

<p>1 Friday, 23 March 2018</p> <p>2 (10.00 am)</p> <p>3 THE CHAIR: Good morning, everyone. Good morning,</p> <p>4 Ms Scolding.</p> <p>5 MS SCOLDING: Good morning, chair and panel. Today is the</p> <p>6 last day of the Chichester case study. The running</p> <p>7 order will be as follows: firstly, Ms McCaffrey will</p> <p>8 finish reading the witness statement of</p> <p>9 Baroness Butler-Sloss; secondly, Mr Tahzib will then</p> <p>10 read the witness statement of AN-A17, a victim and</p> <p>11 survivor. We estimate that will take approximately</p> <p>12 30 minutes.</p> <p>13 We will then hear closing statements from the</p> <p>14 following individuals, which will be for a maximum of</p> <p>15 20 minutes each. They have also had the opportunity to</p> <p>16 provide written submissions to the investigation lawyer,</p> <p>17 which are to be in by 2.00 pm today.</p> <p>18 So first will be Mr Richard Scorer for the</p> <p>19 complainants, victims and survivors, represented by</p> <p>20 Slater & Gordon. Second will be Mr David Greenwood,</p> <p>21 solicitors for the complainants, victims and survivors</p> <p>22 represented by Switalskis and also acting on behalf of</p> <p>23 MACSAS. Third will be Mr Nigel Giffin QC, leading</p> <p>24 counsel for the Archbishops' Council. Next will be</p> <p>25 Mr Rory Phillips QC, leading counsel for the</p> <p style="text-align: center;">Page 1</p>	<p>1 feed or the recording to follow the proceedings. That</p> <p>2 does not mean to say that we will be publishing every</p> <p>3 exhibit to every statement in full, unless, at a later</p> <p>4 date, you decide, chair, that any additional pages or</p> <p>5 documents need to be put into evidence in connection</p> <p>6 with the report.</p> <p>7 Our intention is always to publish the evidence</p> <p>8 referred to during the hearing at the end of that day.</p> <p>9 However, from time to time, we have not been able to do</p> <p>10 that because of issues regarding the sensitive content</p> <p>11 of some of the documents and the need to undertake</p> <p>12 additional checks before publishing these. We are</p> <p>13 nearly up to date with publishing all material referred</p> <p>14 to during the hearing, and now that we have concluded</p> <p>15 the witness evidence, we have also published the</p> <p>16 71 witness statements obtained in the course of</p> <p>17 the Chichester case study. It may be that there are</p> <p>18 a few remaining documents to be uploaded, and we are</p> <p>19 working to publish these as soon as possible.</p> <p>20 Can we, on behalf of the investigation team, also</p> <p>21 say thank you to everybody who has participated at this</p> <p>22 hearing. Firstly, we would like to thank all the</p> <p>23 witnesses for their candour, and in particular those who</p> <p>24 have come forward who are complainants, victims and</p> <p>25 survivors, who have shown courage in being able to speak</p> <p style="text-align: center;">Page 3</p>
<p>1 Ecclesiastical Insurance Office. After that, we will</p> <p>2 hear from Mr Charles Bourne, leading counsel for</p> <p>3 Bishop John Hind and Janet Hind and Lord Carey of</p> <p>4 Clifton. Mr Charles Bourne, I should identify, is also</p> <p>5 Queen's Counsel. Then we will hear from Mr Edward Brown</p> <p>6 QC, leading counsel for the Crown Prosecution Service.</p> <p>7 Then we will hear from Mr Ashley Underwood QC, leading</p> <p>8 counsel for the Chief Constable of Sussex Police.</p> <p>9 At the conclusion of closing statements, I will say</p> <p>10 a few words.</p> <p>11 I will identify that we have received some queries</p> <p>12 from those watching these proceedings remotely about our</p> <p>13 process for publishing evidence on the inquiry's</p> <p>14 website. Chair, as you are aware, these proceedings</p> <p>15 have been open to members of the public to attend, they</p> <p>16 have been live streamed on the inquiry's website, and we</p> <p>17 are also publishing recordings of the proceedings on the</p> <p>18 inquiry's YouTube channel.</p> <p>19 In addition, we are publishing transcripts of</p> <p>20 proceedings on the inquiry's website at the end of each</p> <p>21 day.</p> <p>22 As I have previously stated, we will also be</p> <p>23 publishing the specific pages of evidence which were</p> <p>24 called up on screen during the hearing in order to</p> <p>25 enable those reading the transcript or watching the live</p> <p style="text-align: center;">Page 2</p>	<p>1 openly about very difficult and painful experiences.</p> <p>2 We would like to thank all staff who have attended</p> <p>3 and assisted us during the course of this hearing. We</p> <p>4 know we have tried your patience on occasions; in</p> <p>5 particular, the stenographers, and also the ushers,</p> <p>6 without whom the hearing would not have happened.</p> <p>7 We would also like to thank all legal teams,</p> <p>8 representatives and individuals involved with those</p> <p>9 representatives for the cooperative way in which the</p> <p>10 hearing has been conducted. It has made our life</p> <p>11 significantly easier. Thank you, chair. I now pass</p> <p>12 over to Ms McCaffrey.</p> <p>13 THE CHAIR: Thank you, Ms Scolding.</p> <p>14 Statement of BARONESS ELIZABETH BUTLER-SLOSS (read)</p> <p>15 MS McCAFFREY: Good morning, chair and panel. We will</p> <p>16 resume the reading of Baroness Butler-Sloss's statement</p> <p>17 from paragraph 16 on page 6. Chair and panel, just to</p> <p>18 remind you, the full witness statement is behind tab A1</p> <p>19 of the read bundle.</p> <p>20 The witness was asked to describe her interaction</p> <p>21 with Bishop Wallace Benn and she states at paragraph 16:</p> <p>22 "I formed an adverse view of Wallace Benn. He was</p> <p>23 interviewed by me at length and I found his account of</p> <p>24 relevant events, both in the interview and in</p> <p>25 correspondence, seriously inaccurate. I am not sure</p> <p style="text-align: center;">Page 4</p>

<p>1 whether these were lapses of memory or intentional. 2 I did not accept his account of various events and in 3 particular he changed his account at times when he 4 clearly felt to change it would be to his advantage. 5 "I therefore took the view I would make no progress 6 in discussing general points with him. 7 "He changed his story several times and he was 8 clearly not listening to me. I felt that he was unable 9 to take in some of the elements of the inquiry I was 10 trying to carry out. I also felt he was unable or 11 unwilling to take on board what had happened and the 12 part he played in it. 13 "I was also very concerned about the approach of 14 Wallace Benn towards the allegations made against his 15 friend Canon Gordon Rideout. My views are contained in 16 pages 13-15 of my confidential review of other priests 17 in the diocese. Because the allegations were old and 18 not then pursued by the police, Wallace Benn tried to 19 prevent John Hind from disclosing the information to the 20 diocesan safeguarding officer. Although John Hind had 21 been slow to deal with these allegations, it is to his 22 credit that he refused the request to halt the 23 investigation. By September 2010, the importance of 24 investigating historic child abuse must have been clear 25 to all the senior clergy in the diocese, including</p> <p style="text-align: center;">Page 5</p>	<p>1 other than Philip Johnson about Bishop Peter Ball. 2 I had not appreciated, until Philip Johnson spoke to me, 3 that Peter Ball had been Bishop of Lewes. There was, in 4 the documents reviewed, no mention of him. 5 Philip Johnson told me that he went with Roy Cotton to 6 a retreat near Eastbourne. Peter Ball was there and 7 Philip Johnson once sat on his knee, but there was no 8 impropriety. I was not told of any evidence of 9 impropriety by Peter Ball at that weekend. I only knew 10 of Peter Ball's activities in Gloucester and not in 11 Sussex. With hindsight, I probably should have referred 12 to him but I had nothing to report except his presence 13 at the retreat. I discussed with Philip Johnson whether 14 I should include Peter Ball in my report and warned him 15 that the name would hit the headlines and detract from 16 the account Philip Johnson clearly wanted told. He did 17 not ask me to include the name, although I believe later 18 in his more general criticisms of me he did refer to 19 that omission. 20 "I should add that the suggestion made by 21 Philip Johnson that I was intimidating and overbearing 22 to him when we met is entirely untrue. It was an 23 interview in which he played a full part and had no 24 difficulty in expressing himself freely to me. Unknown 25 to me, I understood later that he had taped the</p> <p style="text-align: center;">Page 7</p>
<p>1 Wallace Benn. But he clearly put his friendship with 2 the canon ahead of the duty to investigate." 3 Chair, I now move to paragraph 18 at page 7 of 4 the statement: 5 "The response of the diocese to all these 6 allegations and situations was inadequate and in some 7 respects lazy, including inadequate record keeping. The 8 combination of the reports of Roger Meekings and myself 9 sent a real shock throughout the diocese. John Hind put 10 in remedial measures very quickly, in particular, a good 11 safeguarding committee with a new chairman, a former 12 police officer, and there was a new safeguarding 13 officer. I had no reason to believe that the lessons 14 had not been learned and I was satisfied that there 15 would in future be an effective and rigorous approach to 16 safeguarding across the diocese. I was not asked to go 17 public on those wider issues and felt my 18 recommendations, which were lengthy, were sufficient." 19 Chair, the witness was asked why no mention was made 20 of Peter Ball during the review into other priests or in 21 her public report and she was also asked to describe any 22 discussions she had had with Philip Johnson, John Hind 23 or others in the diocese concerning Peter Ball's 24 offending. Her response is as follows at paragraph 19: 25 "I had no discussion with John Hind or anyone else</p> <p style="text-align: center;">Page 6</p>	<p>1 interview. 2 "It is now some years back and I do not have a clear 3 recollection of the responses to my report. As far as 4 I can remember, John Hind and Archdeacon Philip Jones 5 accepted it and John Hind accepted my recommendations; 6 the Sussex Police accepted it; the new head of 7 safeguarding, a former police officer, was pleased with 8 it; Philip Johnson was angry with it and with me. He 9 focused on my incorrect account of the final days of 10 Roy Cotton. Archdeacon Nicholas Reed, thereafter Bishop 11 of Blackburn, had told me that Roy Cotton had been in 12 a nursing home for the last few years of his life. 13 I accepted his account and did not have the opportunity 14 to verify it. Archdeacon Philip Jones proofread my 15 draft report and made corrections, but did not notice 16 that inaccuracy. It turned out to be incorrect and 17 Roy Cotton was living in a village and attending and 18 playing a part in the local church almost until his 19 death. Understandably, Philip Johnson was upset by this 20 incorrect version. It gave him, however, the 21 opportunity to rubbish my entire report and my 22 recommendations. The BBC South East, did a programme, 23 which I did not hear, which was, I believe, critical of 24 me paragraph." 25 Chair, the witness was asked her for view of Bishop</p> <p style="text-align: center;">Page 8</p>

<p>1 Wallace Benn's opposition to the publication of 2 the Meekings Report, both initially and as an appendix 3 to her report, and she states: 4 "Wallace Benn did not want adverse publicity and was 5 prepared to take any step to protect his back, including 6 threatening to sue for libel." 7 The witness goes on, chair, to confirm that she has 8 no ongoing involvement in the implementation of her 9 recommendations. 10 In relation to the information which necessitated 11 the addendum to her review, she was asked whether she 12 considers that such information was deliberately 13 withheld by the diocese and her response is as follows 14 at paragraph 23: 15 "I have no doubt that Archdeacon Nicholas Reade (now 16 Bishop of Blackburn) gave me the information that he 17 believed to be correct and that he was unaware of 18 the actual position. So far as Bishop Wallace Benn, 19 I heard so many different versions from him that I was 20 unable to rely on any of it, but I would not be able to 21 say whether this was an oversight or that he withheld 22 information. I suspect that he became muddled by the 23 information he gave me. I have no doubt the information 24 was not deliberately withheld by the diocese or by 25 anyone acting on behalf of the diocese."</p> <p style="text-align: center;">Page 9</p>	<p>1 Statement of AN-A17 (read) 2 MR TAHZIB: Good morning, chair and panel. Chair and panel, 3 we are now going to hear the evidence of an individual 4 whom the inquiry referred to as AN-A17. The statement 5 will be read in full. It can be found behind tab K of 6 your read witness bundles. The Relativity reference is 7 INQ000987. Chair, we ask that the full statement be 8 placed up on the website. I turn now to the statement 9 itself, which is endorsed at its conclusion by 10 a statement of truth. It reads as follows: 11 "I, AN-A17, will say as follows: 12 "My address is [redacted]. 13 "My date of birth is 1993. 14 "I make this statement in relation to my evidence to 15 be given to the Independent Inquiry into Child Sexual 16 Abuse in the Anglican module following assaults by 17 Christopher Howarth, vicar at Holy Cross Church, 18 Uckfield, part of the Diocese of Chichester. 19 "The matters stated within the following paragraphs 20 are true, to the best of my knowledge, information and 21 belief. 22 "Family background. 23 "[Paragraph redacted]. 24 "[Paragraph redacted]. 25 "[Paragraph redacted]."</p> <p style="text-align: center;">Page 11</p>
<p>1 Chair, I now move forward to paragraph 29 of 2 the witness statement, at page 10. The witness was 3 asked for her view as to the efficacy of the church in 4 2017 to respond to and deal with allegations of sexual 5 abuse, whether present or historic. At paragraph 29 she 6 says: 7 "I think the most important points are awareness and 8 training. Every allegation must be taken seriously and 9 investigated carefully and the possible victim is 10 supported; the alleged perpetrator suspended and the 11 proper processes complied with. A lead from the top by 12 the diocesan bishop is crucial and passed down to 13 suffragan bishops and archdeacons to set the standard 14 throughout the diocese. 15 "There is, nonetheless, a real danger that, like 16 some police forces, the Church of England may go 17 overboard in believing every allegation. We must 18 recognise that some allegations are false and some 19 others are much exaggerated, especially in this time 20 where so many people are coming forward to tell their 21 story." 22 Chair and panel, that concludes the evidence of 23 Baroness Elizabeth Butler-Sloss. I will now hand over 24 to Mr Tahzib, who will read into the record the evidence 25 of AN-A17.</p> <p style="text-align: center;">Page 10</p>	<p>1 "I attended [redacted] from the age of 4 to 2 age 10/11 years. I was happy at this school. 3 I struggled with schoolwork and I know I saw an 4 educational psychologist who gave me some extra help. 5 I then went onto [redacted] when I was 11 years old. 6 "I have known Christopher Howarth since I was around 7 3 years old. I knew him in a number of capacities: our 8 local vicar; my deputy headmaster; and also a family 9 friend. He was a friendly and very supportive person 10 who I trusted. He was the non-stipendiary curate and 11 local vicar at the Holy Cross Church, Uckfield. This is 12 part of the Diocese of Chichester. He was also a deputy 13 principal at the [redacted]. To the best of my 14 knowledge, Christopher Howarth had a good relationship 15 with my mother and would do things like dress up for us 16 as Santa Claus as Christmas. He didn't come into the 17 house that often, but I think my mother would have 18 classed him as a friend of the family of sorts. 19 "When I was younger, Christopher Howarth took all 20 the services at Holy Cross Church, in between one of our 21 vicars, Bill Peters, retiring and the other one, 22 Brian Wilcox, starting. There was about a year or so 23 gap when Christopher Howarth did the main services as 24 well as other services like weddings, funerals and 25 baptisms. I am afraid I cannot remember how old I was</p> <p style="text-align: center;">Page 12</p>

<p>1 when this happened. Even once the main vicar arrived, 2 he continued to do a lot of weddings, funerals and 3 baptisms because he was very popular with parishioners, 4 well liked and well known because of his role as deputy 5 principal at the local school. 6 "My adoptive mother [redacted] was a [redacted] at 7 the church and we went to church on a regular basis. 8 "Details of abuse. 9 "Christopher Howarth would often visit our home and 10 we would go to his house and see him at church and also 11 at secondary school, as he was the deputy principal. He 12 only actually came into our house once or twice a year 13 but he would drive to our house to pick up either myself 14 [redacted] at some points most weeks. We would go to 15 church with our mother once a week. Christopher Howarth 16 dressed up as Santa Claus for us at Christmas time. The 17 entire family didn't really undertake social activities 18 with Christopher Howarth; Christopher Howarth had either 19 me [redacted] around a lot individually to play computer 20 games with him or to help him with his caravan or for 21 him to help us with our homework. The social activities 22 were therefore on an individual one-on-one basis with 23 Christopher Howarth, rather than them being a big family 24 thing. 25 "The sexual abuse started in secondary school in</p> <p style="text-align: center;">Page 13</p>	<p>1 wouldn't always abuse me when I saw him in his office at 2 school, only sometimes. 3 "Christopher Howarth would often ask me to go to his 4 house saying his computer had broken down and he needed 5 my help as I was good with computers. That was one of 6 the most regular reasons he asked me to go over to his 7 house. Another regular reason was that he needed help 8 sorting out his caravan or he would just ask me if 9 I wanted to go and play computer games with him. 10 "I would be alone in his car if he was dropping me 11 off somewhere which he did quite regularly. 12 "I have no idea if anyone at school noticed what was 13 going on or not and that I was spending time alone with 14 Mr Howarth. My father didn't have a lot of involvement 15 with us as he had his own issues. My mother was aware 16 that I was going to see Christopher Howarth and she 17 wasn't pleased that he gave us pocket money or that he 18 was paying for our mobile phone contract or giving us 19 sweets. I think she perceived that he was undermining 20 her authority as a parent by doing this. However, I do 21 not think she was suspicious of the time I was spending 22 with Christopher Howarth per se and she never questioned 23 the relationship. I think she saw it as him trying to 24 help out because our father was so absent and unwell. 25 "Because this happened when I was so young, it is</p> <p style="text-align: center;">Page 15</p>
<p>1 2004 when I was around 11 to 12 years old and continued 2 until 2009, when I was around 16/17 years old. It 3 started with Christopher Howarth paying me special 4 attention by buying me sweets and games. He would then 5 expect sexual favours and would give me £5 to £10 each 6 time he abused me. 7 "The sexual abuse involved Christopher Howarth 8 touching me inappropriately in the genital area and also 9 kissing me on the mouth with his tongue. He would also 10 masturbate me orally and with his hand. 11 Christopher Howarth also made me touch his nipples on 12 a couple of occasions, but I did not want to do this and 13 resisted it. There was no penetrative sex though 14 Christopher Howarth would touch my anal region. 15 "The abuse occurred in the office at 16 Christopher Howarth's house, a couple of times in his 17 car and also in his office at school. It happened at 18 least on a monthly basis. On some occasions I would 19 resist and sometimes that would make him stop, but at 20 other times it would make no difference and he would 21 continue with the abuse. 22 "At school Christopher Howarth was quite friendly 23 with a lot of students and he would often have children 24 in his office. I would either end up in his office if 25 he asked me in or I might go in and see him myself. He</p> <p style="text-align: center;">Page 14</p>	<p>1 hard to explain, but Christopher Howarth made me believe 2 that this was normal behaviour. Very shortly before 3 I reported what was going on to [redacted] mother and 4 the police, he told me not to tell anyone what was going 5 on. [Redacted]. I remember that this confused me 6 because I didn't understand why he was saying not to 7 tell anybody if it was normal behaviour between us and 8 something I had just always grown up with. 9 "The reason I hadn't talked to anyone about it 10 before is because it's not something you talk about in 11 general terms. It was a very private thing and 12 I wouldn't talk about sexual relations with anybody 13 because, well, it's something that you just don't talk 14 about. It's private. I was, therefore, completely 15 unaware that he was also abusing my brother, until my 16 brother reported it. 17 "I did not ever consider speaking to someone at 18 school or ChildLine or anyone else during this period of 19 time. This is because at first I genuinely didn't 20 realise it was wrong because it had been going on for so 21 long. It had happened all my life and been part of my 22 life. Thinking now about what could have happened to 23 make me report sooner or realise what was happening was 24 wrong. I think if I had been given some sort of age 25 appropriate education lessons about child sexual abuse</p> <p style="text-align: center;">Page 16</p>

<p>1 probably from primary school age, I would have been more 2 aware from an earlier age, before the abuse became 3 normalised, what was appropriate and what was 4 inappropriate behaviour for adults and children. 5 "I am not sure what the church could have done as 6 I don't know very much about how they are structured or 7 much about them, to be honest, but I do think that 8 general education in schools could help people recognise 9 inappropriate behaviours in adults towards children and 10 give them someone to talk to about it. The problem is 11 it started to happen at such an early age I did not 12 realise it was wrong. If I had had some education 13 lessons which might have started me thinking that this 14 wasn't normal, maybe I would have spoken to someone 15 sooner and it could have been stopped much sooner than 16 it actually was. 17 "The abuse built up very slowly from hugging to the 18 more serious sexual abuse. As far back as I can 19 remember him, he would hug me, even from a very little 20 boy. Therefore, this went on all the way through 21 primary school. The sexual abuse started in secondary 22 school. Again, it was normalised by him, and then, by 23 the time I had realised this was wrong, I just felt so 24 ashamed and embarrassed to complain to anybody and it 25 just became easier to pretend that it was not happening.</p> <p style="text-align: center;">Page 17</p>	<p>1 "In secondary school, I found it very difficult to 2 make friends and was teased and bullied by other pupils. 3 I hated going to school and felt very depressed. I did 4 poorly in my exams and got a [redacted]. I certainly 5 did not do as well as I wanted to do. The school knew 6 about the bullying. I must have reported it because 7 I remember sitting at one point flicking through a book 8 of faces pointing out who the bullies were. There 9 wasn't anyone to speak to about my feelings or help me 10 with the bullying but I must have reported it to 11 somebody although not much was done. The bullying 12 started by calling me names because I was short and 13 because I was shy and never defended myself. I think it 14 just got worse from there. 15 "Once I left school, Christopher Howarth actually 16 found me a job as a [redacted] for two to three months 17 and then I got an apprenticeship at a [redacted] which 18 I stayed in for two and a half years. It was actually 19 a massive relief when I got this apprenticeship because 20 I had to move to [redacted] and this meant that the 21 sexual abuse came to an end. 22 "I finally told [redacted] that Christopher Howarth 23 was abusing me after my brother had disclosed to her 24 that he had been abusing him. This was in late 2012. 25 I then reported it to the police in December 2012.</p> <p style="text-align: center;">Page 19</p>
<p>1 "As I have previously stated, it was normal for 2 pupils to be in the deputy head teacher's office and it 3 became normal for me to go round to his house on 4 a regular basis to help fix his computer or play 5 computer games or help him with his caravan. Everybody 6 thought he was a really nice guy. I don't think anybody 7 suspected for a minute sexual abuse of children was 8 going on, but of course I don't know for sure whether or 9 not adults were suspicious of his behaviour because 10 I was just a child at the time. 11 "Christopher Howarth paid for my mobile phone 12 contract and would text me to come round to see if 13 I wanted to play a new computer game. I always knew 14 that this meant he wanted to abuse me and this would 15 make me feel very, very worried, nervous and anxious. 16 I think that my parents knew in general terms that 17 Christopher Howarth texted me on occasion to ask me to 18 go round to his house. I am not sure they knew every 19 single time he texted me, but they did know that was 20 something he did. I am not sure whether or not anybody 21 else knew or not. This was my only mobile phone and 22 I didn't have another one. Like I said before, I don't 23 think my parents suspected anything because he seemed 24 such a nice guy and he was the vicar and the deputy 25 head.</p> <p style="text-align: center;">Page 18</p>	<p>1 I was 19 at the time. We then went to the police and 2 had to go through a very stressful court case as 3 Christopher Howarth denied everything. 4 "Because he was such a popular member of 5 the community, as the local vicar and deputy principal, 6 he had done so many weddings, funerals and baptisms for 7 a small community that everyone rallied round him and 8 set up a Facebook group defending him. I found this 9 extremely hard and stressful at the time. Eventually, 10 the police found some images of my brother being abused 11 on his computer and then they deleted the Facebook 12 group. 13 "I think the police dealt with the whole situation 14 relatively well. When I gave my statement to them, they 15 were very friendly and they clearly knew how 16 uncomfortable it was to talk about sexual abuse and were 17 very mindful about that. The most difficult thing was 18 that everything took a very long time. There was a lot 19 of waiting around. They took about two months to 20 request my phone from me to look at the messages 21 Christopher Howarth had been sending to me. 22 "I didn't enjoy giving evidence at trial. This was 23 because the defence barrister was quizzing me in a very 24 aggressive way. I think the judge at one point told him 25 to slow down because he was being so aggressive. I gave</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 my evidence by videolink at trial. This was something 2 that I was given the choice over and I wanted to do 3 because I didn't want to see everyone in court. With 4 a videolink the camera only zooms in on the person 5 asking the questions so you don't have to see everyone 6 in there. I don't like there being an audience when 7 I am talking because I am very shy. The worst thing 8 about giving the evidence was that there was 9 a lunchbreak. I found this particularly difficult 10 because I couldn't eat. This was particularly horrible 11 for me. I would much rather have not had the break and 12 got the evidence out of the way in one go. 13 "In terms of the Facebook group, I don't know who 14 set it up and I am not sure how the police deleted it. 15 I had stopped using Facebook myself before the Facebook 16 group was set up so I never actually saw it. It was my 17 mother who told me about the Facebook group through 18 going to church. People in the congregation were 19 commenting about the trial and the whole process. She 20 obviously had to stay very quiet because of our 21 anonymity and this was very difficult. I am not sure 22 one way or the other what the church could have done 23 about the Facebook group. I am not sure how it was 24 deleted but my mother told me it had disappeared. 25 "Christopher Howarth was charged with 12 offences</p> <p style="text-align: center;">Page 21</p>	<p>1 I find it difficult to interact with others and have 2 very low confidence. I feel I have to judge everyone to 3 figure out what their intentions are. I find dealing 4 with people in authority really difficult and I think 5 this comes across to them as lack of enthusiasm, which 6 has caused me problems in maintaining work. 7 "I understand that after Christopher Howarth was 8 convicted, the church did approach our family and we 9 were expecting some sort of apology that never came. 10 I was given some sort of liaison office from the church. 11 She wasn't from the local congregation. I am pretty 12 sure she was someone more national than that, but I am 13 afraid I just cannot remember her name or role title. 14 It was she who told me that there would probably be an 15 apology from the church. She asked me if I wanted an 16 apology and I said yes. Nothing happened after that. 17 This was very disappointing. I remember this church 18 liaison person actually drove me to court to give 19 evidence. 20 "I pursued a successful civil case against both 21 East Sussex County Council in respect of the school and 22 also the church (the incumbent, PCC and church wardens 23 for the time being of Holy Cross Church, 24 Uckfield/Diocese of Chichester). The case settled at 25 a roundtable negotiation and the archdeacon of the</p> <p style="text-align: center;">Page 23</p>
<p>1 against me and a large number against my brother. He 2 was convicted at Lewes Crown Court on 17 July 2015 and 3 sentenced on 2 October 2015. He was convicted of four 4 counts of causing/inciting a child to engage in sexual 5 activity under the age of 13; 13 counts of sexual 6 activity with a child; 7 counts of sexual assault of 7 a child over the age of 13; 4 counts of causing a child 8 to watch a sexual act; and 2 counts of taking indecent 9 photographs. His sentence was 10 years' imprisonment 10 plus four years on licence. 11 "Effect of abuse. 12 "After the court case, I moved to [redacted] to live 13 with my mother, who had also moved to [redacted]. 14 Partly this was because I had run out of money and, 15 therefore, needed to live with my mother, but I was 16 relieved to get away from Sussex as I still felt that, 17 despite his conviction, there were people in the local 18 area who believed Christopher Howarth was not an abuser 19 and I was worried people had worked out it was myself 20 and my brother who had started the case against him. 21 I was quite scared about my safety and felt I could not 22 live in Sussex on my own. During this period I suffered 23 from poor sleep and panic attacks and I did approach my 24 GP and was referred for counselling. I feel a little 25 bit better now, but the abuse has had a lasting impact.</p> <p style="text-align: center;">Page 22</p>	<p>1 diocese attended that negotiation to provide an apology. 2 The lawyers for the church asked my lawyers if we wanted 3 an apology. I felt particularly offended by the way 4 this was done. I felt that I should not have to ask for 5 an apology. If you have to ask for an apology, then in 6 my view it is not a proper apology. An apology should 7 be given freely, by somebody who wants to give it for 8 its own sake, not because somebody has asked them to 9 apologise. Therefore, though I did meet the archdeacon 10 at the roundtable negotiation and spoke with him and he 11 did apologise, it felt too little, too late and a very 12 hollow apology. I would have much preferred that they 13 had come forward and apologised at a much earlier stage 14 without feeling that they had been asked to by me, as 15 part of a case. 16 "I never made a complaint in relation to the abuse 17 of Christopher Howarth to any other member of 18 the Church of England at the time the abuse was 19 occurring. I have no idea one way or the other whether 20 others within the church hierarchy were aware of 21 Christopher Howarth's activities. I was a child at the 22 time of the abuse and did not have any dealings with 23 anybody in authority within the church. 24 "I exhibit to this statement at 'AN-A17/1' a copy of 25 my police interview."</p> <p style="text-align: center;">Page 24</p>

1 Chair, that concludes the statement. Chair, if you
 2 will permit me to make one correction, I said at the
 3 beginning that the statement would be placed upon the
 4 website. That was a mistake. This statement won't, in
 5 fact, be placed on the website.
 6 THE CHAIR: Thank you, Mr Tahzib.
 7 MR TAHZIB: Chair, I believe we now move on to hear closing
 8 statements from each of the core participants, the first
 9 of which is Mr Scorer of Slater & Gordon Solicitors.
 10 Thank you.
 11 Closing statement by MR SCORER
 12 MR SCORER: Chair and panel, on behalf of the survivors
 13 I represent, I want to thank the inquiry support staff
 14 for, once again, providing such a compassionate and
 15 professional service for my clients who came here to
 16 testify, and I also want to pass on our thanks to
 17 Ms Scolding and Ms McNeill for their very skilled
 18 presentation of the evidence. Most of my clients who
 19 came to this hearing have spent years in and out of
 20 different legal processes, for many years, criminal
 21 processes and, more recently, civil processes, but this
 22 is the first opportunity that they have had in all of
 23 that time actually to testify, to give their accounts
 24 and to be properly heard.
 25 I know you will have seen very powerfully from their

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1 evidence the damage that abuse can do, the double injury
 2 done by church denial and coverup, but also their
 3 dignity and the profound insight that they bring to this
 4 inquiry, and for my clients, the fact that senior
 5 figures in the Church of England have had to come to
 6 this inquiry and have had to undergo questioning about
 7 serious failings, this of itself gives confidence that
 8 these very important issues are being addressed at long
 9 last. So I want to put on record our thanks for that.
 10 Chair, what you have seen in the last three weeks of
 11 hearings has been aptly summarised by the Bishop of
 12 Buckingham. He described these hearings as a saga of
 13 religious exceptionalism, stupidity, incompetence,
 14 lying, dumping responsibility at every level, including
 15 the highest and delusions of grandeur, and he concluded
 16 very bluntly with these words about the solution:
 17 "Bishops must be accountable, and this means not
 18 just to themselves."
 19 Chair, anyone who has sat through the evidence would
 20 recognise that picture, and the question for you now is
 21 the question we started with: can safeguarding be left
 22 to the church or does it need independent oversight and
 23 enforcement? Chair, we say that one part of the answer
 24 to that question comes from looking at the history of
 25 events in Chichester. We certainly now have better

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1 safeguarding in the diocese, but what the history
 2 reveals is an unavoidable fact: the exposure of
 3 the scandals in Chichester and the changes to
 4 safeguarding which followed from them have come about
 5 overwhelmingly because of pressure and scrutiny from
 6 outside the church. At every turn in the Chichester
 7 saga, the church was reactive rather than proactive. It
 8 was reactive to pressure from survivors and reactive to
 9 pressure from the media. What we had in Chichester was
 10 actually something fairly unique: we had an
 11 exceptionally determined and tenacious survivor
 12 campaigner in Phil Johnson, a man who simply wouldn't
 13 give up where most people would have given up, and we
 14 had a dedicated and tenacious journalist in
 15 Colin Campbell who wouldn't give up either. We know
 16 these people made the difference. We have seen the
 17 internal Lambeth Palace and Chichester documents and we
 18 have seen how often Phil Johnson features in them and
 19 how worried the church was about media coverage. So we
 20 know that if Phil Johnson and Colin Campbell hadn't been
 21 there and done what they did, events would have played
 22 out in a very different way and quite possibly we
 23 wouldn't be here at all. We also know that the very
 24 existence of this inquiry has forced the pace in terms
 25 of safeguarding.

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1 You saw a small example of the impact of the inquiry
 2 in real time during this hearing when Ms Scolding found
 3 that local parish church where the vicar had been
 4 convicted for sexual offences and discovered that there
 5 was no safeguarding policy on the website. It was put
 6 to Bishop Warner and next day there was a safeguarding
 7 policy on the website. It is a small example, but
 8 perhaps a telling one.
 9 We heard on Wednesday how the church might now
 10 consider changing the language around the duty to report
 11 allegations, possibly changing the language of "should"
 12 to the language of "must": again, a change which is
 13 happening, if it does happen, under the spotlight of
 14 this inquiry after Mr Frank's questions on Tuesday. So
 15 when you are looking at recommendations for the future,
 16 the need for that external pressure and that external
 17 oversight has to be foremost in mind.
 18 From what we know about the prevalence of clerical
 19 sexual abuse, you can be sure that every diocese in this
 20 country has a Roy Cotton, every diocese has
 21 a Colin Pritchard and probably quite a few of them.
 22 Mr Greenwood and I, who act for survivors right across
 23 the country, can tell you for certain that every diocese
 24 in this country has numbers of these perpetrators.
 25 These offenders are everywhere, as Elizabeth Hall said,

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<p>1 not just in Chichester.</p> <p>2 But the reality that you also have to deal with is</p> <p>3 that not every diocese has a Phil Johnson, somebody</p> <p>4 prepared to sacrifice years of his life to exposing the</p> <p>5 truth. Most dioceses don't have that. And not every</p> <p>6 diocese has a Colin Campbell. Most don't.</p> <p>7 Indeed, not every diocese has a Colin Perkins. We</p> <p>8 have also heard a lot about the variations between</p> <p>9 dioceses when it comes to resourcing of safeguarding,</p> <p>10 when it comes to the skill of the personnel involved,</p> <p>11 and, crucially, when it comes to the level of challenge</p> <p>12 that safeguarding advisers are prepared to bring to the</p> <p>13 church hierarchy.</p> <p>14 This inquiry won't be here forever. As Edina Carmi</p> <p>15 said: what will be there to keep up the pressure for</p> <p>16 change after you have gone? So in future, there has to</p> <p>17 be something to make the church honest, to keep it that</p> <p>18 way; something that does not rely on uniquely determined</p> <p>19 individuals.</p> <p>20 Saying this does not mean that the church is</p> <p>21 incapable of any kind of organic change. Of course some</p> <p>22 change has come from within and will continue to come</p> <p>23 from within, but the problem is the degree of change and</p> <p>24 the urgency of change.</p> <p>25 We have heard a lot from senior church leaders,</p> <p style="text-align: center;">Page 29</p>	<p>1 homosexuality is a sin.</p> <p>2 Of course it is good to hear the church talk about</p> <p>3 a theology of safeguarding, but the reality is that</p> <p>4 those sorts of things take years, if not decades, to</p> <p>5 bear fruit in terms of changing behaviour.</p> <p>6 So there's much talk about cultural change, but few</p> <p>7 real levers to bring it about.</p> <p>8 We heard about all the structural problems in the</p> <p>9 church. We heard about the autonomy of dioceses, we</p> <p>10 heard about flaws in the CDM. We heard from many</p> <p>11 witnesses about how cumbersome and slow the CDM is and</p> <p>12 how unfit for purpose it is in safeguarding terms. But</p> <p>13 even at this hearing, there was a lack of data about the</p> <p>14 operation of the CDM, despite this hearing being in the</p> <p>15 pipeline for three years.</p> <p>16 Bishop Hancock, the lead safeguarding bishop, was</p> <p>17 unable to say whether anyone has ever been disciplined</p> <p>18 for failure to have due regard. I found that</p> <p>19 a surprising answer from the lead safeguarding bishop,</p> <p>20 but I also know him to be an extremely conscientious</p> <p>21 individual, and I'm sure that that uncertainty reflects</p> <p>22 the structural obstacles that he has to work within and</p> <p>23 the diocesan autonomy that he has to deal with.</p> <p>24 As Edina Carmi said, church structure should adapt</p> <p>25 to the needs of safeguarding but the reality is the</p> <p style="text-align: center;">Page 31</p>
<p>1 particularly this week, about changing the culture.</p> <p>2 Bishop Hancock talked about changing hearts and minds.</p> <p>3 But the truth is that cultures don't change very</p> <p>4 rapidly. Bishop Benn and Bishop Reade have retired, of</p> <p>5 course, but they mentored a generation of priests and</p> <p>6 the attitudes that they stand for have simply not gone</p> <p>7 away.</p> <p>8 Chair, as you commented on Wednesday, the events we</p> <p>9 heard about in these hearings are not historic, they are</p> <p>10 very recent. As Archbishop Welby said, there is still</p> <p>11 a level of misogyny in the church. There is still</p> <p>12 a very large gender imbalance. So the attitude you saw</p> <p>13 from Bishop Benn, the attitude that regarded the very</p> <p>14 mild-mannered Shirley Hosgood as aggressive or having</p> <p>15 a chip on her shoulder because she dared to question</p> <p>16 him, that attitude is still going to be there.</p> <p>17 Actually, when Archbishop Welby talked about cultural</p> <p>18 change, what was striking, I thought, was his impotence</p> <p>19 or at least the serious limitations on his power. He</p> <p>20 can't direct his bishops, he can't change what happens</p> <p>21 in theological colleges where culture is implanted, he</p> <p>22 can't change the very muddled and conflicted attitude to</p> <p>23 homosexuality in the church not just because of</p> <p>24 the wider Anglican Communion and those issues, but</p> <p>25 because, to be honest, he, himself, believes that</p> <p style="text-align: center;">Page 30</p>	<p>1 church is fiddling around a structure which is</p> <p>2 fundamentally unsound, and you saw Graham Tilby's</p> <p>3 reluctance, I think -- perhaps understandable</p> <p>4 reluctance, given his role, but reluctance nonetheless</p> <p>5 to acknowledge that fundamental reality.</p> <p>6 Archbishop Welby talked a lot about training and</p> <p>7 trying to build a new theology, but what was very</p> <p>8 telling was, when he gave a secular example of cultural</p> <p>9 change, he talked about drink driving and how that was</p> <p>10 tackled. He was actually talking about something that</p> <p>11 was tackled not mainly through training and education,</p> <p>12 although those were important, he was talking about</p> <p>13 something that was tackled through the law by tougher</p> <p>14 laws and stronger enforcement of the law; in other</p> <p>15 words, something that was tackled by the hard powers</p> <p>16 which are exactly what he doesn't have. As he said, he</p> <p>17 has soft power if he has anything at all.</p> <p>18 So this church has deep-seated cultural and</p> <p>19 structural problems. But changing them, if they can be</p> <p>20 changed at all, will take generations. Safeguarding is</p> <p>21 far too urgent for that. So we say that we need</p> <p>22 something much more radical, and I return to the two</p> <p>23 changes that I talked about in my opening statement:</p> <p>24 independent oversight and mandatory reporting.</p> <p>25 On independent oversight, I want to be clear: I am</p> <p style="text-align: center;">Page 32</p>

<p>1 not talking about removing safeguarding from the church. 2 They do need to own it. And the discussion in these 3 hearings sometimes got sidetracked into the suggestion 4 that safeguarding should be taken away from the dioceses 5 and done by external people. Certainly my view is the 6 church has to own that responsibility. 7 What we are talking about here is independent 8 oversight of safeguarding and especially independent 9 investigation of complaints about safeguarding failings 10 and external enforcement of change where change is 11 required. 12 To use the Colin Perkins list: independence of 13 audit, of victim redress, of response to whistleblowing, 14 of discipline, of risk assessment and of case review. 15 All of those things, but genuinely independent and, more 16 than that, the power to enforce any action needed over 17 the heads of the bishops. 18 I said in my opening that we can't have the church 19 marking its own homework. I think in his evidence 20 Bishop Warner seemed to accept the force of that point. 21 But where I think some in the church want to take you is 22 the idea that somehow the SCIE audits are going to 23 constitute that independent oversight. Somehow the SCIE 24 audits will tick that box. But the fact is that they 25 don't.</p> <p style="text-align: center;">Page 33</p>	<p>1 sympathetic. 2 This is why genuine independent oversight cannot be 3 selected and organised on terms decided by the church. 4 To extend my analogy, we can't have the church 5 marking its own homework, but it equally will not be 6 good enough and won't be effective if we end up with 7 a situation where the homework is being marked by 8 somebody else but the church is still choosing the 9 marker and the church still gets to decide the terms on 10 which they are doing the marking. It has to be 11 genuinely independent. 12 The other factor here, and Sir Roger Singleton 13 rightly commented on this, is the need for oversight, 14 particularly investigation of complaints, to have public 15 confidence and especially survivor confidence. I can 16 tell you from all my conversations with survivors that 17 this lack of survivor confidence in church institutions 18 is a very serious problem, and, frankly, if it was 19 a problem before this hearing, it is not going to be any 20 less of a problem after it. On most days during this 21 hearing, there have been press reports about lack of 22 survivor confidence in various cases. There are 23 certainly individuals at senior levels in the church who 24 are liked and respected by survivors, but there is 25 a deep-seated lack of survivor confidence in the</p> <p style="text-align: center;">Page 35</p>
<p>1 The SCIE audits are not frequent enough, they are 2 time limited, they are done on terms set by the church, 3 they don't involve survivor input, at least up until 4 now, and of course it is the church's decision whether 5 they happen or not. None of that is a criticism of 6 SCIE. Edina Carmi herself acknowledged the limitations 7 of the audit process. 8 But whether it is SCIE or any other agency doing 9 this oversight, there is a fundamental problem with 10 external oversight where that oversight is designed and 11 chosen by the organisation being overseen. 12 It is a problem, I think, that was highlighted by 13 the internal Lambeth Palace email that came up in 14 evidence when we heard from Lord Williams. You saw 15 Andrew Nunn, a senior official at Lambeth Palace, made 16 this rather revealing comment suggesting that 17 Dame Butler-Sloss was a good choice to do an external 18 report because she was likely to be sympathetic. 19 I think as he put it, Bishop Hind knows her and thinks 20 he and Bishop Benn will be safe in her hands. 21 I don't suggest for a minute that Dame Butler-Sloss 22 was like that, but it was a revealing email because what 23 it showed was that when the church was arranging an 24 external oversight, there was a natural tendency to 25 procure a form of oversight that is seen as likely to be</p> <p style="text-align: center;">Page 34</p>	<p>1 institution as a whole, and particularly around the 2 issue of involvement of insurers in some of these cases. 3 Archbishop Welby said to us on Wednesday you have to 4 keep coming back to what works for survivors. The fact 5 is survivors have been consistently saying now, and 6 saying for several years, that what works for survivors 7 is independent oversight, independent handling of 8 complaints and independent redress, and actually that's 9 what many survivors thought was going to come with the 10 Elliott Review, but it certainly needs to happen now. 11 I want to finish on the issue of mandatory 12 reporting, by which I mean, obviously, that knowledge or 13 suspicions of abuse must be reported to the statutory 14 authorities and with a sanction, crucially, for 15 non-reporting. As I said in my opening, an independent 16 body would certainly investigate where safeguarding has 17 failed, and in certain circumstances, an independent 18 oversight body might investigate allegations themselves, 19 but obviously complaints or allegations must be 20 investigated initially by the statutory authorities. 21 Chair, if one lesson comes out of this hearing, it 22 is surely that, as soon as the church knows about an 23 allegation, it has to go to the statutory authorities. 24 As soon as the allegation comes in, it has to go out. 25 That need for a mandatory requirement to report is</p> <p style="text-align: center;">Page 36</p>

<p>1 encapsulated I think very neatly in something 2 Colin Perkins said in evidence. He talked about how in 3 I think it was the Robert Coles case a diocesan bishop, 4 an area bishop, an archdeacon and two safeguarding 5 advisers knew that he had admitted to some of 6 the matters about which he had been questioned by the 7 police, but none of them told the police. That simply 8 cannot be allowed to happen again.</p> <p>9 The need for mandatory reporting I think was also 10 eloquently explained in this hearing by Alana Lawrence. 11 It was put to her that the need for reporting could be 12 instilled in people by education and training rather 13 than by legal compulsion. In response, she made two 14 points. She said that most of us like to believe that 15 we would be whistleblowers, but the evidence is that 16 most of us wouldn't be, only a small percentage of us 17 actually take the risk to be whistleblowers unless there 18 is a clear requirement to do so. And she went on to 19 explain that the fundamental problem is a relational 20 one, and she said:</p> <p>21 "There's huge resistance, even when we do educate 22 members of the congregation, to believe that their 23 priest or any religious person could possibly cause 24 harm. That view persists, but it persists because, on 25 this issue, people are not rational. Abuse of power is</p> <p style="text-align: center;">Page 37</p>	<p>1 admission of guilt. This is a university professor and 2 a former Archbishop of Canterbury apparently still 3 labouring under that misapprehension.</p> <p>4 So there are many misunderstandings that people 5 have, and many people, as Alana Lawrence says, will 6 simply not want to believe that a priest could commit 7 a sexual offence against a child. So we say that you do 8 need a mandatory -- a clear mandatory obligation to 9 report. That's the only way to address this so that any 10 information goes to people who are properly equipped to 11 assess the significance of it.</p> <p>12 The truth is that, whatever the church says, we 13 don't have that in the church at the moment. You have 14 seen the Mandate Now analysis and the language of church 15 policies which were aptly described as "flaccid". When 16 Graham Tilby gave his evidence, he used the words 17 "should" and "must" interchangeably in his answers with 18 the implication that they mean the same thing, but they 19 don't mean the same thing. In fact, the same ambiguity 20 is reflected in the language of "due regard". As people 21 have said, why isn't the language simplified, why 22 doesn't it simply say "must follow"? Clarity is 23 essential on these issues. Policies need clarity rather 24 than managerial voodoo. You heard Archbishop Welby say, 25 in fact, that he didn't really understand the meaning of</p> <p style="text-align: center;">Page 39</p>
<p>1 deeply relational, and the engagement with it is deeply 2 relational. You struggle to get guidance to work 3 because we are talking about relationships, not rational 4 things, and good people can do the wrong thing in the 5 face of an allegation."</p> <p>6 We heard exactly that sort of disbelief during these 7 hearings and in the statement you have just heard. 8 Colin Perkins talked about the Christopher Howarth case 9 and how difficult people found it to accept that Howarth 10 might be guilty. As Colin Perkins also explained, 11 despite the evidence to the contrary, people frequently 12 believe that risk diminishes with time. Indeed, even 13 with apparently very highly educated people, we see 14 basic misunderstandings being used as a justification 15 for not taking action or for failing to report. We 16 heard Nicholas Reade explain away a failure to report by 17 claiming that there was insufficient evidence when the 18 priest had actually admitted the components of 19 the offence.</p> <p>20 We heard Lord Williams fall into the basic trap of 21 misunderstanding what a caution is. And seemingly not 22 understanding even now, and despite the case of 23 Peter Ball being on his desk for over a decade, and 24 presumably preparing for this hearing, but he still 25 didn't seem to appreciate that a caution involves an</p> <p style="text-align: center;">Page 38</p>	<p>1 "due regard". So here we have the head of the church, 2 or the titular head of the church, saying he actually 3 doesn't really understand the meaning of words that are 4 relied upon by the church to secure compliance.</p> <p>5 So what we have in the church is not clear and is 6 not backed up by clear sanctions, either in church terms 7 or, of course, in terms of the law of the land.</p> <p>8 But in any case, we say that, whatever the church 9 does, and we have already talked about the slowness of 10 change through the synod, whatever the church does, 11 reporting needs to be backed up by legal obligations in 12 terms of the criminal law, and that is something that it 13 is open to you to recommend, whatever the government has 14 said recently.</p> <p>15 Chair, when we look at the big changes that have 16 happened in society over the past few decades, the 17 changes that have protected vulnerable people, the 18 changes that have saved lives, like it or not, the 19 reality is that all of these changes have involved 20 a degree of legal compulsion. Whether we are talking 21 about health and safety at work or protecting minorities 22 from discrimination or the wearing of seat belts or the 23 smoking ban or dealing with drink driving. Yes, these 24 things were helped by education and training, but in the 25 final analysis, what really made the difference and what</p> <p style="text-align: center;">Page 40</p>

<p>1 embedded them in the culture and normalised them in the 2 culture, when they hadn't been there before, was the 3 fact of some legal compulsion, the fact that there was 4 a legal consequence if you didn't do it. As 5 Rupert Bursell said, we do it with money laundering, we 6 do it with terrorism, we should do it with child abuse. 7 And as Rupert Bursell and a number of other church 8 witnesses said, we should also override the seal of 9 the confessional. 10 Chair, these are the changes that we believe that we 11 need. The survivors that you have heard from in these 12 hearings have lost years of their lives trying to 13 challenge the church and get the church to change, and 14 it would be a tragedy if another generation of survivors 15 have to undergo that same experience, so we urge you to 16 act and put in place effective measures to ensure that 17 this never happens again. Thank you. 18 THE CHAIR: Thank you very much, Mr Scorer. 19 Closing statement by MR GREENWOOD 20 MR GREENWOOD: Chair and panel, thank you for listening to 21 intently throughout this hearing. I will get to the 22 point. Over the last three weeks, I have been struck by 23 just how inappropriate an organisation the church is to 24 have charge or care of children and vulnerable adults. 25 Personally, I would not want my son to spend a moment in</p> <p style="text-align: center;">Page 41</p>	<p>1 So what have we heard? We have heard a catalogue of 2 lamentable failures in Chichester and at national level. 3 A15, the first witness, a survivor of abuse by the army 4 chaplain Gordon Rideout, who later worked as a priest in 5 the Diocese of Chichester, explained how she had been 6 abused by Rideout as a young girl. She explained how 7 powerless she felt during a court martial process in 8 1972 in which Rideout had been acquitted. He was later 9 convicted in 2012. 10 Phil Johnson then told us his story of having been 11 extensively groomed by Roy Cotton and others; of 12 safeguarding failures; and of the danger caused to 13 others by the police investigation having been starved 14 of evidence by Wallace Benn. 15 He explained his attempts to bring failures to light 16 and how he had gone to extraordinary lengths in search 17 of the truth, which was never volunteered by the church. 18 Mr Johnson feels that diocesan safeguarding advisers 19 should be completely independent. There should be an 20 independent system for providing counselling support to 21 be introduced, and paid for by the church, and that 22 culture change, importantly, will only come via 23 legislation and criminal sanctions. 24 Overall, Mr Johnson's life has been blighted, but he 25 has tried to turn his experience into a positive change</p> <p style="text-align: center;">Page 43</p>
<p>1 the company of a member of this organisation. Its lack 2 of a coherent structure, the possibility of clerics 3 carving out places where they can abuse, the ability to 4 blame one another, the defensiveness, the lack of 5 accountability are just a few criticisms. 6 This is an organisation which, were it a school, it 7 would have been closed down a long time ago. 8 Issues of the status of the church in the 9 constitution are the province of others, and I see no 10 reason why the church cannot continue doing its good 11 work in other sectors, but on safeguarding there has to 12 be a case for, to use the words of Edina Carmi, 13 deconstructing and then reconstructing with appropriate 14 checks and balances. 15 Whilst I appreciate you must reserve judgment on the 16 Anglican Church until the final inquiry, scheduled to 17 2019, it appears to me and the core participants that 18 I represent that the Anglican Church has proved itself 19 incapable of self-governance in the care of children. 20 We reject the flaccid policies, apologetic language, 21 excuses and promises of action in the future. Myself 22 and members of MACSAS have worked to point all these 23 issues out for many years, but have been met only with 24 listening ears and half-hearted engagement. The time 25 has come for action.</p> <p style="text-align: center;">Page 42</p>	<p>1 by encouraging the church to behave better towards 2 survivors. 3 On one final note, he reflected that he often thinks 4 about the person he would have been if the abuse hadn't 5 shaped his life, and the missed opportunities. 6 Shirley Hosgood. She felt that it was not safe to 7 appoint a youth worker. When Bishop Wallace said that 8 he was a personal friend, he tried to change her view. 9 She explained that it had been a difficult telephone 10 conversation with Wallace Benn. She felt the diocese 11 had not learnt the lessons of Cotton and Pritchard. She 12 complained that permissions to officiate were being 13 given without looking at the blue files, there were 14 communication failings, Wallace Benn had been angry with 15 her and that this stifled communication. 16 Eventually, Shirley Hosgood was denied access to an 17 important safeguarding crisis meeting and she felt so 18 sidelined that she resigned. 19 John Hind. Bishop John Hind had two area bishops. 20 We heard that he failed to supervise their activities 21 and allowed them almost free rein in their parts of 22 the diocese. He confirmed he would not break the seal 23 of confessional even for child abuse cases. He refused 24 to take responsibility for action or inaction in the 25 area of Wallace Benn, that is Lewes. He now wishes he'd</p> <p style="text-align: center;">Page 44</p>

<p>1 given diocesan safeguarding advisers unfettered access 2 to blue files much earlier. 3 He explained how, in 2001, with the 4 Data Protection Act coming into force, he organised 5 staff to take out ephemera from blue files. This is 6 significant and perhaps not unconnected with the fact 7 that there was a 27-year black hole in Roy Cotton's blue 8 file. 9 John Hind told us that there was definitely 10 collusion and conspiracy taking place among abusing 11 clergy in the east, that is Lewes. It was clear people 12 were working in concert, to quote his words. 13 Philip Jones had been the archdeacon. He told us 14 that there came a point when he became aware that 15 Wallace Benn had misled him, and when he knew about -- 16 what he knew about Cotton's 1954 conviction. 17 Wallace Benn had told him he only knew in 2001, but it 18 emerged he had known during the currency of the earlier 19 police investigation. 20 Alana Lawrence, the former chair of MACSAS. I set 21 out her work in MACSAS and her compilation of "The 22 Stones Cry Out" and recommendations. Those 23 recommendations accord with the ones that I make on 24 behalf of the core participants that I represent. 25 We heard from Roger Meekings. I won't repeat his</p> <p style="text-align: center;">Page 45</p>	<p>1 the police. 2 Edmund Hick of Sussex Police agreed that if he had 3 known of the conviction of Cotton during the first 4 investigation, its complexion would have been different. 5 He said it was routine to get previous convictions on 6 arrest. He added that if he had known about the 2003 7 complaint, the file would have been re-opened at that 8 stage. Sadly, it had been destroyed. It had later been 9 destroyed. 10 He said the diocese seemed to resent statutory 11 authorities and the police and other safeguarders had to 12 drag them into the 21st century. He said it had been 13 hard at times. He later worked on the Diocesan 14 Safeguarding Advisory Group, which was disbanded. He 15 suspected that he and others on the group were being 16 a nuisance. He was effectively sacked for bringing his 17 professional expertise to bear and being involved in the 18 disciplinary action of Wallace Benn. 19 Bishop Wallace Benn complained bitterly that 20 Roger Meekings had turned speculation into fact, to use 21 his words. When it was put to Wallace Benn that he had 22 agreed with the chronology setting out his knowledge of 23 Cotton's activities, which included him knowing about 24 the 1954 conviction in 1998, he said, "I was busy at the 25 time and only gave it a cursory look. I corrected it</p> <p style="text-align: center;">Page 47</p>
<p>1 evidence, save to say that he was a thorough and 2 meticulous reviewer. The notion that he somehow missed 3 crucial evidence related to Bishop Peter Ball and, in 4 fact, George Bell is probably inconceivable. If it had 5 been available to him, he would have noticed it. 6 Ian Gibson worked as the bishop's chaplain in 2004. 7 He was responsible for filing. He found the files in 8 disarray, permissions to officiate were being granted 9 without blue files being checked. 90 per cent of clergy 10 and staff didn't have a CRB staff. He found in 11 a separate cabinet a file for Peter Ball. He was also 12 present when Wallace Benn asked John Hind to hold back 13 the blemished Rideout CRB. Bishop Wallace called 14 Ian Gibson a liar and denied the incident. 15 Janet Hind was undoubtedly sincere in her evidence 16 and her efforts but she admitted making mistakes on some 17 safeguarding matters. She drew up the safeguarding 18 policy in 1996 and she was overruled on the issue of 19 Michael Walsh in the 1990s and she produced her note of 20 the case. 21 On Robert Coles, he had admitted to Nicholas Reade, 22 the archdeacon, who told Mrs Hind. She admits she 23 should have told the police, but didn't. She assumed 24 everyone else would have told the police. 25 Unfortunately, everyone else presumed that she had told</p> <p style="text-align: center;">Page 46</p>	<p>1 later in 2008". 2 Wallace Benn maintained he didn't know about 3 Cotton's conviction until he saw Cotton's declaration in 4 2001. He maintains that any paralysis from the diocese 5 was self-induced. He said that he had inherited 6 a paedophile ring of priests. Overall, he said, 7 "I could have done some things better, but I was cleared 8 of the CDMs made against me". He regarded safeguarding 9 advisers' criticism of him as nitpicking. 10 Rupert Bursell had been a commissary of 11 the Archepiscopal Visitation. Its findings were, in 12 summary, that the diocese was slow to identify abuse 13 taking place, dysfunction caused mainstream reports of 14 abuse to be sidelined, and safeguarding was not at the 15 forefront of the diocesan agenda. 16 We heard from Julie Macfarlane, a survivor and law 17 professor, who recounted her abuse and the difficulties 18 she faced with the adversarial civil justice system. 19 She and many other core participants I represent found 20 the processes re-traumatising, especially the hostile 21 adversarial psychiatric assessments. 22 Bishop Mark Sowerby identified a subculture which 23 accepted sexual abuse of children around Lewes. There 24 were basic patterns that he identified involving 25 Anglo Catholics, mainly not married. Both abusers were</p> <p style="text-align: center;">Page 48</p>

<p>1 single and looked out for each other. They were 2 a tribe. If threatened, they responded by defending one 3 other regardless of the threat, even if it was an 4 allegation of child sexual abuse.</p> <p>5 Bishop Martin Warner doesn't want to see 6 safeguarding go to an independent body on the basis that 7 he wants parishes to take responsibility. Martin Warner 8 would like to see a laminated card with the top ten 9 safeguarding issues rather than a long book. He thinks 10 we should explore what can be done with a website. He 11 doesn't think mandatory reporting is the way to protect 12 children. On the confessional, he wants to keep it in 13 its present form as it enables disclosure and the 14 unburdening of survivors.</p> <p>15 The former Archbishop Rowan Williams confirmed that 16 despite the abuse allegations emanating from the 17 Catholic Church around the turn of the century, he 18 mistakenly thought the problem was far smaller in the 19 Anglican Church. The past cases review press release 20 read to the effect, "We have done a thorough review and 21 we are certain that the church has no problem cases".</p> <p>22 Rowan Williams admitted that this was an ambitious 23 statement. In our view, it was entirely misleading.</p> <p>24 On the confessional, he is in favour of preserving 25 the seal, as he says it allows vulnerable people to use</p> <p style="text-align: center;">Page 49</p>	<p>1 to the police. "He never admitted rape" were his words. 2 He felt Eric Kemp should have made the decision.</p> <p>3 Colin Perkins was clearly getting on with his work 4 within what we consider to be a flawed system. We had 5 the impression that his system worked because of him 6 taking the issues seriously, whereas, in other dioceses 7 with weaker DSAs or more forceful bishops, the same 8 mistakes as Chichester can occur. Chichester is often 9 now held up as a beacon of good practice. This has not 10 happened out of a desire for the church to change and 11 improve, it is a reaction to the crisis and has been 12 driven by the pressure and determination of survivors in 13 their fight for justice.</p> <p>14 Sir Roger Singleton was critical of the past cases 15 review, its methodology and how it created a false rosy 16 picture about the safeguarding problems of the church. 17 He made the point that files are very poorly kept and 18 the press statement on the past cases review was 19 "underevidenced" to use his words.</p> <p>20 A8 and A7 described in detail how they had been 21 groomed/abused by Peter Ball and, again, the 22 difficulties they had faced with the civil justice 23 system.</p> <p>24 Bishop David Walker explained that there's no 25 outside control of religious communities.</p> <p style="text-align: center;">Page 51</p>
<p>1 the space. He admits we can't know how big the problem 2 is due to the secret nature of the conversations. Under 3 his watch, the church seems to have wasted around 4 £2 million on the ill-conceived review, the past cases 5 review, which only identified 13 problematic cases from 6 40,000 reviewed. Even a fraction of this figure of 7 £2 million could have provided significant amounts of 8 support for survivors.</p> <p>9 Bishop Nicholas Reade. On Roy Cotton, he told 10 Wallace Benn about the police investigation into him 11 in December 1997. Nicholas Reade took no further action 12 until 12 months later, when Cotton told him his 13 ordination had been postponed due to earlier trouble: 14 the organ loft issue.</p> <p>15 He didn't say that there had been a conviction. 16 Nicholas Reade to that said, "It didn't occur to me to 17 ask about the conviction. I take priests at their word. 18 The idea of a priest telling lies to a bishop horrifies 19 me". This typifies how the present system relies on 20 trust, and why reporting should be mandated.</p> <p>21 On the issue of Robert Coles, he tried to minimise 22 the seriousness of the sexual assault of the boy by 23 Rideout as a way of justifying not reporting the 24 confession that Coles had made to him, and despite him 25 being aware that Coles had made a "no comment" interview</p> <p style="text-align: center;">Page 50</p>	<p>1 Graham Tilby explained in great detail, and 2 sometimes in management speak, the efforts made to 3 improve the system in the church, notably on training, 4 and the ability of DSAs to overrule bishops. There was 5 criticism that improvements were slow and that following 6 guidance is still not mandated.</p> <p>7 Edina Carmi recounted her findings that there were 8 unacceptable practices at the cathedral and then 9 a resistance to allow her to do her work and then 10 attempts to destroy all copies of her report.</p> <p>11 A11, the boy chorister who had been abused by 12 Terence Banks and suffered with debilitating mental 13 health issues, he complained again of the harmful nature 14 of the compensation system.</p> <p>15 Dean Peter Atkinson said, and I quote, "I can see 16 John Treadgold would have been defensive with the 17 police. At the time of his retirement, he'd burned 18 a number of files. He had left the deanery and 19 returned, removed files from the basement and had 20 a bonfire in the garden. I don't know what the files 21 were. They might have been chapter files, but they 22 could have been his own. I did find it odd and told the 23 police".</p> <p>24 Elizabeth Hall, the former national safeguarding 25 adviser, gave her opinion that this could happen</p> <p style="text-align: center;">Page 52</p>

<p>1 anywhere, not just in Chichester. People can abuse in 2 plain sight. These men are obsessed with creating 3 safe spaces for them to abuse in and to take care to 4 carve out these spaces.</p> <p>5 In questioning by Mr Frank when asked about document 6 ACE006654, which relates to the Bishop of Peterborough 7 having a massive bonfire of documents when he retired, 8 she said, "There's a theological underpinning for this: 9 to give the successor a fresh start". She is also aware 10 that clergy remove and keep documents in their attics 11 after retirement.</p> <p>12 Justin Welby agreed that he had no real power and 13 could only use his influence. He was non-specific in 14 his views on many of the suggested changes.</p> <p>15 Bishop Peter Hancock agreed with him that the man in 16 the street would not know what giving due regard means 17 legally and thinks that should be a change to clarify 18 this. He agreed there should be a separate procedure on 19 capability in the CDM. He agrees that DSAs should be 20 recruited nationally and work locally. He says that 21 discussions are starting on a redress scheme. He agrees 22 the seal of the confessional should not apply to 23 child abuse. He's working on improvements to monitor 24 PTOs, including a register with Crockfords. He refused 25 to agree that the church should implement mandatory</p> <p style="text-align: center;">Page 53</p>	<p>1 resistance to external oversight in the face of 2 the evidence.</p> <p>3 Colin Perkins is held up as a model of how things 4 are all right now, but the reality is that the church 5 does not have a Colin Perkins in every diocese. Systems 6 have to be designed to be operated by mediocre or even 7 poor employees. In our view, the church's systems are 8 inadequate on almost all levels.</p> <p>9 CDM has been exposed as a hopelessly cumbersome 10 instrument with impenetrable rules. No-one has 11 successfully been disciplined for failing to report 12 abuse. It has been shown to be not fit for purpose in 13 safeguarding matters. Some changes have been made, but 14 a vulnerable complainant has firstly to be aware that it 15 exists and then be able to interpret the rules. There 16 is a need for independent arbitration and a child abuse 17 procedure.</p> <p>18 Permission to officiate is still open to abuse. The 19 lack of mandatory reporting has allowed Chichester 20 coverups and failures to take place. All bishops and 21 diocesan safeguarding advisers would have been required 22 to report, yet we have heard of repeated failures to 23 alert the police.</p> <p>24 Centralised rules on records need to be stringent 25 and there needs to be document retention. Again, these</p> <p style="text-align: center;">Page 55</p>
<p>1 reporting, instead stating that it is everyone's 2 responsibility throughout the country to report. He 3 feels the church is as close as it can be to mandatory 4 reporting.</p> <p>5 So I return to my opening submissions in which 6 I mentioned that there are four essential ingredients 7 that have prevented good responses from the church, and 8 these apply to many organisations. They are internal 9 rules, firstly; secondly, hierarchical structures; 10 thirdly, church culture; and, fourthly, the church's 11 unincorporated status.</p> <p>12 On internal rules, we have heard that the 13 development of internal rules within dioceses has been 14 haphazard, with Janet Hind committing to paper in 1996 15 and 1997, and not until 2004 did we see basic national 16 rules. Over the last two years, we have seen a torrent 17 of new internal guidance. We question whether DSAs 18 actually have the power to overrule the bishop due to 19 their employer/employee relationship.</p> <p>20 Mandatory reporting is still a long way off for the 21 church. Even the October 2017 rules still only require 22 due regard to be taken to the guidance.</p> <p>23 It should be noted that at every turn you have heard 24 bishop after bishop find ways to keep oversight 25 structures in-house. There has been strenuous</p> <p style="text-align: center;">Page 54</p>	<p>1 need to be fully mandated. We have heard of files being 2 filleted, that safeguarding reports could have been 3 thrown away. We have heard of at least two bonfires of 4 papers and that this may have been a widespread practice 5 at the end of bishops' times in office.</p> <p>6 On hierarchical structures, the Church of England 7 operates a highly hierarchical structure with the 8 diocesan bishop sitting at the top of the pyramid and 9 having the say on all matters relating to safeguarding. 10 Whilst an attempt has been made to dilute the structure 11 with the implementation of powers for DSAs, it would 12 take a brave and self-confident DSA to overrule a bishop 13 and they still owe their actual employment to the 14 bishops and could find themselves bypassed if bishops do 15 not agree with their decisions.</p> <p>16 On church culture, we have heard of cultures of 17 deference, factional cultures, Anglo Catholics, 18 evangelicals, tribes, middle ground being shut out. We 19 have certainly seen egos on display. Wallace Benn, 20 Philip Jones and Nicholas Reade were certainly no 21 shrinking violets. These differing cultures created 22 conflict in Chichester, but they are no doubt causing 23 problems elsewhere right now throughout the country.</p> <p>24 However, the most important culture in the church is 25 the defensive culture. None of our complainant</p> <p style="text-align: center;">Page 56</p>

<p>1 witnesses have described having been welcomed and 2 assisted at any point by church officials. Instead, 3 there were attempts at all levels to minimise the 4 seriousness and volume of cases. 5 For instance, Rowan Williams' evidence on the past 6 cases review, which was in fact an attempt to minimise 7 the problem. Julie Macfarlane's legal claim was 8 resisted on the basis she was out of time and consented 9 to it. There have been repeated attempts to resist 10 Phil Johnson's questions to get to the truth. The 11 church at national level was prepared at one point to 12 sacrifice Bishop John Hind to minimise the spread and to 13 protect Rowan Williams. We have heard of some 14 skulduggery around Peter Ball which we will hear more of 15 in July, particularly around the Tyler Report. The 16 Halliday and Waddington cases elsewhere demonstrate that 17 this is happening in other dioceses. 18 The church, in Justin Welby, may have you believe 19 that most of this is caused by having a hapless, 20 disorganised and disjointed structure. In reality, the 21 evidence demonstrates that church institutions have 22 worked in concert to resist cases. It could be said 23 that the Catholic Church's more brazen approach to 24 resisting cases due to their written rules on secrecy is 25 actually less malign than the Anglican resistance, which</p> <p style="text-align: center;">Page 57</p>	<p>1 safeguarding regulation. The independent body would 2 have the power to prosecute organisations for breaches 3 of the regulations. Fines would be imposed for 4 breaches. Organisations could be prevented from working 5 with children. All complaints would be passed to an 6 independent body by any receiving institution with 7 a criminal sanction for failing to pass them on. The 8 body would gather information from complainants, 9 regulated institutions and third parties. It would have 10 the power to compel disclosure of material. The body 11 would liaise with and assist civil authorities such as 12 the police and social services. The body would ensure 13 that the police and other statutory organisations take 14 appropriate action within reasonable timescales. The 15 body would investigate complaints using a balance of 16 probability standard of proof. There would be no 17 statute of limitations under this scheme. The 18 independent body would have the power to make awards of 19 compensation similar to the CICA. It would have the 20 power to decide on the support to be offered to 21 a complainant and a scheme would be established to 22 provide adequate compensation taking into account the 23 effect on quality of life and a series of other factors. 24 Complainants would be allowed to take advice from 25 lawyers and a contribution to legal costs would be</p> <p style="text-align: center;">Page 59</p>
<p>1 has required conscious effort to treat survivors badly. 2 On unincorporated status, we have heard the church 3 has a very loose structure of unincorporated bodies and 4 individuals with no strict system of control. They are 5 not corporate, and so, not accountable. Better 6 responses and serious attention to good safeguarding 7 will only be achieved through serious sanctions such as 8 fines, withdrawal of charitable status or closure of 9 the offending organisation. Our recommendations to 10 remedy this issue, or these issues, are set out here. 11 It will be for the panel to decide on the evidence 12 but, on behalf of the core participants I represent, we 13 will be asking the panel to look at the following issues 14 and to make those as recommendations: that the 15 Anglican Church is unable effectively to respond to 16 child sex abuse risks. What is required is legislation 17 to introduce mandatory reporting. Legislation is also 18 required to introduce an independent statutory body to 19 enforce basic standards of safeguarding. The statutory 20 body would establish a register of institutions fit to 21 look after children. It would be an offence to look 22 after children without being on the register. To be on 23 the register, the institution would have to introduce 24 a corporate structure. The registered institution 25 should be forced to adhere to minimum standards of</p> <p style="text-align: center;">Page 58</p>	<p>1 awarded. The cost of the body's work would be paid from 2 a levy on institutions. Those culpable would pay for 3 the costs of dealing with individual cases in which they 4 are involved. 5 Having heard a great deal of evidence, panel, there 6 may be instances in which criminal offences have been 7 brought out during the evidence, and I know that 8 Sussex Police have spoken with Mr Scorer about one such 9 instance which they are going to follow up, and I am 10 grateful for that. I ask the team and the panel to be 11 mindful of those when they review the evidence when 12 considering potential recommendations. 13 I also ask the panel to consider a recommendation 14 that, after IICSA is gone, a permanent Commission of 15 Inquiry is set up to investigate elsewhere in the church 16 and other similar unregulated bodies. Thank you, panel. 17 THE CHAIR: Thank you very much, Mr Greenwood. 18 We will now take our break and return at 11.40 am. 19 Thank you. 20 (11.25 am) 21 (A short break) 22 (11.42 am) 23 MS SCOLDING: Thank you, chair and panel. Just before we 24 hear from Mr Giffin QC, just to identify that following 25 representations from Mr Scorer made during the break</p> <p style="text-align: center;">Page 60</p>

<p>1 I ask you, chair, to make an amended restriction order 2 concerning some of the personal details in respect of 3 AN-A17. I would ask you to do that. Most grateful. 4 THE CHAIR: Thank you, I make that order, Ms Scolding. 5 Closing statement by MR GIFFIN 6 MR GIFFIN: Chair, members of the panel, thank you for this 7 opportunity to make brief oral closing submissions. We 8 shall also be submitting somewhat fuller written 9 submissions later today, and although obviously limited 10 in that also by the time available for its preparation 11 since we have heard all the evidence, we have tried to 12 set out some thoughts about how the evidence you have 13 heard in this case study may feed into issues which the 14 inquiry may be considering pursuing as its work in this 15 investigation proceeds in the coming months and how 16 those issues might be approached. I hope you won't find 17 it too scrappy. We have had to do it at a bit of 18 a gallop. May I say, if there are any points on which 19 the church can assist the inquiry at any stage, with 20 further written notes on particular aspects -- legal or 21 factual -- we shall be very happy to do that, of course. 22 I shall briefly remind you, if I may, of three 23 points that we made in our opening submissions. 24 First, we acknowledge that the church's performance 25 in relation to safeguarding and abuse in Chichester had</p> <p style="text-align: center;">Page 61</p>	<p>1 be done. 2 Now, as to where we are after hearing the evidence, 3 and first of all as to what happened in Chichester, the 4 Archbishop of Canterbury said this to the inquiry on 5 Wednesday: 6 "You can't read the transcripts, you can't read the 7 statements, without being moved, or at least you 8 shouldn't be able to be. And the church does wonderful 9 things across the country, extraordinary things, and the 10 most stressful job in the church is to be a good parish 11 priest, and that a small minority have betrayed that is 12 horrifying. I want to put on record again -- I don't 13 know how to express it adequately -- how appalled I am 14 and how ashamed I am of the church for what it did to 15 those who are survivors and are coping with this, and 16 apologies are fine, but we have got to find ways of 17 making it different and we have got to do it as quickly 18 as we can." 19 Chair, that sense of shame is not limited simply -- 20 although obviously most importantly it is about the 21 abuse that was perpetrated by those who held positions 22 of trust within the church, sometimes perhaps in 23 collusion with each other. The sense of shame also 24 extends to the other failings about which you have heard 25 extensive evidence and it is plain that those</p> <p style="text-align: center;">Page 63</p>
<p>1 fallen far short of what was to be expected, and that 2 the church could, and should, have done better at the 3 time, and for that failure to protect children and to 4 respond properly to survivors, and for the consequences 5 which it's had, I offered an unqualified apology on 6 behalf of both the Archbishops' Council and the Diocese 7 of Chichester. 8 Secondly, we submitted that there may well have been 9 some particular factors in play in Chichester which may 10 have combined there in a particularly marked and 11 unhelpful way. However, we also expressed the view that 12 the type of problems that led to the failures there were 13 not unique to that diocese and the lessons we said were 14 there to be learned by the whole of 15 the Church of England. 16 Thirdly, we suggested that the visitation of 17 Chichester and its aftermath had been watershed moments 18 for the church leading to a necessary acceleration of 19 improvements in safeguarding practices. We said that 20 work on safeguarding had previously been proceeding too 21 slowly with too few resources and in a manner 22 characterised by too much defensiveness and too little 23 transparency in dealing with survivors. 24 We submitted that much had changed and that the 25 direction of travel was right, but that much remained to</p> <p style="text-align: center;">Page 62</p>	<p>1 deficiencies included reluctance, or indeed outright 2 failure, to report known abuse, which was described, you 3 will recall, by Archbishop Justin as not an acceptable 4 human response let alone a leadership response; 5 instances of, at best, a lack of curiosity about and, at 6 worst, apparent indifference to, past allegations or 7 even convictions or current police investigations, 8 the seemingly casual grant of permission to officiate to 9 a convicted abuser without proper investigation or 10 monitoring of his current circumstances or how that PTO 11 was being used; very significant problems with keeping 12 and use of records, and more besides. 13 Those failings were then compound by the fact that, 14 as the real and systematic seriousness of the problems 15 in Chichester began to emerge, what should have led to 16 a single-minded determination to bring about change 17 instead saw a sort of paralysis induced in part by 18 actual or perceived threats of legal action and leading, 19 it appears, to an effective breakdown in relations 20 between some amongst the senior staff and clergy in the 21 diocese as well as with safeguarding professionals 22 inside and outside the church. 23 Amongst mutual recrimination and attacks on those 24 whose reports had drawn attention to the problems, the 25 urgent need to listen to and support survivors seems in</p> <p style="text-align: center;">Page 64</p>

<p>1 some quarters, and at some times, almost to have been 2 lost from view. 3 Finally, both when we look at what was said at the 4 time and in some cases what has been said to the inquiry 5 itself, we cannot dissent from the chair's comment on 6 Wednesday that we have witnessed the spectacle of senior 7 clergy blaming each other and lay people for what did or 8 did not occur in Chichester in sometimes very 9 acrimonious terms. 10 Now, others who represent individuals may wish to 11 make more detailed submissions on the facts. The 12 Archbishops' Council does not do so and nor does it seek 13 to comment on individual responsibility. That's 14 a matter for the inquiry to address so far as it thinks 15 that necessary and appropriate. 16 Not only are my clients in no position to say 17 anything about disputed facts, but for the church to 18 seek to attach blame to particular individuals, 19 especially the majority who are now retired from office 20 in the church and in some cases no longer alive, would 21 be to miss the point. We agree with the chair's comment 22 to Archbishop Justin on Wednesday indicating that the 23 inquiry's concern with the past is to make sense of it 24 and thus to help with the learning of lessons for the 25 future.</p> <p style="text-align: center;">Page 65</p>	<p>1 been a step change in safeguarding practice not prompted 2 solely by the Chichester visitation, but very much 3 inspired by the wake-up call that came with the interim 4 report of that visitation. We do continue to say that 5 the evidence justifies that submission. You have heard 6 and read a lot of detail, but the headline points 7 include the creation, for the first time, of a proper 8 national safeguarding structure; the entrenchment and 9 enhancement of the role of diocesan safeguarding 10 advisers; much enhanced training programmes; clarity 11 about roles and responsibilities; the strengthening of 12 powers to suspend individuals; and of course many other 13 matters too. 14 As for changes within the Diocese of Chichester, it 15 is only fair to say -- you have heard extensively from 16 the current diocesan bishop, Martin Warner, Bishop of 17 Horsham, Mark Sowerby and the DSA Colin Perkins and you 18 have also evidence from the police and East Sussex 19 County Council about the full cooperation they have had 20 more recently from the diocese. 21 Chair, panel members, you know this because I have 22 said it probably repeatedly in opening, but it bears 23 repeating: we do not suggest that this means that the 24 task is completed and all problems solved. Our written 25 submissions will deal in greater detail with some of</p> <p style="text-align: center;">Page 67</p>
<p>1 Furthermore, for us to point the finger at 2 individuals would not sit easily with the archbishop's 3 comments on Wednesday about the need for everyone to 4 take responsibility for acting where action needs to be 5 taken and not to say that it is someone else's job. 6 The shame for the church is that, collectively, it 7 failed the children who were abused, the victims and 8 survivors, ultimately by placing persons in positions of 9 trust or authority who proved to be unsuitable for the 10 role or inadequately trained or inadequately supported. 11 Turning now to the second of our opening points, it 12 may well still be right to say for a variety of reasons 13 Chichester was an outlier or an extreme case, but even 14 that would not necessarily mean that the diocese was 15 unique. 16 In any event, precisely how far Chichester was an 17 outlier is not the point. There is nothing in the 18 evidence, as indeed we anticipated, to suggest that it 19 suffered from problems of such a unique nature that they 20 did not have the potential to be replicated elsewhere. 21 So this case study has helped the church, as well 22 as, one hopes, the inquiry, to think further about the 23 reasons why the church may be vulnerable to safeguarding 24 failure. 25 Our third opening point was to say that there had</p> <p style="text-align: center;">Page 66</p>	<p>1 the things that still require work. At a more 2 fundamental level, if it is right, as the archbishop and 3 Sir Roger Singleton and others have said, that the major 4 challenge for better safeguarding within the church is 5 cultural change, then almost by definition such change 6 takes time to effect and must continue to be reinforced 7 if matters are not to go backwards again. 8 Once again, adopting the language used by the 9 archbishop, it is certainly to be hoped that, as 10 compared with the time of the events you have been 11 looking at, that there are now many more people in the 12 church at senior levels and elsewhere who get 13 safeguarding and many fewer who would evince some of 14 the attitudes and lack of understanding of some former 15 office holders in Chichester, but it would be naive to 16 suppose that such shortcomings have been eliminated 17 altogether. 18 So, is the church capable of making the further 19 changes required, or does the evidence show that nothing 20 which has been done to date will make any real 21 difference and that neither culture nor structures can 22 change effectively in the future? 23 You have just heard this morning rather contrasting 24 submissions made about that by Mr Scorer and 25 Mr Greenwood respectively. Mr Scorer acknowledges that</p> <p style="text-align: center;">Page 68</p>

<p>1 the church, as he puts it, is not incapable of change, 2 and that it does need to own safeguarding. But he 3 favours or focuses in particular on what external input 4 or oversight there should be. 5 Mr Greenwood, by contrast, has said to you this 6 morning that the church is, I think the way he put it 7 was "incapable of self-governance in the care of 8 children". 9 Well, our position is that Mr Greenwood's counsel of 10 despair is not well founded. It is not supported by the 11 evidence of an essentially independent critical friend, 12 such as Sir Roger Singleton, or by the views of 13 a committed reformer, such as Rupert Bursell, or by 14 thoughtful, professional insiders, such as Colin Perkins 15 and Graham Tilby. They all, to varying degrees and in 16 different ways, do have criticisms to make of the 17 status quo, as does the Archbishop of Canterbury and 18 others, but they all believe that things have changed 19 markedly for the better and can change further. 20 Archbishop Justin said that he wanted to see the 21 church becoming a place where people can go for safety 22 and to be valued and loved, and on safeguarding that is 23 achievable not only because it would be a safe church in 24 itself, but because it cares for those who come to it. 25 We made it clear in opening that we were here to</p> <p style="text-align: center;">Page 69</p>	<p>1 Secondly, as to lessons learned, when Bishop Peter 2 was asked what he thought he'd learned, asked by 3 Ms Scolding, I think, after attending a very great part 4 of the hearings, as he has, he said this: 5 "What I have learned is it is not enough to say that 6 the church is here to listen and to learn. We are here 7 to act and to make our decisions and our priorities and 8 our policies visible and credible." 9 That, of course, is an important point, because 10 apologies, collective and individual, are obviously 11 themselves important. But, as we have heard from 12 a number of witnesses, and Archbishop Justin said in 13 terms, if the church wants to persuade survivors that 14 those apologies are heartfelt and meaningful, they will 15 need to be followed through by action that demonstrates 16 good faith. 17 Then, thirdly, in terms of lessons learned, well, 18 there are numbers of more specific issues that have 19 emerged from the evidence, and they are of various kinds 20 and more detail will be contained in our written 21 submissions, although, inevitably, there is going to 22 have to be more to come as the inquiry goes forward. 23 But they include points that might loosely be grouped 24 under four heads. 25 First, there are a number of matters where the</p> <p style="text-align: center;">Page 71</p>
<p>1 learn. So what has the church learned from this 2 hearing? In the time available to me, perhaps I can try 3 to answer that question very briefly at three levels. 4 The first is that this public hearing has served to 5 shine a renewed light upon the appalling nature of 6 the events in Chichester, and to draw together the 7 threads concerning the inadequate response to them. 8 If I may say so, the brave evidence of Phil Johnson 9 and Professor Julie Macfarlane and other survivors who 10 have not been named will undoubtedly have made a great 11 impact upon those within the church who have read or 12 listened to it so that, like Bishop Peter Hancock at the 13 end of his evidence, they will find that, as he said, 14 "my resolve to do what I can to make the church a safer 15 place has been heightened", and that will have been 16 reinforced by the strong statements made by the 17 archbishop when giving evidence this week. As well as 18 the comments I have already quoted Archbishop Justin 19 said this: 20 "To read the transcripts, to read the evidence, to 21 meet survivors is horrifying to a huge degree, because 22 you see this extraordinary and atrocious willingness to 23 turn a blind eye to things going very, very seriously 24 wrong and entirely damaging human beings for their whole 25 lifetimes."</p> <p style="text-align: center;">Page 70</p>	<p>1 church has already identified the need, or potential 2 need, for further action, has set processes in train, 3 but those processes have yet to be fully concluded 4 although some are fairly imminent, and examples -- and 5 they are only examples -- include the introduction of 6 a simple Parish Safeguarding Handbook, the Safe Spaces 7 Project, the consultation, recently concluded, now being 8 analysed on the Clergy Discipline Measure, proposed 9 revised guidance on PTOs, the proposed amending canon on 10 religious communities, and the need to improve the 11 recording and analysis of relevant data. 12 This hearing will certainly reinforce the need for 13 these matters indeed to move forward and further to make 14 sure that what is done takes account of some of 15 the specific concerns and suggestions that have emerged 16 in evidence, and, as Mr Tilby said, I think in answer to 17 questions from a member of the panel this week, we do 18 understand the importance of "getting on with it", 19 I think was the phrase that was used. 20 Secondly, there are matters that have probably 21 received more focused attention at this hearing than 22 they may have had in the past. Examples of that, though 23 again only examples, may include the need for closer 24 attention to safeguarding considerations when 25 considering the suitability of candidates for training</p> <p style="text-align: center;">Page 72</p>

<p>1 and ordination; and also the question of whether what 2 Archbishop Justin called "middle way" powers of 3 intervention can be devised in relation either to 4 individuals, so something between mere advice and the 5 CDM process, and to -- and also in relation to dioceses, 6 so whether there is something between informal influence 7 and persuasion and the formal visitation process. And 8 one does need to emphasise that the answer to these 9 questions is not necessarily straightforward, 10 particularly in terms of exactly how you devise these 11 things, and some of these things, I say, certainly not 12 by way of any criticism, have probably emerged 13 prominently only at quite a late stage in the 14 investigation leading to this hearing, so it's not 15 possible for us to put forward a fully considered 16 position at this stage, even in the written submissions, 17 but it is clear that these are matters that call for 18 serious consideration going forward. 19 So, too, does the issue -- not new but a difficult 20 one nonetheless -- of what aspects of safeguarding need 21 to remain with the national church or with a particular 22 diocese and its parishes and how far and where either 23 further centralisation within the church or some 24 additional form of ongoing independent scrutiny may 25 improve the effectiveness of our safeguarding, which is</p> <p style="text-align: center;">Page 73</p>	<p>1 or to government will be of considerable value. 2 Difficult questions about how far there should be 3 a mandatory reporting duty, reinforced by criminal 4 sanctions in the general law and, if so, where the 5 thresholds for triggering it back sort of duty might be 6 set and so on. 7 So what we can say, chair, by way of conclusion, is 8 this: we believe that there is very little that has 9 emerged by way of positive and constructive suggestion 10 from these hearings that is not, at any rate, well worth 11 thinking about. 12 Conversely, we do believe that it can fairly be said 13 that some of the more stark suggestions that have 14 occasionally been mentioned or mooted, such as the 15 abolition of the national safeguarding team or the 16 complete removal of safeguarding functions from the 17 church, or even the complete restructuring of the church 18 along what someone called command and control lines have 19 not found any serious support in the evidence, and 20 certainly nothing by way of specific and defined 21 suggestions that would be likely to help rather than 22 hinder safeguarding in the foreseeable future. 23 This hearing has been designed as a case study, not 24 a comprehensive investigation. It's been necessarily 25 a short one. We don't imagine that the inquiry, in</p> <p style="text-align: center;">Page 75</p>
<p>1 what it is ultimately all about, and there no doubt lies 2 the future debate and discussion about the points -- the 3 sort of points that Mr Scorer has in mind. 4 And then, thirdly, there are matters where at least 5 in view of the church -- some of the church's most 6 closely engaged witnesses, perhaps professional 7 witnesses in particular, the existing position isn't 8 fundamentally flawed but the evidence that's been given 9 has demonstrated that, clearly, there is room for 10 improvement; either that or, perhaps in some cases also, 11 a need for better presentation and a better and more 12 widespread understanding of the position. I'd suggest 13 that one of the most obvious examples here is the duty 14 of reporting that exists under the church's own internal 15 regime and the relationship between this and the 16 requirement to have due regard to guidance, which is 17 addressed in more detail in our written submissions, but 18 the short point is, one can say, on the one hand, that 19 the position is not, as some of the -- not in fact and 20 objectively as some of the critics would have it, but 21 that if there's a lack of clarity, or understanding, 22 then these are things that can and should be improved. 23 Then, fourthly, there are matters which clearly go 24 wider than the church itself and where, in due course, 25 the inquiry's considered recommendations to institutions</p> <p style="text-align: center;">Page 74</p>	<p>1 whatever interim report it may publish following this 2 hearing or the further Peter Ball hearing in July, is 3 likely to pronounce definitively or even to reach 4 perhaps a provisional view on some of the more difficult 5 questions, but we realise that the inquiry may well at 6 some stage indicate some of the ideas that it may wish 7 to investigate further and we know, of course, that 8 a further hearing into the church nationally you plan to 9 take place in 2019. So we do ask for an opportunity to 10 consider some of these issues further, to complete some 11 of the work streams currently in progress, but we fully 12 recognise that the inquiry will be looking, in 2019, if 13 not earlier, to see what progress has been made within 14 the church. Thank you for the opportunity to make those 15 points this morning. 16 THE CHAIR: Thank you, Mr Giffin. Mr Phillips? 17 Closing statement by MR PHILLIPS 18 MR PHILLIPS: Chair, the EIO's part in this hearing has been 19 a modest one. Very limited treatment was given to it by 20 your counsel in the course of her opening on Day 1. 21 Just over a page of transcript out of a total of 22 120 pages in all. She made it clear that the inquiry 23 would be directing further attention to insurance issues 24 in the context of the national church hearings in this 25 investigation to take place next year. That approach</p> <p style="text-align: center;">Page 76</p>

<p>1 was also reflected in the inquiry's treatment of 2 the EIO's witness evidence. Although evidence was 3 requested under rule 9 of the Inquiry Rules and three 4 statements were provided, you haven't heard from the 5 witnesses, and their statements have not been read to 6 you, though they were referred to very briefly in 7 counsel's opening, and one or two small sections were 8 put to witnesses during the evidence. 9 So, against that background, the scope of these 10 closing submissions can be similarly limited. I won't 11 repeat the points I made about the EIO and its work in 12 my opening submissions. You have them on the 13 transcript, between pages 177 and 186 of Day 1. 14 A word first, if I may, about the EIO and the claims 15 about which you have heard evidence. It is important to 16 note first that the EIO was not asked to deal in its 17 witness statements with any specific claim. It may also 18 help to make sure that you have clearly in mind the 19 limited extent of the connection between the EIO and 20 those victims and survivors from whom, or about whom, 21 you have heard evidence; specifically, the following 22 individuals had no connection with EIO at all, either 23 because they made no claim or because their claims were 24 not covered by insurance. 25 First, AN-A15, the very first witness you heard, she</p> <p style="text-align: center;">Page 77</p>	<p>1 important, because it means that, where you have heard 2 or read criticisms of the EIO's handling of any specific 3 claim, you haven't heard the evidence from the other 4 side, and that means, in turn, and in accordance with 5 obvious and basic principles of fairness, it is not open 6 to you at this stage to arrive at any conclusions as to 7 whether any of those criticisms is well founded. To do 8 that without giving the EIO the opportunity to put its 9 side of the argument would obviously be unfair. 10 Now, that said, I should make it clear on behalf of 11 the EIO that it has listened very carefully to the 12 criticisms made and will consider, as it always does, 13 when feedback of this kind is received, what lessons 14 there are for it to learn for the future concerning the 15 handling of these difficult and challenging claims. 16 Chair, can I move on to address some issues dealt 17 with in the evidence which are of relevance to the EIO? 18 First, claims handling generally. The EIO's witness 19 evidence deals with its approach to claims handling at 20 that general level, in particular, in David Bonehill's 21 first statement, paragraphs 14 to 93. You have, of 22 course, heard and read evidence about the EIO's guiding 23 principles. The guiding principles set out the 24 company's approach based on years of experience of 25 handling this type of complex and demanding claim. As</p> <p style="text-align: center;">Page 79</p>
<p>1 made no claim. Next, AN-A7, AN-A8 made claims in 2 relation to Bishop Paul which were uninsured and EIO 3 believes their claims were dealt with by the 4 Church Commissioners. Then third, and in the same 5 category, was Carol's claim, the Bishop Bell claimant. 6 We don't have any evidence from her, but hers was in 7 fact the only case where you have material relating to 8 how the claim was handled from the defendant's side. 9 See, for example, Colin Perkins' second statement at 10 paragraph 29 on page 11, and the detailed evidence he 11 gave to you about that on Days 9 and 10. 12 Which leaves, of the live witnesses, if I can put it 13 that way, the following whose claims were handled by the 14 EIO: Philip Johnson, Professor Macfarlane, and AN-A11. 15 To which of course I should add AN-A17, whose evidence 16 was read this morning. 17 The result is that you have had evidence from these 18 four claimants out of the hundreds dealt with by the 19 EIO's specialist claims handlers. As foreshadowed in my 20 opening submissions, each of the claims was settled 21 either before or at an early stage of litigation and 22 each claimant was represented by specialist solicitors. 23 As I have said, the inquiry has not asked for 24 witness evidence from the EIO in respect of these four 25 claims or indeed any claims handled by it. That is</p> <p style="text-align: center;">Page 78</p>	<p>1 Mr Bonehill explains in paragraphs 39 to 48 of his first 2 statement: 3 "The church, amongst others, was consulted on them 4 before publication, and that's Mr Bonehill at 5 paragraph 45 of the first statement on page 12. And it 6 was confirmed too in other evidence by Graham Tilby -- 7 his first statement, paragraph 267 on page 77. 8 Indeed, the evidence before you is that the church 9 welcomes the approach taken by the EIO in the guiding 10 principles, and plans to follow them when dealing with 11 noninsured claims. Again, it's Mr Tilby, his first 12 statement, paragraphs 267 and 270. 13 Now, Professor Macfarlane indicated in her evidence, 14 you will remember, that she deserved some credit for 15 their content and publication -- Day 7, page 129. The 16 EIO is certainly grateful for her input. However, you 17 may think the important thing is not so much the 18 question of authorship as the fact that they were made 19 public and that, as Mr Bonehill says in paragraph 47 of 20 the first statement, page 13, the EIO thereby made its 21 approach to handling this sort of claim transparent to 22 their customers, to claimants, to potential claimants 23 and their lawyers alike. 24 The guiding principles drew on existing practice and 25 reflected the EIO's experience of handling hundreds of</p> <p style="text-align: center;">Page 80</p>

<p>1 such claims; not all, by any means, made against 2 Church of England defendants. They were the product of 3 that collective experience and knowledge and not just of 4 Professor Macfarlane's claim. They reflect, we suggest, 5 good practice, not just in their content, but also in 6 the very fact that they have been made public. 7 I told you in my opening that they are currently 8 under review by the EIO. What you learnt in the hearing 9 is that Professor Macfarlane plans her own review of how 10 they are operated in practice. Mr Frank indicated that 11 the inquiry will be interested in the results of that 12 review. So, it should go, I hope, without saying, will 13 the EIO. 14 Now, turning from the guiding principles to some 15 specific claims handling topic, I'd like to deal briefly 16 with two: payment for counselling and pleaded defences, 17 including limitation. 18 Counselling first. Again, the general approach -- 19 Mr Bonehill's first statement, paragraph 90 -- the 20 guiding principles, paragraph 4. But you may think it 21 was also graphically illustrated in relation to the 22 Chichester Diocese by the evidence that you heard, 23 beginning with Philip Johnson's on Day 2 at page 79. 24 You may remember he drew the contrast in terms of 25 funding for counselling between the period before the</p> <p style="text-align: center;">Page 81</p>	<p>1 first statement, and 16 to 20 of his second statement. 2 And of course paragraph 7 of the guidance. That 3 material sets out the processes which must be gone 4 through before such a defence can be pleaded. 5 He explains, Mr Bonehill explains, in paragraph 81 6 of his statement that, from an analysis of 334 claims, 7 the point was taken in 4 per cent. 8 In relation to consent, the position is even 9 starker: the same sample of well over 300 claims showed 10 that in only 0.3 per cent had the defence been pleaded. 11 Now, as I have said before, in relation to the 12 decisions to run specific points in 13 Professor Macfarlane's case, you haven't had any 14 evidence on the other side from the EIO, and so at this 15 stage, in my submission, you cannot fairly reach any 16 conclusions. 17 May I next turn to the Carlile Review? You have 18 heard a great deal of evidence about this. The inquiry 19 asked the EIO for further evidence on questions relating 20 to Lord Carlile's report. Although I think I'm right in 21 thinking you haven't been taken to that evidence, which 22 is in the second statement of Mr Bonehill. I don't 23 think it has been referred to at any point during the 24 hearing. 25 The first point I want to emphasise is that the EIO</p> <p style="text-align: center;">Page 83</p>
<p>1 EIO became involved and the period after that. As he 2 put it, "Things changed after I issued a claim, after 3 which point funding was agreed, and it was 4 uninterrupted", and that chimed with the evidence you 5 heard from the diocese itself. Bishop Hind, Day 3, 6 between pages 105 and 109; and Archdeacon Jones, the 7 same day, Day 3, between 180 and 184. They both 8 described the difficulties the diocese had in finding 9 the funding for counselling. The archdeacon made clear 10 to you that their failure to fund counselling in 2009 11 was due to internal financial constraints. 12 Evidence to the same effect was also given by 13 Shirley Hosgood -- Day 2, between pages 143 and 145. 14 She it was who also made the point in answer to 15 questions from Mr Frank that the EIO were, and I quote, 16 "always very, very supportive of counselling", further 17 noting that in the Roy Cotton case the insurers were 18 quite keen to put in place some arrangements as a sort 19 of halfway position before a final settlement was 20 agreed. 21 Turning to the defences, of the EIO claimants from 22 whom you've heard evidence, it was really 23 Professor Macfarlane who made criticisms on that front. 24 In terms of general approach, you have the evidence of 25 Mr Bonehill on limitation, paragraphs 77 to 81 of his</p> <p style="text-align: center;">Page 82</p>	<p>1 played no part in the handling of that claim nor indeed 2 in the review itself. That is important because, as 3 Colin Perkins explained to you in his second statement 4 and when he gave evidence to you, the key to 5 understanding what happened when the church dealt with 6 the claim was just that: it was an uninsured claim. 7 Paragraph 29 of his second statement, and his evidence, 8 Day 10, between pages 20 and 21. 9 Mr Tilby, you may remember, made exactly the same 10 point -- Day 12, page 96 -- when he said the other part 11 of the context is that this was an uninsured claim, it 12 was a civil claim. In fact, really, the two things got 13 conflated. Then, if you remember, he made the point the 14 core group became the body that was trying to deal with 15 the civil claim. 16 I would ask you, too, to remember the chronology 17 here. The claim was settled in 2015. The guiding 18 principles were published in the summer of 2016, before 19 the Carlile Report was published. As I have said, the 20 church has now indicated in Mr Tilby's evidence that it 21 intends to follow the approach set out in the principles 22 when handling future uninsured claims. 23 So far as the specific criticisms and 24 recommendations of Lord Carlile is concerned, many are 25 addressed in Mr Bonehill's statement, and it is fair to</p> <p style="text-align: center;">Page 84</p>

<p>1 say that the EIO does not agree with Lord Carlile on 2 a range of issues. May I just mention two? 3 First, and ironically, in the light of the points 4 made to you by Professor Macfarlane, Lord Carlile 5 criticised the church for not paying enough attention to 6 limitation as a potential defence to Carol's claim. You 7 may think that Colin Perkins addressed this convincingly 8 in his second statement, paragraphs 47 to 51, and in his 9 evidence to you, Day 10, between pages 31 and 33. The 10 EIO also agrees with Mr Perkins about confidentiality 11 clauses in settlements. Again, his evidence Day 10, 12 between pages 33 and 34. Its policy -- paragraph 10 of 13 the guiding principles -- is clear: you will not include 14 such a provision in a settlement agreement unless that 15 is specifically requested by a claimant. This approach 16 you may think accorded with the views of a number of 17 other church witnesses, not least the Archbishop of 18 Canterbury Justin Welby, his evidence, Day 13, between 19 pages 121 and 123. 20 Which brings me finally to the future and 21 recommendations. You have heard and read, no doubt, 22 a very considerable amount of evidence under this 23 heading covering a very wide range of topics. Most of 24 that evidence is of no direct relevance to the EIO. It 25 concerns the church, of course, its structures, policies</p> <p style="text-align: center;">Page 85</p>	<p>1 about, he is quite clear that, as diocesan bishop, he 2 took responsibility for them. Nothing that I say today 3 is intended to dilute that responsibility. 4 Second, nothing that I say is intended to divert 5 attention away from the terrible cases of abuse which 6 occurred in the Diocese of Chichester or from the 7 lifelong suffering of those who are victims and 8 survivors of that abuse. Those are facts which will not 9 go away, however much lawyers may argue about who is to 10 blame for some of the ways in which those cases were 11 dealt with. 12 Left to himself, I suspect that Bishop Hind might 13 not have chosen to contradict any criticisms which would 14 otherwise have come his way. As Colin Perkins said at 15 paragraph 54 of his first statement, Bishop Hind has 16 a tendency to be overly self-critical. Nevertheless, 17 this inquiry needs the truth. Bishop Hind is not afraid 18 to confront the truth, even when it's painful for him. 19 But where criticism is not appropriate, he realises that 20 just accepting it would not be truthful and would not 21 help the inquiry. It is not really about blame, it is 22 about understanding what happened. 23 That is why it is necessary to address the rights 24 and wrongs of some of the events that you have heard 25 about and the strengths and weaknesses of the work that</p> <p style="text-align: center;">Page 87</p>
<p>1 and procedures. 2 The EIO was not asked to deal with any points of 3 this kind in its evidence and, as you know, no EIO 4 witness was called to give evidence to you, and so 5 nobody from the company has had a chance to give their 6 view to you on the very limited range of points raised 7 in other evidence which are of more direct concern to 8 it. 9 If you want the EIO's considered view on those 10 matters, then you will no doubt ask for it at the 11 appropriate moment. 12 In short and in conclusion, if you want help on 13 these or indeed any other matters, then, as I said at 14 the outset of the hearing, the EIO stands ready to 15 assist. Thank you. 16 THE CHAIR: Thank you, Mr Phillips. Mr Bourne? 17 Closing statement by MR BOURNE 18 MR BOURNE: Chair and panel, thank you. Although 19 I represent both Bishop Hind and Mrs Hind and have 20 lodged written submissions on behalf of both, these oral 21 submissions are on behalf of Bishop Hind. 22 There are two important things to say by way of 23 introduction. First, Bishop Hind understands the 24 concept of responsibility. However great or small 25 a part he played in any of the events you have heard</p> <p style="text-align: center;">Page 86</p>	<p>1 was being done in Chichester at the relevant time. 2 I should add, these submissions are not directed at 3 the more national and structural issues about which you 4 have been addressed by others today. 5 Now, the inquiry knows that a cluster of non-recent 6 cases was discovered in Chichester, and it knows that 7 some very serious problems occurred in the diocesan 8 management of those cases. Bishop Hind does not suggest 9 otherwise, and I will come to those problems in 10 a moment. 11 Nevertheless, the evidence should not persuade you 12 that Chichester was lagging behind other dioceses when 13 it came to safeguarding. From 1997, Chichester 14 benefited from the work of Janet Hind, who of course 15 went on to become national child protection adviser from 16 2002 to 2006. Ahead of some other dioceses, Chichester 17 had professional child protection advisers or DSAs from 18 1997. Its past cases review was conducted by an 19 independent reviewer, unlike some others. It had 20 required confidential declarations from clergy in post 21 from 1998 and by 2012 Colin Perkins was introducing 22 protocols of the kind which are now being introduced by 23 the church nationally. 24 Most importantly, Bishop Hind placed safeguarding at 25 the top of his agenda throughout his time in office, and</p> <p style="text-align: center;">Page 88</p>

<p>1 there's an abundance of evidence to show that his 2 colleagues recognised this. In the written submissions 3 we give you references to the evidence of Edina Carmi, 4 Bishop Reade, Keith Akerman, Bishop Sowerby and 5 Colin Perkins, among others. 6 When you come on to the detail of events in 7 Chichester, you, as a panel, will be faced with some 8 particular challenges and difficulties about sifting 9 disputes of fact and resolving conflicts of evidence. 10 Over the years, it's become apparent that public 11 inquiries cannot permit themselves the time and expense 12 which used to be allowed. Faced with the necessity to 13 complete this case study, you have, in the last three 14 weeks, been presented with a prodigious quantity of 15 evidence. Only a fraction of it has been heard in this 16 room and even that fraction makes up a lot of material. 17 In addition, you have had the parts of the statements 18 that were not explored orally with witnesses and all the 19 statements of witnesses who weren't called to give oral 20 evidence and, on top of that, a mountain of 21 documentation. 22 For the inquiry team to have made itself ready for 23 this hearing and for the inquiry to have traversed this 24 much ground in three weeks is a considerable 25 achievement, but it comes at something of a price. The</p> <p style="text-align: center;">Page 89</p>	<p>1 planning just to read any of the written submissions. 2 As I have said, we hope that the inquiry will come 3 to a balanced view which acknowledges strengths and 4 weaknesses, successes and failures, but that's not how 5 the events in Chichester have always been judged. 6 I, too, will remind you of that email between two 7 officials at Lambeth Palace in October 2010 which said 8 Bishop Hind "may have to be thrown to the press as 9 a sacrifice". 10 In oral evidence, Lord Williams, quite rightly, 11 apologised for that email, but it is a reminder of what 12 the diocesan bishop was up against. I have said that 13 Bishop Hind accepts responsibility, but that's not the 14 same as saying that whatever went wrong should be blamed 15 on him. 16 Before the inquiry even gets to the question of 17 blame for any failures, however, it first needs to 18 decide what those failures were, and that task is not 19 entirely straightforward. One of the main subjects in 20 the written submissions, and on which I want to address 21 you now, is the Archbishop's Visitation or, to be more 22 precise, the conclusions reached by the archbishop's 23 commissaries. 24 It would of course make the inquiry's task much 25 easier if it could just take the commissaries findings</p> <p style="text-align: center;">Page 91</p>
<p>1 parties of course have not been able to cross-examine 2 witnesses as they would have done in litigation, or 3 indeed in some of the public inquiries of the past. The 4 rule 10 mechanism is not a substitute for 5 cross-examination. It would be misleading to view it as 6 if it were. Meanwhile, I am sure that all the legal 7 teams in the room have been stretched to the limit by 8 the task of identifying and absorbing all relevant 9 documents, and I'm sure that mine is not the only team 10 to be stretched by the task of making closing 11 submissions within 48 hours of hearing the last witness. 12 In public inquiry practice, it is quite unusual not to 13 give a much longer period for submissions. 14 Now, I'm not saying that this is not a valid way in 15 which to proceed, but it will be necessary for the 16 inquiry to recognise that all of us have had to be 17 selective. There is no way that either these oral 18 submissions or our written submissions could cover every 19 point which might prove to be relevant. I hope the 20 panel will keep these factors in the forefront of their 21 minds when they come to decide what issues they can 22 resolve and when they resolve them. 23 Practically, our approach is largely to put the 24 detail in writing and to use these oral submissions to 25 make some slightly more general points. I am not</p> <p style="text-align: center;">Page 90</p>	<p>1 as a given and use them as a baseline. Unfortunately, 2 that is not a safe course. Bishop Hind believes that 3 the visitation was basically a good thing because it 4 helped to accelerate improvements in safeguarding 5 practice. He also fully supported the implementation of 6 the commissaries' recommendations, but some of their 7 findings are not agreed. 8 In particular, the interim report adopted the word 9 used by Bishop Hind, "dysfunctional", and used it to 10 describe the diocese as a whole and expressed the view 11 that in 2012, and I quote, "This dysfunctionality 12 continues to impinge upon the adequacy of safeguarding 13 within the diocese". 14 What the commissaries should have found was that 15 there was one serious cause of dysfunction, namely, that 16 a series of intractable disputes had arisen between 17 Bishop Wallace Benn and a number of other individuals, 18 including the former DSA Shirley Hosgood, 19 Roger Meekings, Bishop Hind, Archdeacon Jones, 20 Baroness Butler-Sloss and the new DSA Colin Perkins. 21 That problem had a disastrous effect on the diocesan 22 response to the victims and survivors in the cluster of 23 cases of non-recent abuse. 24 But if the commissaries had then put that major 25 problem on one side, and asked themselves, what, if any,</p> <p style="text-align: center;">Page 92</p>

<p>1 other systemic problems were there, the answer should 2 have been that by 2012, by national standards, 3 safeguarding practice in Chichester was improving across 4 the board and in some respects it set a good example. 5 As at 2012, the picture painted by the visitation 6 interim report was in some respects an unfair one. 7 Now, before 2008 when Bishop Hind commissioned the 8 independent Roger Meekings to carry out the past cases 9 review, we have not heard about many safeguarding issues 10 coming to Bishop Hind's attention. His statement 11 describes what he did about those early cases. In 12 particular, you have heard that in the wake of 13 the Terence Banks case, the bishop commissioned the 14 independent Carmi Report, and back in September 2001, he 15 wrote a letter to the victims of Banks, and I quote, 16 saying "how sorry I was for the way in which they'd 17 suffered, while recognising that nothing I could say or 18 do could undo the past and the pain it had caused them". 19 In relation to those early years, Bishop Hind freely 20 admits that he and his colleagues had much to learn. 21 They had much to learn about recognising abuse and the 22 sort of open communication that would help to root it 23 out. They had much to learn about non-recent abuse, 24 about how normal it is for many years to pass before 25 victims report it to anyone and how a case is no less</p> <p style="text-align: center;">Page 93</p>	<p>1 question of culture. The word occurs frequently in the 2 various reports that you have seen and in the evidence 3 of witnesses and the legal submissions. To take just 4 one example, one of the recommendations of 5 the commissaries was a change in culture must be created 6 in which the sanctity, dignity and well-being of 7 children and vulnerable adults is openly and 8 transparently at the heart of the diocese. Nobody could 9 disagree with that recommendation, but there are 10 difficulties with the word "culture". The main 11 difficulty is that, at best, it tends to be a shorthand 12 for something more specific or more tangible. For 13 example, if a report is going to conclude that an 14 organisation or a group of people ought to have certain 15 rules or procedures, then I would submit that that's 16 what the report should say. Conversely, if a report 17 wishes to criticise a particular attitude or opinion, it 18 should try to identify who it is that holds the 19 offending attitude or opinion, and then explain how or 20 why it could be changed. 21 It matters in this inquiry because we have heard 22 a number of different suggestions about culture or 23 cultures. In some cases, this just refers to ignorance 24 of safeguarding principles or an absence of good 25 safeguarding procedures. But in other cases, it seems</p> <p style="text-align: center;">Page 95</p>
<p>1 serious because of the passage of time. 2 They had much to learn about sex offenders and about 3 the need to be alert for evidence which may come from 4 different sources at different times and in different 5 forms. Most of all, they had much to learn about the 6 needs of victims and survivors and the need to place 7 them at the heart of safeguarding practice. 8 Chair, the purpose of these submissions is not to 9 make excuses, but it is to place on record the positives 10 which it is fair to put alongside the negatives and also 11 the context. The first decade of this century was 12 a time in which much was learned about child sexual 13 abuse and about safeguarding. Many institutions and 14 public bodies had to learn similar lessons at the same 15 time. Police practice changed during those years. 16 Multi-agency working became much more a matter of 17 course. You have heard evidence that the 18 Church of England, at a national level, was also 19 learning these same lessons at the same time and is 20 continuing to do so. 21 As I have said, much of the practice in Chichester 22 compares well with the national picture, building on 23 foundations laid by Mrs Hind and her successors. 24 Before I come to the problems which developed from 25 2009 onwards, I would like to say more about the</p> <p style="text-align: center;">Page 94</p>	<p>1 to refer to theological or religious beliefs. Some have 2 said, and some have merely hinted, that opposition to 3 the ordination of women is linked to a more general 4 misogynistic attitude and it has also been said or 5 hinted that this has some connection with sexual abuse 6 or the way in which abuse cases have been dealt with. 7 Another example is the suggestion that those holding 8 particular theological views relating to same-sex 9 orientation may have allowed those views to affect the 10 way in which abuse cases have been dealt with. 11 The submission I make is that any findings about 12 culture in Chichester will need to be carefully 13 elucidated. In particular, it may be very important to 14 identify who is and is not part of any culture which you 15 find to have existed. 16 So far as safeguarding is concerned, the only 17 culture to which Bishop Hind and Mrs Hind belong is the 18 culture of those who care passionately about 19 safeguarding. 20 That brings me to the topic of the difficulties 21 which occurred in the diocese from 2009 onwards. When 22 Roger Meekings produced his report on the cases of 23 Cotton and Pritchard in May 2009, the findings were 24 disputed by Bishop Benn. Bishop Hind received legal 25 advice from the diocesan registrar, supported by the</p> <p style="text-align: center;">Page 96</p>

<p>1 judgment of the diocesan secretary and Archdeacon Jones, 2 both of whom had legal training, to the effect that 3 Bishop Benn might have grounds to challenge the 4 findings, and this inhibited the bishop from sharing 5 that report with the DSA, Shirley Hosgood, and with the 6 diocesan safeguarding group. 7 It's quite clear that this damaged the relationship 8 with Mrs Hosgood and was one of the factors leading to 9 her resignation in 2010. 10 During this period, the relationship between 11 Bishop Benn and Mrs Hosgood deteriorated to a point 12 where Bishop Benn would not meet her without a witness 13 present, and Bishop Hind had decided to attempt 14 mediation between them at the point when she resigned. 15 Bishop Hind sought to move matters forward by 16 commissioning the further investigation by 17 Baroness Butler-Sloss. For the record, she was not 18 chosen because it was thought anyone would be safe in 19 her hands. 20 Unfortunately, that move also led to a further 21 situation of deadlock with Bishop Benn. 22 In addition to the loss of Mrs Shirley Hosgood's 23 services, another effect of these events was delay in 24 implementing some of the recommendations of the Meeking 25 and Butler-Sloss reports. It will be for the inquiry to</p> <p style="text-align: center;">Page 97</p>	<p>1 years trying to get the church to accept his allegations 2 and respond with timely action and recognition of his 3 abuse. I am very sorry for the way in which my handling 4 of the conflict between Shirley Hosgood and Wallace Benn 5 delayed my meeting with Mr Johnson, affected my ability 6 to share the recommendations, if not the whole report, 7 with him, and my response to his letters. It is he to 8 whom, above all, I want to apologise and at the same 9 time to thank for his persistence. 10 "In this context, I regret very much not having 11 immediately discussed the Meekings Report with 12 Mrs Shirley Hosgood. I now recognise the 13 inappropriateness of some of my language in my letter 14 of August 2008 to the victims of Colin Pritchard. 15 Although I had to take legal advice into account, 16 I think that even at the time, I could have found words 17 that acknowledged that the abuse happened in a church 18 context and written in a more empathetic way. In 19 retrospect, I am also sorry that I was not proactive in 20 getting the DSA to offer victims the opportunity to meet 21 me." 22 Chair and panel, thank you very much. 23 THE CHAIR: Thank you, Mr Bourne. Mr Brown? 24 25</p> <p style="text-align: center;">Page 99</p>
<p>1 decide the extent to which it can resolve certain 2 conflicts of evidence about some of the details. Our 3 written submissions say rather more about those matters 4 of fact. 5 But, on any view, Bishop Hind is quite clear that he 6 had responsibility for resolving that situation. He is 7 profoundly sorry that he was not able to resolve it. As 8 his witness statement says, if he had his time again, he 9 would, in particular, try to be more robust in the face 10 of Bishop Benn's objections to the reports. 11 But any conclusion that he failed to do so because 12 of any lack of commitment to safeguarding would be 13 unfair and contrary to the evidence. Of course that 14 doesn't mean that mistakes and failures were not 15 important and didn't cause pain. 16 Bishop Hind would like this submission to finish 17 with an apology to victims and survivors, and in doing 18 so, he is of course aware of the views expressed, for 19 example, by witness A8 a few days ago about how 20 apologies may be misused. He wants me, nevertheless, to 21 end with these words, which are his own: 22 "I accept Roger Meekings' comments that the victims 23 were effectively denied the opportunity of being 24 believed in a meaningful sense and denied the 25 opportunity of timely justice. Mr Johnson spent many</p> <p style="text-align: center;">Page 98</p>	<p>1 Closing statement by MR BROWN 2 MR BROWN: Chair and panel, I can be very brief indeed. You 3 know that two statements of the Chief Crown Prosecutor 4 South East have been read into the record. They are 5 going to be uploaded onto the website, so they will be 6 available for you to consider where they remain relevant 7 to the issues that you are now looking at, and of course 8 they will be available for the core participants, 9 members of the public and other interested parties also 10 to consider them at any point. They deal, in those 11 statements, with the involvement of the CPS in the cases 12 as requested by the inquiry. So it is all there, as it 13 were, to be read as and when it is relevant to the 14 issues you are now looking at, and you will find there, 15 as you will now be readily aware of the Code for Crown 16 Prosecutors that necessarily governs the statutory 17 approach that the Crown Prosecution Service on any case, 18 in fact. Those tests will be familiar to you now, but 19 they are also in the statement for you to refer to, if 20 you wish. 21 Finally, this: the evidence provided in those 22 statements rightly hasn't dealt in any detail with the 23 question of Peter Ball, knowing that this will be 24 examined carefully in July. Plainly, there will be 25 issues for the panel to address then, and we will seek</p> <p style="text-align: center;">Page 100</p>

<p>1 to assist in any way we can at that hearing, and in the 2 period leading up to it. Thank you very much. 3 THE CHAIR: Thank you, Mr Brown. Finally, Mr Underwood? 4 Closing statement by MR UNDERWOOD 5 MR UNDERWOOD: Good morning. Chair and panel, we bear 6 firmly in mind what you are seeking to achieve in this 7 part of the inquiry and, to quote from your own website, 8 "This investigation will assess the appropriateness of 9 safeguarding and child protection policies and practices 10 in the Anglican Church. It will consider the adequacy 11 of the past cases review of the Church of England and 12 the historic cases review of the Church of Wales. As 13 a case study it will consider the experience of 14 the Diocese of Chichester where there have been multiple 15 allegations of sexual abuse and numerous investigations 16 and reviews." 17 We would suggest that the evidence has amply borne 18 out the choice of Chichester as a case study from which 19 perhaps to extrapolate and apply lessons. On the one 20 hand, there is clearly a very unfortunate history of 21 what Bishop Wallace described as a "paedophile ring" 22 there, another witness described the safeguarding 23 situation, amongst senior clergy, at least, as a "basket 24 case". The reactions of admissions of criminality by 25 clergy was clearly poor and there were increasingly</p> <p style="text-align: center;">Page 101</p>	<p>1 He went on: 2 "I think the problem there was -- which we didn't 3 always realise, but we accepted -- that these historical 4 investigations always had to take second place to 5 something that was coming in through the front door, you 6 know, the 3-month old child with a spinal fracture had 7 to be responded to immediately, so unfortunately, those 8 cases at times were left in lieu of the other work we 9 had to complete." 10 Chair and panel, this Police Service understands the 11 need to inspire confidence in policing. Unless those 12 victims and survivors of child abuse have confidence in 13 the police and the system in which police form a part, 14 they are not going to come forward. They are not going 15 to redress the wrongs. 16 That's all on the one hand. On the other hand, what 17 you have heard is that the culmination of what 18 Bishop John did was the Butler-Sloss work and then the 19 visitation. We would respectfully suggest you can see 20 that at least as the beginning of the turning point, 21 both in policing and in the attitude of the church 22 itself in Chichester. 23 It may not be a complete transformation, but we 24 suggest that, in assessing what was wrong and 25 subsequently what's been done right, you may be able to</p> <p style="text-align: center;">Page 103</p>
<p>1 desperate attempts to resolve the culture by way of 2 independent reviews. 3 Significantly, as Mrs Hall pointed out, that was 4 just a part of this church and also other churches, as 5 she said at Day 13, page 41: 6 "Every single church, and not just the 7 Church of England, has to face the fact that the culture 8 needs to change to do that." 9 In addition to what you have heard about the church, 10 of course -- this is my perspective -- there were 11 examples of relevant police investigations which we 12 frankly accept, and I quote, "do not inspire 13 confidence". That's what Mr Taylor said in his witness 14 statement. 15 Not inspiring confidence may sound like an 16 understatement. It is not, of course. On the part of 17 a police service which cares about such things, that's 18 actually trenchant self-criticism, and I will come to 19 show what we have done about that. 20 You may think the key to what went wrong in terms of 21 the lack of confidence there was touched on by Mr Hick 22 when he gave his evidence on the first Friday, and I'm 23 quoting, he said: 24 "Yes, I think this was at a time when policy was in 25 development."</p> <p style="text-align: center;">Page 102</p>	<p>1 learn valuable lessons for the extrapolation exercise of 2 which this case study forms a part. 3 We are here to help, as we have said from the 4 outset, necessarily from a policing perspective but 5 hopefully with a slightly backstanding, as it were, 6 approach, so we can give you some sort of objective 7 assessment of how we see policing fitting in to what the 8 church has done. 9 The starting point, we would say, is the church 10 didn't recognise fully, before 2011, the way in which 11 abuse, revelations of abuse, fitted in with policing. 12 If the church had evidence of abuse, it didn't 13 necessarily regard it as a first, or any, priority to 14 report it to the police. 15 Its loyalties towards clergy, on the one hand, and 16 victims, on the other, were confused and divided, we 17 would respectfully suggest. As I have admitted, 18 Sussex Police did not itself apply best practice to 19 victims or survivors and I have pointed out what Mr Hick 20 said about that. In the early 2000s, child protection 21 teams were an additional small team within CID and it 22 was only in the mid 2000s the structure began to change 23 towards public protection, and complex abuse units had 24 not then been established. 25 Neither, importantly, was there a full understanding</p> <p style="text-align: center;">Page 104</p>

<p>1 before Butler-Sloss, at least, of how to knit together 2 a pattern of offending and, importantly, where to look 3 for all the material. You have heard about the dazzling 4 array of colours that church files had and where they 5 might have been spread around amongst the diocese 6 itself. That generalised failure to understand where 7 all the evidence may be was clearly a lacuna, we would 8 suggest.</p> <p>9 Other people have said that this inquiry itself has 10 formed a component of the change, and I would 11 respectfully adopt that. We, for example, learned from 12 what Professor Macfarlane said when she spoke, you will 13 recall, about difficulty in getting through to the 14 officer in the case, but actually having an outstanding 15 experience of getting through to a case handler. So 16 even during the course of the evidence we have heard, we 17 and, I would respectfully suggest, the church have been 18 picking up lessons along the way, but you will obviously 19 want to be looking next to see what has actually 20 happened for the last eight years or so.</p> <p>21 So far as we are concerned, Sussex Police, the 22 wake-up call was Butler-Sloss. The response to that is 23 at exhibit number 3 to Mr Taylor's evidence, and if 24 I can quote from some parts of that, he says: 25 "It is acknowledged that in very recent years the</p> <p style="text-align: center;">Page 105</p>	<p>1 witnesses were provided with contact details for their 2 support officers and arrangements made to manage 3 abstractions, et cetera, to maintain consistent 4 availability for support and communication purposes. 5 This proved to be good practice to overcome challenges 6 for the long-term inquiry and maintain good 7 communication, positivity and consistency among the 8 group. All victim contact was shared between three core 9 officers. Each victim was contacted by the method of 10 their choice, ie, phone, text or email. Care was taken 11 to manage each victim according to their needs and 12 sometimes this required personal visits to manage 13 sensitive matters. On numerous occasions officers took 14 calls from victims and witnesses outside of their work 15 hours, at weekends, and sometimes at personal 16 inconvenience to manage concerns where necessary."</p> <p>17 He went on to talk about extended hours, short 18 notice, change of shifts, et cetera.</p> <p>19 AN-A8 spoke about this. He was asked by 20 Ms Scolding: 21 "Question: Other than the fact that the interview 22 room was chilly, are there any other observations, 23 either positive or negative, you want to make about the 24 way the police and the CPS handled the case as it then 25 ultimately went to trial?"</p> <p style="text-align: center;">Page 107</p>
<p>1 level of cooperation between the Diocese of Chichester 2 and police has vastly improved. This is largely due to 3 the introduction of good practice guidelines and 4 policies for working together. It is acknowledged that 5 the improvements are also very much due to the efforts 6 of trusted professionals, both within the Police Service 7 and the diocese. This review recommends that every 8 effort should be made to agree a benchmark and to 9 formalise a mechanism for sharing information."</p> <p>10 So that was our response.</p> <p>11 It is now plain that victims and survivors have got 12 to have the confidence in the church and the police that 13 they will be treated with the dignity and the humanity 14 which their abuse calls for. If I can lift some 15 passages from what Mr Taylor said in relation to the 16 investigation into Peter Ball, you will see the way in 17 which the police have adapted themselves to that. He 18 says: 19 "It was understood from the outset of 20 Operation Dunhill that careful and sensitive management 21 of victims and witnesses would be key to a successful 22 outcome. Contact records were maintained for each 23 victim and witness and the Operation Dunhill team 24 members had secure access to these logs so that they 25 could be updated with the latest position. Victims and</p> <p style="text-align: center;">Page 106</p>	<p>1 "Answer: They were incredibly kind. That's what 2 I would say, first and foremost.</p> <p>3 "Question: Were you kept informed of 4 the investigation's progress and offered any particular 5 support either by the police or the CPS or the Diocese 6 of Chichester? 7 "Answer: Certainly by the police. They said they 8 had some sort of victims helpline thing set up. 9 I didn't take advantage of it, but it was nice to know 10 it was there."</p> <p>11 All of that evidence I respectfully suggest is 12 emblematic of a change in policing. Traditionally, of 13 course, investigations were directed towards catching 14 villains and bringing them to trial. There is now 15 rooted recognition of the need for safeguarding. If 16 I can give you a couple of quotes from the way in which 17 Sussex Police advance themselves publicly on their 18 website. Under their "Priorities" they have got three 19 bullet points, and they are these: 20 "Keep communities safe and feeling safe. 21 "Identify and protect vulnerable people. 22 "Prevent and respond to harm." 23 It is modern policing. 24 The website goes on at some length about 25 vulnerability, and how officers should deal with people</p> <p style="text-align: center;">Page 108</p>

<p>1 who are identified as vulnerable, and about the 2 differences that can be made. 3 Under the difference you can make, each officer is 4 told this: 5 "Policing policies, processes and interactions with 6 the vulnerable can have a significant impact on their 7 lives, both in the short and long term. Our ability to 8 engage and interact with the vulnerable will affect our 9 relationship with them and ultimately our effectiveness 10 in reducing policing demand in the future by preventing 11 people from becoming victims or offenders. Every 12 interaction we have with vulnerable people is both an 13 intervention and an opportunity. Every time we have 14 contact, whether on the phone, by email or in person, we 15 leave a mark. This can influence people's opinion of 16 the police, whether they choose to support an 17 investigation or whether they call on us for help again 18 in the future. Engagement should be positive to build 19 on trust and enhance our relationship. Hear what the 20 victim is really saying and respect their opinion." 21 So, as I have endeavoured to suggest, policing has 22 got it. That's not the policing one would have expected 23 to see 10 years ago. The attitude has changed 24 radically. 25 To give you an idea also how that looks in concrete</p> <p style="text-align: center;">Page 109</p>	<p>1 consider what information is required and where it is 2 likely to be and take immediate steps to secure it 3 within each agency. A vast range of documentary 4 information will exist on personal files, personnel 5 files, emails, general establishment records and 6 registers. Clear protocols and procedures for 7 investigative access to this material will need to be 8 established at an early stage." 9 Moving on to liaison with the church, clearly, 10 that's improved radically. Again, you have seen that 11 through witness after witness, and the evidence from 12 Mr Taylor in his statement acknowledges difficulties in 13 the past. He goes on to say: 14 "Sussex Police now sit on the bishops' safeguarding 15 panel and information sharing arrangements have been 16 revised. Voluntary and community sector workers in 17 contact with children and families are subject to 18 statutory guidance Working Together and faith 19 organisations are now specifically mentioned." 20 You have seen Ms Carmi's evidence and the SCIE audit 21 report for 2016 which praises the way in which there is 22 now meshing between the Diocese of Chichester and the 23 Sussex Police, and she ends up with: 24 "A very good piece of work is a mapping exercise 25 between the diocese and Sussex Police to track where</p> <p style="text-align: center;">Page 111</p>
<p>1 terms, Sussex Police public protection budget -- and 2 this, I should say, counts for adults as well as 3 children -- in 2016 and 2017 was £16.8 million; for 4 2017/19 it is £19.3 million; and for 2018/2019 it is 5 £19.8 million. Phenomenal sums in times of strained 6 economics. 7 There are almost 400 officers and staff in the 8 public protection command in Sussex Police alone. 9 If I can move on to record keeping. You have seen 10 a lot about that in the evidence in relation to 11 Sussex Police and the investigations in the early 2000s, 12 and of course you have heard a lot about it in the 13 church. It manifestly -- that's improved on both parts. 14 You have heard about that in terms of the church. You 15 have seen it in Mr Taylor's witness statement at great 16 length about how record keeping -- rather, the 17 maintenance of records has changed. 18 Again, going back to the Sussex Police website, it 19 recognises the importance of integrating bits and pieces 20 of material, which may be spread out over large places 21 over a course of time. It says: 22 "One of the most difficult issues in complex abuse 23 investigations relates to the tracing, use, management 24 and disclosure of documentary information relevant to 25 the investigation. The investigation team should</p> <p style="text-align: center;">Page 110</p>	<p>1 there are safeguarding issues and who is involved." 2 Mr Perkins gave clear evidence about the way in 3 which that's changed. A word on him. He was, if I may 4 respectfully say so, clearly an impressive witness and 5 a very impressive professional. 6 A tendency of the evidence pre 2011 about the 7 Diocese of Chichester was that it bore on the 8 relationship between senior individuals and it would be 9 tempting to think that the way in which the diocese 10 worked may still be true, that as long as individuals 11 get on and as long as there are good individuals there, 12 you will have a good impact, but that could change if 13 those individuals go or relations sour in some way. 14 What we would respectfully suggest is that 15 Mr Perkins' evidence coupled with the evidence you have 16 got from Sussex Police shows there have been stepped 17 changes in the way in which safeguarding is actually 18 constructed in the diocese and in which the engagement 19 with the police is set up so that it doesn't rely on 20 personalities to work. 21 You may get some comfort from the way in which 22 convictions have been rolling in since 2011 and the way 23 in which sentences have been strikingly longer. 24 Ms Scolding went through at some length on the first day 25 in her opening how this ran from 2011 through 2013,</p> <p style="text-align: center;">Page 112</p>

<p>1 2015, 2017, sentences which ranged up to Mr Howarth's, 2 which, as I understand it, was actually 14 years. You 3 have heard varying figures on that. Of course, 4 Bishop Ball as well. 5 More recently, Colin Pritchard, as we know him, 6 sentenced on 22 February this year for seven offences 7 between 1987 and February 1991, and he was sentenced to 8 a total of 16 years' imprisonment. 9 The fact that people are now being brought to trial 10 is not of itself a sign everything is being put right. 11 The fact that they are getting longer sentences is not 12 a sign that everything is put right. What I'm 13 suggesting is they, together with the way in which 14 things have changed on the ground and which structures 15 have been put in place, show a direction of travel. 16 There is no scope for complacency here, we readily 17 accept. What we do respectfully suggest is that there 18 is very compelling evidence to show a very important set 19 of changes since 2011 both in the diocese and in 20 Sussex Police, but, more importantly, as between them. 21 Now, chair, we don't know yet whether you are going 22 to want a process of further engagement in terms of 23 recommendations. If you do, we are, again, here to 24 help, and would be very willing to assist on that. But 25 we have listened throughout. If we don't get a chance</p> <p style="text-align: center;">Page 113</p>	<p>1 the inquiry staff for ensuring the smooth progress of 2 the hearings. 3 We will now review all of the material and evidence 4 and will begin to prepare a single report which will set 5 out our findings on both this case study and that 6 concerning responses to offending by Peter Ball. 7 We will not be in a position to draft those sections 8 of the report that relate to Peter Ball and complete 9 this report until after the further case study hearing 10 which will take place, as you know, in July of this 11 year. Our hope is we will then be in a position to 12 publish a single report concerning the Chichester and 13 Peter Ball case studies this autumn. 14 For information, a preliminary hearing for the 15 Peter Ball case study will take place here on Wednesday, 16 6 June, commencing at 10.30 am and the substantive 17 hearing will be heard between 23 and 27 July 2018 at 18 this venue. 19 With that, I will draw the hearings to a close and 20 thank you very much to everyone. Thank you. 21 (1.00 pm) 22 (The hearing concluded) 23 24 25</p> <p style="text-align: center;">I N D E X</p> <p style="text-align: center;">Page 115</p>
<p>1 to assist further in the recommendations, we will look 2 forward to adopting them. 3 Unless there is anything else I can touch on? 4 THE CHAIR: Thank you, Mr Underwood. Ms Scolding, do you 5 have anything you wish to say? 6 MS SCOLDING: No. This concludes this case study in respect 7 of the Anglican investigation. 8 Closing remarks by THE CHAIR 9 THE CHAIR: Thank you. Just a few words from myself. 10 As you have heard, this is the last day of 11 the Chichester case study, which of course forms part of 12 the Anglican Church investigation. I want to add my own 13 and the panel's thanks to those of Ms Scolding earlier. 14 We are grateful to all of the witnesses who have come to 15 testify before the inquiry during the hearings, the 16 complainant core participants, the witnesses from the 17 institutions and others from whom we have heard. 18 We are also grateful to all of those who have 19 gathered and sent evidence in to the inquiry for the 20 purposes of this investigation, even in these last few 21 weeks. Your efforts in bringing information to the 22 inquiry's attention are very much appreciated, and it 23 will all be considered. 24 Finally, we would like to extend our thanks to all 25 the representatives for their assistance and to all of</p> <p style="text-align: center;">Page 114</p>	<p>1 2 Statement of BARONESS ELIZABETH4 3 BUTLER-SLOSS (read) 4 5 Statement of AN-A17 (read)11 6 7 Closing statement by MR SCORER25 8 9 Closing statement by MR GREENWOOD41 10 11 Closing statement by MR GIFFIN61 12 13 Closing statement by MR PHILLIPS76 14 15 Closing statement by MR BOURNE86 16 17 Closing statement by MR BROWN100 18 19 Closing statement by MR UNDERWOOD101 20 21 Closing remarks by THE CHAIR114 22 23 24 25</p> <p style="text-align: center;">Page 116</p>

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