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| <p>1                                       Wednesday, 7 March 2018</p> <p>2       (10.30 am)</p> <p>3       <b>THE CHAIR:</b> Good morning, everyone. Good morning,</p> <p>4       Ms Scolding. Would you like to start?</p> <p>5       <b>MS SCOLDING:</b> Good morning, chair and panel. The first</p> <p>6       witness we have today is Bishop John Hind. I will be</p> <p>7       referring to him as Bishop John throughout. That's the</p> <p>8       nomenclature that's preferable.</p> <p>9                               <b>BISHOP JOHN HIND</b> (sworn)</p> <p>10                              Examination by <b>MS SCOLDING</b></p> <p>11       <b>MS SCOLDING:</b> Bishop John, can I ask you to turn -- you</p> <p>12       should have a witness statement in front of you</p> <p>13       somewhere. Do you have it in front of you?</p> <p>14       <b>A. Yes.</b></p> <p>15       <b>Q.</b> Could you just identify, is it true, to the best of your</p> <p>16       knowledge and belief?</p> <p>17       <b>A. Yes.</b></p> <p>18       <b>Q.</b> I will now ask that that is placed on the website in</p> <p>19       full. The relevant URN reference is WWS000138.</p> <p>20               As well as your witness statement, Bishop John, we</p> <p>21       also have some documents which I may take you through</p> <p>22       during the course of the morning. They will also come</p> <p>23       up on screen, which is situated directly to your right.</p> <p>24       So one way or the other, if you have any problems,</p> <p>25       please do let me know, with either not knowing which</p> <p style="text-align: center;">Page 1</p> | <p>1       <b>A. Correct.</b></p> <p>2       <b>Q.</b> Prior to that, you had been the Bishop of Horsham; is</p> <p>3       that correct?</p> <p>4       <b>A. Yes.</b></p> <p>5       <b>Q.</b> At that time, would you have been the suffragan bishop</p> <p>6       or the area Bishop of Horsham?</p> <p>7       <b>A. I was the area bishop, but that is a special kind of</b></p> <p>8       <b>suffragan bishop.</b></p> <p>9       <b>Q.</b> Fine. You are just about to tell us all about that.</p> <p>10       Prior to that, as I understood it, you were principal of</p> <p>11       the Chichester Theological College for a period before</p> <p>12       that point in time?</p> <p>13       <b>A. Yes.</b></p> <p>14       <b>Q.</b> We have the rest of your earlier career, shall I put it</p> <p>15       that way, within your witness statement, so I am not</p> <p>16       going to take you through that.</p> <p>17       <b>A. Yes.</b></p> <p>18       <b>Q.</b> As you are the first clerical witness we have in this</p> <p>19       part of the investigation, I am going to be asking you</p> <p>20       a few theological and worship-based questions to begin</p> <p>21       with, just so we understand some of the context.</p> <p>22               I know that this will be information that you will</p> <p>23       be very familiar with, but obviously, as this is</p> <p>24       a public inquiry, part of our role is to inform the</p> <p>25       public about things.</p> <p style="text-align: center;">Page 3</p>   |
| <p>1       exhibit we are referring to or not being able to see the</p> <p>2       screen properly, and we will get that fixed as soon as</p> <p>3       possible.</p> <p>4       Next matter. Plainly, we have a very detailed</p> <p>5       witness statement from you. We are not intending to</p> <p>6       take you through it paragraph by paragraph, but we are</p> <p>7       going to try to deal with the main issues that arise</p> <p>8       from your evidence.</p> <p>9       Also to identify that we are going to be covering</p> <p>10       quite a lot of ground today, so please let me know if</p> <p>11       you need a break at any time. We will take a break at</p> <p>12       11.45 am, but it may be that if you need a break before</p> <p>13       that, that is absolutely fine. We can stop and start as</p> <p>14       often as we need to.</p> <p>15       The last point to make is, it isn't a test of</p> <p>16       memory. If you have got notes or you have got</p> <p>17       documents, please feel free to refer to them during the</p> <p>18       course of your evidence, even if I don't take you to</p> <p>19       them yourself.</p> <p>20       Right. Can I identify, you became the Bishop of</p> <p>21       Chichester in 2001; is that correct?</p> <p>22       <b>A. Correct.</b></p> <p>23       <b>Q.</b> Prior to that, you were the diocesan bishop of Gibraltar</p> <p>24       in Europe for eight years -- is that the correct</p> <p>25       nomenclature?</p> <p style="text-align: center;">Page 2</p>  | <p>1               So can I identify, the press in various reports have</p> <p>2       described you as coming from a traditionalist or</p> <p>3       Anglo Catholic wing of the church. Can you tell me,</p> <p>4       firstly, whether you agree with that and, secondly, what</p> <p>5       does that mean?</p> <p>6       <b>A. Yes, I'm quite happy to accept both of those</b></p> <p>7       <b>designations.</b></p> <p>8       <b>Q.</b> Right.</p> <p>9       <b>A. I wasn't quite prepared for the question about</b></p> <p>10       <b>tradition. Let me start with the Anglo Catholic</b></p> <p>11       <b>question.</b></p> <p>12       <b>Q.</b> Please do.</p> <p>13       <b>A. The Church of England, as you know, is a very diverse</b></p> <p>14       <b>body with different strands and preferences of worship</b></p> <p>15       <b>and approaches to evangelism and ministry. What is</b></p> <p>16       <b>sometimes described as the Anglo Catholic wing is that</b></p> <p>17       <b>which stresses the links between the faith and practice</b></p> <p>18       <b>of the Church of England and that of the rest of</b></p> <p>19       <b>the universal church, particularly the Roman Catholic,</b></p> <p>20       <b>the orthodox and oriental orthodox churches; in other</b></p> <p>21       <b>words, stressing those things which the</b></p> <p>22       <b>Church of England has in common with all historic</b></p> <p>23       <b>churches. That tends to go hand in hand with a style of</b></p> <p>24       <b>worship which some would describe as "high church".</b></p> <p>25       <b>Q.</b> What does "high church" mean, in terms of style of</p> <p style="text-align: center;">Page 4</p> |

1 (Pages 1 to 4)

1 worship?

2 **A. In terms of styles of worship, it would involve an**

3 **emphasis upon the mystery of worship; upon the call to**

4 **holiness for the individuals who participate in it;**

5 **emphasis upon silence and reflection; and the sense that**

6 **worship is not simply a human activity oriented towards**

7 **God, but is actually already now a participation in the**

8 **eternal life to which we are called.**

9 Q. Traditionalist. Is that different from being

10 Anglo Catholic?

11 **A. Well, traditionalist obviously means you take seriously**

12 **what you have received. The word "tradition" means**

13 **passed on. From the very beginning of the life of**

14 **the church, the church has not believed that its message**

15 **is its own, but is actually received from God through**

16 **Jesus Christ and passed on through the apostles and**

17 **their successors. So it doesn't mean to say that things**

18 **don't change. I think Picasso once said, "Tradition is**

19 **having a baby, it's not wearing your father's hat". So**

20 **in other words, tradition is receiving what you've**

21 **received and living it faithfully today and passing it**

22 **on.**

23 Q. From a press or public point of view, if somebody was

24 described as a traditionalist, does that mean that they

25 would usually be not in favour of the ordination of

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1 women either as priests or as bishops?

2 **A. I think in the popular understanding, that would be the**

3 **case, but I don't think it is universally true, because**

4 **tradition, as I say, does develop. Many of those who**

5 **take a very traditionalist view of the life of**

6 **the church as a whole believe that those are**

7 **developments which are within the tradition rather than**

8 **counter to it.**

9 Q. People have also described in their evidence to the

10 inquiry the fact that Chichester was a very

11 Anglo Catholic diocese. Do you agree with that

12 description and, if so, what does that mean in practice?

13 **A. I don't think it is true, because I think that the**

14 **diversity of traditionalists within the**

15 **Church of England were as well represented in Chichester**

16 **diocese as anywhere else. Alongside a number of very**

17 **traditionalist Anglo Catholic parishes, there are some**

18 **very strong evangelical parishes, and particularly those**

19 **of conservative evangelical parishes, which would be**

20 **equally traditionalist but in a rather different kind of**

21 **way.**

22 **I suspect -- this is very conjectural and you must**

23 **forgive me putting it this way -- that what you might**

24 **call the articulate middle ground was less strong in**

25 **Chichester, but by no means absent, and I suspect for**

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1 **most ordinary worshippers, particularly in country**

2 **parishes, these kind of distinctions were really pretty**

3 **irrelevant. They simply got on with the business of**

4 **living and worshipping as Christians.**

5 Q. I think, as you have identified, there was quite

6 a strong Anglo Catholic wing, of which you are

7 a representative, and then there was quite a strong

8 evangelical wing and not very many people in the middle.

9 Does that mean that there was more conflict in the

10 context between personalities within the diocese than

11 one would normally have expected? I mean, is it the

12 case that evangelicals and Anglo Catholics don't get on?

13 Can you explain to us -- because there is some evidence

14 that suggests that that may be the case?

15 **A. Well, perhaps if I could give an example. I think in**

16 **1997, my predecessor, Bishop Eric Kemp, deliberately**

17 **appointed Bishop Wallace Benn as Bishop of Lewes because**

18 **Bishop Wallace represented Reform, the conservative**

19 **evangelical tradition, and no other bishop in the**

20 **Church of England appeared to be willing to appoint**

21 **a bishop from that tradition to his diocese. So it**

22 **actually indicates to me that it is perfectly possible**

23 **for the traditionalists to respect each other and try to**

24 **make space for each other, even though they take some**

25 **very different approaches on some controversial**

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1 **questions.**

2 Q. During the period of time when you were Bishop of

3 Chichester, there were some, shall we say, tensions in

4 the context of the Anglo Catholic wing of the church in

5 respect of the church nationally, as I understand it,

6 because of, firstly, the ordination of women, therefore

7 leading some individuals to choose to become members of

8 the Catholic Church and also the Roman Catholic Church,

9 I will call it, and also the Roman Catholic Church

10 developing something called the Ordinariate, which

11 I understand was a mechanism whereby those of an

12 Anglo Catholic persuasion could in effect convert,

13 including those. How much of your time as a senior

14 member of the Anglo Catholic tradition was spent engaged

15 in those kinds of matters during your time as Bishop of

16 Chichester?

17 **A. Not a huge amount. I mean, I did have several meetings**

18 **with concerned clergy and laity, and I can't remember**

19 **the precise dates, and there was one big national**

20 **conference in which I -- a day conference in which**

21 **I took part. I suspect towards the end of 2009, but**

22 **I really can't be quite clear about that.**

23 Q. If it was 2009, that would be around the same time as

24 some of the issues that we are talking about sort of

25 reached a head, so to speak. Would you say in 2009 that

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| <p>1 you were having to spend more time than maybe you would<br/>2 like to have done upon those sorts of national issues?<br/>3 <b>A. No, certainly not. Could I tell you a little bit about<br/>4 a bishop's diary?</b><br/>5 Q. Yes. Please do.<br/>6 <b>A. When I was ordained bishop in 1991, the then<br/>7 archbishop's adviser for Episcopal ministry gave me what<br/>8 I suppose now we would call induction training, but it<br/>9 was actually a long conversation, in which he told me<br/>10 that a bishop should divide his time into three. One<br/>11 third is for his diocese; one third is for wider<br/>12 national and civic concerns; one is for international<br/>13 and ecumenical matters. So roughly one third of<br/>14 a bishop's time should be devoted to a diocese. Now,<br/>15 anybody who has a two- or three-hatted job, it actually<br/>16 means you have three jobs rather than one.</b><br/>17 So I would not say that a disproportionate amount of<br/>18 time was taken in 2009 over that. I was already, by<br/>19 that stage, the vice moderator -- that is, vice chair --<br/>20 of the World Council of Churches' Faith and Order<br/>21 Commission and the chair of the Church of England's<br/>22 Faith and Order Commission, so I was heavily involved in<br/>23 those kind of ecumenical activities already and I don't<br/>24 think the discussions around the Ordinariate added<br/>25 substantially to that.</p> <p style="text-align: center;">Page 9</p> | <p>1 <b>aspect of the Church of England in which it is most<br/>2 prevalent.</b><br/>3 Q. When you say "in the strict sacramental sense", perhaps<br/>4 you could explain, what do you mean by that and what is<br/>5 the sacramental seal of the confessional?<br/>6 <b>A. Right. Confession of one's sins, making reparation for<br/>7 one's sins and receiving forgiveness is absolutely<br/>8 central to the Christian life and to people of every<br/>9 tradition. The sacramental approach to confession,<br/>10 which puts a box around an official confession to God<br/>11 through a priest, which is the only thing to which the<br/>12 seal of confession applies, tends to be something which<br/>13 is restricted mainly to the Anglo Catholic, but not<br/>14 exclusive, wing of the Church of England.</b><br/>15 However, approaches to unburdening one's grief and<br/>16 one's guilt to a minister and hearing God's words of<br/>17 forgiveness is something which is common to people of<br/>18 every tradition. Unfortunately, people sometimes<br/>19 confuse that kind of what you might call -- I don't want<br/>20 to use the word "informal" because it is part of one's<br/>21 formal life, but unregulated confession. People get<br/>22 that confused with sacramental confession and sometimes<br/>23 imagine that the same degrees of confidentiality apply<br/>24 there and people would sometimes say, you know, "Oh, you<br/>25 won't tell anybody, will you?", and I think any priest</p> <p style="text-align: center;">Page 11</p> |
| <p>1 Q. As you have already identified, if you have got really<br/>2 only a third of your time able to be devoted to diocesan<br/>3 matters, that therefore means, by necessity, a higher<br/>4 degree of delegation and/or having a good team around<br/>5 you who can deal with some of the more day-to-day<br/>6 matters, I would assume?<br/>7 <b>A. Yes.</b><br/>8 Q. Can I ask you now -- this isn't on behalf of<br/>9 the inquiry, but Ms Hoyano representing the victims and<br/>10 survivors on behalf of Slater &amp; Gordon has asked me to<br/>11 ask you some questions about the seal of<br/>12 the confessional. It seems to me it is appropriate to<br/>13 ask you at this time, as I am asking you about church<br/>14 tradition.<br/>15 Can I ask, how widespread is the use of<br/>16 the confessional within the context of<br/>17 the Church of England?<br/>18 <b>A. It's very hard to be statistical about it. But it's<br/>19 certainly a minority practice.</b><br/>20 Q. What sort of minority would practice it? Which wing?<br/>21 You have talked about a very diverse church. Which wing<br/>22 would tend to practice it?<br/>23 <b>A. In the strict sacramental sense, which is what we are<br/>24 talking about when we talk about the seal of<br/>25 the confessional, it would be largely the Anglo Catholic</b></p> <p style="text-align: center;">Page 10</p>   | <p>1 <b>or minister on receiving that kind of looser kind of<br/>2 confession needs to say, "I'm sorry, I'm not able to<br/>3 give that kind of undertaking".</b><br/>4 Q. So what would be the undertaking that would need to be<br/>5 given for it to become a sacramental confession?<br/>6 <b>A. Things got a little bit confused after the second<br/>7 Vatican Council and when the Roman Catholic Church<br/>8 started relaxing in practice some of its rules on the<br/>9 matter, and that spilled over into the<br/>10 Church of England. However, traditionally,<br/>11 a sacramental confession would take place normally at an<br/>12 advertised time, in church, with a priest robed and<br/>13 wearing a purple stole in a way that was clearly<br/>14 identifiable as a solemn act and not an informal<br/>15 pastoral conversation which might actually go somewhere<br/>16 quite different.</b><br/>17 Q. Thank you very much for that very helpful explanation.<br/>18 What is your view about the absolute nature of the seal<br/>19 of the confessional?<br/>20 <b>A. May I say here that I think this is one of those<br/>21 "irresistible force and immovable object" questions.<br/>22 I cannot think of circumstances in which I would be<br/>23 willing to break the seal of the confessional. However,<br/>24 this is a matter which is an ongoing debate within the<br/>25 church and I think we are in a new situation in some of</b></p> <p style="text-align: center;">Page 12</p>  |

1 **these safeguarding matters and I really wouldn't want to**  
 2 **predict where we are going to in the long term.**  
 3 **That's why I say I think it is an impossible**  
 4 **question to answer and I really wouldn't want to give**  
 5 **any kind of personal view at the moment.**  
 6 Q. Thank you very much. Turning back now to the questions  
 7 from the inquiry, can I ask, you were a diocesan bishop.  
 8 What does that therefore mean that you do and what are  
 9 your responsibilities? Can I ask you to turn to  
 10 Canon C18, which is, Paul, WWS000074, and it is behind  
 11 tab B1. This, as I understand it, it is the canon which  
 12 applies to all bishops, including diocesan bishops. Can  
 13 we just identify, you have to wear, as you have already  
 14 identified, a number of hats, diocesan-wise, nationally  
 15 and internationally. You also appear to have to wear  
 16 a large number of hats in terms of your  
 17 responsibilities.  
 18 Looking at this, you are the chief pastor -- is that  
 19 right?  
 20 **A. Yes.**  
 21 Q. You are also the principal minister?  
 22 **A. Mmm-hmm.**  
 23 Q. You are also in charge of churches, and you are also  
 24 responsible for correcting and punishing all which are  
 25 "unquiet, disobedient and criminous" -- I particularly

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1 like those words. So you have very onerous roles and  
 2 responsibilities, don't you, as well as managing the  
 3 fabric, because a lot of this is all about the fabric  
 4 and the employment of everybody who wants to be a priest  
 5 within your area; is that right?  
 6 **A. May I take you back to the beginning of your question?**  
 7 Q. Yes.  
 8 **A. Only because you said this applies to all bishops. This**  
 9 **canon is specifically about diocesan bishops.**  
 10 Q. Thank you.  
 11 **A. I think it refers to the granting of faculty or licence**  
 12 **for these matters in relation to fabric, rather than**  
 13 **direct management of them.**  
 14 Q. Yes.  
 15 **A. I think the most important thing is where you started,**  
 16 **about the bishop as chief pastor and principal minister.**  
 17 **This draws attention to the fact that the bishop,**  
 18 **whatever particular responsibilities he has and**  
 19 **jurisdiction he has, do not make him any less -- or any**  
 20 **more of a pastor or minister than any other ordained**  
 21 **person. So a bishop is primarily a priest. He has, as**  
 22 **his main responsibilities, preaching, teaching,**  
 23 **celebrating the sacraments. In the case of a bishop, he**  
 24 **has a particular responsibility in relation to being, we**  
 25 **say, the President of the diocesan Eucharist and**

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1 **responsibility for what we call the sacraments of**  
 2 **initiation, baptism and confirmation and ordination.**  
 3 **It is very important to note in the first paragraph**  
 4 **there that it says, "He is the chief pastor of all who**  
 5 **are within the diocese, as well laity as clergy". The**  
 6 **bishop is not there to be primarily the boss of**  
 7 **the clergy. He is there to be somebody who is supposed**  
 8 **to care for and to provide for the spiritual needs of**  
 9 **all the people in the diocese, the laity as well, and**  
 10 **his relationship with the clergy is primarily to do with**  
 11 **ensuring that the clergy are offering the appropriate**  
 12 **care and support to the parishes.**  
 13 Q. So you have nothing which could even look like any kind  
 14 of line management responsibility for individuals who  
 15 run parishes?  
 16 **A. No. I think this is an area in which things have**  
 17 **changed considerably during the time that I have been**  
 18 **a diocesan bishop. Chichester was a long way behind the**  
 19 **curve when it comes to the patterns of ministerial**  
 20 **review -- the words differ in different places.**  
 21 **I remember in the very short time that I was Bishop of**  
 22 **Horsham and a member of Bishop Eric Kemp's senior staff**  
 23 **meeting, there were some considerable discussions about**  
 24 **whether we ought to have something which, in the secular**  
 25 **world, would be described as a system of appraisal.**

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1 **That was not language that was comfortable in the**  
 2 **church.**  
 3 **I remember considerable resistance to anything at**  
 4 **all that might remotely look like appraisal because of**  
 5 **the freehold independence of the parochial clergy, which**  
 6 **is very jealously guarded and is part of the division of**  
 7 **powers which is characteristic of the Church of England.**  
 8 **When I was appointed, we introduced gradually**  
 9 **a system of what we have called continuous assisted**  
 10 **review of ministry, which was a gentle way into**  
 11 **something which is beginning to look like appraisal. It**  
 12 **started off as a kind of peer review in which people had**  
 13 **their own support partner, but then that ended with an**  
 14 **interview with the bishop or the archdeacon over**  
 15 **a three-year period, and this was recorded. So we are**  
 16 **gradually beginning to introduce a gentle system of**  
 17 **appraisal. This has now been replaced by something much**  
 18 **more formal, but, I mean, that was -- yes, sorry, I have**  
 19 **rather run out of the sentence there.**  
 20 Q. That's absolutely fine. So you -- at the time when you  
 21 were -- you were in a process of evolution, in terms of  
 22 the appraisal functions, is what I think you were  
 23 telling us within your evidence?  
 24 **A. Yes.**  
 25 Q. Can I ask, what is your relationship with the Archbishop

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1 of Canterbury, who would have been your -- he is the  
 2 Primate of your particular geographic part of England.  
 3 What would have been your relationship as a diocesan  
 4 bishop in terms of who had authority for what?  
 5 **A. The Archbishop of Canterbury has what's called**  
 6 **metropolitan jurisdiction which means he has, in legal**  
 7 **terms, ordinary jurisdiction throughout the Province of**  
 8 **Canterbury. Ordinary jurisdiction means authority which**  
 9 **resides in the office itself and isn't delegated from**  
 10 **anybody else. In other words, for matters which concern**  
 11 **the province as province, the archbishop had**  
 12 **jurisdiction.**  
 13 **He also has responsibility for diocesan bishops**  
 14 **within his province in matters of discipline and**  
 15 **oversight. It does not mean a regular, day-to-day line**  
 16 **management or accountability. What I described about**  
 17 **our pattern of ministerial review evolving in the**  
 18 **Diocese of Chichester is replicated at the provincial**  
 19 **level, although I think I have to say -- I may be wrong**  
 20 **on this -- in my entire Episcopal ministry, I only once**  
 21 **had one ministerial review meeting with the Archbishop**  
 22 **of Canterbury.**  
 23 Q. So that was over an 11-year career as the --  
 24 **A. I was diocesan bishop from 1993 to 2012.**  
 25 Q. So what you are describing, really, is a collection of

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1 individuals who all work together but also have  
 2 a significant level of autonomy from each other?  
 3 **A. I think that is a very good description of the way in**  
 4 **which the Church of England works. Part of**  
 5 **the difficulty -- I hope, madam chair and panel, you**  
 6 **will be able to get your minds around this -- the church**  
 7 **is often spoken about and looks like a unitary**  
 8 **organisation with a kind of command and control**  
 9 **structure, and people imagine that the Archbishop of**  
 10 **Canterbury sits at the top of it all and runs it and**  
 11 **within the diocese the bishop does that. Indeed, a few**  
 12 **days ago, we heard the diocesan bishop described as**  
 13 **"a king in his own diocese", to which the only response**  
 14 **is: I wish.**  
 15 **The church, as a whole, and the diocese in**  
 16 **particular, is a network of interlocking statutory and**  
 17 **voluntary agencies, and the fact there's some statutory**  
 18 **and some voluntary is quite significant. A diocese, as**  
 19 **diocese, does not exist, for example. It has no**  
 20 **corporate personality -- no legal personality. Within**  
 21 **it, there are a number of statutory bodies. There's the**  
 22 **bishop, of course, who is a corporation sole, but the**  
 23 **bishop's role is heavily circumscribed both by custom**  
 24 **and by legislation. In the Church of England, a bishop**  
 25 **is sometimes described as being a bishop in synod. That**

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1 **doesn't mean to say he's always having meetings, but it**  
 2 **does mean that the bishop acts in a collegial**  
 3 **relationship with other people, both when those other**  
 4 **people are formally gathered together in meetings and**  
 5 **generally.**  
 6 **So, for example -- I'm trying to think of a good**  
 7 **example. Well, yes, I mean, although a diocesan bishop**  
 8 **has considerable moral authority, he has very little**  
 9 **actual power when it comes to effecting change other**  
 10 **than what he can effect by moral suasion or sometimes by**  
 11 **force of personality. I mean, I think the very fact**  
 12 **that the church may look like a single body does give**  
 13 **those who have big personalities and a strong sense of**  
 14 **their own power an ability to act in quite a dictatorial**  
 15 **kind of way. That is not how the Church of England**  
 16 **tries to understand it.**  
 17 **The bishop acts in college with his other bishops,**  
 18 **and it is important to recognise that the answer to your**  
 19 **question about the Archbishop of Canterbury and the**  
 20 **Archbishop of York as well, the Church of England is**  
 21 **substantially governed by the General Synod, which has**  
 22 **three houses, each of which can effectively outvote the**  
 23 **other. One of the roles of a diocesan bishop is to be**  
 24 **a member of the House of Bishops of**  
 25 **the Church of England, which is a house of**

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1 **the General Synod.**  
 2 **So you act collegially in that way and within the**  
 3 **diocese the bishop acts in collegial relationship with**  
 4 **any other bishops in the diocese, with his archdeacons,**  
 5 **and archdeacons have their own ordinary jurisdiction.**  
 6 **It is very important to recognise that, that there are**  
 7 **several kinds of ordinary jurisdiction operating in the**  
 8 **diocese: that of the diocesan bishop himself; that of**  
 9 **the archdeacons; and certainly that of the diocesan**  
 10 **chancellor.**  
 11 Q. Who is the diocesan chancellor? We haven't heard about  
 12 him before.  
 13 **A. Right.**  
 14 Q. The others, we have.  
 15 **A. Yes, I should have been more careful in saying that**  
 16 **because I should have expected that follow-up question.**  
 17 Q. Sorry.  
 18 **A. No, no. A diocesan chancellor -- he is the judge of**  
 19 **the bishops' consistory courts. He is the kind of chief**  
 20 **judge of the diocese. I suppose in a way he is a kind**  
 21 **of visitor to the diocese. He has a largely dormant and**  
 22 **watching role, but kicks in at certain times when there**  
 23 **are particular issues, and particularly in the days when**  
 24 **consistory courts used to meet regularly, he was often**  
 25 **the judge in it.**

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|---|---|
| <p>1 Q. Could you give us a couple of examples of when -- you<br/>2 said he becomes involved when certain things happen.<br/>3 Would he ever become involved if there were difficulties<br/>4 with safeguarding, which is what we are primarily<br/>5 concerned with?<br/>6 <b>A. I don't think so. I think the only time that I had to<br/>7 consult the chancellor during my time was over the<br/>8 appointment of diocesan registrars. A diocesan<br/>9 registrar is the bishop's principal legal adviser.</b><br/>10 Q. Yes.<br/>11 <b>A. And the chancellor's approval is required for his<br/>12 appointment.</b><br/>13 Q. Who would be a chancellor? Would it be a clergyman or<br/>14 would it be a layperson?<br/>15 <b>A. It is normally, these days, a layperson, although some<br/>16 are clergy. None of the chancellors of the dioceses in<br/>17 which I have served are clergy. One is a judge.</b><br/>18 Q. Are they all members of the judiciary, then?<br/>19 <b>A. Yes, and they do have to be confirmed in the<br/>20 Church of England.</b><br/>21 Q. So they are both members of the judiciary and<br/>22 communicant members of the Church of England?<br/>23 <b>A. I don't think they have to be members of the judiciary,<br/>24 but they often are. We had a QC.</b><br/>25 Q. That's fine. Can I ask, I will just touch on this issue</p> <p style="text-align: center;">Page 21</p>   | <p>1 a suffragan bishop on a practical day-to-day level?<br/>2 <b>A. Let me start by the macro level rather than the day to<br/>3 day. At the top level, in terms of ministerial order<br/>4 there is no difference at all between a diocesan bishop<br/>5 and a suffragan bishop. However, in terms of<br/>6 jurisdiction and the day-to-day affairs, there's<br/>7 a considerable difference, in that a diocesan bishop has<br/>8 all those duties set out in Canon C18, whichever one it<br/>9 was we had a moment ago.</b><br/>10 Q. Yes.<br/>11 <b>A. And he has jurisdiction, in theory, at any rate, to<br/>12 enable him to exercise those responsibilities.</b><br/>13 <b>Suffragan bishops do not have any jurisdiction,<br/>14 except what is delegated to them from the diocesan<br/>15 bishop. In the case of an area scheme -- in the case of<br/>16 the Chichester area scheme, I can't speak for others,<br/>17 because there were many dioceses which have different<br/>18 kinds of schemes, some of which are formal, some<br/>19 informal, but the Chichester formal scheme was set up by<br/>20 my predecessor, Bishop Eric Kemp, in 1984, officially to<br/>21 devolve a number of areas of his own work to the<br/>22 suffragan bishops of Lewes and Horsham.</b><br/>23 <b>What those areas are was spelt out in the Order in<br/>24 Council which set up the area scheme. That included<br/>25 making appointments. One of the things that I didn't</b></p> <p style="text-align: center;">Page 23</p> |
| <p>1 now because we have got a second supplemental statement<br/>2 of Wallace Benn. It won't be available up on screen,<br/>3 but I just wanted to identify, he identifies that one of<br/>4 your concerns was you didn't really like the area<br/>5 scheme. So what I am going to do is ask you, what is<br/>6 the area scheme that was in place in Chichester? Then<br/>7 I will ask you to comment upon what he says later.<br/>8 <b>A. Madam chair and panel, you will find amongst my<br/>9 exhibits -- I'm not quite sure where they are -- a copy<br/>10 of the Order in Council which established the Diocese of<br/>11 Chichester area scheme in 1984. Chichester is a very<br/>12 large diocese. It is the whole of East and West Sussex<br/>13 and what was then the unitary authority and is now the<br/>14 City of Brighton and Hove, extending for about 100 miles<br/>15 along the south coast of England, with more parishes and<br/>16 clergy than I dare to try to count. Therefore, some<br/>17 kind of devolved structure of Episcopal oversight was<br/>18 essential.</b><br/>19 <b>This would not necessarily have had to have been by<br/>20 a number of suffragan bishops. It is perfectly possible<br/>21 to operate such a thing through archdeacons. However,<br/>22 there had been traditionally in Chichester diocese three<br/>23 bishops -- two suffragan and one diocesan -- and the<br/>24 suffragan bishops were Horsham and Lewes.</b><br/>25 Q. What is the difference between a diocesan bishop and</p> <p style="text-align: center;">Page 22</p> | <p>1 <b>actually spell out in detail, though I did talk about<br/>2 the diocesan bishop's responsibility to ensure the<br/>3 parishes are cared for, which means he has a significant<br/>4 responsibility making appointments to parishes.</b><br/>5 <b>That was devolved, the responsibility for that, to<br/>6 the area bishops, and the bishops effectively<br/>7 operated -- the words of my predecessor -- as many<br/>8 diocesan. This reflected -- I said a moment ago that<br/>9 in terms of order there is no distinction between<br/>10 diocesan and suffragan bishops, and I remember my<br/>11 predecessor saying to me on several occasions "a bishop<br/>12 is a bishop is bishop" and, therefore, a bishop has to<br/>13 have some authority in his own area.</b><br/>14 <b>He expected the area bishops to get on with things,<br/>15 except when he wanted to manage them himself. This is<br/>16 where personality and temperament and experience come<br/>17 in.</b><br/>18 <b>Nobody, I think, in the end, gainsaid my<br/>19 predecessor. He had been there a very, very long time.<br/>20 Although his grip may have slipped somewhat towards the<br/>21 end, there was never any doubt at all about who the<br/>22 diocesan bishop was.</b><br/>23 <b>Nevertheless, he did complain to some extent -- to<br/>24 me on several occasions, even before I was Bishop of<br/>25 Horsham -- this may have been actually a warning when he</b></p> <p style="text-align: center;">Page 24</p>                 |

|  |  |
|--|--|
| <p>1 was planning to make me Bishop of Horsham -- about the<br/>                 2 extent to which, particularly, the Lewes Episcopal area<br/>                 3 tended to go its own way. This may partly be a function<br/>                 4 of geography. It needs to be recognised that in this<br/>                 5 huge diocese which is Chichester, Chichester itself is<br/>                 6 right at the extreme south-west corner of the diocese,<br/>                 7 meaning that East Sussex is quite a long way from it and<br/>                 8 therefore not likely to be seen by him quite as often.</p> <p>9 Q. In other words, did this continue into your reign, so to<br/>                 10 speak? Lots of people have said that during<br/>                 11 Bishop Eric Kemp's time, basically everything was run --<br/>                 12 Lewes was run as one area, Horsham was run as another<br/>                 13 and then he ran the Chichester bit of Chichester but<br/>                 14 there was a greater deal of autonomy than one may have<br/>                 15 expected in that circumstance. Was that something which<br/>                 16 continued into your -- to the duration of your<br/>                 17 Episcopacy?</p> <p>18 <b>A. Let me preface my answer to that by saying just a word<br/>                 19 about my experience as Bishop of Horsham, because from<br/>                 20 early 1991 to late 1993, I was the area Bishop of<br/>                 21 Horsham. I don't think I ever had such a happy time in<br/>                 22 my ministry. It was an ideal job in which I had<br/>                 23 effectively the rights and responsibilities and rights<br/>                 24 and duties of a diocesan bishop without having to carry<br/>                 25 the ultimate can. So if things went really badly wrong,</b></p> <p style="text-align: center;">Page 25</p>                          | <p>1 have their area synods. A parish priest has to work in<br/>                 2 relation to his parochial church council, a diocesan<br/>                 3 bishop has to work in relation to the diocesan synod.<br/>                 4 The area bishops were not co-presidents with me of<br/>                 5 the diocesan synod, and although, in theory, they were<br/>                 6 as bound by the decisions of the diocesan synod as<br/>                 7 I was, I have to say that psychologically it felt<br/>                 8 very -- I know this from my time as Bishop of Horsham --<br/>                 9 different indeed. So effectively I would say that the<br/>                 10 area Bishops of Horsham and Lewes were bishops without<br/>                 11 synod, without that collegial structure around them.</p> <p>12 <b>I am not in the least suggesting that they abused<br/>                 13 that at all. But I am saying, in terms of a strict<br/>                 14 understanding of the structure of the church and the way<br/>                 15 a bishop works, I think there was a defect in the area<br/>                 16 scheme.</b></p> <p>17 Q. That is a defect, as I understand it, that around 2010<br/>                 18 you sought to remedy. If I can get you up at WWS000088,<br/>                 19 Paul, and it is behind tab 4, chair and panel, of your<br/>                 20 bundle. This is a report you wrote in response to<br/>                 21 a request from the Bishops' Council for reflections on<br/>                 22 the area scheme. Is that right, that you wrote this?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. This is identifying what you have, in effect, said, is<br/>                 25 that, if I go to five paragraphs down:</p> <p style="text-align: center;">Page 27</p> |
| <p>1 <b>I could duck.</b></p> <p>2 <b>So I had a lot to be grateful for, the area scheme.</b></p> <p>3 <b>Now, I wanted to say that because it prefaces a slightly</b><br/>                 4 <b>sort of guilty confession I need to make about the</b><br/>                 5 <b>approach I took when I came back as diocesan bishop.</b></p> <p>6 <b>I have already explained that I had significant</b><br/>                 7 <b>involvement in the faith and order aspects of the life</b><br/>                 8 <b>of the church. Faith and order means those aspects of</b><br/>                 9 <b>the doctrine and structure of the church which pertain</b><br/>                 10 <b>to its essential message and nature, and particularly</b><br/>                 11 <b>those which affect the governance and, above all,</b><br/>                 12 <b>ecumenical matters.</b></p> <p>13 <b>That means those kind of questions about unity and</b><br/>                 14 <b>doctrine and formal structure are things I have pondered</b><br/>                 15 <b>on very considerably during the course of my time.</b></p> <p>16 <b>I don't think I was aware, when I was Bishop of</b><br/>                 17 <b>Horsham, of the anomaly that the area scheme had</b><br/>                 18 <b>introduced into the fundamental understanding of</b><br/>                 19 <b>the Episcopacy in the Church of England. I spoke</b><br/>                 20 <b>earlier about the bishop being in synod, exercising his</b><br/>                 21 <b>authorities in relationship to clergy and laity and</b><br/>                 22 <b>other structures in the life of the diocese. This means</b><br/>                 23 <b>that in the Church of England understanding, a bishop</b><br/>                 24 <b>without a synod is not a real bishop.</b></p> <p>25 <b>Now, in the diocese of Chichester, the areas did not</b></p> <p style="text-align: center;">Page 26</p> | <p>1 "The present arrangements are tending towards the<br/>                 2 creation of mini dioceses without the infrastructure,<br/>                 3 synodical framework and financial accountability of<br/>                 4 the diocese as a whole. It is difficult to ensure<br/>                 5 consistency in matters of pastoral reorganisation."</p> <p>6 Then you say:</p> <p>7 "The areas are acquiring significantly different<br/>                 8 'churchmanship' feels; the added value of such diversity<br/>                 9 is not felt ... with the best will in the world,<br/>                 10 evangelical parishes cannot get the same kind of<br/>                 11 understanding and support from a Catholic bishop as they<br/>                 12 can from someone who speaks their language, and vice<br/>                 13 versa."</p> <p>14 You then deal with the ecclesiology, as you have<br/>                 15 just described, of being in synod or not, and you then<br/>                 16 said that the scheme should be unscrambled. The scheme<br/>                 17 was then unscrambled, as I understand it, when<br/>                 18 Bishop Warner was appointed, but not during the last two<br/>                 19 years of your -- I want to call it reign, but it is not<br/>                 20 reign, is it?</p> <p>21 <b>A. I would rather you didn't use that word.</b></p> <p>22 Q. Of your tenure.</p> <p>23 <b>A. I don't know quite why those discussions ran into the</b><br/>                 24 <b>ground, except that that was just such a difficult</b><br/>                 25 <b>period in the life of the diocese and we were</b></p> <p style="text-align: center;">Page 28</p>  |

1 **preoccupied by other things. I do know that the**  
 2 **visitation report recommended adjustments to the area**  
 3 **scheme, and I have to say that I was delighted that**  
 4 **Bishop Martin did make that change after my time,**  
 5 **because it was something that I had been working for but**  
 6 **hadn't been able to achieve.**  
 7 Q. In fact, the visitation I think found that it may have  
 8 led to you, as diocesan bishop, or the diocesan bishop  
 9 role, having a lack of engagement with the area of Lewes  
 10 because of the way that the scheme operated in practice?  
 11 **A. Yes.**  
 12 Q. I think that's what they said within their report. Do  
 13 you agree with that as a conclusion? We will come on to  
 14 the visitation later, but in the context of the area  
 15 scheme?  
 16 **A. Yes, I do, although I think, in response to that thing**  
 17 **about lack of engagement, it was specifically about**  
 18 **East Sussex, was the --**  
 19 Q. Yes, that's what -- I'm careful to say it is lack of  
 20 engagement within East Sussex.  
 21 **A. Sorry, forgive me for thinking about my answer to that**  
 22 **for a moment. I did say a while ago that force of**  
 23 **personality and an approach to one's understanding of**  
 24 **authority could lead a diocesan bishop into exercising**  
 25 **his authority in a variety of different kinds of ways.**

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1 **Some people, both temperamentally, by conviction and by**  
 2 **training, tend to lead from the front. That has not**  
 3 **been my style. I have talked a lot about collegiality.**  
 4 **I have always tried to work with advice and in the**  
 5 **context of the Church of England as I have understood it**  
 6 **to be, and I think the criticism about lack of**  
 7 **engagement probably is a slightly coded way of saying**  
 8 **I didn't try to manage everything.**  
 9 **I didn't try to manage everything anywhere in the**  
 10 **diocese. It was not my style or approach to do that.**  
 11 **However, I think there is a particular force in what**  
 12 **they say about East Sussex, which relates also to the**  
 13 **complaints that Bishop Eric made about the extent to**  
 14 **which the east, for a long time, tended to go its own**  
 15 **way. I would be very keen indeed not to lay that charge**  
 16 **at Bishop Wallace's door. I don't know how far it went**  
 17 **back before Peter Ball, but undoubtedly the fairly long**  
 18 **tenure of Peter Ball in East Sussex, and what we know**  
 19 **about a number of covert activities may well have also**  
 20 **fed this notion of it being a relatively independent**  
 21 **fiefdom.**  
 22 Q. From your experience, because you and Bishop Ball  
 23 overlapped, I think, by a year?  
 24 **A. Yes.**  
 25 Q. He was the suffragan/area Bishop of Lewes '91/'92 and

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1 then became Bishop of Gloucester?  
 2 **A. Yes.**  
 3 Q. And you were just coming into post as Bishop of Horsham  
 4 at that point.  
 5 **A. Yes.**  
 6 Q. At the time when Bishop Ball was, therefore, running the  
 7 Diocese of Lewes, it was run as his own little fiefdom,  
 8 I think was the word you used?  
 9 **A. Yes, that was an unfortunate use of word. I'm trying to**  
 10 **avoid casual language. But there certainly was a strong**  
 11 **sense -- as I say, Bishop Eric did explain to me about**  
 12 **it -- about the degree of independence that the east**  
 13 **showed.**  
 14 Q. Can I ask you, in the context of the area scheme, you  
 15 have said that obviously that involves delegation of  
 16 some functions from what would usually be your  
 17 responsibilities to the responsibility of  
 18 the area/suffragan bishop. Can I ask you about a couple  
 19 of those which impact upon safeguarding in particular?  
 20 Firstly, can I ask, whose responsibility was it to  
 21 exercise clergy discipline? Who was ultimately  
 22 responsible for determining matters under the Clergy  
 23 Discipline Measure? Had that been delegated to the area  
 24 bishops or is that something that you still ultimately  
 25 retained responsibility for, whether things went forward

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1 or didn't?  
 2 **A. Right. There are two different questions you have asked**  
 3 **me. One is about discipline of the clergy and one is**  
 4 **about the Clergy Discipline Measure.**  
 5 Q. Yes.  
 6 **A. Day-to-day discipline, in the sense of oversight,**  
 7 **correction, and so on, is one of the issues delegated to**  
 8 **the area bishops.**  
 9 Q. Right.  
 10 **A. They acted as chief pastors in their own area. You**  
 11 **shouldn't say "the Diocese of Lewes", by the way, it is**  
 12 **the See of Lewes.**  
 13 Q. Sorry, I apologise.  
 14 **A. It probably doesn't matter very much. As far as Clergy**  
 15 **Discipline Measure is concerned -- you have got to**  
 16 **remember the Clergy Discipline Measure wasn't passed**  
 17 **until 2003 and didn't come into force until 2006.**  
 18 Q. Yes.  
 19 **A. But under the Clergy Discipline Measure, all formal**  
 20 **complaints against the clergy under the Measure were**  
 21 **made to me.**  
 22 **I think, although I don't have this at my**  
 23 **fingertips, the same thing applied to the Ecclesiastical**  
 24 **Jurisdiction Measure which preceded --**  
 25 Q. That is what I was going to ask. Prior to the

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|---|---|
| <p>1 introduction of CTM, would that have been the case?<br/>                 2 <b>A. As far as I know throughout my time as Bishop of</b><br/>                 3 <b>Chichester, the responsibility for handling formal</b><br/>                 4 <b>complaints under either of the measures would have been</b><br/>                 5 <b>to me. However, under the EJM, I don't think there were</b><br/>                 6 <b>any complaints at all made during my first six years.</b><br/>                 7 Q. We have already got evidence that nobody used -- that<br/>                 8 you're not alone, that nobody used the EJM at all.<br/>                 9 Hence why --<br/>                 10 <b>A. There was a case involving the EJM which I got the tail</b><br/>                 11 <b>end of when I became Bishop of Horsham. There was</b><br/>                 12 <b>a case concerning clergymen in Horsham episcopal area.</b><br/>                 13 Q. Can I now -- in terms of the day-to-day discipline of<br/>                 14 clergy, you said that there was a difference between<br/>                 15 formal complaints about clergy using the Clergy<br/>                 16 Discipline Measure and what you would call day-to-day<br/>                 17 complaints about clergy. If there were safeguarding<br/>                 18 concerns about clergy, where would they have fallen?<br/>                 19 They would have been seen as formal complaints, if<br/>                 20 somebody said, "I'm very worried about this or I'm very<br/>                 21 concerned about the way that somebody is behaving in<br/>                 22 respect of young boys". We have some examples of that.<br/>                 23 Jonathan Graves, for example. I think it was slightly<br/>                 24 before your time. Somebody said, "I'm very worried<br/>                 25 about what's going on with teenage boys". Would that be</p> <p style="text-align: center;">Page 33</p>      | <p>1 clergy witness, just -- I explained it, probably<br/>                 2 inelegantly, in my opening, but what is permission to<br/>                 3 officiate?<br/>                 4 <b>A. Do you mind if I introduce that by a comment about other</b><br/>                 5 <b>kinds of permission as well, the authority under which</b><br/>                 6 <b>a clergyman ministers?</b><br/>                 7 Q. Yes.<br/>                 8 <b>A. There are broadly three -- there may be more, and the</b><br/>                 9 <b>lawyers will correct me -- ways in which a clergyman or</b><br/>                 10 <b>woman can get authority to minister. One is by being</b><br/>                 11 <b>instituted or collated to a freehold. In other words,</b><br/>                 12 <b>holding a benefice. The other is by licence. And the</b><br/>                 13 <b>third is permission to officiate.</b><br/>                 14 <b>A freeholder is somebody who has been duly</b><br/>                 15 <b>instituted or collated -- perhaps I don't need to</b><br/>                 16 <b>explain the difference between those two -- to</b><br/>                 17 <b>a particular office in charge of a parish and, although</b><br/>                 18 <b>the bishop has significant -- had significant</b><br/>                 19 <b>responsibilities and rights in terms of making the</b><br/>                 20 <b>appointments, although he didn't do so solely -- I will</b><br/>                 21 <b>talk about appointments later if you would like to ask</b><br/>                 22 <b>me about them --</b><br/>                 23 Q. Yes.<br/>                 24 <b>A. -- once the person was in post, he or she had freehold</b><br/>                 25 <b>for life, until I think it was 1976, when mandatory</b></p> <p style="text-align: center;">Page 35</p>   |
| <p>1 something that would have been dealt with on<br/>                 2 a day-to-day basis by the area bishop or would that be<br/>                 3 something that should have been dealt with by way of<br/>                 4 a formal disciplinary complaint?<br/>                 5 <b>A. Once again, you have two questions there: it would have</b><br/>                 6 <b>formed part of the normal day-to-day responsibility of</b><br/>                 7 <b>the area bishop in conjunction with the diocesan</b><br/>                 8 <b>safeguarding adviser. Although the system of diocesan</b><br/>                 9 <b>safeguarding advisers didn't come in until the middle of</b><br/>                 10 <b>the 1990s, throughout my time as Bishop of Chichester</b><br/>                 11 <b>there was a DSA and part of the difficulty with the DSA</b><br/>                 12 <b>was that he or she had to relate to three different</b><br/>                 13 <b>bishops, which is possibly one of the questions you</b><br/>                 14 <b>might get on to later about the impact of the area</b><br/>                 15 <b>scheme, potential -- on safeguarding. However, if</b><br/>                 16 <b>formal complaints were made, whether they concerned</b><br/>                 17 <b>safeguarding or anything else at all, they would have</b><br/>                 18 <b>come to me, and in some cases, although by no means all,</b><br/>                 19 <b>the diocesan safeguarding adviser would discuss issues</b><br/>                 20 <b>in the area with me as well as with the area bishop, but</b><br/>                 21 <b>by no means all.</b><br/>                 22 Q. Can I now turn to ask you about permission to officiate,<br/>                 23 or PTO, as we understand it is called.<br/>                 24 <b>A. Yes.</b><br/>                 25 Q. Could you explain, again, just because you are the first</p> <p style="text-align: center;">Page 34</p> | <p>1 <b>retirement at the age of 70 came in.</b><br/>                 2 <b>But with that exception, a freehold essentially</b><br/>                 3 <b>meant that somebody was unchallengeable unless they</b><br/>                 4 <b>broke the law or did something pretty egregious.</b><br/>                 5 <b>A licence is a bishop's formal permission to</b><br/>                 6 <b>somebody who is not a freeholder to minister -- this is</b><br/>                 7 <b>what would be given to a curate, for example, and that</b><br/>                 8 <b>is, it is not a share of the bishop's jurisdiction, but</b><br/>                 9 <b>it is the bishop's authority to exercise the functions</b><br/>                 10 <b>of a clergyman in a particular office.</b><br/>                 11 <b>Permission to officiate is given to somebody who</b><br/>                 12 <b>does not hold an office but would typically be</b><br/>                 13 <b>retired -- I mean, there would be a few other categories</b><br/>                 14 <b>as well, but would typically be a retired priest who</b><br/>                 15 <b>wanted to carry on taking services and preaching.</b><br/>                 16 <b>When I was first a bishop, permission to officiate</b><br/>                 17 <b>was regarded as a very, very lowly kind of beast. It</b><br/>                 18 <b>was not much more than the bishop giving his</b><br/>                 19 <b>acknowledgement to the existence of somebody against</b><br/>                 20 <b>whom nothing bad could be said, and it really didn't</b><br/>                 21 <b>have any very formal status. Sometimes it was even just</b><br/>                 22 <b>given verbally, and the corollary of it was that the</b><br/>                 23 <b>bishop could withdraw it summarily at will, and indeed</b><br/>                 24 <b>there were one or two cases when I was a bishop in</b><br/>                 25 <b>Europe when I did have occasion to withdraw a permission</b></p> <p style="text-align: center;">Page 36</p> |

1 to officiate summarily.  
 2 Gradually, during my time -- I can't remember how it  
 3 happened and when, and it may have been in connection  
 4 with either the Clergy Discipline Measure or the  
 5 introduction of common tenure -- the character of  
 6 permission to officiate gradually got approximated to  
 7 that of a licence in such a way that it was no longer  
 8 possible summarily to revoke permission to officiate,  
 9 one has to go through proper channels, and CDM  
 10 provides -- this, I have got to say, is one of  
 11 the weaknesses of the Clergy Discipline Measure -- that  
 12 any matter which is -- again, I may be wrong about this,  
 13 but my understanding is that any matter which is capable  
 14 of being proceeded with under Clergy Discipline Measure  
 15 can only be proceeded with under the Clergy Discipline  
 16 Measure and a bishop has no right to fast track or go  
 17 around behind that. So, in other words, formal  
 18 complaints increasingly had to be laid not only about  
 19 clergy holding a licence or freehold, but increasingly  
 20 about permission to officiate as well.  
 21 Q. It was your understanding, therefore, that you couldn't  
 22 revoke permission to officiate without having gone  
 23 through the Clergy Discipline Measure process, or the  
 24 Ecclesiastical Jurisdiction Measure process before 2006?  
 25 A. Either that or the person being arrested and charged

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1 with an offence. I can't remember all the details of  
 2 this, but there certainly is provision at certain points  
 3 for suspension at certain stages of criminal processes.  
 4 Q. I think they changed and altered because in fact I think  
 5 it only became suspension after arrest during your  
 6 tenure, and then, after that, in the CDM 2013 it changed  
 7 to, if there was a reasonable suspicion.  
 8 A. Yes.  
 9 Q. We will hear from Adrian Iles more about that. But just  
 10 to say that, during your tenure, the fact that, if  
 11 somebody was arrested, you could suspend them --  
 12 A. Yes.  
 13 Q. -- whether they were a retired clergy or clergy in  
 14 licence, but you couldn't do so if they hadn't been  
 15 arrested --  
 16 A. That's right, yes.  
 17 Q. -- which caused some problems which we will come on to  
 18 later on.  
 19 Can I ask, within the context of the area scheme,  
 20 who was responsible for deciding whether somebody did or  
 21 didn't have permission to officiate? Was that something  
 22 which was delegated?  
 23 A. I will answer that. Could I give a codicil to my  
 24 previous answer as well?  
 25 Q. Of course you can.

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1 A. I have spoken several times about the balance between an  
 2 individual's inherent authority and the way they  
 3 actually behave as individuals because of their power.  
 4 While it is perfectly true that bishops did not have the  
 5 right, short of arrest, to suspend people, there are  
 6 ways and means of leaning on people, and many of my  
 7 colleagues were much better at leaning on people than  
 8 I temperamentally was. So I think it is -- in other  
 9 words, many people were persuaded that it would be for  
 10 their own good for them to voluntarily step down for  
 11 a while, short of suspension.  
 12 Now let me answer the next question you asked. When  
 13 I was appointed, the granting or withholding of  
 14 permission to officiate in the Episcopal areas in  
 15 Chichester belonged to the area bishop.  
 16 Q. Right.  
 17 A. That, however, changed during my time. I think a number  
 18 of factors combined to make it change. There was the  
 19 inherent anxiety that I have described about the area  
 20 scheme to which Bishop Wallace has referred in his --  
 21 and I have tried to explain already, I was uneasy about  
 22 it. However, the Meekings -- the past cases review drew  
 23 specific attention to that, and one of  
 24 the recommendations which we started implementing from  
 25 sometime in 2009, I'm pretty sure it was, was, first of

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1 all, that no permissions to officiate should be issued  
 2 without reference to me, and then, ultimately, that all  
 3 permissions to officiate would be issued from the  
 4 palace.  
 5 Q. So that was something which changed during the course of  
 6 your tenure --  
 7 A. Yes.  
 8 Q. -- specifically because of safeguarding concerns that  
 9 there were around certain individuals who had been  
 10 granted permission to officiate?  
 11 A. Well, that was the second of the two reasons.  
 12 Q. The other reason was because you felt it was for you, as  
 13 the diocesan bishop, to be in charge of that process?  
 14 A. Yes. I felt the consistency of appointments throughout  
 15 the diocese actually demanded it. So it wasn't simply  
 16 safeguarding.  
 17 Q. But I identify as well that you have got a particular  
 18 issue, or individuals have given evidence to indicate  
 19 that there is a particular issue, within Chichester  
 20 because of the large numbers of the clergy who retire or  
 21 retired there. So you had around 400 people who had  
 22 permission to officiate at any one time, which is  
 23 a significant number of people to manage?  
 24 A. Yes, and also challenged enormously the management.  
 25 Once we started introducing CRB checks for all PTO

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| <p>1 <b>clergy, this took a considerable length of time.</b></p> <p>2 Q. I was actually going to pass on to that. Could I ask,</p> <p>3 Paul, could you turn up WWS000090_001, please. Panel,</p> <p>4 it is behind tab B2 of your bundle. This is an email</p> <p>5 from your -- I think Ian Gibson was your chaplain;</p> <p>6 that's right, isn't it?</p> <p>7 <b>A. Correct, yes.</b></p> <p>8 Q. So he is your sort of, I don't know, executive</p> <p>9 assistant, chief --</p> <p>10 <b>A. It is not the language you use, but he is effectively my</b></p> <p>11 <b>chief of staff. He managed my office, yes.</b></p> <p>12 Q. He was writing to you in 2009. I think this sort of</p> <p>13 shows up the difficulties that there are with permission</p> <p>14 to officiate:</p> <p>15 "The staff meeting yesterday ..."</p> <p>16 I'm assuming you had a senior staff meeting fairly</p> <p>17 regularly, as you identify in your witness statement:</p> <p>18 "... requested that all holders of PTO in the</p> <p>19 diocese must have current CRB clearances ... I have</p> <p>20 looked through the list in the online directory and</p> <p>21 about 90 per cent have never been through [one] or are</p> <p>22 over five years with their last check. I realise there</p> <p>23 are some who are no longer actively engaged with</p> <p>24 ministry, but ... It will also be costly ... We need to</p> <p>25 send a mail shot ..."</p> <p style="text-align: center;">Page 41</p>  | <p>1 checks every five years?</p> <p>2 <b>A. Mandatory within the church.</b></p> <p>3 Q. Yes.</p> <p>4 <b>A. There were considerable difficulties with the Criminal</b></p> <p>5 <b>Records Bureau when it was first established about</b></p> <p>6 <b>whether we were even going to be allowed to check the</b></p> <p>7 <b>clergy.</b></p> <p>8 Q. Yes.</p> <p>9 <b>A. There are certain categories of workers who have direct,</b></p> <p>10 <b>unsupervised and -- substantial, I think, is the</b></p> <p>11 <b>language that is used.</b></p> <p>12 Q. I think it is called a regulated activity. And whether</p> <p>13 you fall or don't fall under the auspices of that?</p> <p>14 <b>A. Yes. I don't know what the situation now, but certainly</b></p> <p>15 <b>the case was that we tried to get clergy to be</b></p> <p>16 <b>recognised as a regulated activity. Through most of my</b></p> <p>17 <b>time as Bishop of Chichester, on paper, at least -- in</b></p> <p>18 <b>practice it was better than this -- one was supposed to</b></p> <p>19 <b>make a case for each individual clergyman to indicate</b></p> <p>20 <b>that he should be checked, because a CRB itself had</b></p> <p>21 <b>limited resources.</b></p> <p>22 <b>Now, I took the view that you need to err on the</b></p> <p>23 <b>side of checking more people than less, and this thing</b></p> <p>24 <b>(indicating), irregardless of whether you are retired or</b></p> <p>25 <b>indeed not necessarily even this thing, it may be --</b></p> <p style="text-align: center;">Page 43</p>  |
| <p>1 This, I suppose, points up, in quite sharp contrast,</p> <p>2 the difficulties that you have with if you don't have</p> <p>3 significant oversight and management, because in 2009</p> <p>4 you are finding out that about 90 per cent of your PTO</p> <p>5 people, who would be, I am assuming, taking services on</p> <p>6 occasions possibly, didn't have the relevant CRB checks</p> <p>7 in place?</p> <p>8 <b>A. You say Ian wrote to me. This is not an email to me.</b></p> <p>9 Q. It says "Dear All"?</p> <p>10 <b>A. It is an email to staff of the diocesan office based</b></p> <p>11 <b>upon decisions which have been taken that the staff meet</b></p> <p>12 <b>under my chairmanship the previous day. So it is</b></p> <p>13 <b>instructions effectively from me to --</b></p> <p>14 Q. Yes.</p> <p>15 <b>A. Now, I can't go through the whole history of</b></p> <p>16 <b>the introduction of the Criminal Records Bureau checks.</b></p> <p>17 Q. And I wouldn't expect you to. None of us have. But</p> <p>18 Criminal Records Bureau checks roughly didn't come in</p> <p>19 certainly until -- it was the 1997 Police Act, so we are</p> <p>20 looking at the turn of the 21st century before they are</p> <p>21 really in place. I think there was some discussion</p> <p>22 about it was only in 2004 that the church identified</p> <p>23 I think with "Protecting All God's Children". I might</p> <p>24 not be entirely right, but I think it is around then</p> <p>25 that it became mandatory for all clergy to have CRB</p> <p style="text-align: center;">Page 42</p> | <p>1 sorry, I'm pointing to my clerical collar. Or wearing</p> <p>2 a cassock and a surplice makes you look like a vicar.</p> <p>3 <b>That's why I think that this business of who is to be</b></p> <p>4 <b>trusted and the degree of checks that need to be imposed</b></p> <p>5 <b>needs to be fairly widely drawn to include organists,</b></p> <p>6 <b>adult choristers, vergers, sacristans, anybody who</b></p> <p>7 <b>actually dresses up and looks like a clergyman.</b></p> <p>8 <b>So I think that we need to err on that side.</b></p> <p>9 <b>Now, we were not able to get the government to</b></p> <p>10 <b>recognise that the clergy are in a position of trust.</b></p> <p>11 <b>The opportunity for -- now, of course the vast majority,</b></p> <p>12 <b>overwhelming majority, of people behave responsibly and</b></p> <p>13 <b>Christianly in their duties. But the capacity,</b></p> <p>14 <b>particularly the mystique of looking like a clergyman,</b></p> <p>15 <b>can create for wrongdoing, for those with that kind of</b></p> <p>16 <b>tendency, is great.</b></p> <p>17 <b>So I think we felt fairly frustrated at the</b></p> <p>18 <b>beginning about the difficulty of getting CRB to --</b></p> <p>19 <b>however, in practice, things were much better than that</b></p> <p>20 <b>and it wasn't very long before all clergy, including</b></p> <p>21 <b>volunteer PTO clergy, were able to be checked. Not only</b></p> <p>22 <b>when they applied for posts -- because to start with,</b></p> <p>23 <b>and we had to introduce it for those applying for posts,</b></p> <p>24 <b>but subsequently to those who were already in post.</b></p> <p>25 Q. So that was a process which took place so that it would</p> <p style="text-align: center;">Page 44</p> |

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| <p>1 have been during the course of your tenure that you<br/>2 would have gone from a position whereby probably only<br/>3 those who were being appointed would be checked?<br/>4 <b>A. Yes.</b><br/>5 Q. To a situation where everyone who was operating<br/>6 a clerical role, a clergy role, but not wider than that,<br/>7 would have been being the subject of the five-year<br/>8 checks?<br/>9 <b>A. Yes, but you can see from that thing, that was<br/>10 dated November 2009. That was the point at which we<br/>11 actually insisted that that should start happening.</b><br/>12 Q. Can I ask you now about what responsibilities and powers<br/>13 you have to discipline -- this really follows on from<br/>14 the answer that you have given in respect of regulated<br/>15 activities. What are the difficulties in trying to<br/>16 discipline or manage not people who are clergy, but<br/>17 non-clergy, volunteers, lay individuals, worshippers in<br/>18 a church? What can you do if they breach their trust<br/>19 and what powers do you, as a bishop, have to sort of<br/>20 stop them coming into your church or stop them being<br/>21 part of the church community?<br/>22 <b>A. Very little. I think one of the -- I suppose I should<br/>23 have said this earlier when I was trying to explain the<br/>24 nature of the Church of England. The church is<br/>25 primarily a voluntary body. Church services and the</b></p> <p style="text-align: center;">Page 45</p>   | <p>1 <b>processes for dealing with people with licence could be<br/>2 invoked. In other words, their licence would be<br/>3 suspended or withdrawn.</b><br/>4 Q. How about church wardens, who are the most obvious<br/>5 people? During your time, was there a power to suspend<br/>6 a church warden if he had --<br/>7 <b>A. No.</b><br/>8 Q. He or she.<br/>9 <b>A. I think I need to be helped by those who know more about<br/>10 these things than I.</b><br/>11 Q. I don't think there was the power --<br/>12 <b>A. That is my feeling, and I do know that there was --<br/>13 I mean, I was involved in some discussions in the<br/>14 General Synod about the Church Wardens' Measure and<br/>15 there was great resistance from people who were jealous<br/>16 of the millennium-old tradition of the independence of<br/>17 church wardens, because, I mean, church wardens, until<br/>18 fairly recently, were not elected by the electoral roll<br/>19 but by the parish, which is why there were separate<br/>20 vestry meetings for electing church wardens.</b><br/>21 <b>Now, the church wardens have a position in English<br/>22 law as well as being technically bishop's officers and<br/>23 they are possibly, potentially, really quite a powerful<br/>24 role, but if as you say, and I --</b><br/>25 Q. I think now there is the power to suspend following the</p> <p style="text-align: center;">Page 47</p>  |
| <p>1 <b>ministry of the church are open to all parishioners,<br/>2 regardless of whether they are baptised or not, and<br/>3 public worship is, by definition, public worship. In<br/>4 other words, everybody has a right to attend.</b><br/>5 <b>So the vast majority of people who attend church do<br/>6 so on a voluntary and unsupervised basis, and over them,<br/>7 even though the bishop is their chief pastor, he has no<br/>8 authority or jurisdiction whatsoever, with just a few<br/>9 qualifications.</b><br/>10 <b>Now, there are a number of lay volunteers or lay<br/>11 people involved in church work who do hold a bishop's<br/>12 licence. There are a number of categories of lay people<br/>13 who can be licensed by the bishop. These would include<br/>14 church army captains, who are technically known as<br/>15 evangelists, it would include readers, who are popularly<br/>16 called lay readers, who also can only minister with<br/>17 a bishop's licence or permission to officiate, and there<br/>18 are also in some dioceses, although I don't think we<br/>19 have them in Chichester, a category of lay worker<br/>20 sometimes called accredited lay workers. For example,<br/>21 when I was a curate and a vicar in Southwark Diocese, we<br/>22 had an institution called Southwark Pastoral Auxiliaries<br/>23 who are also licensed by the bishop under provisions of<br/>24 canon.</b><br/>25 <b>For those people, the normal kind of disciplinary</b></p> <p style="text-align: center;">Page 46</p> | <p>1 2016 measure?<br/>2 <b>A. There is now. 2016, yes. Which actually also, I think,<br/>3 extends to members of parochial church councils.</b><br/>4 Q. If I could just for the purposes of the record, I think<br/>5 Adrian Iles deals with it and said it was only in 2016<br/>6 that there was the introduction, I believe, of a measure<br/>7 to be able to suspend church wardens where there are<br/>8 safeguarding concerns?<br/>9 <b>A. I think I do make reference to that in my witness<br/>10 statement, although I can't remember exactly where.</b><br/>11 Q. That's fine. You wanted to tell us about appointments.<br/>12 What was your role in the promotion of appointments,<br/>13 either appointing individuals or making them deans or<br/>14 archdeacons? Whose responsibility would that have been?<br/>15 <b>A. Well, it varies. Let's start with the basics,<br/>16 appointing parish clergy, and particularly appointing<br/>17 incumbents, parish priests, vicars or rectors. Various<br/>18 people have a say in the appointment of a parish priest.<br/>19 There is, of course, the bishop because the person<br/>20 appointed is going to have to hold the bishop's licence<br/>21 and act subject to his authority within the capacity of<br/>22 the law. There are also -- the parish itself has got<br/>23 rights in the matter, and when there is a vacancy, the<br/>24 parish has to hold a meeting at which it elects parish<br/>25 representatives to represent the parish, particularly in</b></p> <p style="text-align: center;">Page 48</p> |

12 (Pages 45 to 48)

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| <p>1 presenting in the appointments process the needs of<br/>2 the parish in relation to a special document which has<br/>3 to get prepared by the parochial church council<br/>4 outlining the traditions, needs and something else of<br/>5 the parish.</p> <p>6 Very often, although I rather discourage this, the<br/>7 parish elected its church wardens to be its parish<br/>8 representatives. I rather took the view that one church<br/>9 warden is quite enough and that when parishes could be<br/>10 persuaded to have somebody a little bit apart from that,<br/>11 so, in other words, two representatives, only one of<br/>12 whom might be a church warden, would be ideal.</p> <p>13 The third person who might have a stake is a patron.</p> <p>14 Q. Yes.</p> <p>15 A. Now, patronage is extremely difficult. I am going to<br/>16 use the word loosely, I will talk about private<br/>17 patronage if I may. I shouldn't strictly talk about<br/>18 private patronage because a lot of patronage is<br/>19 exercised by the Crown and that is technically not<br/>20 private but within the meaning of the Act it is the<br/>21 same.</p> <p>22 In other words, there is a person or a body who has<br/>23 certain inherited or acquired rights in the matter of<br/>24 certain appointments.</p> <p>25 Q. There is an example of that that we will come on to, not</p> <p style="text-align: center;">Page 49</p>  | <p>1 impose somebody whom either the bishop or the parish<br/>2 representatives didn't feel was appropriate.</p> <p>3 Q. I'm assuming patrons are sort of -- it is an inherited<br/>4 right, maybe, or something which has come because at<br/>5 some point they may well have gifted land to the church<br/>6 and with that would come the right of patronage. So<br/>7 they could be people who have maybe nothing to do with<br/>8 the day-to-day running of the parish?</p> <p>9 A. It could be the Crown or it could be an Oxford or<br/>10 Cambridge College, for example, some of whom exercise<br/>11 their responsibilities with huge care and spend a lot of<br/>12 time getting to know the parishes and working with them.<br/>13 Others were very much sleeping partners. Some were<br/>14 private individuals. Some of them were Churchmanship<br/>15 Trusts who were established to make sure that parishes<br/>16 didn't deviate from the straight and narrow of whatever<br/>17 particular strand of churchmanship they liked. So all<br/>18 sorts of things behind it.</p> <p>19 Q. So it is quite -- so even getting somebody employed is<br/>20 quite a complex process which may well involve a number<br/>21 of individuals, at least two of whom, possibly -- or at<br/>22 least one of whom, the patron, won't necessarily have<br/>23 had any safeguarding training, or safeguarding might not<br/>24 be the number one issue on their mind, anyway?</p> <p>25 A. Yes. Could I ask you to change your word "employ"?</p> <p style="text-align: center;">Page 51</p> |
| <p>1 in terms of your evidence, but which is relevant in<br/>2 this, where a private individual had the right of<br/>3 patronage over I think it was Reverend Cotton's, the<br/>4 Brede and Udimore parish?</p> <p>5 A. Okay. With any system of dispersed authority, so much<br/>6 depends upon the personalities who are involved. At its<br/>7 very best, this tripartite division of responsibility in<br/>8 the bishop, patron and parish representatives works<br/>9 extremely well and harmoniously. Effectively,<br/>10 I understand, in practice, each one of the three has got<br/>11 a veto. Such is the mystical power of bishops that<br/>12 parish representatives often felt browbeaten. I'm not<br/>13 suggesting they are browbeaten, but -- although I have<br/>14 quite often heard a parish representative say, "We<br/>15 didn't really think we had much choice". That's not<br/>16 only because either patrons or bishops tried to use<br/>17 force majeure, it was simply that quite often there were<br/>18 not enough applicants for posts, and parish<br/>19 representatives may say, "We don't feel terribly happy,<br/>20 but we thought we ought to say yes". So although the<br/>21 tripartite system ought to work for the safeguarding of<br/>22 the church as a whole, I think, in practice, it depended<br/>23 a lot upon the personalities actually involved.</p> <p>24 Tussles were more likely to emerge, however, between<br/>25 bishops and patrons, particularly when patrons wanted to</p> <p style="text-align: center;">Page 50</p> | <p>1 Q. Okay. Of course.</p> <p>2 A. We are talking about appointments.</p> <p>3 Q. Appoint to an office, I apologise.</p> <p>4 A. Yes, that is certainly the case. Neither the parish<br/>5 representatives -- I mean, with the best will in the<br/>6 world, although DSAs worked extremely hard to make sure<br/>7 that training was rolled out for all parishioners, not<br/>8 all took advantage of it. There was actually nothing to<br/>9 say that a parish representative, once elected by the<br/>10 PCC to represent them in the appointments process, had<br/>11 been through any kind of training and, by definition,<br/>12 the patron wouldn't necessarily.</p> <p>13 Q. Of the triumvirate, you may well have two-thirds of that<br/>14 triumvirate who would not necessarily be looking at<br/>15 safeguarding or may not even have had any training or<br/>16 experience in it?</p> <p>17 A. I don't think that not having had training or experience<br/>18 necessarily means they wouldn't take it seriously.</p> <p>19 Q. Okay.</p> <p>20 A. I think most people involved in the life of the church<br/>21 have taken these things very seriously. A lot of<br/>22 the parish representatives and representatives of<br/>23 the patrons would themselves have children and be very<br/>24 concerned indeed about making sure that safe practices<br/>25 were in place.</p> <p style="text-align: center;">Page 52</p>  |

13 (Pages 49 to 52)

1 MS SCOLDING: Chair, if this is a convenient moment?  
 2 THE CHAIR: Yes, thank you, Ms Scolding. We will return at  
 3 12 noon.  
 4 (11.45 am)  
 5 (A short break)  
 6 (12.03 pm)  
 7 MS SCOLDING: Bishop John, just before the break, we were  
 8 talking about the responsibilities and roles you had  
 9 over lay people. I understand there is something more  
 10 you want to say about what jurisdiction you may have to  
 11 discipline lay people?  
 12 **A. Yes. Sorry, madam chair, I didn't actually think of**  
 13 **this at the time. I should have said it earlier on.**  
 14 **The ultimate sanction that a bishop has over**  
 15 **a communicant member of the church is excommunication.**  
 16 **However, excommunication would only have the effect of**  
 17 **excluding somebody from receiving Holy Communion. It**  
 18 **would not have the effect of preventing them from going**  
 19 **to church. Now, church wardens have a legal**  
 20 **responsibility to tell people where they can sit in**  
 21 **church, so if there are people about whom there are**  
 22 **suspensions, and particularly people who have had**  
 23 **convictions or for whom a safeguarding agreement is in**  
 24 **place, they may be required by church wardens to sit in**  
 25 **a particular part of the church, but they cannot in**

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1 **principle in law be excluded from attending their parish**  
 2 **church.**  
 3 Q. Thank you. I think there was just a brief addendum you  
 4 wished to give about the questions that I asked on  
 5 behalf of Ms Hoyano in respect of the seal of  
 6 the confessional?  
 7 **A. Yes. This also is just for the need of completeness.**  
 8 **One of the roles of a confessor in the confessional is**  
 9 **to judge the sincerity of a person's penitence and to**  
 10 **help them make whatever reparation is necessary for the**  
 11 **offences they have confessed, not only in the case of**  
 12 **safeguarding matters, but in the case of any other kind**  
 13 **of criminal activity. A confessor always has the option**  
 14 **of withholding absolution unless and until the person**  
 15 **has given evidence that they have taken steps that are**  
 16 **necessary to deal with the public side of their**  
 17 **offending.**  
 18 **This could extend, of course, to the confessor**  
 19 **saying, "I can't give you absolution, but I will take**  
 20 **you to the police station and enable you to tell the**  
 21 **police what you have just said to me". That would be**  
 22 **one way of doing it. But certainly, somebody who came**  
 23 **to confess to a criminal offence which they were not**  
 24 **prepared to disclose to the public authorities could not**  
 25 **be absolved because their penitence would not be**

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1 **genuine. I think it is quite important to say that.**  
 2 Q. Can we have move now -- we have dealt very helpfully  
 3 with a number of background matters to do with the  
 4 structure of the area. Can we now move to discussing  
 5 the diocesan safeguarding adviser. From the start of  
 6 your tenure, you would have had a diocesan safeguarding  
 7 adviser in place?  
 8 **A. Yes.**  
 9 Q. How often would you meet with them?  
 10 **A. Normally, once a month. I mean, regularly once a month,**  
 11 **but other times when necessary and by telephone and**  
 12 **email on other occasions as well.**  
 13 Q. What was, then, the nature of their role from your  
 14 perspective? What were they doing for you and for the  
 15 diocese?  
 16 **A. Their job was to be our in-house professional, and I do**  
 17 **know from having read one particular witness statement**  
 18 **how much one of our DSAs felt relied upon by us as the**  
 19 **professional.**  
 20 **Different dioceses handle this in different ways,**  
 21 **but I had always been led to believe that it was**  
 22 **important that the same person or persons should be**  
 23 **responsible for training and interface with parishes, as**  
 24 **well as handling cases, because if things go wrong, it**  
 25 **is important that there is somebody whom parishes**

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1 **already know and trust, to whom they can go, rather than**  
 2 **having training delivered by some other body.**  
 3 **So I regarded the safeguarding adviser as an**  
 4 **absolutely pivotal person, the pivotal person, for**  
 5 **delivering safeguarding, for training the parishes, for**  
 6 **monitoring the parishes' responses, for keeping the**  
 7 **records of who the parish representatives and**  
 8 **safeguarding matters were, as well, of course, in**  
 9 **handling cases as they came up. So it was a huge job.**  
 10 **I think the word "adviser" may need a little bit of**  
 11 **explaining as well.**  
 12 Q. That's what I wanted to ask. In particular, we heard  
 13 some evidence from Shirley Hosgood yesterday, who  
 14 identified that, when it came to the crunch, if it was  
 15 the difference between her advice or the advice of  
 16 another senior member of the clergy, the senior member  
 17 of the clergy would prefer to take the other clergyman's  
 18 advice as opposed to the diocesan safeguarding adviser's  
 19 advice. What's your view about that?  
 20 **A. My view about that is, I'd like to have some evidence of**  
 21 **what examples are adduced. I think a more likely**  
 22 **situation is where the bishop, me particularly, was**  
 23 **faced with different or conflicting professional advice,**  
 24 **to both of which I was required to give due weight. In**  
 25 **other words, particularly the diocesan registrar, would**

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1 be a good example for that.  
 2 Now, there are very, very few examples where that  
 3 could be the case, but the bishop, as I said earlier on,  
 4 is part of a network of relationships, and he does have  
 5 to give due weight to a number of different kinds of  
 6 advice, and that involves legal as well as safeguarding.  
 7 I have wrestled quite hard with the kind of language  
 8 to use to describe it. I don't want to describe  
 9 a balance, because you sometimes can't balance things  
 10 that are clean contradictory. Sometimes you actually  
 11 have to hold two things which are contradictory in  
 12 tension and ultimately sometimes make a judgment call as  
 13 to which one one is going to take.  
 14 Q. And --  
 15 A. Sorry, can I say a bit more about the advice?  
 16 Q. That's what I was going to ask.  
 17 A. I'm sorry.  
 18 Q. No, it's fine. I was just going to say, if we could  
 19 come back to what was your understanding -- he or she is  
 20 called the diocesan safeguarding adviser. What do you  
 21 perceive their role to be vis-a-vis you and you taking  
 22 their advice?  
 23 A. Chichester diocese had a structure of a number of  
 24 advisers in different areas. I had a very different  
 25 approach to diocesan leadership from my predecessor, and

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1 many of the advisers -- I suspect all -- in the  
 2 diocese -- I'm not talking about safeguarding advisers,  
 3 all the advisers -- rather assumed that their job was  
 4 mainly to advise the bishop so that he could make  
 5 decisions as to what to do in a particular area of  
 6 the line. I hope, from what I have already said about  
 7 my approach to Episcopacy, that that was not my  
 8 approach. I tried to say that the advisers were people  
 9 who were appointed by the bishop, and normally paid by  
 10 the Diocesan Board of Finance, to advise the parishes  
 11 and the clergy, and their advice was professional in the  
 12 areas for which they were appointed. In other words,  
 13 they were not mere opinion givers. There are two  
 14 examples I could adduce, in the case of safeguarding.  
 15 On one particular case, there was a particular  
 16 parish priest who wanted to treat the safeguarding  
 17 adviser's advice as helpful opinion or something you  
 18 would bear in mind, and I had to say, I'm afraid the  
 19 safeguarding adviser's advice is professional and you  
 20 must obey it", and I had to make the same point at  
 21 a Bishops' Council meeting as well at which there were  
 22 some slightly hesitant remarks being made about what  
 23 a safeguarding adviser had said.  
 24 Q. Again, you talked about the fact that sometimes there  
 25 were difficult balances that you had to make between

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1 what your diocesan safeguarding adviser -- the  
 2 professional advice, and somebody else's professional  
 3 advice. Ultimately, the decision is yours and not the  
 4 diocesan safeguarding adviser's, I'm assuming?  
 5 A. Well, it depends on the issue.  
 6 Q. Right.  
 7 A. The only two examples -- no, I can think of a few  
 8 examples where -- all of which I mentioned in my witness  
 9 statement, in which I did not take or back the  
 10 safeguarding adviser.  
 11 Q. I think we will come on to those later, but if you want  
 12 to give one now, it would be useful.  
 13 A. Right. I will give two. One concerns the terms in  
 14 which I wrote a letter of apology and concern and offer  
 15 of help to victims.  
 16 Q. In fact, we will come on to that later, Bishop John.  
 17 Let's deal with that later.  
 18 A. Okay. In which case, there was one which did not seem  
 19 to me to be a safeguarding matter in itself, but  
 20 a matter of administrative dispute between two equally  
 21 responsible officials in the diocese.  
 22 Q. Was that the dispute between Ms Hosgood and Ms Del Mese  
 23 about line management?  
 24 A. No, it actually wasn't that. But it was a dispute  
 25 between the two of them over the best way in which to

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1 promulgate the advice to parishes.  
 2 Shirley felt, and I have to say privately I agreed  
 3 with her, that all materials ought to be given to  
 4 parishes in hard copy. The diocesan secretary took the  
 5 view, not least because she was also the head of  
 6 the Diocesan Board of Finance, or at least the chief  
 7 officer of the Board of Finance, that she would prefer  
 8 to do things online, and do it electronically.  
 9 As I believed that that was essentially an  
 10 administrative issue, I decided on that occasion, even  
 11 though I didn't actually agree, I thought on that  
 12 particular occasion I ought to back the administrator  
 13 rather than the safeguarding adviser. I don't know  
 14 whether it was the right decision or not, but that was  
 15 the view and that's why I took it.  
 16 Q. We will come on to discuss some particular cases in  
 17 a moment.  
 18 Can I ask you now about the next topic, the next  
 19 theme, which is record keeping.  
 20 A. Yes.  
 21 Q. Now, you have set that out at paragraphs 52 to 54 of  
 22 your witness statement. But what many of the reviews  
 23 seem to have identified, in effect, and we heard about  
 24 some of this in the evidence we heard yesterday, in that  
 25 there are sort of three different sets of files in three

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| <p>1 different sets of places. So you have got<br/>2 a safeguarding file that would be run by the diocesan<br/>3 safeguarding adviser; you would then have the area<br/>4 bishops who will keep files on clergy; and then we have<br/>5 something called the blue files, which I understand are<br/>6 sort of personnel files, and there is also something<br/>7 called the Archbishops' List which is circulated,<br/>8 I understand, to you, as diocesan bishop, but not to the<br/>9 area bishops, because of the way that the circulation<br/>10 operated from Lambeth Palace. So you have four possible<br/>11 different sources of information about suspicions,<br/>12 concerns, safeguarding allegations, and what many of<br/>13 the reviews have identified is that that's just too many<br/>14 files in too many different places, which enables things<br/>15 to be missed.</p> <p>16 Is that something that you ever considered or<br/>17 contemplated whilst you were in office as being<br/>18 particularly problematic, or did it only come about when<br/>19 you read the Meekings Review and the visitation and the<br/>20 EBS reports, all of which identified problems with that?</p> <p>21 <b>A. I am not sure how aware I was of it as a problem until</b><br/>22 <b>the past cases review. When I say I'm not sure,</b><br/>23 <b>I genuinely mean I'm not sure.</b></p> <p>24 <b>I think the situation was more complicated than you</b><br/>25 <b>have described, in that there were also parish files, in</b></p> <p style="text-align: center;">Page 61</p> | <p>1 <b>A. I'm sure that's the case.</b></p> <p>2 Q. Now, this was something which Roger Meekings identified<br/>3 within the context of the past cases review, and<br/>4 identified some points of action. Paul, if you could<br/>5 get up ACE023629, behind tab 27, chair and panel, of<br/>6 your hard copy bundle.</p> <p>7 Could I take you to recommendations 2, 3 and 4, all<br/>8 of which are about record keeping and file recording:<br/>9 "There is a need to review the [files so] that where<br/>10 ... [they] are integrated [and held] together."<br/>11 Did you then action that and, if so, in what<br/>12 timescale, if you can remember?</p> <p>13 <b>A. Can you tell me the date and authorship of this</b><br/>14 <b>document?</b></p> <p>15 Q. It is undated. It says:<br/>16 "Below are listed the recommendations listed at the<br/>17 end of the Meekings Report dated 11 February 2009 and<br/>18 details of the implementation of those recommendations."<br/>19 I have to say, I'm not entirely sure who did this,<br/>20 but I think it must have been either the diocesan<br/>21 safeguarding adviser and/or a member of senior staff.<br/>22 I suspect it wouldn't have been you. Ah, Philip Jones,<br/>23 I understand, prepared it following a meeting?</p> <p>24 <b>A. Right. Okay.</b></p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 63</p>   |
| <p>1 which quite a lot of information would be held. There<br/>2 would have been various files at the diocesan office as<br/>3 well. I think I need to correct the impression that's<br/>4 been given about the Lambeth list, because, as far as<br/>5 I recall, although I find it very hard indeed to get the<br/>6 central authority of the Church of England to recognise<br/>7 the distinction between suffragan/area bishops,<br/>8 I believe that during -- I think it was during my tenure<br/>9 that the Lambeth list went to the area bishops as well<br/>10 because of their responsibilities.</p> <p>11 Q. I think it was from 2006. So for the first half of your<br/>12 tenure, it wouldn't have done, and then I think the list<br/>13 was altered in 2006, as we understand it from evidence<br/>14 given elsewhere, so that it was then circulated --<br/>15 disseminated more widely.</p> <p>16 <b>A. That may be the case from the centre. I am pretty sure</b><br/>17 <b>that I spent some effort trying to get Lambeth to do</b><br/>18 <b>this specifically in relation to the area bishops.</b></p> <p>19 Q. Right.</p> <p>20 <b>A. I can't say when.</b></p> <p>21 Q. You're saying that, in fact, there was a greater state<br/>22 of duplication and, therefore, more opportunities<br/>23 potentially for things to be missed because you're<br/>24 talking about, I think, I counted seven different ways<br/>25 in which material or information could be kept?</p> <p style="text-align: center;">Page 62</p>  | <p>1 <b>A. Sorry, could this be enlarged? Thank you. I think</b><br/>2 <b>integrating the records is a very important</b><br/>3 <b>recommendation, and one that we actually started working</b><br/>4 <b>on immediately. I cannot remember exactly when it was</b><br/>5 <b>that I asked for original copies of all documentation,</b><br/>6 <b>particularly concerning safeguarding matters, to be sent</b><br/>7 <b>to the palace. So although I did not object to area</b><br/>8 <b>bishops continuing to keep their own records, I did</b><br/>9 <b>insist -- in other words, particularly relating to</b><br/>10 <b>people for whom they're responsible in their own areas,</b><br/>11 <b>I did insist that all the originals be sent to the</b><br/>12 <b>palace, that only copies could be kept in the area</b><br/>13 <b>offices.</b></p> <p>14 <b>The situation got a bit more complicated. You</b><br/>15 <b>started off by talking about safeguarding files. There</b><br/>16 <b>were no dedicated safeguarding files at the outset, and</b><br/>17 <b>I can't remember when they first started coming in, but</b><br/>18 <b>they introduced yet another level of complexity, but it</b><br/>19 <b>did mean that there was likely to be a dedicated</b><br/>20 <b>safeguarding file on each clergyman, which meant that</b><br/>21 <b>everything that was related to safeguarding would be in</b><br/>22 <b>one place, which is not necessarily the same as the blue</b><br/>23 <b>file. So in order --</b></p> <p>24 Q. No. I understand that there may have been a distinction<br/>25 between what was on a blue file and what was on</p> <p style="text-align: center;">Page 64</p> |

16 (Pages 61 to 64)



1 a safeguarding file?  
 2 **A. Yes.**  
 3 Q. They may have been the same thing?  
 4 **A. Yes.**  
 5 Q. And possibly everything that was on the safeguarding  
 6 file should have been transferred across to a blue file?  
 7 **A. Yes, but it would have been relatively easy for either**  
 8 **the DSA or the bishop to access both of those and to**  
 9 **look at them in parallel with each other.**  
 10 Q. In terms of access to the blue files, one of the issues  
 11 that arises in the context of some of the specific cases  
 12 and the specific examples of offending is that either  
 13 the diocesan safeguard -- well, I think during your  
 14 tenure you say that the diocesan safeguarding adviser  
 15 was given access to the blue files, but that wasn't the  
 16 case, I don't think that was the picture nationally.  
 17 But, secondly, it is unclear whether or not area  
 18 bishops would, or should, have consulted the blue files  
 19 when they were making decisions. Is that something  
 20 which should have happened, which did happen? Because  
 21 they were kept -- I understand that they were kept under  
 22 quite close supervision and scrutiny so that not  
 23 everybody could go in and out and have a look at them at  
 24 will.  
 25 **A. Yes. Again, I think there are a number of questions**

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1 **there. As far as the safeguarding adviser is concerned,**  
 2 **I have got evidence of Tony Selwood, my first**  
 3 **safeguarding adviser, accessing a blue file as early as**  
 4 **either 2001 or 2002. At that time, we were instructed**  
 5 **that blue files were very, very sensitive and really**  
 6 **should be extremely restricted in their access.**  
 7 **However, I did give the safeguarding adviser access, on**  
 8 **request, to any blue file that he wanted to see.**  
 9 **If I may be permitted an opinion at this stage, let**  
 10 **me just say, I think that so much of good safeguarding**  
 11 **requires joining up the dots at an early stage, and**  
 12 **I wish now that I had taken an earlier decision to give**  
 13 **them unfettered access to all blue files regardless, not**  
 14 **simply waiting to look at the particular one they wanted**  
 15 **to look at, and I think they would have been helped had**  
 16 **that been done earlier.**  
 17 **However, from, I think, 2008 on, but certainly**  
 18 **almost immediately after the past cases review, they did**  
 19 **have unfettered access.**  
 20 Q. My understanding from your written witness statement was  
 21 that the advice from Lambeth Palace was that blue files  
 22 shouldn't be shared with anyone, really, but that, after  
 23 the past cases review, that advice changed, and you  
 24 obviously had been -- acted, in a way, in advance of  
 25 that by the actions that you were taking already?

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1 **A. Yes. As I say, I just wish it had gone further.**  
 2 Q. If I can now turn on to say that Bishop Wallace  
 3 indicates within his witness statement -- WPB000047,  
 4 Paul. It is behind tab C2 of your bundle, chair and  
 5 panel. At paragraph 5.6 of his witness statement, on  
 6 page 8, et cetera, et cetera. Let's not worry about the  
 7 first couple of paragraphs:  
 8 "There was a 27-year black hole in Roy Cotton's blue  
 9 file."  
 10 We will come on to discuss Roy Cotton's blue file  
 11 with other witnesses and also with you, but:  
 12 "This is consistent with what Bishop John Hind told  
 13 me, namely, that after the Data Protection Act 1998 came  
 14 into force, he had culled documents from the blue files.  
 15 Indeed, I recall him giving me instructions to go  
 16 through my own clergy files and do the same."  
 17 Can I ask, firstly, can you remember giving this  
 18 instruction?  
 19 **A. I cannot remember giving that instruction, but I would**  
 20 **be very surprised if I had not.**  
 21 Q. What was the nature of the instruction? Obviously, the  
 22 inference that individuals may draw from that is that  
 23 anything that was embarrassing or to do with  
 24 safeguarding, all of which would have been personal,  
 25 sensitive material -- if we think about the

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1 Data Protection Act, it is about making sure that there  
 2 isn't personal, sensitive material. Allegations of  
 3 breach of trust by abusing children, nothing could be  
 4 more personal and sensitive. Did you take that to mean  
 5 that that sort of material should be removed from  
 6 a file?  
 7 **A. Of course not, and I really don't like the association**  
 8 **of those two sentences being next door to each other in**  
 9 **that paragraph. I don't think that Roy Cotton's blue**  
 10 **file would have been reviewed when we were faced with**  
 11 **the introduction of the Data Protection Act, because he**  
 12 **was retired. Although the date was 1998, it came into**  
 13 **force in October 2001, I seem to remember, about which,**  
 14 **if I can cross my fingers I will try to remember**  
 15 **something I need to say about that in a moment.**  
 16 **The review we did of clergy files -- and remember**  
 17 **what you have said already about the number of people**  
 18 **involved -- was we concentrated on serving clergy, and**  
 19 **we simply removed from blue files ephemeral matters**  
 20 **concerning parish visits -- some would be taken from**  
 21 **blue files and placed into parish files.**  
 22 **What I think may have been lost, which may be**  
 23 **significant -- not from this particular file because it**  
 24 **wouldn't have been looked at, but I said a moment ago**  
 25 **something about the importance of joining up dots.**

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| <p>1 In my experience, unreliability or flakiness in one<br/>                 2 area of life often has implications for people's sense<br/>                 3 of responsibility and boundaries in other areas of life<br/>                 4 as well. Although I can't put my hand on my heart and<br/>                 5 say that nothing of a sensitive nature got removed from<br/>                 6 any of those blue files during that period, because<br/>                 7 I didn't do it all myself, I think it may be that some<br/>                 8 things which testified to a general lack of reliability<br/>                 9 on the part of somebody may have got taken out because<br/>                 10 it was, you know, deemed to be sensitive and therefore<br/>                 11 not something one wanted to have available to a --<br/>                 12 an expression of opinion, for example.</p> <p>13 But nothing which was about a safeguarding matter<br/>                 14 would have been taken out. But some things which might<br/>                 15 have added to an overall picture could have gone. This<br/>                 16 is what I wanted to say about the Data Protection view.<br/>                 17 I was appointed --</p> <p>18 Q. This would have been about the same time as you were<br/>                 19 appointed?</p> <p>20 A. My election as Bishop of Chichester was confirmed<br/>                 21 I think on 2 April 2001, and I started full-time work<br/>                 22 after my enthronement at the end of May.</p> <p>23 The Data Protection Act was coming into full force<br/>                 24 in October 2001, and I think everybody was confidently<br/>                 25 expecting there would be an absolute flood of subject</p> <p style="text-align: center;">Page 69</p>                       | <p>1 have the expertise for doing that. But that, I'm<br/>                 2 afraid, was the situation in which we were in the early<br/>                 3 2000s. I hope we have learnt a lot since then.</p> <p>4 Q. Thank you. Can I turn on to the resourcing of<br/>                 5 safeguarding. I think there are two issues there.<br/>                 6 Firstly, there is the amount of money; and, secondly,<br/>                 7 there is the amount of people. Firstly, if I can deal<br/>                 8 with money. If I could ask you to look at WWS000122.<br/>                 9 It is not in your bundle, chair and panel, so we are<br/>                 10 just going to have to have a look at it on screen.<br/>                 11 This is an email that you sent from yourself -- no,<br/>                 12 if we could have the top, Paul, possibly. It is the one<br/>                 13 from yourself to Clive Dilloway. Just to identify, who<br/>                 14 is Clive Dilloway?</p> <p>15 A. He was the chair -- at that stage, he was the chair of<br/>                 16 the Diocesan Board of Finance, which is one of<br/>                 17 the statutory bodies.</p> <p>18 Q. The previous email had been things about money, saying,<br/>                 19 you know, "You can't have any more money", et cetera,<br/>                 20 et cetera, and you say:<br/>                 21 "General sympathy, of course, but serious concern<br/>                 22 about your comments on Shirley's hours, unless some<br/>                 23 reconfiguration of work ... I am seeing Shirley<br/>                 24 tomorrow."<br/>                 25 You, yourself, identified that the amount of</p> <p style="text-align: center;">Page 71</p> |
| <p>1 data requests at that point. I have to say that<br/>                 2 absolutely nothing had been done to the files in the<br/>                 3 palace at Chichester to prepare for that until<br/>                 4 I actually found myself there, and so with the palace<br/>                 5 staff, we had to work extremely hard to go through all<br/>                 6 the records of the serving clergy to prepare them<br/>                 7 for October.</p> <p>8 As I say, nothing of a safeguarding nature would<br/>                 9 have been taken out, but it may be that some things<br/>                 10 which might have cumulatively built up to a picture of<br/>                 11 concern may well have got lost.</p> <p>12 Q. I know you say that. Would it have been possible for<br/>                 13 staff to have misconstrued and just got rid of anything<br/>                 14 which was of a personal, sensitive nature, which would<br/>                 15 have included safeguarding matters?</p> <p>16 A. Of course that is possible. One of my great concerns<br/>                 17 and one of the reasons why I'm so -- I am, in<br/>                 18 retrospect, so sorry that the restrictions on access to<br/>                 19 blue files meant that there was not unfettered access to<br/>                 20 the safeguarding adviser so that he or she could<br/>                 21 actually go and look at how things joined up with each<br/>                 22 other at a much earlier stage, is I think that knowing<br/>                 23 what to look for in information is absolutely critical,<br/>                 24 and the people who were charged with doing that kind of<br/>                 25 review, in other words, bishops and their staff, did not</p> <p style="text-align: center;">Page 70</p> | <p>1 resource available to the diocese in respect of<br/>                 2 the diocesan safeguarding adviser was not enough?</p> <p>3 A. Yes.</p> <p>4 Q. What would you ideally have liked to have seen it be, so<br/>                 5 to speak?</p> <p>6 A. Well, at least a full-time post, and appropriate<br/>                 7 administrative support.</p> <p>8 Q. Why were you unable to secure that, so to speak?<br/>                 9 Because I think when Colin Perkins came into post, that<br/>                 10 was a full-time post, but prior to that, it was only<br/>                 11 a part-time post. What were the reasons given by the<br/>                 12 Diocesan Board of Finance as to why it wasn't possible<br/>                 13 to increase it to a full-time post, if you can remember?</p> <p>14 A. Looking at the previous --</p> <p>15 Q. Yes. There is a zero increase budget, which is,<br/>                 16 I think, something none of us like to see.</p> <p>17 A. Yes. But I think that's not all of that email.</p> <p>18 Q. Could we go on to the next page, if possible?:<br/>                 19 "I'm hoping for a significant cut in the costs of<br/>                 20 the safeguarding area. The work on the blue files ...<br/>                 21 and I would then like to see a reduction ... which are<br/>                 22 out of proportion to other dioceses ... and I have asked<br/>                 23 Francesca to gather ... working hours and<br/>                 24 activities ..."</p> <p>25 A. I think it was important to draw the panel's attention</p> <p style="text-align: center;">Page 72</p>   |

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| <p>1 to that which was a request from the chairman of our</p> <p>2 Diocesan Board of Finance to me to consider reducing the</p> <p>3 hours of the diocesan safeguarding adviser.</p> <p>4 Q. Yes.</p> <p>5 A. In the context, that was clearly a serious financial</p> <p>6 position for the Diocesan Board of Finance.</p> <p>7 As you will see, I resisted that --</p> <p>8 Q. Yes.</p> <p>9 A. -- and I said that it would be utterly impossible</p> <p>10 without some reconfiguration of work. I have already</p> <p>11 explained how important I thought it was that the same</p> <p>12 person oversaw both the training and the interface of</p> <p>13 parishes and the case work, and so the last thing</p> <p>14 I would tolerate was any reduction.</p> <p>15 You asked then about how it was that things changed</p> <p>16 when Colin was appointed in early 2011. Well, I would</p> <p>17 say the difference is, 2009 to 2011. The general</p> <p>18 awareness, not of safeguarding as an issue and the</p> <p>19 importance of good safeguarding, but the awareness of</p> <p>20 the backlog of issues, particularly relating to historic</p> <p>21 cases and the response to victims, had just increased</p> <p>22 exponentially in those years, and something which was</p> <p>23 self-evident to me in 2009 became self-evident to</p> <p>24 everybody else a little bit later.</p> <p>25 I also have to say that the appointment of</p> <p style="text-align: center;">Page 73</p>                                | <p>1 Q. Yes.</p> <p>2 A. But without any resources or, you know, power to effect</p> <p>3 that.</p> <p>4 As far as the cathedral is concerned, I think the</p> <p>5 main thing you are fishing for is actually the</p> <p>6 relationship between the cathedral and the rest of</p> <p>7 the diocese.</p> <p>8 Q. Yes, I am.</p> <p>9 A. Cathedrals are in a very anomalous position in relation</p> <p>10 to the diocese in which they are set. The dean has his</p> <p>11 own ordinary jurisdiction within the cathedral and the</p> <p>12 bishop has no direct responsibility for the life of</p> <p>13 the cathedral. He has certain rights in relation to</p> <p>14 celebrating and preaching in the cathedral, and I think</p> <p>15 in my case I was able, and required, to celebrate or</p> <p>16 preach on Christmas Day, Easter Day and Trinity Sunday,</p> <p>17 being the Feast of Title of the cathedral. Apart from</p> <p>18 that, technically speaking, I had to ask the dean's</p> <p>19 permission.</p> <p>20 The bishop is also the visitor of the cathedral, and</p> <p>21 I think you have got some information about --</p> <p>22 Q. I have. If you want to take -- Paul, if we could have</p> <p>23 up WWS000083_001. Chair and panel, it is behind tab 11</p> <p>24 of your bundle. This is the Cathedrals Measure 1999.</p> <p>25 This identifies that you will be the visitor of</p> <p style="text-align: center;">Page 75</p>  |
| <p>1 Colin Perkins as full-time DSA in 2011 was only just the</p> <p>2 beginning of the escalation of the resources made</p> <p>3 available, and certainly this is true in the</p> <p>4 Church of England as a whole, and I was very struck</p> <p>5 indeed by some of Bishop Hancock's remarks about the</p> <p>6 fivefold increase, I think he said, since 2014, in</p> <p>7 safeguarding resources. If only we had been here then.</p> <p>8 Q. Thank you very much. I will come back a bit later to</p> <p>9 the personnel issue about who was running resourcing</p> <p>10 during various points in time, but can I now take you on</p> <p>11 to safeguarding within the context of</p> <p>12 Chichester Cathedral and the Carmi Report.</p> <p>13 You deal with that in your written witness statement</p> <p>14 at paragraph 32 and also paragraph 95 onwards. What we</p> <p>15 know is that, shortly after your arrival in Chichester,</p> <p>16 an individual named Terence Banks was convicted and</p> <p>17 sentenced for a number of offences against boys.</p> <p>18 Firstly, can I ask you, what was your responsibility as</p> <p>19 diocesan bishop for safeguarding within the cathedral</p> <p>20 and/or were you ultimately responsible for it? What was</p> <p>21 the position?</p> <p>22 A. It is an utterly impossible question to answer.</p> <p>23 Q. Okay.</p> <p>24 A. I mean, in one sense, the diocesan bishop is responsible</p> <p>25 for everything.</p> <p style="text-align: center;">Page 74</p> | <p>1 the cathedral, as I understand it. What does that mean?</p> <p>2 A. Visitors in English law are people who have an oversight</p> <p>3 function in relation to particular bodies. Typically,</p> <p>4 an Oxford or Cambridge College will have a visitor, who</p> <p>5 is normally somebody outside, or it could be a religious</p> <p>6 community. I'm a visitor, or have been visitor, to</p> <p>7 a number of religious communities and I still am to one.</p> <p>8 My role in relation to that is to help the community</p> <p>9 take responsibility for its own life according to its</p> <p>10 fundamental vision.</p> <p>11 So in relation to the cathedral, the bishop has the</p> <p>12 responsibility for supporting, encouraging the dean and</p> <p>13 Chapter in their fulfilment of their duties as</p> <p>14 a cathedral and in relation to the rest of the diocese.</p> <p>15 The relationship between the bodies that make up the</p> <p>16 diocese and the cathedral is opaque, if I may say so.</p> <p>17 I mean, all relationships between parishes and</p> <p>18 constituent parts of the diocese and the powers that be</p> <p>19 in the diocese are pretty vague. Even such matters as</p> <p>20 the diocesan quota or parish share, whatever you call</p> <p>21 it, the means by which we actually enable the show to</p> <p>22 run, is a matter of voluntary contributions by parishes.</p> <p>23 Now, fortunately, most of them pay up quite happily</p> <p>24 and -- well, I wouldn't say cheerfully, but the thing</p> <p>25 works on a voluntary basis.</p> <p style="text-align: center;">Page 76</p> |

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| <p>1 <b>Cathedrals are not subject to that normal quota or</b><br/>                 2 <b>assessment basis, although many of them do actually</b><br/>                 3 <b>contribute towards the cost of the diocese, but on an</b><br/>                 4 <b>even more voluntary basis than that of the parishes.</b><br/>                 5 <b>As far as safeguarding is concerned, the diocesan</b><br/>                 6 <b>arrangements for safeguarding did not at this stage</b><br/>                 7 <b>apply in the cathedral, and the role of the safeguarding</b><br/>                 8 <b>adviser was very much a grace and favour matter in</b><br/>                 9 <b>relation to the cathedral, which ran its own affairs, as</b><br/>                 10 <b>far as safeguarding was concerned.</b><br/>                 11 Q. So you were then responsible, following the conviction,<br/>                 12 with commissioning a report from somebody called<br/>                 13 Ms Edina Carmi -- we are obviously going to hear some<br/>                 14 evidence from Ms Carmi about what she found -- but when<br/>                 15 you did this, therefore, was that a relatively unusual<br/>                 16 thing for a diocesan bishop to do, or did you see it as<br/>                 17 part of your visitorial oversight, so to speak?<br/>                 18 <b>A. I don't think being the visitor of the cathedral crossed</b><br/>                 19 <b>my mind at that stage.</b><br/>                 20 Q. Right.<br/>                 21 <b>A. I think I simply thought here was a major crisis of</b><br/>                 22 <b>a bit of the diocese, which actually needed to be</b><br/>                 23 <b>properly looked at. I think I was rather pushing the</b><br/>                 24 <b>boat out. It was one of those issues where you exercise</b><br/>                 25 <b>the authority you wish you had got rather than the one</b></p> <p style="text-align: center;">Page 77</p> | <p>1 a series of recommendations made about the need to<br/>                 2 improve safeguarding in the context of the diocese.<br/>                 3 I understand that in your witness statement you say you<br/>                 4 were put under a certain amount of pressure to change or<br/>                 5 modify the recommendations. Can you expressly identify,<br/>                 6 if possible, what pressure you were put under, from whom<br/>                 7 and to change what?<br/>                 8 <b>A. Right. I think I just need to correct one thing you</b><br/>                 9 <b>said. It was the context of the cathedral rather than</b><br/>                 10 <b>the diocese that we are --</b><br/>                 11 Q. Sorry, I apologise.<br/>                 12 <b>A. It was fairly minimal. But, as I recall, there was one</b><br/>                 13 <b>particular recommendation about a letter of apology that</b><br/>                 14 <b>ought to be written, and the dean and Chapter or its</b><br/>                 15 <b>spokesperson at the time said the dean had already</b><br/>                 16 <b>written doing that, would I please change it. There may</b><br/>                 17 <b>have been other things, but I can't remember them, but</b><br/>                 18 <b>the view that I took was that Ms Carmi had done her job</b><br/>                 19 <b>and it was our job simply to accept the recommendations</b><br/>                 20 <b>she had made, and to get on with them.</b><br/>                 21 Q. Can you remember whether there was any discussion about<br/>                 22 whether or not the report should have been published at<br/>                 23 the time? I mean, it was eventually published in 2014,<br/>                 24 but at the time it wasn't a document that was made<br/>                 25 public. Can you remember any discussion about that or</p> <p style="text-align: center;">Page 79</p>   |
| <p>1 <b>you have actually got.</b><br/>                 2 Q. Ms Carmi then undertook, along with others, I understand<br/>                 3 what would have then been the standard form of serious<br/>                 4 case reviews?<br/>                 5 <b>A. Yes.</b><br/>                 6 Q. So there was her and I think a judge and senior other<br/>                 7 individuals who then became involved. What was the<br/>                 8 reaction of the cathedral community to your decision to<br/>                 9 hold this sort of serious case review?<br/>                 10 <b>A. I don't know what the cathedral community at all felt</b><br/>                 11 <b>about it, as I had no access to it.</b><br/>                 12 Q. Right. Okay.<br/>                 13 <b>A. I do know there was a certain amount of resistance on</b><br/>                 14 <b>the part of the dean and Chapter to what they felt was</b><br/>                 15 <b>some interference by the bishop.</b><br/>                 16 Q. Paul, would you mind getting up ACE022519_015-016. It<br/>                 17 is not in your bundle, chair and panel.<br/>                 18 This is the terms of reference for the Carmi Report,<br/>                 19 what I am going to call the Carmi Report. What input,<br/>                 20 if any, did you have in writing these terms of<br/>                 21 reference?<br/>                 22 <b>A. I don't think I had any input at all into them. I may</b><br/>                 23 <b>be wrong. But I don't think so. I think I left that to</b><br/>                 24 <b>those who were charged with conducting the review.</b><br/>                 25 Q. The review was then undertaken, and there was then</p> <p style="text-align: center;">Page 78</p>   | <p>1 whether or not it was envisaged that it would become<br/>                 2 a public document?<br/>                 3 <b>A. I don't think it was envisaged it would be a public</b><br/>                 4 <b>document. It was envisaged that the recommendations</b><br/>                 5 <b>would become public, and I believe that was actually in</b><br/>                 6 <b>the terms of reference.</b><br/>                 7 <b>Now, I think there are two reasons why -- well,</b><br/>                 8 <b>several reasons, perhaps, why the document itself had</b><br/>                 9 <b>become public at the time. The first is that it was not</b><br/>                 10 <b>the universal practice at the time for serious case</b><br/>                 11 <b>reviews to be published in their entirety.</b><br/>                 12 Q. No, Ms Carmi says that within her evidence as well.<br/>                 13 <b>A. Yes. The second issue is that I had given undertakings</b><br/>                 14 <b>of confidentiality to all those who approached Mrs Carmi</b><br/>                 15 <b>and actually promised them that they would be kept.</b><br/>                 16 <b>Now, I didn't at the time understand about the</b><br/>                 17 <b>possibility of redacting. Things might have been quite</b><br/>                 18 <b>different had we actually understood that and taken that</b><br/>                 19 <b>approach. But that was not something which was</b><br/>                 20 <b>envisaged at the time, nor was it ever recommended to me</b><br/>                 21 <b>that it was something that we might do.</b><br/>                 22 <b>The other issue, although in the light of what</b><br/>                 23 <b>I have said, this was not decisive, Mrs Carmi herself</b><br/>                 24 <b>draws attention to the difficulties she had in getting</b><br/>                 25 <b>information and evidence from either victims or from the</b></p> <p style="text-align: center;">Page 80</p> |

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| <p>1 dean and Chapter.</p> <p>2 Q. Yes.</p> <p>3 <b>A. So she had some -- I mean, if I can take this moment to</b></p> <p>4 <b>pay tribute to what I think was a magnificent piece of</b></p> <p>5 <b>work she did with some quite difficult circumstances,</b></p> <p>6 <b>but she did recognise that there were some limitations</b></p> <p>7 <b>as to what she was able to report on, because of what</b></p> <p>8 <b>she was not able to hear.</b></p> <p>9 Q. As I understand it, and we will obviously hear further</p> <p>10 from Ms Carmi, the difficulty was that the dean and</p> <p>11 Chapter were reluctant, if I were to use the term, to</p> <p>12 engage with it, and there was also some reluctance to</p> <p>13 encourage victims and survivors to come forward. So</p> <p>14 there was -- Ms Carmi will give us some more evidence</p> <p>15 about that. I think that is probably more appropriate</p> <p>16 for her to do that.</p> <p>17 But following this, there were obviously a series of</p> <p>18 recommendations she made, and if I can take you to</p> <p>19 WWS000105. Chair and panel, this is behind tab 15 of</p> <p>20 your hard copy bundle.</p> <p>21 This is -- I'm not entirely sure who wrote this, but</p> <p>22 this is the objectives, the head of which -- the ones</p> <p>23 which are in bold are what Ms Carmi recommended. Then</p> <p>24 we have target dates and task and resource implications.</p> <p>25 Can you identify -- I think we have by May 2005 or</p> <p style="text-align: center;">Page 81</p>   | <p>1 expression of sorrow, was in fact the word that she</p> <p>2 used?</p> <p>3 <b>A. I thought -- well, I thought I had done that beforehand</b></p> <p>4 <b>when I invited the victims to -- I mean, I don't recall</b></p> <p>5 <b>writing again afterwards, but I certainly do recall, and</b></p> <p>6 <b>I have somewhere a copy of the letter that I wrote in</b></p> <p>7 <b>2001, both inviting their collaboration and saying how</b></p> <p>8 <b>very sorry I was about what had happened to them.</b></p> <p>9 Q. Can I ask you a question which Ms Hoyano has asked me to</p> <p>10 ask, which is just about -- obviously, Terence Banks was</p> <p>11 a steward. So you were talking earlier about one of</p> <p>12 the difficulties was not CRB checking volunteers. Now,</p> <p>13 in fact, his offending took place before CRB checks came</p> <p>14 into force, so he would never have been CRB checked.</p> <p>15 But is a steward one of those sorts of offices, kind of</p> <p>16 peculiar volunteer offices, within the context of</p> <p>17 a cathedral whereby he wouldn't necessarily need to have</p> <p>18 a CRB check but he probably should do?</p> <p>19 <b>A. As far as I know, steward in Chichester Cathedral has</b></p> <p>20 <b>a very, very small "s" indeed. It is not an office of</b></p> <p>21 <b>which I had ever heard. I think it simply meant he was</b></p> <p>22 <b>somebody who stewarded people to their pews.</b></p> <p>23 Q. I think it is difficult for us to entirely understand,</p> <p>24 but I think he was what we might call an usher --</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 83</p>  |
| <p>1 Easter 2006. To the best of your recollection, were all</p> <p>2 these recommendations implemented by the diocese and by</p> <p>3 the cathedral?</p> <p>4 <b>A. I think I'm going to answer your question of authorship.</b></p> <p>5 <b>I think this is by Tony Selwood. It was his kind of</b></p> <p>6 <b>aide-memoire as to how to process the recommendations.</b></p> <p>7 Q. So we have what I think now may be called a task and</p> <p>8 follow: this is what has to be done, this is who has to</p> <p>9 do it, and then one almost wants to tick the box once</p> <p>10 it's finished. Yes?</p> <p>11 <b>A. Well, the recommendations of the cathedral refer to the</b></p> <p>12 <b>cathedral, which by that stage was coming slightly more</b></p> <p>13 <b>into line with the rest of the diocese over things, and</b></p> <p>14 <b>I think had got a better procedure.</b></p> <p>15 <b>The diocesan recommendations were of course taken up</b></p> <p>16 <b>by Tony Selwood himself. I cannot go through them and</b></p> <p>17 <b>tell you what was implemented and when. I mean, that</b></p> <p>18 <b>would have been something that Tony was monitoring as he</b></p> <p>19 <b>went along. As far as the national recommendations were</b></p> <p>20 <b>concerned, they would have been passed on to the</b></p> <p>21 <b>national safeguarding adviser.</b></p> <p>22 Q. I understand you, yourself, wrote to the victims and</p> <p>23 survivors, even though that wasn't a recommendation --</p> <p>24 well, Ms Carmi had identified that she felt that the</p> <p>25 cathedral should do so, that there should be a formal</p> <p style="text-align: center;">Page 82</p> | <p>1 Q. -- in that his job was to signpost people, which is an</p> <p>2 important job, but he is not a steward in terms of he</p> <p>3 wasn't responsible for the money, which one might</p> <p>4 sometimes --</p> <p>5 <b>A. No. Technically speaking, I think -- it is a long time</b></p> <p>6 <b>since I have been a parish priest -- sidespeople, men</b></p> <p>7 <b>and women, are supposed to be chosen by the parish. In</b></p> <p>8 <b>practice, they are not. They are either sort of pressed</b></p> <p>9 <b>volunteers or they are people the vicar chooses.</b></p> <p>10 <b>I suspect something similar happens in the cathedral as</b></p> <p>11 <b>well. Whether, in fact, he had an official position,</b></p> <p>12 <b>I don't know. I know that there were points at which</b></p> <p>13 <b>some have tried to minimise the significance of his</b></p> <p>14 <b>official role, but I can't really comment on that</b></p> <p>15 <b>because I don't know.</b></p> <p>16 Q. Given the difficulties which Ms Carmi identified in the</p> <p>17 context of the cathedral, did you not consider</p> <p>18 petitioning or seeking to change the safeguarding</p> <p>19 arrangements so that you and the diocese had more direct</p> <p>20 responsibility over the cathedral or direct oversight</p> <p>21 over the cathedral in respect of safeguarding?</p> <p>22 <b>A. I don't think I needed to because I think the process</b></p> <p>23 <b>was actually already in hand. I think by the time</b></p> <p>24 <b>that -- certainly by the time that Shirley came in post,</b></p> <p>25 <b>it was generally accepted that the safeguarding adviser</b></p> <p style="text-align: center;">Page 84</p> |

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| <p>1 <b>would be advising the cathedral as well, and that the</b><br/>                 2 <b>cathedral policies should fall into line with those of</b><br/>                 3 <b>the diocese.</b><br/>                 4 Q. Again, from the way that you describe it, however,<br/>                 5 structurally, even though Ms Hosgood would have been<br/>                 6 acting as an adviser to the cathedral, she would have<br/>                 7 had no formal sort of employment-type relationship,<br/>                 8 would she? She would just have been there as a sort of<br/>                 9 grace and favour, or am I wrong about that?<br/>                 10 <b>A. I don't know. I mean, I don't think anything formally</b><br/>                 11 <b>has changed since the Cathedrals Measure of 1999 about</b><br/>                 12 <b>the relationship between cathedrals and dioceses, in</b><br/>                 13 <b>particular their safeguarding advisers, and that may be</b><br/>                 14 <b>very well something that the inquiry might like to take</b><br/>                 15 <b>note of and make some recommendations about.</b><br/>                 16 Q. I'm most grateful. If we could pass now on to the past<br/>                 17 cases review, we know that this took place in 2008.<br/>                 18 This was a national issue, rather than a diocesan-only<br/>                 19 issue. You deal with it -- chair and panel, for your<br/>                 20 reference, it is in the written witness statement at<br/>                 21 around paragraph 140 onwards, of your written witness<br/>                 22 statement, Bishop John.<br/>                 23 The person chosen was Roger Meekings. Did you have<br/>                 24 any role in choosing the past cases reviewer?<br/>                 25 <b>A. No, apart from approving the recommendation of</b></p> <p style="text-align: center;">Page 85</p> | <p>1 a cipher list in front of you. Do you remember having<br/>                 2 any conversation with Bishop Wallace about that<br/>                 3 individual?<br/>                 4 <b>A. No. But I thought, in any case, this person was much</b><br/>                 5 <b>later.</b><br/>                 6 Q. Right. Thank you very much.<br/>                 7 If I can ask you to turn up the review which set out<br/>                 8 the outcomes, that's behind tab 17, chair and panel.<br/>                 9 This is the Meekings past cases review, with an appendix<br/>                 10 which identifies the past cases list. Paul, if I can<br/>                 11 identify, it's ACE023549_001. If I could ask you to<br/>                 12 turn to paragraph 9, which is at ACE023549_002, Paul:<br/>                 13 "A small number of cases were identified where<br/>                 14 further exploration was required to ensure that matters<br/>                 15 had been properly dealt with and fully recorded. In the<br/>                 16 majority of cases, this was generally a matter of<br/>                 17 ensuring that the record was completed following the<br/>                 18 matter having been [identified]."<br/>                 19 If one then goes down to paragraph 10, it says:<br/>                 20 "A very small number of historical cases require<br/>                 21 further investigation ... and are subject to appendix 3<br/>                 22 reports as part of the review procedure."<br/>                 23 We have somewhere the appendix 3 reports. But can<br/>                 24 I identify, in the region of 1,500 personnel files,<br/>                 25 there were only two issues. But those appear to miss</p> <p style="text-align: center;">Page 87</p>  |
| <p>1 <b>Shirley Hosgood.</b><br/>                 2 Q. Who decided the terms of the review and the nature of<br/>                 3 the review that was to be undertaken? Was that done at<br/>                 4 a diocesan level or a national level?<br/>                 5 <b>A. No, that was decided nationally.</b><br/>                 6 Q. As I understand it, you did meet with Bishop Benn, or<br/>                 7 Bishop Benn indicates that you met with him at the time<br/>                 8 of the past cases review to discuss which files should<br/>                 9 be reviewed. Can you remember discussing or having<br/>                 10 a discussion with him about whether or not the Reverend<br/>                 11 Robert Coles and the Reverend Gordon Rideout should have<br/>                 12 been mentioned?<br/>                 13 <b>A. I have no recollection of that meeting at all, and the</b><br/>                 14 <b>approach that I generally took was that Mr Meekings</b><br/>                 15 <b>should have unfettered access to all files and it was</b><br/>                 16 <b>not really for me to steer him in a particular</b><br/>                 17 <b>direction, although I do know that I did ask a number of</b><br/>                 18 <b>office holders to be in touch with him directly about</b><br/>                 19 <b>concerns they had. But I don't have any recollection of</b><br/>                 20 <b>that particular meeting you talk about.</b><br/>                 21 Q. Do you have any recollection of somebody called AN-F3,<br/>                 22 who is an anonymous witness? If you are unclear about<br/>                 23 whom I am talking, I can get Ms Schofield to draft<br/>                 24 a Post-it note, or in fact I can write a Post-it note,<br/>                 25 with the individual's name on, because you won't have</p> <p style="text-align: center;">Page 86</p>            | <p>1 some of the individuals who were then subsequently<br/>                 2 convicted, the most obvious one of which was Reverend<br/>                 3 Gordon Rideout, about whom I understand allegations had<br/>                 4 been made but no arrest had taken place at this<br/>                 5 particular point in time.<br/>                 6 So with the benefit of hindsight, do you consider<br/>                 7 that the past cases review got to the bottom of<br/>                 8 the problems that there may well have been with historic<br/>                 9 allegations having been made?<br/>                 10 <b>A. Well, I mean, you have just drawn attention to one</b><br/>                 11 <b>obvious gap.</b><br/>                 12 Q. Can I ask, who did you share the past cases review with?<br/>                 13 Who would have seen this particular document? Who would<br/>                 14 have been charged with implementing or managing its<br/>                 15 recommendations and changes?<br/>                 16 <b>A. I think I dealt with that in my witness statement.</b><br/>                 17 <b>I can't remember exactly what happened. But can</b><br/>                 18 <b>I perhaps look at my witness statement?</b><br/>                 19 Q. Yes, please. It is paragraph 146.<br/>                 20 <b>A. I cannot recall now, and I have obviously thought about</b><br/>                 21 <b>it a bit since, I cannot recall anything that would lead</b><br/>                 22 <b>me to change what I say there. It was shared with the</b><br/>                 23 <b>safeguarding adviser, the diocesan secretary and the</b><br/>                 24 <b>diocesan registrar and, as I say, possibly the</b><br/>                 25 <b>Archdeacon of Lewes and Hastings, because he had a legal</b></p> <p style="text-align: center;">Page 88</p> |

1 **background, but I'm not sure.**  
 2 Q. As far as you were aware, the diocesan safeguarding  
 3 adviser did have that information?  
 4 **A. Yes.**  
 5 Q. Can I identify, there was then both a confidential  
 6 addendum and then a specific report into the  
 7 Reverend Cotton and the Reverend Pritchard. Can  
 8 I identify, why did you determine, firstly, that there  
 9 should be a confidential addendum, and, secondly, that  
 10 there should be a specific review about the  
 11 Reverend Cotton and the Reverend Pritchard?  
 12 **A. I don't think I asked for the confidential addendum.**  
 13 **I think that was Mr Meekings' own decision, that**  
 14 **something like that needed to be done.**  
 15 Q. Okay.  
 16 **A. It was as a result of Shirley and my reflecting on that,**  
 17 **and his recommendation that more investigation should be**  
 18 **needed, that he was asked to do the supplementary**  
 19 **report, I think.**  
 20 Q. It was while ago now.  
 21 **A. It was 10 years ago.**  
 22 MS SCOLDING: Chair, I don't know whether, as it is nearly  
 23 1 o'clock, permission could be given for the luncheon  
 24 adjournment?  
 25 THE CHAIR: Yes, thank you. We will take our adjournment

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1 now.  
 2 (12.58 pm)  
 3 (The short adjournment)  
 4 (2.00 pm)  
 5 MS SCOLDING: Reverend Hind, we had been dealing with the  
 6 past cases review, but you have indicated to me -- we  
 7 went somewhat off topic with the Roy Cotton file and you  
 8 said you wanted to say something about that.  
 9 **A. Yes, I remember your original question. You asked about**  
 10 **this 27-year gap.**  
 11 Q. Yes. That's what Bishop Wallace says. He says there  
 12 was a 27-year gap on Roy Cotton's blue file, I believe  
 13 is what he says. I think it is 5.6 of Bishop Wallace's  
 14 witness statement.  
 15 **A. I think it was Clive Dilloway who drew that to his**  
 16 **attention, I think. Blue files, as far as I am aware,**  
 17 **were not introduced until 1983, and so what information**  
 18 **was put into them from previous files, I don't know.**  
 19 **All I can say is that Roy Cotton had already retired**  
 20 **long before I was appointed. So I have no idea at all**  
 21 **what was in the file at that stage.**  
 22 **Certainly nothing was taken out by me that should**  
 23 **have been left in.**  
 24 Q. So at no time did you ever -- because in fact this is  
 25 a question I was going to come on to, but as we are

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1 raising it now. So, as far as you're aware, you didn't  
 2 ever examine Roy Cotton's blue file, look at it or have  
 3 reason to look at it?  
 4 **A. I did after the past cases review.**  
 5 Q. Did that, at that point, have in the fact that he had  
 6 had a previous conviction in 1954?  
 7 **A. I think so.**  
 8 Q. I am now going to ask you some questions on behalf of  
 9 Mr Greenwood, who is representing the victims and  
 10 survivors.  
 11 **A. Yes.**  
 12 Q. Can I identify -- this is all about the documents, just  
 13 so that we are clear. Do you recall whether you removed  
 14 documents from files yourself in 2001? We were talking  
 15 about the past cases review. Before that, obviously  
 16 Wallace Benn was identifying -- well, he identified that  
 17 files were altered in 2001 to get rid of what you said  
 18 was irrelevant material but not safeguarding material.  
 19 **A. Yes.**  
 20 Q. I think what Mr Greenwood wishes to ask is, did you  
 21 personally remove any documents from files in 2001?  
 22 **A. Yes, I certainly took some of the ephemera out of some**  
 23 **of the files.**  
 24 Q. What would be considered to be ephemera?  
 25 **A. Letters thanking clergy for supper after a confirmation,**

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1 **that sort of thing.**  
 2 Q. Do you know how many files there were?  
 3 **A. No.**  
 4 Q. Was this done with all files or just a few of the files?  
 5 **A. As far as I recall, the only files that we reviewed were**  
 6 **those of serving clergy.**  
 7 Q. So retired clergy, such as Reverend Cotton, would not  
 8 have been reviewed?  
 9 **A. Correct.**  
 10 Q. I am asked a question -- this is a follow-up question  
 11 from Ms Hoyano, so I'm asking this on behalf of  
 12 the victims and survivors from Slater & Gordon. They  
 13 ask, why wasn't Roy Cotton's file part of the DPA  
 14 process, on the basis that the Data Protection Act would  
 15 have applied to individuals even if they were retired?  
 16 **A. Well, as I explained this morning, we were faced with an**  
 17 **enormous task between April and October 2001, and we**  
 18 **simply had to prioritise.**  
 19 Q. There are some further questions that I will ask, but  
 20 I will come on to make it clear against whom I am asking  
 21 them later on.  
 22 Can we now turn to what I am going to call the  
 23 Meekings Report. I know it is called different things.  
 24 But when I call it the Meekings Report, I mean the  
 25 report into the Reverend Cotton and the

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| <p>1 Reverend Pritchard.<br/>2 Can I ask firstly, this report wasn't shared with<br/>3 victims and survivors and in particular Mr Johnson?<br/>4 <b>A. Correct.</b><br/>5 Q. Can you explain why that was the case?<br/>6 <b>A. Although I know Mr Johnson had told Roger Meekings that</b><br/>7 <b>he'd collaborate with his review on the understanding</b><br/>8 <b>that we shared with him, I don't think that was ever</b><br/>9 <b>discussed with me, and so I don't think the question of</b><br/>10 <b>it being shared with victims was, at that stage,</b><br/>11 <b>a question.</b><br/>12 Q. Can I ask to get up, please, Paul, WWS000117, behind<br/>13 tab 19. This is dated 3 June 2010 from yourself to<br/>14 another individual.<br/>15 <b>A. Yes.</b><br/>16 Q. It doesn't matter who that individual is. "... I could<br/>17 forward to Philip."<br/>18 I'm not sure if that is Philip Jones or<br/>19 Philip Johnson:<br/>20 "John Rees ..."<br/>21 Just to be clear, John Rees was the diocesan<br/>22 registrar, is that right, or a registrar? And<br/>23 Chris Smith is the chief of staff to the Archbishop of<br/>24 Canterbury, or certainly was at that time:<br/>25 "Making reports public was never envisaged, as</p> <p style="text-align: center;">Page 93</p>  | <p>1 threatened to sue you for libel, and I think everybody<br/>2 gives evidence to that effect. Did you consider seeking<br/>3 your own legal advice about whether or not it would or<br/>4 wouldn't have been libellous, or was that something that<br/>5 the diocese didn't consider?<br/>6 <b>A. Well, the language about libel is, whatever came from</b><br/>7 <b>Bishop Wallace's solicitors also came from the diocesan</b><br/>8 <b>registrar, who is one of the people who was consulted.</b><br/>9 <b>I did have advice from the Archdeacon of Lewes and</b><br/>10 <b>Hastings, from John Rees, the diocesan registrar, and</b><br/>11 <b>from the incoming diocesan secretary, who was herself</b><br/>12 <b>a barrister, to the indication that there was something</b><br/>13 <b>unsafe about the report.</b><br/>14 Q. So in that context -- if I can take you to what<br/>15 I suspect might have been the tenor and tone of what was<br/>16 going on amongst senior members of the diocese at the<br/>17 time, could I take you to WWS000092, behind tab 41,<br/>18 chair and panel, of your hard copy bundle. These are<br/>19 notes of a meeting attended by yourself and various<br/>20 other individuals in 2011. So this is -- the<br/>21 Meekings Report I think was mid 2009, so this is sort of<br/>22 nearly two years later, which postdates the Butler-Sloss<br/>23 report, but we are then in a situation here -- we have<br/>24 got at the bottom of the page, "John Stapleton" -- I'm<br/>25 not sure who he is?</p> <p style="text-align: center;">Page 95</p> |
| <p>1 I understand it. That must be right, though it does<br/>2 leave a serious gap as far as helping victims come to<br/>3 terms not only with their abuse, but also how their<br/>4 cases were handled ... could we discuss it in the<br/>5 morning?"<br/>6 From that email, it appears that, at the very least,<br/>7 in your mind, there was some discussion or thought given<br/>8 to providing the report to the victims and survivors?<br/>9 <b>A. There was certainly a recognition in my mind that the</b><br/>10 <b>more information they had would be better for them.</b><br/>11 Q. Why wasn't it then shared in 2010?<br/>12 <b>A. Because almost as soon as it was submitted to me,</b><br/>13 <b>a conflict arose between Bishop Wallace Benn and</b><br/>14 <b>Roger Meekings over some of his evidence. I was very</b><br/>15 <b>concerned not to lose the recommendations that</b><br/>16 <b>Roger Meekings had made in the middle of a sort of</b><br/>17 <b>conflict about the report itself.</b><br/>18 <b>It is very hard now, in the light of conflicting</b><br/>19 <b>evidence, to know precisely who said what and to whom,</b><br/>20 <b>but I was very, very clearly given to understand that</b><br/>21 <b>Wallace Benn was threatening to take legal action</b><br/>22 <b>against me or the diocese, were that report to be shared</b><br/>23 <b>more widely, and that would clearly include with the</b><br/>24 <b>victims.</b><br/>25 Q. So you were in that position. I know that Reverend Benn</p> <p style="text-align: center;">Page 94</p> | <p>1 <b>A. The diocesan registrar.</b><br/>2 Q. "... commented that he was concerned that everyone was<br/>3 under considerable stress and there was the danger of<br/>4 those being 'led into a minefield'.<br/>5 Then at the top of the next page, page 2:<br/>6 "Bishop Wallace stated that he was happy to defend<br/>7 the faith but felt that he was not good at defending<br/>8 himself ... Bishop John mentioned that, initially, the<br/>9 Meekings Report had not been intended for publication."<br/>10 We then have towards the end of the second<br/>11 paragraph:<br/>12 "Bishop Benn would go to the stake, if necessary,<br/>13 because Bishop Wallace felt his reputation had been<br/>14 damaged by Roger Meekings' questioning of his veracity."<br/>15 We then go on to page 3. Paul, if I could ask you<br/>16 to go to the third paragraph of page 3. This is you<br/>17 referring to criticism, publication of the report might<br/>18 be uncomfortable. This is when I think there was<br/>19 further consideration -- we will come on to what<br/>20 Baroness Butler-Sloss found and her report. But there<br/>21 is "conversations would be divulged", "would it be<br/>22 possible for selected parts of it", and then there were<br/>23 various discussions about what the right thing to do<br/>24 would be.<br/>25 If we then go to page 7, please, Paul, fourth</p> <p style="text-align: center;">Page 96</p>   |



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| <p>1 paragraph down:<br/>                 2 "Bishop Wallace repeated that he expected to be<br/>                 3 treated as part of a Christian team and to be supported<br/>                 4 by all concerned. He felt he had been neglected and<br/>                 5 that there was great pressure by all [around]."<br/>                 6 I think the tone and tenor of the minutes of that<br/>                 7 meeting sort of indicate what I would describe, but you<br/>                 8 may well not agree with this, almost like a crisis<br/>                 9 situation, where Bishop Benn felt that he had been,<br/>                 10 I suppose, traduced -- may well have been a word that<br/>                 11 was used -- by the Meekings Report, and you were then in<br/>                 12 a very difficult position. What did happen in terms of<br/>                 13 the relationship between yourself and Bishop Benn and<br/>                 14 the diocesan safeguarding adviser during this period of<br/>                 15 time?<br/>                 16 <b>A. Well, can I take you back a little bit to the year</b><br/>                 17 <b>before?</b><br/>                 18 Q. Yes.<br/>                 19 <b>A. Because the period between the production or the final</b><br/>                 20 <b>submission of Roger Meekings' report and the middle of</b><br/>                 21 <b>2010 was extremely painful, as I was trying to</b><br/>                 22 <b>adjudicate between senior colleagues who had such</b><br/>                 23 <b>diametrically different views as to the truth of what</b><br/>                 24 <b>was going on, and one of whom was feeling very</b><br/>                 25 <b>personally threatened.</b></p> <p style="text-align: center;">Page 97</p>   | <p>1 <b>resigned.</b><br/>                 2 Q. Do you think, however -- I mean, the fact that<br/>                 3 everybody -- well, may or may not have fallen out with<br/>                 4 each other, but the fact that there was clearly a clash<br/>                 5 of personalities and a difficult conflict arose, and<br/>                 6 that seems clear from all the evidence that everyone's<br/>                 7 given, do you think that the problem with that is that<br/>                 8 therefore got in the way of implementing the<br/>                 9 recommendations?<br/>                 10 <b>A. I don't know the answer to that. I think that the</b><br/>                 11 <b>energy that goes into one activity is not available for</b><br/>                 12 <b>others. I think that -- no, put it this way: I don't</b><br/>                 13 <b>think that anybody was endangered as a result of that,</b><br/>                 14 <b>but I do think it had got in the way of appropriately</b><br/>                 15 <b>empathetic responses to some victims, and when</b><br/>                 16 <b>Baroness Butler-Sloss drew attention to that in her</b><br/>                 17 <b>report, I accepted that as a legitimate criticism.</b><br/>                 18 Q. If I could take you to the concerns that were raised by<br/>                 19 Roger Meekings at the time. If, Paul, you could get up<br/>                 20 ACE022267_138 to 140. Chair and panel, behind tab 6 of<br/>                 21 your hard copy bundle. Because Roger Meekings wrote you<br/>                 22 a letter -- I think it is around May 2009 -- 2010.<br/>                 23 Yes, April 2010. If I could ask you, Paul, to go to the<br/>                 24 second page, it says here -- on the first page, he<br/>                 25 identifies that he's becoming increasingly concerned at</p> <p style="text-align: center;">Page 99</p> |
| <p>1 Q. Yes.<br/>                 2 <b>A. Already in the autumn of the previous year -- September,</b><br/>                 3 <b>I think it was -- I had to draw the attention both of</b><br/>                 4 <b>the safeguarding adviser and the Bishop of Lewes to the</b><br/>                 5 <b>concerns I had about their professional collaboration.</b><br/>                 6 <b>So that was back in 2009. I had to repeat that in the</b><br/>                 7 <b>early autumn of 2010.</b><br/>                 8 Q. I think, just -- I don't think we need to get them up,<br/>                 9 but just for the record, those letters are at ACE021705<br/>                 10 at page 92, and ACE022267 at 394.<br/>                 11 <b>A. I did speak this morning about the difficulty of not</b><br/>                 12 <b>trying to balance things that can't be balanced but</b><br/>                 13 <b>actually trying to hold a number of contradictory things</b><br/>                 14 <b>together and making the best decision.</b><br/>                 15 <b>The early part of 2010 was extremely difficult from</b><br/>                 16 <b>that point of view. It was as things moved towards the</b><br/>                 17 <b>autumn of that year that I decided that I was going to</b><br/>                 18 <b>have no longer to ask Bishop Wallace and Shirley Hosgood</b><br/>                 19 <b>to accept some mediation or brokering of their</b><br/>                 20 <b>relationship, but actually insist upon it, which is the</b><br/>                 21 <b>burden of a letter to them in the early part</b><br/>                 22 <b>of September.</b><br/>                 23 Q. Yes.<br/>                 24 <b>A. Both of them agreed to do it. But before I was actually</b><br/>                 25 <b>able to put anything into place, Shirley Hosgood had</b></p> <p style="text-align: center;">Page 98</p> | <p>1 the possible lack of priority and the unwillingness or<br/>                 2 avoidance, and it is cherry picking:<br/>                 3 "I repeat some of my earlier worries which make me<br/>                 4 question whether proper action is being taken by the<br/>                 5 diocese."<br/>                 6 That's what's said at the bottom of 138. At the top<br/>                 7 of 139:<br/>                 8 "The safeguarding adviser ... was excluded from<br/>                 9 having sight of the report ..."<br/>                 10 Now, is that accurate?<br/>                 11 <b>A. Well, I thought it was at the time, although I notice in</b><br/>                 12 <b>Mrs Hosgood's witness statement that she says she had</b><br/>                 13 <b>a copy as soon as I did in May 2009.</b><br/>                 14 Q. What appears to be the fact is, I'm not sure the<br/>                 15 Diocesan Safeguarding Advisory Group ever saw it. Is<br/>                 16 that right?<br/>                 17 <b>A. There was no diocesan advisory group when the report was</b><br/>                 18 <b>submitted to me.</b><br/>                 19 Q. We will go on to talk about that then:<br/>                 20 "There is still no diocesan safeguarding management<br/>                 21 group in spite of this being promised over 12 months<br/>                 22 ago."<br/>                 23 Again, do you think that not having a group, and<br/>                 24 certainly not having a group at all, impeded the ability<br/>                 25 of your diocese to effectively respond not just to this</p> <p style="text-align: center;">Page 100</p>   |

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| <p>1 report, but generally to issues of safeguarding at this<br/>2 time?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. "The accountability for safeguarding ... appears to have<br/>5 been subject to ... much change ... at various times it<br/>6 has been difficult to see how ... critically important<br/>7 matters could be taken forward in any reliably planned<br/>8 way. There was a clear expectation that Ian Gibson<br/>9 would take the lead, but this changed to the Archdeacon<br/>10 of Lewes ..."</p> <p>11 Now, I understand that what happened -- please tell<br/>12 me if I am wrong -- was that, in the light of what I am<br/>13 going to call the Meekings Report, you charged<br/>14 Philip Jones, the Archdeacon of Lewes, with implementing<br/>15 it. Can I ask why you decided to delegate that<br/>16 responsibility to him?</p> <p>17 <b>A. First of all, I had to delegate. The size of the task<br/>18 was enormous, and I have already said something about<br/>19 the other responsibilities that I had, and I felt that,<br/>20 in order to have adequate oversight in the diocese of<br/>21 safeguarding, there needed to be somebody who was<br/>22 actually on the ground and who could dedicate their time<br/>23 to it in a way that it was simply impossible for me to<br/>24 do at the time. This was just one year after I'd gone<br/>25 into the House of Lords.</b></p> <p style="text-align: center;">Page 101</p> | <p>1 <b>A. It did not occur to me that the issues to which you have<br/>2 drawn attention, which Mr Meekings had already expressed<br/>3 concerns about, should necessarily be the case. I mean,<br/>4 there have been several instances in this whole saga in<br/>5 which people have accused others of not having been<br/>6 independent. Roger Meekings was accused of not being<br/>7 independent because he was Shirley Hosgood's supervisor;<br/>8 Baroness Butler-Sloss was accused of not being<br/>9 independent because she had chaired the CNC at which the<br/>10 Archbishop of Canterbury had been appointed. Quite<br/>11 honestly, I believe if you are going to require total<br/>12 cordons sanitaires around people, they would have to be<br/>13 Martians. I believe that competent people ought to be<br/>14 able to distance their judgment unless they are directly<br/>15 personally implicated.</b></p> <p>16 As far as Philip Jones was concerned, I have to say<br/>17 it did not occur to me that he should be seen as<br/>18 Wallace Benn's archdeacon. He was my archdeacon in the<br/>19 archdeaconry of Lewes and Hastings. He, of course, had<br/>20 a particularly close day-to-day working relationship in<br/>21 relation to the parishes in the Lewes area, but I don't<br/>22 think that gave him any kind of client relationship to<br/>23 Bishop Benn.</p> <p>24 Now, as perception is quite important in all these<br/>25 things, I can, with hindsight, understand the concerns</p> <p style="text-align: center;">Page 103</p> |
| <p>1 <b>Why Philip Jones?</b></p> <p>2 Q. Yes.</p> <p>3 <b>A. Because he had been a solicitor in his previous<br/>4 incarnation and I believed he would have the<br/>5 independence of mind and the critical faculties to be<br/>6 able to do what's necessary.</b></p> <p>7 Q. There are two issues which arise from that. Firstly, as<br/>8 he was the Archdeacon of Lewes -- I know he wasn't<br/>9 Wallace Benn's subordinate in any way that we would<br/>10 recognise, but he was a number of the -- the<br/>11 Meekings Report was critical of Bishop Wallace, hence<br/>12 why he was unhappy about it and threatened to sue for<br/>13 libel. It was obviously fairly critical of him. But<br/>14 yet, you then delegate responsibility to somebody who<br/>15 arguably is somebody who has to take instruction from<br/>16 the area bishop who is the subject of criticism.<br/>17 I mean, with the benefit of hindsight, should somebody<br/>18 else have been put in charge?</p> <p>19 <b>A. With the benefit of hindsight, I wouldn't be starting<br/>20 from here at all. I mean, I shall say something<br/>21 a little bit later on about my feeling that there needs<br/>22 to be a much greater degree of independence of<br/>23 safeguarding from institutions generally. But that's<br/>24 for a little bit later on, I suspect.</b></p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 102</p>                               | <p>1 that were expressed. I don't think they were<br/>2 legitimate, or at least I don't think they were<br/>3 justified, and I look at the very many critical<br/>4 situations between archdeacon Philip and Bishop Wallace<br/>5 which indicate that.</p> <p>6 <b>But I don't disagree that it might have been better<br/>7 if I could have found somebody else.</b></p> <p>8 Q. In particular, because obviously this was sort of a year<br/>9 later, and the recommendations of the report had not, it<br/>10 seems to me, been able to be implemented in the way that<br/>11 I think everybody would have expected because of<br/>12 the various concerns that there had been about the<br/>13 publication of the report and about the nature of<br/>14 the report. Is that correct?</p> <p>15 <b>A. I would say it is piecemeal. Certainly some of<br/>16 the recommendations were made pretty instantly. The bit<br/>17 about PTO and CRB, centralisation of files and those<br/>18 kind of things, which I think, although not in<br/>19 themselves safeguarding matters, I think were serious<br/>20 contributors to good safeguarding procedure.</b></p> <p>21 The meeting to which you're referring here I think<br/>22 was in May 2011.</p> <p>23 Q. Yes.</p> <p>24 <b>A. After the ending of Baroness Butler-Sloss's report.<br/>25 Now, it is important that I say that my</b></p> <p style="text-align: center;">Page 104</p>  |

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| <p>1 <b>commissioning of her was precisely to try to cut through</b><br/>                 2 <b>the log jam of a conflict between Wallace Benn,</b><br/>                 3 <b>Shirley Hosgood and Roger Meekings.</b><br/>                 4 Q. We will move on to that in a moment. Can I just ask you<br/>                 5 about one more thing to do with the Meekings Report, and<br/>                 6 in particular the fact that you wrote to -- after<br/>                 7 Reverend Pritchard was convicted, you wrote to his<br/>                 8 victims and survivors via the police.<br/>                 9 <b>A. Yes.</b><br/>                 10 Q. Certain of the victims and survivors have been concerned<br/>                 11 about the words that you used, and in fact I think the<br/>                 12 visitation criticised you for the words that you used.<br/>                 13 You identify in your witness statement that one of<br/>                 14 the reasons you used those words was because of issues<br/>                 15 that had arisen in respect of advice you'd had from your<br/>                 16 lawyers or something to do with legal advice. Perhaps<br/>                 17 you would like to explain to the panel -- I think<br/>                 18 everybody accepts that it was sent firstly via the<br/>                 19 police, so it wasn't sent directly to individuals, and,<br/>                 20 secondly, I don't think it named the individuals, did<br/>                 21 it? It didn't say, "Dear so and so". I think it said,<br/>                 22 "To those who were the victims of Reverend Cotton and<br/>                 23 Reverend Pritchard". Can you identify, again with the<br/>                 24 benefit hindsight, that that letter could and/or should<br/>                 25 have been worded in a more appropriate manner?</p> <p style="text-align: center;">Page 105</p>   | <p>1 <b>Now, I can't answer the legal and insurance</b><br/>                 2 <b>questions about the implications of implied liability,</b><br/>                 3 <b>but I was very clearly advised, by one of those to whose</b><br/>                 4 <b>advice I had to give attention, that to admit a direct</b><br/>                 5 <b>responsibility would be difficult in terms of our</b><br/>                 6 <b>insurance and liability situation. So I wrote the</b><br/>                 7 <b>wording as I did. I regret the way it was worded and</b><br/>                 8 <b>the way it was received. But that was the reason for</b><br/>                 9 <b>it.</b><br/>                 10 Q. Was that advice continuous throughout your time in<br/>                 11 office, that you couldn't do anything which might look<br/>                 12 like admitting responsibility, or did it change at some<br/>                 13 point?<br/>                 14 <b>A. Oh, well, it changed quite quickly after that. One of</b><br/>                 15 <b>the great advantages of Mr Johnson's making a claim</b><br/>                 16 <b>against the diocese was precisely that it flushed out</b><br/>                 17 <b>the responsibility of the diocese, and hence its</b><br/>                 18 <b>insurers, to provide appropriate funds for</b><br/>                 19 <b>counselling --</b><br/>                 20 Q. Yes.<br/>                 21 <b>A. -- which up until then, as I think you have got some</b><br/>                 22 <b>evidence, shows how difficult I had found that to</b><br/>                 23 <b>provide.</b><br/>                 24 Q. I think we have some evidence about that, and as well<br/>                 25 Shirley Hosgood yesterday in her evidence said one of</p> <p style="text-align: center;">Page 107</p>   |
| <p>1 <b>A. It would, and could, have been worded very differently</b><br/>                 2 <b>had the police told me who the victims were. Of course</b><br/>                 3 <b>I knew some of them because they had waived their</b><br/>                 4 <b>anonymity, but the vast majority of people who were</b><br/>                 5 <b>victims, I did not know. I took the view that, at that</b><br/>                 6 <b>stage, the appropriate thing was to issue a letter</b><br/>                 7 <b>which -- there is one particular phrase in it to which</b><br/>                 8 <b>I will return in a moment. It was important that</b><br/>                 9 <b>everybody should get a letter, they should get the same</b><br/>                 10 <b>letter and from the same source.</b><br/>                 11 <b>Now, two particular points to which you have drawn</b><br/>                 12 <b>attention. One is not being addressed individually.</b><br/>                 13 <b>I partly dealt with that.</b><br/>                 14 <b>The other issue is what, in retrospect, I profoundly</b><br/>                 15 <b>regret, the wording of my statement that the church</b><br/>                 16 <b>cannot be held responsible for the offences of</b><br/>                 17 <b>individuals. I did not say, as it was commonly quoted,</b><br/>                 18 <b>"responsible for what has happened".</b><br/>                 19 <b>Now, that may seem a specious distinction, but to my</b><br/>                 20 <b>mind it was rather important. The perpetrator is the</b><br/>                 21 <b>perpetrator is the perpetrator, is part of the message,</b><br/>                 22 <b>and at that stage -- this was before the landmark case</b><br/>                 23 <b>in the Roman Catholic Diocese of Portsmouth in which the</b><br/>                 24 <b>diocese was held vicariously responsible for the</b><br/>                 25 <b>offences of a convent chaplain.</b></p> <p style="text-align: center;">Page 106</p> | <p>1 the difficulties in respect of Mr Johnson's case and<br/>                 2 that of his brother was that you were having to use<br/>                 3 money from the bishops' discretionary fund, so the money<br/>                 4 was coming in piecemeal rather than as a whole?<br/>                 5 <b>A. Piecemeal and tiny.</b><br/>                 6 Q. So as a result of that, and as a result of<br/>                 7 the experience of Mr Johnson's case and these particular<br/>                 8 letters, did the diocese change its approach in respect<br/>                 9 of either the provision of counselling or in the way<br/>                 10 that it approached and wrote letters to victims and<br/>                 11 survivors?<br/>                 12 <b>A. Well, I found yesterday -- I cannot now lay my hands on</b><br/>                 13 <b>it, but I did actually discover something from the early</b><br/>                 14 <b>part of -- I think it was 2010, in which the DBF had</b><br/>                 15 <b>actually started paying something, but I can't remember</b><br/>                 16 <b>the details of that. But it seems to me that even</b><br/>                 17 <b>before that particular claim, the DBF was actually</b><br/>                 18 <b>beginning to take some responsibility.</b><br/>                 19 <b>I should also say that it is very hard to explain</b><br/>                 20 <b>because I actually tried to remember a sequence of</b><br/>                 21 <b>discussions from a long time ago. But when I was first</b><br/>                 22 <b>faced with discussing with the safeguarding adviser how</b><br/>                 23 <b>we provided funds for counselling, I did have some</b><br/>                 24 <b>discussion with the then diocesan secretary, but there</b><br/>                 25 <b>was a real nervousness that if the Diocesan Board of</b></p> <p style="text-align: center;">Page 108</p> |

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| <p>1 <b>Finance were to be thought to be paying for counselling,</b></p> <p>2 <b>that might be an implication of liability, which, by</b></p> <p>3 <b>keeping it slightly at arm's length through my</b></p> <p>4 <b>discretionary fund -- I couldn't quite understand the</b></p> <p>5 <b>logic of that, because, as a corporation sole and one of</b></p> <p>6 <b>the directors of the Diocesan Board of Finance, it would</b></p> <p>7 <b>seem to be the same principles would have applied, but</b></p> <p>8 <b>that just happened to be the way in which it was worked</b></p> <p>9 <b>out.</b></p> <p>10 Q. So, again, I think -- you have probably accepted that at</p> <p>11 that time both the provision of counselling was</p> <p>12 inadequate --</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. -- but also the legal -- or the advice that you were</p> <p>15 given was not adequate and changed in respect of the</p> <p>16 provision of counselling to victims and survivors?</p> <p>17 <b>A. I think the legal advice I was given at the time was the</b></p> <p>18 <b>legal advice relating to the law on recognition of</b></p> <p>19 <b>vicarious liability at the time. But very quickly after</b></p> <p>20 <b>that, that changed. Now, I may be wrong about this.</b></p> <p>21 <b>This is a legal and technical question --</b></p> <p>22 Q. I don't want you to go beyond your expertise, so to</p> <p>23 speak, in terms of that. I just wanted to identify</p> <p>24 that.</p> <p>25 Can we now move on to the commissioning of</p> <p style="text-align: center;">Page 109</p> | <p>1 been involved or engaged in a number of matters which</p> <p>2 therefore should have precluded her, or certainly that's</p> <p>3 the impression and the evidence that's given by some</p> <p>4 people, that they were unhappy about that. Was that</p> <p>5 something that you ever considered or thought about?</p> <p>6 <b>A. What matters are you talking about?</b></p> <p>7 Q. Well, I think the idea being that she was too close to</p> <p>8 some of the people of prominence and in particular</p> <p>9 Bishop Ball, who wasn't mentioned or dealt with within</p> <p>10 the context of the review?</p> <p>11 <b>A. Any contact between Bishop Ball and Baroness</b></p> <p>12 <b>Butler-Sloss had never been mentioned to me before.</b></p> <p>13 <b>It's the very first time I have heard that as</b></p> <p>14 <b>a suggestion.</b></p> <p>15 Q. Also, my junior has just reminded me, for which</p> <p>16 I apologise, she was also on the Crown Appointments</p> <p>17 Commission at that time and therefore would have been</p> <p>18 directly responsible for Episcopal appointments, would</p> <p>19 she not?</p> <p>20 <b>A. No, when an archbishop is appointed, the Crown</b></p> <p>21 <b>Nominations Commission is chaired by a layperson</b></p> <p>22 <b>appointed by the Prime Minister. It is when diocesan</b></p> <p>23 <b>bishops are appointed that it is chaired by one of</b></p> <p>24 <b>the archbishops. So she had been the chair of</b></p> <p>25 <b>the CNC -- I think it was called something different</b></p> <p style="text-align: center;">Page 111</p> |
| <p>1 the Elizabeth Butler-Sloss report. I apologise, I keep</p> <p>2 calling her "Schloss" as in castle and not Sloss as in</p> <p>3 whatever Sloss is, so I apologise.</p> <p>4 Can I just ask, why did you choose her?</p> <p>5 <b>A. I didn't know many people who I could think were</b></p> <p>6 <b>suitably qualified and powerful and detached enough to</b></p> <p>7 <b>be able to do it. I had met Elizabeth Butler-Sloss on</b></p> <p>8 <b>one occasion previously, and I had begun to at least</b></p> <p>9 <b>recognise her across the chamber of the House of Lords,</b></p> <p>10 <b>but I did not know her personally.</b></p> <p>11 I did, however, know that she had chaired the</p> <p>12 Cleveland Inquiry and she had been, I think, the</p> <p>13 vice chair of the Cumberlege, so she'd had a lot of</p> <p>14 experience of safeguarding matters, as well as being</p> <p>15 a judge in the Family Division.</p> <p>16 I also knew that she was a remarkably tough person,</p> <p>17 and I mean that in a nice way, but she wasn't going to</p> <p>18 be held hostage.</p> <p>19 So I thought -- and I'm afraid I did do it myself,</p> <p>20 I did make the decision myself, but those were the</p> <p>21 reasons why.</p> <p>22 Q. One of the concerns that's been raised is her lack of</p> <p>23 impartiality, because obviously she was both, I think,</p> <p>24 a communicant member of the Anglican Church, which</p> <p>25 wouldn't in and of itself preclude her, but that she had</p> <p style="text-align: center;">Page 110</p>                              | <p>1 <b>then -- when Archbishop Rowan Williams was appointed.</b></p> <p>2 Q. You didn't think that that precluded her from being able</p> <p>3 to give you a --</p> <p>4 <b>A. I don't think, at that time, I knew that she had been,</b></p> <p>5 <b>but I don't think I would have thought that.</b></p> <p>6 Q. I think you have already told us that you hoped to</p> <p>7 achieve, by this report, to draw a line under the</p> <p>8 ill feeling and ill will that had been produced by the</p> <p>9 Meekings Report. Do you think that her report did do</p> <p>10 that?</p> <p>11 <b>A. In the long term, yes, but not necessarily directly.</b></p> <p>12 <b>But I have been told, and I have got no experience or</b></p> <p>13 <b>evidence to prove this, but I have been told that it was</b></p> <p>14 <b>the publication of her report and her insistence that</b></p> <p>15 <b>alongside her report the Meekings Report should be</b></p> <p>16 <b>published, which led the police to reinvestigate</b></p> <p>17 <b>a number of things and some of the investigations which</b></p> <p>18 <b>subsequently led to convictions were kick-started by her</b></p> <p>19 <b>report.</b></p> <p>20 Now, they weren't the direct result, but they were</p> <p>21 a consequence of it.</p> <p>22 Q. Can I ask, was it always your intention that the report</p> <p>23 should have been published?</p> <p>24 <b>A. There was some discussion about that at the early stage</b></p> <p>25 <b>and I think I had envisaged it would probably be</b></p> <p style="text-align: center;">Page 112</p> |

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| <p>1 <b>confidential to me, the Archbishop of Canterbury and the</b><br/>                 2 <b>national safeguarding adviser. But she made it very</b><br/>                 3 <b>clear to me from the outset that she would do the job if</b><br/>                 4 <b>she could make it public.</b><br/>                 5 Q. So she made it absolutely clear --<br/>                 6 <b>A. Oh, yes.</b><br/>                 7 Q. -- that it wasn't going to be done unless it was public?<br/>                 8 <b>A. Absolutely.</b><br/>                 9 Q. We have the findings of the report. It is behind<br/>                 10 tab C9, chair and panel. Paul, OHY000186. Her<br/>                 11 conclusions, chair and panel, are page 38 onwards.<br/>                 12 Did you agree with all the conclusions that she<br/>                 13 reached?<br/>                 14 <b>A. Can I see the conclusions?</b><br/>                 15 Q. Yes. Page 38, Paul. I am going to precis that. The<br/>                 16 first one, that there was a lack of understanding about<br/>                 17 the awareness of historic child abuse within the<br/>                 18 diocese. It is not on that page. It is on the next<br/>                 19 page. But I'm just -- if I precis, I think this might<br/>                 20 be easier: a lack of understanding of the seriousness of<br/>                 21 historic child abuse. Page 39, first paragraph, first<br/>                 22 sentence:<br/>                 23 "Senior clergy, including bishops, were slow to act<br/>                 24 on information ..."<br/>                 25 Did you, and do you now, accept that that is true,</p> <p style="text-align: center;">Page 113</p>  | <p>1 <b>protection professional, it would be more than my life</b><br/>                 2 <b>is worth not to take that seriously.</b><br/>                 3 Q. The next one:<br/>                 4 "There was for much of the time inadequate<br/>                 5 communication from the senior clergy to the child<br/>                 6 protection advisers about allegations of historic abuse<br/>                 7 made by victims."<br/>                 8 Do you accept that, from your perspective? I can't<br/>                 9 ask you to speak on behalf of any other member of<br/>                 10 the senior clergy?<br/>                 11 <b>A. No, I don't think so. I don't think there's any case in</b><br/>                 12 <b>which I knew something that I did not communicate with</b><br/>                 13 <b>the safeguarding adviser.</b><br/>                 14 Q. "Until 2004, there was no access by the child protection<br/>                 15 adviser to the blue file held at the<br/>                 16 Bishop's Palace ..."<br/>                 17 I think we have already dealt with that?<br/>                 18 <b>A. That is not quite correct, but it's --</b><br/>                 19 Q. Yes:<br/>                 20 "There was seriously inadequate record keeping ..."<br/>                 21 I think you have also accepted that?<br/>                 22 <b>A. Yes.</b><br/>                 23 Q. And:<br/>                 24 "There was a failure to respond appropriately to<br/>                 25 disclosures of abuse by victims and to give them</p> <p style="text-align: center;">Page 115</p>  |
| <p>1 that that was a reasonable conclusion for her to reach?<br/>                 2 <b>A. I certainly accept that it was a reasonable conclusion</b><br/>                 3 <b>for her to reach. I'm not sure that I think it was</b><br/>                 4 <b>totally fair. If by "the seriousness of historic</b><br/>                 5 <b>child abuse" we are talking about the long-term</b><br/>                 6 <b>consequences for people's lives, I think that was one of</b><br/>                 7 <b>the things that we learnt very definitely during the</b><br/>                 8 <b>period of the 2000s. I think there was a much greater</b><br/>                 9 <b>awareness of that towards the end, and so, to that</b><br/>                 10 <b>extent, I think by criticising previous attitudes she is</b><br/>                 11 <b>correct.</b><br/>                 12 I'm not sure about the "slow to act on the<br/>                 13 information available". The trouble is, "senior clergy<br/>                 14 including bishops", we actually need to know who and<br/>                 15 what precisely we are talking about. Those things<br/>                 16 sometimes happened, I'm sure is true.<br/>                 17 Q. The next sentence:<br/>                 18 "Although a child protection adviser had been in<br/>                 19 post since 1997, the senior clergy were slow to<br/>                 20 recognise the importance of his/her position in<br/>                 21 safeguarding children in the diocese."<br/>                 22 Do you think that that applies to you?<br/>                 23 <b>A. No:</b><br/>                 24 Q. Why not?<br/>                 25 <b>A. Well, to be strictly personal, being married to a child</b></p> <p style="text-align: center;">Page 114</p> | <p>1 adequate and timely support."<br/>                 2 I think you have accepted that?<br/>                 3 <b>A. Yes, I think that's fair enough.</b><br/>                 4 Q. It then sets out 21 recommendations which follow that.<br/>                 5 What did you do to try and implement those<br/>                 6 recommendations? I'm not going to ask you to go through<br/>                 7 all 21 of them because we would be here for the rest of<br/>                 8 the afternoon. Just in broad terms, what did you do to<br/>                 9 try to implement what she had identified clearly in her<br/>                 10 report?<br/>                 11 <b>A. Well, the main thing was close collaboration with the</b><br/>                 12 <b>new safeguarding adviser. The implementation of</b><br/>                 13 <b>the recommendations of the reports, except for things</b><br/>                 14 <b>directly addressed to individuals, was clearly under the</b><br/>                 15 <b>oversight of the safeguarding adviser. Colin Perkins</b><br/>                 16 <b>started work at pretty much the same time as</b><br/>                 17 <b>Butler-Sloss reported, and very quickly established an</b><br/>                 18 <b>extremely collaborative style, both with myself and with</b><br/>                 19 <b>other leaders in the diocese, and I had every confidence</b><br/>                 20 <b>in his taking that forward.</b><br/>                 21 Q. Can I ask you to pass on now to the issue in respect of<br/>                 22 Gordon Rideout. Firstly, we have already identified<br/>                 23 that she didn't -- you didn't have Gordon Rideout on the<br/>                 24 past cases review. That's right, isn't it?<br/>                 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 116</p> |

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| <p>1 Q. He wasn't one of the individuals. Do you know why that<br/>2 was the case or do you not know? Was it because he<br/>3 hadn't ever been convicted of anything, or --<br/>4 <b>A. That shouldn't have mattered.</b><br/>5 Q. No.<br/>6 <b>A. If his record was complete, as I should imagine it was,<br/>7 Mr Meekings would have seen the exchanges in 2002,<br/>8 I think. But I can't go into any detail on that because<br/>9 I don't know.</b><br/>10 Q. Elizabeth Butler-Sloss provided an addendum in May 2011<br/>11 about this. Could we get up, Paul, please, ACE023696.<br/>12 Tab 35, chair and panel, of the hard copy bundle. This<br/>13 is the confidential review of other priests within the<br/>14 diocese, including Reverend Rideout. The<br/>15 Reverend Rideout concerns is page 11 through to<br/>16 page 16/17 of the hard copy.<br/>17 <b>A. Yes.</b><br/>18 Q. The case of Gordon Rideout. She sets out the issue.<br/>19 She then identifies, on page 12, about halfway down the<br/>20 page:<br/>21 "On 19 March 2002, before the police<br/>22 investigation ... John Hind wrote Gordon Rideout<br/>23 a letter of support:<br/>24 "I think it goes without saying that you have my<br/>25 full confidence and I hope so much that everything will</p> <p style="text-align: center;">Page 117</p>  | <p>1 or, "Maybe I need to investigate this further", or,<br/>2 "Maybe I need to sort of check out for myself ...", or<br/>3 was simply the fact of his acquittal at the court<br/>4 martial sufficient for you to think, "I don't need to<br/>5 worry about this"?<br/>6 <b>A. I discussed it with the safeguarding adviser, who<br/>7 I believe actually saw Mr Rideout himself, and in this<br/>8 respect just acted according to the advice I was<br/>9 receiving from the safeguarding adviser.</b><br/>10 Q. Can I also ask that -- you obviously wrote this letter<br/>11 during the course of his arrest, but he was arrested --<br/>12 so you obviously knew he had been the subject of a court<br/>13 martial which involved sexual abuse against children.<br/>14 <b>A. Yes.</b><br/>15 Q. You then knew he had subsequently been arrested in 2002.<br/>16 Why didn't you consider carrying out a risk assessment<br/>17 of him at that stage, after his arrest, just to make<br/>18 sure that everything was okay?<br/>19 <b>A. Because I was not advised to do so. I mean, may I at<br/>20 this point just observe that the police said not only<br/>21 they were not proceeding, but that they regarded the<br/>22 matter as closed. Now, I'm a naive soul and a simple<br/>23 bishop, but I believe that if you are told that the<br/>24 matter is closed, that means that it is over.<br/>25 Now, I was told by Baroness Butler-Sloss that it</b></p> <p style="text-align: center;">Page 119</p> |
| <p>1 be soon resolved'.<br/>2 Do you think it was wise to write that kind of<br/>3 letter to somebody --<br/>4 <b>A. No.</b><br/>5 Q. No. Do you accept now -- would you write that again?<br/>6 Because this was in the middle of somebody who had been<br/>7 arrested for possible child sexual abuse, I'm right in<br/>8 saying that?<br/>9 <b>A. It was in the middle of, but it was right at the end of.<br/>10 This was, I think, three days before the police told him<br/>11 that the case was closed and I believe he'd already been<br/>12 told that verbally. So that letter written three or<br/>13 four days later might be construed very differently, but<br/>14 I did answer your question directly: no, I do not think<br/>15 it was wise to write it.</b><br/>16 Q. When were you aware of the fact that a number of<br/>17 previous allegations had been made against him, both in<br/>18 the 1960s and in the 1970s?<br/>19 <b>A. I knew about the court martial because he mentioned it<br/>20 to me and told me he had been acquitted by the court<br/>21 martial.</b><br/>22 Q. But can I just identify, when he told you, "I have been<br/>23 acquitted by the court martial", was there anything --<br/>24 do you remember going back to his blue file and<br/>25 thinking, "Well, maybe I need to have a look at this",</p> <p style="text-align: center;">Page 118</p> | <p>1 <b>does not mean that.</b><br/>2 Q. No, it simply means that --<br/>3 <b>A. Well, you're a lawyer and I'm not. I interpreted it as<br/>4 meaning the matter was closed, and therefore --<br/>5 I imagine that is what Mr Selwood also thought, but<br/>6 I don't know.</b><br/>7 Q. Why didn't you just take any form of internal<br/>8 investigation of him at the time? I know the police<br/>9 hadn't investigated, but you could have undertaken some<br/>10 form of internal or disciplinary or investigation into<br/>11 the truth or otherwise of the allegations, couldn't you?<br/>12 <b>A. At the time, we were told very firmly that we do not<br/>13 investigate. The church is not supposed to investigate.<br/>14 These are matters for the public authorities to do. At<br/>15 that stage, there was very little communication from the<br/>16 public authorities with the church. Things are much<br/>17 better now, I understand, and it is possible for the<br/>18 police to say, "Look, there is nothing we can do about<br/>19 this, but you need to watch that one". But that was not<br/>20 the case at the time. I was receiving no advice from<br/>21 the safeguarding adviser that we ought to do a risk<br/>22 assessment.<br/>23 If you are asking me, with hindsight, would it have<br/>24 been better to do so, yes, of course.<br/>25 Q. Can I ask as well, was there ever any consideration</b></p> <p style="text-align: center;">Page 120</p>                              |

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| <p>1 given to referral to the local authority, because the</p> <p>2 LADO would have been around then, the local authority</p> <p>3 designated officer, and it may well have been, if there</p> <p>4 was still a risk, that he could have been assessed by</p> <p>5 the local authority's bodies?</p> <p>6 <b>A. I don't know what the safeguarding adviser did and</b></p> <p>7 <b>whether that went through his mind or not.</b></p> <p>8 Q. I know that the matter was closed and so in your mind,</p> <p>9 but as I understand it Gordon Rideout was, after his</p> <p>10 arrest, still considered to possibly become an</p> <p>11 archdeacon. I think he was appointed as an acting</p> <p>12 archdeacon. Is that right?</p> <p>13 <b>A. Those are two quite distinct questions.</b></p> <p>14 Q. Can I ask: was he appointed an acting archdeacon?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Was he considered to be a full-time archdeacon?</p> <p>17 <b>A. No.</b></p> <p>18 Q. Because if I could just clarify, just for the purposes</p> <p>19 of the record, paragraph 96 of Wallace Benn's statement,</p> <p>20 page 67, and WPB000047_083. He identifies that it was</p> <p>21 you who appointed Gordon Rideout an acting archdeacon</p> <p>22 and that it was your gift to do so?</p> <p>23 <b>A. Correct.</b></p> <p>24 Q. Can I ask, again, with the benefit of hindsight, would</p> <p>25 you have done that?</p> <p style="text-align: center;">Page 121</p>   | <p>1 light which identified quite a lot of soft material</p> <p>2 about Gordon Rideout's previous offending. Did this</p> <p>3 come as a shock to everybody else in the diocese? Were</p> <p>4 you the only person who knew about the previous court</p> <p>5 martial or was it something that was quite well known?</p> <p>6 Can you remember?</p> <p>7 <b>A. I don't remember, because I don't know. I wouldn't have</b></p> <p>8 <b>known.</b></p> <p>9 Q. There is then a situation, as I understand it -- this is</p> <p>10 outlined within the report of Elizabeth Butler-Sloss,</p> <p>11 the addendum report, at ACE023696_013, and we also have</p> <p>12 a file note at WWS000060_001. But I think the</p> <p>13 Butler-Sloss report accurately precises what is in the</p> <p>14 file note:</p> <p>15 "According to Ian Gibson ... Wallace Benn spoke to</p> <p>16 John Hind ... about the blemished CRB his office had</p> <p>17 received ... and asked John Hind if he would not</p> <p>18 disclose the information to the [diocesan safeguarding</p> <p>19 adviser] as 'He is a friend and a much respected</p> <p>20 person'. John Hind and Wallace Benn then had a private</p> <p>21 conversation."</p> <p>22 He then writes:</p> <p>23 ""While I entirely understand your affection and</p> <p>24 concern for Gordon, I must stress that there must be no</p> <p>25 exception made to the proper procedures for handling</p> <p style="text-align: center;">Page 123</p> |
| <p>1 <b>A. With the benefit of hindsight, I would have had a risk</b></p> <p>2 <b>assessment, and in the light of the risk assessment,</b></p> <p>3 <b>I would have judged accordingly as to whether that would</b></p> <p>4 <b>have been an appropriate appointment to make. As it</b></p> <p>5 <b>was, faced with the vacancy after the retirement of the --</b></p> <p>6 <b>no, it was the appointment of the then Archdeacon of</b></p> <p>7 <b>Lewes and Hastings, the Bishop of Blackburn, that we</b></p> <p>8 <b>were faced with the vacancy, and at that stage, acting</b></p> <p>9 <b>on the police advice that the matter was closed, and on</b></p> <p>10 <b>the presumption of innocence until guilt is proved, it</b></p> <p>11 <b>did not seem to me to be inappropriate for him to be</b></p> <p>12 <b>acting as archdeacon.</b></p> <p>13 Q. Can I ask, why was he appointed an emeritus canon upon</p> <p>14 his retirement?</p> <p>15 <b>A. That is simply as a standard thing when people retire.</b></p> <p>16 Q. So is that every priest within the Diocese of Chichester</p> <p>17 would be granted such?</p> <p>18 <b>A. No, no, only somebody who is already a canon. Do I need</b></p> <p>19 <b>to explain about canons?</b></p> <p>20 Q. You can, if you wish to do so.</p> <p>21 <b>A. No, not particularly, but if it would help the panel</b></p> <p>22 <b>I will, but if not, not.</b></p> <p>23 Q. No, that's fine. I think we have got it elsewhere.</p> <p>24 Can I ask, in 2010, a blemished -- I think we are</p> <p>25 calling it a blemished criminal records check came to</p> <p style="text-align: center;">Page 122</p> | <p>1 such matters'."</p> <p>2 What was your view about Bishop Wallace asking you</p> <p>3 to do that?</p> <p>4 <b>A. I was shocked beyond measure.</b></p> <p>5 Q. What then happened? I understand that this whole issue</p> <p>6 was referred to the Diocesan Safeguarding Advisory</p> <p>7 Group.</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Why was that? Was that something that was routine in</p> <p>10 all cases?</p> <p>11 <b>A. By that stage, certainly. The advisory group was now up</b></p> <p>12 <b>and running. I did not refer it to the safeguarding</b></p> <p>13 <b>advisory group. I referred it to the diocesan</b></p> <p>14 <b>safeguarding adviser and then she took it to the</b></p> <p>15 <b>safeguarding group.</b></p> <p>16 Q. Okay.</p> <p>17 <b>A. The safeguarding group took the view that, in the light</b></p> <p>18 <b>of that, his permission to officiate should be suspended</b></p> <p>19 <b>or temporarily withdrawn. I wasn't sure that, at that</b></p> <p>20 <b>stage, they had seen the police letter to him saying</b></p> <p>21 <b>that the matter was closed.</b></p> <p>22 <b>Because I wasn't sure of that, I asked them, you</b></p> <p>23 <b>know, just to check that before confirming their advice,</b></p> <p>24 <b>and I thought, on the basis of what we knew at that</b></p> <p>25 <b>stage, it would probably be sufficient to make sure he</b></p> <p style="text-align: center;">Page 124</p>                                    |

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| <p>1 had no unsupervised contact with children, but I would<br/>                 2 not make that final decision until they had a chance to<br/>                 3 review the evidence again, which they did within three<br/>                 4 days, came back with a unanimous decision that I should<br/>                 5 suspend, and that happened instantly.</p> <p>6 Q. Can I just ask, how long did this whole process take<br/>                 7 between finding the CRB with the -- the blemished CRB<br/>                 8 coming to light and then the PTO being withdrawn for<br/>                 9 Gordon Rideout?</p> <p>10 <b>A. I have just lost this. I cannot see what date that</b><br/>                 11 <b>conversation in Church House --</b></p> <p>12 Q. The conversation in Church House was on or<br/>                 13 around September 6, 2010.</p> <p>14 <b>A. Right. Well, his -- I think his permission to officiate</b><br/>                 15 <b>was finally withdrawn on 22 September.</b></p> <p>16 Q. Baroness Butler-Sloss criticises you for not accepting<br/>                 17 the advice of the Diocesan Safeguarding Advisory Group<br/>                 18 straight off within her report. Can I ask you, Paul, to<br/>                 19 get up page 16 of 23696, please, just so that<br/>                 20 Bishop John can see it. The bottom paragraph. Do you<br/>                 21 accept that?</p> <p>22 <b>A. Yes, I do, and I did at the time.</b></p> <p>23 Q. Can I now take you on to the visitation. So as a result<br/>                 24 of what happened, I think in particular in respect of<br/>                 25 the Elizabeth Butler-Sloss report, the visitation -- the</p> <p style="text-align: center;">Page 125</p>  | <p>1 affairs in the Diocese of Chichester. "Ah, that's not<br/>                 2 what we mean. We are talking about safeguarding".<br/>                 3 Right, okay. So it is a visitation limited to<br/>                 4 safeguarding. That means the archbishop will be<br/>                 5 responsible for safeguarding the Diocese of Chichester.<br/>                 6 Who is going to do it on his behalf? "Oh, would you do<br/>                 7 it?". So I was appointed to act on behalf of<br/>                 8 the Archbishop of Canterbury in relation to safeguarding<br/>                 9 the Diocese of Chichester until 22 February 2012.</p> <p>10 Q. At that point, I understand things transferred to --</p> <p>11 <b>A. Bishop Mark Sowerby.</b></p> <p>12 Q. Who was the then Bishop of Horsham?</p> <p>13 <b>A. He was then Bishop of Horsham and about whom I had</b><br/>                 14 <b>already written to the archbishop asking him to appoint</b><br/>                 15 <b>him as acting Bishop of Chichester during the vacancy</b><br/>                 16 <b>following my upcoming retirement.</b></p> <p>17 Q. Can I ask, what happened, practically, during the period<br/>                 18 when the visitation was going on in respect of<br/>                 19 safeguarding?</p> <p>20 <b>A. I think those are questions you need to address to</b><br/>                 21 <b>Bishop Mark, because he was responsible, or to the</b><br/>                 22 <b>commissaries who were acting with him.</b></p> <p>23 Q. We have a copy of the report. It makes a number of<br/>                 24 recommendations. I know that you agree with some but<br/>                 25 not others. I don't think it is worthwhile getting the</p> <p style="text-align: center;">Page 127</p> |
| <p>1 Archepiscopal Visitation took place. Was this something<br/>                 2 that was done consensually between yourself and the<br/>                 3 Archbishop of Canterbury or did the Archbishop of<br/>                 4 Canterbury just phone you up one day and say, "I'm<br/>                 5 sending a couple of people down to have some chats with<br/>                 6 you"? How did the process work?</p> <p>7 <b>A. It certainly wasn't a suggestion there would be some</b><br/>                 8 <b>chats with me. I don't know how much of the story you</b><br/>                 9 <b>need.</b></p> <p>10 Q. Not an enormous amount. Just whose decision was it to<br/>                 11 do so and how much consultation were you given?</p> <p>12 <b>A. Well, officially, it was the archbishop's decision,</b><br/>                 13 <b>although I suspect it was actually John Rees, the</b><br/>                 14 <b>provincial registrar, who raised it. The sequence of</b><br/>                 15 <b>events was, I had been at a bishops' meeting with the</b><br/>                 16 <b>Archbishop of Canterbury in December 2011, during which</b><br/>                 17 <b>he did not mention it to me at all.</b></p> <p>18 <b>The following day, John Rees contacted me to tell me</b><br/>                 19 <b>that the archbishop was contemplating a visitation, and</b><br/>                 20 <b>at this point we had a rather interesting legal</b><br/>                 21 <b>discussion between the provincial registrar and myself,</b><br/>                 22 <b>during which I pointed out that during visitation the</b><br/>                 23 <b>jurisdiction of all subordinate ordinaries are</b><br/>                 24 <b>suspended, so this meant that the Archbishop of</b><br/>                 25 <b>Canterbury was going to be directly responsible for all</b></p> <p style="text-align: center;">Page 126</p> | <p>1 recommendations up on screen, but I would like to take<br/>                 2 you through a few of them and ask for your perspective<br/>                 3 of them or not. I know that you haven't responded<br/>                 4 publicly before to what the Archepiscopal Visitation<br/>                 5 found in respect of the Diocese of Chichester.</p> <p>6 Firstly, it found that there were a number of<br/>                 7 internal problems with communication between senior<br/>                 8 members of staff which impacted upon the approach to<br/>                 9 safeguarding. Do you agree with that or not agree?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Secondly, that there was a lack of engagement and drive<br/>                 12 by yourself with the East Sussex area. Do you agree<br/>                 13 with that?</p> <p>14 <b>A. Only in the context I have already explained in terms of</b><br/>                 15 <b>general styles of Episcopal leadership and the distances</b><br/>                 16 <b>involved in the diocese.</b></p> <p>17 Q. That there was a practice of safeguarding which fell<br/>                 18 woefully short of expectations. Do you agree with that<br/>                 19 or not agree?</p> <p>20 <b>A. I agree that that is true as far as responding to</b><br/>                 21 <b>historic cases in a timely way is concerned. I do not</b><br/>                 22 <b>think -- and this is one of my main criticisms of</b><br/>                 23 <b>the visitation report, I do not think it was a fair</b><br/>                 24 <b>recognition of the improvement that had been made during</b><br/>                 25 <b>the course of the previous decade. I could draw</b></p> <p style="text-align: center;">Page 128</p>     |



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| <p>1 attention to Mrs Hosgood's report to the diocese synod<br/>2 in April 2010 in which she spoke confidently about the<br/>3 present state of processes to protect people in<br/>4 parishes, a judgment which was effectively repeated by<br/>5 Ian Sandbrook in his audit the following year.<br/>6 So I would say that I feel fairly confident and<br/>7 quite pleased about the way in which we'd actually<br/>8 improved processes for actual safeguarding people now<br/>9 and into the future, knowing of course that you can<br/>10 never create absolute safety.<br/>11 I mean, people sometimes talk about ensuring things<br/>12 never happen again, which I have to say, you know, "Get<br/>13 real", but I think that as far as possible we have made<br/>14 good progress. I do think, however, that insofar as<br/>15 a climate can be created if there is not an effective<br/>16 empathetic response to victims, that the criticisms of<br/>17 the visitation are founded.<br/>18 Q. Yes. Because the next point I was going to come on to,<br/>19 it identified that the bishop was not alert to and did<br/>20 not act with vigour or expedition when safeguarding<br/>21 matters came to his attention?<br/>22 A. I don't believe that to be true.<br/>23 Q. That there was a profoundly unhelpful and negative<br/>24 culture, is the next thing that the visitation --<br/>25 I think you have already touched upon that?</p> <p style="text-align: center;">Page 129</p>    | <p>1 So we had a cluster of clerical abuse cases in<br/>2 East Sussex and a cluster of lay abuse cases around the<br/>3 cathedral and Prebendal School and those tended to be<br/>4 clustered around particular timeframes as well.<br/>5 Now, I don't know quite what was going on, although<br/>6 I do remember a point at which I first began to realise<br/>7 there might be some kind of conspiracy or collusion<br/>8 going on in East Sussex. So I think that's --<br/>9 Q. Do you think there was a conspiracy or collusion between<br/>10 clerical members to conceal abuse and/or to turn<br/>11 a wilful blind eye to it, then?<br/>12 A. There certainly was collusion between abusers.<br/>13 I honestly don't know whether anybody in a senior<br/>14 position in East Sussex during those times of abuse in<br/>15 the '70s, '80s, '90s knew about things and didn't do<br/>16 anything about them. I don't know, I wasn't there.<br/>17 Q. Yes.<br/>18 A. All I can say is, there were a cluster of abusers and<br/>19 certainly -- we have all seen Phil Johnson's very<br/>20 powerful witness statement. It's quite clear that<br/>21 people were actually working in concert with each other.<br/>22 What I want to understand more -- not now, but what<br/>23 I think the church needs to understand more is, what are<br/>24 the circumstances which favour that kind of behaviour,<br/>25 collusion. One of the things about collusion is that</p> <p style="text-align: center;">Page 131</p> |
| <p>1 A. I didn't really understand that. It seems to me it is<br/>2 one of those kind of impressionistic things which needs<br/>3 to be teased out. One can have a longer discussion<br/>4 about it, but ...<br/>5 Q. Inasmuch as you accept that it might be true, what do<br/>6 you -- I mean, I am not going to ask you to second-guess<br/>7 what was meant by it, but you have already said you<br/>8 agree that there may well have been an unhelpful culture<br/>9 in respect of the approach to victims and survivors. Is<br/>10 there anything else about the culture of the Diocese of<br/>11 Chichester that, having reflected upon the report, you<br/>12 would identify may have caused cultural difficulties and<br/>13 problems?<br/>14 A. No, but I think that one of the things that really<br/>15 struck me, only right at the end of my time, was the<br/>16 need to look very carefully at why it was there were<br/>17 particular clusters of abuse in particular parts of the<br/>18 diocese. It took me a long while -- this may be<br/>19 relevant -- not just me, but I think it took us a long<br/>20 while to recognise that abuse is not simply the act of<br/>21 some individual perpetrators, but actually it can<br/>22 involve collusion between different people, and that<br/>23 a climate can develop in certain areas in which people's<br/>24 normal inhibitions against bad behaviour can get<br/>25 reduced.</p> <p style="text-align: center;">Page 130</p> | <p>1 most people have natural inhibitions against bad<br/>2 behaviour. What is it that lowers those inhibitions?<br/>3 Well, one of them is clearly when you are in an<br/>4 environment in which a number of other people are<br/>5 abusing as well, and there can be a tendency to<br/>6 normalise what's happening.<br/>7 I'm sorry, I'm beginning to speculate, and that's<br/>8 not very helpful, but ...<br/>9 Q. The visitation also commented in a negative way about<br/>10 the difficulties that there had been in respect of<br/>11 counselling, reparations and redress for victims and<br/>12 survivors. Is there anything else you would like to<br/>13 add? I think you have already accepted that it wasn't<br/>14 acceptable at the time?<br/>15 A. Well, it wasn't acceptable, but it was the best we could<br/>16 do at the time.<br/>17 Q. You also say within your witness statement that pastoral<br/>18 support became more complicated when a claim for<br/>19 compensation was made. Can I take you to tab 43. This<br/>20 is WWS000108_001. This is something that relates in<br/>21 particular to Mr Johnson. If I could ask you to<br/>22 highlight:<br/>23 "We certainly need to make sure priestly support is<br/>24 available ..."<br/>25 It is about halfway:</p> <p style="text-align: center;">Page 132</p>  |

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| <p>1 "... but the solicitor's letter and compensation<br/>                 2 claim compromises direct involvement by me and I suspect<br/>                 3 the archdeacon too. Nevertheless, there is an important<br/>                 4 point here. I am frustrated that this has taken so<br/>                 5 long -- I did ask Philip and Shirley to get on with<br/>                 6 a reply as soon as the previous letter arrived."<br/>                 7 I'm assuming "Philip" means Archdeacon Philip rather<br/>                 8 than Philip Johnson?<br/>                 9 <b>A. Yes.</b><br/>                 10 Q. Again, certainly at that time, as we have already<br/>                 11 explored slightly in your evidence, there was a view<br/>                 12 taken that, when a claim had been issued, that therefore<br/>                 13 meant that there had to be a distancing, both practical<br/>                 14 and emotional, from those who were victims and<br/>                 15 survivors?<br/>                 16 <b>A. One of the issues concerns CDM. I might very well have<br/>                 17 found myself in a position of actually having to hear<br/>                 18 a CDM complaint against somebody, and that clearly could<br/>                 19 mean that too close pastoral involvement with a victim<br/>                 20 or too close ongoing connection with the clergyman in<br/>                 21 question could be problematic.</b><br/>                 22 Q. Couldn't that be solved by having CDM run entirely by<br/>                 23 external bodies? So that when a CDM complaint is made,<br/>                 24 instead of it being adjudicated at least at first<br/>                 25 instance by a bishop, it is adjudicated by somebody</p> <p style="text-align: center;">Page 133</p>                               | <p>1 <b>2011.</b><br/>                 2 Q. Yes.<br/>                 3 <b>A. After the Butler-Sloss report.</b><br/>                 4 Q. Yes.<br/>                 5 <b>A. I had hoped that Baroness Butler-Sloss would be able to<br/>                 6 help us draw a line under everything that had gone on<br/>                 7 and that, by making judicious apologies and appropriate<br/>                 8 actions following her report, that it would be possible<br/>                 9 to move on in a more amicable way.</b><br/>                 10 <b>For various reasons, that didn't happen.</b><br/>                 11 <b>Bishop Wallace remained very unhappy about the<br/>                 12 Meekings Report and, indeed, about the publication of<br/>                 13 the Butler-Sloss Report with its substantial endorsement<br/>                 14 of Meekings' criticisms. It was clear by that stage<br/>                 15 that Bishop Wallace was regarded as being part of<br/>                 16 the issue rather than having a place in the resolution<br/>                 17 of it.</b><br/>                 18 <b>He and I issued at some point in the summer of 2011<br/>                 19 a joint apology not only for the abuse people had<br/>                 20 suffered, but also for the clumsy way in which we had<br/>                 21 handled things.</b><br/>                 22 <b>The strain on Bishop Wallace -- on all of us, but<br/>                 23 the strain on him, particularly at that time, was<br/>                 24 becoming acute. There was a strong press campaign to<br/>                 25 try to force him into resignation or retirement.</b></p> <p style="text-align: center;">Page 135</p>  |
| <p>1 centrally or somebody who determines, yes, this should<br/>                 2 go forward or, no, it shouldn't?<br/>                 3 <b>A. Yes, of course, but that is not how CDM works.</b><br/>                 4 Q. But is that how CDM could work?<br/>                 5 <b>A. I'm sorry, you're asking me to speculate way above my<br/>                 6 retirement pay grade. I have said already, I think,<br/>                 7 that many safeguarding things need to be detached from<br/>                 8 the institutions they serve. But CDM of course is not<br/>                 9 about that. The thing about CDM is that it is<br/>                 10 a well-meaning attempt, although I think ultimately not<br/>                 11 a terribly successful attempt, to ensure that discipline<br/>                 12 and pastoral care for clergy remain in the same hands<br/>                 13 and the hands of the chief pastor of the diocese.</b><br/>                 14 <b>I know there are many complaints about CDM and its<br/>                 15 appropriateness in safeguarding cases, but I would also<br/>                 16 say there are many questions about it in relation to its<br/>                 17 pastoral role in the diocese as well. I think what you<br/>                 18 have suggested might well be an interesting thing for<br/>                 19 those who have got responsibilities today to develop.</b><br/>                 20 Q. Can I ask about the retirement of Bishop Wallace. Were<br/>                 21 you involved at all in suggesting to Bishop Wallace that<br/>                 22 he should retire?<br/>                 23 <b>A. Yes.</b><br/>                 24 Q. Why did you do that?<br/>                 25 <b>A. We are talking now about the summer and early autumn of</b></p> <p style="text-align: center;">Page 134</p> | <p>1 Q. And the local authority also wrote a series of letters<br/>                 2 in which they identified that they were not happy with<br/>                 3 Bishop Wallace remaining --<br/>                 4 <b>A. The only one of those I have seen was a year later than<br/>                 5 that. That was certainly after I had retired. I hadn't<br/>                 6 seen anything earlier than that.</b><br/>                 7 <b>However, it was very clear by the summer of 2011<br/>                 8 that Lambeth Palace was significantly anxious about what<br/>                 9 was going on, and already there had been some discussion<br/>                 10 about the possibility that a CDM might be raised against<br/>                 11 Bishop Wallace.</b><br/>                 12 Q. As I understand it -- well, as we know, a CDM complaint<br/>                 13 was raised against Bishop Wallace. It didn't ultimately<br/>                 14 succeed. But what was your view -- or were you involved<br/>                 15 at all within that?<br/>                 16 <b>A. Sorry, do you want me to continue the question about<br/>                 17 retirement first, because the timeline is quite<br/>                 18 important.</b><br/>                 19 Q. Okay.<br/>                 20 <b>A. During the summer of 2011, a series of encounters took<br/>                 21 place, some of which involved Bishop Wallace and myself,<br/>                 22 in which attempts were made, including by himself, to<br/>                 23 find alternative futures than being the Bishop of Lewes.<br/>                 24 There was some discussion of the possibility of his<br/>                 25 going to a teaching post at a theological college or,</b></p> <p style="text-align: center;">Page 136</p> |

1 his being Irish, finding a parish in Ireland to go to.  
 2 Lambeth Palace -- when I say Lambeth Palace, I assume  
 3 the archbishop was fully involved in all of this,  
 4 I don't know, but my point of contact was Chris Smith.  
 5 But Chris told me that Lambeth was actively involved in  
 6 putting a financial package together and that I could  
 7 assure Bishop Wallace that, were he to move early, he  
 8 could go with dignity and his financial position with  
 9 early retirement would be safeguarded.  
 10 With that in my knapsack, I discussed with him the  
 11 possibility of his not continuing in office and, as far  
 12 as I know, this was still under active consideration at  
 13 the point at which the Clergy Discipline Measure  
 14 complaint was laid against him, at which point he  
 15 determined to fight to clear his name and I understand  
 16 also at that point -- I think there is an email to  
 17 support this -- Lambeth Palace said, "Well, in the light  
 18 of the CDM being laid, any question of the financial  
 19 package has got to be put on ice and we will have to let  
 20 CDM take its course".  
 21 Q. For the record, so that everybody is aware -- I don't  
 22 think we need to turn it up for you to look at it -- but  
 23 that email is WWS000093, which is a telephone  
 24 conversation between Ian Gibson and Chris Smith at which  
 25 that was communicated.

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1 I suppose one of the concerns, really, is, either  
 2 Bishop Wallace was a safeguarding risk and therefore he  
 3 should have been the subject of discipline, or he wasn't  
 4 a safeguarding risk, and so he should have stayed in  
 5 post.  
 6 What was the view -- what view, if any, did you take  
 7 about whether or not his actions meant that he continued  
 8 to be a risk, a current safeguarding risk?  
 9 **A. I don't think that Bishop Wallace's actions or inactions**  
 10 **caused any abuse to occur. So if by that -- if that is**  
 11 **what you mean by "safeguarding risk", I don't think so.**  
 12 **I don't think the issue is quite the binary choice that**  
 13 **you put it as. I think the fact is that, for all sorts**  
 14 **of reasons, some of which were not Bishop Wallace's**  
 15 **fault, he had actually become the kind of focus of**  
 16 **a discontent, and it was going to be impossible for the**  
 17 **diocese to move on until he had retired.**  
 18 **This is the reason why I was so keen to get him to**  
 19 **announce his retirement, which he allowed me to make to**  
 20 **the diocesan synod I think in May 2011 indicating when**  
 21 **he was going to retire in August the following year, the**  
 22 **year of his 65th birthday.**  
 23 **I thought that was important for two reasons. One**  
 24 **was, I already knew that I would have retired by that**  
 25 **time, and I wanted to make sure the diocese was in**

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1 a position to have a new -- to appoint a new Bishop of  
 2 Lewes as soon as I'd gone, so, in other words, it would  
 3 be a sort of fresh start all round.  
 4 Now, I knew that Bishop Wallace couldn't continue in  
 5 post long after I had retired, but you must realise that  
 6 I inherited two area bishops who were both very well  
 7 established in the diocese and I hoped very much that my  
 8 successor would not have quite the same situation to  
 9 face.  
 10 In the end, as we know, all that -- that timetable  
 11 slipped a little bit because the CDM took its course and  
 12 Bishop Wallace retired a little bit later than he had  
 13 said he would, but he still left sometime in 2012.  
 14 Q. I just have a few last points. Firstly, could I ask,  
 15 Paul, that you get up ACE023694. This is a confidential  
 16 letter which Baroness Butler-Sloss sent to Chris Smith  
 17 who was, as we know, the Archbishop of Canterbury's  
 18 chief of staff at that time. This is a letter which  
 19 I imagine you hadn't seen before the inquiry showed it  
 20 to you. Is that correct?  
 21 **A. I hadn't seen the letter, but Baroness Butler-Sloss had**  
 22 **discussed its contents with me.**  
 23 Q. I just wanted to ask you, we have discussed most of  
 24 the things in it. There are just two things I wanted to  
 25 draw to your attention and ask for your comment upon:

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1 "There is a perception within and without the  
 2 diocese, particularly pointed out to me by the chairman  
 3 of the safeguarding group ... of an antiwoman culture.  
 4 John Hind tells me that he is aware of this. There was,  
 5 he says, in the past an antiwoman culture but it is no  
 6 longer true and the perception is incorrect."  
 7 By "antiwoman culture", I am assuming -- obviously,  
 8 I don't know, because I didn't write the letter -- that  
 9 what Elizabeth Butler-Sloss was maybe indicating was  
 10 that it was difficult for clergy who had been used to  
 11 having a line of male authority, shall we say, rather  
 12 than female authority, to then accept the authority or  
 13 advice from a woman who was telling them what to do, for  
 14 want of a better word. Do you agree or disagree with  
 15 that, or what do you think she was trying to get at by  
 16 "antiwoman culture". You obviously had a conversation  
 17 with her about it and you agreed with it to a certain  
 18 extent?  
 19 **A. I think there is a kind of masculist culture that can be**  
 20 **very exclusive, and I think in some parts of the diocese**  
 21 **that may well have been historically the case.**  
 22 **I think that, for some people, quite erroneously,**  
 23 **serious principled theological discussions about the**  
 24 **ordination of women to the priesthood and the episcopate**  
 25 **are also taken as being indicative of being**

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1 misogynistic. Of course they may be, but they are not  
 2 necessarily the case. I was well aware from my time as  
 3 a member of the Chapter of Chichester Cathedral of some  
 4 people who were Canons of Cathedral who were absolutely  
 5 committed to the ordination of women to the priesthood  
 6 and were devastating in their dismissal of actual women  
 7 in their behaviour. So I think there is no clear line  
 8 to be drawn between those two things.  
 9 I think it had changed a lot. I hope it partly  
 10 changed as a result of my appointing two successive  
 11 women diocesan secretaries. I haven't talked much about  
 12 the role of the diocesan secretary, but I do think that  
 13 the diocesan secretary is one of the two heads of  
 14 the diocese, very much is a kind of CEO of the diocesan  
 15 organisation, and I think it made a material difference  
 16 having a woman in that particular position.  
 17 I also took steps to make sure that we had female  
 18 voices around the table at the senior staff meeting.  
 19 Q. Thank you. Can I ask as well about what's said at  
 20 paragraph 5:  
 21 "There appears to have been, and possibly remain,  
 22 a number of people with a sexual orientation which might  
 23 predispose to a sympathy for misbehaviour, particularly  
 24 in the Eastbourne area ..."  
 25 I think you touched upon this earlier when we were

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1 talking about collusion:  
 2 "I have been told that outside the diocese it may be  
 3 known that such people will receive a welcome."  
 4 Again, is that something that you agree may have  
 5 been the case, or what's your view about that?  
 6 **A. I don't think that sexual orientation predisposes people  
 7 towards a sympathy for misbehaviour. I think people can  
 8 misbehave whatever their sexual orientation. If there  
 9 is a question about whether Peter Ball had a kind of  
 10 malign influence on sexual morality in the eastern part  
 11 of the diocese, I can't imagine that he didn't.**  
 12 Q. Just lastly, chair, I think, because I know we are due  
 13 to have a break, but if I can just ask you, we have  
 14 asked you lots of questions about past. I know you are  
 15 now a retired member of the clergy, but you have already  
 16 identified that there are some things you would like to  
 17 say, lessons that you have learnt from your time as the  
 18 diocesan bishop. Would you like to tell the chair and  
 19 panel what those lessons are and how you think  
 20 safeguarding can still be improved within the context of  
 21 the Church of England?  
 22 **A. Well, very briefly, chair, because I actually know that  
 23 you are anxious to get on, I had received safeguarding  
 24 training, but I think it was spasmodic, and I think that  
 25 a much more systematic approach, which I think is now in**

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1 place, to safeguarding training for senior clergy is  
 2 definitely necessary.  
 3 I think regular ministerial development oversight is  
 4 important. I think I mentioned to you I only had one  
 5 ministerial review with the archbishop during the whole  
 6 of my time as the diocesan bishop, which I think was  
 7 inadequate.  
 8 The last thing that I really do hope the inquiry  
 9 will try to get its mind around is the issue of  
 10 the independence of safeguarding from institutional  
 11 structures. This is not a point about the church.  
 12 I think I have come to believe that no institution  
 13 should be allowed to police itself, and I think that  
 14 some careful thought to how that can be dealt with would  
 15 be valuable.  
 16 I am sure I could go on, but I think I would lose  
 17 friends if I did. Madam chair, thank you.  
 18 MS SCOLDING: Chair, may this be an appropriate moment for  
 19 a break or would you like to have the opportunity to ask  
 20 Bishop John any questions that you have before we break?  
 21 THE CHAIR: We will take a break, and there may be questions  
 22 after the break. We will take an extended break at this  
 23 point, since we intend to sit later this afternoon.  
 24 MS SCOLDING: Yes. How long would you like the break to be,  
 25 chair?

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1 THE CHAIR: We will return at 3.40 pm.  
 2 MS SCOLDING: Thank you very much, chair.  
 3 (3.18 pm)  
 4 (A short break)  
 5 (3.40 pm)  
 6 THE CHAIR: Ms Scolding, Mr Frank has a question he would  
 7 like to put to Bishop John.  
 8 Questions from THE PANEL  
 9 MR FRANK: I just want to see if I can get your assistance  
 10 on the question of the removal of what you call the  
 11 ephemera from the personnel file, I think in relation to  
 12 the upcoming implementation of the Data Protection Act.  
 13 **A. Yes.**  
 14 MR FRANK: Can I just ask you, first of all, was that  
 15 something you decided to do for yourself or did you do  
 16 that on advice?  
 17 **A. My recollection is that, as soon as I was in post,  
 18 in April 2001, we were alerted to the fact that the  
 19 Data Protection Act would come into force in October  
 20 that year. It was important we be prepared for subject  
 21 data requests.**  
 22 We were given some guidance as to what could be  
 23 taken out. I did talk about sheer ephemera being taken  
 24 out but there was one particular area, which I think was  
 25 quite serious, that we were instructed to get rid of,

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1 which I didn't like at the time.  
 2 I need to explain a little bit about the recruitment  
 3 process for clergy in the Church of England. Although  
 4 ordinations in the Church of England are on a diocesan  
 5 basis, there is a central advisory system to advise the  
 6 bishops, and when a candidate goes before that panel, he  
 7 may either be recommended for training or not  
 8 recommended for training.  
 9 In the case somebody is not recommended for  
 10 training, the recommendation goes on a pink slip, and  
 11 historically the pink slips were kept because, as it is  
 12 simply advice to the diocesan bishop, many bishops  
 13 overruled the non-recommendation and still sent people  
 14 into training.  
 15 Now, we were told that because those were past  
 16 history once somebody had been accepted for ordination,  
 17 they had to be destroyed. Now, the important bit of  
 18 that story for me is that, as a former college  
 19 principal, I knew perfectly well that when we had  
 20 somebody in training who had been not recommended, the  
 21 reasons for their non-recommendation almost always  
 22 became apparent during their training. It didn't  
 23 necessarily mean they shouldn't be ordained, but it  
 24 meant the non-recommendations were based on something  
 25 that we needed to take note of.

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1 That's what I meant when I talked earlier about the  
 2 danger of losing bits of the dots that might add up. So  
 3 there were some things like that which weren't  
 4 safeguarding matters in themselves, but helped to build  
 5 a picture of character, the loss of which from personnel  
 6 files could be serious.  
 7 MR FRANK: That's very helpful to understand that. Can  
 8 I ask you next this, then: when it came to the removal  
 9 of such documents from the files and other things, like  
 10 letters saying, "Thank you for the dinner", and so  
 11 forth, what were the criteria that were applied, by  
 12 which I mean, did you have a list of things that were  
 13 likely to be of the kind that should be removed or was  
 14 it just on the basis of a hunch? I mean, you understand  
 15 that, assuming that this was done by not just you  
 16 personally, but other people as well, there must have  
 17 been some criteria to apply as to what to remove.  
 18 A. I can't remember, but I think we were given some advice  
 19 from head office. I mean, either Lambeth or from Church  
 20 House, Westminster, but I really can't remember.  
 21 MR FRANK: Assuming it is right that there was advice, it is  
 22 likely that that advice would have been in writing?  
 23 A. Oh, yes.  
 24 MR FRANK: But you have not found any evidence of the advice  
 25 that you were given in writing still in existence?

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1 A. No.  
 2 MR FRANK: Thank you very much. That's all I ask.  
 3 MS SCOLDING: Could I just identify, Mr Frank, as far as  
 4 that advice is concerned, both Ms McNeill and myself  
 5 know that there is some somewhere. We certainly know  
 6 that we have seen it in the course of our researches.  
 7 We are quite happy to try to find it and then give the  
 8 ACE number as to what the guidance is.  
 9 MR FRANK: I'm very grateful, thank you very much. Thank  
 10 you.  
 11 THE CHAIR: Thank you, we have no further questions. Thank  
 12 you very much, Bishop John.  
 13 (The witness withdrew)  
 14 MS SCOLDING: I will now pass over to Ms McNeill.  
 15 MS McNEILL: Chair, our next witness is Archdeacon  
 16 Philip Jones. Whilst the witness is coming in, chair,  
 17 you indicated before the break, and I just want to  
 18 confirm, with a view to the time, would you be content  
 19 today to sit until 5.00 pm, in the hope of maybe  
 20 finishing this witness?  
 21 THE CHAIR: Yes, we are agreeable to that.  
 22 MS McNEILL: Thank you, chair.  
 23 ARCHDEACON PHILIP JONES (sworn)  
 24  
 25

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1 Examination by MS McNEILL  
 2 MS McNEILL: Can I just confirm, you are Archdeacon Philip  
 3 Jones?  
 4 A. Yes.  
 5 Q. We have spoken before, and you are content if I refer to  
 6 you as Archdeacon Philip for the purpose of your  
 7 questioning?  
 8 A. Thank you.  
 9 Q. In tab A1 of your bundle, chair, we have a witness  
 10 statement from Archdeacon Philip dated 9 February 2018  
 11 which consists of 39 pages. Can I just check,  
 12 Archdeacon Philip, have you had the opportunity to  
 13 review that statement and to confirm that it is true, to  
 14 the best of your knowledge?  
 15 A. Yes.  
 16 Q. The reference for that statement is ANG000213. I don't  
 17 ask for it to go on screen, but, chair, if it could be  
 18 published on our website.  
 19 Archdeacon Philip, I don't therefore propose to take  
 20 you through your statement in its entirety, but, as  
 21 I have explained to you outside court, to try and draw  
 22 on some of the issues and themes arising.  
 23 Starting with your background, is it right that  
 24 prior to your ordination you were in fact a solicitor?  
 25 A. Yes.

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| <p>1 Q. And that you practised mainly in criminal law and family<br/>2 law?<br/>3 <b>A. Yes.</b><br/>4 Q. You were ordained in 1994, becoming Royal Dean of<br/>5 Horsham in 2002 before being appointed as Archdeacon of<br/>6 Lewes and Hastings in 2005?<br/>7 <b>A. Correct.</b><br/>8 Q. Am I right in concluding you have spent the entirety of<br/>9 your ordained life within the Diocese of Chichester?<br/>10 <b>A. Yes.</b><br/>11 Q. From the date of your appointment until his resignation<br/>12 in October 2012, the Bishop of Lewes, the area Bishop of<br/>13 Lewes, was Bishop Wallace Benn; is that right?<br/>14 <b>A. Yes.</b><br/>15 Q. Can you explain for the panel briefly what an archdeacon<br/>16 is and what its role is within the diocese?<br/>17 <b>A. Colloquially, the office of archdeacon involves simply</b><br/>18 <b>being a troubleshooter, in the sense that you are there</b><br/>19 <b>to make sure clergy abide by the canons, and you,</b><br/>20 <b>yourself, are bound by the canons as an archdeacon, so</b><br/>21 <b>fulfilling the canons is the key to being an archdeacon.</b><br/>22 Q. For a lay person, can you explain to us what kind of<br/>23 troubles you might be shooting under the canons? Are we<br/>24 talking safeguarding matters or are we talking more<br/>25 physicality and buildings and office holders?</p> <p style="text-align: center;">Page 149</p>   | <p>1 in May 2009, being the first draft. First of all, as<br/>2 the Archdeacon of Lewes, had you been aware of the cases<br/>3 of Roy Cotton and Colin Pritchard prior to the past<br/>4 cases review?<br/>5 <b>A. No, I don't think I was aware of them at all.</b><br/>6 Q. When the past cases review report -- that's the first<br/>7 report -- was received by the diocese, did you review<br/>8 that report?<br/>9 <b>A. Yes, I saw it.</b><br/>10 Q. Similarly, the May 2009 report, so the report into<br/>11 Roy Cotton and Colin Pritchard was received, you<br/>12 received a copy of that almost immediately also, didn't<br/>13 you?<br/>14 <b>A. Yes, I did.</b><br/>15 Q. If we can put up on the screen ACE021705_087, do we see<br/>16 here -- chair, if you prefer the hard copy, it is behind<br/>17 tab 5 of your bundle -- an email. It says "From:<br/>18 Jools Newton" but it's signed by you. Is this email<br/>19 from you?<br/>20 <b>A. It is. She appears all over the place. She was simply</b><br/>21 <b>my PA who typed it.</b><br/>22 Q. It is from you to the Bishop of Chichester and the<br/>23 Bishop of Lewes. We will look at the detail, but do we<br/>24 see your initial thoughts upon reading the report into<br/>25 Roy Cotton and Colin Pritchard?</p> <p style="text-align: center;">Page 151</p> |
| <p>1 <b>A. It is the entire range. It could easily range from</b><br/>2 <b>safeguarding issues through to problems relating to</b><br/>3 <b>buildings, works that are required, personal matters</b><br/>4 <b>relating to clergy, all kinds of issues.</b><br/>5 Q. How does the role of an archdeacon fit within the<br/>6 diocese? Bishop John said you weren't Bishop Wallace's<br/>7 archdeacon, you were his archdeacon, as diocesan bishop.<br/>8 Can you explain for us a little bit how an archdeacon<br/>9 fits within the structure of the diocese?<br/>10 <b>A. Archdeacons are appointed by the diocesan bishop. I was</b><br/>11 <b>Bishop John's archdeacon. I worked with, but not for,</b><br/>12 <b>the Bishop of Lewes.</b><br/>13 Q. Was there anybody who would be, quote unquote, a line<br/>14 manager?<br/>15 <b>A. A lot of peer management via the other archdeacons, but</b><br/>16 <b>the bottom of the line would be the bishop himself,</b><br/>17 <b>Bishop John, that is.</b><br/>18 Q. I would like to go, if I can, straight to the past cases<br/>19 review that the panel have already heard a great deal of<br/>20 information about. By way of chronology, the past cases<br/>21 review was announced in 2007. The reviewer,<br/>22 Roger Meekings, was appointed in February 2008. He<br/>23 produced his report into the past cases review<br/>24 in January 2009 following which he produced the addendum<br/>25 we have looked at into Roy Cotton and Colin Pritchard</p> <p style="text-align: center;">Page 150</p> | <p>1 <b>A. Yes.</b><br/>2 Q. To save my voice, I am going to just refer to that one<br/>3 as the Meekings Report from here on out so we don't get<br/>4 confused by the three?<br/>5 <b>A. Yes.</b><br/>6 Q. Drawing out some of the things that you had recorded, if<br/>7 we look at the first paragraph:<br/>8 "Wallace has asked me to peruse the report ...<br/>9 I have had a brief opportunity to discuss it with him<br/>10 and he has conveyed to me his reaction ..."<br/>11 You say there are two aspects that give you cause<br/>12 for concern. The concerns set out below that we are<br/>13 going to turn to, were they your concerns or<br/>14 Bishop Benn's concerns?<br/>15 <b>A. I didn't list in that email the full range of his</b><br/>16 <b>reaction to it, which was lengthy.</b><br/>17 Q. So the two that we are looking at were your main areas<br/>18 of concern?<br/>19 <b>A. Distilled out of everything else, yes.</b><br/>20 Q. Looking at the second paragraph, then, which says<br/>21 "First":<br/>22 "... [this] appears to be based in part on<br/>23 speculation and assumptions, particularly where, in<br/>24 effect, certain imputations, even accusations, are made<br/>25 against Wallace himself ... what is said may amount to</p> <p style="text-align: center;">Page 152</p>                  |

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| <p>1 actionable defamation and I have accordingly suggested</p> <p>2 to Wallace that he seek legal advice as soon as</p> <p>3 possible."</p> <p>4 My first question arising from that is, during your</p> <p>5 practice as a solicitor, did you have much experience in</p> <p>6 defamation cases?</p> <p>7 <b>A. Occasionally.</b></p> <p>8 Q. Did you consider yourself giving legal advice at this</p> <p>9 point that legally you thought that this amounted to</p> <p>10 defamation, or were you simply highlighting that others</p> <p>11 might?</p> <p>12 <b>A. I offered a view, but said he needed to get his own</b></p> <p>13 <b>legal advice. I wasn't prepared to advise him.</b></p> <p>14 Q. I don't want to get into the legalistic side of it too</p> <p>15 much, but I have been asked by some of our core</p> <p>16 participants to ask you, did you consider whether or not</p> <p>17 the defence of qualified privilege might apply here?</p> <p>18 <b>A. Yes, I think that did cross my mind.</b></p> <p>19 Q. So everybody can follow, in short, did you think that</p> <p>20 this was a criticism that was made by somebody who had</p> <p>21 such a public interest -- I'm trying to make it as</p> <p>22 straightforward as I can -- in producing this report and</p> <p>23 producing those levels of criticisms, did you consider</p> <p>24 that?</p> <p>25 <b>A. Not to that degree, no.</b></p> <p style="text-align: center;">Page 153</p>           | <p>1 <b>A. Roger Meekings'.</b></p> <p>2 Q. Why did you think that Roger Meekings might have an</p> <p>3 agenda to discredit Bishop Benn or the diocese?</p> <p>4 <b>A. Perhaps less the diocese, but I had the feeling that</b></p> <p>5 <b>perhaps he was -- he drafted his report specifically</b></p> <p>6 <b>with the aim of showing Bishop Benn up.</b></p> <p>7 Q. But did you think that was based on failings that he</p> <p>8 identified in Bishop Benn's dealings in this case or did</p> <p>9 you think it was a wholly unconnected agenda?</p> <p>10 <b>A. It is one thing to identify failings, but it is another</b></p> <p>11 <b>thing to put it in quite the terms that he did.</b></p> <p>12 Q. So was your concern not in the findings but in the way</p> <p>13 that they had been expressed?</p> <p>14 <b>A. I think a mixture of both.</b></p> <p>15 Q. You also raise questions -- I don't need to go to the</p> <p>16 full detail -- in the second paragraph about whether or</p> <p>17 not Mr Meekings could consider himself an independent</p> <p>18 reviewer. What were your concerns about Mr Meekings'</p> <p>19 independence? I'm looking at the second paragraph:</p> <p>20 "Mr Meekings, styling himself 'independent reviewer'</p> <p>21 has been involved in the ongoing historic cases review</p> <p>22 for many months, during which time he has had contact</p> <p>23 with numerous members of the diocesan team, but</p> <p>24 particularly with Shirley Hosgood."</p> <p>25 You go on to note that he was her professional</p> <p style="text-align: center;">Page 155</p> |
| <p>1 Q. Bishop Wallace obviously had indicated to you -- we are</p> <p>2 assuming he disputed some of the facts found within the</p> <p>3 Meekings Report. Is that correct?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Did you consider the possibility then that, in fact,</p> <p>6 Roger Meekings' findings in fact were correct, or did</p> <p>7 you take it on face value that Bishop Benn said that</p> <p>8 they were wrong?</p> <p>9 <b>A. I think probably a mixture of both.</b></p> <p>10 Q. Could you explain that to us?</p> <p>11 <b>A. It seemed that some of the facts were not correct, but</b></p> <p>12 <b>equally, he was saying things which Bishop Benn was very</b></p> <p>13 <b>concerned about, believed they weren't true.</b></p> <p>14 Q. Can we move on to where you say your next concern is --</p> <p>15 I'm looking now where the sentence begins "with regret",</p> <p>16 still the second paragraph:</p> <p>17 "With regret, I must say that, to me, the 'flavour'</p> <p>18 of this report is that it has been written to an agenda</p> <p>19 and I think it would be difficult for a completely</p> <p>20 unconnected third party to do other than conclude that</p> <p>21 its underlying thrust, if not overt purpose, is to</p> <p>22 discredit principally Wallace himself, but also the</p> <p>23 diocese."</p> <p>24 My question is, to whose agenda did you think it had</p> <p>25 been written?</p> <p style="text-align: center;">Page 154</p> | <p>1 supervisor?</p> <p>2 <b>A. Yes. I think that connection was what I was really</b></p> <p>3 <b>driving at with Shirley Hosgood.</b></p> <p>4 Q. So the fact he had a professional connection with</p> <p>5 Shirley Hosgood you thought undermined his independence?</p> <p>6 <b>A. Yes, he couldn't be -- he wasn't, as I say, an</b></p> <p>7 <b>unconnected independent third party.</b></p> <p>8 Q. Did you enquire at that time how extensive their</p> <p>9 connection was, how much contact they had had or what</p> <p>10 his role was as her supervisor?</p> <p>11 <b>A. I was aware that (a) he was her supervisor, (b) that she</b></p> <p>12 <b>had signed off the list of cases in the historic cases</b></p> <p>13 <b>review.</b></p> <p>14 Q. What Mrs Hosgood has said to us is that by the time the</p> <p>15 Meekings Report had been produced, there were no</p> <p>16 difficulties in her relationship with Bishop Wallace</p> <p>17 and, therefore, she wouldn't have had any reason to seek</p> <p>18 to influence Mr Meekings. Would you agree with that or</p> <p>19 be able to comment on it?</p> <p>20 <b>A. By the time the report was finalised, which is the end</b></p> <p>21 <b>of December 2009 --</b></p> <p>22 Q. I'm sorry to interrupt you, but just so we can keep the</p> <p>23 timeline correct, this is July 2009. You are</p> <p>24 questioning his independence at this stage. At this</p> <p>25 stage, was there any difficulty between Bishop Wallace</p> <p style="text-align: center;">Page 156</p>  |

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| <p>1 and Shirley Hosgood?</p> <p>2 <b>A. Not that I'm aware of.</b></p> <p>3 Q. I'm just trying to understand, if they didn't have any</p> <p>4 difficulties, why, then, his connection to her you</p> <p>5 thought might affect his ability to be independent?</p> <p>6 <b>A. A sheer issue of independence.</b></p> <p>7 Q. So it was his independence as a fact, not necessarily</p> <p>8 that she might have sought to influence him?</p> <p>9 <b>A. That's not what I'm saying.</b></p> <p>10 Q. I'm just trying to understand. So is that fair?</p> <p>11 <b>A. The sheer connection.</b></p> <p>12 Q. At paragraph 36 of your witness statement, you have said</p> <p>13 that you have checked the bishops' senior staff meeting</p> <p>14 minutes and those minutes made no discussion of</p> <p>15 the Meekings Report into Colin Pritchard and Roy Cotton;</p> <p>16 is that right?</p> <p>17 <b>A. As far as I could discern, that's the case.</b></p> <p>18 Q. Is this report not something you would have expected to</p> <p>19 be discussed at the bishop's senior staff meeting?</p> <p>20 <b>A. It may well have been, although I don't particularly</b></p> <p>21 <b>recall it, but it may simply not have been minuted.</b></p> <p>22 Q. So it might have been discussed but not minuted?</p> <p>23 <b>A. There were definitely periodic discussions about it, but</b></p> <p>24 <b>I think most of the discussions happened outside the</b></p> <p>25 <b>staff meeting.</b></p> <p style="text-align: center;">Page 157</p> | <p>1 at the overarching conclusions" wasn't --</p> <p>2 <b>A. I don't think that was an option.</b></p> <p>3 Q. Others are going to give detail to the chair and panel</p> <p>4 about the exact details over which there was a dispute</p> <p>5 between Mr Meekings and Bishop Wallace. So I'm not</p> <p>6 going to ask you to get into it. But would it be fair</p> <p>7 to summarise that you had an intermediary role in trying</p> <p>8 to resolve the disagreements between Roger Meekings and</p> <p>9 Bishop Wallace so the report could be agreed?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. And that involved some correspondence backwards and</p> <p>12 forwards between the two, largely through you; is that</p> <p>13 right?</p> <p>14 <b>A. Both through me and through the diocesan registrar.</b></p> <p>15 Q. This culminated in a meeting on 5 November 2009 between</p> <p>16 yourself, Mr Meekings and John Stapleton; is that</p> <p>17 correct?</p> <p>18 <b>A. The registrar.</b></p> <p>19 Q. You anticipate my next question. John Stapleton, what's</p> <p>20 his role in the diocese?</p> <p>21 <b>A. As the diocesan registrar, he is the bishop's legal</b></p> <p>22 <b>adviser.</b></p> <p>23 Q. Would you say that during the correspondence, so far as</p> <p>24 you're involved in it, and during that meeting you were</p> <p>25 advocating for Bishop Wallace?</p> <p style="text-align: center;">Page 159</p>  |
| <p>1 Q. What you say, at paragraph 36 again, is that this was</p> <p>2 a particularly sensitive subject for Bishop Wallace.</p> <p>3 What I am trying to understand is, did the fact that it</p> <p>4 was sensitive for Bishop Wallace mean that it wasn't</p> <p>5 discussed in the meetings or wasn't included in the</p> <p>6 minutes or can you help us about that at all?</p> <p>7 <b>A. I think it was as simple as that.</b></p> <p>8 Q. Sorry, I gave two options, and it is my fault for asking</p> <p>9 the complicated question. Did the sensitivity mean that</p> <p>10 it wasn't discussed in the meetings?</p> <p>11 <b>A. As I say, it may have been it wasn't recorded, but</b></p> <p>12 <b>I think in fact the sensitivity was something which we</b></p> <p>13 <b>had in mind.</b></p> <p>14 Q. Did anybody in the diocese consider saying to</p> <p>15 Bishop Wallace that it might be necessary to set aside</p> <p>16 dispute about factual minutiae and to just look at the</p> <p>17 findings or the recommendations? Was that</p> <p>18 a possibility?</p> <p>19 <b>A. I'm sure we did cover that. I have to say, his reaction</b></p> <p>20 <b>to the report was considerable.</b></p> <p>21 Q. In what way?</p> <p>22 <b>A. He found it offensive and reacted very strongly against</b></p> <p>23 <b>it.</b></p> <p>24 Q. So did his strong reaction mean that the possibility of</p> <p>25 saying, "Well, let's put the facts to one side and look</p> <p style="text-align: center;">Page 158</p>                 | <p>1 <b>A. I was concerned to help him get over what appeared to be</b></p> <p>2 <b>some serious difficulties, which is why we tried to</b></p> <p>3 <b>ameliorate the immediate -- shall we say take the sting</b></p> <p>4 <b>out of some of the allegations and suggestions in the</b></p> <p>5 <b>report, which Roger Meekings ultimately acceded to.</b></p> <p>6 Q. When you were going through this process, given that</p> <p>7 Mr Meekings had been asked to produce the report giving</p> <p>8 his professional opinion as someone with expertise in</p> <p>9 safeguarding, did you or others think about whether or</p> <p>10 not it was appropriate to ask him to change or amend his</p> <p>11 conclusions or his views?</p> <p>12 <b>A. I don't think it was inappropriate to ask him. It was</b></p> <p>13 <b>the way it was written. I wasn't questioning his</b></p> <p>14 <b>expertise, I was questioning the way he was writing it.</b></p> <p>15 Q. That's what I'm trying to tease out. Was there some</p> <p>16 dispute about the facts or were you seeking to question</p> <p>17 his expertise in safeguarding and his conclusions around</p> <p>18 safeguarding?</p> <p>19 <b>A. I don't think I wanted to question his expertise at all.</b></p> <p>20 Q. Mr Meekings has said that during this meeting he felt</p> <p>21 you were hostile and aggressive and he thought that you</p> <p>22 told him that his report was unsupported, potentially</p> <p>23 libellous and slurred professional reputations. Would</p> <p>24 you accept that?</p> <p>25 <b>A. I was certainly not antagonistic or hostile. In fact,</b></p> <p style="text-align: center;">Page 160</p> |

40 (Pages 157 to 160)



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| <p>1 an exchange of emails on the same day and the following</p> <p>2 day, I think, confirm that Mr Meekings was perfectly</p> <p>3 content with the way the meeting proceeded. He referred</p> <p>4 to it as a helpful meeting and he agreed to look at</p> <p>5 amending what he had written in line with what the</p> <p>6 bishop had suggested.</p> <p>7 Q. So as far as you were concerned, it was just</p> <p>8 a constructive meeting about resolving some small</p> <p>9 matters so the report could be finalised?</p> <p>10 A. It was certainly a professional meeting. We made our</p> <p>11 views clear, but it was certainly not hostile.</p> <p>12 Q. The meeting was on 5 November 2009, and Mr Meekings</p> <p>13 produced his final version on 17 December 2009. Was</p> <p>14 there more back and forth from Bishop Wallace and</p> <p>15 Roger Meekings providing further comments by</p> <p>16 Bishop Wallace?</p> <p>17 A. Prior to 17 December, yes. But I gather they weren't</p> <p>18 included in his final decision to --</p> <p>19 Q. Once again, you anticipate my next question, thank you.</p> <p>20 Is it fair to say that Bishop Wallace remained unhappy</p> <p>21 with the final version dated 17 December?</p> <p>22 A. Very much so.</p> <p>23 Q. You say "Very much so". How did his unhappiness with</p> <p>24 the final version of the report affect the diocese's</p> <p>25 ability to respond to it, in your view?</p> <p style="text-align: center;">Page 161</p>  | <p>1 A. I don't remember embarrassment being a subject at all.</p> <p>2 Q. So it was more that you were concerned that there</p> <p>3 shouldn't be any litigation?</p> <p>4 A. Ultimately, it was the disruption and the eventual cost</p> <p>5 of dealing with any kind of proceedings.</p> <p>6 Q. Whilst you touch on costs, you mentioned at paragraph 40</p> <p>7 of your witness statement that Bishop Wallace asked the</p> <p>8 diocese to pay £19,000 towards his legal fees for such</p> <p>9 an action. Is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. Were those fees paid by the diocese?</p> <p>12 A. Not by the diocese, no, because, as you will be aware,</p> <p>13 for solicitors to issue any bill of costs to a client</p> <p>14 requires the client having instructed them properly, in</p> <p>15 a particular form. No instructions had been given by</p> <p>16 the diocese for that work to be undertaken, and</p> <p>17 therefore the diocese could not be liable for those</p> <p>18 costs.</p> <p>19 Q. When the diocese refused to make payment, was that</p> <p>20 because of, as you say, a concern about the formal</p> <p>21 issuing of instructions, or was there any thought to</p> <p>22 whether or not the diocese could financially afford it</p> <p>23 at the time? The evidence from Bishop Hind this morning</p> <p>24 had been that they had been struggling to fund</p> <p>25 counselling at this time and other matters?</p> <p style="text-align: center;">Page 163</p> |
| <p>1 A. His unhappiness resulted in him seeking legal advice,</p> <p>2 which he told me was in line, broadly, with what I'd</p> <p>3 originally said, that it might be defamatory. The</p> <p>4 diocese was concerned about that because the last thing</p> <p>5 we wanted was any action for defamation against him or</p> <p>6 anybody else who might have published it.</p> <p>7 Q. Can I just be very clear so everybody follows. When you</p> <p>8 are saying a defamation, defamation as against him, as</p> <p>9 against Roger Meekings or as against the diocese?</p> <p>10 A. Defamation against -- the understanding was that what</p> <p>11 he'd written was in fact defaming Bishop Wallace.</p> <p>12 Q. I'm just trying to be clear so everybody can follow who</p> <p>13 the threat was as against. Roger Meekings, there was</p> <p>14 a threat of litigation?</p> <p>15 A. Threat of litigation, ultimately, which led to the</p> <p>16 decision not to publish the report.</p> <p>17 Q. Did you think there was a real risk of litigation?</p> <p>18 A. I could only accept what Bishop Wallace repeatedly said,</p> <p>19 namely, that he would take action, either by way of an</p> <p>20 injunction to prevent publication or by way of</p> <p>21 a proceedings for libel.</p> <p>22 Q. I'm asked to ask a question on behalf of one of our core</p> <p>23 participants, and that is, was the diocese's concern</p> <p>24 about the real risk of litigation or the potential</p> <p>25 embarrassment to the diocese from the litigation?</p> <p style="text-align: center;">Page 162</p> | <p>1 A. I'm sure that was an aspect, that the diocesan secretary</p> <p>2 at the time looked at both the cost -- the availability</p> <p>3 of funds aspect as well as the legality of it.</p> <p>4 Q. I am going to move topics, if I can, Archdeacon Philip,</p> <p>5 to talk about your appointment to what I have described</p> <p>6 as the safeguarding lead on the bishop's senior staff.</p> <p>7 I think I had better break that down a little bit. The</p> <p>8 bishop's senior staff comprises who?</p> <p>9 A. The diocesan bishop, the two area bishops, three</p> <p>10 archdeacons, the dean of the cathedral and the --</p> <p>11 usually the bishop's chaplain.</p> <p>12 Q. How often did the bishop's senior staff meet?</p> <p>13 A. Monthly.</p> <p>14 Q. Am I right when I say, then, that in September 2009</p> <p>15 Bishop John asked you to take the lead on safeguarding</p> <p>16 within that senior staff?</p> <p>17 A. Yes. It was principally to report to the senior staff</p> <p>18 meeting what the current state of safeguarding was in</p> <p>19 the diocese.</p> <p>20 Q. Did it also have a particular focus on the</p> <p>21 implementation of the recommendations Mr Meekings had</p> <p>22 made?</p> <p>23 A. Yes, that was part of it.</p> <p>24 Q. What was the special project team?</p> <p>25 A. That was simply a group set up by the diocesan</p> <p style="text-align: center;">Page 164</p>  |

1 secretary, Angela Simpson, to really assist with the  
 2 whole realm of safeguarding which, at that stage, was  
 3 obviously top of the agenda, and under Bishop Mark,  
 4 Bishop of Horsham, I was involved, the diocesan bishop's  
 5 chaplain was involved and the diocesan secretary  
 6 herself.

7 Q. So does the special project team come later in the  
 8 timeline, not at this stage, not September 2009?

9 **A. No, much later.**

10 Q. Thank you for clarifying that for us. So  
 11 in September 2009 when you began to take the lead on  
 12 implementing the recommendations, or managing that  
 13 process -- which would be a fairer way of describing it?

14 **A. Managing.**

15 Q. Managing the process?

16 **A. In the sense, particularly, that most of**  
 17 **the recommendations were relatively straightforward to**  
 18 **address and involved senior staff.**

19 Q. I will take you to them in a moment, take you through  
 20 the detail of when and how they were implemented, but  
 21 first I want to touch on some concerns that Mr Meekings  
 22 raised which I think you're aware of. I'm looking at  
 23 paragraphs 24 and just slightly before your statement.  
 24 Mr Meekings, is it right, had some concern about  
 25 whether you, as the Archdeacon of Lewes, had what he

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1 called a conflict of interest in taking on the role of  
 2 implementing his recommendations. Were you aware of  
 3 that?

4 **A. Yes, I was.**

5 Q. How did you respond to that concern?

6 **A. I think I responded to him by saying that I was much**  
 7 **more concerned to achieve fairness and justice in the**  
 8 **way his report on the recommendations were dealt with by**  
 9 **the diocese and that it was important, I think, that**  
 10 **a member of the senior staff actually dealt with it.**  
 11 **Interestingly, as you will have noticed, in**  
 12 **Ian Sandbrook's report he more or less commends the use**  
 13 **of an archdeacon to oversee that particular aspect.**

14 Q. I want to delve into it just in two ways. The first  
 15 would be your role as the archdeacon of Lewes  
 16 specifically. We have dealt with it to some extent.  
 17 You were not Bishop Wallace's archdeacon, you weren't  
 18 his direct subordinate. You have already told us that.  
 19 But your areas were coterminous; is that right?

20 **A. Yes. Don't forget Hastings. They get upset.**

21 Q. I'm very sorry. I should clarify, you were the  
 22 Archdeacon of Lewes and Hastings?

23 **A. Lewes and Hastings.**

24 Q. Subsequently. That was changed. When was that changed  
 25 to just the Archdeacon of Lewes?

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1 **A. No, the reverse, the Archdeacon of Hastings. The**  
 2 **archdeaconry covers the whole of East Sussex at that**  
 3 **point. Only in, I think, 2013/2014 was the Lewes and**  
 4 **Seaford deanery, meaning the deanery nearest Brighton**  
 5 **and Hove, was detached to be dealt with in conjunction**  
 6 **with Brighton and Hove by a new fourth archdeacon, which**  
 7 **left me with seven instead of eight deaneries.**

8 Q. Thank you for clarifying. So one is sort of  
 9 the geographic area, but the other issue is that you  
 10 were an archdeacon as opposed to a bishop taking the  
 11 lead on safeguarding. I don't mean it with any  
 12 disrespect, but I think it should be asked: did you, as  
 13 an archdeacon, think you had sufficient authority in the  
 14 diocese to take that role?

15 **A. Yes.**

16 Q. Did you feel, as an archdeacon, that you would be able  
 17 to, if necessary, challenge your fellow archdeacons  
 18 and/or area bishop on safeguarding matters, if it was  
 19 necessary?

20 **A. Yes. The good thing about the senior staff meeting is**  
 21 **that not only had we worked together for some years, but**  
 22 **everyone knew each other well and there was no**  
 23 **suggestion of hierarchy figuring in the discussions in**  
 24 **that meeting.**

25 Q. Just two comments that you make in your statement,

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1 I think, while we are on this topic we should explore.  
 2 At paragraph 24, which I pointed you to a bit earlier,  
 3 you say:  
 4 "There was, not unnaturally, a reluctance on the  
 5 part of senior clergy (by which I mean the diocesan  
 6 bishop, the other area bishop and the archdeacons) to  
 7 challenge the modus operandi of an area bishop ..."  
 8 You say specifically in the realm of appointments.  
 9 But I want to ask about whether the "not unnaturally,  
 10 a reluctance ... to challenge the modus operandi of an  
 11 area bishop", whether there was the risk that would  
 12 apply to safeguarding practice as well?

13 **A. I don't think it did apply to safeguarding practice.**  
 14 **The main difficulty, as I think I have tried to say, was**  
 15 **over the running of that episcopal area, the**  
 16 **archdeaconry, in terms of clergy deployment,**  
 17 **appointments and to some extent the pastoral work**  
 18 **involved in it. That was very much, as you heard from**  
 19 **Bishop John this morning, the bag of the area bishop.**  
 20 **There was a degree of independence there which**  
 21 **I think no-one thought was helpful.**

22 Q. Did that degree of independence and the reluctance to  
 23 challenge the modus operandi apply just to appointments  
 24 or also to safeguarding?

25 **A. I don't recall particularly about reluctance in regard**

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| <p>1 <b>to safeguarding. If I'm honest, I'm not sure there was</b></p> <p>2 <b>too much reluctance in the other things. But, on the</b></p> <p>3 <b>other hand, everybody understood that area bishops had</b></p> <p>4 <b>a pretty free hand, as I drew the comparison with the</b></p> <p>5 <b>previous Bishop of Horsham.</b></p> <p>6 Q. The last -- again, it is a comment that you have made at</p> <p>7 paragraph 27. You say you didn't have a very strong</p> <p>8 loyalty to the area of your archdeaconry, and that was</p> <p>9 the reason why you did not feel able -- sorry, you did</p> <p>10 have a very strong loyalty to the area of your</p> <p>11 archdeaconry and that was the reason why you did not</p> <p>12 feel able to distance yourself and Bishop Wallace</p> <p>13 initially. I recognise you say that later on in time</p> <p>14 you did.</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Again, I just wonder if the reluctance or the loyalty</p> <p>17 that you might have felt to the archdeaconry area might</p> <p>18 have inhibited your ability to challenge Bishop Wallace</p> <p>19 on safeguarding matters?</p> <p>20 <b>A. No, because I think the point was that -- what I have</b></p> <p>21 <b>tried to set out in that and succeeding paragraphs is</b></p> <p>22 <b>that the role of an archdeacon in terms of</b></p> <p>23 <b>the archdeaconry is to maintain standards, to maintain</b></p> <p>24 <b>the canons and their implementation, irrespective of</b></p> <p>25 <b>what the area bishop might think; indeed, to provide,</b></p> <p style="text-align: center;">Page 169</p> | <p>1 review recommendation?</p> <p>2 <b>A. Yes, in which case there should be only five of them.</b></p> <p>3 Q. On to page 2, we will see number 5 and that is probably</p> <p>4 correct.</p> <p>5 <b>A. Yes, that's right.</b></p> <p>6 Q. Can we go back to page 1 and look at some of the detail.</p> <p>7 Recommendation 1:</p> <p>8 "The delegated authority for the issue of PTO should</p> <p>9 be reviewed. In any event, decisions should not be made</p> <p>10 by area bishops without formally accessing the contents</p> <p>11 of the diocesan blue file."</p> <p>12 Your response is:</p> <p>13 "All PTO is issued through the palace office after</p> <p>14 receipt of a CRB ..."</p> <p>15 My question is, if you can help us, this document is</p> <p>16 undated. Do you know when these recommendations were</p> <p>17 implemented or how quickly?</p> <p>18 <b>A. I think you may have heard from Bishop John this morning</b></p> <p>19 <b>that the requirement for all PTOs to be dealt with by</b></p> <p>20 <b>the palace office I think emanates from September</b></p> <p>21 <b>or October 2009.</b></p> <p>22 Q. 2009?</p> <p>23 <b>A. I think this would have been later in 2009 or possibly</b></p> <p>24 <b>early 2010.</b></p> <p>25 Q. One of the other things they have changed is</p> <p style="text-align: center;">Page 171</p>   |
| <p>1 <b>beneath whatever his activities are, a stability. My</b></p> <p>2 <b>loyalty to the archdeaconry and the parishes in it was</b></p> <p>3 <b>to make sure that was still possible.</b></p> <p>4 Q. So regardless of what Bishop Wallace was up to, you</p> <p>5 wanted to make sure things were running smoothly and</p> <p>6 correctly in your area?</p> <p>7 <b>A. Absolutely.</b></p> <p>8 Q. Can we move, as I have promised you now twice you will,</p> <p>9 to looking at the implementation of the recommendations.</p> <p>10 This is paragraph 43 of your witness statement, for</p> <p>11 anybody following.</p> <p>12 Mr Meekings made two sets of recommendations: the</p> <p>13 past cases review recommendations and then the</p> <p>14 recommendations in the Cotton and Pritchard report. Can</p> <p>15 we have a look on screen, please, at ACE023629. We have</p> <p>16 a document on screen that Bishop Hind was looking at</p> <p>17 earlier, and he said it wasn't something he prepared.</p> <p>18 Can I confirm it is something you were at least involved</p> <p>19 in preparing?</p> <p>20 <b>A. I think I drafted the -- the recommendations in each</b></p> <p>21 <b>case are in italics. I think I drafted the paragraph</b></p> <p>22 <b>under each.</b></p> <p>23 Q. At the top of the document, we see that these are the</p> <p>24 Meekings Report dated 11 February 2009. So we are clear</p> <p>25 we are looking at the implementation of the past cases</p> <p style="text-align: center;">Page 170</p>   | <p>1 recommendation 2:</p> <p>2 "There is a need to review the file/record</p> <p>3 system ...</p> <p>4 "All safeguarding files have now been co-located</p> <p>5 with blue files ..."</p> <p>6 We talked about that earlier:</p> <p>7 "The system should be reviewed to provide the</p> <p>8 safeguarding adviser swift and straightforward access to</p> <p>9 the blue files ..."</p> <p>10 That's definitely been covered earlier. Then there</p> <p>11 is a question of co-locating the safeguarding adviser.</p> <p>12 <b>A. With the records, yes.</b></p> <p>13 Q. With the records. In Church House; is that right?</p> <p>14 <b>A. No, this would have been at the palace. As I reported</b></p> <p>15 <b>to the safeguarding group at the meeting of 10 October,</b></p> <p>16 <b>there was some attempt to acquire extra space within the</b></p> <p>17 <b>Bishop's Palace to enable there to be a slot for</b></p> <p>18 <b>safeguarding adviser to be there. That was achieved,</b></p> <p>19 <b>but I think, at the end of the day, to be honest, it</b></p> <p>20 <b>didn't prove terribly satisfactory because Church House</b></p> <p>21 <b>is halfway across the diocese and Chichester is at one</b></p> <p>22 <b>end. For practical purposes, I think it didn't really</b></p> <p>23 <b>help, although the files were co-located there, as they</b></p> <p>24 <b>are today.</b></p> <p>25 Q. Is there an alternative you think would have worked</p> <p style="text-align: center;">Page 172</p> |

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| <p>1 better in the diocese?</p> <p>2 <b>A. Well, the alternative would be to transfer the entire</b></p> <p>3 <b>bishop's business to Church House. I'm afraid that</b></p> <p>4 <b>wasn't going to be possible.</b></p> <p>5 Q. What I want to look at is paragraph 43 of your statement</p> <p>6 and move to the recommendations made by Roger Meekings</p> <p>7 in May 2009. So now we are talking the Cotton and</p> <p>8 Pritchard report. Bearing in mind the first draft of</p> <p>9 the report was received in May 2009, what you say at</p> <p>10 paragraph 43 is that the first meeting to discuss these</p> <p>11 was on 25 August 2009, which is some three months later.</p> <p>12 Can you help us, had anything been done between May 2009</p> <p>13 and the meeting in August 2009 to start work on the</p> <p>14 Meekings' Cotton and Pritchard recommendations?</p> <p>15 <b>A. I think that meeting was specifically to try and nail</b></p> <p>16 <b>things down, particularly with reference to points of</b></p> <p>17 <b>action. I am sure that we had discussions prior to that</b></p> <p>18 <b>about the more straightforward issues which I mentioned,</b></p> <p>19 <b>which could be done by senior staff.</b></p> <p>20 Q. So there had been some more informal work done in the</p> <p>21 three months?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. But this was the first formal meeting?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. The reason I ask is, do you think that all of</p> <p style="text-align: center;">Page 173</p>   | <p>1 says:</p> <p>2 "I met with the Reverend Pearl Luxon ... on</p> <p>3 12 January 2010."</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. This is a letter from Shirley Hosgood to Pearl Luxon,</p> <p>6 who was the then national safeguarding adviser -- sorry,</p> <p>7 reporting her meeting with Pearl Luxon, raising some</p> <p>8 concerns about the delay in implementing some of</p> <p>9 the recommendations. Is that right?</p> <p>10 <b>A. Clearly, that's what she's saying, yes.</b></p> <p>11 Q. Can we look at the third paragraph, please:</p> <p>12 "Since the past cases review was presented, there</p> <p>13 have been difficulties in implementing the</p> <p>14 recommendations (1, 2 and 4 have not been fully</p> <p>15 implemented and recommendation 5 has not been</p> <p>16 implemented). As safeguarding adviser, I would have</p> <p>17 expected to have been involved in the meetings and</p> <p>18 discussions with other officers about the reviewer's</p> <p>19 report into the handling of the Cotton and Pritchard</p> <p>20 case, but I have effectively been excluded from this</p> <p>21 process. The report was delivered in May 2009 and it is</p> <p>22 of serious concern that the diocese has not been able to</p> <p>23 consider the findings in a more timely way, given that</p> <p>24 concerns are raised ..."</p> <p>25 Trying to pick apart a few of the complaints there,</p> <p style="text-align: center;">Page 175</p>  |
| <p>1 the backwards and forwards that we have discussed around</p> <p>2 the factual disputes in the Meekings Report delayed or</p> <p>3 affected the extent to which the recommendations could</p> <p>4 be addressed?</p> <p>5 <b>A. I'm not sure I can recall any particular thinking about</b></p> <p>6 <b>that at the time. With hindsight, it may have affected</b></p> <p>7 <b>it, but not to any great degree. The meeting in August,</b></p> <p>8 <b>as you pointed out, dealt particularly with points of</b></p> <p>9 <b>action as well as the recommendations. So we were</b></p> <p>10 <b>making progress particularly with a view to -- not at</b></p> <p>11 <b>that stage, but certainly eventually to releasing the</b></p> <p>12 <b>points of actions to victims and survivors. That's</b></p> <p>13 <b>certainly what Shirley Hosgood was desiring.</b></p> <p>14 Q. So a lot of the time, in terms of the points of action,</p> <p>15 was considering whether or how the report could be</p> <p>16 released to victims and survivors?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. It's that part of it which was delayed by the dispute</p> <p>19 around the facts?</p> <p>20 <b>A. I'm not sure it had too much of a delaying impact, to be</b></p> <p>21 <b>honest. I think it simply took its time.</b></p> <p>22 Q. Can we put up ACE023543. We have a letter here dated</p> <p>23 14 January 2009, but you have correctly highlighted in</p> <p>24 your statement that it is more likely to be</p> <p>25 14 January 2010, when we look at the top paragraph, it</p> <p style="text-align: center;">Page 174</p> | <p>1 one of them is that Ms Hosgood has said that she was</p> <p>2 effectively excluded from the conversations about</p> <p>3 implementation. Was Ms Hosgood involved in the meetings</p> <p>4 where you put together your points of action and where</p> <p>5 you discussed the report?</p> <p>6 <b>A. I think not, but I also think that she later had drafted</b></p> <p>7 <b>some of the points of action. I'm afraid I don't recall</b></p> <p>8 <b>the sequence of events.</b></p> <p>9 Q. We can get her statement up if there is a problem. What</p> <p>10 it looks like from the documents is that the draft</p> <p>11 points of action were put together by yourself and</p> <p>12 others and that they were given to the diocesan</p> <p>13 safeguarding adviser to give her comments upon. Does</p> <p>14 that sound right?</p> <p>15 <b>A. I think that point does sound right, yes.</b></p> <p>16 Q. What she's complaining about is saying, well, I can only</p> <p>17 talk about those in a very academic way about whether or</p> <p>18 not they seem to be a good idea, because you didn't</p> <p>19 involve me in the decisions about why they were</p> <p>20 formulated. My question is, why was she not involved in</p> <p>21 those decisions?</p> <p>22 <b>A. Because that would have required us to release the</b></p> <p>23 <b>report to her.</b></p> <p>24 Q. We have heard from Mrs Hosgood, so there is no mystery</p> <p>25 about it, that she actually had a copy of the report</p> <p style="text-align: center;">Page 176</p> |

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| <p>1 directly from Roger Meekings. Were you aware of that?</p> <p>2 <b>A. No.</b></p> <p>3 Q. But she was never given a copy of the report by the</p> <p>4 diocese, was she?</p> <p>5 <b>A. No.</b></p> <p>6 Q. You say that the reason she was excluded from the</p> <p>7 conversations was expressly because you didn't want to</p> <p>8 give her a copy of the report?</p> <p>9 <b>A. Because of the potential for action on the part of</b></p> <p>10 <b>Bishop Benn.</b></p> <p>11 Q. Because of the potential libel action?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Was it -- did you consider asking Bishop Benn for</p> <p>14 permission to share it with Mrs Hosgood for this one</p> <p>15 purpose?</p> <p>16 <b>A. I don't think I or anybody else may have asked that</b></p> <p>17 <b>direct question. But to be perfectly honest, it was out</b></p> <p>18 <b>of the question.</b></p> <p>19 Q. What about, is there any way you could have given her</p> <p>20 a redacted copy or anything to help her meaningfully</p> <p>21 engage in this process?</p> <p>22 <b>A. I regret to say I think the idea of redaction at that</b></p> <p>23 <b>stage was not in anyone's minds.</b></p> <p>24 Q. Can we look on the screen, please, at ACE022270. It's</p> <p>25 at tab 16 of your bundle, chair. I'm looking at page 35</p> <p style="text-align: center;">Page 177</p>  | <p>1 <b>A. Yes.</b></p> <p>2 Q. Again, because it is a question: was it libel or was</p> <p>3 there any concern about embarrassment to the diocese in</p> <p>4 sharing that report?</p> <p>5 <b>A. I don't recall embarrassment being discussed. There was</b></p> <p>6 <b>the very -- we felt the very real threat of litigation.</b></p> <p>7 Q. Recommendation 2, on the left, relates to the failure to</p> <p>8 share significant information. In short, it seems to</p> <p>9 say that an apology to the victims is appropriate for</p> <p>10 the failings within the report. In terms of</p> <p>11 the recommendation, it says:</p> <p>12 "The impact on the victims was always under</p> <p>13 consideration. The diocese offered and paid for</p> <p>14 counselling when sought by individuals and offered</p> <p>15 pastoral support. The main victim, Philip Johnson,</p> <p>16 received an appropriate verbal apology ... on</p> <p>17 29 March 2010."</p> <p>18 It might be a question for Bishop Hind, but can you</p> <p>19 help us: why, when the report was received first</p> <p>20 in May 2009, was there any consideration of an apology</p> <p>21 being given earlier than March 2010?</p> <p>22 <b>A. I don't recall that. That perhaps is part of</b></p> <p>23 <b>the background to this in the sense that, with</b></p> <p>24 <b>hindsight, I think I can say that we were not attuned at</b></p> <p>25 <b>that point to consider what is now an absolutely</b></p> <p style="text-align: center;">Page 179</p> |
| <p>1 of that document, please, Paul. At the risk of pushing</p> <p>2 it, Paul, can I have, at the same time, up next to it,</p> <p>3 ACE023629_005. I don't put both up to either confuse</p> <p>4 you or to show off, Archdeacon Philip, but the document</p> <p>5 on the left is the recommendations made by</p> <p>6 Roger Meekings in the Cotton/Pritchard report and on the</p> <p>7 right is details of their implementation, so it probably</p> <p>8 helps to look at the two together.</p> <p>9 If we can look at the first one, it is:</p> <p>10 "The Bishop of Chichester should consider how best</p> <p>11 to provide the victims access to the findings and</p> <p>12 outcomes of the review. It is hoped that as much as</p> <p>13 possible can be shared, although it is recognised that</p> <p>14 this may create other tensions."</p> <p>15 If we look at paragraph 1 of the implementation:</p> <p>16 "The Bishop of Chichester has commissioned a further</p> <p>17 review from Baroness Butler-Sloss of the Cotton and</p> <p>18 Pritchard case and the terms of reference ... dictate</p> <p>19 that the interests of victims be fully considered."</p> <p>20 Is the long and the short of that,</p> <p>21 Archdeacon Philip, that the report was not shared in its</p> <p>22 current form with the victims and survivors?</p> <p>23 <b>A. Correct.</b></p> <p>24 Q. Was the reason for that the reason we have already</p> <p>25 discussed, the threat of libel?</p> <p style="text-align: center;">Page 178</p> | <p>1 <b>fundamental requirement in dealing with victims of</b></p> <p>2 <b>abuse.</b></p> <p>3 Q. The reason I ask it in this way is that I wonder, given</p> <p>4 that the Meekings Report was factually contested but</p> <p>5 there were also safeguarding failings identified, did</p> <p>6 the factual dispute hold you back from providing an</p> <p>7 apology to victims and survivors or were there other</p> <p>8 considerations?</p> <p>9 <b>A. I can only agree that it should not have done.</b></p> <p>10 Q. It should not have done?</p> <p>11 <b>A. It should not have done.</b></p> <p>12 Q. Also, we understand that there were some difficulties in</p> <p>13 providing or finding funding for counselling for</p> <p>14 Mr Johnson which have already been dealt with by</p> <p>15 Bishop John, but what I would like to ask you about is,</p> <p>16 Mrs Hosgood has said that she drafted a protocol for the</p> <p>17 funding of counselling. Were you aware of that?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. She says she never received a response from the diocese</p> <p>20 about this protocol. Can you help us as to why there</p> <p>21 was no diocesan response to that protocol?</p> <p>22 <b>A. I think simply because there was no question, at that</b></p> <p>23 <b>stage, of funds being made available.</b></p> <p>24 Q. Because the funds weren't available or because they</p> <p>25 wouldn't be made available?</p> <p style="text-align: center;">Page 180</p>                                    |

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| <p>1 <b>A. The funding that was available was by bishop's</b><br/>                 2 <b>discretionary fund. Ultimately, I was attempting, both</b><br/>                 3 <b>through the chairman of the Diocesan Board of Finance</b><br/>                 4 <b>and with Ecclesiastical Insurance, to secure some</b><br/>                 5 <b>funding.</b><br/>                 6 <b>As you have heard already, the diocese in 2008 and</b><br/>                 7 <b>2009, going into 2010, was in a parlous financial</b><br/>                 8 <b>position, to the point where, in fact, at the end of</b><br/>                 9 <b>2009, the senior staff meeting decreed a freeze on any</b><br/>                 10 <b>increase in clergy stipends. We didn't fill vacancies</b><br/>                 11 <b>to save money. There simply wasn't spare funds around.</b><br/>                 12 <b>Now, that was an entirely financial decision which</b><br/>                 13 <b>at the time I am quite sure was thought to be</b><br/>                 14 <b>reasonable, but funds were not forthcoming, which</b><br/>                 15 <b>I found frustrating. I wrote to the chairman of</b><br/>                 16 <b>the Board of Finance on 16 March 2010, saying:</b><br/>                 17 <b>"I need to make clear ..."</b><br/>                 18 <b>Meaning counselling:</b><br/>                 19 <b>"... that this is not something we can avoid."</b><br/>                 20 <b>Meaning it was a priority. But the funding issue</b><br/>                 21 <b>remained.</b><br/>                 22 Q. What we know is that in fact it trundled on<br/>                 23 until October 2010 when it was finally agreed and 24<br/>                 24 counselling sessions was set as the maximum.<br/>                 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 181</p> | <p>1 it take until March 2010 to provide training on the<br/>                 2 issues that were identified? Can you help us with that?<br/>                 3 <b>A. I'm not sure I can. It was something that took some</b><br/>                 4 <b>time to organise.</b><br/>                 5 Q. Would you accept that it should have been arranged<br/>                 6 earlier?<br/>                 7 <b>A. In hindsight, of course.</b><br/>                 8 Q. Because of course when we -- we don't need to flick<br/>                 9 back, but the date of the letter from Shirley Hosgood to<br/>                 10 Mrs Luxon about the delayed response to recommendations<br/>                 11 was dated January 2010. She's right, isn't she, looking<br/>                 12 at the dates we have been through, that by the time she<br/>                 13 wrote that letter in January 2010, there hadn't been<br/>                 14 a great deal of action on the recommendations in that<br/>                 15 there had been no training provided, the apology hadn't<br/>                 16 yet been provided and the funding, the counselling fund,<br/>                 17 hadn't yet been set up. Would that be a fair<br/>                 18 assessment?<br/>                 19 <b>A. Inevitably, there was delay in dealing with each of</b><br/>                 20 <b>those. But there were certainly discussions about how</b><br/>                 21 <b>to deal with them.</b><br/>                 22 <b>I think an underlying factor which probably isn't</b><br/>                 23 <b>appreciated is that I think as a legacy -- this is just</b><br/>                 24 <b>my take on it -- as a legacy of the time of</b><br/>                 25 <b>Bishop Eric Kemp, the Bishops' Council and the Diocesan</b></p> <p style="text-align: center;">Page 183</p>                 |
| <p>1 Q. So did you share the frustration of victims and<br/>                 2 survivors in trying to get this sorted?<br/>                 3 <b>A. Yes.</b><br/>                 4 Q. Was the single biggest obstacle financial availability<br/>                 5 or was it sort of the bureaucracy around providing it?<br/>                 6 <b>A. No, it wasn't bureaucracy. It was the overriding</b><br/>                 7 <b>concern that in fact we were in serious financial</b><br/>                 8 <b>difficulty.</b><br/>                 9 Q. Paul, could we have both of those back on screen,<br/>                 10 please, to look at recommendation 4. It says:<br/>                 11 "Training of senior staff in the diocese should also<br/>                 12 include the management of allegations ..."<br/>                 13 It talks about other details that should<br/>                 14 specifically be trained. The reason I put it up, if we<br/>                 15 can look at the corresponding paragraph about training<br/>                 16 being provided, it is actually from 3 onwards, Paul, if<br/>                 17 we can:<br/>                 18 "The Bishop of Chichester has indeed considered the<br/>                 19 matters raised under this paragraph all of which have<br/>                 20 been addressed in training of diocesan senior staff on<br/>                 21 4 March 2010 and further training is in the course of<br/>                 22 being arranged."<br/>                 23 I apologise for the repetition, but the same point<br/>                 24 remains, that the report was first provided in May 2009,<br/>                 25 albeit it wasn't finalised until December 2009. Why did</p> <p style="text-align: center;">Page 182</p>  | <p>1 <b>Board of Finance carried a great deal of weight.</b><br/>                 2 <b>Bishops' Council in particular during 2009 and 2010</b><br/>                 3 <b>perhaps did not understand the priority of safeguarding</b><br/>                 4 <b>and, therefore, the need for counselling funding.</b><br/>                 5 <b>Unfortunately, I think the mind-set from years back</b><br/>                 6 <b>was hanging over into that period.</b><br/>                 7 Q. I'd like to just develop that slightly with you. It is<br/>                 8 the Bishops' Council, you say --<br/>                 9 <b>A. Bishops' Council.</b><br/>                 10 Q. -- which did not understand the priority of safeguarding<br/>                 11 and, therefore, funding counselling. We haven't heard<br/>                 12 from any other witness, unless I have missed it: who<br/>                 13 sits on the Bishops' Council?<br/>                 14 <b>A. They are I think partly elected, partly appointed. They</b><br/>                 15 <b>are people who have, intentionally, particular gifts and</b><br/>                 16 <b>expertise, people around the diocese, I think</b><br/>                 17 <b>occasionally from outside it, who could offer advice,</b><br/>                 18 <b>counsel, to the bishop.</b><br/>                 19 Q. Do they receive any sort of safeguarding training or<br/>                 20 safeguarding awareness?<br/>                 21 <b>A. I suspect, at that stage, no.</b><br/>                 22 Q. Were they aware of the Meekings Reports, either of them<br/>                 23 or both of them?<br/>                 24 <b>A. They would certainly have been aware that there had been</b><br/>                 25 <b>a report, but they wouldn't have known the content.</b></p> <p style="text-align: center;">Page 184</p> |

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| <p>1 Q. Again, I don't want to keep labouring the point, but for<br/>2 the reasons we have discussed, on reflection, do you<br/>3 think perhaps sharing these reports with the<br/>4 Bishops' Council might have helped them to have a better<br/>5 understanding of the priorities around safeguarding?<br/>6 <b>A. In the best of all possible worlds, yes.</b><br/>7 Q. The final recommendation -- Paul, I'm sorry to keep<br/>8 doing it -- is recommendation 5, to establish a diocesan<br/>9 child protection management group:<br/>10 "... should be established as soon as possible and,<br/>11 among its tasks, should consider significant allegations<br/>12 against priests which do not/cannot proceed to<br/>13 court ..."<br/>14 This was the recommendation for what later became<br/>15 known as the Diocesan Safeguarding Advisory Group; is<br/>16 that right?<br/>17 <b>A. Yes.</b><br/>18 Q. Is it right to summarise that there were delays, again,<br/>19 in establishing the Diocesan Safeguarding Advisory<br/>20 Group?<br/>21 <b>A. Yes, there were.</b><br/>22 Q. I will set out the chronology quickly and then I am<br/>23 going to ask you for the reasons why, if that is okay.<br/>24 Essentially, the group was established in May 2010,<br/>25 according to the documents we have seen, with the first</p> <p style="text-align: center;">Page 185</p>   | <p>1 <b>understanding is that it was conducted on a much more</b><br/>2 <b>informal basis. There weren't then perhaps as many</b><br/>3 <b>safeguarding issues as arose subsequently, and quite</b><br/>4 <b>clearly it needed to be reformed and updated, which is</b><br/>5 <b>why Mrs Hosgood took the action she did.</b><br/>6 Q. She says she wanted to put it on a more formal footing.<br/>7 <b>A. Yes, but that formal footing initially was proposed on</b><br/>8 <b>the basis that it would exclude the diocesan secretary</b><br/>9 <b>and, in fact, clergy members. That caused us to contest</b><br/>10 <b>the suggestions she was putting forward, which</b><br/>11 <b>ultimately led to the meeting on 24 September 2009, when</b><br/>12 <b>there was a lot of disagreement.</b><br/>13 <b>I can only explain why that happened, why it took so</b><br/>14 <b>long, by reference back to that past state. I think we</b><br/>15 <b>were moving from the pre-2007 era into completely new</b><br/>16 <b>territory when Mrs Hosgood arrived. Safeguarding prior</b><br/>17 <b>to that was more informally dealt with, I'm sure largely</b><br/>18 <b>effectively. Yes, some issues have arisen. But on the</b><br/>19 <b>arrival of Shirley Hosgood, it became a much more</b><br/>20 <b>professional approach.</b><br/>21 <b>We argued as to who should be a member of the new</b><br/>22 <b>group. Ultimately, I think we achieved what we set out</b><br/>23 <b>to achieve, in the sense that, although the diocesan</b><br/>24 <b>secretary didn't automatically become a member, the</b><br/>25 <b>three archdeacons did, and therefore there was -- if you</b></p> <p style="text-align: center;">Page 187</p> |
| <p>1 meeting in July 2010.<br/>2 <b>A. Yes.</b><br/>3 Q. Can you tell us, why did it take so long? Whilst I know<br/>4 it is a complicated issue, can you give us an idea?<br/>5 <b>A. Again, perhaps a bit of history. Again, my take on this</b><br/>6 <b>is that during the previous tenure, Bishop Eric Kemp,</b><br/>7 <b>and coming on into the early part of Bishop John's time,</b><br/>8 <b>the key safeguarding body was the CAAG, which is</b><br/>9 <b>referred to in the documentation.</b><br/>10 Q. Which Mrs Hosgood told us yesterday was the Child Abuse<br/>11 Advisory Group?<br/>12 <b>A. That's correct.</b><br/>13 Q. She told us that was disbanded in her tenure.<br/>14 <b>A. Correct. But up to that point, the beginning of 2007,</b><br/>15 <b>it had operated on dealing with safeguarding cases.</b><br/>16 <b>That group comprised, for example, the diocesan</b><br/>17 <b>secretary, who was a key, fundamental member of it, an</b><br/>18 <b>archdeacon. I recall attending only one meeting of it,</b><br/>19 <b>when a case in my archdeaconry emerged, bishop</b><br/>20 <b>safeguarding adviser, and occasionally one or two other</b><br/>21 <b>people, including a police officer.</b><br/>22 Q. I was going to say, we have heard a police officer and,<br/>23 on at least one occasion, a [Redacted] from the local<br/>24 child services or local authority.<br/>25 <b>A. Yes, so it is a small group. I think, again, my</b></p> <p style="text-align: center;">Page 186</p> | <p>1 <b>like, the desires and hopes of both sides of that</b><br/>2 <b>argument were satisfied in the sense there was clergy</b><br/>3 <b>input. It was worth having the three archdeacons on</b><br/>4 <b>board because there were many occasions when not all</b><br/>5 <b>three could be present, often only one, simply to offer</b><br/>6 <b>a clergy view.</b><br/>7 Q. Can I ask you, then, in your view -- one view of looking<br/>8 at this, and I think it was Mrs Hosgood's view, was that<br/>9 you could set up a diocesan safeguarding advisory group<br/>10 wholly independent of the diocese and therefore able to<br/>11 give a complete outsider view, a fresh pair of eyes. To<br/>12 some extent I'm putting words in her mouth, but she did<br/>13 say wholly independent from. Your view is actually you<br/>14 should have diocesan officers and clergy on there. Why<br/>15 did you think it was so important to have diocesan<br/>16 officers and clergy on there as opposed to wholly<br/>17 independent?<br/>18 <b>A. Simply because it needed some input as to the state of</b><br/>19 <b>the diocese, its structure, its work, its life.</b><br/>20 Q. Why? The reason I'm trying to tease out why is, there<br/>21 is an argument, you know, safeguarding is safeguarding<br/>22 and that shouldn't matter whether it is in a clergy<br/>23 situation or a school?<br/>24 <b>A. I think at that point -- and I stress "at that point" --</b><br/>25 <b>I speak for myself, at that stage, say, 2007, I don't</b></p> <p style="text-align: center;">Page 188</p>  |

47 (Pages 185 to 188)

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| <p>1 think our understanding of the up-to-date ramifications<br/>2 of safeguarding was up to speed.</p> <p>3 The reason we particularly wanted to retain clergy<br/>4 involvement rested partly on the practice that had<br/>5 subsisted before. Clearly, we were, to use that<br/>6 hackneyed phrase, on a journey, because we had a major<br/>7 catch-up once Shirley Hosgood arrived. One of her -- to<br/>8 her great credit, one of the things she achieved was<br/>9 leading us sometimes by the nose to a better<br/>10 understanding of safeguarding requirements.</p> <p>11 Q. Do you think --</p> <p>12 A. Can I --</p> <p>13 Q. Maybe we are mixing our metaphors. "Leading by the<br/>14 nose". Do you think she was pushing you ever<br/>15 reluctantly to accept?</p> <p>16 A. The other aspect, touched on by Bishop John this<br/>17 morning, what is the meaning of "diocesan safeguarding<br/>18 adviser", what is an adviser? Under the previous<br/>19 regime, clearly the DSA was somebody who did offer<br/>20 advice and very much it was in the gift of the diocesan<br/>21 bishop to make decisions, no doubt entirely supported by<br/>22 the adviser but actually it was the bishop's decision.</p> <p>23 We were moving from that kind of scenario to a more<br/>24 up-to-date, professional way of looking at it, which<br/>25 naturally conflicted with what had gone before and</p> <p style="text-align: center;">Page 189</p>  | <p>1 too pleased to have really clear, cogent advice from<br/>2 him, and we accepted it. I don't recall any occasion<br/>3 when I was at odds with him over that advice.</p> <p>4 Q. I want to pick up a few questions that arise from that<br/>5 very large piece of evidence. The first is, you said<br/>6 that Shirley Hosgood brought in some real changes, and<br/>7 your phrase was "led [you] by the nose to them". Do you<br/>8 think Shirley Hosgood was met with reluctance within the<br/>9 diocese to make the sort of cultural changes to the role<br/>10 of the adviser which she wanted to make?</p> <p>11 A. I think she was able to make the cultural change.</p> <p>12 Q. In spite of reluctance or are you saying there was no<br/>13 reluctance?</p> <p>14 A. In spite of it.</p> <p>15 Q. So there was reluctance?</p> <p>16 A. I'm trying to be honest with you. I think there was<br/>17 reluctance, because the mind-set, of which I was part,<br/>18 looked backwards, not forwards, but we got it right and<br/>19 she achieved a great deal to the point where the ground<br/>20 she had tilled and everything had flourished could be<br/>21 built on once Colin Perkins was in post.</p> <p>22 Q. Do you think she therefore readied the path for<br/>23 Colin Perkins, for want of a better phrase?</p> <p>24 A. I think to a large extent, yes, and I speak with<br/>25 hindsight.</p> <p style="text-align: center;">Page 191</p> |
| <p>1 people's understanding.</p> <p>2 I think in some senses it went a little bit too far,<br/>3 because -- this isn't a matter of criticism, but<br/>4 Shirley Hosgood herself found it difficult to accept<br/>5 that people could have a contrary view to her. That<br/>6 translated easy into the new safeguarding group who very<br/>7 much wanted to have the final say. But if you, for<br/>8 example, look at the recommendations of Baroness<br/>9 Butler-Sloss in the recommendations paragraphs 9.6 to<br/>10 9.8, there is clearly an understanding there --<br/>11 notwithstanding what she said in her report about the<br/>12 discussion over renewing PTO for Gordon Rideout, there<br/>13 is clearly an understanding that it was perfectly in<br/>14 order for the clergy professionals to have views and to<br/>15 air them, discuss them, with both the DSA and the<br/>16 safeguarding group. It might well be overruled, but<br/>17 actually it was possible to have an open discussion.</p> <p>18 I think we moved from the previous no doubt<br/>19 unsatisfactory history through to a point where it was<br/>20 fairly rigorous, and Shirley Hosgood introduced rigour,<br/>21 which was missing, to a point where actually it was<br/>22 understood that there was a partnership, and senior<br/>23 members of staff could make their views known and would<br/>24 get advice, and my experience, particularly after the<br/>25 advent of Colin Perkins in 2011, was that we were only</p> <p style="text-align: center;">Page 190</p> | <p>1 Q. Of course. We are going to talk about her resignation<br/>2 but while we are on this point, was her resignation and<br/>3 the real concerns she raised in any way a wake-up call<br/>4 to the situation she had found herself in?</p> <p>5 A. No, because I was rather saddened by it. I was more<br/>6 surprised than anything else. Because she might well<br/>7 say that the trigger for her resignation was the lengthy<br/>8 spat that she had with Bishop Wallace in which I was<br/>9 involved.</p> <p>10 Q. We will touch on that. I'm not shutting you down in any<br/>11 way. I promise --</p> <p>12 A. I was surprised.</p> <p>13 Q. Can we look, please -- go back to the diocesan<br/>14 safeguarding group -- at ACE022267_375. We have got<br/>15 here the minutes of the Diocesan Safeguarding Advisory<br/>16 Group meeting dated 19 October 2010. Don't worry about<br/>17 that page. I was just telling us what we are on. If<br/>18 you go straight to 387. Chair, this is in your bundle,<br/>19 hard copy, if it assists --</p> <p>20 MR FRANK: Tab 9.</p> <p>21 MS McNEILL: Thank you very much, Mr Frank. It is tab 9.<br/>22 He is ahead of me.</p> <p>23 A. This is her report to that meeting, is it?</p> <p>24 Q. Sorry?</p> <p>25 A. This is her report to that meeting?</p> <p style="text-align: center;">Page 192</p>   |



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| <p>1 Q. Right. No. I'm going to find the page I did want to.<br/>2 I will skip the question and I will find the correct<br/>3 reference in a minute. We can deal with it as far as we<br/>4 can.<br/>5 The Diocesan Safeguarding Advisory Group was set up,<br/>6 but they didn't get a copy of the Meekings Report, did<br/>7 they?<br/>8 <b>A. No.</b><br/>9 Q. We have covered the reasons, and I won't cover them<br/>10 again. But was consideration given to whether they<br/>11 could properly complete their role without sight of that<br/>12 report?<br/>13 <b>A. I could understand their concern that they couldn't.</b><br/>14 Q. Did you think that was a genuine, real concern that they<br/>15 couldn't properly fulfil their terms of reference<br/>16 without understanding what had gone on before?<br/>17 <b>A. I could follow the logic of that, yes.</b><br/>18 Q. Did you agree with it?<br/>19 <b>A. As a member of the group, yes.</b><br/>20 Q. But other factors prevented you from addressing it?<br/>21 <b>A. Exactly.</b><br/>22 Q. One of the things they raised in that meeting was that<br/>23 they believed -- by then Baroness Butler-Sloss had been<br/>24 asked to complete her review. The group expressed<br/>25 concern that an external judge had been appointed to</p> <p style="text-align: center;">Page 193</p>   | <p>1 still raising some concerns about access to the report,<br/>2 but also she says -- I'm looking at the second paragraph<br/>3 at the top of the page:<br/>4 "Senior clergy decided that the individual subject<br/>5 of the report would be interviewed by APJ ..."<br/>6 That's you, I believe?<br/>7 <b>A. Yes.</b><br/>8 Q. "... and Dr Clive Dilloway, who would question him over<br/>9 the concerns being raised by Shirley Hosgood. The<br/>10 result of this interview was not acceptable to<br/>11 Shirley Hosgood as the issues had not been resolved to<br/>12 her satisfaction.<br/>13 "Subsequent to this, Shirley Hosgood met with<br/>14 Dr Clive Dilloway to discuss the matters. She said that<br/>15 her perception was that he took the view that she had<br/>16 the 'knives out' for the individual concerned. She said<br/>17 that she did not get a fair hearing. She said her next<br/>18 step would be to take out a formal grievance about the<br/>19 situation. But Dr Dilloway 'warned her against doing<br/>20 this'."<br/>21 There's a few questions arising. The first must be,<br/>22 please explain, to those who don't already know, who<br/>23 Dr Clive Dilloway was?<br/>24 <b>A. He had been chair of the Diocesan Board of Finance and</b><br/>25 <b>I think at that stage he was acting diocesan secretary.</b></p> <p style="text-align: center;">Page 195</p>                               |
| <p>1 complete a review rather than the group itself.<br/>2 <b>A. Yes.</b><br/>3 Q. Can you explain, was any consideration given to ask the<br/>4 group to look at the report, as opposed to an external<br/>5 judge?<br/>6 <b>A. Not that I was aware of, but I am aware that Bishop John</b><br/>7 <b>considered what he should do. But bear in mind that not</b><br/>8 <b>only had I suggested back in July 2009 that there ought</b><br/>9 <b>to be an independent third party assessment, but in fact</b><br/>10 <b>I think Roger Meekings himself suggested it.</b><br/>11 Q. He did, but he didn't suggest who necessarily would do<br/>12 it. My concern is, was there any thought to maybe<br/>13 somebody within the diocese conducting it as opposed to<br/>14 external?<br/>15 <b>A. I think the bishop's concern was to have somebody who</b><br/>16 <b>was completely external and independent, who would come</b><br/>17 <b>at it afresh.</b><br/>18 Q. I have found my correct page now. If we can please,<br/>19 Paul, put on screen ACE022267_379. We are moving in the<br/>20 chronology to the resignation of Shirley Hosgood, the<br/>21 diocesan safeguarding adviser.<br/>22 By this point, the Diocesan Safeguarding Advisory<br/>23 Group had had a copy of her resignation letter in which<br/>24 she set out her report, as you rightly flagged up, of<br/>25 her time during the diocese. Over to page 380, she was</p> <p style="text-align: center;">Page 194</p> | <p>1 Q. Before we go backwards to set out the history of this<br/>2 exchange, is it correct that when Mrs Hosgood considered<br/>3 raising a formal grievance, that she was warned against<br/>4 doing it?<br/>5 <b>A. I knew nothing about that until I saw it in writing.</b><br/>6 Q. To look at the background, can you explain to us what<br/>7 the background was of her complaint? When it says that<br/>8 the individual of the report would be interviewed, we<br/>9 were talking about Bishop Benn, weren't we?<br/>10 <b>A. Yes.</b><br/>11 Q. Can you please tell us what you said was the long<br/>12 history and the long saga of complaints between them<br/>13 that you became involved in?<br/>14 <b>A. The points that Shirley Hosgood was concerned to resolve</b><br/>15 <b>had been on the table for a very long time and had not</b><br/>16 <b>been satisfactorily resolved.</b><br/>17 Q. What might help is if we can put up ACE022267_188. This<br/>18 might assist you to help. We have a letter here from<br/>19 Shirley Hosgood to yourself. If we skim through it<br/>20 before looking at the detail, at page 1 she's put<br/>21 a subheading in relation to an individual we call<br/>22 AN-A31. If you want to refer to that individual, please<br/>23 do use his cipher.<br/>24 Over the page, she also had concerns about an<br/>25 individual AN-F2?</p> <p style="text-align: center;">Page 196</p> |

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| <p>1 <b>A. Yes, I know who that is.</b><br/>                 2 Q. Finally, at the top of the third page, 190, some<br/>                 3 concerns about Jonathan Graves.<br/>                 4 Flicking back to the front, to page 188, is it right<br/>                 5 that she raised some concerns about each of these three<br/>                 6 topics, I believe amongst other things, to yourself and<br/>                 7 others, as a result of which it was decided that you<br/>                 8 would go and speak to Bishop Wallace about them?<br/>                 9 <b>A. I think it was raised principally with me.</b><br/>                 10 Q. Principally with you?<br/>                 11 <b>A. I discussed each one with Bishop Wallace. We decided</b><br/>                 12 <b>how the response was to be framed and I wrote a letter,</b><br/>                 13 <b>as you see, on 3 September, to which she was responding.</b><br/>                 14 Q. If we take them in turn, number 1 is A31. She's<br/>                 15 extracted in italics what your response was to her<br/>                 16 concern. Principally, what her concern, she told us<br/>                 17 yesterday, about A31 was, that this individual had<br/>                 18 written a blog complaining of abuse by Roy Cotton, that<br/>                 19 Bishop Benn had received a copy of that blog from<br/>                 20 Phil Johnson in December 2007, and that it was not<br/>                 21 passed immediately by Bishop Benn to the police. You<br/>                 22 spoke to Bishop Benn and your response is:<br/>                 23 "The context in which Bishop Wallace was notified by<br/>                 24 Philip Johnson of the blog indicated to him that<br/>                 25 individual was in touch with the police and,</p> <p style="text-align: center;">Page 197</p> | <p>1 I only became aware ..."<br/>                 2 I don't need to go through the detail but<br/>                 3 essentially she was saying, "It is not correct.<br/>                 4 Bishop Wallace sent me a letter in July 2009, not 2008",<br/>                 5 and she hadn't been informed as you had been led to<br/>                 6 believe she had. Is that the crux of it?<br/>                 7 <b>A. I think the real crux of it is the absence of</b><br/>                 8 <b>the telephone conversation which was suggested. Because</b><br/>                 9 <b>it turned out that the email related to something</b><br/>                 10 <b>entirely different.</b><br/>                 11 Q. In relation to AN-F2 below, Shirley raised a concern --<br/>                 12 I'm going to summarise it and then go through all of<br/>                 13 it -- that this individual had moved out of the diocese,<br/>                 14 that Bishop Wallace had provided a reference to the<br/>                 15 receiving diocese about the individual, but that that<br/>                 16 reference did not make reference to the fact that that<br/>                 17 individual was subject to a safeguarding plan?<br/>                 18 <b>A. Yes.</b><br/>                 19 Q. Is that a fair summary?<br/>                 20 <b>A. Yes.</b><br/>                 21 Q. Actually, you were involved in the situation with AN-F2,<br/>                 22 weren't you?<br/>                 23 <b>A. Not in relation to the reference at all.</b><br/>                 24 Q. Not in relation to the reference. But we can summarise<br/>                 25 that you -- Shirley Hosgood discovered that AN-F2 had</p> <p style="text-align: center;">Page 199</p> |
| <p>1 accordingly, he felt he was receiving that information<br/>                 2 by way of information only. That was in December 2007<br/>                 3 but then you did not in fact write to Bishop Wallace<br/>                 4 until 28 July 2008. You say you received no response<br/>                 5 from him but in fact there is evidence of an email<br/>                 6 passing between Bishop Wallace dated 30 July which<br/>                 7 records a telephone conversation between you on the day<br/>                 8 before, ie, 29 July [to discuss it]."<br/>                 9 Go over the page. That was the outcome of your<br/>                 10 conversation with Bishop Wallace. That's you reporting<br/>                 11 what he told you; is that right?<br/>                 12 <b>A. Yes.</b><br/>                 13 Q. At the end of your letter, and we will touch on the<br/>                 14 others, you said that you considered these matters<br/>                 15 resolved, having discussed them with Bishop Wallace and<br/>                 16 him having given you a satisfactory explanation?<br/>                 17 <b>A. It was an explanation that, at the time, Clive Dilloway</b><br/>                 18 <b>and I thought was satisfactory.</b><br/>                 19 Q. You couch it because you anticipate where I am going,<br/>                 20 which is, at the time, you thought he had given you<br/>                 21 a satisfactory response. Shirley's explanation in the<br/>                 22 top paragraph was actually to reiterate her concern:<br/>                 23 "As I explained in my briefing note ... A31 as an<br/>                 24 alleged victim of Roy Cotton was when he wrote to me<br/>                 25 about his experiences in an email on 5 February 2008.</p> <p style="text-align: center;">Page 198</p>          | <p>1 left the diocese and had received the reference?<br/>                 2 <b>A. And I told her that he'd gone.</b><br/>                 3 Q. Because you told her he'd gone?<br/>                 4 <b>A. Mmm.</b><br/>                 5 Q. You both undertook some enquiries and discovered that,<br/>                 6 albeit he'd left the diocese with a reference, that<br/>                 7 reference from Bishop Wallace had not mentioned an<br/>                 8 ongoing safeguarding concern, did it?<br/>                 9 <b>A. No.</b><br/>                 10 Q. Shirley was concerned about that course of events and<br/>                 11 wrote to you her concerns and the response from<br/>                 12 Bishop Wallace was that all of the information had been<br/>                 13 sent to the palace. So he'd expected them to pass it on<br/>                 14 to the new diocese. Is that correct?<br/>                 15 <b>A. I believe so, yes.</b><br/>                 16 Q. How did you respond to her concern which was actually<br/>                 17 that, yes, when this individual left in December 2009,<br/>                 18 Bishop Wallace should not have provided a reference to<br/>                 19 the receiving diocese which did not mention the<br/>                 20 safeguarding concern?<br/>                 21 <b>A. He should not.</b><br/>                 22 Q. I don't propose to go through the last one, but the<br/>                 23 outcome of this letter was that Shirley was very upset,<br/>                 24 and thought that you had taken Bishop Wallace's side in<br/>                 25 this. Is that right?</p> <p style="text-align: center;">Page 200</p>   |

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| <p>1 <b>A. I imagine she did think that. I was simply reporting</b><br/> 2 <b>his views to her.</b><br/> 3 Q. You could understand why she might have perceived that.<br/> 4 <b>A. I can understand that.</b><br/> 5 Q. Subsequently, did you discover that you had been wrong<br/> 6 in your understanding of what had happened, as you had<br/> 7 been told from Bishop Wallace?<br/> 8 <b>A. Exactly.</b><br/> 9 Q. Did you send Shirley Hosgood a letter to apologise for<br/> 10 saying that?<br/> 11 <b>A. I met her in the presence of the chair of the diocesan</b><br/> 12 <b>safeguarding group and apologised face to face and then</b><br/> 13 <b>I wrote to her. The whole -- as I said in my statement,</b><br/> 14 <b>the whole episode was entirely unedifying and appalling,</b><br/> 15 <b>and I have considerable embarrassment about it. I was</b><br/> 16 <b>deeply misled.</b><br/> 17 Q. So you were deeply misled by Bishop Wallace and, as<br/> 18 a result, you would accept that Shirley Hosgood's<br/> 19 concerns weren't treated correctly?<br/> 20 <b>A. I have to accept that.</b><br/> 21 MS McNEILL: I'm just looking at the time and assessing how<br/> 22 much I have left, chair.<br/> 23 I'm not going to complete my questioning today,<br/> 24 chair. I have obviously asked the witness whether he is<br/> 25 able to attend tomorrow. He has confirmed that he is.</p> <p style="text-align: center;">Page 201</p>  | <p>1 the diocesan bishop, did you think it was appropriate<br/> 2 for you to be giving legal advice to Bishop Wallace<br/> 3 about potential defamation? Sorry, and there might be<br/> 4 a perception -- I'm going to have to break this down for<br/> 5 you -- that you were giving legal advice both to the<br/> 6 diocesan bishop and to Bishop Wallace?<br/> 7 <b>A. I didn't give legal advice to Bishop Wallace. I may</b><br/> 8 <b>have suggested to him that there were issues which he</b><br/> 9 <b>needed to obtain advice from his own lawyers, which is</b><br/> 10 <b>exactly what I did.</b><br/> 11 Q. So drawing it out, you don't believe you gave legal<br/> 12 advice to either Bishop Wallace or Bishop John?<br/> 13 <b>A. In either case, they wouldn't be expecting me to give</b><br/> 14 <b>them legal advice.</b><br/> 15 Q. Because at that time your role was as an archdeacon and<br/> 16 not as an acting solicitor?<br/> 17 <b>A. I wouldn't dream of giving advice, for a start, where</b><br/> 18 <b>I was uninsured. Bishop John would have gone to the</b><br/> 19 <b>diocesan registrar immediately, which I think he did,</b><br/> 20 <b>and I know that Bishop Wallace sought advice elsewhere.</b><br/> 21 Q. A question arises from that, and I don't want to get<br/> 22 bogged down in the legality, did you think there was any<br/> 23 conflict between your position for the diocese and the<br/> 24 position of Wallace Benn in how to respond to the<br/> 25 Meekings Report, given that what's good for the diocese</p> <p style="text-align: center;">Page 203</p> |
| <p>1 So that we don't cause too much disruption in the<br/> 2 timetable, chair, I wonder would you consider sitting<br/> 3 slightly early, at 10.00 am tomorrow. I am confident<br/> 4 I can finish this witness by 10.30 am, with your leave,<br/> 5 and then we would be able to resume the timetable as it<br/> 6 is scheduled?<br/> 7 THE CHAIR: Yes, we will do that.<br/> 8 MS McNEILL: Before we rise, chair, just to make it<br/> 9 a convenient moment, I have received a note that one of<br/> 10 our CPs has a question they would like me to ask.<br/> 11 Perhaps, as a way of wrapping it up, it might make sense<br/> 12 if I just ask it now, if that is okay.<br/> 13 Sorry, Archdeacon Philip. You are very much nearly<br/> 14 finished, but I want to wrap up with this one question<br/> 15 before we finish. It is asked by Ms Hoyano for the<br/> 16 victims and survivors represented by Slater &amp; Gordon.<br/> 17 It is touching back on the questions I asked you about<br/> 18 whether or not you were the right person to be<br/> 19 responding to the Meekings Report bearing in mind your<br/> 20 role as the Archdeacon of Lewes and Hastings.<br/> 21 The question is: did you consider placing yourself<br/> 22 in a legal conflict of interest in advising<br/> 23 Bishop Wallace in relation to defamation, given that you<br/> 24 were loyal to the diocesan bishop? I think what the<br/> 25 question is, is, given that you were an employee of</p> <p style="text-align: center;">Page 202</p> | <p>1 might not necessarily be good for Bishop Wallace?<br/> 2 <b>A. I think one of the difficulties most archdeacons face is</b><br/> 3 <b>to wear several hats at the same time, particularly</b><br/> 4 <b>where there was an area scheme which resulted in an area</b><br/> 5 <b>bishop having very considerable autonomy.</b><br/> 6 <b>I made it plain to Bishop Wallace that he should get</b><br/> 7 <b>his own legal advice, which he did. I knew that</b><br/> 8 <b>Bishop John would talk to the diocesan registrar. I did</b><br/> 9 <b>not think I was in a position of conflict. I was able</b><br/> 10 <b>to offer them both a view and, if you like, to hold some</b><br/> 11 <b>kind of balance. I didn't think I was conflicted in</b><br/> 12 <b>that sense.</b><br/> 13 MS McNEILL: Thank you for that. Can I just remind you,<br/> 14 before we conclude, that you are under oath and,<br/> 15 therefore, as I am sure you are aware as a former<br/> 16 solicitor, please don't discuss your evidence with<br/> 17 anybody overnight.<br/> 18 <b>A. Quite.</b><br/> 19 MS McNEILL: Chair, I wonder if that is a convenient time?<br/> 20 I'm sorry it has been a bit late.<br/> 21 THE CHAIR: Thank you very much, archdeacon. We will<br/> 22 reconvene tomorrow at 10.00 am.<br/> 23 (5.00 pm)<br/> 24 (The hearing was adjourned until<br/> 25 Thursday, 8 March 2018 at 10.00 am)</p> <p style="text-align: center;">Page 204</p>   |

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