

Independent Inquiry into Child Sexual Abuse

Martin Smith
Solicitor to the Inquiry

Your ref:

Our ref: [REDACTED]

Please ask for: Samuel Barker

Date: 7 April 2020

Direct Line: [REDACTED]

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Dear Sirs

Child Protection in Religious Organisations and Settings

We refer to the Chair's provisional determination dated 7 April 2020.

Prior to the final determination being made, it is appropriate we put on record our clients' reaction to the provisional determination.

Those members of the Group who are survivors of child sexual abuse are particularly dismayed, given that they consider the Inquiry's work so worthwhile, by the Chair's decision. They have committed a significant portion of their lives over the past 12 months to this investigation. They have endured the personal turmoil of disclosing highly personal events and the impact it has had on their health. They did so in the knowledge that a hearing would take place where their evidence would be put before the Inquiry, the CCJW and public in person. Following the Chair's determination they have expressed that they feel ignored and question whether they should have undertaken this process at all.

Whilst these hearings might be thematic in nature and are not specific to any particular case study, it is abundantly clear from the oral evidence of A10 that the accounts and stories of abuse survivors are of paramount importance and are of most value to these hearings. The evidence of A10 should be borne in mind when considering the final determination. A10 was able to look the representatives of the Methodist Church in the eye when giving evidence, to call out their wrongdoings in handling her case and her evidence was far more impactful than it would have been by video link.

Sarah Davies, herself a survivor of sexual abuse who is to give evidence on behalf of the Group, is particularly aggrieved. As a survivor of sexual abuse who gave up her right to anonymity so she could be as useful as possible to the Inquiry in giving evidence on behalf of not only herself, but those other members of the Group who are survivors of sexual abuse. She feels the Chair's decision has ignored the personal sacrifice she has made and the time and dedication she has given has been subjugated to expediency.

Moreover, Ms Davies is overwhelmed by the prospect of giving evidence alone, in isolation and by video link when previously she would have had the support of her solicitor, Mr Barker; Duncan Corbett in the witness box with her as well as the Inquiry's support team at her disposal in person.

In addition to this, those members of the Group who are survivors of sexual abuse or have been affected by sexual abuse within their families are now left with watching the live stream in isolation without the Inquiry's support team, which would have been available if they were attending in person. The potential distress that can be caused by watching live streamed evidence which pertains to the religious organisation which they attribute at least partial if not all responsibility for their sexual abuse without support can be devastating, if not potentially harmful.

For these reasons, and those expressed in our letter dated 31 March 2020, the Group disagrees that the public interest is served by the Chair's determination on this issue.

The Group has submitted from the outset that a failure to properly examine the CCJW in respect of those practices it says do not exist but the Group (and Lloyd Evans) has provided evidence to the contrary will affect the ability of the Inquiry to deliver its mandate in respect of the CCJW. This is not unique to the CCJW and given the content of opening statements, there are clearly other religious organisations which require detailed examination as to what occurs in practice as opposed to what is set out in their carefully constructed witness statements. In the Group's view, the Chair's determination does not increase the likelihood its task will be properly fulfilled, it decreases the likelihood it will be done effectively.

We ask that the Group's further comments be submitted to the Chair for consideration.

If the Chair is minded to go forward with the virtual hearings, we suggest that the hot tub evidence of Ms Davies, Mr Corbett and Mr Evans be scheduled in person in August 2020 so the witnesses won't be giving evidence in isolation.

We look forward to hearing from you.

Yours faithfully

A handwritten signature in cursive script that reads "Hugh James".

HUGH JAMES