

<p>1 Monday, 23 July 2018 2 (10.00 am) 3 Welcome and opening remarks by THE CHAIR 4 THE CHAIR: Good morning, everyone. I am Alexis Jay and I'm 5 the chair of the Independent Inquiry into Child Sexual 6 Abuse. With me are the other panel members of 7 the inquiry: Drusilla Sharpling, Ivor Frank and 8 Professor Sir Malcolm Evans. 9 On behalf of the inquiry, I welcome you all to the 10 first day of the second substantive Anglican Church 11 investigation hearing, the Peter Ball case study 12 hearing. 13 This hearing will run for five days, finishing 14 Friday, 27 July. The investigation into the 15 Anglican Church is a part of the inquiry's wider 16 investigation into institutional failures in connection 17 with the abuse of children in England and Wales. 18 As you all know, the task of the chair and panel of 19 the inquiry is to examine the extent to which public and 20 private institutions in England and Wales have failed to 21 protect children from sexual abuse in the past and to 22 make meaningful recommendations to keep children safe 23 today and in the future. 24 Today marks the first day of the second case study 25 in this investigation. In this year so far, the inquiry</p> <p style="text-align: center;">Page 1</p>	<p>1 Royal Highness the Prince of Wales that was disclosed to 2 core participants on 9 July. In addition, the inquiry 3 learned yesterday that the draft statement has also been 4 seen by Martin Bashir at the BBC, who reported it on 5 Radio 4's Sunday programme yesterday morning. The panel 6 is disappointed by the leaking of the draft statement. 7 Deliberate leaking of information to the media 8 before evidence is made public by the inquiry not only 9 undermines the ability of the inquiry to get to the 10 truth, but can also erode confidence in the inquiry at 11 all levels. I have already set in motion an 12 investigation to identify the source of this leak and 13 will take firm action to protect the integrity of 14 the inquiry should the source be identified. 15 I will ask all core participants, their legal teams 16 and those in a core participant team with direct access 17 to the statement to confirm in writing whether they have 18 shared this information with any unauthorised party. 19 The solicitor to the inquiry will circulate a prescribed 20 form for this purpose. I ask that recognised legal 21 representatives then collate these formal written 22 responses and provide them to the investigation lawyer, 23 Ms Scholefield, for my onward attention and of course 24 I shall also be collecting similar undertakings from all 25 others with direct access to this information.</p> <p style="text-align: center;">Page 3</p>
<p>1 has held public hearings on the internet, the 2 Anglican Church and the sexual abuse of children within 3 custodial institutions, and it is part of a full 4 timetable of substantive hearings and seminars and 5 a number of the inquiry's investigations, the timetable 6 for which we have published up to and 7 including March 2019. 8 On behalf of the inquiry, I am, as always, grateful 9 to all core participants and their legal teams for their 10 assistance. I understand that a great deal of work has 11 gone into preparing witness statements and providing 12 disclosure. To complainants, victims and survivors who 13 have provided witness statements or who are to be called 14 to give live evidence before the inquiry during this 15 hearing, we are grateful to you for coming forward to 16 tell the inquiry about your experiences and we are 17 conscious of the strength and courage that this 18 requires, and I want to assure you of the high priority 19 the inquiry places on this investigation and on hearing 20 of your experiences. 21 One matter I am saddened to have to report is 22 a serious breach of confidence by someone with direct 23 access to information in this investigation. The Times 24 newspaper on Friday led with a story that quoted the 25 contents of the draft witness statement of His</p> <p style="text-align: center;">Page 2</p>	<p>1 MS SCOLDING: Thank you, chair. May I also add that 2 a source seems to have told The Times that we have 3 deliberately placed the evidence of His Royal Highness 4 the Prince of Wales at the end of this case study so 5 that he cannot be cross-examined. This could not be 6 further from the truth. For a start, the comment 7 displays a misunderstanding about the inquiry process, 8 for there is no cross-examination within an inquiry; 9 simply questioning. 10 As you have pointed out, core participants have had 11 the Prince's statement for at least two weeks, and 12 no-one has either suggested or requested that he should 13 attend the inquiry to give evidence in person. 14 Furthermore, as I explained at the preliminary hearing, 15 there have been lengthy and extensive discussions with 16 the Prince's legal team, and the inquiry has obtained 17 the evidence that it requires from His Royal Highness 18 the Prince of Wales. 19 This witness's evidence is being read in the right 20 place to fit alongside the evidence of other individuals 21 outside the formal structure of the church, the police 22 and the CPS. There is no requirement for him to attend 23 in person, as his evidence, whilst important, is not of 24 central relevance to many of the issues raised by this 25 case study. Thank you very much, chair.</p> <p style="text-align: center;">Page 4</p>

1 THE CHAIR: Thank you. Before we hear further from
 2 Ms Scolding, who will introduce the representatives
 3 present and open the case study, a couple of points on
 4 our arrangements: we will sit each day from 10.00 am.
 5 Ordinarily, we will take a 15-minute break at around
 6 11.15 am. We will break for lunch at 1.00 pm, returning
 7 at 2.00 pm, and we intend to sit until between around
 8 4.15 pm and 4.30 pm each day. By way of an agenda, we
 9 rely on the hearing timetable which sets out the order
 10 in which witnesses will be called, save for where
 11 unforeseen circumstances require a change to be made.
 12 The hearing transcript is recorded simultaneously on
 13 screens throughout the room and will be published at the
 14 end of each day on the inquiry website. Any directions
 15 arising from the day's hearing will also be published on
 16 the website.

17 There are anonymity arrangements in place for the
 18 complainant core participants who will be giving
 19 evidence throughout the hearing. Ciphering and
 20 redactions have also been used in relation to the
 21 evidence in accordance with the inquiry's redaction
 22 protocol and restriction order, both of which are
 23 available on the website, except for the complainant
 24 witnesses who have waived their right to anonymity.
 25 If there is any inadvertent breach of a restriction

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1 order, I will ask that the simultaneous recording be
 2 stopped briefly so that the issue can be addressed as
 3 appropriate.

4 I will now hand over to Ms Fiona Scolding QC.

5 Opening statement by MS SCOLDING

6 MS SCOLDING: Chair and panel, good morning. I am
 7 Fiona Scolding, senior counsel to this Anglican
 8 investigation. To my left are Ms Nikita McNeill,
 9 Ms Anna Bicarregui, and Mr Ben Fullbrook, all junior
 10 counsel to this Anglican investigation.

11 The core participants and their representatives are
 12 as follows: to my right, representatives for
 13 complainants, victims and survivors represented by
 14 Slater & Gordon by Mr Richard Scorer and
 15 Mr Ian O'Donnell; counsel for complainants, victims and
 16 survivors, related by Switalskis Solicitors,
 17 Mr William Chapman and Mr David Greenwood; counsel for
 18 Mr Chapman and Mr Greenwood also represent the Minister
 19 and Clergy Sexual Abuse Survivors organisation known as
 20 MACSAS; behind me is leading counsel for the
 21 Archbishops' Council, Mr Giffin, accompanied by Mr Frost
 22 and other members of the Herbert Smith Freehills team;
 23 immediately to my right is Ms Anna Parry, who is
 24 solicitor for the Ecclesiastical Insurance Office.
 25 Turning now to the row opposite you, on the second

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1 row, there is leading and junior counsel for
 2 Bishop Peter Ball and his solicitors, Mr Richard Smith,
 3 Mr Sam Jones and Mr Mumford; next to them is Ms Leek and
 4 her solicitor, who are representing Northamptonshire;
 5 behind that is Mr Boyle and Mr Rathmell representing
 6 Gloucestershire Police; in the front row, one has
 7 Mr Underwood and his junior and various individuals from
 8 Sussex Police; next to that, one has Mr Brown and his
 9 instructing solicitor representing the Crown Prosecution
 10 Service.

11 Directly behind me is Mr Bourne, who represents
 12 Lord Carey of Clifton within this part of
 13 the investigation.

14 There are no other preliminary matters, so we will
 15 proceed straight to opening this case study.

16 On 7 October 2015 at the Central Criminal Court,
 17 Peter Ball was sentenced to 32 months in prison. He was
 18 convicted of two offences of indecent assault and an
 19 offence of misconduct in public office which involved
 20 offending against 13 different individuals. This
 21 inquiry has been provided with details of allegations
 22 made by a total of 32 individuals. These all relate to
 23 an alleged abuse of power by Peter Ball for the purposes
 24 of his sexual gratification. A risk assessment carried
 25 out on behalf of the church in 2009 identified that

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1 Peter Ball could be described as a sexual predator,
 2 given the length and scale of his offending.

3 Today is the first day of the Peter Ball case study,
 4 but not the first day of our hearings in this
 5 investigation. We have already heard a significant
 6 quantity of oral evidence and received written witness
 7 statements and documentary material during the course of
 8 the Chichester case study, as of course
 9 Bishop Peter Ball and much of his offending took place
 10 whilst he was the suffragan Bishop of Lewes, situated
 11 within the Diocese of Chichester.

12 During my opening, I will call him "Peter Ball" even
 13 though under current church procedures he is unable to
 14 be deposed from Holy Orders and so is still able to call
 15 himself bishop and use the designation "the
 16 Right Reverend". I do so because many complainants,
 17 victims and survivors are upset that he is still able to
 18 use this clerical address despite his offending.

19 We have been greatly assisted in the work of
 20 the inquiry by the church's work led by Dame Moira Gibb,
 21 whose report, "An abuse of faith", published
 22 in June 2017, establishes by and large the chronology of
 23 what happened in respect of the church's response to
 24 Peter Ball's arrest and subsequent caution in 1992.
 25 This hearing, therefore, focuses upon the response

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1 of the Church of England, the police, prosecutorial
 2 authorities and those intertwined with those
 3 institutions to allegations made against Peter Ball
 4 which first came into the open in December 1992. It was
 5 then that a young man called Neil Todd first went via an
 6 intermediary to the Bishop at Lambeth, John Yates, and
 7 then to the Bishop of Southwark, and then to the Bishop
 8 of Chichester, to tell his story. Eventually, his
 9 parents told the police on 12 December 1992 that
 10 Peter Ball, under the guise of providing spiritual
 11 guidance and religious instruction, had sought to
 12 sexually exploit him.

13 The inquiry wishes to take a moment to hold in our
 14 thoughts the relatives and partner of Neil Todd and to
 15 recognise the pain and anguish that this case study may
 16 cause them. After he was contacted in 2012, Neil Todd,
 17 who had spent 20 years trying to help others within
 18 deprived communities in the Antipodes, took his own
 19 life. We remember him this morning. We also thank all
 20 the other complainants, victims and survivors who have
 21 come forward to tell us again their accounts. We
 22 recognise the emotional distress that this hearing may
 23 cause to them.

24 During the course of this opening and during this
 25 hearing, I will use the term "complainant" to identify

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1 someone who has alleged sexual abuse by an individual
 2 but where there has been no conviction or admission of
 3 liability through civil trial or other means.
 4 Otherwise, I will refer to individuals as "victims" or
 5 "survivors". The inquiry knows that some individuals in
 6 this case study consider themselves neither victims nor
 7 survivors, but just people to whom something has
 8 happened.

9 Peter Ball was arrested on 14 December 1992 when he
 10 was 60 years old. His fall from grace was a huge shock
 11 to the church. Here was a very senior clergyman with
 12 enormous spiritual authority. He also had power and
 13 charm. Sir Robin Catford, the appointments secretary to
 14 the Prime Minister, when recommending him to become
 15 Bishop of Gloucester in 1992, described him as follows:
 16 "Peter Ball is a man of humility, holiness and
 17 vision, combined with quite extraordinary personality,
 18 impish humour and an unrivalled ability to communicate
 19 to the highest and lowest of ages and backgrounds. He
 20 is, of course, a celibate, but he is a completely
 21 adjusted and confident person who is loved and revered
 22 by everyone who crosses his path, even on the shortest
 23 contact."
 24 Witnesses to this inquiry have consistently talked
 25 of Peter Ball's charisma and his oratorical brilliance.

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1 Rowan Williams, the former Archbishop of Canterbury,
 2 called a sermon of his one of the best he had ever heard
 3 in the evidence he gave us in March 2018. Peter and his
 4 brother, Michael Ball, who was also a diocesan bishop,
 5 were even minor celebrities during the 1980s, even at
 6 one stage hitting the heights of appearing on
 7 The Wogan Show.

8 Peter Ball's power was further enhanced by his
 9 cultivation of influential friends, both within and
 10 outside the church. He did not stint from mentioning
 11 those friends in prominent places when he thought it
 12 would assist his cause. He was well known, even before
 13 his arrest, for telling those of his friendship or
 14 acquaintance, and in particular those young people on
 15 his scheme, about which we will hear much, about the
 16 prominent people he had met, socially or spiritually, so
 17 they knew he had powerful people as his allies. The
 18 correspondence seen by the inquiry written by Peter Ball
 19 after his caution to various members of the church also
 20 made frequent reference to his friendship with those who
 21 were powerful or influential. To give one example, he
 22 told those in the church after his arrest that he had
 23 four Cabinet ministers who had offered to give him
 24 a bolthole from the press.

25 So loved was he that many people simply could not,

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1 or did not, believe that he could be guilty. To give an
 2 example of how he was regarded, Lord Lloyd of Berwick,
 3 then a judge of the Court of Appeal, and about to become
 4 a member of the House of Lords Judicial Committee,
 5 described him in a letter sent to the Chief Constable of
 6 Gloucestershire Police on 2 February 1993, whilst
 7 Peter Ball was under investigation, in the following
 8 terms:
 9 "... I must pass on what I know about Peter Ball
 10 himself. He is, quite simply, the most gentle, upright
 11 and saintly man I have ever met. I remember some years
 12 ago hearing him preach about St Francis when he quoted
 13 the saying that St Francis had set the world laughing,
 14 and then bathed it in his tears. It occurred to all of
 15 us who heard him then that if there is a latter day
 16 St Francis, then Peter Ball is him."
 17 This quotation is typical of the outpouring of
 18 support sent to various policemen, prosecutors and the
 19 church in the days after Peter Ball's arrest. The
 20 inquiry has drawn together a schedule of letters sent in
 21 support of Peter Ball which it will place on the website
 22 and which shows the esteem in which he was held.
 23 Those who are friends and supporters of Peter Ball
 24 consider that the response of the church and police
 25 during 1992 and thereafter was wrong, as here was a man

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<p>1 who had lost everything by his arrest -- his work, his 2 passion and his influence. They consider that his 3 criminal prosecution in 2015 was cruel and unnecessary, 4 as there was a very elderly man at no risk of further 5 re-offending who had already become a pariah within the 6 Church of England, doubly punished by serving a prison 7 sentence. 8 Conversely, to many people, the actions of 9 the church and the police, in 1992 and subsequently, 10 smacked of a coverup: that those in high places had 11 acted to hush up the offending, and the church had been 12 more concerned to restore Peter Ball to ministry than to 13 identify, investigate or manage the needs of victims and 14 survivors. Despite his caution, Peter Ball was not 15 subject to any disciplinary measures by the church until 16 he was prohibited from ministry for life following his 17 2015 conviction. 18 This case study will seek answers to the following 19 questions: 20 (1) why did Bishop Peter Ball escape detection as an 21 abuser, despite, as it has now emerged, the fact that he 22 made sexual advances to a significant number of young 23 men who came within his ambit of influence? 24 (2) how did the church permit him to run a scheme 25 where young people came to stay with him for extended</p> <p style="text-align: center;">Page 13</p>	<p>1 Peter Ball and return him to ministry? 2 (7) should a caution ever have been administered? 3 (8) why was he not subject to any disciplinary 4 action by the church until 2015? Were the disciplinary 5 powers of the church at the time in question, 1992 6 through to 2015, fit for purpose to manage the sorts of 7 allegations that this case study raises? Why, given the 8 frustrations expressed by senior individuals within 9 Lambeth Palace about Peter Ball's lack of insight into 10 his own offending behaviour was no risk assessment 11 process undertaken of him until 2009? 12 (9) why was he allowed to return to public ministry 13 and even granted permission to visit schools and 14 undertake confirmations in the light of what was known 15 about his offending behaviour within the church at the 16 time? 17 (10) why didn't the church refer letters received 18 from various individuals which made allegations similar 19 to those that Neil Todd had made to the police 20 in December 1992 and why in fact did it take until 2010 21 for the majority of those letters to be passed to the 22 police? 23 (11) was the internal investigation conducted by the 24 Church of England in 1992/1993 adequate? 25 (12) why did the prosecution decide to accept the</p> <p style="text-align: center;">Page 15</p>
<p>1 periods of time in his home without any supervision or 2 oversight and without any real sense of what was 3 happening or who was there over a more than ten-year 4 period whilst he was a suffragan bishop? 5 (3) why was he given a caution, rather than 6 prosecuted, for the offending that the police 7 investigated in 1992/1993 in respect of Neil Todd and 8 others? Why were other complaints brought at that time 9 not prosecuted or subject to any form of disposal at 10 that time? 11 (4) why was Peter Ball represented by a lawyer 12 during the criminal proceedings in 1992 who was also the 13 diocesan registrar, that is, an official lawyer for the 14 diocese in religious matters? This individual discussed 15 the case and Peter Ball's defence with various senior 16 members of the church during the course of 17 the investigation. Why was this potential conflict of 18 interest not identified or acted upon? 19 (5) was it wrong for the church to become involved 20 in seeking to defend Peter Ball by employing a private 21 detective on his behalf? 22 (6) were the church, police or prosecution put under 23 undue and improper pressure by individuals who held 24 positions of power and influence within society to try 25 and quash the criminal allegations made against</p> <p style="text-align: center;">Page 14</p>	<p>1 guilty pleas entered into by Peter Ball in 2015 and why 2 were other offences not pursued to trial? 3 (13) would the church approach a similar matter 4 concerning a senior member of its ranks in a like manner 5 today and, if not, what steps have been put in place to 6 create a consistent approach to dealing with such 7 allegations? 8 (14) what steps does the church, police, Crown 9 Prosecution Service and society need to undertake to 10 overcome the problems that this case study may 11 demonstrate? 12 We have sought and obtained evidence from Peter Ball 13 himself. He has provided two witness statements to the 14 inquiry. We have received medical evidence that he is 15 too unwell to give us evidence either in person or by 16 way of videolink. Both his witness statements will be 17 placed upon the website. He has provided an apology in 18 the second of those witness statements and has 19 identified that he has neither been open nor shown 20 penitence in the past. He also identifies that 21 previously he has not had the courage to be forthright 22 about his sexuality that maybe he should have had. 23 The panel may consider that Peter Ball's story is 24 not unique, despite what some in the church have stated 25 over the years. The underlying narrative of abuse of</p> <p style="text-align: center;">Page 16</p>

1 power and the seduction -- what society sometimes calls
 2 grooming -- of the society around them to permit such
 3 abuse to take place unheeded is, in fact, a central
 4 feature of much sexual offending. We are told in
 5 numerous serious case reviews and in research by the
 6 NSPCC about offending in schools that, in order to abuse
 7 successfully, abusers need to manipulate and charm not
 8 just victims and survivors, but also everyone else
 9 around them. This inquiry has heard evidence about
 10 several others about whom the same can be said, both in
 11 this investigation and in other investigations.

12 Those who worked at senior levels within
 13 Lambeth Palace and those who have subsequently carried
 14 out reviews for the church have characterised
 15 Peter Ball's behaviour subsequent to his arrest as
 16 showing a remarkable lack of insight. He pursued
 17 a course of extensive correspondence with anyone whom he
 18 thought could assist him, and these letters reveal
 19 someone who sought to manipulate the facts to his own
 20 ends. Various sources have identified that his
 21 correspondence to the church showed a potent combination
 22 of wheedling, emotional blackmail and unctuous praise in
 23 order to attempt to obtain a return to ministry.

24 In order to understand adequately the institutional
 25 reaction to Peter Ball's offending, it is necessary to

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1 understand something of both the church and also of
 2 Peter Ball's role within it at the time of his arrest in
 3 1992.

4 Peter Ball was a diocesan bishop at the time of his
 5 arrest. As we heard at the hearing into the Diocese of
 6 Chichester from various holders of that post, the
 7 diocesan bishop is the chief pastor of the area and the
 8 principal minister. Before his elevation to diocesan
 9 bishop, Peter Ball had spent a long period of time as
 10 a suffragan and then area bishop, a special sort of
 11 suffragan bishop; that is, someone chosen by the
 12 diocesan bishop to assist with a particular geographic
 13 area. Bishop Eric Kemp, who was the diocesan bishop at
 14 that time, allowed Peter Ball to make decisions about
 15 appointments to parishes and also to grant permission to
 16 officiate, so he had significant power over who were to
 17 become the vicars of the future, so to speak.

18 Peter Ball's route to the episcopate was in some
 19 ways very unorthodox. In the early 1960s, he and his
 20 brother set up a religious community called the
 21 Community of Glorious Ascension, or the CGA. In his
 22 first witness statement, Peter Ball himself identifies
 23 that he wanted to set up a religious teaching order
 24 within the Church of England for men and that the level
 25 of supervision by the church of this was minimal. The

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1 teaching work undertaken by members of the community was
 2 by way of invitation rather than formal application for
 3 teaching posts. There was little to no publicity or
 4 available information on a formal level of what the
 5 community did, but as word spread from the early 1960s,
 6 men began to approach the CGA to become part of
 7 the community.

8 Alongside his work with the CGA, amongst certain
 9 public schools with an Anglican ethos, Peter Ball
 10 developed a reputation as an impressive speaker and
 11 counsellor. Peter Ball says he did not seek out those
 12 invitations, but that they simply appeared. He says
 13 that he was not subject to any supervision or discussion
 14 about child protection or safeguarding when he went to
 15 speak at such schools or to any safeguarding checks.

16 We have received evidence from Ian Beer, former
 17 headmaster of Ellesmere College, Lancing College and
 18 Harrow School that Peter Ball would come and speak at
 19 the schools and would provide counselling and guidance
 20 to individuals in some cases. Peter Ball was also
 21 a governor of both Lancing College but also the wider
 22 Woodard Group, which is a group of Anglican boarding
 23 schools, in his role as the suffragan Bishop of Lewes.

24 Another headmaster of both Rugby and Lancing College,
 25 James Woodhouse, speaks of his abilities to listen and

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1 talk to young people, saying that he had exceptional
 2 gifts at communicating with them. Both state that there
 3 were no hints at the time that there was anything
 4 untoward in Peter Ball's behaviour. It was also the
 5 case that Peter Ball preached and spoke at a number of
 6 other well-known independent schools.

7 In the late 1970s and early 1980s, whilst suffragan
 8 bishop, Peter Ball developed a scheme called "Give
 9 a year to God". He set this up informally with the
 10 approval of Bishop Kemp, whom I have already mentioned
 11 was, at the time, the diocesan bishop of Chichester.
 12 From Bishop Kemp's evidence given to the police in 1992,
 13 it appears that whilst he knew of the scheme, he did not
 14 visit it or supervise it or even know what was happening
 15 within it. There was no formal approval process given,
 16 or in fact apparently needed, before this was set up.
 17 Peter Ball has told us that no steps were taken in
 18 respect of child protection or safeguarding. The church
 19 also seems to accept, in the evidence that it has given
 20 us, that there was no mechanism for supervising,
 21 assessing or visiting these sorts of schemes or even
 22 knowing what was going on.

23 We have been provided with information by way of
 24 witness evidence from a number of former members of
 25 the scheme. From this information, it is our

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<p>1 understanding that most participants heard about 2 the scheme either from university chaplains or because 3 they had heard Peter Ball speaking at events, including 4 at their schools, and they were seeking in some way to 5 explore the religious life. Some of them tell us that 6 they were at a vulnerable moment in their lives, either 7 because they were grappling with their sexual 8 orientation and sexual identity, with their relationship 9 with God, or simply at a crossroads. Some of them were 10 sent to be looked after by Peter Ball after misbehaving 11 at boarding schools and therefore were on their own. 12 Some of them also tell us that they had experienced 13 mental health crises or had not succeeded and dropped 14 out of university and were lost and were looking for 15 a way forward. 16 Those who attended the scheme lived, if they were 17 men -- and it must be noted there were some women who 18 participated in the scheme as well -- with Peter Ball at 19 his home in East Sussex, sleeping on mattresses and 20 living a spartan existence. They were provided with 21 religious instruction by, in the main, the Reverend 22 Vickery House, whom we heard about in Chichester and who 23 is now a convicted sex offender. They rose early and 24 undertook the Liturgy of the Hours, which were a set of 25 specific prayers and psalms undertaken at set times of</p> <p style="text-align: center;">Page 21</p>	<p>1 often told victims not to say what they had experienced 2 with him." 3 Whilst the majority of those attending the scheme 4 were over 18, there were some individuals who lived with 5 Peter Ball during this period who were under that age. 6 AN-A2 tells us that he was sent there by his school 7 after misbehaving when he was around 16 and there is at 8 least one other example of a boy under 18 being sent to 9 live there on similar terms. 10 Peter Ball's work with young people was well known 11 in the 1980s amongst senior clerics. When appointments 12 came up related to those young people, he appears to 13 have been thought of as a suitable candidate. For 14 example, he had appointments both to the Headmasters' 15 Conference and to the Anglican Scouting Fellowship 16 because of his widely perceived gifts with the young. 17 It is very important that everyone is clear about 18 what Peter Ball pleaded guilty to in 2015. The agreed 19 basis of plea was a document agreed between Peter Ball's 20 representatives and the Crown Prosecution Service for 21 the purposes of the sentencing of Peter Ball. 22 Peter Ball pleaded guilty to the offence of misconduct 23 in public office. This was an offence which, we are 24 told, was little used by prosecutors in 1992 but has 25 been the subject of some high-profile cases in 2011 and</p> <p style="text-align: center;">Page 23</p>
<p>1 the day. From AN-A7 and AN-A8, who have already given 2 us evidence at the Chichester hearing, we heard that 3 there was much emphasis upon asceticism and prayer. By 4 "asceticism", we mean a simple lifestyle emphasising 5 self-denial with periods of silence and manual labour. 6 There were no supervisors or regular religious visitors 7 to the scheme, save for a priest who would hear 8 confessions of the participants if they wished. There 9 were no formal safeguarding processes in place. 10 The scheme petered out when Peter Ball became 11 Bishop of Gloucester in 1992. 12 In his 2015 basis of plea, Peter Ball admitted: 13 "... whilst having established a genuine course of 14 religious thinking and tuition for young people to study 15 and follow under the scheme, [Peter Ball] then took the 16 opportunity to commit the acts comprising the misconduct 17 under the guise of those acts being a further part of 18 the austere regime of devotion and religious teachings, 19 when they were not. That other conduct was for the 20 defendant's sexual gratification and was not part of 21 the approved/received teaching of the Church of England, 22 nor of St Francis of Assisi or the Franciscan Order and 23 was nowhere else practised with approval. It was never 24 expressed publicly in writing or as part of the terms of 25 attendance on the scheme. The defendant [Peter Ball]</p> <p style="text-align: center;">Page 22</p>	<p>1 2012, which has subsequently led to it being used more 2 frequently. 3 Peter Ball pleaded guilty to this offence as against 4 13 young men. He accepted by his plea that: 5 (1) he obtained sexual gratification from the 6 deliberate manipulation of vulnerable young men. The 7 frequency of contact over a given period of time with 8 most, but not all, of these men was consistent with 9 a pattern of grooming. 10 (2) he abused his position as a bishop in the 11 Church of England by making suggestions to victims that 12 either their religious life or their social life would 13 be improved by engaging in the acts which he suggested. 14 (3) I have already read that Peter Ball also 15 accepted that he had used the scheme to assist his 16 offending. 17 We are to hear from three more of the young men 18 against whom Peter Ball pleaded guilty this afternoon. 19 There have been written accounts given by many others. 20 To give some examples of Peter Ball's behaviour to which 21 he pleaded guilty, this includes: 22 (1) caressing those on the scheme whilst both were 23 nude as a way of expressing "nongenital love" -- the 24 words of Peter Ball, not myself -- in order to liberate 25 inhibitions and to show love for Christ. This included</p> <p style="text-align: center;">Page 24</p>

<p>1 anointing the body, deliberately placing the sexual act 2 in the context of the holy act of anointment. 3 (2) naked prayer with embraces after praying. This 4 was proposed by Peter Ball as a way to show devotion to 5 Christ and for participants to leave the past behind 6 them. 7 (3) suggesting masturbation in front of Peter Ball 8 during a counselling session as a way to assuage the 9 young man's feelings of guilt about such. The person 10 was under 18 when this event occurred. For the 11 avoidance of doubt, the masturbation did not in fact 12 take place. 13 (4) kneeling naked before Peter Ball while the 14 participant's baptismal vows were read over him, 15 purportedly on the basis that this was a basis for 16 reaffirmation of his Christian vows. This offer was 17 first made when the person was 13, but undertaken when 18 he was over 18. 19 (5) suggesting that someone should "fling off their 20 underpants" and be naked as a sign of abandonment and 21 commitment to God when the young person was between 17 22 and 20. This was dressed up as being part of 23 the process from which Peter Ball would approve this 24 person's ordination. 25 (6) asking for massages in his groin area because of</p> <p style="text-align: center;">Page 25</p>	<p>1 one case, this involved beating. An indecent assault is 2 defined in law as touching without consent or where 3 consent has been obtained by duress, which is sexual in 4 nature or intention. 5 Other allegations made were not pursued by the 6 prosecution for reasons which the inquiry will hear. In 7 particular, Peter Ball did not plead guilty to any 8 indecent assaults of those under 18 and denied any act 9 of masturbation, genital touching or allegations of anal 10 penetration. We will be asking the CPS and the police 11 why these complaints were not pursued to trial. 12 There were also four allegations which were 13 investigated by the police after Peter Ball's 14 imprisonment and which came to light as complainants 15 came forward as a result of the publicity surrounding 16 his sentencing. We have also received two further 17 allegations which postdate even this police 18 investigation. 19 Of the 32 allegations of which the inquiry is aware, 20 13 of them relate to those who were or could have been 21 under 18 at the time of offending. At least two are 22 alleged to have taken place within a school setting. 23 Peter Ball pleaded guilty to the misconduct in public 24 office charge to four individuals who may have been 25 under 18 at the time. In some cases, it would appear</p> <p style="text-align: center;">Page 27</p>
<p>1 alleged poor circulation on his legs and then appearing 2 half dressed, having a clear erection during the 3 message, and ejaculating on another occasion. 4 (6) suggesting to a 16-year-old boy whom he had 5 confirmed and who had come to see him for counselling 6 that he should stand naked before Peter Ball and look at 7 himself in a mirror in order to show humility. 8 (7) suggesting to an 18-year-old boy who had been 9 referred to him for counselling that he needed to 10 experience pain and asking him to drop his trousers and 11 pants and turn his back. This, thankfully, did not 12 occur. 13 (8) spanking with a slipper in order supposedly to 14 reconnect with the Lord. 15 (9) sleeping in the same bed as Peter Ball. 16 Peter Ball had an erection and ejaculated when such 17 occurred. 18 Full details of the offending to which Peter Ball 19 pleaded guilty are set out within the opening remarks of 20 the prosecution for sentence which will be placed on the 21 website. 22 Peter Ball also pleaded guilty to two counts of 23 indecent assault. Both of these individuals who were 24 the subject of such assaults have provided us with 25 evidence and we will hear from them this afternoon. In</p> <p style="text-align: center;">Page 26</p>	<p>1 that a process of grooming took place before the sexual 2 offending, with persistent reinforcement of the need to 3 engage in some form of naked activity, either in the 4 form of penitence or to obtain greater spiritual 5 awareness and understanding. 6 Those critical of the church and other state law 7 enforcement agencies have continued to ask the question: 8 why did it take until 1992 for this to be revealed? And 9 why did it take until 2015 for there to be criminal 10 punishment of all but one offence? 11 To understand 1992, it is necessary to have some 12 information about Peter Ball's offending against 13 Neil Todd. Neil Todd was 17 when he arrived at 14 Peter Ball's home. People who knew him suggest that he 15 was a quiet, intensely religious boy who wanted to 16 pursue a religious vocation as a monk. Unlike many 17 others on the scheme, he did not come from a religious 18 family and his desire to become a monk was a source of 19 some concern for them. Whilst visiting Peter Ball, he 20 was alleged asked by him to undertake what Peter Ball 21 called the "penitential psalms", something which is not 22 a specific religious rite or office within the 23 Anglican Church. He told the police that this would 24 involve Peter Ball taking Neil Todd to the chapel at 25 midnight and they would both say the psalms naked so</p> <p style="text-align: center;">Page 28</p>

1 that they could feel the cold. Peter Ball would stare
 2 at him whilst this lasted. He then alleges that he took
 3 a cold shower watched by Peter Ball. This took place on
 4 more than one occasion. Neil Todd tried to wear his
 5 underpants during this encounter, but was told not to be
 6 so silly, and Peter Ball allegedly removed his
 7 underwear, ie, Todd's. For the avoidance of doubt, this
 8 was not the behaviour which resulted in Peter Ball's
 9 caution in 1992. After Peter Ball had become the
 10 Bishop of Gloucester, Neil Todd, still wishing to pursue
 11 a monastic life, went to stay with him in the bishop's
 12 house. In September 1992, Neil Todd alleged that
 13 Peter Ball suggested he should be beaten whilst naked
 14 with a stick or whip so that his body could "bear the
 15 marks". This was meant to be a step towards becoming
 16 a monk.

17 Neil Todd later told the police that he had been
 18 very unhappy and scared about this arrangement and at
 19 the time told Mr and Mrs Moss, who were the household
 20 staff of the bishop, with whom he had become friendly
 21 during his stays with Bishop Ball, what had been
 22 proposed. The Mosses were understandably concerned
 23 about this and took him away on holiday, which
 24 frustrated Peter Ball's plan. Upon the night of his
 25 return from the holiday in October 1992, it is alleged

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1 that Peter Ball came to Neil Todd's room and stripped
 2 naked. Neil Todd also took off his clothes. They
 3 embraced and Peter Ball caressed and kissed parts of
 4 Neil Todd's body. Neil Todd had an erect penis and
 5 Peter Ball allegedly took hold of it for a short time.
 6 Peter Ball asked Neil Todd if he was happy. He replied
 7 yes, although he said subsequently that he did not want
 8 to do this and Peter Ball seemed to acknowledge that.
 9 At the end of the incident, Peter Ball kissed him on the
 10 lips. It should be noted that Peter Ball in interview
 11 with the police in 1992, contrary to Neil Todd's
 12 account, denied that any genital contact took place and
 13 also denied that the cuddling was sexual in nature.

14 In October 1992, a further incident took place in
 15 Peter Ball's study when both men were naked at Ball's
 16 instigation. It is alleged that they caressed and
 17 embraced. Both had erections and when Mr Todd's elbow
 18 made contact with Peter Ball's penis, Peter Ball
 19 ejaculated. Peter Ball accepted in interview that he
 20 may have ejaculated but denied genital contact.

21 Neil Todd's unhappiness and emotional upset grew in
 22 the weeks after these encounters. He became so unhappy
 23 that he tried to take his life. Other individuals who
 24 have given evidence to the inquiry tell us that
 25 Neil Todd had told a number of people involved with the

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1 church about his behaviour. Their response, however,
 2 had been to suggest that he should simply forgive
 3 Peter Ball, rather than to report it to the police, and
 4 those giving that advice included the then Bishop of
 5 Southwark, Roy Williamson, and the then Bishop of
 6 Chichester, Eric Kemp. A notable exception to this were
 7 Mr and Mrs Moss, who had gone to see Bishop John Yates,
 8 who was then the Bishop at Lambeth but had previously
 9 been the diocesan Bishop of Gloucester, and so someone
 10 they knew well and trusted. At the time, he was
 11 therefore in effect the chief of staff to the Archbishop
 12 of Canterbury.

13 Mr and Mrs Moss went to him to disclose what had
 14 happened to Neil Todd. Bishop Yates did not tell the
 15 police at this time and, as far as the inquiry can see,
 16 took no steps to start any kind of formal investigation.
 17 Not long thereafter, in early December 1992, Neil Todd
 18 tried to kill himself again and his parents became
 19 involved. The first thing they did was to report it to
 20 the police.

21 Gloucestershire Police then conducted an
 22 investigation. We will hear evidence from one of
 23 the investigating officers at the time, former Detective
 24 Inspector Wayne Murdock, and we have a witness statement
 25 from the then Chief Constable of Gloucestershire Police,

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1 Albert Pacey.

2 Gloucestershire Police became aware of another two
 3 young men who had made similar allegations against
 4 Peter Ball. This included the following:

5 (1) that Peter Ball had allegedly anointed the
 6 genitals of a young man who was then encouraged to
 7 massage him. It was alleged that Peter Ball would have
 8 an erection during naked prayer and nude embraces and
 9 caresses.

10 (2) that naked cold showers were purported by Ball
 11 to be a religious obligation and that Peter Ball watched
 12 whilst those showers took place.

13 (3) that those who were part of the scheme would
 14 pray naked.

15 (4) that Peter Ball did beat individuals with
 16 a clothes brush or other implements, sometimes until
 17 they bled, and had suggested such as a way to prevent or
 18 curb masturbation.

19 The nature of those allegations were therefore known
 20 to the police in January 1993. Indeed, the police at
 21 the time interviewed one of the individuals against whom
 22 Peter Ball would eventually plead guilty in 2015. And
 23 yet, notwithstanding all of this, Peter Ball was at that
 24 time only cautioned for one offence of gross indecency
 25 against Neil Todd. The inquiry asks why this was the

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<p>1 case?</p> <p>2 We will hear evidence from DI Wayne Murdock, who led</p> <p>3 the investigation in 1992/1993. We will be asking him</p> <p>4 in particular about the following issues:</p> <p>5 (1) why he met with a Reverend Tyler, who was</p> <p>6 commissioned partly by the church and partly by</p> <p>7 Peter Ball's defence solicitors as a private detective</p> <p>8 to investigate matters, which I will deal with further</p> <p>9 later; why he met with him in January 1993 in a hotel in</p> <p>10 Gloucester along with Peter Ball's solicitors. We will</p> <p>11 be asking questions as to the motive of the police in</p> <p>12 taking this somewhat unusual course of action.</p> <p>13 (2) why a caution was an option when Peter Ball had</p> <p>14 not in fact admitted in interview any offending</p> <p>15 behaviour, something which is a precondition of</p> <p>16 a caution being an appropriate disposal, to use the</p> <p>17 language of the criminal justice system.</p> <p>18 (3) why Reverend Tyler, the private detective, had</p> <p>19 identified that Detective Inspector Murdock at the time</p> <p>20 had said to him that everything would be a much "easier</p> <p>21 operation", as far as he was concerned, if Peter Ball</p> <p>22 would admit a caution, and from Reverend Tyler's</p> <p>23 perspective, that DI Murdock was endeavouring to help as</p> <p>24 much as he can to avoid any unpleasantness in this</p> <p>25 investigation.</p> <p style="text-align: center;">Page 33</p>	<p>1 Others who provided evidence at the time were to be</p> <p>2 treated only as witnesses. They also identified that</p> <p>3 another option, but it was only an option, was that</p> <p>4 Neil Todd alone could be dealt with by way of a caution.</p> <p>5 Eric Kemp, the then diocesan Bishop of Chichester,</p> <p>6 and about whom we heard a great deal during the</p> <p>7 Chichester hearing, wanted to assist Peter Ball to</p> <p>8 defend himself. He therefore recruited the gentleman</p> <p>9 I have already referred to, Reverend Tyler, who had</p> <p>10 previously been a policeman and also a vicar to act as</p> <p>11 a private investigator and to seek to assist the</p> <p>12 criminal defence team. The panel may find the idea of</p> <p>13 the church directly employing a private detective to try</p> <p>14 to exculpate Peter Ball as somewhat extraordinary.</p> <p>15 Whilst Reverend Tyler's instructions came from the</p> <p>16 Peter Ball legal team, it appears that his services were</p> <p>17 in effect procured by the church and that his report, as</p> <p>18 ultimately written, was in fact kept filed away in an</p> <p>19 obscure filing cabinet in Chichester until 2011. His</p> <p>20 report, or at least a full version of it, was not placed</p> <p>21 in the files at Lambeth Palace. Whilst some aspects of</p> <p>22 its findings seem to have been reported on a second-hand</p> <p>23 basis from the Reverend Tyler to Bishop Yates and other</p> <p>24 individuals working at Lambeth Palace at the time, there</p> <p>25 is no evidence to suggest that the report was called</p> <p style="text-align: center;">Page 35</p>
<p>1 Reverend Tyler also says within his report that</p> <p>2 DI Murdock was persuaded by himself not to inform Sussex</p> <p>3 CID about allegations made against Reverend</p> <p>4 Vickery House. DI Murdock does not agree that that was</p> <p>5 the case. As we heard during the course of</p> <p>6 the Chichester investigation, these allegations</p> <p>7 ultimately led in 2015 to Reverend House's convictions</p> <p>8 for sexual offending. It is also noted in</p> <p>9 Reverend Tyler's report that, at the time, DI Murdock</p> <p>10 was assured that the Bishop of Chichester would deal</p> <p>11 with this. There was also discussion within</p> <p>12 Lambeth Palace about this, as someone wrote</p> <p>13 in December 1992, to state that Vickery House had</p> <p>14 sexually offended against their son, but, again, no</p> <p>15 investigation appears to have been pursued by the</p> <p>16 Church of England at that time and Sussex Police do not</p> <p>17 have their records from that time and so cannot trace</p> <p>18 whether anything was ultimately passed on to them.</p> <p>19 (5) why was the offending behaviour against others</p> <p>20 except Neil Todd not pursued and what were the reasons</p> <p>21 for that? The police in the information they provided</p> <p>22 to the Crown Prosecution Service in 1993 stated that</p> <p>23 they wished Peter Ball to be charged not just with</p> <p>24 offences against Neil Todd, but against two other</p> <p>25 individuals from whom you will hear this afternoon.</p> <p style="text-align: center;">Page 34</p>	<p>1 for, requested or sent to the central Lambeth Palace</p> <p>2 authorities for examination. The inquiry will have to</p> <p>3 consider if that was surprising, given its contents.</p> <p>4 The Reverend Tyler is still alive, but is too unwell</p> <p>5 to give evidence or to attend this hearing. Whilst his</p> <p>6 report initially set out to completely exonerate</p> <p>7 Peter Ball, he ultimately reached the opposite</p> <p>8 conclusion. From the investigations which he undertook</p> <p>9 with various individuals around the country, both those</p> <p>10 who knew Neil Todd and those who knew Peter Ball</p> <p>11 otherwise, those individuals told him that while they</p> <p>12 were participants in the scheme, Peter Ball had got them</p> <p>13 drunk and ended up naked in bed with them; and there</p> <p>14 were allegations of mutual masturbation made by a number</p> <p>15 of other individuals.</p> <p>16 Reverend Tyler was in touch with both Eric Kemp, as</p> <p>17 I have said, and Bishop Yates at this time,</p> <p>18 communicating with them in February 1993 and updating</p> <p>19 them about this investigation. Reverend Tyler was asked</p> <p>20 by Bishop Kemp to go and speak to the Archbishop of</p> <p>21 Canterbury about this, but that never materialised.</p> <p>22 What seems clear, therefore, is that whilst</p> <p>23 Reverend Tyler was meant to be acting as a private</p> <p>24 investigator for the criminal defence team, his role was</p> <p>25 somewhat ambiguous. He passed on information from the</p> <p style="text-align: center;">Page 36</p>

<p>1 report to various senior members of the church and it 2 does appear that his role was as the church's "man on 3 the inside" rather than someone solely dedicated to 4 Peter Ball. For example, he was asked by Bishop Yates, 5 Bishop at Lambeth, to go to Gloucester to secure 6 Peter Ball's resignation. Furthermore, when 7 Reverend Tyler wanted to dig further, making enquiries 8 by speaking to the staff within the diocese of 9 Gloucester and Peter Ball himself, this was refused by 10 the church.</p> <p>11 Reverend Tyler's report, which was sent to 12 Bishop Kemp, identified within its conclusions that: 13 "... the police had powerful evidence of years of 14 masturbation and abuse of young men by Bishop Peter ..."</p> <p>15 He wrote to DI Murdock after Peter Ball had accepted 16 a caution and the tone of his letter sets out his views 17 at the time about the church:</p> <p>18 "I really appreciate your sympathetic understanding 19 in preventing a scandal with a trial which would have 20 affected the Royal Family and establishment in this 21 crucial time of turmoil within the Church of England. 22 We both know if I had been wearing a helmet rather than 23 a birretta, I would have 'gone off the sheet' [which the 24 inquiry takes to mean to have been charged with 25 offences] and he would have gone down. It is very sad</p> <p style="text-align: center;">Page 37</p>	<p>1 headquarters. The explanation has been given that this 2 was because the case needed to be handled at a distance 3 because it involved a local bishop. We will hear 4 evidence from Gregor McGill, director of legal services 5 at the CPS, about what they can divine in fact took 6 place in 1993. The Director of Public Prosecutions who 7 authorised the cautioner Dame Barbara Mills, has passed 8 away.</p> <p>9 It would appear that the CPS at that time considered 10 that it was unlikely that the alleged offences, other 11 than those against Neil Todd, could be successfully 12 prosecuted. This was due partly, as it would appear, to 13 concerns over a time bar in respect of allegations of 14 the then offence of gross indecency. Those allegations 15 had to be brought within 12 months of the offence 16 occurring. It was also considered that the victims may 17 have consented to the indecent assaults. As most law 18 students know, 1992/1993 was when the case of R v Brown 19 was being heard by various judicial authorities which 20 dealt in some detail with the issue of consent in the 21 cases of consensual assaults of that nature.</p> <p>22 Furthermore, it was felt that Neil Todd's fragile 23 health and the fragility of some of the other 24 complainants pointed against a trial if it could be 25 avoided. The CPS, in a memo of advice as to what steps</p> <p style="text-align: center;">Page 39</p>
<p>1 that, after being interviewed by me and admitting the 2 offence, also promising to leave the country to avoid 3 the press and further scandal, he welched on his 4 promises to me, returned to Sussex and after pressure 5 from us has returned to Cornwall. Furthermore, he has 6 not shown any contrition and is again denying the 7 offences. I have been in touch with Lambeth and the 8 matter is being dealt with."</p> <p>9 The inquiry has a number of questions about the 10 actions of the Crown Prosecution Service in 1993. The 11 police handed over their files to the CPS in February of 12 that year. Peter Ball's solicitors wrote a letter to 13 the CPS at that time which we understand is and was 14 common practice, making representations as to how the 15 matter should be dealt with. This letter was to 16 persuade the CPS to advise the police to issue 17 a caution, and that letter stressed that Peter Ball's 18 behaviour was not sexually motivated. They wrote 19 a further letter in February 1993 saying that Peter Ball 20 would resign if he was cautioned. We have some evidence 21 and information as to the thought processes of the CPS 22 at that time, although no witness who then worked for 23 the central casework team at the CPS was available to 24 assist the inquiry.</p> <p>25 Gloucestershire CPS handed over the file to CPS</p> <p style="text-align: center;">Page 38</p>	<p>1 to take, states: 2 "The main objective is to prevent any further abuse 3 and breach of trust by Ball and to make him resign his 4 position. Acceptance of a caution would be the end of 5 Ball's career. His solicitor has already indicated that 6 Ball would accept a caution and resign."</p> <p>7 The CPS also considered that it was not possible to 8 bring allegations concerning more than simply Neil Todd. 9 The decision made by the Director of Public Prosecutions 10 herself was to caution only against Neil Todd on one 11 charge. The CPS will be asked to explain why this is 12 the case and how a caution came to be administered 13 without an unequivocal acceptance of guilt.</p> <p>14 There are several other questions which arise from 15 the decision to administer the caution: 16 (1) Peter Ball alleges that the caution had been 17 negotiated in return for his resignation and that it was 18 therefore conditional upon it. Does such a negotiation 19 have any substance and is Peter Ball correct to make 20 this assertion? 21 (2) in subsequent correspondence to Lambeth Palace 22 and others, Peter Ball has consistently stated that he 23 had been pressurised into agreeing the caution by his 24 solicitors to avoid further scandal. Is this the case 25 and would that therefore mean that the caution was not</p> <p style="text-align: center;">Page 40</p>

<p>1 valid?</p> <p>2 (3) was it appropriate to give a caution in</p> <p>3 circumstances where there had not been a full admission</p> <p>4 of guilt?</p> <p>5 (4) should he have been charged with the other</p> <p>6 offences?</p> <p>7 The original CPS investigation has been criticised</p> <p>8 by those who now work for the CPS or did so in 2013 and</p> <p>9 2014 as lacking in some respects. In particular,</p> <p>10 Alison Levitt, the principal legal adviser to the Crown</p> <p>11 Prosecution Service in 2014, identified the following</p> <p>12 concerns about the decisions which were made by the CPS</p> <p>13 in 1992 and 1993. She says:</p> <p>14 (1) Peter Ball should have been charged with two</p> <p>15 counts of gross indecency rather than just one and the</p> <p>16 only reason the matter was not reinvestigated in 2012</p> <p>17 was because of Neil Todd's tragic death.</p> <p>18 (2) Peter Ball was not charged, but maybe should</p> <p>19 have been, with indecent assaults against two</p> <p>20 individuals who had complained at that time.</p> <p>21 (3) again, that Peter Ball was offered a caution</p> <p>22 when he had not admitted the offending.</p> <p>23 (4) that it was not in the public interest to offer</p> <p>24 a caution given the particular circumstances of</p> <p>25 the case.</p> <p style="text-align: center;">Page 41</p>	<p>1 less serious offence than someone who has been</p> <p>2 prosecuted, but the most serious offences should not be</p> <p>3 suitable for a caution. What are the most serious</p> <p>4 offences was not set out in the CPS guidelines of</p> <p>5 the time, but the inquiry will ask if sexual offending</p> <p>6 in cases where there have been grave breaches of trust</p> <p>7 would or would not qualify.</p> <p>8 What may appear to the panel is that what a caution</p> <p>9 is and how people acted upon it seems to be different</p> <p>10 than if people were prosecuted for the offence.</p> <p>11 Peter Ball was arrested in the middle of somewhat</p> <p>12 turbulent times for the Church of England.</p> <p>13 Archbishop Carey had just been elected as the Archbishop</p> <p>14 of Canterbury. The vote on the ordination of women had</p> <p>15 been successful but there remained significant</p> <p>16 opposition within the church to it. There was,</p> <p>17 Lord Carey says, a real risk of schism within the church</p> <p>18 at that time and there was a need to devise appropriate</p> <p>19 pastoral responses in the church's governance to allow</p> <p>20 for ministry for those who refused to accept women as</p> <p>21 priests. The relationship as well between the Prince</p> <p>22 and Princess of Wales had broken down, and</p> <p>23 Archbishop Carey was involved in what he called within</p> <p>24 his witness evidence "a constitutional crisis".</p> <p>25 Whilst letters had been sent, as we identify in</p> <p style="text-align: center;">Page 43</p>
<p>1 A further issue to be considered is whether or not</p> <p>2 the police and/or others should have communicated more</p> <p>3 widely the nature of the allegations made against</p> <p>4 Peter Ball to those within the church so that they were</p> <p>5 clear as to exactly what Bishop Ball had been accused</p> <p>6 of. Lord Carey, who was then the Archbishop of</p> <p>7 Canterbury, in his evidence to the inquiry has indicated</p> <p>8 that the police did not disclose details of Peter Ball's</p> <p>9 offending to him, despite the fact that he asked for</p> <p>10 them, or make the church aware of precisely what the</p> <p>11 offences were. It was the case that Archbishop Carey</p> <p>12 did speak to a senior investigating officer to try and</p> <p>13 find out the details of the offending, but was rebuffed.</p> <p>14 Other witnesses, including those to whom I will</p> <p>15 refer later, who wrote letters of support at the time,</p> <p>16 identified that they did not understand what a caution</p> <p>17 meant and considered that it demonstrated either that</p> <p>18 the offending was not serious or that it was not</p> <p>19 criminal offending in any real sense.</p> <p>20 Somebody who gives evidence to this inquiry</p> <p>21 describes it as a "slap on the wrist" and no more.</p> <p>22 For the avoidance of doubt, Mr McGill describes in</p> <p>23 his evidence what a caution is. It is an alternative</p> <p>24 means of disposing of a criminal offence. It does not</p> <p>25 necessarily mean that someone has committed a lesser or</p> <p style="text-align: center;">Page 42</p>	<p>1 a schedule circulated to core participants and which</p> <p>2 will be put on the website, in praise of Peter Ball,</p> <p>3 Archbishop Carey also received in December 1992</p> <p>4 and January 1993 six letters in total from individuals,</p> <p>5 some of whom had in fact also approached the police, or</p> <p>6 their families. At least three of them identified</p> <p>7 occasions in which Peter Ball had manipulated his</p> <p>8 position or had acted in similar ways to that disclosed</p> <p>9 by Neil Todd to the police. One also disclosed, as</p> <p>10 I have already said, an allegation about the Reverend</p> <p>11 Vickery House. The report of Dame Moira Gibb sets out</p> <p>12 the nature of this correspondence in some detail, and we</p> <p>13 will publish all these letters, suitably redacted, on</p> <p>14 the website.</p> <p>15 It is true that these letters did not all arrive at</p> <p>16 the same time and also were in slightly different</p> <p>17 formats. However, they did contain personal testimony</p> <p>18 with regard to the following:</p> <p>19 (1) a suggestion that Peter Ball and another man</p> <p>20 should pray naked together when Peter Ball was in</p> <p>21 a position of authority over that person.</p> <p>22 (2) suggested to a boy that he should share his</p> <p>23 bedroom -- boys who had been sent to stay with him by</p> <p>24 their schools after they had been suspended.</p> <p>25 (3) engaged in mutual caressing with someone on</p> <p style="text-align: center;">Page 44</p>

<p>1 the scheme who had subsequently become a priest and that 2 at least one other person could corroborate this 3 activity. The letters also indicated that there was 4 local knowledge or rumours circulating in Sussex that 5 Peter Ball should not have boys staying with him. 6 The police visited John Yates, the then Bishop at 7 Lambeth, on 22 December 1992. John Yates gave them one 8 of the letters, which identified the fact that naked 9 prayer had been common on the scheme, but which was 10 otherwise supportive of Peter Ball, but not any others. 11 Over Christmas 1992, Bishop Yates, Bishop at 12 Lambeth, provided a written briefing to the Archbishop 13 of Canterbury at which the letters were specifically 14 mentioned and in which Bishop Yates advised 15 Archbishop Carey that: 16 (1) the archbishop's registrar, ie, his legal 17 adviser, should provide advice to Lord Carey on these 18 letters, as they involved, at the very least, 19 questionable or improper conduct. 20 (2) these matters should be investigated by the 21 church to assess the truth or otherwise of their 22 accounts, but also whether or not the authors of these 23 letters would go to the press. 24 (3) that Peter Ball may have to resign but it would 25 be wise to await further developments in respect of both</p> <p style="text-align: center;">Page 45</p>	<p>1 information about offending were not passed to the 2 police. The letters were also not passed to the 3 Reverend Tyler, who, as I have described previously, was 4 carrying out his own private investigation into Ball's 5 activities. Lastly, there was not even any discussion 6 of the letters with the police or the CPS at any time, 7 save the one letter given over which identified that 8 naked prayer had taken place. Lord Carey in his 9 evidence says that the letters were seen as confidential 10 and private and so were naturally not disclosed for 11 those reasons, and also because it was believed that the 12 police would have this information in any event. 13 Secondly, whilst Dr Robson in his advice 14 in December 1992 raised the possibility that 15 Peter Ball's activities in respect of Neil Todd could 16 amount to an offence under the Ecclesiastical 17 Jurisdiction Measure 1963, which was the relevant 18 disciplinary process in place at the time, no steps were 19 ever taken with regard to disciplinary action. 20 Thirdly, Bishop Ronald Gordon, who had been 21 Bishop Yates' predecessor as Bishop at Lambeth, was 22 asked by Lord Carey and Bishop Yates to look into the 23 significance of the letters. Bishop Gordon interviewed 24 Peter Ball in late 1993, but the focus of this meeting 25 seemed to be largely upon how to dispose of the matters</p> <p style="text-align: center;">Page 47</p>
<p>1 Neil Todd and allegations of others pending the outcome 2 of the police investigation. 3 (4) information about Neil Todd's situation should 4 be sought as there was a need to show care for him. 5 (5) discussions should be held with the diocesan 6 staff if Peter Ball did not resign. 7 On the same day as this briefing was received in 8 late 1992, Archbishop Carey sent a memorandum to all 9 parishes in the diocese of Gloucester asking everyone to 10 pray for Peter Ball. Danny, would you mind getting that 11 up? That's ACE000255. this message stated that they 12 hoped and prayed that Peter Ball's name would be cleared 13 and asked for prayers for him. No mention was made of 14 Neil Todd or others. We assume that this was a document 15 to be read out in public as a prayer intention. 16 As we therefore seek to understand the nature of 17 the response from Lambeth Palace at the time, we would 18 at this point draw out the following, based on 19 statements given to us from those who are still alive. 20 Dr Frank Robson, who was then the senior legal 21 adviser for the Province of Canterbury, identified that 22 the matters raised by the letters should be put to 23 Peter Ball but he did not at that time advise that they 24 should go to the police with them or pass them over. 25 Importantly, some of the letters which gave further</p> <p style="text-align: center;">Page 46</p>	<p>1 which formed the basis specifically of the police 2 investigation rather than about the other matters 3 contained within the letters: Peter Ball, within this 4 meeting, dismissed the concerns set out in the other 5 letters saying: 6 (1) he had shown a film to those on the scheme when 7 it first started which showed the episode where 8 St Francis had taken off his clothes and the Schemers 9 had then spontaneously done this. Others had heard 10 about this flinging off of clothes and wanted to do the 11 same. 12 (2) nudity was common in the household amongst those 13 on the scheme. 14 (3) he then cast assertions on those who had written 15 letters to the Archbishop of Canterbury, attributing 16 their complaints to their familial background or various 17 psychological problems which they had. 18 (4) even more remarkably, that the incident with the 19 schoolboy had been reported to the police and the head 20 of school, but that Peter Ball had explained it away. 21 I should note, there is no mention of this in the letter 22 from the individual's parents or the individual 23 concerned. Despite Peter Ball having admitted to the 24 church what could be considered to be behaviour which is 25 far outside of what could be considered to be usual for</p> <p style="text-align: center;">Page 48</p>

1 a bishop of the Church of England and which showed
 2 a dangerous lack of understanding of boundaries and
 3 respectful relationships, no further steps were taken in
 4 respect of these letters. Moreover, there does not
 5 appear to have been any serious analysis by the church
 6 as to the plausibility of this explanation in the light
 7 of what else was known. Bishop Gordon subsequently
 8 advised Bishop Yates in February 1993 that if Peter Ball
 9 did not resume ministry, there was no need for further
 10 action in respect of the letters. This was reported to
 11 Lord Carey.

12 Despite having been briefed at the time by
 13 Frank Robson and Bishop Yates around the number of
 14 allegations made concerning Peter Ball, including that
 15 there may well have been a case to answer, and having
 16 received the letters we have just referred to containing
 17 further serious allegations to which Lord Carey replied
 18 expressing shock at least to one of them, Lord Carey
 19 wrote on 5 February 1993 to the Chief Constable of
 20 Gloucestershire suggesting that if Ball were guilty, his
 21 criminality would not be "representative of his style".
 22 He also said that his expression of faith in a monastic
 23 form was "an orthodox way" -- whilst following
 24 a monastic path is unusual but orthodox, Lord Carey had
 25 received specialist advice in late December 1992 from

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1 the Franciscan Order that there was absolutely no
 2 tradition of nudity or naked prayer at all.

3 (5) individuals within Lambeth Palace, notably
 4 John Yates, appear from the memorandum we have seen to
 5 be very conscious of the negative publicity which this
 6 case had already attracted and plainly wanted to put the
 7 matter to bed. A caution followed by a resignation
 8 would obviously attract much less publicity than
 9 a trial.

10 On 8 March 1993, Peter Ball received a caution for
 11 one count of gross indecency against Neil Todd. He
 12 resigned immediately thereafter.

13 Peter Ball alleged to the church very shortly after
 14 his resignation that he did not wish to resign and only
 15 did so so that he received a caution rather than face
 16 a trial. In this regard, we must also consider the
 17 following:

18 (1) senior members in the church, including
 19 Bishop Yates, had expressed the view that Peter Ball
 20 should resign from fairly early on after his arrest,
 21 whether or not he was charged with any offending.

22 (2) Peter Ball's solicitor recommended to him that
 23 he resign during a conference with and involving
 24 Reverend Tyler and his barrister on the basis that
 25 Peter Ball had admitted to the offences.

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1 (3) the CPS certainly mention the resignation within
 2 the relevant paperwork as a factor to consider when
 3 deciding whether or not to accept a caution.

4 (4) the police mention his resignation when passing
 5 the matter to the CPS.

6 (5) Peter Ball had signed a deed of resignation
 7 which was to be held until the CPS announcement when he
 8 would then resign.

9 This fact pattern may therefore at least suggest
 10 that the offer of resignation had been a matter of
 11 extensive discussion with all parties and had been
 12 a significant factor in the CPS's determination of
 13 whether and how to proceed.

14 Dame Moira, within her report, sets out in some
 15 detail the period following Ball's resignation and the
 16 response of the church. There is no time in this
 17 opening to go through the detail of what happened. The
 18 matters, however, which will need to be dealt with are:

19 (1) why did the church take relatively few steps to
 20 seek to assist either Neil Todd or other individuals who
 21 had brought forward complaints and concerns? Whilst
 22 there was a degree of pastoral support for Peter Ball,
 23 and whilst some offers were made initially in respect of
 24 Neil Todd, there were no steps taken to assist any other
 25 complainant or to ask if they required such pastoral

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1 assistance and care. This was save for the assistance
 2 provided by the Reverend Ros Hunt, a chaplain at
 3 Jesus College, Cambridge, at the time, from whom we will
 4 hear on Wednesday, who had been a counsellor and
 5 spiritual adviser to two of those who complained to the
 6 police about Peter Ball, and others who had gone to her
 7 with concerns. Both she and her superior, the
 8 Bishop of Ely, had written in early 1993 to express
 9 their concerns as to the lack of pastoral support for
 10 the complainants and the need for some kind of apology
 11 and/or structured listening involving them and senior
 12 members of the church. Peter Ball and his brother,
 13 Michael, I may say, also bitterly complained about the
 14 pastoral support of the church, considering that they
 15 had been "hung out to dry".

16 (2) the church did not ask the police about other
 17 complainants or seek their names to provide them with
 18 assistance. Mr Todd himself had written to the church
 19 to ask whether or not such assistance had been provided
 20 to others, as had other individuals concerned about the
 21 reaction of the church and the church's pastoral
 22 response, including the individual who was the head of
 23 Victim Support, a national charity, at that time.

24 (3) Frank Sargeant, the then bishop of Lambeth after
 25 John Yates, gave the names of those who had complained

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1 about Peter Ball in 1992 to Peter Ball himself in
 2 a meeting in 1994 without telling them. Why did this
 3 happen? Why was this information not given to the
 4 police but was given to Peter Ball?
 5 (4) why did the church take no positive disciplinary
 6 action against Peter Ball and why was he not put on the
 7 Lambeth list? The Lambeth list was discussed during the
 8 Chichester hearing, but for those not familiar with it,
 9 this was an internal list confidential to the Archbishop
 10 of Canterbury and the Archbishop of York of those who
 11 had black marks against their name. From the
 12 information that the inquiry obtained in Chichester, it
 13 does not appear that there was any systematic policy as
 14 to who got onto the list, which was then circulated to
 15 other bishops on a confidential periodic basis to
 16 identify difficulties. It would appear that the names
 17 ranged from those who were prohibited from office to
 18 those who had merely at some stage been deemed less than
 19 desirable for a variety of reasons. Whilst the
 20 disciplinary measures in place in 1992 were cumbersome
 21 and difficult, and any case involving a diocesan bishop
 22 and offences of this nature would have broken new
 23 ground, we will ask for an explanation as to why it was
 24 not used.
 25 (5) why the church did not pursue the investigations

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1 into the allegations set out within the letters or those
 2 which led to the criminal investigation after the
 3 Peter Ball's resignation had been accepted?
 4 Chair, I don't know whether this is a convenient
 5 moment, because I know we started slightly early? Thank
 6 you.
 7 THE CHAIR: Thank you, Ms Scolding. We will return at
 8 11.30 am.
 9 (11.15 am)
 10 (A short break)
 11 (11.30 am)
 12 MS SCOLDING: Almost as soon as the ink was dry upon the
 13 letter of resignation, Peter Ball and his brother
 14 Michael began corresponding to ask when he could be
 15 returned to ministry. The first discussion about this
 16 extensive correspondence written from this point forward
 17 by both Peter and Michael came in July 1993, only four
 18 months after his caution and resignation. Staff at
 19 Lambeth Palace at the time describe in some
 20 contemporaneous notes from 1993 and 1994 that the tone
 21 of this correspondence was at times manipulative and
 22 that permitting any form of limited return to ministry
 23 would seem to lead to further and further demands. That
 24 observation may be seen to have been prescient. For
 25 example, Peter Ball wrote to the chancellor of

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1 the Gloucestershire diocese, June Rodgers, in 2002
 2 wanting her to write to the CPS about wishing to
 3 overturn the caution, the chancellor of Gloucester being
 4 a legal adviser to the diocese. She refused to do so.
 5 She identifies that, with the benefit of hindsight, it
 6 may have been better to have had a criminal trial at
 7 that time so that the outside world would have known
 8 what had been going on, but that it was not foreseeable
 9 that after he had resigned he would pester people to be
 10 rehabilitated.
 11 By June 1994, Archbishop Carey had agreed to return
 12 Peter Ball to some form of ministry, but for various
 13 reasons, this was not put into effect
 14 until January 1995, when he was given permission to
 15 officiate, PTO, for the parish where he lived. We heard
 16 a lot about permission to officiate during the course of
 17 the Chichester hearing. This PTO was meant to be
 18 limited to two particular parishes, but the question to
 19 be asked on the basis of this is, firstly, whether or
 20 not it was ever practicable to limit a PTO in this way,
 21 given that there was no formal covenant of care or any
 22 other written restrictions put in place about
 23 Peter Ball, and, secondly, whether or not such a limit
 24 could ever have been realistically enforced.
 25 From this point onwards, Peter Ball sought to

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1 undertake more and more engagements, and he was
 2 permitted to do so by Lord Carey and other senior
 3 members within Lambeth Palace on a piecemeal but
 4 incremental basis. It was also the case that every time
 5 he wrote, he continued to protest his innocence and seek
 6 for the resignation to be rescinded. Importantly, the
 7 nature of the caution and the relative lack of
 8 transparency as to what it meant that Peter Ball had
 9 actually done or what it is he had in fact admitted to
 10 doing may have been seen to have allowed him
 11 considerable scope to generate sympathy.
 12 The panel may wish to note that in January 1996,
 13 Ball was permitted by Lord Carey to preach at
 14 a particular public school, and again by
 15 Archbishop Carey to conduct confirmations at other
 16 specific schools later on in that year. Peter Ball
 17 appears to have taken this as an indication he could
 18 undertake confirmations and preach in schools more
 19 broadly, and it was subsequently discovered when
 20 questioned about this in 2002 that he had preached in
 21 over 25 schools between 1996 and 2002.
 22 Such was the nature of his incremental
 23 rehabilitation that in early January 1997,
 24 Archbishop Carey made a statement at a regular meeting
 25 of all bishops that they could, at their discretion,

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<p>1 allow Peter Ball to exercise a full episcopal ministry, 2 ie, to undertake acts that only a bishop could 3 undertake, the most significant one of course being 4 confirmation within this context. Lambeth Palace were 5 to be informed of any press interest.</p> <p>6 Peter Ball's return to ministry did not please all 7 in senior positions. We have a witness statement from 8 Bishop Bentley, who was the Bishop of Gloucester who 9 immediately succeeded Peter Ball. He did not permit 10 Peter Ball to carry out any services in his diocese 11 because of the many clergy and lay Christians who would 12 be troubled and hurt by this, so he tells us.</p> <p>13 Intertwined with the concerns set out above is 14 whether or not there was undue pressure put upon the 15 church, the police and the Crown Prosecution Service 16 from a number of prominent individuals who were friends 17 with Peter Ball and who wrote in his support to these 18 authorities.</p> <p>19 The CPS and police received 24 letters asking them 20 to carefully consider the steps they should take in 21 respect of Peter Ball in 1992 and 1993. Although these 22 letters were being written by people who would describe 23 themselves as his friends, some were written on headed 24 official notepaper, giving them an apparent degree of 25 institutional sanction or authority. Furthermore,</p> <p style="text-align: center;">Page 57</p>	<p>1 they wrote these letters. Largely, they say it was out 2 of friendship and disbelief that Peter Ball could have 3 done anything wrong, and, further, they were very 4 concerned for Peter Ball's mental health. It is 5 undoubtedly the case that Peter Ball's mental health 6 suffered a significant decline after he was arrested and 7 everyone was genuinely concerned for his well-being.</p> <p>8 Whilst all these individuals have stated 9 categorically that they did not wish to actually alter 10 the decision to be made by the police or CPS, internal 11 correspondence shows that these letters were noted by 12 both these institutions and that there may have been 13 a heightened sensitivity to the case as a result. It 14 may be that this correspondence did not in fact make any 15 difference. However, it is right that this inquiry 16 should examine carefully whether the intervention of 17 individuals, some in positions of the highest prominence 18 in British society, and writing in what gave the 19 appearance of an official capacity, was appropriate and 20 whether or not it was perceived to have had a bearing on 21 the action taken in respect of Peter Ball.</p> <p>22 Whilst this case study involves a churchman, 23 parallels may legitimately be drawn to other 24 circumstances in which individuals who are members of 25 the establishment, as Peter Ball identifies in his third</p> <p style="text-align: center;">Page 59</p>
<p>1 because of the prominent position of these individuals, 2 the response by the police and prosecutors was therefore 3 more formal and may well have weighed more heavily with 4 them. The letter writers included senior MPs, a senior 5 member of the judiciary and respected educators.</p> <p>6 For example, Lady Renton, the wife of Lord Renton, 7 formerly Tim Renton, has provided us with a witness 8 statement to this investigation. She identified that, 9 as a friend of Peter Ball's, immediately after his 10 arrest she and her husband decided to write to the 11 Director of Public Prosecutions on House of Commons 12 headed notepaper about Peter Ball, precisely so that 13 they would get a more elevated and serious response. 14 One should remember that Lord Renton was then the 15 Chief Whip in the House of Commons.</p> <p>16 The CPS had a policy, which may still be in 17 operation, at that time, that correspondence from MPs 18 was dealt with differently from correspondence from 19 members of the general public. It had to be responded 20 to at a senior level and required internal investigation 21 and briefing at this stage from the DPP. The panel will 22 want to consider if it was appropriate for MPs to be 23 able to write in this way if their concern was about 24 a friend and not about parliamentary business or one of 25 their constituents. We have asked these individuals why</p> <p style="text-align: center;">Page 58</p>	<p>1 witness statement that is what he was at the time, are 2 automatically believed and seen as beyond reproach even 3 where serious allegations are levelled against them.</p> <p>4 Of course, the reaction to someone who was seen by 5 many as particularly holy, a celibate, an ascetic, and 6 devoted to fostering the spiritual life is more extreme 7 than may be the case in other circumstances. Some do 8 not like to think of those who seek to serve God in 9 whatever form as being capable of such offending. 10 However, the uncritical view expressed by many that he 11 was simply not capable of such actions may be telling 12 about society's inability to come to terms with the 13 reality of an abuse of power.</p> <p>14 Furthermore, it is impossible to say that these 15 sorts of issues lie in the past. The local reaction, 16 for example, to the conviction of the local Chichester 17 parish priest, Reverend Howarth, shows that the same 18 expressions of disbelief continue to be voiced today.</p> <p>19 Alongside politicians and other prominent 20 individuals, Peter Ball knew the Prince of Wales. Both 21 Michael and Peter Ball were not shy about using his name 22 to seek to influence others. For example, 23 Bishop Michael Ball wrote to Lord Carey in December 1992 24 saying that his brother was receiving support from His 25 Royal Highness the Prince of Wales. Peter Ball, in his</p> <p style="text-align: center;">Page 60</p>

<p>1 very many letters to Lambeth Palace, would often mention 2 his friendship with him. 3 It is certainly the case that within the records of 4 the 1992 investigation, the material which went to the 5 CPS and which was circulated internally, and within the 6 internal records of Lambeth Palace, there are both 7 oblique and direct references noting that His Royal 8 Highness the Prince of Wales or the Royal Family were 9 interested in the matter. There was also internal 10 correspondence within Lambeth Palace subsequent to 1992 11 to identify that there were times when the Prince of 12 Wales or his staff asked those in Lambeth Palace simply 13 about the position of Peter Ball. There has also been 14 much press speculation about the role that His Royal 15 Highness the Prince of Wales may have played in such 16 matters. 17 Given this, the inquiry, as unfortunately we already 18 know, sought evidence from the Prince of Wales and he 19 has provided a letter, which will be read on Friday 20 morning, which attests to its truth and which responds 21 to the questions we have raised. We asked the Prince of 22 Wales about the documentation the inquiry has received 23 which identifies occasions upon which the Prince or his 24 staff had asked institutions about Peter Ball and we 25 also asked whether or not the Prince sought to influence</p> <p style="text-align: center;">Page 61</p>	<p>1 Peter Ball's file and correspondence. The first, in 2 2000, was carried out by Richard Llewelin, the Bishop 3 at Lambeth, alongside Andrew Nunn, who was 4 correspondence secretary, administration secretary and 5 building secretary, the latter of whom will come and 6 give evidence to us. In a memorandum, Bishop Llewelin 7 concluded that Peter Ball had been treated leniently. 8 Lord Carey objected to this characterisation and 9 sent out a detailed memorandum in response identifying 10 firstly that Bishop Llewelin's conclusions had failed 11 to identify the acute anguish, despair and pain of both 12 Peter and Michael Ball at the time in 1992/93; the 13 difficulty of getting at the truth of the matter; and 14 also identified that Peter Ball was not placed on the 15 Lambeth list because of his ill-health and that he could 16 not exercise a ministry for some time. 17 The inquiry will seek to examine documents between 18 1992 and 2000 about Peter Ball's ministry to see if that 19 was the only reason, or if there were a number of 20 reasons given over time as to why he was permitted to 21 return. 22 Despite the conclusions reached within this internal 23 review, there was no ostensible change to Peter Ball's 24 status. He agitated to become an assistant bishop in 25 Bath and Wells, which was refused, and sought to</p> <p style="text-align: center;">Page 63</p>
<p>1 those bodies and/or to treat Peter Ball differently to 2 others. 3 We have also seen letters held by the church and 4 deposited by Peter Ball between His Royal Highness the 5 Prince of Wales and Peter Ball himself. We have 6 disclosed to core participants extracts from these 7 letters which we consider are relevant to our terms of 8 reference and which the inquiry deemed it was both 9 necessary and proportionate to disclose. 10 What is clear from the correspondence is that 11 Peter Ball sought to convince the Prince of Wales of his 12 innocence, that he had been discredited by enemies 13 within the church, and that Neil Todd was in effect 14 a gold digger seeking publicity and money from the 15 tabloid press. What is also clear is that Peter Ball 16 within his correspondence told the Prince of Wales that 17 he had very little money and nowhere to live when his 18 brother retired from being Bishop of Truro. 19 Correspondence from the Prince of Wales to Peter Ball at 20 that time suggests that he spoke to someone at the 21 Duchy of Cornwall estates who then sought out a house to 22 buy on behalf of the Ball brothers, which they then 23 rented at a commercial rate from the Duke of Cornwall's 24 estate within the area of Somerset. 25 From 2000 onwards, there were periodic reviews of</p> <p style="text-align: center;">Page 62</p>	<p>1 persuade the church that his resignation was not valid, 2 none of which the church accepted. During the time 3 between 2001 and 2009, the church was aware on more than 4 one occasion that Peter Ball was carrying out 5 confirmations in schools or preaching in them and no 6 action was taken to either stop him or to contact the 7 schools in question, albeit that both Lord Carey and his 8 successor Lord Williams wrote to Peter Ball to ask him 9 to desist from doing so. 10 Following the past cases review in 2007/2008 about 11 which we heard much in Chichester, Dr Rowland, who had 12 been present at the interviews with AN-A117 in 1992 and 13 who was a very senior theologian, wrote to the lead 14 bishop at the time, Anthony Priddis, from whom we also 15 have a statement, identifying his concern about 16 Peter Ball having permission to officiate and expressing 17 significant concerns about the events of 1992 and 1993. 18 The church then appointed Professor Anthony Mellows, the 19 then dean of faculty of laws for the University of 20 London, who has now passed away, and a professing 21 Anglican to conduct a review of the files about 22 Peter Ball held at Lambeth Palace. His conclusion was 23 that it was regrettable that the concerns expressed in 24 the letters of 1992 were not passed to the police or 25 subject to any forensic adjudication by the church. He</p> <p style="text-align: center;">Page 64</p>

1 found that these concerns presented a pattern and, if
 2 investigated and substantiated, would have justified the
 3 institution of either criminal or ecclesiastical
 4 proceedings. He also criticised the failure to take any
 5 ecclesiastical proceedings in 1992. He did, however,
 6 identify in his report that no practicable purpose would
 7 be served by bringing any ecclesiastical proceedings at
 8 that stage.

9 The report did recommend that Peter Ball should be
 10 subject to a forensic risk assessment. That was after
 11 some delay implemented and a risk assessment was carried
 12 out in 2009 by a forensic clinical psychologist.

13 Peter Ball bitterly opposed the request for an
 14 assessment, threatening to involve various individuals
 15 in this matter, including the Prince of Wales. The
 16 inquiry has no evidence that the Prince of Wales
 17 responded to the letter sent by Peter Ball asking for
 18 him to intervene. We do, however, have a witness
 19 statement from Fiona Gardner, the diocesan safeguarding
 20 adviser, charged with arranging the risk assessment
 21 which sets out the timeline of events setting out the
 22 difficulties she faced, including approaches asking her
 23 not to go through this by both senior clergy and someone
 24 within the House of Lords. She also identifies that
 25 Lambeth Palace and the church were not forthcoming with

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1 her about Peter Ball and she was not entirely aware of
 2 the nature of his offending, despite having been in post
 3 since 2002, until 2008, when she only found out the
 4 nature of the offending and what he had resigned for by
 5 undertaking a search using Google.

6 Peter Ball's correspondence from 1992 to 2010 has
 7 been characterised by Dame Moira Gibb to show an extreme
 8 lack of insight into the hurt he had perpetrated within
 9 the church and seeking to place himself in the role of
 10 a victim of a conspiracy. He suggests that his
 11 behaviour was foolish and naive, and it may be suggested
 12 that people believed this, and wished to believe this,
 13 because the truth, ie, that it was sexual offending, was
 14 too hard and too difficult to contemplate. Moreover, by
 15 turning the abuse into a spiritual practice, it can be
 16 seen to justify it in the mind of the abuser and those
 17 around him and so is therefore minimised.

18 The risk assessment carried out in 2009 identified
 19 that Peter Ball could be considered, as I have already
 20 mentioned, to be a sexual predator who abused his power
 21 and used his charisma to create situations to enable
 22 offending. He was not found to have paedophilic
 23 tendencies, but his sexual interest was seen as being
 24 hebephilic, ie, an interest in post-pubertal adolescents
 25 and young adults to which the scheme gave easy access.

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1 The assessment says:
 2 "... he displays a concerning lack of awareness of
 3 the impact of his behaviour on victims ...
 4 "He presents as a very personable and generally
 5 cooperative person. However, there are aspects of his
 6 behaviour which are highly manipulative and
 7 controlling ... he seeks to thwart appropriate
 8 psychological inventory ... one has to wonder what he is
 9 fearful of disclosing."

10 As a result of this risk assessment, a formal
 11 safeguarding agreement was put in place for Peter Ball
 12 limiting his permission to officiate to one parish. The
 13 matter was also referred to the local authority
 14 designated officer, ie, the LADO, and also to the
 15 Independent Safeguarding Authority, the forerunner of
 16 the DBS. Running almost in parallel to the
 17 Professor Mellows report was a complaint made in 2008 to
 18 Northamptonshire Police by Philip Johnson, from whom we
 19 heard in the Chichester case study. We have written
 20 statements both from Rachel Swann, Chief Constable of
 21 Northamptonshire Police, and DC Anthony Charman, who led
 22 the investigation into Reverends Cotton and Pritchard in
 23 2008. Whilst investigating the offending behaviour of
 24 these two individuals, he found on the files at
 25 Chichester concerns raised by Philip Johnson because

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1 Peter Ball had been in charge of the diocese when
 2 Reverend Cotton and Reverend Pritchard, both of whom had
 3 sexually abused Mr Johnson, were active in their sexual
 4 offending against children. He found out from the
 5 Chichester diocese about other allegations made about
 6 Peter Ball in 1992, but not investigated, and wanted to
 7 review them to make sure that there was no link between
 8 Cotton, Pritchard and Peter Ball. He made extensive
 9 efforts to get the letters I spoke of
 10 concerning December 1992, but it took him five months to
 11 do so.

12 He contacted the CPS to ask if there should be an
 13 investigation into Peter Ball separately and was told
 14 that the letters did not disclose evidence of
 15 criminality. He also liaised with Kate Wood, from whom
 16 we will hear later this week, who was by then assisting
 17 Lambeth Palace in managing safeguarding matters.

18 Despite the findings of the risk assessment,
 19 Peter Ball and his brother still pressed for
 20 rehabilitation into clerical ministry, identifying that
 21 as a CRB check undertaken both in 2004 and in 2009 had
 22 not thrown up any offences, then his offending was spent
 23 and he should be rehabilitated like anyone else. The
 24 panel may wish to note that because cautions were not
 25 officially placed upon the police national computer

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1 until 1996, Peter Ball's offending and his caution did
 2 not show up when those CRB checks were in place. We do
 3 have a written statement from the DBS already discussed
 4 as part of the Chichester investigation which explains
 5 such.

6 Continuing coverage of the Peter Ball affair,
 7 including allegations of conspiracy and coverup, led to
 8 Elizabeth Hall, national safeguarding adviser, whom we
 9 heard from in March, recommending that there should be
 10 a further review of Peter Ball information which should
 11 involve trying to find all documents, no matter where
 12 they were located. This was then the subject of
 13 a review by Kate Wood.

14 The files from Gloucester had unfortunately been
 15 transferred allegedly to Truro and then destroyed. We
 16 had Elizabeth Hall's evidence in March of the shock
 17 within Lambeth Palace at the discovery of
 18 the Brian Tyler report in the Chichester correspondence
 19 file. The church then passed all information promptly
 20 to Sussex Police.

21 From July 2012, Sussex Police reinvestigated the
 22 case under the name Operation Dunhill. With the further
 23 investigation, a number of individuals came forward who
 24 had not previously made themselves known to the police
 25 in 1992/1993. I have also told you that Reverend

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1 Vickery House was arrested alongside him and was
 2 eventually sentenced to six and a half years for
 3 offences against men committed in the 1970s and 1980s.
 4 We have the detailed records from Sussex Police and the
 5 CPS as to decisions they took in respect of
 6 investigations and the ultimate charges.

7 In particular, concern has been expressed by
 8 Mr Johnson and another individual as to why the charges
 9 relating to their cases, which were specifically
 10 allegations of abuse against children, were not pursued
 11 to trial. The police did discuss this with both men at
 12 the time and a decision was taken by the CPS to let
 13 those matters lie on the file. We will ask both the
 14 police and the CPS why this was the case.

15 Following the convictions, four further individuals
 16 came forward and the police launched another
 17 investigation. In August 2016, it was decided, after
 18 consulting the individuals who were complainants, that
 19 no further charges should be brought because of
 20 Peter Ball's age, frailty and at least in part because
 21 he was still under public scrutiny by this
 22 investigation.

23 On 11 January 2016, Peter Ball was prohibited from
 24 ministry for life. This is the most serious penalty
 25 which the church can impose under the Clergy Discipline

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1 Measure and prevents Peter Ball from being able to carry
 2 out any practicable clerical role.

3 Whilst in prison, Peter Ball wrote to one of the men
 4 who had made a statement about the harm that Peter Ball
 5 had done him which caused him much distress. He
 6 received a disciplinary rebuke from the Prison Service
 7 as a result.

8 Dame Moira Gibb produced her report in 2017. She is
 9 coming to give evidence and we will be asking her about
 10 what she found in her review, her recommendations and
 11 whether or not she considers that the church has taken
 12 steps to fulfil them.

13 The church has recently provided us with a witness
 14 statement updating the inquiry as to the steps taken in
 15 the light of the report of Dame Moira Gibb. The church
 16 has taken steps, we have been told, to revise the
 17 guidance of PTO; to draft a new canon on the workings of
 18 religious communities; to have a central register of all
 19 clergy who have authority to minister in a diocese; and
 20 also to set up a new hub along with the Catholic Church
 21 for victims of sexual abuse.

22 We will now hear from core participants' counsel in
 23 the following order. Firstly, from those victims and
 24 survivors represented by Switalskis. Secondly, by those
 25 victims and survivors represented by Slater & Gordon.

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1 Then the Archbishops' Council. Then Lord Carey. Then
 2 Gloucestershire Police. Then Sussex Police. Then
 3 Northamptonshire Police. And last, the Crown
 4 Prosecution Service. Thank you very much.

5 THE CHAIR: Thank you, Ms Scolding. Mr Chapman?
 6 Opening statement by MR CHAPMAN
 7 MR CHAPMAN: Chair, panel, we act on behalf of A117 and the
 8 Reverend Graham Sawyer who has waived his anonymity in
 9 these proceedings and will be giving evidence this
 10 afternoon.

11 Chair, the story of Peter Ball is the story of
 12 the establishment at work in modern times. It is
 13 a story of how the establishment minimised the nature of
 14 Peter Ball's misdeeds, minimised the consequences for
 15 him and the church, and silenced and harassed those who
 16 tried to complain.

17 I use the word "the establishment" advisedly,
 18 I hope. The Church of England is the established church
 19 of England. The Queen is the supreme governor of that
 20 church. 26 of its most senior bishops sit in the House
 21 of Lords. It is an institution that is directly plugged
 22 in at the heart of our constitution. It is innately
 23 powerful by design.

24 Peter Ball was able to call upon the willing
 25 assistance of members of that establishment. It

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1 included the heir to the throne, the archbishop and
 2 a senior member of the judiciary, to name only the most
 3 prominent.
 4 But in combination, they provided Peter Ball
 5 variously with money and accommodation, legal advice,
 6 a private detective, references, approaches to the
 7 police and the prosecuting authorities, and in the case
 8 of the Archbishop Carey, a lengthy witness statement in
 9 2014 to try and stop further charges being tried as an
 10 abuse of process.
 11 The alacrity and the extent of the response by
 12 Peter Ball's friends to one of their own in trouble was
 13 impressive. It makes a horrible contrast to the way
 14 Peter Ball's victims were treated. You will hear from
 15 Reverend Graham Sawyer and the lifetime of harassment he
 16 experienced from within the church for daring to
 17 complain about Peter Ball and others.
 18 When Archbishop Carey was presented in
 19 correspondence with demands after the caution of
 20 Peter Ball for an apology that steps should be taken to
 21 ensure that Peter Ball was never entrusted with the
 22 responsibility for young men, his own response in his
 23 own handwriting was, "I want to speak to a senior
 24 policeman about Peter", and, "We resist such demands".
 25 Of course, it was Bishop Kemp who paid for and

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1 sanctioned the use of Brian Tyler to try and undermine
 2 the police investigation. The archbishop knew about
 3 this.
 4 These establishment helpers claim they were duped by
 5 Peter Ball, and we accept that Peter Ball was an
 6 impressive, charismatic figure, but you will have to
 7 consider whether it is credible, given what they must
 8 have known or could easily have found out about
 9 Peter Ball, whether they were really as ignorant as they
 10 claimed they were about the nature of Peter Ball's
 11 activities.
 12 Some claim they did not know what a caution meant.
 13 Well, Prince Charles has many advisers. He only had to
 14 ask. So does the Archbishop of Canterbury.
 15 Lambeth Palace, of course, had the benefit of
 16 a private detective who reported to Bishop Kemp from
 17 Peter Ball's own mouth what Peter Ball had done.
 18 We know, of course, that the archbishop received
 19 letters from other complainants suggesting further abuse
 20 by Peter Ball, but those were not passed to the police.
 21 They were suppressed.
 22 But even if you accepted their claim that they did
 23 not know what Peter Ball had done exactly, that they
 24 were largely in the dark or that they thought Peter Ball
 25 was basically innocent, what those helpers were prepared

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1 to do was to lean against, to add their weight against,
 2 the due criminal process. They assume even today --
 3 indeed, it is part of the mitigation they seem to
 4 advance -- that, as members of the establishment, they
 5 are entitled, even duty bound, to weigh in on behalf of
 6 fellow members accused of serious crimes, even when they
 7 are not entirely sure, on their case, what's been
 8 alleged. In doing so, we say they went far beyond the
 9 normal obligations of friendship.
 10 Chair and panel, it will be an important part of
 11 this investigation for you to determine whether in fact
 12 the influence that was brought to bear upon the police
 13 and prosecuting authorities in 1992/1993 altered the way
 14 Peter Ball was treated. We suggest it did. Consciously
 15 or unconsciously, the weight of influence brought to
 16 bear meant Peter Ball received the lowest possible
 17 sanction in 1992, when, without his establishment
 18 friends, he would have faced the prison sentence he
 19 eventually got.
 20 At the very least, as DI Murdock put it:
 21 "Had the church provided us with all the information
 22 held on Bishop Peter Ball back in 1992/1993, then it
 23 might have been possible for us to have identified more
 24 victims and, therefore, present more charges and
 25 evidence to the CPS and DPP for consideration."

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1 How did this sorry story come about? We say there
 2 are essentially three topics for you to consider. One
 3 is the teaching practice and theology of
 4 the Church of England. We know that Peter Ball
 5 committed his particular style of abuse -- nakedness,
 6 flagellation, mutual masturbation -- as if it were the
 7 practice of St Francis of Assisi. He must have known
 8 that was nonsense, but his authority and religious aura
 9 gulled his victims. No-one challenged this until the
 10 police investigation in 1992.
 11 Religion creates its own permissive atmosphere for
 12 abuse and biddable victims. The young and vulnerable
 13 are particularly susceptible to confidence tricks of
 14 this sort.
 15 The second area we invite you to consider is the
 16 hierarchical structure and the concentrations of power
 17 within the Church of England. Each of the 42 bishops in
 18 the Church of England are largely unaccountable in their
 19 own diocese. Only in 2016 was there a mechanism put in
 20 place under the Church Disciplinary Measures to be able
 21 to suspend or remove a bishop in office. Even then,
 22 such penalty has to be confirmed by the Queen by Order
 23 in Council. It is extraordinary to learn today that
 24 Peter Ball is still styled a bishop.
 25 DI Murdock was told by Lambeth Palace at the time of

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<p>1 his investigations that there was nothing the church 2 could do to remove Peter Ball from office. Well, one of 3 the consequences of that, of course, was that Peter Ball 4 was allowed to use his resignation as a bargaining chip 5 to secure a lighter penalty. It was only something in 6 fact he could offer.</p> <p>7 The third topic is the culture and traditions of 8 the Church of England. We say that this story of 9 Peter Ball reveals a culture of deference towards senior 10 clergy, a reluctance to believe that a saintly figure 11 could have committed these types of offences, 12 a reluctance to trust to the secular authorities to 13 handle the matter and a willingness to forgive and 14 reintegrate Peter Ball no matter what Peter Ball had 15 done.</p> <p>16 It also reveals confusion about the church's 17 attitude towards homosexuality in its ranks. DI Murdock 18 makes clear that one of the factors that influenced his 19 view of the public interest in bringing a prosecution 20 was the risk that some church witnesses would be exposed 21 as homosexuals in court. That would, in his words, have 22 seen their roles within the church effectively finished. 23 He writes:</p> <p>24 "I believe that the issue of homosexuality had 25 a detrimental effect in encouraging witnesses and</p> <p style="text-align: center;">Page 77</p>	<p>1 appetite for abuse wanted to secure a continuous supply 2 of vulnerable young victims, there was no better way of 3 achieving this than by founding a religious order not 4 subject to any external supervision and by making his 5 victims' participation in the abuse a religious duty 6 obligated by their oath of absolute obedience. Not for 7 the first time, theology and religious ritual provided 8 the ideal mask for abuse with the evil of what 9 Peter Ball did being compounded by his nauseating claim 10 that the abuse was spiritually uplifting.</p> <p>11 Most of all, however, Peter Ball found in his fellow 12 bishops in the Church of England the perfect 13 accomplices, prepared to turn a blind eye to his abuse 14 over many decades, to collude in the lie that the abuse 15 of Neil Todd was an uncharacteristic aberration, to cast 16 doubt on his guilt, to smear his victims and to 17 rehabilitate him.</p> <p>18 It is clear that for some years before the 1992 19 investigation, there were many in the Church of England 20 who knew of, or must have suspected, Ball's offending 21 and turned a blind eye to it and later tried to evade 22 their own culpability by claiming that Ball had never 23 really offended at all. Eric Kemp, the Bishop of 24 Chichester, was aware of serious concerns about Ball 25 well before 1992, yet in 2006 he repeated the lie that</p> <p style="text-align: center;">Page 79</p>
<p>1 potential complainants within the church to come 2 forward."</p> <p>3 What you will hear is rightly described as 4 a coverup. All these matters that we draw to your 5 attention and you will hear in evidence are ones that 6 support the measures that we have advocated previously 7 in other hearings: that there should be a "failure to 8 report" offence; a "failure to protect" offence; 9 a "position of trust" offence; and a creation of 10 a statutory body with powers to police and enforce basic 11 standards of child and vulnerable adults.</p> <p>12 Criminal personal liability for acting in this way 13 in some ways is kinder. It relieves the main actors of 14 their essential dilemma that arises because of conflicts 15 of loyalty.</p> <p>16 Madam chair, that's our submissions in opening. 17 THE CHAIR: Thank you. Mr Scorer? 18 Opening statement by MR SCORER 19 MR SCORER: Chair and panel, Mr O'Donnell and I represent 20 six survivors of abuse by Peter Ball. They and others 21 known to the police probably represent only a fraction 22 of Ball's victims. The true number may never be known. 23 But what is now very clear is that, in the 24 Church of England, Peter Ball found the perfect cover 25 for his offending. If a charlatan with an insatiable</p> <p style="text-align: center;">Page 78</p>	<p>1 Ball's resignation had been the work of mischief makers. 2 However, of the senior leaders of 3 the Church of England, in our view, none bears greater 4 responsibility for this appalling saga than Lord Carey. 5 We fear that when we hear from him this week, the usual 6 litany of excuses will be trotted out: the past is 7 apparently another country in which nobody really knew 8 or understood that sex offending was wrong. We hope you 9 will reject these self-serving excuses.</p> <p>10 Over the next few days, we will hear about the 11 events of 1992 and 1993; the investigation into the 12 abuse of Neil Todd; and the six letters received by 13 Lambeth Palace alerting them to other evidence of abuse 14 by Ball. We will debate the significance of those 15 letters and the failure by Lambeth Palace to hand all of 16 them over to the police.</p> <p>17 As an aside, I remind you that the only reason we 18 have that debate is because the law in this country 19 still allows institutions to sit on evidence of abuse 20 and to decide not to pass it to the statutory 21 authorities. We have no mandatory reporting law and 22 most of those letters were duly concealed.</p> <p>23 However, whatever your view of that, we know that on 24 5 February 1993, in the full knowledge of that other 25 evidence, Archbishop Carey wrote to the Chief Constable</p> <p style="text-align: center;">Page 80</p>

<p>1 of Gloucestershire. In that letter, Archbishop Carey 2 asserted about the Neil Todd allegation, and I quote, 3 that "if Ball is guilty of unprofessional behaviour then 4 it is quite unrepresentative of his style". 5 Unrepresentative? This was Lord Carey's choice of word 6 about the Todd allegation, when in fact he was well 7 aware of other allegations. The Gibb Report concludes 8 that Lord Carey's language must give rise to the 9 perception of deliberate concealment. We look forward 10 to hearing from Lord Carey on this point. In the 11 statements he has filed with this inquiry, Lord Carey 12 ducks this issue, in our view, but to our clients, this 13 language was deliberate misrepresentation of the known 14 facts designed to protect a fellow bishop from justice. 15 It is bad enough that evidence was withheld from the 16 police; it was positively dishonest in our view to 17 misinform the police that the allegation they were 18 dealing with was unrepresentative of Ball's behaviour 19 when Lord Carey knew very well that there was evidence 20 demonstrating the opposite. 21 Chair, these issues matter a great deal to our 22 clients. With the 1993 caution, Peter Ball escaped 23 justice for 22 years. Neil Todd took his own life. 24 Lord Carey, in our submission, needs to acknowledge his 25 part in these outcomes. Despite his purported apology</p> <p style="text-align: center;">Page 81</p>	<p>1 enjoy access to a nexus of establishment connections, 2 patronage and privilege and in evading justice for two 3 decades, Peter Ball drew fully on these resources. 4 One of his supporters, as we heard earlier, was Lord 5 Lloyd of Berwick, a former law Lord. Our clients have 6 seen his extraordinary letter written in support of Ball 7 on 2 February 1993. This, you will recall, was a letter 8 to the chief constable. In his statement to this 9 inquiry, Lord Lloyd implies that this was a character 10 reference for sentencing purposes. However, this letter 11 was written before the CPS had decided whether to charge 12 Ball and, therefore, at the time that it was written, it 13 cannot have been written for sentencing purposes. 14 Despite Lord Lloyd's claim in the letter that he was 15 not seeking to influence the police, it is difficult to 16 see how the letter had any purpose other than to 17 dissuade the chief constable from charging Peter Ball. 18 Moreover, we submit that, given his position as a senior 19 member of the judiciary writing on judicial letterhead, 20 Lord Lloyd would have been well aware that writing to 21 the police would inevitably be an act of influence. 22 If there was no intention to influence, why write 23 the letter at all? 24 Chair, as you referred to earlier, the inquiry has 25 also received a letter from His Royal Highness the</p> <p style="text-align: center;">Page 83</p>
<p>1 to the victims in his various statements, there is no 2 real sign that he does so. Even in November 2014, when 3 it must have been obvious to any reasonable observer 4 that Ball was a charlatan and a fraud, Lord Carey wrote 5 again to the police claiming that Ball had served the 6 church with great distinction -- his words -- and 7 opposing any further criminal charges. 8 In Lord Carey's behaviour throughout his saga, 9 therefore, we see clericalism in its purest form: the 10 loyalty of bishops and priests to each other overriding 11 basic norms of right and wrong. We note that 12 Lord Carey's autobiography is entitled "Know the truth". 13 When he comes before the inquiry tomorrow, we 14 respectfully urge him to stop the excuses and the 15 half-truths and to take this opportunity to give 16 a transparent account of his actions and to recognise 17 how profoundly wrong they were. Those who have suffered 18 so grievously from Peter Ball's behaviour deserve 19 nothing less. 20 Chair, the Church of England hierarchy bear much of 21 the blame in this case but there are others who feature 22 in this story from the police, the CPS, from parliament, 23 from the judiciary, and indeed from the monarchy, who 24 also have much explaining to do. Because the 25 Church of England is the established church, its leaders</p> <p style="text-align: center;">Page 82</p>	<p>1 Prince of Wales. Chair, we wish to register our 2 surprise and concern that the Prince has chosen to put 3 his evidence before the inquiry in the form of a letter 4 as opposed to a witness statement verified by 5 a statement of truth in the normal way and as survivors 6 giving evidence to this inquiry have done. 7 This will inevitably raise concerns that the letter 8 may be less than entirely frank about his relationship 9 with Peter Ball and that it contains matters to which he 10 is reluctant to attach a formal statement of truth. 11 In the interests of transparency, chair, we 12 therefore ask that the inquiry set out today all of 13 the steps that it has taken to secure, or attempt to 14 secure, a formal witness statement from the Prince. 15 Turning to the substance of his letter, my clients 16 fully accept that Prince Charles has many interactions 17 with Church of England clergy. He cannot be responsible 18 for the behaviour of all of them. However, he chose 19 quite deliberately to maintain a relationship with 20 Peter Ball after Ball's resignation as a bishop, and, as 21 we have heard, this included gifts of money and the 22 provision of accommodation on the Duchy estate. 23 In justifying this relationship, Prince Charles 24 claims that he was not aware at the time of 25 the significance or impact of the caution that</p> <p style="text-align: center;">Page 84</p>

<p>1 Peter Ball had accepted. He goes on to say that he was 2 not aware until recently that a caution in fact carries 3 an acceptance of guilt.</p> <p>4 With all due respect to His Royal Highness, my 5 clients find this explanation frankly astonishing. The 6 Prince of Wales has access to the best legal advice that 7 money can buy. The Crown prosecutes people in this 8 country every day on the principle that ignorance of 9 the law is no defence. Yet, seemingly, this is the 10 defence that the monarch-in-waiting seeks to rely on 11 here. Later in his statement Prince Charles tells us: 12 "I have always taken the view that the judicial 13 process should take its course. I am then able to 14 ground my opinions in facts tested by law rather than 15 hearsay."</p> <p>16 But of course, chair, there had been an outcome to 17 the judicial process in 1993. Ball had admitted his 18 guilt, a fact that had been heavily publicised in the 19 national press, yet Prince Charles apparently decided 20 not to clarify the legal position. To my clients, this 21 extraordinary lack of curiosity looks like wilful 22 blindness. The Prince claims he was deceived about the 23 true nature of Peter Ball's activities, but the fact is 24 he could easily have made efforts in 1993 to check the 25 position and he chose not to. Knowing that people can</p> <p style="text-align: center;">Page 85</p>	<p>1 from the Prince of Wales was a witness statement bearing 2 a statement of truth. The Prince of Wales' legal team 3 and the legal team for the inquiry entered into lengthy 4 discussions as to the document to be produced. We 5 received a final approved draft and asked that it be 6 finalised with a statement of truth and signed. There 7 can have been no doubt about what was required in the 8 context of the inquiry's correspondence and discussions 9 with the Prince's solicitors. For example, the inquiry 10 provided the Prince of Wales' solicitors with the 11 inquiry witness statement template on 12 March 2018, the 12 solicitor to the inquiry requesting that the document be 13 signed and referring to the word "statement" on about 14 five occasions.</p> <p>15 The words quoted in the letter that core 16 participants will have seen from Harbottle & Lewis, 17 solicitors for His Royal Highness the Prince of Wales 18 were preceded by a specific request for a witness 19 statement. Despite lengthy correspondence, including 20 assertions from the solicitors representing His Royal 21 Highness that the inquiry's requests for evidence were 22 outside its powers, ie, ultra vires, there was never any 23 suggestion at any point that the statement would be 24 provided by letter.</p> <p>25 When the signed document was received, it comprised</p> <p style="text-align: center;">Page 87</p>
<p>1 take his name in vain and knowing that his support would 2 have emboldened Ball in seeking a return to preaching 3 and officiating, Prince Charles had a particular 4 responsibility to check the position.</p> <p>5 He failed in that responsibility and, as such, he 6 failed the victims of Peter Ball.</p> <p>7 Chair, we cannot allow a situation in this country 8 where high-profile sex offenders can evade justice 9 because of who they know. Over the past few years, we 10 have all heard many allegations that the British 11 establishment has protected prominent paedophiles from 12 justice. No doubt, some of those allegations will turn 13 out to be overblown or without merit. However, in the 14 case of Peter Ball, this, as it were, very English 15 scandal, it is plain beyond doubt that senior figures in 16 the establishment aided and cosseted a serial sex 17 offender and in many cases did so with knowledge. It 18 falls to you, chair and panel, to hold them to account 19 and we urge you to do so. Thank you.</p> <p>20 THE CHAIR: Thank you, Mr Scorer.</p> <p>21 MS SCOLDING: Just before we hear from Mr Giffin for the 22 Archbishops' Council, if I could just respond to the 23 remarks that Mr Scorer made about the inquiry and the 24 letter from the Prince of Wales. The inquiry has made 25 it clear on a number of occasions that what was required</p> <p style="text-align: center;">Page 86</p>	<p>1 the same text as the approved draft but in the form of 2 a letter for the first time. The last sentence of 3 the letter does make clear that the material set out 4 within it is true. The inquiry considers that this 5 substantively complies with the requirements of 6 a statement of truth and that the letter received 7 contains all the information and evidence which the 8 inquiry needs.</p> <p>9 Nevertheless, the form in which it was presented was 10 not what had been requested and, since this matter has 11 been raised following Mr Scorer's query last week, His 12 Royal Highness's solicitors have not undertaken to 13 provide the Prince's evidence in witness statement 14 format. The inquiry's process for obtaining this 15 evidence involved issuing first a request under rule 9 16 of the Inquiry Rules and subsequently notices under 17 section 21 of the Inquiries Act requiring the Prince to 18 produce the evidence required. Exception was made by 19 His Royal Highness's solicitors to both types of 20 requests and written submissions were made to the 21 inquiry raising various points. These included 22 submissions that the inquiry had no power to require the 23 Prince to make a statement in the light of 24 the provisions of section 50 of the Inquiries Act 2005, 25 that the inquiry's request were for his personal data,</p> <p style="text-align: center;">Page 88</p>

1 that they were asking for matters which were intensely
 2 private or confidential, and thus subject to article 8
 3 of the European Convention on Human Rights and that the
 4 information required was neither necessary nor
 5 proportionate and that the inquiry's handling of its
 6 request was unfair and that the inquiry in effect had no
 7 power to compel him to produce a statement.
 8 The inquiry did adjust its requests in some respects
 9 as a result, but did not resile from its core demand of
 10 the need to obtain this evidence or accept the
 11 contention that His Royal Highness should be treated in
 12 a way that was different from anyone else. After
 13 lengthy and extensive correspondence and some
 14 discussions about this, agreement was reached on
 15 a statement that His Royal Highness would produce on
 16 a voluntary basis. As a consequence, the section 21
 17 notices were revoked because the inquiry had obtained
 18 the evidence it needed and they were not necessary. The
 19 draft document disclosed to core participants on 9 July
 20 and the signed letter dated 16 July both covered all of
 21 the topics that the inquiry wished to see addressed by
 22 this witness. I hope that has clarified for Mr Scorer
 23 and for others the process which was undertaken. Thank
 24 you.
 25 THE CHAIR: Thank you, Ms Scolding. We move on to

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1 Mr Giffin.
 2 Opening statement by MR GIFFIN
 3 MR GIFFIN: Chair, members of the panel, the
 4 Archbishops' Council is grateful for this opportunity to
 5 make some brief opening remarks. The inquiry of course
 6 heard longer submissions from us at the start and finish
 7 of the Chichester case study, and we also filed detailed
 8 written submissions at the close of the Chichester
 9 hearings, and all of those are publicly available and
 10 I needn't repeat any of the detail of them now.
 11 Rather, I shall confine myself to three matters.
 12 The first and foremost is to say, clearly, that the
 13 church is sorry and ashamed. At the Chichester
 14 hearings, the Archbishops' Council offered an
 15 unqualified apology to those vulnerable people, children
 16 and others, whose lives have been damaged by abuse, and
 17 who were not cared for and protected by the church as
 18 they should have been. We repeat that apology now,
 19 specifically to those who suffered abuse at the hands of
 20 Peter Ball, and the families and others who have been
 21 affected by that abuse.
 22 In 2015, after Ball, as you have heard, pleaded
 23 guilty to offences and was sentenced for them, the
 24 Archbishop of Canterbury, Justin Welby, wrote to
 25 individuals known to have been abused by Ball to offer

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1 his apologies and the church made a public statement,
 2 including these words, which bear repeating. Shall
 3 I pause?
 4 MS SCOLDING: I'm terribly sorry. I don't know what is
 5 going on. I will ask Mr Fulbrook to go and see if
 6 whatever is happening can be desisted from immediately.
 7 MR GIFFIN: Shall I continue, chair? I will, if I may,
 8 repeat my previous words.
 9 In 2015, following the conviction, the church made
 10 a public statement, including these words, which bear
 11 repeating now:
 12 "It is a matter of deep shame and regret that
 13 a bishop in the Church of England has today been
 14 sentenced for a series of offences over 15 years against
 15 18 young men known to him. There are no excuses
 16 whatsoever for what took place, and the systematic abuse
 17 of trust perpetrated by Peter Ball. We apologise
 18 unreservedly to those survivors of Peter Ball's abuse
 19 and pay tribute to their bravery in coming forward and
 20 also acknowledge the long wait for justice that they
 21 have endured. We also remember Neil Todd whose bravery
 22 in 1992 enabled others to come forward. He took his own
 23 life before Peter Ball's conviction or sentencing."
 24 The Archbishop of Canterbury also commissioned an
 25 independent review of the church's response to

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1 Peter Ball's conduct. He appointed Dame Moira Gibb to
 2 chair that review and the review team, as Ms Scolding
 3 has mentioned this morning, reported in June 2017,
 4 a year ago, and their report was published in full by
 5 the church.
 6 In her forward to the report, Dame Moira Gibb said
 7 this:
 8 "Peter Ball, a bishop of the Church of England,
 9 abused many boys and men over a period of 20 years or
 10 more. That is shocking in itself, but is compounded by
 11 the failure of the church to respond appropriately to
 12 his misconduct, again over a period of many years."
 13 In the body of the report, the Gibb Report, the
 14 review team expands upon that conclusion, setting out
 15 with painful clarity at least some of the ways in which
 16 the church failed. They include the prioritising of
 17 concern for the well-being and rehabilitation of Ball,
 18 as well as the reputation of the church, over concern
 19 and compassion for his victims, and indeed the future
 20 protection of others; inadequate internal investigation
 21 and the absence of formal action; a failure, for
 22 whatever reason, to pass full information to the police;
 23 and downplaying of the seriousness of what had occurred.
 24 You have heard some more detail of some of
 25 the shortcomings and concerns which arise from

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<p>1 Ms Scolding this morning. 2 As the Gibb Report put it, Peter Ball betrayed his 3 church and abused individual followers of that church. 4 The church, at its most senior levels and over many 5 years, supported him unwisely and displayed little care 6 for his victims. 7 The lead safeguarding bishop, Bishop Peter Hancock, 8 said when the report was published that he was appalled 9 and disturbed by its contents and that there were no 10 excuses. The present Archbishop of Canterbury said the 11 report revealed inexcusable and shocking behaviour. The 12 Archbishops' Council, my client, agrees that this 13 history discloses fundamental failings and once again in 14 this public forum apologises for them on behalf of 15 the church. 16 The second of the three matters I wish to address 17 also concerns the Gibb Review. In the forward to the 18 report, the review team recognised that both attitudes 19 and safeguarding practices had changed since the events 20 with which it was concerned and expressed the view that 21 the church now would not conduct itself in the ways 22 described in the report. It said that the church made 23 significant progress in recent years in its 24 understanding of abuse and that the review team had no 25 doubt that the church had a genuine commitment to</p> <p style="text-align: center;">Page 93</p>	<p>1 upon the evidence that was heard by this inquiry 2 in March. These thematic priorities are: support for 3 and engagement with victims and survivors of abuse; 4 clergy selection, suitability and discipline; and, 5 finally, structure, independence, oversight and 6 enforcement. They reflect some of what we see as some 7 of the most important issues that emerged out of 8 the Chichester hearings and they also cover some of 9 the Gibb recommendations, and, again, as Ms Scolding has 10 mentioned, Mr Tilby has now produced for this hearing of 11 the inquiry a further updating statement, his I think 12 fourth statement, which deals with this report amongst 13 other matters and which sets out where matters currently 14 stand in relation to the various Gibb recommendations. 15 So it will be seen that the church has begun the 16 work of learning and acting upon at least some of 17 the specific lessons of the events around the abuse 18 committed by Peter Ball, as well as the work that had 19 already been done to improve safeguarding, especially 20 after the Chichester visitation, of which you have 21 heard, but the church knows that it cannot be 22 complacent, the work is challenging and far from 23 complete. 24 Chair, that leads me to the third and final matter 25 I want to address at this point. Consistently with the</p> <p style="text-align: center;">Page 95</p>
<p>1 meeting its responsibilities towards the victims of 2 abuse. 3 Nonetheless, it went on to say this: 4 "We can see how difficult it is to make change 5 across the complex structures of the church. Progress 6 has been slow and continuing. Faster improvement is 7 still required. It is the leadership of the archbishops 8 and bishops which will determine whether change is 9 effective." 10 The Gibb Report made 11 recommendations to address 11 what it considered to be key challenges. As Mr Tilby, 12 the national safeguarding adviser, explained in his 13 first witness statement in the Chichester hearings, all 14 those recommendations were accepted by the National 15 Safeguarding Steering Group, the NSSG. 16 The Archbishops of Canterbury and York endorsed them 17 fully when the report was published and 18 Bishop Peter Hancock stated the church was absolutely 19 submitted to implementing them. 20 Mr Tilby's second witness statement, made in March, 21 summarised what had by then been done and was being done 22 to implement the Gibb recommendations. 23 Within the last fortnight or so, the General Synod 24 has endorsed key priorities for action set out in 25 a further report from the NSSG which was based in part</p> <p style="text-align: center;">Page 94</p>	<p>1 approach which the Archbishops' Council took at the 2 Chichester hearings, we shall not be seeking at this 3 hearing to make submissions about disputed facts in 4 relation to past events, and nor will it be our role 5 here to blame or defend particular individuals. As 6 Archbishop Justin indicated when he gave evidence 7 in March, the church needs to acknowledge its collective 8 past failures and everyone within the church needs to 9 understand, both from the Gibb Report and from this 10 hearing, what happened in the case of Peter Ball and to 11 use that understanding to take responsibility for doing 12 better in the future. 13 It may well be that some of the themes and lessons 14 that emerge in the coming week of oral evidence are ones 15 which have already been identified by Gibb and also 16 indeed that they may overlap significantly with the 17 themes that emerge from the Chichester case study, and 18 those may include, for example, the risks which flow 19 from a culture of deference, the powerful and 20 charismatic figures, the role and regulation of 21 religious communities and issues around the grant of 22 permission to officiate. All of these were addressed in 23 our previous evidence and submissions, but there may be 24 other lessons to be learned as well. 25 We shall be listening very carefully to all the</p> <p style="text-align: center;">Page 96</p>

1 evidence given this week because the church wishes to go
 2 on learning all it can from this inquiry. Chair, thank
 3 you.
 4 THE CHAIR: Thank you, Mr Giffin. Ms Parry?
 5 MS SCOLDING: Ms Parry isn't giving an opening statement,
 6 chair. I think we move now to Lord Carey of Clifton's
 7 representative.
 8 THE CHAIR: Thank you, Mr Bourne.
 9 Opening statement by MR BOURNE
 10 MR BOURNE: Chair and panel members, Lord Carey welcomes the
 11 opportunity to help the inquiry answer some of
 12 the questions which are posed by the case of Peter Ball.
 13 As Lord Carey has publicly said now on several
 14 occasions, he made serious mistakes in his handling of
 15 the case. In particular, he placed too much faith in
 16 Peter Ball and was too easily persuaded that Ball was
 17 a man of integrity. Conversely, he was far too
 18 sceptical about those who made allegations against Ball.
 19 As a result, he failed to draw the right conclusions
 20 from the evidence before him in the form of letters from
 21 a few of those who made allegations.
 22 Lord Carey accepts that victims and survivors were
 23 not listened to and cared for in the way that they
 24 should have been. It is a matter of record that once
 25 the police investigation was completed and Ball was

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1 cautioned in 1993 and resigned as a bishop, the church
 2 did not then pursue its own investigation to
 3 a conclusion or take any further action against Ball.
 4 It is also a matter of record that in the next few years
 5 Lord Carey was persuaded to allow Ball a limited return
 6 to ministry.
 7 Lord Carey has already accepted and reiterates today
 8 that these decisions were seriously mistaken, and he
 9 recognises that they have added to the suffering of
 10 those who years earlier fell victim to Ball's abusive
 11 activities. He will tell the inquiry tomorrow of his
 12 profound and individual remorse for these failures.
 13 Dame Moira Gibb's 2017 "An abuse of faith" contains
 14 a careful sifting of the evidence which she received of
 15 the events surrounding Peter Ball. Lord Carey takes
 16 little, if any, issue with Dame Moira's findings on that
 17 evidence. There are, however, two important comments to
 18 make about the Gibb Report.
 19 The first comment is that this inquiry has obtained
 20 significant further evidence about the consideration by
 21 police and CPS of Ball's case in 1992 and 1993 to add to
 22 that which was available to Dame Moira. We now know
 23 more about how and why a decision was made to caution
 24 rather than prosecute. There is more evidence showing
 25 police and CPS wrestling with the practical and legal

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1 difficulties of the case back then, and again between
 2 2008 and 2010, and again in 2014 before finally Ball was
 3 successfully prosecuted.
 4 It is, I will suggest, entirely clear that the
 5 decision to caution was made by the proper authorities
 6 and that nothing done by Lord Carey or by the church led
 7 to that decision, nor was the decision to caution
 8 brought about by any omission on Lord Carey's part. He
 9 has accepted that some of the letters which he received
 10 from complainants in December 1992 contained information
 11 which could, and should, have been shared with the
 12 police. He will answer questions tomorrow about why
 13 that didn't happen. But we are now in a position to
 14 consider exactly what information the police did and did
 15 not have back in 1992, and the information in their
 16 possession in fact included all but one of any
 17 allegations of substance that were contained in those
 18 letters.
 19 Now, this does not excuse the error of not passing
 20 on the letters, but the inquiry will see that the police
 21 back then had abundant evidence of a wider picture of
 22 Peter Ball's abusive activity and the inquiry can be
 23 reassured that the addition of one further allegation
 24 would not have altered that picture in any significant
 25 way.

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1 My second comment on Dame Moira's report is that, on
 2 three key points, it will benefit from some
 3 clarification. Unfortunately, those key points have
 4 attracted as much attention as anything else in the
 5 report. They are the references to collusion, coverup
 6 and deliberate concealment.
 7 In fairness to Dame Moira, her report is actually
 8 expressed in very measured terms; so measured, in fact,
 9 that any conclusions drawn about collusion, coverup or
 10 deliberate concealment are not easy to pin down. The
 11 problem, however, is that the report's use of those
 12 words has already had serious consequences, and that's
 13 not surprising because there is a crucial difference
 14 between mistakes, however blameworthy, and
 15 conspiratorial acts carried out for a guilty purpose.
 16 We have no doubt that this inquiry will wish to
 17 distinguish carefully between those two things.
 18 There are, therefore, questions for Dame Moira Gibb
 19 about those specific areas. All I will add now in
 20 opening is that Lord Carey's hope is that this week's
 21 hearing will make some important matters clearer for
 22 everyone. The clearest possible understanding is, of
 23 course, for the benefit of all of the public and
 24 especially for victims and survivors.
 25 Chair, thank you.

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<p>1 THE CHAIR: Thank you, Mr Bourne. Mr Brown? 2 Opening statement by MR BROWN 3 MR BROWN: Chair, panel, on behalf of the Crown Prosecution 4 Service, you will wish to focus in particular on two 5 times, of course, 1993 and then 2015 and the months and 6 year before then. 7 At the preliminary hearing in this part of this 8 strand, you were told that the real question here is why 9 the events took place, and we will be seeking to help in 10 that respect. 11 1993. Peter Ball was investigated at that time. 12 The Crown Prosecution Service were asked to advise. You 13 will hear and be able to examine the contemporaneous 14 documents from that time, that at that time two of 15 the allegations were time barred, albeit arguably 16 admissible in respect of the third. 17 In the third case, Neil Todd, consent, vitiated or 18 otherwise, was plainly an issue, and separately 19 questions of whether physical assault could be 20 consensual were being litigated in the highest court, 21 the House of Lords, at that very time in March 1993. 22 All three men were certainly reluctant for obvious 23 reasons then in 1993, but there does remain two areas 24 that Mr McGill, from whom you will hear, the director of 25 legal services, comments upon critically. Indeed, the</p> <p style="text-align: center;">Page 101</p>	<p>1 said, it is well worth noting that today, in considering 2 whether to prosecute, there are available now very 3 wide-ranging measures routinely in place to assist and 4 give comfort to such a person. A witness in 5 a prosecution has the benefit on occasion of 6 pre-recorded evidence-in-chief, remote 7 cross-examination, intermediaries, judges who are more 8 willing to adapt and take into account the 9 vulnerabilities of relatively young witnesses. 10 Today, Mr McGill will tell you, with a broader 11 understanding of this type of case, it is his view that 12 Peter Ball would have been prosecuted, despite the 13 information then coming from his solicitors, apparently, 14 that such a trial would have been strongly contested. 15 Peter Ball's apparent plan to resign will be an 16 issue that's been raised. It was, and would be today, 17 a consideration. However, importantly, it was not, and 18 cannot have been, a prerequisite for a caution to be 19 given by the police. It is perfectly acceptable, we 20 submit, to take this type of consideration into account, 21 but it was not and cannot be then or today a condition 22 of a caution. There is a significant distinction 23 between the two, we submit. 24 So it is that the answer, ultimately, as to why 25 a caution was given is for a number of reasons. Some</p> <p style="text-align: center;">Page 103</p>
<p>1 CPS has said publicly that the caution then in 1993 was 2 wrong in all of the circumstances. 3 The first area of concern is that the caution to be 4 given, as the CPS then had identified, there had to be 5 in place unequivocal admission by the offender to the 6 offences or the offence and this was not in fact in 7 place as it should have been, although it is clear that 8 Peter Ball had apparently admitted indecency to his 9 solicitors, which information was then passed on to the 10 police. That's one area of concern today concerning the 11 caution. 12 The second is in respect of the allegations of 13 assault occasioning actual bodily harm. Counsel to the 14 inquiry today has rightly identified that the appellate 15 court's activity at the time concerned this area of 16 the law. It should be remembered, however, that this 17 was reflecting upon assaults causing injury, and you 18 will understand how that therefore influenced those at 19 the time. 20 As the documentary evidence from the time 21 demonstrates, the personal position of Neil Todd was 22 consistently one of the primary considerations. We see 23 it in all of the documents from that time. He was 24 vulnerable, and this was a significant consideration 25 then, as it would be today, for such a person. That</p> <p style="text-align: center;">Page 102</p>	<p>1 well balanced you may find on the evidence and 2 understandable; some arguably ill-judged. However, 3 there is no evidence at all, we submit, that the CPS 4 were influenced, even less so pressurised, in any way by 5 a member of the clergy, politicians or any other person 6 in prominence in providing the advice that they did, the 7 CPS advice that they did at that time. Indeed, the 8 clear evidence is to the contrary from the 9 contemporaneous documents. The CPS advice was clear, 10 and I quote, "Were he to refuse a caution, our view 11 equals prosecute". I quote from the documents. 12 Today, does the legislation overcome some of 13 the hurdles that were confronting the prosecution? The 14 Sexual Offences Act 2003 introduced wide-ranging 15 offences. So whilst the complexities in the question of 16 consent are still, to a degree, with us, particularly 17 vitiated consent and its like, there are in place today 18 offences such as sexual grooming and abuse of a position 19 of trust against a person under 18. 20 Secondly, the method and effect of a caution, if 21 appropriate, is clear. 22 You have heard mention briefly of 2007 and 2008. It 23 has only been mentioned briefly, and I don't touch on it 24 now, because it seems it is not necessary to do so. We 25 will later, if so.</p> <p style="text-align: center;">Page 104</p>

<p>1 Then 2015 and the investigation that culminated in 2 the prosecution and jailing of Peter Ball. The sexual 3 offences being investigated by the police in this period 4 had to be considered under the law in force at that 5 time, at the time of the offending. Issues still of 6 consent, vitiated consent, age of consent, hadn't gone 7 away, and the old common law offence of misconduct in 8 a public office had fallen somewhat into disuse and 9 importantly, as far as we can ascertain, it had never 10 been used before in a case of a member of the clergy. 11 It was, if I may say so, an example of the use of 12 imaginative legal thinking, to use the offence of 13 misconduct in a public office. Indeed, the lawfulness 14 of its use in such circumstances needed to be confirmed 15 by the trial judge, a High Court judge, and it had only 16 become possible as a direct result of two cases in the 17 Court of Appeal in 2013, and the other in 2014, just at 18 this time. Its use, we say now, looking back on that 19 2015 decision, an imaginative use, it had the effect of 20 covering activity, in respect of just that one offence, 21 of 13 victims. Litigation in this case in respect of 22 free consent and otherwise in a contested trial that 23 would otherwise have taken place, we understand, simply 24 fell away as a direct result of it. 25 You will hear about the complexities of that case as</p> <p style="text-align: center;">Page 105</p>	<p>1 the basis of Ball's plea has been referred to. 2 Thereafter, as is correct and as was set out publicly by 3 prosecuting counsel, Mrs Cheema QC, leading counsel for 4 the prosecution, once that basis of plea has been 5 established, the decision is whether the pleas properly 6 reflect the criminal behaviour and that the judge's 7 sentencing powers were adequate, because then, 8 ultimately, the question is whether the public interest 9 demands a further contested public trial. 10 As you will hear, chair, the two victims in respect 11 of the two offences that were left on the file were 12 consulted. But, importantly, it was said publicly, at 13 least twice, that there was no question in the mind of 14 the prosecutor but that those two accounts were accepted 15 to be true. By asking that the accounts lie on the 16 file, it was in no way to undermine the truthfulness of 17 those two accounts. 18 So, chair, we have sought to try to identify the 19 areas that you will be primarily concerned with in 20 respect of, first of all, 1993, and then again in 2015. 21 Thank you very much. 22 THE CHAIR: Thank you, Mr Brown. 23 MS SCOLDING: Chair, I understand, in fact, that 24 Sussex Police and Northamptonshire Police do not wish to 25 make an opening speech. Can I also correct something</p> <p style="text-align: center;">Page 107</p>
<p>1 it developed evidentially. Everybody appreciated it: 2 the High Court judges involved, the CPS lawyers, the 3 police, the principal legal advisers, Treasury counsel 4 instructed, the defence QC and so on. Issues such as 5 the use of the advent of misconduct in a public office, 6 the effect of the caution in 1992, abuse of the process 7 and the like, disclosure of course, all had to be dealt 8 with. It was a complex trial. 9 You will hear, in respect of that trial and its 10 lead-up, that there were evidential hurdles that just 11 were not possible to overcome -- evidential hurdles, 12 I emphasise -- except in the case of those cases that 13 were prosecuted. Counsel to the inquiry today has 14 identified at least one hurdle, that of age. You cannot 15 prosecute a case on the basis that it had to be 16 concluded by the tribunal of fact that a person was 17 under 18 if that person may or may not have been under 18 18. The hurdle is a high one, of course. 19 You will hear that there was no desire, other than 20 that, to prosecute each case that could have been 21 prosecuted. The evidence demonstrates this, we submit, 22 as clear as clear can be. 23 Thereafter, and belatedly, an offer of a plea of 24 guilty in large measure to the prosecution case was 25 forthcoming. Understandably, today, only some of</p> <p style="text-align: center;">Page 106</p>	<p>1 now? Ms Swann is not the Chief Constable of 2 Northamptonshire but is the Deputy Chief Constable of 3 Northamptonshire, so I stand corrected there. We 4 therefore only have one final speech, from Mr Boyle on 5 behalf of Gloucestershire. 6 THE CHAIR: Thank you. Mr Boyle? 7 Opening statement by MR BOYLE 8 MR BOYLE: Chair and panel, as you know, Gloucestershire 9 Constabulary carried out an investigation into 10 allegations of abuse by Peter Ball which were reported 11 to the constabulary via the Metropolitan Police 12 in December 1992. During the course of that 13 investigation, a significant number of witness 14 interviews were conducted in Gloucestershire and 15 elsewhere and over 60 witness statements were obtained. 16 As the investigation progressed, there was also 17 liaison between the constabulary and the local Crown 18 Prosecution Service. 19 The investigation culminated in the production of 20 a lengthy report which was provided to the Crown 21 Prosecution Service and the then Director of Public 22 Prosecutions for consideration. The investigation 23 report from Gloucestershire Constabulary did not itself 24 provide any concluded view as to how the matters should 25 be disposed of, but, as you know, following advice from</p> <p style="text-align: center;">Page 108</p>

1 the CPS and the DPP, a decision was made to caution
 2 Peter Ball in the March of 1993.
 3 In the 25 years since, there have been significant
 4 changes to the way in which such allegations are
 5 investigated, how complainants and victims are
 6 supported, and how information is shared between
 7 agencies and across force boundaries. I simply take
 8 this opportunity to remind you and your colleagues of
 9 the statement of Detective Chief Superintendent Porter,
 10 which is at GSP000005, who is head of the Crime Command
 11 for Gloucester Police with responsibility for criminal
 12 investigation, public protection intelligence and
 13 forensic services. We will remind you of the contents
 14 of some aspects of it in closing submissions also.
 15 Finally, may I take this opportunity just to observe
 16 that the investigation and detection of criminal
 17 behaviour and protection of the public is, and always
 18 has been, of the highest priority for
 19 Gloucestershire Police, and we not only look forward to
 20 assisting the inquiry in the pursuit of its objectives,
 21 but also to embedding in police practice, both locally
 22 and nationally, the lessons to be learned from this case
 23 study.
 24 THE CHAIR: Thank you.
 25 MS SCOLDING: Chair, I think this finishes the business of

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1 the morning. May we be excused until after lunch?
 2 THE CHAIR: Of course. Thank you. We will return at
 3 2.00 pm.
 4 (12.54 pm)
 5 (The short adjournment)
 6 (2.00 pm)
 7 MS SCOLDING: Good afternoon, chair and panel. We have our
 8 first witness this afternoon, AN-A117. Thank you very
 9 much.
 10 WITNESS AN-A117 (affirmed)
 11 Examination by MS SCOLDING
 12 MS SCOLDING: Good afternoon, Mr A117. I am terribly sorry
 13 to have to call you that, but, as you will be aware, it
 14 is for your benefit, so I will try and refer to you as
 15 that throughout the afternoon.
 16 Just a few preliminary points I would like to raise
 17 with you. Firstly, please don't hesitate to tell the
 18 inquiry if you can't remember certain details. This
 19 isn't a test of memory. Please feel free to refer to
 20 any notes you may have made.
 21 Secondly, this isn't a test of stamina. You are
 22 free to take a break from your evidence at any point and
 23 for any reason. Just sort of nod your head or indicate
 24 that, and we will obviously have a short break. We are
 25 here to take all the time that you need.

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1 If I refer to documents which come up on the screen,
 2 there should also be a bundle in front of you, so you
 3 can either look at them on the screen or in the bundle
 4 in front of you.
 5 Taking it from there, Mr A117, you grew up in Sussex
 6 and were the youngest in a large family; that's right,
 7 isn't it?
 8 **A. That's right, yes.**
 9 Q. In your statement which you have given to the inquiry,
 10 you say you realised you were attracted to boys rather
 11 than girls at the age of about 11. How did this affect
 12 you growing up?
 13 **A. Because my family background -- my family were very**
 14 **homophobic and very -- it was an extremely right-wing**
 15 **background, I was -- it was not something I was**
 16 **comfortable with. It's not something I acknowledged to**
 17 **myself, my sexuality. It was something I very much**
 18 **buried and didn't want it to be true that I was gay and,**
 19 **yeah, so it was -- I think over time, certainly by the**
 20 **time I was 15/16, I had repressed a lot of my feelings**
 21 **and I became filled with self-hatred, I would say, by**
 22 **the time I was 17.**
 23 Q. So at the age of 17, you were studying at a local
 24 college, and you became very interested, as I understand
 25 it, in Christianity as a form of personal salvation.

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1 Just to identify, your parents didn't come from
 2 a religious background at all --
 3 **A. No.**
 4 Q. -- so this was something new for you?
 5 **A. Yes. My family were not religious at all, and I hadn't**
 6 **gone to church until -- I hadn't been baptised and**
 7 **I turned to Christianity, I think, consciously as a way**
 8 **of seeking an ideology that would justify my own**
 9 **repression, that I would find safety in, initially, the**
 10 **religious scriptures and the gospels, which I read and**
 11 **read a lot, but I didn't go to church at all.**
 12 Q. You developed an interest in Christianity as a form
 13 of -- I think you described it in your witness statement
 14 as a form of personal salvation. As part of that,
 15 I understand you wanted -- I think things at home were
 16 quite difficult, so you wanted a route out, so to speak.
 17 So you learnt of a scheme called "Give a year to God" or
 18 "Give a year to Christ" scheme. It has been called
 19 different things. How old were you when you learned
 20 about this scheme?
 21 **A. I was 17, and perhaps the last couple of months of my**
 22 **17th year.**
 23 Q. You decided to sort of give it a go, so to speak. How
 24 did you hear about this scheme?
 25 **A. My mum was working at the time at an old people's home,**

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1 and it was a colleague of hers, who was a Christian, who
 2 told my mum about it. I think my mum was worried about
 3 me because I'd dropped out of college and I didn't know
 4 what I wanted to do, so my mum was probably speaking to
 5 friends and spoke to this friend of hers at work who --
 6 I don't think she gave her a leaflet. She simply might
 7 have said that there was a local bishop who ran a scheme
 8 for young people who were interested in the church.
 9 Q. So you rang the phone number for the scheme, and
 10 I understand you were put straight through to
 11 Peter Ball, who was then the Bishop of Lewes?
 12 A. Yes.
 13 Q. You went to some interviews with him. What were the
 14 nature of the interviews, what was the nature of
 15 the discussions you had during the course of these
 16 interviews?
 17 A. It was not formal. It was in his study in the house, at
 18 Beacon House in Berwick. I was very nervous about going
 19 to meet a bishop.
 20 Q. Did you know anything about Peter Ball prior to
 21 telephoning to ask to go on the scheme?
 22 A. Nothing. Nothing at all. I had never heard of him.
 23 And it was unusual for him to answer the phone at the
 24 house when I first rang as well. He had a volunteer
 25 secretary who usually answered the phone. Peter said it

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1 was unusual for him to answer the phone and -- yep.
 2 Q. So you went along to what you have described as an
 3 informal interview. Can you tell us a little bit about
 4 what you were told of the scheme at the time?
 5 A. I will try. It's a long time ago. I can't remember
 6 very much about what I was asked. I was probably asked
 7 about leaving college and about my spiritual background,
 8 if I'd -- and I would have explained about not going --
 9 having any history in the church or attending church.
 10 I think it may have been the first or the second time
 11 I went that we may have begun talking about St Francis,
 12 because I'd seen a film about St Francis perhaps
 13 a couple of years before that, and he had -- St Francis
 14 had been an inspirational figure to me, so he -- yeah,
 15 St Francis would have -- did come up either the first or
 16 the second interview.
 17 Q. Did he speak to you -- you say in your witness
 18 statement:
 19 "He also spoke to me about St Francis taking off all
 20 his clothes in front of the townspeople."
 21 Is that right?
 22 A. I believe so. I'm particularly pleased that I've still
 23 got the witness statement that was written in '93,
 24 because so much of that -- if I didn't have that,
 25 I wouldn't remember half of what had happened. So I'm

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1 relying on that witness statement from back then.
 2 Q. You also say in your witness statement that he talked to
 3 you about cold showers.
 4 A. Yes.
 5 Q. What did he tell you about cold showers?
 6 A. From what I can remember, and from what I've read,
 7 again, over the years, of my statement, he talked about
 8 humiliation. Humiliation was something which was
 9 important in a spiritual sense, like St Francis taking
 10 off his clothes in front of the townspeople, stripping
 11 away the ego, stripping away one's sense of one's
 12 importance, and being naked before God so that you could
 13 enter into a direct relationship with God without the
 14 trappings of hiding behind anything.
 15 Q. I also understand he discussed naked prayer with you and
 16 the fact that he undertook that next to an open window
 17 for an hour, whatever the weather and with other men.
 18 A. Yes.
 19 Q. Again, what was he trying to get at? What was he trying
 20 to tell you about this practice?
 21 A. It was -- I think he was -- again, because it's so long
 22 ago, but I think he was instilling the idea that it was
 23 a normal thing to do -- not in the mainstream church.
 24 Certainly my having seen the film about St Francis,
 25 certainly seeing Peter as somebody who was, although

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1 within the established church, he was a charismatic and
 2 very different figure to other figures in the church,
 3 I think he have was getting to the -- he was instilling
 4 a sense that there was a more direct route to having
 5 a relationship -- closer relationship to God through
 6 these practices, through --
 7 Q. Through sort of humiliation and physical suffering,
 8 I suppose --
 9 A. Yes.
 10 Q. -- might be the way that one could describe it. So
 11 after he told you about this -- I mean, how did you
 12 feel? You were 17, nearly 18, at the time. You
 13 described yourself as someone who was sort of repressed
 14 about their sexuality, and here was a much older man
 15 telling you about naked showers and naked praying. What
 16 did you think about that?
 17 A. I was terrified of it. I've already said that I was
 18 deeply -- I was full of self-hatred at the time and
 19 physical hatred of my body. Before I'd gone to the
 20 bishop's, because of my shame about -- and repression of
 21 being gay, I had begun to self-harm at home of cutting
 22 my fingers while I was praying. So by the time I'd got
 23 to Peter's, I was perhaps in a condition to understand
 24 that if you did punish your body, if you did suffer, if
 25 you did do things that humiliated you, then it would

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<p>1 crush your diabolical desires, it would crush your sense 2 of -- all the bad things about yourself. 3 Q. Other than Peter Ball, did you have anyone to speak to 4 or register -- did you have to do anything else before 5 sort of joining up with the scheme? 6 A. No, it was nothing like that. It was very much -- 7 I felt like I was auditioning for Peter. He made it 8 clear that I was very lucky to have spoken to him on the 9 phone in the first place. He said if his secretary had 10 answered, I probably wouldn't -- I wouldn't have been 11 granted -- 12 Q. An audience? 13 A. -- a meeting -- yes, an audience. So I was made to feel 14 very lucky to be able to go there. 15 Q. So you saw him once and there was the discussion that we 16 have already identified. You then went to see him 17 again, and after that, as I understand it, you started 18 the scheme about a month later, in the early 1990s, and 19 you moved into his house for about a six-week period. 20 How many other people were on the scheme at this time or 21 were part and parcel of the household at Beacon House? 22 A. Well, the other thing he told me in either the first or 23 the second meeting was that the scheme had more or less 24 come to an end. So, again, I was very lucky to meet 25 with him because he would make an exception for me to be</p> <p style="text-align: center;">Page 117</p>	<p>1 in the cold shower with him watching. 2 Q. How did you feel about that? Were you comfortable about 3 being naked in front of a significantly older gentleman? 4 A. No, I was terrified. It was something I really -- 5 whoever it was, I wouldn't have wanted to be naked in 6 front of anyone at that -- in that stage of my life, 7 I was just repulsed by myself and so it was something 8 I really did not want to do and I'd said I didn't want 9 to do it, but I understood that if this was a way to 10 overcome one's ego, one's sense of pride and to be 11 humiliated and enter into the suffering of Christ, then 12 I understood it was something that ... 13 Q. For you, you thought this was something that was 14 necessary in order for you to pursue your religious 15 calling? 16 A. Yes. 17 Q. There would be the naked showers in the morning. Then 18 was there any sort of religious instruction undertaken 19 by Peter Ball or anybody else? 20 A. Not by anyone else, and very little by Peter. We would 21 have talked, but it was never like a scheduled period of 22 time. 23 Q. So what did you do for the rest of the day, then, after 24 you had had your cold shower? 25 A. The cold shower in the morning at 5.30. Then go</p> <p style="text-align: center;">Page 119</p>
<p>1 able to live -- to be a Schemer, to live on the scheme, 2 even though there wouldn't be any others there. 3 There was one other ex-Schemer living in the house. 4 I can't remember his anonymised name or if he has one. 5 Q. Don't worry. That's absolutely fine. 6 A. And the bishop's driver as well, a young guy. 7 Q. When you arrived to be part of this scheme, what did 8 your day-to-day life look like? 9 A. As a routine, get up at 5.30 -- for the first few days, 10 the first week or so, or even at different times 11 afterwards, Peter would come into my bedroom and say 12 "It's time to get up", at half five, and I think in the 13 statement it talks about the cold showers in the first 14 few days or the first week, but generally -- 15 Q. If I can just identify, for the first few days you were 16 subjected to cold showers. Were they cold showers taken 17 on your own or with Peter Ball watching or what happened 18 during the cold showers? 19 A. On the first day I arrived, in October, he had said that 20 the next day I would be expected to have the cold 21 showers and he would -- the routine would be he would 22 come into my bedroom, wake me up, I was to undress, to 23 follow him down the stairs, because I was in the attic, 24 I would follow him down the stairs, down the hallway 25 into the bathroom, and he would time a full minute of me</p> <p style="text-align: center;">Page 118</p>	<p>1 straight to the chapel, which was like an old barn at 2 the back of the house, and silent prayer there until 3 about 7.00 am or 7.30 am, and then Peter -- and other -- 4 if anyone else was staying at the house, they could come 5 and join for the silent prayer. 6 Then about 7.00 am/7.30 am, there would be matins, 7 which is the morning service. After that, it would be 8 breakfast and my daily routine was -- it was housework, 9 was to -- he was very keen about showing exactly how the 10 dusting had to be done, how the hoovering and the 11 sweeping, some gardening. So it was -- 12 Q. Sort of manual labour? 13 A. Yes, but very mild manual labour. 14 Q. Not digging ditches? 15 A. No. 16 Q. More kind of dusting and things like that? 17 A. Yes. He gave me a reading list or a verbal reading list 18 from books in his library to read, and then to talk 19 about after I'd read it, although that wasn't 20 structured. There was no -- sometimes I read the books 21 and he would never ask about them again. 22 Q. So there wasn't any kind of formal religious instruction 23 or teaching -- 24 A. No. 25 Q. -- or discussion?</p> <p style="text-align: center;">Page 120</p>

1 **A. No.**
 2 Q. Did anybody ever visit you while you were on the scheme
 3 from the diocese or from the Church of England or were
 4 there any other sort of religious individuals around
 5 during this time?
 6 **A. No-one specifically came to visit me. There were --**
 7 **obviously clergy would be popping in at times. I think**
 8 **I vaguely remember that there might have been an event**
 9 **like an ex-Schemers event where people who had been on**
 10 **the scheme previously would come -- came for, like,**
 11 **a reunion or something, but there would often be**
 12 **ex-Schemers coming to stay -- come back to see Peter.**
 13 Q. Were you ever sent to meet anyone from the diocese or
 14 from the Church of England just to sort of check on your
 15 well-being or to make sure that you were a suitable
 16 person to be on the scheme?
 17 **A. No, it was very much, if Peter decided that I was**
 18 **allowed to be on the scheme, that was decided.**
 19 Q. In your experience, was there any supervision by anyone
 20 within the church of whatever activities were going on?
 21 **A. No, nothing like that.**
 22 Q. Other than the cold showers, I understand as well that
 23 Peter Ball made what you described as some lewd comments
 24 to you. He used to regularly make those. Would you
 25 like to tell the chair and panel the nature of

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1 the comments he would make to you?
 2 **A. It didn't start initially, obviously, because -- well,**
 3 **I can speculate why he didn't initially, but over time,**
 4 **he made -- well, puerile comments about, usually, men's**
 5 **bodies. Just silly jokes that -- just a bit odd, that**
 6 **I felt were out of place.**
 7 Q. Were they out of place in respect of -- was it the sort
 8 of comments that you might have between two 17-year-old
 9 boys?
 10 **A. Yes.**
 11 Q. Or was it --
 12 **A. Yes, or younger even.**
 13 Q. So sort of the size of someone's penis --
 14 **A. Yes.**
 15 Q. -- and somebody of your joint acquaintance, how big
 16 their penis might be or might not be? I understand he
 17 also said things to you like, "Perhaps we can sit naked
 18 together watching television", as he had done with his
 19 special friends; is that right?
 20 **A. Yes, that was very much a suggestion -- a very common**
 21 **suggestion, like several times a week. And he would**
 22 **make -- I would feel -- or he would make me feel -- or**
 23 **a bit of both -- that I was letting him down or being --**
 24 **I was being odd by not agreeing to something that he had**
 25 **done with people that were better Schemers, people who**

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1 **did better by agreeing.**
 2 Q. So you would be a better Christian if you took your
 3 clothes off, in other words?
 4 **A. Yes, I would be a better Schemer and closer to God,**
 5 **because clearly I still had some reservations about**
 6 **giving up my pride if I didn't agree to these things.**
 7 Q. I also understand that he discussed masturbation with
 8 you on a number of occasions. What was his view about
 9 masturbation?
 10 **A. I can't really remember what his view about it was,**
 11 **because I do -- but I do remember he would put the onus**
 12 **on me to say what was my view of masturbation, and**
 13 **because of what was going through my mind at that point**
 14 **and how I viewed sexuality and myself at that point,**
 15 **I said I thought it was bad, it was sinful and it was**
 16 **something we should overcome, and so he would then say,**
 17 **"Well, how can we overcome, you know, these desires?,"**
 18 **and would suggest ways.**
 19 Q. How frequently would he ask you about masturbation?
 20 **A. Several times -- I'd say a couple of times a week.**
 21 **Because I would go back to my parents' house on**
 22 **a Saturday night and return on a Sunday, he would always**
 23 **usually ask on the Sunday when I came back -- his word**
 24 **was "misbehaved". "Have you misbehaved?"**
 25 Q. So when you told him you had misbehaved, what did he ask

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1 that you did or what was the suggestion that he made?
 2 **A. Again, he wouldn't initially -- he wouldn't say what he**
 3 **recommended straight away. He would ask me, "What do**
 4 **you think you should do?," and then suggest, well, what**
 5 **he had previously done with previous Schemers who he was**
 6 **very close with was -- and almost as if it just cropped**
 7 **up into his mind, he'd say, "I don't know, I can't**
 8 **imagine. Perhaps even beating each other or, I don't**
 9 **know, perhaps masturbating in front of each other",**
 10 **something so disgusting that you would feel humiliated,**
 11 **and that was his way, as if they had just popped into**
 12 **his mind.**
 13 Q. How long had you been on the scheme when he suggested
 14 you might want to beat each other or be engaged in
 15 beating in order to, in effect, humiliate yourself to
 16 recognise the sin of masturbation?
 17 **A. Again, because of the -- it's so long ago, I can't quite**
 18 **remember. Reading through the statements, I think he**
 19 **was certainly suggesting it frequently by the end of my**
 20 **first six weeks there, which was coming up**
 21 **to November/December, and after December, the plan was**
 22 **that I would go and move in with one of the Little**
 23 **Brothers of Christ in London, perhaps, but that didn't**
 24 **work out so I came back after Christmas in January '91**
 25 **indefinitely. There was no length of time that we had**

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1 **agreed. It was once I'd returned after Christmas,**
 2 **during that period, that he began to suggest more and**
 3 **more that beating would be -- was an acceptable way of**
 4 **dealing with misbehaving.**
 5 Q. I understand as well that on one occasion when you came
 6 back in January, after you'd masturbated -- after you
 7 had confessed to him that you had masturbated, that he
 8 said that you could both avoid beating each other if you
 9 hugged naked. Is that right?
 10 **A. That's right, yes.**
 11 Q. So therefore you did hug naked?
 12 **A. Yes.**
 13 Q. Is that right?
 14 **A. Yes.**
 15 Q. Returning to the beatings, I don't know whether or not
 16 you wish to identify -- can you say what spiritual
 17 improvements Peter Ball told you would occur if you
 18 agreed to be beaten by him?
 19 **A. I don't think it was something that he listed. It was**
 20 **all part of the fog of the spiritual idea of**
 21 **humiliation, of entering into the suffering of Christ,**
 22 **of -- he talked about Gethsemane, Jesus in Gethsemane**
 23 **and the agony in the garden of Gethsemane, that was very**
 24 **much something that was bound up into the talk of the**
 25 **beatings, of Christ's humiliation, particularly of being**

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1 **beaten before his crucifixion, the crown of thorns, but**
 2 **mainly about the agony in the garden, anticipating the**
 3 **suffering that was to come, it was tied up very much**
 4 **with that. But in terms of a more detailed theological**
 5 **explanation, there wasn't.**
 6 Q. Did he tell you that you could tell anyone about this?
 7 I mean, if this was part and parcel of spiritual
 8 practice, I would imagine it would have been something
 9 that would have been public or you would have said
 10 publicly, "Well, yes, I engage in this sort of
 11 humiliation as part and parcel of my spiritual
 12 practice". What did he say to you about telling anybody
 13 else about this?
 14 **A. He said other people wouldn't understand because the**
 15 **mainstream church, in his view, had deviated from the**
 16 **original message of the gospels. He specifically said**
 17 **something about, if the press got hold of it, they**
 18 **wouldn't understand the meaning, the reasons why we were**
 19 **entering into the suffering of Christ.**
 20 Q. How did you feel about the suggestion about being
 21 beaten?
 22 **A. It was outside of my sphere of experience and it was**
 23 **definitely something I did not want to do. It was --**
 24 **there was also the element of, again, nakedness, which**
 25 **was involved in it, which I hated being naked in front**

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1 **of him, but, yeah, it was -- I think at one point later**
 2 **in the year, I'd said, "I really don't think this is**
 3 **something that God wants in terms of, you know --**
 4 **there's so much talk about love, and I don't think this**
 5 **is actually something maybe that God wants", but that**
 6 **was much later in the year, I think about June or later.**
 7 Q. I understand that he beat you on a number of occasions.
 8 You set out in your witness statement, at paragraphs 41
 9 and 42, the nature of the beatings. As I understood it,
 10 he beat you with a wooden clothes brush and, in effect,
 11 as I understand it, he got you to kneel with your hands
 12 "held together in front of me, leaning forward so that
 13 [your bottom] was in the air", and he knelt in front of
 14 this and said, "Are you ready?", and then:
 15 "He said he was going to beat me seven times".
 16 This is paragraph 42 of your witness statement:
 17 "He said that someone else had beat him six, eight
 18 or nine times regularly. He struck my backside seven
 19 times with the clothes brush, about two or three seconds
 20 between each strike whilst he stood behind me. I could
 21 not feel the first two strikes but from the third strike
 22 onwards I felt a very hot pain on my backside area.
 23 They were very hard strikes and I was being beaten by
 24 the varnished side of the brush. I then thought to
 25 myself, 'God it is hot' and it got hotter. I didn't

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1 think I could take much more after the third one and
 2 I was left trembling afterwards. I don't think I was
 3 making any noises, but may have been making grunting
 4 noises after each strike because of the pain."
 5 Is that a sort of accurate recollection, to the best
 6 of your memory, of roughly what happened during the
 7 times when you were beaten by Peter Ball?
 8 **A. Yes, that's accurate.**
 9 Q. After the beating, what did Peter Ball do or say to you?
 10 **A. After he beat me, he said that I had to beat him seven**
 11 **times in a similar way. I remember at the time being**
 12 **surprised at how hard the beating was, and I remember**
 13 **feeling that I wouldn't be able to do that in return to**
 14 **him. One of the beatings, I remember dropping the brush**
 15 **because I was incapable -- I didn't want to do it and he**
 16 **had made -- he'd said, "Don't worry, you know", along**
 17 **the lines of, but not using these words, along the lines**
 18 **of, "It doesn't matter if you're a failure. Other**
 19 **people will be able to -- if you are not ready to be**
 20 **a saint, other people will be able to step in", and to**
 21 **help him enter into his suffering with Christ. So**
 22 **I felt like a failure for not being able to do it the**
 23 **way he wanted.**
 24 Q. After he had beaten you, did he touch your bottom or
 25 your backside in any way?

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1 **A. Again, from reading the witness statement, after all**
 2 **these years, after the first beating, he had said that**
 3 **he would take away the pain that I was feeling by using**
 4 **some grease or vaseline or something, that he would rub**
 5 **into my backside and, again, from the statement that**
 6 **I remember -- I've seen that, I had said, "No, I can put**
 7 **it on myself", and he'd insisted, "No, no, I'll put it**
 8 **on you". He had said also something about, from the**
 9 **statement, "We need to hug afterwards because it will**
 10 **take away the sexual aspect of what we've done", which**
 11 **even at the time I remember thinking, "What's that all**
 12 **about?" You know, thinking that's odd.**
 13 **Q. I know it is a very long time ago. Roughly, how many**
 14 **times would these beatings occur or did these beatings**
 15 **occur?**
 16 **A. It was three times during Lent. Again, that's from**
 17 **reading the statement.**
 18 **Q. As I understand, during Lent -- this is from**
 19 **paragraph 49 of your statement, Peter Ball said -- this**
 20 **coincided with the Gulf War -- the first one, not the**
 21 **second one -- with Lent and Bishop Peter said he wanted**
 22 **me to undergo a similar act of suffering and solidarity**
 23 **and, therefore, you would beat each other during Lent in**
 24 **order to know the pain and suffering that those who were**
 25 **fighting in battle were undergoing. Is that right?**

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1 **A. That's right. And there had been an occasion before**
 2 **that, the misbehaving occasion.**
 3 **Q. Did you agree to these beatings in any way you can**
 4 **understand, or did you simply submit to them because you**
 5 **didn't think there was any other choice?**
 6 **A. It's a bit of both. I did agree, but I felt that was --**
 7 **there was no choice, that that's what was expected of**
 8 **me. He made me feel very special that I'd been chosen**
 9 **for various reasons to be a "modern-day saint", were his**
 10 **words, but I would be letting him down and failing him**
 11 **as well as God if I didn't agree to these things. So,**
 12 **yes, I did agree, but it was not something that I agreed**
 13 **with internally, if that makes sense.**
 14 **Q. Other than the beatings, did he make any other**
 15 **suggestions that you should engage in sexual behaviour**
 16 **with him at any time?**
 17 **A. Yes. When talking about if I had misbehaved on any**
 18 **other occasion, he'd suggested that perhaps we could do**
 19 **something -- in his words, "do something so disgusting,**
 20 **such as, I don't know, masturbating each other, you**
 21 **know, something that's so humiliating". So he'd**
 22 **suggested that several times.**
 23 **Q. Was there anything else -- other than the beating, was**
 24 **there any other kind of humiliation that he thought or**
 25 **that you did participate in at his behest?**

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1 **A. There was the penitential psalms, where we would read**
 2 **the penitential psalms.**
 3 **Q. What are the penitential psalms?**
 4 **A. Good question.**
 5 **Q. I don't think they are, in fact, any psalms that**
 6 **anybody -- they are not part of the Church of England's**
 7 **rituals. Perhaps you would like to tell us what**
 8 **Peter Ball told you they were?**
 9 **A. He said in the monastic tradition there was a tradition**
 10 **of reading a -- one of seven psalms for each day of**
 11 **the week, and there was -- I can't remember them now,**
 12 **but there was a different psalm for each night of**
 13 **the week. All of them were psalms that were about**
 14 **unworthiness and seeking forgiveness and ... yes.**
 15 **Q. So you would read these psalms. What would you be doing**
 16 **while reading these psalms? Would you be praying with**
 17 **your clothes on or ...?**
 18 **A. No, it would be about 2 o'clock at night.**
 19 **Q. Do you mean in the morning?**
 20 **A. Sorry, in the morning, yes. He would tell me in advance**
 21 **if he was going to come and wake me up at 2.00 in the**
 22 **morning, and then pretty much like the first day, I was**
 23 **to jump out of bed when he woke me up and we would go**
 24 **down to the chapel and we would strip off and we would**
 25 **say the psalms one line -- he would say the first line**

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1 **and I would say the second line, and so on. And we**
 2 **would say the psalms together, and then at the end, we**
 3 **were to hug naked.**
 4 **Q. Can I just double-check, after the beatings that you**
 5 **sustained, did it leave any marks or was it -- did it**
 6 **sort of disappear immediately? Were you bruised at all?**
 7 **A. I was -- again, from reading the statements, I was --**
 8 **I remember being in pain for several days after one, and**
 9 **reading the statement reminded me of that. There was**
 10 **bruising on one of the occasions, I think it was the**
 11 **last one, during Lent, that I was bruised for several**
 12 **days afterwards.**
 13 **Q. I also understand that he asked you to roll around naked**
 14 **in the rain. Did you do that?**
 15 **A. He said -- I think he'd said that that's something he**
 16 **used to do with previous colleagues of his when they**
 17 **were living the life of St Francis. He'd said that to**
 18 **me, and that was something I thought I could cope with,**
 19 **rolling about in the rain and, you know -- or the snow**
 20 **even, possibly. But I said I didn't think that rolling**
 21 **about together naked was something that was**
 22 **necessarily -- that God -- that would help my**
 23 **spirituality. So one time I agreed to go out during --**
 24 **it would have been the winter, late winter, of 1991,**
 25 **I would go out on my own and roll in the rain, and he**

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1 said, "Well, when you come back, come to my room".
 2 Q. Then when you came to his room, what happened?
 3 A. That's the incident where he said I was shivering and
 4 very cold, I should get into bed with him, and he would
 5 warm me up, and he -- again, this is from reading the
 6 statement, because it's so long ago -- and he took off
 7 his pyjamas and pulled me into bed and it was very
 8 uncomfortable and I was very nervous and scared and
 9 unhappy, and eventually, after a few minutes, pushed
 10 myself off the bed and it was over.
 11 Q. I understand he also asked you to rub his groin because
 12 he said that that would relieve the pain of a trapped
 13 nerve in his knee?
 14 A. Yes.
 15 Q. Roughly where -- obviously I don't think we need an
 16 anatomical diagram, but where did he ask you to rub his
 17 body?
 18 A. Just below his testicles.
 19 Q. Did you do that?
 20 A. No.
 21 Q. As I understand it, during the middle of the year, so
 22 after about sort of eight or nine months on the scheme,
 23 you went away for a month on holiday, and upon your
 24 return, Bishop Peter asked you about misbehaving. What
 25 did you do on that occasion?

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1 A. I'd gone away on holiday because I'd started my first
 2 relationship with another man, who I don't think has an
 3 anonymised number.
 4 Q. Just say "another man"?
 5 A. Another man. It was my first partner. This person had
 6 been the bishop's driver previously -- at that time. He
 7 had previously been on the scheme but this person had
 8 never been in the inner circle of Peter's deeds.
 9 Over months, I eventually began to tell this other
 10 man what was happening, what -- about the beatings, the
 11 naked prayings, and so on, and this other man -- I'm
 12 glad I did, because he was -- basically said, "This is
 13 nothing to do with the church" -- sorry, "This is
 14 nothing to do with God's love, this has got to stop",
 15 and that gave me the confidence after that holiday --
 16 because I had been on a holiday with this other man.
 17 Afterwards, when I came back and Peter asked if I'd
 18 misbehaved and I said yes, he said what did I want to
 19 do, did I want to engage in another beating and I said
 20 no -- again, from reading my statement, it is a lot
 21 clearer after all this time to read my statement,
 22 apparently said, "This is to stop. I don't believe this
 23 is what God wanted", and I didn't want it to happen to
 24 myself again and I didn't want it to happen to anyone
 25 else again.

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1 I totally remember how Peter reacted to me -- it was
 2 the first time I'd ever, ever confronted him in such
 3 a bold way. He visibly recoiled from the line I'd put
 4 in the sand. He was shocked. He said, "Of course,
 5 lovey, this shouldn't have happened. I'll think about
 6 what I've done and this won't happen ever again".
 7 Q. Can we get up, please, ANG000092_035. It is behind
 8 tab 2, chair and panel, of A of your bundle. This is
 9 a letter from Peter Ball to you, and this predates
 10 Peter Ball's arrest, as I understand it. But obviously
 11 postdates your knowledge of him:
 12 "Dear ..."
 13 Then your name:
 14 "I ought to have written at once, for you were the
 15 most perfect person that I can ever remember me having
 16 here and it was a great, great joy and inspiration to
 17 have six weeks."
 18 I think that's what it says:
 19 "Thank you for everything and also your kindness
 20 with me personally. I do hope and pray that the weeks
 21 and years ahead will be very happy for you and that God
 22 will reveal himself clearly through you and do his work
 23 rightly in you. Hope to see you soon. Come any time at
 24 all. Always welcome. Love Peter."
 25 Was this sort of typical of the correspondence that

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1 he would send you at the time, saying how special you
 2 were, writing in a way that -- I suppose some people
 3 might call it gushing?
 4 A. Yes, this is how he writes.
 5 Q. So you were made to feel sort of incredibly special,
 6 that this very senior person was writing to you in this
 7 way?
 8 A. Yes.
 9 Q. Eventually, I understand you left Peter Ball's house in
 10 around the September or October in the year in question,
 11 and you then moved to Cambridge. Now, I understand
 12 during that time, even when you were living in
 13 Cambridge, you still continued to see Peter Ball,
 14 including when he had become Bishop of Gloucester?
 15 A. Yes, that's right. So I can't remember how many times
 16 I went back to Beacon House after I'd left, but
 17 I certainly went to -- after he became
 18 Bishop of Gloucester, I certainly went to visit him
 19 there in his palace there maybe four or six times.
 20 I can't remember.
 21 Q. So you went to visit him fairly regularly in the sort of
 22 time after you'd left his scheme?
 23 A. Yes.
 24 Q. As I understand it, it was in or around May 1992 that
 25 you met Neil Todd whilst he was also staying with

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1 Peter Ball in the palace at Gloucester; is that right?
 2 **A. That's right.**
 3 Q. Was it usual for Peter Ball having young men like
 4 yourself and Neil Todd staying?
 5 **A. Yes, it was. From what I can gather, before I'd started**
 6 **The Scheme, there had obviously been lots of young men**
 7 **staying as part of The Scheme, but by the time I had**
 8 **arrived, I was the only one living at the house mostly**
 9 **during 1990 to 1991. After I left, Neil started living**
 10 **with him around 1992. So I didn't think there was**
 11 **anything -- it wasn't unusual, just as it hadn't been**
 12 **unusual, I felt, for me to live with him at that time.**
 13 Q. So when you met Neil, what did you think of him?
 14 **A. I saw myself in him totally. We were, I think, one year**
 15 **in age apart. I remember him coming downstairs --**
 16 **I think he'd been praying in the morning when I went to**
 17 **visit Peter, and Neil came in and made himself a coffee**
 18 **and he looked quite shy and nervous, and I saw myself**
 19 **immediately as -- I saw myself in him, yes.**
 20 Q. After you came back from Gloucester, you were living in
 21 Cambridge. In fact, you were somebody called the
 22 Reverend Ros Hunt's lodger. As I understand it, you
 23 sort of dropped some hints to her as to what might have
 24 gone on between yourself and Peter Ball in Sussex and
 25 you gradually opened up more and more to her. Why was

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1 that?
 2 **A. I began living at Ros's house because I was working with**
 3 **another of her lodgers, and so, through her other lodger**
 4 **I met Ros. I had talked to Ros, who was the chaplain at**
 5 **Jesus, about having just come from The Scheme, and she**
 6 **knew other people who had been on The Scheme, and**
 7 **eventually I ended up -- not -- after not very long,**
 8 **living -- also lodging at Ros's, and we talked about how**
 9 **I would want -- it was my suggestion -- to continue**
 10 **having a spiritual dialogue with her, and so we did have**
 11 **set times, perhaps once a week, where we would spend an**
 12 **hour talking about spiritual matters and she would talk**
 13 **about, yeah, my spiritual development, as a friend and**
 14 **as a guide, rather than as someone telling me what to**
 15 **do.**
 16 Q. Reverend Hunt has given us some written evidence, and
 17 she is also coming across to give evidence, but she also
 18 identifies that she had been quite heavily involved in
 19 Rape Crisis centres and domestic violence centres, and
 20 therefore was quite familiar with issues to do with
 21 abuse of power and domestic and sexual violence
 22 generally. Therefore, did you feel able to confide in
 23 her what had happened to you?
 24 **A. Yes. It took time. I can't remember how many weeks or**
 25 **months of having these one-to-one spiritual guidance**

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1 sessions, but over time, I eventually -- I was dropping
 2 hints about what had happened. I still felt loyalty to
 3 Peter and that -- the promise I had made that I wouldn't
 4 tell anyone, but I think Ros was very effective at
 5 making me feel safe -- in a safe space where I could
 6 talk about what had happened, and eventually -- I can't
 7 remember when during 1992, but at some point I told her
 8 everything.
 9 Q. When you had been to visit Peter Ball and seen
 10 Neil Todd, what did Peter Ball tell you about his
 11 relationship with Neil Todd?
 12 **A. He told me -- Peter told me that of course he had**
 13 **promised me that he would never beat anyone again and he**
 14 **wasn't going to -- he would never do that again, but he**
 15 **said he was getting very frustrated with Neil, and he**
 16 **told me that Neil was begging him to -- Neil was begging**
 17 **Peter to beat him, something -- he'd also written a rule**
 18 **of life, which I don't remember ever seeing, but, again,**
 19 **it's from the statement, where Peter had written**
 20 **a rule -- how Neil should live a religious life, and**
 21 **I think Peter had torn it up because he didn't believe**
 22 **Neil was dedicated enough to the religious life as Peter**
 23 **saw it.**
 24 Q. You knew, but -- as I understand it, one of the things
 25 you say is you still feel incredible guilt that you

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1 didn't ask Neil for anything?
 2 **A. (Witness nods).**
 3 Q. Eventually, as I understand it, you saw Peter Ball
 4 shortly before in fact he was arrested -- I think the
 5 week before he was arrested -- and in your witness
 6 statement, you say:
 7 "He told me he was taking sleeping pills and was
 8 contemplating suicide as Neil Todd was making
 9 allegations against him about naked embracing and that
 10 any sexual connotation was total fantasy on his part."
 11 I also understand that he phoned you the day before,
 12 in fact, the police were told about these events, in
 13 which he said, "the Bishops of Chichester and Southwark
 14 wanted to interview me and another individual". He said
 15 that he relied upon your support and "all I had to do
 16 was tell them of the cold showers and praying naked and
 17 nothing more". What did you do in response to that?
 18 **A. Again, it's so long, I can't remember exactly.**
 19 **I remember feeling very conflicted at the time. If**
 20 **memory is more emotion, I remember feeling very**
 21 **conflicted about loyalty to Peter and not wanting him to**
 22 **get into any trouble. But also, I was in a very**
 23 **fortunate situation. I was living with Ros, who had**
 24 **years of experience of dealing with vulnerable people.**
 25 **I was also in close contact with another individual,**

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1 AN98, who is a good friend as well who had previously
 2 been on The Scheme. By having the opportunity to talk
 3 with each other, we were able to support each other and
 4 to agree that -- we eventually agreed that we didn't
 5 want Peter to get into any trouble or to put any --
 6 because of us, but we were -- but we knew what had
 7 happened to Neil was true, because it was the same that
 8 had happened to both of us. So we wanted our statements
 9 to go forward purely to support Neil's experience, but
 10 not for any specific case to be brought against Peter
 11 because of us.

12 Q. As I understand it, you say in your witness statement,
 13 and Ros Hunt confirms this, that at least two or three
 14 bishops in fact telephoned Ros at the time and said,
 15 "Please make sure that you don't come and give
 16 evidence"; is that right?

17 A. That's right.

18 Q. "You don't go to the police". But you obviously ignored
 19 that and you did go and you did give your evidence to
 20 the police. Can you remember what you thought about the
 21 police investigation at the time? Were the police
 22 officers kind to you? Did everybody give you -- was it
 23 good or was it bad?

24 A. It was good, I think. From what I remember, I think the
 25 two officers who interviewed me were very nice. Ros,

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1 because of her experience, sat with me through the
 2 interview and was -- I felt very protected by Ros. She
 3 was a lioness, basically. I felt I was safe in her
 4 company. Throughout the interview, she was saying --
 5 asking if I needed a break, asking if I understood the
 6 questions, and, yeah, I thought the police officers who
 7 interviewed me were very gentle and, yeah, nice.

8 Q. Obviously the church were -- obviously, I mean, three
 9 bishops telephoned Ros Hunt. So they were obviously
 10 aware of who you were and the allegations that you were
 11 making. Following you having gone to the police, did
 12 the church offer you any pastoral support or any
 13 counselling or come and see you in any way?

14 A. After the '93?

15 Q. After the '93?

16 A. No, nothing.

17 Q. As I understand it, the newspapers in fact were running
 18 an article trying to find out who you were at the time,
 19 so you in fact changed your name to try to reinvent
 20 yourself and leave your past behind you because you were
 21 concerned about that?

22 A. That's right.

23 Q. Were you worried about being outed, which was quite
 24 fashionable, if I remember rightly, during that
 25 particular period of time? Were you concerned about

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1 being outed by other individuals or by the press at that
 2 time?

3 A. Outed as gay?

4 Q. Yes.

5 A. I didn't mind that too much because I think in a very
 6 short time, having started my first relationship,
 7 particularly having -- living with Ros, I was very
 8 rapidly accepting my sexuality and feeling comfortable
 9 with it. And I think that's purely because of the lucky
 10 situation I happened to be in then.

11 I remember we were all feeling a bit paranoid about
 12 the press coming to the door. There were, yeah,
 13 incidents of people in the garden at night who, you
 14 know, "Is it the press?" I didn't want to -- yeah,
 15 I didn't want the press to splash a story about me in
 16 the same way it had about Neil over several weeks, yeah.

17 Q. In 2012, the police got back in touch with you because
 18 there were sort of more and more people coming forward,
 19 saying that they had been sexually abused. What was
 20 your view about the support that the police gave you
 21 during the course of that investigation?

22 A. Yeah, again, the two officers were lovely. They were
 23 very supportive, very -- I felt empowered by them
 24 because at first I was initially -- again, the same as
 25 in '93, I didn't want to necessarily make a statement

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1 that would be used as a separate charge against Peter.
 2 I wanted my statement to be used to support the other
 3 people, lots of other people, who were coming forward,
 4 and I still had a sense of loyalty towards Peter, and
 5 I didn't -- and they were very -- the police officers
 6 were very good about leaving it up to me to decide if
 7 I -- how far I wanted to go in to support the case.

8 Q. How about the church? What was your view about the way
 9 that you were treated by the church from 2012 onwards?

10 A. From 2012 -- because I had left the church behind and
 11 a member of the British Humanist Association, so
 12 I didn't really think about the church very much
 13 anymore.

14 Q. Did the church offer you any support by way of
 15 counselling or advice or anything like that?

16 A. Yes, there was a letter from Chichester, possibly
 17 a safeguarding officer, saying that they would pay for
 18 some counselling sessions, and I'd taken up -- I think
 19 they paid for four counselling sessions around about the
 20 time of the 2013/2014. So I'd accepted their offer of
 21 paying for that help then.

22 Q. Are there any lessons you think, from what you know from
 23 1992/1993, that the church could learn from your
 24 experience to try and avoid any other young people like
 25 yourself going through it again, going through something

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1 like you went through?

2 **A. I think there's a lot of lessons, perhaps too many for**

3 **me to say. I think it had no -- the church had no**

4 **concept of safeguarding at all back then. I hope it has**

5 **more so now. I think there's an issue with the power**

6 **that bishops have, which is intrinsic to the church, and**

7 **unless you look at restructuring the church and how much**

8 **magic, for want of a better word, that bishops**

9 **supposedly have, I think it's very difficult to square**

10 **the circle of having safeguarding and bishops with magic**

11 **power to create priests and to turn bread into a body**

12 **and so on. It's very difficult to square the circle.**

13 **I don't know. I think it's a bigger question than I can**

14 **answer.**

15 Q. Is there anything else you would like to say to the

16 chair and panel?

17 **A. No, but thank you, and good luck with your work.**

18 MS SCOLDING: Thank you so much. Thank you very much, A117,

19 for coming to give evidence.

20 Chair and panel, do you have any questions?

21 THE CHAIR: No, we have no questions, but thank you very

22 much, indeed. We are very grateful to you for coming

23 and telling us about your experience. Thank you.

24 MS SCOLDING: If you could just wait in the box until

25 somebody comes to get you. Otherwise, you may

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1 accidentally appear on camera.

2 Housekeeping

3 MS SCOLDING: Chair, just a few housekeeping matters. We

4 have had a number of queries over the luncheon

5 adjournment about when documents for witnesses whose

6 statements will be read will be published. Briefly,

7 I would like to confirm the following. Firstly,

8 Lady Alice Renton's statement is being read on Wednesday

9 morning. The letter her husband wrote to the DPP in

10 1993 will be published on our website by the end of that

11 day. Secondly, Ian Beer's statement is to be read on

12 Thursday afternoon. The letter he wrote to the DPP in

13 1993 will be published on our website by the end of that

14 day. Next, chair, His Royal Highness the Prince of

15 Wales' statement is to be read on Friday morning. The

16 extracts of correspondence between the Prince of Wales

17 and Peter Ball which I referred to in my opening will

18 also be published on our website by the end of that day.

19 Chair, I am being passed a note saying that now may

20 be an appropriate moment to have a break, but

21 Ms Bicarregui may well be about to tell me otherwise.

22 Unless you wish to take a break early, I would

23 suggest that I would invite you, chair, maybe to

24 continue and for us to hear the evidence of AN-A10.

25 THE CHAIR: Yes.

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1 (The witness withdrew).

2 WITNESS AN-A10 (sworn)

3 Examination by MS SCOLDING

4 MS SCOLDING: Good afternoon, A10. I apologise for calling

5 you that, but it is obviously for your benefit. Just

6 a few preliminary matters, if I may.

7 Firstly, obviously we know that the events in

8 question took place a long time ago -- 36 years ago,

9 I believe you told me.

10 **A. Yes.**

11 Q. So it is absolutely fine if you can't remember certain

12 details, and of course this isn't a test of memory, so

13 please feel free to refer to any documents or any notes

14 that you have made.

15 Secondly, this isn't a stamina contest. You are

16 obviously free to take a break from your evidence at any

17 point and for any reason whatsoever. If you could just

18 please indicate that to me and we will break

19 immediately. We understand that this process can be

20 both difficult and stressful.

21 Lastly, there is a screen in front of you.

22 Documents are likely to come up on that screen, but they

23 are also in a bundle which you should have had, so use

24 whichever you feel is more appropriate.

25 **A. Okay.**

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1 Q. If I could ask you to identify, you knew Peter Ball

2 through a family connection, and your mother admired him

3 greatly, is what you say in your witness statement.

4 **A. Mmm.**

5 Q. How was Peter Ball viewed within your family whilst you

6 were growing up?

7 **A. Oh, definitely as a living saint, you know, who sort**

8 **of -- the trouble is, it's difficult for me to answer**

9 **this too well without being quite identifying of my**

10 **family, so it is a little bit difficult to give you an**

11 **answer that isn't ...**

12 Q. Okay. But you knew him and your mother thought he was

13 fantastic; is that right?

14 **A. Yes, absolutely, yes.**

15 Q. And also a deeply holy and religious person; is that

16 right?

17 **A. Yes, about whom there were funny stories which, with the**

18 **benefit of hindsight, did tend to involve the removal of**

19 **clothing. Even when I was a young boy, for example, he**

20 **used to preach that it would be better to come to church**

21 **in your bathing costume rather than not come at all, and**

22 **also there were anecdotes about him being on a train**

23 **with his monk's habit on and he would have his trousers**

24 **on and then he would take them off in front of other**

25 **passengers and wave them in the air and say, "I bet you**

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1 **wish you could do this too", so there's a certain theme**
 2 **of undress that has been there.**
 3 Q. I understand, however, you were only alone with
 4 Peter Ball a couple of times during your young
 5 adulthood. The first of these was a squash match when
 6 you were around 18 years old. I think this was -- your
 7 mother encouraged you to see him, I think, as a way of
 8 a sort of a great man giving you a talk about the
 9 future; is that right?
 10 **A. Something like that, but also just that she wanted me to**
 11 **sort of be in contact with him, this very saintly**
 12 **figure.**
 13 Q. So you played squash with him. As I understand it, he
 14 was an extremely good squash player. I think in fact he
 15 was a squash blue, wasn't he?
 16 **A. A half blue, yes, that's right. I mean, he may well not**
 17 **have enjoyed my squash playing that much, because**
 18 **obviously he was very skilled, but I remember quite**
 19 **enjoying the match. Rather typically, he managed to**
 20 **sail in without paying. He had this magical way of**
 21 **sweet talking everybody, so he seemed to have a royal**
 22 **path wherever he went, even the local health centre.**
 23 Q. After you'd attended the health centre, as you usually
 24 do, you go and have a shower after you have exerted
 25 yourself physically, shall we say. During that time,

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1 what do you recall about what happened in the shower?
 2 **A. I don't remember anything in the shower. I just**
 3 **remember -- the shower may have taken me by surprise.**
 4 **I may not have been armed with a towel, I can't**
 5 **remember, but nothing happened in the shower. It was**
 6 **just afterwards, when we were getting dry, I remember**
 7 **him looking at my penis and his eyes lighting up.**
 8 **I remember that. I suppose -- this is all easy with the**
 9 **benefit of hindsight, but, you know, that was a bit**
 10 **surprising, in a way.**
 11 **And the other thing was this rather extraordinary**
 12 **towel he had which was white. It was (a) very dirty,**
 13 **like muddy, and (b) sort of very bloody. I mean, it**
 14 **couldn't have been a more uncongenial-looking towel. So**
 15 **I assumed it was due to some penance -- penitential**
 16 **thing, beating or something like that. I don't know.**
 17 Q. About sort of three years later, when you were 21, you
 18 were a student, and you had had a falling-out with your
 19 mother and father. You say you were confused, you
 20 weren't doing very well in your academic study, and you
 21 were personally very unhappy. Somebody said to you,
 22 "Well, why don't you go and see Peter Ball?". Why did
 23 you -- so you made an appointment, and I'm assuming you
 24 went to see him?
 25 **A. Yes, I think it was at Peter Ball's suggestion, because**

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1 **he had heard from this mutual friend, or mutual**
 2 **acquaintance, that I wasn't doing very well and**
 3 **confused, and this, that and the other, and there again,**
 4 **with the benefit of hindsight, I think if he had heard**
 5 **the words "confused about my sexuality", his ears may**
 6 **well have pricked up. But, then again, that's, you**
 7 **know, with the benefit of hindsight. I was also**
 8 **confused about quite a lot of other things and the rift**
 9 **with my family and this, that and the other. So, yes.**
 10 Q. So you went down to see him?
 11 **A. Yes.**
 12 Q. You had something to eat. If I remember rightly, it was
 13 a suet pudding?
 14 **A. No, no, we never had the suet pudding. He was very**
 15 **obsessed with this suet pudding which he was cooking,**
 16 **I think, for later. We had lunch. I think it was for**
 17 **supper. But obviously it needed a lot of preparation.**
 18 Q. When you arrived at his house where he was living, you
 19 say that there were a number of other boys and young men
 20 who were obviously living there. Did you speak to them
 21 or notice anything about them?
 22 **A. Indeed, because we had lunch -- I think it was lunch, or**
 23 **certainly something to eat. I think it was lunch.**
 24 **Yeah, there was -- there seemed to be a lot of talk.**
 25 **I remember one thing, that the issue of money came up,**

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1 **and he said, oh, you know, he tried to keep that aspect**
 2 **of The Scheme from them, you know, so that they could**
 3 **think about other things, like spiritual things, but**
 4 **that maybe they ought to share the issue of money and**
 5 **where they got their money from more.**
 6 **There was quite a lot of banter, and then there was**
 7 **this figure of a sort of glowering monk, as I remember**
 8 **it, who had come back, he had been doing some work in**
 9 **the morning and come back for his lunch, and it was like**
 10 **he was very out of the loop of the banter, as it were,**
 11 **sort of an outsider who was scowling. So that was a bit**
 12 **of an odd thing.**
 13 Q. Eventually, after lunch, you went -- as I understand it,
 14 you went and had a one-to-one meeting with Peter Ball.
 15 Where did that take place?
 16 **A. Oh, it took place in his study. Can I say, first of**
 17 **all, I didn't see him straight after lunch because he**
 18 **saw a priest who was unhappy about where he'd been**
 19 **posted, so -- but then eventually I did go into his**
 20 **study, yes, on the ground floor of his place in**
 21 **Litlington.**
 22 Q. What did he then do? Bear in mind this was, what, 2.00
 23 or 3.00 in the afternoon, I would imagine?
 24 **A. Yes, and a nice day. Draw the curtains, yes.**
 25 Q. So you sat on his sofa and you started to talk.

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1 Eventually, the discussion turned to religion and sex.
 2 What did you tell him and what did he say in reply?
 3 **A. I remember the -- well, he said, you know, sorry about**
 4 **being unhappy about my family and this, that and the**
 5 **other, about my mother, and he said, you know, with**
 6 **regard to sexuality, he understood from this mutual**
 7 **friend that I felt as though I might have bisexual**
 8 **tendencies, and he said that he himself had these -- or**
 9 **felt that he had these tendencies.**
 10 At the time, he seemed to be saying it in a very
 11 pained way, as though it was an extremely difficult
 12 thing for him to say. There again, with the benefit of
 13 hindsight, it all seems rather more devious than
 14 I thought it was at the time.
 15 He talked about quite a lot of things, but the
 16 subject did rather quickly come around to sex and also
 17 masturbation and fornication and sex before marriage and
 18 all this type of thing.
 19 Q. What did he say about sex before marriage?
 20 **A. He said sex before marriage was fornication and was**
 21 **therefore wrong.**
 22 Q. What did he suggest might be the solution to undertaking
 23 such fornication or a way in which one could cleanse
 24 oneself spiritually or other from such fornication?
 25 **A. He didn't really say it was cleansing himself or anybody**

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1 else, but he said if the good that could be done by us
 2 masturbating each other outweighed the bad, then it
 3 would be the good thing to do, or the right thing to do.
 4 It was a bit like situation ethics, if you know what
 5 I mean. So, you know, it was --
 6 Q. Right.
 7 **A. You know, if it was good for me, then it was the right**
 8 **thing to do.**
 9 Q. So even though it might be considered by everyone else
 10 to be fornication and sinful, it wouldn't be sinful if
 11 the two of you wanted to do it together?
 12 **A. No, if it was done by him, then it was okay. That's the**
 13 **way I interpret it now. At the time, I thought he was**
 14 **making this incredible offer, you know, that was very**
 15 **painful to him. Obviously, I have heard since things**
 16 **which make me think it was more devious.**
 17 Q. So you didn't sit there and think, "What on earth is
 18 this much older man doing propositioning me in the
 19 middle of the afternoon in a study in Sussex"?
 20 **A. I was very naive. I mean, although I was 21 years old,**
 21 **I was, you know, of the emotional and social age of**
 22 **about 16 or younger, so ...**
 23 Q. So to you, this just seemed like a great man offering to
 24 do something holy, rather than --
 25 **A. Yes, exactly.**

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1 Q. What did he then try and do?
 2 **A. At some point he sat down on the sofa with me.**
 3 **I suppose he'd been standing up for some of the time.**
 4 **But then he came and sat down on my right, as I remember**
 5 **it, and, you know, he said, "I think, you know, you have**
 6 **this great problem with physical closeness or**
 7 **physicality", or this, that and the other. "You have**
 8 **a problem with it, and, you know, if it would help ..."**
 9 **and then he undid his habit, his monk's habit, so that**
 10 **he had a bare chest and he took my hand and he put my**
 11 **hand on his chest, but, I mean, not in a genital region,**
 12 **on his sort of belly, basically, and started to move it**
 13 **a little bit down, but -- and so held it there for some**
 14 **time, and I was quite embarrassed by this, so, after**
 15 **a while, he said -- or not that long, maybe a minute or**
 16 **two, "I can see that you're uncomfortable with this", so**
 17 **then he removed his hand and I gratefully moved my hand**
 18 **away. So that was what it was, really.**
 19 Q. So after this happened to you, was there any other
 20 conversation or was this the end of the discussion
 21 between you?
 22 **A. I think there was quite a lot of discussion. I remember**
 23 **him talking about stripping naked in front of the altar**
 24 **with another boy. This was in relation to all this**
 25 **conversation about me being unhappy with my physicality**

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1 and uncomfortable with it. So I sort of remember it
 2 that he said as a fact that he stripped off with another
 3 boy down in the chapel or whatever, in front of
 4 the altar. My girlfriend at the time remembers that
 5 when I came back to see her, that I told her that he
 6 suggested that I should go and strip off in front of
 7 the altar naked with him, but we have different memories
 8 of that.
 9 Q. So did you tell anyone in the church about what had
 10 happened, or did you tell your mother, for example?
 11 **A. Certainly not. I mean, he'd been saying things like,**
 12 **"Oh, you know, you can come and stay for as long as you**
 13 **like and I won't tell anybody and you can have your own**
 14 **room and I won't tell your mother and I'll lie to her,**
 15 **because lying is the right thing to do to your enemies",**
 16 **and this type of thing. So he was sort of -- no. But**
 17 **he didn't exactly tell me not to tell anybody, but it**
 18 **was done in such a sort of sanctified way that -- well,**
 19 **I did tell my girlfriend when I got back, but nobody in**
 20 **the church.**
 21 Q. So you then, I understand, undertook a sort of social
 22 acquaintance with Peter Ball after that event, so you
 23 exchanged Christmas cards with him?
 24 **A. Mmm-hmm.**
 25 Q. Then you saw in the press that allegations had been made

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1 against Bishop Ball and you wrote a letter. Chair and
 2 panel, the series of letters are behind tab B4 of your
 3 bundles. Danny, could I ask you to get up
 4 ACE006855_005? This was some years later. But this is
 5 a letter you wrote to George Carey on 18 December 1992.
 6 Can I ask, why did you write this letter and what was
 7 your purpose in writing it?
 8 **A. Well, because I'd seen the Neil Todd allegations in the**
 9 **press, or at least that the church was conducting an**
 10 **inquiry into Peter Ball, so it was in response to that.**
 11 Q. You identified the fact that you knew Peter Ball quite
 12 well, and that he's revered, "very anxious that
 13 confidentiality should be maintained ...
 14 "I have something which I am uncertain whether or
 15 not I ought to relate, concerning a private meeting and
 16 talk which I had with Bishop Peter ten and a half years
 17 ago, when I was 21 years old: I am unsure whether it is
 18 of substantive relevance ...
 19 "I do not think that it would be proper for me to
 20 write you an unsolicited letter ...
 21 "If you wish to contact me, I would be grateful if
 22 you could write, rather than phone, and send any letter
 23 to me in an unmarked envelope."
 24 So he obviously wanted to make sure this was
 25 private. I'm assuming it wasn't something you wanted

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1 anybody in your household to find, so to speak?
 2 **A. Yes.**
 3 Q. This letter was then responded to at ACE006855_004.
 4 This is a letter from John Yates saying:
 5 "The archbishop is away from Lambeth over Christmas,
 6 but I will of course make sure that he is informed about
 7 your letter after his return."
 8 You then -- Danny, can we get up ACE006855_003 --
 9 write to him again in February 1993, saying:
 10 "Actually, nobody has responded to my letter.
 11 Perhaps you can be kind enough to let me know whether or
 12 not the archbishop intends to rely."
 13 John Yates then writes to you again on 18 February,
 14 saying:
 15 "I'm sorry there's been only silence. What has
 16 happened broadly as follows ..."
 17 There is a police enquiry:
 18 "... the archbishop did ask for his own confidential
 19 enquiries to be made. However, although a number of
 20 letters ..."
 21 That's what it says:
 22 "... (including yours) ..."
 23 Danny, ACE006855_002. I'm sort of reading or trying
 24 to de-cipher Bishop Yates':
 25 "What has happened is broadly as follows. The

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1 police [something] into the allegations made originally
 2 have [taken] much longer than expected, and we are still
 3 awaiting information about whether or not any legal
 4 proceedings will follow from them. Meanwhile, last
 5 month, the archbishop did ask for his own confidential
 6 enquiry to be made. However, although a number of
 7 letters (including yours) might call for further
 8 investigation if, for example, the police investigation
 9 simply came to nothing, the archbishop thought that to
 10 pursue such enquiries before knowing the [something] of
 11 the police's efforts would simply cause distress, both
 12 to people like yourself who have kindly responded ...
 13 and to Bishop Peter."
 14 Did they -- we only seem to have one page of that
 15 letter and not the rest of it, but as far as you
 16 remember, did they offer to come and see you? Did
 17 anyone from the church offer to come and see you or to
 18 talk to you about what had happened, either in February
 19 or at any later date?
 20 **A. Well, there was this one final letter as well.**
 21 Q. If we could get up ACE006855_001. Things go silent
 22 until the end of March:
 23 "When I wrote ... I promised to keep you informed
 24 about events ... there was such publicity ... was
 25 officially cautioned and immediately resigned.

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1 "The archbishop's own enquiries are not yet
 2 completed but, in view of the fact that he now has some
 3 information that the meeting you talked about was more
 4 than ten years ago, the archbishop would not think it
 5 right to trouble you further unless you felt it was
 6 important to pursue it. If you are still uneasy, please
 7 don't hesitate to get in touch with the archbishop or
 8 [yourself] ... otherwise, we will regard the matter as
 9 closed."
 10 What did you think about that at the time?
 11 **A. I think I had mixed feelings. I think because**
 12 **Bishop Peter had been cautioned and resigned, in some**
 13 **way I felt that it wasn't that I didn't need to pursue**
 14 **anything, at the same time I felt was though I was**
 15 **puzzled as to why I'd never been asked what it was that**
 16 **I'd put in this rather roundabout way, initially.**
 17 Q. Yes, you'd written quite a circumspect letter saying,
 18 "There is something I want to tell you. It is really
 19 quite important. It is about Bishop Peter and a meeting
 20 I had with him when I was a young man", but yet nobody
 21 appears to have written to you to say, either, "Could
 22 you be a bit less bashful and tell us exactly what it
 23 is" or "Can we come and see you and you tell us what it
 24 is"?
 25 **A. The initial letter was partly because I didn't feel it**

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1 was right to send a letter out of the blue talking about
 2 masturbation and various allegations like that without
 3 doing quite a sort of cautious letter first, but of
 4 course I expected, and was very disappointed, in a way,
 5 and felt let down that I was never asked and now he's
 6 saying in this letter, because it was ten and a half
 7 years ago, it somehow doesn't matter, it's too long ago,
 8 it's out of time, as it were.

9 Q. It's also the case that obviously you didn't know that
 10 other people had written in at the time.

11 A. Absolutely.

12 Q. What did you think would happen to this letter in terms
 13 of whether or not it would go to the police or who it
 14 would be seen by at Lambeth Palace?

15 A. Well, I naively believed that the Church of England
 16 would conduct its proper enquiries and that, having said
 17 in the press that they were pursuing an enquiry, that
 18 they would do it in a proper and, you know -- what's the
 19 word? -- in good faith, in good faith. I now learn that
 20 they were giving assurances to Gloucestershire Police in
 21 1993 that any further investigation or any investigation
 22 that the Church of England would do would be low key and
 23 private, which to me means, "We are going to kick this
 24 into touch and you don't need to worry, there's not
 25 going to be anything disturbed in the church by our

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1 inquiry.
 2 So I now learn, in fact, that the Church of England
 3 inquiry, which I was participating in or trying to
 4 participate in, was a sham.

5 Q. You were interviewed as part and parcel of
 6 Operation Dunhill in 2012. What was the nature of your
 7 involvement in the police operation and how would you
 8 describe the way you were treated by both the police and
 9 the CPS?

10 A. Well, it was really the first time that anybody had
 11 shown any interest in this letter of such a long time
 12 ago, December 1992, and actually what lay behind it.
 13 I had actually got a letter previously I think from the
 14 Gloucestershire Police to do with another --

15 Q. Northamptonshire Police, it had been?

16 A. Northamptonshire Police.

17 Q. In 2008, you would have had a letter from
 18 Northamptonshire Police saying, "We are contacting you.
 19 Did you know anything about Reverends Cotton and
 20 Pritchard?", because that was part and parcel of their
 21 investigation, they having been passed your letters or
 22 having received your letters from the church at the
 23 time?

24 A. And my answer to that was, no, you see. So that was
 25 that. So I was contacted again in about 2012, as you

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1 say. Maybe in a way it was a relief after all these
 2 years for somebody to be taking an interest, although it
 3 had been a long time coming.

4 Q. In the last part of your witness statement, you suggest
 5 that Peter Ball's personality is a cross between
 6 Rasputin and Tartuffe. Now, Rasputin is quite well
 7 known to most people; Tartuffe is less well known, if
 8 you are not French. Tartuffe, as I understand it, is
 9 a religious imposter who dresses in monastic clothes,
 10 pretends to be a holy man, but in fact is interested in
 11 money and sex as much as anybody else is -- shall we put
 12 it that way? Can you please try to assist us in saying
 13 why you reached the conclusion that this is what
 14 Peter Ball was like?

15 A. Well, obviously, it's an analogy, it's not exact. But,
 16 I mean, I would have to say, first of all, that Rasputin
 17 and Tartuffe are both very heterosexual, so the metaphor
 18 isn't exactly right. But in fact Rasputin, in his 20s,
 19 visited a Russian monastery and he left it quickly
 20 because he was appalled at the amount of sex that the
 21 monks were having with each other. Anyway, that's an
 22 aside.

23 Tartuffe -- yes, Rasputin has all these connections
 24 and influence with the Royal Family, which was very
 25 similar to Peter Ball, as I understand it, Peter Ball

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1 visited -- had dinner with the Queen as well as
 2 Prince Charles and was always talking about going to see
 3 the Queen Mother, and lots of funny anecdotes, you know,
 4 which were very amusing about that --

5 Q. During your child and young adulthood, he would often
 6 tell you about his relationship with the Royal Family
 7 then?

8 A. Yes, funny anecdotes as well, yes, and also sort of hint
 9 that he was a marriage counsellor to Charles and Diana.

10 Q. Is there anything else that you would like to say to the
 11 inquiry?

12 A. No. Thank you for listening to me.

13 MS SCOLDING: Thank you very much. Chair and panel, do you
 14 have any questions of this witness?

15 THE CHAIR: No, we don't have any questions, but we are very
 16 grateful to you for coming today and speaking to us.

17 A. Thank you.

18 MS SCOLDING: Thank you very much. If you would like to
 19 wait there until the usher comes to get you. Otherwise,
 20 you might accidentally appear on camera.
 21 (The witness withdrew)

22 MS SCOLDING: Chair and panel, I wonder if this would be an
 23 appropriate moment to have an afternoon break?

24 THE CHAIR: Yes. We will return at 3.40 pm.
 25 (3.22 pm)

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1 (A short break)
 2 (3.42 pm)
 3 REVEREND GRAHAM SAWYER (sworn)
 4 Examination by MS SCOLDING
 5 MS SCOLDING: Mr Sawyer, or Reverend Sawyer -- what would
 6 you prefer I called you?
 7 **A. I don't mind.**
 8 Q. Reverend Sawyer, just a few preliminaries. Firstly,
 9 I understand that you would prefer to stand rather than
 10 sit; is that correct?
 11 **A. Yes, if that's all right.**
 12 Q. It's fine by me, as long as it is fine by you.
 13 Secondly, you shouldn't hesitate to tell the inquiry if
 14 you can't remember certain details. Obviously, there
 15 has been quite a long passage of time and this isn't
 16 a test of memory. Please feel free to refer to your
 17 written witness statement we have had from you. Please
 18 feel free to take a break from your evidence at any time
 19 and for any reason. Please make that known to myself
 20 and we will organise it swiftly. Lastly, there is
 21 a bundle of documents in front of you which has your
 22 witness statement in and other relevant documentation.
 23 Any documents that you or I refer to will be put up on
 24 the screen so you will be able to see them in that way.
 25 Maybe if you would like to tell the chair and panel

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1 your name and occupation, please?
 2 **A. I am Graham Sawyer. I am currently vicar of St James,**
 3 **Briercliffe, Burnley in the Diocese of Blackburn.**
 4 Q. You met Peter Ball, as I understand it, when you were
 5 around 16 or 17; is that right?
 6 **A. That's right, yes.**
 7 Q. This was partly because you had always had an interest,
 8 from being a teenager or even a child, in performing
 9 a religious life, being a vicar or a priest or a monk or
 10 something of that nature; is that right?
 11 **A. Yes.**
 12 Q. How often did you meet Peter Ball during that time?
 13 **A. Well, it was probably about a handful of times. My**
 14 **mother and stepfather were living in Eastbourne in**
 15 **East Sussex at the time. I was at boarding school in**
 16 **London. It was a number of school holidays. The Bishop**
 17 **of Lewes, as Peter Ball was then, was my regional bishop**
 18 **covering Eastbourne, and I was sent to see him.**
 19 Q. How did you find him when you went to see him? This was
 20 before you went to university to study theology?
 21 **A. As a teenager, I was enormously impressed because he was**
 22 **so kind to me and so welcoming and so encouraging. He**
 23 **came with this reputation of being a living saint.**
 24 Q. You then went off to university to study theology and
 25 applied to become a priest. That involves going through

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1 a selection conference?
 2 **A. Yes.**
 3 Q. As we understand it, that involves being sponsored by
 4 a bishop?
 5 **A. Yes.**
 6 Q. Which bishop sponsored you?
 7 **A. Peter Ball.**
 8 Q. Right.
 9 **A. I was passed by that selection conference, but**
 10 **I withdrew some months later because Peter Ball made it**
 11 **very clear to me that he would not endorse that**
 12 **recommendation that I be ordained unless I took my**
 13 **clothes off and presented myself to him naked as he said**
 14 **St Francis of Assisi had done. I was very uncomfortable**
 15 **about that. He further made it clear that I would never**
 16 **get ordained anywhere in the Church of England unless**
 17 **I did that. So in my final year at the University of**
 18 **Durham, I withdrew from ordination.**
 19 Q. You say that he made it clear to you that unless you
 20 took your clothes off, he wouldn't sponsor you for
 21 ordination.
 22 **A. Yes.**
 23 Q. On how many occasions did he suggest to you or attempt
 24 to remove your clothing?
 25 **A. It is difficult for me to remember, but it was multiple**

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1 **occasions. It was certainly two or three, maybe even**
 2 **more. He was very persistent about it and I was**
 3 **extremely reluctant. In fact, on the final occasion**
 4 **before I decided to withdraw, he began fondling me in**
 5 **his chapel. Of course, as a sort of late teenager at**
 6 **that time, very, very early 20s, it was very confusing.**
 7 **I knew it wasn't right and it didn't feel right to me.**
 8 **As you can imagine, it pulled me apart because I felt**
 9 **this strong vocation, calling, to be ordained, and yet**
 10 **I knew the only way that I could be would be if I gave**
 11 **in to this bishop who was certainly touching me**
 12 **inappropriately and suggesting inappropriate actions to**
 13 **me.**
 14 Q. After this had happened to you on a number of occasions,
 15 did you tell anyone within the church about this?
 16 **A. I did. I had a wonderful parish priest in Eastbourne**
 17 **who died some years ago, and his reaction -- I don't**
 18 **blame him, because that was sort of the feeling at the**
 19 **time, that this was Bishop Peter's medieval piety.**
 20 Q. You partly grew up in the Eastbourne area. You
 21 obviously had a parish priest who was in Eastbourne. Do
 22 you think that lots of people in the area knew about
 23 Bishop Peter's ways, so that there was sort of nudity
 24 and praying and things like that going on up at the
 25 priory?

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1 **A. Well, I didn't know. Admittedly, I was at boarding**
 2 **school in London so I was somewhat detached. But**
 3 **I certainly didn't know it. It's not the sort of thing**
 4 **that you go and discuss with somebody else because it's**
 5 **actually pretty embarrassing.**
 6 Q. So you said you told the local priest, who said, "Well,
 7 it's just part and parcel of, you know, Peter's way", so
 8 to speak. Did you tell anybody else who was involved
 9 with the church?
 10 **A. Yes, I did. I told my chaplain at my college at Durham**
 11 **who has also since died, and he was pretty supportive of**
 12 **me, but he said, "Look, don't rock the boat". Now, some**
 13 **years later, around about 1984, I reapplied to be**
 14 **ordained and I was rejected on the grounds that I was**
 15 **showing instability of life by having said no to the**
 16 **first recommendation, and the chaplain at my college in**
 17 **Durham -- I had left then, obviously -- looked into it**
 18 **and he said, "Look, Graham, there's a big black mark**
 19 **against you in the Church of England. I'm afraid you'll**
 20 **never get ordained".**
 21 Q. Was that -- did he say that that was because of
 22 Peter Ball and what he had said?
 23 **A. Yes. It merely confirmed what Peter Ball had actually**
 24 **said to me. You know, it was -- but it was very, very**
 25 **clear to me in around about 1984/83, it would be around**

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1 about 1984, that there was no way that I was going to
 2 get ordained in the Church of England because there was
 3 this huge block against me put there by Peter Ball.
 4 Q. You then, as I understand it, undertook a variety of
 5 jobs which weren't related to the church.
 6 **A. Mmm.**
 7 Q. You then sort of in effect requalified as a deacon and
 8 then as a priest in Australia in the late '90s?
 9 **A. Actually, I moved to New Zealand. I knew that there was**
 10 **no way I could get ordained in England, and that feeling**
 11 **of wanting to be a clergyman just never went away, so**
 12 **I emigrated from Britain and I moved to New Zealand, and**
 13 **fortunately, although, you know, now I think one would**
 14 **say scandalously, they didn't check up on me, thank God,**
 15 **and I was ordained. There's a two-stage process to be**
 16 **ordained. The first is deacon. So I was ordained**
 17 **20 years ago now, 1998, in the Diocese of Wellington in**
 18 **New Zealand.**
 19 **It was a couple of years later that I happened to**
 20 **meet Rowan Williams, who was then Archbishop of Wales,**
 21 **at a spirituality conference in Sydney, Australia, and,**
 22 **you know, we had a bit of a chat and he said, "Look, you**
 23 **know, will you come to my diocese in Wales?", and all**
 24 **being well, I will ordain you a priest", and so I did.**
 25 Q. You then set out within your written witness statement

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1 a whole series of sort of harassment and difficulties
 2 that you had subsequent to your move back from Wales to
 3 England, all of which we will sort of identify and deal
 4 with at the stage of the national church.
 5 **A. Yes.**
 6 Q. But suffice it to say that you were very concerned about
 7 the behaviour of a number of individuals within the
 8 Church of England subsequent to your return to England
 9 and the way that they had treated you. Is that
 10 a fair --
 11 **A. Let me make this very clear. The sexual abuse that was**
 12 **perpetrated upon me by Bishop Peter Ball pales into**
 13 **insignificance when compared to the enduringly cruel and**
 14 **sadistic treatment that has been meted out to me by**
 15 **officials, both lay and ordained, in the**
 16 **Church of England, and I know from the testimony of**
 17 **other people who have got in touch with me over the last**
 18 **five or ten years that what I have experienced is not**
 19 **dissimilar to the experience of so many others, and**
 20 **I use those words "cruel and sadistic", because I think**
 21 **that's how they behave.**
 22 Q. How much of that do you attribute to the lingering
 23 effect, shall we say, of Peter Ball, because the events
 24 you describe sort of postdated Peter Ball's caution and
 25 resignation?

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1 **A. Well, there's an expression used in Australia to refer**
 2 **to the bench of bishops, they don't refer to the bench**
 3 **of bishops, but they refer to the "purple circle", and**
 4 **the purple circle exists pretty much in every national**
 5 **church within Anglicanism. It no doubt exists in other**
 6 **episcopally-led churches. They support one another in**
 7 **a sort of club-like way.**
 8 **If anyone attacks one of them, they will, as**
 9 **a group, as a sort of collective conscience and in**
 10 **action, seek to destroy the person who is making**
 11 **complaints about one individual.**
 12 **Now, don't take my testimony alone from this. There**
 13 **is former -- in fact, the recently retired bishop of**
 14 **Newcastle in NSW, Australia, who was a victim of sexual**
 15 **abuse there, and he described his treatment -- he said**
 16 **it is like an ecclesiastical protection racket. That is**
 17 **the culture within Anglicanism and no doubt within other**
 18 **episcopally-led church. It is an ecclesiastical**
 19 **protection racket, and anyone who seeks in any way to**
 20 **threaten the reputation of the church as an institution**
 21 **has to be destroyed. That is the primary thing, and**
 22 **that is the culture within Anglicanism.**
 23 Q. Now, I understand you got to know Rowan Williams. He
 24 was obviously the bishop in your diocese in Monmouth?
 25 **A. Yes.**

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1 Q. You told him some of the abuse you underwent at the
 2 hands of Peter Ball, but not all of it. Do you know
 3 whether or not Lord Williams did anything about the
 4 disclosure you made to him?
 5 **A. Well, I think this has been somewhat exaggerated. When
 6 I met Rowan Williams in Sydney around about 2001 or
 7 2002, and merely sort of referred to difficulties with
 8 Peter Ball and inappropriate behaviours, Rowan Williams'
 9 reaction, I have to say, was extremely pastoral. He
 10 gave me the opportunity to speak more about it, but
 11 I wasn't ready to do so.**
 12 Now, the first people that I disclosed my abuse to
 13 were Archdeacon Kenneth Sharpe, the archdeacon of
 14 the Diocese of Monmouth, and the then new Bishop of
 15 Monmouth, Dominic Walker.
 16 So with regard to Rowan Williams, I don't feel that
 17 he failed me in any way whatsoever. It would be
 18 convenient for me to say otherwise, but it certainly is
 19 not the case.
 20 Q. As far as the other individuals you just mentioned to
 21 whom you did disclose the nature of the abuse, do you
 22 consider that their responses to that were adequate?
 23 **A. No, not at all. And, in fact, it was at that time that
 24 I was a team vicar in a parish in Wales, in Pontypool,
 25 and there was a young man who was training to be**

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1 **a licensed reader, but, to cut a long story short, he
 2 was subsequently convicted of multiple paedophile
 3 offences and is serving an indeterminate sentence. When
 4 I brought this to the attention of Archdeacon
 5 Kenneth Sharpe and Bishop Dominic Walker, the real
 6 nastiness to try to get rid of me started, you know,
 7 rumour mongering, but, basically, I was pushed out of
 8 where I was, and so I returned to Australia.**
 9 Q. I understand in 2012 you disclosed the abuse by
 10 Peter Ball to a lady called Sue Chamberlain in the
 11 Diocese of Exeter?
 12 **A. Yes.**
 13 Q. She then informed the police?
 14 **A. Yes.**
 15 Q. You then became aware that the investigation was
 16 operating through Operation Dunhill?
 17 **A. Mmm.**
 18 Q. What was your experience of the police and the
 19 prosecution during the course of Operation Dunhill?
 20 **A. To begin with, certainly professional. I wish they
 21 could have kept in greater touch with me over the time.
 22 I remember when I got a phone call one day saying what
 23 happened to me was actually going to be used by the
 24 prosecution. That was a complete surprise, because
 25 I hadn't heard anything for months. I'm sure the**

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1 **police, Sussex Police in particular, would say that they
 2 learnt an enormous number of lessons from
 3 Operation Dunhill and how to treat victims/survivors of
 4 sexual abuse better, but, with hindsight, certainly
 5 there could have been more information.**
 6 Q. What was your view about the -- I mean, how did you find
 7 the process of potentially having to give evidence at
 8 a criminal trial or potentially being a witness in
 9 a criminal prosecution, as somebody who was a victim and
 10 survivor of indecent assault?
 11 **A. Obviously, I would have preferred not to do it, but
 12 I made it clear that I was prepared to do so, and it was
 13 during this time that I began to find out that it wasn't
 14 simply me. You know, I wasn't the only one who had
 15 experienced those things from Peter Ball. Subsequently,
 16 I have found out that actually his treatment of other
 17 people was far worse, and, you know, that makes me feel
 18 bad about myself, that what happened to me was
 19 relatively minor compared to what happened to, say,
 20 Neil Todd.**
 21 Q. Can I ask, you are obviously somebody who has very
 22 strong views which you have made known in a number of
 23 areas about the church. What recommendations would you
 24 like to make to the church and to the chair and panel
 25 about how the Church of England could improve its

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1 responses to safeguarding and child protection?
 2 **A. Well, I think the fundamental problem is that, as long
 3 as the church is perceived as the correct place to take
 4 a disclosure, all this terrible abuse of people who have
 5 already been abused as victims will carry on.**
 6 I think there needs to be an explosion of
 7 consciousness, shall we say, by the public, by people in
 8 general, that there is an inherent conflict of interest
 9 in the system.
 10 The church, as an organisation, is self-protective
 11 of both its reputation and its considerable financial
 12 wealth, although it uses that considerable financial
 13 wealth to bully and discredit victims by use of highly
 14 aggressive legal firms, as happened with me when the
 15 Bishop of Barking at the time illegally sacked me as
 16 a priest in Woodford Green, sought to destroy me in
 17 every way, wouldn't give me a reference, wanted to throw
 18 me out of my vicarage. In the end, after two years'
 19 battle and living on job seekers' allowance, I won
 20 entirely and got two years' back pay, pension and a good
 21 reference, but this is the way -- this is the culture
 22 within the Church of England, how the hierarchy, lay and
 23 ordained, treat anybody who they perceive to be
 24 a threat.
 25 Whilst the church continues to run its own

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1 safeguarding, there's always going to be that tendency
 2 to protect the reputation of the church above the
 3 interests of truth and the interests of the individual,
 4 and so the greatest recommendation I can give is ensure
 5 that mandatory reporting is imposed upon the church, as
 6 it is on just about -- well, so many other organisations
 7 within contemporary society, and that also, for probity
 8 and transparency, and to stop this appalling abuse of
 9 people who come forward with their stories to the church
 10 that safeguarding is simply taken out of the hands of
 11 the church. It can't police itself with any
 12 credibility.

13 Q. You say that there should be mandatory reporting.
 14 A. Mmm.

15 Q. I think we have to be very clear about what's meant by
 16 that.
 17 A. Mmm.

18 Q. Who are you saying has to report to whom?
 19 A. Well, at the moment, the Church of England has this
 20 system whereby there is in every parish a safeguarding
 21 officer. This sounds in some ways a really good idea,
 22 but the average parish is only 60 people. So finding
 23 someone who is competent and independent to perform that
 24 role in every parish of the Church of England is
 25 actually impossible.

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1 In my own parish, and I believe I'm the only one in
 2 the Church of England, we actually have someone who
 3 doesn't even live in the same town, let alone come to my
 4 church, so that there is an independence of examination,
 5 and so on. But we are seeing all sorts of other
 6 problems occurring. I heard of a clergyman who rang me
 7 the other day saying that his safeguarding officer,
 8 newly appointed, had a grudge against him and accused
 9 him of assault, and all that had happened was that he'd
 10 brushed past her in the church and didn't even remember
 11 it. So you have got all sorts of problems coming out of
 12 that.

13 But at the moment, it is the role of that parish
 14 safeguarding officer or the vicar to make some sort of
 15 report. Now, if we had the system that exists within
 16 local authorities, you know, with schools and so on,
 17 whereby you can just simply pick up the phone, anybody
 18 who has a particular concern, so that everyone sees it's
 19 their responsibility to report a concern, it can then be
 20 put in the hands of someone who is completely
 21 independent who makes that decision.

22 Q. I think what the church would say is, well, don't they
 23 have that now? They have introduced some regulations
 24 which means everyone has to have regard to the
 25 Bishops' Council guidance. That guidance is absolutely

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1 clear that somebody like a vicar or a safeguarding
 2 officer is under an obligation which can be enforced, if
 3 necessary, by way of clergy discipline to report to the
 4 diocesan safeguarding officer adviser who is someone who
 5 is not certainly part of the parish or highly unlikely
 6 to be part of your parish and is someone who usually
 7 comes from -- well, now has to come from a probation or
 8 social work background?

9 A. That's true. There are 42 dioceses in the
 10 Church of England. So you have got 42 different
 11 individuals. Now, in my own current diocese, at the
 12 moment we have a really good diocesan safeguarding
 13 officer, but the last one certainly wasn't. They differ
 14 enormously because there are so many of them in how in
 15 practice they actually behave.

16 Now, what comes out of the national safeguarding
 17 team of the Church of England in London in some ways is
 18 very good. All these protocols and procedures. But
 19 these things fall down because they require individuals
 20 to actually do something, and that is the fundamental
 21 problem. The reaction of one diocesan safeguarding
 22 officer could well be very, very different from the
 23 reaction of someone else.

24 So if you had an organisation that was completely
 25 independent that was just dealing with all of this

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1 overall, there aren't any of those inconsistencies, and
 2 at the same time there isn't that pressure to defend the
 3 institution, the body.

4 And don't forget also that diocesan safeguarding
 5 officers are essentially employed by the diocese, and
 6 they can be put under a lot of pressure. You mentioned
 7 Sue Chamberlain earlier in Exeter. She had a very, very
 8 difficult time because she was saying things.

9 Bishops, diocesan secretaries, they are past masters
 10 at pushing people out who are considered to be
 11 a troublemaker and that includes safeguarding advisers.

12 Q. If your suggestion were to be implemented, which is to
 13 put in place a sort of national body which is
 14 independent of it, how far do you think that that would
 15 resolve some of the issues that we have heard not just
 16 today, but in the three weeks of evidence in Chichester,
 17 which I have no doubt you followed with some interest,
 18 in respect of changing the fundamental culture of
 19 the church? Because, in a way, what you are doing is,
 20 you're saying, well, they are not good enough to mark
 21 their own homework -- I think that was Mr Greenwood or
 22 Mr Scorer's analogy -- but you are then getting somebody
 23 else to mark their homework, so in a way you are not
 24 necessarily changing the fundamental culture of
 25 the church which is what I think you are trying to say

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1 needs to be changed?

2 **A. Well, there does, as I said, need to be this explosion**

3 **of consciousness, and one diocesan safeguarding adviser**

4 **said to me recently that a new problem that's arising is**

5 **that the clergy at long last are realising that this is**

6 **a serious issue and they have to do it and they don't**

7 **know how to cope with it.**

8 **I had to give evidence to the Australian Royal**

9 **Commission on Institutionalised Responses to Sexual**

10 **Abuse. This was last year. One of their main**

11 **recommendations to the Australian Anglican Church was to**

12 **do precisely what I just said to you, that safeguarding**

13 **and the monitoring of it and the dealing with it all,**

14 **all had to be put into the hands of an independent body.**

15 **The Anglican Church of Australia, yes, immediately, and**

16 **they have done that. Why cannot the Church of England**

17 **do that as well? It clearly has no credibility in terms**

18 **of its treatment of survivors of sexual abuse. We hear**

19 **this again and again and again. Yet they continue to**

20 **want to organise everything to do with safeguarding.**

21 Q. So in your kind of ideal, it would be a separate body.

22 Would it be a body which is paid for by the churches?

23 **A. Well, it could well be. But at the moment, if someone**

24 **in a school of any kind in this country has**

25 **a safeguarding concern, they immediately know who to**

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1 **phone up, and it is not within their own school, it is**

2 **outside of the school, and it is just simply taken over**

3 **by that. Now, a lot of that is organised by local**

4 **authorities. That could be done today by the**

5 **Church of England and other churches. There is nothing**

6 **stopping them doing it. I would say, actually, it's in**

7 **the interests of the church, because it's lost all**

8 **credibility in terms of the way it treats victims of**

9 **sexual abuse, and that, for me, is the greater crime,**

10 **because any -- people say to me, "Why in the church, of**

11 **all institutions, are there so many paedophiles and so**

12 **forth?", and I say, "Well, because in the past it's been**

13 **perceived as an easy place for a paedophile to**

14 **perpetrate their crimes". 20, 30 years ago, it might**

15 **have been scouts or computer clubs, somewhere where they**

16 **can get access. So the church is naturally going to**

17 **have more of these sort of challenges than others, and**

18 **the church can't be blamed for that, but the church can**

19 **be blamed for how it responds to it. It could be done**

20 **so much better.**

21 MS SCOLDING: Thank you very much. Do you have anything

22 else you wish to say?

23 **A. No, thank you.**

24 MS SCOLDING: Thank you very much. Thank you very much,

25 chair and panel. I think that concludes -- sorry, chair

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1 and panel, do you have any questions for

2 Reverend Sawyer? I do apologise.

3 THE CHAIR: No, we don't have any questions. But thank you

4 very much for assisting us with your evidence today.

5 **A. Not at all, thank you.**

6 **(The witness withdrew)**

7 MS SCOLDING: Chair and panel, with your permission, may we

8 rise for the day and return at 10.00 am tomorrow?

9 THE CHAIR: Yes, of course.

10 MS SCOLDING: Thank you very much.

11 (4.10 pm)

12 (The hearing was adjourned to

13 Tuesday, 24 July 2018 at 10.00 am)

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