

1 Thursday, 7 December 2017
 2 (10.00 am)
 3 THE CHAIR: Ms Karmy-Jones, good morning.
 4 MS KARMY-JONES: Good morning. Thank you, chair.
 5 The first witness this morning is A221, which should
 6 be in the relevant bundle, volume 22, behind your tab 1.
 7 WITNESS A221 (affirmed)
 8 Examination by MS KARMY-JONES
 9 MS KARMY-JONES: You attended Downside School as a child; is
 10 that right?
 11 **A. That is right, yes.**
 12 Q. I think you attended one of the prep houses --
 13 **A. Yes.**
 14 Q. -- between 1986 and 1988?
 15 **A. Mmm-hmm.**
 16 Q. And then went on into the senior school?
 17 **A. That's right.**
 18 Q. You stayed at Downside until 1993?
 19 **A. Mmm-hmm.**
 20 Q. How old were you when you first went?
 21 **A. I was 11 years old, entering Plunkett House, which was**
 22 **the prep school part of Downside. Yes, 11 years old.**
 23 Q. Did your family have any association with Downside?
 24 **A. My father had been to Downside and my maternal**
 25 **grandfather had also been to Downside. So it was always**

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1 **the plan that I would attend.**
 2 Q. Had the plan initially been that you would go when you
 3 were 13, but due to events we don't need to deal with,
 4 you went two years early?
 5 **A. I went two years earlier than originally intended.**
 6 Q. Would it be fair to say that the reason for that was
 7 there was a hope that you would be provided with some
 8 stability in life?
 9 **A. Yes. I mean, without going into any detail, there were**
 10 **a series of unfortunate events in my family life,**
 11 **bereavement, and it was felt that sending me to Downside**
 12 **was going to be a safe space for me to gather myself**
 13 **together.**
 14 Q. So when you arrived as that 11-year-old boy, what were
 15 you like?
 16 **A. I was greatly looking forward to it until the moment**
 17 **I walked through the door, and then the shock -- I was**
 18 **desperately homesick. I think I'd had an image in my**
 19 **mind of what the place was going to be like, but then it**
 20 **was vast, it was out in the country -- I lived in**
 21 **London -- and I cried and cried and cried and cried. It**
 22 **was an utterly horrible experience.**
 23 **Also, I had gone a year later than all the other**
 24 **boys in my year, so everyone knew each other. So I was**
 25 **very much a fish out of water. That's what it felt.**

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1 Q. When did you first encounter Father Nicholas?
 2 **A. He was a geography teacher at Plunkett, and I had been**
 3 **warned by the other boys in my year, "Oh, he's really**
 4 **strict. Keep your head down", so I think I did, and**
 5 **this man came in and taught geography, and I think**
 6 **I kept my head down, he was fairly strict, quite severe,**
 7 **and I remember one afternoon, I was in the classroom,**
 8 **the form classroom. I think I was catching up on some**
 9 **work, which sounds very unlike me, but I was in there,**
 10 **and suddenly he came in and was terribly kind and**
 11 **very -- I think he asked me to -- he said -- I think he**
 12 **asked me to sit on his knee. He said, "Are you all**
 13 **right?"**
 14 **It felt wonderful, actually. I think we went for**
 15 **a walk. On a number of occasions pretty regularly after**
 16 **that, we would go for walks together.**
 17 Q. Where would you go?
 18 **A. We would go to the monastery gardens, which I knew to be**
 19 **out of bounds to pupils, so it felt very special; I was**
 20 **being taken into the inner sanctum of this strange place**
 21 **that I'd ended up in.**
 22 **Then he produced a camera one day and said, "Do you**
 23 **mind if I take some photographs?"**, and I distinctly
 24 remember sitting on a gate, being asked to sit on
 25 a gate, while he took photographs.

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1 **The experience of this was to feel very nurtured.**
 2 **I was looking -- I was without what I would say would be**
 3 **a robust father figure, and into this chasm appeared**
 4 **someone incredibly kind and gentle.**
 5 Q. How did things progress after that?
 6 **A. One day, Father Nicholas asked me if I wanted to go with**
 7 **him to the monastery library, which again was another**
 8 **inner sanctum, it felt like another layer, it was very**
 9 **much out of bounds to pupils. I think he said there**
 10 **were some fascinating old maps of where my family come**
 11 **from, "Wouldn't you be interested in that?" Now,**
 12 **I couldn't think of anything less interesting than**
 13 **looking at maps, but nonetheless I said, "Yes, sure".**
 14 **This was my friend.**
 15 **So in we went, and it is quite a labyrinth, and**
 16 **I seem to remember we found ourselves at a certain part**
 17 **of the library, and I think he said, "Well, here we**
 18 **are", and then suddenly we seemed to go around in**
 19 **a circle and go to somewhere else and then come back.**
 20 **I think we did that a couple of times.**
 21 **So I got the sense that he was -- there was**
 22 **something odd going on, and then I remember -- and then**
 23 **at one point, suddenly my flies were undone, the top of**
 24 **my trousers, and I moved to do them up, and he gently**
 25 **brushed my hand away, "Oh, don't worry about that", and**

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1 I looked at him and his face had gone bright red and
 2 there were beads of sweat appearing and there was this
 3 sort of smile on his face.
 4 I remember looking down a corridor and seeing
 5 a door, an exit, and there was a split-second moment
 6 where I knew I could have -- I knew there was -- I could
 7 have run, and I didn't, and then I turned and found
 8 myself looking at the cover of some book. Then he put
 9 his hands into my trousers, fondled my penis, and
 10 I could hear a rustling motion going on, which I don't
 11 think I knew at the time was masturbation, and then it
 12 quickly finished and then he said something like, "You'd
 13 better go now". So I found my own way out.
 14 Q. What did you think?
 15 A. I remember very distinctly standing -- there's
 16 a particular lane quite close to where the library was.
 17 I think it is called Green Lane, but I couldn't be sure
 18 about that. You actually have a view of the monastery
 19 buildings. I remember knowing something profoundly
 20 wrong had just happened, and I was quite certain that,
 21 "I am going to go into that monastery building and I am
 22 going to tell someone, because these are good, holy
 23 people", and then very quickly I had this sudden wave of
 24 terror that I was making a tremendous mistake because
 25 it's possible that I had been given an utterly sacred

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1 gift, only given to the special few, and if I went in
 2 there, these men would be desperately disappointed and
 3 angry with me because I had revealed this secret. That
 4 was the logic of my 11-year-old mind, and I think -- so
 5 I held it in.
 6 Q. Did you ever tell anyone about it, when you were
 7 a child?
 8 A. Well, eventually. I mean, this continued over a period
 9 of time. I actually don't really know how long. But
 10 one holiday period, my grandmother -- I would go and
 11 stay with her on my own a certain amount, and she knew
 12 something was up, and she kept saying, "Darling, what is
 13 it? What's going on?", and I kept saying, "Nothing",
 14 and eventually I remember, I was in her bedroom, sat on
 15 her knee, and she said, "Darling, there is something
 16 wrong. I promise you, I won't tell anyone. What is
 17 going on?", and I said, "Well, there is this monk ...",
 18 and I told her and she was mortified and she said to me,
 19 "You need to tell your father".
 20 I rang my father, who appeared the next day,
 21 travelled to my grandmother's house, and he said he
 22 would sort it out, and he telephoned the monastery to
 23 speak to the abbot, and the abbot said to him something
 24 like, "I will sort it out".
 25 Q. That was John Roberts, the abbot at that time?

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1 A. Yes. When I went back to Plunkett, Father Nicholas was
 2 no longer the geography teacher and I didn't see him for
 3 the remainder of that time at Plunkett. I struggle --
 4 I don't know what the date was, it was probably '87.
 5 Q. So you continued at Plunkett?
 6 A. I continued at Plunkett.
 7 Q. Are you able to say how long that period when you were
 8 in the junior school and were being abused by
 9 Father Nicholas, about how long that lasted?
 10 A. I'm pretty sure it was during the first of my two years
 11 at Plunkett, a few months, I would say, and I think
 12 there was a fair gap between the first experience of
 13 abuse and the second, and I remember the second time he
 14 said, "Shall we go to the library?", and I said, "Oh,
 15 no, no", and he said, "Oh, come on", he said, "Come on,
 16 it's all right. Oh, please do it. Come on, come on",
 17 and I think it happened fairly regularly after that.
 18 Q. Always in the library?
 19 A. At that time, yes, always in the library.
 20 Q. So you went back to Plunkett?
 21 A. Back to Plunkett.
 22 Q. He wasn't there?
 23 A. He wasn't there. And that mechanism that kicks in to
 24 build a shell around that experience kicked in.
 25 I should probably say that the experience of abuse felt

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1 like another layer on top of a series of traumas that
 2 had already happened. It was sort of accommodated into
 3 what was already an experience of the world being quite
 4 messy.
 5 Q. Did you see him during your last year in the junior
 6 school?
 7 A. I probably -- I probably might have seen him wandering
 8 around the school, but I don't remember that we had any
 9 significant contact. I don't think I had any
 10 conversations with him. I don't remember.
 11 Q. Then there came a time when you were soon to move up to
 12 the senior school?
 13 A. Mmm-hmm.
 14 Q. In fact, before that, I think, did you have a message
 15 that Father John Roberts was going to take you out?
 16 A. Oh, yes. I had a message saying that the abbot wanted
 17 to take me out for lunch when I was still at Plunkett.
 18 I knew this must -- it could only be that he wanted to
 19 talk about Father Nicholas.
 20 Q. Was it quite close to the disclosure to your father?
 21 A. Yes. A time was arranged to pick me up in the car. He
 22 said, "Where do you want to go?", I said "Little Chef",
 23 so he took me to a Little Chef. I think it was probably
 24 a Sunday. There is something quite humorous about it.
 25 I mean, this extraordinary couple, this elderly man with

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1 this enormous great crucifix and me. It was very
 2 awkward.
 3 I think what I was hoping for was that I was
 4 going -- there would be some sort of explanation, there
 5 would be some revelation about what had happened and
 6 what were they going to do about it. But it was a very
 7 stilted conversation. It was only on the return journey
 8 that he said something like, "I'm terribly sorry for
 9 what happened, and it won't happen again", and I was
 10 very embarrassed. I said something like, "Oh, that's
 11 okay. That's okay".
 12 Q. So was that the only time in that conversation --
 13 A. Yes.
 14 Q. -- that it was mentioned?
 15 A. I think it was so palpably sitting between us as we were
 16 there eating my Olympic Feast, or whatever it was I had,
 17 I imagine that he didn't know whether it would be too
 18 disturbing to bring it up. I think he was trying to
 19 feel his way around. And I certainly wasn't going to
 20 bring it up. So, no, there wasn't -- that was the only
 21 time it was mentioned.
 22 Q. When he said he was terribly sorry, you were
 23 embarrassed, and did you say anything else?
 24 A. No. I think I just said something like, "That's okay".
 25 Q. Were you ever asked to give any detail to the school?

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1 A. No.
 2 Q. Was there ever, as far as you were aware, any
 3 investigation into what had happened?
 4 A. I was never asked in any way to recount what had
 5 happened. The dialogue entirely happened between my
 6 father and the abbot certainly. Whether there was any
 7 further internal investigation, I have no idea. I don't
 8 know who knew. Further to that, I don't know if I was
 9 the first person that Father Nicholas had abused or
 10 whether there was something that had previously
 11 happened. I cannot know that.
 12 Q. You then went into Downside main school
 13 in September 1988 and I think that was a memorable first
 14 day?
 15 A. It was. We walked -- me, my father and fairly new
 16 stepmother walked into the main hall and there was
 17 Father Nicholas greeting the new arrivals, and my father
 18 has since said he was completely shocked to see that
 19 this man was to be custodian of me and that of roughly
 20 80 12-/13-year-old boys.
 21 Q. He was actually your housemaster?
 22 A. He was my housemaster. He was responsible for
 23 everything, the day-to-day, right from making sure
 24 everyone was getting up in the morning to morning
 25 assembly, evening -- I think they were called cocoa

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1 parties or something, we would go and have hot
 2 chocolate, whatever it might have been. He was directly
 3 and, to a certain extent, solely responsible for the
 4 entire year of 80-odd boys.
 5 Q. Did your father say anything to him?
 6 A. He shook his hand, which was puzzling to me. I think
 7 I took from that that it's been sorted out, it won't
 8 happen again. But I think I was aware on some level
 9 that there was an enormous blindness at play.
 10 My father then became part of brushing it under the
 11 carpet.
 12 Q. What happened in senior school?
 13 A. So, again, I can't be sure of dates, but a few weeks
 14 into the term it started again. I found my way going
 15 back to the monastery library, same pattern as before,
 16 except now, I suppose, I knew the drill. He would stand
 17 behind me, open my flies, fondle my penis, masturbate,
 18 "Off you go".
 19 Q. Was it frequent?
 20 A. It was -- yes, it was very frequent. I think it
 21 escalated over time. I would say initially every ten
 22 days, a couple of weeks, and then probably weekly after
 23 that. It was almost humorous, in that he would walk
 24 in -- Father Nicholas would walk into the showers in the
 25 mornings or after games and in the evenings and walk

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1 around, saying, "Do you have soap? Where is your
 2 soap?". He would literally be walking in the showers,
 3 in the shower pool. Anyone who was outside drying
 4 themselves, he would say, "Dry your hair", so the towel
 5 went up. It was that familiar reddening face, that
 6 smile. To an extent, he was doing it to everybody.
 7 It's just he physically touched me.
 8 Q. Were there other people in the shower block -- not
 9 pupils, but other teachers, other monks around?
 10 A. No, no.
 11 Q. Did anyone else do that kind of thing?
 12 A. No, that was not a usual occurrence.
 13 Q. When the abuse took place, was that always still in the
 14 library or did it move elsewhere?
 15 A. He seemed to become more reckless. For example, there
 16 was a time I was messing around in the dormitory and the
 17 prefect at the time said, "Right. Headmaster's office".
 18 In I went and there was a sort of beaming smile, "Come
 19 and sit on my knee", patted his knee. I sat down and,
 20 of course, my pyjamas made me much more available, there
 21 were no flies to worry about. I remember there was
 22 a knock on the door and he stood up and catapulted me
 23 and someone came in as I was steadying myself.
 24 That goes hand in hand, I suppose, with me often
 25 wondering, "How can anyone really not know what's going

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1 on?". I remember very clearly walking down corridors
 2 with him on the way to the monastery library and passing
 3 monks and other teachers, and just thinking, "Does
 4 nobody know? Is nobody looking at me and this man and
 5 worrying about -- does nobody have any idea what's going
 6 on?"

7 Q. On the way to the library, which you have told us was
 8 very much out of bounds, would anyone have been aware
 9 that you were going into the library?

10 A. No. I would imagine that Father Nicholas would have
 11 been careful at the point at which we started to make
 12 a move towards those areas. No-one would notice. There
 13 was pretty free rein around the school. Walking down
 14 any particular corridor would not necessarily in itself
 15 have been seen as unusual.

16 Q. Did you think about speaking out?

17 A. No. I think I felt it would be completely pointless,
 18 and I think I'd got used to it. I mean, the truth is,
 19 in that situation there is a quality which -- it is
 20 a relationship, albeit utterly disproportionate, but
 21 I felt sorry for him. I felt a fondness towards him,
 22 which I am sure is part of my needing to establish some
 23 sense of control over the situation, but I actually
 24 ended up feeling a certain sense of protection, I think,
 25 which I think is not unusual in cases of this kind. And

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1 he would apologise profusely, often, a few hours after
 2 the abuse.

3 Q. What would he say?

4 A. "I'm so terribly sorry. This thing really shouldn't
 5 happen. I'm so terribly sorry". I occasionally got
 6 given a chocolate bar or something. There was one
 7 particular time when there was a weekly house mass on
 8 a Thursday, I think, and he stood up on the lectern and
 9 said, "I'm not going to say mass today. I am going to
 10 talk", and of course he'd abused me two hours earlier,
 11 and that was why. So I watched this --

12 Q. Do you mean it was something to do with his own guilt,
 13 you felt?

14 A. Yes. I think he felt he couldn't preside over the
 15 sacrament of the mass having just done what he'd done.
 16 My understanding of it was here was someone who was
 17 deeply conflicted. I mean, looking back on it now,
 18 I think this is an instance of someone who had placed
 19 themselves in an organisation probably to try and
 20 protect himself from his own very confused sense of his
 21 own sexuality.

22 So, yes, I didn't speak out again, partly because
 23 I'd done it before, what was the point, and partly
 24 because I'd become part of the kind of systemic sense
 25 of, "This can't be talked about. This isn't something

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1 you speak about".

2 Q. While it was going on, and without mentioning names,
 3 please, were you aware of any other boys?

4 A. At the time, no, I wasn't.

5 Q. Did you become aware of anything else?

6 A. I did. Suddenly, it came to light that Father Nicholas
 7 had abused another boy, had been caught abusing another
 8 boy. I remember that day quite clearly.

9 The rumour mill went crazy. Suddenly everyone was
 10 talking and whispering about this other boy.

11 Q. Was it a boy you knew?

12 A. Yes. I didn't know him well at all. I don't have
 13 strong recollections of any interaction with him, if I'm
 14 honest, but I knew the name. That day, I rang my
 15 father. I said, "Look, it's now come out. He's done it
 16 to someone else, and, by the way, he carried on doing it
 17 to me for months", at which point my father rang the
 18 headmaster, he tells me.

19 Q. Who was Philip Jebb?

20 A. Who was Philip Jebb. And my father's memory was that
 21 Jebb was outraged -- that's my father's word -- and his
 22 impression was that Jebb had not known about the
 23 original disclosure.

24 The final time I saw Father Nicholas was he presided
 25 over the evening assembly. He walked in with his head

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1 down, his face bright red, there was lots of giggling
 2 and tittering in the room. He might as well have been
 3 whipping himself over his shoulder by standing there in
 4 front of us all, knowing that we all knew.

5 Q. He presided over the assembly --

6 A. He mumbled --

7 Q. -- even though the allegation had been made already?

8 A. He did. My understanding was that it was him facing the
 9 music, and it was hideously uncomfortable, and I never
 10 saw him again after that.

11 Q. There was at some stage an article published in the
 12 press, and I think your father assisted with obtaining
 13 an injunction to prevent the story going public?

14 A. Yes. He --

15 Q. Did he ever tell you why?

16 A. Yes. I think he said at the time, "Don't worry, it's
 17 not going to get into the papers". That's I think what
 18 I was told at the time. The implication was, it would
 19 protect the family name, it would protect me, "You don't
 20 want this kind of thing out in the public", although in
 21 very recent conversation, he acknowledged he was also
 22 mindful of protecting the Catholic Church. He's
 23 a [redacted]. For him, it's of enormous importance.

24 So I understand him to be very conflicted. He had
 25 to take a choice between his beloved -- the beloved

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1 framework of his Catholicism and his son.
 2 Q. After Father Nicholas left, did there come a point
 3 shortly after where you were called to the housemaster's
 4 office?
 5 A. I was called to the housemaster's office. It must have
 6 been a day or two after Father Nicholas left, and I was
 7 interviewed by the acting housemaster, Roger Smerdon,
 8 and I could be wrong, but I have in my mind he might
 9 have been deputy headmaster at the time, but I'm not
 10 sure. He was very kind. He sat me down and said, "I'm
 11 so sorry that this has happened to you", and he said,
 12 "Now, who have you told?", and I seem to remember he
 13 said it in such a way that I'd understand that this was
 14 important.
 15 MS KARMY-JONES: I'm just going to pause there for a moment.
 16 I have just been told there may be an issue with
 17 ciphering, which I wasn't aware of.
 18 One matter was mentioned which might lead to the
 19 identification of the witness. Can I ask that
 20 a restriction order is put in place in respect of that?
 21 Forgive me for interrupting you mid story. But you
 22 had your meeting with Roger Smerdon and you were telling
 23 us what he had said?
 24 A. He asked me who I had told and my impression was --
 25 well, the way that it was asked was in such a way that

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1 it was obvious that this was an important question. So
 2 I think my answer was something like, "I have told
 3 anyone who has asked me", in slightly apologetic tones,
 4 but he wrote everything down.
 5 Q. Did you give him a full account of what had taken place
 6 or was that what he was asking for?
 7 A. No. No, it wasn't -- I'm trying to recall. Was there
 8 a question about what had actually happened, how often?
 9 That is not what is salient from that meeting. What
 10 I recall from the meeting is, what was important was,
 11 "Who have you told?" I might have been asked what had
 12 happened, but that wasn't the prime question.
 13 Q. What message did you take from that meeting?
 14 A. Well, to put it bluntly, this was now about damage
 15 limitation. I think he said something like -- I think
 16 he let me know that, "It's all right. The press won't
 17 say anything", so everything was fairly well sewn up.
 18 I had told him who I had told. I think I knew not to
 19 say any more. It was done. It was dusted. Another
 20 apology.
 21 I mean, writing my witness statement, I was quite
 22 struck by how many times people apologised to me, and
 23 I think a lot of those apologies probably were very
 24 sincere, but they came with a sense of, "I'm terribly
 25 sorry, there's nothing we can do about it. These things

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1 happen".
 2 Q. Were you offered any counselling?
 3 A. Not that I recall.
 4 Q. Were you offered anything at all?
 5 A. Not that I recall.
 6 Q. Were you treated in any way differently?
 7 A. Was I treated in any way differently? I think possibly
 8 for a few weeks afterwards. There might have been
 9 a sense of, "Is he all right? Is he okay?", but by this
 10 time I was quite adept at dealing with crises. I pulled
 11 myself together and got back into school life and was
 12 probably aware that I could get away with quite a lot
 13 because I held their terrible secret. I grew my hair
 14 long. I remember one time going into Aidan Bellenger's
 15 office and he said, "If you don't cut your hair by the
 16 time you're back next time, I'm afraid we're going to
 17 have to send you home", and I didn't and I came back and
 18 he said, "Well, well done".
 19 Yeah, I lost interest completely in academic work,
 20 scraped through some A levels and became probably
 21 something of a tearaway.
 22 Q. Was it ever mentioned during the remainder of your
 23 senior school?
 24 A. No. It was something invisible. What I was thinking at
 25 that moment was, "Could someone have just come and sat

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1 me down and said, 'Okay, things seem to be unravelling
 2 a little bit. I think we need to think about what
 3 happened a few years ago'. No, that never happened.
 4 Q. Over your life, has the experience taken its toll?
 5 A. Absolutely. In concert with other childhood events,
 6 I definitely had periods of depression. For a fairly
 7 long while, I had an unhealthy relationship with
 8 alcohol, which is incredibly good at putting to sleep
 9 uncomfortable feelings, and of course the toll of --
 10 when you're at that age, 11/12, when the first
 11 awakenings of sexuality, that period which so many sex
 12 offenders find so enthralling, you make decisions about
 13 yourself and your sense of sexual identity, so intimate
 14 relationships prove incredibly difficult.
 15 So I would say that there was considerable violence
 16 happened to my psyche in terms of trusting love and
 17 intimacy and warmth.
 18 Q. At one stage in around about 2003, did you contact the
 19 monastery?
 20 A. I did. I think it was around about this time when it
 21 was starting to feel -- starting to feel quite
 22 unbearable. I thought, "Well, one solution to this
 23 would be to speak to Father Nicholas". So I took it
 24 upon myself to ring the monastery and asked to speak to
 25 the abbot, and I got through to the abbot.

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1 Q. Who was that? Do you remember?
 2 A. Well, I think it was Richard Yeo, I think at those
 3 times, but I spoke to a kindly man who I think first of
 4 all wanted to establish who I was, and once it was clear
 5 I was who I said I was, he asked me why I wanted to
 6 speak to Father Nicholas, and I said, "I don't know, but
 7 I think I want to tell him that I forgive him", and he
 8 said, "I will facilitate that phone call if you feel
 9 that would be of help to you", and then he made an
 10 apology certainly on behalf of the monastery, and he may
 11 have said on behalf of the Benedictine Order, I'm not
 12 sure, and then a few minutes later my mobile rang, and
 13 I remember very clearly I was in Queens Park walking
 14 around, and there was, blast from the past,
 15 Father Nicholas's voice, and he said that he was so
 16 terribly sorry, again -- another apology -- and that he
 17 had desperately wanted to speak to me, and he also said
 18 to the other person he'd abused, and he also said --
 19 well, he said, "And to the other boys, but particularly
 20 to you and the other boy". Now, I never sought to
 21 unravel that ambiguity, whether he was talking about
 22 other people he may have abused or just the other people
 23 in that cohort who had experienced a housemaster who had
 24 done what he'd done, and I asked him explicitly, "Have
 25 you done it again?", and he said, "No". He said,

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1 "I have been in psychotherapy and I feel desperately
 2 ashamed for what I did", and I said, "If that is the
 3 case, then I feel the need to say that I don't in any
 4 way condone what you did, but I forgive you", and he
 5 became very emotional at this point, and, yeah, that was
 6 when he said that he had long wished to be able to speak
 7 to me, and we left it at that. There wasn't a huge
 8 amount more to say.
 9 Q. Were you contacted by Avon and Somerset Police in 2011,
 10 or thereabouts?
 11 A. I was, a phone call out of the blue. I don't know the
 12 name of the person I spoke to. I think my first thought
 13 was, "Oh, my God, have I been caught speeding?", and,
 14 no, it was someone said, "Were you at Downside between X
 15 and Y date?", and I said, "Is this about
 16 Father Nicholas?", and he said, "Yes. Evidence has come
 17 to light that you were abused and there's a trial in the
 18 planning. Do you want to press charges, give
 19 evidence?", and, gosh, I felt incredibly ambivalent at
 20 that moment, because I had had that conversation where
 21 I -- me, personally, had said I'd forgiven him.
 22 I'm pausing because the power of the silence is so
 23 strong that it becomes rationalised then over time.
 24 I was very -- I was reluctant. I asked, "Is there
 25 evidence that he's done it since the abuse coming to

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1 light in my time, because if he has, and therefore he'd
 2 lied to me, then I would give evidence", and I was told,
 3 "No, the charges related entirely to the original
 4 period".
 5 I can't be certain about the conversation, but I was
 6 left with the understanding that there was enough
 7 evidence to secure a conviction. So for me it boiled
 8 down to, did I need my day in court, and I felt that
 9 I didn't, so it happened without me, and I have -- ever
 10 since then, it's plagued me, was I "right", in inverted
 11 commas, but I didn't.
 12 Q. Why is that? Why has it plagued you?
 13 A. Because I think I couldn't get away from the idea, was
 14 I still swimming around in this very complex framework
 15 of silence and protection? Should I step out of that
 16 and publicly declare, "This is what happened", and
 17 I think I felt -- I was aware that there was another boy
 18 who had been abused and that, had my original
 19 declaration to my grandmother and, therefore, to the
 20 Downside authorities been taken seriously, that second
 21 boy would never have been abused.
 22 To say I felt responsible I think is over-egging it,
 23 but I had told them, and it carried on, and he did it to
 24 someone else.
 25 Q. You've made the statement to the inquiry. Why did you

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1 choose to do that?
 2 A. Because I feel that this inquiry is less interested in
 3 pointing the finger at individuals than looking at the
 4 woeful systemic failure of the organisation. I don't
 5 think Father Nicholas was a bad man. I think this was
 6 a man desperately struggling with demons, to use a sort
 7 of Catholic terminology.
 8 I think there was tremendous naivety on the behalf
 9 of the authorities, the belief in the power of
 10 redemption. I suspect Father Nicholas confessed, was
 11 absolved.
 12 If you have an organisation that neatly partitions
 13 good and evil, then, you know, you go in as a young
 14 child and you believe that stuff; these guys are the
 15 representatives of God. But of course, to put it
 16 melodramatically, unexpressed sexual tension stalked the
 17 corridors of Downside. Some people are able to contain
 18 it and find, I guess, a spiritual vessel; other people
 19 probably go into those places in order to try to protect
 20 themselves from it. And at the right place -- or the
 21 wrong place at the wrong time, two individuals meet,
 22 something is constellated and abuse happens.
 23 Q. Do you have any views on the systemic failures, at least
 24 in your day?
 25 A. Well, if I think about my 11-year-old self, my

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1 11-/12-year-old self, what was palpably unavailable was
 2 a very clear signpost towards a space or an individual
 3 where I could go, "This happened. This was wrong, and
 4 I want to know why, and what are you going to do about
 5 it?". I think in some ways it is as simple as that. It
 6 just wasn't there.
 7 I understand safeguarding is something that's taken
 8 much, much more seriously nowadays.
 9 The pessimistic part of me thinks that there can be
 10 only so much training, only so many keypads for access.
 11 I think it's woven into the fabric of by no means just
 12 Catholic -- of religious order. It is a space where
 13 people can very, very easily go under the radar, often
 14 with the best of intentions.
 15 Q. Is there anything else that you would like to add to the
 16 evidence that you have given to the chair and the panel?
 17 A. I don't think so -- well, maybe just to say I hope this
 18 leads to something. I see on the Downside website that
 19 they have -- they are declaring that they are welcoming
 20 the chance to scrutinise. Part of me thinks, "Well, of
 21 course they would say that, because they are being
 22 hauled in front of an independent inquiry". I just
 23 don't want there to be just another raft of apologies.
 24 MS KARMY-JONES: I don't know whether there are any
 25 questions?

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1 THE CHAIR: No, we have no questions. I want to thank you
 2 very sincerely for your attendance today and for your
 3 courage in coming forward to us. Thank you.
 4 (The witness withdrew)
 5 MS KARMY-JONES: We do have to take a few minutes of
 6 a break. Of course there is no reason why you, chair
 7 and panel, need to leave, but just a few minutes whilst
 8 the witness leaves.
 9 THE CHAIR: Thank you. We will remain here.
 10 (10.52 am)
 11 (A short break)
 12 (10.58 am)
 13 DR JAMES SEBASTIAN WHITEHEAD (sworn)
 14 Examination by MS KARMY-JONES
 15 MS KARMY-JONES: Can you give us your full name, please,
 16 sir?
 17 A. It is Dr James Sebastian Whitehead.
 18 Q. Dr Whitehead, are you the current headmaster of
 19 St Gregory's School at Downside?
 20 A. Yes, I am.
 21 Q. Two matters. First of all, by way of introduction, an
 22 introductory comment, I understand you are not feeling
 23 terribly well. If at any stage you need a break, would
 24 you please let us know?
 25 A. Yes.

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1 Q. Secondly, I think there is something that you wanted to
 2 address at the outset?
 3 A. Yes. I am very conscious that no apology -- I know
 4 this, and I think it will be hopefully apparent by the
 5 end of my testimony that I do know this to be case, but
 6 I am very conscious that no apology is ever entirely
 7 enough for survivors of abuse, but I would like, in my
 8 current role as headmaster of Downside, to make that
 9 apology to the victims of the past.
 10 I'd like to significantly apologise for the failures
 11 at the school that occurred over a number of years which
 12 led to abuse.
 13 I'd like to also acknowledge the extraordinary
 14 courage of the survivors in coming forward, and I'd like
 15 to pay tribute to that, and I'd also like to acknowledge
 16 the professionalism and diligence with which the police
 17 and social services and the diocesan and safeguarding
 18 coordinators have addressed the issues over time.
 19 That's what I wanted to say at this point.
 20 Q. Thank you. How long have you been the headmaster at
 21 St Gregory's School at Downside?
 22 A. So I took up the position in April 2014.
 23 Q. When were you appointed?
 24 A. March 2013.
 25 Q. I think you are also leaving the school at the end of

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1 this academic year?
 2 A. Yes, that's correct.
 3 Q. I will come back to that later.
 4 You set out your educational background in your
 5 statement. You have a PhD and a large range of
 6 qualifications?
 7 A. Yes.
 8 Q. I think you also taught at Worth School --
 9 A. That's correct.
 10 Q. -- before coming to Downside?
 11 A. Yes, I taught at Downside for three years -- I worked at
 12 Downside for three years and then went to Worth for
 13 nearly seven years and then returned to Downside as
 14 headmaster.
 15 Q. Are you the first lay or non-priest head in Downside's
 16 history?
 17 A. Yes, that's correct.
 18 Q. Your predecessor was Dom Leo Maidlow Davis?
 19 A. That's correct.
 20 Q. He was in the position that you now hold for over
 21 a decade; is that right?
 22 A. Yes, 11 years.
 23 Q. After that, he became prior administrator at the abbey?
 24 A. That's correct.
 25 Q. In terms of the chronology, before him, the headmasters

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1 were Dom Antony Sutch between 1995 and 2003 and
 2 Dom Aidan Bellenger, 1991 to 1995?
 3 **A. That's correct.**
 4 Q. Did you have a significant amount of child protection
 5 training before you took up the role?
 6 **A. Yes, I did. Obviously, I had had the customary child**
 7 **protection training that all teaching staff would**
 8 **generally have in different schools in which I worked,**
 9 **from 2000 onwards, but then during my time at Worth as**
 10 **second master there, I trained initially as a deputy**
 11 **designated person for safeguarding, and then, in 2012,**
 12 **I took on the role of the designated safeguarding**
 13 **person, so the lead person for safeguarding there. So**
 14 **I did various bits of training, two substantial courses**
 15 **with social services in Sussex and obviously online**
 16 **safer recruitment training as well.**
 17 Q. When you were appointed, were you asked any specific
 18 questions, or, rather, when you were interviewed for the
 19 role, were you asked any specific questions around your
 20 child protection training?
 21 **A. It's some time ago. I don't recall that I was. It was**
 22 **a rather unusual appointment process, so it wasn't**
 23 **orchestrated in a way that would normally happen within**
 24 **an HMC school, within an independent school. So I can't**
 25 **recall. I think, obviously, they were aware of my**

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1 **background in terms of -- you know, it was there,**
 2 **I think, within my application, that I had some**
 3 **safeguarding background.**
 4 Q. What was unusual about the process?
 5 **A. Well, I was invited -- the post wasn't advertised.**
 6 **I was -- I received a phone call at Worth. I was very**
 7 **happily settled at Worth with my family. But I received**
 8 **a phone call from Abbot Aidan Bellenger inviting me to**
 9 **apply for the post of headmaster at Downside.**
 10 **I explained that I was actually quite happily settled at**
 11 **Worth but that I would obviously consider it, I would**
 12 **think about it and I would talk to my wife about it.**
 13 **Then I think he rang a second time, a few days**
 14 **later, and asked me again to apply, and so, having**
 15 **discussed it with my wife, I said that I would, and so**
 16 **I was then invited to interviews at Downside where there**
 17 **was myself and two other candidates, both of whom were**
 18 **servicing governors of the school, which was obviously an**
 19 **unusual situation.**
 20 **Subsequent to that process, I was offered the post.**
 21 Q. If you had been in a position to deal with the
 22 appointment of a headmaster, how, in your view, should
 23 it be done?
 24 **A. Well, customarily, there are a small number of firms who**
 25 **manage the process. So it starts with an executive**

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1 **search, usually using one of the headhunting firms; the**
 2 **post is advertised; and shortlists are then drawn up**
 3 **from the applicants; and then there's usually at least**
 4 **a three-, often a four-stage process for interview and**
 5 **then decision.**
 6 Q. How long was your interview?
 7 **A. There were several interviews within the process. There**
 8 **was, I think, an interview with the abbot, there was an**
 9 **interview with a couple of governors focused upon ethos,**
 10 **a couple of members of the monastic community, and then**
 11 **there was an interview with a couple of other governors,**
 12 **the substantive focus of which, as I recall, was on**
 13 **finance.**
 14 **So I think, based on my recollection, there were**
 15 **three interviews as part of it, and then there is**
 16 **a dinner in the evening with the other candidates.**
 17 Q. As part of the process?
 18 **A. Well, I presume it was part of the process.**
 19 Q. Because presumably, at that stage, you hadn't been
 20 offered the role?
 21 **A. No.**
 22 Q. The ethos, two interviews on ethos, I think you said?
 23 **A. No, one interview which was largely focused on ethos.**
 24 Q. What was that? What kind of things were being teased
 25 out in that?

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1 **A. It was really, I suppose, to probe my understanding of**
 2 **Benedictine culture and my knowledge of the Rule of**
 3 **St Benedict. I think they knew that I was somebody who**
 4 **took my vocation as a Catholic teacher seriously,**
 5 **because I'd worked in Benedictine education since 2004,**
 6 **and that I'd made a vocational decision to work in**
 7 **Catholic education at that point. But I think that**
 8 **interview was to, I suppose, establish the depth of my**
 9 **knowledge of the Rule of St Benedict and the core values**
 10 **inherent in Benedictine education.**
 11 Q. Did you encounter any difficulties as a result of you
 12 being the first lay head?
 13 **A. That's quite a big question, because it's been a very**
 14 **difficult time as the first lay head, in terms of**
 15 **the challenges of working with the organisation, in many**
 16 **senses.**
 17 **It is a complex answer, if you will forgive me,**
 18 **because I had some immediate challenges. The school was**
 19 **falling in terms of pupil numbers, it was -- there was**
 20 **a sense of unhappiness within the common room, there**
 21 **were lots of staff issues to deal with immediately,**
 22 **there were active grievances, there were issues going to**
 23 **tribunal, there were a range of difficulties there.**
 24 **The school was running at a deficit at the time. So**
 25 **I had strategic things to address and immediate**

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1 logistical issues to address alongside dealing with the
 2 challenges of being the first lay head, obviously
 3 convincing the various stakeholders that I was genuine
 4 in my leadership of a Catholic organisation. It was
 5 a culture change for, you know, many people -- pupils,
 6 parents, alumni, governors, monastic community -- to
 7 have confidence in the fact that I could articulate
 8 a vision of Benedictine education. So I had to do all
 9 of that.

10 But, at the same time, yes, there were obstacles,
 11 there are obstacles, there remain obstacles, in terms of
 12 the structure of the organisation and the way it is
 13 managed, and those will be there for my successor.

14 Q. I am just going to turn to a document, if I may. It is
 15 BNT002334_091 and 092. This is before you became
 16 headmaster. It is a letter dated 10 February 2006 to
 17 Leo Maidlow Davis, copied to Abbot Yeo. I think it is
 18 at tab D1, pages 1 to 2. Were you at the school during
 19 this period? Is this when you were teaching?

20 A. Yes, I was. I started at the school as head of English
 21 in 2004, and then, after about six months, I was asked
 22 to be director of studies, so taking on responsibility
 23 for the academic life at the school. So I was in that
 24 position at this time when I wrote this letter.

25 Q. It is dated 10 February 2006. It is to Dom Leo Maidlow

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1 Davis. You have copied in Dom Richard Yeo, the abbot.
 2 You were writing because, sadly, you felt obliged to
 3 make a formal complaint about the conduct of F80?

4 A. Yes.

5 Q. Tell us about that incident?

6 A. Well, the situation was that a member of staff came to
 7 me and told me that there had been an incident in one of
 8 the classrooms where allegedly a member of staff had
 9 struck a pupil. He was conscious that the boy concerned
 10 was distressed and had gone to the refectory, as
 11 I recall.

12 Not all classrooms at that time, and I think
 13 probably not since, had phones in them and so on, so he
 14 came into my office to use the telephone to ring the
 15 boy's housemaster to go to find him and look after him.
 16 When he put down the phone, I said, "Well, you know,
 17 this is a child protection issue. We need to call the
 18 deputy head, Mike Barber", who had the responsibility of
 19 dealing with such matters should they arise.

20 Q. It was F80 who was making the call, or not?

21 A. No. I think it was -- I was saying -- you know,
 22 I needed to call Mike Barber or Hugh did. We were there
 23 in the room.

24 Q. Yes.

25 A. I don't know -- I can't remember at what point he joined

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1 us in the room, F80, but he was there, and he said, "No,
 2 don't do that. Let the housemaster deal with it", or
 3 words to that effect. I said, "Well, you know, we can't
 4 do that. We have to report it. It is our duty to do
 5 so. It is our legal obligation", and we then got into
 6 an argument in effect, a short one, but I just said,
 7 "No, we have to do this. These are the processes.
 8 These are the procedures. We have to follow them", and
 9 he basically then became quite insulting and said,
 10 "Actually, you may know policies or procedures, but you
 11 know nothing about human nature", at which point I asked
 12 him to leave my office.

13 That was fundamentally the reason for writing the
 14 letter of complaint.

15 There was a subsequent -- as detailed in the letter,
 16 there was a subsequent conversation between me and F80,
 17 where I went to see him, really, to clear the air, to
 18 seek an apology, really, from him. His office was --
 19 well, the space that he used, which was like the
 20 chaplaincy centre, is just a few doors down the
 21 corridor, but unfortunately, the conversation then
 22 became acrimonious again, and it became an opportunity
 23 for him to basically say that the academic improvements
 24 that I was delivering with colleagues were against the
 25 ethos of the school, to his mind, and that, again, you

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1 know, I just didn't understand the institution, and
 2 I basically said, "Well, I think you're undermining the
 3 values of the institution by your approach", so it
 4 became one of those kind of conversations,
 5 unfortunately.

6 Q. You record that in the letter on the second page at the
 7 top, just so that all can see, about three lines in,
 8 halfway through the line, it begins:
 9 "He then went on to suggest that while I might
 10 understand the letter of the law, I did not understand
 11 'the way that things are done at Downside', while he
 12 did. He then went on to suggest that much of what I was
 13 striving to achieve in terms of academic improvement in
 14 the school was 'against the spirit of Downside'."
 15 As a result of that, I think he also repeated an
 16 assertion that a talk you'd given had gone down like
 17 a lead balloon?

18 A. Yes.

19 Q. As a result of that, you made a number of different
 20 points in your letter. In the middle of that page,
 21 however, the third bullet point, you said you found him
 22 untrustworthy, in terms of pastoral care of pupils,
 23 especially with regard to the crucial area of child
 24 protection procedure."

25 A. Yes.

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1 Q. Was that how you felt?
 2 **A. Absolutely.**
 3 Q. What was it that made you feel that? We have heard the
 4 story, but what was it about the response that made you
 5 feel that in 2006?
 6 **A. I was distrustful of him as a person. I felt that he**
 7 **was cultivating a kind of guru-like status amongst the**
 8 **pupils using the chaplaincy as a vehicle. I regarded**
 9 **him as a very self-promoting sort of type, somebody**
 10 **who's motivated towards being popular rather than**
 11 **necessarily doing the right thing.**
 12 **Clearly, you know, the fact that he was interfering**
 13 **in professional staff trying to do the right thing was**
 14 **an issue for me, and I think it was generally felt**
 15 **amongst some of the other senior staff at this time that**
 16 **he was not on side with school improvement.**
 17 Q. Did you get a reply from Dom Leo?
 18 **A. I don't think I did, no; not a written reply, not**
 19 **a formal reply.**
 20 Q. Was anything said to you about it, from recollection?
 21 **A. Yes. I think I spoke to Father Leo, and I think he said**
 22 **that he'd spoken to F80 and suggested that he apologise,**
 23 **which he did.**
 24 **MS KARMY-JONES: I'm just going to pause there because I see**
 25 **there is a matter that is concerning the chair. You may**

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1 **have spotted something, chair, that I have not?**
 2 THE CHAIR: Further down the page there's a line that may
 3 possibly identify.
 4 MS KARMY-JONES: Can we pause the screen? All right. It is
 5 not on the screen. It was on the screen earlier, but
 6 did we not go that far down? If it is the name at the
 7 bottom of the second page, a particular name, that is
 8 not a difficulty. But thank you very much.
 9 It hasn't come up on the screen, but I'm very
 10 grateful for that.
 11 I'm afraid I stopped you partway through your
 12 answer. Would you like to carry on?
 13 **A. I'm sorry, you are going to have to remind me of**
 14 **the question.**
 15 Q. That's the key. You were explaining that you don't
 16 recall getting a formal reply from Dom Leo, and I asked
 17 you whether you had any conversation about it, and you
 18 were just telling us?
 19 **A. Yes, I don't remember a formal reply. I received**
 20 **a verbal apology from F80, and nothing else was done, as**
 21 **far as I recall.**
 22 Q. Did you receive any reply from the abbot,
 23 Dom Richard Yeo?
 24 **A. Not that I recall, no. It was a source of frustration**
 25 **at the time. I think I was aware at the time that**

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1 **Dom Leo probably had a bit of a tightrope to walk in**
 2 **terms of monastic politics at that time. F80 was a very**
 3 **charismatic and generally popular figure, and I was**
 4 **aware of the fact that what I regarded as should happen,**
 5 **ie, the removal of him from work within the school,**
 6 **would have caused something of a degree of outrage**
 7 **amongst some pupils and parents, and so on. So I was**
 8 **aware of that. I understood that situation. But it was**
 9 **nevertheless frustrating that no action was taken.**
 10 Q. During your time as a teacher, what were safeguarding
 11 child protection policies like between 2004 and 2007?
 12 **A. Well, I remember -- Mike Barber was the deputy head then**
 13 **with responsibility for child protection. My impression**
 14 **at the time was that he was conscientious in that role,**
 15 **that there was a child protection policy, there was**
 16 **inset in the beginning of term that periodically there**
 17 **would be child protection referred to within that inset.**
 18 **So I was conscious that an effort was being made in that**
 19 **regard. Obviously, it is not as developed as it is now,**
 20 **but I think that there was a sense that the lay staff**
 21 **particularly were trying to move the agenda forward in**
 22 **terms of safeguarding.**
 23 Q. Since you became head, have you made any changes to
 24 child protection or safeguarding measures?
 25 **A. Well, I obviously inherited a particular situation when**

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1 **I arrived where certain things had been put in place**
 2 **following the appalling school inspections of previous**
 3 **years and then a successful inspection that had taken**
 4 **place.**
 5 **So I inherited things which I thought were good,**
 6 **like the review process, in effect, which was created by**
 7 **the Safeguarding Committee that we had and the**
 8 **Safeguarding Subcommittee. But, I mean, I suppose,**
 9 **where I felt I made a particular contribution was in**
 10 **enhancing the understanding of, you know, how you**
 11 **deliver compliance.**
 12 **So you're focusing on checking of the single central**
 13 **register, making sure that appointments were being made**
 14 **safely and with all the relevant detail, the relevant**
 15 **checks, and making that a particular focus.**
 16 **Obviously, most of our compliance guidance would**
 17 **come through the Independent Schools Inspectorate and**
 18 **the regular updates that they send around to schools, so**
 19 **I introduced the system, which we still have, whereby**
 20 **any time there is an update sent around by that body, it**
 21 **is checked off within the senior leadership team meeting**
 22 **so we have checked the detail of it and we have noted**
 23 **any action points that need to be put in place in terms**
 24 **of any policy developments or any work that needs to be**
 25 **done in terms of staff training.**

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1 **For example, when the obligation for prevent**
 2 **training came in, that was actioned through that kind of**
 3 **process.**
 4 **So that was all done. One of the things**
 5 **I identified at the beginning was the need for greater**
 6 **focus upon the HR department being stabilised and made**
 7 **to function properly. I mean, there was a temporary HR**
 8 **manager when I arrived, and, clearly, there's**
 9 **insufficient staffing in that function. So I worked**
 10 **with others to ensure that that function was stabilised**
 11 **and we had new staff brought in and at least two staff**
 12 **in place so that all of the recruitment processes worked**
 13 **properly. I think that was important, because when**
 14 **you're doing an application pack properly and you're**
 15 **advertising things properly and you're conducting**
 16 **interview processes properly, anybody who is**
 17 **a safeguarding risk should be deterred in the first**
 18 **instance from applying and then obviously filtered out**
 19 **through the right processes.**
 20 Q. Those weren't in place when you started?
 21 **A. Not as much attention was paid to the detail of managing**
 22 **application processes, so the packs that were sent out**
 23 **were less professional, in my view, and more detail**
 24 **needed to be added.**
 25 Q. Did you ever have a conversation with anyone about the

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1 application process that you'd gone through?
 2 **A. I did with Abbot Aidan, and I said, "Listen, I have this**
 3 **concern that because of the unusual nature of**
 4 **the process, that some people might question the**
 5 **validity of my appointment". You know, my peers were**
 6 **all deputy heads who had gone through the same HMC**
 7 **training of applying for headships that I had, and they**
 8 **were going on to headships, and I was very conscious**
 9 **that the process I'd been through was different.**
 10 **He dismissed that, and I think he saw it was very**
 11 **much his prerogative as abbot to make that appointment**
 12 **in the way that he chose.**
 13 Q. So did he get the point you were making or not?
 14 **A. I don't think he considered it important.**
 15 **MS KARMY-JONES: Madam chair, I know that this witness**
 16 **hasn't been going for very long, but I am conscious that**
 17 **we have been sitting since 10.00 am, and it may be that**
 18 **some would be assisted by a break, if it would be**
 19 **a convenient moment.**
 20 **THE CHAIR: Yes. We will take a break now and return at**
 21 **11.45 am.**
 22 **(11.30 am)**
 23 **(A short break)**
 24 **(11.48 am)**
 25 **MS KARMY-JONES: You were, I think, telling us about**

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1 monitoring and compliance processes when we rose, but
 2 can I just ask one thing before we carry on with that:
 3 when you became headmaster, who was leading safeguarding
 4 measures at the school?
 5 **A. Andrew Hobbs, the deputy headmaster.**
 6 Q. In your view, was he dealing with matters well?
 7 **A. Yes. Clearly, over previous years, Andrew had been**
 8 **through a time where there'd been a steep learning**
 9 **curve, if you like, but throughout the time I've been**
 10 **working with Andrew, I have always found him utterly**
 11 **conscientious and determined to get it right in terms of**
 12 **safeguarding.**
 13 Q. When you say there was a steep learning curve, I think
 14 in your statement you refer to there being serious past
 15 failings at the school?
 16 **A. Yes.**
 17 Q. Was he endeavouring to grapple with those matters?
 18 **A. Very much so.**
 19 Q. And trying to lead to a positive outcome by promoting
 20 and increasing the focus on safeguarding?
 21 **A. Yes.**
 22 Q. In your view, was he being effective?
 23 **A. I think he had been, in many ways. Obviously, there had**
 24 **been the input of other groups as well. I think the**
 25 **role of the diocesan safeguarding coordinator had been**

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1 **significant. The impact of the ISI inspection reports**
 2 **had been significant and had given directions for**
 3 **improvement. But I think Andrew had worked hard to**
 4 **deliver improvements in safeguarding.**
 5 Q. In terms of the ISI and Ofsted inspection, just in
 6 summary, I think there had been a negative report at one
 7 stage?
 8 **A. Yes.**
 9 Q. Can you help us, just give us a few points on that: when
 10 was it?
 11 **A. I think it was 2010. Obviously, I wasn't at the school**
 12 **at the time. But as I understand it, the inspectors**
 13 **arrived at the time of the police investigation into**
 14 **Nicholas White and then had to leave and then returned**
 15 **and then looked at various processes within the school**
 16 **and found failings in terms of safeguarding compliance,**
 17 **of which there were several in terms of managing staff**
 18 **against whom allegations had been made, for example, and**
 19 **retaining them as employees, for example. That was one**
 20 **standout issue.**
 21 Q. In the Ofsted and the ISI reports?
 22 **A. Yes. There were other issues, in terms of some of**
 23 **the detail of compliance in recruitment and so on as**
 24 **well.**
 25 Q. We will be coming to some evidence around that next

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1 week.

2 So in terms of the improvements that you assisted

3 with, as you have mentioned, the Ofsted and the ISI

4 reports of 2010/2011 had noted a number of failings.

5 Had they made any observations about the school's filing

6 arrangements?

7 **A. Yes, they had, and, clearly, there were issues there, in**

8 **terms of files being kept in different places, a lack of**

9 **synchronicity between the monastic files and the files**

10 **kept within the school.**

11 Q. Was there any logical reason or delineation between the

12 places where the files were kept?

13 **A. This wasn't something I dealt with personally because**

14 **I wasn't at the school at the time, but my understanding**

15 **was that then it wasn't terribly logical, and I think**

16 **there was a clear recognition following those reports**

17 **that improvements needed to be made in that regard.**

18 When I arrived as headmaster, that work was still

19 ongoing and it was obviously slightly hampered by the

20 fact that there was only a temporary HR manager, which

21 gave all the more reason for making sure we got the HR

22 function working properly, while also making sure that

23 Andrew, in his capacity as DSL, was keeping up to date

24 with the monastic files and there was the right

25 cross-referencing between his safeguarding records

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1 within the school and the monastic records. Does that

2 make sense?

3 Q. What did you do during your period when you came in to

4 advance the process?

5 **A. Well, I mean, I made it clear that that process had to**

6 **be taken forward as a priority. As I recall, when**

7 **I arrived, the temporary HR manager was in the process**

8 **of scanning in quite a lot of historic staff files.**

9 **There was a bit of an issue with regard to the fact that**

10 **Dom Leo had destroyed quite a number of the staff files.**

11 Q. Did you ever talk to him about that?

12 **A. Yes, I think I did at the time and he said that it had**

13 **been done because it was his understanding that, for**

14 **data protection reasons, that was a necessity. I made**

15 **the point that, actually, in my experience, at my**

16 **previous school, you kept staff files because**

17 **safeguarding records trump data protection regulations**

18 **in this regard.**

19 Q. After your time, from 2014 to now, how is the filing

20 system?

21 **A. Well, it's more rationalised, in the sense that all of**

22 **the staff records are kept, paper files are kept but**

23 **they are also scanned in electronically, and so there's**

24 **a drive on the school computer which contains all of**

25 **the staff records. There's an HR folder. Also, Andrew**

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1 and his secretary are very fastidious in maintaining the

2 safeguarding records in his office.

3 Q. When you started as headmaster, did you begin to make

4 regular inspections of safeguarding matters?

5 **A. Well, I made, and still make, regular inspections of**

6 **the single central register, which is the record of all**

7 **of the safeguarding -- the DBS checks that are done, for**

8 **example, and all the other necessary checks that are**

9 **done at the time of appointment.**

10 Q. I'm just pausing you there because -- were you aware,

11 when you joined, of whether such checks had been made of

12 all the staff who worked at the school at the time of

13 your joining?

14 **A. Yes, I was aware that initially CRB and then DBS checks**

15 **had been conducted, and I remembered having my own CRB**

16 **check being done when I joined the school back in 2004.**

17 **So I knew that that was the practice.**

18 It was more a question of -- it is quite a -- the

19 single central register is quite a complex document.

20 It's got a lot of information on it. To be compliant in

21 terms of inspection, you have got to make sure all of

22 that information is correct, so the purpose of me

23 regularly checking is to ensure that every little detail

24 is correct across a range of different types of staff.

25 So that's the checking that I did and continue to do

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1 in that regard.

2 However, obviously, on arrival, there was

3 a necessity to familiarise myself with, in general

4 terms, some of the historic issues in terms of

5 safeguarding that were there, so I tried to do that as

6 well.

7 Q. Who would actually input the information onto the SCR?

8 **A. The HR manager. Certainly that had been the case for,**

9 **I think, probably a couple of years before I returned as**

10 **head. In a previous -- at a previous stage, I think it**

11 **had been done by the bursar's secretary at one point and**

12 **probably before that by the bursar, so it had evolved**

13 **over time.**

14 Q. Did you also institute monthly checking and sharing of

15 relevant ISI updates?

16 **A. Yes. As I mentioned previously, that's where we get**

17 **information sent through -- all independent schools**

18 **receive that information and, yes, we do a check within**

19 **our senior leadership team meeting.**

20 Q. How was this somewhat more robust approach taken by the

21 others who were working in the school?

22 **A. I think within the senior team -- there's a collection**

23 **of different individuals. Generally speaking, people**

24 **were very receptive, I think, and pleased by the fact**

25 **that there is a positive approach being taken to**

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1 **managing these things.**
 2 **I mean, my team is slightly divided or was -- change**
 3 **has happened since, but my team was slightly divided**
 4 **between those who I line manage and those who are line**
 5 **managed by Father Leo, and I think you could argue that**
 6 **actually there's a slight -- there has been a bit of**
 7 **a difference of perspective between those two entities**
 8 **on a variety of issues and certainly I felt there was**
 9 **a bit of a challenge in my work with the newly appointed**
 10 **bursar/chief executive of trustees in terms of getting**
 11 **him up to speed and understanding those issues around**
 12 **compliance.**
 13 Q. Just help us with that division in terms of your limb
 14 and Father Leo's limb?
 15 **A. So I line manage the deputy headmaster, the director of**
 16 **studies, the director of pastoral care within the team.**
 17 **Also within the senior leadership team there is the**
 18 **senior chaplain who is also separately the compliance**
 19 **trustee, and so, in effect, he's in the sort of**
 20 **situation where he's kind of responsible to the prior,**
 21 **but, actually, we have had a very good working**
 22 **relationship and that's not been an issue.**
 23 **There are two other members of the senior leadership**
 24 **team, or as was, they have now stopped attending**
 25 **meetings: the bursar/chief executive of the trustees and**

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1 **the director of communications, who both are line**
 2 **managed by Father Leo.**
 3 Q. How does the school and the abbey interrelate?
 4 **A. Well, on various levels. So the abbey is run,**
 5 **effectively, by the prior's council, which is a group of**
 6 **trustees, monastic trustees. Then there is the**
 7 **governing body, which is basically, in effect, an**
 8 **advisory panel. Then there is the school management,**
 9 **senior leadership team.**
 10 **The abbey -- there is the chaplaincy, a small number**
 11 **of monks are involved in the chaplaincy who work within**
 12 **the school. That's led by the senior chaplain who has**
 13 **done some very positive work in that area for a very**
 14 **long time. So they're involved, you know, through the**
 15 **chaplaincy in a range of activities within the school in**
 16 **that regard; you know, helping with the retreat**
 17 **programme, for example, confirmation programme,**
 18 **obviously the school attends the liturgy in the abbey**
 19 **church, you know, mass on Sundays, hymn practice on**
 20 **Fridays.**
 21 **There are various points of interconnection, if you**
 22 **like, but obviously the abbey is the proprietor and the**
 23 **trustees -- a small number of trustees in effect, in the**
 24 **final analysis, have all of the executive and financial**
 25 **control of the organisation.**

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1 Q. Is that a relationship that works well or not?
 2 **A. Well in my view, it doesn't work well. If I can add,**
 3 **over the last three and a half years, through a lot of**
 4 **hard work amongst the school staff, the school has**
 5 **become a happy and a thriving place. It's grown in**
 6 **numbers, its standards have risen in a whole variety of**
 7 **areas, and it has the positive support of -- I think of**
 8 **pupils, parents and staff, so the challenges within the**
 9 **organisation are not at that level. It is a happy**
 10 **school and it is a positive school.**
 11 **The challenges are on the organisational side, if**
 12 **you like.**
 13 Q. What are the challenges, in your view?
 14 **A. Well, the management structure doesn't work, in terms of**
 15 **its current setup. Obviously, that would need to be**
 16 **resolved for the next head. You know, head teachers**
 17 **expect to run their own teams and, if they can't do**
 18 **that, it makes it very difficult for them.**
 19 **Similarly, you know, all of the finance of**
 20 **the organisation is controlled by the monastic trustees.**
 21 Q. What effect does that have on decision making in the
 22 school?
 23 **A. In effect, all important decisions are referred up. No**
 24 **major decisions can be taken by the governing body.**
 25 **They have to be referred to the trustees.**

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1 Q. In terms of issues like safeguarding and child
 2 protection, does it have an impact on those sorts of
 3 important matters?
 4 **A. Most of the time, it doesn't, in that, on a day-to-day**
 5 **level, you know, the deputy headmaster and I manage most**
 6 **of the safeguarding issues in relation to the school.**
 7 **But it can do, and there's always the risk of conflict**
 8 **of interest if issues arise involving a member of**
 9 **the monastic community.**
 10 **There is a safeguarding governor, but he has very**
 11 **little input at present.**
 12 Q. Is he a safeguarding governor of the school or of the --
 13 **A. The school.**
 14 Q. What about the monastery?
 15 **A. Well, I mean, within the monastery, amongst a small**
 16 **group of monastic trustees there's one monk who has the**
 17 **role of compliance trustee, and he's also the person who**
 18 **is the senior chaplain and he is a very hard-working and**
 19 **dedicated person who I think would always try to ensure**
 20 **that the right processes are followed. But of course,**
 21 **in terms of any major decision making, that always falls**
 22 **upon the prior or the prior's administrator or, in his**
 23 **absence, the subprior.**
 24 Q. What is the school's association with Clifton diocese?
 25 **A. Well, as you would be aware from previous testimony,**

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1 there's a strong link with the safeguarding element of
 2 Clifton diocese in terms of the connection with the
 3 diocesan safeguarding coordinator and the diocesan
 4 safeguarding officer. They attend the Safeguarding
 5 Committee, which I run, which meets termly, and we
 6 liaise with them, you know, fairly regularly, and if --
 7 I mean, Andrew is in fairly regular contact with them,
 8 particularly if issues arise.

9 In terms of the actual structure of the church, it
 10 is an informal relationship, I think, in the sense that
 11 I think there are amicable relations between the abbey
 12 and the diocese.

13 You know, Downside Abbey is one of the big Catholic
 14 churches in the south west, and occasionally events will
 15 be held, for example, if they can't happen at the -- you
 16 know, at the cathedral in Clifton. You know, we try and
 17 support the work of the diocese in various ways. So I,
 18 for example, will periodically attend meetings with
 19 a collection of Catholic schools in the maintained
 20 sector and independent sector, which is part of a group
 21 which is coordinated in a sense under the umbrella of
 22 the diocese. So there are a variety of informal
 23 connections but there is no kind of line of authority,
 24 if you like, between the abbey and the diocese.

25 Q. Does that cause problems in any way?

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1 A. Clearly, the structure of things is such that abbeys are
 2 basically autonomous entities. The abbot or, in our
 3 case, the prior administrator is the final point of
 4 responsibility in terms of how they govern themselves,
 5 how they manage themselves.

6 So if there is a difficult issue, I suppose, where
 7 the abbey and the diocese have a different view on how
 8 things should be conducted, if that situation should
 9 arise, then I suppose tension might result. I think
 10 that's probably fairly rare, but it is one of
 11 the oddities of the English Benedictine Congregation, as
 12 has probably been explained in previous testimony, that
 13 they are separate entities, the individual abbeys, and
 14 they can control their own destiny in various ways.

15 Q. Can I ask you about your relationship with some
 16 individuals at the school. You have mentioned
 17 Michael Barber.

18 A. Yes.

19 Q. What is your working relationship like with him?

20 A. Obviously, I haven't seen Mike for some years. He was
 21 the deputy head, when I was there, for three years,
 22 between 2004 and 2007. I liked Mike. I thought he was
 23 a conscientious person. But I didn't have a lot of --
 24 I mean, when I attended meetings with him in the senior
 25 leadership team -- the senior management team, as it was

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1 then called, I didn't have a lot to do on a day-to-day
 2 level with him, really, because, you know, I was
 3 managing the academic life of the school, and that was
 4 a kind of a project of its own, and I didn't have
 5 a great deal of involvement in the pastoral side or in
 6 terms of safeguarding at that point because that wasn't
 7 really my brief. So I think he had probably a closer
 8 working relationship with others. I think he saw it
 9 very much as his role to support Father Leo. There was
 10 this term used periodically at times of him, and then
 11 I think subsequently of Andrew, of being "the lead
 12 professional", I think the idea being that the deputy
 13 head would take some of the burden of managing the
 14 school off the headmaster. I think that was his main
 15 focus.

16 Q. Was he proactive in terms of safeguarding?

17 A. I think reasonably within the -- yes, I think so, within
 18 the terms of the time. The safeguarding agenda has
 19 grown and grown over the years, and a higher level of
 20 proactivity has been expected over that time, but
 21 I think Micky was very conscientious in that, he ran the
 22 inset for staff, the training for staff, as was
 23 necessary and he maintained the child protection policy
 24 I think at the time.

25 Certainly, when I was working there, I didn't have

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1 major concerns about him in that role.

2 Q. Andrew Hobbs you have also mentioned --

3 A. Yes.

4 Q. -- in quite positive terms.

5 A. Yes.

6 Q. Good working relationship?

7 A. Very much so. Andrew is one of the linchpins, really,
 8 at Downside. He is incredibly hard working,
 9 a conscientious person of great integrity who takes
 10 safeguarding extremely seriously. He is keen to be an
 11 early adopter of best practice wherever possible and
 12 I think he's well regarded by the statutory authorities
 13 because the relationship of trust has been built up over
 14 time. I have confidence in him. Obviously, you know,
 15 we are all human, but I think, you know, he does a very
 16 good and conscientious job in the role that he fulfils.

17 Q. Abbot Leo, as he was?

18 A. It is Dom Leo, the prior administrator.

19 Q. Yes.

20 A. When I worked at the school previously as director of
 21 studies, I had a generally positive relationship,
 22 working relationship, with Father Leo, and I think he
 23 valued my work in improving the academic life at the
 24 school. After that, he came and concelebrated at my
 25 wedding when I was married shortly after arriving at

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1 **Worth. However, we have had a difficult working**
 2 **relationship since I returned as headmaster, which has**
 3 **revolved around a few issues. I haven't felt supported**
 4 **by him, and it's made my life as the first lay head very**
 5 **difficult.**
 6 Q. In what way has he not supported you?
 7 **A. Well, in particular I think in relation to making**
 8 **appointments without consulting me, which then have an**
 9 **impact upon how I do my job.**
 10 Q. What kind of appointments, to give us a sense of ...?
 11 **A. The main example is the interim bursar. So between the**
 12 **time of my appointment and my arrival, somebody was**
 13 **brought in, as I understand it, to assess the**
 14 **performance of the then bursar. The then bursar was**
 15 **removed from post and this person who had been brought**
 16 **in to assess their performance was then appointed as**
 17 **interim bursar, and then subsequently, without**
 18 **consulting me, appointed as bursar/chief executive of**
 19 **the trustees.**
 20 **Now, in most independent schools, the headmaster is**
 21 **the line manager of the bursar or they would certainly**
 22 **be consulted regarding that appointment. So that's been**
 23 **a point of tension because, you know, he wouldn't have**
 24 **been my choice and there have been various issues over**
 25 **time regarding discussions about performance.**

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1 **I mean, that's been the main point of friction,**
 2 **I would say. There have been other issues more germane**
 3 **to this inquiry, I think, in the sense of safeguarding,**
 4 **where we have had differences of view.**
 5 Q. In your statement, you suggest that Dom Leo struggled to
 6 run the school successfully in some crucial aspects, and
 7 you go on to say this:
 8 "In my view, Dom Leo bears some responsibility for
 9 what I consider to be ongoing governance issues within
 10 the school."
 11 You have told us a little bit about that?
 12 **A. Yes. After the failed inspections, Father Leo brought**
 13 **in a former head of a maintained school to work part**
 14 **time to assist him in managing school improvements**
 15 **because he felt he needed that support. Obviously we**
 16 **have moved on since then, but I think he's found it**
 17 **challenging -- obviously he will speak for himself, I am**
 18 **sure, but I think he's found it challenging to have**
 19 **a first lay head giving firm views on how things should**
 20 **be done when he is obviously my predecessor, and it is**
 21 **very rare in an independent school that a head has to**
 22 **have as chair of governors their predecessor. It is**
 23 **highly unusual, and for obvious reasons. But I think**
 24 **obviously some of the areas around safeguarding**
 25 **compliance which meant that we had those failed**

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1 **inspections, those were issues, as was sort of**
 2 **maintaining the confidence of parents and prospective**
 3 **parents, because, when I arrived, the numbers of pupils**
 4 **were dropping very significantly.**
 5 Q. Have they begun to rise again?
 6 **A. The school has grown by about 12 per cent, by 40 pupils,**
 7 **since I arrived, and is now back in surplus, and I think**
 8 **there's a general sense amongst the parents and pupils**
 9 **at the school that it's moving in a positive direction.**
 10 **Now, obviously, my situation now is such that**
 11 **I think there's a little bit of concern as to whether**
 12 **that's going to continue, but we will see what happens**
 13 **in that regard. It depends a little bit on who is**
 14 **appointed as my successor, I suppose.**
 15 Q. I'm going to come back to your position a little bit
 16 later on.
 17 **A. Yes.**
 18 Q. Can you tell us anything about Aidan Bellenger?
 19 **A. Abbot Aidan appointed me and he was the chair of**
 20 **governors during my first term as headmaster.**
 21 **There were difficulties around my appointment from**
 22 **the start, really, to the extent that a few weeks after**
 23 **my appointment was announced, I considered withdrawing.**
 24 **The problem was that my successor had already been**
 25 **appointed at Worth and so I was left in a difficult**

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1 **position.**
 2 **I felt vocationally drawn to go back to Downside to**
 3 **effectively rescue the school. It needed a competent**
 4 **lay professional to go in and get the numbers up again**
 5 **and restore confidence in an important educational**
 6 **institution within the Catholic world.**
 7 **So I carried on, but there were issues, for example,**
 8 **I felt I'd been misled at interview regarding my**
 9 **accommodation arrangements. I was promised a new house.**
 10 **They were going to -- because there had been no lay head**
 11 **before, I was going to be built a new house in the**
 12 **school grounds. That promise was reneged on, and there**
 13 **were other issues as well in relation to my appointment.**
 14 **So we got off to a bit of a rocky start. I had to**
 15 **arrange a "clear the air" meeting with him where**
 16 **I visited Downside and we had a long conversation one**
 17 **evening to try to iron out some of these issues. So it**
 18 **was a difficult start.**
 19 **But the way in which it then proceeded in that first**
 20 **term was that -- I mean, he was -- he gave me the**
 21 **impression he was prepared to take a bit of a back seat,**
 22 **really, and let me get on with the job of running the**
 23 **school and he agreed with the structure whereby the**
 24 **bursar and the director of communications would be**
 25 **within my senior leadership team, and the impression he**

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1 gave was he wanted to let me get on with it and I was
 2 happy with that. So for that term, it worked reasonably
 3 well.
 4 But then he retired as abbot that summer and, you
 5 know, then Father Leo was made prior administrator.
 6 Clearly, in terms of safeguarding, we have become
 7 aware of issues since where there were issues regarding
 8 Abbot Aidan's management of allegations, but obviously
 9 I wasn't aware of any of those when I arrived.
 10 Q. Looking at some of that, I think there was a point where
 11 two letters had been received. I'm trying to find the
 12 reference for them. Does that ring a bell?
 13 A. Do you mean the letters that were sent to Dom Leo in
 14 I think 2016 and 2017, the last one being I think this
 15 summer?
 16 Q. I think if you turn, first of all, behind divider 8 in
 17 the bundle, and the reference is BNT004949_001. This is
 18 actually the second of them. Can I give you a different
 19 reference, I'm so sorry, behind divider 9.
 20 BNT004950_001.
 21 A. Yes.
 22 Q. It is headed at the top "Personal to you", it is dated
 23 1 August 2016:
 24 "Dear Leo,
 25 "Some thoughts to accompany my short letter."

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1 It is a little difficult to read, but I think it
 2 comes to be summarised later on:
 3 "(i) I read Richard's letter prayerfully but with no
 4 sense of joy. It was a sad and depressing piece which
 5 filled me with the same feeling I had when I read
 6 Peter Harvey's novel. It made me ask the question:
 7 'what is it all about?'.
 8 He goes on to speak about Jane D, who was the
 9 safeguarding coordinator for Clifton diocese:
 10 "(ii) When I was abbot, Jane D ... said that what
 11 happened when opening up safeguarding was done at great
 12 personal cost to me."
 13 On the other side of the page:
 14 "The joy and fulfilment I had found in the monastic
 15 life at Downside gradually evaporated. I was no longer
 16 'the happy monk' but a disillusioned one."
 17 He goes on to speak of people against whom
 18 allegations have been made:
 19 "(iii) All those who led me to the Downside
 20 cloister -- F84, [name redacted] and F80 in
 21 particular -- were [something] as deeply flawed."
 22 Do you know what that word is, can you read that?
 23 A. "Deeply flawed".
 24 Q. The one before that?
 25 A. "Revealed as deeply flawed".

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1 Q. "Revealed as deeply flawed". He goes on to speak about
 2 a number of different individuals. When did this come
 3 to your attention, this letter?
 4 A. It came to my attention in August of this year, so
 5 a year later.
 6 Q. Who brought it to your attention?
 7 A. Father Leo brought it to the attention of myself and
 8 Andrew Hobbs.
 9 Q. That was August this year, so if we can turn to
 10 BNT004949_001, another letter, again headed
 11 "Confidential to Leo", up on the screen if you need it.
 12 A. Yes.
 13 Q. Is this also from Aidan Bellenger?
 14 A. Yes, it is.
 15 Q. Was that brought to your attention as well?
 16 A. At the same time, in August 2017.
 17 Q. It just begins:
 18 "In my absence from Downside, I have been reflecting
 19 on the present community and its life."
 20 A. Yes.
 21 Q. "As prior and abbot, I became increasingly aware of
 22 the long-term [something] problems of the community ..."
 23 A. "Personal problems".
 24 Q. "... and I would like to take this opportunity to share
 25 some thoughts with you."

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1 If we turn in the dividers to divider -- it goes on
 2 to speak about individuals, but divider 7,
 3 BNT005553_001, there's an email halfway down the page
 4 from Andrew Hobbs to you on 17 August, "Subject:
 5 Confidential -- Abbot Aidan's letter:
 6 "Dear James,
 7 "I have now spoken this morning with the LADO who
 8 has suggested that we look at the letter through the
 9 following filter. Is there information/evidence that:
 10 "(i) a child has been harmed by a current/previous
 11 employee/volunteer of the school?
 12 "(ii) a child is likely to suffer harm from
 13 a current/previous employee/volunteer of the school?
 14 "(iii) a criminal offence has been committed?
 15 "I do not consider that Abbot Aidan's letter
 16 contains specific information that any of these criteria
 17 has been met, but, in my judgment, through his concern
 18 about named monks and about the culture in the
 19 monastery, he appears to be insinuating that pupils may
 20 be or may have been at the risk of harm. He is
 21 certainly mentioning names of monks about whom we hold
 22 safeguarding information, but there needs to be
 23 clarification of his concerns regarding the list of
 24 previous monks [name redacted; name redacted; name
 25 redacted; name redacted] and F131.

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1 "I feel that there is a requirement to go through
 2 the contents of the letters in a methodical way, seeking
 3 clarification on issues referred to or implied by
 4 Abbot Aidan ..."
 5 In effect, in those letters, which we can look at
 6 and de-cipher, was Abbot Aidan making a form of
 7 disclosure of potentially other safeguarding issues?
 8 **A. Well, potentially, yes. We didn't know at the time**
 9 **because the letters were unspecific. As you will be**
 10 **aware, I wrote a letter to Dom Leo dated 17 August**
 11 **making that point and that it needed following up.**
 12 **Obviously Andrew's email here is I think -- was useful**
 13 **in terms of focusing on some of the precise issues that**
 14 **needed to be followed up.**
 15 Q. So if we look at what he says about 1 August 2016,
 16 that's the first of the letters, he's got:
 17 "(vii) clarification is required of 'tolerated by
 18 all my predecessors' and what specifics have led to his
 19 concern regarding 'Richard' and his attempting to
 20 protect Nicholas and Dunstan. What is meant by 'there
 21 are still three members of the community who have
 22 weaknesses in that direction' and to whom is being
 23 referred?"
 24 If one goes back and looks at the letter behind
 25 tab 9 -- you no doubt are more familiar with it than we

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1 are -- was that something that he was referring to in
 2 the letter?
 3 **A. I'm sorry, I'm not clear on the precise nature of**
 4 **the question.**
 5 Q. My fault. It is my fault. Of course. I am just trying
 6 to find the reference in the letter -- not being
 7 familiar with Abbot Aidan's hand, and it may be that you
 8 are more familiar with it, it seems to be that there is
 9 a reference within it to -- thank you very much, my
 10 learned junior has found it. On the second page,
 11 BNT004950_002, about four lines down -- three lines down
 12 is the "tolerated". If we look at the top:
 13 "(vii) at the heart of darkness in the community is
 14 the issue of child abuse which was 'tolerated' by all my
 15 predecessors as abbot."
 16 **A. Yes. I think that is the passage that Andrew is**
 17 **referring to.**
 18 Q. There is a reference to "Richard", and I think below
 19 a reference to "Nicholas". Who was Richard?
 20 **A. I presume that's Dom Richard Yeo.**
 21 Q. "I am particularly concerned that Richard, who should
 22 have known better, attempted to protect Nicholas and
 23 Dunstan when he should have been protecting their
 24 victims."
 25 **A. Yes, "when he should have been protecting their**

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1 **victims".**
 2 Q. In the email we looked at a moment ago, Andrew was
 3 suggesting to you that clarification was required of
 4 "tolerated by my predecessors" and "what specifics have
 5 led to his concern regarding 'Richard' and his
 6 attempting to protect Nicholas and Dunstan"?
 7 **A. Yes.**
 8 Q. It goes on to say:
 9 "... there are still three members of the community
 10 who have weaknesses in that direction."
 11 Do you see that at the bottom?
 12 **A. Yes.**
 13 Q. Then turning to the next letter, BNT004949, again in the
 14 hard copy behind divider 8, he lists, after the passage
 15 I read out, a number of points:
 16 "(a) Dom Nicholas and Dom Dunstan [are] both
 17 imprisoned for paedophile offences. Neither was
 18 penitent. Both were protected (and implicitly)
 19 encouraged by their abbots ..."
 20 **A. "Indirectly", I think.**
 21 Q. "... (and indirectly) encouraged by their abbots (John,
 22 Charles and Richard)."
 23 Were those the names of the abbots: John, Charles
 24 and Richard?
 25 **A. Yes.**

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1 Q. What did you understand that to mean? Did you have any
 2 idea what that meant?
 3 **A. I think he's referring to a culture of -- I think it is**
 4 **a hyperbolic -- slightly hyperbolic letter, and I think**
 5 **Abbot Aidan was probably excusing his own behaviour in**
 6 **leaving the monastery and justifying his new way of life**
 7 **by kind of getting things off his chest, and I think**
 8 **that leads possibly to an element of exaggeration within**
 9 **this letter.**
 10 **However, it is a very serious concern that he's**
 11 **raising here, potentially, that these abbots may have**
 12 **actually encouraged paedophilia. Obviously, if that was**
 13 **the case, that's a very grave offence.**
 14 Q. Moving down, he speaks about **relevant** and **irrelevant**, "both
 15 [monasteries]"?
 16 **A. "Both", I think, "womanisers".**
 17 Q. He goes on to speak about F65 and F77, and "their
 18 offences (more than allegations) remain on record".
 19 They avoided trial, I think he says:
 20 "F77's activities are perverse and criminal and he
 21 should not be allowed to reside at Downside. His case
 22 parallels that of F18 at Ampleforth."
 23 **A. Yes.**
 24 Q. He goes on to speak of F130 and 123:
 25 "... both open to allegations of 'paedophilia'.

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<p>1 Small fry, perhaps, but in outside perceptions (or those 2 of hostile past pupils) they [would] be in trouble." 3 A. "Could be". 4 Q. "Could be in trouble?" 5 A. Yes. 6 Q. "[Name redacted], too, is vulnerable on account of his 7 taking 'minors' to swimming pools ..." 8 And then it says something about Cardinal Pell? 9 A. Yes. 10 Q. Then there is a reference to: 11 "(d) Jane D ... assured me that F100 had had 12 'numerous affairs'. 13 That's perhaps not something that will assist this 14 inquiry greatly: 15 "(e) F80, behaviour in the school viewed from 16 outside was monstrous, not to mention the rape case." 17 Were you aware of that instance? 18 A. Aware of the -- 19 Q. Allegation. 20 A. The allegation regarding F80? Yes, I was aware of 21 the history regarding F80. I think "rape" is -- it may 22 be a question mark about whether that is the right term. 23 Q. That may not be something for you to comment on. 24 A. Sure, okay. But in terms of what I'm aware of, in terms 25 of the history, and how it was investigated and -- I am</p> <p style="text-align: center;">Page 69</p>	<p>1 Then he says: 2 "I do not recall 'rape' being mentioned in the 3 files." 4 He asked: 5 "(f) what are David and Richard's pontifications 6 about the 'safeguarding'?" 7 "(g) have [name redacted] and [name redacted] been 8 challenged regarding 'advocating' keeping things quiet?" 9 He says: 10 "(h) These files of the monks mentioned should be 11 checked for any safeguarding content." 12 He goes on to say: 13 "In my conversation with the LADO (Anthony Goble), 14 he was happy with my suggestion that Dom Leo and 15 Liam Ring meet with Abbot Aidan to get clarification of 16 the safeguarding content. Should it become clear 17 Abbot Aidan has information which is as yet undisclosed 18 which fulfils any of the criteria mentioned above, then 19 advice should be sought from the LADO before any 20 investigation of that information is undertaken. 21 "I have also spoken with Liam Ring, who is in 22 agreement with this suggestion." 23 There may be an issue about the names which weren't 24 said but it has been brought to my attention they were 25 on the document that was brought up on the screen, so</p> <p style="text-align: center;">Page 71</p>
<p>1 aware of that individual, yes. 2 Q. "(f) David and Richard's pontifications about the 3 safeguarding ..." 4 Can you read it out to us? 5 A. "... of an all too worldly-wise novice show a lack of 6 proportion and judgment. Richard's high-handed manner 7 has alienated many in the Congregation." 8 Would you like me to go on? 9 Q. Then he goes on to speak about two people whose names 10 are there but we don't need to deal with, have been 11 challenged regarding advocating keeping things quiet. 12 In the email that you were sent, the questions posed 13 were these: 14 "(a) Dom Dunstan and Dom Nicholas 'were protected 15 (and implicitly) encouraged by their abbots ..." 16 These are just repeats: 17 "(b) F77's attitudes are perverse and criminal and 18 he should not be allowed to reside at Downside'. Is he 19 suggesting that the risk assessment is not effective?" 20 He asks: 21 "(c) Why are F78 and F123 open to allegations of 22 'paedophilia' and why is [name redacted] vulnerable?" 23 "(d) Why could F71 beating in Plunkett come up as an 24 issue (has this been addressed in any way)? 25 "(e) F80's behaviour in the school ... "</p> <p style="text-align: center;">Page 70</p>	<p>1 I will just flag that. 2 What was the response to that letter? 3 A. The response to Andrew's letter or -- Andrew's email 4 or -- 5 Q. To Andrew's email? 6 A. I forwarded it on to Dom Leo. Obviously, it followed on 7 from the letter that I'd sent him that day, which was 8 asking -- well, first of all, for the matter to be 9 addressed and also to remind him of the obligation to 10 report any even vague allegations to me as a matter of 11 urgency so that we could do our statutory duty to report 12 them to the LADO. 13 Q. Just by way of reminder, that letter was the one we 14 looked at earlier today, dated 17 August. It is at the 15 back of the file. 16 A. I'm not sure we have looked at it. But it is in the 17 file. 18 Q. I'm sorry, I thought you meant the letter you sent to 19 Dom Leo. 20 A. Earlier we looked at a letter which was my formal 21 complaint about F80, but I don't think we have actually 22 looked at this particular letter. 23 Q. BNT006830_001. Is that the letter? 24 A. Yes. 25 Q. So it is at the back of the file, behind divider 24.</p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

1 This is the letter that you sent, having forwarded that
 2 email, I think, on to him?
 3 **A. Yes, I think I sent the letter and then I forwarded the**
 4 **email after I had received it from Andrew.**
 5 Q. "Thank you for coming over to my office yesterday
 6 evening to discuss the issue of the correspondence
 7 received from the former abbot, Aidan Bellenger.
 8 "Yesterday afternoon, I was given copies of two
 9 letters ..."
 10 You describe them:
 11 "Both refer to safeguarding concerns in relation to
 12 members of the monastic community."
 13 You go on to say:
 14 "It is not entirely clear from the correspondence
 15 whether or not it contains any new information ...
 16 therefore, I asked Andrew Hobbs, the deputy headmaster
 17 and our designated safeguarding lead, to contact the
 18 designated officer at our local authority, the person
 19 previously referred to as the 'LADO', to gain advice on
 20 how to proceed."
 21 **A. Yes.**
 22 Q. It is clear that Andrew made a phone call.
 23 Over the page, you say:
 24 "I would ask, moreover, to avoid any possibility of
 25 delay in future, that if you receive any communication

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1 from anyone that refers to safeguarding concerns or
 2 allegations in connection with Downside School, that you
 3 inform me immediately, so that we may seek advice
 4 urgently, as required by Southwest Child Protection
 5 Procedures, and those set out by the Somerset Local
 6 Safeguarding Children Board, as well as by the guidance
 7 issued by the DiE."
 8 **A. Yes.**
 9 Q. Did you feel those procedures hadn't been followed
 10 appropriately?
 11 **A. Yes.**
 12 Q. Did you feel that the delay was an issue?
 13 **A. Yes.**
 14 Q. Did you speak to Aidan Bellenger about the letters?
 15 **A. No. I didn't speak to Aidan about them. I didn't have**
 16 **his contact details and his living -- his living -- to**
 17 **me, address unknown. I think there was only Dom Leo who**
 18 **would have had his contact details.**
 19 Q. But you spoke to Leo?
 20 **A. Yes.**
 21 Q. What was his reaction in the phone call?
 22 **A. Actually, I'd spoken to him the evening -- on that**
 23 **evening. He'd come over and spoken to Andrew and myself**
 24 **and he'd apologised for not bringing the letters to our**
 25 **attention sooner, and I'd explained that I would have to**

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1 **write to him about the matter.**
 2 Q. What was his attitude, though?
 3 **A. He was embarrassed and contrite that he hadn't brought**
 4 **them to our attention sooner.**
 5 Q. Did he explain why?
 6 **A. I think he felt that they were confidential letters sent**
 7 **to him by Aidan and that it was a question of Aidan**
 8 **getting things off his chest in a way that was**
 9 **justifying his current way of life and decision to leave**
 10 **the monastery and that -- I think he also felt that**
 11 **there may not be any new information necessarily being**
 12 **referred to within these letters, but I think the point**
 13 **we made is that we don't know that. These are**
 14 **unspecific allegations and we have to follow it up.**
 15 **That's my best recollection.**
 16 Q. Did he seem surprised by the content of the letters?
 17 **A. I think, to be fair, we were all disturbed by the**
 18 **content of the letters. I mean, obviously we had been**
 19 **living with the horror of all of this child abuse**
 20 **history for some time and trying to manage things as**
 21 **best we could, but I think Dom Leo realised that he**
 22 **should have brought the material to our attention**
 23 **sooner.**
 24 Q. Can I ask you what the nature of your -- if you can tell
 25 us anything about Richard Yeo and what the nature of

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1 your dealings with him had been?
 2 **A. I've had pretty limited dealings with Dom Richard. You**
 3 **see, he's, until fairly recently, been Abbot President,**
 4 **so I have had some dealings with him in that regard.**
 5 **I've recently -- well, I have attended various**
 6 **Benedictine conferences which he has attended, for**
 7 **example, in different locations internationally, so**
 8 **I have had some contact with him there.**
 9 **I have helped to organise certain events, like prize**
 10 **givings for essay competitions, and so on, which he's**
 11 **been a figure at, he's been helping to present those**
 12 **awards, so I have liaised with him on things like that.**
 13 Q. Has he had any input into safeguarding during your time
 14 as headmaster?
 15 **A. No.**
 16 Q. Was he heavily involved in safeguarding when you were
 17 a teacher and he was abbot?
 18 **A. I couldn't say. I wasn't -- that wasn't an area of my**
 19 **responsibility at that time.**
 20 Q. What's the nature and extent of Downside's relationship
 21 with COPCA or, rather, CSAS now?
 22 **A. I've had no engagement with them personally. I'm not --**
 23 **I think -- there may have been more engagement on the**
 24 **abbey side of the organisation, but it's not -- in terms**
 25 **of the school, our engagement is with, in effect, our**

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1 regulator, the ISI, and also with the LADO and with
 2 children's services and so on. It's not been with the
 3 Catholic advisory agencies in that regard, not in my
 4 experience, other than the diocesan safeguarding
 5 coordinator.
 6 Q. Have any safeguarding issues arisen during your time as
 7 headmaster?
 8 A. Yes, they have.
 9 Q. What's the nature of those?
 10 A. Well, there have been several issues that have arisen of
 11 different kinds. There have been non-recent cases
 12 brought to our attention, people getting in contact with
 13 us to explain what's happened to them in the past.
 14 Q. During your period, have there been any concerns around
 15 child sexual abuse?
 16 A. In terms of --
 17 Q. Contemporaneously.
 18 A. No.
 19 Q. I think that in your statement -- I'm looking at
 20 paragraphs 38 and 39 -- you mention sexting and cyber
 21 bullying?
 22 A. Yes.
 23 Q. And there being an instance of using, making and
 24 distributing child pornography, but by a pupil, not by
 25 any member of staff?

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1 A. Yes.
 2 Q. And you set out the measures that were taken?
 3 A. Yes.
 4 Q. In terms of the safeguarding cases involving adults, can
 5 you help us with your knowledge of, insofar as -- did
 6 you have any dealings with the allegations that emerged
 7 as far as Richard White or Nicholas White were
 8 concerned?
 9 A. Yes. When issues came through, they came through to
 10 Andrew as the safeguarding lead within the school. We
 11 always -- if anything of that kind occurs -- and in
 12 these instances, we discussed it as soon as possible,
 13 always within a few hours, and referred it to the
 14 safeguarding authorities. So we were always clear that
 15 we had to follow that 24-hour rule of reporting to
 16 either the LADO or children's services, depending on the
 17 nature of the concern.
 18 Q. There were also allegations in relation to F75.
 19 A. Yes.
 20 Q. What did you do in respect of those?
 21 A. Again, we discussed the fact that this issue had arisen
 22 and we immediately referred it to the LADO, the
 23 designated officer in social services.
 24 Q. Was that Liam Ring?
 25 A. No, Liam is the diocesan safeguarding coordinator. But

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1 then -- so the sequence is, we'd take it to the LADO and
 2 then, depending on their advice, we'd then refer it also
 3 to Liam -- if that's going to be -- we'd normally inform
 4 the diocesan safeguarding coordinator anyway that we are
 5 managing an allegation, but there may be specific advice
 6 given by the LADO which suggests that it's good to
 7 involve Liam in his capacity, in terms of helping with
 8 the management of the allegation, and liaison with the
 9 victim in particular.
 10 Q. Did you also deal with a member of temporary maintenance
 11 staff?
 12 A. Yes.
 13 Q. Was that a historic allegation or a more current one?
 14 A. That was a current one. But that related to offences
 15 committed outside the organisation which came to our
 16 attention, and they were subsequently tried and
 17 convicted of those offences. But thankfully, it didn't
 18 involve any offence committed at Downside or in relation
 19 to anybody -- any pupils.
 20 Q. Had appropriate CRB checks been carried out?
 21 A. Yes, and DBS.
 22 Q. In relation to F107?
 23 A. Yes.
 24 Q. Tell us about that?
 25 A. Can I mention that I'm a bit concerned in talking about

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1 this now, in terms of the potential identification of
 2 individuals.
 3 Q. Is that the factual background you are concerned about?
 4 A. Well, yes -- I'm obviously very happy to talk about the
 5 case, but --
 6 Q. Don't say anything that you think might lead to an
 7 identification of an individual.
 8 A. Yes.
 9 Q. Perhaps leave it at the moment at the response that was
 10 made to the allegation?
 11 A. Sure. So the response was, I think, perfectly in line
 12 with protocol, where we referred it to the LADO and
 13 consulted with them on how to proceed and acted
 14 completely in accordance with protocol, yes.
 15 MS KARMY-JONES: I think, chair, it is very shortly before
 16 1.00 pm and perhaps we can check the concerns that have
 17 been raised over the break, if we may, and come back.
 18 The witness won't be very, very much longer.
 19 THE CHAIR: Thank you. We will return at 2.00 pm.
 20 (12.57 pm)
 21 (The short adjournment)
 22 (2.00 pm)
 23 MS KARMY-JONES: Dr Whitehead, we were looking at some of
 24 the allegations that you became aware of, and the last
 25 of those that I would like to ask you about is RC-F77.

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1 **A. Yes.**
 2 Q. There had been issues in respect of RC-F77. He had been
 3 the subject of allegations in the past, and he had been
 4 seen walking across the school pitches, I think, during
 5 your time as -- or in 2012; is that right?
 6 **A. Yes.**
 7 Q. Was he someone you were familiar with?
 8 **A. Yes.**
 9 Q. Were you aware that he was on the monastery site, the
 10 Downside site?
 11 **A. Yes.**
 12 Q. And were you aware of the background?
 13 **A. Yes.**
 14 Q. What happened after he'd been seen walking across the
 15 pitches?
 16 **A. Well, I think the incident where he was seen walking**
 17 **across the school pitches predated my arrival as**
 18 **headmaster. But not long after my arrival as**
 19 **headmaster, he was seen sitting with the congregation at**
 20 **an event in the abbey, which, in effect, gave him close**
 21 **proximity to pupils.**
 22 Q. What was your understanding of the restrictions that
 23 were upon him?
 24 **A. That he should basically maintain the lowest possible**
 25 **profile and avoid any situations where he could come**

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1 **into contact with young people.**
 2 Q. So what was done?
 3 **A. Well, even before this occurred in the October of 2014,**
 4 **I think I'd already written to Dom Leo to -- basically,**
 5 **I'd reviewed the file of F77 and the risk assessment,**
 6 **and I'd written to ask him to be removed from the**
 7 **campus. And so a meeting was arranged in Bristol with**
 8 **Clifton -- representatives from the Clifton diocese to**
 9 **review his case. Andrew Hobbs I think had already made**
 10 **the same view clear, that, you know, we didn't feel that**
 11 **we wanted him on the campus. We didn't feel he should**
 12 **be on campus, rather.**
 13 Q. With what result?
 14 **A. There was a meeting towards the end of 2014, as**
 15 **mentioned. Basically, that view wasn't the general**
 16 **consensus of the meeting. I think it was felt that it**
 17 **was hard to find somewhere for him to go, and I think**
 18 **several people within the meeting took the view that it**
 19 **was safer to manage him under the supervision of**
 20 **the monastery on site rather than him being sort of cut**
 21 **adrift, as it were.**
 22 Q. Can we bring up CFD000022_001. It is behind divider D2.
 23 This is a minute from the Safeguarding Committee meeting
 24 on 11 July 2013 about F77:
 25 "No further contact has been made with the young man

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1 who raised concerns ... he has proved difficult to
 2 contact despite his mother saying he was keen to talk.
 3 JD has left messages and he has her number."
 4 That's Jane, is it, JD?
 5 **A. Yes.**
 6 Q. "JD will continue to try and speak to him -- the abbot
 7 is very keen for this to happen too. F77's covenant has
 8 been rewritten and the draft seen and approved by the
 9 abbot. It needs to be circulated. F77 remains at
 10 Downside for the moment until a placement can be found."
 11 This, I think, predates the incident that you refer
 12 to?
 13 **A. Yes. It predates my arrival as head.**
 14 Q. 11 July 2013, and the suggestion there is that
 15 a placement is going to be found for him.
 16 **A. Yes.**
 17 Q. The incident that you refer to, when was that?
 18 **A. I think the incident of being found with the**
 19 **congregation -- going back, I think it was October 2014.**
 20 Q. So over a year later?
 21 **A. Yes.**
 22 Q. If you can go to CFD000022_043. It is later on in the
 23 same divider.
 24 On 18 December 2014, there was another meeting at
 25 which it is reported that F77 would like to remain at

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1 Downside Abbey:
 2 "Abbot Aidan Bellenger has made many attempts to
 3 find him alternative accommodation in the past, but this
 4 has proven very difficult. There are concerns around
 5 the reputational risk to the school and so a discussion
 6 was held around the best way forward.
 7 "LM said that in his view ..."
 8 LM, Leo Maidlow --
 9 **A. I think that's Father Leo, yes.**
 10 Q. "... said that in his view F77 was in a great deal of
 11 denial around the seriousness of what he has done.
 12 However, he didn't feel [he] was a risk to children as
 13 he did not have contact with them, although agreed the
 14 risk was a reputational one."
 15 And "JW", is that you?
 16 **A. Yes, it is.**
 17 Q. "[You] said if the parents of pupils knew that [he] was
 18 in such close proximity to children, they would be very
 19 disconcerted. If you look on the internet and type in
 20 'Downside' a lot of negative things can be found ..."
 21 And you report about an article that was written by
 22 an ex-pupil of Downside."
 23 How did this resolve itself?
 24 **A. This is the minutes of the meeting that I referred to**
 25 **which took place in Bristol. It didn't move forward, in**

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1 the sense that, you know, he wasn't been moved anywhere,
 2 he's remained on site under a risk assessment.
 3 It is not in the bundle, but I had written a letter,
 4 a reasonably detailed letter. It wasn't just
 5 a reputational risk. There was a potential, albeit
 6 possibly relatively low-level, risk to children in his
 7 presence on site -- you know, he was being managed and
 8 continues to be, but, you know, we have repeatedly --
 9 ie, Andrew Hobbs and myself have repeatedly requested
 10 that he be removed from the campus, but action hasn't
 11 been taken.

12 Q. On a slightly different note, partway down, about the
 13 fifth paragraph down, "RMK" -- Richard Mckay?
 14 A. I think so, yes.

15 Q. There is a discussion about whether he could be moved to
 16 a place that was managed by Benedictines for people like
 17 F77, and Richard Mckay "said Brownhill in Gloucester
 18 was previously such a place (run by the Paracletes) and
 19 dealt with addiction and other issues, but this is now
 20 closed."
 21 A. Yes. I suggested then -- I'm not sure this is an exact
 22 record of what I said, but the point of what I said
 23 then, and have done since, is that my thought was,
 24 really, the different abbeys within the EBC should take
 25 responsibility for their offenders, or people who are

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1 subject to allegations or who are potentially deemed
 2 a risk to children, and it should house them in
 3 a bespoke facility which is properly organised and
 4 supervised and managed so that they are removed from any
 5 kind of proximity to schools.

6 I think -- so this is kind of paraphrasing, I think,
 7 in some ways, my point that it is not an exact
 8 reflection of the gist of what I would have said, but
 9 that's the point I've been making over the last few
 10 years.

11 Q. I'm just going to go on to some other safeguarding
 12 matters.
 13 Can we please bring up BNT00683 -- sorry, can I have
 14 BNT006832_001: Downside Safeguarding Subcommittee
 15 meeting, 25 September 2017. Present: Dom Leo Maidlow
 16 Davis, Dr James Whitehead, Mr Andrew Hobbs, James Hood
 17 and Alastair Falzon.
 18 Was this a change in approach, this manner of
 19 safeguarding meeting and record?
 20 A. No -- well, I took over the running of the Safeguarding
 21 Committee and the Subcommittee when I arrived as
 22 headmaster in 2014, and we've run the meetings fairly
 23 consistently -- well, consistently since then.
 24 The presentation -- some of the details, in terms of
 25 the presentation of the grid of action points, changed

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1 slightly in terms of the record keeping, but the
 2 meetings have been in the same format during that period
 3 of three years, three and a half years.

4 Q. If we can turn into the document, please, to page 5, so
 5 BNT006832_005, there is an entry at paragraph 4 just
 6 about the inquiry. There are some irrelevant matters
 7 discussed, but it says:
 8 "A decision has been made not to have an external
 9 safeguarding audit at this time. A commitment is being
 10 given to have an external audit post IICSA. JWD ..."
 11 A. That's me, James Whitehead.

12 Q. "... asked that consideration be given to not delegating
 13 key safeguarding decisions to [redacted] at present; LMS
 14 said that he would discuss this with the other
 15 trustees."
 16 Can you help us with that, please? Why was
 17 a decision made not to have an external safeguarding
 18 audit at that time?
 19 A. Well, I think the decision was taken by [redacted],
 20 partly influenced by the advice of the chief executive
 21 of the trustees, and he took a view that it wasn't
 22 necessary or at least wasn't necessary at that moment,
 23 which was not a view that Andrew Hobbs or I agreed with.
 24 We thought that we should have a safeguarding audit with
 25 an external body as soon as possible.

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1 Q. Should the decision have been delegated to [redacted]?

2 A. Not in my view, no.

3 Q. Tell us why?

4 A. He is one of the people within the community about whom
 5 some concerns have been raised.

6 Q. In your view, should anyone about whom concerns have
 7 been raised have any involvement in significant issues
 8 around safeguarding?
 9 A. No, I don't think they should.

10 MS KARMY-JONES: I'm sorry, I don't know if my learned
 11 friend wants to say something?

12 MS GALLAFENT: Well, simply a concern that you have just
 13 identified a person about whom you say safeguarding
 14 concerns have been raised.

15 MS KARMY-JONES: Stop the feed for the moment, please.
 16 It is not something we took a view would cause an
 17 issue, because not only does it appear in the witness's
 18 statement, which has been plain and in full sight for
 19 some time and disclosed for some time, but these
 20 documents have also been disclosed, they are in the core
 21 bundle material, and no reference to it has been brought
 22 to our attention until now.
 23 The suggestion is, if, chair, you would make
 24 a restriction order to redact the reference to it being
 25 [redacted], that would deal with the matter.

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<p>1 THE CHAIR: Yes, I will make that order. 2 MS KARMY-JONES: I'm sorry, I didn't realise the feed had 3 gone back on. 4 In the intervening period, a restriction order has 5 been made to prevent the identification of any 6 individual from your evidence in that last regard. 7 Can I ask you to turn to BNT006831_001. This is 8 another such meeting, 16 October 2017. Similar 9 consolidation of the meeting. 10 If you turn to the third page, at the bottom, 4: 11 "Consideration be given to not delegating key 12 safeguarding decisions to an individual at present. LMS 13 said that he would discuss this with the other 14 trustees." 15 This was, in effect, the matter that you had raised? 16 A. Yes. 17 Q. The right-hand box deals with whether or not the action 18 points from the previous meeting had been completed? 19 A. Yes. 20 Q. And what's said there is, "No, it had not been 21 completed"? 22 A. Yes. 23 Q. The comment is: 24 "In the absence of a decision on this, [you] 25 proposed that LMS delegate all prior/trustee decisions</p> <p style="text-align: center;">Page 89</p>	<p>1 Q. So it hasn't actually been put into place as yet? 2 A. It hasn't been put into practice, but I assume that that 3 will be actioned if such another situation arises. 4 Q. In your view, what are the principal challenges that 5 Downside, as an institution, has faced over recent 6 years, in terms of safeguarding? 7 A. Well, obviously there have been the very significant 8 challenges relating to all the cases from the past of 9 abuse and the work that needs to be done to carefully 10 manage those issues and provide support to victims. 11 There's the massive issue of the challenge of 12 the structure and the governance arrangements, which is 13 an ongoing issue in terms of potential conflict -- 14 conflict of interest in the position of the chair of 15 governors and the monastic superior. I don't think 16 that's yet resolved. There are a range of challenges 17 that the organisation faces in relation to safeguarding. 18 I think there is a distinction between the culture that 19 we have now successfully established within the school 20 of a very committed, hard-working and professional 21 commune and lay staff who are committed to the high 22 standards of best practice in safeguarding and 23 a monastic community which is playing catch-up and 24 clearly doesn't find this an easy area still, even after 25 all this time.</p> <p style="text-align: center;">Page 91</p>
<p>1 on safeguarding during a period of absence to JHD, who 2 is a compliance trustee. LMS agreed to this and JHD 3 agreed to this. 4 "JWD explained his concern re the need for an urgent 5 external safeguarding audit ASAP either prior to or just 6 after IICSA; there is the strong possibility of an 7 emergency ISI inspection." 8 A. Yes, that's correct. Can I highlight that there may be 9 an issue of identification there again on the left-hand 10 side. 11 Q. That's all right. It is on the document and it hasn't, 12 I think, been said. 13 A. Okay. So, yes, that's the issue, and the reason why 14 I made that latter suggestion, since I hadn't had 15 feedback on that matter, is that the alternative person, 16 who is the compliance trustee, who is a monk and 17 a trustee, is a very much trusted person within the 18 school and seen as somebody reliable in terms of 19 safeguarding good practice. 20 Q. Has that been done, as far as you're aware? 21 A. Well, it's been agreed as a -- it was agreed in that 22 meeting that that would happen, but I haven't had any 23 further instances since that meeting where there's been 24 a need to make a decision of that kind, if that makes 25 sense.</p> <p style="text-align: center;">Page 90</p>	<p>1 I think there are a range of other issues that 2 remain, and the culture of monastic superiority, as has 3 been referred to by other witnesses, I think remains 4 a cultural problem, which is, again -- it applies to the 5 EBC generally, I think, where, again, dedicated, 6 committed lay staff aren't always seen as on the same 7 level as monastic brethren who are deemed to be more 8 important figures within the abbey or school 9 communities, which to me has always seemed absolutely 10 ridiculous, but nevertheless remains the case, and it is 11 a deeply inherent problem within the EBC culturally. 12 I think it goes right up to the top, including the 13 Abbot President. 14 There's the issue of the ineffectiveness of 15 governance, in that the governors are a now reduced 16 number. Downside is a small board. It has not got 17 a sufficiently broad range of expertise. Two of 18 the vice chairs of governors have resigned in recent 19 times because of the nature of the situation within the 20 community and within the governance structure. 21 There is a whole range of issues. There is a lack 22 of transparency in terms of who is actually running the 23 organisation, in the sense that, you know, a lot of 24 people think, you know, when they come to a school and 25 put their child in the trust of the staff, that it's the</p> <p style="text-align: center;">Page 92</p>

<p>1 headmaster running the school, but actually -- I mean, 2 all headmasters face some constraints, but not -- you 3 see the governors on the website, but you never see the 4 trustees mentioned as the ultimate decision-making 5 entity. So there is a cultural problem in terms of 6 transparency there. 7 There is an issue of just a general culture of 8 needing to wake up to the realities of modern 9 compliance. Safeguarding is one aspect of it, but there 10 are a range of other aspects, whether that is risk 11 management or health and safety. 12 I have been working towards school improvement in 13 this area, but there are other areas as well, and so 14 it -- that's an issue. 15 Accountability is the fundamental problem. The 16 members of the monastic community are not accountable 17 unless they commit a criminal offence, obviously. But 18 they are not accountable to anybody. They can go back 19 and retreat to the abbey and, you know, after this, they 20 will go back and enjoy their Christmas celebrations and 21 not worry, fundamentally, about the impact, necessarily. 22 There will be some bad PR for a while, potentially, but 23 their livelihoods are never going to be at stake. They 24 are going to go back and live in their grade I or 25 grade II listed building and enjoy that for the future.</p> <p style="text-align: center;">Page 93</p>	<p>1 but then the wrong actions are taken, often, in order to 2 address that, and, you know, people such as, you know, 3 lay head teachers aren't empowered to do what they need 4 to do. So there are some fundamental problems with how 5 the issue of inertia is being addressed, if you will. 6 Q. Another comment that you make in your statement is about 7 the support of victims of child sexual abuse? 8 A. Yes. 9 Q. What do you suggest about that? 10 A. I think we need to have a proper review of how that's 11 done. At the moment, we are working with the diocesan 12 safeguarding coordinator in relation to people who have 13 brought forward allegations from the past. I think 14 that's working moderately well. But I think there needs 15 to be a better scheme for this with well-established 16 bodies who are specifically geared towards that 17 programme of support for sexual abuse victims so that 18 everybody knows which organisation you go to to put 19 people in touch with, and there are various bodies 20 working in this area, I'm conscious of that, but there 21 isn't a clear methodology, if you like, for the support 22 of victims yet, as far as I understand it, and I think 23 there needs to be. 24 I think both within the church, because it is 25 a double betrayal, you know, when somebody affiliated to</p> <p style="text-align: center;">Page 95</p>
<p>1 So the issue of accountability is a real one. 2 I think the points that have been made in terms of 3 the mandatory reporting I think are good ones, and 4 I think the testimony that was given yesterday, arguing 5 perhaps for a body which oversees more accountability 6 within this area, I think I would fully support. 7 So there are a range of things, I think, which are 8 still relevant to Benedictine education, and I think it 9 is a great shame because it offers a great deal to the 10 world in terms of the way that it educates young people 11 in terms of Christian values and an ethos of servant 12 leadership and of contributing to the building up of 13 society, and all of that is being damaged by this 14 unaccountable pseudo-superior culture within 15 monasteries, which comes from the very top, and it needs 16 addressing. 17 Q. In your statement, you refer to there being a degree of 18 inertia at the top of the organisation? 19 A. Yes. 20 Q. Is that how you sum up what you have told us? 21 A. There has been a kind of anxious inaction which I think 22 I refer to elsewhere in my statement, often in terms of 23 not knowing what to do and not always seeking the best 24 advice. I think that there is -- has been an amount of 25 inertia. I think steps have been taken to address that</p> <p style="text-align: center;">Page 94</p>	<p>1 the church betrays a young person, you know, it is the 2 whole-world view which is being damaged as well as the 3 immediate harm that's being done, so there needs to be 4 a very clear support network within the church and also 5 within society at large, to my mind. 6 Q. You have been the first lay headmaster, as you told us 7 earlier. 8 A. Yes. 9 Q. Do you have any idea who will succeed you? 10 A. No. I mean, my deputy headmaster is going to step up to 11 be acting head until I think they find my successor. 12 Q. Initially, you provided the inquiry with a corporate 13 statement, a draft. 14 A. Yes. 15 Q. But that draft was not eventually used as Downside's 16 corporate statement. 17 A. Yes. 18 Q. Although I think some passages of it were incorporated 19 into another draft -- 20 A. Yes. 21 Q. -- written by, I think, Andrew Hobbs? 22 A. Yes. Quite a lot of the work that I put into it over 23 this summer was used in that final version, but, yes, it 24 changed in terms of the ownership of the document. 25 Q. Do you know why your statement was not used?</p> <p style="text-align: center;">Page 96</p>

1 **A. Well, I think it was because of my employment situation**
 2 **changing and a potential sense that there might be**
 3 **a conflict of interest.**
 4 Q. Do you have any other observations or views that you
 5 would like to tell us in general terms that might assist
 6 the chair and the panel when they come to deliberate and
 7 make recommendations?
 8 **A. Yes. I appreciate that the whole world of Benedictine**
 9 **education might seem a strange one to the outside world,**
 10 **but I think it has many merits. I included, as an**
 11 **attachment to my statement, this summary chapter from**
 12 **Sister Frances Orchard's thesis about the transfer from**
 13 **religious- to lay-run schools, and I think that's**
 14 **a brilliant condensation of the issues that face people**
 15 **in my situation, who are trying to, you know, implement**
 16 **best practice and do the right thing in taking an**
 17 **institution forward after it's been under a clerical**
 18 **regime, if you like.**
 19 **I think it very clearly, succinctly summarises the**
 20 **problems where communities just don't plan properly and**
 21 **don't appreciate the urgency of actions, for example, in**
 22 **relation to the issue of compliance and a range of other**
 23 **issues. I won't repeat all of those points now, but**
 24 **I think it is worth revisiting when commenting on the**
 25 **sector, because, you know, obviously my employment at**

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1 **Downside is coming to an end and, in a sense, I have**
 2 **been the fall guy for the institution as the first lay**
 3 **head. It is very clearly said in that document, you**
 4 **know, in terms of advice to people taking over as the**
 5 **heads of religious organisations, "Don't be the first**
 6 **lay head; be the second". I think that's helpful and**
 7 **I hope that will be helpful and I hope that's relevant.**
 8 **But I think, you know, the culture change which**
 9 **I have referenced earlier I think is absolutely**
 10 **essential.**
 11 **I had a personal vested interest in safeguarding.**
 12 **In 2014, I testified in a criminal case because I was**
 13 **physically abused as a child, and that was in relation**
 14 **to a case where a sexual abuser -- he obviously intended**
 15 **to abuse me and couldn't, and so he attacked me, and**
 16 **he's been convicted and he is serving a prison sentence.**
 17 Q. Are you happy for that to go out?
 18 **A. I don't have a problem with that. But I think you need**
 19 **people who are committed to safeguarding running these**
 20 **organisations, and I'm not yet 100 per cent convinced**
 21 **that that's always the case. However you look at the**
 22 **recruitment processes or the trusteeship or the**
 23 **governance arrangements of organisations, there has got**
 24 **to be a sense that people have a vested -- even if it is**
 25 **not based on their own personal experience in that way,**

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1 **but that they have a deep-rooted commitment to**
 2 **safeguarding best practice.**
 3 Q. Thank you. Is there anything else you wanted to add?
 4 **A. I think that covers most things.**
 5 **MS KARMY-JONES: Thank you very much.**
 6 **In case you were looking for it, the chapter that**
 7 **was referred to is behind B1. It is called "Letting go**
 8 **of the Baton: The Management of the Transfer of Catholic**
 9 **Independent Schools from Religious to Lay Administration**
 10 **1962 to 2002 by Frances Orchard". Thank you very much.**
 11 **Questions by THE PANEL**
 12 MR FRANK: Just one question, if you could just expand
 13 a little on the answer you gave in relation to the
 14 noncommissioning of the external audit until post IICSA.
 15 Can you help us as to what the reasons for that were?
 16 Can you expand on that a little?
 17 **A. There were initial discussions, I think, between the**
 18 **chief executive of the trustees and the -- a member of**
 19 **the community, involved around costs. Obviously, the**
 20 **member of the community I don't think necessarily saw it**
 21 **as a priority until IICSA had made its findings known**
 22 **anyway. I would have to sort of revisit the kind of**
 23 **email chain to give you a fuller answer, to be honest,**
 24 **but my sense was that there was a resistance there to**
 25 **having another safeguarding review or another element of**

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1 **safeguarding interference, if you like.**
 2 MR FRANK: If you wanted to revisit the email chain, do you
 3 have access to it?
 4 **A. I think so, yes.**
 5 MR FRANK: Well, if you were able to review it, and if you
 6 had any further observations, I would be glad to hear of
 7 them if there is anything you want to add as a result of
 8 looking at them.
 9 **A. That's fine.**
 10 MR FRANK: Thank you very much.
 11 THE CHAIR: Thank you, Dr Whitehead.
 12 **A. Thank you.**
 13 **(The witness withdrew)**
 14 **MS KARMY-JONES: I should have said, and as they leave, if**
 15 **I can, just for the record, say that Mr Smith and Ms Fry**
 16 **from Bircham Dyson Bell were here to represent the**
 17 **interests of Dr Whitehead.**
 18 **The next witness is Mr Liam Ring. The statement**
 19 **should be at A1 of the bundle.**
 20 **MR LIAM DOMINIC VINCENT RING (sworn)**
 21 **Examination by MS KARMY-JONES**
 22 **MS KARMY-JONES: Can you give us your full name, please?**
 23 **A. Liam Dominic Vincent Ring.**
 24 Q. Mr Ring, what's your current employment, please?
 25 **A. I'm the current safeguarding coordinator for Clifton**

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1 diocese.
 2 Q. How long have you been employed there?
 3 A. **In this role, since January 2016.**
 4 Q. How long have you worked for Clifton?
 5 A. **Prior to the safeguarding coordinator role, I was the**
 6 **safeguarding officer, starting in March 2014 on**
 7 **a part-time basis, and then historically I have worked**
 8 **with the diocese as a commission member and on various**
 9 **investigations that have emanated over time.**
 10 Q. You have been a police officer?
 11 A. **That's correct, yes.**
 12 Q. Serving in the Avon & Somerset Constabulary?
 13 A. **That's correct, yes.**
 14 Q. You retired from the rank of detective sergeant; is that
 15 right?
 16 A. **That's true, yes.**
 17 Q. How much experience do you have in safeguarding?
 18 A. **As a police officer, safeguarding is part of your role,**
 19 **so throughout my 30 years of service, it had a key**
 20 **function anyway, but I specialised in safeguarding for**
 21 **the last 15 years of my service. So I was an**
 22 **investigator as a DC and a DS -- detective constable and**
 23 **detective sergeant -- running child abuse investigation**
 24 **teams, and then, latterly, the title became Public**
 25 **Protection Unit to encompass vulnerable adults.**

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1 Q. Your role as safeguarding coordinator for the diocese
 2 covers a number of different responsibilities, and you
 3 have helpfully provided us with a document setting those
 4 out. It is at divider B3 of the bundle. And the
 5 reference, so it can be shown on screen, is
 6 CFD000107_001.
 7 So your role, in summary, please? What does it
 8 comprise?
 9 A. **It is effectively to coordinate all the safeguarding**
 10 **matters within the diocese, as it says in the top**
 11 **paragraph, to include religious orders, congregation,**
 12 **affiliated to the Safeguarding Commission.**
 13 **To expand slightly on that, it's a diocesan role, so**
 14 **the diocese is geographically very large, covering from**
 15 **sort of Swindon down to Taunton, Gloucestershire,**
 16 **Wiltshire, et cetera, and as part of that, the**
 17 **expectation would be that I would facilitate training**
 18 **for priests and religious, I would assist with all the**
 19 **implementation of any policies and procedures nationally**
 20 **emanating either from the CSAS or from secular world**
 21 **legal laws coming in, et cetera, and it encompasses**
 22 **things like parish safeguarding, et cetera.**
 23 Q. You provide support to schools in the diocese?
 24 A. **I do, but I need to qualify that to some extent, that**
 25 **the schools are expected to adhere to national and local**

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1 **authority safeguarding policies and procedures.**
 2 Q. Do you have regular and ongoing contact with Downside
 3 School?
 4 A. **I do, yes.**
 5 Q. As part of your current role, did you receive any
 6 additional training to that over and above which you
 7 previously had?
 8 A. **Nothing from a church or diocesan perspective per se.**
 9 **The expectation, as it says in the job description, is**
 10 **that I will take on some continuing professional**
 11 **development, which I have tried to do where I can,**
 12 **attending courses like the CEOP course and child sexual**
 13 **exploitation, master classes, things like that.**
 14 Q. How much -- not in terms of amounts, but in terms of
 15 resources and staffing available, what kind of level of
 16 resourcing do you have?
 17 A. **I do a four-day week for the diocese. I have got**
 18 **a safeguarding officer who does two days a week for the**
 19 **diocese. There's a full-time PA administrator/support**
 20 **officer, which is based in a separate -- in the same**
 21 **building but in a separate office to me next to the DBS**
 22 **administrator, who does two days a week.**
 23 Q. If we can bring up CFD000117_001. Is this the history
 24 of safeguarding staff between 2003 and 2017?
 25 A. **That's correct, yes.**

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1 Q. 2003 really being when this was -- when this began?
 2 A. **Absolutely, yes.**
 3 Q. With Jane Dziadulewicz?
 4 A. **Dziadulewicz.**
 5 Q. She was your predecessor?
 6 A. **She was.**
 7 Q. She gave evidence yesterday?
 8 A. **She did.**
 9 Q. We also see Rachel England, who we may come across in
 10 some of the papers, Mark Moran, Rebecca Monks,
 11 Eugene Gallagher, Mark Hart, Tony Domaille, a locum,
 12 you, Emma Kayne and Rebecca Cawsey?
 13 A. **Yes.**
 14 Q. And the dates of appointment?
 15 A. **Yes.**
 16 Q. What is the structure of Clifton diocese and its
 17 involvement in safeguarding?
 18 A. **There's the safeguarding office, which is based**
 19 **centrally, Alexander House in Bristol. We have**
 20 **a Safeguarding Commission, which I report to. Clearly,**
 21 **the bishop, Bishop Declan, is the lead for the --**
 22 **religious lead for the diocese. There is a subgroup of**
 23 **the commission which is something called the ARAT team,**
 24 **which is mentioned in the paperwork, which is the**
 25 **allegations and risk assessment team, and that is**

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1 a smaller group from the commission with people with
 2 expertise to support decision making processes and
 3 discuss cases in detail.
 4 We link to -- nationally to the CSAS office,
 5 previously COPCA, and the national office, the NCSC, and
 6 my role would be, as the coordinator, to go to national
 7 conferences and bring back national policy and
 8 procedures to be implemented locally.
 9 Q. You set out in some detail what the role and
 10 responsibility of Clifton diocese is in relation to
 11 safeguarding and child protection matters in connection
 12 with Downside. Can you help us with that, please?
 13 A. Shall I refer to my statement on that?
 14 Q. You are welcome to, if it assists you.
 15 A. Thank you.
 16 Q. I'm looking at paragraph 2 on. In paragraph 2.2, you
 17 set out the role and responsibility of the commission.
 18 A. Thank you. Yes, as you can see, the commission acts as
 19 a critical friend, really, to the diocese with lay
 20 people with various backgrounds -- lay and religious.
 21 So we've got a clergy lead adviser, we have somebody
 22 representing the religious groups, orders, within the
 23 diocese. We have lay personnel with perhaps a probation
 24 background or a vulnerable adult history, professional
 25 history. Historically, I was a police officer. We

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1 currently are in the process of getting a police officer
 2 to help us. And -- do you want me to go into the
 3 history at all?
 4 Q. No, I think we have heard some evidence around the
 5 history yesterday. You have already told us that the
 6 commission reports to the bishop and the trustees of
 7 the diocese?
 8 A. Yes.
 9 Q. In terms of ARAT, the allegations and risk assessment
 10 team, you have told us that it is also made up of
 11 a safeguarding coordinator and a number of commission
 12 members who discuss the details of safeguarding cases.
 13 What are the Clifton terms of reference?
 14 A. In relation to the diocese for the commission, I think
 15 that term again "critical friend" is an important one.
 16 They will listen -- independent as well of the diocesan
 17 family, as it were, to some extent, although some of
 18 the priests and religious clearly are from the diocese,
 19 and the idea is that they will assist my role, largely,
 20 and the safeguarding officer and the safeguarding office
 21 in relation to things like DBS and case management and,
 22 should there need to be a challenge made to the diocese
 23 in relation to, you know, poor practice or inertia in
 24 implementing something, they'd look to support that as
 25 well.

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1 In case management, there will be -- cases have come
 2 to the enquiry where it's necessitated somebody from the
 3 commission to actually come out and be physically
 4 present for a case meeting or for, you know -- there's
 5 mention in the files about meetings at Downside. So
 6 they have got quite a wide role.
 7 There's a separation between the commission and the
 8 trustees. We don't currently have a trustee from the
 9 diocese on the commission. That's not necessarily
 10 a problem, but it's just an observation.
 11 Q. How long have you not had a trustee on the commission?
 12 A. I'm guessing a bit, but I don't think there's been one
 13 in my time there. So I don't think we've had a trustee
 14 on the commission probably in the last four or five
 15 years. I know historically the trustees were -- there
 16 was a connection. There is still a connection, because
 17 I need to -- the diocesan setup is that I report both to
 18 the commission -- there's a commission meeting going on
 19 this afternoon, and my colleague is running that this
 20 afternoon -- but separately I will report to the
 21 diocesan trustees and I will also have separate
 22 meetings, if necessary, with the bishop, if required.
 23 Q. Clifton's association with Downside Abbey. I think you
 24 said there's no official alignment of the abbey and
 25 Clifton diocese, or wasn't until March 2013?

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1 A. That's correct, yes.
 2 Q. The abbey is geographically sited within Clifton?
 3 A. That's correct, yes.
 4 Q. Up until around about 2013, advice was provided by
 5 Jane Dziadulewicz on a case-by-case basis?
 6 A. That's correct, yes.
 7 Q. A number of different safeguarding concerns arose during
 8 that period that we heard about, and during those, she
 9 worked quite closely with Detective Constable Mark White
 10 of Avon & Somerset. Have you worked with Mark White?
 11 A. Not from a diocesan perspective, but I have worked with
 12 him in my previous career as a police officer, yes.
 13 Q. Between 2008 and 2009, did Clifton diocese employ an
 14 independent consultant?
 15 A. That's correct, that was Tony Domaille.
 16 Q. We saw on the list we put up a little while ago he is
 17 still listed as a locum?
 18 A. That's correct, yes.
 19 Q. Did he review the past safeguarding files?
 20 A. He did.
 21 Q. Which led to an identification of a number of issues?
 22 A. That's correct, yes.
 23 Q. In terms of the school, is there any official
 24 alignment -- forgive me.
 25 Is there any alignment between the safeguarding

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1 policies at the school and those that are developed by
 2 CSAS, as far as you're aware?
 3 **A. There's no direct correlation. I don't think there's**
 4 **a direct link. But clearly the policies that CSAS wish**
 5 **to implement and national policies and school policy**
 6 **should, you know, marry up.**
 7 **In relation to the school itself, the expectation,**
 8 **as an independent school, would be that they adhere to**
 9 **local authority procedures, and because the school is**
 10 **sited within the diocese and it is a Catholic school,**
 11 **they connect obviously to my office or to our office.**
 12 Q. Does the school generally have their own policies that
 13 are in line with statutory and local authority guidance?
 14 **A. They do.**
 15 Q. What's the earliest contact you've found in respect of
 16 the school?
 17 **A. I think the first recorded matter is in around 2003.**
 18 Q. Is that the case of F66?
 19 **A. Yes, I believe that's the correct cipher.**
 20 Q. Is that a case that was referred to Clifton by the
 21 headmaster, Leo Maidlow Davis?
 22 **A. That's correct, yes.**
 23 Q. In terms of your involvement, do you regularly attend
 24 meetings at the school?
 25 **A. Yes.**

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1 Q. Are those regular whether or not there are any specific
 2 concerns?
 3 **A. Yes, there's diarised, termly safeguarding meetings**
 4 **which I play a part in.**
 5 Q. Is there any concern over the proximity of the abbey to
 6 the school physically?
 7 **A. In all the time I've worked for Clifton diocese, that's**
 8 **always been the case, yes.**
 9 Q. Who do you principally deal with at the school?
 10 **A. My main point of contact at the school is Andrew Hobbs.**
 11 Q. Looking at the Diocese Commission involvement with
 12 Downside Abbey and the school, do you have any
 13 recollection of safeguarding issues coming to the
 14 attention of -- forgive me. I'm misreading something.
 15 When would the Diocese Commission expect to be
 16 notified by Downside of a safeguarding issue?
 17 **A. If there's any issue in relation to a member of staff,**
 18 **a present or previous member of staff, or anybody really**
 19 **connected with the school site and/or abbey site, we**
 20 **would expect to be sighted into those communications.**
 21 Q. What would the process that you would expect be?
 22 **A. Invariably, it will either be a phone call initiating**
 23 **a longer conversation or a meeting or potentially an**
 24 **email. That will generally involve at least three**
 25 **parties, which would be myself or Becky, my colleague**

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1 **safeguarding officer, Andrew Hobbs as a minimum, and the**
 2 **LADO in those circumstances, local authority designated**
 3 **officer.**
 4 Q. Has there been any change to the process since 2003?
 5 **A. I would say that that process has become embedded**
 6 **probably since the mid 2000s. That obviously predates**
 7 **my time, but from looking at files, I'm not sure how**
 8 **robust that process would have been in the early days**
 9 **around, you know, the 2000s and before the Safeguarding**
 10 **Office and those procedures came into place.**
 11 Q. What records should be kept, as far as you are aware?
 12 **A. Basically, we will always start a file at the diocese,**
 13 **so key details of individuals involved, names of**
 14 **victims, perpetrators, contact details, et cetera. Our**
 15 **filing system allows us to start a referral sheet at the**
 16 **beginning to capture that information, and then we will**
 17 **have continuing correspondence, a report section of our**
 18 **file, if there's any assessments or risk assessments.**
 19 **So the file can expand as is required, and the**
 20 **expectation will be that all parties involved -- so the**
 21 **school and the LADO -- would obviously keep their own**
 22 **records.**
 23 Q. When a record is taken, how much detail should there be?
 24 **A. As much as possible and whatever is relevant -- relevant**
 25 **parties, et cetera.**

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1 Q. Do you ever have any direct involvement with a victim or
 2 an alleged perpetrator?
 3 **A. Yes, part of the job description is there's a duality**
 4 **between supporting victims/survivors alongside dealing**
 5 **with potential perpetrators or complaints that have been**
 6 **made.**
 7 Q. What considerations are important to you when an
 8 allegation comes to light?
 9 **A. My priority is always, are there any current**
 10 **safeguarding concerns that need to be addressed, closely**
 11 **linked to -- almost akin to -- the needs and wishes of**
 12 **any victim or survivor.**
 13 **We then need to make sure that, you know, the matter**
 14 **is recorded properly, shared properly with all the**
 15 **statutory agencies, as is required, and ideally set out**
 16 **a course of action to resolve whatever issues there**
 17 **might be and offer support, pastoral support,**
 18 **potentially for victims/survivors and obviously, in some**
 19 **cases, perpetrators as well.**
 20 Q. How do you go about risk management?
 21 **A. There's no -- there are set formulas for looking at**
 22 **risk, you know, that you can identify. Something like**
 23 **Thornton's risk assessment is a tool that you can use**
 24 **within offenders -- or offender management.**
 25 **We would largely have a discussion, a hot**

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1 discussion, about what the risks -- you know, physical
 2 risks might actually be; tangible risks that you can do
 3 something about, which might mean removing somebody from
 4 a position or offering support or accommodation for
 5 somebody, both victims and perpetrators as well. But it
 6 is really an ongoing process. It never stops because,
 7 at the end of a set of enquiries or an investigation,
 8 there will be a fallout and the fallout will always be
 9 the ongoing risk for the perpetrator or the person --
 10 the alleged abuser and also ongoing support from
 11 somebody. It might come from us, it might come from
 12 other parties for victims and survivors and also
 13 potentially extended family in those circumstances.

14 Q. Do you liaise with the school over how individuals
 15 should be dealt with, either victim or perpetrator?

16 A. We do.

17 Q. Do you have any power over the school in that regard?

18 A. No.

19 Q. You have told us you report directly to the bishop; is
 20 that right?

21 A. On occasion, yes.

22 Q. Is that something you personally do?

23 A. Yes. We will have one-to-one meetings on occasion.

24 Q. Do you ever raise safeguarding issues?

25 A. I do.

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1 Q. In general, what's the response?

2 A. The word I would probably use is, a considered response
 3 in all cases. So there may be circumstances where
 4 action has already been taken and outcomes are already
 5 happening that I'm just reporting, you know, the outcome
 6 of something that's already happened. If there are
 7 discussions to be had about ongoing actions and how we
 8 are going to deal with specific situations, we'd have
 9 those discussions as well.

10 Q. Do you ever ask for assistance?

11 A. On occasion, yes.

12 Q. In respect of safeguarding matters?

13 A. Yes. I mean, I see my role as supportive of the diocese
 14 and clearly, as the religious lead, I need to support
 15 the bishop. I also have a "critical friend" type part
 16 of my job that I should be doing as well, and I do do
 17 so. I will raise issues and try to direct what I feel
 18 will be appropriate safeguarding responses.

19 Q. Have you ever directed an appropriate safeguarding
 20 response and not had it implemented, in terms of
 21 Downside?

22 A. Yes, I think I'd have to say the answer to that was yes.

23 Q. Can you tell us something about that?

24 A. I think the previous witness used a very good term:
 25 inertia. I think there is often an inertia. There is

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1 an initial, you know, understanding that there could be
 2 an issue, and then potentially how you're going to deal
 3 with that issue. An example would be, you know, in
 4 removing somebody from a position or even from
 5 a location. It presents challenges, and that, I would
 6 say, would be the answer to that question, really, in
 7 that set of circumstances.

8 Q. Have you ever sought assistance from the bishop in those
 9 circumstances?

10 A. It's very difficult, because the bishop has no
 11 responsibility or power to make anything happen in
 12 relation to the abbey. He might want to strongly advise
 13 and I might suggest maybe a letter or something like
 14 that.

15 Often the bishop will defer to the Safeguarding
 16 Commission to perform that role on his behalf. So
 17 Steve Livings, who is the current commission chair, has
 18 taken on that role on behalf of the diocese and on
 19 behalf of the bishop, to try and reinforce, you know,
 20 safeguarding concerns.

21 Q. Just one thing, and then we may have a break, if that's
 22 appropriate.

23 Have there ever been matters that have been
 24 addressed by you, suggestions made, advice given, that
 25 has never been dealt with?

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1 A. I can't think of anything. We might find something
 2 specifically. I can't think of anything. I think it's
 3 the ongoing nature of some of these, you know, risks
 4 that is the sort of daily battle, I guess.

5 MS KARMY-JONES: Perhaps we can come back to the individual
 6 cases and the ongoing nature of risk after the break.

7 Chair, can I just raise one matter that I am asked
 8 to mention? I think over the lunchtime adjournment you
 9 considered and indicated that you would be content to
 10 start at 10.00 am each morning, with the exception of
 11 this coming Monday.

12 THE CHAIR: Yes, that's correct.

13 MS KARMY-JONES: Thank you.

14 THE CHAIR: Thank you. We will return at 3.20 pm.
 15 (3.08 pm)

16 (A short break)

17 (3.23 pm)

18 MS KARMY-JONES: Before we rose, you made mention of
 19 a general sense of inertia.

20 A. On occasion, yes.

21 Q. Yes, on occasion. Can you just tell us where that comes
 22 from, that view?

23 A. I come from a professional background of safeguarding
 24 for many years, and it's easy for me to perform that
 25 role. I find in the church setting, many people haven't

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1 **got that history, haven't got that background, and**
 2 **therefore they're more reflective about taking actions**
 3 **or taking advice than I'm used to, I guess.**
 4 Q. Can you link it to a specific experience that you have
 5 had?
 6 **A. There's one of the current cases, I think it's F65, if**
 7 **I remember correctly, where we have been working as**
 8 **a diocese ever since I've really been in the role trying**
 9 **to resolve ongoing issues. Some of that, there's an**
 10 **element of inertia because you say, you know, "Can you**
 11 **make something happen?" For example, a letter needs to**
 12 **go or get a reply, and that may take a small amount of**
 13 **time.**
 14 **The initial action is often reasonably quick. It's**
 15 **the impetus behind future action and driving home, you**
 16 **know, a message or driving home an action to make**
 17 **something happen at the end of all that that is**
 18 **frustrating.**
 19 Q. That's still persisting, is it?
 20 **A. Yes. Some of it is down to the fact that it's very**
 21 **difficult, in the case I'm thinking about -- I'm talking**
 22 **about the alleged perpetrator. The management of that**
 23 **individual and actually finding the appropriate place**
 24 **for them to go that is safe, et cetera, and it does**
 25 **mirror secular society. I have been involved in**

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1 **offender management for the police, and nobody -- it's**
 2 **the same within the church, nobody wants to deal with,**
 3 **you know, an offender or a perpetrator, and they have**
 4 **got enough going on probably in their own setting. So**
 5 **some of the comments we have had to the inquiry about**
 6 **finding placements for people, it isn't that simple, and**
 7 **my experience has been, often we are going to the same**
 8 **people, "Any chance that on this occasion potentially**
 9 **you could take somebody in the short term?," and**
 10 **particularly when there's an initial incident, that**
 11 **might cause problems, but that ongoing management of**
 12 **risk is a battle.**
 13 **I think -- it doesn't fall off my agenda because**
 14 **it's my role, but I think it can fall off the agenda of**
 15 **others who have other things, other responsibilities, in**
 16 **their lives.**
 17 Q. You have told us that Tony Domaille conducted a review
 18 of something like four cases.
 19 **A. Yes.**
 20 Q. In preparation for this hearing, you have conducted
 21 a form of review as well, haven't you?
 22 **A. I have, yes.**
 23 Q. Having gone through all the historic cases, in effect,
 24 that you have on file?
 25 **A. I have, yes.**

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1 Q. You have provided a document to us which we have seen
 2 before, but I will just pull up again. It is
 3 CFD000094_001. It is behind tab B2 in the bundle. It
 4 is a three-page document which lists and gives a very
 5 brief description of the cases that you have looked
 6 into?
 7 **A. That's correct, yes.**
 8 Q. In the course of reviewing these cases, have you had
 9 dealings with Richard Yeo?
 10 **A. I have never had a personal dealing with Richard Yeo.**
 11 Q. Have you met him?
 12 **A. I'm not sure that I have. I might have bumped into him,**
 13 **but I've definitely not had a meeting, a diarised**
 14 **meeting, with him.**
 15 Q. Have you had any dealings with Aidan Bellenger?
 16 **A. Again, no direct dealings.**
 17 Q. What about Dom Leo Maidlow Davis?
 18 **A. I regularly speak to Dom Leo.**
 19 Q. James Whitehead?
 20 **A. Regularly speak to James; not as regularly as I do with**
 21 **Andrew Hobbs.**
 22 Q. In terms of your immediate knowledge of and relationship
 23 with the three whom you do regularly speak to, in terms
 24 of Dom Leo, how have you found him to deal with in
 25 respect of safeguarding issues?

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1 **A. Dom Leo is a lovely man. He is responsive. He doesn't**
 2 **lack the ability to respond to, you know, emails or --**
 3 **he's timely in his responses. I feel, and I think he'd**
 4 **say it himself and I know he's coming to the inquiry,**
 5 **that he struggles with the safeguarding, the wider**
 6 **safeguarding, management issues that are evident.**
 7 Q. Is that something that he has said to you or just
 8 something that you have observed?
 9 **A. A bit of both.**
 10 Q. Dr Whitehead?
 11 **A. The school, so Dr Whitehead and Andrew, are much more,**
 12 **using a colloquial term, switched on, because their**
 13 **professional background sort of makes them so, really.**
 14 Q. And how have you found Dr Whitehead in your dealings
 15 with him around safeguarding matters?
 16 **A. I tend to meet at the safeguarding meetings, although**
 17 **there's an element of after-meeting conversation or**
 18 **pre-meeting conversation. He's very forthright in his**
 19 **views about safeguarding, very clear that he wants the**
 20 **school to be a safe place, and he is a regular**
 21 **contributor to the dialogue about making sure that, you**
 22 **know, risk assessments are kept up to date and**
 23 **appropriate actions are taken where they can be.**
 24 Q. And Andrew Hobbs?
 25 **A. I'd say even more so, only simply because I speak to**

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1 **Andrew more often. But he's very passionate about what**
 2 **he does and he's -- as a school, and I've had dealings**
 3 **through my policing career with schools and colleges,**
 4 **I would say that Downside are right up there in relation**
 5 **to their, you know, their safeguarding policies now.**
 6 **They are ahead of the game in some respects. They have**
 7 **got risk assessment frameworks and things, which I think**
 8 **would be the envy of some other schools. So they have**
 9 **really embraced the need for this.**
 10 Q. So during your time at Clifton, have you noticed
 11 a change at Downside?
 12 **A. I'm not sure that there was much of a change for me to**
 13 **notice in my time. There's certainly much more, as**
 14 **I say, diarised meetings with safeguarding on the**
 15 **agenda.**
 16 **The abbey is a different situation.**
 17 Q. Tell us why the abbey is different, please?
 18 **A. So because of the proximity -- and I know the inquiry**
 19 **knows this -- of the school and the abbey and the**
 20 **historical nature of many of the monks being teachers at**
 21 **the abbey, there is an intrinsic connection between the**
 22 **two, and a very physical connection. You can't get away**
 23 **from either side of it geographically.**
 24 **So Dom Leo -- and there's another one of the monks**
 25 **who comes to the safeguarding meetings -- always, you**

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1 **know, willing to listen and take on board what happens**
 2 **in those meetings. As I say, the difference is how to**
 3 **implement what comes out of the meetings, the actions,**
 4 **and I feel slightly unkind, but it's the truth, that you**
 5 **will go to the next meeting and an action that was in it**
 6 **from the last meeting perhaps hasn't materialised in the**
 7 **way that you would have hoped it would have done.**
 8 Q. I think to assist the inquiry, you have created
 9 individual summary sheets of each case that is on your
 10 spreadsheet.
 11 **A. I have, yes.**
 12 Q. I am going to take you to some of those and ask you to
 13 help us with the individual cases that you have
 14 reviewed, starting with case 1, in respect of F66. We
 15 can bring them up on the screen. Chair, members of
 16 the panel, there have been a couple of issues with names
 17 on the documents, so I won't be bringing every one up,
 18 and I will try to be alert to that.
 19 Can I ask for -- it is behind tab B9, and the
 20 reference is CFD000198_001. This is a summary in
 21 respect of RC-F66, complainant A82.
 22 Can you tell us about this case, please?
 23 **A. It is not a case that I had involvement with, so this is**
 24 **from preparing for this inquiry.**
 25 Q. Yes.

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1 **A. With that caveat. Obviously, it is an early case,**
 2 **reported to the diocese, referred in by the then Abbot**
 3 **of Downside, which would have been, I believe,**
 4 **Aidan Bellenger.**
 5 **It documents a concern about inappropriate**
 6 **sexualised behaviour. I'm just trying to -- because**
 7 **I have also got a summary sheet. If I can refer to that**
 8 **as well, it will help me.**
 9 Q. Page 11 of your statement.
 10 **A. Yes. So this refers to potential historical**
 11 **inappropriate sexual behaviour between a child by the**
 12 **monk dating back to the early 1990s, 1992 to 1994.**
 13 **The document on the screen is my effort to try to**
 14 **encapsulate the chronology of the case in as small**
 15 **a form as possible. I think it is important I mention**
 16 **it now that, as time goes on, you will notice that the**
 17 **chronologies and the summaries get longer. I think that**
 18 **mirrors, to some extent, the burgeoning safeguarding**
 19 **processes and policies being accepted and dealt with.**
 20 **So the later it goes, the longer the chronology, because**
 21 **people are more aware of how they're meant to act.**
 22 **In fact, my apologies. From my summary sheet, it**
 23 **wasn't Dom Aidan Bellenger, it was Dom Richard Yeo who**
 24 **raised it.**
 25 Q. I was just about to say, because on 5 April, as you have

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1 on the summary sheet, of 2003, Richard Yeo was Abbot at
 2 that stage and it was he who reported the matter to
 3 Clifton?
 4 **A. Essentially, Jane, my predecessor, was in post at that**
 5 **time. It would have been very early in her time in**
 6 **post. A safeguarding meeting was held. Insurance**
 7 **brokers -- it is not uncommon for the abbey or anybody**
 8 **to -- the diocese to advise insurers of an allegation**
 9 **and/or potentially take legal advice on situations.**
 10 **That's a not uncommon practice.**
 11 Q. In your statement, you indicate that the alleged
 12 perpetrator, F66, was interviewed by Dom Richard Yeo,
 13 Martin Fisher and Jane Dziadulewicz, but denied any
 14 wrongdoing, and offered to meet with the aggrieved
 15 person and that the aggrieved also had meetings with
 16 Jane and Dom Richard Yeo and Dom Leo Maidlow Davis at
 17 neutral locations. But it ended with them not making
 18 any claim against the school.
 19 **A. That's correct, yes. My conclusion on that case, if**
 20 **that's helpful, is that the aggrieved approached the**
 21 **school asking for an apology, and that, back to our**
 22 **initial conversations or questions around the wishes of**
 23 **the victim, that would have probably driven, you know,**
 24 **the nature of these enquiries and these investigations.**
 25 Q. In terms of the safeguarding support and advice that was

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1 offered by the school, do you have any observations?
 2 **A. It's often -- this is not only my diocesan experience,**
 3 **but my police experience. There's a bit of a postcode**
 4 **lottery about what services are available for anybody,**
 5 **so Downside is situated in a sort of rural location.**
 6 **It's complicated more for Downside by the fact that many**
 7 **of the pupils, current and ex, travel from many miles to**
 8 **go to school there. Therefore, providing pastoral care**
 9 **is -- you know, presents difficulties and challenges.**
 10 **But back in 2003, the standard response would**
 11 **probably have been to look at whether a GP could offer**
 12 **support if that was what was required, but largely based**
 13 **on the wishes of a victim or survivor, what did they**
 14 **wish to do and what potentially could be offered.**
 15 **On this occasion, it looks like, whilst those**
 16 **discussions might have been had, it was probably left**
 17 **with the school and the abbey to facilitate any ongoing**
 18 **support or pastoral care.**
 19 Q. Turning to tab B10, and CFD000199_001, your page 12, you
 20 can see the facts very briefly summarised there.
 21 I won't, as these documents will be published, ask you
 22 to go into the detail of that. But this was a matter
 23 that was also reported to Clifton, I think, by
 24 Abbot Richard on 5 April 2003?
 25 **A. That appears to be the case, yes.**

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1 Q. Dealt with by Jane?
 2 **A. That's correct, yes.**
 3 Q. And the school child protection officer, Martin Fisher?
 4 **A. That's correct, yes.**
 5 Q. F77, again, was interviewed by the same individuals, and
 6 what was your conclusion on that case?
 7 **A. It's very similar: he was asking for an apology, or they**
 8 **were asking for an apology, around suffering what he**
 9 **felt was alleged abuse. No formal complaint, criminal**
 10 **complaint, or statutory agency complaint was pursued,**
 11 **although the multi-agency process was, you know, adhered**
 12 **to, so there were strategy discussions and the right**
 13 **people would have been involved in those.**
 14 Q. The allegation in that case was that F77 had made the
 15 aggrieved remove his trousers and underwear before
 16 caning him, but in what was suggested to be
 17 a sexually-motivated way?
 18 **A. That's correct, yes.**
 19 Q. That was sometime between 1992 and 1994 --
 20 **A. That's correct, yes.**
 21 Q. -- when corporal punishment was against school policy?
 22 **A. Yes, that's correct.**
 23 Q. What restrictions were put on F77?
 24 **A. I'm just checking my notes. I'm not sure. My current**
 25 **situation update is that he was being managed by the**

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1 **abbey, and that term "managed" needs to have a very**
 2 **loose interpretation.**
 3 Q. Help us with why you say that?
 4 **A. Because management can take many forms and there can be,**
 5 **you know, extensive restrictions. It was basically left**
 6 **with the abbey to deal with the aftermath of this**
 7 **complaint appropriately.**
 8 Q. When you say the term "managed" has to be considered
 9 very loosely, do you mean in this particular case or do
 10 you mean in general and in a number of different cases?
 11 **A. I think in all safeguarding cases, you need to be very**
 12 **careful about what a word means. So my understanding of**
 13 **what I would think would be robust offender management,**
 14 **for example, from my policing career, would be very**
 15 **different from what I would expect or understand the**
 16 **management of an individual might be in these**
 17 **circumstances.**
 18 Q. The next case is case number 3, tab 11, the case of
 19 Dunstan O'Keefe. It is CFD000095_001. This is a case
 20 we have heard something of before. The offender was
 21 convicted for a public order offence when he'd been
 22 found masturbating in a car outside a primary school.
 23 It was on this occasion that Abbot Richard Yeo had said
 24 he had told Martin Fisher, the child protection officer
 25 for the school, about the incident and thought he would

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1 have contacted the Safeguarding Office. Dunstan O'Keefe
 2 was withdrawn from contact with children whilst
 3 investigations continued.
 4 There was a further police investigation in 2004
 5 regarding the possession of indecent images of children?
 6 **A. That's correct, yes.**
 7 Q. Said to have occurred between 1997 and 2004?
 8 **A. That's correct.**
 9 Q. In July 2015, the mother of a woman who said she'd been
 10 abused historically by Dunstan O'Keefe contacted
 11 Leo Maidlow Davis at the abbey, concerned about how the
 12 church had dealt with child abuse issues. Is that
 13 right?
 14 **A. That's right, yes.**
 15 Q. What comments do you have to make on this case?
 16 **A. I was specifically involved in the -- personally**
 17 **involved in the July 2015 situation, so I'm better**
 18 **placed to comment on that.**
 19 **From a policing knowledge point of view, it might**
 20 **seem odd that this gentleman was convicted of a public**
 21 **order offence rather than a sexually-motivated offence,**
 22 **and it was probably down to being able to prove the**
 23 **latter. So my thought process around that is that they**
 24 **thought they'd get something rather than nothing to**
 25 **include that.**

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1 **The 2004 investigation was actually Tony Domaille,**
 2 **who has been mentioned. He was in the police at that**
 3 **time, and he led that investigation from the police**
 4 **perspective, and that led to the conviction for the**
 5 **indecent images.**
 6 **Then my particular involvement -- again, it's not**
 7 **uncommon where somebody, in this case the mother of**
 8 **a victim or potential victim, makes an enquiry,**
 9 **a safeguarding enquiry, of the abbey, raising concerns.**
 10 **I didn't personally speak to the potential victim here.**
 11 **They were living abroad. From memory, the mum hadn't**
 12 **even necessarily let her daughter know that she was**
 13 **making the enquiry, and it was recorded in case it was**
 14 **any use. There was no obvious current safeguarding**
 15 **concern in those circumstances. So we recorded those**
 16 **details.**
 17 **The current situation is that offender is no longer**
 18 **part of the church, but is -- when I say "part of**
 19 **the church", part of the religious community, and is**
 20 **living in another area managed by -- when I say "managed**
 21 **by", I'm using that term again, "managed", it is a wide**
 22 **interpretation of that term.**
 23 Q. So he is out of ...?
 24 A. **Ministry.**
 25 Q. In terms of how he's monitored, do you have details of

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1 that?
 2 A. **When somebody leaves the diocese, and it is not unusual**
 3 **with Downside that we keep an overarching view, but the**
 4 **day-to-day management dealings with that person will be**
 5 **down to the new diocese. So there was a handover of**
 6 **the individual, for want of better terminology, for that**
 7 **diocese to ensure that appropriate safeguarding was put**
 8 **in place.**
 9 **For example, I couldn't tell you now whether he's**
 10 **got what was an old covenant of care but is now**
 11 **a safeguarding plan. You know, I could phone up the**
 12 **other diocese and find out what their involvement is at**
 13 **any point.**
 14 Q. Moving on to a case of F84. Let me just check this tab,
 15 please, before it is brought up. It is the same -- all
 16 of these are the same main heading, but it is
 17 CFD000098_001. This is F84, three complainants: A102,
 18 an ex-pupil, and two novice monks. This is case 6 in
 19 your statement, so it is page 17.
 20 A. **Thank you.**
 21 Q. Help us with a little bit of the background to this,
 22 please.
 23 A. **I'm just checking myself that there's no chance of**
 24 **identifying anybody.**
 25 Q. In the document, just to take it very shortly, the abbot

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1 again contacted the safeguarding coordinator, but at
 2 East Anglia, to say that a complainant, the ex-pupil,
 3 had come forward alleging physical and sexual abuse in
 4 the 1960s by F84 and another individual, F90, and some
 5 other boys at the school, and one of the complainants
 6 was happy for the police to be involved?
 7 A. **Yes.**
 8 Q. Information had been forwarded to Clifton --
 9 A. **That's correct, yes.**
 10 Q. -- to Jane Dziadulewicz, and a newspaper report seems to
 11 have been started. There was also an incident, and we
 12 will remember this from the evidence yesterday, that
 13 related to a suggestion of a relationship in Peru?
 14 A. **That's correct, yes.**
 15 Q. At the bottom of the page, there is a reference to F84
 16 had been told that the abbot said that F84's
 17 homosexuality was his problem?
 18 A. **Yes, there's a record of that on the file. Hence it**
 19 **being on the chronology. There was no huge detail**
 20 **accompanying that statement.**
 21 Q. It goes on:
 22 "F84 made no comment on his sexuality but said the
 23 abbot had his reputation in his hands. The abbot then
 24 wrote back saying he had no recollection of such
 25 a conversation."

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1 Can I ask you to turn to the third page, please. It
 2 is an entry we have looked at. On 26 July 2010. It is
 3 a telephone call to DF, that's a Downside monk,
 4 David Foster:
 5 "F84 returned to the abbey for two days and has been
 6 talking to people. An elderly monk, Sebastian Moore,
 7 has written a paper for the abbot which accuses DF of
 8 'running to the authorities' instead of dealing with the
 9 matter 'in-house'. Jane D acknowledged DF's difficult
 10 position and offered support and encouragement."
 11 And there was a press statement?
 12 A. **Yes.**
 13 Q. Further down, on 2 November 2011, there's a reference
 14 to:
 15 "The panel strongly recommended that the abbot puts
 16 in place whatever measures and support are needed to
 17 ensure that F84 relates appropriately and safely in any
 18 monastic community in regards to young novices and
 19 monks."
 20 A. **That's correct, yes.**
 21 Q. On 3 July 2012, there's an email from I think "name
 22 redacted" to say:
 23 "He returned to Downside from Rome, attended vespers
 24 to find F84 there. BP wants situation clarified."
 25 On 9 July:

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1 "JD clarified that the abbot didn't know F84 was
 2 visiting and sent him away after vespers."
 3 Further down, on 4 September 2012:
 4 "Abbot told F84 he was not to return to Downside
 5 without permission."
 6 Then on 5 July:
 7 "[Name redacted] has heard that F84 is parish
 8 priest ... and is uncomfortable with this -- seeking
 9 reassurance. JD unaware this has happened -- contact
 10 made with abbot for confirmation."
 11 **A. That's all correct detail, yes.**
 12 Q. Over the page, page 4, on 2 February 2016:
 13 "Liam Ring held a meeting at Downside to discuss F84
 14 (and other cases). The precept of obedience is out of
 15 date and is linked to the previous abbot. This now
 16 needs to be amended by the prior."
 17 Can you help us with that, please?
 18 **A. Yes. The previous abbot, whose name -- I think it was**
 19 **actually Aidan Bellenger on this occasion, had put in**
 20 **place an exclusion zone. I think it was a 5-mile**
 21 **exclusion zone around the abbey.**
 22 **There were discussions, and I was part of those**
 23 **discussions, and some of these will go back to my**
 24 **policing experience with offender management, that**
 25 **actually that was potentially unmanageable and out of**

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1 **date because it didn't fit the current set of**
 2 **circumstances.**
 3 **Previously in the document, there was mention of**
 4 **a preliminary enquiry, I think, about this particular**
 5 **individual, which had allowed him to, after careful**
 6 **consideration, be moved to another diocese.**
 7 **So that particular section there was about what**
 8 **should be put in place going forward, and without having**
 9 **the paperwork directly in front of me, I think we agreed**
 10 **that any visitation needed to be carefully considered**
 11 **and risk managed on a case-by-case basis.**
 12 **So we took away the slightly unwieldy 5-mile**
 13 **exclusion zone and put in place something that was**
 14 **hopefully a little bit more appropriate to the**
 15 **circumstances.**
 16 Q. Was there a satisfactory conclusion to that case?
 17 **A. Those requirements and that risk assessment still**
 18 **remains, that section of it. Again, this particular**
 19 **individual is now in another diocese. I have had**
 20 **conversations with the coordinator for that diocese**
 21 **about his situation. They're not regular, in the sense**
 22 **that we will have them as needs must, so that, again,**
 23 **he's still, using the colloquial term, "on the radar".**
 24 Q. Moving on to case 7, which is tab 15 of the same prefix,
 25 CFD000099_001, we note that there's a reference "This is

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1 an ongoing case", and "F65 remains the subject of risk
 2 management in the community."
 3 **A. For clarification, that is the wider community, not the**
 4 **religious community. I'm sure that's understood.**
 5 Q. It related to an allegation from a victim made in
 6 1991 --
 7 **A. Yes.**
 8 Q. -- of inappropriate sexual conduct at the hands of F65,
 9 a sexual assault, hand down trousers. It happened at
 10 Downside School whilst a pupil. Not reported at that
 11 time. So the 1991 is the time of the offence or the
 12 time of the allegation?
 13 **A. The time of the offence.**
 14 **MS KARMY-JONES: 1995, it says below:**
 15 **"Allegation that [redacted] had exposed ..."**
 16 **Can I just pause there and ask that the feed be**
 17 **stopped?**
 18 **Can I ask for a restriction order on that matter**
 19 **which is not ciphered in the document.**
 20 THE CHAIR: I will make that order.
 21 MS KARMY-JONES: Thank you. Just out of care with this
 22 document, then, I am going to turn to the second page,
 23 to paragraph 5 on the second page. On
 24 10 September 2010:
 25 "DC White informs Clifton diocese safeguarding ...

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1 regarding a phone call he has had with Richard Yeo at
 2 Downside Abbey. Richard spoke of [the individual] at
 3 Downside Abbey who had exposed himself to some of
 4 the children at the school in 1995. Named as F65.
 5 Stated 'This was dealt with in-house'.
 6 **A. That's correct information, yes.**
 7 Q. That was your understanding of how the matter was dealt
 8 with --
 9 **A. Yes.**
 10 Q. -- in 1995? It was also clarified in an email from
 11 Downside Abbey in September 2010 that the incident has
 12 been investigated by the then deputy headmaster?
 13 **A. That's what's recorded, yes.**
 14 Q. There had been concerns about alcohol, but greater
 15 concern appears to have been his sexual contact with
 16 male pupils. Was a multi-agency strategy meeting held
 17 at Downside School in October 2010?
 18 **A. That's correct, yes.**
 19 Q. F65, who was then a parish priest, was discussed?
 20 **A. That's correct, yes.**
 21 Q. The abbot was informed by Mrs Redman-Lyons, a school
 22 employee, that a 16-year-old pupil had disclosed sexual
 23 acts with F65 when both drunk?
 24 **A. That's correct, yes.**
 25 Q. When was that said to have happened?

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1 **A. 1996.**
 2 Q. A meeting was held -- it says "between Abbot
 3 Philip Jebb" -- but Philip Jebb wasn't the abbot, he was
 4 the headmaster, I think --
 5 **A. That may well be a typo, I apologise for that.**
 6 Q. -- "and Mrs Redman-Lyons", and it was agreed that the
 7 problem was drink not sexual motivation, and it says
 8 here "the boy was the instigator"?
 9 **A. That was their meeting and their decision, yes.**
 10 Q. Was that something that you had come across or you came
 11 across during your review?
 12 **A. Yes, this is one of the cases that is very current and**
 13 **very ongoing.**
 14 Q. In terms of ethos and attitude, was there an ethos and
 15 attitude of the younger party being an instigator at
 16 times?
 17 **A. That would be hard to evidence apart from in this case.**
 18 **There was a misinterpretation by those people, being**
 19 **kind, of the Children's Act. The individual didn't want**
 20 **to pursue it, and they decided, as part of their**
 21 **decision-making process, that the welfare of the child**
 22 **was paramount, yes, taking that out of the 1989**
 23 **Children's Act, and that they would go with that**
 24 **decision. In hindsight, in reviewing that now, you**
 25 **would look back and say, as the adults and the**

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1 **professionals, that was a very bad interpretation or**
 2 **a misinterpretation of the welfare of the child**
 3 **Paramountcy Principle.**
 4 Q. Do you mean that they suggested it was in the child's
 5 best interests for the matter not to be dealt with or
 6 pursued any further?
 7 **A. Yes, and in fairness, the individual was making that**
 8 **known. So they were saying, "I don't really want to do**
 9 **anything about this", but in my summation, they were**
 10 **duty bound to act in a more appropriate way, and it**
 11 **wasn't shared with multi-agency at that time --**
 12 **agencies, statutory authorities, it was dealt with**
 13 **in-house.**
 14 Q. For our reference, on page 6 of that document, at
 15 paragraph 57 there is reference to minutes of Downside
 16 meeting on 18 December 2014 expressing communication
 17 difficulties which appear to be exacerbated by the
 18 safeguarding officer KTD, Kay Taylor-Duke, acting as
 19 F65's advocate as well as her formal job:
 20 "There are a number of emails between the concerned
 21 parties in their vein."
 22 The next paragraph down, 2 February 2015:
 23 "Concern from Dom Leo regarding plan for F65 to be
 24 placed in a [particular] parish without consultation
 25 with himself as F65's superior. 'Somehow we need to get

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1 Northampton, Kay Taylor-Duke, to take F65's situation
 2 seriously'."
 3 It is commented:
 4 "There was clear difficulty in the communication
 5 between Northampton diocesan safeguarding and Clifton
 6 diocese, Downside Abbey and East Anglia at that stage."
 7 Can you help us with that?
 8 **A. Yes. Trying to make it as brief as possible, the**
 9 **individual had been, by agreement, placed with**
 10 **Northampton. There should have been cross-boundary**
 11 **agreement on that. There was initially. Where, in my**
 12 **estimation, it broke down, and I know this has been**
 13 **mentioned already to the inquiry, is that Kay's**
 14 **position, who I did know and I did meet before she left**
 15 **her role, potentially put more emphasis on her pastoral**
 16 **support of F65 rather than focusing on the safeguarding**
 17 **concerns, which is what Dom Leo was alluding to in that**
 18 **passage that you have just read out.**
 19 I was actually quite new to the diocese at that
 20 point, but I was then put into the position of trying to
 21 liaise with F65 and Northampton to try and make things
 22 slightly more robust. There were a number of meetings,
 23 which may well have been discussed already, but this is
 24 an individual that we are still working with to this
 25 day.

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1 Q. There were further discussions, and the document goes on
 2 some way. Eventually, Kay Taylor-Duke I think stood
 3 down from her post?
 4 **A. She did. Can I clarify one thing: there weren't any**
 5 **problems with East Anglia. I think that came out**
 6 **slightly earlier in the same sentence. The issue was**
 7 **a breakdown in the relationship with Northampton**
 8 **diocese, in my estimation.**
 9 Q. This was something I think you also discussed with
 10 Dom Leo in 2016 and, as you say, it's ongoing, so there
 11 are discussions that continue even now?
 12 **A. Today, yes.**
 13 Q. Thank you very much. Can I ask you to turn to tab D2 in
 14 the bundle, please. It is BNT002351_043. Sorry, I have
 15 turned up the wrong one. Can you please go to
 16 BNT002351_074.
 17 **A. Is that still in D2?**
 18 Q. It is. It is going to come up on the screen as well.
 19 This is an email of 3 October 2015 between Dom Leo
 20 Maidlow Davis and Jodie Lucas-Jones. Do you know
 21 Jodie Lucas-Jones?
 22 **A. Yes, Jodie is, I believe, one of the support staff at**
 23 **the abbey.**
 24 Q. He asks her to print out a document and put it in
 25 a safeguarding file in relation to RC-F65?

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1	A. Yes.	1	MR LIAM DOMINIC VINCENT RING (sworn)100
2	Q. Below, 3 October 2015, from Leo Maidlow Davis to someone	2	
3	who has been redacted:	3	Examination by MS KARMY-JONES100
4	"Dear Charles,	4	
5	"Good to hear from you. The sad news ..."	5	
6	Then at the bottom he says:	6	
7	"It is difficult to enlighten people about F65. The	7	
8	allegations are serious but have not been pursued. The	8	
9	safeguarding lady in Northampton is very difficult to	9	
10	work with as she is adversarial and defensive, holding	10	
11	the dual and conflicted role of clergy welfare and child	11	
12	protection lead; I need to assess whether it is safe or	12	
13	prudent to return F65 to ministry and that is proving	13	
14	too difficult to ascertain at present. It would be good	14	
15	if we could find somewhere for F65 to stay in the	15	
16	Clifton diocese, but that is not proving at all easy."	16	
17	He says probably the less said the better. There is	17	
18	a name in it.	18	
19	I think, chair, I have been trying to pull documents	19	
20	up because I know that that has an effect on how matters	20	
21	are published, but in this particular bundle there are	21	
22	a number of difficulties. I thought I had caught them	22	
23	all.	23	
24	Bearing in mind the time that we have got to, the	24	
25	time we have reached, I wonder if I might ask for an --	25	
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1	it is not really an early rise, but it is before		
2	4.30 pm, so that I may go through the bundle and see if		
3	I can ensure that there are fewer errors in terms of		
4	bringing up documents which show some identification.		
5	THE CHAIR: Yes, that's acceptable.		
6	MS KARMY-JONES: I don't know if the feed has been cut or		
7	not. The name hasn't been mentioned. I think it can		
8	just be struck out.		
9	(4.11 pm)		
10	(The hearing was adjourned to		
11	Friday, 8 December 2017 at 10.30 am)		
12			
13			
14	I N D E X		
15			
16	WITNESS A221 (affirmed)1		
17			
18	Examination by MS KARMY-JONES1		
19			
20	DR JAMES SEBASTIAN WHITEHEAD (sworn)26		
21			
22	Examination by MS KARMY-JONES26		
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24	Questions by THE PANEL99		
25			
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