

1 Tuesday, 12 December 2017  
 2 (10.00 am)  
 3 DOM LEO MAIDLLOW DAVIS (continued)  
 4 Examination by MS KARMY-JONES (continued)  
 5 MS KARMY-JONES: Father Leo, we had finished, I think,  
 6 dealing with Desmond O'Keefe and I was going to move on  
 7 and ask you about the point at which you were appointed  
 8 headmaster in 2003.  
 9 **A. Yes.**  
 10 Q. Did you receive any handover from Father Antony Sutch,  
 11 who had preceded you?  
 12 **A. I did, and I think we covered that a little yesterday**  
 13 **when I said we'd had the half-hour handover.**  
 14 Q. You say in your statement that you did not review the  
 15 school files when you took over?  
 16 **A. That is right.**  
 17 Q. You say that you thought you knew all you needed to, and  
 18 you expected that Antony Sutch would have told you of  
 19 anything; is that right?  
 20 **A. Yes.**  
 21 Q. You also, however, say in your statement that he could  
 22 be something of a bully when he wanted to get his own  
 23 way, and that he was very keen on rules when they  
 24 applied to other people, but less so to himself?  
 25 **A. I did say that.**

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1 Q. If that was your view, why did you trust that he would  
 2 tell you what you needed to know?  
 3 **A. I didn't think that he was a secretive person.**  
 4 **I thought that he was a strong character. But I didn't**  
 5 **have reason to suppose that he would deliberately**  
 6 **withhold information that I needed.**  
 7 Q. But you did discover, didn't you, that he hadn't told  
 8 you of all the previous matters, had he?  
 9 **A. I didn't discover that until quite a long time**  
 10 **afterwards.**  
 11 Q. Including about RC-F67 and F65 and the concerns that  
 12 there were with those two individuals?  
 13 **A. Yes -- well, I knew a little bit about F67 from various**  
 14 **sources, and I don't think F65 withheld information**  
 15 **about F67, but it was the director of music who**  
 16 **expressed his concerns about F67 most strongly to me.**  
 17 Q. I think in your statement, just to be clear and to avoid  
 18 confusion, you say that you know now that -- "I was not  
 19 informed of all previous matters, for example, the  
 20 matter involving both F65 and F67" in that handover by  
 21 Dom Antony Sutch?  
 22 **A. He certainly didn't mention it at the time of**  
 23 **the handover.**  
 24 Q. Were you told about Brian Pike?  
 25 **A. No. I knew about Brian Pike, but I'm not quite sure**

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1 **how. In a general way, he was out of the school, but he**  
 2 **was working in the church sacristy and doing some**  
 3 **cleaning in the monastery area, and I knew him well**  
 4 **personally, and I knew that there was a reason for his**  
 5 **being moved.**  
 6 Q. I ask were you told because the timeline is not wholly  
 7 clear. But he had been convicted of an offence of gross  
 8 indecency with children in 1988, then hired to work as  
 9 a food service assistant, and at that stage no criminal  
 10 records check was done, but one was carried out in 2003,  
 11 so either just before or just after you became head, and  
 12 he was then given work as a cleaner in the abbey church.  
 13 Did you carry out that CRB check, or was it done before  
 14 you became headmaster?  
 15 **A. I didn't carry it out myself.**  
 16 Q. Did you direct that it should be carried out?  
 17 **A. No. They were just being carried out I think in the**  
 18 **bursar's department.**  
 19 Q. So did that take place after you had become headmaster  
 20 or before?  
 21 **A. I don't know.**  
 22 Q. But then he was given work as a cleaner in the abbey  
 23 church. Why was that?  
 24 **A. I think it was because it was -- well, it removed him**  
 25 **from the school. Of course it did not, in the event,**

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1 **remove him entirely from contact with pupils who also**  
 2 **went into the abbey church.**  
 3 Q. Documents seem to suggest that there was some concern  
 4 that, if he was dismissed, he could sue the school for  
 5 wrongful dismissal. Do you remember any discussion  
 6 about that being the principal concern?  
 7 **A. I do remember discussion about that being a concern,**  
 8 **because, towards the end of his time, there was quite**  
 9 **a lot of discussion about the possibility of moving him**  
 10 **away from Downside.**  
 11 Q. The end of his time was some time later?  
 12 **A. Yes.**  
 13 Q. In 2003, do you remember there being a concern that he  
 14 might take Downside to an employment tribunal?  
 15 **A. Not at that time I don't remember it.**  
 16 Q. And he remained on restricted duties until 2011; is that  
 17 right?  
 18 **A. That's right, yes.**  
 19 Q. He died in 2012, but in that time remained working on  
 20 the site?  
 21 **A. Yes.**  
 22 Q. F67 was another individual who had been known to stay up  
 23 late drinking with boys in their bedrooms, well into the  
 24 early hours of the morning, and by that I mean, I think,  
 25 5.00 am, and so on.

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1 **A. Yes.**  
 2 Q. He was suspended by Martin Fisher in 2003?  
 3 **A. Yes.**  
 4 Q. Was that done in a timely fashion, as far as you were  
 5 concerned?  
 6 **A. He was a constant source of anxiety, really, about**  
 7 **discipline. He was a very creative kind of musician,**  
 8 **quite inspirational, but very difficult, really, to get**  
 9 **to fit into the proper routines of -- for example, when**  
 10 **they had their jazz concerts, they would often conclude**  
 11 **with a party, which went on too long and would annoy the**  
 12 **housemasters.**  
 13 Q. But at the end of 2001, there was a safeguarding concern  
 14 raised by one boy's parents?  
 15 **A. Yes.**  
 16 Q. Four pupils had complained about his behaviour some time  
 17 before that?  
 18 **A. Yes.**  
 19 Q. He had been found in a boy's bedroom until 5.30 am  
 20 drinking with that boy, and also found again in the same  
 21 boy's bedroom until 3.00 am. Is that right?  
 22 **A. I'm not sure that he was drinking -- at least I'm not**  
 23 **sure that the boy was drinking with him. I had the**  
 24 **impression that he woke up to find him in the room.**  
 25 Q. That could be slightly worse.

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1 **A. It could be. I'm not -- I'm not really in a position to**  
 2 **be certain about the facts.**  
 3 Q. He was warned at least twice by Martin Fisher, and then  
 4 suspended in 2003; is that right?  
 5 **A. Yes.**  
 6 Q. In your time, I think you were responsible for  
 7 introducing girls into the school, around 2005?  
 8 **A. Yes, obviously with the approval of the governing body.**  
 9 Q. F65 being on the governing body; is that right? By that  
 10 stage?  
 11 **A. I don't know that he was at that stage.**  
 12 Q. Oh, no, 2006, forgive me.  
 13 **A. No, he wasn't.**  
 14 Q. He came on in 2006; my mistake.  
 15 Then Michael Barber took over from Martin Fisher as  
 16 deputy head and became responsible for child protection  
 17 within the school, and in due course -- we heard from  
 18 Andrew Hobbs yesterday, who took over in turn from him?  
 19 **A. Yes.**  
 20 Q. Can I ask you about F84, please?  
 21 **A. Yes.**  
 22 Q. F84. There were allegations made against F84 in 2005.  
 23 The allegation was made by someone who is ciphered as  
 24 A102. It related to abuse by F84 in the 1960s.  
 25 **A. Yes.**

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1 Q. This is, for your reference, at about paragraphs 40 to  
 2 47 of your statement, so that you can remind yourself.  
 3 We appreciate the ciphering causes difficulties.  
 4 **A. Yes. Thank you.**  
 5 Q. The matter was dealt with, it seems, by Richard Yeo. Do  
 6 you recall whether he told you of A102's complaint?  
 7 **A. I think that he did, and that he had met A102 but had**  
 8 **felt that what he was saying was not very reliable.**  
 9 Q. So he made a decision on that; is that right?  
 10 **A. I'm not sure that he made it alone. I think his**  
 11 **interview with A102 was not one to one, though I may be**  
 12 **wrong over that.**  
 13 Q. At paragraph 43, you say that whilst the incident did  
 14 not relate to child sexual abuse but to possible  
 15 homosexual identity, it was recognised that there were  
 16 potential implications for the safety of the children at  
 17 the school. Wasn't the real concern that the school  
 18 might be sued?  
 19 **A. I don't think it was the real concern.**  
 20 Q. Can we just look at a document, please: BNT002363\_015.  
 21 This is September 2005:  
 22 "Dear Father Abbot ..."  
 23 It is Re A102:  
 24 "I refer to our meeting last week [about A102]."  
 25 And the advice given by DE Ford Insurance Brokers

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1 was that a response should be made to A102 and that  
 2 there should be a meeting on neutral ground:  
 3 "The meeting will not be to discuss liability or  
 4 compensation, but to try and obtain some sort of closure  
 5 on the whole matter if indeed this is possible."  
 6 **A. Yes.**  
 7 Q. So there was a very reactive response to A102's  
 8 allegation and immediately insurance brokers appear to  
 9 have been informed and a strategy worked out; would you  
 10 agree?  
 11 **A. Yes, it looks like that.**  
 12 Q. Were you aware that one of the monks had gone to see  
 13 A102's mother, a long-time friend of F84, and following  
 14 that meeting she denounced her son, saying he was gay  
 15 and an alcoholic and always pestering her for money?  
 16 **A. I was aware of that, yes.**  
 17 Q. Have you seen the letter that Richard Yeo sent to Jane  
 18 of the Clifton diocese?  
 19 **A. I have, but it would perhaps help to see it again.**  
 20 Q. BNT002363\_035. 5 April 2005:  
 21 "By one of those extraordinary coincidences, shortly  
 22 after we spoke ... Father Aidan, the prior (whom I have  
 23 kept informed about all this business) came up to me and  
 24 told me that [name redacted] (whom you will remember!)  
 25 had spoken to him this afternoon: he had been seeing

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1 A102's mother, who he visits every so often, and  
 2 remarked how difficult her son was. [Name redacted]  
 3 said that he was gay, he was alcoholic, and always  
 4 pestering his mother for money. I told Father Aidan  
 5 that I would pass that little nugget on to you!"  
 6 **A. Thank you.**  
 7 Q. Do you have any observations around that?  
 8 **A. The final sentence of the second paragraph is certainly**  
 9 **an unfortunate description.**  
 10 Q. It appears plain, doesn't it, that efforts were being  
 11 made to find something to undermine A102. Would you  
 12 agree?  
 13 **A. I'm not sure that I could conclude that. I mean,**  
 14 **whether efforts were being made to find them or whether**  
 15 **there was a sense of relief that something had been**  
 16 **found that appeared to do that.**  
 17 Q. Do you know what happened to A102?  
 18 **A. I know that he died some time afterwards, yes.**  
 19 Q. He suffered a brain haemorrhage, I think?  
 20 **A. From a brain haemorrhage, yes.**  
 21 Q. F84 was sent to Beccles in East Anglia in 2005 as parish  
 22 priest, I think?  
 23 **A. Yes.**  
 24 Q. In 2008, with this matter in the background, he was sent  
 25 to the USA. Did you know what information was sent to

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1 those receiving him there?  
 2 **A. No, I don't.**  
 3 Q. Was that organised by Father Richard, Abbot Richard?  
 4 **A. It would have been.**  
 5 Q. Then there was some incident in the USA. Were you aware  
 6 of that?  
 7 **A. I was aware of that, yes.**  
 8 Q. He was returned to Downside in 2009?  
 9 **A. Yes.**  
 10 Q. Whereupon there was another incident?  
 11 **A. That is right, yes.**  
 12 Q. That being with a novice?  
 13 **A. Yes.**  
 14 Q. In 2010, he left Downside and became a parish priest?  
 15 **A. Yes.**  
 16 Q. That move appears to have been arranged by  
 17 Aidan Bellenger?  
 18 **A. Yes.**  
 19 Q. Were you kept informed of these movements?  
 20 **A. I was.**  
 21 Q. Any contract of behaviour that had been put in place was  
 22 revoked, wasn't it, so that he could carry out his  
 23 duties as a parish priest?  
 24 **A. I hope that -- as I say, I hope, I'm not sure -- the**  
 25 **Safeguarding Office in Birmingham were informed of his**

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1 **arrival as parish priest.**  
 2 Q. Do you recall the contract of behaviour being revoked?  
 3 **A. No, I don't.**  
 4 Q. I think he may have briefly returned to Downside?  
 5 **A. He did.**  
 6 Q. Then he went to Farnborough Abbey and then on from there  
 7 to a parish in Birmingham?  
 8 **A. Yes, I think that's right.**  
 9 Q. You say you would expect the parish to have been told of  
 10 his background?  
 11 **A. I would.**  
 12 Q. In your view, should he have been allowed to take up  
 13 those types of duties?  
 14 **A. I think there is a reasonable argument that the risk was**  
 15 **proportionate because I think the relationship that he**  
 16 **had had with -- I'm sorry, I'm trying to find the**  
 17 **right -- A102, the hazards of that had not surfaced.**  
 18 **The other hazards seemed to appear in connection**  
 19 **with his relationship with young men in formation, and**  
 20 **they appeared to be emotional relationships rather than**  
 21 **physical relationships, and that the hazard was his**  
 22 **being in constant proximity to people in formation in**  
 23 **a community and that the situation in a parish was**  
 24 **a different one.**  
 25 Q. What does that mean in respect of A102, "the hazards of

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1 that relationship had not surfaced"? What does that  
 2 really mean?  
 3 **A. I wasn't aware that there was an allegation of child**  
 4 **sexual abuse.**  
 5 Q. What did you think A102's allegation related to?  
 6 **A. His relationships, emotional relationships, with young**  
 7 **men, young adults.**  
 8 Q. Can I just bring up -- let me just check the  
 9 reference -- CSA003258\_007. This was a report by  
 10 Tony Domaille in July 2010 as part of his review of  
 11 the older cases, and just so that it is clear, you can  
 12 see the date, 15 July. You can see the alleged victim,  
 13 A102. The date when the alleged abuse took place,  
 14 1960s. The age of the victim when the alleged abuse  
 15 occurred, under 16 years. And that A102 alleged that he  
 16 had slept in the same bed as F84 on a trip to Spain.  
 17 There was a denial of any sexual contact, but A102  
 18 plainly made an allegation, the allegation of sexual and  
 19 physical abuse, while he was a pupil at Downside in the  
 20 '60s.  
 21 **A. Yes.**  
 22 Q. Does that assist you? You would have been aware of this  
 23 report when it came to you, wouldn't you?  
 24 **A. Yes. I'm not clear from the report that the allegation**  
 25 **is of sexual abuse. It is clearly highly inappropriate**

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1 **to be sharing beds, but what the circumstances of that**  
 2 **were, I don't know.**  
 3 Q. Well, A102, if one just thinks about it, wasn't making  
 4 an allegation of some innocent sharing of a bed, was  
 5 he --  
 6 **A. I don't know.**  
 7 Q. -- when he reported the matter in 2005?  
 8 **A. I don't know what he said in 2005.**  
 9 Q. All right. Well, we may bring that up in a moment.  
 10 **A. Thank you.**  
 11 Q. In November 2011, there was a meeting between  
 12 Aidan Bellenger and F84 in respect of a relationship  
 13 with a young monk, a novice, after which F84 was told  
 14 not to return to Downside.  
 15 **A. Yes.**  
 16 Q. This was raised in the 2014 visitation and dealt with by  
 17 Abbot Aidan; is that right?  
 18 **A. Yes.**  
 19 Q. From then on, he worked as a parish priest and was  
 20 prohibited from coming within 5 miles of Downside?  
 21 **A. Yes.**  
 22 Q. But the contract that he had with Aidan Bellenger, which  
 23 had been drawn up with the advice of Andrew Hobbs, did  
 24 not restrict him from engaging with young men under the  
 25 age of 18, did it?

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1 **A. No, not on a parish.**  
 2 Q. That was so that he could carry out his duties?  
 3 **A. Yes.**  
 4 Q. In your view, is there adequate safeguarding in hand in  
 5 that case?  
 6 **A. I would say that that is a situation that needs to be**  
 7 **reviewed again.**  
 8 Q. Can I move on to F80. For your reference, it is your  
 9 paragraphs 48 to 50. F80 we will all recall was someone  
 10 against whom allegations were made by A117, who gave  
 11 evidence during the course of these proceedings.  
 12 **A. Yes.**  
 13 Q. Did you see or read her evidence?  
 14 **A. Yes, I was present when she gave that evidence.**  
 15 Q. There were four instances of concern raised in respect  
 16 of F80. In 2005, it was discovered that he wasn't  
 17 adhering to the school's alcohol policy. Do you agree  
 18 that alcohol and its use within a school and instances  
 19 of sharing alcohol with students may give rise to  
 20 a safeguarding concern?  
 21 **A. I certainly do.**  
 22 Q. In 2006, you were told by Dr Whitehead that F80 had  
 23 sought to prevent proper reporting of a safeguarding  
 24 issue, another teacher hitting a child?  
 25 **A. Yes.**

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1 Q. In June 2010, allegations were made that he had made  
 2 a number of inappropriate comments about masturbation,  
 3 I think during PSHE and during an assembly?  
 4 **A. Yes.**  
 5 Q. And then came the allegations by A117, for which he  
 6 eventually accepted a police caution?  
 7 **A. Yes.**  
 8 Q. Did none of the earlier matters give rise for sufficient  
 9 concern to do anything about him?  
 10 **A. They certainly gave rise to concern, and I think I say**  
 11 **in my statement that I was conflicted over the**  
 12 **situation. He was a highly charismatic and appreciated**  
 13 **chaplain in the school. He was good, if I can say that,**  
 14 **in discussing issues that needed to be discussed with**  
 15 **young people, and I remember on one occasion he brought**  
 16 **in a married couple to talk about married life, and that**  
 17 **was great.**  
 18 **I think the difficulty is that it was not really**  
 19 **appropriate for him to be talking about these issues, as**  
 20 **a monk. It wasn't that the issues themselves were**  
 21 **intrinsically inappropriate. Because young people need**  
 22 **a forum for that kind of discussion.**  
 23 **I always had a sense of unease, however, about him,**  
 24 **because the charismatic aspects of his character had**  
 25 **something disturbing about them that I couldn't quite**

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1 **put my finger on, and I think I say in my statements**  
 2 **Abbot Richard had said that if I wanted him removed from**  
 3 **the school he would remove him, and I was undecided for**  
 4 **a long time about what to do, and in fact I did write**  
 5 **a letter asking for his removal and then I changed my**  
 6 **mind and I didn't keep the letter.**  
 7 Q. I think in your statement you do say that in 2006, after  
 8 the matter reported by Dr Whitehead, you spoke to  
 9 Abbot Richard about F80 --  
 10 **A. Yes.**  
 11 Q. -- and the possibility of removing him. But you said  
 12 that there was indecision. Are you suggesting it was  
 13 your indecision around moving him?  
 14 **A. It was my indecision, yes.**  
 15 Q. Did Abbot Richard give you any help, apart from saying,  
 16 "It's your decision"? Did he give you any help?  
 17 **A. I think he just said, "It is your decision".**  
 18 Q. But he was a monk, wasn't he, F80?  
 19 **A. He was.**  
 20 Q. So ultimately under the abbot's authority?  
 21 **A. Yes.**  
 22 Q. Did Abbot Richard not himself suggest a course of  
 23 action?  
 24 **A. No. Although, if I may add to that, we were in regular**  
 25 **contact about that situation, though I couldn't say that**

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1 **he suggested a course of action. But he was concerned**  
 2 **that I kept him informed of my reservations about F80.**  
 3 Q. He wanted to be kept informed, but he wanted you to make  
 4 the decision; is that right?  
 5 **A. I think so, yes.**  
 6 Q. The present position is that F80 does not now live at  
 7 the monastery but he is under a covenant of care?  
 8 **A. Yes.**  
 9 Q. Recently, Abbot Richard advised that F80 be removed from  
 10 the Benedictine yearbook. Was that done?  
 11 **A. I hope so. I think it was. In fact, I'm reasonably**  
 12 **sure it was, because his jubilee was coming up and**  
 13 **usually we would send a card or something of the kind to**  
 14 **him, and it wasn't, and he was upset about that, I heard**  
 15 **from his brother.**  
 16 Q. That removal from the Benedictine yearbook was really to  
 17 avoid adverse publicity, for want of a better word?  
 18 **A. I think you could put it like that. I think there is**  
 19 **also the concern that his victim is very upset when she**  
 20 **encounters that kind of publication.**  
 21 Q. Yes. So there was some concern for the victim?  
 22 **A. Yes.**  
 23 Q. But would you agree there was also a concern for  
 24 allowing the position, the perceived position, of  
 25 allowing someone who had committed an offence and

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1 admitted an offence to appear in the yearbook?  
 2 **A. Yes.**  
 3 Q. He advised that he be removed, and that advice was  
 4 taken. It would be regular, I suggest, for you to take  
 5 that kind of advice from Richard Yeo when it was given?  
 6 **A. Yes.**  
 7 Q. Do you recall ever not following his advice?  
 8 **A. I don't recall it. It may be the case that I didn't**  
 9 **follow his advice, but I can't think of an instance.**  
 10 Q. Moving on to Anselm Hurt and your paragraph 59,  
 11 please -- it is also referred to in your paragraph 56,  
 12 but you may not need to go to that -- of your corporate  
 13 statement.  
 14 **A. Thank you, yes.**  
 15 Q. Do you agree that the case of Anselm Hurt, which related  
 16 to matters in the 1970s and then I think in 2011 and  
 17 2012, do you agree that that case provides a stark  
 18 example of extremely poor early record keeping?  
 19 **A. There were deficiencies in the record keeping, but quite**  
 20 **a lot of the key records I think were preserved and**  
 21 **communicated to the abbey he moved to in Ireland.**  
 22 Q. Can we look at some documents that have been preserved,  
 23 please: BNT002342\_003. I don't know if you can make it  
 24 a little bit bigger? It is volume 1, tab B9. This is  
 25 16 January 2012, to Dom Leo and the abbot and

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1 Richard Rossiter. It relates to an article being  
 2 published on the Times website, and there's a comment  
 3 from Jonathan West in it?  
 4 **A. Yes.**  
 5 Q. In which he says:  
 6 "Let me see if I understand this.  
 7 "Michael Hurt rejoined the Benedictines in 1996 at  
 8 Glenstal Abbey. Downside either weren't asked about or  
 9 didn't disclose his past abuses and neither did Hurt  
 10 himself. Glenstal Abbey has a school attached. Until  
 11 the police came calling, Hurt had access to children.  
 12 There was lots of publicity about Hurt's presence at  
 13 Glenstal and still Downside kept schtum and ... seemed  
 14 to me that Downside has been wholly concerned about its  
 15 own reputation and wasn't even prepared to mention  
 16 a problem to fellow Benedictines. I'm not sure what is  
 17 the word to describe such behaviour, but I don't think  
 18 'Christian' comes anywhere near it."  
 19 Then Tim Toulmin, having quoted that, says:  
 20 "We may need a line about why Downside didn't share  
 21 any concerns with Glenstal about Anselm Hurt being near  
 22 children. I suppose if you didn't know he was  
 23 there/know about the incident before the files were  
 24 opened, there was not much you could have done."  
 25 At the bottom, there is a reference to

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1 Brother Anselm being given a caution in the June for  
 2 a child abuse offence in the 1960s when he was a teacher  
 3 at Downside?  
 4 **A. Yes. I gather from the statement of Father Charles**  
 5 **Fitzgerald-Lombard that he had informed Glenstal.**  
 6 Q. Can we go to BNT002342\_013. This goes back to 1994. It  
 7 is from Abbot Christopher Dillon at Glenstal Abbey in  
 8 1994:  
 9 "Dear Charles,  
 10 "Thank you very much for digging in the past. It  
 11 makes painful reading and I shall destroy what is  
 12 specifically damaging to Anselm, as some recent document  
 13 from Rome recommends."  
 14 Do you remember a document from Rome around 1994  
 15 recommending destruction of documents?  
 16 **A. No, I don't. I find that completely mystifying.**  
 17 Q. Can you think of any reason why Abbot Christopher Dillon  
 18 would be destroying damaging documents?  
 19 **A. No.**  
 20 Q. Or indeed why Charles, Abbot Charles, would be party to  
 21 that?  
 22 **A. No.**  
 23 Q. Can we go to BNT002342\_010. It is 29 April 1996, again  
 24 from Glenstal Abbey:  
 25 "Thank you for your letter formulating the

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1 problem -- or rather its solution. You have already  
 2 sent me the dispensation from the Bishop of Clifton and  
 3 the correspondence from the [covenant] restricting  
 4 Anselm's employment."  
 5 **A. I think that may be "government".**  
 6 Q. "Government", thank you:  
 7 "I have yet to discover from Anselm the certificate  
 8 of marriage annulment. I shall wait for that ..."  
 9 Then it goes on:  
 10 "If need be, I shall apply to Richard Yeo for help.  
 11 "With renewed thanks ..."  
 12 Do you recall Richard Yeo saying anything about this  
 13 arrangement with Glenstal Abbey?  
 14 **A. Yes, I remember it being discussed.**  
 15 Q. Going a little bit further back, there was  
 16 a suggestion -- there seems to be a suggestion that the  
 17 Department of Education was also aware of the position.  
 18 BNT002342\_049. Going further back, into the '70s, this  
 19 is the Department of Education and Science. It is to  
 20 Downside School, to the Reverend Father Aelred Watkin?  
 21 **A. Father Aelred Watkin, he was the headmaster at the time.**  
 22 Q. Dated 9 February 1970, and it goes on to thank him for  
 23 his letter about the Reverend Michael Anselm Hurt:  
 24 "I notice that the police do not seem to have been  
 25 informed of this matter. The Secretary of State is of

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1 the opinion that in all cases in which there appears to  
 2 have been a sexual offence against children the facts  
 3 should be reported to the police."  
 4 So this was the position as far back as 1970, it  
 5 appears, that wherever there seems to have been an  
 6 offence against a child, it should be reported:  
 7 "This is to ensure that the offences are properly  
 8 investigated, and that if prosecution follows, guilt or  
 9 innocence is established by a court of law. It is, of  
 10 course, for the chief constable, in consultation with  
 11 the Director of Public Prosecutions, to decide whether  
 12 to prosecute in any particular case and in doing so he  
 13 would take into account all the relevant circumstances,  
 14 including any views expressed by the school or the  
 15 parents of the children involved."  
 16 At the bottom of the page, the author goes on to  
 17 say:  
 18 "I would be grateful if you would let me know the  
 19 nature of the improper suggestion Father Hurt made to  
 20 the other boy, the ages of both the boys involved, and  
 21 Father Hurt's residential address."  
 22 **A. Thank you.**  
 23 Q. 11 February, another letter, BNT002342\_049. It is  
 24 a poor copy, perhaps, because it was one of those  
 25 carbonated copies.

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1 I'm sorry, it is BNT002342\_047. This appears to be  
 2 a reply to the Department of Education,  
 3 11 February 1970:  
 4 "Dear Mr Brink,  
 5 "Thank you for your letter of the 9th about  
 6 Michael Anselm Hurt.  
 7 "With regard to the question of informing the  
 8 police, we did not feel that it was necessarily  
 9 incumbent upon us to do it as the parents of the boy in  
 10 question were not anxious for this course. Father Hurt  
 11 was sent away immediately, and in view of the age of  
 12 the boy (born in 1953) a certain element of possible  
 13 willing participation cannot be excluded."  
 14 He then quotes the account given that he wrote down  
 15 "immediately after seeing him":  
 16 "'About a fortnight ago or so he (the boy) was with  
 17 Father Anselm in the latter's room in the school. They  
 18 had had a certain amount of beer to drink and they were  
 19 left alone. Father Anselm then embraced him and then  
 20 moved off with the boy towards the monastery. When they  
 21 got to a cloister, they embraced again. The boy  
 22 encouraged him at least by not raising any objection and  
 23 responding. Father Anselm then said, "Come up to my  
 24 room in the monastery, I have a double bed there". When  
 25 they got there, Father Anselm locked the door, they both

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1 of them took all their clothes off and got into bed  
 2 together. Mutual masturbation took place. At about  
 3 4 o'clock in the morning the boy woke up, decided to put  
 4 his clothes on and go, and did leave Father Anselm  
 5 asleep. From that time onwards, the boy was not  
 6 privately with Father Anselm anywhere'. "  
 7 He then goes on to say:  
 8 "I interrogated this boy, meeting him in London for  
 9 that special purpose."  
 10 And so the letter continues on to a second page,  
 11 just for completeness and so that it can be seen,  
 12 BNT002342\_048.  
 13 **A. Thank you.**  
 14 Q. That deals with the second incident, which happened  
 15 last November, where he was with a party of boys in  
 16 Dublin at the half-term holiday. They were staying in  
 17 a private house. For a reason that he is unable to  
 18 unravel, the Reverend Hurt and a young man slept in the  
 19 same bed. And he found it hard to believe that  
 20 a hostess would have made this arrangement of her own  
 21 accord. In a shortage of accommodation, surely two boys  
 22 would have been put together rather than the master in  
 23 charge of the party. They had not been in bed long when  
 24 the manner and behaviour of Father Hurt was such that  
 25 the boy quickly left the bed and slept on the floor of

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1 the room for the rest of the night.  
 2 So no doubt, when one looks at both of those  
 3 accounts, there was a serious issue at that time?  
 4 **A. Yes.**  
 5 Q. But nonetheless, the response from Aelred was:  
 6 "We did not feel it necessarily incumbent upon us to  
 7 take the course of reporting it to the police."  
 8 Then if we go to BNT002342\_042, a letter on  
 9 25 February 1970, in which Mr Brink replies:  
 10 "Thank you for your letter 11 February about the  
 11 Reverend Michael Hurt.  
 12 "I note your reasons why no report is being made to  
 13 the police and in the circumstances, we would not wish  
 14 to press this."  
 15 He encloses a draft letter which it was proposed to  
 16 send to Father Hurt, and goes on to say that the draft  
 17 assumes that the 17-year-old boy was not a pupil and  
 18 that Mr Hurt had not admitted this allegation.  
 19 Have you any observations around this?  
 20 **A. Well, clearly, it is not a way in which such a case**  
 21 **would be treated today. It would be interesting to know**  
 22 **more about what was meant by "the parents were not**  
 23 **anxious to press the case", and exactly what they**  
 24 **thought seems to be distant and obscure. In other**  
 25 **words, whether they were very determined that it should**

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1 **not be or just went along with what was being suggested**  
 2 **to them, and I can't assess that from this**  
 3 **correspondence.**  
 4 Q. Can I bring up one final letter, so that we have this  
 5 chain: BNT002342\_037. It is a letter to Father Michael  
 6 Anselm Hurt from Mr Macey of the Department of Education  
 7 and Science. It is 9 March 1970, so not long after the  
 8 last letter:  
 9 "The Secretary of State has been informed by the  
 10 headmaster of the circumstances leading to the  
 11 termination of your appointment at Downside School where  
 12 you were a teacher and assistant housemaster during the  
 13 autumn term, 1969.  
 14 "It is alleged that on one occasion you invited  
 15 a 16-year-old pupil into your bed, both you and the boy  
 16 being naked, and that mutual masturbation took place.  
 17 You later admitted the truth of this allegation to the  
 18 abbot as your superior."  
 19 So, regardless of what the boy or the boy's parents  
 20 wanted to do, there appears to have been an admission  
 21 made?  
 22 **A. Yes.**  
 23 Q. "It is also alleged that while staying with a party of  
 24 boys from the school in a private house in Dublin, at  
 25 a half-term holiday, you slept in the same bed with

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1 a boy aged 17 years who was a pupil in the school and  
 2 has since left. While in the bed, your manner and  
 3 behaviour were such that the boy left the bed and slept  
 4 on the floor."  
 5 Then it goes on to say:  
 6 "... the Secretary of State has to consider, in  
 7 connection with the regulations listed in the enclosure  
 8 to this letter, whether you ought now to be determined  
 9 by him to be a person unsuitable for employment as  
 10 a teacher, and he will be glad, before he comes to  
 11 a decision, to have your full explanation of the matter.  
 12 You may also submit, if you wish, any testimonials or  
 13 other information ..."  
 14 Thereafter he advises a medical report from  
 15 a consultant psychiatrist, which might assist him:  
 16 "It is understood that the Abbot of Downside will  
 17 meet such expense under conditions of ... (the abbot's)  
 18 choosing."  
 19 Were you aware of any of this material when you  
 20 became --  
 21 **A. I have been aware of this material, yes.**  
 22 Q. What is not clear is whether the Department of Education  
 23 was informed that Anselm Hurt was going to be sent to  
 24 Glenstal Abbey in County Limerick?  
 25 **A. I don't know whether they were.**

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1 Q. Unlikely to be under their jurisdiction, perhaps?  
 2 **A. Mmm.**  
 3 Q. What was Richard Yeo's involvement in those cases, from  
 4 your recollection?  
 5 **A. Which particular case?**  
 6 Q. Do you remember, apart from anything additional over and  
 7 above the matters that I have put to you, him being  
 8 involved in any of the cases -- Anselm Hurt,  
 9 Desmond O'Keefe, Richard White?  
 10 **A. He was certainly involved in Richard White and**  
 11 **Desmond O'Keefe cases.**  
 12 Q. Desmond O'Keefe and Richard White were both secretaries  
 13 to Richard Yeo as abbot, weren't they?  
 14 **A. Yes.**  
 15 Q. As was F123?  
 16 **A. Can I just check F123?**  
 17 Q. Yes, of course.  
 18 **A. Yes.**  
 19 Q. Abbot Aidan was also assisted by Richard White and  
 20 Desmond O'Keefe, wasn't he?  
 21 **A. He was.**  
 22 Q. That was after allegations had become known about them?  
 23 **A. Yes.**  
 24 Q. Do you know anything about a den in the basement of  
 25 the abbey?

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1 **A. I do.**  
 2 Q. Can you tell us about that?  
 3 **A. Yes. If I can give a little background to that which is**  
 4 **specific to a monastery, after Compline, at 8 o'clock in**  
 5 **the evening, there is supposed to be silence in the**  
 6 **cloisters and the quarters of the monastic community,**  
 7 **and so if somebody wanted to watch a film or something**  
 8 **that was going to be relatively noisy, they would have**  
 9 **to do it in an out-of-the-way place, and I think I can**  
 10 **name him because it is quite generally known, but**  
 11 **Father Dominic is the primary inhabitant of this place,**  
 12 **partly because he has a love of films, partly because he**  
 13 **also spends a lot of time conjuring for adults and**  
 14 **children, but increasingly, as he gets older, mostly for**  
 15 **adults. I think that's the explanation of it being in**  
 16 **an extraordinary place, reached through a boiler room.**  
 17 **The reason why the door is locked is because it is**  
 18 **also accessible by an outside staircase, so anybody from**  
 19 **outside who wanted to get in -- I can't imagine why they**  
 20 **would, but they could.**  
 21 **I also note that it was said that nothing untoward**  
 22 **was really discovered there. It just made people feel**  
 23 **that it's peculiar, but it's not so peculiar in the**  
 24 **circumstances.**  
 25 Q. Have you been in there and watched films?

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1 **A. No, I have been in there and listened to music before**  
 2 **Father Dominic took it over. It used to be a place for**  
 3 **classical music.**  
 4 Q. What, for monks to sit and play --  
 5 **A. For monks to go and listen to.**  
 6 Q. -- or to listen to on a record player or a CD or ...?  
 7 **A. Exactly that, yes.**  
 8 Q. Destruction of files. Dr Whitehead gave evidence to the  
 9 effect that you had destroyed quite a number of  
 10 the staff files.  
 11 **A. I had.**  
 12 Q. A question that I am asked to ask of you is, what  
 13 establishment did your brother-in-law work for?  
 14 **A. York University.**  
 15 Q. Was that establishment the subject of ongoing police  
 16 investigations?  
 17 **A. Not to my knowledge.**  
 18 Q. Now going back to the files, you loaded up a wheelbarrow  
 19 and you took the files into a distant part of  
 20 the gardens to burn?  
 21 **A. I did.**  
 22 Q. You did that yourself?  
 23 **A. I did.**  
 24 Q. Without telling anyone?  
 25 **A. I told a number of people, I think, but I'm -- it's**

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1 **clearly something I wouldn't do now. I was not thinking**  
 2 **in safeguarding terms at all.**  
 3 Q. What year was this?  
 4 **A. Well, that's what I cannot quite remember. I'm guessing**  
 5 **it was 2012, but that is just a guess.**  
 6 Q. So Aidan Bellenger? Who was the abbot at the time?  
 7 **A. That would have been Aidan Bellenger.**  
 8 Q. Yes, was abbot at the time?  
 9 **A. Yes.**  
 10 Q. Did you discuss it with him?  
 11 **A. Not very much.**  
 12 Q. I don't think he had any recollection of you discussing  
 13 it with him at all?  
 14 **A. No.**  
 15 Q. Do you think maybe you didn't?  
 16 **A. It's quite possible I didn't.**  
 17 Q. Did you seek advice about this from anyone?  
 18 **A. I'm not sure that I did, apart from discussing it, as**  
 19 **I say, in a general way with my brother-in-law,**  
 20 **because -- we seem to be in the realm of basements.**  
 21 **This was a basement under the headmaster's house which**  
 22 **had fallen into a state of considerable disorder, partly**  
 23 **because, with the advent of computers, they had put**  
 24 **servers down in what used to be the archive, and the**  
 25 **filing cabinets had been pushed out somewhat haphazardly**

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1 **and some of them had burst open, and it was becoming**  
 2 **a complete mess down there, and I felt that I needed to**  
 3 **do something about that, and the first thing I did was**  
 4 **to destroy all the Lloyd George notes, as they are**  
 5 **called, all the medical records, which went back a long**  
 6 **way for pupils. There seemed to be no controversy about**  
 7 **that. In fact, it was controversial that they had been**  
 8 **kept.**  
 9 **I then considered pupil files, but they had actually**  
 10 **been kept in good order, generally, by Father Philip**  
 11 **when headmaster, because he was the archivist and liked**  
 12 **archives in order, and also we had frequent requests for**  
 13 **pupil files from families and pupils themselves.**  
 14 **The remaining files in disorder were the staff**  
 15 **files, and one piece of advice I had was that we**  
 16 **shouldn't be keeping employment records beyond about**  
 17 **seven years. I wasn't thinking in safeguarding terms,**  
 18 **because I know in that case they should be kept for**  
 19 **about 70 years.**  
 20 **I just took a rather casual look at these files, and**  
 21 **they were staff files going back, I think, into the**  
 22 **early '80s, and I felt that it would be reasonable just**  
 23 **to destroy them. There were quite a quantity of them in**  
 24 **the filing cabinet, and I didn't read through every**  
 25 **single file.**

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1 Q. So you have no idea what it was that you have destroyed?  
 2 **A. Not really.**  
 3 Q. So you could have destroyed a number of other  
 4 allegations, a number of significant pieces of  
 5 information?  
 6 **A. I could have.**  
 7 Q. Are you sure that you weren't seeking to conceal  
 8 something?  
 9 **A. I am sure.**  
 10 Q. Was this shortly before the first lay headmaster was  
 11 going to be appointed?  
 12 **A. No. At the time, there had -- whenever the date was,**  
 13 **there was no indication that I was going to cease being**  
 14 **headmaster when I did that.**  
 15 Q. You didn't take advice from Richard Yeo about this?  
 16 **A. At that time, he wasn't abbot, and he wasn't -- he was**  
 17 **Abbot President, but if I didn't take advice from the**  
 18 **abbot, I wouldn't be taking advice from the**  
 19 **Abbot President.**  
 20 Q. But he was a monk at Downside, a longstanding friend to  
 21 Downside, a leader and adviser on a number of different  
 22 matters?  
 23 **A. Yes.**  
 24 Q. We have seen letters to say that people were taking  
 25 advice from him even before he became abbot?

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1 **A. Yes.**  
 2 Q. You didn't think, with your long association, to just  
 3 take some advice on what you were doing?  
 4 **A. I didn't.**  
 5 Q. COPCA? The police?  
 6 **A. No, as I say, I'm afraid I simply didn't think of it in**  
 7 **safeguarding terms. I was simply thinking of getting**  
 8 **rid of what seemed to me to be unnecessary old material.**  
 9 Q. Just describe how you did this? How did you get rid of  
 10 this material?  
 11 **A. I put the filing cabinet into a wheelbarrow and took**  
 12 **them to the place where rubbish is burnt in the gardens**  
 13 **and made sure that they were burnt.**  
 14 Q. How many filing cabinets?  
 15 **A. About one, I think.**  
 16 Q. I think you comment in your statement about it not being  
 17 an easy task because of the amount of material there  
 18 was?  
 19 **A. Yes, and burning paper thoroughly is quite difficult**  
 20 **because quite often paper remains unburnt. I might have**  
 21 **delegated the tidying up to the domestic department, but**  
 22 **then I realised I couldn't do that because they would**  
 23 **have no idea what to select for destruction, and at**  
 24 **least I felt I had some idea.**  
 25 Q. But you were the headmaster at this stage?

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1 **A. (Witness nods).**  
 2 Q. What you describe in your statement is loading a cabinet  
 3 load of files into the distant part of the gardens,  
 4 requiring several trips with a wheelbarrow. Why were  
 5 you doing this? Why didn't you have some novice  
 6 assisting with it, or another monk? You are the  
 7 headmaster.  
 8 **A. Monks have a tradition of manual labour, which some of**  
 9 **us keep to more than others, and for me manual labour is**  
 10 **quite important and, during the summer holidays,**  
 11 **I thought that tidying up a messy area in the**  
 12 **headmaster's house and going out into the garden to do**  
 13 **that kind of work would be relaxation for me.**  
 14 Q. Relaxation, to take several loads of wheelbarrow full of  
 15 files and burn them?  
 16 **A. Well, that's how I relax, doing that kind of thing.**  
 17 **I sometimes cut down trees or dig out their roots.**  
 18 Q. Were you aware of the evidence of Detective Constable  
 19 White which suggested that in Operation February files  
 20 were not readily handed over to the statutory  
 21 authorities?  
 22 **A. Yes.**  
 23 Q. And some files were hidden or disclosure was delayed?  
 24 **A. I can imagine disclosure being delayed. I have no**  
 25 **reason to suppose that they were deliberately being**

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1 **hidden. There were files in different places, as**  
 2 **I think has been explained, that monks would have files**  
 3 **in the monastery and files in the school, and it**  
 4 **wouldn't always be immediately clear where the various**  
 5 **files relating to a single monk were.**  
 6 Q. Were the police told about this room bursting with  
 7 documents or given access to it?  
 8 **A. I don't know.**  
 9 Q. DC White also commented that, in his view, you were  
 10 still under the control of the abbot at the time of  
 11 Operation February, and he said:  
 12 "I don't think he was fully independent to be able  
 13 to do things."  
 14 Do you think that was right or not?  
 15 **A. I didn't feel that I was being restricted in any way by**  
 16 **the abbot at that time.**  
 17 Q. Did you confer with Abbot Aidan?  
 18 **A. Yes, frequently.**  
 19 Q. Would you confer with him over any important decision?  
 20 **A. Yes.**  
 21 Q. He said -- this is Jane from Clifton diocese said this:  
 22 "I think that he [that's you, Father Leo] struggled,  
 23 much like Abbot Aidan did, with the strong personalities  
 24 within the community and trying to juggle protecting the  
 25 community and his fellow brothers with managing

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1 safeguarding issues. I don't think it's an easy task."  
 2 Did you feel that you were juggling trying to  
 3 protect the community and your fellow brothers with  
 4 managing safeguarding?  
 5 **A. I think what I said in connection with F80 is a fair**  
 6 **indication of that situation in which I was.**  
 7 Q. There was a meeting at one stage, and you and  
 8 Abbot Aidan left the meeting. Do you recall that?  
 9 **A. I do. In fact, we hardly attended the meeting. In my**  
 10 **memory, we were there for a very brief period of time.**  
 11 Q. Do you recall there being unhappiness on the part of  
 12 the police about the role that you had been playing, and  
 13 indeed Clifton, about the role that you had been playing  
 14 in disclosure?  
 15 **A. Yes, because I read the witness statement of**  
 16 **Claire Winter about that. My recollection is that after**  
 17 **the first of the two meetings, I was given no advice**  
 18 **about confidentiality between myself and Father Aidan,**  
 19 **and since he was being invited to the subsequent**  
 20 **meeting, I presumed it was all right for me to talk**  
 21 **about the previous meeting so that he knew what had been**  
 22 **going on. I have no recollection of being told that**  
 23 **I shouldn't do that.**  
 24 Q. But there was a bit of a disturbance as a result?  
 25 **A. There was.**

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1 Q. I think it was perceived that there may be a kind of  
 2 conflict of interest in Abbot Aidan being made aware at  
 3 that stage?  
 4 **A. It was, yes.**  
 5 Q. To be fair to you, a number of kind and warm comments  
 6 have been made about you during the course of  
 7 the evidence. Jane also described you as a lovely man  
 8 and said you were responsive and you don't lack the  
 9 ability to respond, and that you are timely with your  
 10 responses, but you struggle with safeguarding, the wider  
 11 safeguarding, the management of the issues involved.  
 12 James Whitehead has said that you bear some  
 13 responsibility for ongoing governance issues within the  
 14 school.  
 15 Do you have any observation about that last comment?  
 16 **A. I would agree with that last comment. The governance**  
 17 **relations in the school are in a process which is not**  
 18 **complete.**  
 19 Q. Were there issues with a lay headmaster being appointed?  
 20 **A. The process of the first lay headmaster's appointment**  
 21 **was unusual. I was not involved because Abbot Aidan**  
 22 **explained to me, and I agreed with that, that it would**  
 23 **not be suitable for me to be playing a part in the**  
 24 **appointment of my successor, and so he and the governors**  
 25 **conducted that process.**

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1 Q. Now, if I ask you about the Bellenger letters, you will  
 2 know what I mean?  
 3 **A. I do, yes.**  
 4 Q. In August 2016 and July 2017, you received two letters  
 5 from Abbot Aidan. The inquiry was already under way at  
 6 that stage. Why did you not disclose those letters  
 7 immediately?  
 8 **A. This is an example of my being conflicted. They were**  
 9 **strongly personal letters to me in which Abbot Aidan was**  
 10 **describing his situation with regard to the community,**  
 11 **and he was struggling over his decision whether to stay**  
 12 **or whether to leave the community, and he said that**  
 13 **these remarks and allegations he was making about**  
 14 **members of the community were things that he had already**  
 15 **disclosed, but they were a somewhat emotional assessment**  
 16 **of his feelings about the community.**  
 17 I felt, well, these are very private; if I reveal  
 18 them, it will expose him to a lot of difficulty and the  
 19 community to a lot of difficulty, and I thought, well,  
 20 since there are no specific allegations, I don't need to  
 21 disclose them, but as the process went on, my view on  
 22 that changed and I thought, well, I can't not disclose  
 23 them, which is why I did.  
 24 I'm sorry, it was a slow process in my mind, but  
 25 I was trying to reflect on what to do for the best, and

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1 **although I understand the need for it, it seems to me**  
 2 **sad that Abbot Aidan's decision has had to come into the**  
 3 **full glare of publicity in the way that it has.**  
 4 Q. His decision about his future isn't really the issue,  
 5 though, because there were safeguarding concerns raised  
 6 by the letters, and quite clearly, I suggest, raised by  
 7 the letters, the first of which you received  
 8 in August 2016, the second on 1 July 2017, so almost  
 9 a year later.  
 10 **A. Yes.**  
 11 Q. And were not disclosed to the inquiry until 31 August of  
 12 this year.  
 13 **A. Yes.**  
 14 Q. The same day, in fact, that the inquiry asked for  
 15 a statement from Aidan Bellenger, not knowing of these  
 16 letters.  
 17 **A. Yes. I apologise for that.**  
 18 Q. Were you considering withholding them?  
 19 **A. I had been considering -- well, I had been wondering**  
 20 **what to do with them since I received them.**  
 21 Q. I am just going to ask you a few questions from others  
 22 in the room.  
 23 **A. Yes.**  
 24 Q. Were there any ex-Fort Augustus monks at Downside?  
 25 **A. No, with the exception that Father Francis Davidson went**

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1 **to a Downside parish from Fort Augustus. He went to**  
 2 **Bungay in the Norfolk/Suffolk border. There was another**  
 3 **Fort Augustus monk, Andrew McKillop, who was extremely**  
 4 **aged and he was in an old people's home in Dundee, and**  
 5 **Abbot Richard visited him regularly.**  
 6 Q. What kind of information, in general terms, would be  
 7 contained within an abbot's files on a monk?  
 8 **A. There are two kinds of files that abbots now retain.**  
 9 **There are the safeguarding files kept specifically for**  
 10 **members of the community about whom there are**  
 11 **safeguarding concerns, and they contain running records**  
 12 **of discussions around the concern. There may be copies**  
 13 **of covenants of care or risk assessments. There may be**  
 14 **related legal documents. And those are divided into**  
 15 **sections of that kind.**  
 16 **The other files that are kept on monks will include**  
 17 **the original letter of application to join the**  
 18 **community, certificates of baptism and confirmation. If**  
 19 **they go away for studies, there will be their letters**  
 20 **back to the community. There will also be the**  
 21 **persevering assessments made three times in the year**  
 22 **during their novitiate reports on them. That kind of**  
 23 **material.**  
 24 Q. So information regarding an abusive past or tendencies  
 25 should be in the files?

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1 **A. Should be in the safeguarding file.**  
 2 Q. Should that information be passed on to an abbot's  
 3 successor?  
 4 **A. Yes.**  
 5 Q. What about information about an abbot? Is there an  
 6 abbot's file?  
 7 **A. There is.**  
 8 Q. Is that passed on to an abbot's successor?  
 9 **A. Yes.**  
 10 Q. In a document that I can bring up if we need it, but  
 11 perhaps I can quote it to you, Abbot Timothy Wright in  
 12 2003 -- presumably you know Abbot Timothy?  
 13 **A. A little bit, yes.**  
 14 Q. From Ampleforth. He described the Rule of St Benedict  
 15 on the role of an abbot as being:  
 16 "The person each of the brethren offer their  
 17 obedience. He is the trusted confidante in whom they  
 18 confide in the certain knowledge that such confidences  
 19 are respected."  
 20 And he described a monastery as being "the  
 21 community's home. It's the one place to which they can  
 22 always return, regardless of what has happened, because  
 23 their home is defined by an enclosure from which externs  
 24 are excluded. It lies at the heart of our Benedictine  
 25 monastic spirit that such a view is maintained. Without

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1 that loyalty, trust and affection for the abbot, the  
 2 monastery collapses. Of course I am not going to stand  
 3 in the way of the law when directed at one of my  
 4 brethren, clearly guilty, but I will defend him in any  
 5 way I can."  
 6 Is that an attitude that you recognise?  
 7 **A. Yes. I would have some comments to make on it. With**  
 8 **regard to confidentiality, the abbot is not advised to**  
 9 **hear the confessions of monks, partly because that could**  
 10 **put him in a very compromised position, and so it's**  
 11 **confidentiality which does not remove from him the**  
 12 **responsibility to take appropriate action.**  
 13 Q. Do you recognise the, "I am not going to stand in the  
 14 way of the law, but I will defend him in any way I can"  
 15 attitude as well?  
 16 **A. Well, yes, I suppose that would be what one would expect**  
 17 **in a community, that people are loyal to one another,**  
 18 **but obviously not in a way that passes over into**  
 19 **illegality.**  
 20 Q. Knowing Richard Yeo as you do, would you say that that  
 21 was an attitude that Richard Yeo shared?  
 22 **A. I think it would be safer to allow Richard Yeo to speak**  
 23 **for himself. I would say that -- he made a remark to me**  
 24 **that he had learnt a lot from something**  
 25 **Father Philip Jebb had said to him in connection with**

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1 **Richard White when he had been talking about making**  
 2 **arrangements for Richard White, and Father Philip had**  
 3 **said to him, "This isn't about protecting Richard White.**  
 4 **It is about protecting children", and Abbot Richard said**  
 5 **that that had had a big impact on him.**  
 6 Q. In the same letter, Abbot Timothy Wright stated:  
 7 "Each monk has to make his own decision about taking  
 8 lifelong vows. This cannot be done with integrity by  
 9 the emotionally immature or psychologically disturbed."  
 10 Were there Benedictine monks accepted into Downside  
 11 who, in reality, fit that description as emotionally  
 12 immature or psychologically immature?  
 13 **A. I think that could well be the case. One way in which**  
 14 **we have tried to address that hazard is by having**  
 15 **psychological assessments, which came in towards the end**  
 16 **of the last century and are now normative. One of**  
 17 **the issues which I was thinking about, reading some of**  
 18 **Elizabeth Mann's material, who did a lot of**  
 19 **the psychological assessments with us, is what she calls**  
 20 **"identity foreclosure", that is young people coming into**  
 21 **the community who think they know what their identity is**  
 22 **but they haven't interrogated it.**  
 23 Q. Were there any other kinds of assessments made on an  
 24 application before someone was allowed to go through the  
 25 process of becoming a monk?

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1 **A. Well, references would be taken, as for a job, and**  
 2 **a reference from the parish priest would also be normal,**  
 3 **and then people are encouraged to stay as guests for**  
 4 **significant periods of time before they move into the**  
 5 **postulancy and then on into the novitiate. So there is**  
 6 **a lot of observation and reporting from key members of**  
 7 **the community as part of that process.**  
 8 Q. Did the assessments, the taking up of references, and so  
 9 forth, take any account of the potential for applicants  
 10 to the monastery to become involved with the school?  
 11 **A. Not normally in the first instance, I would say. In**  
 12 **other words, it is not automatically assumed in an**  
 13 **English Benedictine community that somebody is going to**  
 14 **teach, although very frequently they do.**  
 15 Q. If someone had a particularly good degree -- for  
 16 example, in history from Cambridge, a first -- and  
 17 wanted to join, would that person be more desirable  
 18 because of the ability to use them in a teaching post?  
 19 **A. They would be desirable.**  
 20 Q. Can I ask you of your knowledge of the Stroud treatment  
 21 centre?  
 22 **A. Yes.**  
 23 Q. What happened there? Who decided to send monks there,  
 24 and how reliable were the risk assessments produced by  
 25 Stroud?

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1 **A. The Paraclete Fathers, as I understand it, were the**  
 2 **community that ran the Stroud centre. The only person**  
 3 **I have any detailed knowledge of having been sent there**  
 4 **was Richard White. I didn't read the risk assessment**  
 5 **that he received from Stroud, or, rather, the analysis**  
 6 **of him. He did say in a letter to me he sent from**  
 7 **prison that he had found it more helpful than the**  
 8 **treatment that he was receiving more recently in the**  
 9 **prison, and one of the factors that he described to me**  
 10 **was that it had helped him identify his homosexuality**  
 11 **which he had suppressed, and that was an outcome of**  
 12 **the Stroud process.**  
 13 **So in his case, it seemed to be genuinely helpful.**  
 14 Q. Did any of the monks who assisted you with  
 15 administration when you were abbot have safeguarding  
 16 concerns?  
 17 **A. Yes. One of them has some safeguarding concerns but he**  
 18 **hasn't got a cipher. They are what I would call**  
 19 **low-level safeguarding concerns, to do with**  
 20 **inappropriate crossing of boundaries, rather than**  
 21 **specific allegations.**  
 22 Q. What are the repercussions for the abbey and/or the  
 23 school and the insurance position each time you report  
 24 a safeguarding issue or a case of child sexual abuse?  
 25 **A. Those would be dealt with by the bursar. I suppose they**

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1 **could impact on the insurance premiums, but I have never**  
 2 **heard the bursar say that the insurance premia are being**  
 3 **directly affected by reporting of allegations. That's**  
 4 **not been raised as a concern to me.**  
 5 Q. Have the monks at Downside been instructed to listen to  
 6 any of this hearing, including the evidence of  
 7 the victims and closing statements?  
 8 **A. They receive briefings every night at Chapter on what's**  
 9 **happening, and I know a lot of them are taking a close**  
 10 **interest in it, and if I had the opportunity at the end,**  
 11 **I would like to make a comment on that.**  
 12 Q. Of course. Not quite the final question, but almost: do  
 13 you think it is important for them to hear what is  
 14 happening in these proceedings to be able to challenge  
 15 the culture on safeguarding?  
 16 **A. I would consider it vital.**  
 17 Q. We are coming to the final topic. Did you ever engage  
 18 a PR consultant for the school -- I think this is  
 19 something that you haven't had any notice of, this  
 20 question. It is a question that's come in from one of  
 21 the core participants today, and the chair and the panel  
 22 have granted limited -- you haven't had any notice of  
 23 them, but leave has been granted for me to ask you  
 24 a couple of questions.  
 25 **A. Thank you. I was told they were coming, but I don't**

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1 **know what they are.**  
 2 Q. Well, first one: have you ever engaged a PR consultant  
 3 for the school?  
 4 **A. I should think so.**  
 5 Q. Would that be something that you had done or would  
 6 someone else make that decision?  
 7 **A. Well, I would make it in consultation with other members**  
 8 **of staff.**  
 9 Q. Why would a PR consultant be engaged?  
 10 **A. Well, for all kinds of reasons. We have one at the**  
 11 **moment to help manage how we report what is happening,**  
 12 **and they have to work closely with legal advice. We**  
 13 **need to know what to say appropriately to parents,**  
 14 **staff, pupils, to keep them informed, but without --**  
 15 Q. You mean in respect of safeguarding concerns?  
 16 **A. Safeguarding concerns, yes, exactly, to do that properly**  
 17 **and not to get the wrong side of the various hazards**  
 18 **that we could get the wrong side of.**  
 19 Q. I'm just seeing whether that covers what I understand to  
 20 be the gist of the questions. Have you ever consulted  
 21 Tony Domaille on public relations matters?  
 22 **A. I don't think so. Clifton does have a public relations**  
 23 **manager, and I was in contact with him during the**  
 24 **Richard White case.**  
 25 Q. I think you asked for his comments in respect of

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1 a document that you were preparing for press enquiries;  
 2 is that right?  
 3 **A. Yes.**  
 4 Q. He indicated to you that he'd been thinking that the  
 5 media could easily rekindle their interest in Downside?  
 6 **A. Yes.**  
 7 Q. That was something you were seeking to avoid?  
 8 **A. Yes.**  
 9 Q. You indicated that you wanted to say something. I am  
 10 going to ask you to address us, if you wish, to deal  
 11 with any specific safeguarding challenges that you feel  
 12 that you have faced, and also any comments or  
 13 observations that you would like to make that might  
 14 assist the chair and the panel in their deliberations  
 15 and in any recommendations that they will ultimately  
 16 come to make?  
 17 **A. Thank you. Well, I suppose the safeguarding problems**  
 18 **that I currently face are primarily the continuing**  
 19 **management of people who have allegations against them,**  
 20 **trying to reach the best decision about what to do in**  
 21 **each case, and each case is different, and the**  
 22 **continuing management of the case has to be different.**  
 23 **I suppose, in terms specifically of young people,**  
 24 **there are a whole host of new hazards, particularly in**  
 25 **connection with the internet, and depression and all**

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1 **sorts of things, which are shifting quite rapidly, so we**  
 2 **need to keep a very close eye on those developments.**  
 3 **Sorry, there was another part of the question?**  
 4 Q. Safeguarding challenges.  
 5 **A. Yes.**  
 6 Q. And any observations that you would like to make that  
 7 might assist the chair and the panel in their  
 8 deliberations or the recommendations that ultimately  
 9 they will come to make on this question.  
 10 **A. Thank you. I was just hoping to make a few comments**  
 11 **which I hope are constructive.**  
 12 Q. Yes.  
 13 **A. I put them on paper. It won't take long to get through**  
 14 **them.**  
 15 **But in my role as Downside's prior administrator,**  
 16 **I felt it might be all right for me, at the end of quite**  
 17 **a long Downside process, to say a few words.**  
 18 Q. By all means.  
 19 **A. The first is that I should like to thank the Downside**  
 20 **victims and survivors who have spoken to us as**  
 21 **advocates. We needed to hear what you had to tell us,**  
 22 **and my community in particular needs to listen to you**  
 23 **with the ear of the heart, which is an expression**  
 24 **St Benedict uses.**  
 25 **I would also like to thank all those who have been**

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1 **preparing the large amount of material needed to make**  
 2 **this case study informative and challenging, and I would**  
 3 **say I personally have found it both those things, so**  
 4 **thank you for that.**  
 5 **I should also like to thank the outside agencies --**  
 6 **the social services, the police, school inspectors and**  
 7 **the Clifton diocesan Safeguarding Office -- who have**  
 8 **been helping us to develop a better safeguarding**  
 9 **culture. We know that there is a great deal of ground**  
 10 **still to cover, but I am very glad to have had their**  
 11 **inputs and advice.**  
 12 **The strong message I have gathered comes to my mind**  
 13 **in the form of two questions which I picked up from the**  
 14 **survivors: did nobody see? Did nobody listen? I hope**  
 15 **the process that we have been engaged in will enable us**  
 16 **to become better at listening and seeing.**  
 17 **That was my thoughts, really.**  
 18 **MS KARMY-JONES: Thank you. Thank you very much. Are there**  
 19 **any questions that the chair and panel have?**  
 20 MR FRANK: I have one question, if I may.  
 21 Questions from THE PANEL  
 22 MR FRANK: I wonder if we could bring up document  
 23 BNT005659\_004, please. For the assistance of those of  
 24 us who don't know the school and its layout, I wonder if  
 25 you could just help us? When you were describing the

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1 wheelbarrowing of the files to the fire on that day,  
 2 that summer's day, in about July 2012, we think?  
 3 **A. Yes.**  
 4 MR FRANK: First of all, can you tell us, where was the  
 5 basement from which the files were being shifted?  
 6 **A. The basement was under -- I can't quite see the numbers**  
 7 **on that. Can I change my spectacles?**  
 8 MR FRANK: If it helps you. It doesn't help me.  
 9 **A. If I can point, it is under there, which is the**  
 10 **headmaster's house.**  
 11 MR FRANK: I can't see that at all at the moment. The  
 12 numbers are very --  
 13 **A. It is a bit bigger. If you look at the avenue of trees**  
 14 **leading into the school buildings, you see there is**  
 15 **a short avenue of trees.**  
 16 MR FRANK: Oh, yes.  
 17 **A. If you turned right at the end of that avenue, you would**  
 18 **come to the house. That is the oldest part of**  
 19 **the school and that has the basement.**  
 20 MR FRANK: Thank you. It looks as if it may be number 20 or  
 21 30.  
 22 **A. 20, I think it is.**  
 23 **MS KARMY-JONES: 20.**  
 24 MR FRANK: Thank you very much. In the basement of that  
 25 building is where the files were kept?

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<p>1 <b>A. Yes.</b> 2 MR FRANK: They were a mess and you wanted to clear them up? 3 <b>A. Yes.</b> 4 MR FRANK: So you got a wheelbarrow from somewhere -- 5 presumably not inside the building? 6 <b>A. Probably not inside the building. There were some</b> 7 <b>gardening tools kept there occasionally.</b> 8 MR FRANK: All right. Then you dragged the files up the 9 stairs, presumably, and put them in the wheelbarrow 10 outside the building? 11 <b>A. I did.</b> 12 MR FRANK: Then you wheeled the barrow to where? 13 <b>A. Well, it's off the picture, but it is up in the</b> 14 <b>north-east corner. It fades out into white, but it is</b> 15 <b>that area through the woods.</b> 16 MS KARMY-JONES: Can you see the cursor? Is the cursor -- 17 <b>A. If you move the cursor to the right, further to the</b> 18 <b>right.</b> 19 Q. Under the blue writing? 20 <b>A. Under the blue writing. It is sort of under the blue</b> 21 <b>writing area. I would say about there.</b> 22 MR FRANK: So you wheeled the barrow through the school 23 buildings, as it were, off the school premises? 24 <b>A. Well, no, I don't remember -- I might have moved them</b> 25 <b>onto the grass and wheeled it around that way.</b></p> <p style="text-align: center;">Page 53</p>	<p>1 mid-morning break? 2 THE CHAIR: Yes. Thank you, Dom Leo. 3 <b>A. Thank you.</b> 4 <b>(The witness withdrew)</b> 5 THE CHAIR: We will return at 11.50 am. 6 (11.37 am) 7 (A short break) 8 (12.05 pm) 9 MS KARMY-JONES: Chair, members of the panel, of course 10 Father Richard Yeo has already been sworn. 11 DOM RICHARD YEO (continued) 12 Examination by MS KARMY-JONES (continued) 13 MS KARMY-JONES: Thank you for return to assist us again. 14 On the last occasion you were here, about two weeks ago, 15 you gave us some details of your background and 16 association with Downside and some very helpful 17 observations about the place of the English Benedictine 18 Congregation within the Roman Catholic Church, and that 19 has been of great assistance to set these proceedings 20 into context, so thank you for that. 21 But just to put you into context, I would just like 22 to summarise, if I may, from your personal statement 23 a little bit about your own background -- I know this 24 may recap -- just to remind us of how you fit into the 25 picture. Is that all right?</p> <p style="text-align: center;">Page 55</p>
<p>1 MR FRANK: What sort of distance is that? 2 <b>A. Oh, about quarter of a mile.</b> 3 MR FRANK: About quarter of a mile. And you made several 4 journeys of that kind; is that right? 5 <b>A. I did, yes.</b> 6 MR FRANK: How long did it take you? 7 <b>A. Several afternoons.</b> 8 MR FRANK: The object of this was to clear as much as you 9 could of the basement of what you regarded as 10 superfluous paperwork, going back? 11 <b>A. Yes.</b> 12 MR FRANK: But you didn't clear the basement, did you? 13 <b>A. No, I didn't succeed in it.</b> 14 MR FRANK: No. 15 <b>A. In the end, it was more or less completed because we got</b> 16 <b>a Heritage Lottery Project and part of that was to move</b> 17 <b>all the files from the basement into the archive.</b> 18 MR FRANK: Is it right that you can't say whether you burnt 19 any files of individuals the subject of interest to this 20 inquiry. 21 <b>A. I can't say that, I'm afraid.</b> 22 MR FRANK: Yes, thank you. 23 <b>A. I don't think I did, but I can't say that.</b> 24 MR FRANK: Thank you very much. 25 MS KARMY-JONES: Would that be an appropriate point for our</p> <p style="text-align: center;">Page 54</p>	<p>1 You were a pupil at Downside in the early to mid 2 '60s; is that right? 3 <b>A. Yes.</b> 4 Q. Then you were sent to St Benet's Hall, Oxford, to study 5 theology? 6 <b>A. No. I then went as an ordinary student to</b> 7 <b>Lincoln College, Oxford, and studied law.</b> 8 Q. Of course. Yes, you did tell us that. But eventually 9 did you study theology? 10 <b>A. From 1972 to 1974, that was.</b> 11 Q. Then, after that, you returned to the school to teach, 12 with, I think, some more study along the way? 13 <b>A. Yes. It was very much part-time teaching.</b> 14 Q. What did you teach? 15 <b>A. Religious education.</b> 16 Q. You have spent, and in those early years you spent, 17 a significant amount of time, I believe, in Rome, as you 18 continued your studies there? 19 <b>A. Yes.</b> 20 Q. You were appointed as secretary to the abbot secretary 21 in 1979 or 1980? 22 <b>A. The Abbot Primate, yes.</b> 23 Q. Returning periodically to Downside, but not living there 24 consistently? 25 <b>A. Correct.</b></p> <p style="text-align: center;">Page 56</p>

1 Q. In 1985, you were appointed a parish priest of Bungay?  
 2 **A. 1986.**  
 3 Q. 1986. I am going to have to check your statement. And  
 4 continued until 1993?  
 5 **A. Correct.**  
 6 Q. During that time, you were a member of the abbot's  
 7 council, for a period?  
 8 **A. Briefly. Just for one year, I think it was.**  
 9 Q. Do you remember what year that was?  
 10 **A. I would say 1988 to '89, but it might have been a year**  
 11 **before or a year after, I'm not certain.**  
 12 Q. Was that with Abbot Charles?  
 13 **A. No, it was Abbot John Roberts.**  
 14 Q. Abbot John. Were you a member of Abbot Charles's  
 15 council briefly?  
 16 **A. No, I wasn't.**  
 17 Q. In 1993, you were appointed to a position with the  
 18 Congregation for Institutes of Consecrated Life and  
 19 Societies of Apostolic Life?  
 20 **A. Correct, yes.**  
 21 Q. Your responsibility was for the office of nuns?  
 22 **A. Yes.**  
 23 Q. That, I think, grew to incorporate monasteries as well  
 24 at one point?  
 25 **A. It grew to incorporate monasteries of monks as well**

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1 **later on, yes.**  
 2 Q. 1993 was around the same time as Richard White was moved  
 3 to Fort Augustus?  
 4 **A. Yes.**  
 5 Q. Were you aware of that at the time?  
 6 **A. I was. I think I said that I saw him in Cambridge**  
 7 **a number of times during his stay there, which finished**  
 8 **not that long before I left Bungay.**  
 9 Q. I will come back to each individual allegation, as I'm  
 10 sure you're expecting, in due course. But just to see  
 11 how this fits into the chronology, you were then elected  
 12 as abbot in 1998?  
 13 **A. Yes.**  
 14 Q. Philip Jebb as your prior --  
 15 **A. Yes.**  
 16 Q. -- until 2001, followed by Father Aidan Bellenger?  
 17 **A. Yes.**  
 18 Q. And elected as Abbot President of the English  
 19 Benedictine Congregation in 2001 until 2017?  
 20 **A. Yes.**  
 21 Q. So there was an overlap between those two positions?  
 22 **A. There was.**  
 23 Q. As is perhaps not unusual, I would imagine?  
 24 **A. It was normal in the past. It is becoming less normal.**  
 25 Q. Now, some questions have been posed by other core

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1 participants in the room in respect of the evidence that  
 2 you gave in the first week of this hearing, so if I can  
 3 deal with some of those now. I think you have had some  
 4 indication of the types of questions?  
 5 **A. I have, yes.**  
 6 Q. Do you consider that individual religious orders should  
 7 be encouraged to provide redress to victims of abuse and  
 8 to take additional steps to ensure that victims obtain  
 9 redress as needed?  
 10 **A. I'm sure the answer is yes. It would be helpful to know**  
 11 **what you mean by "redress".**  
 12 Q. What do you think a victim should be provided?  
 13 **A. I think, in the first place, in my experience, a victim**  
 14 **wants human contact, wants an apology, wants**  
 15 **a recognition of his or her truthfulness, wants an**  
 16 **assurance that steps are put in place to ensure that**  
 17 **children will not suffer in the future, and may also ask**  
 18 **for some financial compensation.**  
 19 Q. Potentially for assistance with counselling?  
 20 **A. It could be -- that's the obvious first reason for**  
 21 **asking for it, yes.**  
 22 Q. Do you think that individual religious orders should  
 23 take any additional steps to assist victims after sexual  
 24 abuse?  
 25 **A. I think they should be alert to any requests that the**

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1 **victims may have.**  
 2 Q. What does that mean, exactly, being "alert to any  
 3 requests"? One can be alert, can't one, and just hear  
 4 them, but what does it actually result in?  
 5 **A. When you spoke, I could not immediately think of**  
 6 **anything else, and so that seemed to me the most**  
 7 **appropriate way to answer, namely, that they should be**  
 8 **aware that the victim may have needs which they are not**  
 9 **aware of.**  
 10 Q. But where does awareness take you? What should actually  
 11 be done?  
 12 **A. You should attempt to respond to whatever it is that**  
 13 **they say that they need.**  
 14 Q. Do you think -- this was the first question, really --  
 15 that individual religious orders should be encouraged to  
 16 provide such redress, "redress" meaning whatever they  
 17 need?  
 18 **A. I think they should consider it. Whether they are able**  
 19 **to provide it is something different.**  
 20 Q. The next question relates to the 2013 General Chapter  
 21 and its consequences. You make a comment in your first  
 22 witness statement, at paragraph 97, that relates to  
 23 changes to the supervisory role of Abbot President.  
 24 I can bring it up or read the relevant comment to you.  
 25 You say this:

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1 "I regret that I did not appreciate earlier the  
 2 desirability of making this change."  
 3 When should the change have been brought in, in your  
 4 view?  
 5 **A. I say it with the benefit of hindsight. That is my  
 6 regret. I think I probably should have seen in the  
 7 previous General Chapter, 2009, that things were going  
 8 this way, namely, by 2009, I'd already been aware of  
 9 a lot of difficulties at Ealing, and the need for some  
 10 sort of public accountability of the abbot of  
 11 a monastery to someone else was beginning to become  
 12 clear to me. So it would have been good if we'd brought  
 13 in that change in 2009.**  
 14 Q. Describe the process by which the change did in fact  
 15 come about, including whether it was initiated by you  
 16 and/or the General Chapter?  
 17 **A. At the General Chapter of 2009, one question which was  
 18 put was, would it be a good idea to start a revision of  
 19 the constitutions? And the General Chapter said, no.  
 20 I was a little bit taken aback by this. I regretted it.  
 21 A year later, I put the matter to my counsel and said  
 22 that I wondered if the issue ought to be revisited.**  
 23 Q. Why did you wait a year?  
 24 **A. Well, because when General Chapters just say that they  
 25 don't want something to be done, you don't immediately**

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1 **go and do exactly the opposite of what General Chapter  
 2 has said. I thought it was more appropriate to wait to  
 3 consider the matter, because General Chapter has a good  
 4 deal of wisdom, before taking any action on this matter.**  
 5 Q. Did you speak to anyone else about it and express your  
 6 reservations?  
 7 **A. I may have done. I can't remember.**  
 8 Q. Is that the kind of thing that you might have sought  
 9 guidance from someone at the Holy See about?  
 10 **A. No. I would probably have sought -- made a few remarks  
 11 to other members of my council, possibly to the Assessor  
 12 of the Congregation.**  
 13 Q. Did the Holy See ask or require you to reach that  
 14 conclusion?  
 15 **A. No.**  
 16 Q. Is that a change that could have taken place earlier,  
 17 perhaps even decades earlier, or the previous decade?  
 18 **A. I don't think it would have occurred to anybody a decade  
 19 earlier that this was a desirable thing to do. The  
 20 change which was made in 2013 may seem a small one, but  
 21 actually it was a very big change, because what it was  
 22 doing was giving the Abbot President a supervisory role  
 23 outside the time of visitation, which was -- which is  
 24 very unusual in a monastic congregation.**  
 25 Q. In today's society, do you agree that it would not be

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1 acceptable for a priest to be told of ongoing child  
 2 sexual abuse or even concerns of ongoing child sexual  
 3 abuse and not to report it or take any steps to assist  
 4 the child?  
 5 **A. It depends on the context in which the priest receives  
 6 that information. If he hears --**  
 7 Q. Can you help us with where you say it might be so  
 8 appropriate?  
 9 **A. May I do it the other way around? The occasion where it  
 10 would not be appropriate would be if the priest heard it  
 11 in the confessional. In any other circumstance, I would  
 12 imagine -- I cannot think of any other circumstance  
 13 where it would not be appropriate.**  
 14 Q. I think we touched on that last time in your evidence,  
 15 so I won't go over that again.  
 16 There was an EBC-sponsored conference in 2016, which  
 17 was referred to at paragraph 174 of your first witness  
 18 statement. I can give the reference so we can bring it  
 19 up on screen. It is BNT004910\_035. It is, as I say,  
 20 paragraph 174. It was aimed at promoting research into  
 21 whether there are elements in Catholic theology which  
 22 might tend to encourage abusive behaviour, but  
 23 inevitably it will be a long time before that research  
 24 yields any results.  
 25 Is it correct that the aims of the conference were

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1 to promote -- forgive me. I am not going to ask that.  
 2 What was your participation in that conference?  
 3 **A. As I stated here, the EBC was invited to be a sponsor,  
 4 so we made a financial contribution. I and some other  
 5 members of the congregation, including the present  
 6 Abbot President, were present for the conference and  
 7 took part in it.**  
 8 Q. When you say you took part, did you do any  
 9 presentations?  
 10 **A. I didn't, and I was -- no, I was -- I probably -- yes,  
 11 I made an intervention or two during general  
 12 discussions, but, in general, I was a listener.**  
 13 Q. What potential elements were being considered? When  
 14 I say "elements", elements that might encourage abusive  
 15 behaviour?  
 16 **A. There were all sorts of things considered. I suppose  
 17 the one which I honed in on is one of the ones which is  
 18 indicated in the question: whether there is something in  
 19 the nature of the priesthood deriving from the fact  
 20 that, according to Catholic theology, there is an  
 21 ontological effect on the person on becoming a priest,  
 22 does this have an effect in creating an atmosphere where  
 23 child sexual abuse is -- I won't say facilitated, but  
 24 made less unlikely.**  
 25 **As I say, that was the issue which I personally**

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1 **found most interesting.**  
 2 Q. What were the conclusions that were being drawn?  
 3 **A. There weren't conclusions being drawn. The purpose of**  
 4 **this conference was to try to promote research and to**  
 5 **identify issues where research would be helpful.**  
 6 Q. Moving on to a different topic, what exactly are the  
 7 activities of English Benedictine monasteries -- the  
 8 monasteries rather than the schools -- that have  
 9 a safeguarding element?  
 10 **A. All monasteries, all Benedictine monasteries, will**  
 11 **receive guests.**  
 12 Q. Is that the hospitality element?  
 13 **A. Hospitality. It is quite common for vulnerable people,**  
 14 **people at risk, to ask for hospitality in a monastery.**  
 15 Q. Is that in a sense of going on a retreat to find some  
 16 kind of inner --  
 17 **A. It could be going on a retreat, it could be people**  
 18 **wanting a break. Quite a lot of different reasons why**  
 19 **people ask to come and stay in a monastery. That's one**  
 20 **element.**  
 21 **Another element is that we have in our monasteries**  
 22 **elderly religious, elderly monks and nuns, who are**  
 23 **themselves at risk.**  
 24 **Those are the two obvious things that stand out.**  
 25 Q. Do people do day trips to visit the buildings and that

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1 sort of thing? Does the hospitality extend to that?  
 2 **A. It may in some monasteries, it won't in others.**  
 3 **Normally, the enclosure of the monastery, that is to**  
 4 **say, the place where the monks or the nuns themselves**  
 5 **live, will not be open to the public.**  
 6 Q. Do you think that it is appropriate, given what you now  
 7 know regarding safeguarding failures, that there is no  
 8 oversight within the EBC or at all of the individual  
 9 abbots, save for visitations?  
 10 **A. I think this is one of the reasons why we made the**  
 11 **change in the constitutions in 2013, to provide some**  
 12 **sort of oversight.**  
 13 Q. So is the answer, then, yes, that has been a problem?  
 14 **A. I wouldn't say it's been a problem, but I think it is --**  
 15 **has become an issue.**  
 16 Q. In what way has it become an issue? If you are looking  
 17 back, help us with why it's become an issue?  
 18 **A. Because if an abbot were found to be failing, until**  
 19 **2013, there was no way in which an authority of**  
 20 **the congregation could intervene except by the fairly**  
 21 **cumbersome and fairly momentous proceeding of starting**  
 22 **an extraordinary visitation, which you wouldn't want to**  
 23 **do except for rather grave reasons.**  
 24 Q. That's a senior figure intervening. What about the  
 25 congregation itself when there has been an election of

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1 an abbot? Can the congregation do anything to depose an  
 2 abbot?  
 3 **A. No. If the Abbot President feels that an abbot -- that**  
 4 **his service is not helpful, he will usually start by**  
 5 **inviting the abbot to resign.**  
 6 **If the abbot refuses, he would probably take the**  
 7 **matter in the first place to his council, and then would**  
 8 **take it to the Holy See.**  
 9 Q. Have you ever come across a situation where the  
 10 Abbot President has invited an abbot to resign?  
 11 **A. Yes.**  
 12 Q. Have you ever invited an abbot to resign?  
 13 **A. Yes.**  
 14 Q. Is that recently or in the distant past?  
 15 **A. Fairly recently.**  
 16 Q. What is the impact, if any, of there being no  
 17 discernible leader at the top of the EBC?  
 18 **A. I'm not certain that I understand the question because,**  
 19 **in a sense, I think there is a discernible leader. It**  
 20 **may be the question is, because the Abbot President does**  
 21 **not exercise very much jurisdiction over the**  
 22 **monasteries -- is that what the --**  
 23 Q. I suspect that's what the question is aimed at.  
 24 **A. Yes.**  
 25 Q. But perhaps it is a little more than an absence of

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1 exercising very much jurisdiction, but also a limitation  
 2 on power, certainly before 2013.  
 3 **A. Again, I take it that we are talking about safeguarding**  
 4 **rather than in general?**  
 5 Q. Principally, yes. But if there were other issues, is  
 6 there an impact that results from there being no  
 7 discernible leader at the top of the EBC?  
 8 **A. I'm still a little confused by the question, because**  
 9 **I would say that there is a discernible leader at the**  
 10 **top of the EBC, but I fully accept that it can probably**  
 11 **be frustrating for people who expect a clear structured**  
 12 **hierarchy to find that the monasteries are autonomous.**  
 13 Q. So there is a leader, but do you accept that on the  
 14 evidence you gave us two weeks ago, there are  
 15 limitations upon what that leader may and may not do --  
 16 **A. Absolutely.**  
 17 Q. -- as far as the abbey is concerned?  
 18 **A. Yes.**  
 19 Q. That's what you informed us?  
 20 **A. Yes.**  
 21 Q. But it is likely, is it not, that any advice that leader  
 22 gives would and should be followed?  
 23 **A. It depends how strongly the advice is given.**  
 24 Q. Have the authorities in Rome ever discussed the handling  
 25 of child abuse matters with you?

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1 **A. I have been to the Congregation for the Doctrine of**  
2 **the Faith on a few occasions. There is one occasion**  
3 **when I went with the Abbot of Ampleforth and, yes, we**  
4 **discussed the handling of abuse allegations then.**  
5 Q. Has there ever been an investigation by the EBC,  
6 Holy See or any other Catholic body about failures in  
7 safeguarding, including failures to report to the  
8 statutory authorities?  
9 **A. I'm just trying to think of occasions. Investigations**  
10 **by the Holy See, well, there was an apostolic visitation**  
11 **of Ealing which comes to mind, and there have been --**  
12 **I'm aware of other -- similar events in other countries.**  
13 **I'm not aware of any other investigation by the Holy See**  
14 **in this country. You mentioned the Holy See and then**  
15 **somebody else, I think, didn't you, Ms Karmy-Jones?**  
16 Q. It was the English Benedictine Congregation, the  
17 Holy See or any other Catholic body, that you're aware  
18 of?  
19 **A. The EBC has not had a general investigation of**  
20 **safeguarding. Any other Catholic body, I would just**  
21 **mention that four/five years ago, Pope Francis**  
22 **instituted the Pontifical Council for the Protection of**  
23 **Minors, which now has the responsibility of promoting**  
24 **child protection, and so that would today be the body**  
25 **which does any investigation on behalf of the Holy See.**

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1 Q. Does that kind of investigation extend to failures to  
2 report matters to the statutory authorities?  
3 **A. All I can say is that if you look at the motu proprio,**  
4 **"Sacramentorum Sanctitatis Tutela", which is the main**  
5 **piece of legislation of the Holy See, it stresses the**  
6 **importance of collaboration with civil authority.**  
7 Q. So the legislation, if you like, within the Holy See is  
8 there, but you don't know whether or not there have been  
9 investigations into that particular point?  
10 **A. No, I don't know.**  
11 Q. Have you or anyone else ever been disciplined for your  
12 failures in safeguarding?  
13 **A. Disciplined by -- no.**  
14 Q. By the Holy See, by the wider English Benedictine  
15 Congregation, any other Catholic body? Have you ever  
16 been brought to book for failures in safeguarding, other  
17 than of course before this inquiry?  
18 **A. No.**  
19 Q. Where abbeys have attached schools, should the monastic  
20 hierarchy have no part in overseeing safeguarding at the  
21 school?  
22 **A. I think that could be rather dangerous, if they were**  
23 **completely excluded from it.**  
24 Q. Why?  
25 **A. Because the monastic community presumably plays a part**

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1 **in the school, and it's important that safeguarding**  
2 **should be a seamless whole, and if people who are**  
3 **supervising safeguarding are completely divorced from**  
4 **the monastic community, that's not going to promote good**  
5 **safeguarding of the monks. I would have thought that**  
6 **you would want monastic involvement.**  
7 Q. That assumes that the people -- that it is the monastic  
8 side that would supervise the safeguarding. I think  
9 that the question is directed at the monasteries  
10 severing ties with the school?  
11 **A. Yes. I wasn't saying that the monastic element has to**  
12 **supervise -- sorry.**  
13 **I wasn't saying that they have to be in charge of**  
14 **it. I'm saying they should probably be involved in it.**  
15 Q. Abbot Wright, in 2003, described the Rule of St Benedict  
16 on the role of an abbot as being, and I quote, "the  
17 person each of the brethren offer their obedience. He  
18 is the trusted confidante in whom they confide in the  
19 certain knowledge that such confidences are respected",  
20 and a monastery he described as being, "the community's  
21 home. It is the one place to which they can always  
22 return regardless of what has happened because their  
23 home is defined by an enclosure from which externs are  
24 excluded. It lies at the heart of our Benedictine  
25 monastic spirit that such a view is maintained. Without

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1 that loyalty, trust and affection for the abbot, the  
2 monastery collapses". He went on to say:  
3 "Of course I am not going to stand in the way of  
4 the law when directed at one of my brethren, clearly  
5 guilty, but I will defend him in any way I can."  
6 Do you agree with that view?  
7 **A. I agree with part of what he says, but I think some of**  
8 **it is exaggerated.**  
9 Q. Help us with which part you agree with?  
10 **A. I think the monastery should be a place of trust.**  
11 **I think that the abbot has a general duty to support and**  
12 **protect his monks. I think, normally speaking, the**  
13 **monastery is the home to which the monks return, but**  
14 **I don't think that is an absolute. When Abbot Timothy**  
15 **said something rather like what you have just quoted at**  
16 **the General Chapter of 2001, I got up afterwards and**  
17 **said that while I agreed with a lot of what**  
18 **Abbot Timothy said, I thought there were times when it**  
19 **would be necessary for a monk to be dismissed.**  
20 Q. In what circumstances, in your view, does it become  
21 necessary for a monk to be dismissed?  
22 **A. There can be all sorts of reasons for that. If you look**  
23 **in the Code of Canon Law, you will find they suggest --**  
24 **they give a list of the reasons which can be grounds for**  
25 **dismissal -- it is canon 696.**

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1 **As regards safeguarding issues, the sexual abuse of**  
 2 **a child is actually described as something where**  
 3 **dismissal should take place unless the matter can be**  
 4 **satisfactorily resolved in another way.**  
 5 Q. In a case where, for example, the police have decided  
 6 that there's been an allegation but it's been  
 7 investigated and it's been decided that there is no  
 8 case, for example, would that be an appropriate case for  
 9 dismissal or not?  
 10 **A. Let me just go over what you said before: that the**  
 11 **police had investigated and decided there is no adequate**  
 12 **evidence.**  
 13 Q. No case.  
 14 **A. No, in that case, it wouldn't be a case for dismissal.**  
 15 Q. Would there be a case for dismissal where a monk had  
 16 spoken out against the congregation or against any  
 17 individual in the congregation?  
 18 **A. If he'd spoken, no. If he had disobeyed his abbot in**  
 19 **some way, then that would be a reason for -- it could be**  
 20 **a reason for dismissal.**  
 21 Q. In the same letter, Abbot Wright stated:  
 22 "Each monk has to make his own decision about taking  
 23 lifelong vows. This cannot be done with integrity by  
 24 the emotionally immature or psychologically disturbed."  
 25 In terms of Downside, were there any monks accepted

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1 into the congregation who fell into that category as  
 2 either being emotionally immature or psychologically  
 3 immature or disturbed?  
 4 **A. May I answer that question in a roundabout way? Since**  
 5 **I became abbot, any candidate for the monastic life has**  
 6 **been asked to undergo a psychological assessment, and**  
 7 **not just at Downside, that has been the case elsewhere.**  
 8 **So we are aware of the issue, and I think we are dealing**  
 9 **with it.**  
 10 **From earlier years, I think people who are immature**  
 11 **probably were accepted.**  
 12 Q. You have mentioned a psychological assessment. Were  
 13 there any other kinds or are there any other kinds of  
 14 assessments done to assess the suitability of an  
 15 individual to become a monk?  
 16 **A. The whole of the novitiate, which is a year, a year of**  
 17 **training, is a time for assessment. So it is a time of**  
 18 **continual assessment.**  
 19 Q. When a monk is assessed, does that take any account of  
 20 the potential for applications to the monastery to  
 21 become involved with the school?  
 22 **A. I think things have developed over the years. I think**  
 23 **today, in all our monasteries, candidates for the**  
 24 **monastic life are invited to reflect primarily, if not**  
 25 **exclusively, at the beginning of their monastic life on**

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1 **their suitability for the monastic life. The question**  
 2 **of working in the school is something which will be**  
 3 **postponed.**  
 4 Q. Candidates are invited to reflect on their suitability,  
 5 but it is not really their reflection, is it; it is the  
 6 monastery itself who should be reflecting on the  
 7 suitability of a candidate?  
 8 **A. Sorry. I think both should be reflecting. The**  
 9 **candidate has to decide whether he or she wants to enter**  
 10 **the monastic life and the monastery has got to reflect**  
 11 **on whether it wishes to accept him or her. Sorry, I may**  
 12 **have misunderstood the question.**  
 13 Q. I will just go back to it. Did the assessment take  
 14 account of the potential for applicants to the monastery  
 15 to become involved with the school? So during the  
 16 course of the assessment process, was consideration  
 17 given to whether or not the applicant might become  
 18 a part of the school, and, if so, what weight -- what  
 19 relevance would be put on that?  
 20 **A. I think at all times you would want to look at whether**  
 21 **the candidate is going to be a suitable person for that**  
 22 **particular monastery, and if that monastery has**  
 23 **schoolwork, obviously their suitability for schoolwork**  
 24 **is something which is going to be considered. But it is**  
 25 **not the only activity that takes place in the monastery.**

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1 Q. But someone who was desirable in terms of their  
 2 qualifications, would that person perhaps be given  
 3 priority over another individual who did not have that  
 4 kind of education and background, such as they could  
 5 slot into the school?  
 6 **A. I don't think it would work like that. I don't think it**  
 7 **is a question of accepting candidate A instead of**  
 8 **candidate B. You take all candidates as they come.**  
 9 Q. If there is consideration that a candidate might be  
 10 suitable for the school, should any further steps be  
 11 taken, in terms of assessments?  
 12 **A. As I indicated, today you would have a psychological**  
 13 **assessment, and that would --**  
 14 Q. Should there be anything else? Because a psychological  
 15 assessment might well assess whether there was the  
 16 mental capacity to spend the rest of one's life in  
 17 a monastic community, but there are different matters  
 18 that need to be looked at when it comes to deciding  
 19 whether an individual is suitable for teaching children?  
 20 **A. The assessments which I, when I was Abbot of Downside,**  
 21 **commissioned always included whether there was a danger**  
 22 **of the person having unhealthy sexual tendencies which**  
 23 **would lead to a danger of child abuse.**  
 24 Q. Was that an assessment that was carried out for all  
 25 candidates?

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1 **A. I can only speak of the candidates at Downside, but,**  
 2 **yes, it was.**  
 3 Q. Regardless of whether there was any prospect of them  
 4 going into the school or not?  
 5 **A. Yes.**  
 6 Q. Were there any ex-Fort Augustus monks at Downside?  
 7 **A. Within the monastery, no, but we accepted responsibility**  
 8 **for one monk, who was in a care home in Dundee.**  
 9 Q. Did you ever discuss or communicate with Abbot Holman on  
 10 the subject of transfer of monks from Downside to  
 11 Fort Augustus and vice versa?  
 12 **A. No.**  
 13 Q. Not in respect of anyone?  
 14 **A. When I became abbot, Abbot Holman was, I think, 88 years**  
 15 **old. His mind was fine, but we certainly didn't have**  
 16 **any discussions of that sort.**  
 17 Q. Did you discuss any transfers with anyone else at  
 18 Fort Augustus?  
 19 **A. With anyone at Fort Augustus?**  
 20 Q. Yes. Did you discuss the transfer of monks to and from  
 21 Fort Augustus with anyone else at Fort Augustus other  
 22 than, say, Abbot Holman? A prior, for example?  
 23 **A. I'm sorry, I find the question confusing because I can't**  
 24 **quite see the circumstances in which such a discussion**  
 25 **would happen. I think I've made it clear that transfers**

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1 **are unusual, exceptional, and Fort Augustus had closed**  
 2 **by the time I became Abbot President. So, no, I don't**  
 3 **think the question ever came up.**  
 4 **Ah, sorry, after Fort Augustus had closed down,**  
 5 **I was involved in the question of where the monks from**  
 6 **Fort Augustus should go to, certainly, yes.**  
 7 Q. Just help us with what your involvement was.  
 8 **A. Well, I was giving canonical advice to the**  
 9 **Abbot President. We had to prepare for the canonical**  
 10 **suppression of the monastery and, before that, all the**  
 11 **monks of Fort Augustus needed to be settled somewhere.**  
 12 **So it was a question of ensuring that all the monks in**  
 13 **Fort Augustus had some sort of a monastic home.**  
 14 Q. Would it be fair to say that before you were elected  
 15 Abbot of Downside in 1998, your experience of  
 16 safeguarding was pretty limited?  
 17 **A. Yes.**  
 18 Q. Without going into it, I think shortly before you became  
 19 abbot in around 1996, you had some involvement in  
 20 respect of Anselm Hurt and his wish to be readmitted.  
 21 We don't need to go into it now, if that is all right.  
 22 I will come back to that in a moment.  
 23 In 1997, did you have any involvement with the  
 24 Desmond O'Keefe case?  
 25 **A. No.**

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1 Q. Once you became abbot in 1998, did you discuss  
 2 safeguarding issues with the then Abbot President,  
 3 Francis Rossiter?  
 4 **A. No. I have no recollection of having done so.**  
 5 Q. Do you know whether Francis Rossiter was aware of  
 6 Richard White's move to Fort Augustus?  
 7 **A. I'm sure he was.**  
 8 Q. But do you know?  
 9 **A. Yes. Whether he knew when he was being -- when he was**  
 10 **being moved to Fort Augustus, I don't know. But he knew**  
 11 **that he was there.**  
 12 Q. Had that move taken place with his approval, as far as  
 13 you're aware?  
 14 **A. I have no idea.**  
 15 Q. He was also aware of Richard White's plan to return to  
 16 Downside?  
 17 **A. I don't know that.**  
 18 Q. I think in your statement you say:  
 19 "He was aware that Richard White had been living at  
 20 Fort Augustus since 1993, and he certainly knew the  
 21 history surrounding his arrival there. He also knew  
 22 that Richard was due to return to Downside shortly after  
 23 my election as abbot."  
 24 Do you recall that now?  
 25 **A. What happened is that Richard's return and the closure**

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1 **of Fort Augustus sort of happened at the same time.**  
 2 **Yes, it makes sense, because when I became abbot,**  
 3 **his return to Downside was imminent.**  
 4 Q. The plan was that he was going to return after you  
 5 became abbot. Abbot Charles passed him on to you,  
 6 didn't he?  
 7 **A. Yes. The plan was for him to come back in January 1999.**  
 8 **What I'm just hesitating about is Abbot**  
 9 **Francis Rossiter's involvement, which is the question**  
 10 **that you asked me about.**  
 11 Q. What I asked you about was his knowledge, actually.  
 12 **A. His knowledge. I'm sure he knew, yes.**  
 13 Q. In your statement -- because a moment ago you told us  
 14 that he didn't know about him coming back to Downside,  
 15 and I turned to your statement, and your statement says  
 16 he did know that he was due to return to Downside  
 17 shortly after the election, your election?  
 18 **A. Your question actually wasn't -- it was, was I certain,**  
 19 **and that was why I hesitated.**  
 20 Q. I wonder if you were certain in your statement?  
 21 **A. That's why I'm hesitating now, because I'm wondering if**  
 22 **I was certain. I find it impossible to believe that he**  
 23 **didn't know, because he was going up to Fort Augustus on**  
 24 **a very frequent basis. The finances of Fort Augustus**  
 25 **were causing a lot of trouble. He did a special**

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1 **visitation of Fort Augustus a couple of years before it**  
 2 **closed, at which the then Abbot of Downside was one of**  
 3 **his assistants.**  
 4 **Father Nicholas at that time was involved in the**  
 5 **finances of Fort Augustus, so he must have known.**  
 6 Q. You were elected Abbot President in 2001?  
 7 **A. Yes.**  
 8 Q. Did you have much involvement in Downside after 2001, or  
 9 did you leave a great many aspects to your priors?  
 10 **A. Oh, I continued to have a lot of involvement at**  
 11 **Downside, yes.**  
 12 Q. But you were away much of the time, or did you regularly  
 13 come back?  
 14 **A. I had to go away quite often, but I wouldn't say I was**  
 15 **away much of the time. I was at Downside most of**  
 16 **the time.**  
 17 Q. How did you select your prior?  
 18 **A. When I became abbot, Father Philip was prior. He was**  
 19 **a person for whom I had a great deal of respect, and**  
 20 **I thought that his -- and he had a huge knowledge of**  
 21 **Downside, and I had been living away from Downside for**  
 22 **a long time, and I felt that he would be a good person**  
 23 **to help me learn the job.**  
 24 **When Father Philip retired, I think I say in my**  
 25 **statement that he had suggested that were I to become**

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1 **Abbot President, I would need a new prior, because his**  
 2 **health was beginning to fail a little, and I felt that**  
 3 **it would be helpful to have someone -- someone a bit**  
 4 **different from me; the sort of person who people could**  
 5 **go to if they were finding me difficult. It is**  
 6 **important that monks should be able to talk to somebody,**  
 7 **and if they find it difficult to talk to their abbot --**  
 8 Q. And so you selected Aidan Bellenger?  
 9 **A. Yes.**  
 10 Q. When you were elected Abbot President, visitations were  
 11 conducted to Downside by your first assistants rather  
 12 than you, presumably?  
 13 **A. Yes.**  
 14 Q. Because you couldn't inspect your own abbey?  
 15 **A. Indeed.**  
 16 Q. Were your first assistants kept fully informed of  
 17 the safeguarding issues that arose at Downside?  
 18 **A. I remember writing to Abbot Thomas Frerking when the**  
 19 **allegations were made in 2003. I can't remember if**  
 20 **I wrote to him when allegations were made a couple of**  
 21 **years later. I simply can't remember.**  
 22 Q. Before Abbot Frerking, Abbot Thomas, you had Abbot  
 23 Stephen Ortiger?  
 24 **A. Yes.**  
 25 Q. Who was then the Abbot of Worth?

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1 **A. Yes.**  
 2 Q. Did your first assistant have any authority over you as  
 3 Abbot of Downside when you were also Abbot President?  
 4 **A. He had the authority of an Abbot President; that is to**  
 5 **say, the same authority that I had in all the other**  
 6 **monasteries, so that he would conduct the visitation and**  
 7 **during the time of visitation he would have the**  
 8 **authority of an Abbot President.**  
 9 Q. Was there a potential conflict of interest, as far as  
 10 the first assistant was concerned --  
 11 **A. I can't --**  
 12 Q. -- being under you as your assistant and yet inspecting  
 13 your abbey: was there any potential for conflict?  
 14 **A. There might have been a potential, but I never**  
 15 **experienced that.**  
 16 Q. Did either of your first assistants ever express any  
 17 concerns about safeguarding issues at Downside?  
 18 **A. I don't recall them doing so.**  
 19 **MS KARMY-JONES: That might be a convenient moment.**  
 20 THE CHAIR: We will return at 2.00 pm.  
 21 (1.00 pm)  
 22 (The short adjournment)  
 23 (2.00 pm)  
 24 **MS KARMY-JONES: I'm just going to ask you some questions**  
 25 **now in relation to Father Anselm Hurt. I am going to**

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1 show you some documents that cross a period of time, so  
 2 we may appear to be jumping around a little, but please  
 3 bear with us.  
 4 First of all, you helpfully provided to the inquiry  
 5 an exhibit, your RY2, and that's BNT003245\_003, if we  
 6 could have that up. This is a schedule of  
 7 the Abbot President's involvement in individual cases of  
 8 abuse. I think you prepared this.  
 9 On this page of it, which is page 3, we can see that  
 10 the range of involvement for Father Anselm of  
 11 the Abbot President you say is 13 March 1970 to  
 12 28 April 1970. Is that something that you get from the  
 13 records?  
 14 **A. Yes.**  
 15 Q. You say that there has been direct contact between the  
 16 Abbot President and the alleged/convicted abuser?  
 17 **A. It appears that there was, yes.**  
 18 Q. And the Abbot President "speaking with other  
 19 organisations/higher bodies within the church (other  
 20 than for advice)"?  
 21 **A. Yes.**  
 22 Q. What does that mean, "other than for advice"?  
 23 **A. Giving his opinion to the Vatican congregation which was**  
 24 **responsible for the case.**  
 25 Q. If it is giving his opinion, isn't that the same thing

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1 as giving his advice? What does "other than" --  
 2 **A. No, sorry, giving his opinion, giving his views as to**  
 3 **whether the request being made by Father Anselm should**  
 4 **be granted or not.**  
 5 Q. But isn't that the same as giving his advice? I'm just  
 6 trying to clarify whether you meant something specific  
 7 by "speaking with other organisations/higher bodies  
 8 within the church (other than for advice)"; was he the  
 9 one giving advice?  
 10 **A. My recollection is that the Abbot President wrote to the**  
 11 **Congregation for Religious -- I may have got this wrong;**  
 12 **I haven't checked this very recently -- and was giving**  
 13 **his opinion to the Congregation for Religious that the**  
 14 **qualified exlaustration which Father Anselm was asking**  
 15 **for was something which was appropriate. The point**  
 16 **being that that letter would have given the green light**  
 17 **to the congregation to go ahead and grant it. They**  
 18 **wouldn't have done it without the Abbot President's**  
 19 **intervention.**  
 20 Q. In your statement, referring to this, you say that the  
 21 Abbot President's involvement limited to these dates and  
 22 you list these two matters. Was there any other form of  
 23 involvement? Would there have been any other form of  
 24 involvement?  
 25 **A. Not that I'm aware of. This is a long time ago. I have**

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1 **no personal knowledge of the matter. So I'm completely**  
 2 **dependent on the records.**  
 3 Q. You knew Father Anselm when you were a postulant, when  
 4 you were in your mid 20s?  
 5 **A. No, I'm afraid that's wrong. I knew him as a boy.**  
 6 Q. So you went back a long way?  
 7 **A. When I say "knew him", when I was in the school, he was**  
 8 **doing some teaching at the time. I knew him and I liked**  
 9 **him.**  
 10 Q. Can we just pull up CFD000174\_017, please. This is  
 11 a letter from you to Anselm dated 9 August 2000,  
 12 recalling memories in the 1970s:  
 13 "I can still remember how as a brand new postulant  
 14 in the spring of 1970, I asked where you were, and was  
 15 told that you were not a monk anymore."  
 16 **A. Yes.**  
 17 Q. This is after you knew him as a boy?  
 18 **A. Yes.**  
 19 Q. "I remember my feeling of sadness at this; as  
 20 I indicated to you before, you meant a lot to me when  
 21 I was in my last years at the school. So on a purely  
 22 personal level, I was pleased to have the opportunity of  
 23 seeing you again after nearly 35 years!"  
 24 **A. Yes.**  
 25 Q. You were fond of Anselm Hurt?

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1 **A. As I say, I found him an engaging personality when**  
 2 **I knew him as a boy.**  
 3 Q. Did you know Aelred Watkin, the headmaster?  
 4 **A. Yes.**  
 5 Q. Can we see BNT002342\_045. This is a letter dated  
 6 22 January 1970 about Anselm Hurt:  
 7 "It is my painful duty to have to report to you the  
 8 conduct of a member of my staff who left last term."  
 9 It is written to JR Middleton Esquire, Special  
 10 Services Branch, Elizabeth House?  
 11 **A. Yes.**  
 12 Q. If we look at the bottom, "AW/AB"?  
 13 **A. Yes.**  
 14 Q. So Mr Aelred Watkin?  
 15 **A. Yes.**  
 16 Q. It continues:  
 17 "The Reverend Hurt was a member of our community and  
 18 I should perhaps add that his real name is Michael Hurt  
 19 and that Anselm was a religious name ...  
 20 "Just after the end of last term, it came to my  
 21 notice, and was indeed admitted by him, that Father Hurt  
 22 had committed mutual masturbation with a boy in  
 23 particularly gross circumstances ..."  
 24 He goes on to say:  
 25 "The parents of the boy in question are fully aware

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1 of what has happened. It is, however, clear to me that  
 2 the Reverend Hurt should not work in a school or youth  
 3 club or anything of that character in future. When  
 4 certain documents have come through from Rome, he will,  
 5 of course, [be] no longer Reverend, but simply Mr Hurt."  
 6 **A. Yes.**  
 7 Q. Do you agree with the headmaster's assessment, that he  
 8 should do no further work in a school or youth club?  
 9 **A. Yes, I think I do.**  
 10 Q. Can we please bring up BNT002342\_013. This is something  
 11 that you may have seen during the course of these  
 12 proceedings. 18 March 1994, from  
 13 Abbot Christopher Dillon at Glenstal Abbey to  
 14 Father Charles of Ampleforth, the Abbot of Ampleforth:  
 15 "Dear Charles,  
 16 "Thank you very much for digging into the past. It  
 17 makes painful reading and I shall destroy what is  
 18 specifically damaging to Anselm, as some recent document  
 19 from Rome recommends."  
 20 Did you know of a recent document from Rome?  
 21 **A. I don't, no.**  
 22 Q. Do you know of any document from Rome recommending that  
 23 damaging material should be destroyed?  
 24 **A. I can't really think of any, no.**  
 25 Q. You can't think of ...?

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1 **A. I can't think of any.**  
 2 Q. Suggesting the destruction of records around a monk?  
 3 **A. No.**  
 4 Q. I mean, it might stick in the mind, mightn't it?  
 5 **A. Yes. It is very difficult to say definitely that there**  
 6 **isn't a document, but I can't think of anything --**  
 7 **I can't think of anything which would lend itself to**  
 8 **such an interpretation.**  
 9 Q. Would it be an appropriate thing for anyone to  
 10 recommend?  
 11 **A. I don't think it would.**  
 12 Q. Is this an appropriate letter for one abbot to write to  
 13 another?  
 14 **A. In 1994, I wouldn't know. Today, it's certainly not.**  
 15 **Could I just put, for the record, you said the Abbot of**  
 16 **Ampleforth, it is the Abbot of Downside.**  
 17 Q. Oh, I'm sorry, yes, it is the Abbot of Downside. Who  
 18 you worked with?  
 19 **A. No, sorry, the letter is addressed to the Abbot of**  
 20 **Downside, not the Abbot of Ampleforth.**  
 21 Q. It is from Christopher Dillon?  
 22 **A. Yes.**  
 23 Q. To Charles?  
 24 **A. Yes.**  
 25 Q. Where do you see the Abbot of Ampleforth?

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1 **A. You said it was Ampleforth.**  
 2 Q. Yes, sorry, I'm confused. It was addressed to the Abbot  
 3 of Downside?  
 4 **A. Yes.**  
 5 Q. Thank you. In your view, if an abbot received a letter  
 6 like that, what should he do?  
 7 **A. Again, in 1994, I don't know. But today, he should not**  
 8 **destroy it.**  
 9 Q. Just cast your mind back, because you were active in the  
 10 '90s, you were within monasteries in the '90s. Apply  
 11 your mind to that period. Do you think it would have  
 12 been appropriate then?  
 13 **A. Well, I was working for the Holy See at that time, and**  
 14 **there nothing got destroyed.**  
 15 Q. And working for the Holy See, can you envisage any  
 16 letter coming from Rome suggesting that something should  
 17 be destroyed?  
 18 **A. As I say, I cannot imagine it.**  
 19 Q. You said in your evidence, I think, a week and a half  
 20 ago, that on a sending, a transfer, of a monk, the abbot  
 21 sending would cease to have responsibility once the monk  
 22 had been received by another monastery?  
 23 **A. Yes. I think we were talking there about a monk**  
 24 **transferring definitively from one community to become**  
 25 **a full member of another community.**

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1 Q. Yes. But what you said was that the sending abbot would  
 2 cease to have responsibility once the monk had been  
 3 received so long as the relevant information has been  
 4 passed. What if you knew that the receiving abbot  
 5 intended to do nothing with the information?  
 6 **A. That is a problem for the receiving abbot.**  
 7 Q. Is there any duty on the sending abbot to ensure that  
 8 safeguarding is kept in place, or is it completely the  
 9 receiving abbot's responsibility?  
 10 **A. I think when the receiving abbot -- again, I stress we**  
 11 **are talking about a person who is ceasing to be a member**  
 12 **of the first community and becoming a member of**  
 13 **the second community. That means that the abbot of**  
 14 **the second community is taking over full responsibility**  
 15 **for that person.**  
 16 Q. So in a situation like this letter on 18 March, do you  
 17 suggest that Abbot Charles had no responsibility  
 18 whatsoever to do anything about the suggestion that  
 19 records would be destroyed?  
 20 **A. In the first place, this is not a case of a transfer.**  
 21 **Michael Hurt had received a dispensation from priesthood**  
 22 **and monastic vows in the early 1970s. I do not have the**  
 23 **records of that, but he had. So he wasn't a monk.**  
 24 **Then he applied to join Glenstal. So the Abbot of**  
 25 **Downside had kept information about Michael Hurt.**

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1 **Having been asked for an opinion, he gave the Abbot of**  
 2 **Glenstal his opinion, and that was his duty to do so.**  
 3 **He fulfilled his duty.**  
 4 Q. And his duty stopped there, as far as you're concerned?  
 5 **A. Yes.**  
 6 Q. So he had no responsibility, in your view, for ensuring  
 7 that safeguarding measures were kept in place, as far as  
 8 Anselm Hurt was concerned?  
 9 **A. He had had no responsibility since the early 1970s, when**  
 10 **Anselm left the monastery at Downside. You cannot**  
 11 **accept responsibility for a person over whom you have no**  
 12 **control.**  
 13 Q. Wasn't there some control in hand in his assisting with  
 14 the arrangements for him to be transferred to Glenstal  
 15 in the first place?  
 16 **A. Sorry, Ms Karmy-Jones, he wasn't transferred.**  
 17 Q. Moved?  
 18 **A. He wasn't moved.**  
 19 Q. Whichever word you choose, he took some responsibility  
 20 with his being placed at Glenstal, with his taking up  
 21 a post at Glenstal. He had been asked for some advice,  
 22 some information, by Christopher Dillon. He provided  
 23 a little bit of information to Christopher Dillon.  
 24 Didn't he have some ongoing responsibility to ensure  
 25 that Anselm Hurt, who had committed serious offences,

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1 was monitored?  
 2 **A. I'm sorry, I have to go back to earlier on. The Abbot**  
 3 **of Downside's responsibility had ceased when**  
 4 **Michael Hurt ceased to be a member of the Downside**  
 5 **community.**  
 6 Q. Why did he help him, then?  
 7 **A. Because the Abbot of Glenstal asked the Abbot of**  
 8 **Downside, which was the responsible thing to do. The**  
 9 **Abbot of Glenstal knew that Michael Hurt had been a monk**  
 10 **of Downside. He is obliged by canon law to consult the**  
 11 **superior of any institution which he knows that the**  
 12 **person has been a member of before. He did that by**  
 13 **consulting the Abbot of Downside. The Abbot of Downside**  
 14 **fulfilled his responsibility, which was to give honest**  
 15 **and presumably complete information to the Abbot of**  
 16 **Glenstal, and that was his responsibility.**  
 17 Q. In 1996, Anselm Hurt wanted to become a monk again and  
 18 you were consulted?  
 19 **A. Yes.**  
 20 Q. So these letters in 1994 predate that by about two  
 21 years, roughly. In 1996 -- can we look at  
 22 BNT002342\_011:  
 23 "Dear Christopher,  
 24 "Thank you for phoning with the news that you are  
 25 likely to receive Anselm Hurt as a quasi-novice with

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1 a view to full membership of your community. You may be  
 2 assured that you and he will have my full support in  
 3 this -- indeed, there can be nothing better than the  
 4 successful return of a former monk to the monastic  
 5 state.  
 6 "As I said on the phone, I do not believe that there  
 7 are any objections to this move in canon law. I spoke  
 8 to Richard Yeo and he agreed, but suggested that you  
 9 ought to see the actual document of dispensation as  
 10 there are usually some conditions and also the  
 11 certificate of annulment of marriage."  
 12 Do you recall that conversation?  
 13 **A. I don't, actually. But I readily believe that it took**  
 14 **place.**  
 15 Q. Were you doing your best to assist an old friend in his  
 16 return?  
 17 **A. No. I was giving canonical advice to my superior, who**  
 18 **had asked for it, and my advice would have been, more or**  
 19 **less, that the Abbot of Glenstal should treat**  
 20 **Anselm Hurt as a layman coming to the monastery, which**  
 21 **is what he was.**  
 22 Q. You visited Glenstal Abbey and Anselm Hurt, didn't you?  
 23 **A. I did.**  
 24 Q. Did anyone there, apart from the abbot, know of his past  
 25 and the acts that he'd done?

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1 **A. I don't know.**  
 2 Q. Did you say anything to anyone?  
 3 **A. No.**  
 4 Q. Were you aware when you visited him that he was not  
 5 subject to any restrictions?  
 6 **A. I wasn't aware one way or the other.**  
 7 Q. Can we bring up CFD000174\_018. This is the second page  
 8 of the letter we looked at earlier, written by you,  
 9 dated 9 August 2000. In the second paragraph, you say:  
 10 "I wasn't around in the late 1960s, but I expect  
 11 a lot of harsh words were said, and maybe you have felt  
 12 it prudent to give Stratton-on-the-Fosse a fairly wide  
 13 berth. But a lot has changed in 30 years, even at  
 14 Downside! And if you ever have the opportunity to come  
 15 this way, I hope you know you will be very welcome to  
 16 come and stay here."  
 17 In what way had things changed such that Anselm Hurt  
 18 would be welcome to visit and stay?  
 19 **A. I think in years gone by the community had been rather**  
 20 **unfriendly, and unnecessarily unfriendly, towards**  
 21 **members who had left for any reason. I think we**  
 22 **realised that this was a wrong attitude and that we**  
 23 **ought to be welcoming to our former members.**  
 24 Q. You knew what Anselm Hurt had done, didn't you?  
 25 **A. In general, yes.**

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1 Q. Unwelcoming to people who had left the commune. What  
 2 about unwelcoming to people who had been drinking with  
 3 pupils and engaging in mutual masturbation with pupils,  
 4 sharing a bed with pupils -- a pupil?  
 5 **A. I readily accept that that was a mistake.**  
 6 Q. Do you think it was appropriate to be welcoming at  
 7 Downside, associated as it was with a school, to  
 8 Anselm Hurt?  
 9 **A. As I say, I readily admit that that was a mistake.**  
 10 Q. Can we bring up CFD000174\_013, please. It is a letter  
 11 on 11 April 2001 from you to Abbot Christopher:  
 12 "I am writing to let you know that I, as Abbot of  
 13 Downside, have no difficulty with your decision to  
 14 support Anselm Hurt's request to be allowed to exercise  
 15 his priestly ministry."  
 16 Would that have included his performing all the  
 17 sacraments, the exercise of his priestly ministry?  
 18 **A. It might have done, yes.**  
 19 Q. And include his taking confession?  
 20 **A. Again, it might have done.**  
 21 Q. At this stage, April 2001, were you yet Abbot President?  
 22 **A. No.**  
 23 Q. Shortly to become Abbot President?  
 24 **A. In July.**  
 25 Q. Had you, as it were, thrown your hat in the ring for

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1 that?

2 **A. You don't throw the hat in the ring.**

3 Q. You're just selected, are you? Elected through

4 a selection?

5 **A. Elected, yes.**

6 Q. Was this the right thing to do, to wholeheartedly

7 support his decision, his request, to be allowed to

8 exercise his priestly ministry?

9 **A. This letter was written to Abbot Christopher --**

10 Q. Can I pause you there? Was it the right thing to do?

11 Just answer the question. Simple: yes or no? Was it

12 the right thing to do?

13 **A. The answer to your question, was it the right thing to**

14 **support his return to the priesthood, the answer is no.**

15 Q. Or to encourage his return to the priesthood?

16 **A. To encourage -- that, again, would be wrong, but I would**

17 **ask you to look at the -- I'm not defending it, but**

18 **I think you need to know the context of this letter.**

19 Q. Thank you. You have answered the question. Now please

20 go ahead with what you want to say.

21 **A. The purpose of this letter was that the Abbot of**

22 **Glenstal needed to show it to the authorities in Rome,**

23 **and you will see at the beginning "I have no**

24 **difficulty". In the Roman curia, "I have no difficulty"**

25 **is not the same thing as "I approve". It means just**

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1 **that: I am not going to make difficulties.**

2 Q. Is that your general stance, Father Richard, that you

3 won't make difficulties?

4 **A. Today, I would not have written that, but I think it's**

5 **important that you know the context.**

6 Q. If you didn't approve, would you have put that in the

7 letter?

8 **A. I wouldn't -- I would have written a different sort of**

9 **letter. As I say, this letter is designed to be shown**

10 **to the Congregation for Religious in Rome -- sorry, to**

11 **the Congregation for the Doctrine of the Faith in Rome.**

12 Q. What effect did you think this letter was going to have?

13 What was its purpose?

14 **A. It would have enabled them to go ahead and grant the**

15 **request if they wanted to.**

16 Q. Did you approve or did you not approve?

17 **A. At the time, I was quite happy.**

18 Q. So you approved?

19 **A. Yes.**

20 Q. So why are you taking us down this route of

21 distinguishing between the phrase "had no difficulty"

22 and an expression of approval?

23 **A. Because I think you ought to know what the context of**

24 **the letter is.**

25 Q. Indeed. You approved, didn't you? Regardless of

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1 the context.

2 **A. Yes.**

3 Q. And this was an expression of your approval of

4 Anselm Hurt's request to be allowed to re-enter and

5 exercise priestly ministry?

6 **A. I think at the time I -- to the extent that I thought**

7 **about it, I felt that he'd been 30 years since the**

8 **offence, and that it was ancient history.**

9 Q. Did you know anything about what had happened or not

10 happened whilst he'd been away?

11 **A. Not much, no.**

12 Q. So how could you jump to that conclusion? You have

13 indicated this is a letter that you expected to be

14 passed on to Rome.

15 **A. Yes.**

16 Q. It was an important letter?

17 **A. (Witness nods).**

18 Q. Do you agree?

19 **A. It was important for the Abbot of Glenstal to have it so**

20 **that he could go ahead and make his request.**

21 Q. Which would put someone into a position of re-entering

22 the priesthood?

23 **A. If it had been granted, it would have done.**

24 Q. Was your support for Anselm Hurt the result of your

25 personal feelings of affection and loyalty for him?

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1 **A. No.**

2 Q. Are you sure it didn't affect your judgment?

3 **A. I think I felt the same thing that Father Charles felt,**

4 **that it was a good thing that a person who had made vows**

5 **as a monk, who had then left the monastery and gone --**

6 **lived a very unmonastic form of life, that he should**

7 **return to the monastery was a good thing. I shared that**

8 **view.**

9 **I fully accept that I did not heed the safeguarding**

10 **implications of this.**

11 Q. Or make any enquiry into them before you wrote this

12 letter?

13 **A. That wasn't on my mind, certainly.**

14 Q. You were elected Abbot President a few months later, in

15 2001?

16 **A. In July.**

17 Q. In 2001, I think a little before you were elected,

18 in May, that was the same year as the motu proprio that

19 you spoke of, which was issued by Pope John Paul II in

20 the April. Yes? That highlighted the abuse of minors

21 as a serious delict?

22 **A. Yes.**

23 Q. And required bishops and religious superiors to report

24 clerics against whom there was probable knowledge that

25 they had committed sexual abuse of minors to the

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1 Congregation for the Doctrine of the Faith?  
 2 **A. Yes.**  
 3 Q. So that was in April. Why didn't you report the case of  
 4 Anselm Hurt then?  
 5 **A. In the first place, variously knew about it. In the**  
 6 **second place, penal laws are not retrospective.**  
 7 Q. Where does it say that? Does it say that in the motu  
 8 proprio when it said that the abuse of minors was  
 9 a serious delict and required bishops and religious  
 10 superiors to report clerics? Does it say, "Unless it  
 11 happened before the date of this"?  
 12 **A. No, but what it did was it made the offence of sexual**  
 13 **abuse of minors a more grave delict, and associated with**  
 14 **the more grave delict was the obligation to report.**  
 15 **The provision that in the case of a change of law**  
 16 **the law which is more favourable to the guilty person is**  
 17 **part of general canon law.**  
 18 Q. See, that came out on 30 April 2001, and two weeks  
 19 before, you'd written this letter. Didn't it occur to  
 20 you that perhaps you should do something?  
 21 **A. It didn't occur to me, no.**  
 22 Q. Even though two weeks later, after writing this letter,  
 23 this was issued by Pope John Paul?  
 24 **A. As I say, it didn't occur to me.**  
 25 Q. It didn't occur to you, perhaps, that you should report

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1 that case? What about the case of Richard White?  
 2 **A. Again, this was something which had happened before the**  
 3 **motu proprio was issued.**  
 4 Q. Dunstan O'Keefe? F65?  
 5 **A. I reported him.**  
 6 Q. Not until 2004. You were aware of it in 2001.  
 7 **A. We were aware --**  
 8 Q. Why didn't you report it?  
 9 **A. We were aware -- right. We were aware that he had**  
 10 **downloaded pornography. When -- I am confused, I have**  
 11 **to admit, about the nature of the pornography which**  
 12 **he --**  
 13 Q. We will come back to that.  
 14 **A. All right.**  
 15 Q. We will come back and deal with Dunstan O'Keefe in  
 16 a little bit more detail in a bit.  
 17 **A. Fine.**  
 18 Q. So we will get a chance to look at the chronology which  
 19 you have probably seen questions have been asked around  
 20 that of other witnesses.  
 21 But at this point, in 2001, you knew of issues  
 22 around Anselm Hurt, Richard White, Dunstan O'Keefe, F65,  
 23 F66 and F77.  
 24 **A. No, not F66 and F77.**  
 25 Q. I'm just looking at your paragraph 39 of your statement

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1 on page 11 where you set out the reasons why you didn't  
 2 report these matters?  
 3 **A. Yes, but I didn't know about F66 or F77 until 2003.**  
 4 Q. Did you report them then?  
 5 **A. No.**  
 6 Q. So 2001, the same year that Nolan came out in September,  
 7 were you aware of it?  
 8 **A. Oh, yes. Yes.**  
 9 Q. Did you read it?  
 10 **A. Yes.**  
 11 Q. Did you do anything about it?  
 12 **A. Yes. By that time, I had become Abbot President and the**  
 13 **General Chapter had already commissioned me as the new**  
 14 **Abbot President to set up a working party to look at how**  
 15 **it was going to be implemented.**  
 16 Q. Did you support the recommendations?  
 17 **A. I did.**  
 18 Q. Can we call up CHC000053\_037 and look at recommendations  
 19 69 and 70, please. Recommendation 69:  
 20 "It is important to treat current allegations about  
 21 abuse that took place some years ago (historical  
 22 allegations) in exactly the same way as allegations of  
 23 current abuse.  
 24 "Recommendation 70. Bishops and religious superiors  
 25 should ensure that any cases which were known of in the

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1 past but not acted on satisfactorily ('historic cases')  
 2 should be the subject of review as soon as possible,  
 3 reported to the statutory authorities wherever  
 4 appropriate, and that there is appropriate follow-up  
 5 action including possibly regular continuing  
 6 assessment."  
 7 So what did you do about the cases you knew of?  
 8 **A. This was September, I think you said, 2001.**  
 9 Q. Yes.  
 10 **A. I think I'm right in saying this was the interim**  
 11 **report -- no, it wasn't, this was the final report.**  
 12 Q. This was the final report.  
 13 **A. The final report, yes. I think it was approved by the**  
 14 **Conference of Religious and the Conference of Bishops**  
 15 **during the next six months.**  
 16 Q. You have indicated that you approved of  
 17 the recommendations?  
 18 **A. Yes.**  
 19 Q. You were part of a working party?  
 20 **A. No, I had appointed a working party.**  
 21 Q. Right. You appointed a working party. You were  
 22 Abbot President. Did these recommendations at all cause  
 23 you to reflect upon whether you should be doing  
 24 something about Anselm Hurt, Richard White, F65,  
 25 Dunstan O'Keefe -- I have left out the two that you ...

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1 **A. Well, take them in turn. May I take them in turn?**  
 2 Q. Just answer the question. Did it cause you to reflect  
 3 at all on the position of any of those individuals?  
 4 **A. At the time, probably not.**  
 5 Q. Again, we will come back to each of the cases in due  
 6 course.  
 7 Did it have a material effect on safeguarding in the  
 8 school?  
 9 **A. I don't think in the school, no.**  
 10 Q. In 2002, the association with Clifton diocese began, by  
 11 which point the recommendations had been approved by the  
 12 Conference of Bishops?  
 13 **A. In 2002, I went to the Bishop of Clifton and he agreed**  
 14 **to take on -- that Downside should be under the care of**  
 15 **the Clifton Child Protection Commission, yes.**  
 16 Q. So the association began?  
 17 **A. Yes.**  
 18 Q. At that stage, did you think of reporting any of those  
 19 individuals to the statutory authorities, in 2002?  
 20 **A. At that stage, no.**  
 21 Q. In fact, Desmond O'Keefe, one of those mentioned, had  
 22 been appointed your secretary in 1998, the year after  
 23 the first pornography incident; is that right?  
 24 **A. Yes.**  
 25 Q. Did he remain in that position?

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1 **A. Yes, for about three years, I would say.**  
 2 Q. Richard White, another perpetrator, was appointed your  
 3 secretary in around 2003, two years after the  
 4 Nolan Review?  
 5 **A. Yes.**  
 6 Q. I think another against whom some allegations had been  
 7 made -- I think it is F123 -- was also a secretary at  
 8 some point; is that right?  
 9 **A. I have no knowledge of any allegations against F123.**  
 10 Q. What information would they have had access to, as your  
 11 secretaries?  
 12 **A. They would have -- information? They would have had**  
 13 **access to files in my office which they could have**  
 14 **accessed when I was there.**  
 15 Q. Would they have had access to all the monks' files?  
 16 **A. Only if I was there.**  
 17 Q. Would they have had access to any pupils' files?  
 18 **A. No.**  
 19 Q. Why do you say only if you were there?  
 20 **A. Because those files were kept in my office, the door was**  
 21 **then locked.**  
 22 Q. What about when you weren't there? Abbot President, you  
 23 had to travel.  
 24 **A. Yes.**  
 25 Q. Was the door kept locked when you were away or did your

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1 prior have access to it?  
 2 **A. I think the prior had access.**  
 3 Q. Do you have any idea what management of the files took  
 4 place in your absence?  
 5 **A. "Management" in the sense of changing files?**  
 6 Q. In the sense of whether requests were made for files to  
 7 be pulled, to be looked at, whether the secretary might  
 8 assist with such requests?  
 9 **A. I think it unlikely.**  
 10 Q. Do you know?  
 11 **A. No, I don't.**  
 12 Q. Would it have been appropriate for those two individuals  
 13 to have access to that kind of information?  
 14 **A. I kept information about them separate.**  
 15 Q. That wasn't the question. Would it have been  
 16 appropriate for those two individuals to have access to  
 17 the files of others in their position as your secretary?  
 18 **A. It might not have been, depending on what was in the**  
 19 **file.**  
 20 Q. So, for example, if there had been an allegation made by  
 21 a pupil against a monk, presumably a record of that  
 22 should be kept in the monk's file, along with details of  
 23 who the pupil might be; do you agree that that could be  
 24 considered a safeguarding risk?  
 25 **A. That could be.**

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1 Q. F65 became school governor in 2006, and you certainly  
 2 knew of the allegations as against him, didn't you?  
 3 **A. I did.**  
 4 Q. How was it that he was allowed to become a school  
 5 governor?  
 6 **A. Are you sure that he did?**  
 7 Q. Certainly a governor, yes. 2006.  
 8 **A. Well, I believe you. I have explained elsewhere in my**  
 9 **witness statement that the allegations against F65 were**  
 10 **examined before I became abbot, and the report that**  
 11 **I received was that the case was not proved.**  
 12 Q. We will come back to that again along the list in  
 13 a moment.  
 14 Allegations were made. Steps were taken. It was  
 15 deemed sufficiently serious for steps to be taken as  
 16 against F65. Bearing in mind that those steps had been  
 17 taken, was it appropriate that he should become  
 18 a governor?  
 19 **A. No, it wouldn't be.**  
 20 Q. F77 became a trustee in 2007. Was that appropriate?  
 21 **A. This was -- in the first place, I was not abbot in 2007,**  
 22 **but, no, it would not be appropriate.**  
 23 Q. As governor and as trustee, what sort of information  
 24 would those two individuals have had access to?  
 25 **A. As governor, they would have been -- presumably, they**

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1 **would have received information about the school.**  
 2 **A trustee would have the information given to**  
 3 **members of the abbot's council.**  
 4 Q. So the governor would have received information about  
 5 the school. Would the governor have had any issues of  
 6 safeguarding concern disclosed to them, in the course of  
 7 a governors' meeting, for example?  
 8 **A. I should think he would have done, yes.**  
 9 Q. So might the governor be given details of a pupil who  
 10 had made an allegation?  
 11 **A. I don't know.**  
 12 Q. There is a reference in Aidan Bellenger's statement --  
 13 I don't have a reference to pull up for you, I'm afraid,  
 14 but I know that you will have read all the statements --  
 15 to a letter, "Richard's letter". Can you help us with  
 16 what that was?  
 17 **A. Are you talking about a letter which I wrote**  
 18 **in July 2016?**  
 19 Q. It is a question from others, I'm afraid. We may have  
 20 to check the detail of it.  
 21 **A. Is this the letter which Abbot Aidan wrote in August,**  
 22 **1 August 2016? If it is, then I do know the letter:**  
 23 Q. I don't know if we have the reference. I may have to  
 24 come back to that. BNT006401\_025. Paragraph 126.  
 25 "Letter of 1 August 2016":

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1 "Taking the contents of the letters in order,  
 2 'Richard's letter' was a letter Dom Richard wrote to the  
 3 EBC about its future, which I found rather bleak.  
 4 I cannot really remember what it said. It contained no  
 5 personal reference to me and no reference to  
 6 safeguarding."  
 7 He then goes on about Peter Harvey's novel  
 8 thereafter. What was that letter?  
 9 **A. It was a letter which I wrote to all the abbots of**  
 10 **the congregation with a view to it possibly being**  
 11 **distributed to the other members of their monasteries,**  
 12 **if they wished to circulate it, in which I commented on**  
 13 **the significance for us of this inquiry.**  
 14 Q. Which he found rather bleak. What was bleak about your  
 15 letter?  
 16 **A. Because I was making it clear that this was going to**  
 17 **require us to face up to unpleasant realities; that it**  
 18 **wouldn't be a pleasant time for any of us; and that we**  
 19 **had to be -- but, on the other hand, it was an**  
 20 **opportunity for us to come to a higher level of**  
 21 **transparency than we had before.**  
 22 Q. Just momentarily, if I can go back to the questions  
 23 I was asking you about F65 and F77 becoming a governor  
 24 and a trustee respectively, in those roles, would they  
 25 have had, particularly the governor's role, an input

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1 into safeguarding policies?  
 2 **A. For the -- if I could answer the trustee question first?**  
 3 **We were following the national policies, the national**  
 4 **policies of the Catholic Church, so we didn't have**  
 5 **specific special policies apart from them.**  
 6 **As regards the school, yes, the governor would**  
 7 **have -- I imagine, have influence on safeguarding**  
 8 **policies.**  
 9 Q. Just reminding what F65 was alleged to have done,  
 10 kissing and performing fellatio on a boy of 16: not  
 11 appropriate, was it?  
 12 **A. Not appropriate.**  
 13 Q. I am going to ask you a few questions before we come  
 14 back to the Downside cases about your dealings with  
 15 Ampleforth, because some of them flow into this  
 16 chronology. You have made a supplementary statement  
 17 dealing with that.  
 18 First of all, can I ask to be brought up  
 19 CSA004135\_002. This is a telephone call record, a COPCA  
 20 record, and on 4 March, the second entry down, 2003,  
 21 there is a telephone call received from Elizabeth Mann,  
 22 mother of Ruth Mann, in respect of this case:  
 23 "She was concerned about the lack of a child  
 24 protection policy and the lack of power which  
 25 George Corrie had in relation to the abbot because of

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1 the vow of obedience and was reinforcing her daughter's  
 2 concerns about a lack of assurance that  
 3 Father Grant Ferris was not in any contact with  
 4 children ..."  
 5 Were you aware of the Grant Ferris case?  
 6 **A. In 2003, I'm not certain. By 2004, yes.**  
 7 Q. Were you aware that there was no such child protection  
 8 policy in place for the monastery at Ampleforth?  
 9 **A. I wasn't.**  
 10 Q. Would you have shared Dr Mann's concerns if you were  
 11 aware?  
 12 **A. Yes, I would have.**  
 13 Q. What steps, as Abbot President, could you have taken, if  
 14 any?  
 15 **A. If I had become aware of this, I would -- the first**  
 16 **thing to do would be an informal approach to the abbot.**  
 17 Q. Were you aware that there were monasteries that were  
 18 lagging behind in terms of their child protection  
 19 policies across the English Benedictine Congregation?  
 20 **A. I received a visit from Eileen Shearer and**  
 21 **Sister Raymunda Jordan in which they expressed some**  
 22 **concerns about two monasteries.**  
 23 Q. So what did you do?  
 24 **A. The two monasteries -- one monastery was Buckfast, and**  
 25 **I think the concern was they seemed to be behindhand.**

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1 I can't remember what I said to Eileen Shearer, but what  
 2 I did, I got in contact with the monk of Buckfast who  
 3 was in charge of safeguarding, communicated to him that  
 4 Eileen Shearer had been there and suggesting that  
 5 something needed to be done about this.  
 6 His reply was, yes, he knew they were behindhand but  
 7 they were getting on with it now, and later on he told  
 8 me that Eileen Shearer had actually been very helpful in  
 9 helping them to find members for their commission.  
 10 Q. What was the second one?  
 11 A. The second one was Ampleforth. This opened with  
 12 Eileen Shearer asking me point blank was Abbot Timothy  
 13 in favour of child protection, which took me back a bit,  
 14 and I said, yes, I was sure he was, or something like  
 15 that.  
 16 It was a little bit awkward. In her witness  
 17 statement, Eileen Shearer says this was about 2002. My  
 18 memory is it was rather later than that. In fact, I'm  
 19 fairly sure it was rather later than that. Because I,  
 20 by that time, was -- thought it likely that  
 21 Abbot Timothy would not be Abbot of Ampleforth fairly  
 22 soon, and so what I was saying to Eileen Shearer was  
 23 fundamentally, "Wait a bit and things will change", but  
 24 I couldn't --  
 25 Q. These are quite serious issues just to "wait a bit":

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1 these are child protection policies. This is after  
 2 Nolan, after the Paramountcy Principle?  
 3 A. It wasn't just policies, it was getting a commission  
 4 together, which was always going to be something which  
 5 would take time, can't be done overnight.  
 6 Q. Did you or the General Chapter consider setting minimal  
 7 requirements for safeguarding policies across the  
 8 English Benedictine Congregation?  
 9 A. You're talking about the General Chapter of 2001 which  
 10 was just before the final recommendations of Nolan came  
 11 out. No. All it did was say that we must plan how we  
 12 are going to implement it.  
 13 Q. With regards to the vow of obedience, do you have any  
 14 observations on Elizabeth Mann's comment? Do you need  
 15 to see it again?  
 16 A. I think I do need to see it again, sorry.  
 17 Q. That's all right. It is CSA004135\_002. She was  
 18 concerned about the lack of a child protection policy  
 19 and the lack of power which Father George Corrie, who  
 20 was the safeguarding -- the child protection officer,  
 21 had in relation to the abbot because of the vow of  
 22 obedience?  
 23 A. I would not have phrased it like that. I'm not certain  
 24 that I have seen this document before, but I have seen  
 25 another document in which Abbot Timothy made it clear

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1 that he delegated child protection matters to  
 2 Father George. Now, what appears to be happening here  
 3 is that he is taking back some elements of that  
 4 delegated authority, reserving it to himself. That's  
 5 the way it looks like to me.  
 6 Q. Do you understand the vow of obedience to an abbot --  
 7 can we take the document down, please -- to be such that  
 8 it confers a lack of power upon someone?  
 9 A. It shouldn't do that. But it does mean that the abbot  
 10 can intervene in a matter if he feels it appropriate.  
 11 MS KARMY-JONES: I see the time. I wonder if that would be  
 12 an appropriate moment for the afternoon break?  
 13 THE CHAIR: Yes. We will return at 3.15 pm.  
 14 (3.00 pm)  
 15 (A short break)  
 16 (3.20 pm)  
 17 MS KARMY-JONES: Father Richard, before the break, you told  
 18 us that you weren't aware that Ampleforth didn't have  
 19 a child protection policy at the time we were  
 20 discussing, when there was the telephone conversation  
 21 from Elizabeth Mann expressing concern about that.  
 22 The conversation that we looked at was dated, just  
 23 to remind, 4 March 2003. Can we look at EMA000633\_001,  
 24 please. This is an email from George Corrie,  
 25 Father Prior, to Elizabeth Mann on 4 March 2003, perhaps

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1 the email that triggered her call. You have seen this,  
 2 have you not?  
 3 A. I have seen it.  
 4 Q. In it, he makes reference, halfway down the page, to:  
 5 "It was decided we should find out from others what  
 6 was involved and it was left to me to contact the  
 7 Abbot President and the CPO for the Middlesbrough  
 8 diocese."  
 9 He was asking for advice, really, on the absence of  
 10 a child protection policy, and he says:  
 11 "When I spoke with Abbot Richard, he advised me to  
 12 hold, since the CPO for his diocese had told Downside's  
 13 representative, together with the rep for Prinknash,  
 14 that since so much was being discussed, any advance on  
 15 what those two monasteries were going to do should wait  
 16 until the diocese had more to say."  
 17 So you did know, didn't you, that Ampleforth did not  
 18 have a child protection policy?  
 19 A. I saw this fairly recently, and I simply do not know  
 20 what that discussion was. I am sorry, I just can't  
 21 recall it at all.  
 22 Q. But you don't suggest that George Corrie was lying to  
 23 Elizabeth Mann?  
 24 A. Oh, no, I'm not saying that. I'm simply saying that I'm  
 25 afraid my mind -- since then, I have tried to think what

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1 **it could be, and I'm afraid I can't. I'm sorry.**  
 2 Q. Can we bring up CSA004118\_002. This is a record from  
 3 a contact relating to 25 July 2003, and within it, at  
 4 the second paragraph, "RY", that's Richard Yeo:  
 5 "... stated that it had been difficult dealing  
 6 confidentially with one person. As for the role of  
 7 COPCA, it is seen as too child-focused with insufficient  
 8 focus on the adult involved."  
 9 Did you think COPCA was too child-focused?  
 10 **A. I think I was reporting a complaint that I'd heard, but**  
 11 **I'm not -- I'm not certain.**  
 12 Q. "He said that Ampleforth had spent a lot of time on  
 13 child protection, however it may appear. He described  
 14 Elizabeth Mann as someone who had been influential and  
 15 helpful at Ampleforth and advised that PN  
 16 [Penny Nicholson] should renew contact with her and  
 17 include the fact that this conversation had taken place.  
 18 Penny Nicholson suggested a meeting between all relevant  
 19 parties."  
 20 Is there anything else that you would like to say  
 21 about that?  
 22 **A. The remainder of that paragraph sounds the sort of thing**  
 23 **I would probably have said. I think there were**  
 24 **difficulties between Elizabeth Mann and Ampleforth,**  
 25 **probably about this time, which I was unaware of at the**

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1 **time. I only heard of later.**  
 2 Q. Then it wouldn't have filtered into what you said, would  
 3 it?  
 4 **A. It wouldn't have done, no.**  
 5 Q. "Richard Yeo stated that it had been difficult dealing  
 6 confidentially with one person."  
 7 What did you mean by that?  
 8 **A. I don't know, I'm sorry.**  
 9 Q. On 19 August, there was a letter from Elizabeth Mann to  
 10 you. It is BNT002441.  
 11 **A. May I qualify my answer which I gave a moment ago?**  
 12 Q. Yes, of course.  
 13 **A. I had a conversation with Eileen Shearer at one occasion**  
 14 **in which I conveyed to her the fact that I'd heard**  
 15 **complaints about one member of her staff, and I've heard**  
 16 **that from two people. I thought that was a separate**  
 17 **meeting. It might have been the same one.**  
 18 Q. You're not sure?  
 19 **A. I'm not sure. Sorry.**  
 20 Q. This is a communication from Elizabeth Mann to you,  
 21 "Dear Father Abbot", 2003. Going down to the central  
 22 section, she says -- first of all:  
 23 "(i) COPCA has seemed to give directives about what  
 24 'should' be done in response to Nolan, based on the  
 25 expectation that abbots agreed with Nolan and were

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1 motivated to follow their directives.  
 2 "(ii) I have been aware that some abbots were not  
 3 motivated, did not accept the Paramouncy Principle, and  
 4 therefore were not ready to do this. It has seemed to  
 5 me that they needed someone to understand their views  
 6 and their fears underlying the mistrust you wrote of,  
 7 someone who at the same time understood the painful  
 8 realities of the inevitable consequences of an 'ostrich'  
 9 approach, ie, hoping it would all go away if left  
 10 unattended."  
 11 Do you consider that Timothy Wright was an abbot who  
 12 was not motivated to fully engage with Nolan?  
 13 **A. Could I look again at the date of this letter? Or could**  
 14 **you let me know it?**  
 15 Q. It is 19 August 2003. It is an American dating.  
 16 **A. I think this may be Abbot Timothy who was being talked**  
 17 **about.**  
 18 Q. Do you recognise that approach in any other abbots:  
 19 "Some abbots were not motivated; did not accept the  
 20 Paramouncy Principle"?  
 21 **A. I think that was just Abbot Timothy.**  
 22 Q. Across the whole of the English Benedictine  
 23 Congregation, you think only Abbot Timothy was guilty of  
 24 that?  
 25 **A. I think he was the one who spoke out. I cannot think of**

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1 **any other abbot who said the same sort of thing. One**  
 2 **abbot expressed irritation at one stage, but apart from**  
 3 **that, I think it was basically Abbot Timothy.**  
 4 Q. Do you think that there was mistrust amongst the English  
 5 Benedictine Congregation at this time?  
 6 **A. Mistrust of whom?**  
 7 Q. Of the Nolan recommendations, of those seeking to  
 8 enforce safeguarding principles, of the Paramouncy  
 9 Principle?  
 10 **A. I don't think "mistrust" would be the word I would use.**  
 11 **I think there was some fearfulness.**  
 12 Q. I'm just pausing for a moment. If just Timothy, why was  
 13 the plural "abbots" used?  
 14 **A. I can only suggest that it would be more diplomatic.**  
 15 Q. In 2007, there was a visitation to Ampleforth.  
 16 BNT002432\_008.  
 17 Let me quote something from it:  
 18 "The visitation in 2007."  
 19 You did that; is that right?  
 20 **A. Yes.**  
 21 Q. And you wrote a report afterwards. In that report, one  
 22 of the things you said was:  
 23 "I would rather urge you to recognise the importance  
 24 of proper policies, procedures and training and to  
 25 promote a culture of vigilance."

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1 Is it fair to say that in the past there had been  
 2 a failure to recognise the importance of policies,  
 3 procedures and training in Ampleforth, in your view?  
 4 **A. I don't know that I would have been as precise as that.**  
 5 **I think you will find that that is in the context of**  
 6 **some comments on the recent trial of Father**  
 7 **Piers Grant Ferris and Father Gregory Carroll, and**  
 8 **I think, following my comments on that, I made some**  
 9 **general remarks on safeguarding.**  
 10 Q. It is also in the context of the fact that you were  
 11 a member of the Cumberlege Commission?  
 12 **A. Yes.**  
 13 Q. And you continued to say:  
 14 "The second point is that we need to see the  
 15 protection of children, not as a tiresome if necessary  
 16 evil, but as an evangelical imperative."  
 17 Was that because you perceived that Ampleforth, or  
 18 some of those at Ampleforth, considered it to be  
 19 a tiresome if necessary evil?  
 20 **A. I think that was me feeding through to the community my**  
 21 **reflections, particularly after having served on the**  
 22 **Cumberlege Commission. I think, if you want to look at**  
 23 **the Ampleforth attitude, you would do better to look at**  
 24 **the paragraph starting "The first". "You would probably**  
 25 **all like to forget about child protection issues" after**

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1 **having gone through those trials. I think the community**  
 2 **by and large would quite have liked child -- well, some**  
 3 **of the community had had enough of it because it had**  
 4 **been such a distressing experience. I think that was**  
 5 **the context, more than me complaining about attitudes.**  
 6 Q. Well, the purpose of the visitation is what?  
 7 **A. The canonical purpose of the visitation is to correct**  
 8 **any abuses, but beyond that.**  
 9 Q. And the purpose of the report is what?  
 10 **A. If there are any abuses, to report on them, but rather**  
 11 **more, to encourage the community and to point a way**  
 12 **forward for the community, and that's what I was trying**  
 13 **to do, particularly in the second -- in both of those**  
 14 **paragraphs.**  
 15 Q. You were, I suggest, trying to encourage the community  
 16 away from the view that child protection was not  
 17 a tiresome if necessary evil, and encourage the  
 18 community to promote a culture of vigilance?  
 19 **A. Yes.**  
 20 Q. Did you follow up this recommendation?  
 21 **A. Not directly, no. But I was in fairly frequent contact**  
 22 **with the Abbot of Ampleforth, Abbot Cuthbert, and I saw**  
 23 **him very engaged in child protection issues.**  
 24 Q. As far as you are aware, were safeguarding issues  
 25 systematically incorporated in visitation reports?

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1 **A. After that point -- from about 2007 onwards, I would say**  
 2 **that I nearly always made some sort of reference to**  
 3 **safeguarding in the visitation report. It might be**  
 4 **because the issue had come up, or it might equally be if**  
 5 **it hadn't come up, because that would also be a concern.**  
 6 Q. Was there any duty upon a monastery to inform you of  
 7 issues that arose around safeguarding?  
 8 **A. No, there wasn't.**  
 9 Q. But would they do so?  
 10 **A. Different monasteries behaved in different ways, but**  
 11 **certainly by the time I ended my time of office as**  
 12 **Abbot President, I think -- yes, I'm sure it is right to**  
 13 **say that all abbots were letting me know if serious**  
 14 **safeguarding issues came up.**  
 15 Q. What was your advice on those occasions?  
 16 **A. I think the main thing I was trying to do was give**  
 17 **support, encouragement and in some cases sympathy if an**  
 18 **abbot was going through a difficult time.**  
 19 Q. Did you advise them to inform the police?  
 20 **A. No.**  
 21 Q. Did you advise them on how to assist the victims?  
 22 **A. If they asked me for advice, I would give it. I would**  
 23 **be unlikely to give advice unasked for.**  
 24 Q. AAT000228\_068, please. This is Monday, 29 July 2013 at  
 25 9.00 pm. I will just find the reference within it. It

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1 relates to Francis Davidson. Can I try the next page,  
 2 AAT000228\_069, please. I'm sorry, we are having a blind  
 3 moment.  
 4 **A. Ms Karmy-Jones, is this a question from a core**  
 5 **participant?**  
 6 Q. It is. So you are familiar with it. But the point is  
 7 that in one of these documents there is a reference to  
 8 Francis Davidson and there is --  
 9 **A. I think it is the third bullet point from the bottom,**  
 10 **but it is not the quotation. The quotation I think is**  
 11 **misplaced.**  
 12 Q. Yes, I think it is quoted as if from the document, but  
 13 the point is that it is suggested that the evidence that  
 14 Francis Davidson knew about the offences dating back in  
 15 1976 and did not report them to the police is very  
 16 strong, that being when he was at Fort Augustus. Were  
 17 you aware of that statement? The record shows that you  
 18 informed Abbot Cuthbert that the evidence was strong.  
 19 **A. And I've seen that and --**  
 20 Q. It is not this document, is it?  
 21 **A. Yes, I know. Sorry, I have seen that in the document**  
 22 **which you have, and I think that is mistaken. I can**  
 23 **explain the background, if it is helpful.**  
 24 Q. We will find the correct reference, but there is  
 25 a reference in one of the documents to you having

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1 informed Cuthbert Madden that the evidence was that  
 2 Francis Davidson knew about the offences back in 1976  
 3 and did not report them to the police and suggesting  
 4 that that evidence was strong. Do you recall, first of  
 5 all, making such a statement?  
 6 **A. If I did make such a statement, it was in a context**  
 7 **which is rather different -- which gives a different**  
 8 **impression to that statement. Sorry. In other words,**  
 9 **I think it may have been taken out of context, that**  
 10 **remark.**  
 11 Q. We will find the original document. But did you  
 12 consider that it was appropriate for Francis Davidson to  
 13 have a safeguarding role at Ampleforth?  
 14 **A. Yes, because -- I think it was, because that statement**  
 15 **is misleading, the way it is quoted there.**  
 16 Q. As you know, that's a core participant question, so I'm  
 17 just going to say to the core participant present that  
 18 if they can find the correct reference for their  
 19 question, we will go back to it.  
 20 BNT002618. This is a letter from Francis Davidson  
 21 dated 21 July 2009. It relates to the relationship  
 22 between the commission and the school, the Safeguarding  
 23 Commission and the school. Francis Davidson here  
 24 indicated that the commission would have oversight of  
 25 the schools on campus against the advice of CSAS. CSAS

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1 had said there shouldn't be Safeguarding Commissions at  
 2 the school, and he states:  
 3 "I quietly decided that any data returns to CSAS  
 4 would not include school data but that the Commission  
 5 would still have an oversight of the school's  
 6 safeguarding. CSAS, as far as I know, is unaware of  
 7 this arrangement and has accepted our statistics without  
 8 demur."  
 9 That was a letter to you. Did you consider that  
 10 action was appropriate?  
 11 **A. The short answer is: no, it wouldn't be appropriate.**  
 12 Q. It was written to you in 2009. What did you do about  
 13 it?  
 14 **A. The background is that this disagreement goes back some**  
 15 **way, and I'd more or less accepted that Ampleforth was**  
 16 **convinced that its solution was correct, and advice from**  
 17 **me wasn't going to do very much.**  
 18 Q. Father Davidson was telling you in no uncertain terms  
 19 that he was planning to go behind the back of CSAS, to  
 20 go against the advice of CSAS, and, in effect, to  
 21 provide CSAS with misleading information. Did you do  
 22 anything about it?  
 23 **A. No, I didn't.**  
 24 Q. Was this an honest approach?  
 25 **A. Not entirely honest, no.**

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1 Q. Did you not consider that your position was such that  
 2 you should have been providing advice that this was not  
 3 an honest approach?  
 4 **A. I had attempted before to encourage dialogue between**  
 5 **Ampleforth and CSAS and not succeeded.**  
 6 Q. Did you contact CSAS and say, "Are you aware that  
 7 Francis Davidson at Ampleforth is planning to provide  
 8 you with incomplete, misleading information"?  
 9 **A. I didn't, no.**  
 10 Q. You don't know?  
 11 **A. Sorry, I didn't, no.**  
 12 Q. Why not?  
 13 **A. As I say, I don't recall what I thought at the time, but**  
 14 **I think I would go -- I accept that this was not right.**  
 15 **But I think I had more or less given up on trying to do**  
 16 **anything on that issue.**  
 17 Q. Did you not think that perhaps silence on the matter was  
 18 implicit approval of what was being suggested? Why else  
 19 was he writing to you?  
 20 **A. The context of this letter -- it is coming back to me**  
 21 **now -- was my proposal that we should have an EBC**  
 22 **Safeguarding Commission, I think.**  
 23 Q. Does that change things?  
 24 **A. No.**  
 25 Q. No.

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1 **A. But what it means is that I didn't pay as much attention**  
 2 **to that remark as probably I should have done.**  
 3 Q. You had a function. You were in a position of some  
 4 authority over the English Benedictine Congregation in  
 5 this country, and you had a function, I suggest, to  
 6 guide others. Why did you not guide Father Francis away  
 7 from this dishonest course?  
 8 **A. I accept that I was at fault.**  
 9 Q. Could you or the General Chapter have ordered or advised  
 10 that each abbey align itself with a diocesan  
 11 Safeguarding Commission?  
 12 **A. The working party appointed by the General Chapter of**  
 13 **2001 had recommended this, and, as I have indicated,**  
 14 **most of our monasteries followed that recommendation;**  
 15 **two of them decided to appoint their own commissions.**  
 16 Q. The reference I should have given you earlier is  
 17 AAT000228\_071. We don't need to mention names, but the  
 18 penultimate paragraph. You can still see the top,  
 19 despite the section:  
 20 "Ampleforth connections to Fort Augustus. It is  
 21 alleged that Father Davidson knew about the offences  
 22 allegedly committed ... back in 1976 (Father Francis was  
 23 headmaster at the time) and that he did not report these  
 24 to the police. Furthermore, when [name redacted] was  
 25 incardinated into the Archdiocese [somewhere] (when

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1 Father Francis was Prior Administrator of  
 2 Fort Augustus), he did not inform the Australian church  
 3 authorities. In his email to Abbot Cuthbert,  
 4 Abbot Richard: 'The evidence that [Francis Davidson]  
 5 knew of the offences of [X] back in 1976 and did not  
 6 report them to the police is very strong.'  
 7 Do you recall sending an email saying that to  
 8 Abbot Cuthbert?  
 9 **A. No, I don't.**  
 10 Q. Returning to some of the individual cases for  
 11 Ampleforth, please. The case of F18. Are you all right  
 12 with that cipher? I think you have a list.  
 13 **A. Yes.**  
 14 Q. In December 2014, did you deal with the potential  
 15 transfer of F18 to an abbey?  
 16 **A. No. I think by December, F18 had been at another**  
 17 **monastery for some time.**  
 18 Q. Did you assist with his movement to an abbey and provide  
 19 the abbess with details of what F18 was alleged to have  
 20 done?  
 21 **A. No. What happened was that there was a possibility of**  
 22 **appointing F18 to a post, and I discussed this with the**  
 23 **superior, and I think I asked the superior whether the**  
 24 **offences of F18 were known to her.**  
 25 Q. Should we look at the document, just so that it might

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1 help you?  
 2 **A. Fine.**  
 3 Q. BNT004946\_001. That's the first one. It is the letter  
 4 to Cuthbert Madden?  
 5 **A. Yes.**  
 6 Q. Does that help?  
 7 **A. Yes. In the paragraph below the one which we can see,**  
 8 **she knew that F18 was an offender. She didn't know the**  
 9 **details. I was passing this information on -- no, she**  
 10 **didn't want to know the details. I was passing this on**  
 11 **to the abbot concerned.**  
 12 Q. It is a letter to Abbot Cuthbert?  
 13 **A. Abbot Cuthbert.**  
 14 Q. But the fact that she says that she doesn't want to know  
 15 the details, surely if she has an alleged offender in  
 16 her care, she should know the details?  
 17 **A. Therefore, I reported this to Abbot Cuthbert.**  
 18 Q. Why didn't you deal with it?  
 19 **A. In the first place, I didn't know all the details. In**  
 20 **the second place, even if I --**  
 21 Q. You had just been speaking to her about it. You go on  
 22 to say:  
 23 "I am not certain whether that is wise, but I have  
 24 sympathy with her position ..."  
 25 **A. I have sympathy with her position that she didn't want**

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1 **to know unpleasant details, and I certainly didn't want**  
 2 **to engage in what she might have seen as a rather**  
 3 **prurient conversation, so I left it to Abbot Cuthbert,**  
 4 **because it was he --**  
 5 Q. Forgive me, Father. I am asked to put to you that last  
 6 line:  
 7 "... I have sympathy with her position and would not  
 8 be wishing to challenge her."  
 9 **A. It wasn't my place to challenge her.**  
 10 Q. What was your position at this point?  
 11 **A. I was discussing with her whether --**  
 12 Q. That wasn't the question. What was your position,  
 13 please?  
 14 **A. My position? I was Abbot President.**  
 15 Q. Yes. Why would you, as Abbot President, not be wishing  
 16 to challenge an abbess?  
 17 **A. Because it wasn't the right time and it wasn't the**  
 18 **place.**  
 19 Q. Can we turn, please, to BNT004972\_001.  
 20 19 September 2017:  
 21 "I am writing with regard to the plan to appoint F18  
 22 to be assistant chaplain. I have spoken with the  
 23 abbess, who has consulted the community ... [and] the  
 24 abbot ... and to Father [X], the chaplain. I think the  
 25 only issue which remains is to ensure that proper

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1 safeguarding arrangements are in place."  
 2 If it wasn't your place to be dealing with this, why  
 3 are you dealing with it?  
 4 **A. Because if I was going to make the appointment, I needed**  
 5 **to be sure that proper safeguarding arrangements were in**  
 6 **place.**  
 7 Q. How could you be sure, if you didn't wish to challenge  
 8 the abbess and didn't wish to provide her with details  
 9 of what F18 was alleged to have done?  
 10 **A. Because I didn't want to -- I certainly didn't want to**  
 11 **give any details at that time, because I might have got**  
 12 **the details wrong, and I'm not certain whether -- as**  
 13 **I say, I'm not certain whether I knew the details at**  
 14 **that stage.**  
 15 **That letter, that first letter, prompted**  
 16 **Abbot Cuthbert to reply, saying, "The abbess should have**  
 17 **F18's covenant of care, and this gives sufficient**  
 18 **details".**  
 19 Q. This is 19 September 2017. It is very recent. Is that  
 20 date correct?  
 21 **A. No, it is not -- no, I wasn't Abbot President then.**  
 22 Q. No.  
 23 **A. I think you will find that --**  
 24 Q. When did you cease to be Abbot President, what date?  
 25 **A. 1 August. I think you will find that the date**

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1 **automatically updates. That would be roughly**  
2 **contemporary with the previous letter; whether it is**  
3 **before or after, I'm not certain.**  
4 Q. Did you ever make sure that the abess knew the details?  
5 **A. No, I made sure that Abbot Cuthbert knew that this was**  
6 **an issue which needed to be looked at.**  
7 Q. Even here, you weren't willing to be proactive and take  
8 responsibility for that?  
9 **A. No, because it's not the Abbot President's job to do**  
10 **negotiations on behalf of the abbot. If the**  
11 **Abbot President starts taking over the abbot's job, you**  
12 **start getting divided responsibility and that's where**  
13 **you get gaps.**  
14 **The other thing was that both the safeguarding**  
15 **coordinators of Ampleforth and of the Archdiocese of**  
16 **Birmingham were involved. They had met each other.**  
17 **I think they had met the abess. So the case had been**  
18 **well dealt with.**  
19 Q. Moving on to RC-F27.  
20 **A. Yes.**  
21 Q. Do you remember any issues around his risk assessment?  
22 **A. Are you talking about the question of whether he shared**  
23 **a new risk assessment, which was about 2010/2011,**  
24 **something like that?**  
25 Q. Did he refuse to have a risk assessment?

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1 **A. He did at one stage, but I think there have been several**  
2 **times when this issue has come up, I think.**  
3 Q. I think it is suggested that the last document we looked  
4 at should have been dated 2015, not 2017.  
5 **A. Right.**  
6 Q. And the one before should have been dated 2014?  
7 **A. Right.**  
8 Q. Can we pull up BNT002490\_001. It is a letter to you  
9 from Timothy; Timothy Wright?  
10 **A. Yes.**  
11 Q. It says halfway down the page -- first of all, it says:  
12 "Thank you for asking this question. You have  
13 a number of options. I give you five. You may want to  
14 mix and match or produce another."  
15 It seems that Timothy is, what, giving you advice  
16 here?  
17 **A. Well, I'd asked him for advice, I think.**  
18 Q. Halfway down the page, in option 1, he is dealing with  
19 F27, discussing what happens if he wants to speak to you  
20 and how you should respond, and he says that you might  
21 say:  
22 "... I think I ought to say to you that  
23 Abbot Timothy and I have spoken about the case'. That  
24 will have the effect of stopping him in his tracks. You  
25 will add, 'If you want, I am prepared to listen to your

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1 point of view; once I have heard your point of view  
2 I will then give you my recommendation about the next  
3 step."  
4 Then Abbot Timothy advises you:  
5 "That recommendation will be to do what  
6 Abbot Timothy is asking and stopping dragging it out  
7 interminably to no good effect. I suspect the interview  
8 will end at that point. But it will have had one good  
9 effect from my point of view: it will clearly put you on  
10 my side and indicate to F27 that there is no way he can  
11 find daylight between our two positions. He thinks  
12 there is daylight at the moment -- that is why he will  
13 approach you."  
14 What do you think about that phrase and what this  
15 letter appears to be trying to achieve?  
16 **A. What do I think about the last sentence, do you mean?**  
17 Q. Yes.  
18 **A. I think that was wishful thinking on F27's part, and**  
19 **I respected that Abbot Timothy wanted to exclude the**  
20 **possibility of him exploiting a possible difference of**  
21 **opinion between us. I thought that was a reasonable and**  
22 **sensible point for him to make.**  
23 Q. You say Abbot Timothy wanted to prevent him exploiting  
24 a difference, yet you were the one who had asked the  
25 question. Was that question, "What should I say if F27

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1 approaches me?"?  
2 **A. I think my question -- this was when I was a brand new**  
3 **Abbot President, and I don't -- I certainly had never**  
4 **had a serious conversation with F27 before, so my**  
5 **question was probably, "What on earth do I do with this**  
6 **person?", and he is presenting several options.**  
7 Q. What does this say about your independence or your  
8 impartiality as Abbot President?  
9 **A. I don't think it really says anything. I think it says**  
10 **that when dealing with a member of a monastery, the**  
11 **first person to go to for advice will usually be the**  
12 **abbot. I think I say in my witness statement that it**  
13 **was unusual for an individual member of the community to**  
14 **come -- to ask to come and see me. I wouldn't have**  
15 **agreed to this without the abbot's approval, except in**  
16 **very extraordinary circumstances, and I think it was the**  
17 **right thing to seek Abbot Timothy's opinions before**  
18 **seeing a person for whom he, Abbot Timothy, had primary**  
19 **care.**  
20 Q. On the second page, Abbot Timothy writes, at the bottom  
21 of the penultimate paragraph:  
22 "Both Prior G and I think that option 2 will get us  
23 nearer to solving the case. But you better warn them in  
24 Rome, a letter will probably come!"  
25 What did that mean, or what did you understand it to

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1 mean?  
 2 **A. I understood it to mean that F27 would probably write --**  
 3 **make an appeal to Rome if we followed option 2.**  
 4 Q. Was Abbot Timothy there trying to advise you to head  
 5 that off at the pass?  
 6 **A. I think he was giving his advice, that this was not a --**  
 7 **yes, he was saying that that's not a good idea.**  
 8 Q. Can we go to Piers Grant Ferris, and BNT002446\_002.  
 9 This is a response from COPCA to dossiers submitted by  
 10 Ampleforth. That was quite critical. You can see  
 11 paragraph 3:  
 12 "The abbot's proposals do not respond to the needs  
 13 of victims of abuse. The church's 'support policy' ...  
 14 seeks to ensure that the support ... We are concerned  
 15 that the emphasis on supporting the monks could be  
 16 experienced as hurtful or dismissive by their victims."  
 17 Were you aware of this document?  
 18 **A. Oh, yes.**  
 19 Q. "We are not convinced that the abbot's reasons are  
 20 convincing for not pursuing laicization; they seem to  
 21 concentrate on the avoidance of a trial rather than  
 22 advantages ...  
 23 "The damage done to Ampleforth's reputation as  
 24 a result of the abusive behaviour by Father Piers and  
 25 Father Gregory and the ensuing public scandal is very

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1 great. We question whether or not the proposals address  
 2 this sufficiently."  
 3 What was your agreement with this?  
 4 **A. I think this letter was something like 12/13 March.**  
 5 Q. 2006?  
 6 **A. 2006. Abbot Cuthbert had been elected Abbot of**  
 7 **Ampleforth just a year before. He had a community which**  
 8 **was heavily influenced by Abbot Timothy's approach, and**  
 9 **the bias of the community, the prejudice -- not**  
 10 **prejudice. The initial reaction of the community would**  
 11 **have been to say, "They should remain monks of**  
 12 **Ampleforth".**  
 13 **I --**  
 14 Q. You wrote -- I'm sorry, I thought you had finished. Go  
 15 ahead.  
 16 **A. I think on receiving the dossier from Ampleforth,**  
 17 **I think I telephoned COPCA, or I may have sent --**  
 18 **I probably sent them some material, and this was the**  
 19 **result of that.**  
 20 Q. You contacted Chris Stewart on 11 May 2006?  
 21 **A. Of May?**  
 22 Q. May 2006. That's CSA004125\_001.  
 23 **A. Okay. I think I -- before then, I had another letter**  
 24 **from COPCA, on 30 March.**  
 25 Q. CSA004125\_001. You can see the train of correspondence

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1 a little bit at the bottom.  
 2 **A. Yes.**  
 3 Q. The letter in fact we have just been referring to was  
 4 16 March, the earlier one.  
 5 **A. Right. But what happened after that was that I had**  
 6 **a meeting of my council and our advice was -- it might**  
 7 **be summed up as saying, "Whatever you do, they shouldn't**  
 8 **return to Ampleforth immediately".**  
 9 Q. Then -- I'm so sorry. I keep interrupting you.  
 10 **A. I communicated that letter of 16 March and our views to**  
 11 **Abbot Cuthbert somehow. I don't remember how.**  
 12 **Evidently, I got back in contact with COPCA and COPCA on**  
 13 **I think 30 March replied, saying, "We are very pleased**  
 14 **that Abbot Cuthbert recognises the merits of our**  
 15 **approach", something like that. What was happening was,**  
 16 **I think Abbot Cuthbert realised that things had got to**  
 17 **change, but he had to bring his community along with**  
 18 **him, and the visit to Rome which followed, which is**  
 19 **referred to in this email that you have got, followed**  
 20 **after that earlier exchange.**  
 21 Q. And so was advice being given by you and by Rome on this  
 22 instance?  
 23 **A. Me and my council and by Rome, yes.**  
 24 Q. Did you take any other steps following COPCA's critical  
 25 response?

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1 **A. No, because the ball was back in Abbot Cuthbert's court,**  
 2 **and what he did then -- as I say, he went out to Rome**  
 3 **with me and we saw the Promoter of Justice at the**  
 4 **Congregation for the Doctrine of the Faith together, and**  
 5 **Abbot Cuthbert then went back to Ampleforth and, with**  
 6 **his council, toughened up the proposed measures.**  
 7 Q. On 22 August 2010 -- can we go to BNT003327\_001, please.  
 8 It is a letter from you to Cuthbert Madden. It is about  
 9 Father Gregory Carroll. If we go to bullet point 2,  
 10 "Absent brethren in the Benedictine yearbook", partway  
 11 down:  
 12 "Secondly, there is Father Gregory, and you are  
 13 suggesting putting him back in the list of those living  
 14 at the abbey. I would just mention that, in  
 15 a comparable case, the advice from prudent lay people  
 16 was that it would be better not to advertise the  
 17 presence in the monastery of a person with such  
 18 a history; it might cause hurt to victims, and in the  
 19 event of new media interest in the monastery, it might  
 20 be unhelpful."  
 21 Was that a general policy, as far as monasteries  
 22 were concerned, not to let people know if abusers were  
 23 at the monastery?  
 24 **A. I wouldn't put it like that. I would put it in the way**  
 25 **that I put it here, that you need to consider how**

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1 a victim would feel if they saw his name on a list.  
 2 **That was the point which I was making to Abbot Cuthbert.**  
 3 Q. Did you take the same position as far as F84 was  
 4 concerned at Downside?  
 5 **A. I think I'm right in saying that F84 was not at**  
 6 **Downside -- resident at Downside at that time. I wasn't**  
 7 **asked for advice on this by the Abbot of Downside.**  
 8 Q. Did you think it was appropriate for Gregory Carroll to  
 9 continue to reside at the monastery, given its proximity  
 10 to the school?  
 11 **A. Two issues: in the first place, when he went back to --**  
 12 **when he came out of prison, he was on the Ampleforth**  
 13 **campus but some distance from the monastery. I recall**  
 14 **going to see him and it was a car ride away.**  
 15 **Then he came back into the monastery, and I think**  
 16 **I'm right in saying that this had been taken to the**  
 17 **local authority, to the -- there was a multi-agency**  
 18 **meeting, I think, to discuss it, and this was their**  
 19 **recommendation.**  
 20 Q. I'm asked to confirm, in respect of the alleged  
 21 perpetrator that we spoke of earlier, F18, that he was  
 22 at Colwich Abbey with the approval of the statutory  
 23 authorities. Is that your recollection? Are you aware  
 24 of that?  
 25 **A. Statutory authorities, I can't remember. Certainly the**

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1 **church safeguarding authorities had gone through it and**  
 2 **I put the case to the archbishop of the diocese**  
 3 **concerned, and he referred it to his safeguarding**  
 4 **officer -- safeguarding coordinator, and she was in**  
 5 **contact with the Ampleforth safeguarding coordinator,**  
 6 **and so on and so forth.**  
 7 **I have forgotten your question, I'm sorry.**  
 8 Q. I'm just asked to confirm something. It wasn't really  
 9 a question. And also to confirm that there is  
 10 documentation, which I think came into evidence  
 11 previously, in which Cuthbert Madden did inform the  
 12 safeguarding coordinator, and there is documentation  
 13 that shows that the move to Colwich Abbey was done  
 14 following consultation with the police and MAPPA.  
 15 I think that Cuthbert Madden himself dealt with some of  
 16 that in his evidence.  
 17 **A. Thank you.**  
 18 Q. To make that section clear.  
 19 Can we go to CSA002748. It is an email from  
 20 Colette Limbrick to you, 1 September 2016. Below, an  
 21 email from you, "Dear Colette". Three paragraphs  
 22 down -- you speak about going to Rome on the Friday.  
 23 You say:  
 24 "I think that, mainly to protect myself in case of  
 25 press interest, I need to go to the Holy See to get the

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1 power to prevent Abbot ... from resuming his authority  
 2 before this is allowed by our protocols. I stress that  
 3 I have not the slightest doubt that [he] would do what  
 4 is in accordance with the protocols; but I think this is  
 5 desirable to show to the outside world that we are  
 6 taking them seriously."  
 7 Do you recall that?  
 8 **A. Yes.**  
 9 Q. Were you concerned that you needed to protect yourself?  
 10 **A. That's the one part of the email which I'm looking at,**  
 11 **because I think it was to protect everybody in case of**  
 12 **press interest. I was certainly concerned that I might**  
 13 **be seen to be neglecting matters if I didn't do**  
 14 **something.**  
 15 Q. Do you remember there being another email about this,  
 16 where you expressed concern that you could be accused of  
 17 failing to do your duty?  
 18 **A. Yes, I do. That was, I think, rather later.**  
 19 Q. It was on 4 September 2016, so not very much later.  
 20 **A. Right. That's more in accord with what I recall.**  
 21 Q. 24 May 2017, CSA005602\_001. It is a memo of a telephone  
 22 call with Colette Limbrick. Do you see paragraph 7? Is  
 23 that your memo?  
 24 **A. Yes, it is.**  
 25 Q. "... he should not have a role in safeguarding in

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1 future. This raises the whole question of his  
 2 continuance as abbot. I also query whether he will ever  
 3 have the objectivity in future to enable him to resume  
 4 a safeguarding role. This in turn raises question  
 5 whether he can ever function as abbot. I want to fudge  
 6 this issue at this stage."  
 7 **A. Yes.**  
 8 Q. You wanted to "fudge an issue"? What does that mean?  
 9 **A. There are a number of hypothetical things after the --**  
 10 **there is a recommendation, and that is the basis.**  
 11 **Following that, I list a number of consequences which**  
 12 **might or might not follow. For me to make a definitive**  
 13 **decision on the basis of consequences which might follow**  
 14 **would be very premature and, therefore, I didn't want to**  
 15 **write anything which would commit myself one way --**  
 16 **commit us one way or the other at that stage. I thought**  
 17 **that would be imprudent.**  
 18 Q. Moving on to a different topic, and returning to some  
 19 questions of others, at paragraph 22 of your first  
 20 statement, you say that you are aware of three monks  
 21 who, because of safeguarding reasons, were moved by  
 22 their abbots but without any formal involvement of  
 23 the Abbot President:  
 24 "I was informed by the abbots concerned that it was  
 25 their responsibility, not mine, to give appropriate

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1 information to those who were receiving these monks."  
 2 You name one going from Ealing after a short stay  
 3 elsewhere, you name Father Gregory Carroll who went from  
 4 Ampleforth to Pluscarden Abbey in about 2011. You say:  
 5 "The first of these moves took place before I became  
 6 Abbot President. Concerning the two which have taken  
 7 place during my time as Abbot President, I was informed  
 8 by the abbots concerned that it was their  
 9 responsibility, not mine, to give appropriate  
 10 information to those who were receiving these monks."  
 11 We have sort of covered this topic, but you say you  
 12 had no formal involvement. What was your involvement in  
 13 those two matters?  
 14 **A. In the case of the second person on the list --**  
 15 Q. Gregory Carroll?  
 16 **A. No, sorry, the one before then.**  
 17 Q. Right.  
 18 **A. I can identify his monastery, I think, can't I? I can**  
 19 **identify his monastery?**  
 20 Q. I don't actually know. It is not my question and I'm  
 21 not clear whether this one is in issue.  
 22 **A. The point is, it followed on a visitation. The question**  
 23 **of his residence was something which was discussed**  
 24 **during the visitation. So it was in that context that**  
 25 **I was -- not so much giving advice as listening to what**

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1 **was happening, and I also spoke to some outside bodies**  
 2 **who were concerned about the issue.**  
 3 Q. Did you require the abbots to advise and inform the  
 4 police to make sure that the safeguarding history was  
 5 known to those receiving?  
 6 **A. In that case, the person concerned didn't go to -- he**  
 7 **wasn't going to a religious house.**  
 8 Q. But shouldn't someone be aware, where there is  
 9 a safeguarding issue?  
 10 **A. Yes.**  
 11 Q. Can I --  
 12 **A. Certainly --**  
 13 Q. Sorry, I'm interrupting you again.  
 14 **A. I think I'm right in saying the statutory authorities**  
 15 **had been involved already. I think it would have been**  
 16 **superfluous for me to give directions on that score.**  
 17 **But in the second case --**  
 18 Q. Gregory Carroll.  
 19 **A. Right. I was simply informed.**  
 20 Q. Moving on to a different topic, as far as you are aware,  
 21 does each abbey have the same insurer?  
 22 **A. No, they don't.**  
 23 Q. Does the English Benedictine Congregation as a separate  
 24 body have insurance?  
 25 **A. It has -- yes, it does.**

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1 Q. How does knowledge of child abuse cases affect  
 2 Downside's and the English Benedictine Congregation's  
 3 insurance premiums?  
 4 **A. I'm afraid I don't know.**  
 5 Q. Do you liaise with the insurers about how to achieve  
 6 help for victims?  
 7 **A. I have done.**  
 8 Q. As either the Abbot of Downside or Abbot President?  
 9 **A. As Abbot of Downside, I didn't -- oh, sorry, yes, I did.**  
 10 Q. As Abbot President?  
 11 **A. Yes.**  
 12 Q. And what would be the contents of those discussions?  
 13 **A. It very much depends on the individual case concerned.**  
 14 **In the case of Downside, it was the possible**  
 15 **compensation of A82, and it was really the insurer**  
 16 **keeping me informed of what was happening.**  
 17 Q. As far as --  
 18 **A. When I was --**  
 19 Q. I'm sorry. I must keep my eye on you. When you pause,  
 20 I think you have stopped.  
 21 **A. When I was Abbot President, it was all related to**  
 22 **Fort Augustus and the EBC's insurance agent was**  
 23 **extremely helpful on liaising with not only insurers,**  
 24 **also with solicitors, and with victims. He went to**  
 25 **visit victims, at my -- he volunteered to visit victims.**

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1 Q. The insurer?  
 2 **A. The insurance agent.**  
 3 Q. Do you think that's appropriate?  
 4 **A. I think he was very generous.**  
 5 Q. As far as you're aware, when were Downside's insurers  
 6 first told about Nicholas White and Dunstan O'Keefe?  
 7 **A. I simply don't know.**  
 8 Q. Would there be any impact, or any potential for impact,  
 9 on relevant insurance -- would that have any impact on  
 10 your decision making in deciding whether or not to  
 11 report a safeguarding matter to the police or statutory  
 12 authorities?  
 13 **A. No, I can't see that it would do.**  
 14 Q. I think the suggestion is, would it be cheaper if you  
 15 settled without a case, without there being a court  
 16 trial or without matters escalating to that level?  
 17 **A. I have never heard of that being done for insurance**  
 18 **reasons.**  
 19 Q. Are you able to comment on a statement that  
 20 Eileen Shearer makes in her statement that:  
 21 "The Catholic Church Insurers' Association (CCIA)  
 22 was at pains to ensure that the diocese's insurers kept  
 23 control on the processing of responses to allegations."  
 24 She said:  
 25 "Throughout my tenure as director of COPCA and then

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1 CSAS, there was a constant tension between the  
 2 approaches to safeguarding that were proposed and  
 3 recommended to the various elements of  
 4 the Catholic Church and the approaches which CCIA wished  
 5 to take."  
 6 Are you able to comment on that?  
 7 **A. I make two comments. In the first place, when I was on**  
 8 **the Cumberlege Commission, this was something which**  
 9 **exercised the commission a great deal, and I remember**  
 10 **the commission was quite concerned that the advice that**  
 11 **we were getting really was not much help to victims.**  
 12 **My second comment would be that, as I indicated**  
 13 **a few minutes ago, my own experience with CCIA has been**  
 14 **very positive, and when I gave a report to the**  
 15 **McLellan Commission, which was looking at safeguarding**  
 16 **in Scotland, I said this, that I had been led to expect**  
 17 **that insurers would be one of the principal obstacles to**  
 18 **dealing with victims. I said that my experience was**  
 19 **different.**  
 20 Q. On a slightly different topic -- same topic, but  
 21 a different tag, if you like. On 30 November,  
 22 Eileen Shearer gave evidence. A letter was put to her  
 23 in which she referenced tensions where monastic orders  
 24 were adjacent to schools. She was asked:  
 25 "Question: What did you mean by 'tensions' in the

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1 letter? ...  
 2 "Answer: Well, I think what Abbot Yeo was saying  
 3 was that the proposals that Lord Nolan had made were not  
 4 easily applicable to monasteries, and clearly we  
 5 believed that we had taken that on board by having  
 6 religious as part of our working groups in developing  
 7 the policies and procedures and creating separate  
 8 sections for particular parts of the church, which made  
 9 the policies and procedures quite lengthy and detailed  
 10 and to some extent quite intimidating, I think, for  
 11 people to use.  
 12 "So I'm not sure that I accepted that they were as  
 13 different as was claimed, really, but clearly that was  
 14 the perception. So that's what I was identifying  
 15 there."  
 16 Have you got any observation about tensions, as  
 17 mentioned by her, between monastic orders being adjacent  
 18 to schools?  
 19 **A. I think the -- as is indicated in chapter 2 of**  
 20 **the Cumberlege Commission's report, the reception of**  
 21 **Nolan by religious was made difficult by the fact that**  
 22 **the Nolan Report was written seemingly exclusively,**  
 23 **bearing dioceses in mind, and religious were added on as**  
 24 **an afterthought, and I think that vitiated the easy**  
 25 **introduction of the Nolan safeguarding provisions into**

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1 **religious orders generally. So that would be my general**  
 2 **comment.**  
 3 **MS KARMY-JONES: Thank you. I think we have come to the**  
 4 **time when the chair and the panel and the rest of us**  
 5 **might wish to find the end of the day.**  
 6 MS GRIFFITHS: Before we do that, if we have finished  
 7 today's proceedings, Adrian Child has been waiting all  
 8 day today. I wonder if he can be assured that he will  
 9 be on first tomorrow after this witness?  
 10 MS KARMY-JONES: He will be on first tomorrow after this  
 11 witness, and I can assure all, and Father Richard as  
 12 well, that I will endeavour to take the rest of his  
 13 evidence quickly.  
 14 Can I say that I hope, Father Richard, that you are  
 15 able to come back tomorrow. We will come and check with  
 16 you, but you are partway through your evidence, and you  
 17 will appreciate how important it is that we conclude it  
 18 tomorrow.  
 19 I think, chair, you have said that we will be  
 20 sitting at 10.00 am.  
 21 THE CHAIR: Yes.  
 22 MS KARMY-JONES: If there is any change of plans for  
 23 tomorrow, we will email all parties. At the moment,  
 24 I don't anticipate that there will be.  
 25

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1 Housekeeping  
 2 MS GRIFFITHS: Ma'am, the second point is this:  
 3 I understand -- I have seen an order that you have made  
 4 this afternoon. We have had no input into that order  
 5 and would like to make representations, as I think  
 6 others would. Would you like to hear them now or  
 7 tomorrow?  
 8 THE CHAIR: Could you liaise with the solicitors, please,  
 9 and I will look at them overnight?  
 10 MS GRIFFITHS: Certainly.  
 11 THE CHAIR: Thank you.  
 12 Mr Stein?  
 13 MR STEIN: Madam, I am sorry for disturbing the end of  
 14 the day, but there is an outstanding matter we have  
 15 which concerns a request for the delivery up of  
 16 the Comboni current code of conduct. Now, that at the  
 17 moment has been dealt with by way of correspondence and  
 18 there has been sort of a reply from Kingsley Napley, the  
 19 solicitors representing the Catholic Council. Where we  
 20 are at, at the moment, is that the claim is that it is  
 21 not relevant to the EBC investigation that we are  
 22 currently engaged in.  
 23 The difficulty in leaving it much longer, as we say  
 24 it is wholly relevant, is that of course we are running  
 25 out of time for this week, so we need to wrestle with

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1 that particular matter. That particular code, we  
2 suggest, may well be telling on matters that you have  
3 heard through the last two and a half weeks. In other  
4 words, setting out what appears to be a "monk first over  
5 children" policy. Now, if we are right on that, then  
6 obviously it would be very relevant to this  
7 investigation. But in order for us to be able to  
8 consider that, we need the up-to-date code that we are  
9 aware of and I believe Kingsley Napley are as well.  
10 So that is a short sort of summary of where we are  
11 at with it. It does clearly need some further debate  
12 and some further time.  
13 Different ways of dealing with that would be, as an  
14 example, sitting at 9.45 am tomorrow, or perhaps edging  
15 our way into lunchtime, or something similar to that.  
16 THE CHAIR: Thank you. I am aware of the issue being under  
17 discussion amongst the various legal teams. As  
18 I understand it, we are awaiting further information  
19 from Howe & Co on the submissions they wish to make.  
20 MR STEIN: Madam, it is a matter that does really require  
21 all submissions so that the chair, you, can make  
22 a ruling on it. We have probably reached about as far  
23 as we can otherwise. The difficulty, really, is we are  
24 in a three-week time slot. To leave it any further goes  
25 outside of that and that seems ludicrous. I don't think

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1 it is going to take very long to debate this. It is  
2 a very clear issue.  
3 MS KARMY-JONES: As we are awaiting further submissions,  
4 perhaps it would be prudent to leave this matter  
5 overnight, to revisit it at some stage tomorrow, when  
6 there can be a discussion between the teams and, chair,  
7 we can present you with what the definitive position is,  
8 and then, once we have all the submissions, they can be  
9 properly considered, but at the moment, without them,  
10 there may be no real -- little to be achieved at this  
11 stage going into any further detail.  
12 MR STEIN: I don't doubt the need to deliver perhaps a more  
13 rounded position, but I think that can be dealt with  
14 orally.  
15 It is a question of relevance, and you need to  
16 decide that. We suggest it is. It is clear that  
17 Kingsley Napley in their letter are saying it isn't. So  
18 that needs to be decided by the chair. I imagine it  
19 wouldn't take long. The only problem, of course, is we  
20 are trespassing on what is going on at the moment and we  
21 need to just carve out a little bit of time in order to  
22 deal with that.  
23 I wonder, whether, chair, you would speak to your  
24 solicitor in relation to that and add that perhaps to  
25 the timetabling tomorrow? I'm very grateful. I'm sorry

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1 about delaying everybody.  
2 THE CHAIR: Yes. We are willing to consider looking at the  
3 timetabling tomorrow.  
4 MR STEIN: I'm very grateful. Thank you very much.  
5 (4.35 pm)  
6 (The hearing was adjourned to  
7 Wednesday, 13 December 2017 at 10.00 am)  
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