

<p>1 Wednesday, 6 June 2018 2 (10.30 am) 3 Welcome and opening remarks by THE CHAIR 4 THE CHAIR: Good morning, everyone. I am Alexis Jay and 5 I am the chair of the Independent Inquiry into Child 6 Sexual Abuse. Sitting with me are the other panel 7 members of the inquiry: Professor Sir Malcolm Evans, 8 Ivor Frank and Drusilla Sharpling. On behalf of the 9 inquiry, I welcome you all to this the sixth preliminary 10 hearing in the Anglican investigation. This 11 investigation focuses on the responses by institutions 12 to allegations of child sexual abuse in 13 the Anglican Church by clergy, volunteers and employees 14 of the church over an extensive period of time. 15 The inquiry heard three weeks of evidence about the 16 case study into the Diocese of Chichester from 17 5 to 23 March of this year. Today's preliminary hearing 18 will focus upon the case study into Peter Ball. 19 The public hearing into the Peter Ball case study will 20 commence on 23 July and last for five days. 21 The purpose of this hearing is threefold: to update 22 core participants and witnesses on the work that 23 the inquiry has been doing to prepare for that hearing 24 since it concluded its hearings on the Diocese of 25 Chichester; to identify what information has not as yet</p> <p style="text-align: center;">Page 1</p>	<p>1 Since then, the investigation team has been busy 2 organising, reviewing and disclosing relevant evidence 3 and information to prepare for the hearing listed in 4 July. 5 The aim of this hearing, as you have identified, 6 chair, is to provide further information about the steps 7 that we, as the investigation team, have taken and to 8 deal with any outstanding queries. 9 First, the inquiry team wishes to thank all core 10 participants and their legal teams for the cooperation 11 they have shown to us, both in providing information and 12 in responding to queries promptly and extensively. All 13 core participant teams have undertaken an extensive 14 amount of work in preparing for this case study, which 15 has been invaluable and we thank them for that. 16 The preliminary hearing will deal with, firstly, 17 the process of disclosure, what disclosure remains to be 18 undertaken and the timetable for such; secondly, which 19 witness statements are ready and which witness 20 statements are outstanding and the timetable for 21 production of any further witness statements; thirdly, 22 preparations for the hearing, including timetabling and 23 practical arrangements; and lastly, the main themes and 24 issues to be discussed and explored at the hearing 25 itself.</p> <p style="text-align: center;">Page 3</p>
<p>1 been supplied to the inquiry or to core participants and 2 when that will arrive and be disclosed; and, thirdly, to 3 provide some detail about what will happen at 4 the hearing. 5 We will take a 15-minute break at around 11.45 this 6 morning and then a break for lunch if this hearing has 7 not concluded before then, at 1 o'clock. Any directions 8 arising from this hearing will be published on the 9 inquiry's website after the hearing, as will the hearing 10 transcript. 11 I now invite leading counsel in the Anglican 12 investigation, Ms Fiona Scolding Queen's Counsel to 13 provide us with an update on the Anglican investigation 14 and, after Ms Scolding, other representatives present 15 may speak if they wish. Please proceed, Ms Scolding. 16 Submissions by MS SCOLDING 17 MS SCOLDING: Good morning, chair and panel. I appear as 18 leading counsel to this investigation. Seated to my 19 left are Ms Nikita McNeill, Ms Anna Bicarreugi, and 20 Mr Ben Fullbrook, all of whom are junior counsel to this 21 strand of the investigation. 22 As you have already identified, chair and panel, 23 this is the sixth preliminary hearing into the 24 Anglican Church and the first hearing since 25 the Chichester case study in March 2018.</p> <p style="text-align: center;">Page 2</p>	<p>1 In what follows, I intend to explain where we are 2 now and set out what is going to happen in July. Each 3 core participant has been provided with an agenda for 4 today's hearing. In line with other preliminary 5 hearings, I will refer generally to those who have made 6 allegations of sexual abuse as complainants, except 7 where there has been a criminal trial which has resulted 8 in a conviction or where the fact of abuse has otherwise 9 been formally established, in which case the description 10 "victim and/or survivor" will be applied. 11 May I introduce the representatives who appear at 12 this hearing. To my right, representing complainants, 13 victims and survivors AN-A7 to AN-A22, Mr Iain O'Donnell 14 and Mr Richard Scorer. Next to them, representing 15 complainants, victims and survivors AN-A1 to AN-A5, 16 along with Mr Johnson, Ms Macfarlane, Mr Sawyer and 17 Mr James, who have all waived their anonymity, 18 Mr William Chapman and Mr David Greenwood. They also 19 represent the Minister and Clergy Sexual Abuse Survivors 20 organisation. Behind me, representing 21 the Archbishops' Council for England, Mr Giffin, along 22 with Mr Wood and Mr Frost, and next to them, 23 representing Lord Carey of Clifton and various other 24 individuals involved within the Church of England, 25 Mr Bourne and Ms Kelly.</p> <p style="text-align: center;">Page 4</p>

<p>1 Turning behind Mr O'Donnell and Mr Chapman, there is 2 Mr Phillips representing the Ecclesiastical Insurance 3 Office and Ms Shurmer, his instructing solicitor. 4 Turning to those, shall we say, facing you, one has 5 Mr Underwood, who represents Sussex Police, and his 6 instructing solicitors. One then has Mr Brown who 7 represents the Crown Prosecution Service. Behind that, 8 one has Mr Jones, who represents Peter Ball, the former 9 Bishop of Lewes and Gloucester. Next to Mr Jones is 10 Ms Leek, who represents Northamptonshire Police. And 11 last, but by no means least, one has Mr Boyle, who 12 represents Gloucestershire along with Mr Rathmell. And 13 Ms McGahey who represents the Department of Education. 14 I believe most of those individuals are familiar to 15 you from either this or other investigations, in any 16 event. 17 At this time, the investigation team is pleased to 18 report that all of the material relating to 19 the Peter Ball case study which is within the inquiry's 20 possession to date has been reviewed, redacted and 21 either disclosed or is at the stage of having been 22 provided to material providers for their comments prior 23 to final disclosure. 24 As, chair and panel, you will be aware, much of 25 the disclosure relating to the Peter Ball case study was</p> <p style="text-align: center;">Page 5</p>	<p>1 provides material which has been provisionally redacted 2 by the inquiry to the individual or organisation who 3 originally provided it to us, who we call the material 4 provider, so that they can review and make any comments 5 on the proposed redactions. This is an invaluable part 6 of the redaction process and serves to provide an 7 additional level of checking to ensure that 8 the redactions are appropriate prior to disclosure. 9 All material providers are encouraged to carefully 10 review the proposed redactions to ensure that 11 inappropriate, sensitive or confidential information is 12 not disclosed. 13 We are very grateful to the material providers for 14 the time and care they have taken in this respect to 15 date. If there are any queries or concerns relating to 16 the redactions applied by the investigation team, it 17 would be useful to know of this as quickly as possible 18 so that final decisions can be made by the inquiry. 19 As identified at previous hearings, 20 the investigation team has adopted the guidance set out 21 in the redaction protocol which is published on the 22 inquiry's website. 23 I would like to take this opportunity to remind 24 everyone that the material disclosed is subject to 25 a confidentiality undertaking signed by all core</p> <p style="text-align: center;">Page 7</p>
<p>1 provided to core participants in advance of the 2 Chichester hearings. 3 Chair, you will remember that as a whole for 4 the Anglican investigation, we have received and 5 reviewed 206,863 pages of which approximately 104,000 6 related to the Peter Ball investigation or could be 7 considered to be part and parcel of the Peter Ball 8 investigation. Approximately 50,000 of those pages were 9 deemed to be relevant by the investigation team. 46,000 10 of those pages were disclosed in advance of the 11 Chichester case study hearing because they had 12 a crossover relevance to both Chichester and to the 13 Peter Ball case studies. A further 4,105 pages of 14 relevant material has been disclosed since the end of 15 the Chichester hearing. 16 There are approximately 2,400 pages which are 17 presently with material providers to allow them to check 18 the redactions. We hope that all of this material will 19 be able to be disclosed by the end of next week. 20 We therefore do not anticipate that this disclosure will 21 materially impede any preparations for the hearing as 22 the vast majority of the information has been in 23 the hands of core participants for some months. 24 Many present are familiar with our redaction 25 process. For those who are not, the investigation team</p> <p style="text-align: center;">Page 6</p>	<p>1 participants. Information must not be placed in 2 the public domain or used for other purposes prior to 3 its being adduced in evidence or at the hearing. 4 If any core participants are aware of any further 5 material which is on its way or any particular material 6 which may cause difficulties for the preparation of this 7 case study for core participants, please could they 8 inform the investigation team as quickly as possible, 9 who will then seek to work with them to try to resolve 10 any difficulties. 11 Turning now to witness evidence: as with 12 the documentary evidence, there is some overlap between 13 the evidence which was sought for the Chichester case 14 study and that for the Peter Ball case study. In the 15 interests of efficiency and in an attempt to avoid 16 duplication, a large number of witness statements 17 relevant to the issues in Peter Ball were obtained and 18 disclosed in advance of the hearing in March. 19 This included corporate evidence from 20 the Church of England about its structure, governance, 21 permission to officiate and religious communities which 22 is of particular interest to this aspect of the case 23 study as Peter Ball was a member of a religious 24 community for a large part of his clerical career. 25 Corporate evidence was also obtained and adduced</p> <p style="text-align: center;">Page 8</p>

<p>1 about the safeguarding practices and procedures within 2 the Church of England, both those which were in place in 3 1992 and the changes which have subsequently been made. 4 Evidence was also obtained and adduced from past and 5 current Archbishops of Canterbury about their 6 involvement with Peter Ball before and after his 7 resignation and, in particular, events between 2002 to 8 date within Lambeth Palace. 9 Evidence from staff working at Lambeth Palace during 10 1992 to 2012 had already been obtained and oral evidence 11 was also adduced about the circumstances in which 12 correspondence was found or received and the steps that 13 Lambeth Palace did or did not take in respect of 14 Peter Ball. 15 Evidence has also been obtained and adduced from 16 individuals within the Diocese of Chichester about their 17 involvement in respect of Peter Ball. In addition, 18 we have requested evidence from over 60 individuals for 19 matters which specifically relate to Peter Ball himself. 20 We have received 38 witness statements in final form and 21 14 in draft form. We are still awaiting some draft 22 statements from a number of individuals and this was set 23 out in a list which was circulated to core participants 24 last Thursday, 31 May. To provide some broad 25 information, we are awaiting four witness statements</p> <p style="text-align: center;">Page 9</p>	<p>1 officer during the 1992 Peter Ball criminal 2 investigation. That is likely to appear by the end of 3 the week. So we are very much hoping by the end of next 4 week that material will be able to be finalised. 5 We are awaiting witness statements from a very small 6 number of other individuals who gave evidence to 7 the Moira Gibb inquiry, and so, therefore, core 8 participants will already have notes of those meetings, 9 which can form some basis of preparation. 10 We have also requested a witness statement from both 11 His Royal Highness the Prince of Wales and his principal 12 private secretary. The Prince's solicitors have 13 indicated their client's willingness to assist us and 14 have raised a number of important issues for us to 15 consider. This has led to lengthy and complex 16 discussions and we are currently considering the latest 17 points they have raised. We hope to be able to provide 18 an update to core participants on this in the next 19 couple of weeks. 20 Turning now to organisation of documents in advance 21 of and at the hearing: as most people within this room 22 will be aware, the investigation team will not be 23 preparing hard copy bundles for the use of core 24 participants to the inquiry. The hearing will be 25 largely paperless. All material disclosed will be</p> <p style="text-align: center;">Page 11</p>
<p>1 from complainants, victims and survivors or those who 2 worked with Peter Ball. In response to a very detailed 3 request, the CPS is preparing a number of separate 4 witness statements from individuals who were involved in 5 the prosecution, or in advice around the prosecution, or 6 otherwise, of Peter Ball, between 1993 and 2014. 7 Two of these have been received in draft form. We 8 are very grateful to them for the work that they have 9 done on this to date and for the speedy way in which 10 they have responded to our requests. As all core 11 participants will have noticed, the mountain of material 12 which we have received from them we have already 13 disclosed. To assist core participants through the CPS 14 documentation, we have prepared and circulated an index 15 outlining the most relevant documents from 16 the investigation team's perspective which was 17 circulated yesterday. 18 It is very much hoped that the CPS material will be 19 received in draft form by the end of next week and can 20 be finalised shortly thereafter. 21 We have received a draft corporate witness statement 22 from Gloucestershire Police and from Chief Constable 23 Albert Pacey, who was chief constable in 1992/93, and 24 we await a draft statement from former Detective 25 Inspector Wayne Murdock, who was the investigating</p> <p style="text-align: center;">Page 10</p>	<p>1 available electronically within the hearing room on 2 a computer system. It will be possible to display 3 disclosed material on screens located both at 4 the advocate's benches -- they are not here today but 5 they will be at the hearing dates -- in the witness box 6 and around the hearing room. Advocates are asked to 7 identify materials to be placed up on screen in 8 the hearing rooms by the unique reference number which 9 is found on the Relativity system and they are asked, if 10 making requests pursuant to rule 10 of the 11 Inquiry Rules, to set out the unique reference number if 12 reference to a document is required. 13 The investigation team disclosed in advance of the 14 Chichester hearing a list of core background documents 15 for reference. These are a synthesis of material about 16 safeguarding policies of the Church of England locally 17 and nationally and provide context to all of the 18 Anglican case studies. 19 There are four sets of documentation; set A was past 20 national safeguarding policies from 1995 to date; set B 21 was present national safeguarding policies, including 22 relevant ecclesiastical law and Clergy Discipline 23 Measure documents; type C were safeguarding policies in 24 respect of the Diocese of Chichester, which has 25 relevance to the Peter Ball case study inasmuch as</p> <p style="text-align: center;">Page 12</p>

<p>1 Peter Ball was Bishop of Lewes between 1977 and 1992, 2 and lastly, fourthly, a list of internal reports 3 commissioned by the Church of England, including that by 4 Dame Moira Gibb which particularly concerned 5 the Peter Ball situation.</p> <p>6 In addition, the investigation team has circulated 7 the following documentation for the assistance of core 8 participants within their preparation: firstly 9 a dramatis personae which identifies the key individuals 10 who may be discussed during the hearing; secondly, 11 a detailed chronology of some 83 pages of the relevant 12 dates which may be discussed and the relevant 13 information, which we hope provides a background 14 narrative in effect for the use of all core 15 participants; thirdly, a schedule of allegations made 16 against Peter Ball identifying, as far as possible, 17 the nature of those allegations and those allegations 18 for which pleas were entered by Peter Ball in 2015 or 19 those allegations where a caution was issued in 1993; 20 lastly, the CPS index to which I have already referred.</p> <p>21 The investigation have asked all core participants 22 to comment upon these and identify any material errors, 23 us accepting that we are not infallible in this regard. 24 We are very grateful to those who have already done so. 25 Each witness, however, will have a paper bundle</p> <p style="text-align: center;">Page 13</p>	<p>1 Given the number of core participants within this 2 case study, this will, by necessity, mean that all other 3 core participants will be limited to a 10-minute opening 4 each. Each core participant who wishes to make an 5 opening statement should notify the inquiry at least 6 seven days before the hearing is due to start. Opening 7 statements will be scheduled to finish by lunchtime on 8 the first morning of the hearing, with closing 9 statements being made on the afternoon of 27 July 2018.</p> <p>10 Unlike the Chichester hearing, the length of this 11 hearing means there will not be time for core 12 participants to have a day to prepare their closing 13 statements. They will have permission, therefore, if 14 they wish to do so, to supplement their oral submissions 15 by way of written submissions; such submissions to be 16 provided to the inquiry by 4.00 pm on 7 September 2018.</p> <p>17 These written submissions will then be published on 18 the inquiry website within a reasonable timescale 19 thereafter.</p> <p>20 Turning now to oral evidence at the public hearing: 21 as chair, you have a wide discretion to decide which 22 witnesses will be called to give evidence at public 23 hearings, which evidence will be given orally and which 24 evidence may be read out. A provisional witness list 25 has been circulated of those witnesses that the inquiry</p> <p style="text-align: center;">Page 15</p>
<p>1 prepared for them at the hearing. This will be with 2 them in the witness box. The paper bundles will include 3 the witness statement prepared for the inquiry hearing, 4 exhibits, any previous witness statements or interviews 5 they may have given, witness evidence from other 6 individuals which they may be asked about and documents 7 which they may be referred to which are not included 8 within their exhibits.</p> <p>9 The indices for these witness bundles will be 10 circulated to core participants as soon as we are able 11 and certainly before they are due to give evidence.</p> <p>12 If ciphering has made the process of identification 13 of the individual discussed either within the witness 14 statement or within an exhibit to be relied upon 15 impossible, the inquiry will take steps to inform that 16 witness of the individual's identity in a form which 17 cannot then be accidentally disclosed.</p> <p>18 Turning now to logistics and evidence at 19 the hearing: counsel to the inquiry will provide an oral 20 opening on the morning of the first day of the hearing. 21 This will be around an hour in length. In accordance 22 with rule 11 of the Inquiry Rules 2006, the recognised 23 legal representatives of a core participant and any 24 unrepresented core participant may make an opening and 25 closing statement to the inquiry panel.</p> <p style="text-align: center;">Page 14</p>	<p>1 has determined it should hear from orally. This list 2 may be subject to change as a result of ongoing 3 preparation. A timetable for witnesses is being 4 prepared and will be circulated once witnesses have 5 confirmed their availability.</p> <p>6 We hope to have the timetable out and firmed up by 7 the end of June 2018. The proposed witness list for 8 hearing was circulated last Thursday. All comments and 9 submissions upon it as to any omissions or additions 10 requested or required should be received by 4.00 pm on 11 14 June 2018. They will be carefully considered at that 12 time and the chair will make determinations in writing, 13 in cases of any dispute, as soon as possible thereafter.</p> <p>14 It may be, if there is time, that some witness 15 statements may be read, but only, of course, those 16 portions which are directly relevant to the issues to be 17 considered in the Peter Ball case study. There will be 18 other witness statements, as I have already alluded to, 19 which have been gathered for background material, which 20 counsel to the inquiry will make reference to within my 21 opening but which will not be read or witnesses called 22 to give live evidence.</p> <p>23 The full statement of any witness whose evidence is 24 heard live will be placed upon the website with 25 appropriate redactions.</p> <p style="text-align: center;">Page 16</p>

<p>1 In addition, it is proposed to publish on the 2 website all witness statements obtained for 3 the Peter Ball case study, save where: firstly, 4 the inquiry has received relevant submissions from 5 the witness or their representative as to why their 6 statement should not be published in full or in part 7 online; secondly, where the statement is from 8 a complainant, victim or survivor, we do not routinely 9 publish them on the inquiry's website, but may do so on 10 a case-by-case basis; thirdly, where in all 11 circumstances, and having considered the evidence 12 contained within the statement, it is not considered 13 necessary for it to be published on the website to 14 understand the context or the nature of the case study 15 in and of itself.</p> <p>16 There are background witness statements which I have 17 already alluded to about practice, procedure, structure 18 and governance of the Church of England which again will 19 stand as evidence in this case. Likewise, all oral 20 evidence which was given in the Chichester hearing 21 already stands as evidence within this case study as 22 does all material placed upon the website during 23 the course of that hearing, including read witness 24 statements or witness statements placed upon the website 25 during the course of the Chichester hearing.</p> <p style="text-align: center;">Page 17</p>	<p>1 questioned either on oath or by way of affirmation by 2 either leading or junior counsel to this particular 3 investigation. It is anticipated that the majority of 4 the questioning of witnesses will be conducted by 5 counsel to the inquiry as is provided for by rule 10 of 6 the Inquiry Rules.</p> <p>7 However, pursuant to rules 10(3) and 10(4), the 8 legal representatives of a witness or core participant 9 may apply to the chair for permission to ask questions 10 of a witness giving oral evidence. Under rule 10(5), 11 such applications must state: firstly, the issue in 12 respect of which a witness is to be questioned or any 13 additional documents that they consider the witness 14 needs to be taken to; and, secondly, whether 15 the questioning will raise new issues and, if not, why 16 the questioning should be permitted. We are asking that 17 all rule 10 requests in this case should be made at 18 least a week before the start of the hearing on 19 23 July 2018.</p> <p>20 Given the short nature of this hearing, there will 21 not be time for lengthy discussions on the day that 22 the witness is due to give evidence. We hope we have 23 demonstrated flexibility within the Chichester case 24 study on this issue, and core participants can, we hope, 25 trust that we have identified the main thrust of the</p> <p style="text-align: center;">Page 19</p>
<p>1 I remind everyone that the chair and panel have 2 determined that five days will be sufficient time to 3 cover the issues in this case study. We have, as you 4 will have seen, a busy schedule of witnesses to be heard 5 in that time and, unfortunately, that therefore means it 6 will not be possible to hear from every witness who has 7 relevant evidence or from every complainant, victim, 8 survivor or core participant within this particular case 9 study.</p> <p>10 We will endeavour to ensure that witnesses have 11 circulated to them, before they are due to give 12 evidence, general topics for questioning. This is not 13 a list of every question to be asked but identifies 14 the broad list of issues to be covered so that adequate 15 preparations can be made. We have made a start upon 16 these and, once we have the bulk of finalised 17 statements, they will be circulated as quickly as 18 possible thereafter.</p> <p>19 The references for any documents which witnesses may 20 be referred which have not been included in their 21 witness bundle will also be provided at that time so 22 that the witness can examine the relevant documents in 23 advance of questioning. There may be the odd exception 24 to that rule, but hopefully it will be an exception. 25 At the public hearings, each witness will be</p> <p style="text-align: center;">Page 18</p>	<p>1 relevant evidence.</p> <p>2 Core participants are also asked to provide 3 the inquiry's unique reference numbers with specific 4 page numbers where that is appropriate for any documents 5 relevant to their proposed questions so that these can 6 be provided to the witness in good time.</p> <p>7 On receipt of any application, the chair will 8 consider if the topics outlined are relevant and, if so, 9 whether the witness should be asked about them in their 10 evidence by inquiry counsel or by a recognised legal 11 representative. Permission will be granted for 12 the recognised legal representative to ask questions 13 only if the chair is satisfied that there is good reason 14 to do so and questioning by inquiry counsel is not 15 adequate for these purposes.</p> <p>16 If core participants know at this stage or wish to 17 provide us with rule 10 requests earlier than a week 18 before the hearing, that would be very much welcomed. 19 It would be also useful to know if they anticipate that 20 they may be making such requests, even if such requests 21 cannot be formulated with any particularity at this 22 stage.</p> <p>23 There are exceptional circumstances which may arise 24 when it is necessary at the hearing for a recognised 25 legal representative or an unrepresented core</p> <p style="text-align: center;">Page 20</p>

<p>1 participant to seek permission orally from the chair to 2 question a witness at the hearing. 3 That should be, we hope, the exception rather than 4 the rule and it is expected that all applications will 5 be made and determined by the chair before the witness 6 is called. 7 Rule 10 applications received during the witness's 8 evidence should only be necessary in exceptional 9 circumstances such as where something unexpected has 10 arisen which might call for clarification. 11 For the avoidance of doubt, the purpose of 12 questioning by counsel to the inquiry is not to advocate 13 for one position or another but to elicit the relevant 14 evidence for the inquiry panel in a fair and impartial 15 manner. This does not mean that the questioning may not 16 on occasion be probing. 17 I turn now to broadcasting and special measures. In 18 a ruling available on the inquiry's website dated 19 13 April 2016, the former chair confirmed that 20 the public hearings would be broadcast. This is via 21 a live-stream link available on the inquiry's website. 22 The previous chair ordered that a five-minute delay be 23 applied to the streaming service so that the broadcast 24 can be edited to remove material which would be either 25 a breach of a restriction order or violate the right to</p> <p style="text-align: center;">Page 21</p>	<p>1 Hearing transcripts will be uploaded to the inquiry 2 website at the end of each day, this usually happens by 3 6.00 pm on the day in question. Videos of each day's 4 hearing are posted on the inquiry's website after 5 the conclusion of the hearing. 6 Turning to special measures: in the April 2016 7 ruling I have already mentioned about broadcasting, 8 the previous chair confirmed that protective measures 9 are to be made available to anonymised witnesses; all 10 victims, survivor, complainants are anonymised, save 11 where they have informed the chair and panel that they 12 have waived their right to anonymity. There are 13 individuals who are coming to give oral evidence to whom 14 these measures will apply. The following are intended 15 to be the measures. 16 This will include: anonymised witnesses will give 17 their evidence in the hearing room without a screen. 18 The witnesses will be visible to the chair, panel, 19 counsel to the inquiry, a member of the core participant 20 body or the core participant, if an individual, as well 21 as solicitor to the inquiry. 22 Depending upon the witness and the issues to be 23 raised, it may be necessary that the core participant 24 lay client should sit behind the witness and not next to 25 their legal representative if it is considered</p> <p style="text-align: center;">Page 23</p>
<p>1 anonymity granted to those who so qualify under the 2 1992 Act or which accuse a person of criminal conduct 3 without warning. 4 Chair, I will remind you of this again on the first 5 day of the case study, but I ask you to formally amend 6 this ruling to provide for only a three-minute delay to 7 broadcast. This is because five minutes has led to too 8 much delay, in effect, so those outside the hearing room 9 miss important evidence when the broadcast resumes. 10 Those who attended the hearing into Chichester will be 11 aware that sometimes material is disclosed which 12 violates the right to anonymity or accuses somebody of 13 criminal conduct without warning. If that does happen, 14 then the feed will be immediately broken and everyone 15 waits until the feed is restarted. I will then invite 16 you, chair, to make a specific restriction order editing 17 that material, the restriction order then being placed 18 upon the website as soon as is practicable thereafter. 19 Counsel to the inquiry will take all reasonable 20 steps to avoid such breaches, but all core participants 21 are reminded to advise their witnesses of the need to 22 maintain anonymity where this has been provided by 23 the inquiry and there will be discussions before any 24 witnesses come to give live evidence about any 25 particular queries in that respect.</p> <p style="text-align: center;">Page 22</p>	<p>1 appropriate. That will be dealt with on a case-by-case 2 basis. 3 Anonymised witnesses will not be filmed during their 4 testimony and the camera will be directed towards 5 the inquiry panel and/or legal teams. 6 The press and/or members of the public will be 7 excluded from the hearing room during the course of 8 their testimony. They will be able to watch proceedings 9 in the waiting area of the hearing centre. 10 There may be occasions when such witnesses may 11 require a support person to assist them during their 12 oral evidence. In your discretion, chair, you have 13 indicated that there are occasions, based upon 14 the particular circumstances presented, when you are 15 willing to permit this. The support person shall not 16 prompt nor otherwise seek to influence the witness in 17 the course of giving evidence. The support person shall 18 not be a witness to the inquiry and shall not be 19 identified by name. 20 The restriction order in respect of anonymised 21 witnesses shall apply to those who give evidence, 22 whether in person or by videolink. No anonymised 23 witness will be identified by name or through other 24 information which would lead to the identification of 25 that individual. Each anonymised witness will be</p> <p style="text-align: center;">Page 24</p>

<p>1 referred to by means of the cipher that they have been 2 given by the inquiry. 3 Any observations about any additional measures which 4 may well be specifically required, either for 5 the purposes of anonymity or because reasonable 6 adjustments need to be made, should be provided by way 7 of a letter to the solicitor to the inquiry as soon as 8 possible and by 4.00 pm on 22 June 2018. If there are 9 any particular issues which arise, submissions may be 10 circulated to all core participants and may in due 11 course be provided to the media if they wish to make 12 submissions on various proposals. 13 Hearing dates and next steps: as has already been 14 identified, the inquiry panel will sit for five days 15 from 23 July to 27 July inclusive. Normal sitting hours 16 will be 10.00 am to 4.15 pm with breaks for lunch but 17 also with breaks for the transcribers both during 18 the morning and afternoon sessions. On 23 July 2018, 19 the first day of the hearing, it will commence at 20 10.30 am. 21 Breaks will happen at around 11.15 and then again at 22 around 3.00 to 3.15. Obviously, if reasonable 23 adjustments are required for particular witnesses, there 24 will be more frequent breaks. 25 The inquiry will make arrangements to ensure that</p> <p style="text-align: center;">Page 25</p>	<p>1 1992/1993 to refer further information in relation to 2 allegations concerning Peter Ball to the police and why 3 it took until 2010 for the full material and history to 4 be referred by Lambeth Palace to the police for further 5 investigation. 6 2. Why Peter Ball was cautioned rather than 7 prosecuted for his offending in 1992 and what role 8 the CPS played within that decision. 9 3. To what extent Gloucestershire Police 10 investigated to see if there were further allegations 11 against Peter Ball in 1992. As we know, allegations 12 other than those relating to Neil Todd were made and 13 the investigation team and inquiry wishes to know what 14 action was taken in relation to them and why the action 15 that was or was not taken took place. 16 4. Whether or not improper pressure was placed upon 17 either the CPS or the police or the church by 18 individuals who were prominent in public life in order 19 for Peter Ball to avoid a criminal investigation or in 20 order to compel them to provide him with a caution 21 rather than prosecute him. 22 5. To what extent was the Church of England subject 23 to improper pressure from individuals who were prominent 24 in public life, both within the church institution and 25 within other institutions to return Peter Ball to</p> <p style="text-align: center;">Page 27</p>
<p>1 all witnesses are able to familiarise themselves with 2 the hearing room here at Pocock Street and will provide 3 them with appropriate counseling and psychological 4 support, if they require it, both before, during and 5 after any evidence which is given. The inquiry will 6 also not compel anyone who is a complainant, victim or 7 survivor to give oral evidence if they do not wish to do 8 so. 9 Turning, lastly, to the issues for the Peter Ball 10 hearing: as I identified at the preliminary hearing in 11 January, much of the relevant factual narrative has been 12 established by Dame Moira Gibb in her report which was 13 commissioned by the Church of England and published in 14 June last year. The focus of Dame Moira's report, 15 however, was on the role that the Church of England 16 played in respect of Peter Ball and not necessarily 17 other institutions. 18 As a result of Dame Moira's report, the focus of the 19 hearing in July 2018 will not be so much upon what 20 happened within the church itself, although some issues 21 do still need to be examined, but why things happened in 22 the way that they did. 23 This will involve examination of the following 24 topics and issues: 25 1. Why the church may have failed to take steps in</p> <p style="text-align: center;">Page 26</p>	<p>1 ministry or to not take steps to discipline him after he 2 resigned in March 1992. 3 6. To what extent the church or the police 4 pressurised Peter Ball into resigning. If so, to what 5 extent was the church's objective to avoid press and 6 publicity and to what extent was the desire to avoid 7 such press and publicity appropriate in all 8 the circumstances? 9 7. Why no disciplinary action was taken by 10 the church against Peter Ball following his caution in 11 1993. 12 8. To what extent was the decision of Peter Ball to 13 resign influential on the CPS decision to proceed with 14 a caution and was one dependent upon the other? 15 9. Why the Church of England did not seek to find 16 out more about Peter Ball's offending or why there was 17 limited communication about the nature and extent of his 18 offending from the police and other institutions to 19 the church so that it could be clear about the risks 20 that Peter Ball may have continued to pose to young 21 people. 22 10. Why Peter Ball was granted permission to 23 officiate in various forms and was permitted to return 24 to ministry, albeit in a partial and incomplete manner 25 after his resignation, given his offending, and to</p> <p style="text-align: center;">Page 28</p>

<p>1 explain and understand the circumstances in which such 2 permission to officiate was granted. 3 11. Whether the church took any steps to assess 4 the risk that Peter Ball may have posed between his 5 resignation in 1992 and 2009, when a risk assessment did 6 take place, and if no steps were taken to assess 7 the risk, why that was the case. 8 12. Whether or not a similar senior figure within 9 the church would be treated in the same manner today and 10 for similar reasons and, if not, why not. 11 13. Whether or not there are any cultural factors 12 arising from the case of Peter Ball which reflect 13 difficulties both within the Church of England and 14 within society as a whole at that time and subsequently. 15 This will involve examining: 16 (i) How far Peter Ball was able to avoid exposure of 17 his offending because of his position of prominence; 18 (ii) How far he was deferred to and his scheme, 19 the "Give a Year to God" scheme, not investigated, 20 firstly, because he was a Bishop, but also because he 21 was perceived to have influential friends; 22 (iii) How far his charisma and undoubted oratorical 23 skills beguiled individuals into not speaking out and 24 how far such charisma and such piety led to disbelief 25 when he was arrested. And how far, as a society, did</p> <p style="text-align: center;">Page 29</p>	<p>1 (xi) How far the church has changed in response to 2 the Peter Ball affair, not only in terms of its response 3 to the Gibb Report and the steps it has taken, and is 4 taking, to deal with the recommendations made within 5 them, but also how far it has reflected upon the issues 6 which I have identified above and wider questions, for 7 example, about the regulation of monastic orders. 8 (xii) How far has the church, for example, changed 9 its relationship with the police and prosecutorial 10 authorities in order to have better lines of 11 communication? 12 Since the hearing in January 2018, chair, there has 13 been one new application for core participant 14 designation, namely, that of the Chief Constable of 15 Northamptonshire Police. You have approved this 16 application, chair and that is why Ms Leek is here 17 today. 18 Chair, nobody has identified to me prior to my 19 standing up that they wish to make any submissions to 20 you. I now obviously sit down and allow any of the core 21 participants, but I would ask that, if Mr Greenwood or 22 Mr Scorer wish to say anything, they be allowed to go 23 first, then church bodies, then the police and, lastly, 24 the Department for Education and the 25 Ecclesiastical Insurance Office, but I do not think</p> <p style="text-align: center;">Page 31</p>
<p>1 the response to his offending reflect wider societal 2 difficulties in believing that good people could do bad 3 things; 4 (iv) How far those in positions of power within 5 the Church of England are, or were, able to evade 6 criminal prosecution or disciplinary penalties because 7 of the web and network of connections that their role 8 provides; 9 (v) How far the response of the Church of England 10 was influenced by questions of sexuality and gender; 11 (vi) How far was Peter Ball's Anglo-Catholicism 12 a relevant feature, given the issues that were occurring 13 within the church at the same time, in particular in 14 respect of the ordination of women; 15 (vii) How far the church emphasised and reacted to 16 the arrest of Peter Ball by placing the church's 17 reputation above those who had been abused; 18 "(ix) Whether the church provided appropriate 19 advice, support and referrals for specialist counselling 20 and other support services to those who had alleged 21 abuse and, if not, why that was the case; 22 (x) To what extent was there a conflict of interest 23 in the diocesan registrar providing advice to 24 Bishop Ball about his ongoing criminal proceedings in 25 1992;</p> <p style="text-align: center;">Page 30</p>	<p>1 anybody has anything to say. 2 THE CHAIR: Thank you, Ms Scolding. For the record, I will 3 make the formal order reducing the time delay to three 4 minutes for broadcast. (Pause). 5 MS SCOLDING: Silence is golden. 6 On behalf of the investigation team, we will 7 obviously see everybody on 23 July 2018 and thank you 8 for all the work you have undertaken to date. 9 THE CHAIR: Thank you to everyone for their attendance here 10 today and to Ms Scolding for her statement. We will 11 return on 23 July, thank you. 12 (11.25 am) 13 (The hearing concluded) 14 15 16 I N D E X 17 18 Welcome and opening remarks by THE1 19 CHAIR 20 21 Submissions by MS SCOLDING2 22 23 24 25</p> <p style="text-align: center;">Page 32</p>

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