

<p>1 Wednesday, 6 November 2019 2 (10.00 am) 3 THE CHAIR: Good morning, everyone, and welcome to Day 8 of 4 this public inquiry. Mr Altman? 5 CARDINAL VINCENT GERARD NICHOLS (sworn) 6 Examination by MR ALTMAN 7 MR ALTMAN: Give us your full name, if you would, please. 8 A. Vincent Gerard Nichols. 9 Q. I am going to ask you, Cardinal, about your background, 10 if I may. You set it out in a statement you made 11 in October 2018. You probably don't need to refresh 12 your memory from it, but if you would kindly go to it, 13 it is behind the first tab, if you have it open, at 14 paragraph 15 on page 3. 15 Can you confirm that you are the archbishop of 16 the Archdiocese of Westminster? 17 A. It's the Diocese of Westminster, actually. 18 Q. The diocese, not the archdiocese? 19 A. Yes. 20 Q. President of the Bishops' Conference? 21 A. Of England and Wales. 22 Q. Of England and Wales. And, looking at paragraph 15, can 23 you confirm, please, that you studied for the priesthood 24 in Rome between 1963 and 1970? 25 A. Correct.</p> <p style="text-align: center;">Page 1</p>	<p>1 Q. You were ordained for the Archdiocese of Liverpool in 2 Rome in December 1969? 3 A. Correct. 4 Q. In 1984, you became the General Secretary of the 5 Bishops' Conference in England and Wales? 6 A. Correct. 7 Q. In 2000, moving on, appointed Archbishop of Birmingham 8 and installed in March 2000? 9 A. Correct. 10 Q. The following year, appointed chair of the management 11 board for COPCA, post Nolan? 12 A. Correct. 13 Q. Moving on several years, to 2009, appointed the 14 Archbishop of Westminster, installed on 21 May 2009? 15 A. Correct. 16 Q. A month before, in the April, elected President of 17 the Bishops' Conference in England and Wales? 18 A. Yes. 19 Q. I will use "the Bishops' Conference" for short? 20 A. Thank you. 21 Q. I'm not going to say "in England and Wales" every time 22 I mention the conference. 23 Then, in February 2014, and you confirm this in 24 paragraph 15.19 of your statement, over the page, at the 25 foot of page 4, created cardinal by Pope Francis in</p> <p style="text-align: center;">Page 2</p>
<p>1 Rome. 2 A. Correct. 3 Q. In 2016, elected vice-president of the council of 4 the Bishops' Conferences of Europe for a five-year term? 5 A. Correct. 6 Q. Any other updates on your CV, Cardinal? 7 A. I think that's enough, thank you. 8 Q. That's enough. Right, good. So that's all I wish to 9 ask you about background. 10 You can confirm, please, that you have made five 11 statements, two of them in October and November 2018, 12 directed towards the evidence you gave ultimately 13 in December of last year, in the Birmingham 14 investigation. Is that right? 15 A. Yes. 16 Q. Three further statements: April of this year; October of 17 this year; and one yesterday? 18 A. Correct. 19 Q. They are, for the record, CHC001615; CHC001652; 20 CHC001831; CHC002085; and CHC002117. Chair, I am going 21 to adduce, and they will be published in due course on 22 the website, but I adduce them all in full. 23 Now, Cardinal, would you kindly go to the fourth 24 tab, where you will find your fourth statement, of 25 9 October of this year. If you turn to your</p> <p style="text-align: center;">Page 3</p>	<p>1 paragraph 8, you will find some paragraphs which deal 2 with the role of the conference and your role as 3 president. 4 How is the president of the conference elected? 5 A. By secret ballot. 6 Q. Is that by all members of the conference? 7 A. It is, yes. 8 Q. All members of the conference are who -- bishops? 9 A. There is an account of that, I think, in an earlier 10 statement. It's bishops and the leaders of eparchies. 11 These are other Catholic communities placed in this 12 country and they have episcopal status: they are bishops 13 and they are members of the conference. 14 There is also a person appointed to look after the 15 areas of the Falkland Islands and the territories in the 16 South Atlantic, and he, although he is not a bishop, is 17 a member of the conference too. There is a Syro-Malabar 18 bishop who is shepherd of the Syro-Malabar Catholics in 19 this country, and he is a member of the conference as 20 well. 21 Q. Now, turning over the page, please, to page 10, what 22 does your role as the President of the Conference not 23 make you? 24 A. I'm just wondering if I'm on the wrong statement. Is 25 this statement 3?</p> <p style="text-align: center;">Page 4</p>

1 Q. The same statement I was just in, paragraph 10?
 2 **A. Was that 3 or 4?**
 3 Q. The fourth. It was just over the page. I was simply
 4 asking you, perhaps, in a negative fashion.
 5 Statement 4, paragraph 10, right at the top of page 4:
 6 "My role as the president does not make me ..."
 7 **A. Sorry, I had statement 3 open.**
 8 Q. It should be behind the large tab 4.
 9 **A. Well, it does not make me head of the Church in England**
 10 **and Wales. There is no such position. Individual**
 11 **bishops retain their responsibility and accountability**
 12 **within their dioceses. The role of the president is to**
 13 **the operation of the conference together, which consists**
 14 **mostly of its twice-yearly Plenary Assemblies, I chair**
 15 **the standing committee which meets four times a year,**
 16 **and I have oversight of the continuing work of**
 17 **the conference. That does not mean oversight of**
 18 **the work of the dioceses.**
 19 Q. So you make clear, and we have heard this before, each
 20 diocese is completely autonomous, and, as it were, the
 21 bishop of the diocese rules the roost?
 22 **A. "Autonomous" is not the right word. I think --**
 23 Q. What is the right word?
 24 **A. Each bishop is accountable to the Holy See for his**
 25 **actions, and he must observe the norms and canons of**

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1 **the Bishops' Conferences. As I say in my statement,**
 2 **they include Catholic education, the promotion of**
 3 **the development of Catholic education, the fostering of**
 4 **Catholic higher education and the service of Catholics**
 5 **in all universities through chaplaincies, the**
 6 **translation and publication of liturgical texts,**
 7 **engagement with civic authorities and engagement with**
 8 **other Bishops' Conferences outside England and Wales on**
 9 **that full list of topics that we have there.**
 10 Q. We can publish this, and I do invite it be published in
 11 full: CHC002076. That sets out for us, as you say, the
 12 varied and broad, as it were, remit of the conference?
 13 **A. If I may just note at the bottom of the page, the**
 14 **Bishops' Conference of England and Wales has**
 15 **a particular remit from the Holy See for coordinating an**
 16 **annual meeting to the Holy Land, to Palestine and**
 17 **Israel. Also, we have a particular role given to us for**
 18 **supporting Bishops' Conference in mid Africa.**
 19 Q. Thank you. Now, can we, therefore, move on from there,
 20 please, because I want to ask you now about the meeting
 21 that you attended in Rome --
 22 **A. Certainly.**
 23 Q. -- in February 2019. For this, we need to move back to
 24 your third statement, the one you made in April of this
 25 year, beginning at paragraph 4 on the first page. First

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1 **the Catholic Church throughout the world. These are**
 2 **prescribed in law and, if he doesn't follow those,**
 3 **whoever believes that he is in serious breach can report**
 4 **him to Rome. I don't think that's a description of**
 5 **autonomous.**
 6 Q. No, well, we have heard that word used.
 7 **A. Okay.**
 8 Q. So you would dispute the correctness --
 9 **A. It needs nuancing, it needs explaining.**
 10 Q. Tell us something, please, about the work of
 11 the conference itself? What does it do? Your
 12 paragraph 13.
 13 **A. Well, there's a full list on that exhibit. I don't know**
 14 **if it would be possible to produce the exhibit.**
 15 Q. Yes, we can. We can show it on screen.
 16 **A. Thank you.**
 17 Q. Chair, it is behind your first tab, behind letter B, but
 18 it is probably easiest to put it up on screen:
 19 CHC002076. This is a document you produced, Cardinal,
 20 I think, as your VGN1. It relates to the spring 2018
 21 meeting, and under the heading "Core work of a Bishops'
 22 Conference", does that set out, or begin to set out,
 23 what the conference does?
 24 **A. It's the numbered paragraphs that follow the main**
 25 **paragraph which is the sources, the establishment of**

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1 of all, who was that meeting proposed by?
 2 **A. It was proposed by what is known as the**
 3 **Council of Cardinals, which was a group of about eight**
 4 **cardinals that Pope Francis established on his election**
 5 **as Pope to assist him in the work and the reform of**
 6 **the governance of the Holy See. At some point, that**
 7 **council, in one of their regular meetings, would seem to**
 8 **have proposed this meeting of Presidents of Bishops'**
 9 **Conferences from all around the world to address the**
 10 **question of the sexual abuse of minors, especially in**
 11 **the church, and the expectations were enunciated as: to**
 12 **know what has been done to prevent and combat this**
 13 **worldwide problem; secondly, to do what is necessary,**
 14 **and to be seen to do so; and, thirdly, to have a new**
 15 **radical openness to this human tragedy. It says there,**
 16 **or I stated, it was made clear the Pope wanted the**
 17 **meeting to be an opportunity to listen at the worldwide**
 18 **perspectives on issues in the church regarding the**
 19 **sexual abuse of minors.**
 20 Q. What brought about the Pope's decision to have this
 21 meeting on those topics?
 22 **A. I would say that this is a crisis, certainly in the**
 23 **Catholic Church, and more worldwide.**
 24 Q. This was the Protection of Minors meeting?
 25 **A. Yes.**

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1 Q. That was the more formal title.
 2 **A. I think, at times, we call it the Summit, I think.**
 3 Q. The Summit?
 4 **A. Yes.**
 5 Q. Who attended, apart from you? Was it Presidents of
 6 Conferences worldwide?
 7 **A. It was Presidents of Conferences from all over the**
 8 **world, it was heads of religious orders, and I think, in**
 9 **total, it made a participation list of about 200 people.**
 10 **I think, in my memory, it's the first time there's been**
 11 **a meeting of the President of every Bishops' Conference**
 12 **from around the world. I think, again, it's something**
 13 **like 150 different nations.**
 14 Q. In paragraph 5, you tell us why it's important to
 15 understand the significance of the worldwide nature of
 16 the meeting. Can you spell that out for us a little
 17 more?
 18 **A. Well, what we heard in the meeting was something of, if**
 19 **I might use the phrase, the approach in the developed**
 20 **worlds to the problem of child sexual abuse, and they,**
 21 **to me, came down around three models. What we heard**
 22 **from the North American continent in particular was an**
 23 **approach that was basically guided and checked by**
 24 **lawyers. What we heard from Europe, on the whole, was**
 25 **an approach shaped and guided by professionals in the**

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1 **I heard yesterday of a man from Albania telling me**
 2 **that his parents encouraged him to seek to be smuggled**
 3 **into Britain so that he could send back money to**
 4 **Albania, and a lot of that is connected -- connected to,**
 5 **but distinct from, the sexual abuse of children around**
 6 **the world.**
 7 **We also heard of the abuse of children for the**
 8 **harvesting of organs as a major problem in parts of**
 9 **Africa. So the panorama of the meeting was very broad**
 10 **indeed.**
 11 Q. Apart from all of that knowledge, some of which perhaps
 12 you weren't aware of before, what did you come away from
 13 the meeting with by way of encouragement? What were you
 14 going to do?
 15 **A. I think there were a number of things that really**
 16 **encouraged me. As I say in these notes, I was chairing**
 17 **one of the English language groups, and I think I detail**
 18 **in this statement where people came from in the group**
 19 **that I chaired. It's in paragraph 12 -- from Africa,**
 20 **India, Myanmar, New Zealand, Philippines, Puerto Rico,**
 21 **the USA and the UK. In that meeting and across the**
 22 **whole meeting, as a minimal starting point, there was**
 23 **nobody minimising or denying that this was a problem in**
 24 **their country, in their society. I think there was**
 25 **a very shared conviction that, despite all the**

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1 **social services. What we heard from Africa was that the**
 2 **whole issue is deeply embedded in the family culture of**
 3 **African society. What we heard from the Far East, in**
 4 **particular Myanmar and those speaking out of a China**
 5 **experience, was that the problem was rooted essentially**
 6 **in widespread and gross poverty and the broader**
 7 **exploitation of people.**
 8 **We also heard very, very different stories about how**
 9 **relations are with forces of law and order. There are**
 10 **obviously places in the world where there is great**
 11 **confidence in the integrity of forces of law and order.**
 12 **There are other places in the world which -- I don't**
 13 **think I say anything new -- where those forces are**
 14 **essentially corrupt and will use any opportunity as**
 15 **a means of blackmail, and there are other parts of**
 16 **the world where they are essentially weak and thin on**
 17 **the ground and not far from the hands of fragmented**
 18 **power groups within the society.**
 19 **We also heard a great deal about how the relation of**
 20 **child sexual abuse in many parts of the world is**
 21 **intrinsically related to poverty. So it was very**
 22 **distressing, and I've heard the consequences of it here**
 23 **in London too, to know that children are sold into the**
 24 **hands of traffickers by their parents because of**
 25 **the poverty they face.**

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1 **difficulties, the church ought to have standard**
 2 **procedures and a set of principles and fairly high**
 3 **standards as to how to respond to allegations and**
 4 **incidents of child abuse.**
 5 **I think there was also a strong view that somehow**
 6 **the resources of the church have to be gathered into**
 7 **this effort, and it's not enough to effect the kind of**
 8 **cultural change to leave us simply in the hands of**
 9 **professionals, be they lawyers or social workers or**
 10 **people who approach this from a psychological point of**
 11 **view. So there was quite a lot of helpful discussion**
 12 **about how to inform and to motivate the members of every**
 13 **parish to be observant, to be attentive, to be agents of**
 14 **safeguarding in the church.**
 15 **I must admit, I was really impressed on that point**
 16 **by the bishop from Puerto Rico who, with a small**
 17 **diocese, said he makes sure that this topic is talked**
 18 **about regularly, in every parish.**
 19 **I think there was also a strong view in this meeting**
 20 **that bishops, too, have to be held to account. If they**
 21 **deliberately and in a gross way obstruct or neglect the**
 22 **procedures that they should follow, then they should be**
 23 **held to account. That is quite apart from any bishop**
 24 **who offends in his personal abuse of children.**
 25 **I think the most important thing, without a doubt,**

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1 **in the meeting was the testimony that we heard from**
 2 **survivors of sexual abuse, I think from four different**
 3 **continents in quite different settings, but all of them**
 4 **deeply embodied in the life of the church. I would be**
 5 **happy to say a little bit more about that?**
 6 Q. I'm going to come to that in a moment.
 7 **A. Okay.**
 8 Q. Going back to your paragraph 5 at the foot of page 1,
 9 you say that your understanding is that the meeting was
 10 intended to help establish a common baseline of
 11 knowledge and awareness throughout the worldwide
 12 Catholic Church and to encourage Bishops' Conferences to
 13 adopt necessary and appropriate measures which reflected
 14 the circumstances in their own regions. You say in the
 15 same paragraph that the Catholic Church in England and
 16 Wales has already adopted many measures and has been
 17 engaged in a process of continually refining and
 18 improving its work to prevent child sexual abuse.
 19 Did you come away thinking, first of all, "We
 20 haven't done enough"?
 21 **A. In some aspects yes --**
 22 Q. Which aspects?
 23 **A. -- from the perspective of this meeting. I think we**
 24 **could do more to follow the example of the bishop from**
 25 **Puerto Rico. I think we should do more in the general**

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1 its safeguarding environment. Did you agree with that?
 2 In other words, you don't have to wait for the Pope to
 3 call everybody together, as he did in February of this
 4 year, in order to make strides to improve safeguarding
 5 and child protection?
 6 **A. I agree with that.**
 7 Q. So, from your perspective, did the Pope call this
 8 meeting because, from his perspective, the church was
 9 failing?
 10 **A. The use of the word "church" needs to be explained. My**
 11 **personal experience was, in some ways, rather strange**
 12 **because, in the perspective of that broad sweep of**
 13 **the church, the work that we have done in England and**
 14 **Wales is recognised as significant.**
 15 Q. By whom?
 16 **A. By the Holy See and by people around the world. So, for**
 17 **example, the Holy See sent its Task Force here to look**
 18 **at what we'd done with the establishment of a Survivors**
 19 **Advisory Panel. I don't think that's happened anywhere**
 20 **else in the world. So there are aspects of our work**
 21 **here which are esteemed, and yet, at the same time,**
 22 **I know very well that there are aspects of our work here**
 23 **which, in this process of the investigation, are looked**
 24 **at very critically. So I straddle that.**
 25 Q. You talk about the Survivors Advisory Panel. Looking at

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1 **life of our parishes to set the task of safeguarding in**
 2 **a much more positive context.**
 3 **I think the experience in the Catholic community in**
 4 **this country over the last 20 years has been one of**
 5 **struggling to cope with the presence of evil embodied in**
 6 **its members which has shocked it to the core. I think,**
 7 **with the help of this inquiry, and with our own revision**
 8 **of things that we do, there are a number of things we**
 9 **should do, but I think getting the task of safeguarding**
 10 **understood in an utterly positive way is something we**
 11 **still have to achieve.**
 12 Q. Against a background, you will agree, of Nolan being
 13 published in 2001, Cumberlege being published in 2007,
 14 and here we are in 2019, you think that there is still
 15 much to be achieved?
 16 **A. I do think there is plenty for us to achieve, yes.**
 17 **I would affirm absolutely that the culture within the**
 18 **Catholic Church today is radically different than it was**
 19 **in 2001, or even in 2007. But I do think there's much,**
 20 **much more we have to achieve.**
 21 Q. You make the point in your paragraph 5, despite
 22 the February 2019 meeting, you don't have to rely on
 23 guidance from the Pope. In other words, the church in
 24 this country can do as it wishes in order to stamp out
 25 child sexual abuse among its own members and increase

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1 your paragraph 6, as part of your preparation for
 2 the February meeting, you say you met with three members
 3 of the Survivors Advisory Panel of the National Catholic
 4 Safeguarding Commission, the NCSC, as well as three
 5 other survivors drawn from diverse victim and survivor
 6 groups. Is that right?
 7 **A. Correct.**
 8 Q. Did you consider this as important prior to going to
 9 Rome?
 10 **A. I did consider it important. We were specifically asked**
 11 **to make time to do this.**
 12 Q. By ...?
 13 **A. By the man who was chairing the group, who was**
 14 **Father Lombardi, who chaired the whole meeting. When**
 15 **I went to Rome, not surprisingly, there were groups of**
 16 **survivors from around the world who were present and who**
 17 **were lobbying, to use a common phrase, and**
 18 **I deliberately went and sat with them for an evening and**
 19 **listened to their experiences too. There were 15 or 20**
 20 **survivors there from, as I recall, probably about four**
 21 **different countries. I gave them my full attention.**
 22 Q. That meeting, or certainly the meeting before you went
 23 to Rome, was that on 4 January 2019? Does that ring
 24 a bell?
 25 **A. No, sorry.**

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1 Q. We have seen it certainly in the documentation. It may
 2 not matter very much.
 3 **A. Okay.**
 4 Q. We have also heard evidence from David Marshall. Was he
 5 present when you met some of the survivors?
 6 **A. Is David Marshall the man from Birmingham?**
 7 Q. He's the Survivors Advisory Panel chair?
 8 **A. Oh, yes, he was when I met them here in London. He was**
 9 **not present at the meeting in Rome.**
 10 Q. His evidence to this inquiry was that it was very, very
 11 important that you listened to their accounts -- which
 12 I'm sure you agree with?
 13 **A. Yes.**
 14 Q. And he said that they were impressed because it was done
 15 on first-name terms, and they were impressed by your
 16 humility. Do you accept that as being a flavour of
 17 the meeting you had?
 18 **A. Yes.**
 19 Q. So that we understand -- I just want to get a picture.
 20 The other survivors that you met, these were all in Rome
 21 but before the meeting?
 22 **A. Yes, that's correct.**
 23 Q. But this was all arranged by Father Lombardi?
 24 **A. No, this group was present. They were in part organised**
 25 **by a survivor from this country. He asked me -- he**

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1 **work, and that's what, in the Province of Westminster,**
 2 **we are doing at the moment.**
 3 Q. Now, in preparation for the meeting, and in conjunction
 4 with the Survivors Advisory Panel, did you ask them to
 5 produce a document summarising a series of key points?
 6 **A. I invited them to, yes.**
 7 Q. Did they do that?
 8 **A. They did.**
 9 Q. I think we can show it up on screen. It's in the chair
 10 and panel's tab B/2. Let's put it up on screen, please:
 11 CHC001936. Is this the document, Cardinal?
 12 **A. It is.**
 13 Q. If we can look at it, we have in a table, first of all,
 14 we can see the first key theme is "Communication", and
 15 we can see in the next column under "Thoughts" two
 16 points, 1 and 2. When we go to the document, we will
 17 see there are a total of six, and these were the six key
 18 points which SAP, the advisory panel, produced for you.
 19 First:
 20 "Respond with honesty, humility and openness of
 21 heart."
 22 Then there are several other bullet points we don't
 23 have to go through under the heading "Comments for
 24 clarification". Then point 2:
 25 "There is no need to suspend one's critical

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1 **asked me -- if I would go and meet them, and we spent an**
 2 **evening with the group listening to them, and, as I say,**
 3 **there were some from America, some from South Africa,**
 4 **some from South America, as I recall, and I spent the**
 5 **best part of the entire evening listening to them.**
 6 **I did that purely willingly.**
 7 Q. In paragraph 6 of the statement we have open, the final
 8 sentence reads:
 9 "I will continue to meet with survivors in future,
 10 not least to inform and assist my work in relation to
 11 safeguarding."
 12 Presumably, that was something that you intend going
 13 forward, is to meet survivors -- you agree you said
 14 that?
 15 **A. Yes.**
 16 Q. In what circumstances do you envisage that you would
 17 meet survivors in relation to your work in safeguarding
 18 in the future?
 19 **A. Well, in relation to my role as President of**
 20 **the Bishops' Conference, as you will know from the**
 21 **evidence that comes up later, not only did we spend**
 22 **three days with survivors, but also, we agreed to**
 23 **explore and try and establish a Survivors Advisory Panel**
 24 **in each region of the country to assist the bishops and**
 25 **the leaders of religious congregations in its ongoing**

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1 faculties, but learn to listen from the heart -- meet
 2 with survivors - victims of abuse; sit face to face with
 3 them, hear their stories, try to get a sense of how they
 4 are feeling."
 5 Then the next point, if we skip down, please, in the
 6 document, number 3:
 7 "Demonstrate practically true acknowledgement of
 8 the issues.
 9 "Be honest.
 10 "Say sorry and mean it.
 11 "Exhibit zero tolerance of abuse or any type of
 12 coverup.
 13 "4. God is rarely mentioned -- don't leave God out
 14 of the solution."
 15 So there were four points in relation to
 16 communication, and are these points -- you took them to
 17 Rome. Have these points helped you to understand how to
 18 deal with victims and survivors, do you think?
 19 **A. Well, what I recall most vividly would come under**
 20 **point 4, because one of the members of the advisory**
 21 **panel reminded me of a passage from the gospel that**
 22 **says, "The Pharisees, you are concerned to polish the**
 23 **cup from the outside but leave it inside full of filth**
 24 **and corruption". He said to me, "If you focus solely on**
 25 **processes, if your interest is really in getting**

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1 processes correct and following protocols, then you are
 2 really only polishing the outside of the cup". What he
 3 says also has to be done is a spiritual internal
 4 thorough honesty about each person's moral behaviour.
 5 So his challenge -- and, actually, I repeated that
 6 imagery, if I remember rightly, in the full session of
 7 the subsequent meeting in Rome and, in fact, one of
 8 the presentations at the meeting, the one from
 9 Cardinal Tagle from the Philippines, addressed that same
 10 theme.
 11 To me, it's a very, very important thing that the
 12 work of safeguarding has an intrinsic and an intense
 13 spiritual dimension to it, and we cannot just polish the
 14 outside of the cup.
 15 Q. May I ask you just to cast your eyes to the right-hand
 16 column, which was headed "Comments for clarification",
 17 first, in relation to demonstrating practically true
 18 acknowledgement of the issues. Does it read this way:
 19 "Let the church drive the policy/response not the
 20 insurers."
 21 A. Mmm-hmm.
 22 Q. "I'm sorry" implies acknowledgement."
 23 Do you subscribe to that? We will come back to it,
 24 perhaps, a little later, but do you subscribe to letting
 25 the church drive the policy/response, not the insurers?

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1 Do you subscribe to that?
 2 A. Of course. I read this document as I listened to the
 3 survivors, and it is essentially a cry from the heart.
 4 That, I understand.
 5 Q. Sure. Did you actually distribute this to the other
 6 members of the meeting, this document?
 7 A. No, I did not.
 8 Q. Did you describe it or discuss it with any other members
 9 of the meeting?
 10 A. As a document as such, no, I did not. I asked for it to
 11 inform me and it informed me.
 12 Q. So it informed you, but from having informed you, did
 13 you pass any of the messages that it contains to anybody
 14 else?
 15 A. Well, I have mentioned one already, yes.
 16 Q. That was about the cup. Sorry, Cardinal -- I'm sorry,
 17 I saw you looking across the room. Is everything all
 18 right?
 19 A. Yes, I'm fine, thank you.
 20 Q. Under the next box, "Training", can we look at that,
 21 please. Point 5:
 22 "Prioritise appropriate levels of training which are
 23 provided by those suitably qualified to deliver it from
 24 a professional/personal perspective including
 25 credibility from victim/survivor viewpoint."

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1 A. I'm not entirely sure what he meant by that.
 2 Q. What, this person who wrote this?
 3 A. Yes.
 4 Q. Doesn't it relate to --
 5 A. I don't know what his experience has been.
 6 Q. No.
 7 A. It's an assertion that says the insurers always drive
 8 the policy, which is not my experience.
 9 Q. All right. Is this something that we should strike
 10 through as being irrelevant?
 11 A. No, excuse me, no, no, I didn't write this.
 12 Q. I know, but this was the message that you took with you
 13 to Rome, wasn't it? These were the key points?
 14 A. Yes, but not every single one of them.
 15 Q. So some of these you didn't subscribe to personally?
 16 A. Yes, that would be true.
 17 Q. That's one of them?
 18 A. Yes -- no, I would question it. I don't see it as
 19 a self-evident truth as it is stated.
 20 Q. Against number 4, in relation to communication, the
 21 first bullet point:
 22 "Don't see victims/survivors as 'the enemy' in
 23 a conflict, see them as brothers and sisters in Christ.
 24 His children are hurt by abuse and he is at the heart of
 25 their healing."

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1 There is a series of bullet points in the right-hand
 2 column there to be included in those areas. I'm not
 3 sure we have to go through them. But did this help you
 4 understand the key point that was being made here at
 5 number 5?
 6 A. Yes, and it also reminded me of some of the training
 7 that I'd received in the past, about trying to
 8 understand how offenders operate, for example.
 9 Q. In the final box, under the head "Loss of
 10 victim/survivor focus", point 6:
 11 "Don't assume or tell survivors what they need --
 12 ask them -- may be surprised.
 13 "Listen, respect, respond and support."
 14 Presumably, you subscribe to all of that?
 15 A. Yes, and, in a way, this point 6 sums up exactly what
 16 our hopes for the Survivors Panel actually are: that
 17 they will ask, we can ask what is best for them and, as
 18 this note says, we might be surprised sometimes.
 19 Q. So that was February 2019. As I have understood your
 20 evidence, you didn't distribute this amongst any of
 21 the other attendees --
 22 A. Correct.
 23 Q. -- at the meeting. Has it had any wider dissemination
 24 within Westminster or the Catholic Church in England and
 25 Wales more widely?

Page 24

1 **A. Not that I can think of.**
 2 Q. Do you think it should be?
 3 **A. It could be, yes.**
 4 Q. Could be or should be?
 5 **A. I think it would be very helpful to do so, yes.**
 6 Q. Who should do it?
 7 **A. I will do it.**
 8 Q. When will you do it?
 9 **A. I will do it at our November meeting, at the plenary**
 10 **meeting.**
 11 Q. Why hasn't it been done before?
 12 **A. If you wish me to do it before, I can do it before.**
 13 Q. No, but before today is what I'm asking. This
 14 was February. We are now in November?
 15 **A. The only reason I can give was, there were a lot of**
 16 **documents being circulated and this one was not.**
 17 Q. You help in your statement in telling us about the
 18 meeting itself. Can we look, please, still within your
 19 third statement, about the process of the meeting under
 20 the heading "Process of the meeting". First of all,
 21 tell us about the sessions you attended, please? Your
 22 paragraph 11. What did they consist of?
 23 **A. What ...?**
 24 Q. What did they consist of, the sessions you attended
 25 during the February meeting?

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1 **the countries.**
 2 Q. Can I stop you there, please. The first sentence in
 3 your paragraph 16:
 4 "I spoke about the current procedures in England and
 5 Wales and challenges of the 'One Church' approach with
 6 religious congregations."
 7 Can you detail that a little for us? What were the
 8 challenges?
 9 **A. The challenges are those that I state in, I think, the**
 10 **next witness statement and, indeed, in the witness**
 11 **statement that I gave in the context of the Birmingham**
 12 **investigation.**
 13 Q. Sure. What I simply want to ask you at this juncture
 14 is, what were you telling the other members of your
 15 English language group about the challenges with the
 16 "One Church" approach in this country?
 17 **A. I said there was a wide presence of religious**
 18 **congregations; they were of different sizes and**
 19 **different natures; and I said it was often difficult for**
 20 **a corporate approach to be taken by the 328 different**
 21 **religious congregations. There were one or two leaders**
 22 **of religious congregations present, and we talked about**
 23 **some of those tensions.**
 24 Q. So that was the Thursday, 21 February, under the heading
 25 of "Responsibility". There were two other days, the

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1 **A. Well, in paragraph 15, I talk about the first day of**
 2 **the meeting, which was Thursday, 21 February. On that,**
 3 **there were three presentations. Cardinal Tagle of**
 4 **the Philippines spoke of the imperative of Christian**
 5 **faith to embrace the wounded nature of humanity, rather**
 6 **than shun or ignore it. It was at that point that**
 7 **I mentioned the particularly vivid image that came to me**
 8 **from the Survivors Advisory Panel.**
 9 The second address was from Archbishop Scicluna of
 10 the duties of bishops as outlined in canonical
 11 procedures and their relationship with civil
 12 jurisdictions. I summarise his central point just later
 13 in that paragraph, and I quote:
 14 "In every case and for all phases of dealing with
 15 cases, these two points should be followed at all times:
 16 protocols established should be respected; civil and
 17 domestic laws should be obeyed."
 18 The third presentation was from Cardinal Ruben
 19 Salazar Gomez from Colombia, who spoke about the
 20 responsibilities of bishops to each other, to their
 21 priests and consecrated persons and to their people.
 22 Then we went on to a language group session where we
 23 spent time reviewing our particular situations and
 24 talked about the practicalities of co-operation with
 25 civil authorities in the different settings of

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1 Friday and the Saturday, "Accountability" and
 2 "Transparency". Can you tell us a little about those,
 3 please?
 4 **A. The Friday, what was covered in the sessions, again,**
 5 **there were three presentations: Cardinal Gracias from**
 6 **Mumbai spoke about collegiality and universality,**
 7 **stressing the point, a central point, at the meeting**
 8 **that bishops in every part of the world should act**
 9 **together in a uniform way and support each other. He**
 10 **emphasised the need for a unified vision of**
 11 **the Catholic Church's work in the protection of minors.**
 12 The second address was given by Cardinal Cupich from
 13 Chicago, who spoke about the fundamental orientations of
 14 the responsibility of bishops to each other, and he put
 15 forward proposals of how complaints against bishops in
 16 the handling of allegations might be universally
 17 codified.
 18 Doctoresa Linda Ghisoni spoke of some of
 19 the practical actions needed for Working Together.
 20 That was followed by a witness given by a woman who
 21 was a victim of abuse.
 22 Then we, in our language group, looked at practical
 23 aspects of the way bishops work together in their own
 24 meetings of Bishops' Conferences, and we discussed in
 25 more detail the proposals that Cardinal Cupich had made.

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1 **Now, remember, a theme of that group meeting**
 2 **I express in the phrase "breaking the circles of**
 3 **silence".**
 4 Q. What are the circles of silence which need to be broken?
 5 What do you remember being discussed?
 6 **A. In particular, I remember the discussion focusing around**
 7 **the strength of family culture in Africa, where to break**
 8 **the circle of the silence of abuse was to challenge the**
 9 **coherence of the family structure and, therefore, in**
 10 **a way, the coherence of social structure as well.**
 11 Q. Which you mention in your paragraph 19, which was
 12 Saturday's session, 23 February, "Transparency"?
 13 **A. Yes. That was one of the presentations that impressed**
 14 **me most, actually. Sister Veronica from Nigeria spoke**
 15 **from an African perspective, again, repeating what we**
 16 **had been talking about, about breaking open circles of**
 17 **secrecy.**
 18 **Cardinal Marx from Munich spoke about the qualities**
 19 **of good administration, particularly, as he said, in**
 20 **clarity and traceability.**
 21 **Then Doctoresa Valentina Alazraki spoke of the work**
 22 **of the media, and the work of the media vis-a-vis**
 23 **bishops and where their responsibilities overlap.**
 24 Q. Yes, help us a little with that. What was the interest
 25 in the media and the overlapping of responsibility?

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1 the Catholic Church; five, to affirm unequivocally that
 2 there is no place in public ministry for a cleric found
 3 guilty of the abuse of a minor; and, six, to affirm the
 4 hope generated by the meeting.
 5 You say these were the personal views expressed by
 6 those present and demonstrated the unanimity of purpose
 7 within the group. Some were based on work already under
 8 way in the respective country concerned, for example,
 9 point 3 reflected actions in Puerto Rico.
 10 Then there is a paragraph, paragraph 21, under the
 11 heading "Decisions made". Did you say this:
 12 "A copy of the statement made to the media at the
 13 end of the meeting by its moderator, Father
 14 Federico Lombardi", you exhibit, and you refer back to
 15 paragraph 5 within this statement, saying:
 16 "The meeting encouraged each Bishops' Conference to
 17 take appropriate action in its own region. The
 18 particular ways in which the outcomes of the meeting are
 19 put into effect will therefore depend on the approach
 20 adopted by each Bishops' Conference. The
 21 Catholic Church in England and Wales has already adopted
 22 many measures and has been engaged in a process of
 23 continually refining and improving its work for the
 24 prevention of child sexual abuse and the meeting will
 25 contribute to that well-established process of

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1 **A. Well, she was a very experienced journalist, and she**
 2 **found, on the whole, that bishops tend to be very**
 3 **defensive and minimal in their interaction with the**
 4 **media from a rather defensive point of view.**
 5 **What was expressed to her was that, quite often, the**
 6 **media are only going to give publicity to negative**
 7 **stories -- negative accounts of things that have**
 8 **happened, and that there wasn't a great deal of trust**
 9 **between the media -- these are generalisations,**
 10 **obviously -- and the leadership of the Catholic Church**
 11 **in different parts of the world.**
 12 Q. Thank you. Now, looking across at your paragraph 20,
 13 you say that your English language group talked of your
 14 experience of dealing with the media, what you have just
 15 been telling us about. Also, in this final small group
 16 session, the members of the group expressed shared
 17 priorities for future action. You list them. Perhaps
 18 I can just read them out. Did you say among them were
 19 the following: one, to keep the child survivor at the
 20 centre of the narrative; two, to reinforce the
 21 principles on which policy in every country should be
 22 based; three, to involve all members of
 23 the Catholic Church in the protection of minors as a way
 24 of breaking down a culture of silence; four, to locate
 25 this work within a vision of the mission of

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1 reflection and development."
 2 Would you characterise these as decisions or
 3 expectations?
 4 **A. Paragraph 20 --**
 5 Q. Paragraph 21.
 6 **A. 21. The meeting was not asked to make decisions.**
 7 **Father Lombardi expressed those points. The meeting was**
 8 **concluded by a speech given by Pope Francis on the**
 9 **following day, in which he indicated some of the things**
 10 **that would happen.**
 11 **Now I'm getting a bit confused between whether it**
 12 **was what Father Lombardi said would happen or whether it**
 13 **was what Pope Francis said would happen.**
 14 **Father Lombardi said that there would be a follow-up on**
 15 **the matter presented by Cardinal Cupich about the means**
 16 **by which a bishop who gravely mishandles or obstructs**
 17 **a process regarding a case of child abuse would be**
 18 **brought to account. He also stated that there would be**
 19 **new laws passed to follow -- to govern the handling of**
 20 **any child abuse cases within the territory of**
 21 **the Holy See. And he also spoke about the establishment**
 22 **of task forces to assist those bishops conferences for**
 23 **whom these matters were really difficult, and, in some**
 24 **cases, quite a fresh challenge.**
 25 Q. Some of that resulted in the motu proprio --

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1 **A. Exactly.**
 2 Q. -- published on 7 May, which we will come to.
 3 **A. Fine, and a new law was passed governing the**
 4 **territory --**
 5 Q. Of the Vatican itself, yes.
 6 **A. Yes.**
 7 Q. Against the background of all of that, and the
 8 encouragement of each Bishops' Conference to take
 9 appropriate action in its own region, what approach did
 10 the Bishops' Conference in England and Wales adopt to
 11 put into effect the outcomes of this meeting?
 12 **A. Well, I think, in paragraph 22, I say that the meeting**
 13 **that took place of the full plenary of the Bishops'**
 14 **Conference between 6 and 9 May, while it was already in**
 15 **planning, followed directly the pathway and the emphasis**
 16 **of the meeting that had taken place in Rome.**
 17 **I think what I was able to bring back from the**
 18 **meeting in Rome fed significantly and explicitly into**
 19 **the meeting that we held in May.**
 20 **Secondly, we, as I have already mentioned, are**
 21 **looking to moving towards the establishment of**
 22 **a Survivors Advisory Group in each part of England and**
 23 **Wales, and I think that will -- the impact of these two**
 24 **meetings will ensure that, in our own internal review --**
 25 **sorry, our own review, which is being conducted**

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1 Plenary Assemblies? In other words, do you think, given
 2 everything that's been discussed in this inquiry, the
 3 Bishops' Conference should think of meeting more often?
 4 **A. As you will read, when we come to "Vos estis lux mundi",**
 5 **there was an extraordinary meeting of the Bishops'**
 6 **Conference in order to ensure that our part in that**
 7 **process happened more quickly than it would have done**
 8 **otherwise. To change the rhythm of the meetings, which**
 9 **are two plenary meetings and, I think, six standing**
 10 **committee meetings, would require the consent of every**
 11 **bishop, and it's a meeting -- it's a rhythm in which**
 12 **I think we work reasonably effectively.**
 13 Q. So the practical steps which we were looking at in your
 14 third statement include the May training session in
 15 Valladolid in Spain, and you said at the time that you
 16 made this statement we are looking at, which was of
 17 course April, so it was looking forward to the May
 18 meeting by a little less than a month, in your
 19 paragraph 22, you said the impact of the meeting will
 20 inform the May discussions.
 21 **A. Mmm-hmm.**
 22 Q. Do you see where I am? Did the February 2019 meeting
 23 inform the May discussions?
 24 **A. At the beginning of the May discussions, I was asked to**
 25 **give an account of the meeting that had taken place in**

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1 **externally, of our policies and procedures will be more**
 2 **heavily guided and influenced by the voice of survivors.**
 3 Q. The May meeting, which we will come back to, how long do
 4 you remember that being in preparation?
 5 **A. Well, certainly from the previous summer, because**
 6 **I remember my first conversation with Baroness**
 7 **Sheila Hollins was in the August of 2018, when we were**
 8 **in Dublin together.**
 9 Q. The May meeting, although you refer to it, was not an
 10 outcome as a direct result of the February '19 meeting,
 11 because it was already in train?
 12 **A. Logically, that is perfectly true, but the impetus, the**
 13 **quality and the impact of what we were planning was**
 14 **considerably heightened and much more effective because**
 15 **it came in the aftermath of the meeting in Rome.**
 16 Q. Do you accept the general proposition that the wheels
 17 turn rather slowly in the Catholic Church in England and
 18 Wales?
 19 **A. I'd be reluctant to accept it. I think we have a rhythm**
 20 **of work. As I stated at the beginning, this is not**
 21 **a top-down organisation. We have to work by consent.**
 22 **And I think we do reasonably well.**
 23 Q. We will come back to that in a while.
 24 Do you think matters are helped by the fact that
 25 your conference only meets twice yearly in

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1 **Rome, and explain something of its impact on me and its**
 2 **contribution to what we were about to engage in.**
 3 Q. What did you say?
 4 **A. I said, basically, the same things that I'd said in the**
 5 **public statement and in the video message that I'd done**
 6 **following the meeting in Rome, which was particularly**
 7 **the impact of listening to survivors of abuse in that**
 8 **setting and helping our bishops to see themselves not**
 9 **only in the context of their own dioceses, but also in**
 10 **the context of the wider church around the world.**
 11 Q. In paragraph 23, you talk about the bishops of England
 12 and Wales having an established and regular cycle of
 13 in-service training; is that right? That's what you
 14 say?
 15 **A. It's long established, yes.**
 16 Q. Yes, every two years, the spring Plenary Assembly is
 17 designated either a spiritual retreat or an in-service
 18 training conference. The May 2019 meeting is part of
 19 that regular cycle. You say:
 20 "The programme and detail of the meeting is still
 21 being finalised by the team of experts we have invited
 22 to work with us."
 23 Then, in paragraph 24, you add:
 24 "The review of all our safeguarding procedures and
 25 policy structures which the bishops asked the NCSC to

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<p>1 manage will also be informed by the meeting." 2 That's, again, looking forward to Valladolid, which 3 was to take place the following May: 4 "This root and branch review will examine all 5 aspects of present safeguarding practice." 6 Was that a reference to the independent review -- 7 A. Yes. 8 Q. -- which the NCSC has been asked to or was commissioned 9 to take on, and we know where we are with that, but is 10 that the independent review -- I think it was announced 11 just after the ad limina visit to Rome 12 in September 2018? 13 A. That's correct. 14 Q. The effect, I think you've already mentioned, of 15 the 2019 meeting was also disseminated by you on your 16 return to this country. If you look at your 17 paragraph 8, if you go back to page 2, please, of 18 the third statement, which we are looking at, you wrote 19 to every member of the Bishops' Conference of England 20 and Wales "giving my reflections on the meeting". You 21 said, "It was important to share my reflections on the 22 meeting with my fellow bishops in England and Wales soon 23 afterwards, and I also sent my letter to the Conference 24 of Religious. Although, as the inquiry is aware, the 25 diocesan structure of the church stands alongside that</p> <p style="text-align: center;">Page 37</p>	<p>1 of the religious. This is, of course, not the only way 2 in which the learning from the meeting has been 3 disseminated". You talk about a full and interactive 4 website which has been developed by the Holy See 5 relating to the event, and you give a little more detail 6 about that at the foot of the page in paragraph 8. 7 Can we look, please, at the letter that you sent to 8 the members of the Bishops' Conference. It is dated 9 25 February. Its URN is CHC001832. It is behind 10 divider 31, but I suggest we look at it on screen. If 11 we take the top half, first of all: 12 "To all members of the Bishops' Conference of 13 England and Wales. 14 "My dear Brother Bishops, 15 "The meeting, last week, in Rome on the protection 16 of minors was demanding at many levels. But it was also 17 profoundly important. I would like to take this 18 opportunity of giving you my impressions, some of which 19 I will put on a video, on Tuesday morning which will 20 become available a little later than this letter. 21 "You may have read many reports of the meeting. 22 What follows are my impressions and the emphasis that 23 I would give. 24 "Before the meeting there were some clear 25 expectations stated, not least by Pope Francis. These</p> <p style="text-align: center;">Page 38</p>
<p>1 were ..." 2 Can we just scroll up, please: 3 "1. To know what has to be done to prevent and 4 combat the worldwide problem of the sexual abuse of 5 minors, especially in the church. 6 "2. To do what is necessary, and be seen to do so. 7 "3. To have a new radical openness to this human 8 tragedy. 9 "In my view, we have moved a long way in achieving 10 these goals at a level of the whole church. 11 "At the end of the meeting, the Holy Father gave 12 a wide-ranging and very radical critique of child abuse, 13 both in society and in the church." 14 When you said a little earlier you were confused 15 about who did it, certainly Pope Francis did have 16 something to say at the end of the meeting: 17 "This you can read. At the end of the meeting, 18 three practical things were also announced ..." 19 And you have mentioned these, or some of these, in 20 passing: 21 "1. A new motu proprio from the Pope 'on the 22 protection of minors and vulnerable persons' to 23 strengthen, prevention and fight against abuse in the 24 Vatican City State and the Roman Curia. 25 "2. The Congregation of the Doctrine of the Faith,</p> <p style="text-align: center;">Page 39</p>	<p>1 CDF, will publish a vade mecum ..." 2 Meaning? 3 A. A handbook. 4 Q. "... that will lay out for bishops around the world 5 their duties and tasks. 6 "3. Task forces will be created to help episcopal 7 conferences and dioceses that find it difficult to 8 confront these problems to produce initiatives for the 9 protection of minors." 10 Then on to the next page, please: 11 "I came away from the meeting clear that there is 12 now among the leaders of the Bishops' Conferences of 13 the world and some key religious leaders, a common 14 determination, common perceptions and common priorities. 15 These correspond pretty exactly to the 8 key points that 16 the Holy Father made in his speech. There was also 17 clear support for the statement that there is no place 18 in public ministry for anyone found guilty of the sexual 19 abuse of minors and vulnerable adults. All expressed 20 a determination to break the circles of silence which 21 surround this abuse." 22 Something you have already told us about. And then 23 this: 24 "But in me, and I think in many, something deeper 25 changed. There was a change of mood. There was</p> <p style="text-align: center;">Page 40</p>

1 a change of perspective. And I have tried to put my
 2 finger on it.
 3 "For me, what happened was that I began to see
 4 everything that we were talking about from the
 5 perspective of the victim/survivor. That is a sobering
 6 perspective for us to take."
 7 Then you talk about the nature of the presentations
 8 that were received from survivors. For example:
 9 "They laid bare the helplessness of a minor
 10 suffering abuse."
 11 The lifelong damage:
 12 "The helplessness is physical, psychological and
 13 emotional. It is total. Once these realities entered
 14 my heart, then I began to see everything we were doing
 15 and talking about from a different perspective."
 16 You put out a video, a video broadcast. Who were
 17 the intended audience for this video?
 18 **A. The intended audience were those who generally look at**
 19 **the publications put out by the Catholic media office.**
 20 Q. We have the video, and perhaps in the few minutes before
 21 I am going to invite the chair and panel to take their
 22 morning break, perhaps we can watch that. So I wonder
 23 if we can play that, please?
 24 (Video played)
 25 MR ALTMAN: Cardinal Nichols, you will confirm, if I put up

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1 Archdiocese of Westminster."
 2 You pulled me up a little before on my calling it an
 3 archdiocese and actually you repeat it elsewhere?
 4 **A. Oh, well, I apologise.**
 5 Q. But it is wrong?
 6 **A. We generally, in our publications, refer to the "Diocese**
 7 **of Westminster".**
 8 Q. Back to what we were looking at, please, before the
 9 break. You have already confirmed that you played a key
 10 role in the post-Nolan implementation period; is that
 11 correct? You became --
 12 **A. Yes.**
 13 Q. -- chair of, what was it, the executive board of COPCA?
 14 **A. Management board.**
 15 Q. Management board.
 16 **A. Yes.**
 17 Q. It is clear, do you agree, that February 2019, before
 18 Rome and in Rome, was not the first time that you had
 19 met victims and survivors of child sexual abuse?
 20 **A. Correct.**
 21 Q. Because you will well remember that in your first
 22 statement, which was provided to the inquiry for the
 23 Birmingham investigation, you said, having looked at
 24 your diary, that your diary showed you'd met victims of
 25 child sexual abuse on 17 occasions during your time as

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1 on screen, please, CHC001833. The chair and panel, and
 2 you, will find this behind tab B/3, but we can put it up
 3 on screen -- I'm not going to go through it, but this
 4 was a report, not verbatim, but a report in the
 5 Westminster Record in March this year of what you just
 6 said in the course of that video. Have you seen this
 7 before?
 8 **A. Yes. Thank you.**
 9 Q. We don't have to go through it. It calls itself, at the
 10 bottom right-hand column, a transcript of your video
 11 reflection. As I say, it is not entirely verbatim, but
 12 it is the essence of what you say.
 13 There will be more questions after the break. As
 14 I say, invite the panel to now take their break of 15 or
 15 20 minutes, as the case may be.
 16 THE CHAIR: Yes, we will return at 11.30 am.
 17 (11.15 am)
 18 (A short break)
 19 (11.31 am)
 20 MR ALTMAN: Do you still have open your third statement?
 21 **A. I do.**
 22 Q. Can I just ask you for a moment just to divert to your
 23 first paragraph. It's the introduction to the
 24 statement:
 25 "I am the archbishop of the Roman Catholic

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1 the Archbishop of Birmingham. Do you remember that?
 2 **A. Yes.**
 3 Q. You repeated that when you gave evidence to the inquiry
 4 in the Birmingham investigation on 13 December of last
 5 year. Did you remember also saying this, that those
 6 experiences, which had to have been between the years
 7 2000 and 2009, while you were Archbishop of Birmingham,
 8 and from them you have learned the lasting, corrosive,
 9 destructive influence/effect/impact of child sexual
 10 abuse. Do you remember using words like that?
 11 **A. I do, yes.**
 12 Q. But those experiences were a decade before, as we have
 13 just seen for ourselves and read, talking about the sea
 14 change and writing about beginning to see what you were
 15 talking about from the perspective of the victim and
 16 survivor. Were the voices you heard in
 17 around February 2019 any different from the voices of
 18 those whom you spoke to on 17 occasions as
 19 Archbishop of Birmingham?
 20 **A. In some ways, they were. The voices I heard in the**
 21 **meeting in Rome were far more explicit in the physical**
 22 **details in which they spoke about their abuse than I'd**
 23 **heard when sitting face to face in the years while I was**
 24 **at Birmingham.**
 25 **The Survivors Advisory Panel, when I met with them,**

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1 were more explicit about what had happened to them. But
 2 the voices in Rome were more explicit again. But there
 3 was, I think, a much more important aspect of
 4 the meeting in Rome that had an impact on me which
 5 I reflected both in the message and in the video. It
 6 was that two, particularly, of the survivors, by what
 7 they said and by what they did, took my understanding to
 8 a different level. I do believe understanding of trauma
 9 such as child sexual abuse is something that we enter
 10 into gradually, step by step, but I remember one of
 11 the women giving evidence to the meeting in Rome. She
 12 sat in a very, very formal setting, in which normally
 13 ecclesiastical business is discussed, and she spoke in
 14 front of 200 people. I'd never heard a victim of abuse
 15 give an account of what happened to them in front of
 16 200 people.

17 She spoke with a great, great struggle, trying to
 18 command self-control. But what struck me even more was
 19 the fact that her husband was sitting next to her, and
 20 she would not let him touch her. He wanted to hold her
 21 hand, and she kept pushing him away, in front of
 22 200 people. And that, I think, more than anything I'd
 23 ever seen before, deepened and made public that sense of
 24 being cut off from all of this human contact as an
 25 effect of childhood sexual abuse, even contact in

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1 well, alongside -- the two things alongside each other.
 2 Those two moments, for me, are unforgettable, and
 3 they took to a new level words that certainly I'd used
 4 before, certainly I'd used them before, because that
 5 I had understood, but not quite with this depth and
 6 intensity that those two acts of testimony made so
 7 clear.

8 Q. If we put the letter back up on screen, please,
 9 CHC001832, the second page. At the top, the part which
 10 we have read together already:
 11 "But in me, and I think in many, something deeper
 12 changed. There was a change of mood. There was
 13 a change of perspective. And I have tried to put my
 14 finger on it.
 15 "For me, what happened was that I began to see
 16 everything that we were talking about from the
 17 perspective of the victim/survivor. That is a sobering
 18 perspective for us to take."
 19 Then you talk about the key presentations: deeply
 20 emotive, heart-rending, unambiguous "in spelling out the
 21 lifelong damage of childhood sexual abuse. They laid
 22 bare the helplessness of a minor suffering abuse. The
 23 helplessness is physical, psychological and emotional.
 24 It is total."
 25 Did you agree, on one reading, it rather makes it

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1 a moment of need from her husband, who had married her
 2 after she'd been abused, accepted her and supported her
 3 all these years, but she would not let him even touch
 4 her while she was giving this evidence.

5 Then the next day, or on the Saturday, if
 6 I remember, we had a religious ceremony in one of
 7 the great halls in the Apostolic Palace, so this, again,
 8 was a very grand setting, a very elaborate setting, and
 9 a younger man stood up, and he spoke in front of all of
 10 us, again in great detail, about the abuse he had
 11 suffered. Once or twice, he nearly broke down. He had
 12 to stop for a moment or two. He carried on with huge,
 13 huge personal effort.

14 But then, what was unforgettable was, the minute
 15 he'd finished speaking, he bent down and he picked up
 16 a violin and he played an exquisite violin solo for the
 17 following ten minutes, and I thought to myself, "How do
 18 you do that? How do you speak those words, expose the
 19 most vulnerable, hurt part of yourself, and then pick up
 20 a violin and play perfectly?", and that kind of taught
 21 me in a way that nothing else had ever taught me how
 22 somebody who has suffered this terrible abuse manages to
 23 compartmentalise themselves, and even though he explored
 24 and showed us the broken part of himself, he still had
 25 the ability to show us the creative part of himself as

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1 suggest that what happened in February was a revelation
 2 to you?

3 A. I can see it could be read like that and it wouldn't be
 4 entirely wrong, because what happened in February was
 5 a revelation to me.

6 Q. So, of all of the victims and survivors you met in
 7 around the nine-year period -- on average, two a year --
 8 when you were Archbishop of Birmingham, you'd never
 9 quite had the same sense of lifelong damage, the
 10 revelatory effect of their stories being told to you?

11 A. I found there was quite a difference between sitting in
 12 the comparative security of either a person's home or my
 13 own home and having a conversation and listening
 14 intently and trying my best to understand what they say,
 15 and I think doing so to a degree, I think there's quite
 16 a radical difference between that and the two moments
 17 I have just described, and they do lead -- they did lead
 18 to a deepening of the words that I'd written before, but
 19 I would still say they were in intensity and in impact,
 20 because of the setting, because of how explicitly things
 21 were stated, they were a new revelation to me.

22 Q. May I ask you, please, now if we take that down and just
 23 put back up again the report in the Westminster Record
 24 of what you said on the video, CHC001833, please. If we
 25 can enlarge it and scroll down towards the bottom left,

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1 do you see at the top of the left-hand column:
 2 "There was something else that happened in the
 3 meeting: a sea change, a change of perspective.
 4 Probably the most important things we heard during these
 5 three days were the eight testimonies given by those who
 6 had been abused in childhood. There were three women
 7 and five men from every continent of the world. That
 8 voice, to me, struck home very deeply."
 9 So you're talking about the voice of all of them in
 10 combination; is that right?:
 11 "They talked about the lifelong damage done by
 12 childhood abuse. They talked of the powerlessness they
 13 experienced in front of the strength of the abuser.
 14 That powerlessness, that helplessness, was not just
 15 physical; it was psychological and emotional. It was
 16 that voice that struck home most deeply.
 17 "It meant, in my mind and not just in my mind, that
 18 everything we considered, all the aspects of
 19 the procedures and the structures of the church have to
 20 be looked at afresh, from the point of view of those who
 21 have suffered childhood abuse and are slowly willing to
 22 talk about its effects."
 23 Would you say, Cardinal, that that paragraph in
 24 particular, reflecting what you said during the course
 25 of the video, was what you came away from February with?

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1 **the members of the Bishops' Conference. I regret the**
 2 **use of the word "training". It sounds a bit technical.**
 3 Q. You use it yourself in your paragraph 23.
 4 **A. Yes, I do.**
 5 Q. You talk about "in-service training"?
 6 **A. Yes, I do. That's a customary phrase that we use.**
 7 **I don't think it's particularly appropriate to these**
 8 **days that we spend together.**
 9 Q. Are you aware of the fact that Baroness Hollins, in an
 10 article dated 27 March 2017, in the Catholic Herald, was
 11 quoted as saying, in terms of safeguarding and child
 12 protection, that "Some church leaders get it and some
 13 church leaders don't". Have you heard that quotation
 14 from her before?
 15 **A. No.**
 16 Q. When she gave evidence to this inquiry at the end of
 17 last week and she was asked about it, she said:
 18 "I think my perspective is that people understand
 19 the need for procedures and policies, but at a cognitive
 20 level. There is a sort of cognitive empathy, but not an
 21 emotional empathy. It's the failure to actually
 22 understand at a deeper level what the -- why this really
 23 matters. I believe that we can teach empathy.
 24 I believe empathy can be taught. But if it hasn't been
 25 taught, and if ..."

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1 In other words, "We have to look at everything afresh,
 2 how we do procedures, our structures, everything"?
 3 **A. Yes, and I hope that will be the perspective that the**
 4 **review now commissioned by the National Council will**
 5 **take, and it will be, for the first time in our**
 6 **experience, a review shaped and contributed to by**
 7 **survivors themselves.**
 8 Q. But just to remind ourselves, that review was already in
 9 being because it was announced in September 2018?
 10 **A. The fact of the review -- our request to the NCSC was.**
 11 **The terms of reference for the review have only just**
 12 **been established in the last month or so.**
 13 Q. Yes, it's headed October 2019, the terms.
 14 **A. Yes.**
 15 Q. We may look at them later.
 16 Baroness Hollins was instrumental in -- is it the
 17 training that took place in May in Valladolid? Did she
 18 prepare the training, the exercises, and that sort of
 19 thing? Do you remember?
 20 **A. We do use the word "training", but it's probably not the**
 21 **best word to use. What she was preparing for us and**
 22 **guiding for us was -- it was not a physical or**
 23 **a tactical training. It was a meeting. It was to be**
 24 **a meeting of a group who have suffered childhood sexual**
 25 **abuse, those who were given the support they needed and**

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1 And then she interrupted herself and said:
 2 "... and not everybody develops empathy naturally.
 3 If people have grown up in a particularly empathetic
 4 family, maybe they will have more emotional connectivity
 5 and more emotional understanding. But my sense is that
 6 some people didn't get it at an emotional level, and
 7 that doesn't mean they didn't get it at a legalistic
 8 perspective."
 9 Before you attended the February 2019 meeting,
 10 despite all of your experiences up to that point in
 11 time, do you think you got it?
 12 **A. Yes, I do think I got it. But getting it is always**
 13 **a spectrum. I think I've since -- I can almost put**
 14 **a date to it. Since the first time, the first couple**
 15 **I met, the man who had been abused in Birmingham, and --**
 16 **they became friends, so we had an ongoing, steady**
 17 **contact with each other. I got it. I understood. But**
 18 **getting it is not a single univocal -- it hasn't got**
 19 **a single univocal content. You get it increasingly.**
 20 **You get it at a deeper level. You get it to see it in**
 21 **its wider perspective.**
 22 **I also got it from that first couple I met that what**
 23 **actually caused them more distress was the criminal**
 24 **court case in which they were later involved. So**
 25 **there's a lot of things to get around the experience of**

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1 survivors of abuse. I don't think I've ever not got it.
 2 I willingly admit that I'm still very much a learner and
 3 there's probably a got more to get still.
 4 Q. Baroness Hollins made a distinction, which, if she
 5 forgives me for saying so, might be regarded as a crude
 6 distinction, between getting it from an empathetic point
 7 of view and getting it from a legalistic perspective.
 8 Do you fall into either of those camps, or have you?
 9 A. If I tell you, with this first couple I met when I went
 10 to Birmingham, that I wept with them, would that be
 11 a description for you?
 12 Q. Do you think that is empathy?
 13 A. I think it is an expression of emotionally getting it.
 14 Q. Empathy?
 15 A. Yes.
 16 Q. Presumably, you have wept with others, Cardinal?
 17 A. Yes.
 18 Q. Several times?
 19 A. Yes.
 20 Q. Now, can we look, please, at May, and some of the other
 21 aspects which you deal with in your statement, dealing
 22 with the post-May period, which we will come to, and
 23 some of the training, which is a word I know you don't
 24 like.
 25 But if we consider something I have already asked

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1 had an in-service training in Rome at which some of
 2 the professors from the Gregorian University talked
 3 about the nature of Christ in relations with other
 4 faiths. There's a wide range of topics.
 5 Q. What about going forwards? What's planned in the future
 6 for in-service training?
 7 A. I think that's still an open page.
 8 Q. Baroness Hollins, when she gave evidence last week, said
 9 the Bishops' Conference hasn't asked her to provide more
 10 training, and she hasn't offered more. Do you know
 11 that?
 12 A. Hadn't, did you say?
 13 Q. She said the conference has not asked her to provide
 14 more training and she has not offered more. My question
 15 is, did you know that?
 16 A. I didn't know she said that. I do know that she's been
 17 to a number of dioceses to provide a similar exposure --
 18 experience, training, to the clergy of the dioceses.
 19 Q. She's talking about the conference.
 20 A. Okay.
 21 Q. More generally. Do you regard that, if she is being
 22 accurate, not about what she said but the fact that the
 23 conference has not asked her to provide more training,
 24 is that a failure by the conference to offer in-service
 25 training?

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1 you to look at, and just look at it again, your
 2 paragraph 23, which is your page 5 of your third
 3 statement:
 4 "The bishops of England and Wales have an
 5 established and regular cycle of in-service training."
 6 I have already read this, but I just want to ask you
 7 a few more questions about it:
 8 "Every two years, the spring Plenary Assembly is
 9 designated either a spiritual retreat or an in-service
 10 training conference. The May 2019 meeting is part of
 11 that regular cycle. The programme and detail of
 12 the meeting is still being finalised by the team of
 13 experts we have invited to work with us."
 14 This was one aspect of the practical steps in
 15 England and Wales which you mention in the body of this
 16 statement. Who is supplying the regular in-service
 17 training?
 18 A. Those who we believe are competent to pursue what we
 19 want to look at.
 20 Q. Who are they?
 21 A. Well, it depends on the topic.
 22 Q. Give us some of the topics.
 23 A. We have had scripture scholars talk about --
 24 Q. You have had who, sorry?
 25 A. Scripture scholars talk about the use of the Bible. We

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1 A. We haven't given any consideration to our next
 2 in-service training as yet.
 3 Q. What, then, is the "established and regular cycle of
 4 in-service training" you refer to in your statement?
 5 A. I think it says every two years, I think.
 6 Q. Going forwards?
 7 A. It's a blank page. We haven't considered it yet.
 8 Q. When are you likely to consider it, do you think?
 9 A. These things are normally either suggested at a plenary
 10 meeting and then followed up by the standing committee,
 11 or generated at a standing committee and then proposed
 12 to the plenary.
 13 Q. After Valladolid, in the June, did you give a public
 14 statement in which you reflected on the May meeting?
 15 A. I did.
 16 Q. Including how you felt it affected the bishops?
 17 A. Yes, I did.
 18 Q. I wonder --
 19 A. If I may, if I remember rightly, it was a statement
 20 agreed by all of us, not just given by me.
 21 Q. Can we put up, please, on the screen INQ004789. It is
 22 in flag 27, if anyone is following the paper copy. If
 23 you want to follow, Cardinal, you dealt with this in
 24 your fourth witness statement, if you want to turn to
 25 that, at paragraph 19. You set out some of the text in

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1 your paragraph 19.
 2 **A. Thank you.**
 3 Q. What you say in the statement -- perhaps let's focus on
 4 that, and then we will come back to what's on the
 5 screen. At paragraph 19 is:
 6 "The team delivering the Valladolid training ..."
 7 Again, you use the word "training", which you don't
 8 like:
 9 "... included several survivors, some of whom were
 10 members of the SAP [the advisory panel].
 11 "I was strongly in favour of their involvement and
 12 considered it a key feature of the event. I hoped that
 13 all those who attended would be as affected by hearing
 14 from them as I had been. In June 2019, I gave a public
 15 statement in which I reflected on the meeting, including
 16 on how I felt it had personally affected the bishops."
 17 And there are three paragraphs of quoted text:
 18 "Since 2001 [it reads], when the Catholic Church in
 19 England and Wales adopted the recommendations of
 20 Lord Nolan's independent inquiry, including passing on
 21 all allegations of abuse immediately on to the police to
 22 investigate, much has been learned by everyone in the
 23 Catholic Church and in our wider society about the
 24 disastrous, long-term effects of childhood sexual abuse.
 25 As I stated in my evidence to IICSA ..."

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1 crucial dimensions of the impact of abuse on survivors
 2 and are responding to it in significantly different
 3 ways. For example, we have established a Survivors
 4 Advisory Panel at national level to help us as bishops
 5 in our response to those who have suffered and in our
 6 continuing efforts to do what we can to ensure that the
 7 Catholic Church in all its activities is a safe setting
 8 for children and for vulnerable adults. The panel works
 9 closely with our National Catholic Safeguarding Council
 10 in its current review of all our safeguarding work ..."
 11 I think it is "Commission" rather than "Council"; is
 12 that right?
 13 **A. Yes.**
 14 Q. "... in its current review of all our safeguarding work.
 15 Survivors are now at the heart of this work. At a far
 16 more personal level, all the bishops of England and
 17 Wales spent three days in May with survivors of sexual
 18 abuse, guided by professionals in this work. Over these
 19 days, the survivors spoke to us directly and with great
 20 feeling about their experiences of abuse, their sense of
 21 helplessness, of being exploited in their vulnerability
 22 or the heartless manipulation by their abusers who left
 23 them, the victims, carrying guilt, shame and the
 24 long-term radical isolation that is one of the deep
 25 scars of that abuse. We sat and talked together, shed

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1 Pausing there, you are talking about the evidence
 2 you gave here on 13 December last year in relation to
 3 Birmingham; is that right, Cardinal?
 4 **A. I think it's a quote from my written submission.**
 5 Q. You mean, what, your statement, one of your statements,
 6 presumably?
 7 **A. Yes.**
 8 Q. "... abuse shatters the most precious human capacity,
 9 the capacity to trust another person. In a victim of
 10 abuse, that capacity is radically damaged, if not
 11 destroyed. It can leave that person's life as no more
 12 than a shell of survival, devoid of stable, lasting
 13 relationships."
 14 So, clearly, this shows that you had some insight,
 15 even in the statements that you made before December
 16 last year, before giving evidence, about the lifelong
 17 damage that childhood sexual abuse can cause and the
 18 harm caused by it?
 19 **A. Yes.**
 20 Q. "... or where such relationships are achieved, they are
 21 fragile and easily broken, not least by the resurfacing
 22 of horrid memories of childhood abuse", and indeed you
 23 refer to a date there, which is a reference to one of
 24 your statements:
 25 "As bishops, we have come to understand these

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1 tears together, ate and prayed together and gradually
 2 relaxed in each other's company."
 3 If we look at the document on screen, we can see the
 4 title as reported in this document, "Cardinal's
 5 statement following IICSA report into Archdiocese of
 6 Birmingham". Was this statement, in fact, not solely or
 7 mainly a response to your learning in May in the meeting
 8 in Spain, but, rather, a response, as the title rather
 9 suggests, to the report published by this inquiry into
 10 the Archdiocese of Birmingham? What was the purpose of
 11 this?
 12 **A. Could I have a moment to read this?**
 13 Q. Yes. If you would prefer to see a hard copy, it is
 14 behind divider 27, but we can read it together. The
 15 first paragraph:
 16 "The IICSA report into the Archdiocese of Birmingham
 17 covers a period of 70 years. One of its overall
 18 conclusions is that the response of the archdiocese to
 19 the sexual abuse of children was to care more about the
 20 reputation of the archdiocese and its priests than to
 21 respond properly, with care and a focus on justice, to
 22 those who had suffered that abuse. This is undoubtedly
 23 true. Both the archdiocese and myself, as archbishop
 24 for nine of those 70 years, have apologised
 25 unreservedly."

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<p>1 Then the next paragraph begins, "Since 2001", and 2 that's the text which is replicated in paragraph 19 of 3 your fourth statement. 4 Do you accept that that first paragraph, the 5 criticism which is set forth in that first paragraph, 6 applied to you personally as much as it did to the 7 archdiocese generally? 8 A. No. 9 Q. You don't? 10 A. No. 11 Q. Why not? 12 A. Because there was no evidence given in this inquiry to 13 suggest that. It wasn't said so in the IICSA report 14 either. 15 What I was criticised for, and understandably, was 16 a badly-worded press release, and there was a general 17 criticism of the diocese that it had protected -- it 18 sought to protect its own reputation rather than to 19 respond to victims, but the report also said that that 20 had radically changed from the year 2001. 21 Q. You will remember, I'm sure, because you must have read 22 this -- I'm holding up the inquiry's report which itself 23 was published in June, "The Roman Catholic Church case 24 study Archdiocese of Birmingham", at paragraph 77 on 25 page 24:</p> <p style="text-align: center;">Page 61</p>	<p>1 "Whilst Archbishop Nichols' response to the 2 broadcasting of 'Kenyon Confronts' did acknowledge the 3 damage done to those who had been abused, it focused 4 overwhelmingly on the tactics employed by the programme 5 makers and the Pope's Silver Jubilee. This response was 6 misplaced and missed the point. The focus should have 7 been on recognising the harm caused to the complainants 8 and victims. Instead, the archbishop's reaction led 9 many to think that the church was still more concerned 10 with protecting itself than the protection of children." 11 Do you regard that as fair criticism of you? 12 A. In that instance, yes, I do. 13 Q. Do you remember, when you gave evidence to this inquiry 14 on 13 December, you said you would not issue the same 15 press release again? 16 A. Yes, I do. 17 Q. When you gave evidence, Ms Carey here, who was asking 18 you the questions on that occasion, asked you to 19 consider that many might think you were more concerned 20 with not having negative publicity than actually 21 tackling and dealing with the archdiocese's response to 22 the perpetrators of such abuse, and your response was 23 you understood it but that hadn't been your intention? 24 A. That is correct. 25 Q. Does media reporting of such issues -- is that something</p> <p style="text-align: center;">Page 62</p>
<p>1 that troubles you? 2 A. I'm sorry, is that a general question? 3 Q. It is a general question, yes. In other words, media 4 reports which challenge and criticise the 5 Catholic Church, either in this country or the Pope and 6 the Vatican, are those matters which concern you? 7 A. They concern me, and I always try to have a discussion 8 as to how to respond to them, and also a discussion 9 about their veracity. 10 Q. So "veracity" obviously means, what, their truth and 11 accuracy? 12 A. Exactly. 13 Q. Coming back to the training in May and after May, we 14 have looked at what you had to say in June. Did 15 Baroness Hollins produce a summary document? Do you 16 remember a document that she produced? 17 A. Yes, I do. 18 Q. We can put it up on screen. It's in tab B/4. 19 INQ004317. We can see the title at the top, if we can 20 enlarge that, please: 21 "Safeguarding conference summary report, May 2019. 22 6th to 9th May 2019 at the Royal College of St Alban's 23 in Valladolid." 24 Have you seen this document before? 25 A. Yes, I have.</p> <p style="text-align: center;">Page 63</p>	<p>1 Q. I mean before it being given to you as part of your 2 bundle for your evidence? 3 A. Yes, I have. 4 Q. It is dated 31 May, by Baroness Hollins, and has 5 a number of headers. Then, on the third page, we see 6 under the head "Evaluation": 7 "Analysis of the 36 evaluation forms, completed 8 (anonymously) by the archbishops, bishops and auxiliary 9 bishops at the end of the safeguarding training 10 conference during their plenary meeting ..." 11 Did you complete one of these, Cardinal? 12 A. Pardon? 13 Q. Did you complete one of those evaluation forms? 14 A. I believe so. 15 Q. If we go to the next page of the questions, the five 16 questions that she asked in order to complete the 17 evaluation, point 4: 18 "Are you confident that you have the resources and 19 support that you need to help you in your safeguarding 20 ministry (prevention, healing and care)? Have your 21 views changed during the week?" 22 The responses were, the key points: 23 "Fewer than half of the bishops (ie, 16 bishops) 24 were confident that they have the necessary resources 25 and support for their safeguarding ministry.</p> <p style="text-align: center;">Page 64</p>

1 "However, the conference week had given many ideas
 2 to pursue, and some of these ideas were mentioned by the
 3 'not confident' bishops as things to address next."
 4 What's the position in Westminster? If you were
 5 answering that form today, if they'd asked you whether
 6 you were confident that you had the resources and
 7 support to help in your safeguarding ministry, what
 8 would your answer be?
 9 **A. I think, over the last two or three years in
 10 Westminster, or maybe going back to 2016, we've
 11 increased the resources that are available, and we have
 12 in place a safeguarding coordinator in whom I have lot
 13 of confidence. I would await her assessment as to
 14 whether she wants further resources. I know we are in
 15 the process at the moment of appointing an additional
 16 case officer. I have a commission which is broad. It's
 17 got very experienced professionals on it. It has -- it
 18 is independent. And I trust the advice that I'm given
 19 by it.**
 20 **So the answer to your question is, substantially
 21 yes, with room for improvement, yes.**
 22 Q. Who is the chair of the Safeguarding Commission in
 23 Westminster?
 24 **A. I beg your pardon?**
 25 Q. Who is the chair?

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1 of abuse by priests in dioceses."
 2 How far, Cardinal, down the road of identification
 3 and commitment is Westminster as regards these final
 4 tasks?
 5 **A. We're exploring the possibility of establishing
 6 a regional SAP group. We have had a meeting of bishops
 7 within the ecclesiastical province. I'm not sure quite
 8 the means of a heartfelt request by church leaders for
 9 forgiveness, other than through statements. The
 10 nomination of English and Welsh priests, I don't have
 11 one in the diocese that I've nominated. The ongoing
 12 work to prepare for a code of conduct is a work of
 13 the archbishops -- of the Bishops' Conference and is
 14 ongoing. Identifying and reach out to known survivors
 15 of abuse by priests in the dioceses, that is something
 16 that, at a particular basis, I have not acted on as yet,
 17 other than to offer a general invitation to those at the
 18 diocese who wish -- who have been offended and wish to
 19 come and speak with me.**
 20 Q. Can we understand something: how do you divorce or
 21 distinguish between wearing, as it were, your Bishops'
 22 Conference President hat and as Cardinal and Archbishop
 23 of Westminster? How do you deal with that?
 24 **A. I have two roles and I try to fulfil them both, and they
 25 both involve time and attention every day.**

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1 **A. Peter Houghton.**
 2 Q. If we go slightly up the page, please, to the page
 3 before, page 3, to the second paragraph, "The bishops'
 4 final task":
 5 "The bishops' final task was to identify and commit
 6 to actions within their own dioceses and provinces. The
 7 importance of a 'One Church' approach was reaffirmed.
 8 Examples of actions considered included:
 9 "The possibility of establishing regional SAPs ..."
 10 You have told us, I think, about that already,
 11 Cardinal, more than once:
 12 "... with the help of the SAP of the NCSC.
 13 "Special meetings of bishops within ecclesiastical
 14 province groups.
 15 "Heartfelt request by church leaders for
 16 forgiveness, especially from those who have been abused
 17 and those close to them.
 18 "Nomination of English and Welsh priests to
 19 participate in the licentiate on safeguarding at the
 20 Centre for Child Protection at the Pontifical Gregorian
 21 University in Rome.
 22 "Ongoing work to prepare a code of conduct for
 23 priests, to reflect a 'One Church' approach. [I will
 24 come back to that later].
 25 "Plan to identify and reach out to known survivors

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1 Q. You have a private office?
 2 **A. I have a private office as Archbishop of Westminster and
 3 I have a general secretary and a team as President of
 4 the Bishops' Conference.**
 5 Q. Who offer you advice, presumably, about the different
 6 aspects of both your roles?
 7 **A. In the diocese, there is an Archbishops' Council and
 8 a trustees body, and that shapes the work of
 9 the diocese. In the Bishops' Conference, there is
 10 a staff that serve the work of the Bishops' Conference
 11 which, as I have said, is essentially established and
 12 guided by the plenary and the standing committee.**
 13 Q. Can we please return to your fourth statement.
 14 Paragraph 24 on page 8. I'd like to ask you a little
 15 about the independent review that we have touched on
 16 a couple of times so far.
 17 Whose idea was it that an independent review was
 18 necessary?
 19 **A. It was put to the meeting of the bishops in Rome
 20 in September 2018 by Bishop Marcus Stock.**
 21 Q. Is he the Bishop of Leeds?
 22 **A. Leeds. I supported him very strongly in it and, at that
 23 meeting, we came to a decision to ask the NCSC if they
 24 would commission -- if they would commission an
 25 independent review into this work.**

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1 Q. What was it, though, about the post-Nolan,
 2 post-Cumberlege recommendations and the reviews that
 3 those two reports had undergone into church structures,
 4 policies and procedures, what was it, by September 2018,
 5 that was felt by Bishop Stock, and supported by you,
 6 that required a comprehensive review?
 7 **A. Well, in the Nolan Report in 2001, there was a strong**
 8 **suggestion that, after five or six years, they should be**
 9 **reviewed.**
 10 Q. That was Cumberlege?
 11 **A. That was Cumberlege. One reason was it was then ten**
 12 **years since Cumberlege and it was time it was renewed.**
 13 **I think that's quite good practice. Also, clearly, the**
 14 **extent and the depth of the crisis for us caused by the**
 15 **abuse of children had not in any way diminished. It had**
 16 **increased. Therefore, quite properly, we wanted to ask**
 17 **an independent mind to look at what we were doing and to**
 18 **revise it.**
 19 Q. Is that to look at everything, in safeguarding and child
 20 protection terms, as far as the Catholic Church in
 21 England and Wales is concerned?
 22 **A. I believe so.**
 23 Q. As you've confirmed, announced just after the ad limina
 24 visit you made to Rome in September 2018 -- August,
 25 I think, September 2018?

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1 independent chair and NCSC will consider the appointment
 2 of other expert or independent members, if necessary, as
 3 the review progresses.
 4 "The review will commence as soon as contractual
 5 arrangements are in place and agreed between Mr Elliott
 6 and the Catholic Trust for England and Wales."
 7 If we turn, please, to the third page, under the
 8 head "Scope and Purpose":
 9 "The review report will be commissioned by the NCSC
 10 on behalf of the Bishops' Conference."
 11 Pausing there, you said to me a moment ago you
 12 couldn't answer why it's taken a year or more to provide
 13 terms of reference, but if it's commissioned by the NCSC
 14 on behalf of the Bishops' Conference, oughtn't you to
 15 know, as the president of the conference?
 16 **A. The negotiations with the nominated person, the**
 17 **interview, the setting of these terms, has been done**
 18 **between the NCSC and the General Secretary of the**
 19 **Bishops' Conference. I have not followed it closely.**
 20 **I trust them to get on with that work.**
 21 Q. Have you had any input into these terms of reference?
 22 **A. None at all.**
 23 Q. Has anybody within the Bishops' Conference had any input
 24 to these terms of reference?
 25 **A. I can't answer that question.**

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1 **A. September, yes.**
 2 Q. Let's have a look at the terms of reference, if we may,
 3 and perhaps we can put them up on screen, INQ004788,
 4 please. We can see that these are hot off the press
 5 almost, aren't they, October 2019?
 6 **A. Yes.**
 7 Q. So they have just been finalised. Why has it taken
 8 almost a year to finalise, if not over a year to
 9 finalise, terms of reference of an independent review
 10 that was devised a year ago?
 11 **A. I'm afraid this is the work of the National Safeguarding**
 12 **Commission. I have not been involved in it in any way**
 13 **at all.**
 14 Q. So you can't answer that?
 15 **A. I can't answer that.**
 16 Q. But we can see at the top:
 17 "These terms of reference serve to inform and
 18 provide the scope and reporting framework for the
 19 independent review to be led by the chair,
 20 Mr Ian Elliott. Mr Elliott was appointed to undertake
 21 this review by the NCSC in July 2019.
 22 "Mr Elliott will lead the review supported by two
 23 panel members, a Canon lawyer and financial advisor.
 24 During the review, it may be necessary to co-opt
 25 additional members to the review panel and the

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1 Q. Why not?
 2 **A. Because I don't know.**
 3 Q. "The report will be received by the chair and
 4 vice-chairs of the NCSC before submission to bishops for
 5 consideration.
 6 "The review is not required to make specific
 7 recommendations for action, but to identify different
 8 models of structure and operations and the means by
 9 which these could be achieved, presenting a view on
 10 which models seem best suited to supporting and
 11 delivering the 'One Church' approach to safeguarding."
 12 So looking at that, Cardinal, can you help us with
 13 this: at least if you didn't know before, just from
 14 having read this together, is it conceivable that the
 15 review could even look at a model which is completely
 16 different to the current model of the NCSC and CSAS and
 17 suggest an external body is responsible for safeguarding
 18 and child protection insofar as the Catholic Church in
 19 England and Wales is concerned?
 20 **A. My understanding is, they have been asked to look at**
 21 **everything.**
 22 Q. Including that?
 23 **A. Yes. I don't know about that as a proposal, but that as**
 24 **an area, yes. If I may just revise my previous answer,**
 25 **I think the member of the Bishops' Conference who was**

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1 **probably most involved in this is Bishop Marcus Stock,**
 2 **who, if you like, is our lead bishop on matters to do**
 3 **with safeguarding and a member of the NCSC and,**
 4 **therefore, of the commissioning body.**
 5 Q. But he doesn't report back to you what's going on?
 6 **A. If he thinks it's necessary, he does.**
 7 Q. On a "need to know" basis?
 8 **A. I think so.**
 9 Q. And you don't need to know?
 10 **A. He didn't think so. He knows he has my confidence.**
 11 Q. At the foot of the page, the NCSC, having identified the
 12 review, should look at six key elements, including
 13 safeguarding infrastructure and organisation, which is
 14 point 1:
 15 "Whether the structures and purposes of the NCSC and
 16 CSAS, their relationship with each other and their
 17 shared and individual relationships with the wider
 18 church safeguarding structures are appropriately
 19 configured to lead the strategic and operational
 20 direction of a national 'One Church' approach to
 21 safeguarding, or whether there are alternative models of
 22 structure, governance and funding that should be
 23 considered."
 24 This is 18 years after Nolan, isn't it?
 25 **A. I think it's quite timely to have a radical review.**

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1 **A. No.**
 2 Q. Had you had any input into any part of it?
 3 **A. Personally, no; other than the discussions which took**
 4 **place in the February meeting, as it's fairly evident**
 5 **that the address given by Cardinal Cupich from Chicago**
 6 **on this theme was a major factor in the shaping of**
 7 **"Vos estis lux mundi", but that is an entirely indirect**
 8 **contribution. I had no direct contribution.**
 9 Q. We can take down the document on the screen. If you
 10 would kindly, please, go within your fourth statement to
 11 your paragraph 32 and onwards. I think we have already
 12 looked at this with another witness. It's gone up on
 13 screen. I'm not proposing to do it now. If my memory
 14 serves me, it was Monsignor Read, the Canon lawyer who
 15 gave evidence to us the other day. Entitled "Vos estis
 16 lux mundi": "You are the light of the world". What is
 17 it? How do we understand what it is? Apart from it's
 18 the Pope's word, how do we understand it?
 19 **A. It is a provision within the legal structure of**
 20 **the church and a process how a bishop who is considered**
 21 **to have gravely mishandled or obstructed an enquiry into**
 22 **child sexual abuse is to be held to account.**
 23 Q. Who does it bind most directly?
 24 **A. It binds, as I think Monsignor Read might have said,**
 25 **Canon law binds essentially all clerics. So it -- yes.**

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1 Q. It is, but it rather suggests, don't you think, that if
 2 the "One Church" principle, which was one of the major
 3 recommendations or overarching recommendations or
 4 messages that came out of Nolan, don't you think this
 5 all rather suggests that it just hasn't worked?
 6 **A. I think we're open to any suggestion that would help**
 7 **what we have achieved so far be improved.**
 8 Q. Has, do you think, this independent review been prompted
 9 by this inquiry throwing a spotlight on safeguarding and
 10 child protection in the Catholic Church in England and
 11 Wales?
 12 **A. I'm very glad that this inquiry places that spotlight on**
 13 **the work of safeguarding in the Catholic Church.**
 14 **I believe we would have had this independent review**
 15 **anyway, because it was timely.**
 16 Q. But was it prompted by this inquiry, Cardinal?
 17 **A. It's timely in its own case. We weren't prompted by an**
 18 **inquiry when we reviewed Nolan, and we would have had**
 19 **this review anyway. I am grateful to the inquiry for**
 20 **its spotlight. It certainly helps.**
 21 Q. Now, we mentioned before the motu proprio, "Vos estis
 22 lux mundi", published on 7 May, so during the period
 23 that you were actually in Spain?
 24 **A. Yes.**
 25 Q. Did you realise it was about to be published?

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1 **I'm not a Canon lawyer, by the way.**
 2 Q. I know. I think you make that plain. So don't worry,
 3 I'm not going to test you or examine you on any of it?
 4 **A. Thank you.**
 5 Q. Far less, I wouldn't know what I'm talking about. But
 6 it seems to be directed at the leadership roles in the
 7 church?
 8 **A. Well, certainly the procedures that it lays out are**
 9 **directed at the leadership role in the church, yes.**
 10 Q. It is about those bishops who don't handle complaints of
 11 this kind seriously and in an appropriate way?
 12 **A. It's about those bishops who gravely mishandle or**
 13 **deliberately obstruct.**
 14 Q. Does it apply to religious leaders as well?
 15 **A. I think so.**
 16 Q. Your paragraph 34 says:
 17 "The motu proprio sets out a detailed procedure by
 18 which a complaint that a bishop or leader of a religious
 19 congregation ..."
 20 So you answer the question there.
 21 **A. Yes.**
 22 Q. "... has seriously mishandled an allegation of child
 23 sexual abuse is to be dealt with. The NCSC, CSAS, have
 24 published an information sheet on how to make
 25 a complaint against safeguarding services and the

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<p>1 section on bishops and religious superiors is currently 2 being updated in light of the motu proprio." 3 Then at your 35: 4 "The motu proprio also places on all clerics the 5 duty of reporting to their ecclesiastical superiors any 6 suspicions of abusive behaviour which they may observe. 7 It also obliges dioceses throughout the world to have 8 a mechanism through which clergy are able to fulfil this 9 duty. This is, in effect, the canonical establishment 10 of a duty to report suspicions of abuse within the 11 church." 12 So this is a canonical form of mandatory reporting? 13 A. Yes. 14 Q. But within Canon law and within the church? 15 A. Yes. 16 Q. Not to the civil authorities? 17 A. I think there was a -- no, is the simple answer. 18 Q. If my memory serves me -- it is a while since I looked 19 at it -- there may be reference, and we can look at it 20 again, if needs be, to statutory authorities. Is it, 21 from your understanding, mandatory reporting up through 22 the church, or does it involve the statutory 23 authorities? 24 A. If I recall, the speech that Charles Scicluna gave to 25 which I referred earlier --</p> <p style="text-align: center;">Page 77</p>	<p>1 Q. That's the -- 2 A. -- and he gave those two principles, he said, in all of 3 these matters, the canonical procedures are to be 4 observed and the civil law and requirements are to be 5 observed. So I think we take as given. 6 Q. So that's the motu proprio, which is in force now; is 7 that right? 8 A. Yes. 9 Q. Which brings us on to recommendation 72 of Cumberlege 10 and canonical recognition. Still in your fourth 11 statement, if you would go back to paragraph 27, please. 12 We know that there is a general decree currently with 13 the Holy See in Rome awaiting approval and the granting 14 of recognition, and it relates to recommendation 72 of 15 Cumberlege. Perhaps if we were able to put that up on 16 screen, we can remind ourselves what recommendation 72 17 is. CHC000002_102. You will have seen this before, I'm 18 sure, Cardinal: 19 "The Bishops' Conference of England and Wales, in 20 consultation with the Conference of Religious, should 21 make the appropriate decreta generalia and secure 22 canonical recognitio of them so that there will be 23 a special territorial law for England and Wales which 24 would both give juridical authority to the church's most 25 important safeguarding rules for children and vulnerable</p> <p style="text-align: center;">Page 78</p>
<p>1 adults and also secure a right of recourse to the 2 Holy See against a diocese, religious congregation or 3 other juridical person which failed to fulfil the 4 obligations laid down in that law (ST)." 5 It's the effect of this recommendation that is now 6 hoped to be put on a canonical law footing; it's the 7 effect of this. We will look at the decree in a while. 8 So that we understand it, and bearing in mind what 9 you tell us, that you are not a Canon lawyer, but do you 10 understand that, once accepted, there will be a special 11 territorial law for England and Wales which will give 12 authority to the church's most important safeguarding 13 matters and operations? 14 A. Correct. 15 Q. In your paragraph 29 on page 10 of your statement, you 16 say the seeking of recognition has been a long-running 17 process; yes? 18 A. Yes. 19 Q. Cumberlege was published, as I reminded you earlier, in 20 2007. If we go, please, within the same report to 21 paragraphs 7.6 and 7.7 on pages 90 to 91, and if we look 22 to the bottom, this is in relation to the recommendation 23 we have just looked at: 24 "It is, of course, entirely a matter for the 25 Conference of Bishops and Conference of Religious</p> <p style="text-align: center;">Page 79</p>	<p>1 whether they accept the recommendations and findings of 2 this report and, if they do, how they will [choose] to 3 implement them. However, to assist in this we have 4 proposed a timeline against our recommendations, 5 summarised in this chapter, to indicate those we 6 consider to be a priority for action and which can be 7 implemented in the short term -- in other words, within 8 12 months of the publication and acceptance of this 9 report ..." 10 And we see in brackets the letters "ST": 11 "... and those that will take longer to put in place 12 (MT)." 13 Presumably, short term and medium term: 14 "Outstanding work in progress (unless obviously 15 contrary to our proposals) should not be put on hold 16 pending the acceptance and implementation of this 17 report. 18 "We would also like to suggest that the Conference 19 of Bishops and Conference of Religious consider setting 20 up an implementation group when they reconvene later in 21 the year to give their response to the report", 22 et cetera. 23 Now, Cumberlege, in 2007, envisaged 12 months of 24 implementation. It's now 12 years. A little earlier 25 you were reluctant to agree that the wheels of</p> <p style="text-align: center;">Page 80</p>

<p>1 the church turn slowly?</p> <p>2 A. I think you said the wheels of the Church in England and</p> <p>3 Wales turn slowly.</p> <p>4 Q. Exactly. That's what we are talking about.</p> <p>5 A. I think, on the previous page, it did talk about -- if</p> <p>6 I could have the previous page?</p> <p>7 Q. Yes, we can go back. Towards the bottom, 7.6.</p> <p>8 A. I think it does say very clearly how we choose to</p> <p>9 implement them.</p> <p>10 Q. It does.</p> <p>11 A. The question of how best to effect canonical authority</p> <p>12 to the procedures and protocols of a Bishops' Conference</p> <p>13 in these matters has -- it has a story to it, it has</p> <p>14 a narrative. Part of the narrative was the experience</p> <p>15 of the Bishops' Conference in North America -- sorry, in</p> <p>16 the United States, which moved fairly quickly to</p> <p>17 establishing a canonical provision for its own</p> <p>18 territory, and then got into difficulties because they</p> <p>19 wanted to change it, and so they had to go through the</p> <p>20 whole process of submitting new proposals and then going</p> <p>21 through the processes in Rome that they have to do. It</p> <p>22 was partly in the light of that that we decided we would</p> <p>23 wait until it was clearer that our procedures and</p> <p>24 policies were mature enough.</p> <p>25 In the process of that, we did take advice from one</p> <p style="text-align: center;">Page 81</p>	<p>1 of the officials in the Holy See, and he said there are</p> <p>2 advantages in waiting until this process matures. This</p> <p>3 is not a simple process, because it's a legislative</p> <p>4 process which is, therefore, once in place, not easily</p> <p>5 revised. So we have taken our time over it. It could</p> <p>6 have been quicker, but there's prudence in approaching</p> <p>7 this gradually.</p> <p>8 We have done the work now, and the work that we have</p> <p>9 done, which is specifically designed and includes our</p> <p>10 right to revise the details of what we do, now we await</p> <p>11 for the judgment of the Holy See on that as to whether</p> <p>12 it fits the universal law of the church.</p> <p>13 Q. You will agree, Cardinal, that all of that is fine and</p> <p>14 dandy, but in the 12 years it's taken to get to this</p> <p>15 stage, children have still been abused, haven't they?</p> <p>16 A. I fail to see the logic of the two points you have made.</p> <p>17 I don't think children have been abused because we</p> <p>18 didn't have canonical structures in place. I just don't</p> <p>19 see the connection.</p> <p>20 Q. Well, children have been abused by clergy in the</p> <p>21 12 years which have passed, and some of the failures,</p> <p>22 I suggest, of the Catholic Church in England and Wales</p> <p>23 have been either to cover up or not to deal with matters</p> <p>24 properly, and if the general decree had received</p> <p>25 recognitio many years before, if it had gone to Rome and</p> <p style="text-align: center;">Page 82</p>
<p>1 something had been done about this, perhaps some</p> <p>2 children might have been saved from the abuse they had</p> <p>3 or covers up in relation to their situations. Don't you</p> <p>4 think that that is a possible connection?</p> <p>5 A. It's hypothetical.</p> <p>6 Q. Of course it is.</p> <p>7 A. Then --</p> <p>8 Q. But you're not prepared to accept even the possibility</p> <p>9 of the hypothesis?</p> <p>10 A. I can't see how the kind of canonical structure that we</p> <p>11 have now will do other than strengthen our existing</p> <p>12 proposals. I'm not sure that there's a direct</p> <p>13 correlation between the abuse of a child and the</p> <p>14 protocols that we have. There is a correlation between</p> <p>15 the protocols that we have and the way we respond to</p> <p>16 that abuse, and in that sense, there might be an</p> <p>17 indirect connection. But I would not accept a direct</p> <p>18 correlation.</p> <p>19 Q. I wasn't suggesting there is a cause and effect.</p> <p>20 A. It sounded a bit like that, I'm sorry.</p> <p>21 Q. But, on any showing, if legislation is put in place, at</p> <p>22 least within the church, which, to use your terminology,</p> <p>23 strengthens the position that existed before, then there</p> <p>24 may be other children who have been abused within the</p> <p>25 church who may not have gone through what they have gone</p> <p style="text-align: center;">Page 83</p>	<p>1 through, have been able perhaps to report, somebody</p> <p>2 would have reported mandatorily what had happened to</p> <p>3 them. Of course it is a hypothesis, because I don't</p> <p>4 have examples to give you. But all I'm suggesting is we</p> <p>5 can't rule out, can we, that the length this process has</p> <p>6 taken may have affected, if not directly, then</p> <p>7 indirectly, children within the church of England and</p> <p>8 Wales?</p> <p>9 A. With those provisions, I accept that.</p> <p>10 Q. Now, you produce to your statement three annexes, don't</p> <p>11 you?</p> <p>12 A. To this statement, number 4?</p> <p>13 Q. Yes. There are three annexes, annex I, II and III.</p> <p>14 They are found behind tab 5 of the B section of your</p> <p>15 bundle and the chair and panel's bundle. Annex III, if</p> <p>16 we can put it up on screen, please, CHC002111. Let's</p> <p>17 just look at the first few paragraphs, just to enlarge</p> <p>18 from the top, please. These annexes were written in</p> <p>19 order to set out the narrative in relation to three</p> <p>20 particular topics that you deal with in your statement,</p> <p>21 and this one, annex III, deals directly with the</p> <p>22 Cumberlege Report recommendation 72, which we have just</p> <p>23 been looking at. It sets out the recommendation itself.</p> <p>24 Then in the first paragraph, it states:</p> <p>25 "The matter of recognition came up for discussion at</p> <p style="text-align: center;">Page 84</p>

<p>1 NCSC meetings in at least 2010, 2012, 2013 and 2015. At 2 the first of these discussions, the minutes show that 3 the discussion covered the ramifications of applying for 4 and gaining recognition and the need for the policies 5 being submitted for recognition to be clear and final. 6 The decision was that ..." 7 So this is 2010, as I understand it: 8 ""This should be kept under review and that 9 a complete package of policies would have to be 10 presented to the Bishops' Conference prior to 11 application for recognitio'. 12 "In 2012, the issue was raised again in the context 13 of a report by Mr Child on the most recent Anglophone 14 safeguarding conference in Rome. In late 2011, the then 15 Prefect of the Congregation for the Doctrine of 16 the Faith, Cardinal William Levada, had written 17 requiring bishops to submit their policies to the CDF by 18 the end of May 2012. At the conference, it had been 19 confirmed that: 20 ""The replies to Cardinal Levada and the guidelines 21 included would not gain 'recognitio' but there would be 22 a strong moral imperative that any guidelines signed off 23 by bishops could form part of the 'general recognitio'. 24 Then paragraph 3: 25 ""The Holy See had asked that all Bishops'</p> <p style="text-align: center;">Page 85</p>	<p>1 Conferences worldwide submit their safeguarding 2 guidelines for scrutiny to assess progress in this area 3 rather than for the purposes of seeking recognition." 4 Did the Bishops' Conference of England and Wales do 5 that? 6 A. Yes. 7 Q. Do you remember when? 8 A. No. When we were asked, I think. 9 Q. "In 2013, Father Bob Oliver, the then promoter of 10 justice of the CDF, visited the NCSC and presented at 11 its study days. This gave rise to a discussion of 12 recognition. When the issue was raised in both 2012 and 13 2013, a complete package of NCSC and CSAS policies had 14 not yet been finalised and submitted to the conference. 15 Policies and procedures were under regular review and 16 development at this point in time. It was necessary to 17 be certain on the content of policies and their 18 workability before the application for recognition could 19 be made. In this regard, both the Nolan Report and the 20 Cumberlege Report had asked for national guidelines, not 21 just safeguarding principles." 22 Then to the next page: 23 "The issue of recognition was next discussed by the 24 NCSC in June 2015, following earlier discussions 25 in December 2014 and March 2015 about the approval of</p> <p style="text-align: center;">Page 86</p>
<p>1 the national policies. This latter reference is to the 2 policy for the ratification of policies by the 3 conference. 4 ""James Boner advised that there was one issue still 5 to be agreed with the lawyers. He also advised that the 6 bishops were being asked to request recognitio. The 7 chair asked that James and Marcus Stock report on this 8 at the next meeting. 9 ""Adrian Child advised members that "recognitio" had 10 been explored several times; the bishops of the USA had 11 gained recognitio and then found that every change to 12 the policies fell outside it." 13 Which is what you have told us: 14 ""James advised that with recognitio all religious 15 orders would have to conform. It was agreed that it 16 would be useful to have a recognitio that ensured all 17 safeguarding policies that had been duly approved by the 18 NCSC would automatically be covered, if this were 19 possible'. 20 Then: 21 "The NCSC wanted to ensure that all policies were 22 signed off by the conference at its autumn plenary 23 meeting, although this was not achieved. 24 In December 2015, the NCSC received the following 25 update:</p> <p style="text-align: center;">Page 87</p>	<p>1 ""There was discussion on "recognitio". 2 Brendan Killeen advised that the bishops are the 3 legislators -- in Canon law -- for their diocese and if 4 the bishop decrees that the policy is accepted, then 5 everyone in the diocese must follow it -- including the 6 religious orders. Marcus Stock advised that he had 7 reminded the bishops of the need for trustees to adopt 8 the policies'. 9 Did this happen in Westminster in 2015? 10 A. Yes. 11 Q. "Throughout the minutes during this time period there 12 are references to the need for national policies to be 13 signed off by the conference, and at other times for 14 them to be adopted by the trustees for each diocese. 15 "Father Brendan Killeen also addressed the subject 16 in a telephone conference of the quality assurance 17 framework subgroup in May 2016, reminding those on the 18 call of the two routes to achieving a similar outcome to 19 formal recognition." 20 Then there is some more text and then this: 21 "The decree should be worded: 22 ""Within the diocese of [blank] the norms and 23 policies and procedures of NCSC and CSAS are particular 24 law'. 25 Particular law, as we see at the top of the next</p> <p style="text-align: center;">Page 88</p>

1 page:
 2 "(NB: a particular law can be made by a bishop or
 3 religious provincial. Universal law is made by Rome)."
 4 Did Westminster have a particular law in those terms
 5 after May 2016?
 6 **A. No.**
 7 Q. Because ...?
 8 **A. Because we wanted to act together as a conference.**
 9 Q. Was there a problem about breaking ranks with other
 10 dioceses and having a particular law of this nature
 11 within Westminster?
 12 **A. It is our custom to act together in these matters.**
 13 Q. But why?
 14 **A. Because this is a small country. Dioceses are limited**
 15 **in their capacity. There's quite a lot of movement**
 16 **between them. It is essential that we act together in**
 17 **a matter of this importance.**
 18 Q. Are you telling us that not a single diocese in this
 19 country, after May 2016, invoked a particular law in
 20 those words?
 21 **A. I think what we have in the paper is a suggestion. It**
 22 **is not a proposal. It is one person saying, "These are**
 23 **alternatives", and not one diocese in this country**
 24 **wished to take that rather than to act corporately with**
 25 **corporate strength to achieve what we are now achieving.**

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1 **A. It was in the summer, I think. It was June. It is in**
 2 **this statement. Yes, I think --**
 3 Q. I think 28 June?
 4 **A. Paragraph 28, yes.**
 5 Q. So quite recently, two years on from the last date in
 6 annex III?
 7 **A. The annex is giving the reports of the National Catholic**
 8 **Council.**
 9 Q. The text, was that ultimately approved on that date or
 10 was it approved before then and then submitted to Rome?
 11 **A. It was approved on 28 June and then submitted to Rome,**
 12 **yes.**
 13 Q. That was the extraordinary Plenary Assembly I think you
 14 spoke about a little earlier?
 15 **A. Yes.**
 16 Q. Did you personally take the text to Rome?
 17 **A. I did.**
 18 Q. And hand it to Cardinal Marc -- how do you pronounce his
 19 last name?
 20 **A. Ouellet. He is French-Canadian.**
 21 Q. O-U-E-L-L-E-T. He is the Prefect of the Congregation of
 22 Bishops?
 23 **A. Yes, which has competence in this matter.**
 24 Q. In your paragraph 28, if we return, please -- I'm sorry
 25 for jumping about -- to your fourth statement, you say

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1 Q. Why do you need corporate strength?
 2 **A. Because we are one church, because we are subject to one**
 3 **universal law, and because there's a clear expectation**
 4 **that operates right across the territory of England and**
 5 **Wales.**
 6 Q. This annex reads on:
 7 "The passages from the minutes indicate that there
 8 was an ongoing debate on the desirability of
 9 recognition. As Monsignor Gordon Read explains in his
 10 first witness statement, the principal drawback of
 11 obtaining recognition was considered to be that the
 12 conference would lose the freedom and [flexibility] to
 13 amend and update national policies on an ongoing basis,
 14 whereas the principal benefit was considered to be to
 15 bind all dioceses and religious communities in England
 16 and Wales to respect those policies under Canon law."
 17 Paragraph 10:
 18 "At its June 2017 meeting, the NCSC discussed
 19 actions arising from the Cumberlege Report that remained
 20 outstanding. The minutes state that: 'CoR [conference
 21 of Religious] have requested that the issue of
 22 recognitio still requires addressing'.
 23 Although the annex finishes in June 2017, I assume
 24 work was still going on. When was the general decree
 25 actually submitted to the Holy See?"

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1 that the prefect is the dicastery, the department
 2 responsible -- or dicastery, the department responsible
 3 for the process of granting approval, and
 4 Cardinal Ouellet is aware of your wish for approval to
 5 be granted as soon as possible. So that was sometime
 6 after the end of June. Presumably you went to Rome to
 7 hand-deliver it to the Prefect?
 8 **A. Well, I don't like to exaggerate. I go quite regularly**
 9 **to meetings of that congregation and I took it to one of**
 10 **the meetings and gave it to him personally.**
 11 Q. I'm glad you said that. So it wasn't a special mission
 12 of yours?
 13 **A. No.**
 14 Q. It was just while you were there --
 15 **A. Instead of posting it, I handed it to him.**
 16 Q. He, you say, is aware of your wish for approval to be
 17 granted as soon as possible?
 18 **A. Correct.**
 19 Q. What does "as soon as possible" look like?
 20 **A. Well, I met him in September and said, "How is this**
 21 **going? We really would like it as soon as possible".**
 22 **He said, "I will get on with it". I checked again this**
 23 **week, and they assured me that the Congregation for**
 24 **Bishops have completed their preview of it, and it has**
 25 **now gone on to -- there are two other departments in the**

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1 **Holy See. One is the council for legislative texts,**
 2 **which is to ensure that there's nothing in it -- that it**
 3 **doesn't contradict the universal law of the church, and**
 4 **then it goes to the secretariat of state, because it**
 5 **also involves relations with the civil authorities here.**
 6 Q. Do you have previous experience of a general decree and
 7 recognitio?
 8 **A. No.**
 9 Q. So it is as new for you as it certainly is for the rest
 10 of us?
 11 **A. Yes.**
 12 Q. But do you have any idea, if it were approved through
 13 all of the processes you just mentioned, when it might
 14 become Canon law?
 15 **A. All I can say is, on Monday this week -- no, yesterday,**
 16 **Tuesday this week, the secretary of that department rang**
 17 **me up and said, "Yes, it's soon, it's soon".**
 18 Q. How long is a piece of string?
 19 **A. Yes.**
 20 Q. Is there the possibility it could be rejected?
 21 **A. I think not.**
 22 Q. Because?
 23 **A. They might tighten up some aspects of it because it's in**
 24 **the hands of the professional lawyers of**
 25 **the Catholic Church, which we are not. I don't think**

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1 **A. I think we could do that very quickly.**
 2 Q. In a conference, in a meeting, in an extraordinary
 3 meeting?
 4 **A. No, I think we could do that by consultation.**
 5 MR ALTMAN: Cardinal, it is just a little before 1.00 pm.
 6 I am going to suggest to the chair and panel that they
 7 rise now for their lunch break, and for you, too, and we
 8 will resume at 2.00 pm.
 9 **A. Thank you.**
 10 **(12.57 pm)**
 11 **(The short adjournment)**
 12 **(2.00 pm)**
 13 MR ALTMAN: Cardinal, we were looking at the general decree
 14 before we broke for lunch and the issue of recognitio.
 15 Can we look at the text of the general decree. I am
 16 going to put it up on screen: CHC002075.
 17 At the top, it refers to itself as "Particular laws
 18 for safeguarding children, young people and adults at
 19 risk in the Catholic Church in England and Wales".
 20 "Introduction.
 21 "The Catholic Church in England and Wales has
 22 adopted the following overarching policy statement with
 23 regard to the safeguarding of children, young people and
 24 adults at risk:
 25 ""The Catholic Church in England and Wales is

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1 **for one minute that the intention and the thrust of what**
 2 **we want will find the least bit of objection or problem.**
 3 Q. But, in theory, if it requires revision, who does the
 4 revising? Does it get sent back to you or is the
 5 revising done in the Holy See?
 6 **A. We have recently had dealings with the Holy See over the**
 7 **establishment of a pontifical academy in this country,**
 8 **so while that's not -- it's not a parallel -- it's not**
 9 **an equivalent process, but in that process, the Holy See**
 10 **has suggested amendments and we have just had to say,**
 11 **"Yes, fine", and then it's done.**
 12 Q. So asking it another way, from what you understand --
 13 and maybe you don't, but from what you understand, if
 14 any revisions are to be made, they don't send it back,
 15 they do the revisions themselves?
 16 **A. My expectation was, if there would be revisions, they**
 17 **would be presented to us.**
 18 Q. For?
 19 **A. For our agreement.**
 20 Q. And how long would that take?
 21 **A. I'm sorry, I don't know.**
 22 Q. But it wouldn't happen tomorrow, if you got the
 23 revisions today?
 24 **A. Oh, how quickly could we process the revisions?**
 25 Q. Yes, how quickly could you move?

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1 striving towards a culture of safeguarding where all are
 2 safe from harm and abuse and where every person is
 3 encouraged and enabled to enjoy the fullness of life in
 4 Jesus Christ through the prayerful, caring, nurturing,
 5 supportive and protective endeavours of the Catholic
 6 community, both individually and collectively ...!"
 7 Skipping over the next paragraph:
 8 ""The Catholic Church and its individual members
 9 will undertake appropriate steps to maintain a safe
 10 environment for all, by practising fully and positively
 11 Christ's ministry towards children, young people and
 12 adults and responding sensitively and compassionately to
 13 their needs in order to help keep them safe from
 14 harm ...
 15 ""The Catholic Church of England and Wales, the
 16 bishops and religious congregational leaders are
 17 committed to safeguarding as an integral part of
 18 the life and ministry of the church and affirm a "One
 19 Church" approach to safeguarding children, young people
 20 and adults at risk through the promotion of a sustained
 21 culture of constant vigilance. The "best interests" or
 22 "paramount chief principle", which underpins and is
 23 enshrined in child and adult protection legislation,
 24 shall be the primary consideration in all matters of
 25 safeguarding. This "One Church" approach should also be

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<p>1 adopted by lay associations of the faithful ministering 2 to children and adults at risk in the name of 3 the Catholic Church ... 4 "The church authorities always report allegations 5 of abuse to the statutory agencies in accordance with 6 national procedures to ensure that they are dealt with 7 promptly and properly, and where appropriate, 8 perpetrators are held to account. The church will act 9 in an open, transparent and accountable way in working 10 in partnership with social care services, the police, 11 health agencies, probation services and other relevant 12 agencies to safeguard children and adults at risk and 13 assist in bringing to justice anyone who has committed 14 an offence against a child or adult'. " 15 The footnote shows that this is a policy statement 16 attributed to the NCSC and revised this year. Then 17 there follows, under "Decretal norms", a series of 18 articles. If we go immediately, please, to the final 19 page, page 8, we see it was Marcus Stock, the 20 Right Reverend Marcus Stock, Bishop of Leeds, the 21 episcopal vice-chair of the NCSC, and we can see the 22 date of it, 24 June. So that's the date of the decree. 23 You told us a little before lunch the date on which it 24 was submitted to the Holy See. 25 Without going through each and every one of these</p> <p style="text-align: center;">Page 97</p>	<p>1 articles -- this document is now to be published, and 2 I invite it to be published, in full -- do you agree -- 3 and I'm just summarising, Cardinal, and if I have got 4 anything wrong, do stop me -- that the essence of 5 the general decree is it restates the conference's 6 commitment to safeguarding, it provides for mandatory 7 reporting and co-operation with state authorities, it 8 provides for safeguarding training for the clergy -- 9 yes? 10 A. Yes. 11 Q. It states that sexual offending against minors is 12 a violation of the obligation of celibacy, subject to 13 penalties? 14 A. Yes. 15 Q. But also characterises them as grave crimes which are 16 subject to penalty and dismissal? 17 A. Yes. 18 Q. It provides for the power of removal, restriction or 19 limitation of office or ministry, as well as providing 20 a prohibition on transfer for any ministerial 21 assignment? 22 A. Yes. 23 Q. It provides also that if a bishop or leader fails to 24 exercise the power of governance, the provisions of 25 universal -- in other words, Canon -- law apply; is that</p> <p style="text-align: center;">Page 98</p>
<p>1 correct? 2 A. Yes. 3 Q. So that we understand, you told us earlier that the 4 American experience of submitting a general decree met 5 with difficulties because, as I have understood you, it 6 was so strict or so restrictive that any amendments 7 would require it to be resubmitted to the Holy See. 8 They did succeed, in due course, in gaining recognitio 9 for a general decree. Have I understood that correctly? 10 A. I believe so. 11 Q. Do you know when it was? 12 A. No. 13 Q. Did they get around the problems by stating a number of 14 policies in their general decree so that it wouldn't 15 perhaps read as a strict legal text but, rather, as 16 a policy statement of the Catholic Church in the 17 United States in order to gain recognitio for the 18 general decree that they submitted to Rome? 19 A. I'm afraid I don't know. 20 Q. Is that what this does? 21 A. Yes, I think so. 22 Q. It is more of a policy statement, perhaps, rather than 23 a legislative provision? 24 A. It is more of an assertion of principle, and the 25 principle which -- the practice is enshrined in our</p> <p style="text-align: center;">Page 99</p>	<p>1 policies and procedures, but it's the principles that 2 are most strongly affirmed, and I think there is 3 provision in it for us to make changes to policy without 4 having to go back to the Holy See. 5 Q. Can I invite your attention, please, to one article in 6 particular, and this is article 5, which is found on 7 page 5. If we can enlarge that, please. Article 5 8 provides: 9 "With regard to clerics, the sexual abuse of a minor 10 or the sexual abuse of an adult at risk is a violation 11 of the sacred obligation to celibacy. This offence and 12 other forms of abuse of minors or adults at risk are 13 also an abuse of a cleric's authority as a minister and 14 office holder in the church. All such offences are 15 subject to just penalties under the universal law of 16 the church." 17 Subparagraph or subarticle 2: 18 "The universal law of the church considers the 19 sexual abuse of minors, including child pornography ..." 20 Footnote 19 states, if you can scroll down, please, 21 to footnote 19: 22 "For the purpose of these norms, and any canonical 23 penalties associated with these norms, the meaning of 24 'child pornography' also takes into account the civil 25 legislation in force in England and Wales which</p> <p style="text-align: center;">Page 100</p>

<p>1 states ..."</p> <p>2 And it refers to a section of the Protection of</p> <p>3 Children Act 1978.</p> <p>4 I don't know if you know this, Cardinal, but this</p> <p>5 inquiry doesn't use the words "child pornography" but</p> <p>6 uses the words "child sexual abuse". Do you know that</p> <p>7 it is not regarded as appropriate to use the words</p> <p>8 "child pornography"?</p> <p>9 A. No.</p> <p>10 Q. And that, indeed -- have you heard of the Luxembourg</p> <p>11 guidelines?</p> <p>12 A. No.</p> <p>13 Q. The terminology guidelines for the protection of</p> <p>14 children from sexual exploitation and sexual abuse,</p> <p>15 which provides guidance on how to navigate the</p> <p>16 complex -- admittedly complex -- lexicon of terms</p> <p>17 commonly used when addressing the exploitation and</p> <p>18 sexual abuse of children. One of the problems which the</p> <p>19 guidelines points out is that such terminology should be</p> <p>20 "child sexual abuse" rather than "child pornography"</p> <p>21 because the use of the word "pornography" trivialises</p> <p>22 the abuse, for obvious reasons -- "pornography" has</p> <p>23 a particular meaning. This is English text. Has this</p> <p>24 been translated from Latin into English? Was it</p> <p>25 originally in Latin or is it in English?</p> <p style="text-align: center;">Page 101</p>	<p>1 A. Our text is originally in English.</p> <p>2 Q. So this isn't an issue of translation. The words "child</p> <p>3 pornography" appeared in the original general decree?</p> <p>4 A. I think the phrase "child pornography" occurs in</p> <p>5 documents of the Holy See at the present time.</p> <p>6 Q. So if it's been borrowed, it's been borrowed from a term</p> <p>7 that the Holy See uses?</p> <p>8 A. It could well be. But if I may comment on that, that</p> <p>9 could well be one of the matters that the Holy See now</p> <p>10 picks up on, because I'm fairly sure that it will be</p> <p>11 very cognisant of the Luxembourg accord.</p> <p>12 Q. You would hope so?</p> <p>13 A. I think so.</p> <p>14 Q. Now, the effect, if recognitio is granted, is this</p> <p>15 general decree will become an enforceable breach of</p> <p>16 Canon law --</p> <p>17 A. Yes.</p> <p>18 Q. -- for dioceses and bishops and congregational leaders</p> <p>19 to follow?</p> <p>20 A. By the same act -- yes, for them to follow, yes.</p> <p>21 Q. In practice, from your understanding, if recognitio is</p> <p>22 granted and this becomes Canon law for this territory,</p> <p>23 England and Wales, what are the practical effects from</p> <p>24 your understanding of any bishop/religious leader to</p> <p>25 fail to follow it?</p> <p style="text-align: center;">Page 102</p>
<p>1 A. Well, my understanding is that, first of all, it</p> <p>2 strengthens our, at the moment, undertaking and custom</p> <p>3 to refer to the statutory authority any allegation of</p> <p>4 abuse. So it makes that, for us -- this states "such</p> <p>5 allegations must be referred to the statutory</p> <p>6 authorities in accordance with the national policies and</p> <p>7 procedures". So that's the first thing. It gives that</p> <p>8 duty the force of Canon law.</p> <p>9 The second significant impact is that clergy,</p> <p>10 religious and laypersons exercising appointed offices,</p> <p>11 roles or responsibilities within the church will be</p> <p>12 required to undergo personalised safeguarding training,</p> <p>13 some of which will be designated as mandatory."</p> <p>14 Now, that's more or less the position we have, but</p> <p>15 this then gives that the force of law. It goes on, as</p> <p>16 you see in article 2:</p> <p>17 "Failure to undertake this training may, after an</p> <p>18 investigation ... result in removal from office or</p> <p>19 restrictions being imposed on ministry, or the exercise</p> <p>20 by clergy, religious or lay faithful of a role of</p> <p>21 responsibility."</p> <p>22 So it gives much greater strength to the duty for us</p> <p>23 to undergo appropriate training.</p> <p>24 Thirdly, it gives the force of Canon law to the duty</p> <p>25 of trustees, whether they're trustees of dioceses, of</p> <p style="text-align: center;">Page 103</p>	<p>1 the eparchy, the ordinariate, an institute of</p> <p>2 consecrated life or a society of apostolic life, or the</p> <p>3 personal prelature, anyone who is strictured around</p> <p>4 a charitable corporate status must now, by church law,</p> <p>5 incorporate the procedures and policies into its trust's</p> <p>6 obligations.</p> <p>7 Q. Let's assume recognitio is granted and there is</p> <p>8 a breach. Who deals with the breach?</p> <p>9 A. The breach would, I imagine, be referred, first of all,</p> <p>10 if -- a breach in one of those three things?</p> <p>11 Q. Yes.</p> <p>12 A. Okay.</p> <p>13 Q. Let's say --</p> <p>14 A. No, no, if somebody fails to report, then that would be</p> <p>15 dealt with initially -- that would be reported to the</p> <p>16 bishop and he would have recourse to the normal</p> <p>17 procedures under Canon law, which I think Monsignor Read</p> <p>18 explained yesterday.</p> <p>19 Q. So a breach would be enforced locally, not by the</p> <p>20 Holy See?</p> <p>21 A. Well, obviously, as I think he must have explained</p> <p>22 yesterday, any canonical procedure can end up being</p> <p>23 referred to the Holy See, on appeal or directly if we</p> <p>24 wish.</p> <p>25 Q. But in the first instance, sanctions lie locally with</p> <p style="text-align: center;">Page 104</p>

1 the dioceses?
 2 **A. For that first one, and for the second one. For the**
 3 **third one, I would imagine -- if a trust of a charity or**
 4 **a religious order failed to do this, that would be**
 5 **reported to the bishop as the legislator. The bishop is**
 6 **the legislator.**
 7 Q. While we have the Holy See in mind, can I invite your
 8 attention to paragraph 27 of your statement.
 9 **A. That's the fourth statement?**
 10 Q. Yes. No, forgive me, your third statement. My fault.
 11 This was a statement you made, let me remind you,
 12 in April of this year. I'm sure you know that, in order
 13 to understand more about the role of the Holy See and
 14 its interaction with the Catholic Church in this
 15 country, the inquiry made voluntary requests for
 16 statements to be provided from the current
 17 Apostolic Nuncio, Monsignor Edward Adams, who is the
 18 Holy See's ambassador to the United Kingdom, and indeed
 19 from the Holy See itself. You knew that, I assume?
 20 Were you aware that the requests included requests
 21 relevant to the Ealing Abbey case study?
 22 **A. I can't visualise that at the moment.**
 23 Q. Did you say you can or you can't?
 24 **A. I can't recall that at the moment.**
 25 Q. That detail, you mean?

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1 the importance of official bodies following established
 2 diplomatic procedures?
 3 **A. Correct.**
 4 Q. When did you have that conversation?
 5 **A. If I recall, it was during what was called the Summit,**
 6 **so February.**
 7 Q. February.
 8 **A. Yes.**
 9 Q. Did you stress to him the importance to this inquiry of
 10 the issues surrounding the Apostolic Nuncio?
 11 **A. That was the subject of our conversation.**
 12 Q. What was the implication of his response to you
 13 reminding you that, you say, he stressed the importance
 14 of official bodies following established diplomatic
 15 procedures? Was the implication of that that the
 16 Holy See was going to stand on its diplomatic immunity
 17 and not co-operate?
 18 **A. No, he didn't say that.**
 19 Q. No, I said was the implication of what he said to you?
 20 **A. No, he didn't -- no. No, he said these things -- the**
 21 **approach had been made -- the request should be made**
 22 **through diplomatic -- the normal diplomatic channels.**
 23 Q. You appreciate, I'm sure, Cardinal, that the Holy See
 24 has not provided any evidence about the role of the CDF
 25 and/or the issue of laicization and has declined to

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1 **A. Yes.**
 2 Q. Or were you aware that the requests included requests
 3 relevant to the Apostolic Nuncio's involvement in
 4 handling allegations arising out of St Benedict's School
 5 and Ealing Abbey and the Apostolic Visitation of
 6 2011/2012? Did you know that?
 7 **A. Could you explain what you mean by "handling**
 8 **allegations", please?**
 9 Q. Requests had been made for a statement, various requests
 10 had been made, I think under rule 9, if my memory serves
 11 me -- not under rule 9, but had been asked of
 12 the Holy See. You must have had some inkling of that,
 13 for reasons which I will come to in a minute?
 14 **A. Yes, and I understood the position of the Nuncio to be**
 15 **that he's not a private individual, he's**
 16 **a representative of the Holy See, and he does what he's**
 17 **instructed to do by the Holy See.**
 18 Q. Let's have a look at your paragraph 27 of your third
 19 statement, because here you say, "I had one conversation
 20 with Archbishop Paul Gallagher, secretary for relations
 21 with states for the secretariat of state."
 22 You say he's effectively the foreign secretary for
 23 the Holy See, and you emphasised to him the importance
 24 of this issue "for the continued good working of our
 25 relationship with the inquiry", and in reply he stressed

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1 provide the inquiry with any witness statement. You
 2 understand that?
 3 **A. I do.**
 4 Q. By way of example, you will know that, in 2010, a man
 5 called James Robinson was found guilty of 21 offences of
 6 child sexual abuse, or offences involving child sexual
 7 abuse, and the laicization documents were sent to Rome
 8 initially in 2011, and again in June 2015, but he wasn't
 9 laicized until around I think February 2018. That's all
 10 written up in the Birmingham report, which I'm sure you
 11 will have read.
 12 Now, the inquiry has been told that the Holy See
 13 considers that the domestic laws and internal
 14 proceedings of a foreign sovereign entity are not the
 15 proper object for a British inquiry. Would you agree,
 16 or be prepared to agree, that questions about the length
 17 of time taken to complete the laicization process in
 18 some instances are a matter of legitimate concern and
 19 a proper object for a British inquiry?
 20 **A. I can see they're a matter of legitimate concern.**
 21 **I think there was some explanation given that there were**
 22 **mistakes made in the original application for**
 23 **laicization. That comes to my mind. Beyond that,**
 24 **I can't go very far. I'm not a diplomat. I don't**
 25 **understand the niceties of international law in these**

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<p>1 things.</p> <p>2 I was given the impression once that a very focused</p> <p>3 request could receive a reply, but it had to be not</p> <p>4 a generalised request, but a particular, focused</p> <p>5 request.</p> <p>6 Q. Do you think that the inquiry being told that domestic</p> <p>7 laws and internal proceedings of a foreign sovereign</p> <p>8 entity are not the proper object for a British inquiry</p> <p>9 is rather unfortunate, because it lends itself to the</p> <p>10 suggestion, rightly or wrongly, that the Holy See is</p> <p>11 closing shop?</p> <p>12 A. I think it's a statement of diplomatic law.</p> <p>13 Q. So you're not prepared to agree with me that the optics</p> <p>14 are not very --</p> <p>15 A. The optics are difficult to understand from this</p> <p>16 perspective and for a man in the street. I think it</p> <p>17 could also be emphasised a little more clearly that the</p> <p>18 police force of the Holy See actually provided the</p> <p>19 information on which Mr Soper was located and arrested.</p> <p>20 As I recall in the report, that was relegated to</p> <p>21 a footnote.</p> <p>22 Now, that was disappointing, from my point of view,</p> <p>23 because it was an aspect of the co-operation of</p> <p>24 the police of the Holy See directly with the</p> <p>25 British Police speedily when the international arrest</p> <p style="text-align: center;">Page 109</p>	<p>1 warrant was issued, and that was not exactly given</p> <p>2 headlines.</p> <p>3 Q. No. But the Holy See doesn't clothe itself in glory, do</p> <p>4 you not agree, with writing the sort of thing which</p> <p>5 I have suggested to you it has in correspondence, that</p> <p>6 these things are not the proper object for a British</p> <p>7 inquiry. That's all I'm asking your consideration of,</p> <p>8 not whether a report had a footnote about the Holy See</p> <p>9 police force, but about the actual words of</p> <p>10 correspondence which I am inviting you to comment upon?</p> <p>11 A. As I say, I believe it's a statement of diplomatic</p> <p>12 immunity and international law.</p> <p>13 Q. Thank you. Well, we have your evidence about that.</p> <p>14 Can I then go on to another issue, a different issue</p> <p>15 entirely, Cardinal, and it just touches on the "One</p> <p>16 Church" approach. Now, you have dealt with this at some</p> <p>17 length in your fourth statement, and because that</p> <p>18 statement has been adduced and will be published, people</p> <p>19 can read for themselves online what you have to say</p> <p>20 about it. But there are just a few things, please,</p> <p>21 I would like to ask you about in relation to it, given</p> <p>22 the time that we have.</p> <p>23 If you, please, go to your paragraph 63 of your</p> <p>24 fourth statement, you identify the collaborative</p> <p>25 structure of the NCSC as an important element of</p> <p style="text-align: center;">Page 110</p>
<p>1 the "One Church" approach, and you add that the NCSC is</p> <p>2 jointly mandated by the conference, Bishops' Conference,</p> <p>3 and the Conference of Religious, which enables it to</p> <p>4 ensure that standards are met and policies are</p> <p>5 implemented consistently across both dioceses and</p> <p>6 religious communities. You say there's also significant</p> <p>7 representation of the Conference of Religious on the</p> <p>8 NCSC.</p> <p>9 We heard yesterday from Father Paul Smyth. How</p> <p>10 often do you see him?</p> <p>11 A. I think he's been in office two years, I think. So</p> <p>12 I have met him twice, I think.</p> <p>13 Q. Do you regard that as sufficient?</p> <p>14 A. The relationship between a Bishops' Conference and the</p> <p>15 Conference of Religious operates on a number of</p> <p>16 different levels. To isolate -- or to focus on the role</p> <p>17 of the two presidents is quite a reasonable thing to do,</p> <p>18 but it's not the whole picture. The CoR president</p> <p>19 changes every three years, and could be chosen from any</p> <p>20 of 328 religious congregations. So I rely on the</p> <p>21 standing arrangements that we have, which is a joint</p> <p>22 commission, to cover most issues -- all issues and the</p> <p>23 joint structures that we have as the best way of keeping</p> <p>24 the two conference bodies in touch with each other.</p> <p>25 I do not think it's personalised in the two presidents.</p> <p style="text-align: center;">Page 111</p>	<p>1 Q. Is that the Mixed Commission that you are talking</p> <p>2 about --</p> <p>3 A. Yes.</p> <p>4 Q. -- and you deal with at your paragraph 70:</p> <p>5 "A joint commission bringing together key leadership</p> <p>6 members of the conference and the CoR."</p> <p>7 You say at paragraph 71, in practice, there are, of</p> <p>8 course, various other occasional interactions between</p> <p>9 the conference and the CoR. For example, you say the</p> <p>10 membership of the NCSC includes three bishops and three</p> <p>11 representatives of CoR and one of the CoR</p> <p>12 representatives addresses each Plenary Assembly of</p> <p>13 the conference. The "One Church" approach also brings</p> <p>14 together bishops and religious in numerous contexts,</p> <p>15 such as through the work of diocesan safeguarding</p> <p>16 commissions, on which representatives of the religious</p> <p>17 in a particular diocese are represented.</p> <p>18 Then I think you talk about there being, as you see</p> <p>19 in the first line of paragraph 71, various other</p> <p>20 occasional interactions. Apart from these, are there</p> <p>21 any others you can think of?</p> <p>22 A. Between the two bodies, no.</p> <p>23 Q. Or between the two presidents?</p> <p>24 A. No.</p> <p>25 Q. Moving on, can we please look at recommendation 2 in</p> <p style="text-align: center;">Page 112</p>

<p>1 Cumberlege. You will remember, and you deal with this 2 in your paragraph 74, there was, in short, 3 a recommendation by Cumberlege to develop codes of 4 conduct for clergy and religious, and I think we have 5 touched on that already? 6 A. Yes. 7 Q. If we look, please, at annex II -- you will remember we 8 looked at annex III. If we look at annex II, please, if 9 we can put up CHC002111_006. All of this annex provides 10 a narrative for where the Bishops' Conference is on 11 providing a code of conduct, as was recommended in 2007, 12 in recommendation 2. 13 For the sake of saving time, I am not going to go 14 through all of it. But it begins, or at least this 15 narrative begins, in paragraph 1: 16 "A month before the Cumberlege Report was published 17 in July 2007, the idea of a 'code of conduct' for clergy 18 was being discussed by a working group within the 19 church." 20 This annex, annex II, takes us through the narrative 21 of all of that. 22 If we go, please, to page 8 at the bottom, and we 23 look at paragraph 7, we are taken to events at the end 24 of 2012, and then in paragraph 9: 25 "In March 2016 ..."</p> <p style="text-align: center;">Page 113</p>	<p>1 Paragraph 10: 2 "Work to progress the proposal has been ongoing 3 since the matter was raised at the plenary meeting of 4 the conference in May 2019." 5 Is that the Valladolid training three or four days? 6 A. Yes. 7 Q. Paragraph 10. And, what, the issue of this code of 8 conduct was raised during the course of that week? 9 A. It was. 10 Q. You say Bishop Marcus Stock is now taking this forward? 11 A. Yes. 12 Q. He was the one who at least lent his name to the general 13 decree? 14 A. Correct. 15 Q. Bishop Marcus Stock is now taking forward the code of 16 conduct. Any particular reason why he's -- perhaps 17 "burdened" is the wrong word, but why he's undertaking 18 all of these tasks? 19 A. Partly because he is, as I said before, the lead member 20 of the Bishops' Conference for safeguarding matters; 21 partly because he has real ability in this area; and 22 partly because he seems to be able to see a way through 23 what has been for us a sensitive, I think I would say, 24 and slightly difficult matter. The implementation of 25 this recommendation, I must admit, justifies your phrase</p> <p style="text-align: center;">Page 114</p>
<p>1 about the wheels of the Bishops' Conference of England 2 and Wales turning slowly. I think I would add a "very" 3 to that. On this matter, we have made very slow 4 progress. 5 Q. Yes. 6 A. I think it's partly because we found it difficult to 7 come to a mind as to the exact nature of the document. 8 It could, on the one hand, be exhortatory. It could, on 9 the other hand, be deeply scriptural, deeply rooted in 10 the traditions and contexts of the life of a priest. It 11 could, on another hand, simply be a repetition of 12 the requirements and behaviour for a priest as laid out 13 in Canon law. Frankly, we have wavered between these 14 various options. In my experience, Bishop Marcus Stock 15 has the kind of incisive mind that will help to get us 16 through, but it's been too long in coming and I readily 17 admit that. 18 Q. Paragraph 11, the religious, as you will know, and this 19 is what the narrative tells us, and we heard it from 20 Father Paul Smyth yesterday: 21 "The religious have created their own document 22 entitled 'Integrity in Ministry'. It is similar to the 23 document of the same title prepared by the Australian 24 Bishops' Conference ... Father Paul Smyth became the 25 chair of this project in 2017."</p> <p style="text-align: center;">Page 115</p>	<p>1 We also heard from Sister Jane Bertelson who 2 explained the genesis of the document in this way, and 3 although she was asked a little about her views of this, 4 this is what she had to say in a witness statement she 5 made to this inquiry on 26 June: 6 "I was very disturbed when a crack appeared in this 7 "One Church" approach in the attempted implementation of 8 Cumberlege recommendation 2 to create codes of conduct 9 for clergy and religious. This project was worked on by 10 a joint group of religious, clergy and lay people for 11 a couple of years, and a final draft was developed. At 12 the April 2013 Bishops' Conference, the [conference] 13 pulled out of the project and the CoR went on to publish 14 independently 'Integrity in Ministry -- a document of 15 principles and standards for religious in England and 16 Wales'. To the best of my knowledge, this or an 17 equivalent document still has not been published by the 18 [conference]." 19 Pulled out in 2013: why? 20 A. As I recall, it was in recognition of the very 21 significant differences in conditions, style of life, 22 circumstances and ministry between religious and 23 diocesan priests. 24 Q. It doesn't sound very "One Church"? 25 A. What we recognised were differences.</p> <p style="text-align: center;">Page 116</p>

1 Q. Yes.

2 **A. The differences are real. Differences in history,**

3 **differences in mission, differences in way of life,**

4 **these are real. The "One Church" approach is to draw us**

5 **together in the protocols and the principles of**

6 **protecting children. This is, I agree, a related issue,**

7 **but if a code is going to be of use to diocesan priests,**

8 **it has to start from the fact that, unlike religious,**

9 **they probably live alone or with one other person in**

10 **a presbytery. Unlike religious, they do not have**

11 **a change of leadership every three years. Unlike**

12 **religious, their mission is 90 per cent to run parishes.**

13 **All those three things and others I could adduce are**

14 **differences between the congregations of religious, many**

15 **of whom, the majority of whom, are women, women**

16 **religious, and the role and the nature and the activity**

17 **of the diocesan priest.**

18 **It was recognising those differences that brought us**

19 **to the point of having to look at these things as**

20 **complementary projects rather than one, and we have been**

21 **very slow in fulfilling it, as I have already said.**

22 Q. What's your target date for a code of conduct for the

23 clergy?

24 **A. Well, knowing Bishop Marcus Stock, I would think he'd**

25 **have something back for us certainly within 12 months.**

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1 litigation. This, too, is a matter for discussion

2 between the particular diocese or body against whom the

3 claim has been made, its insurers and its legal

4 advisors."

5 Pausing there for the moment, are you saying in

6 a particular case?

7 **A. In each particular --**

8 Q. Is that what you mean?

9 **A. In each particular case.**

10 Q. In each particular case. You say:

11 "The conference plays no part in these matters", but

12 you say, "subject to addressing these concerns,

13 I believe that such apologies should be offered where

14 they are sought", and you come to explain them. You

15 say:

16 "Over many years, I have come to understand that

17 there are many reasons, including shame, embarrassment

18 and fear of not being believed, why victims and

19 survivors of child sexual abuse do not feel able to

20 report their abuse or to bring a claim for compensation

21 for many years. The church has recognised this

22 challenge and is hoping to make it easier for survivors

23 to speak up, for example, through the Safe Spaces

24 Projects", which you mention earlier in this statement:

25 "Against this background, my personal view is that

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1 Q. From now?

2 **A. Well, we're meeting in November as a Bishops'**

3 **Conference, and then we will meet in April or after**

4 **Easter. I would be surprised if he didn't have**

5 **something for us by then.**

6 Q. Civil claims and apologies, Cardinal. Let's move on.

7 Back to your statement, statement 4, paragraph 104/105

8 is where it begins. You say in 104:

9 "In responding to victims and survivors in matters

10 of claims, the Catholic Church evidently must act both

11 within the framework of the law and with the help of its

12 professional advisors. In my experience, this working

13 relationship is conducted in a satisfactory manner. In

14 the conduct of discussions in cases, the professionals

15 who work with the church act with professional integrity

16 and in accordance with legal procedure. It's important

17 to note that I am not an expert in these matters of

18 claims", and therefore comments that you make are

19 necessarily limited. Then you go on to say this:

20 "I understand that in cases of claims brought

21 against the church on the basis of vicarious liability,

22 there can be particular difficulties in offering

23 a detailed apology where litigation is ongoing. This is

24 due to the concern that such an apology may be seen as

25 an admission of liability in the context of that

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1 dioceses should consider a limitation defence only in

2 cases where the passage of time means that a fair trial

3 is no longer possible; for example, where the alleged

4 perpetrator is deceased, was not convicted and was not

5 the subject of any other allegations. However,

6 I recognise that these decisions have to be made by the

7 relevant diocesan authorities."

8 Then if we can skate over paragraphs 107 to 108 to

9 see how you continue. In light of the observations you

10 say you make below at paragraph 108, although we are in

11 paragraph 108, there is no overarching policy in the

12 church specifically on apologies:

13 "In my view, it is important that we take account of

14 the particular circumstances of each victim and

15 survivor. These require careful individual assessment

16 and attention if they are to contribute towards that

17 individual's healing process."

18 I suspect that this was the reference, 109:

19 "There has been no discussion in the conference in

20 the form of an apology that might be given. My views

21 and experience is that apologies and the contents of

22 them must be considered on a case-by-case basis to

23 reflect the particular circumstances of the individuals

24 concerned. I am also very aware that, because of

25 the depth and long-lasting effects of child sexual

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1 abuse, it is very difficult for an apology, in whatever
 2 form it is made, to effect healing. My concern is that
 3 a standardised approach to apologies would not be of
 4 assistance to survivors."
 5 Presumably, that remains your view? This statement
 6 was only written last month.
 7 **A. It does.**
 8 Q. In paragraph 108, you will see the last sentence,
 9 referring to apologies:
 10 "These require careful individual assessment and
 11 attention if they are to contribute towards that
 12 individual's healing process."
 13 If you're asked to make an apology, either in the
 14 context of litigation or not, who makes that assessment?
 15 **A. I don't think I've ever been asked to make an apology in**
 16 **the context of litigation.**
 17 Q. All right.
 18 **A. I can't recall that.**
 19 Q. Let's park litigation for the moment?
 20 **A. Otherwise, it would be -- in my case, the safeguarding**
 21 **coordinator. Occasionally, I have had recourse to the**
 22 **chairman of the NCSC. And then I've tried to write**
 23 **a letter of apology, which was personal to me.**
 24 **Sometimes they have been very helpful, sometimes they**
 25 **have been absolutely counterproductive. So I don't have**

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1 come, over the years, you say, to realise that there are
 2 many reasons why people who have been abused fail to
 3 report it for many, many years.
 4 **A. Mmm-hmm.**
 5 Q. You have indicated in your paragraph 106 at the top of
 6 page 33 of this statement your personal view that
 7 dioceses should consider a limitation defence only in
 8 cases where the passage of time means that a fair trial
 9 is no longer possible, and you give examples of where
 10 the alleged perpetrator is deceased, wasn't convicted
 11 and wasn't the subject of any other allegations. Are
 12 those conjunctive or disjunctive examples?
 13 **A. They would need to be all three.**
 14 Q. I expect, Cardinal, that you would readily accept that
 15 many victims or survivors might not feel able to report
 16 they were subject to child sexual abuse until their
 17 abuser was dead?
 18 **A. That has certainly been some of my experience.**
 19 Q. Presumably, one of the factors you mention here, "no
 20 fair trial is possible where the alleged perpetrator is
 21 dead", is because the alleged perpetrator can't give an
 22 account of himself. Is that what you have in mind?
 23 **A. Yes.**
 24 Q. If, for example, there was evidence from a number of
 25 complainants who were unrelated and so could not have

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1 **an easy answer or response to this dilemma.**
 2 Q. So, presumably, you would agree that there is no "one
 3 size fits all"?
 4 **A. I would.**
 5 Q. And apologies can be given in all shapes and sizes?
 6 **A. Yes.**
 7 Q. I suppose what you would say is, some people react
 8 better than others?
 9 **A. I wouldn't be that judgmental. I mean, for some people,**
 10 **it is helpful and, for some people, it isn't.**
 11 Q. And they can be done in writing?
 12 **A. Or verbally, or both.**
 13 Q. Or face to face, or both?
 14 **A. Yes.**
 15 Q. Presumably, you understand that, where insurance
 16 policies are involved, the position appears to be that
 17 no apology can be made without the insurer's approval.
 18 Are you aware of that?
 19 **A. I would expect that to be the case.**
 20 Q. Have you ever come across that yourself in your own
 21 personal --
 22 **A. Not in my own experience, no.**
 23 Q. -- experience? No. All right.
 24 **A. I -- well, no. No.**
 25 Q. Can we think about the limitation defence. You have

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1 colluded, each of whom gives an account of child sexual
 2 abuse by the same cleric, some of whom reported it when
 3 he was alive, in respect of which he was convicted, and
 4 others who did not, that may not be a situation in
 5 which --
 6 **A. I would not expect the diocese to contest that.**
 7 Q. So, really, what you are saying is, this would have to
 8 be case specific, fact specific, in each case, whether
 9 the limitation defence should or shouldn't apply, at
 10 least as far as you're concerned in Westminster?
 11 **A. I have not ever considered a limitation defence in**
 12 **Westminster. I was offered one in Birmingham and**
 13 **I declined to use it.**
 14 Q. If you were, and this is a hypothetical, but if in your
 15 position in Westminster you were met by a claim and your
 16 insurers insisted that the limitation defence should be
 17 relied upon, and you disagreed, what would you do?
 18 **A. Well, the first thing I would do would be to refer the**
 19 **matter to the diocesan trustees, who would have ultimate**
 20 **responsibility on this. The diocesan trustees include**
 21 **half a dozen lay people with very considerable**
 22 **experience in many areas, and I would be -- I would**
 23 **follow their advice, whatever that might be.**
 24 Q. Do you sit on your trust --
 25 **A. Yes, I do.**

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1 Q. -- as the chair?
 2 **A. Yes.**
 3 Q. Do you have a greater vote than anybody else on that
 4 trust?
 5 **A. I do.**
 6 Q. So you could overrule it?
 7 **A. I could.**
 8 Q. Would you do that?
 9 **A. No.**
 10 Q. Why?
 11 **A. Because, in my mind, there's no point in having a body**
 12 **of trustees if you don't then act with their consent.**
 13 Q. Even if you felt very strongly in an individual case?
 14 **A. No, even if I felt very strongly, I wouldn't overrule**
 15 **it. Certainly not on a matter like this.**
 16 Q. So you would be prepared to stand by and watch in
 17 litigation a limitation defence being invoked and relied
 18 upon, even though you disagreed with it?
 19 **A. Only if the trustees insisted on it, and I doubt if they**
 20 **would. They would be more likely to say, "Change your**
 21 **insurer".**
 22 Q. How easy would that be?
 23 **A. Very difficult. I'm sorry, we are into hypothetical**
 24 **realms.**
 25 Q. Inevitably?

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1 **A. I would have to discuss that with those who were my**
 2 **advisors, but my argument would be to do so.**
 3 Q. Is there anything stopping any particular diocese from
 4 adopting a policy of non-implementation of
 5 the limitation defence, at least in those cases where
 6 you think the defence ought not to be relied upon and/or
 7 making it a particular law in your diocese?
 8 **A. I think it's a matter that goes beyond canonical**
 9 **responsibilities and control, because we are talking**
 10 **about civil trusts, and they can't be legislated for**
 11 **through Canon law.**
 12 Q. So we have a tension between Canon law and civil law as
 13 well?
 14 **A. I don't think in Canon law, at the present time, there's**
 15 **any comment about limitation.**
 16 Q. No.
 17 **A. I don't think so.**
 18 Q. If my memory serves me, there is another form of
 19 limitation in one of the motu proprios I think you
 20 mentioned earlier about the Vatican City, but perhaps
 21 that doesn't really apply to us?
 22 **A. No, it doesn't.**
 23 Q. It applies to them. But these are problems, aren't
 24 they?
 25 **A. Yes.**

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1 **A. So I couldn't do any more than guess, which isn't**
 2 **a terribly helpful witness statement.**
 3 Q. No, but it highlights attention, some of which we have
 4 heard about in the evidence already, between insurance
 5 policies, conditions of insurance policies, and perhaps
 6 a desire by members of the church to do the right thing
 7 and be seen to do the right thing, you will remember,
 8 coming back to communication in your preparation for
 9 your February 2019 meeting, yet you're up against
 10 a brick wall, a legal brick wall, so you've got
 11 a tension of legal and empathy.
 12 **A. Yes.**
 13 Q. How do we sort it out?
 14 **A. All I can say is, I have never been faced with that**
 15 **dilemma myself, and I recognise it in some quarters.**
 16 **Myself, I would always seek some form of reconciliation**
 17 **before or beyond litigation.**
 18 Q. But sometimes it doesn't work out that way?
 19 **A. I accept that.**
 20 Q. Could you ever conceive that you would be prepared to
 21 see the Westminster Diocese lose its indemnity in favour
 22 of providing an apology to an alleged victim of child
 23 sexual abuse, so that, if that person succeeded in
 24 a claim or there was a settlement, the funds would have
 25 to come out of noninsured funds?

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1 Q. And your evidence demonstrates they're not capable of an
 2 easy resolution?
 3 **A. That's correct.**
 4 Q. Has this issue ever come up in any of the Bishops'
 5 Conference Plenary Assemblies?
 6 **A. Not in any formal way, no.**
 7 Q. Has anybody ever raised these problems with you as the
 8 president of the conference?
 9 **A. Not in asking my advice.**
 10 Q. But it's never been a formal agenda item?
 11 **A. It's never been a formal agenda item because, in a way,**
 12 **it falls outside the competence of the Bishops'**
 13 **Conference. These are matters for civil trusts, whether**
 14 **they're religious orders or dioceses, and I think it --**
 15 **I would -- I think it would be inappropriate for an**
 16 **ecclesiastical body like the Bishops' Conference to**
 17 **delve into the responsibilities of separate charitable**
 18 **trusts.**
 19 Q. You will remember I asked you a little earlier, and
 20 perhaps we can put it up on screen, it's CHC001936_002.
 21 These were the six key points you took with you to Rome
 22 in February, and if we can enlarge the top, please, you
 23 will remember I asked you about this before. Point 3:
 24 "Demonstrate practically true acknowledgment of
 25 the issues:

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<p>1 "Be honest. 2 "Say sorry and mean it." 3 It is the bit on the right I want to ask you about. 4 Do you remember I asked you about this before: 5 "Let the church drive the policy/response not the 6 insurers." 7 And you questioned that, is what you told me? 8 A. That's correct. 9 Q. Did you question it with David Marshall, who provided 10 this document to you? 11 A. No, I haven't explored it with him, no. 12 Q. Have you explored this with anyone? 13 A. Not in the context of this Survivors Advisory Panel, no. 14 Q. Because, on the face of it -- 15 A. Yes, that's true. 16 Q. -- this is a conflict, isn't it? 17 A. As I said at the time, I think that's a sentence which 18 needs more nuancing, but it is a real problem, I agree. 19 Q. Paragraph 111, please. A little dip into charity law, 20 but not very much, I promise. Page 34, paragraph 111. 21 You say you understand -- this is your second sentence 22 in paragraph 111: 23 "I understand that it is difficult for a charity to 24 meet the requirements laid down in legislation for the 25 making of an ex gratia payment from charitable funds in</p> <p style="text-align: center;">Page 129</p>	<p>1 circumstances relating to child sexual abuse. Such 2 payments require the approval of 3 the Charity Commission." 4 You add: 5 "While I understand and appreciate the good reasons 6 for this, I have long been concerned that this framework 7 doesn't appear to allow the use of such charitable funds 8 for the purposes connected with child sexual abuse to 9 the degree that I would consider desirable. This led me 10 to explore the possibility of establishing a specific 11 charity for the purpose of supplying support to victims 12 [which you explain elsewhere]. Based on my experience 13 from that time, I believe that the provision of clear 14 and accessible guidance from the Charity Commission 15 about these issues is likely to be of considerable 16 assistance to charity trustees in navigating these 17 issues." 18 What is your personal view, despite the problems, 19 the legal problems? Is your personal view that 20 ex gratia payments should be available from charitable 21 funds? 22 A. I have two particular experiences. One was to do with 23 Birmingham, where a family -- I mean a number of 24 children in the same family had been abused by a priest, 25 and the diocese made available for that family a house</p> <p style="text-align: center;">Page 130</p>
<p>1 so that they could move from the house in which the 2 abuse had taken place to a new location, and we had 3 quite a long and difficult negotiation with the 4 Charity Commission to say that that was a legitimate use 5 of diocesan assets. 6 At the other end of the scale, in Westminster 7 Diocese we have in the trustees, on one occasion, agreed 8 to a payment to support a survivor of sexual abuse, but 9 for a very specific purpose of ongoing counselling. 10 Neither of them has been straightforward, and 11 I understand the reasons for that, and that's why, in 12 a sense, the onus of paragraph 111 is to look to the 13 Charity Commission for greater clarity in these matters. 14 Q. Again, another difficulty with the law of charities as 15 against perhaps the degree to which you would quite like 16 to be able to dip into charitable funds without their 17 approval, presumably? 18 A. As I say, I quite understand the Charity Commission's 19 position. As a charity, we are permitted to accept 20 funds for the advancement of the Roman Catholic 21 religion, and it would be quite wrong for us willy-nilly 22 to divert those funds to another purpose. 23 Now, the discussion then becomes, the support of 24 a survivor of, say, clerical sexual abuse, is that the 25 promotion of the Catholic religion? And that's a very</p> <p style="text-align: center;">Page 131</p>	<p>1 important and nuanced argument to make. There would be 2 those who would say it certainly is, and there would be 3 those who perhaps are donors, whose interests have to be 4 protected, who would say, "That's not why I put money in 5 the plate". So it is not a simple matter. 6 Q. And probably requires a lot of thought and, ultimately, 7 a change of legislation? 8 A. I think I say in here, yes, I'm not an expert in charity 9 law. That's about as far as I can go. 10 MR ALTMAN: Thank you, Cardinal. I have come to the end of 11 that topic, and before I come on to the next one, chair, 12 although slightly earlier than I would have preferred, 13 but it's good news, rather than bad, may I suggest you 14 have your break now, a little earlier, as I say, than 15 I would have otherwise requested, and we can come back 16 in about a quarter of an hour? Thank you. 17 THE CHAIR: Yes. 18 (2.58 pm) 19 (A short break) 20 (3.17 pm) 21 MR ALTMAN: Cardinal Nichols, I want now to turn to an 22 entirely different topic, and that topic is a victim, or 23 survivor, who has been ciphered as RC-A711. Can 24 I please ask to go up on screen a letter, INQ004668. Do 25 you recognise this letter, Cardinal?</p> <p style="text-align: center;">Page 132</p>

<p>1 A. I do. 2 Q. It is dated 17 April of this year, and it records what 3 happened at a meeting you had with this person five days 4 earlier, on 12 April. I will come back to it a little 5 later, in proper chronology. 6 But you understood, I am sure, that A711 had been 7 sexually abused from her teenage years and into her 20s 8 by a priest within a Servite Order who has been ciphered 9 as RC-F500. You knew that? 10 A. Yes. 11 Q. Did you appreciate, or do you appreciate, that F500 12 apologised to her in April 2017 by letter? 13 A. Yes. 14 Q. Did you follow her evidence last week? 15 A. Personally, no. 16 Q. Have you seen a transcript of her evidence? 17 A. No. 18 Q. As you will well know, she made several complaints about 19 the way that she had been treated by the Westminster 20 safeguarding team. You knew that? 21 A. Yes. 22 Q. She emailed you on 11 May 2017. Can we put up, please, 23 on the screen INQ004670. This is a document which she 24 produced, but within it, as I am about to read to you 25 now, is an email which I am sure you will remember</p> <p style="text-align: center;">Page 133</p>	<p>1 having received from her. It was the first of four that 2 she sent to you. This one: 3 "Dear Cardinal Nichols, 4 "I am writing to complain about the way in which the 5 Westminster Safeguarding Office has dealt with me as 6 a survivor of clergy abuse. I have attached a copy of 7 the letter I sent to the Bishop of Salford and the 8 Provincial of the Servite Order last October, so you can 9 read the context of my case. 10 "I had dealings initially with the safeguarding 11 coordinator of Salford, who first handled the case, and 12 I am receiving pastoral support from the safeguarding 13 coordinator of my own diocese here in Birmingham. I am 14 thankful that my interaction with these two coordinators 15 has been sensitive and survivor led. Unfortunately, 16 that has not been my experience of the Westminster 17 office where I have found their default position to be 18 legalistic and defensive. The safeguarding coordinator 19 of Salford has used the word 'outrageous' in relation to 20 some of the ways in which I have been treated by 21 Westminster and the safeguarding coordinator giving me 22 pastoral support has, rightly, pointed out that the 23 support she is giving me now is no longer for the 24 original situation (the abuse I suffered) but for, in 25 her words, 'the abusive process' I now find myself in.</p> <p style="text-align: center;">Page 134</p>
<p>1 "I have tried to raise my concerns with 2 Father Jeremy Trood and asked him a few weeks ago by 3 email if I could speak with him. He declined and 4 directed me back to Alex Keramidas but the issues 5 I wanted to discuss fell outside of the remit of her 6 job. Having nowhere else to go, I would be grateful if 7 I could speak with you." 8 She then sets out the many grievances she has about 9 the process, but she says: 10 "The issues which have caused me most distress are 11 the reluctance of Westminster to share information with 12 me where appropriate and their lack of willingness to 13 engage with me. Their lack of respect or concern for my 14 well-being saddens me greatly." 15 She tells you: 16 "I am a committed member of the church and have 17 given my life to Catholic education." 18 Then if we can skip down, please, to the next 19 paragraph: 20 "I have been at great pains to stress that I am not 21 pursuing a criminal case or compensation, but am only 22 seeking some peace of mind for myself, sooner rather 23 than later. When I have raised this in emails, 24 highlighting the anxiety the position Westminster is 25 taking is causing me, I have received no acknowledgement</p> <p style="text-align: center;">Page 135</p>	<p>1 of this at all." 2 She sets out some further detail of her complaints 3 which we heard her tell us about last week. If we can 4 go to the top of the next page, page 2: 5 "I draw all this to your attention in the hope that, 6 as Archbishop of Westminster, you can address some of 7 the failings I have encountered in your diocese and, as 8 cardinal, you can influence change for the better in the 9 future. 10 "I would welcome an opportunity to discuss things 11 further with you and a response to the complaints I have 12 made." 13 If we look now, please, at another document which 14 will have been provided to you, INQ004671_002. At the 15 foot of the page, on 13 May, your private secretary, 16 Father Alexander Master -- he was your private 17 secretary; is that right? 18 A. Yes. 19 Q. Is he still? 20 A. Yes. 21 Q. "Dear ... 22 "Thank you for your email of 11 May to 23 Cardinal Nichols." 24 That's what I have just been reading to you: 25 "The cardinal has asked me to acknowledge receipt of</p> <p style="text-align: center;">Page 136</p>

1 your email and to reply.
 2 "The cardinal is sorry for the difficulties you
 3 describe and for the pain that has marred your life. He
 4 assures you of his prayers.
 5 "He also asks me to point out that supervision of
 6 the processes and work of safeguarding in the church is
 7 part of the role entrusted to the National Catholic
 8 Safeguarding Commission. He suggests that this is the
 9 appropriate place to which you can address your
 10 complaints."
 11 Do you accept that what Father Alexander emailed to
 12 her -- in other words, that she should go off to the
 13 National Catholic Safeguarding Commission -- or any
 14 advice you had received about it, was incorrect?
 15 **A. I don't think it was incorrect, no.**
 16 Q. So you think that was the right thing for her to do?
 17 **A. As I recall, her complaints, as detailed in the screen**
 18 **we had before, were to do with what she saw to be the**
 19 **very poor standard of behaviour of the Safeguarding**
 20 **Commission of the Diocese of Westminster. That**
 21 **Safeguarding Commission office is obviously responsible,**
 22 **in the first case, to the Diocesan Safeguarding**
 23 **Commission. She wanted to make a complaint to me about**
 24 **the behaviour of my own safeguarding office. I did not**
 25 **think I was the right person to adjudicate on that, and,**

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1 "I would be really grateful if you could provide me
 2 with an answer to my email below. I have not had
 3 a response from Father Alexander and I would like to
 4 pursue my complaints about the treatment of me by your
 5 safeguarding office, but need to know how to progress
 6 matters. Going back to the NCSC is not going to be
 7 effective, for the reasons I give below. I had
 8 presumed, when I wrote to you, that there would be some
 9 accountability for how the Westminster Safeguarding
 10 Office operates within the diocese itself.
 11 "I am feeling increasingly let down by your diocese
 12 and frustrated by being passed from one place to
 13 another. I have been adamant from the start of this
 14 process that I did not want to take any legal action and
 15 feel it unfair that the reluctance on the part of
 16 Westminster to engage with me puts me in the position of
 17 even considering whether legal action is a better
 18 option. I was warned by a solicitor before the
 19 beginning of this process to have nothing to do with the
 20 church -- he told me, 'The police will look after you
 21 better than the church'. I could not believe that that
 22 could be true and chose to ignore his advice. I am
 23 hoping still that that is not the case, but I do feel
 24 incredibly let down and ignored by Westminster.
 25 "I would still welcome the opportunity to speak with

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1 **therefore, with some confusion and after some time,**
 2 **I admit, I think we thought the right thing to do was to**
 3 **send it to the supervisory -- the overall body, the**
 4 **National Safeguarding Commission.**
 5 Q. If we then go to the foot of page 1 of the same
 6 document, she responds to Father Alexander:
 7 "Thank you for replying to my email.
 8 "Please could you clarify for me if it is the NCSC
 9 who will formally deal with my complaints? I am
 10 slightly confused as I met with Chris Pearson before
 11 Easter and had a conversation which was very supportive
 12 but Chris made it clear that he did not have
 13 jurisdiction over individual dioceses and therefore was
 14 limited in what he could do. Is it Chris or
 15 Colette Limbrick of the CSAS who I should be contacting?
 16 Or is there a complaints procedure within the
 17 Westminster Diocese itself? To be advised by the
 18 cardinal to go back to the NCSC makes me feel as though
 19 I am being passed from pillar to post."
 20 She asks at the top of the next page:
 21 "Any clarification on the complaints procedure would
 22 be really welcome."
 23 Two days later, having heard nothing back, on 15 May
 24 at the top of the same page, copying in Chris Pearson,
 25 so this is her second email to you in four days:

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1 you or someone on your behalf."
 2 So that was her second email to you, but it didn't
 3 attract a response.
 4 **A. I think I said just a few moments ago that there was**
 5 **confusion about how a complaint about the officers of**
 6 **a safeguarding office had related to somebody where that**
 7 **would be. I think eventually this was cleared up, and**
 8 **an independent person was asked to consider her**
 9 **complaints, which was done, and her complaints were**
 10 **upheld, and that report was sent to the Safeguarding**
 11 **Commission of the Diocese of Westminster, as I would**
 12 **have expected it to have been.**
 13 Q. You're right, it was. Whether "cleared up" is the right
 14 terminology, Cardinal, may be a matter of debate. But
 15 you have in mind a report by Karen Abrams, who was asked
 16 to investigate the matter, and she finally reported on
 17 7 November --
 18 **A. Mmm-hmm.**
 19 Q. -- 2017. So that was several months after the period of
 20 time that we are looking at.
 21 Let's just pick up, if we may, please, the
 22 chronology. Can we put up on screen, please,
 23 INQ004671_004. The date is 24 May 2017, and A711 emails
 24 Alexandra Keramidas. She was in the Westminster
 25 Safeguarding Office, the team. Is she still there?

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<p>1 A. No. 2 Q. She's not. Copying in Jeremy Trood and 3 Christopher Pearson. The subject line, you can see, is 4 "Update from strategy meeting". There had been 5 a strategy meeting, I think we understand, between 6 police and the Safeguarding Commission about her case: 7 "Dear Alex, 8 "In the same way that it was disappointing to have 9 had no contact with you before the strategy meeting, it 10 is equally disappointing to have had no feedback after 11 it today. 12 "I spoke this afternoon to the police officer who 13 attended the meeting and who was surprised that no-one 14 from the church had been in touch with me. It speaks 15 volumes when the statutory bodies involved are more 16 willing to share information with me than Westminster 17 is. I hope that I might hear from you tomorrow." 18 Clearly, not having heard from her, if we go, 19 please, to the top of page 3 of this particular 20 document, the following day, being 25 May, she emails 21 you for a third time, but forwarding to you part of an 22 email from Christopher Pearson to her, and I'm sorry if 23 this is confusing, but we have to look at the top of 24 page 4 of this email to see what she forwarded: 25 "... certainly, discussion that I had at my last</p> <p style="text-align: center;">Page 141</p>	<p>1 contact with the chair was that the NCSC cannot 2 investigate a complaint that remains with the diocese or 3 religious order. All I can do is to express the 4 concerns you have raised to the right people in order to 5 get a suitable and timely response for you. It would 6 seem I am not doing very well in that at the moment, but 7 I will continue to press matters on your behalf so this 8 whole experience ceases to be a negative one for you. 9 "Kindest regards. 10 "Chris." 11 So she was forwarding to you, in her third email, in 12 the space of about 10 or 11 days, the chair of the NCSC 13 saying, "This isn't a matter for us. It is a matter for 14 Westminster". That's why I asked you a little earlier 15 whether you'd been given the wrong advice? 16 A. As I say, my view was that it shouldn't come to me to 17 investigate the employees of the Westminster 18 Safeguarding Office, who are under -- who work with the 19 Safeguarding Commission. 20 Q. Why didn't you respond to these emails? Why didn't you 21 respond to the second and the third email or ask 22 somebody on your behalf to respond? 23 A. It was very difficult to maintain the level of 24 communication that this person wanted. 25 Q. Are you saying she was a nuisance?</p> <p style="text-align: center;">Page 142</p>
<p>1 A. I'm not saying she was a nuisance. I'm saying she had 2 expectations that I couldn't meet. 3 Q. How much of it is it to meet an expectation of simply 4 a courtesy reply, "Thank you very much for your email, 5 but in my view, or the advice I have received is, this 6 is where your complaint should go. Thank you very 7 much.", and offer the usual greetings that you do to 8 anyone? What was the difficulty? 9 A. Put as simply as that, it wouldn't have been difficult 10 at all. 11 Q. So why not do it? 12 A. Well, I didn't, I'm sorry. 13 Q. No, I know you didn't, but why didn't you? 14 A. As far as I was best following this, this was a very 15 complex set of circumstances. The case had arisen with 16 the Servite Fathers, and then it had been referred to 17 Salford Diocese. I think the safeguarding officer in 18 Salford Diocese was off for a period of ill-health. 19 Then it was referred to Westminster Diocese. At the 20 same time, the safeguarding officer in 21 Birmingham Diocese was acting. I think there was 22 considerable misunderstanding about the relationships 23 between these different efforts to follow and progress 24 this particular case. 25 The case also, and her situation also, hinged on our</p> <p style="text-align: center;">Page 143</p>	<p>1 understanding and maybe lack of clarity about what the 2 alignment between a religious order and a diocese really 3 means. 4 The basic agreement says that the diocese will 5 provide advice to the religious order about the handling 6 of a case. I think this person understood -- and 7 I don't criticise for her this -- that the handling of 8 the case had been passed to the Westminster diocesan 9 office. I don't think that was the understanding within 10 the diocesan office. 11 I think, too, that the means of communication and 12 the level of communication was not always understood. 13 Q. By whom? The level of communication and the means of 14 communication wasn't always understood by whom? 15 A. What I have done is, I've gone through the evidence of 16 Monsignor Seamus O'Boyle very carefully, and that 17 witness statement helps me to understand how the case 18 was developed between all these different participants. 19 There's a refrain in his evidence that this person, this 20 survivor, had a level of expectation of feedback from 21 meetings which was certainly difficult to meet but also 22 went beyond, I believe, some of the duties of those 23 involved with handling her case. 24 I think Westminster Diocese certainly became 25 defensive, certainly became defensive, and, for example,</p> <p style="text-align: center;">Page 144</p>

1 when there was a LADO meeting, this survivor would
 2 expect immediate feedback, but my understanding, from
 3 what I have read, is, that's not customary, it's not the
 4 expectation, that a meeting supervised by the local
 5 authority designated officer would give a report to the
 6 subject of the meeting.
 7 Similarly, there were complications, for example,
 8 over the risk assessment and the feedback that would
 9 come from the risk assessment. That was because the
 10 risk assessment belonged to the Servite Order. It did
 11 not belong to the Westminster Diocese. We were not
 12 running the case. We were advising the Servite Order.
 13 This person got very upset when Westminster Diocese
 14 would not release the assessment report to her. All of
 15 these things were continually complicating the matter.
 16 I think we made a mistake, if I can go on, when it
 17 came to the formulation of a safeguarding plan for this
 18 priest and, therefore, the recommendations, and I think
 19 the person involved wanted to see those recommendations,
 20 she wanted to have a part in their formulation, and
 21 I think, at this point in the process, as I read through
 22 the witness statement of Monsignor O'Boyle, we should
 23 have said to her, "When the risk assessment is sent to
 24 the Servite Order who are conducting this case, when it
 25 has been shown to the subject of the safeguarding plan,

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1 National Catholic Safeguarding Commission. In all of
 2 that, I think we let her down with a lack of regular
 3 response, though her emails were -- they were daily. It
 4 was very difficult, and I regret a lot about it, but
 5 I must say that it was a very complex setting and
 6 situation.
 7 Q. The problem, Cardinal, with all of that is, it's all
 8 about process and procedures --
 9 A. That's correct.
 10 Q. -- which is what you have been addressing us about. But
 11 in respect of the second and the third email which
 12 I have shown you so far, there was nothing preventing
 13 you from responding to an email, sent to you in person,
 14 and apologising to her and simply saying that it's being
 15 dealt with by others. You could have done that?
 16 A. Yes, I could have done that.
 17 Q. But you didn't do it?
 18 A. I didn't do it.
 19 Q. And I'm struggling to understand, and so will the chair
 20 and panel, why not?
 21 A. The context, as I've explained, made it -- it was a fog.
 22 It was a bit of a fog.
 23 Q. Is it something that you feel you ought to apologise
 24 for?
 25 A. I met with her. We had, I think, a considerable

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1 the priest in question, who has a right to challenge
 2 it", then there is a right for this person to look and
 3 comment on it, and that was not done.
 4 Now, these are procedural matters which made this
 5 a very difficult period because, as I say, the
 6 relationships between all those participating in this
 7 were not clear, and the relationship as to who would have
 8 responsibility for what, in the eyes of A711, were
 9 certainly not clear.
 10 Now, I admit, and as that external report showed,
 11 that what she experienced with two of our officers was
 12 great difficulty and a lack of a proper professional
 13 relationship.
 14 Alex is mentioned there. Alex's job was to relate
 15 as steadily as possible with A711, and she undertook
 16 and, I'm assured, was in touch with her at least once
 17 a week throughout this period. Indeed, when Alex left
 18 our employment, A711 wrote to thank and congratulate her
 19 on the standard of care that she had offered.
 20 So I'm very, very conscious that this was a complex
 21 and difficult case in itself; that A711 made contact and
 22 looked for support and explanations from many different
 23 people, from the Servites, from Salford Diocese, from
 24 Birmingham Diocese, from Westminster Diocese, from the
 25 Catholic Advisory Service, from Colette, and from the

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1 conversation, and we left, I think, on good terms. A711
 2 said to me, "That's been very, very helpful".
 3 I apologised to her in person, and I apologised to her
 4 in that letter as well that you showed at the beginning
 5 of this topic.
 6 Q. Well, we will come back to that. If we divert, please,
 7 from the emails we have just been looking at, reminding
 8 ourselves I have been showing you 24 May and 25 May.
 9 And if we can put up on screen, please, INQ004695.
 10 This, Cardinal, is an extract of the product of
 11 the subject access request that 711 made to the diocese.
 12 You know that?
 13 A. Yes.
 14 Q. At the top of this page, an email was sent by
 15 Father Trood. He was the Episcopal Safeguarding Vicar.
 16 Seamus O'Boyle, Monsignor O'Boyle, has taken over and
 17 took over that position on 1 October last year. Where
 18 has Father Trood gone?
 19 A. He's a parish priest.
 20 Q. Was that the end of his period with you or did anything
 21 else happen? Was there any disciplinary process by
 22 which he left or was that a natural career progression
 23 for him?
 24 A. No, he's not left. He remains as the parish priest
 25 where he is, where he was when he was doing this job as

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1 **well. He asked me to finish because he said he was**
 2 **weary and he was not doing it well.**
 3 Q. We can see Jeremy Trood emailing Eva Edohen,
 4 Alexandra Keramidas and copying in Peter Houghton. He
 5 was and remains, as you told us earlier, the chair of
 6 the commission. This was in relation to the strategy
 7 meeting about which, of course, 711 was complaining in
 8 one of the emails that we saw her send to
 9 Alexandra Keramidas on 24 May, so the very same day.
 10 But this emerged when she received the product of her
 11 subject access request.
 12 Father Trood is saying:
 13 "This woman is deeply manipulative. Her email to
 14 Alex is inappropriate."
 15 That was the email, I suspect, I read to you
 16 a little earlier:
 17 "The strategy meeting is the LADO's meeting. If she
 18 wanted input to the meeting, she should contact the LADO
 19 herself."
 20 Was this what you were telling us about?
 21 **A. Yes.**
 22 Q. "In my experience, the contents of the LADO meeting are
 23 confidential and should not be reported back to anyone
 24 without the LADO's agreement. Once again, if she wants
 25 to know what happened, she needs to contact the LADO.

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1 **language. I have never asked him about his assessment**
 2 **of the complexity of the situation.**
 3 Q. Was anyone ever disciplined internally for using this
 4 language, even though it was in private correspondence?
 5 **A. I certainly spoke to Father Jeremy and explained --**
 6 **well, he knew. He knew that it was not the right**
 7 **language to use. I have never spoken with**
 8 **Peter Houghton about it, no.**
 9 Q. Never?
 10 **A. No.**
 11 Q. Because ...?
 12 **A. No.**
 13 Q. No. But why not?
 14 **A. No. I haven't.**
 15 Q. To say to your chair, "I can't believe, Peter, that you
 16 were prepared to respond in the way that you did on
 17 24 May about a victim and survivor"?
 18 **A. I don't remember when I saw his reply, actually.**
 19 Q. Yes.
 20 **A. No, but I didn't. No.**
 21 Q. Did it ever cross your mind that, perhaps, as the
 22 Archbishop of Westminster and the cardinal, that was
 23 a conversation you ought to have had?
 24 **A. He's a very, very experienced child protection officer,**
 25 **as you know. His credentials are -- he's very senior.**

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1 "The fact she copied Chris Pearson into the email is
 2 part of her passive aggressive threat to us that if we
 3 don't do what she wants, she will make trouble."
 4 Were these views fed back to you?
 5 **A. I don't know if I saw that email, but I knew that that**
 6 **was Jeremy's concern -- Father Jeremy's concern. When**
 7 **I discussed this with him, he explained some of**
 8 **the difficulties, but he didn't repeat that language to**
 9 **me.**
 10 Q. No, which I'm sure you will readily accept, Cardinal, on
 11 any showing, is completely inappropriate?
 12 **A. That's precisely why I explicitly apologised to A711 for**
 13 **it.**
 14 Q. The email at 9.06 am that morning was followed by an
 15 email from Peter Houghton, your chair, to Eva Edohen and
 16 Jeremy Trood, with the same subject line, 24 minutes
 17 past 10:
 18 "Agreed -- we need to keep playing the good practice
 19 card if we are to contain this person's manipulative
 20 behaviour."
 21 Was that anything appropriate that the chair of
 22 a safeguarding commission, let alone yours, should be
 23 saying or agreeing with?
 24 **A. I'm sure he thought this was a private correspondence.**
 25 **I'm sure he would say it was a mistake to use that**

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1 **That doesn't answer your question.**
 2 Q. No. All the more reason he shouldn't have been writing
 3 in these terms?
 4 **A. Yes, I agree. I agree.**
 5 Q. And he's still in place?
 6 **A. Yes, he is.**
 7 Q. Can we put up on screen INQ004671_006, please. Here was
 8 the fourth of the four emails that A711 sent to you,
 9 copied in to others, including your private secretary.
 10 If we can enlarge, please, the top of the page:
 11 "Dear Cardinal Nichols,
 12 "Sorry to email again, but this is my fourth email
 13 asking for the complaints procedure to pursue my
 14 concerns ..."
 15 Pausing there, if someone, anyone, had simply
 16 responded, don't you think that might have taken the
 17 heat out of all of this?
 18 **A. It might.**
 19 Q. But nobody thought of it? Don't you think it might have
 20 satisfied -- here is a person who is clearly concerned
 21 about your Safeguarding Commission and what's going on
 22 in your diocese. This is her fourth email. Doesn't
 23 that tell you something -- between 11 May and 4 June,
 24 within the space of a couple of weeks, effectively --
 25 that she's sending emails one after the other saying,

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1 "I'm getting no satisfaction. The customer service is
 2 lousy". Why isn't anybody responding to her? Do you
 3 understand my point?
 4 **A. Oh, yes, I do. I quite understand it.**
 5 Q. If one had taken a human touch with this rather than
 6 a procedural one, it might have taken all the heat out
 7 of it much sooner?
 8 **A. As I sit here, I wish we had. As I sit here, I don't**
 9 **think it would have. But we should have done it.**
 10 Q. She says:
 11 "I am sorry ... my fourth email asking for the
 12 complaints procedure to pursue my concerns outlined in
 13 my letter to you on 11 May ..."
 14 So she refers back to the first email she sent you:
 15 "I have had no response from anyone in relation to
 16 any of the issues I raised (apart from the suggestion
 17 that I contact Chris Pearson which, for the reasons
 18 detailed below, is not the appropriate place to go).
 19 I would be very grateful if you could let me know who
 20 will deal with my concerns and when I might expect some
 21 response. If there is no complaints procedure, I would
 22 be grateful if you could advise me of this and also
 23 reassure me that this is something the church will look
 24 to rectify in order to have some accountability for the
 25 actions of individual dioceses."

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1 I have asked previously, what the complaints procedure
 2 is or, if there is not one, who will respond to my
 3 letter?
 4 "I feel that the issues I have raised are too
 5 important to just be ignored. Ignoring them, and
 6 myself, by simply not responding to my emails is an
 7 awful indictment of the 'One Church' approach which in
 8 the latest NCSC's annual report emphasises the
 9 importance of 'active listening' on the part of
 10 the church in its relationship with survivors. As you
 11 can imagine, at this stage I feel totally not listened
 12 to by Westminster Safeguarding Office.
 13 "Ever hopeful of hearing from someone soon."
 14 You can feel the frustration?
 15 **A. Yes, I agree.**
 16 Q. When you read this email, as you must have done, it must
 17 have made you bristle to read somebody emailing you in
 18 terms effectively criticising the safeguarding in your
 19 diocese, or did you just ignore it?
 20 **A. No. In effect, I must have done, until we got the**
 21 **clarity that there could be, and should be, an**
 22 **independent look, which I think -- I think -- was**
 23 **commissioned by CSAS, or maybe we will come to that in**
 24 **due course.**
 25 Q. No, you're right, it was.

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1 Cardinal, you're not saying you never received these
 2 emails, are you?
 3 **A. No, I'm not.**
 4 Q. Did you appreciate that some time after this email --
 5 I think it was a few days later -- she had a telephone
 6 conversation with Father Alexander? Did you know that?
 7 **A. I don't recall it.**
 8 Q. If she had a telephone conversation with him, would he
 9 have reported back to you the content of it?
 10 **A. Normally, yes.**
 11 Q. But you don't recall?
 12 **A. I don't recall it.**
 13 Q. Can we put up, please, INQ004669_005. Just at the
 14 bottom, 19 June, so 15 days later, 711 writes to
 15 Father Alexander, copying you in and Christopher Pearson
 16 and Jeremy Trood:
 17 "Dear Father Alexander,
 18 "Further to our phone conversation on Friday,
 19 9th June ..."
 20 So there's the date:
 21 "... I would like to let you know that no-one has
 22 got yet back to me. I am still waiting, therefore, to
 23 know who in Westminster will be dealing with the
 24 complaints and concerns I outlined in my letter to the
 25 cardinal on 11 May. Please could you let me know, as

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1 **A. So that was when we got to the point of who could do**
 2 **what in a proper manner. But I agree that finding that**
 3 **proper procedure was uppermost in my mind and not**
 4 **immediate attention to this person.**
 5 Q. Which is exactly, Cardinal, what I thought you were
 6 telling us you are not all about; you're about the
 7 survivors, you're putting them at the centre of
 8 everything, but here, will you accept that 711 was
 9 anywhere but the centre of what was going on here?
 10 **A. 711, if I may say, was very much at the centre of what**
 11 **was going on, but she did not get from me the kind of**
 12 **empathetic response that would have been appropriate.**
 13 Q. For example, if we look, please, at page 4 of the same
 14 document, we have an email from her to Father Alexander
 15 on 22 June. There had been an intervening email from
 16 him saying he'd checked with Father Jeremy and
 17 consideration was being given to a reply. So that
 18 was June. But at the foot of our page 4:
 19 "Dear Father Alexander,
 20 "Thank you for responding to my email.
 21 "It concerns me that Westminster safeguarding are
 22 still 'considering' a response to a letter I wrote at
 23 beginning of May. I am sure they must be aware of
 24 the additional stress this is causing me. Please could
 25 I ask that Father Jeremy let me know timescales for

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1 a response. As you can imagine, I would very much like
 2 some closure to all of this."
 3 In the interests of saving time, I am not going to
 4 take you through the whole chain. But one other email
 5 I think I would like to ask you to see is the one at
 6 page 2, again from her to Father Jeremy, on 26 June:
 7 "After all these weeks of waiting, it is encouraging
 8 that I now have an idea of who will deal with my
 9 concerns."
 10 He had told her it would have to be considered under
 11 the aegis of the diocesan HR procedures, in a previous
 12 email:
 13 "It is also helpful to see that there are procedures
 14 in place to ensure that there is some accountability
 15 within the diocese itself. I am not sure why, in the
 16 first instance, I was not made aware of this."
 17 She has a point, doesn't she?
 18 **A. To me, this was a difficult -- I don't know what word to**
 19 **use -- passage to negotiate, that I had always had it in**
 20 **the context of safeguarding and safeguarding**
 21 **supervision, and then the notion came out that maybe it**
 22 **was a human resources issue for the diocese. But maybe**
 23 **there was a point to that, but I missed it and I wanted**
 24 **to try to follow our safeguarding procedures because, at**
 25 **the same time as all of this, the safeguarding office**

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1 Q. Well, it may be in religious terms, but in plain
 2 speaking, it's unforgivable, isn't it?
 3 **A. It's unacceptable.**
 4 Q. Well, I'm not going to dance around with words, but
 5 that's as much as you're prepared to say, is it?
 6 **A. Yes.**
 7 Q. As you have said, you know that Dr Limbrick eventually
 8 commissioned an investigation into her complaints. As
 9 you have confirmed, they were investigated by
 10 Karen Abrams, who had been appointed by CSAS at the
 11 behest of your chair. That's the man who spoke about
 12 playing the good practice card, Peter Houghton; yes?
 13 You are familiar with the report. We don't have to go
 14 through it. But you can confirm that her three
 15 overarching complaints were upheld or, I think, in one
 16 instance, partially upheld and a series of, I think,
 17 seven or eight recommendations were made about the
 18 Westminster Safeguarding Commission; yes?
 19 **A. Yes.**
 20 MR ALTMAN: Chair, I am going to pause there for a moment,
 21 because I think I have to tell you about timing.
 22 The reality is, I am not going to finish this
 23 evening. If I were to do so, I would be rushing, and
 24 that's not fair on the cardinal or anybody else. So we
 25 are going to have to come back tomorrow, I'm afraid.

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1 **was assisting the Servites in conducting the risk**
 2 **assessment and then -- and taking through the whole**
 3 **fundamental issue, which was to try and find the way to**
 4 **bring this whole enquiry to its proper conclusions.**
 5 Q. She says:
 6 "I have attached a summary of my main concerns to
 7 which I would welcome a response. I hope you can let me
 8 know approximate timescales for when I might expect to
 9 hear back so that I am not in a position of thinking
 10 that this email is also being ignored.
 11 "I am not raising these issues to be awkward or
 12 difficult but to share my perspective on how survivors
 13 may experience their dealings with the church. It is so
 14 important that the church gets it right when it engages
 15 with us. I know that is what the NCSC is working
 16 towards."
 17 She told us, A711, when she gave evidence on
 18 29 October, that she felt Westminster saw her as
 19 a nuisance. Can you understand why she did?
 20 **A. Yes.**
 21 Q. It is not forgivable, is it?
 22 **A. It's very unsatisfactory.**
 23 Q. And unforgivable?
 24 **A. Forgiveness is a different concept, if you don't mind me**
 25 **saying so.**

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1 I think you would like, therefore, to rise at about
 2 4.20 pm. Do I understand that correctly?
 3 THE CHAIR: Yes, that's acceptable.
 4 **A. May I put in a word there, please?**
 5 MR ALTMAN: Put in your plea, yes.
 6 **A. I do have an annual important event at 5.00 pm tomorrow**
 7 **afternoon, and I really would need to be leaving here by**
 8 **2.30 pm.**
 9 Q. I think that should be accommodated. I think we will
 10 probably sit at 1.00 pm tomorrow, but if we can sit at
 11 1.00 pm prompt, and we will both do our best, Cardinal,
 12 I am sure, to finish and get you away by the time you
 13 need to be away.
 14 In September 2018, you will be able to confirm, I am
 15 sure, that A711 sent you a copy of the Karen Abrams
 16 report?
 17 **A. Mmm-hmm.**
 18 Q. That was around the very time of the ad limina visit to
 19 Rome and around the time you announced the independent
 20 review; is that correct?
 21 **A. Actually, I thought it was a bit earlier, just going by**
 22 **memory. But there we are.**
 23 Q. That's what she told us.
 24 **A. Okay.**
 25 Q. She was keen, she said, for you to give a response from

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1 your diocese. Did you understand that?
 2 **A. Yes.**
 3 Q. She recalled receiving a very brief email saying that
 4 you had noted the report had been made final in 2017 and
 5 that the safeguarding office had responded to it. Do
 6 you accept that you sent her a brief email of that
 7 nature, rather terse?
 8 **A. It was rather terse, yes.**
 9 Q. Why?
 10 **A. I understood that Abrams' report had been sent, as**
 11 **I said earlier, to her, and I thought it should go,**
 12 **which was to the diocesan safeguarding commission and**
 13 **that the commission had responded. My understanding was**
 14 **that that was the proper way to do things.**
 15 Q. But a terse email response to somebody who had been --
 16 **A. Yes.**
 17 Q. Unacceptable?
 18 **A. Unacceptable.**
 19 Q. She said that she found there to be no warmth in your
 20 response or indication you'd engage with her?
 21 **A. At that point, that's accurate.**
 22 Q. That's accurate as well. And equally, I suggest,
 23 unacceptable?
 24 **A. Yes.**
 25 Q. She said it was as though you were shutting it down. Is

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1 **the experience of sexual and physical abuse.**
 2 **Now, in a simple distinction, which I know is not at**
 3 **all simple, A711 wanted to talk to me about her**
 4 **experience of poor relations and bad management of**
 5 **a case, and, for right or wrong, I concentrated on the**
 6 **first request that had been put to me, which was to meet**
 7 **with people who wished to talk directly about their**
 8 **experience of physical and sexual abuse, and that is**
 9 **what I did.**
 10 **To this day, A711 has not spoken to me about the**
 11 **abuse she suffered. She has spoken to me about the poor**
 12 **way in which she was treated, which she and others speak**
 13 **of as a continuation of the original abuse.**
 14 **Now, I can recognise the connection between those**
 15 **two things, but at that time in January, and I didn't**
 16 **have a lot of time, I chose to concentrate the time that**
 17 **I had on the first and principal request that had been**
 18 **made of me.**
 19 Q. If we could put up on screen, please, INQ004693, and we
 20 are going to have to enlarge this. This is in
 21 the September of 2018, around the time she sent you the
 22 Abrams report and around the time you made your
 23 ad limina visit and around the time you made the
 24 announcement about the independent review.
 25 Ellen Dunleavy, she is --

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1 that what you were trying to do?
 2 **A. No. What I was trying to do was not complicate what was**
 3 **already a very complicated nexus of connections and**
 4 **feedback and drawing people in, and I wanted -- this was**
 5 **my deliberate intention, if you like, but I fully accept**
 6 **it was badly executed.**
 7 **I wanted to see all of those processes completed,**
 8 **and then -- then -- I thought I could play my part.**
 9 Q. 711 told us that she emailed you again suggesting
 10 a meeting with you because she felt her experience and
 11 the report findings might help you when you attended the
 12 Bishops' Conference in Rome in February of this year,
 13 earlier this year?
 14 **A. Correct, yes.**
 15 Q. Do you remember her emailing and suggesting that she had
 16 something to offer you?
 17 **A. Yes, I do. Yes, I do. Yes, I do.**
 18 Q. And she told us, and she certainly said in her witness
 19 statement, that she had to chase and chase -- I think in
 20 her witness statement she said five or six times without
 21 reply?
 22 **A. Well, at that point, I was trying to prepare for that**
 23 **meeting in Rome, and what I was responding to was the**
 24 **suggestion or the request that had been made to us to**
 25 **make time to meet with people who wanted to talk about**

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1 **A. My personal secretary, yes.**
 2 Q. She is emailing you, subject "RC-A711" -- of course it
 3 has been ciphered -- "complaints findings". The
 4 complaints findings must relate to the Abrams report?
 5 **A. Yes.**
 6 Q. 20 September, and she is emailing you:
 7 "Am I right in thinking that you will not be sending
 8 a further reply to A711? Would you like a copy of her
 9 email to go to Father Jeremy and Eva?"
 10 And your response, about three-quarters of an hour
 11 later:
 12 "Thank you. You are right in your assumption."
 13 **A. That's correct.**
 14 Q. You were shutting it out, and you weren't prepared to
 15 engage with her?
 16 **A. That's correct.**
 17 Q. As this correspondence shows.
 18 **A. I have tried to explain that. But that is correct, yes.**
 19 Q. You have. And the distinction, as I have understood it,
 20 rightly or wrongly, as I think you expressed yourself,
 21 that you have sought to express is the one that
 22 Monsignor O'Boyle expresses in paragraph 89 of his
 23 lengthy statement, in going through her file, he having
 24 become the Episcopal Safeguarding Vicar on
 25 1 October 2018, just a few days after this exchange of

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1 emails, and what he says is, "at that time", so he's
 2 referring to the September period:
 3 "... the cardinal's priority was to meet with
 4 survivors who wished to talk about the impact of abuse.
 5 RC-A711 was expressly wishing to talk about shortcomings
 6 of members of staff of the Diocese of Westminster."
 7 So that's the same distinction you're seeking to
 8 make?
 9 **A. Correct.**
 10 Q. If this is a justifiable distinction, why didn't you
 11 explain it to her?
 12 **A. I can't answer that question. I just wasn't doing it at**
 13 **that time.**
 14 Q. Was anyone doing it?
 15 **A. No, that's true. That's true. That's true.**
 16 Q. I mean --
 17 **A. If you could put it very simply: communication had**
 18 **broken down.**
 19 Q. Well, there was no communication?
 20 **A. There was, with the safeguarding office. There were all**
 21 **sorts of matters to do with the actual process of**
 22 **the investigation and the recommendations for**
 23 **a safeguarding plan. There was communication about**
 24 **quite a lot of things. But on this particular thing,**
 25 **communications had broken down, and I accept my part and**

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1 **meet with her now and, I would like to think, made up**
 2 **for some of that ground. That's how I experienced our**
 3 **meeting and how she spoke of it. Again, to go back to**
 4 **Monsignor Seamus O'Boyle's witness statement, you know,**
 5 **from paragraph 118 onwards, there's a very clear list of**
 6 **the lessons that the Westminster Safeguarding Office and**
 7 **I must learn from this very unhappy story. But I think**
 8 **that statement to Monsignor O'Boyle does indicate that**
 9 **we have taken this seriously, that we have reflected on**
 10 **it, and that we have formulated very clearly issues and**
 11 **lessons to be learned.**
 12 Q. The reality is, I'm sure you will accept,
 13 Cardinal Nichols, simply because her complaints were
 14 about the shortcomings of Westminster Diocese doesn't
 15 mean that the lifelong suffering she had endured, and
 16 something you spoke about in February, caused her any
 17 less harm or the way that she was being treated, which,
 18 as we saw in the original letter she sent to you, was an
 19 abusive process, all of this was harmful to her, but
 20 you're telling us you didn't see it at the time?
 21 **A. It was a hurtful process.**
 22 Q. To her?
 23 **A. To her, yes. I'm not sure it was an abusive process, in**
 24 **the usual use of that word. But it was a hurtful**
 25 **process and I regret it and, as I have said, I think**

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1 **responsibility in that.**
 2 Q. So at the very same time, here is the cardinal,
 3 Cardinal Nichols, telling his personal secretary that
 4 you aren't going to engage with this victim --
 5 **A. On the topic of --**
 6 Q. Shortcomings of Westminster?
 7 **A. Yes.**
 8 Q. In the very same month, you're telling the outside world
 9 that there is to be an independent review into all the
 10 processes and policies and structures of safeguarding in
 11 the church. Do you not see a disconnect between the
 12 presentation of the public face of the church announcing
 13 a new review on all aspects of safeguarding and the
 14 reality on the ground? In other words, at the very time
 15 you're saying all of this publicly, privately you're
 16 refusing to engage with this woman who had several
 17 complaints about your commission which had been upheld
 18 only the year before?
 19 **A. Yes, that's true. I'm afraid there are not many areas**
 20 **of my life in which there is total integrity. I say --**
 21 **no, I will not go on. We are full of contradictions.**
 22 **I say I am a man of prayer, but my practice of prayer**
 23 **always leaves something to be desired. Yes, I failed.**
 24 **I failed in this. I failed to sustain this person in**
 25 **a difficult period in their life. And I have tried to**

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1 **it's evident in the witness statement that the lessons**
 2 **have been drawn and will now be followed.**
 3 MR ALTMAN: Well, Cardinal Nichols, thank you. I am going
 4 to draw stumps there. A little more about 711 and then
 5 we will move on and, with a fair wind, we will finish
 6 you tomorrow.
 7 **A. Thank you.**
 8 THE CHAIR: Thank you very much. We will now rise.
 9 (4.18 pm)
 10 (The hearing was adjourned to
 11 Thursday, 7 November 2019 at 1.00 pm)
 12
 13
 14 I N D E X
 15
 16 CARDINAL VINCENT GERARD NICHOLS1
 17 (sworn)
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