serving, I think, until 2009?                  9 <b>A. Yes, that's correct.</b>                  10 Q. Then were you elected to the general leadership team of                  11 the missionaries?                  12 <b>A. Of the Claretians, yes, and I was based out of Rome then</b>                  13 <b>for six years.</b>                  14 Q. Until 2015?                  15 <b>A. Correct.</b>                  16 Q. Returning to this country, and I think, in the meantime,                  17 a little more time in the United States?                  18 <b>A. That was just a visit for a few months doing some work.</b>                  19 Q. Then in 2016, were you asked to be the parish priest in                  20 Hayes?                  21 <b>A. That's correct.</b>                  22 Q. Which, in fact, is within the Westminster Diocese?                  23 <b>A. Yes.</b>                  24 Q. In the April of that year, named again as                  25 Major Superior?</p> <p style="text-align: center;">Page 86</p>
<p>1 <b>A. Yes.</b>                  2 Q. Is that right?                  3 <b>A. Yes.</b>                  4 Q. Were you asked around that time to serve on the                  5 executive committee again and were you elected to                  6 vice-president?                  7 <b>A. Yes, I was that year, 2016.</b>                  8 Q. In May 2017, you began your three-year term as                  9 president?                  10 <b>A. May 2017.</b>                  11 Q. In May 2017, you began a three-year term as president.                  12 Does that expire, then, May of next year?                  13 <b>A. Yes, that's correct.</b>                  14 Q. Are you seeking re-election?                  15 <b>A. I don't know if I will be eligible.</b>                  16 Q. Because?                  17 <b>A. Because of potential changes within the congregation.</b>                  18 <b>We have a chapter coming up at the end of this year</b>                  19 <b>where leadership is elected. So I don't know what will</b>                  20 <b>happen with that.</b>                  21 Q. So that's the background, impressive as it is. Can we                  22 then, please, get from you, first of all, what is the                  23 Conference of Religious?                  24 <b>A. The Conference of Religious is an association of</b>                  25 <b>the religious leaders, the Major Superiors, of</b></p> <p style="text-align: center;">Page 87</p>	<p>1 <b>the congregations that are in England and Wales. It's</b>                  2 <b>an association that seeks to offer support to its</b>                  3 <b>members. It maybe would be similar in terms of</b>                  4 <b>structure to something like the Federation of Small</b>                  5 <b>Businesses, an organisation that seeks to support</b>                  6 <b>members but has no control or governing power of</b>                  7 <b>the members.</b>                  8 Q. It is an unincorporated association; is that right?                  9 <b>A. Yes.</b>                  10 Q. Registered with the Charity Commission?                  11 <b>A. It is, yes.</b>                  12 Q. You probably know it by heart, and we can look at the                  13 statement, but it has, I think you say, a two-fold                  14 purpose?                  15 <b>A. That's correct. One thing would be that of facilitating</b>                  16 <b>the kind of working together of religious leaders,</b>                  17 <b>informing them, helping them and supporting them in</b>                  18 <b>things that would be important to religious life; and</b>                  19 <b>the other thing is an opportunity to be a voice and to</b>                  20 <b>represent religious.</b>                  21 Q. It is in your paragraph 2.1 --                  22 <b>A. Okay, thank you.</b>                  23 Q. -- of your first statement.                  24 <b>A. Of the first statement, okay, thank you.</b>                  25 Q. "Supporting leaders by encouraging collaboration between</p> <p style="text-align: center;">Page 88</p>

1 them on major issues facing religious today and  
 2 promoting programmes for future formation, and to speak,  
 3 [as you put it] to civilised society by addressing  
 4 current societal issues from a Roman Catholic  
 5 perspective."  
 6 **A. Yes.**  
 7 Q. That's the two-fold purpose which you have just  
 8 explained to us. Focusing on your paragraph 2.4 within  
 9 your first statement, are all leaders of religious  
 10 congregations or orders necessarily members of  
 11 the conference or do they choose to be members?  
 12 **A. No, it's not compulsory. Membership isn't compulsory.**  
 13 **So it is those that choose to opt in that become**  
 14 **members.**  
 15 Q. In your fourth statement, which we can flick over to, in  
 16 your case -- and if the chair and panel wish to follow,  
 17 it's behind the statement tab A/4 -- if you look at your  
 18 paragraph 44, there you deal with the compulsory or  
 19 noncompulsory membership of the conference. You say in  
 20 44:  
 21 "I am not aware of any conference for religious  
 22 where membership is compulsory for all religious orders  
 23 present in a territory."  
 24 Were you speaking about worldwide?  
 25 **A. Yes.**

Page 89

1 Q. -- but doesn't have to?  
 2 **A. Yes.**  
 3 Q. If, please, we return to your first statement at  
 4 paragraph 2.7, which is on page 4, there's article 2 of  
 5 your statute. Is that, effectively, your constitution?  
 6 **A. Yes.**  
 7 Q. Does it tell us what the general purpose of  
 8 the conference is, and if you can spell those out for  
 9 us, please?  
 10 **A. In the statutes it's expressed in terms of promoting the**  
 11 **welfare of religious institutes and societies of**  
 12 **apostolic life in England and Wales while respecting the**  
 13 **autonomy of each; to effect closer co-operation and**  
 14 **facilitate the communication between the congregations,**  
 15 **and also to have links with the Bishops' Conference,**  
 16 **supporting the relationship with individual bishops and**  
 17 **other organisations whose missions seek to foster**  
 18 **consecrated life in the church; and to provide proper**  
 19 **and official representation with authorities.**  
 20 Q. So that all tells us a little about the conference.  
 21 What I'd like now to do, please, with your assistance,  
 22 is to look at some of the numbers, which you, yourself,  
 23 with others, have done in order to assist this inquiry  
 24 with understanding how many religious orders there are,  
 25 who are members, who are not, who are contactable, who

Page 91

1 Q. Then there's a heading beneath that paragraph, beginning  
 2 at 45, "Practical impact of compulsory membership". You  
 3 deal with that between 45 and 48. In a sentence or  
 4 two -- and I mean in a sentence or two; we can read it  
 5 for ourselves -- a good or bad thing if there was to be  
 6 compulsory membership, or even if the conference had the  
 7 ability to regulate others, and we will come to that,  
 8 but a good or bad thing?  
 9 **A. I think what I said in the statement is that I think it**  
 10 **would change very much the nature of what the Conference**  
 11 **of Religious is, and that would need quite a lot of**  
 12 **reflection and discussion with members. I'm not quite**  
 13 **sure what the benefits would be of making it compulsory**  
 14 **when it's an organisation that's culture is that of**  
 15 **offering support to people. It could have a detrimental**  
 16 **effect.**  
 17 Q. We can read -- you expand on those arguments in the  
 18 paragraph.  
 19 **A. Yes.**  
 20 Q. It was just a slight diversion, but I just wanted to see  
 21 if you had a general view about it. You have made it  
 22 clear. But what is perfectly clear, the conference is  
 23 an organisation which a religious community,  
 24 congregation or order can choose to join --  
 25 **A. Yes.**

Page 90

1 are not.  
 2 **A. Yes.**  
 3 Q. So for that purpose, we need to go to your second  
 4 statement, please, behind tab A/2, and if we start,  
 5 please, at your paragraph 8, and, by way of background,  
 6 this was work which obviously, as I have just indicated  
 7 and you have agreed, you did with others. Did it take  
 8 some time to get these statistics in order to provide  
 9 this statement to the inquiry?  
 10 **A. Yes. The actual work of gathering statistics took a few**  
 11 **months to do. I, myself, wasn't actually involved in**  
 12 **gathering that data. As I mentioned in paragraph 5, the**  
 13 **general secretary and some volunteers that we seconded**  
 14 **in to help with the work were the ones who actually did**  
 15 **the work of contacting. I sent out correspondence**  
 16 **inviting people to respond, but the actual work was done**  
 17 **by the secretariat and the support.**  
 18 Q. Paragraph 8 shows that there are 237 Catholic  
 19 congregations who are members of the conference?  
 20 **A. Yes. It says I think there's been a few more that have**  
 21 **joined since. At present, it would be 240.**  
 22 Q. Let's just use the numbers as there were at the time.  
 23 **A. Fine.**  
 24 Q. Another three have joined between, what, the making of  
 25 this statement and --

Page 92

<p>1 <b>A. Yes, through the communication that was generated and</b>  2 <b>that with people in gathering the information.</b>  3 Q. You emphasise 237 Catholic congregations. Are there  4 others, which are not Catholic, which are members?  5 <b>A. We also have associate members from the Anglican Church.</b>  6 <b>So there are 19 associate members who are of Anglican</b>  7 <b>congregations.</b>  8 Q. We are going to park them for the purposes of your  9 evidence.  10 <b>A. Okay.</b>  11 Q. If we move on to your paragraph 12, you say, as far as  12 you are aware, there's no comprehensive list of all  13 congregations who are present in England and Wales?  14 <b>A. Mmm-hmm.</b>  15 Q. Is that correct?  16 <b>A. That was my understanding and feeling at the time when</b>  17 <b>I wrote this statement, and one of the reasons that</b>  18 <b>I was thinking in those terms then was, in the work that</b>  19 <b>we did, or the team did, that was gathering the</b>  20 <b>information, they collated and looked at different lists</b>  21 <b>that existed and used different sources for data, and</b>  22 <b>when we finished our process, there was a significant</b>  23 <b>number of congregations, a dozen or so -- 11, I think --</b>  24 <b>that we hadn't been able to contact, and because of</b>  25 <b>the different lists, it looked as if there was no</b></p> <p style="text-align: center;">Page 93</p>	<p>1 <b>comprehensive list.</b>  2 <b>In further work that's been done since, I think</b>  3 <b>what's emerged is that the list that CSAS had that we</b>  4 <b>were using was almost 99.9 per cent correct. I think we</b>  5 <b>found one small congregation of three sisters that were</b>  6 <b>in residential care that weren't on their list. So, in</b>  7 <b>actual fact, while it looked like there wasn't</b>  8 <b>a comprehensive list, there was actually a fairly strong</b>  9 <b>list that existed.</b>  10 Q. In your paragraph 11, just the paragraph above, was  11 a great deal of information from the work that was done  12 entered onto a spreadsheet which you produced as PS4?  13 <b>A. Yes, that's correct.</b>  14 Q. We are not going to put it up on screen, but it is  15 CHC001860, for our purposes, and I am going to ask for  16 it to be adduced in full.  17 <b>A. Okay.</b>  18 Q. But, in essence, what does that spreadsheet do?  19 <b>A. What the spreadsheet was doing was collating the</b>  20 <b>information that we'd asked people to share with us,</b>  21 <b>which touched upon questions -- the details of</b>  22 <b>the religious -- sorry, the safeguarding commissions</b>  23 <b>that they were aligned to.</b>  24 Q. I didn't want too much detail, but it was just  25 a spreadsheet which inputted, as I understood it, the</p> <p style="text-align: center;">Page 94</p>
<p>1 answers that your team received --  2 <b>A. Yes.</b>  3 Q. -- to the number of questions which were sent out to the  4 various congregations?  5 <b>A. That's correct. And the questions were questions that</b>  6 <b>had come in from the letter that we'd received for the</b>  7 <b>inquiry.</b>  8 Q. Exactly. The letters went out and the data from them  9 inputted into that spreadsheet included members and  10 non-members of the conference; is that right?  11 <b>A. That's correct, yes, it was for religious in general.</b>  12 Q. Work was undertaken as well to identify other religious  13 congregations and orders who were not members of  14 the conference?  15 <b>A. Yes.</b>  16 Q. Did that work and all of the work of the team culminate  17 in another exhibit which you produce, PS5, which is our  18 CHC001862, in terms of the numbers which you were able  19 to tell us about, and we can put that up on screen,  20 please. All right, we can do without it for now and we  21 can find another way of publishing it.  22 What it actually sets out is, there are two lists;  23 is that correct? It is to do with -- I'm sure you will  24 remember it yourself, Father Paul, but it has a list of  25 92 congregations who were identified who were not</p> <p style="text-align: center;">Page 95</p>	<p>1 members of the conference?  2 <b>A. That's correct.</b>  3 Q. And added to that was a separate list of 11 religious  4 communities who your team had been unable to contact?  5 <b>A. That's correct.</b>  6 Q. If you put those two sums together, the 92 and the 11 at  7 the time, it suggested that there were at least 103  8 congregations who were not members of the conference?  9 <b>A. Yes, it did. We have done further work on that and, in</b>  10 <b>fact, the numbers are quite a bit less than we indicated</b>  11 <b>then. With the 11 congregations that we weren't able to</b>  12 <b>contact at the time, for the work that's been done to</b>  13 <b>investigate the situation, we have discovered that</b>  14 <b>actually five of those congregations were on a list that</b>  15 <b>was out of date.</b>  16 Q. Five of the eleven?  17 <b>A. Five of the eleven had been taken from a list that was</b>  18 <b>out of date, and they were no longer in the country.</b>  19 <b>Three of the congregations had actually changed their</b>  20 <b>name at some point, and the old names were still being</b>  21 <b>listed, whereas they were also being listed under the</b>  22 <b>new name.</b>  23 <b>There was one of the congregations actually had only</b>  24 <b>one person who is in the country, who is operating as</b>  25 <b>a parish priest in Westminster, so he has not been</b></p> <p style="text-align: center;">Page 96</p>



1 related to as a congregation.  
 2 **There was one error in that 11 because they were**  
 3 **already listed as an aligned congregation on the CSAS**  
 4 **list.**  
 5 **So there were errors around the names and the lists.**  
 6 **So, in actual fact, those -- I think only one of those**  
 7 **congregations actually did actually exist.**  
 8 Q. So when we look at the 103, which was the 92 plus the  
 9 11, what is the number now of nonmembership?  
 10 **A. With the changes that there have been since the lists**  
 11 **were submitted and the new members that have joined CoR,**  
 12 **there are 240 members of CoR and then there are 90 other**  
 13 **congregations, many of whom -- some of those would be**  
 14 **part of the Union of Contemplatives and the Association**  
 15 **of Monastic Superiors, so they are part of groups that**  
 16 **exist as well, and then there would be some that are not**  
 17 **aligned to anyone.**  
 18 Q. What about the 11, though?  
 19 **A. Those 11, they were -- they can all be explained by**  
 20 **congregations that aren't in the country now or names --**  
 21 Q. We can forget --  
 22 **A. We can forget about those, so it comes down now to**  
 23 **a clearer certainty. It is when we have done that work,**  
 24 **we realise the actual list that CSAS had given us**  
 25 **originally was accurate.**

Page 97

1 **child protection was -- kind of becoming more aware of**  
 2 **it, where congregations maybe were encouraged to share**  
 3 **policy, good policy, they had, practice, but that's all,**  
 4 **really, the CoR had done prior to Nolan.**  
 5 Q. After Nolan, if we skate across to 4.4 and then 4.7 in  
 6 summary, had work been done after Nolan, as far as the  
 7 Conference of Religious is concerned?  
 8 **A. The Conference of Religious encouraged its members to**  
 9 **follow up on the recommendations of Nolan. After the**  
 10 **Nolan Report, there were some religious representatives**  
 11 **who were on the management board of COPCA, which was**  
 12 **established, and CoR established a group that were to**  
 13 **give some advice and represent religious, and also CoR**  
 14 **put in place the mechanism for gathering funds and**  
 15 **helping with the CRB checks.**  
 16 Q. If you look at 4.7, did the conference become, as you  
 17 call it, the organ by which money was collected from  
 18 religious for the creation and implementation of COPCA?  
 19 **A. Yes.**  
 20 Q. So the conference played its part in the establishment  
 21 of COPCA, which, as we know, is the predecessor in title  
 22 to CSAS?  
 23 **A. That's correct, yes.**  
 24 Q. Going to 4.10 on page 9, Cumberlege published or  
 25 reported in 2007, and by focusing on your 4.10, did the

Page 99

1 Q. So you reconciled it?  
 2 **A. Yes.**  
 3 Q. If my arithmetic is right, and it almost certainly  
 4 usually isn't, we are talking about the number of  
 5 congregations, members and non-members, of about 330-odd  
 6 in the country?  
 7 **A. Yes, 330.**  
 8 Q. In England and Wales?  
 9 **A. That's correct, yes.**  
 10 MR ALTMAN: The time is now 1.00 pm. Chair, can I invite  
 11 you to rise now and presumably resume about 2.00 pm?  
 12 Thank you very much.  
 13 (1.00 pm)  
 14 (The short adjournment)  
 15 (2.00 pm)  
 16 MR ALTMAN: Father Paul, can you turn to your first  
 17 statement at paragraph 4.2 on page 6. You were asked to  
 18 consider the specific role of the conference in relation  
 19 to child protection and safeguarding matters within  
 20 religious orders in England and Wales. Can you tell us,  
 21 please, about the period before 2001, in other words,  
 22 pre Nolan?  
 23 **A. Prior to Nolan, the Conference of Religious had no role**  
 24 **in safeguarding matters. There might have been a period**  
 25 **just before the Nolan Report came out where the issue of**

Page 98

1 Executive of the Conference identify a need to  
 2 establish, at that time, four regional safeguarding  
 3 commissions?  
 4 **A. That was the intention, the plan, to try and establish**  
 5 **four regional commissions.**  
 6 Q. Was that as a result of one of the recommendations in  
 7 Nolan?  
 8 **A. I think it grew out of the -- to tell you the truth,**  
 9 **I don't know the origins of where that came from. It**  
 10 **was to complement what was happening with the diocesan**  
 11 **safeguarding commissions.**  
 12 Q. So, at that time, the idea had been to establish four  
 13 regional safeguarding commissions, and part of that,  
 14 presumably, was to encourage religious congregations and  
 15 organs, organisations, to deal effectively with child  
 16 protection management and safeguarding issues?  
 17 **A. That's correct, yes.**  
 18 Q. You say that the regional safeguarding commissions were  
 19 implemented on 28 May 2008?  
 20 **A. Well, I think that's a reference that -- I think there**  
 21 **were records of them and reference to the meetings. It**  
 22 **was before that the work had actually begun with the --**  
 23 **getting people to identify which commission they would**  
 24 **be part of and finding the representatives from the**  
 25 **statutory bodies to take part.**

Page 100

1 Q. Was the proposal, at that time, that each congregation  
 2 would be aligned with one of those four commissions?  
 3 **A. Not as I understand it. My memory is that some**  
 4 **congregations had their own commissions, some**  
 5 **congregations were already aligned with the diocesan**  
 6 **commissions, and this was something I think to encourage**  
 7 **smaller -- the smaller congregations who wouldn't have**  
 8 **had the resources to establish their own commission to**  
 9 **come together.**  
 10 Q. I'm simply picking up what you say at 4.10 halfway down:  
 11 "It was proposed that each congregation would be  
 12 aligned with one of these commissions and each  
 13 commission would comprise a selection of independent  
 14 experts and professionals who could offer advice and  
 15 investigate accusations and allegations which might be  
 16 made to the religious congregations and orders aligned  
 17 with that commission."  
 18 So certainly there you seem to be speaking about the  
 19 regional commissions?  
 20 **A. Yes. I think we were encouraging people to do that, but**  
 21 **some wanted to stay with the diocesan commissions or**  
 22 **stay with the commissions that they had already. The**  
 23 **proposal would have been to try and encourage everyone.**  
 24 Q. So around this time, what we appear to have is a bit of  
 25 a mishmash of the four regional commissions being

Page 101

1 **time.**  
 2 Q. Perhaps we can put that up on screen, please. It's  
 3 CHC001724. Chair, you have it in the first flag behind  
 4 tab B, if you wish to look at the paper version.  
 5 If we go over, please, to the next page, to page 2,  
 6 this was a meeting of the National Catholic Safeguarding  
 7 Commission on Tuesday, 9 March 2010. We will look at  
 8 the consultation a little later, about how religious  
 9 orders reacted to some of the proposals that were being  
 10 made. But we can see under point 4, "Restructuring of  
 11 regional religious safeguarding commissions":  
 12 "There was discussion about the geographical range  
 13 and the numbers of aligned congregations for each  
 14 commission. There are four religious safeguarding  
 15 commissions ..."  
 16 So that was the position by 2010:  
 17 "... but seven regional groups within the CoR  
 18 [conference] organisation. The north-east and  
 19 north-west religious commissions are coterminous with  
 20 two of the CoR groups -- north-east and north-west.  
 21 "The remaining five CoR groups -- Arundel and  
 22 Brighton, London North, London Central, South West and  
 23 Midlands, are covered by two religious safeguarding  
 24 commissions."  
 25 If we go below the bulleted list:

Page 103

1 established; you have some orders which align with the  
 2 dioceses; and some of them have their own safeguarding  
 3 commissions?  
 4 **A. I think "mishmash" is not a phrase I would use.**  
 5 Q. No, it was my phrase.  
 6 **A. Yes. I think there are -- you know, in a sense, as this**  
 7 **was still relatively new, the establishment of**  
 8 **the commissions, there were a variety of things that**  
 9 **were in the air at that time.**  
 10 Q. If we go over, then, to your 4.15 on page 11, was the  
 11 situation reviewed in around 2010 and were there  
 12 proposals for alignment of religious orders with the  
 13 dioceses in all cases with diocesan safeguarding  
 14 commissions?  
 15 **A. I wasn't in the country for part of this, but my**  
 16 **understanding is that, because of some of**  
 17 **the difficulties that were existing, that it was decided**  
 18 **that a review should happen because of the difficulty in**  
 19 **trying to get enough people to populate the safeguarding**  
 20 **commissions for religious, et cetera, so other options**  
 21 **were being explored.**  
 22 Q. Are you aware of the fact that in early 2010, there was  
 23 a consultation which was put out to members of  
 24 the conference to see what their views were?  
 25 **A. I have become aware of that since. I wasn't at the**

Page 102

1 "It was suggested that the regional safeguarding  
 2 commissions may be more effective if they 'matched' the  
 3 CoR regional groups."  
 4 Do you know what came of that idea?  
 5 **A. I'm not aware. The only place I've seen it mentioned**  
 6 **was here. I'm not aware --**  
 7 Q. While we are on this document, I think something which  
 8 might touch on a comment you made a few moments ago:  
 9 "Many of the regional coordinators are due to retire  
 10 and there was concern about how they would be replaced.  
 11 The original view had been that this role would take no  
 12 more than a quarter of their working time, but in  
 13 reality, for many it has been a much greater commitment,  
 14 and for some their leaders do not fully understand the  
 15 range of work they have to cover. It had been suggested  
 16 by Phil Dand ... that there should be a full-time  
 17 coordinator for each commission."  
 18 If we skip over the next two-line paragraph to the  
 19 end:  
 20 "It was noted that many of the representatives for  
 21 the orders have little experience or understanding of  
 22 the work."  
 23 Were you alive to this at the time?  
 24 **A. No. This is all while I was out of the country. So**  
 25 **I wasn't aware of this meeting.**

Page 104

<p>1 Q. If we go to the consultation, it's behind your second 2 flag of documents, CHC001589, a document you have seen, 3 Father Paul, but, again, was this something that was new 4 to you? 5 <b>A. Recently, I've seen it with the evidence and things, 6 yes.</b> 7 Q. But clearly not at the time? 8 <b>A. Not at the time, no.</b> 9 Q. It's handwritten "2011" at the top, headed "Conference 10 of Religious". Under the protective marking, it reads: 11 "Consultation with CoR members on the proposal for 12 the future safeguarding organisational structure for the 13 religious in England and Wales. 14 "Instead of having an option for separate regional 15 religious commissions - that two options remain for the 16 religious. 17 "A congregation to establish its own commission." 18 That's the first bulleted point. And the second: 19 "That the current diocesan commissions are resourced 20 and reconfigured to enable religious congregations to be 21 aligned with them to reflect a total 'One Church' 22 approach on safeguarding." 23 It looks like this was a consultation that went out 24 to the religious congregations and this is the return 25 and somebody has compiled a document against each bullet</p> <p style="text-align: center;">Page 105</p>	<p>1 of some of the responses, or perhaps all of 2 the responses, that came in to the proposals. Point 1 3 is: 4 "What is your overall response to the proposal?" 5 It looks like it was a two-option proposal. Then: 6 "In favour of the proposal = 64 per cent of 7 respondents." 8 Just picking out perhaps some of the views for those 9 64 per cent who were in favour, the third bullet point 10 down: 11 "Best and most obvious way of ensuring all religious 12 congregations are aligned to safeguarding structures of 13 the church in this country *." 14 There is an asterisk against that response and, if 15 we look a little above, it seems to indicate that that 16 was more than ten responses, perhaps, or a corporate 17 response, according to the legend at the top. 18 <b>A. Mmm-hmm.</b> 19 Q. If we go further down, the next bullet point but one: 20 "'One Church' approach will work if there is will on 21 both sides, should lead to best practice and 22 consistency." 23 Then the next but one: 24 "The current situation is untenable and must be 25 addressed urgently."</p> <p style="text-align: center;">Page 106</p>
<p>1 Again, the next but one: 2 "If some congregations want to have their own 3 commissions, this should be encouraged as long as these 4 congregations and commissions are audited in the same 5 way as all other commissions." 6 If we go to the second page of this document, we can 7 see that there are many other views that were taken 8 account of in the consultation. 9 If we go towards the bottom, we can see 8 per cent 10 of respondents gave it a cautious -- or gave the 11 proposals a cautious welcome, and the first of which, by 12 way of example, is: 13 "In principle, the proposal to abolish separate 14 commissions of the CoR and to rely on the greater 15 expertise and competence of the existing diocesan 16 commissions is good, but the suggested unanalysed 17 allocation of congregations to respective dioceses, as 18 it stands, is too cumbersome to be workable." 19 Then, finally, on the third page of this document, 20 against the proposal were 19 per cent of respondents to 21 the consultation, the first of which is: 22 "Would have preferred to be linked with CoR. 23 "Have little knowledge about how the diocesan 24 safeguarding arrangements have worked across the board. 25 "Not in favour of the proposal to go with the</p> <p style="text-align: center;">Page 107</p>	<p>1 diocese. While there is the realisation that change 2 needs to happen, before such a major decision is made, 3 need to know what the implications of going with the 4 diocese are; at this point in time the implications have 5 not been clearly set out." 6 Another respondent said: 7 "There is a preference for either forming 8 a 'congregation commission' or going with another 9 women's congregation. However, before taking such 10 a step, we would need to know what the expectations and 11 requirements of such a structure would be and whether we 12 could meet these." 13 And another order, unnamed, set out nine separate 14 points: 15 "Our order regret the passing of the regional 16 religious commissions because they have offered the 17 following ..." 18 And set out there, and we can look at them later, if 19 needs be, nine separate points. 20 Do you know offhand, in the end, what happened from 21 this consultation? 22 <b>A. My understanding is, it was -- the outcome of this 23 consultation, the work that was done was to move towards 24 encouraging congregations to align to the diocesan 25 safeguarding commissions.</b></p> <p style="text-align: center;">Page 108</p>

1 Q. Do you know offhand whether it took a great deal of  
 2 persuasion?  
 3 **A. I don't know. I wasn't here at the time, so I've got no  
 4 evidence one way or the other.**  
 5 Q. Can we go back, please, to your first witness statement,  
 6 page 11, paragraph 4.18. You say that there was  
 7 a significant development in January 2012. What was the  
 8 significant development?  
 9 **A. Well, this was, I think, the ending of that consultation  
 10 process, where congregations were encouraged to align  
 11 themselves with one of the diocesan commissions, and  
 12 that involved an alignment agreement being prepared,  
 13 a memorandum of understanding.**  
 14 Q. The memorandum of understanding was between whom?  
 15 **A. That would have been between the congregation and the  
 16 diocesan safeguarding commission.**  
 17 Q. What's the position now? Do you know offhand? If we  
 18 come back to statistics, how many member congregations  
 19 or orders are aligned?  
 20 **A. I'm not -- I wouldn't be able to give you that figure.  
 21 My understanding is that, at the moment, there are  
 22 approximately about nine congregations that aren't  
 23 aligned in the formal process, but that doesn't mean  
 24 that they're groups that are rejecting safeguarding  
 25 processes, but maybe, because of circumstances, they're**

Page 109

1 **A. It is Elizabeth who presented these statements.**  
 2 Q. Manero?  
 3 **A. Manero, yes.**  
 4 Q. I think she was a member of the NCSC?  
 5 **A. Yes. From her reference in her report, it seems that  
 6 this meeting was a meeting about the inquiry and the  
 7 experiences that they'd had with the work with the  
 8 Benedictines, and so issues had come up that they felt  
 9 CoR needed to be aware of in preparation for this  
 10 inquiry. Now, I never heard anything at the time from  
 11 Colette, but I did receive an email about two or three  
 12 days after this date, from Baroness O'Loan, informing us  
 13 that we should be expecting a rule 9 letter and that  
 14 there would be work to be done for the inquiry. So I'm  
 15 imagining it's linked with that, but, as I say, that's  
 16 me trying to make sense of the evidence that you've  
 17 presented me with.**  
 18 Q. So more than you have just told us. Obviously, you  
 19 weren't at that meeting?  
 20 **A. Yes.**  
 21 Q. Was anybody from the conference present at the meeting,  
 22 do you know?  
 23 **A. I don't -- I wouldn't be able to answer that.**  
 24 Q. Going back in time, in fact, ten years in time, in 2008,  
 25 as a result of Cumberlege, COPCA was dissolved; is that

Page 111

1 **not aligning as a congregation but may be linked in with  
 2 the diocese through other means.**  
 3 Q. Can we go to another document, because this brings us  
 4 to December last year. It is in B/4 for the chair and  
 5 panel, if they wish to follow it on paper. I will put  
 6 it up on screen: CHC001995, please. These are the  
 7 minutes, confidential minutes, of a meeting, an  
 8 extraordinary meeting, you can see, of the NCSC on  
 9 3 December 2018. If we look at the top line:  
 10 "It was agreed that CL ..."  
 11 Who I imagine is Colette Limbrick?  
 12 **A. I would imagine the same.**  
 13 Q. "... would contact the President of Conference of  
 14 Religious ..."  
 15 And we can see your name in brackets:  
 16 "... in writing to urge urgent engagement on  
 17 safeguarding matters (including alignment; the provision  
 18 of safeguarding training to the religious, et cetera)."  
 19 What was happening around then?  
 20 **A. I didn't know anything about this meeting until I saw  
 21 the evidence. Now, I also noticed a reference to this  
 22 meeting in the other evidence that was directed to my  
 23 attention from Elizabeth in which it becomes clear --**  
 24 Q. Forgive me, Father Smyth, just in case people don't know  
 25 who Elizabeth is. Tell us who Elizabeth is?

Page 110

1 correct?  
 2 **A. Yes.**  
 3 Q. It was replaced, as we know, by NCSC and CSAS. I'm  
 4 looking at your first statement, because I just want to  
 5 look at some of the structures that have been in place  
 6 in the conference. Your first statement, please, at  
 7 5.5. Was there a liaison group, which I think you may  
 8 have adverted to a little earlier in your evidence --  
 9 **A. Yes.**  
 10 Q. -- which the conference relied upon?  
 11 **A. At that time, prior to the dates we are talking about,  
 12 when -- after the Nolan Report, there was a kind of  
 13 a CoR -- it was called the CoR/COPCA -- initially,  
 14 Advisory Group, that moved on to be called the Liaison  
 15 Group, which was made up of a few members of  
 16 the executive, with people who had some experience in  
 17 safeguarding matters, and they were helping us process  
 18 the work that had to be done.**  
 19 Q. Was that known as the Executive Advisory Safeguarding  
 20 Group?  
 21 **A. It became that later.**  
 22 Q. It became it?  
 23 **A. It became that later. I think that was in 2010 that it  
 24 became that.**  
 25 Q. So around the time we have just been looking at, going

Page 112

1 back a few minutes, looking at the proposals to align  
 2 religious orders and congregations, so the liaison group  
 3 became the Executive Advisory Safeguarding Group, the  
 4 EASG, around that time?  
 5 **A. Yes.**  
 6 Q. Did it consist, that group, of a skilled, as you call  
 7 it, and experienced group of people who were able to  
 8 advise the executive on safeguarding matters, and were  
 9 they to liaise with, and provide a channel of  
 10 communication between, the conference and the NCSC?  
 11 **A. Yes. They were the group that would look at materials**  
 12 **that religious were helping develop and they would work**  
 13 **on behalf of CoR advising the executive.**  
 14 Q. How often did they meet?  
 15 **A. I'm not sure at that time how often they would meet.**  
 16 Q. You say in your 5.7:  
 17 "They would meet soon after each NCSC quarterly  
 18 meeting to ensure the executive would be well informed  
 19 on development at national level."  
 20 **A. Okay.**  
 21 Q. Is that right?  
 22 **A. Yes, sorry, I'd forgotten I put that into my statement.**  
 23 Q. Don't worry. In due course, like so much that we have  
 24 learned about in this investigation, did the EASG change  
 25 its name?

Page 113

1 congregations have to be geographically located within  
 2 a diocese in England and Wales?  
 3 **A. Sorry, could you repeat the question again?**  
 4 Q. Do all religious orders and congregations have to be  
 5 geographically located within a diocese in England and  
 6 Wales?  
 7 **A. The territorial structure of the church is that the**  
 8 **whole of England and Wales would be mapped, so being**  
 9 **within England and Wales, they will be within a diocese.**  
 10 Q. Put another way, can a congregation or order exist  
 11 outside a diocese?  
 12 **A. No. Canonically speaking, if a congregation is in the**  
 13 **diocese, it should be there with the permission of**  
 14 **the bishop.**  
 15 Q. That helps with something we have been told about,  
 16 I think, in the Birmingham investigation and only  
 17 yesterday by Monsignor Read, that a bishop who has  
 18 autonomy over the diocese also can -- if a religious  
 19 order or a congregation doesn't comply, in this case,  
 20 let's say, with child protection matters or  
 21 safeguarding, he can revoke permission for that order to  
 22 locate itself within the diocese; is that correct?  
 23 **A. That's correct, yes.**  
 24 Q. Now coming to something else, please, that you, I think,  
 25 said a little earlier, and it is something I think you

Page 115

1 **A. It did.**  
 2 Q. What is it now?  
 3 **A. It's now known as the CoR Safeguarding Committee.**  
 4 Q. Or CORSC.  
 5 **A. CORSC, often referred to as CORSC.**  
 6 Q. Why did it change its name?  
 7 **A. I think there was, at the beginning of this year,**  
 8 **a review of the terms of reference for the group, and it**  
 9 **was recognised that it was more than just a group, that**  
 10 **it was actually operating with delegated powers from the**  
 11 **executive in helping kind of the work happen, so that**  
 12 **the terms of reference were reviewed and the name**  
 13 **changed to show it was a committee of CoR.**  
 14 Q. This review, who initiated it?  
 15 **A. It was the group itself and the links with the**  
 16 **executive.**  
 17 Q. So new terms of reference, or revised terms of  
 18 reference?  
 19 **A. Revised terms of reference, yes.**  
 20 Q. And a new name?  
 21 **A. Yes.**  
 22 Q. But doing much the same sort of job?  
 23 **A. It would have been the same work, same service. It was**  
 24 **really reflecting the work that was being done.**  
 25 Q. As a matter of fact, do all religious orders or

Page 114

1 have said more than once in the statements you make.  
 2 Can you confirm that the conference has absolutely no  
 3 regulatory authority over religious congregations and  
 4 orders?  
 5 **A. Yes, that's correct.**  
 6 Q. If you want to look at your fourth statement where you  
 7 deal with this -- I may actually have given you the  
 8 wrong reference. If you look at 13.3, to begin with, in  
 9 statement 4 on page 5, you say the conference has no  
 10 executive powers over its members or any other religious  
 11 in England and Wales. What, therefore, in terms of  
 12 enforcement, when we think about child protection  
 13 policies and safeguarding policies -- is it advisory  
 14 only, in terms of the authority you have over other  
 15 members, or do you have no authority at all?  
 16 **A. We have no authority. It would be to encourage people,**  
 17 **but we would have no powers to make compulsory anything**  
 18 **that we were proposing.**  
 19 Q. If a particular religious congregation chooses not to do  
 20 so, what can the conference do? Could they choose not  
 21 to comply or not to listen to a recommendation or  
 22 a strong recommendation from you about how it should  
 23 conduct itself?  
 24 **A. That wouldn't be in our -- I mean, I think, as I said**  
 25 **earlier, the role of the conference is to facilitate**

Page 116

1 **communication and collaboration among members. We don't**  
 2 **create policies or things that we will be then holding**  
 3 **the members to account. They would have the choice to**  
 4 **opt into what's recommended or not.**  
 5 **With respect to safeguarding, that kind of ability**  
 6 **for control lies, as you mentioned earlier, with the**  
 7 **bishop in the diocese.**  
 8 Q. Let's say we had an order or a congregation which was  
 9 not complying with good practice or with policies and  
 10 procedures which the conference had approved and had  
 11 strongly recommended to its membership. What would you  
 12 do in that circumstance? What would the first step be?  
 13 **A. Could you just repeat the question?**  
 14 Q. What would the first step be if you learned of an order  
 15 or a congregation that was not complying with  
 16 safeguarding or child protection policies? Would you  
 17 become involved in at least reporting that up to the  
 18 bishop to see if the bishop wanted to take matters  
 19 further?  
 20 **A. I think, personally, if I became aware of something, it**  
 21 **would be probably -- the first step would be to contact**  
 22 **CSAS, as CSAS has more that auditing capacity, so it**  
 23 **would be to inform them so they can investigate the**  
 24 **situation.**  
 25 Q. CSAS, of course, have no teeth either, do they? NCSC

Page 117

1 **A. I don't know the details.**  
 2 Q. But was it to do -- not so much the details, but was it  
 3 to do with this kind of environment that we are  
 4 discussing?  
 5 **A. I don't know the details. Actually, I'm aware that the**  
 6 **communications now are tied in with the request for**  
 7 **alignment with Southwark, so there is some safeguarding**  
 8 **issues involved in this, but I don't know the details of**  
 9 **what happened.**  
 10 Q. I don't want the details, just the generality.  
 11 **A. Yes.**  
 12 Q. Now, that's the membership. If we are talking about  
 13 religious orders and congregations who are not  
 14 members --  
 15 **A. Sorry, can I just clarify, with those examples I was**  
 16 **giving, I was talking about things I've become aware of.**  
 17 **It wasn't necessarily about members. So it was about**  
 18 **religious in general.**  
 19 Q. I wanted that to be clear. Are you saying that that is  
 20 a process, as you understand it, that would obtain  
 21 whether the congregation was a member of CoR or not?  
 22 **A. Yes.**  
 23 Q. Moving on, if you go, please, to your first statement at  
 24 paragraph 10.1 at page 17, this was a statement,  
 25 I remind you, made in October 2017, two years ago.

Page 119

1 and CSAS don't have teeth to enforce or sanction?  
 2 **A. They would have more access to information to**  
 3 **investigate the matter, and they would be in a position**  
 4 **then to give an informed concern to the bishops.**  
 5 Q. So your understanding would be, or perhaps what you  
 6 would do is report the matter up to CSAS, ask them to  
 7 investigate and, depending on the outcome of their  
 8 investigation, they would contact the bishop of  
 9 the relevant diocese and the matter would be taken  
 10 forward from there; is that your understanding?  
 11 **A. That's what I would understand.**  
 12 Q. Do you have examples of that having happened?  
 13 **A. I am aware that -- not that process that I've just**  
 14 **mentioned, no. No, I don't have any example that I can**  
 15 **think of.**  
 16 Q. Can you think of any congregation or order which has  
 17 been asked by the bishop to locate elsewhere?  
 18 **A. I understand that there was a congregation that was in**  
 19 **Hexham in Newcastle that was asked to leave the diocese.**  
 20 **I don't know all the details of why that was. I know**  
 21 **that they relocated to Southwark, and I'm aware that**  
 22 **there is communication between Southwark and Hexham and**  
 23 **Newcastle about the status of that congregation, which**  
 24 **has applied for alignment.**  
 25 Q. Was that to do with safeguarding non-compliance?

Page 118

1 **A. Yes.**  
 2 Q. You were asked the question, and you provided the answer  
 3 that the CoR had not been involved with any specific  
 4 child protection and safeguarding concerns about any  
 5 particular religious order.  
 6 **A. Yes.**  
 7 Q. Does that remain the case?  
 8 **A. Yes, that's my understanding.**  
 9 Q. So that we are clear, do you say that the conference  
 10 wouldn't involve itself in the details of any child  
 11 sexual abuse allegation --  
 12 **A. Yes.**  
 13 Q. -- or the process of investigation, for the reasons you  
 14 have given us?  
 15 **A. Yes, that's right.**  
 16 Q. Would that have been a matter, initially, for one of  
 17 the four regional commissions, and latterly the diocesan  
 18 commission to whom the order or congregation is aligned?  
 19 **A. Yes. If a call had come in to CoR which was to do with**  
 20 **safeguarding, the person would have been directed to the**  
 21 **structures that were in place at that time, but we**  
 22 **wouldn't have taken any information or dealt with**  
 23 **anything.**  
 24 Q. So the conference plays no part in any process of  
 25 receiving allegations?

Page 120

1 **A. That's correct.**  
 2 Q. When complaints have been made relating to member  
 3 organisations, they're dealt with, these days, through  
 4 CSAS?  
 5 **A. Yes.**  
 6 Q. Can we go, please, to paragraph 23 of your fourth  
 7 statement. You say there that since your appointment in  
 8 2017, much of your time has been spent in restructuring  
 9 the secretariat of the conference to better enable it to  
 10 meet current needs. What does that restructuring look  
 11 like and what was the point of it?  
 12 **A. The origins of that restructuring came out of an**  
 13 **evaluation of the strategic plan that had been in place,**  
 14 **which took place in September 2017. What was felt there**  
 15 **was, while the objectives for the strategic plan were**  
 16 **still valid, the actual structure that we had in place**  
 17 **needed to be revisited and reorganised. So it was to**  
 18 **make sure that we had the skills and the professionalism**  
 19 **in the office to be able to further the strategic aims**  
 20 **of CoR.**  
 21 Q. Where are you now on that?  
 22 **A. We are a very small organisation. We just have two**  
 23 **full-time and one part-time person in the office. One**  
 24 **is a full-time administrator. We have a part-time**  
 25 **general secretary. And then we have someone who is**

Page 121

1 a religious poses a safeguarding risk, how it should  
 2 determine where that religious should reside and by whom  
 3 in particular? The first part of the question was: who  
 4 should have ultimate responsibility for making this  
 5 decision?  
 6 How do you answer that?  
 7 **A. Within the structures that exist, CoR isn't actually**  
 8 **involved in making those decisions. The only part CoR**  
 9 **may have played in it is in the looking at the policies**  
 10 **that have been created and, with the nature of religious**  
 11 **life, the -- wherever a member of a congregation would**  
 12 **actually reside would be actually the responsibility of**  
 13 **the order and its superiors, because of their autonomy.**  
 14 Q. So the ultimate responsibility for that lies with the  
 15 order itself?  
 16 **A. With the Major Superior of the order.**  
 17 Q. Would you be involved in any advice or recommendation to  
 18 that order about what should happen?  
 19 **A. As CoR?**  
 20 Q. Yes.  
 21 **A. No, no. Any advice or recommendations to the order**  
 22 **I would expect to come through the safeguarding**  
 23 **commission that they're aligned to.**  
 24 Q. You say at 72 that, insofar as who should have ultimate  
 25 responsibility for making that decision, you would look

Page 123

1 **there to promote the development and communications.**  
 2 Q. Where is the office, as a matter of interest?  
 3 **A. The office at the moment is based in Ealing.**  
 4 Q. Right next to Ealing Abbey, I think?  
 5 **A. It is, yes.**  
 6 Q. I think at the date of this statement, you said you were  
 7 looking for a safeguarding advisor to the secretariat?  
 8 **A. We are beginning to, yes.**  
 9 Q. Beginning to?  
 10 **A. Yes. It's something we have decided upon in the last**  
 11 **month.**  
 12 Q. Is this a new post that you are creating?  
 13 **A. What we are aware of with the work that we have been**  
 14 **doing this year is the need -- with the recommendations**  
 15 **that are going to be coming from this inquiry and the**  
 16 **independent review that we are awaiting, looking at**  
 17 **safeguarding in the church, that there is going to be**  
 18 **the need to increase the capacity we have in the**  
 19 **secretariat for making sure that the work doesn't get**  
 20 **dropped.**  
 21 Q. Can I invite your attention, please, back to paragraphs  
 22 71 and 72, where you deal with managing risk and dealing  
 23 with allegations.  
 24 **A. Could you repeat the numbers, sorry?**  
 25 Q. 71 and 72. One question you were asked is: where

Page 122

1 to the policies of CSAS and the NCSC, but the ultimate  
 2 responsibility is, as you've indicated, with the  
 3 congregational leader?  
 4 **A. Yes.**  
 5 Q. You would expect that person to act on the basis of  
 6 recommendations from that congregation's commission?  
 7 **A. Yes.**  
 8 Q. Whether it's its own commission or the diocesan  
 9 commission, presumably?  
 10 **A. Yes.**  
 11 Q. Now a different topic, please, and your paragraphs 34  
 12 and 35. You were asked a little about the interaction  
 13 with the Holy See. We come across yet another acronym.  
 14 The Catholic Church likes its acronyms, it seems,  
 15 Father Paul?  
 16 **A. It is.**  
 17 Q. This is a particularly lengthy one: CICALSAL. What does  
 18 that stand for?  
 19 **A. It's actually the Congregation for Institutes of**  
 20 **Consecrated Life and Societies of Apostolic Life.**  
 21 Q. You say it is the department of the Holy See. How does  
 22 that relate to the work that you do, that organisation?  
 23 **A. That would be the office where the statutes of**  
 24 **the Conference of Religious would be looked at and**  
 25 **ratified for us to be able to function within Canon law.**

Page 124

1 Q. So in order for you to exist, it's that organisation, is  
 2 it, that has to, as you say, ratify/approve your  
 3 constitution?  
 4 **A. Yes.**  
 5 Q. Does it have to approve any revisions of your  
 6 constitution?  
 7 **A. Yes. So in revising the constitutions, we need to get**  
 8 **the approvals from them.**  
 9 Q. As president of the conference, do you ever visit the  
 10 Holy See in order to --  
 11 **A. No, I haven't.**  
 12 Q. -- meet with anybody from that organisation?  
 13 **A. No, I haven't, at this stage.**  
 14 Q. How often do you communicate, on average, do you think,  
 15 with them?  
 16 **A. I've had no direct communication myself.**  
 17 Q. Anybody within your organisation?  
 18 **A. Because of the work that we have been doing in looking**  
 19 **at the constitutions and the previous general secretary**  
 20 **had been in touch with them about that matter.**  
 21 Q. But you have not had to be?  
 22 **A. I have not had to be, no.**  
 23 Q. What about the Apostolic Nuncio? Have you ever had  
 24 correspondence?  
 25 **A. I have received a few invitations from him to functions,**

Page 125

1 approach. Same statement, paragraphs 50 and 51. First  
 2 of all, your personal interaction with Cardinal Nichols.  
 3 Do you have personal interaction with Cardinal Nichols?  
 4 **A. Little. I have been consulted by him through**  
 5 **correspondence about the appointment of the chair of**  
 6 **the NCSC when it came to reappoint Mr Pearson. I have**  
 7 **had also -- I did meet with him to talk about the**  
 8 **intended review and the financing of that that will be**  
 9 **taking place. So there's some limited communication.**  
 10 Q. In your paragraph 51.1, on page 15, you talk about  
 11 something called the Mixed Commission, and this is  
 12 a body of people who attend from CoR and from the  
 13 conference, the Bishops' Conference?  
 14 **A. Bishops' Conference, yes.**  
 15 Q. Tell us about the Mixed Commission? What is its point?  
 16 **A. It provides a space for the congregational leaders and**  
 17 **the bishops to meet and to explore issues relating to**  
 18 **the Church in England and Wales, so different topics may**  
 19 **be discussed depending on the matters at the time.**  
 20 Q. Do the matters which interest this inquiry come up for  
 21 discussion between you?  
 22 **A. Yes, sometimes.**  
 23 Q. You presumably sit on the Mixed Commission?  
 24 **A. Yes, I am.**  
 25 Q. You, alone, from the conference or religious, or anyone

Page 127

1 **but usually I was busy and never attended them.**  
 2 Q. Any other communications of any note or any substance?  
 3 **A. No. The only contact -- as I say in my statement, the**  
 4 **only real contact we would have with him as CoR would be**  
 5 **to invite him to our AGM each year.**  
 6 Q. And? Does he turn up?  
 7 **A. He usually comes, if he can.**  
 8 Q. We have heard about, and we will hear again about,  
 9 ad limina visits to Rome by bishops. Do conference  
 10 leaders, Major Superiors, have anything similar?  
 11 **A. No.**  
 12 Q. Do you liaise with the bishops about what happens during  
 13 the course of their visits to Rome?  
 14 **A. Last year, on the last time, the last ad limina visit,**  
 15 **a member of the executive was invited to attend with**  
 16 **them the meeting that they had at the Congregation for**  
 17 **Institutes of Consecrated Life and Societies of**  
 18 **Apostolic Life.**  
 19 Q. Was that Sister Frances Orchard?  
 20 **A. That's Sister Frances Orchard, yes.**  
 21 Q. She accompanied them as a representative of  
 22 the religious; that was last year?  
 23 **A. Yes.**  
 24 Q. Let's turn away from that then, please, and I want to  
 25 ask you a couple of things about the "One Church"

Page 126

1 else?  
 2 **A. No, there would be three other people from the executive**  
 3 **and the general secretary attends.**  
 4 Q. Were you involved in something that we have heard about,  
 5 and we will hear a little more about, recommendation 72  
 6 of Cumberlege and the general decree? Were you involved  
 7 in that at all?  
 8 **A. What had been drafted by the Canon lawyer was given to**  
 9 **us as a document for consultation. We looked at it,**  
 10 **offered some reflections and sent it back.**  
 11 Q. Was that discussed on the Mixed Commission?  
 12 **A. It was talked about that the process was happening, yes.**  
 13 **I don't think we actually talked about our**  
 14 **recommendations at the Mixed Commission.**  
 15 Q. Would you say you were instrumental in, perhaps, not so  
 16 much its drafting, but the --  
 17 **A. We certainly had a -- we were consulted about it and had**  
 18 **the opportunity to offer some observations and**  
 19 **reflections.**  
 20 Q. Do you remember what those observations and reflections  
 21 were?  
 22 **A. I don't, offhand. It was kind of a wider consultation**  
 23 **as well that we compiled and sent in.**  
 24 Q. Let's look at providing support for the religious in  
 25 connection with safeguarding, so your page 17, please.

Page 128



<p>1 You say that the conference has sought to win hearts and                  2 minds -- which is, I think, a term borrowed from                  3 Cumberlege --                  4 <b>A. Yes, I believe so.</b>                  5 Q. -- to raise awareness and embed good safeguarding                  6 practice since the Cumberlege Report. You say you do                  7 that by providing training and networking opportunities                  8 for religious. Tell us something about that?                  9 <b>A. Well, we are not actually the body responsible for</b>                  10 <b>training. We have, over the years, collaborated and</b>                  11 <b>supported the work of CSAS and the safeguarding</b>                  12 <b>commissions by providing some seminars and gatherings.</b>                  13 <b>I think, if I look back to paragraph 31, you have a list</b>                  14 <b>there of some of the different events that we have</b>                  15 <b>organised and offered. So, really, it's a supportive</b>                  16 <b>role to the work that's going on in the wider church.</b>                  17 Q. The seminars are held by the conference and CSAS. Are                  18 they joint seminars?                  19 <b>A. These seminars have been organised jointly, in</b>                  20 <b>collaboration between CoR and CSAS.</b>                  21 Q. Who attends on the religious side? Who attends?                  22 <b>A. When I say they're joint, I mean that they are put on</b>                  23 <b>together for religious, so it would be religious that</b>                  24 <b>attend them.</b>                  25 Q. But, what, just the leaders of the congregations?</p> <p style="text-align: center;">Page 129</p>	<p>1 <b>A. As I understand it, this would be for, like, the</b>                  2 <b>safeguarding reps and the people that are involved in</b>                  3 <b>safeguarding work.</b>                  4 Q. Do leaders typically attend them, or not?                  5 <b>A. I wouldn't know for definite on that, and it would</b>                  6 <b>probably depend on the seminar and what was being</b>                  7 <b>offered.</b>                  8 Q. You talk about seminars having been offered in 2016 and                  9 2017, or around that period. What was the most recent                  10 training seminar of that nature which the conference,                  11 your conference, has been party to?                  12 <b>A. We haven't organised any seminars since 2017, and that's</b>                  13 <b>because, out of that, those last seminars, there came</b>                  14 <b>a request from the safeguarding reps that maybe</b>                  15 <b>a different approach would be taken in which regional</b>                  16 <b>groups would be set up where people can gather and</b>                  17 <b>receive some support and formation at a more local</b>                  18 <b>level, and so, since 2017, that process has been under</b>                  19 <b>way and bedding itself in.</b>                  20 Q. Do you have any proposals for training of that nature in                  21 the future, or is this something that you arrange in                  22 conjunction with the Bishops' Conference?                  23 <b>A. We have got nothing planned at the moment.</b>                  24 Q. Nothing at all?                  25 <b>A. Nothing planned at the moment.</b></p> <p style="text-align: center;">Page 130</p>
<p>1 Q. Thinking about Nolan and Cumberlege and everything that                  2 you have sought to do certainly since you became                  3 president in May 2017, although that wasn't your first                  4 involvement, of course, with the conference, do you                  5 think there is anything more that you can or should be                  6 doing in order to bring those recommendations into                  7 being, the ones which remain outstanding?                  8 <b>A. Having looked at the statements that Colette and --</b>                  9 <b>Colette Limbrick and Chris Pearson had submitted,</b>                  10 <b>I didn't feel there was anything else that was</b>                  11 <b>particularly apropos for our work. We seem to be having</b>                  12 <b>worked or responded to the recommendations.</b>                  13 Q. So you're content, as far as the Conference of                  14 the Religious is concerned --                  15 <b>A. That seemed to be my understanding at the time.</b>                  16 Q. -- that you have complied as much as you can?                  17 <b>A. Yes. I mean, I think there is always more work we can</b>                  18 <b>do to improve things, but we had -- in terms of</b>                  19 <b>the recommendations, had responded to them and there</b>                  20 <b>weren't any recommendations outstanding for us.</b>                  21 Q. Your page 20, please, because I'd like your thoughts now                  22 on whether you think, from your perspective, the "One                  23 Church" approach has been achieved, and, if not, why                  24 not?                  25 <b>A. I think, if I go back to my understanding of the "One</b></p> <p style="text-align: center;">Page 131</p>	<p>1 <b>Church" approach, as I understand it from the reviews</b>                  2 <b>that took place, I understood it to be about having</b>                  3 <b>a common structure and common -- a shared set of</b>                  4 <b>policies, and so, to that end, I think we have worked</b>                  5 <b>towards establishing the "One Church" approach.</b>                  6 <b>There is room for improvement and things that we can</b>                  7 <b>build on, but, generally, I find that there is -- my</b>                  8 <b>sense is that there is a commitment to the alignment</b>                  9 <b>process and working to the one set of policies, which is</b>                  10 <b>what Nolan and Cumberlege had pointed to as the "One</b>                  11 <b>Church" approach.</b>                  12 <b>So while it might be needing to improve certain</b>                  13 <b>aspects, the essence of it, I think, is there.</b>                  14 Q. From your perspective, what do you think the practical                  15 effect of the general decree will be once -- I should                  16 say "if", but on the assumption it gains recognitio?                  17 <b>A. My understanding is that it will strengthen the ability</b>                  18 <b>of the bishops to call for compliance with the policies</b>                  19 <b>that we have, and it would apply to all members of</b>                  20 <b>the Church in England and Wales.</b>                  21 Q. Including religious leaders?                  22 <b>A. Yes. Everyone will be under that.</b>                  23 Q. You have been asked to consider, and you have, at your                  24 paragraph 78 and onwards, under part 6 of your fourth                  25 statement, cultural issues within the orders, which</p> <p style="text-align: center;">Page 132</p>

1 obviously covers quite a bit of ground. What's your  
 2 perspective on culture from the 1970s, the 1980s, which  
 3 you deal with in your paragraph 78, that you thought  
 4 then, or you think that, then, at that time, there was  
 5 a great deal of misunderstanding about the extent and  
 6 impact of child sexual abuse?  
 7 **A. Yes. I think --**  
 8 Q. Do you think that's changed?  
 9 **A. Well, in terms of when I was writing the statement,**  
 10 **I think I was writing it from my perspective as someone**  
 11 **growing up in those times. I think when I was referring**  
 12 **to the misunderstandings and the kind of lack of**  
 13 **awareness that was around, I was kind of holding in mind**  
 14 **the broader understanding we have of child abuse now in**  
 15 **terms of grooming and the other aspects that I don't**  
 16 **think we always had a clear understanding of.**  
 17 **While that existed in the 1970s and 1980s, I don't**  
 18 **think that's something that would be held now since**  
 19 **Nolan and the work that's been done since this work**  
 20 **began.**  
 21 Q. Do you think, at that time, from your own experience or  
 22 anything you've heard, that there was a misplaced  
 23 concern for the reputation of the order, as against the  
 24 impact of child sexual abuse on the victim or survivor?  
 25 **A. I don't have any experience of that personally, myself,**

Page 133

1 respect of my own order."  
 2 **A. Yes.**  
 3 Q. Are you able to help the chair and panel, insofar as  
 4 orders are concerned, whether they are all insured  
 5 through CIS or they use the CIS service with their  
 6 insurance? Do you know?  
 7 **A. From my understanding, as I reported it in the**  
 8 **statement, I think there are fewer than 40 orders,**  
 9 **actually, that are insured in that way. Most**  
 10 **congregations are autonomous in the insurance**  
 11 **arrangements that they make.**  
 12 Q. Does the conference, your conference, give orders and  
 13 congregations guidance on matters of insurance?  
 14 **A. No.**  
 15 Q. In paragraph 87, you say that your personal view is that  
 16 many religious would prefer not to take an adversarial  
 17 stance with someone who has a claim against the order,  
 18 but may nonetheless feel they must follow an insurer's  
 19 request or a contractual clause so as not to render  
 20 their insurance policy void.  
 21 Now, you may well know that we heard from  
 22 Kathy Perrin, the CEO and solicitor to the CIS,  
 23 yesterday. Is this something, what you say in  
 24 paragraph 87, from your own experience?  
 25 **A. It wasn't to do with a safeguarding matter, but a number**

Page 135

1 **growing up in that period. I can see, though, from the**  
 2 **evidence that's come forth in the inquiry, there are**  
 3 **reports where that has happened.**  
 4 Q. Your paragraph 81. You talk about having consulted  
 5 a Mrs Eileen Campling and some of the executive  
 6 committee about cultural issues within women's orders.  
 7 **A. Mmm-hmm.**  
 8 Q. Are there any particular issues there, on the cultural  
 9 side?  
 10 **A. The issue that was raised when I made that enquiry was**  
 11 **in relation to a tendency maybe for some people to see**  
 12 **safeguarding as a male issue, and that it doesn't apply**  
 13 **to women's congregations, who may not be working with**  
 14 **children.**  
 15 Q. But do you think that that's historical, or does it  
 16 still persist?  
 17 **A. I would have hoped it was historical, but in talking**  
 18 **with people and getting this information, the**  
 19 **implication seemed to be that, in some places, this**  
 20 **might still be a perception, and that may be a -- or it**  
 21 **affects, sometimes, with the negotiation with alignment.**  
 22 Q. Thank you for that. Part 7 of your statement, if we go  
 23 to your page 26, you then deal with civil claims and  
 24 apologies. You say in your paragraph 85:  
 25 "I only have experience of dealing with insurance in

Page 134

1 **of years ago now, it's -- I said at the time over 10,**  
 2 **but it's probably nearer 20. There was a personal claim**  
 3 **situation that I had to deal with through the insurance.**  
 4 **It was a very uncomfortable position to be in because of**  
 5 **kind of the advice we were given from the insurance**  
 6 **company to kind of hold back on the communication that**  
 7 **we'd like to have been making. So it's drawing upon**  
 8 **that experience.**  
 9 Q. You can only speak for your own order, presumably?  
 10 **A. Yes.**  
 11 Q. You can't speak for other orders and the stance that  
 12 they may take?  
 13 **A. Yes.**  
 14 Q. So because you give no guidance, there is no "one size  
 15 fits all" policy that all of the religious congregations  
 16 and orders can look to if they want to see what the  
 17 conference says they should be doing in these  
 18 situations?  
 19 **A. I think, as I say, the conference doesn't have a policy**  
 20 **and doesn't offer that kind of advice.**  
 21 Q. No. So each order, depending on who they are insured  
 22 with and the nature of the contract that they have with  
 23 their insurers, has to make their own judgment and take  
 24 such advice as they wish to about whether to apologise,  
 25 whether, if there is a contest between claimant and

Page 136

1 them, to invoke the limitation defence, and/or whether  
 2 to go against the advice of their insurers and risk  
 3 their indemnity being voided?  
 4 **A. That would be my understanding, I think.**  
 5 Q. The sort of issues we heard about yesterday obtain as  
 6 much to religious orders and congregations as they do to  
 7 the dioceses?  
 8 **A. Yes. That would be my understanding.**  
 9 MR ALTMAN: Chair, I am going to come on to another couple  
 10 of topics. I haven't got a huge amount -- or not as  
 11 much as I feared -- because I have rather raced through  
 12 it, however interested I know you and the panel are in  
 13 the topic. But I wonder if you might want to take your  
 14 break now and we will come back perhaps in a quarter of  
 15 an hour or 20 minutes?  
 16 THE CHAIR: Yes, we will do that, returning at 3.15 pm.  
 17 (3.00 pm)  
 18 (A short break)  
 19 (3.15 pm)  
 20 MR ALTMAN: Father Paul, can we please look at your third  
 21 statement at page 17, paragraph 58. Under the general  
 22 heading "Safeguarding", you say:  
 23 "As in other aspects of religious life, CoR doesn't  
 24 have any control over the process by which orders deal  
 25 with safeguarding, though it encourages its members to

Page 137

1 **the needs of the person.**  
 2 Q. All right. So it is more personalised.  
 3 **A. So, for example, if a person was coming from an**  
 4 **educational background who had a greater understanding**  
 5 **of safeguarding because of their professional life, that**  
 6 **would then affect maybe how some of the work would be**  
 7 **done in bringing them up to speed with what the church**  
 8 **is now doing.**  
 9 Q. But the fact there are fewer numbers coming through,  
 10 does that have an overall effect on safeguarding within  
 11 the religious orders generally, not so much on training  
 12 that is given and what you have just described, but does  
 13 it have a general effect on religious life and  
 14 safeguarding?  
 15 **A. In a more general setting, I suppose one of the aspects**  
 16 **could be that it would mean, with less members, it can**  
 17 **be harder to find some of the personnel available to do**  
 18 **the work that needs to be done.**  
 19 Q. The conference produced a document of principles and  
 20 standards for religious in England and Wales which we  
 21 have not looked at yet, I think, called "Integrity in  
 22 Ministry". Is that correct?  
 23 **A. Yes.**  
 24 Q. I wonder if we can bring it up, please, on screen. It's  
 25 CHC002041. Was this document produced as a result of

Page 139

1 embrace a culture of safeguarding."  
 2 Pausing there, religious life today -- and it is  
 3 something you touch on elsewhere in this statement. You  
 4 say at your paragraph 6:  
 5 "The statement should be seen in the context of  
 6 the current reality of religious life in the UK."  
 7 What is the current reality?  
 8 **A. Compared to 30 or 40 years ago, there would be a lot**  
 9 **less religious in congregations coming into formation.**  
 10 **So numbers have fallen.**  
 11 Q. What is the effect of that, do you think, on  
 12 safeguarding?  
 13 **A. In terms of the training of people, it means, with less**  
 14 **people coming into formation, that often the training**  
 15 **that's given in safeguarding will be more personalised**  
 16 **to take into account the experience and the situation of**  
 17 **the candidates coming in.**  
 18 Q. So, what, because of numbers, it has to be less  
 19 personalised, what, less one-to-one? Is the training  
 20 any different?  
 21 **A. No, what I meant when I said -- maybe 20/30 years ago,**  
 22 **you might have had groups of 20 or 30 novices to**  
 23 **a congregation. Now you would find maybe one or two.**  
 24 **So it's a lot less people coming. So it means that all**  
 25 **aspects of formation will tend to be personalised for**

Page 138

1 one of the recommendations in Cumberlege?  
 2 **A. It was, yes.**  
 3 Q. Recommendation 2, I think, which was, in effect, to  
 4 produce a code of conduct?  
 5 **A. Yes, I believe so, yes.**  
 6 Q. This is the one that was produced, although this is  
 7 a later iteration. When do you think the first one was  
 8 produced?  
 9 **A. I understand it was produced in 2015.**  
 10 Q. There wasn't an iteration before then, a version before  
 11 2015 -- 2013, perhaps?  
 12 **A. I think there was some work done beforehand, but this**  
 13 **was the document that was actually circulated and**  
 14 **produced, as far as I'm aware.**  
 15 Q. You say one objective of the document was to support  
 16 religious in their concerns to protect children and  
 17 adults from all abuses of power, including sexual abuse?  
 18 **A. Yes.**  
 19 Q. Is that one of the objects? It was modelled, I think,  
 20 on an Australian document.  
 21 **A. Yes, I believe so. I think -- the other thing I would**  
 22 **say about this document, it was an attempt to put into**  
 23 **religious language the principles and the guidance that**  
 24 **were being -- and the policies that were being created**  
 25 **so that people would be able to embrace them and see how**

Page 140

<p>1 they relate to our life as religious. It wasn't</p> <p>2 replacing policies or guidance, but trying to express it</p> <p>3 in a way that would inspire people to take up the work</p> <p>4 that we are doing.</p> <p>5 Q. Who is it disseminated to?</p> <p>6 A. This would have been given to the congregations through</p> <p>7 the religious leaders in the congregation.</p> <p>8 Q. Members or congregations who aren't members of</p> <p>9 the conference?</p> <p>10 A. My understanding would be it would be to members, but</p> <p>11 I wasn't here at the time when this was distributed, so</p> <p>12 I wouldn't know -- it is available still for people to</p> <p>13 get copies of, so information is there, still</p> <p>14 accessible.</p> <p>15 Q. If we dip into it, perhaps, please, if we look at the</p> <p>16 introduction on page 3, and that will come up on the</p> <p>17 screen, Father, and if we take it from the top:</p> <p>18 "For some years now, following the publication of</p> <p>19 the report of the Cumberlege Commission ... the bishops</p> <p>20 of England and Wales, together with the Conference of</p> <p>21 Religious, have been exploring how best to implement</p> <p>22 recommendation 2 ... the Conference of Bishops and the</p> <p>23 Conference of Religious should develop codes of conduct</p> <p>24 for all clergy, non-clergy religious. The report states</p> <p>25 [as you've just confirmed] ... we, in particular,</p> <p style="text-align: center;">Page 141</p>	<p>1 commend the Australian version 'Integrity in Ministry',</p> <p>2 which this was modelled on.</p> <p>3 If we see in the next paragraph about halfway down:</p> <p>4 "That Australian document is widely recognised as</p> <p>5 a model of good practice."</p> <p>6 At the foot of the page:</p> <p>7 "Following the consultation, it was decided by the</p> <p>8 Bishops' Conference in April 2013 that they would prefer</p> <p>9 a more focused document written specifically for clergy.</p> <p>10 Following the decision by the bishops, the Conference of</p> <p>11 Religious has developed their own document with</p> <p>12 a particular focus on the religious life which, with</p> <p>13 minor changes, is largely consistent with the original</p> <p>14 draft written by the working party."</p> <p>15 A. Yes.</p> <p>16 Q. You probably know that there was a working party</p> <p>17 together with the Bishops' Conference in 2013. They</p> <p>18 pulled out, the bishops, and as of today, I think there</p> <p>19 is still no code of conduct that the conference, the</p> <p>20 Bishops' Conference, has produced?</p> <p>21 A. I understand it's still being worked on.</p> <p>22 Q. If we go to page 29, please, of this document, headed</p> <p>23 "When communion is broken", and I would like to go to</p> <p>24 the final paragraph of that text, "The first concern":</p> <p>25 "The first concern of the church is for the care</p> <p style="text-align: center;">Page 142</p>
<p>1 and, as far as possible, the healing, of those who have</p> <p>2 been hurt by the church's ministers. Secondly, the</p> <p>3 concern is for justice, the healing of the wider</p> <p>4 community, the church, and for those who have caused</p> <p>5 damage by their behaviour. A process of healing and</p> <p>6 reconciliation often takes time and requires the</p> <p>7 elements of repentance and contrition, restitution and</p> <p>8 amendment and forgiveness."</p> <p>9 Then, in paragraph 8.1, is there a series of bullet</p> <p>10 points under "In all situations of serious damage and</p> <p>11 abuse, all church leaders should ..."? So this is, if</p> <p>12 you like, advisory --</p> <p>13 A. Yes.</p> <p>14 Q. -- if not directory, to church leaders as to what they</p> <p>15 should do in all situations, as it is called, of serious</p> <p>16 damage and abuse:</p> <p>17 "Have serious concern both for those who have been</p> <p>18 directly harmed and for others who have been affected,</p> <p>19 including parents and family of those harmed, and the</p> <p>20 community where the violation has occurred.</p> <p>21 "Do everything possible to heal the harm that has</p> <p>22 been done to the victims.</p> <p>23 "Take all necessary steps to avoid any harm in the</p> <p>24 future.</p> <p>25 "Offer appropriate support and assistance to those</p> <p style="text-align: center;">Page 143</p>	<p>1 who have been harmed.</p> <p>2 "In dealing with different situations, the severity</p> <p>3 of the case needs to be examined."</p> <p>4 Then 8.2 on the next page:</p> <p>5 "When the complaint involves an allegation of abuse</p> <p>6 of a vulnerable adult or child, then, the statutory</p> <p>7 authorities, the church's safeguarding office, and the</p> <p>8 congregation's safeguarding officer must be informed</p> <p>9 immediately and their advice strictly followed. All</p> <p>10 sections of the Catholic Church, whether in paid</p> <p>11 employment or in a voluntary capacity, must follow the</p> <p>12 church's safeguarding procedures in all situations. In</p> <p>13 responding to such complaints, it is essential that</p> <p>14 religious:</p> <p>15 "Respond to information promptly and seriously, and</p> <p>16 with pastoral sensitivity, making sure that the</p> <p>17 individual or individuals feel listened to and taken</p> <p>18 seriously;</p> <p>19 "In no circumstances conduct, or allow anyone</p> <p>20 employed by us or otherwise working with us to conduct,</p> <p>21 an investigation himself or herself. This may have</p> <p>22 serious legal consequences."</p> <p>23 Then there is a note on legal compliance. So this</p> <p>24 is, if you like, a guidance booklet, a practical</p> <p>25 approach to safeguarding, which you would hope religious</p> <p style="text-align: center;">Page 144</p>

1 and congregational leaders take into account when they  
 2 are confronted with child protection and safeguarding  
 3 issues generally?  
 4 **A. That is true, yes.**  
 5 Q. 2015 is the latest version. Are there any plans to  
 6 update it? Does it require updating?  
 7 **A. There hasn't been any plans or discussion of that yet.**  
 8 Q. One other page I'd like you to look at in that document,  
 9 and it is appendix 1. It is not in our hard copy files,  
 10 but I will put it up on screen, please, CHC002041\_032.  
 11 Right at the bottom:  
 12 "In short, 'Integrity in Ministry' is not in itself  
 13 Canon law and it does not take the place of Canon law.  
 14 At the same time, it will be of assistance in  
 15 implementing, interpreting and applying Canon law. It  
 16 will do this in cases of perceived misconduct, but its  
 17 more important role will be to help us fulfil our roles  
 18 in the church and to know that these are being fulfilled  
 19 to the highest possible standard."  
 20 So that's what it's designed to achieve. Any  
 21 sanction for non-compliance with a document like this?  
 22 **A. No.**  
 23 Q. None at all?  
 24 **A. We have nothing, no.**  
 25 Q. Back to your statement 3, please, page 19, paragraph 63.

Page 145

1 **I understand, used by congregations.**  
 2 **Congregations also would make use of training that**  
 3 **would be provided by, for example, hospitals, if**  
 4 **religious were working in the health service.**  
 5 Q. Yes.  
 6 **A. And one congregation shared how part of their training**  
 7 **involved bringing in victims of abuse to talk with the**  
 8 **students and make them aware of these matters. So**  
 9 **there's a variety of different things we became aware of**  
 10 **that could be done.**  
 11 Q. This is, as it were, a poll of orders who have given you  
 12 information about what they do individually?  
 13 **A. Yes, groups that have people in formation in recent**  
 14 **years.**  
 15 Q. Penultimately from me, if you go to the end of your  
 16 statement 4 and your paragraph 110, part 12, it's  
 17 page 32, you say there are two pieces of information you  
 18 wish to draw to the inquiry's attention in relation to  
 19 religious generally which have implications for  
 20 safeguarding. Can you tell us what they are, please?  
 21 **A. I think one of the first things is that of the diversity**  
 22 **of religious life that exists in England and Wales,**  
 23 **which can make it very difficult to extrapolate what's**  
 24 **going on throughout all religious congregations. While**  
 25 **there are some congregations who have big institutions**

Page 147

1 Just a little on resources, safeguarding training  
 2 resources. You deal with the resources that are drawn  
 3 upon by the orders. Can you tell us what your  
 4 understanding is that the orders draw upon by way of  
 5 resources in this particular topic?  
 6 **A. When I was preparing the statement, I tried to get**  
 7 **feedback from congregations that have people in**  
 8 **formation. So you will find that -- if I can just have**  
 9 **a moment to remind myself of the different things.**  
 10 **Some of the resources the congregation would be**  
 11 **maybe using would be their own constitutions and**  
 12 **directories, internal documents that they have. They**  
 13 **would also have safeguarding officers maybe working for**  
 14 **the congregation, involving sometimes lay people, who**  
 15 **would provide some in-house training, which would**  
 16 **include the people in formation.**  
 17 **The ongoing training that would be going on within**  
 18 **their own congregations, there would be training that**  
 19 **would be provided from the Safeguarding Commission to**  
 20 **which the order is aligned that they would have access**  
 21 **to.**  
 22 **Other resources could include the possibility of**  
 23 **having assessments of candidates who, for example, at**  
 24 **St Luke's Centre, which is based up in Manchester, the**  
 25 **document we have just been looking at is also,**

Page 146

1 **and maybe large communities attached to them, there are**  
 2 **many, many congregations who have much smaller**  
 3 **communities and are not tied in and working in large**  
 4 **institutions, so some congregations may be living in**  
 5 **tower blocks, working with the people around them.**  
 6 **So it's just to be aware of that diversity, which**  
 7 **does make it difficult to extrapolate from some groups.**  
 8 Q. Also, I think we have heard, in terms of some of  
 9 the statistics which your team's research did and the  
 10 data obtained shows that there are some religious orders  
 11 which only have one or two members?  
 12 **A. Yes, that's correct.**  
 13 Q. So that's part of the same issue of diversity?  
 14 **A. Yes, numbers are falling, and also the ageing, which has**  
 15 **an impact.**  
 16 Q. Spell out for us the impact that you think that has?  
 17 **A. In some congregations, for example, I think one of**  
 18 **the difficulties that became clear when we were looking**  
 19 **at the issue of alignment is that, for some**  
 20 **congregations, the reason they had removed from aligning**  
 21 **through the process we have was financial, because with**  
 22 **only a few older members who were on pensions, they**  
 23 **found it difficult to meet the financial requirements,**  
 24 **and for some congregations, the elderly members were in**  
 25 **residential care and not involved in ministry, so those**

Page 148

1 **were kind of the factors that ageing --**  
 2 Q. What happens, as a matter of interest, to communities  
 3 like those? Are they aligned with dioceses nonetheless,  
 4 despite their ageing populations or the fact that  
 5 they're not involved in ministry? What happens to them?  
 6 **A. I think what we're looking -- I understand what CSAS is**  
 7 **looking at is how we can bring them into the alignment**  
 8 **process. I understand it is a matter that is going to**  
 9 **be talked about with the bishops at their meeting.**  
 10 Q. Which meeting?  
 11 **A. The Bishops' Conference meeting, I understand.**  
 12 Q. Those are some of the first set of problems, the  
 13 diversity issue, that you wished to mention. Was there  
 14 a second?  
 15 **A. Well, I think one of the things was that the religious**  
 16 **today are not in the big institutions, like they used to**  
 17 **be. So the different way things are expressed. I think**  
 18 **the other challenge was, I think what I was mentioning**  
 19 **is what we have talked about already, that the falling**  
 20 **in numbers means that there are less people available to**  
 21 **take up the work of the safeguarding.**  
 22 Q. So what's the answer? What's the answer to the problem?  
 23 Because the country as a whole will have, in years to  
 24 come, an ageing population, and has one already,  
 25 clearly, but with proportionally more people over

Page 149

1 **A. Time will tell, yes.**  
 2 Q. Finally then from me, Father Paul, you say that you are  
 3 a priest?  
 4 **A. That's correct.**  
 5 Q. In Hayes?  
 6 **A. Mmm-hmm.**  
 7 Q. And you have been a priest for many years. Can you help  
 8 us a little on the issue of confession --  
 9 **A. Okay.**  
 10 Q. -- which we have asked certain other witnesses about.  
 11 During the course of confession, has anyone ever  
 12 confessed -- whether clergy or non-clergy, has anyone  
 13 ever confessed in the confessional to you that they have  
 14 been guilty of child sexual abuse?  
 15 **A. No.**  
 16 Q. Has anyone, in the course of confession, ever told you  
 17 that they have been the victim of child sexual abuse?  
 18 **A. I remember it happening once.**  
 19 Q. In this country or elsewhere?  
 20 **A. No, it was elsewhere, when I worked in Guatemala, it**  
 21 **would be about probably 27 years ago.**  
 22 Q. Was it something you were able to deal with outside the  
 23 confession? For example, did you encourage the person  
 24 who told you this to speak to you outside the strictures  
 25 of the confessional?

Page 151

1 a certain age. If the religious community is suffering  
 2 that now, with the problems you have mentioned, what  
 3 thoughts do you have to help the chair and panel going  
 4 forward as to what might be an answer to those problems  
 5 as far as the Conference of Religious is concerned and  
 6 religious orders and religious congregations in general?  
 7 **A. I don't have any idea or solution at the moment to**  
 8 **respond to those issues. I think what I was expecting**  
 9 **was this reality which we are becoming aware of would be**  
 10 **something which would be given attention in the**  
 11 **independent review that is being set up, in which one of**  
 12 **the issues is alignment, is the question. So I would be**  
 13 **hoping to see recommendations coming from that.**  
 14 Q. The review you're talking about is the one that was  
 15 announced following the bishops' ad limina visit to Rome  
 16 in September 2018, interim report next April, hopeful  
 17 final report 2020, October-time, next year?  
 18 **A. Yes.**  
 19 Q. Optimistic or not?  
 20 **A. Optimistic, what, that it will happen?**  
 21 Q. Those dates?  
 22 **A. Yes, I am optimistic they will happen.**  
 23 Q. I was really asking if those dates were optimistic?  
 24 **A. Well, we will see.**  
 25 Q. Time will tell.

Page 150

1 **A. At that point, in the context I was in, I didn't,**  
 2 **because the social situation in Guatemala where I was**  
 3 **working at that time wouldn't have had any**  
 4 **organisational structure in place to deal with cases**  
 5 **like that.**  
 6 Q. So you received a confession like that?  
 7 **A. Yes.**  
 8 Q. Was that the end of it? There was nothing you could do?  
 9 **A. It was a case of -- at the time, if my memory serves me**  
 10 **right, trying to encourage the young girl, who was about**  
 11 **14, to -- well, it was actually a family situation, and**  
 12 **it was -- kind of encouraged her not to feel it was her**  
 13 **fault, what was happening, and to try to encourage her**  
 14 **to tell her parents.**  
 15 Q. More than that, there was nothing you could do?  
 16 **A. There was nothing else I could do in that context.**  
 17 MR ALTMAN: Thank you. Chair, those are all my questions,  
 18 unless you and the panel have any?  
 19 THE CHAIR: No, we have no questions. Thank you very much,  
 20 Father Paul.  
 21 **A. Thank you. Thank you very much.**  
 22 MR ALTMAN: Thank you for coming, Father Paul.  
 23 **A. Thank you.**  
 24 **(The witness withdrew)**  
 25 MR ALTMAN: Chair, can I please remind everyone we are

Page 152

1 sitting at 10.00 am tomorrow, and the evidence tomorrow  
2 will be that of Cardinal Nichols.  
3 THE CHAIR: Thank you, Mr Altman.  
4 (3.40 pm)  
5 (The hearing was adjourned to  
6 Wednesday, 6 November 2019 at 10.00 am)  
7  
8

9 I N D E X

10  
11 MS EDINA CARMÍ (affirmed) .....1  
12  
13 Examination by MS CAREY .....1  
14  
15 Questions from THE PANEL .....80  
16  
17 FATHER PAUL ANDREW SMYTH (sworn) .....82  
18  
19 Examination by MR ALTMAN .....82  
20  
21  
22  
23  
24  
25

<p style="text-align: center;"><b>A</b></p> <p><b>A/2</b> 92:4  <b>A/4</b> 89:17  <b>Abbey</b> 122:4  <b>ability</b> 19:20,22          37:21 47:8 90:7          117:5 132:17  <b>able</b> 6:21 14:25          15:1 19:12 27:6          29:3 32:1,17          33:13 55:2 70:8,9          70:14,22,24 71:1          93:24 95:18 96:11          109:20 111:23          113:7 121:19          124:25 135:3          140:25 151:22  <b>abolish</b> 107:13  <b>absent</b> 47:16  <b>absolutely</b> 4:23 8:5          20:2,5 21:12          38:21 116:2  <b>abuse</b> 2:13,14,25          6:11 11:6 18:10          19:5 26:6 31:20          32:24 33:3 42:9          55:19 56:2 58:15          64:20 67:13 72:20          73:3,9,10,13,21          74:9 81:14,14,15          120:11 133:6,14          133:24 140:17          143:11,16 144:5          147:7 151:14,17  <b>abused</b> 26:2 37:1          42:11 47:11 53:3          57:21 58:7 64:17          81:13  <b>abuses</b> 140:17  <b>abusive</b> 32:4 73:8  <b>accept</b> 30:8 31:5          32:8 72:12  <b>acceptance</b> 66:23  <b>accepted</b> 27:6          53:18 81:22</p>	<p><b>access</b> 4:13 47:1          118:2 146:20  <b>accessibility</b> 7:12  <b>accessible</b> 141:14  <b>accidental</b> 45:25  <b>accompanied</b> 79:1          126:21  <b>account</b> 78:25          107:8 117:3          138:16 145:1  <b>accurate</b> 97:25  <b>accurately</b> 19:22  <b>accusation</b> 47:1  <b>accusations</b> 101:15  <b>accused</b> 29:21          39:16 79:17  <b>achieve</b> 145:20  <b>achieved</b> 131:23  <b>acknowledges</b> 81:1  <b>acronym</b> 124:13  <b>acronyms</b> 124:14  <b>act</b> 30:10 124:5  <b>acting</b> 54:21 68:4  <b>action</b> 37:4 38:5          39:6 53:8,24          56:16 62:17,21          63:3 66:4,20 76:5          77:15,17  <b>actions</b> 17:19 58:18          61:11 62:18 76:7  <b>active</b> 41:18 77:24  <b>actual</b> 7:16 9:8,13          12:21 14:15 20:20          36:1 70:20 71:18          81:8 92:10,16          94:7 97:6,24          121:16  <b>ad</b> 126:9,14 150:15  <b>add</b> 27:17 40:10  <b>added</b> 78:18 96:3  <b>addendum</b> 3:15  <b>addition</b> 3:22  <b>addressed</b> 62:14          106:25  <b>addressing</b> 89:3</p>	<p><b>adduce</b> 5:23 83:9  <b>adduced</b> 83:13          94:16  <b>adequacy</b> 58:23          59:13  <b>adjourned</b> 153:5  <b>adjournment</b> 98:14  <b>administrator</b>          121:24  <b>adult</b> 11:6 36:25          73:9 144:6  <b>adults</b> 70:4 73:6          140:17  <b>advances</b> 72:20          73:7  <b>adversarial</b> 135:16  <b>adverted</b> 112:8  <b>advice</b> 10:2 31:1          35:1 37:17 38:6          44:1 68:3 69:22          69:22 70:1 99:13          101:14 123:17,21          136:5,20,24 137:2          144:9  <b>advise</b> 113:8  <b>advised</b> 56:22 58:5  <b>advises</b> 69:23  <b>advising</b> 113:13  <b>advisor</b> 68:1 122:7  <b>advisory</b> 112:14,19          113:3 116:13          143:12  <b>advocate</b> 19:25  <b>affect</b> 19:20 38:19          139:6  <b>affirmed</b> 1:13          153:11  <b>afraid</b> 82:23  <b>age</b> 46:2 150:1  <b>aged</b> 64:18  <b>ageing</b> 148:14          149:1,4,24  <b>agencies</b> 39:2  <b>agency</b> 85:14  <b>AGM</b> 126:5</p>	<p><b>ago</b> 104:8 119:25          136:1 138:8,21          151:21  <b>agree</b> 62:6,10  <b>agreed</b> 31:24 92:7          110:10  <b>agreeing</b> 49:18          54:3  <b>agreement</b> 27:15          29:2,8 66:16          109:12  <b>agrees</b> 76:5  <b>aims</b> 121:19  <b>air</b> 102:9  <b>albeit</b> 72:18 73:22  <b>align</b> 102:1 108:24          109:10 113:1  <b>aligned</b> 25:23 94:23          97:3,17 101:2,5          101:12,16 103:13          105:21 106:12          109:19,23 120:18          123:23 146:20          149:3  <b>aligning</b> 110:1          148:20  <b>alignment</b> 102:12          109:12 110:17          118:24 119:7          132:8 134:21          148:19 149:7          150:12  <b>alive</b> 15:9 104:23  <b>allegation</b> 6:10          12:13,25 13:3          15:12 17:15,22,23          18:9 22:18 26:1,7          28:8 33:19 39:11          47:5 51:22 53:1          53:14 55:6 60:10          72:23 78:6 120:11          144:5  <b>allegations</b> 2:25          6:18 11:6,10,12          16:11 25:15 37:3</p>	<p>42:8,10,13 55:19          64:15 65:19,24          72:19 73:5 74:11          74:13,16 101:15          120:25 122:23  <b>alleged</b> 15:10 18:2          22:19 26:24 29:1          29:16 30:3,13,13          32:6 36:1,3 38:15          39:21,23 40:10,17          40:18,21,22,24          41:14 42:11,23          44:6,21 48:2,15          50:19 51:3,16          52:11,17 53:2          54:3,5,15 64:17          69:18,19  <b>allegedly</b> 60:13,14  <b>allocating</b> 44:9  <b>allocation</b> 107:17  <b>allow</b> 144:19  <b>altar</b> 64:17  <b>alternative</b> 43:1  <b>Altman</b> 82:6,9,10          98:10,16 137:9,20          152:17,22,25          153:3,19  <b>ambitions</b> 10:1  <b>amendment</b> 1:6          143:8  <b>amount</b> 8:6 137:10  <b>amounting</b> 31:13  <b>Ampleforth</b> 1:19  <b>amply</b> 8:1  <b>analysis</b> 51:13  <b>and/or</b> 4:2 77:18          137:1  <b>Andrew</b> 82:8,11          153:17  <b>Anglia</b> 52:20  <b>Anglican</b> 93:5,6  <b>anguish</b> 31:23  <b>announced</b> 150:15  <b>answer</b> 4:4 12:18          34:14 69:3 81:6</p>
---	--	--	--	---



<p>111:23 120:2 123:6 149:22,22 150:4 <b>answerable</b> 44:18 <b>answered</b> 12:21 <b>answers</b> 13:25 34:6 95:1 <b>anybody</b> 19:7 111:21 125:12,17 <b>anymore</b> 69:19 <b>apologies</b> 134:24 <b>apologise</b> 136:24 <b>apostolic</b> 91:12 124:20 125:23 126:18 <b>appear</b> 3:15 10:24 10:25 47:13 83:20 101:24 <b>appeared</b> 68:1 <b>appears</b> 14:11 45:12 68:22 <b>appendix</b> 145:9 <b>applicable</b> 6:14,24 <b>application</b> 7:5 <b>applied</b> 118:24 <b>apply</b> 30:11 33:23 35:11 132:19 134:12 <b>applying</b> 145:15 <b>appointed</b> 85:22 <b>appointment</b> 121:7 127:5 <b>apprehension</b> 63:15 <b>approach</b> 105:22 106:20 127:1 130:15 131:23 132:1,5,11 144:25 <b>appropriate</b> 18:17 47:23 62:2,3 143:25 <b>appropriateness</b> 58:17 <b>approvals</b> 125:8 <b>approve</b> 125:5</p>	<p><b>approved</b> 117:10 <b>approximately</b> 109:22 <b>April</b> 29:8 64:16 86:24 142:8 150:16 <b>apropos</b> 131:11 <b>archbishop</b> 65:10 <b>area</b> 16:24 31:3 36:1 40:8 <b>areas</b> 33:15,19 58:22 78:2 <b>argued</b> 27:21 <b>arguments</b> 90:17 <b>arithmetic</b> 98:3 <b>arrange</b> 130:21 <b>arranged</b> 53:18 <b>arrangements</b> 16:11 29:15 43:6 58:24 59:14 60:21 64:22 107:24 135:11 <b>arranging</b> 68:3 69:14 <b>arrest</b> 65:1 66:21 <b>arrested</b> 58:13 64:16,23 <b>article</b> 91:4 <b>Arundel</b> 103:21 <b>asked</b> 2:22,23 3:17 4:7 30:6,16,25 32:7 34:25 37:23 62:12 68:7 71:23 72:5 78:4 86:19 87:4 94:20 98:17 118:17,19 120:2 122:25 124:12 132:23 151:10 <b>asking</b> 65:8 150:23 <b>aspect</b> 22:6 28:23 30:6 45:2 62:11 79:20,22 <b>aspects</b> 24:25 43:12 132:13 133:15 137:23 138:25</p>	<p>139:15 <b>assess</b> 23:1 <b>assessment</b> 18:4 23:19 25:3 26:24 27:3 28:4,7,13 45:18 55:1 67:3 68:9,13,14 <b>assessments</b> 146:23 <b>assist</b> 91:23 <b>assistance</b> 61:3 91:21 143:25 145:14 <b>assisted</b> 2:18 <b>assisting</b> 47:1 <b>associate</b> 93:5,6 <b>associated</b> 50:15 62:20 63:11 <b>association</b> 87:24 88:2,8 97:14 <b>assume</b> 5:1 <b>assumed</b> 49:20 <b>assumption</b> 35:18 45:13 132:16 <b>assumptions</b> 50:2 <b>assure</b> 43:3 <b>asterisk</b> 106:14 <b>attached</b> 148:1 <b>attempt</b> 9:10 47:18 140:22 <b>attend</b> 41:17 126:15 127:12 129:24 130:4 <b>attended</b> 126:1 <b>attending</b> 50:5 55:17 56:5 63:23 <b>attends</b> 128:3 129:21,21 <b>attention</b> 71:19 110:23 122:21 147:18 150:10 <b>attitude</b> 43:14 <b>audience</b> 8:22 <b>audit</b> 3:17 4:22 6:17 9:24 19:20 19:22 24:15,16</p>	<p>25:20 36:22 42:6 42:14 70:8 75:8 79:14 <b>audited</b> 25:16 39:25 47:16 52:15 107:4 <b>auditing</b> 7:17 117:22 <b>audits</b> 4:13 16:15 17:1 20:10 34:8 34:15 40:9 47:14 <b>August</b> 56:11 57:20 <b>Australia</b> 51:23 <b>Australian</b> 51:23 140:20 142:1,4 <b>authorities</b> 34:5 39:6 54:23 77:17 79:24 91:19 144:7 <b>authority</b> 11:17 25:14 28:11 116:3 116:14,15,16 <b>automatically</b> 63:7 <b>autonomous</b> 135:10 <b>autonomy</b> 91:13 115:18 123:13 <b>available</b> 5:24 8:19 49:14 139:17 141:12 149:20 <b>average</b> 125:14 <b>avoid</b> 143:23 <b>awaiting</b> 122:16 <b>aware</b> 5:19 8:17 25:15 76:14 89:21 93:12 99:1 102:22 102:25 104:5,6,25 111:9 117:20 118:13,21 119:5 119:16 122:13 140:14 147:8,9 148:6 150:9 <b>awareness</b> 129:5 133:13 <b>awful</b> 80:14</p>	<p style="text-align: center;"><b>B</b></p> <p><b>B</b> 83:3 103:4 <b>B/4</b> 110:4 <b>BA</b> 84:23 <b>back</b> 16:9,19 20:4 26:6 32:21 38:17 39:5,5 42:10 44:24,25 46:5 52:24 61:10 64:17 65:10 68:17 69:11 74:5,20 77:6 78:24 79:25 109:5 109:18 111:24 113:1 122:21 128:10 129:13 131:25 136:6 137:14 145:25 <b>background</b> 1:24 9:1 34:20 38:2 72:3 83:7,18 87:21 92:5 139:4 <b>bad</b> 90:5,8 <b>bail</b> 66:22 <b>ban</b> 56:4 57:25 <b>banning</b> 60:7 <b>bare</b> 10:3 <b>Baroness</b> 111:12 <b>based</b> 4:18 67:2 68:12 71:2,3 84:3 84:8 85:10 86:1 86:12 122:3 146:24 <b>basic</b> 18:25 34:6 <b>basically</b> 20:12 21:3 37:16 66:15 79:16 <b>basis</b> 29:2 31:25 37:9 124:5 <b>becoming</b> 99:1 150:9 <b>bedding</b> 130:19 <b>began</b> 8:18 87:8,11 133:20 <b>beginning</b> 9:10 84:15 90:1 114:7</p>
---	--	--	---	---

<p>122:8,9  <b>begins</b> 17:20  <b>begun</b> 100:22  <b>behalf</b> 113:13  <b>behaved</b> 18:3  <b>behaviour</b> 72:18,20  73:3,14 143:5  <b>belief</b> 49:8  <b>believe</b> 129:4 140:5  140:21  <b>believed</b> 65:13  <b>bells</b> 29:6  <b>beneath</b> 90:1  <b>Benedictines</b> 111:8  <b>benefits</b> 90:13  <b>best</b> 33:11 73:11  106:11,21 141:21  <b>better</b> 10:21 13:1  19:24 56:14 121:9  <b>big</b> 8:7 147:25  149:16  <b>Bill</b> 65:25 68:21  70:16  <b>Birmingham</b>  115:16  <b>bishop</b> 16:23 17:8  39:15,17 51:10  54:3 115:14,17  117:7,18,18 118:8  118:17  <b>bishops</b> 91:16  118:4 126:9,12  127:17 132:18  141:19,22 142:10  142:18 149:9  <b>bishops'</b> 91:15  127:13,14 130:22  142:8,17,20  149:11 150:15  <b>bit</b> 8:4,7 17:7 34:8  54:19 55:1 96:10  101:24 133:1  <b>bits</b> 9:8 75:14 78:19  <b>blocks</b> 148:5  <b>board</b> 86:6 99:11</p>	<p>107:24  <b>boards</b> 2:8  <b>bodies</b> 18:20  100:25  <b>body</b> 127:12 129:9  <b>bones</b> 10:3  <b>booklet</b> 144:24  <b>borrowed</b> 129:2  <b>Bosco</b> 42:5  <b>bottom</b> 7:5 16:10  32:23 48:5 107:9  145:11  <b>boundary</b> 44:4  <b>box</b> 18:1 36:7  <b>boy</b> 42:11,12  <b>boys</b> 64:17,18  <b>brackets</b> 110:15  <b>break</b> 5:11 39:8  45:1 46:10,16  137:14,18  <b>breasts</b> 60:15  <b>brief</b> 5:13 57:25  <b>briefly</b> 57:22 81:10  <b>Brighton</b> 103:22  <b>bring</b> 131:6 139:24  149:7  <b>bringing</b> 46:3  139:7 147:7  <b>brings</b> 110:3  <b>broader</b> 133:14  <b>broadly</b> 36:14  <b>broke</b> 32:20  <b>broken</b> 142:23  <b>brother</b> 79:17  <b>brought</b> 31:23  <b>build</b> 132:7  <b>bullet</b> 42:1 105:25  106:9,19 143:9  <b>bulleted</b> 103:25  105:18  <b>Businesses</b> 88:5  <b>busy</b> 126:1</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>call</b> 6:3 10:11 17:10</p>	<p>22:14 36:21 39:12  46:21 50:12 51:21  55:13 64:9 75:10  85:14 99:17 113:6  120:19 132:18  <b>called</b> 6:17 14:3  23:4 112:13,14  127:11 139:21  143:15  <b>calls</b> 6:12  <b>Cambridgeshire</b>  85:11  <b>Campling</b> 134:5  <b>candidates</b> 138:17  146:23  <b>Canon</b> 124:25  128:8 145:13,13  145:15  <b>Canonically</b> 115:12  <b>capacity</b> 117:22  122:18 144:11  <b>Cardinal</b> 127:2,3  153:2  <b>cards</b> 81:20  <b>care</b> 45:9 94:6  142:25 148:25  <b>career</b> 1:24  <b>Carey</b> 1:4,5,14,15  46:9,14,18 80:3  81:4,6 82:3,6  153:13  <b>caring</b> 51:18  <b>Carmi</b> 1:11,13,15  1:16 5:25 7:2  16:15 22:8 25:15  30:8 32:8 33:1  37:6 46:9,19  51:18 54:17 56:24  64:10,22 69:2  77:14 80:3,5 82:2  153:11  <b>Carmi's</b> 5:21 82:4  <b>carried</b> 26:11  <b>carry</b> 43:22  <b>case</b> 2:9 5:16 18:22</p>	<p>20:15,19,21 25:10  25:25 35:17 36:24  37:11 42:3 43:21  45:12 47:13 50:25  53:9,25 55:12,14  55:16 58:18 60:12  67:12 69:3,5,7  70:17,21 71:2,18  72:16 73:10,22  74:14 76:21 79:14  80:14,25 81:8,18  83:7 86:2 89:16  110:24 115:19  120:7 144:3 152:9  <b>cases</b> 3:11 7:17  24:3,5,9,10,15,20  25:16 36:3 40:2,3  40:12 41:6,8,9,15  41:23,24 43:17,18  45:23 47:16,17,21  47:24 48:1 51:14  51:16 52:15,15  54:7,19 71:22  73:11,15 77:10,15  77:19 79:7 102:13  145:16 152:4  <b>casework</b> 76:1  <b>categories</b> 18:7  <b>category</b> 18:10  <b>Catholic</b> 1:20 2:24  33:9,22 47:9 74:6  75:25 80:20 84:1  89:4 92:18 93:3,4  103:6 124:14  144:10  <b>caused</b> 56:1 143:4  <b>cautious</b> 107:10,11  <b>cease</b> 66:22  <b>celebrating</b> 37:9  <b>cent</b> 94:4 106:6,9  107:9,20  <b>Central</b> 103:22  <b>centre</b> 56:19 85:9  85:10 146:24  <b>CEO</b> 135:22</p>	<p><b>certain</b> 41:10 44:10  132:12 150:1  151:10  <b>certainly</b> 13:24  16:22 19:18 55:9  59:16 63:18 70:10  81:18 98:3 101:18  128:17 131:2  <b>certainty</b> 97:23  <b>cetera</b> 102:20  110:18  <b>CEW000014</b> 83:11  <b>CEW000021</b> 83:12  <b>CEW002028</b> 83:12  <b>chain</b> 37:6  <b>chair</b> 1:3,5,5,17  5:19 6:1 22:12  29:6 46:12,13,18  64:13 76:4 80:4,7  81:10 82:2,3 83:2  83:9 89:16 98:10  103:3 110:4 127:5  135:3 137:9,16  150:3 152:17,19  152:25 153:3  <b>challenge</b> 23:12  74:13 149:18  <b>chance</b> 31:25  <b>change</b> 85:14,18  90:10 108:1  113:24 114:6  <b>changed</b> 7:17 96:19  114:13 133:8  <b>changes</b> 87:17  97:10 142:13  <b>channel</b> 113:9  <b>chapter</b> 6:12 7:21  7:22 8:14 14:16  87:18  <b>chapters</b> 7:21 8:12  14:6  <b>charged</b> 43:25  <b>Charity</b> 16:25  61:14,22 88:10  <b>CHC001589</b> 105:2</p>
--	--	---	---	---

<p><b>CHC001724</b> 103:3  <b>CHC001860</b> 94:15  <b>CHC001862</b> 95:18  <b>CHC001995</b> 110:6  <b>CHC002039</b> 83:12  <b>CHC002041</b>          139:25  <b>CHC002041_032</b>          145:10  <b>check</b> 37:7  <b>checks</b> 99:15  <b>Chicago</b> 84:19  <b>child</b> 2:13,25 6:10          6:11 9:5 33:14,18          33:20 42:8 45:15          55:19,23 56:1,10          57:20 58:6 59:5          73:3,9,10,13,17          73:21 74:9 78:6          80:14 98:19 99:1          100:15 115:20          116:12 117:16          120:4,10 133:6,14          133:24 144:6          145:2 151:14,17  <b>child's</b> 33:11  <b>childhood</b> 11:6  <b>children</b> 6:17 35:8          35:15,22 36:5          45:20,24 46:1,4          72:21 80:11          134:14 140:16  <b>children's</b> 2:8          11:17  <b>Childs</b> 29:17,20  <b>choice</b> 117:3  <b>choose</b> 89:11,13          90:24 116:20  <b>chooses</b> 116:19  <b>Chris</b> 131:9  <b>Christmas</b> 81:20  <b>chronologies</b> 81:7  <b>church</b> 14:21 22:21          33:9,22 36:5 38:8          39:2,7 40:4,19</p>	<p>41:17,17,19 43:24          43:25 44:18 47:9          47:11 48:16,21          49:22 50:1,3,6          55:23 56:5,19          57:9,17,18,19,22          59:1 60:20 61:7          62:3,15,23 63:7,8          63:23 66:20 67:25          69:1 70:13 71:3,5          71:8,9 75:25 77:8          79:25 80:10,20          91:18 93:5 106:13          115:7 122:17          124:14 126:25          127:18 129:16          131:23 132:1,5,11          132:20 139:7          142:25 143:4,11          143:14 144:10          145:18  <b>Church'</b> 105:21          106:20  <b>church's</b> 2:24          50:11,14 143:2          144:7,12  <b>churches</b> 55:17  <b>CICLSAL</b> 124:17  <b>circulated</b> 140:13  <b>circumstance</b>          117:12  <b>circumstances</b> 10:6          14:22 31:5 109:25          144:19  <b>CIS</b> 135:5,5,22  <b>civil</b> 134:23  <b>civilised</b> 89:3  <b>CL</b> 110:10  <b>claim</b> 135:17 136:2  <b>claimant</b> 136:25  <b>claims</b> 134:23  <b>Claret</b> 85:9  <b>Claretian</b> 83:24          84:12 85:20  <b>Claretians</b> 86:12</p>	<p><b>clarification</b> 64:5          80:8  <b>clarify</b> 119:15  <b>clarity</b> 34:17,18  <b>class</b> 81:19  <b>clause</b> 135:19  <b>clear</b> 4:21 5:3          10:10 11:18 13:11          13:18 45:8 65:2,5          65:6 78:13 83:9          90:22,22 110:23          119:19 120:9          133:16 148:18  <b>clearer</b> 97:23  <b>clearly</b> 8:25 11:25          13:3,5 15:10 59:7          105:7 108:5          149:25  <b>clergy</b> 4:2 12:5,6          13:16 16:12 22:20          33:3 40:19 43:17          44:7,10,18,19,23          51:7 54:24 65:16          66:13,13 68:19          70:25 71:12 72:1          72:7,25 73:16          75:4 141:24 142:9          151:12  <b>click</b> 6:9,20  <b>Clifton</b> 55:15  <b>closer</b> 91:13  <b>CM1</b> 16:18 17:9,11          18:6 19:13,20          20:1 21:14  <b>co-operate</b> 79:24  <b>co-operation</b> 91:13  <b>code</b> 140:4 142:19  <b>codes</b> 141:23  <b>Colette</b> 110:11          111:11 131:8,9  <b>collaborated</b>          129:10  <b>collaboration</b>          88:25 117:1          129:20</p>	<p><b>collated</b> 93:20  <b>collating</b> 94:19  <b>colleague</b> 69:8  <b>colleagues</b> 70:13  <b>collected</b> 99:17  <b>combined</b> 9:16  <b>come</b> 4:18 10:6,14          13:2 16:19 17:23          22:4 28:2 38:17          39:10 44:24,25          51:4,10,21 54:16          54:18 57:9 68:17          70:3 77:14 90:7          95:6 101:9 109:18          111:8 120:19          123:22 124:13          127:20 134:2          137:9,14 141:16          149:24  <b>comes</b> 11:24 77:6          79:5 97:22 126:7  <b>coming</b> 3:15 14:5          55:13 87:18          115:24 122:15          138:9,14,17,24          139:3,9 150:13          152:22  <b>commend</b> 142:1  <b>comment</b> 72:4          104:8  <b>commission</b> 16:23          16:25 17:7 25:22          27:13,24 61:14,22          75:12,13,24,25          76:6,15 88:10          100:23 101:8,13          101:17 103:7,14          104:17 105:17          109:16 120:18          123:23 124:6,8,9          127:11,15,23          128:11,14 141:19          146:19  <b>commission'</b> 108:8  <b>Commission's</b></p>	<p>76:17  <b>commissioned</b>          43:22 69:13  <b>commissioning</b>          77:25  <b>commissions</b> 75:19          94:22 100:3,5,11          100:13,18 101:2,4          101:6,12,19,21,22          101:25 102:3,8,14          102:20 103:11,15          103:19,24 104:2          105:15,19 107:3,4          107:5,14,16          108:16,25 109:11          120:17 129:12  <b>commitment</b>          104:13 132:8  <b>committed</b> 13:4          15:18  <b>committee</b> 87:5          114:3,13 134:6  <b>common</b> 132:3,3  <b>communicate</b>          125:14  <b>communication</b>          27:11 37:17 43:5          54:1 55:9 91:14          93:1 113:10 117:1          118:22 125:16          127:9 136:6  <b>communications</b>          17:4 20:13 21:15          119:6 122:1 126:2  <b>communion</b> 142:23  <b>communities</b> 96:4          148:1,3 149:2  <b>community</b> 28:14          45:10,21,22 55:23          62:16 90:23 143:4          143:20 150:1  <b>company</b> 136:6  <b>Compared</b> 138:8  <b>compassion</b> 40:16          40:18,21,22 41:3</p>
--	--	---	---	--

<p>51:17  <b>compassionate</b>                      43:13 47:9  <b>compensation</b> 52:5  <b>competence</b> 107:15  <b>compiled</b> 105:25                      128:23  <b>complainant</b> 26:1,7                      29:17,24 30:7                      31:7,12 42:16                      46:21 47:19 48:20                      51:6,23 52:3,17                      53:2,15,16,18                      67:9  <b>complainants</b>                      43:11 54:13 55:5                      67:12,17  <b>complaint</b> 30:4                      31:22 56:15 144:5  <b>complaints</b> 121:2                      144:13  <b>complement</b>                      100:10  <b>complete</b> 5:8 78:15  <b>completed</b> 24:24                      25:2  <b>completely</b> 7:18                      33:24 69:25 81:19  <b>compliance</b> 31:1                      132:18 144:23  <b>compliant</b> 32:19  <b>complications</b>                      15:25  <b>complied</b> 131:16  <b>comply</b> 31:7 32:10                      115:19 116:21  <b>complying</b> 117:9                      117:15  <b>components</b> 25:6  <b>comprehensive</b>                      27:19 93:12 94:1                      94:8  <b>comprise</b> 101:13  <b>compulsory</b> 89:12                      89:12,18,22 90:2</p>	<p>90:6,13 116:17  <b>computer</b> 10:13  <b>concern</b> 18:11                      30:18,19,20,24                      33:10,18 55:22                      56:9 59:24 63:18                      69:16 78:7 104:10                      118:4 133:23                      142:24,25 143:3                      143:17  <b>concerned</b> 25:12                      56:8 63:5 72:19                      99:7 131:14 135:4                      150:5  <b>concerns</b> 6:18                      35:21 59:20 60:2                      61:6 62:13,18                      63:6 65:2,9,12                      70:3 72:24 77:20                      77:20 120:4                      140:16  <b>conclude</b> 16:7                      39:19  <b>concludes</b> 82:3  <b>conclusion</b> 4:18                      21:6 25:10 26:4                      26:17 27:22 40:1                      48:1 54:16,18  <b>conclusions</b> 5:15                      22:7,15 27:4 39:9                      39:10 46:20 54:11                      55:13 64:8,12                      75:1,16  <b>conditions</b> 66:22  <b>conduct</b> 35:7                      116:23 140:4                      141:23 142:19                      144:19,20  <b>conducted</b> 24:3                      26:10 57:12  <b>conference</b> 85:10                      86:4,7 87:23,24                      89:11,19,21 90:6                      90:10,22 91:8,15                      91:20 92:19 95:10</p>	<p>95:14 96:1,8                      98:18,23 99:7,8                      99:16,20 100:1                      102:24 103:18                      105:9 110:13                      111:21 112:6,10                      113:10 116:2,9,20                      116:25 117:10                      120:9,24 121:9                      124:24 125:9                      126:9 127:13,13                      127:14,25 129:1                      129:17 130:10,11                      130:22 131:4,13                      135:12,12 136:17                      136:19 139:19                      141:9,20,22,23                      142:8,10,17,19,20                      149:11 150:5  <b>confessed</b> 151:12                      151:13  <b>confession</b> 33:8                      151:8,11,16,23                      152:6  <b>confessional</b> 33:24                      151:13,25  <b>confidential</b> 110:7  <b>confidentiality</b>                      15:15,20 33:7  <b>confirm</b> 75:1 83:23                      116:2  <b>confirmed</b> 5:2                      141:25  <b>conflict</b> 44:21                      68:23 69:25 70:20                      70:20,21,23 71:2                      71:7,15,18 72:9                      72:14  <b>conflicting</b> 11:1  <b>confronted</b> 145:2  <b>confusion</b> 16:24                      72:17 73:2 74:8                      74:16  <b>congregation</b> 13:13                      39:15,17 50:4</p>	<p>84:1 85:24 86:1                      87:17 90:24 94:5                      97:1,3 101:1,11                      105:17 108:8,9                      109:15 110:1                      115:10,12,19                      116:19 117:8,15                      118:16,18,23                      119:21 120:18                      123:11 124:19                      126:16 138:23                      141:7 146:10,14                      147:6  <b>congregation's</b>                      124:6 144:8  <b>congregational</b>                      124:3 127:16                      145:1  <b>congregations</b> 88:1                      89:10 91:14 92:19                      93:3,7,13,23 95:4                      95:13,25 96:8,11                      96:14,19,23 97:7                      97:13,20 98:5                      99:2 100:14 101:4                      101:5,7,16 103:13                      105:20,24 106:12                      107:2,4,17 108:24                      109:10,18,22                      113:2 115:1,4                      116:3 119:13                      129:25 134:13                      135:10,13 136:15                      137:6 138:9 141:6                      141:8 146:7,18                      147:1,2,24,25                      148:2,4,17,20,24                      150:6  <b>conjunction</b> 130:22  <b>connection</b> 128:25  <b>consecrated</b> 91:18                      124:20 126:17  <b>consequences</b>                      144:22  <b>consider</b> 14:7 58:2</p>	<p>62:12 71:14 98:18                      132:23  <b>consideration</b>                      22:23 33:12 40:25                      42:18 45:16 48:6                      54:14 68:25 74:22                      79:8  <b>considered</b> 2:24                      45:8 67:19  <b>considers</b> 21:19                      67:22  <b>consist</b> 113:6  <b>consistency</b> 24:1                      106:22  <b>consistent</b> 61:12                      142:13  <b>constant</b> 69:15  <b>constantly</b> 40:15                      44:19 69:9  <b>constitution</b> 91:5                      125:3,6  <b>constitutions</b> 125:7                      125:19 146:11  <b>consultant</b> 2:5                      26:11,17 27:8  <b>consultant's</b> 26:21                      27:21 28:17  <b>consultation</b> 60:5                      75:18 102:23                      103:8 105:1,11,23                      107:8,21 108:21                      108:23 109:9                      128:9,22 142:7  <b>consulted</b> 127:4                      128:17 134:4  <b>contact</b> 38:11,15                      39:17 43:2,23                      45:14,19,23,25                      46:4 47:3 48:21                      49:9 54:7,20,24                      67:18 68:2,4                      69:15 93:24 96:4                      96:12 110:13                      117:21 118:8                      126:3,4</p>
---	---	---	---	--

<b>contactable</b> 91:25	65:15,19,25 66:2	<b>correspondence</b>	<b>cross-referencing</b>	<b>dancing</b> 82:23
<b>contacted</b> 37:5	66:11,17 67:1	92:15 125:24	8:5,6	<b>Dand</b> 104:16
42:23 58:9	68:18,21 69:20	127:5	<b>CSA005850</b> 6:23	<b>danger</b> 24:23
<b>contacting</b> 92:15	70:9,15,17 71:11	<b>CORSC</b> 114:4,5,5	<b>CSA005850_007</b>	<b>data</b> 30:10 31:2,8
<b>Contemplatives</b>	76:4,10 77:23	<b>coterminous</b>	16:10	32:12,16 92:12
97:14	104:17	103:19	<b>CSAS</b> 3:2 4:8,15	93:21 95:8 148:10
<b>contemporary</b>	<b>coordinator's</b> 44:6	<b>counselling</b> 37:24	5:13 6:3,7 10:9,11	<b>date</b> 9:14 96:15,18
74:12	54:2 63:24 75:4	52:2 53:15,19	14:11 16:9 23:1,5	111:12 122:6
<b>content</b> 131:13	<b>coordinators</b> 21:1	<b>counsellor</b> 49:25	27:13 29:16 35:6	<b>dated</b> 6:24 82:21
<b>contents</b> 7:3	34:20 52:19 72:3	<b>count</b> 32:5	36:12 39:14 46:23	<b>dates</b> 112:11
<b>contest</b> 136:25	104:9	<b>counted</b> 32:5	48:23 71:11 78:5	150:21,23
<b>context</b> 33:7 138:5	<b>COPCA</b> 99:11,18	<b>counterpart</b> 54:2	94:3 97:3,24	<b>dating</b> 52:24
152:1,16	99:21 111:25	<b>country</b> 85:8,21	99:22 112:3	<b>day</b> 1:3 42:23 53:6
<b>continue</b> 35:8 44:1	<b>copies</b> 141:13	86:16 96:18,24	117:22,22,25	<b>day-to-day</b> 46:3
<b>continued</b> 17:18	<b>copy</b> 145:9	97:20 98:6 102:15	118:1,6 121:4	<b>days</b> 111:12 121:3
<b>continues</b> 74:13	<b>CoR</b> 97:11,12 99:4	104:24 106:13	124:1 129:11,17	<b>De</b> 3:14 24:4 47:17
<b>contract</b> 136:22	99:12,13 103:17	149:23 151:19	129:20 149:6	<b>deacon</b> 68:22 70:16
<b>contractual</b> 135:19	103:20,21 104:3	<b>couple</b> 32:22 45:23	<b>culminate</b> 95:16	<b>dead</b> 13:19 14:24
<b>contradictory</b> 9:18	105:11 107:14,22	61:9 126:25 137:9	<b>cultural</b> 45:13	41:9 52:1 53:23
<b>contrast</b> 39:23	111:9 112:13	<b>course</b> 31:11 33:6	62:13,20 63:20,25	<b>deal</b> 1:5,8 22:6,10
40:14 79:7	113:13 114:3,13	55:8 56:16 58:13	63:25 64:5 80:8	35:3 39:10 67:24
<b>contributory</b> 23:25	119:21 120:3,19	64:19 66:16 68:9	132:25 134:6,8	83:18 89:18 90:3
<b>contrition</b> 143:7	121:20 123:7,8,19	82:23 113:23	<b>culture</b> 38:3 62:24	94:11 100:15
<b>control</b> 88:6 117:6	126:4 127:12	117:25 126:13	63:11,22 90:14	109:1 116:7
137:24	129:20 137:23	131:4 151:11,16	133:2 138:1	122:22 133:3,5
<b>convenient</b> 46:9,12	<b>CoR/COPCA</b>	<b>cover</b> 22:10 104:15	<b>cultures</b> 63:13	134:23 136:3
<b>conversation</b> 20:16	112:13	<b>covered</b> 103:23	<b>Cumberlege</b> 99:24	137:24 146:2
20:17	<b>corporate</b> 106:16	<b>covering</b> 2:13 23:2	111:25 128:6	151:22 152:4
<b>conversations</b>	<b>correct</b> 1:23 2:4,11	31:1	129:3,6 131:1	<b>dealing</b> 2:22 6:16
21:15	2:15 4:10 6:19	<b>covers</b> 133:1	132:10 140:1	14:19 25:4 38:25
<b>convey</b> 37:23	26:9 29:5,11	<b>CRB</b> 99:15	141:19	67:5 122:22
<b>conviction</b> 67:21	55:21 57:24 82:17	<b>create</b> 117:2	<b>cumbersome</b>	134:25 144:2
<b>convictions</b> 55:19	82:20 83:25 84:13	<b>created</b> 123:10	107:18	<b>dealt</b> 3:13 30:15
<b>coordinator</b> 8:24	84:17,20,21,25	140:24	<b>current</b> 4:16,19	45:4 65:9,11
13:15 14:8 17:16	85:1,2,7,13 86:9	<b>creating</b> 122:12	11:4,9 89:4	120:22 121:3
17:19,24 18:8	86:15,21 87:13	<b>creation</b> 99:18	105:19 106:24	<b>debatable</b> 62:1
19:4 20:22 29:13	88:15 93:15 94:4	<b>crime</b> 13:3 15:12	121:10 138:6,7	<b>debate</b> 65:25
43:16,20 44:8,13	94:13 95:5,11,23	15:17 19:5	<b>currently</b> 11:23	<b>decade</b> 73:24
44:17,23 46:25	96:2,5 98:9 99:23	<b>criminal</b> 68:16	78:8	<b>deceased</b> 11:22
51:24 52:2 53:5,9	100:17 112:1	<b>criteria</b> 36:11	<b>cuts</b> 13:22	12:1,8,13 14:20
53:14,19,22 54:5	115:22,23 116:5	<b>critical</b> 77:18		15:7 24:8 41:24
54:21 56:12,22	121:1 139:22	<b>critically</b> 13:23	<hr/> <b>D</b> <hr/>	<b>December</b> 110:4,9
57:9 58:5,11	148:12 151:4	<b>criticised</b> 12:4,7	<b>D</b> 153:9	<b>decide</b> 15:20 36:11
59:18,24 60:11	<b>correctly</b> 22:18	<b>cross-referenced</b>	<b>damage</b> 143:5,10	<b>decided</b> 102:17
61:19 62:1,4 65:7	71:14	10:22	143:16	122:10 142:7

<p><b>decision</b> 20:19 22:2 28:3 31:11 34:15 35:5,22 37:18 62:6 65:21 66:25 68:8 108:2 123:5 123:25 142:10 <b>decisions</b> 22:2 75:24 76:2,3,6,10 76:12,20,22 77:2 123:8 <b>declined</b> 27:24 50:15 <b>decree</b> 128:6 132:15 <b>defeats</b> 33:24 <b>defence</b> 137:1 <b>defined</b> 60:22 <b>definite</b> 130:5 <b>definitely</b> 35:23 <b>definition</b> 44:5 <b>degree</b> 85:12 <b>delay</b> 50:16 <b>delays</b> 50:19 <b>delegated</b> 114:10 <b>delivering</b> 42:20 <b>demanded</b> 66:15 <b>demonstrated</b> 8:1 <b>denied</b> 42:13 <b>department</b> 124:21 <b>depend</b> 130:6 <b>depending</b> 18:22 118:7 127:19 136:21 <b>Des</b> 65:25 68:21 <b>describe</b> 50:9 <b>described</b> 8:24 30:3 31:11 32:10 139:12 <b>designated</b> 47:3 <b>designed</b> 145:20 <b>desktop</b> 4:22 63:4 70:8 <b>Desmond</b> 70:16 <b>despite</b> 25:10 30:2 54:13 60:21 67:12</p>	<p>149:4 <b>detail</b> 13:22 17:12 17:22,24 18:10,14 94:24 <b>details</b> 18:15,18 30:12,14 81:16 94:21 118:20 119:1,2,5,8,10 120:10 <b>determine</b> 21:24 23:7 123:2 <b>determines</b> 23:2 <b>detrimental</b> 90:15 <b>develop</b> 113:12 141:23 <b>developed</b> 142:11 <b>developing</b> 85:8 <b>development</b> 109:7 109:8 113:19 122:1 <b>died</b> 14:23 53:3,4 <b>difference</b> 11:9,14 11:14 20:25 71:23 75:20 <b>differences</b> 11:13 <b>different</b> 2:17 6:13 9:20 10:9,13 11:20 12:20,22 13:2 18:20 22:6 28:23 34:2,19,22 34:23 39:2 49:15 49:16 50:3 53:12 63:12,13 65:11 71:9 78:21 79:11 93:20,21,25 124:11 127:18 129:14 130:15 138:20 144:2 146:9 147:9 149:17 <b>difficult</b> 7:18 9:4,7 9:16 23:16,24 27:10 35:11 73:4 147:23 148:7,23 <b>difficulties</b> 102:17</p>	<p>148:18 <b>difficulty</b> 26:13 44:14 102:18 <b>diocesan</b> 20:21 21:1 24:16 41:15 47:24 56:11 61:11 62:22 100:10 101:5,21 102:13 105:19 107:15,23 108:24 109:11,16 120:17 124:8 <b>diocese</b> 21:2 25:23 36:22 37:5,7,12 52:24 53:12 54:2 55:15,20 59:4 61:14 62:7,8 64:8 66:8 86:22 108:1 108:4 110:2 115:2 115:5,9,11,13,18 115:22 117:7 118:9,19 <b>dioceses</b> 1:22 3:6 3:12,19 5:17 19:18,19 20:4,9 21:13,14 23:12 41:12 52:14,20,25 75:21 77:11 79:3 102:2,13 107:17 137:7 149:3 <b>dip</b> 141:15 <b>direct</b> 38:11 54:24 125:16 <b>directed</b> 110:22 120:20 <b>directly</b> 54:9 143:18 <b>director</b> 27:14 29:16 37:22 <b>directories</b> 146:12 <b>directory</b> 143:14 <b>disappears</b> 59:10 <b>disclose</b> 33:18 <b>disclosed</b> 15:16,23 57:20 <b>discloses</b> 58:7</p>	<p><b>disclosing</b> 15:23 <b>disclosure</b> 30:8 32:24 33:3,7,16 <b>discover</b> 8:9 49:15 <b>discovered</b> 60:8 96:13 <b>discuss</b> 49:13,14 <b>discussed</b> 52:2 53:16 59:7 127:19 128:11 <b>discussing</b> 49:17 119:4 <b>discussion</b> 75:18 90:12 103:12 127:21 145:7 <b>discussions</b> 20:14 52:16 76:20 77:1 <b>dismissal</b> 60:9 <b>dismissed</b> 57:15 <b>disparity</b> 20:7 <b>disseminated</b> 20:4 141:5 <b>dissolved</b> 111:25 <b>distinct</b> 44:7 <b>distinction</b> 13:16 <b>distress</b> 30:3 31:23 <b>distressing</b> 31:18 57:7 <b>distributed</b> 141:11 <b>diversion</b> 90:20 <b>diversity</b> 147:21 148:6,13 149:13 <b>document</b> 7:8 8:8 9:12,19 10:23 14:2,7,16,16,17 18:17 27:20 77:6 78:21 104:7 105:2 105:25 107:6,19 110:3 128:9 139:19,25 140:13 140:15,20,22 142:4,9,11,22 145:8,21 146:25 <b>documents</b> 6:13 7:23,23 8:10 9:17</p>	<p>72:18 73:24,25 78:20 83:3,4 105:2 146:12 <b>doing</b> 9:24 62:23 63:3,16 76:12 79:15 83:14 86:18 94:19 114:22 122:14 125:18 131:6 136:17 139:8 141:4 <b>Don</b> 42:5 <b>doubt</b> 36:8 <b>dozen</b> 93:23 <b>draft</b> 142:14 <b>drafted</b> 128:8 <b>drafting</b> 128:16 <b>draw</b> 41:4 146:4 147:18 <b>drawing</b> 136:7 <b>drawn</b> 71:18 146:2 <b>dropped</b> 122:20 <b>dual</b> 44:11 <b>due</b> 28:10 31:11 58:13 64:18 68:9 104:9 113:23 <b>duplicated</b> 78:21 <b>Durham</b> 84:24 <b>duty</b> 43:1</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>E</b> 153:9 <b>Ealing</b> 122:3,4 <b>earlier</b> 34:4 35:21 39:14 48:19 66:25 68:18 82:15 112:8 115:25 116:25 117:6 <b>early</b> 53:2 84:18 102:22 <b>EASG</b> 113:4,24 <b>easier</b> 54:9 <b>East</b> 52:20 <b>easy</b> 9:2 12:18,23 14:13 16:2 34:6 <b>Edina</b> 1:13,16</p>
--	--	---	--	---

<p>153:11  <b>educational</b> 139:4  <b>effect</b> 49:2 90:16            91:13 132:15            138:11 139:10,13            140:3  <b>effective</b> 104:2  <b>effectively</b> 3:17 5:2            31:13 91:5 100:15  <b>Eileen</b> 134:5  <b>either</b> 5:17 17:7            33:4 47:18 48:5            61:21 63:11 65:9            67:21 77:16 108:7            117:25  <b>elderly</b> 148:24  <b>elected</b> 86:6,10            87:5,19  <b>elements</b> 143:7  <b>eleven</b> 96:16,17  <b>eligible</b> 87:15  <b>Elizabeth</b> 110:23            110:25,25 111:1  <b>email</b> 111:11  <b>emails</b> 20:12 57:6  <b>embed</b> 129:5  <b>embrace</b> 138:1            140:25  <b>embryo</b> 78:12,22  <b>emerged</b> 94:3  <b>emotional</b> 81:14  <b>emphasise</b> 93:3  <b>employed</b> 144:20  <b>employee</b> 70:12  <b>employment</b>            144:11  <b>enable</b> 105:20            121:9  <b>encourage</b> 36:16            100:14 101:6,23            116:16 151:23            152:10,13  <b>encouraged</b> 99:2,8            107:3 109:10            152:12</p>	<p><b>encourages</b> 36:18            137:25  <b>encouraging</b> 85:18            88:25 101:20            108:24  <b>enforce</b> 118:1  <b>enforcement</b>            116:12  <b>engage</b> 30:9  <b>engagement</b> 110:16  <b>England</b> 71:3,5,9            84:5 86:2 88:1            91:12 93:13 98:8            98:20 105:13            115:2,5,8,9            116:11 127:18            132:20 139:20            141:20 147:22  <b>English</b> 59:16  <b>enquiry</b> 134:10  <b>ensure</b> 113:18  <b>ensuring</b> 106:11  <b>entered</b> 94:12  <b>environment</b> 119:3  <b>equip</b> 63:21  <b>Erber</b> 2:18 27:17  <b>error</b> 97:2  <b>errors</b> 97:5  <b>essence</b> 94:18            132:13  <b>essential</b> 144:13  <b>essentially</b> 18:4            61:5  <b>establish</b> 100:2,4            100:12 101:8            105:17  <b>established</b> 82:15            99:12,12 102:1  <b>establishing</b> 132:5  <b>establishment</b>            99:20 102:7  <b>et</b> 102:20 110:18  <b>evaluate</b> 4:7  <b>evaluation</b> 121:13  <b>events</b> 37:6 65:13</p>	<p>129:14  <b>eventually</b> 23:18            64:23  <b>evidence</b> 1:9,18            4:25 5:11 24:16            28:8 29:6 33:2            37:19,20 38:6            42:18 47:14 51:15            52:12 55:4,10            59:4,11 60:19            61:13,21 62:13,17            66:3,17,19 67:10            67:19 68:12 71:19            74:15 75:17 82:4            82:7,23 83:21            93:9 105:5 109:4            110:21,22 111:16            112:8 134:2 153:1  <b>evidenced</b> 19:24  <b>exact</b> 19:16  <b>Exactly</b> 95:8  <b>Examination</b> 1:14            82:9 153:13,19  <b>examined</b> 144:3  <b>example</b> 22:4 24:7            25:9 36:20 41:9            42:4 52:23 53:22            67:16 73:11            107:12 118:14            139:3 146:23            147:3 148:17            151:23  <b>examples</b> 21:8            73:23 118:12            119:15  <b>excellent</b> 52:10  <b>exception</b> 21:4            76:22  <b>exceptions</b> 41:2  <b>executive</b> 87:5            100:1 112:16,19            113:3,8,13,18            114:11,16 116:10            126:15 128:2            134:5</p>	<p><b>exhibit</b> 95:17  <b>exist</b> 97:7,16            115:10 123:7            125:1  <b>existed</b> 74:17 93:21            94:9 133:17  <b>existence</b> 54:13  <b>existing</b> 102:17            107:15  <b>exists</b> 82:1 147:22  <b>expand</b> 33:5,13            90:17  <b>expect</b> 123:22            124:5  <b>expectations</b> 34:21            108:10  <b>expected</b> 9:25 10:5            23:18  <b>expecting</b> 111:13            150:8  <b>experience</b> 8:25            30:25 33:14 72:11            84:18 104:21            112:16 133:21,25            134:25 135:24            136:8 138:16  <b>experienced</b> 51:4            113:7  <b>experiences</b> 111:7  <b>experimentation</b>            73:20  <b>expert</b> 31:9  <b>expertise</b> 31:1,3            107:15  <b>experts</b> 101:14  <b>expire</b> 87:12  <b>explain</b> 15:14  <b>explained</b> 16:1 27:9            29:7 56:18 81:12            89:8 97:19  <b>explains</b> 61:19  <b>explanation</b> 48:7            57:5  <b>explanations</b> 49:5  <b>exploitation</b> 2:14</p>	<p><b>explore</b> 73:19            127:17  <b>explored</b> 102:21  <b>exploring</b> 141:21  <b>express</b> 141:2  <b>expressed</b> 5:7            91:10 149:17  <b>extends</b> 31:1  <b>extent</b> 133:5  <b>extra</b> 10:2 78:17  <b>extraordinary</b>            110:8  <b>extrapolate</b> 147:23            148:7  <b>extreme</b> 30:3 43:18            63:16 73:15  <b>extremely</b> 7:18 9:4            9:7,15 19:2 32:4            49:4 71:21 77:1            79:5  <b>eye</b> 14:24</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>face</b> 27:20 28:12  <b>facilitate</b> 91:14            116:25  <b>facilitating</b> 88:15  <b>facing</b> 89:1  <b>fact</b> 8:7 9:16 11:4            20:20 21:7 23:4            30:20 32:25 33:21            37:4 45:5 52:12            55:20 57:2,4,21            60:21 61:15 63:11            64:16 67:12 70:15            73:10 74:2 76:11            76:24 79:4 86:22            94:7 96:10 97:6            102:22 111:24            114:25 139:9            149:4  <b>factor</b> 23:25  <b>factors</b> 149:1  <b>facts</b> 5:3 18:22  <b>failed</b> 57:5</p>
---	--	--	--	--

<p><b>fairly</b> 94:8  <b>fallen</b> 138:10  <b>falling</b> 148:14              149:19  <b>falls</b> 9:1  <b>families</b> 39:24              40:11,12 54:16              79:9  <b>family</b> 36:6 48:3              59:2,5 67:13              69:17 143:19              152:11  <b>far</b> 31:15 32:8              93:11 99:6 131:13              140:14 143:1              150:5  <b>Father</b> 64:14 65:20              82:8,12,13,14,18              83:10 95:24 98:16              105:3 110:24              124:15 137:20              141:17 151:2              152:20,22 153:17  <b>fault</b> 152:13  <b>favour</b> 106:6,9              107:25  <b>feared</b> 137:11  <b>features</b> 47:12  <b>Federation</b> 88:4  <b>feedback</b> 146:7  <b>feeding</b> 69:11  <b>feeds</b> 46:5  <b>feel</b> 31:22 44:4 70:6              70:10 81:18              131:10 135:18              144:17 152:12  <b>feeling</b> 40:16 54:21              93:16  <b>feels</b> 44:21 70:12  <b>felt</b> 32:3 35:2 39:1              40:14 111:8              121:14  <b>female</b> 26:3 36:25  <b>fewer</b> 135:8 139:9  <b>figure</b> 109:20</p>	<p><b>file</b> 4:9,24 18:21              19:1,24 21:9              23:22 25:25 27:6              28:20,22,23 32:7              35:20 36:22 38:20              45:2 48:19 51:19              52:24 55:14 61:2              61:5,9,23 62:5,11              64:7,10,13,21              65:15 67:5 72:15              74:21 75:3,23              76:18,19,21  <b>files</b> 1:21 3:4,10,14              3:18,19,22,25 4:3              4:7 5:16 19:14,21              19:23 38:19 40:1              42:3,6 44:15              47:17,24 55:4,12              65:8 74:6 75:2,6              78:25 79:1,3,11              145:9  <b>fill</b> 17:20  <b>filled</b> 17:13,25  <b>filling</b> 18:8  <b>final</b> 51:5 64:7              72:15 74:25              142:24 150:17  <b>finally</b> 32:7 60:10              78:24 83:12              107:19 151:2  <b>financial</b> 148:21,23  <b>financing</b> 127:8  <b>find</b> 7:16 8:11 9:2,4              9:8,13,24 12:17              16:2 22:11 23:24              32:17 34:6 38:23              45:18 55:10 56:23              57:11 59:4 69:17              78:17 81:6 95:21              132:7 138:23              139:17 146:8  <b>finding</b> 6:5 27:10              50:7 100:24  <b>fine</b> 82:14 92:23  <b>finish</b> 45:1</p>	<p><b>finished</b> 93:22  <b>first</b> 7:20 9:6 14:15              33:12,18 50:1              82:21 83:6,23              87:22 88:23,24              89:9 91:3 98:16              103:3 105:18              107:11,21 109:5              112:4,6 117:12,14              117:21 119:23              123:3 127:1 131:3              140:7 142:24,25              147:21 149:12  <b>firstly</b> 69:5  <b>fit</b> 78:9,23  <b>fits</b> 36:11 136:15  <b>five</b> 2:16 24:15              41:24 42:11 47:23              96:14,16,17              103:21  <b>flag</b> 103:3 105:2  <b>flick</b> 89:15  <b>focus</b> 64:21 74:21              79:13,15 142:12  <b>focused</b> 142:9  <b>focusing</b> 89:8 99:25  <b>follow</b> 27:24 89:16              99:9 110:5 135:18              144:11  <b>follow-up</b> 60:19              61:6,8  <b>followed</b> 64:2              144:9  <b>following</b> 18:3              25:20 65:1 86:6              108:17 141:18              142:7,10 150:15  <b>fondled</b> 60:15  <b>foot</b> 142:6  <b>forget</b> 83:7 97:21              97:22  <b>forgive</b> 82:24              110:24  <b>forgiveness</b> 143:8  <b>forgotten</b> 27:12</p>	<p>113:22  <b>form</b> 16:18 17:9,11              17:12,13 18:6,24              18:24 19:2,11,13              19:20 21:14 47:18  <b>formal</b> 109:23  <b>formation</b> 84:12              89:2 130:17 138:9              138:14,25 146:8              146:16 147:13  <b>former</b> 42:17  <b>forming</b> 108:7  <b>forth</b> 134:2  <b>forward</b> 118:10              150:4  <b>foster</b> 91:17  <b>found</b> 7:18 9:7              23:12,16,22,23              37:8 42:25 84:19              94:5 148:23  <b>four</b> 64:17 70:13              82:18 83:2,10,16              100:2,5,12 101:2              101:25 103:14              120:17  <b>fourth</b> 83:8 89:15              116:6 121:6              132:24  <b>framework</b> 23:5              24:5,7,12,17,21              24:23  <b>frameworks</b> 30:9  <b>Frances</b> 126:19,20  <b>frequent</b> 19:19  <b>Friday</b> 1:10  <b>friends</b> 46:1  <b>front</b> 14:13  <b>fulfil</b> 145:17  <b>fulfilled</b> 145:18  <b>full</b> 1:15 5:20,24              83:11,13 94:16  <b>full-time</b> 104:16              121:23,24  <b>fully</b> 104:14  <b>function</b> 44:11 79:5</p>	<p>124:25  <b>functions</b> 125:25  <b>fund</b> 37:24  <b>funded</b> 42:25  <b>funding</b> 43:24,25              69:14  <b>funds</b> 99:14  <b>further</b> 4:3,4 37:19              38:7 39:5,7 77:7              77:12,15,16 94:2              96:9 106:19              117:19 121:19  <b>future</b> 89:2 105:12              130:21 143:24</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>gains</b> 132:16  <b>gather</b> 130:16  <b>gathering</b> 92:10,12              93:2,19 99:14  <b>gatherings</b> 129:12  <b>general</b> 12:1 20:6              21:19 36:17 38:2              61:11 62:21 69:6              86:10 90:21 91:7              92:13 95:11              119:18 121:25              125:19 128:3,6              132:15 137:21              139:13,15 150:6  <b>generality</b> 119:10  <b>generally</b> 16:20              18:24 19:25 22:1              38:18 40:18 69:4              72:2 132:7 139:11              145:3 147:19  <b>generated</b> 93:1  <b>geographical</b>              103:12  <b>geographically</b>              115:1,5  <b>getting</b> 32:3 54:2              70:5 76:11 81:20              100:23 134:18  <b>girl</b> 152:10</p>
---	--	--	--	---



<p><b>give</b> 19:13 20:6 25:25 42:3 52:23 75:10 83:22 99:13 109:20 118:4 135:12 136:14</p> <p><b>given</b> 1:18 10:5 26:17 29:18 33:3 33:7,13,24 37:11 42:18 44:16 48:6 48:7,10 49:5,19 50:10 51:5,9 54:15 67:24 80:13 83:17,21 97:24 116:7 120:14 128:8 136:5 138:15 139:12 141:6 147:11 150:10</p> <p><b>giving</b> 5:11 119:16</p> <p><b>go</b> 5:21 6:4,11 11:25 12:16 18:1 18:6,10,17 24:2 24:14 31:15 32:21 38:6,10 41:5 42:5 42:10,13 56:9 61:10 64:2 69:24 75:14 82:24 83:3 83:8,15 92:3 102:10 103:5,25 105:1 106:19 107:6,9,25 109:5 110:3 119:23 121:6 131:25 134:22 137:2 142:22,23 147:15</p> <p><b>goes</b> 7:8 17:18 41:22 54:11</p> <p><b>going</b> 5:22 6:21 8:23 10:20 14:9 25:19 27:11 38:17 39:8 44:24 48:24 63:9 80:19 81:4 82:6 83:9,16,19 93:8 94:14,15 99:24 108:3,8</p>	<p>111:24 112:25 122:15,17 129:16 137:9 146:17 147:24 149:8 150:3</p> <p><b>good</b> 1:3,5 10:1 19:8,10 21:8,11 28:16 36:20 43:5 52:7 53:22 54:1 56:17 58:20 62:8 67:6 90:5,8 99:3 107:16 117:9 129:5 142:5</p> <p><b>Googling</b> 8:11</p> <p><b>gossip</b> 59:25 60:1</p> <p><b>governing</b> 88:6</p> <p><b>great</b> 7:14 40:8 41:2 67:24 94:11 109:1 133:5</p> <p><b>greater</b> 66:1 104:13 107:14 139:4</p> <p><b>grew</b> 100:8</p> <p><b>greyer</b> 36:1</p> <p><b>grooming</b> 133:15</p> <p><b>ground</b> 133:1</p> <p><b>group</b> 99:12 112:7 112:14,15,20 113:2,3,6,7,11 114:8,9,15</p> <p><b>groups</b> 85:19 97:15 103:17,20,21 104:3 109:24 130:16 138:22 147:13 148:7</p> <p><b>growing</b> 133:11 134:1</p> <p><b>Guatemala</b> 84:19 85:6 151:20 152:2</p> <p><b>guidance</b> 9:11,22 33:2 78:11 135:13 136:14 140:23 141:2 144:24</p> <p><b>guidances</b> 10:2</p> <p><b>guide</b> 14:3,14</p> <p><b>guilty</b> 151:14</p>	<p style="text-align: center;"><b>H</b></p> <hr/> <p><b>half</b> 58:14</p> <p><b>halfway</b> 101:10 142:3</p> <p><b>hand</b> 82:6</p> <p><b>handled</b> 13:1 71:24</p> <p><b>handling</b> 2:25 74:15</p> <p><b>hands</b> 31:20</p> <p><b>handwritten</b> 105:9</p> <p><b>happen</b> 8:23 17:12 43:8 58:6 68:16 87:20 102:18 108:2 114:11 123:18 150:20,22</p> <p><b>happened</b> 19:9 26:6 37:16 43:21 52:12 56:15,25 60:15 65:20 66:13 80:25 81:23,24 108:20 118:12 119:9 134:3</p> <p><b>happening</b> 19:3 54:19 100:10 110:19 128:12 151:18 152:13</p> <p><b>happens</b> 16:4 126:12 149:2,5</p> <p><b>happy</b> 82:12</p> <p><b>hard</b> 23:23 145:9</p> <p><b>harder</b> 139:17</p> <p><b>harm</b> 56:1 143:21 143:23</p> <p><b>harm/abuse</b> 18:3</p> <p><b>harmed</b> 143:18,19 144:1</p> <p><b>Hayes</b> 84:2,9 86:20 151:5</p> <p><b>head</b> 27:12,13</p> <p><b>headed</b> 105:9 142:22</p> <p><b>heading</b> 90:1 137:22</p> <p><b>heal</b> 143:21</p> <p><b>healing</b> 143:1,3,5</p>	<p><b>health</b> 147:4</p> <p><b>hear</b> 126:8 128:5</p> <p><b>heard</b> 29:7 111:10 126:8 128:4 133:22 135:21 137:5 148:8</p> <p><b>hearing</b> 1:4,20 5:22 153:5</p> <p><b>heart</b> 88:12</p> <p><b>hearts</b> 129:1</p> <p><b>held</b> 129:17 133:18</p> <p><b>help</b> 7:10 14:7 17:9 23:14 31:21 34:12 36:12 38:9,10 39:25 49:6 50:8 50:21 57:14 61:20 72:22 74:4 80:2 92:14 135:3 145:17 150:3 151:7</p> <p><b>helpful</b> 14:8,10 20:3 49:3,4 77:1</p> <p><b>helping</b> 88:17 99:15 112:17 113:12 114:11</p> <p><b>helps</b> 115:15</p> <p><b>hesitation</b> 62:23</p> <p><b>Hexham</b> 53:13,17 118:19,22</p> <p><b>high</b> 78:2</p> <p><b>highest</b> 145:19</p> <p><b>hint</b> 27:9</p> <p><b>historic</b> 11:11 26:7</p> <p><b>historical</b> 35:20 74:11,12 80:11,13 134:15,17</p> <p><b>history</b> 65:7</p> <p><b>hold</b> 18:14 136:6</p> <p><b>holding</b> 117:2 133:13</p> <p><b>Holy</b> 124:13,21 125:10</p> <p><b>home</b> 6:7 36:6</p> <p><b>homosexual</b> 72:18 73:3,14</p>	<p><b>homosexuality</b> 74:9</p> <p><b>honest</b> 73:5</p> <p><b>hope</b> 6:3 64:10 83:15 144:25</p> <p><b>hoped</b> 134:17</p> <p><b>hopeful</b> 150:16</p> <p><b>hoping</b> 150:13</p> <p><b>hospitals</b> 147:3</p> <p><b>hour</b> 137:15</p> <p><b>houses</b> 84:5</p> <p><b>huge</b> 8:6 20:12 25:8 31:3 137:10</p> <p><b>hurt</b> 143:2</p> <p><b>hyperlinking</b> 8:15 8:16</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>idea</b> 25:3 100:12 104:4 150:7</p> <p><b>identical</b> 9:20 11:1 36:4</p> <p><b>identified</b> 23:21 24:10 95:25</p> <p><b>identify</b> 7:19 8:3 12:24 23:21 60:25 95:12 100:1,23</p> <p><b>identity</b> 15:16,22 38:13 41:10 48:15 49:10</p> <p><b>IICSA</b> 12:6 60:25 80:13 81:22</p> <p><b>imagine</b> 23:23 110:11,12</p> <p><b>imagining</b> 111:15</p> <p><b>immediate</b> 42:24 76:5</p> <p><b>immediately</b> 144:9</p> <p><b>impact</b> 35:7 90:2 133:6,24 148:15 148:16</p> <p><b>implement</b> 141:21</p> <p><b>implementation</b> 99:18</p> <p><b>implemented</b></p>
---	---	---	--	---

100:19 <b>implementing</b> 145:15 <b>implication</b> 45:8 134:19 <b>implications</b> 108:3 108:4 147:19 <b>important</b> 20:16 47:12 54:4 75:22 83:21 88:18 145:17 <b>imposing</b> 63:14 <b>impossible</b> 8:2 <b>impressed</b> 27:18 <b>impressive</b> 87:21 <b>imprisonment</b> 58:15 <b>improve</b> 131:18 132:12 <b>improvement</b> 58:22 132:6 <b>in-house</b> 146:15 <b>inability</b> 49:5 <b>inadequate</b> 20:11 <b>inappropriate</b> 27:16 <b>incident</b> 59:8 60:7 <b>include</b> 21:14 47:2 76:23 146:16,22 <b>included</b> 21:18 40:21 95:9 <b>including</b> 110:17 132:21 140:17 143:19 <b>inconsistency</b> 12:9 <b>increase</b> 122:18 <b>incredible</b> 40:22 <b>indemnity</b> 137:3 <b>independent</b> 2:5 25:11 26:11,17,20 27:8,21 28:17 29:2,10,12 50:25 70:11 101:13 122:16 150:11 <b>indicate</b> 106:15	<b>indicated</b> 70:21 92:6 96:10 124:2 <b>indication</b> 19:13 20:6 <b>individual</b> 10:4 43:25 45:19,24 55:1 75:2 91:16 144:17 <b>individually</b> 147:12 <b>individuals</b> 70:24 70:25 85:19 144:17 <b>inevitably</b> 5:22 <b>inference</b> 12:22 <b>inform</b> 15:17 43:6 61:15 64:11 117:23 <b>information</b> 18:25 23:4 24:5,7,11,17 24:23 25:1 29:1 30:9,23 31:6 33:24 35:13,19,21 42:16 57:16 69:17 78:16 93:2,20 94:11,20 118:2 120:22 134:18 141:13 144:15 147:12,17 <b>informed</b> 61:16,18 65:24 69:21 113:18 118:4 144:8 <b>informing</b> 59:24 69:12 88:17 111:12 <b>informs</b> 76:4 <b>initial</b> 68:7 <b>initially</b> 7:14 8:17 15:24 55:25 56:4 57:8 66:12 112:13 120:16 <b>initiated</b> 114:14 <b>inputted</b> 94:25 95:9 <b>INQ004689</b> 42:5 <b>INQ004689_027</b>	25:21 <b>INQ004766</b> 14:2 <b>INQ004767</b> 36:22 55:14 <b>INQ004767_037</b> 64:10 <b>INQ004779</b> 32:21 <b>INQ004779_009</b> 34:3 <b>INQ004794_005</b> 46:22 <b>INQ004794_008</b> 39:12 <b>INQ004794_011</b> 75:11 <b>INQ004794_013</b> 22:15 <b>INQ004816</b> 17:10 <b>inquiry</b> 26:10 29:7 82:19 91:23 92:9 95:7 111:6,10,14 122:15 127:20 134:2 <b>inquiry's</b> 147:18 <b>insofar</b> 123:24 135:3 <b>inspire</b> 141:3 <b>instances</b> 50:15 <b>Institute</b> 25:17,21 28:22 <b>institutes</b> 91:11 124:19 126:17 <b>institutional</b> 2:14 <b>institutions</b> 147:25 148:4 149:16 <b>instruction</b> 9:13 <b>instructions</b> 7:16 9:9,18,19 10:9,16 10:23 13:12 16:14 21:17 34:23 78:12 <b>instrumental</b> 128:15 <b>insufficient</b> 37:18 37:19 38:3,4 66:3 75:17	<b>insulting</b> 51:4 <b>insurance</b> 16:24 134:25 135:6,10 135:13,20 136:3,5 <b>insured</b> 135:4,9 136:21 <b>insurer's</b> 135:18 <b>insurers</b> 61:13,21 62:7 136:23 137:2 <b>integral</b> 14:18 <b>integrate</b> 78:19 <b>integrated</b> 14:15 <b>Integrity</b> 139:21 142:1 145:12 <b>intended</b> 8:21 127:8 <b>intention</b> 100:4 <b>interaction</b> 124:12 127:2,3 <b>interest</b> 44:22 68:24 69:25 71:7 72:10 122:2 127:20 149:2 <b>interested</b> 137:12 <b>interests</b> 33:11 <b>interfere</b> 49:11 <b>interim</b> 150:16 <b>internal</b> 8:18 10:12 20:13,13,14 21:15 21:16 37:20 50:24 76:20 146:12 <b>interpreter</b> 59:17 <b>interpreting</b> 145:15 <b>intervals</b> 47:4 55:6 <b>intervene</b> 62:22 <b>intervened</b> 29:17 <b>intervening</b> 37:21 <b>interview</b> 42:8 <b>interviewed</b> 42:13 <b>intrinsic</b> 44:16 <b>introduction</b> 141:16 <b>investigate</b> 96:13 101:15 117:23	118:3,7 <b>investigated</b> 63:8 <b>investigation</b> 15:21 25:11 37:20 39:4 39:7 49:9,12 50:22,24,24,25 58:23 65:22 67:21 68:15 69:11 74:7 74:7 77:8,12,21 77:25 113:24 115:16 118:8 120:13 144:21 <b>investigations</b> 1:18 49:6 <b>investigative</b> 79:22 <b>investigator</b> 27:4 29:2,12 30:2 <b>investigator's</b> 29:3 29:10 <b>invitations</b> 81:20 125:25 <b>invite</b> 98:10 122:21 126:5 <b>invited</b> 126:15 <b>inviting</b> 36:5 92:16 <b>invoke</b> 137:1 <b>involve</b> 35:15 36:2 47:21 120:10 <b>involved</b> 2:12 4:2 18:21 27:14 28:9 32:18 36:24,24 37:11,23 38:18 39:3 49:24 52:10 60:1 61:4 66:9,14 70:17 78:3 92:11 109:12 117:17 119:8 120:3 123:8 123:17 128:4,6 130:2 147:7 148:25 149:5 <b>involvement</b> 37:13 38:8 43:15 47:11 131:4 <b>involves</b> 144:5 <b>involving</b> 47:17
--	---	--	---	---

<b>Ireland</b> 86:2	114:11 117:5	<b>La</b> 3:14 24:4 47:17	126:10 127:16	123:11 124:20,20
<b>isolated</b> 33:22	119:3 128:22	<b>lack</b> 21:20 22:2	129:25 130:4	126:17,18 137:23
76:12 81:19	133:12,13 136:5,6	24:1 27:3 34:18	132:21 141:7	138:2,6 139:5,13
<b>issue</b> 25:8 32:15	136:20 149:1	47:23 48:7,10	143:11,14 145:1	141:1 142:12
46:2 50:18 63:20	152:12	51:5 54:14,20	<b>leadership</b> 86:10	147:22
63:25,25 64:5	<b>Kis/Kish</b> 55:17	58:22 59:1 60:5	87:19	<b>light</b> 72:23
98:25 134:10,12	<b>Kish</b> 56:4 57:8,17	62:17,21 63:3,15	<b>leading</b> 85:25	<b>likes</b> 124:14
148:13,19 149:13	58:13	73:12 74:22 79:7	<b>leads</b> 62:19	<b>Limbrick</b> 8:20
151:8	<b>knew</b> 65:19	79:8 133:12	<b>learn</b> 6:10 14:21	110:11 131:9
<b>issues</b> 2:13 32:16	<b>know</b> 1:17 7:14	<b>lacking</b> 61:1	15:1	<b>limina</b> 126:9,14
62:21 64:11 80:8	8:13,23 10:1	<b>LADO</b> 11:17,19,25	<b>learned</b> 113:24	150:15
89:1,4 100:16	14:14,16,24 15:6	12:1,2,7,10,17	117:14	<b>limitation</b> 137:1
111:8 119:8	17:2,6 19:6,8	13:7 29:8,9 34:9	<b>learning</b> 15:3,3	<b>limited</b> 41:18 59:15
127:17 132:25	20:24,25 21:3	34:25 35:3,9,9	54:12	127:9
134:6,8 137:5	23:17 30:19 31:24	36:21 37:5,11,17	<b>learnt</b> 14:21	<b>limits</b> 15:14,19
145:3 150:8,12	32:1 33:25 34:1	37:18,23 38:10	<b>leave</b> 118:19	<b>line</b> 8:3 26:14 28:6
<b>iteration</b> 140:7,10	36:10 38:13 40:8	48:16,20,25 60:21	<b>leaves</b> 24:10	110:9
	45:20,25 48:24	60:22 61:7,15,15	<b>led</b> 34:12	<b>link</b> 6:9,25
	49:10 50:4,9	77:18	<b>left-hand</b> 6:12	<b>linked</b> 107:22
<b>J</b>	52:12 56:24 59:7	<b>LADO's</b> 37:12 38:6	<b>left-handed</b> 80:11	110:1 111:15
<b>January</b> 6:24 64:19	60:9,15,16,17	<b>LADOs</b> 34:22	80:14	<b>links</b> 44:20 91:15
86:6 109:7	63:2,10,17,18	38:18	<b>legal</b> 30:9,17,21	114:15
<b>Jesuits</b> 51:19,22	66:25 72:2 73:17	<b>Lady</b> 25:17,21	31:7 32:10,12	<b>list</b> 93:12 94:1,3,6,8
<b>Jesus'</b> 21:7	73:24 76:16 77:22	28:22	43:22,23 68:3	94:9 95:24 96:3
<b>job</b> 114:22	78:3 80:21 81:13	<b>land</b> 33:21	144:22,23	96:14,17 97:4,24
<b>join</b> 90:24	81:25 82:1 87:15	<b>language</b> 140:23	<b>legend</b> 106:17	103:25 129:13
<b>joined</b> 92:21,24	87:19 88:12 99:21	<b>large</b> 17:5 20:11	<b>lengthy</b> 124:17	<b>listed</b> 96:21,21 97:3
97:11	100:9 102:6 104:4	79:17 148:1,3	<b>lessons</b> 14:21 15:3	<b>listen</b> 116:21
<b>joint</b> 129:18,22	108:3,10,20 109:1	<b>largely</b> 142:13	<b>let's</b> 92:22 115:20	<b>listened</b> 144:17
<b>jointly</b> 129:19	109:3,17 110:20	<b>late</b> 3:14 51:2 53:2	117:8 126:24	<b>lists</b> 93:20,25 95:22
<b>judgment</b> 136:23	110:24 111:22	<b>lateral</b> 46:6	128:24	97:5,10
<b>July</b> 55:22 56:10	112:3 118:20,20	<b>latest</b> 145:5	<b>letter</b> 31:21 42:20	<b>little</b> 7:5 34:8 80:1
85:4	119:1,5,8 130:5	<b>law</b> 33:21 124:25	95:6 111:13	83:6 86:17 91:20
<b>June</b> 58:14	135:6,21 137:12	145:13,13,15	<b>letters</b> 20:12 67:16	103:8 104:21
<b>justice</b> 143:3	141:12 142:16	<b>lawyer</b> 128:8	95:8	106:15 107:23
	145:18	<b>lay</b> 22:21 146:14	<b>level</b> 23:7 43:10,13	112:8 115:25
<b>K</b>	<b>knowledge</b> 5:4 17:8	<b>layperson</b> 8:22	45:21 79:18	124:12 127:4
<b>Kathy</b> 135:22	35:24 63:15 71:3	13:24 14:9 71:25	113:19 130:18	128:5 146:1 151:8
<b>keeping</b> 20:7 21:11	107:23	<b>laypersons</b> 16:12	<b>liaise</b> 113:9 126:12	<b>live</b> 1:9
21:19 69:9	<b>known</b> 17:11 38:25	<b>lead</b> 43:5 81:22	<b>liaison</b> 36:20 44:1	<b>lived</b> 80:16
<b>kept</b> 20:8,8	48:16,16 60:4	106:21	52:8 112:7,14	<b>Liverpool</b> 64:9,15
<b>kind</b> 13:23 17:21	82:12 112:19	<b>leader</b> 39:15,17	113:2	<b>Liverpool's</b> 74:15
18:9 19:5 23:19	114:3	124:3	<b>lies</b> 117:6 123:14	<b>lives</b> 33:17
35:2 36:16 39:1		<b>leaders</b> 87:25 88:16	<b>life</b> 33:15,19 46:3	<b>living</b> 28:11,13
49:25 50:2 88:16	<b>L</b>	88:25 89:9 104:14	88:18 91:12,18	45:9 51:23 52:9
99:1 112:12				

<p>148:4  <b>local</b> 2:8 11:17                  25:14 28:11                  130:17  <b>locate</b> 53:9 115:22                  118:17  <b>located</b> 84:1 115:1                  115:5  <b>locations</b> 10:9,17                  84:4  <b>lofty</b> 10:1  <b>London</b> 9:6 103:22                  103:22  <b>long</b> 107:3  <b>longer</b> 41:17 96:18  <b>look</b> 2:17 5:13 7:25                  8:9 10:19,20                  12:20 16:6 17:9                  17:11,21 22:4                  28:24 36:20 41:12                  42:2 45:2,14                  46:10 55:12 57:10                  58:18 62:11 64:7                  68:19 74:20 88:12                  89:17 91:22 97:8                  99:16 103:4,7                  106:15 108:18                  110:9 112:5                  113:11 116:6,8                  121:10 123:25                  128:24 129:13                  136:16 137:20                  141:15 145:8  <b>looked</b> 4:16 7:14,14                  16:15 20:22 33:1                  39:14 60:16 63:19                  72:24 74:10 75:2                  78:4 81:16 93:20                  93:25 94:7 124:24                  128:9 131:8                  139:21  <b>looking</b> 4:8 6:2                  14:9 23:9 28:19                  32:20 34:9 41:7                  47:16 61:2 65:7</p>	<p>74:2 85:18 112:4                  112:25 113:1                  122:7,16 123:9                  125:18 146:25                  148:18 149:6,7  <b>looks</b> 6:5 11:18,24                  32:14 42:21 51:13                  78:24 105:23                  106:5  <b>lot</b> 8:11 24:9 54:7                  54:19 59:25 90:11                  138:8,24  <b>lots</b> 78:20  <b>lower</b> 45:2  <b>Lucy</b> 2:18 27:17  <b>Luke's</b> 146:24</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>main</b> 6:16 14:16                  17:2  <b>maintain</b> 18:25  <b>maintained</b> 43:5  <b>maintaining</b> 68:2,4  <b>major</b> 85:20,23                  86:3,5,25 87:25                  89:1 108:2 123:16                  126:10  <b>making</b> 13:6,9                  20:19 34:15 37:18                  41:20 47:1 48:6                  51:1 76:11 90:13                  92:24 122:19                  123:4,8,25 136:7                  144:16  <b>male</b> 134:12  <b>man</b> 60:2  <b>manage</b> 11:5 22:19  <b>management</b> 6:18                  78:7 99:11 100:16  <b>manager</b> 2:2,2  <b>managers</b> 25:14  <b>managing</b> 122:22  <b>Manchester</b> 66:1                  146:24  <b>Manero</b> 111:2,3</p>	<p><b>manual</b> 6:9 7:15                  8:12,17 14:6  <b>mapped</b> 115:8  <b>March</b> 103:7  <b>marking</b> 105:10  <b>mass</b> 37:9,21  <b>matched'</b> 104:2  <b>materials</b> 113:11  <b>matter</b> 26:8 30:18                  35:9 37:19 53:5                  56:18,20 58:3                  62:7,8,15 83:10                  114:25 118:3,6,9                  120:16 122:2                  125:20 135:25                  149:2,8  <b>matters</b> 5:3,8 32:22                  61:9 98:19,24                  110:17 112:17                  113:8 115:20                  117:18 127:19,20                  135:13 147:8  <b>mean</b> 24:25 63:17                  81:19 90:4 109:23                  116:24 129:22                  131:17 139:16  <b>means</b> 110:2                  138:13,24 149:20  <b>meant</b> 9:14,15                  35:24 138:21  <b>mechanism</b> 99:14  <b>meet</b> 50:19 51:6,10                  51:10 53:17 54:3                  77:16 108:12                  113:14,15,17                  121:10 125:12                  127:7,17 148:23  <b>meeting</b> 28:10 29:8                  50:11,14 60:22                  103:6 104:25                  110:7,8,20,22                  111:6,6,19,21                  113:18 126:16                  149:9,10,11  <b>meetings</b> 20:13</p>	<p>76:6,23 100:21  <b>meets</b> 32:18  <b>member</b> 10:18 12:5                  12:6 13:13,15                  22:20,21 44:22,23                  51:6 54:23 65:16                  68:19 70:24 71:12                  72:1,25 83:23                  84:7 86:3 109:18                  111:4 119:21                  121:2 123:11                  126:15  <b>members</b> 85:25                  88:3,6,7 89:10,11                  89:14 90:12 91:25                  92:19 93:4,5,6                  95:9,13 96:1,8                  97:11,12 98:5                  99:8 102:23                  105:11 112:15                  116:10,15 117:1,3                  119:14,17 132:19                  137:25 139:16                  141:8,8,10 148:11                  148:22,24  <b>membership</b> 89:12                  89:19,22 90:2,6                  117:11 119:12  <b>memorandum</b>                  109:13,14  <b>memory</b> 101:3                  152:9  <b>mention</b> 11:5 60:11                  149:13  <b>mentioned</b> 8:10                  16:3 68:17 92:12                  104:5 117:6                  118:14 150:2  <b>mentioning</b> 149:18  <b>Mercy</b> 25:17,22                  28:22  <b>message</b> 20:3  <b>met</b> 35:2,4 53:15                  54:5 56:12  <b>mid-morning</b> 39:8</p>	<p>46:10  <b>middle</b> 56:25  <b>Middlesbrough</b>                  52:20,24  <b>Middlesex</b> 84:2,9  <b>Midlands</b> 103:23  <b>miles</b> 52:9  <b>mind</b> 133:13  <b>minds</b> 129:2  <b>mini</b> 18:4  <b>ministers</b> 143:2  <b>ministry</b> 66:22                  139:22 148:25                  149:5  <b>Ministry'</b> 142:1                  145:12  <b>minor</b> 80:24,24                  142:13  <b>minutes</b> 76:15                  110:7,7 113:1                  137:15  <b>misconduct</b> 145:16  <b>mishmash</b> 101:25                  102:4  <b>misplaced</b> 133:22  <b>missing</b> 20:13 54:6  <b>mission</b> 84:6  <b>missionaries</b> 83:24                  84:12 85:21 86:11  <b>missions</b> 91:17  <b>misunderstanding</b>                  133:5  <b>misunderstandin...</b>                  133:12  <b>mitigate</b> 25:5  <b>Mixed</b> 127:11,15                  127:23 128:11,14  <b>mixing</b> 9:21  <b>Mmm</b> 32:13  <b>Mmm-hmm</b> 67:8                  85:13 93:14                  106:18 134:7                  151:6  <b>model</b> 142:5  <b>modelled</b> 140:19</p>
--	--	--	---	---

<p>142:2  <b>moment</b> 14:18                  16:19 22:5 38:18                  46:9,12 74:5                  75:11 84:3 109:21                  122:3 130:23,25                  146:9 150:7  <b>moments</b> 104:8  <b>Monastic</b> 97:15  <b>money</b> 60:13 70:5                  99:17  <b>Monsignor</b> 33:2                  115:17  <b>month</b> 122:11  <b>months</b> 64:20                  86:18 92:11  <b>morally</b> 34:1  <b>morning</b> 1:3,5,7,10                  2:18 5:11 10:13                  78:5  <b>move</b> 93:11 108:23  <b>moved</b> 112:14  <b>Moving</b> 119:23  <b>MSc</b> 85:14  <b>muddled</b> 13:12,17  <b>muddling</b> 13:17</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N</b> 153:9  <b>name</b> 1:15 27:12                  55:17 82:11 96:20                  96:22 110:15                  113:25 114:6,12                  114:20  <b>named</b> 43:2 86:24  <b>names</b> 96:20 97:5                  97:20  <b>national</b> 103:6                  113:19  <b>nationally</b> 69:1  <b>nature</b> 81:10 83:21                  90:10 123:10                  130:10,20 136:22  <b>navigate</b> 9:3  <b>NCSC</b> 110:8 111:4</p>	<p>112:3 113:10,17                  117:25 124:1                  127:6  <b>near</b> 79:19  <b>nearer</b> 136:2  <b>necessarily</b> 17:16                  40:5 83:16 89:10                  119:17  <b>necessary</b> 31:6                  61:20 143:23  <b>need</b> 10:20 12:17                  12:24 13:4,25                  15:14,17,25 21:6                  22:19 24:4,7,11                  24:20 28:12 36:9                  40:12 45:7,15,18                  49:21 56:22 57:10                  62:4 66:1 69:24                  78:17,19 90:11                  92:3 100:1 108:3                  108:10 122:14,18                  125:7  <b>needed</b> 17:25 21:18                  24:22 25:6 34:24                  36:13 38:9 39:3                  40:3 59:5 62:13                  64:2 77:12 78:16                  111:9 121:17  <b>needing</b> 132:12  <b>needs</b> 12:10 16:8                  16:14 19:6 22:23                  32:18 39:18 41:1                  43:14 44:5 46:6                  63:18 68:25 77:7                  78:15,15,17 108:2                  108:19 121:10                  139:1,18 144:3  <b>negotiating</b> 44:19  <b>negotiation</b> 134:21  <b>networking</b> 129:7  <b>never</b> 70:5 111:10                  126:1  <b>new</b> 13:24 59:15                  79:14 96:22 97:11                  102:7 105:3</p>	<p>114:17,20 122:12  <b>Newcastle</b> 53:12,17                  118:19,23  <b>Nichols</b> 127:2,3                  153:2  <b>nine</b> 41:7 47:17                  55:18 108:13,19                  109:22  <b>Nolan</b> 98:22,23,25                  99:4,5,6,9,10                  100:7 112:12                  131:1 132:10                  133:19  <b>non-clergy</b> 141:24                  151:12  <b>non-compliance</b>                  118:25 145:21  <b>non-members</b>                  95:10 98:5  <b>non-recent</b> 2:14                  11:5 12:12 15:8                  72:17 73:24,25  <b>noncompulsory</b>                  89:19  <b>nonconsensual</b>                  73:6  <b>nonconsensual/u...</b>                  72:19  <b>nonmembership</b>                  97:9  <b>normal</b> 69:14  <b>normally</b> 10:13                  32:17  <b>North</b> 103:22  <b>north-east</b> 103:18                  103:20  <b>north-west</b> 103:19                  103:20  <b>notable</b> 20:10  <b>note</b> 38:1 126:2                  144:23  <b>noted</b> 104:20  <b>notes</b> 15:21 76:25  <b>notice</b> 71:23  <b>noticed</b> 12:3 34:23</p>	<p>110:21  <b>notification</b> 18:18                  75:11,18 76:8  <b>notified</b> 12:10,18                  12:25 13:4 16:8                  16:14,17,21 17:2                  17:3,7 19:6 34:9                  51:22,24 52:25                  58:10 61:14 75:14  <b>notify</b> 62:6  <b>November</b> 1:1                  153:6  <b>novices</b> 138:22  <b>novitiate</b> 84:20  <b>now/later</b> 49:14  <b>number</b> 1:21 2:12                  6:13 8:12 12:20                  13:1 18:20 19:16                  64:11 73:23 74:6                  75:2 78:4 79:11                  85:5 93:23 95:3                  97:9 98:4 135:25  <b>numbered</b> 7:23                  8:13,14  <b>numbers</b> 7:24 8:1                  82:25 83:11 91:22                  92:22 95:18 96:10                  103:13 122:24                  138:10,18 139:9                  148:14 149:20  <b>nun</b> 25:12 26:3                  28:9 79:17  <b>Nuncio</b> 125:23  <b>nuns</b> 39:22 81:21</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>O'Loan</b> 111:12  <b>objections</b> 30:2  <b>objective</b> 140:15  <b>objectives</b> 121:15  <b>objects</b> 140:19  <b>observations</b>                  128:18,20  <b>obstacles</b> 80:10  <b>obtain</b> 56:14</p>	<p>119:20 137:5  <b>obtained</b> 148:10  <b>obvious</b> 12:18,24                  13:6,9 76:18                  79:12 106:11  <b>obviously</b> 20:16                  45:4 60:5 61:3                  70:23 74:5 75:2                  84:4 92:6 111:18                  133:1  <b>occasions</b> 4:3 37:25                  42:12  <b>occurred</b> 67:13                  143:20  <b>October</b> 52:25                  82:21,22 119:25  <b>October-time</b>                  150:17  <b>offence</b> 70:2  <b>offences</b> 35:25 60:4  <b>offer</b> 37:23,24                  38:10,14 47:18,21                  47:23 48:6,10,20                  48:25 49:6,10,14                  49:21 50:16 51:1                  51:5 53:19 59:1                  67:20 88:2 101:14                  128:18 136:20                  143:25  <b>offered</b> 41:8,17,23                  42:2 43:11 48:2                  50:1,3 51:15,17                  52:5 54:12 60:13                  67:11 79:20                  108:16 128:10                  129:15 130:7,8  <b>offering</b> 42:19                  48:14 50:10,19                  53:23 54:10 90:15  <b>offers</b> 38:4 49:13  <b>offhand</b> 108:20                  109:1,17 128:22  <b>office</b> 85:22 121:19                  121:23 122:2,3                  124:23 144:7</p>
--	---	---	--	---

<p><b>officer</b> 60:12,24 66:14,18 71:24 72:1 144:8 <b>officers</b> 49:16 146:13 <b>official</b> 91:19 <b>Oh</b> 79:25 <b>okay</b> 49:14 54:22 54:23 69:7 88:22 88:24 93:10 94:17 113:20 151:9 <b>old</b> 45:14 65:8 96:20 <b>older</b> 4:15 148:22 <b>omitted</b> 32:2 <b>once</b> 43:24 54:8 65:18 116:1 132:15 151:18 <b>one-to-one</b> 138:19 <b>ones</b> 9:6,6 24:22 92:14 131:7 <b>ongoing</b> 60:2 65:22 146:17 <b>onwards</b> 83:19 132:24 <b>operating</b> 96:24 114:10 <b>opinion</b> 5:8 10:7 72:6,8 77:19 <b>opinions</b> 5:7 <b>opportunities</b> 129:7 <b>opportunity</b> 32:3 88:19 128:18 <b>opposed</b> 21:2 43:16 56:19 71:25 73:13 73:20 <b>opt</b> 89:13 117:4 <b>optimistic</b> 150:19 150:20,22,23 <b>option</b> 105:14 <b>options</b> 102:20 105:15 <b>Orchard</b> 126:19,20 <b>ordained</b> 85:3,4</p>	<p><b>order</b> 20:23 23:1 26:10 27:10,12 30:18,19,24 31:7 32:9,11 42:7 90:24 91:23 92:8 108:13,15 115:10 115:19,21 117:8 117:14 118:16 120:5,18 123:13 123:15,16,18,21 125:1,10 131:6 133:23 135:1,17 136:9,21 146:20 <b>order's</b> 29:12 <b>orders</b> 1:22 3:8,9 3:11,20 5:17 19:17 20:4,8,10 21:3,4,8 23:11 24:15 41:6,14 51:14 75:21 76:25 77:11 79:3 89:10 89:22 91:24 95:13 98:20 101:16 102:1,12 103:9 104:21 109:19 113:2 114:25 115:4 116:4 119:13 132:25 134:6 135:4,8,12 136:11,16 137:6 137:24 139:11 146:3,4 147:11 148:10 150:6 <b>organ</b> 99:17 <b>organisation</b> 88:5 90:14,23 103:18 121:22 124:22 125:1,12,17 <b>organisational</b> 105:12 152:4 <b>organisations</b> 85:19 91:17 100:15 121:3 <b>organised</b> 45:25 129:15,19 130:12</p>	<p><b>organising</b> 44:9 <b>organist</b> 40:20 <b>organs</b> 100:15 <b>original</b> 17:14,17 31:19 104:11 142:13 <b>originally</b> 97:25 <b>originated</b> 81:11 <b>origins</b> 100:9 121:12 <b>ought</b> 8:6 <b>outcome</b> 37:12 76:16 108:22 118:7 <b>outset</b> 5:2 22:25 23:20 28:7 58:20 76:3 <b>outside</b> 115:11 151:22,24 <b>outstanding</b> 131:7 131:20 <b>overall</b> 7:11 54:11 54:14 55:13 64:7 67:6 74:20,25 75:17 78:8,22 79:4 106:4 139:10 <b>overcome</b> 30:21 <b>overdue</b> 28:5 <b>overlapping</b> 9:17 <b>overprovided</b> 40:7 <b>overstepping</b> 44:4 <b>overview</b> 81:17 <b>overwhelming</b> 40:7 <b>overwhelmingly</b> 40:13</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>page</b> 6:7,12 7:1,3 8:3 16:11 18:1,6 18:10,15,15,17 22:12 28:25 32:23 41:5,12 42:14,15 48:5 50:12 55:15 56:9 58:19 61:10 62:11 67:10 72:16</p>	<p>77:6 91:4 98:17 99:24 102:10 103:5,5 107:6,19 109:6 116:9 119:24 127:10 128:25 131:21 134:23 137:21 141:16 142:6,22 144:4 145:8,25 147:17 <b>pages</b> 5:21 <b>paid</b> 144:10 <b>panel</b> 1:17 26:18,20 27:6,7 80:4,6 83:2 89:16 110:5 135:3 137:12 150:3 152:18 153:15 <b>paper</b> 55:10 103:4 110:5 <b>paperwork</b> 4:22 <b>paragraph</b> 7:11,24 8:1 11:3 16:7 19:12 24:2 45:3 56:9 58:19 65:23 68:20 72:16 82:25 83:19 88:21 89:8 89:18 90:1,18 91:4 92:5,12,18 93:11 94:10,10 98:17 104:18 109:6 119:24 121:6 127:10 129:13 132:24 133:3 134:4,24 135:15,24 137:21 138:4 142:3,24 143:9 145:25 147:16 <b>paragraphs</b> 122:21 124:11 127:1 <b>paramount</b> 33:12 33:20 <b>paramountcy</b> 33:10 <b>parent/carer</b> 18:16</p>	<p><b>parents</b> 60:14 143:19 152:14 <b>parish</b> 13:15 56:7 56:25 57:3,14 58:2,9,10 59:6,23 62:22 64:15 67:14 84:11 86:19 96:25 <b>park</b> 93:8 <b>part</b> 5:15,25 8:2,17 8:18 9:9 10:24 14:18 16:6 19:12 22:8,12 25:19,20 34:3 40:4 42:5 44:18 45:22 46:19 66:21 75:7,10 76:21 97:14,15 99:20 100:13,24 100:25 102:15 120:24 123:3,8 132:24 134:22 147:6,16 148:13 <b>part-time</b> 121:23 121:24 <b>particular</b> 7:12 9:19 10:5,24 20:21 21:23 25:9 44:10 55:12 60:20 62:24 63:7 65:3 70:5 71:17 72:25 73:22 74:14 82:25 82:25 84:6 86:1 116:19 120:5 123:3 134:8 141:25 142:12 146:5 <b>particularly</b> 12:12 34:6 35:11,17 44:16 77:18 124:17 131:11 <b>parties</b> 81:20 <b>partner</b> 35:23,24 36:4 <b>parts</b> 2:17 3:13 5:19 9:20 78:17 <b>party</b> 130:11</p>
---	--	---	---	---

<p>142:14,16  <b>pass</b> 54:22  <b>passing</b> 108:15  <b>pastoral</b> 39:16 47:2              84:18 85:6 144:16  <b>pat</b> 50:8  <b>Paul</b> 82:8,11,12,13              82:14,18 83:10              95:24 98:16 105:3              124:15 137:20              151:2 152:20,22              153:17  <b>pause</b> 8:20  <b>Pausing</b> 138:2  <b>Pearson</b> 127:6              131:9  <b>pensions</b> 148:22  <b>Penultimately</b>              147:15  <b>people</b> 15:13,25              16:4 25:13 28:10              31:20 36:8 38:14              40:16 45:13 59:25              61:4 63:5,22              90:15 92:16 93:2              94:20 100:23              101:20 102:19              110:24 112:16              113:7 116:16              127:12 128:2              130:2,16 134:11              134:18 138:13,14              138:24 140:25              141:3,12 146:7,14              146:16 147:13              148:5 149:20,25  <b>perceived</b> 145:16  <b>perception</b> 134:20  <b>perfectly</b> 26:13              90:22  <b>period</b> 73:25 81:2,3              98:21,24 130:9              134:1  <b>periods</b> 74:8  <b>permissible</b> 26:14</p>	<p><b>permission</b> 115:13              115:21  <b>perpetrated</b> 18:2  <b>perpetrator</b> 12:13              13:19 14:19,22,24              15:8 18:12 22:20              24:8 26:25 30:13              30:14 32:6 33:4              36:2 39:11 41:9              41:24 42:21,24              43:7 44:12,21              45:5,9 46:23 52:1              52:11 53:23 55:16              56:24 67:22 74:22  <b>perpetrator's</b> 36:4              41:10 69:23  <b>perpetrators</b> 39:22              40:3,17,18 41:8              41:15 44:7 79:6  <b>Perrin</b> 135:22  <b>persist</b> 134:16  <b>person</b> 12:1,8              15:14 18:2,8 32:5              35:19 38:8,25              44:13 47:1,3 50:5              50:7,14 70:2              80:25 85:24 96:24              120:20 121:23              124:5 139:1,3              151:23  <b>person's</b> 15:22 35:7              35:14 44:2  <b>personal</b> 30:8,12              30:22 44:20 54:7              54:20 127:2,3              135:15 136:2  <b>personalised</b>              138:15,19,25              139:2  <b>personally</b> 117:20              133:25  <b>personnel</b> 139:17  <b>perspective</b> 46:12              89:5 131:22              132:14 133:2,10</p>	<p><b>persuasion</b> 109:2  <b>Peter</b> 55:17 56:4  <b>phase</b> 82:7  <b>Phil</b> 104:16  <b>phrase</b> 102:4,5  <b>physical</b> 56:1 81:14  <b>physically</b> 26:2  <b>pick</b> 12:21 16:21              17:3 34:2 37:5              64:11  <b>picked</b> 13:21  <b>picking</b> 44:8              101:10 106:8  <b>picks</b> 65:23  <b>piece</b> 63:4  <b>pieces</b> 71:19 78:19              147:17  <b>place</b> 4:8 10:20,25              11:20,21,24 62:15              68:10,15 99:14              104:5 112:5              120:21 121:13,14              121:16 127:9              132:2 145:13              152:4  <b>placed</b> 39:1  <b>places</b> 11:20 12:20              12:22 13:2 134:19  <b>plain</b> 66:18  <b>plan</b> 24:17 25:2,5,7              45:16,17 56:23              57:10,11 58:6              68:10 100:4              121:13,15  <b>planned</b> 130:23,25  <b>planning</b> 22:11,16              23:10 32:20 45:4              45:7 68:14  <b>plans</b> 145:5,7  <b>play</b> 68:1  <b>played</b> 99:20 123:9  <b>plays</b> 120:24  <b>please</b> 1:11,15 5:25              7:10 14:7 16:6,10              22:14 23:9 27:2</p>	<p>32:21,24 33:5,13              34:2,9 36:21,23              39:12,12,19,25              42:6 48:12 52:14              55:14,15 59:22              61:10 64:9 66:10              68:20 74:25 75:10              80:8 82:10 83:8              87:22 91:3,9,21              92:4,5 95:20              98:21 103:2,5              109:5 110:6 112:6              115:24 119:23              121:6 122:21              124:11 126:24              128:25 131:21              137:20 139:24              141:15 142:22              145:10,25 147:20              152:25  <b>pluck</b> 83:20  <b>plus</b> 97:8  <b>Plymouth</b> 52:21  <b>pm</b> 98:10,11,13,15              137:16,17,19              153:4  <b>point</b> 8:1 11:8 12:3              17:10 32:1 41:20              50:18 54:5 64:6              66:23 72:15 76:16              96:20 103:10              105:18 106:2,9,19              108:4 121:11              127:15 152:1  <b>pointed</b> 132:10  <b>points</b> 42:1 108:14              108:19 143:10  <b>police</b> 11:16,21              12:24 13:4,10              15:6,11,17,20              16:5,21,22 17:2,3              17:4,5 36:25 37:4              38:5 42:7,19,23              43:1 44:3 48:17              48:25 49:8,12,13</p>	<p>49:16,17 50:22,23              53:6,8,24 55:20              59:8 60:11,14              61:18 65:8,22              66:1,10,14,18              67:17 68:15 69:12              69:21,24 70:6              77:18 79:24  <b>policies</b> 3:2 5:13              6:8,23 8:21 12:9              13:6 14:23 23:1              36:12 71:11              116:13,13 117:2,9              117:16 123:9              124:1 132:4,9,18              140:24 141:2  <b>policy</b> 4:8,16,16,19              6:5,16,17 7:4,6,13              7:25 8:2 9:10,11              9:22,25 10:14              12:17 13:9 16:9              16:13 23:4 33:1              35:6 39:14 46:24              48:23 75:13 78:5              78:7,8,11 99:3,3              135:20 136:15,19  <b>Polish</b> 55:23 59:1              62:16  <b>poll</b> 147:11  <b>pool</b> 36:13  <b>populate</b> 102:19  <b>population</b> 149:24  <b>populations</b> 149:4  <b>pose</b> 22:24  <b>posed</b> 22:19  <b>poses</b> 123:1  <b>position</b> 11:23              18:14 35:24 36:4              44:17 65:18              103:16 109:17              118:3 136:4  <b>positive</b> 38:1,2  <b>possibility</b> 42:19              62:20 146:22  <b>possible</b> 4:11,12</p>
--	--	--	--	---

6:2 17:1,6 21:24 52:16 143:1,21 145:19 <b>possibly</b> 38:11 40:6 40:19 69:21 70:7 <b>post</b> 13:25 57:15 59:15 68:15 122:12 <b>postgraduate</b> 85:12 <b>potential</b> 68:23 70:20,21,23 71:15 80:10 87:17 <b>potentially</b> 24:11 68:19 <b>power</b> 88:6 140:17 <b>powers</b> 114:10 116:10,17 <b>practical</b> 90:2 132:14 144:24 <b>practice</b> 11:25 19:10,24 23:11 34:8,11,13 47:7 58:20 62:9 69:14 71:4 75:17,20 99:3 106:21 117:9 129:6 142:5 <b>practices</b> 34:19 <b>practitioner</b> 1:25 9:23 10:18 <b>practitioners</b> 9:25 23:24 <b>pre</b> 98:22 <b>precise</b> 44:5 <b>predecessor</b> 99:21 <b>prefer</b> 135:16 142:8 <b>preference</b> 108:7 <b>preferred</b> 107:22 <b>prejudice</b> 80:11,15 80:18,20 81:11 <b>preliminary</b> 26:10 <b>preparation</b> 111:9 <b>prepared</b> 1:20 77:6 109:12 <b>preparing</b> 2:16	146:6 <b>present</b> 29:13 45:10 89:23 92:21 93:13 111:21 <b>presented</b> 111:1,17 <b>president</b> 87:9,11 110:13 125:9 131:3 <b>presumably</b> 56:15 98:11 100:14 124:9 127:23 136:9 <b>presumption</b> 49:20 <b>prevalent</b> 81:2 <b>previous</b> 55:18 60:2 65:2,7,12 72:12,24 73:4 125:19 <b>priest</b> 37:1,3,7 42:8 42:9,10,12 51:10 53:1,3,4,9,15 56:4 56:12,18 57:3,8 58:2,9 59:15 60:3 60:6,13,17 64:14 65:3,21 66:2,5,7 66:21,24 67:2,14 67:24 68:1,2,5 69:9,11,16,17 70:5 79:17 84:9 84:11 86:19 96:25 151:3,7 <b>priest's</b> 37:21 59:20 62:18 65:12 <b>priesthood</b> 84:15 <b>priests</b> 39:22 41:18 41:25 42:2 <b>priests/nuns</b> 41:16 <b>primarily</b> 3:2 62:24 <b>principle</b> 33:10 107:13 <b>principles</b> 139:19 140:23 <b>prior</b> 98:23 99:4 112:11 <b>priority</b> 40:8	<b>prison</b> 64:19,24 <b>proactively</b> 51:17 <b>probably</b> 19:17,23 40:2 46:5 69:21 88:12 117:21 130:6 136:2 142:16 151:21 <b>problem</b> 9:21,23 10:10,12,15 11:10 30:22 36:9 44:14 44:16 149:22 <b>problems</b> 149:12 150:2,4 <b>procedural</b> 10:8,16 <b>procedure</b> 7:9 11:8 11:11 23:20 39:13 54:14 65:11 75:15 78:12,23 <b>procedures</b> 2:23 4:14 6:8,9 8:21 9:6 11:4 13:11 14:6,19 16:3 23:14 26:14 28:6 34:18 36:12 61:12 61:24 75:13 80:2 117:10 144:12 <b>proceed</b> 66:19 <b>proceedings</b> 68:16 <b>process</b> 23:13 93:22 109:10,23 112:17 118:13 119:20 120:13,24 128:12 130:18 132:9 137:24 143:5 148:21 149:8 <b>processes</b> 8:19 85:18 109:25 <b>produce</b> 95:17 140:4 <b>produced</b> 94:12 139:19,25 140:6,8 140:9,14 142:20 <b>professional</b> 5:8 33:17 36:18 40:5	70:12 72:2,5 139:5 <b>professionalism</b> 121:18 <b>professionals</b> 71:4 71:7 101:14 <b>proficiency</b> 59:16 <b>programmes</b> 89:2 <b>progress</b> 47:4 55:5 <b>progressed</b> 38:20 <b>project</b> 25:14 <b>projects</b> 85:6 <b>promote</b> 122:1 <b>promoting</b> 85:18 89:2 91:10 <b>prompt</b> 18:7 <b>prompted</b> 61:7 <b>promptly</b> 144:15 <b>prompts</b> 19:3,10 <b>proper</b> 91:18 <b>proportionally</b> 149:25 <b>proposal</b> 101:1,23 105:11 106:4,5,6 107:13,20,25 <b>proposals</b> 102:12 103:9 106:2 107:11 113:1 130:20 <b>proposed</b> 1:7 101:11 <b>proposing</b> 116:18 <b>prosecuted</b> 26:8 70:2 <b>prosecution</b> 69:10 <b>protect</b> 140:16 <b>protection</b> 9:5 30:10 31:2,8 32:12,17 33:14 98:19 99:1 100:16 115:20 116:12 117:16 120:4 145:2 <b>protective</b> 105:10 <b>provide</b> 9:17 11:4	18:25 31:6,12 44:10 47:9 91:18 92:8 113:9 146:15 <b>provided</b> 4:4 12:4 29:9 39:21,23 40:6 41:25 43:10 49:20 61:4 75:7 81:1 120:2 146:19 147:3 <b>provides</b> 16:13 33:6 62:23 127:16 <b>providing</b> 43:20 128:24 129:7,12 <b>province</b> 51:24 <b>Provincial</b> 43:3 <b>provision</b> 43:1 45:10 54:15 110:17 <b>PS4</b> 94:12 <b>PS5</b> 95:17 <b>psychology</b> 85:12 <b>public</b> 1:4 10:18 <b>publication</b> 141:18 <b>publicly</b> 5:23 <b>published</b> 5:20 99:24 <b>publishing</b> 95:21 <b>pulled</b> 142:18 <b>pupil</b> 42:17 <b>purpose</b> 78:9,23 88:14 89:7 91:7 92:3 <b>purposefully</b> 20:18 <b>purposes</b> 93:8 94:15 <b>put</b> 6:22 16:9 22:15 33:17 36:10 39:4 39:5 68:10 79:25 81:8 83:4 89:3 94:14 95:19 96:6 99:14 102:23 103:2 110:5 113:22 115:10 129:22 140:22 145:10
---	---	--	--	--



<b>putting</b> 14:13 79:18	<b>re-election</b> 87:14	64:1 73:12	53:20 61:21	42:8 51:13 52:23
<hr/> <b>Q</b> <hr/>	<b>reacted</b> 103:9	<b>recommendation</b>	<b>referred</b> 5:3 17:23	54:12 59:13 61:9
<b>qualified</b> 2:20	<b>read</b> 13:17 29:3	25:11 27:5,7,25	35:9 65:10 114:5	62:18 64:8 72:15
<b>quality</b> 67:7	31:21 33:2 79:13	28:17 116:21,22	<b>referring</b> 5:16 8:4	73:22 74:25 78:6
<b>quarter</b> 104:12	90:4,17 115:17	123:17 128:5	20:21 26:4 133:11	98:18 134:11
137:14	<b>reader</b> 19:9	140:3 141:22	<b>reflect</b> 62:21	147:18
<b>quarterly</b> 113:17	<b>reading</b> 1:7,9 40:15	<b>recommendations</b>	105:21	<b>relationship</b> 67:13
<b>queried</b> 66:17	<b>reads</b> 105:10	26:21,23 27:16	<b>reflected</b> 19:23	91:16
<b>queries</b> 4:3,5	<b>real</b> 5:12 16:23	99:9 100:6 122:14	<b>reflecting</b> 114:24	<b>relatively</b> 102:7
<b>query</b> 81:25	44:5 126:4	123:21 124:6	<b>reflection</b> 90:12	<b>relatives</b> 46:1
<b>question</b> 12:19,21	<b>realisation</b> 108:1	128:14 131:6,12	<b>reflections</b> 128:10	<b>relevant</b> 2:24 4:13
12:23 61:25 77:7	<b>realise</b> 69:20 97:24	131:19,20 140:1	128:19,20	8:8 10:23 78:5
80:7 81:4 115:3	<b>realised</b> 36:9	150:13	<b>reflects</b> 23:12	118:9
117:13 120:2	<b>reality</b> 104:13	<b>recommended</b> 27:5	<b>refresh</b> 37:14	<b>relied</b> 112:10
122:25 123:3	138:6,7 150:9	60:23 117:4,11	<b>refusal</b> 51:6	<b>religions</b> 33:23
150:12	<b>really</b> 8:9 19:4	<b>reconciled</b> 98:1	<b>regarded</b> 56:18	<b>religious</b> 16:12
<b>questioning</b> 19:8	20:10 34:14 37:19	<b>reconciliation</b>	<b>regardless</b> 63:22	19:17 20:23 21:3
<b>questions</b> 13:21,24	39:18 40:7 44:4,5	32:25 143:6	<b>regional</b> 100:2,5,13	21:4 39:15,17
18:1,7 30:16 80:3	72:3 77:24 79:23	<b>reconfigured</b>	100:18 101:19,25	41:14 75:20 76:24
80:6 94:21 95:3,5	80:1,7 81:12,25	105:20	103:11,17 104:1,3	84:1 86:4,7 87:23
95:5 152:17,19	99:4 114:24	<b>record</b> 16:20 20:7	104:9 105:14	87:24,25 88:16,18
153:15	129:15 150:23	21:11,19 76:9,9	108:15 120:17	88:20 89:1,9,21
<b>quick</b> 14:3	<b>reappoint</b> 127:6	76:20	130:15	89:22 90:11,23
<b>quite</b> 13:21 20:18	<b>reason</b> 27:24 28:16	<b>recorded</b> 20:17,18	<b>Registered</b> 88:10	91:11,24 94:22
20:24 27:10 44:20	34:21 51:5 63:10	22:3 61:22	<b>regret</b> 108:15	95:11,12 96:3
54:6 73:4 90:11	70:7 83:14 148:20	<b>recording</b> 21:1,5	<b>regular</b> 45:14 47:4	98:20,23 99:7,8
90:12 96:10 133:1	<b>reasoned</b> 27:22	21:17,21 67:6	55:6	99:10,13,18
<hr/> <b>R</b> <hr/>	<b>reasons</b> 48:9,14	<b>records</b> 15:22	<b>regularly</b> 76:6	100:14 101:16
<b>raced</b> 137:11	49:19 50:10 63:17	16:17 20:8,8,11	<b>regulate</b> 90:7	102:12,20 103:8
<b>raise</b> 129:5	63:19 93:17	20:22 21:8 40:15	<b>regulatory</b> 116:3	103:11,14,19,23
<b>raised</b> 134:10	120:13	40:22 51:15 75:18	<b>rejected</b> 26:20 27:7	105:10,13,15,16
<b>raises</b> 50:18	<b>recall</b> 74:18 80:16	75:23 100:21	28:17	105:20,24 106:11
<b>random</b> 3:6,9	80:17	<b>redaction</b> 30:22	<b>rejecting</b> 109:24	108:16 110:14,18
<b>range</b> 41:25 103:12	<b>receive</b> 70:15	<b>refer</b> 5:9 25:9	<b>relate</b> 124:22 141:1	113:2,12 114:25
104:15	111:11 130:17	79:23 80:9	<b>related</b> 73:25 97:1	115:4,18 116:3,10
<b>rarely</b> 40:24 41:1,2	<b>received</b> 80:12 95:1	<b>reference</b> 11:3	<b>relates</b> 6:11	116:19 119:13,18
<b>rati</b>	95:6 125:25 152:6	12:12 20:15 25:16	<b>relating</b> 55:15	120:5 123:1,2,10
<b>ified</b> 124:25	<b>receives</b> 17:15	32:24 48:19 51:18	64:13 121:2	124:24 126:22
<b>rati</b>	<b>receiving</b> 47:3 55:5	57:6 75:3,23 81:6	127:17	127:25 128:24
<b>fy/approve</b>	120:25	100:20,21 110:21	<b>relation</b> 1:19 12:23	129:8,21,23,23
125:2	<b>recognised</b> 73:8	111:5 114:8,12,17	17:12,22 19:11	131:14 132:21
<b>rationale</b> 22:1	80:22 114:9 142:4	114:18,19 116:8	22:4,16 23:10	135:16 136:15
34:15 76:21	<b>recognising</b> 38:9,12	<b>references</b> 57:2	24:5 30:6 31:2	137:6,23 138:2,6
<b>re-abuse</b> 31:13	<b>recognitio</b> 132:16	<b>referral</b> 17:18 34:4	32:7,23 35:18	138:9 139:11,13
32:9	<b>recognition</b> 38:7	34:24 35:3 36:10	39:10,18 41:6	139:20 140:16,23

<p>141:1,7,21,23,24 142:11,12 144:14 144:25 147:4,19 147:22,24 148:10 149:15 150:1,5,6 150:6 <b>relocated</b> 118:21 <b>reluctance</b> 62:22 <b>rely</b> 107:14 <b>remain</b> 105:15 120:7 131:7 <b>remaining</b> 48:1 103:21 <b>remember</b> 1:17 7:21 15:10 20:14 74:1 81:3,13,16 81:17 95:24 128:20 151:18 <b>remind</b> 119:25 146:9 152:25 <b>removed</b> 148:20 <b>render</b> 135:19 <b>reorder</b> 78:14 <b>reorganised</b> 121:17 <b>rep</b> 56:25 57:15 58:10,10 <b>repeat</b> 115:3 117:13 122:24 <b>repentance</b> 143:7 <b>replaced</b> 104:10 112:3 <b>replacing</b> 141:2 <b>reply</b> 29:22 <b>report</b> 1:21 2:16 3:14 5:2,12,16,20 5:22,24 6:1 7:11 11:19 12:4 13:7 13:10,22 16:7 22:8,13 23:9 24:14 26:10 27:16 27:18,19,21 29:4 29:10,16,18,18,22 29:24 30:7 31:12 31:25 33:18 34:3 34:7 39:9 41:22</p>	<p>44:2 46:19 63:1 77:5 80:9 98:25 99:10 111:5 112:12 118:6 129:6 141:19,24 150:16,17 <b>reported</b> 15:6,11 16:4,5 53:5 70:6 99:25 135:7 <b>reporting</b> 11:11,15 11:16,16 12:7 13:18 16:11 36:25 59:8 117:17 <b>reports</b> 11:6 40:25 76:5 134:3 <b>represent</b> 5:7 88:20 99:13 <b>representation</b> 68:3 91:19 <b>representative</b> 13:14 43:22,23 56:7 57:4 59:6,23 60:7 126:21 <b>representative's</b> 50:6 <b>representatives</b> 99:10 100:24 104:20 <b>reps</b> 130:2,14 <b>reputation</b> 133:23 <b>request</b> 3:8 119:6 130:14 135:19 <b>require</b> 145:6 <b>required</b> 23:13 53:20 59:16 <b>requirements</b> 1:8 13:18 30:17 31:7 32:10,12 108:11 148:23 <b>requires</b> 17:22 143:6 <b>requisite</b> 72:10 <b>research</b> 38:23 52:10 148:9 <b>reside</b> 123:2,12</p>	<p><b>residential</b> 94:6 148:25 <b>resource</b> 54:25 <b>resourced</b> 105:19 <b>resources</b> 101:8 146:1,2,2,5,10,22 <b>respect</b> 15:16 47:4 55:6 64:4 65:15 65:21 117:5 135:1 <b>respecting</b> 91:12 <b>respective</b> 3:13,19 4:2 79:1 107:17 <b>respond</b> 6:10 15:4 92:16 144:15 150:8 <b>responded</b> 131:12 131:19 <b>respondent</b> 108:6 <b>respondents</b> 106:7 107:10,20 <b>responding</b> 144:13 <b>response</b> 40:4,6 106:4,14,17 <b>responses</b> 31:18 34:22 37:12 52:7 106:1,2,16 <b>responsibilities</b> 68:25 <b>responsibility</b> 11:23 61:25 123:4 123:12,14,25 124:2 <b>responsible</b> 39:16 46:25 85:25 129:9 <b>rest</b> 66:8,12 <b>restitution</b> 143:7 <b>restructuring</b> 103:10 121:8,10 121:12 <b>result</b> 100:6 111:25 139:25 <b>resume</b> 98:11 <b>resuming</b> 84:22 <b>retire</b> 104:9 <b>retired</b> 37:8</p>	<p><b>retreat</b> 85:10 <b>return</b> 46:13 57:22 91:3 105:24 <b>returned</b> 57:17,18 <b>returning</b> 84:22 85:8 86:16 137:16 <b>reveal</b> 63:24 <b>reverend</b> 68:22 <b>review</b> 2:23 3:2,17 4:7 5:13 24:4 78:15 102:18 114:8,14 122:16 127:8 150:11,14 <b>reviewed</b> 1:21 3:4 3:10 17:1 19:15 44:15 74:5 75:7 78:25 79:10 102:11 114:12 <b>reviewing</b> 79:2 <b>reviews</b> 2:9 132:1 <b>revised</b> 114:17,19 <b>revising</b> 125:7 <b>revisions</b> 125:5 <b>revisited</b> 121:17 <b>revoke</b> 115:21 <b>right</b> 1:20 2:22 3:14 4:11,21 10:14 12:14 22:1 22:25 23:2,3 25:24 26:8,23 28:7 29:10,19,22 30:5 35:16 37:6 55:25 57:19 58:11 58:16 64:21 65:14 66:6 68:6,10,14 75:6 76:3 84:14 87:2 88:8 95:10 95:20 98:3 113:21 120:15 122:4 139:2 145:11 152:10 <b>ring</b> 29:6 <b>rise</b> 98:11 <b>risk</b> 15:13 18:4 22:19,23 23:1,2,4</p>	<p>23:7,19 24:4,7,11 24:17,23,25 25:4 26:24 27:3 28:4,6 28:12 45:11,18 67:2 68:9,12,14 77:22 78:2 122:22 123:1 137:2 <b>risks</b> 38:24 <b>role</b> 10:4 40:19 41:16,19 44:6 50:6 51:7 57:3 67:20 68:2,24 71:1,8 76:1 77:24 98:18,23 104:11 116:25 129:16 145:17 <b>roles</b> 72:6,8 145:17 <b>Roman</b> 2:24 33:22 47:9 84:1 89:4 <b>Rome</b> 86:12 126:9 126:13 150:15 <b>room</b> 132:6 <b>rule</b> 111:13 <b>run</b> 18:25 <b>running</b> 64:6</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>sacked</b> 59:10 <b>sacrament</b> 32:25 <b>sacramental</b> 33:8 <b>safe</b> 80:10 <b>safeguarding</b> 1:21 2:5,8 3:9,18,19,23 8:24 9:1 13:14,15 14:8,22 17:16,19 17:24 18:7,21 19:1,4,14 20:22 21:1,9 22:11,16 23:10 24:17 25:2 25:5,6,22 26:18 26:20 27:13 29:13 32:20 34:19 35:23 37:22 38:20 40:5 43:5,16,19 44:6,8 44:13,17,22 45:4</p>
---	--	--	---	--

<p>45:7,16,17 46:25 47:10,12 50:6,11 50:14 51:7,24 52:2,19 53:4,8,14 53:19,22 54:21 56:6,11,20,22,23 56:25 57:4,9,10 57:11,15 58:3,5,5 58:9,10,23 59:6 59:13,17,23 60:6 60:11,12,20,24 61:6,12,19,22 62:1,4,8,15,19 63:6,22,24 64:13 64:22 65:6,15,18 65:25 66:11,15 67:1 68:1,9,18,21 68:24 69:19 70:9 70:11,15,17 71:4 71:7,11,24,25 72:6,8 75:3,12,19 75:23,24,25 76:4 76:15,17,18,19 77:23 94:22 98:19 98:24 100:2,11,13 100:16,18 102:2 102:13,19 103:6 103:11,14,23 104:1 105:12,22 106:12 107:24 108:25 109:16,24 110:17,18 112:17 112:19 113:3,8 114:3 115:21 116:13 117:5,16 118:25 119:7 120:4,20 122:7,17 123:1,22 128:25 129:5,11 130:2,3 130:14 134:12 135:25 137:22,25 138:1,12,15 139:5 139:10,14 144:7,8 144:12,25 145:2 146:1,13,19</p>	<p>147:20 149:21 <b>Salesians</b> 42:4 <b>Salford</b> 36:23 52:21 <b>Salle</b> 3:14 24:4 47:17 <b>sanction</b> 118:1 145:21 <b>saw</b> 7:15 38:12 55:7 110:20 <b>saying</b> 15:5 31:15 32:4 46:5 63:2 119:19 <b>says</b> 4:16,19 45:3 46:25 48:23 71:11 92:20 136:17 <b>scale</b> 9:2 <b>school</b> 42:17 45:22 45:24 56:19 65:11 80:17 <b>SCO</b> 12:3,5,7 <b>screen</b> 6:4 14:5 16:10 22:14 28:24 29:20 32:21 36:21 39:12 41:6 45:3 46:22 50:13 51:21 55:14 64:9 75:10 83:5 94:14 95:19 103:2 110:6 139:24 141:17 145:10 <b>scrolls</b> 7:3 <b>second</b> 50:12 60:6 66:14 92:3 105:1 105:18 107:6 149:14 <b>seconded</b> 92:13 <b>Secondly</b> 15:19 143:2 <b>secretariat</b> 92:17 121:9 122:7,19 <b>secretary</b> 92:13 121:25 125:19 128:3 <b>section</b> 10:24 16:7</p>	<p>16:9,13 22:10,11 34:10 39:9,13 42:14,22 46:20,23 46:23 47:7 62:25 <b>sections</b> 5:12 144:10 <b>sectors</b> 2:3 <b>see</b> 6:21 7:2,4,25 8:13 10:19 13:21 17:21 18:9 19:3,9 22:17 24:2 25:19 30:7,23 31:25 32:6 36:23 40:2,9 40:21 42:3 55:4 59:4 65:8 66:15 76:2 77:2,23 78:11 90:20 102:24 103:10 107:7,9 110:8,15 117:18 124:13,21 125:10 134:1,11 136:16 140:25 142:3 150:13,24 <b>seeing</b> 30:12,14 <b>seek</b> 91:17 <b>seeking</b> 70:1 87:14 <b>seeks</b> 69:22,22 88:2 88:5 <b>seen</b> 36:3 73:14,20 104:5 105:2,5 138:5 <b>selected</b> 3:6,8 <b>selection</b> 101:13 <b>selective</b> 5:23 83:17 <b>seminar</b> 130:6,10 <b>seminars</b> 129:12,17 129:18,19 130:8 130:12,13 <b>seminary</b> 84:16 <b>send</b> 29:15 <b>senior</b> 2:2 66:13 73:16 <b>sense</b> 14:23 20:18 41:2 51:17 69:8 71:20 73:2,4 77:3</p>	<p>102:6 111:16 132:8 <b>sensitive</b> 52:16 <b>sensitivity</b> 63:16 144:16 <b>sent</b> 64:19,23 67:16 92:15 95:3 128:10 128:23 <b>sentence</b> 90:3,4 <b>sentenced</b> 58:14 <b>separate</b> 9:12 96:3 105:14 107:13 108:13,19 <b>September</b> 121:14 150:16 <b>series</b> 143:9 <b>serious</b> 2:9 143:10 143:15,17 144:22 <b>seriously</b> 144:15,18 <b>serve</b> 87:4 <b>serves</b> 152:9 <b>service</b> 47:10 62:24 79:5,21,22 114:23 135:5 147:4 <b>services</b> 11:17 61:12 <b>Serving</b> 86:8 <b>set</b> 7:2 10:5 29:20 39:13 41:10,22 42:1 46:24 47:8 48:9 52:19 59:20 108:5,13,18 130:16 132:3,9 149:12 150:11 <b>sets</b> 18:20 75:13 95:22 <b>setting</b> 139:15 <b>seven</b> 52:15 103:17 <b>severity</b> 144:2 <b>sexual</b> 2:13,25 6:11 18:9 42:9 55:19 56:1 72:20 73:3 73:20 74:9 81:15 120:11 133:6,24 140:17 151:14,17</p>	<p><b>sexuality</b> 73:18 <b>sexually</b> 26:2 57:21 58:7 64:17 <b>share</b> 94:20 99:2 <b>shared</b> 132:3 147:6 <b>she'd</b> 37:1 <b>shifting</b> 14:12 <b>shocked</b> 71:22 <b>short</b> 46:16 98:14 137:18 145:12 <b>show</b> 6:22 81:9 114:13 <b>showing</b> 16:17 <b>shown</b> 73:12 <b>shows</b> 92:18 148:10 <b>shut</b> 36:17 <b>shutting</b> 36:19 <b>side</b> 6:12 54:3 129:21 134:9 <b>sides</b> 30:12 106:21 <b>significant</b> 62:14 75:20 93:22 109:7 109:8 <b>similar</b> 88:3 126:10 <b>simple</b> 13:21 <b>simply</b> 83:19 101:10 <b>Simpson</b> 64:14 65:20 <b>Sister</b> 126:19,20 <b>sisters</b> 94:5 <b>sit</b> 127:23 <b>sitting</b> 153:1 <b>situation</b> 23:17 96:13 102:11 106:24 117:24 136:3 138:16 152:2,11 <b>situations</b> 136:18 143:10,15 144:2 144:12 <b>six</b> 24:20 41:8 77:10 86:13 <b>size</b> 10:21 136:14 <b>skate</b> 99:5</p>
--	---	---	--	---

<p><b>skilled</b> 113:6  <b>skills</b> 72:11 85:14  121:18  <b>skip</b> 104:18  <b>slight</b> 1:6 90:20  <b>slightly</b> 34:2  <b>small</b> 88:4 94:5  121:22  <b>smaller</b> 101:7,7  148:2  <b>Smyth</b> 82:8,11,13  82:15 110:24  153:17  <b>Smythe</b> 82:16  <b>social</b> 1:25 2:20  49:24 72:13 152:2  <b>societal</b> 89:4  <b>societies</b> 91:11  124:20 126:17  <b>society</b> 21:7 51:18  80:22 81:24 89:3  <b>solicitor</b> 42:25 43:1  44:2 68:4 69:13  69:15,23 70:1  135:22  <b>solution</b> 32:17  150:7  <b>somebody</b> 9:4 15:5  23:17 54:9 77:25  105:25  <b>soon</b> 113:17  <b>sorry</b> 27:11 37:14  50:12 57:22 74:3  94:22 113:22  115:3 119:15  122:24  <b>sort</b> 13:16 21:16  27:15 39:4 46:6  63:14 73:12,18  78:13 79:2 114:22  137:5  <b>sorts</b> 8:10  <b>sought</b> 129:1 131:2  <b>sounds</b> 32:14  <b>sources</b> 93:21</p>	<p><b>South</b> 103:22  <b>south-east</b> 9:7  <b>Southwark</b> 118:21  118:22 119:7  <b>space</b> 127:16  <b>speak</b> 54:8 70:9,14  70:22 89:2 136:9  136:11 151:24  <b>speaking</b> 16:20  38:18 63:4 89:24  101:18 115:12  <b>specific</b> 11:5,11  98:18 120:3  <b>specifically</b> 74:18  142:9  <b>specified</b> 21:16,18  <b>speed</b> 139:7  <b>spell</b> 91:8 148:16  <b>spent</b> 9:5 121:8  <b>split</b> 7:15  <b>splitting</b> 10:15  <b>spoke</b> 59:17,25  <b>spoken</b> 31:17 54:8  <b>spreadsheet</b> 94:12  94:18,19,25 95:9  <b>sprinkled</b> 9:11  <b>St</b> 85:9 146:24  <b>staff</b> 3:23 63:21  <b>stage</b> 57:12 125:13  <b>stages</b> 68:7  <b>stance</b> 71:9 135:17  136:11  <b>stand</b> 74:20 124:18  <b>stand-alone</b> 14:17  <b>standard</b> 145:19  <b>standards</b> 21:21  63:12,14 139:20  <b>Standing</b> 74:5  <b>stands</b> 78:9,24  107:18  <b>stark</b> 39:22 40:14  79:6  <b>start</b> 6:2 8:9 17:14  17:16 39:13 45:18  92:4</p>	<p><b>starting</b> 17:17  <b>starts</b> 7:4 46:20  <b>statement</b> 7:4,25  8:2 12:4,6 60:25  63:24 70:16 75:7  80:12 81:1,22  83:8,18 88:13,23  88:24 89:9,15,17  90:9 91:3 92:4,9  92:25 93:17 98:17  109:5 112:4,6  113:22 116:6,9  119:23,24 121:7  122:6 126:3 127:1  132:25 133:9  134:22 135:8  137:21 138:3,5  145:25 146:6  147:16  <b>statements</b> 3:22 4:4  61:3 75:4,4 79:1  82:18 83:1,3,11  83:16 111:1 116:1  131:8  <b>states</b> 11:8 84:22  86:17 141:24  <b>statistics</b> 92:8,10  109:18 148:9  <b>status</b> 118:23  <b>statute</b> 91:5  <b>statutes</b> 91:10  124:23  <b>statutory</b> 2:2 34:4  39:6 54:22 77:17  79:24 100:25  144:6  <b>stay</b> 101:21,22  <b>Staying</b> 28:22  <b>step</b> 108:10 117:12  117:14,21  <b>steps</b> 32:9,10 37:7  143:23  <b>stops</b> 43:24,25  <b>stored</b> 44:12  <b>straightforward</b></p>	<p>20:24  <b>strands</b> 41:4  <b>strange</b> 63:5  <b>strategic</b> 121:13,15  121:19  <b>strategies</b> 85:15  <b>strategy</b> 28:10 39:1  <b>strengthen</b> 132:17  <b>strictly</b> 144:9  <b>strictures</b> 151:24  <b>strike</b> 38:1 79:10  <b>strikes</b> 79:12  <b>strip</b> 78:10  <b>stripping</b> 78:15  <b>strong</b> 44:20 94:8  116:22  <b>strongly</b> 10:6  117:11  <b>struck</b> 79:2,23  <b>structure</b> 7:12 88:4  105:12 108:11  115:7 121:16  132:3 152:4  <b>structures</b> 10:12  106:12 112:5  120:21 123:7  <b>students</b> 147:8  <b>studies</b> 84:15,23  <b>stuff</b> 15:8  <b>subject</b> 18:11  <b>submitted</b> 3:12  97:11 131:9  <b>subsequent</b> 7:1  17:4  <b>subsequently</b> 25:1  <b>substance</b> 126:2  <b>suffered</b> 38:8  <b>suffering</b> 150:1  <b>sufficient</b> 77:20,20  <b>suggest</b> 11:21 16:16  <b>suggested</b> 43:2  48:14 96:7 104:1  104:15 107:16  <b>suggesting</b> 43:7  70:19 71:17</p>	<p><b>suggests</b> 35:6 74:16  <b>suitability</b> 35:7  <b>summarise</b> 25:19  59:21 81:10  <b>summary</b> 25:25  76:25 99:6  <b>sums</b> 96:6  <b>Superior</b> 85:20,23  86:3,5,25 123:16  <b>superiors</b> 87:25  97:15 123:13  126:10  <b>supply</b> 37:9,21  <b>support</b> 5:4 37:23  38:4,17 39:11,16  39:18,21 40:3,10  41:7,17,23,25  42:2,14,19,21,24  43:7,10,13,16  44:10,11,12 45:21  46:11,20,22 47:2  47:18,21,23 48:2  48:10,15,20 49:6  49:11,13,19,21,23  50:1,3,9,10 51:1,5  51:15 52:16 53:23  54:10,12,15,25  59:2,5,10,12 66:3  67:9,11,18,20,22  67:24,25 76:11  79:7,16,19 88:2,5  90:15 92:17  128:24 130:17  140:15 143:25  <b>support'</b> 43:4  <b>supported</b> 66:12  129:11  <b>supporter</b> 43:2  <b>supporting</b> 54:23  79:6,8 88:17,25  91:16  <b>supportive</b> 47:10  68:2 79:21 129:15  <b>suppose</b> 84:6  139:15</p>
--	---	---	---	---

<p><b>sure</b> 55:7 90:13 95:23 113:15 121:18 122:19 144:16 <b>survivor</b> 18:16 31:22 51:3 133:24 <b>survivors</b> 31:17 79:9 <b>suspect</b> 6:20 34:16 <b>suspend</b> 65:21 66:11,20,24 67:2 68:8 <b>suspended</b> 66:2,5 <b>Swindon</b> 55:18 <b>sworn</b> 1:12 82:8 153:17 <b>systemic</b> 44:17</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>tab</b> 6:1 22:12 83:3 89:17 92:4 103:4 <b>table</b> 77:5 <b>take</b> 11:2 16:10 27:2 37:19 39:8 46:10 49:16 68:15 69:2 92:7 100:25 104:11 117:18 135:16 136:12,23 137:13 138:16 141:3,17 143:23 145:1,13 149:21 <b>taken</b> 17:19 32:9 53:24 62:17 66:25 68:8 76:6,7 96:17 107:7 118:9 120:22 130:15 144:17 <b>takes</b> 78:25 143:6 <b>talk</b> 31:19 49:12 127:7,10 130:8 134:4 147:7 <b>talked</b> 34:17 80:15 128:12,13 149:9 149:19 <b>talking</b> 40:16 44:19</p>	<p>59:7 69:8 73:13 76:19 98:4 112:11 119:12,16 134:17 150:14 <b>talks</b> 73:17 <b>tasks</b> 44:10 60:22 <b>taught</b> 42:12 <b>teacher</b> 26:3 <b>teachers</b> 81:21 <b>team</b> 50:11 86:10 93:19 95:1,16 96:4 <b>team's</b> 148:9 <b>technical</b> 83:10 <b>teeth</b> 117:25 118:1 <b>telephone</b> 20:15 21:15 55:8 <b>telephoned</b> 43:3 <b>tell</b> 4:24 28:19 60:14 67:3 82:10 91:7 95:19 98:20 100:8 110:25 127:15 129:8 146:3 147:20 150:25 151:1 152:14 <b>tells</b> 91:20 <b>ten</b> 3:6,8 106:16 111:24 <b>tend</b> 138:25 <b>tended</b> 17:3 21:13 21:14 38:23 <b>tendency</b> 134:11 <b>term</b> 87:8,11 129:2 <b>terms</b> 4:12 11:14 11:15 15:3,4 20:6 20:7,18 21:8 33:10 39:7 40:10 48:7 54:23 55:9 69:3 73:20 76:11 77:24 88:3 91:10 93:18 95:18 114:8 114:12,17,17,19 116:11,14 131:18 133:9,15 138:13</p>	<p>148:8 <b>territorial</b> 115:7 <b>territory</b> 86:1 89:23 <b>test</b> 35:11 <b>text</b> 57:3 142:24 <b>thank</b> 46:14,18 57:23 82:2,2,3 88:22,24 98:12 134:22 152:17,19 152:21,21,22,23 153:3 <b>Theology</b> 84:23 <b>therapist</b> 49:25 <b>they'd</b> 34:25 111:7 <b>thing</b> 20:12 34:19 63:16 79:2,4 80:24 83:6 88:15 88:19 90:5,8 140:21 <b>things</b> 7:15 31:16 34:16 36:6 44:3,3 49:23 50:9 69:10 69:12 71:24 81:21 83:20 88:18 102:8 105:5 117:2 119:16 126:25 131:18 132:6 146:9 147:9,21 149:15,17 <b>think</b> 1:19,24 2:16 3:4 5:12 7:8,22 8:18 10:8 11:14 13:2 14:11,17 15:2,12 16:3,8 18:24 19:2,4,4,12 19:23 21:6,13,19 25:24,25 27:22 28:24 29:13 30:17 31:11,16 32:16 34:14,18,21 35:6 36:7,7,7,12,14,17 36:18 37:22 40:17 41:20 42:11 43:12 43:14,21 44:3,11</p>	<p>44:14,16 45:13 46:5 48:19,24 49:2 54:9,11,19 58:19 59:14 61:5 64:1,1,6 65:1,6,9 65:22 67:5 68:16 68:20 72:13 74:1 74:1,8,12,13,20 75:16 76:14 78:8 78:10 79:14 80:19 81:5,14 82:12 83:2 84:10 85:5 86:5,8,16 88:13 90:9,9 92:20 93:23 94:2,4 97:6 100:8,20,20 101:6 101:20 102:4,6 104:7 109:9 111:4 112:7,23 114:7 115:16,24,25 116:12,24 117:20 118:15,16 122:4,6 125:14 128:13 129:2,13 131:5,17 131:22,25 132:4 132:13,14 133:4,7 133:8,10,11,16,18 133:21 134:15 135:8 136:19 137:4 138:11 139:21 140:3,7,12 140:19,21 142:18 147:21 148:8,16 148:17 149:6,15 149:17,18 150:8 <b>thinking</b> 32:15 36:16,18,18 46:6 50:8 63:12,21 73:16 79:16,19 93:18 131:1 <b>third</b> 34:21 106:9 107:19 137:20 <b>thought</b> 27:18,20 30:11 31:10 36:25 43:15 51:9,12</p>	<p>55:25 56:3 77:11 80:23 133:3 <b>thoughts</b> 131:21 150:3 <b>three</b> 5:12 58:14 77:10,11 92:24 94:5 96:19 111:11 128:2 <b>three-year</b> 87:8,11 <b>threshold</b> 35:1,4 77:16 <b>tie</b> 50:22 <b>tied</b> 119:6 148:3 <b>time</b> 3:13 4:8,13 5:20 17:18 23:21 24:18 27:14 37:3 38:12 41:7 51:2,2 58:9 64:6 73:25 80:16,16,17,18 83:4,4,17 86:17 87:4 92:8,22 93:16 96:7,12 98:10 100:2,12 101:1,24 102:9 103:1 104:12,23 105:7,8 108:4 109:3 111:10,24 111:24 112:11,25 113:4,15 120:21 121:8 126:14 127:19 131:15 133:4,21 136:1 141:11 143:6 145:14 150:25 151:1 152:3,9 <b>timely</b> 52:7 <b>times</b> 5:16 35:17 78:5 81:23,24 133:11 <b>timetable</b> 1:6 <b>timing</b> 49:15 <b>title</b> 99:21 <b>today</b> 1:6 89:1 138:2 142:18 149:16</p>
---	---	--	--	--

<p><b>told</b> 4:24 8:20 10:8 34:5 53:13,16 55:20 57:8 60:13 61:2,19 72:22 77:10 111:18 115:15 151:16,24 <b>tomorrow</b> 153:1,1 <b>top</b> 6:9,17 18:1,4 28:25 42:15 46:24 105:9 106:17 110:9 141:17 <b>topic</b> 34:2 78:4 124:11 137:13 146:5 <b>topics</b> 74:25 127:18 137:10 <b>total</b> 3:10 105:21 <b>totally</b> 70:1 76:12 <b>touch</b> 104:8 125:20 138:3 <b>touched</b> 34:4 55:22 56:10 94:21 <b>tower</b> 148:5 <b>trail</b> 55:10 <b>training</b> 64:3 72:11 72:12 110:18 129:7,10 130:10 130:20 138:13,14 138:19 139:11 146:1,15,17,18 147:2,6 <b>treatment</b> 80:14 <b>tremendous</b> 8:25 <b>trial</b> 66:19 <b>tried</b> 4:18 7:16 35:1 57:5 146:6 <b>true</b> 5:7 145:4 <b>truth</b> 100:8 <b>try</b> 5:11 23:7 56:23 57:11 58:17 79:14 100:4 101:23 152:13 <b>trying</b> 9:24 10:3,19 23:13,14,16 35:4 37:14 59:4 62:25</p>	<p>78:16 102:19 111:16 141:2 152:10 <b>Tuesday</b> 1:1 103:7 <b>turn</b> 5:15,25 19:11 21:7 22:7 39:9 46:10,19 77:5 98:16 126:6,24 <b>Turning</b> 47:7 <b>turns</b> 52:14 67:9 75:15 <b>two</b> 3:9,11,18 11:19 19:3 24:25 34:16 37:25 41:22 43:12 50:10 51:14 53:13 55:12,17 58:22 90:4,4 95:22 96:6 103:20,23 105:15 111:11 119:25 121:22 138:23 147:17 148:11 <b>two-fold</b> 88:13 89:7 <b>two-line</b> 104:18 <b>two-option</b> 106:5 <b>types</b> 42:1 <b>typically</b> 130:4</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>UK</b> 138:6 <b>ultimate</b> 123:4,14 123:24 124:1 <b>unable</b> 96:4 <b>unanalysed</b> 107:16 <b>uncertain</b> 60:4 73:18 <b>uncomfortable</b> 71:20,21 136:4 <b>uncommon</b> 74:10 74:12 <b>underneath</b> 47:7 <b>understand</b> 6:4 23:13 25:23 26:15 26:23 27:7 29:25 33:25 38:24 57:17 58:17 71:10,14</p>	<p>101:3 104:14 118:11,18 119:20 130:1 132:1 140:9 142:21 147:1 149:6,8,11 <b>understanding</b> 17:13 40:23 56:14 59:21 62:19 91:24 93:16 102:16 104:21 108:22 109:13,14,21 118:5,10 120:8 131:15,25 132:17 133:14,16 135:7 137:4,8 139:4 141:10 146:4 <b>understood</b> 13:5 22:17 94:25 132:2 <b>undertake</b> 23:19 <b>undertaken</b> 24:21 72:6,9 77:12,21 95:12 <b>undertaking</b> 25:12 77:24 <b>unfortunately</b> 6:21 <b>uniformity</b> 21:20 <b>uniformly</b> 19:19 <b>unincorporated</b> 88:8 <b>Union</b> 97:14 <b>unique</b> 33:9 45:12 <b>United</b> 84:22 86:17 <b>unnamed</b> 108:13 <b>unnecessary</b> 50:18 <b>untenable</b> 106:24 <b>unusual</b> 48:22 <b>unwelcome</b> 73:7 <b>update</b> 145:6 <b>updated</b> 69:9 <b>updates</b> 7:1 43:20 47:4 55:5 <b>updating</b> 145:6 <b>urge</b> 110:16 <b>urgent</b> 110:16 <b>urgently</b> 106:25</p>	<p><b>URN</b> 6:22 55:14 <b>use</b> 8:25 9:2 19:11 19:20 20:1 21:13 24:1 92:22 102:4 135:5 147:2 <b>useful</b> 18:24 19:2 <b>usually</b> 39:6 98:4 126:1,7</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>valid</b> 121:16 <b>variation</b> 23:11 34:8,11,12 <b>varies</b> 11:25 19:18 <b>variety</b> 102:8 147:9 <b>various</b> 18:6 49:23 71:19 95:4 <b>version</b> 4:15 6:24 65:12 103:4 140:10 142:1 145:5 <b>Vicar-General</b> 66:9 67:25 <b>vice-president</b> 87:6 <b>victim</b> 8:22 15:10 18:16 29:1,16 30:4,12,14 33:4 37:24 38:4,13,15 38:17 44:12 47:19 48:3,15 51:3,16 52:8 54:4,6 59:2 133:24 151:17 <b>victim's</b> 46:11 <b>victim/survivor</b> 46:21 <b>victims</b> 31:17 39:23 40:10,24 50:19 52:17 54:12,15 55:4 69:18,18,19 74:23 79:8 143:22 147:7 <b>view</b> 6:20 7:17 14:12 20:3 24:20 34:13 35:12 49:2 52:7 66:3,8,9</p>	<p>68:23 69:2 74:21 75:22 77:14 90:21 104:11 135:15 <b>views</b> 7:11 49:16 67:5 76:17 102:24 106:8 107:7 <b>violation</b> 143:20 <b>virtually</b> 36:4 40:2 <b>visible</b> 40:25 <b>visit</b> 86:18 125:9 126:14 150:15 <b>visiting</b> 43:20 <b>visits</b> 126:9,13 <b>voice</b> 88:19 <b>void</b> 135:20 <b>voided</b> 137:3 <b>voluntary</b> 2:3 25:12 144:11 <b>volunteers</b> 16:12 92:13 <b>vulnerable</b> 25:13 28:9 70:4 144:6</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>waiting</b> 50:23,25 <b>Wales</b> 88:1 91:12 93:13 98:8,20 105:13 115:2,6,8 115:9 116:11 127:18 132:20 139:20 141:20 147:22 <b>want</b> 5:13 15:5,7,11 15:16 16:4 22:10 22:17 26:8 27:2 32:22 34:7 42:2 51:9 54:4 58:17 65:20 66:5,7 67:1 69:3 94:24 107:2 112:4 116:6 119:10 126:24 136:16 137:13 <b>wanted</b> 9:8 12:16 42:7 53:16 90:20 101:21 117:18</p>
--	---	---	--	---

<p>119:19  <b>wanting</b> 73:18  <b>wants</b> 8:23  <b>wasn't</b> 4:12 17:8                  20:17 21:24 32:2                  35:20,22 38:6,11                  66:16 73:9 80:22                  92:11 94:7 102:15                  102:25 104:25                  109:3 119:17                  131:3 135:25                  140:10 141:1,11  <b>way</b> 1:24 14:11                  31:10 32:15 38:9                  38:19 50:9 56:11                  67:20 92:5 95:21                  106:11 107:5,12                  109:4 115:10                  130:19 135:9                  141:3 146:4                  149:17  <b>ways</b> 18:3 38:22  <b>we're</b> 149:6  <b>we've</b> 73:14  <b>website</b> 6:3,8 10:10                  10:11 14:11 23:5  <b>Wednesday</b> 153:6  <b>week</b> 8:21  <b>weeks</b> 53:13 56:5                  58:6  <b>welcome</b> 1:3                  107:11  <b>welfare</b> 33:11,17                  33:19 74:22 91:11  <b>well-argued</b> 27:19  <b>went</b> 54:5 74:2 95:8                  105:23  <b>weren't</b> 5:5 8:19                  38:5 94:6 96:11                  111:19 131:20  <b>West</b> 103:22  <b>Westminster</b> 52:21                  86:22 96:25  <b>whatsoever</b> 41:16                  67:11</p>	<p><b>whilst</b> 32:18 33:9                  65:21  <b>wide</b> 8:22 23:11                  41:25  <b>widely</b> 142:4  <b>widen</b> 36:13  <b>wider</b> 1:19 36:7                  46:2 128:22                  129:16 143:3  <b>widespread</b> 80:15                  80:18,20  <b>William</b> 64:14  <b>willing</b> 55:2  <b>win</b> 129:1  <b>wish</b> 66:11 89:16                  103:4 110:5                  136:24 147:18  <b>wished</b> 149:13  <b>withdrew</b> 82:5                  152:24  <b>witness</b> 1:8 82:5                  109:5 152:24  <b>witnesses</b> 151:10  <b>woeful</b> 21:5  <b>women's</b> 108:9                  134:6,13  <b>wonder</b> 137:13                  139:24  <b>words</b> 8:25 98:21  <b>work</b> 1:25 18:8                  21:2,2 23:16,18                  25:13 28:2,4 35:1                  35:8,8,14 52:10                  63:4 70:11 74:8                  78:13 79:13 86:18                  92:6,10,14,15,16                  93:18 94:2,11                  95:12,16,16 96:9                  96:12 97:23 99:6                  100:22 104:15,22                  106:20 108:23                  111:7,14 112:18                  113:12 114:11,23                  114:24 122:13,19                  124:22 125:18</p>	<p>129:11,16 130:3                  131:11,17 133:19                  133:19 139:6,18                  140:12 141:3                  149:21  <b>workable</b> 107:18  <b>worked</b> 53:10,12                  85:5 107:24                  131:12 132:4                  142:21 151:20  <b>worker</b> 2:20 49:24  <b>workers</b> 72:13  <b>working</b> 2:8 28:9                  28:13 35:15,22                  44:18 46:3 70:13                  88:16 104:12                  132:9 134:13                  142:14,16 144:20                  146:13 147:4                  148:3,5 152:3  <b>worldwide</b> 89:24  <b>worried</b> 80:12  <b>worry</b> 113:23  <b>worrying</b> 44:2  <b>Worryingly</b> 47:13  <b>worse</b> 31:19  <b>worthwhile</b> 49:17  <b>wouldn't</b> 31:3 77:4                  101:7 109:20                  111:23 116:24                  120:10,22 130:5                  141:12 152:3  <b>writing</b> 9:5 110:16                  133:9,10  <b>written</b> 2:9 11:20                  13:12 30:4 47:3                  55:5 142:9,14  <b>wrong</b> 34:1 43:8                  63:16 69:20 70:1                  116:8  <b>wrote</b> 93:17</p>	<p style="text-align: center;"><b>Y</b></p> <p><b>year</b> 64:19 86:24                  87:7,12,18 110:4                  114:7 122:14                  126:5,14,22                  150:17  <b>years</b> 2:12 9:5 85:5                  86:13 111:24                  119:25 129:10                  136:1 138:8,21                  141:18 147:14                  149:23 151:7,21  <b>years'</b> 58:15  <b>yesterday</b> 33:1                  115:17 135:23                  137:5  <b>young</b> 152:10</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p style="text-align: center;"><b>0</b></p> <p><b>007</b> 52:14  <b>013</b> 32:23  <b>014</b> 55:15  <b>015</b> 56:9  <b>030</b> 28:25  <b>031</b> 27:2  <b>043</b> 72:16  <b>045</b> 42:6  <b>079</b> 36:23</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>1</b> 5:19 8:2 106:2                  145:9 153:11,13  <b>1.00</b> 98:10,13  <b>1.2.1</b> 7:11  <b>1.4.1</b> 11:3  <b>10</b> 136:1  <b>10.00</b> 153:1,6  <b>10.1</b> 119:24  <b>10.30</b> 1:2  <b>100</b> 5:21  <b>103</b> 96:7 97:8  <b>11</b> 7:23 93:23 94:10                  96:3,6,11 97:2,9</p>	<p>97:18,19 102:10                  109:6  <b>11-year-old</b> 60:12  <b>11.35</b> 46:15  <b>11.4.1</b> 42:15  <b>11.49</b> 46:17  <b>11.50</b> 46:13  <b>11.6</b> 45:3  <b>110</b> 147:16  <b>12</b> 22:12 93:11                  147:16  <b>13</b> 42:11  <b>13.3</b> 116:8  <b>14</b> 6:24 24:10 41:6                  51:14 64:18                  152:11  <b>15</b> 77:6 127:10  <b>17</b> 61:10 119:24                  128:25 137:21  <b>18</b> 58:19  <b>19</b> 62:11 93:6                  107:20 145:25  <b>1960s/'70s</b> 81:5  <b>1967</b> 26:6  <b>1970s</b> 133:2,17  <b>1971</b> 26:7  <b>1980</b> 84:13  <b>1980s</b> 37:1 64:18                  74:1 133:2,17  <b>1985</b> 84:22  <b>1990</b> 85:4  <b>1990s</b> 53:4  <b>1996</b> 85:8</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p><b>2</b> 5:25 6:1,12 7:22                  14:16 16:6 18:6                  19:12 34:3 82:22                  91:4 103:5 140:3                  141:22  <b>2-1</b> 8:14  <b>2.00</b> 98:11,15  <b>2.1</b> 88:21  <b>2.4</b> 89:8  <b>2.4.3</b> 16:7</p>
		<b>X</b>		
		<b>X</b> 153:9		

<p><b>2.5.5</b> 34:10  <b>2.6</b> 19:12  <b>2.7</b> 91:4  <b>20</b> 24:5 48:1 52:15          131:21 136:2          137:15 138:22  <b>20/30</b> 138:21  <b>2000</b> 2:6  <b>2001</b> 98:21  <b>2002</b> 2:10  <b>2005</b> 85:22 86:5  <b>2006</b> 86:6  <b>2007</b> 99:25  <b>2008</b> 100:19 111:24  <b>2009</b> 86:8  <b>2010</b> 102:11,22          103:7,16 112:23  <b>2011</b> 26:1 105:9  <b>2012</b> 29:8 109:7  <b>2013</b> 140:11 142:8          142:17  <b>2015</b> 86:14 140:9          140:11 145:5  <b>2016</b> 86:19 87:7          130:8  <b>2017</b> 55:22 56:10          56:11 57:20 64:14          64:16 68:21 72:23          74:16 82:21 87:8          87:10,11 119:25          121:8,14 130:9,12          130:18 131:3  <b>2017/2018</b> 55:16  <b>2018</b> 36:24 42:7          52:25 58:14 110:9          150:16  <b>2019</b> 1:1 79:10          82:22 153:6  <b>2020</b> 150:17  <b>23</b> 82:21 121:6  <b>237</b> 92:18 93:3  <b>240</b> 92:21 97:12  <b>25</b> 47:21  <b>25-page</b> 7:8  <b>26</b> 64:20 134:23</p>	<p><b>27</b> 151:21  <b>28</b> 100:19  <b>29</b> 142:22</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>3</b> 18:10 25:20 42:5          56:11 110:9          141:16 145:25  <b>3.00</b> 137:17  <b>3.15</b> 137:16,19  <b>3.40</b> 153:4  <b>30</b> 138:8,22  <b>31</b> 129:13  <b>32</b> 147:17  <b>330</b> 98:7  <b>330-odd</b> 98:5  <b>34</b> 24:3 47:16          124:11  <b>35</b> 124:12  <b>36</b> 3:4,10 78:25  <b>39</b> 67:10</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4</b> 83:18 91:4 103:10          116:9 147:16  <b>4.1.1</b> 33:6  <b>4.10</b> 99:24,25          101:10  <b>4.11</b> 58:19  <b>4.11.3</b> 59:14  <b>4.12</b> 62:12  <b>4.15</b> 102:10  <b>4.18</b> 109:6  <b>4.2</b> 39:19 98:17  <b>4.2.1</b> 16:11  <b>4.2.7</b> 41:13  <b>4.3.2</b> 56:9  <b>4.4</b> 99:5  <b>4.7</b> 99:5,16  <b>4.7.1</b> 61:10  <b>40</b> 135:8 138:8  <b>44</b> 89:18,20  <b>45</b> 90:2,3  <b>46</b> 42:14  <b>48</b> 90:3</p>	<p style="text-align: center;"><b>5</b></p> <hr/> <p><b>5</b> 1:1 5:15,19 18:15          22:8,12,12 46:19          75:10 92:12 116:9  <b>5.5</b> 112:7  <b>5.7</b> 113:16  <b>50</b> 127:1  <b>50s</b> 53:2  <b>51</b> 127:1  <b>51.1</b> 127:10  <b>58</b> 137:21</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>6</b> 18:17 98:17          132:24 138:4          153:6  <b>6.2</b> 75:16  <b>60s</b> 53:2  <b>63</b> 145:25  <b>64</b> 106:6,9</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>7</b> 1:3 22:11 64:18          134:22  <b>7.10.3</b> 27:2  <b>7.2</b> 23:9  <b>7.2.2</b> 24:2  <b>7.2.3</b> 24:14  <b>7.7.4</b> 28:24  <b>70</b> 2:9  <b>70s</b> 37:4  <b>71</b> 122:22,25  <b>72</b> 122:22,25          123:24 128:5  <b>78</b> 132:24 133:3</p> <hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>8</b> 92:5,18 107:9  <b>8.1</b> 143:9  <b>8.11</b> 68:20  <b>8.11.2</b> 72:16  <b>8.2</b> 144:4  <b>8.2.1</b> 65:23  <b>8.4.1</b> 67:10  <b>8.4.3</b> 67:23</p>	<p><b>80</b> 45:9 153:15  <b>80s</b> 42:9 45:5 84:18  <b>81</b> 134:4  <b>82</b> 153:17,19  <b>85</b> 134:24  <b>87</b> 135:15,24</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9</b> 83:19 99:24 103:7          111:13  <b>90</b> 97:12  <b>92</b> 95:25 96:6 97:8  <b>96/97</b> 42:10  <b>99.9</b> 94:4</p>
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