

<p>1 Wednesday, 25 July 2018 2 (10.00 am) 3 Welcome and opening remarks by THE CHAIR 4 THE CHAIR: Good morning, everyone, and welcome to Day 3 of 5 the Peter Ball case study. Today the inquiry will hear 6 witness evidence from Dr Purkis, from a former police 7 officer and a serving police officer and the Reverend 8 Dr Ros Hunt. 9 If there are no matters to deal with, Ms Bicarregui, 10 prior to hearing the witnesses? 11 MS BICARREGUI: Thank you very much, chair. 12 THE CHAIR: Please proceed. 13 MS BICARREGUI: Dr Purkis's statement is in file 6. 14 DR ANDREW PURKIS (sworn) 15 Examination by MS BICARREGUI 16 MS BICARREGUI: Dr Purkis, you should have a bundle of 17 documents in front of you, and behind the first 18 tab there should be a copy of your witness statement. 19 <b>A. Thank you.</b> 20 Q. Have you had a chance to remind yourself of the contents 21 of that statement recently? 22 <b>A. Yes.</b> 23 Q. If you were to turn to the back page, which is page 10, 24 you will see that it's dated and signed -- sorry, 25 Dr Purkis. I see you are at the back. It is behind the</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>A. Yes.</b> 2 Q. In your witness statement at paragraph 1 you describe 3 the role as Secretary for Public Affairs as being 4 essentially the archbishop's most senior adviser on 5 things outside of the church? 6 <b>A. Correct.</b> 7 Q. Am I right, broadly speaking, that the Bishop at 8 Lambeth, so at that point Bishop John Yates, was the 9 most senior person advising on matters to do with the 10 church, so to do with ecclesiastical matters? 11 <b>A. Yes.</b> 12 Q. I believe you also worked very closely with 13 Lesley Perry, who was the archbishop's press secretary 14 at that time? 15 <b>A. Yes.</b> 16 Q. I think, if you look at your witness statement, or you 17 may not need to, at paragraph 15.1, you say that a large 18 part of your role was advising on media coverage and the 19 public reputation of the mission of the church; is that 20 right? 21 <b>A. Yes.</b> 22 Q. Again, in your witness statement, you clarify that 23 Lesley Perry was the key operator with the media, so in 24 contact with the media, but you would normally be 25 consulted by her on the wording of important press</p> <p style="text-align: center;">Page 3</p>
<p>1 very first tab 1, at the beginning of the bundle. 2 <b>A. Yes.</b> 3 Q. Although your signature has been redacted -- 4 <b>A. Sorry, I seem to be in the middle of Lord Carey. But</b> 5 <b>I have seen my statement and the redacted signature, and</b> 6 <b>I know it is all well. Thank you.</b> 7 Q. The contents of that statement are still true, to the 8 best of your knowledge and belief? 9 <b>A. Yes, absolutely.</b> 10 Q. Dr Purkis, we will see how we go. Documents which 11 I refer to will come up on the screen. If at any point 12 you want to refer to something in a bundle, just say and 13 we will make sure you have the correct bundle. 14 You also say, I think, that you would like this 15 statement to be read in conjunction with the interview 16 you gave to Dame Moira Gibb; is that right? 17 <b>A. Yes, please.</b> 18 Q. Dr Purkis, you were the Archbishop of Canterbury's 19 Secretary for Public Affairs between 1992 and 1998? 20 <b>A. Correct.</b> 21 Q. Do you recall when you started in 1992? 22 <b>A. I'm sorry, I don't recall exactly. I could look it up,</b> 23 <b>but I don't really remember, sorry.</b> 24 Q. Prior to that job, you had worked in the Civil Service, 25 in the charity sector?</p> <p style="text-align: center;">Page 2</p>	<p>1 releases and on media strategy, and certainly in 2 relation to something as controversial as the Peter Ball 3 case; is that right? 4 <b>A. Yes.</b> 5 Q. In fact, we know from contemporaneous documents that you 6 helped, to an extent, draft the press releases that were 7 issued following Peter Ball's resignation and caution 8 in March 1993; that's right, isn't it? 9 <b>A. Yes.</b> 10 Q. If we could turn to tab 2 of the bundle, and, Danny, if 11 we could get up ACE002104. Dr Purkis, the provenance of 12 this is a little bit shady, shall we say. 13 <b>A. Yes.</b> 14 Q. The version that we have got up on screen does have 15 a Lambeth Palace stamp on it; the one in the bundle 16 doesn't. But the inquiry believes that this is the 17 press release that was issued when Peter Ball was 18 arrested in December 1992. If we could just have a look 19 at that statement, the first paragraph: 20 "It must be emphasised that no charges have been 21 brought against the bishop, and the allegations made 22 about him are unsubstantiated. Moreover, the bishop has 23 a proven record of outstanding pastoral work, 24 particularly amongst young people." 25 Do you see that? The next paragraph goes on to say:</p> <p style="text-align: center;">Page 4</p>

<p>1 "The Archbishop of Canterbury has been informed and 2 has been in touch with Bishop Peter." 3 Appropriate enquiries will be conducted. Again, the 4 last paragraph, just going to that one: 5 "The archbishop has Bishop Peter in his prayers at 6 this difficult time." 7 Do you see that? 8 <b>A. Yes.</b> 9 Q. Do you recall being involved in the drafting of this? 10 <b>A. I don't.</b> 11 Q. Would it be likely that something that was issued from 12 Lambeth Palace, we believe, would have been looked at 13 either by you or by Lesley Perry? 14 <b>A. Yes, likely.</b> 15 Q. Again, looking at this -- I know we are looking at it 16 with hindsight, Dr Purkis, but what do you think about 17 the way that this is drafted? 18 <b>A. Well, with hindsight, it clearly is a major hostage to 19 fortune. I think it reflects the archbishop's view that 20 his bishop should be assumed to be innocent unless and 21 until proved otherwise.</b> 22 Q. Let's go to the next press release that we have, which 23 is at tab 3 of the bundle. Danny, if we could get up 24 ACE000255. 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 5</p>	<p>1 question: do you recall having any input into the 2 drafting of this? 3 <b>A. I don't. I don't remember being consulted about this 4 one, although it was 24 years ago.</b> 5 Q. Indeed. Again, the same question, I suppose: would it 6 be likely -- we know from later documents that 7 Andy Radford and Lesley Perry and yourself were 8 involved, for example, in the March press releases? 9 <b>A. Yes.</b> 10 Q. Would it be likely that Andy Radford would have spoken 11 to you or Lesley Perry about this press release? 12 <b>A. I think -- I suppose it's likely that he spoke at least 13 to Lesley Perry, but I don't know that.</b> 14 Q. Again, there are no circumstances -- I appreciate that 15 you have said innocent until proven guilty, but the 16 terms of this, where the focus is on the devastating 17 effect of accusations on the accused, that isn't 18 something which would in any way be acceptable today, is 19 it? 20 <b>A. No, it's very one-sided.</b> 21 Q. Even at the time, Dr Purkis, this was an extremely 22 unwise message to be sending, wasn't it? 23 <b>A. Yes, it's a hostage to fortune, I agree.</b> 24 Q. Could we have, Danny, ACE000267 up on screen. This is 25 tab 16 of the bundle. This is a memo which Lesley Perry</p> <p style="text-align: center;">Page 7</p>
<p>1 Q. So this now looks more like a conventional press 2 release, as you will see. 3 <b>A. Yes.</b> 4 Q. Albeit that it is issued by the Diocese of Gloucester, 5 rather than -- this isn't one that came from 6 Lambeth Palace directly. 7 <b>A. Right.</b> 8 Q. Again, if we could look at the terms of that press 9 release, if we go to, I think -- just to give it some 10 context, this is a personal message which the Archbishop 11 of Canterbury wanted to be read out because, of course, 12 at this point, the Bishop of Gloucester was absent from 13 his diocese, and so this was something which was to be 14 read in the new year. So that's the context. But it is 15 issued in the form of a press release. 16 In the third paragraph: 17 "We hope and pray that the investigation will clear 18 his name and that he will be restored to his great work 19 of Christian ministry." 20 In the paragraph underneath that: 21 "Aware of the devastating effect that any such 22 accusation has on those accused, the archbishop asks 23 that people continue to remember Bishop Peter in their 24 prayers." 25 Do you see that? Again, Dr Purkis, the same</p> <p style="text-align: center;">Page 6</p>	<p>1 sent to you, to Bishop John Yates and to the Archbishop 2 of Canterbury on 6 January. We see that from the first 3 page. Danny, if we could go to page 3, and the top 4 paragraph of page 3: 5 "We have all heard rumours of people who have 6 written or telephoned here [Lambeth Palace] to describe 7 their own experiences with Bishop Peter -- some 8 positive, some not. There is a danger that if the 9 result of this investigation is any permutation of the 10 No 1 scenario ..." 11 We would have to look at the whole thing, but the 12 number 1 scenario I think is if Bishop Peter Ball is 13 exonerated, so there are no charges brought: 14 "... those who had negative things to say would feel 15 cheated or angry and might make their views public." 16 Do you see that? 17 <b>A. (Witness nods).</b> 18 Q. You were aware, and you say this in your statement, that 19 there had been people writing in to Lambeth Palace who 20 had been making allegations against Peter Ball at this 21 stage? 22 <b>A. Yes.</b> 23 Q. As far as you were aware, clearly the people involved in 24 this memo knew about that, but did all senior staff 25 members at Lambeth Palace know about these allegations</p> <p style="text-align: center;">Page 8</p>

1 against Peter Ball?  
 2 **A. They would know that they existed, yes.**  
 3 Q. You didn't ask to read them yourself?  
 4 **A. No.**  
 5 Q. Danny, if we could get up ACE000281, which is at tab 14  
 6 of the bundle. Dr Purkis, this is your writing,  
 7 I think?  
 8 **A. Yes.**  
 9 Q. This is a memo that you wrote on 8 January 1993.  
 10 **A. (Witness nods).**  
 11 Q. In a sense, I think this was in response to some of  
 12 the things which had been discussed following the  
 13 6 January memo. You say in that memo, "We should ask  
 14 a senior trusted person to carry out a swift pastoral  
 15 inquiry on the ABC's behalf", on the Archbishop of  
 16 Canterbury's behalf. That's the first indent, I think,  
 17 of the first paragraph. Do you see that?  
 18 **A. Yes.**  
 19 Q. You then go on to say in paragraph 2:  
 20 "This person's advice would help the archbishop, as  
 21 soon as possible after police enquiries are finished (if  
 22 they have), to judge the seriousness of what has  
 23 actually been done ..."  
 24 Which you describe as "the egg" here:  
 25 "... on the prudent assumption that at some stage it

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1 will be made public."  
 2 Do you see that? So you were saying, I think,  
 3 there, "Let's find out what has actually happened and  
 4 how serious it is, because it may all come to light at  
 5 one point"?  
 6 **A. Yes.**  
 7 Q. Was that about finding out the truth of the allegations  
 8 from your perspective, or was it just an attempt to  
 9 manage negative repercussions, if they were to happen?  
 10 **A. Well, I think it was both.**  
 11 Q. It wasn't a, "Let's find out what we are dealing with  
 12 here so we can prepare ourselves"; it was also, in your  
 13 view, "We need to know so that we can actually do  
 14 something at this stage"?  
 15 **A. Yes.**  
 16 Q. You say in your witness statement that you were pushing  
 17 your luck, in a sense, calling for this enquiry.  
 18 **A. Yes.**  
 19 Q. My understanding of what you say in your witness  
 20 statement, is that because there were areas of expertise  
 21 and this was seen to be something which was to do with  
 22 church discipline; is that right?  
 23 **A. Yes.**  
 24 Q. So this was essentially Bishop Yates' domain, if we can  
 25 put it crudely?

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1 **A. Yes, definitely.**  
 2 Q. But in this case -- and if we can go, Danny, over to  
 3 page 2 -- Bishop Yates's writing is harder to decipher  
 4 than yours, but his comments are at the bottom half of  
 5 that page. In this case, he agreed with you, didn't he?  
 6 **A. Yes.**  
 7 Q. We see there he says:  
 8 "Worth pursuing further. But I think Peter Ball  
 9 should be told about this ..."  
 10 Then he sort of muses about who should do it:  
 11 "Perhaps a lawyer rather than a priest?"  
 12 Something of that nature:  
 13 "Are we relooking for a retired judge, or someone  
 14 like the retired Bishop of Ely ..."  
 15 Do you see that?  
 16 **A. Yes, I do.**  
 17 Q. So even though this wasn't your domain, the other senior  
 18 adviser within the church agreed this was a good idea?  
 19 **A. Yes.**  
 20 Q. He thought, as we see at this stage, that actually  
 21 somebody, perhaps independent, like a retired judge,  
 22 should be looking at this; is that right?  
 23 **A. Yes.**  
 24 Q. But in fact, what happened -- we see this in your  
 25 witness statement and in the documents at the time -- is

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1 that, instead, Bishop Gordon and Frank Robson, who was  
 2 a church lawyer, looked at the letters and then went to  
 3 have a meeting with Peter Ball?  
 4 **A. Mmm.**  
 5 Q. That wasn't the sort of review you'd had in mind, was  
 6 it?  
 7 **A. No. I mean, it was the sort of mutation of it, but it  
 8 wasn't quite what I had in mind, no.**  
 9 Q. In fact, it didn't lead, did it, to any proper  
 10 assessment of the seriousness of what had happened?  
 11 **A. Well, that would be for you to judge. I mean, I only  
 12 know what I have read about the work that Bishop Gordon  
 13 and Frank, the lawyer, did.**  
 14 Q. If we look at it -- so they spoke to him, but they  
 15 didn't, for example, did they, speak to any of  
 16 the people who had been making the complaints?  
 17 **A. That's true.**  
 18 Q. So that could never really have got to the seriousness  
 19 of it, could it, only talking to Peter Ball rather than  
 20 talking to the complainants?  
 21 **A. I think that's a fair point.**  
 22 Q. I think the inquiry is interested, then, in why, in  
 23 those circumstances, you are very senior for outside of  
 24 the church, John Yates is very senior for inside of  
 25 the church. Why didn't this happen? Why wasn't there

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<p>1 an external review by somebody?</p> <p>2 <b>A. Well, I don't know for sure, because that was something</b></p> <p>3 <b>that was decided as between the archbishop and</b></p> <p>4 <b>Bishop Yates. So I don't know exactly what their</b></p> <p>5 <b>reasoning was. You will see in my statement that</b></p> <p>6 <b>I speculated that it was really defined as a pastoral</b></p> <p>7 <b>responsibility, a pastoral and personal responsibility</b></p> <p>8 <b>within the church setting.</b></p> <p>9 <b>It wasn't conceived as some sort of independent</b></p> <p>10 <b>enquiry.</b></p> <p>11 Q. Which was what you had had in mind when you drafted this</p> <p>12 memo?</p> <p>13 <b>A. I'd like to think so, and I think I did feel that there</b></p> <p>14 <b>should be an independent element, that that would be</b></p> <p>15 <b>a security for the archbishop.</b></p> <p>16 Q. Was there any sense that the church didn't want any</p> <p>17 external scrutiny at this stage?</p> <p>18 <b>A. I don't know. I don't want to say more than what I have</b></p> <p>19 <b>already said about the definition of pastoral</b></p> <p>20 <b>responsibility as it was seen at that time.</b></p> <p>21 Q. But it may have had an element which is, "Let's keep</p> <p>22 this within the church", rather than exposing it to the</p> <p>23 scrutiny of external bodies?</p> <p>24 <b>A. Well, I don't know whether that played a part. That</b></p> <p>25 <b>would be your speculation.</b></p> <p style="text-align: center;">Page 13</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. -- who viewed that Peter should be returning to public</p> <p>3 ministry. You will have been aware that others were</p> <p>4 interested in the fact that he should return to public</p> <p>5 ministry?</p> <p>6 <b>A. (Witness nods).</b></p> <p>7 Q. In your witness statement at paragraph 22, you describe</p> <p>8 a meeting with the Prince of Wales' principal private</p> <p>9 secretary --</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. -- which took place in August 1994. Do you recall that?</p> <p>12 <b>A. Mmm-hmm.</b></p> <p>13 Q. Amongst other topics that were discussed, the issue of</p> <p>14 Peter Ball's return to ministry was raised; do you</p> <p>15 recall that?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. You say in your witness statement that you were not</p> <p>18 surprised by this, as Peter Ball was a friend of</p> <p>19 the Prince of Wales?</p> <p>20 <b>A. Correct.</b></p> <p>21 Q. Is it right to say, Dr Purkis, that the fact of that</p> <p>22 friendship was widely known in Lambeth Palace?</p> <p>23 <b>A. That's correct.</b></p> <p>24 Q. Was it actually a feature of dealing with Peter Ball</p> <p>25 that he had influential friends?</p> <p style="text-align: center;">Page 15</p>
<p>1 Q. You say in paragraph 12 of your witness statement that</p> <p>2 even those of you who had been saying there should be</p> <p>3 a review stopped prioritising it once the police enquiry</p> <p>4 had ended in a caution and Peter Ball had resigned.</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. That's right, isn't it? So we know that was, I think,</p> <p>7 on 8 March 1993?</p> <p>8 <b>A. Okay.</b></p> <p>9 Q. So at that stage is it true to say that everybody pretty</p> <p>10 much, the senior advisers, started saying -- well,</p> <p>11 started not prioritising an internal review?</p> <p>12 <b>A. I think that's true.</b></p> <p>13 Q. Was that, at least in part, based on the fact that</p> <p>14 Peter Ball had resigned and no longer had a public</p> <p>15 ministry?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. So those were factors which you were --</p> <p>18 <b>A. They were certainly big factors, yes.</b></p> <p>19 Q. Now, soon after 8 March 1993, it became clear, didn't</p> <p>20 it, that Peter Ball was agitating to have some sort of</p> <p>21 public ministry?</p> <p>22 <b>A. (Witness nods).</b></p> <p>23 Q. So you -- we are not going to go through it, Dr Purkis,</p> <p>24 but you had correspondence to that effect certainly from</p> <p>25 Michael Ball --</p> <p style="text-align: center;">Page 14</p>	<p>1 <b>A. I don't think it was for me, in the dealings that I had.</b></p> <p>2 <b>That was not really a significant factor that was</b></p> <p>3 <b>brought to bear, I don't think.</b></p> <p>4 Q. For you, do you think that it had an impact in</p> <p>5 Lambeth Palace at all about how Peter Ball was dealt</p> <p>6 with?</p> <p>7 <b>A. Not specifically. I think that it was very well known</b></p> <p>8 <b>in Lambeth Palace that not just some great and good</b></p> <p>9 <b>people, but also loads and loads of church people, and</b></p> <p>10 <b>so on, had a very high opinion of Peter Ball and kept</b></p> <p>11 <b>writing letters saying so. That was obviously a factor,</b></p> <p>12 <b>and it was known, and so, you know, we would take that</b></p> <p>13 <b>into account in the way in which we talked about things</b></p> <p>14 <b>publicly, and so forth.</b></p> <p>15 <b>But I don't, myself, think that we were particularly</b></p> <p>16 <b>struck by the fact that it turned out that the people he</b></p> <p>17 <b>knew were in certain cases high and mighty.</b></p> <p>18 Q. Again, mid 1993, let's say, by the summer, certainly</p> <p>19 by September/October, it is clear that Peter Ball and</p> <p>20 others are agitating for a return to public ministry.</p> <p>21 So at that stage, the issue of assessing the seriousness</p> <p>22 of what happened in case it was to one day become</p> <p>23 public, so what you had written in your 8 January memo,</p> <p>24 that, at that point, was a live issue again, wasn't it,</p> <p>25 once it was clear that he was returning to public</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

1 ministry, or wanted to?

2 **A. I don't think at the time I conceived it as a live**

3 **issue, because it seemed to me, and I think to my**

4 **colleagues as well, a sufficient issue that he had**

5 **accepted his guilt for an offence of gross indecency,**

6 **and that, in itself, was, you know, quite enough to**

7 **suggest it would be inappropriate for him to return, at**

8 **least in any sort of hurry, to public ministry.**

9 Q. I suppose again, looking at it now, sitting in the

10 witness box and knowing what you do know about the fact

11 that actually what emerged was of the greatest

12 seriousness, it's a shame that that review didn't happen

13 in 1993, isn't it?

14 **A. It is, yes. Certainly.**

15 Q. Dr Purkis, I'd like to look at some of the March 1993

16 press releases with you. I think you accepted, and we

17 know from some of the contemporaneous documents, that

18 you were involved in drafting those press releases?

19 **A. Yes.**

20 Q. Danny, if we could get up ACE000166. This is tab 10,

21 for those using the bundles. This is the -- they are

22 called news releases. It was released on the day that

23 Peter Ball resigned as the Bishop of Gloucester. It is

24 essentially on behalf of the Archbishop of Canterbury,

25 as you can see.

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1 If we look at the first paragraph:

2 "The Archbishop of Canterbury has expressed his

3 great sorrow, but also his understanding and acceptance

4 of the Right Reverend Peter Ball's decision to

5 resign ..."

6 Do you see that?

7 **A. Yes.**

8 Q. He then goes on to describe Peter Ball as highly gifted

9 and original, inspired many people, much loved. That's

10 in the first paragraph of the quote, and again

11 reiterates in the second paragraph that it is a cause of

12 great sorrow, but that it is a responsible decision, and

13 the last paragraph says:

14 "I encourage Christian people to bear up all those

15 involved in their prayers."

16 Do you see that? Dr Purkis, reading this, the

17 overriding message seems to be one of great sorrow that

18 this wonderful man has had to resign. Is that a fair

19 assessment of this?

20 **A. Well, I think you have to take the balancing factors as**

21 **well, such as they are. So the decision to go is**

22 **understood and accepted, and all those involved should**

23 **be upheld in the prayers. So they may be -- they may**

24 **appear inadequate, but they are there as balancing**

25 **factors.**

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1 Q. But they are inadequate?

2 **A. Yes, I think you could -- it is a matter of judgment,**

3 **but I think they are inadequate, with hindsight,**

4 **certainly.**

5 Q. There is no explicit reference, is there, or express

6 reference, to what the caution was for, for example?

7 **A. No.**

8 Q. There is no -- other than "all of those involved", there

9 is no express reference to those sinned against or to

10 the person who was subject to the --

11 **A. No. There is a reference, but there isn't a second**

12 **reference, that's true.**

13 Q. The reference, you mean "all of those involved"?

14 **A. Yes.**

15 Q. Now, in your witness statement at paragraph 13, you do

16 accept that, even in the circumstances of the time, the

17 church's public statements should have had, I think you

18 say, a stronger and more explicit emphasis on the

19 implication of the caution that an abusive wrong had

20 been done to a vulnerable person who trusted him. Do

21 you recall that from your witness statement?

22 **A. Yes, I do think that, yes.**

23 Q. I suppose, Dr Purkis, the concern is that there isn't

24 any emphasis on that at all in this statement, is there?

25 **A. There isn't, that's true, apart from that, you know,**

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1 **generalised reference.**

2 Q. If we could get up ACE000003, and this is at tab 11 of

3 the bundle.

4 **A. Yes.**

5 Q. This is actually Peter Ball's statement when he

6 resigned.

7 **A. Yes.**

8 Q. Again, for reasons that we know from the contemporaneous

9 documents, it seems that Lambeth Palace helped with the

10 drafting of this. I think I'm right that it's

11 John Yates' writing that you see "Agreed by + PB"?

12 **A. I think that's John Yates' writing, yes.**

13 Q. You were involved in these press releases, as we have

14 previously --

15 **A. I may well have been. I don't actually remember this**

16 **particular thing, but I may well have been, yes.**

17 Q. Again, just to look at this, not to read it through

18 entirely, the first paragraph expresses sadness. The

19 second one talks about Gloucester. I think the fourth

20 paragraph:

21 "It was never my intention, in any way, to do

22 anything which might have caused distress to anyone. My

23 motivation has always been the pursuit of deeper

24 Christian commitment and spiritual growth."

25 Do you see that? The next paragraph talks about an

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1 ever-increasing workload, and then:  
 2 "The last ten weeks of total isolation and anxiety  
 3 [which he suffered]."  
 4 Then we get to:  
 5 "I regret, with great penitence and sorrow, the  
 6 circumstances that have led to this police caution."  
 7 Do you see that?  
 8 **A. Yes.**  
 9 Q. The only hint of remorse, it seems, in this statement,  
 10 other than for himself, seems to be in the paragraph  
 11 that he "regrets with great penitence and sorrow the  
 12 circumstances that have led to this police caution".  
 13 Would you agree with that?  
 14 **A. What was the question? I agree it's -- there it is,**  
 15 **yes.**  
 16 Q. The only hint of remorse, other than concern for himself  
 17 which we see in a couple of paragraphs, is in that  
 18 paragraph, do you see?  
 19 **A. Yes, I accept that.**  
 20 Q. Even that is very imprecise, isn't it, "the  
 21 circumstances"?  
 22 **A. Yes, it is imprecise, but "great penitence" is a fairly**  
 23 **strong expression.**  
 24 Q. The context of the -- the fourth paragraph, "It was  
 25 never my intention ... to do anything which might have

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1 caused distress to anyone", is that a fair reflection of  
 2 someone who's accepted guilt for an offence against  
 3 a young man?  
 4 **A. Well, this is Peter Ball describing his own intentions.**  
 5 **I mean, I know what my personal opinion is about that,**  
 6 **but I don't think it is particularly valuable.**  
 7 Q. Did anyone in Lambeth Palace suggest that this isn't  
 8 really appropriate that this should be issued on behalf  
 9 of Peter Ball?  
 10 **A. I don't know if anybody thought it was inappropriate.**  
 11 Q. There's one further press release -- Danny, ACE000518,  
 12 at tab 8. This is 11 March. This seems to have been  
 13 issued because questions had been raised about how the  
 14 church had described the caution in its first press  
 15 release. It says that there have been further questions  
 16 about the Bishop of Gloucester. Do you see that?  
 17 **A. It says there have been further questions. I don't**  
 18 **remember what the questions were, actually.**  
 19 Q. No. I don't think it is entirely clear, Dr Purkis.  
 20 **A. No.**  
 21 Q. If we look at this statement, it seems to be that there  
 22 have been some criticisms about the wording. But if we  
 23 look at it, it says:  
 24 "As soon as the allegations made by Neil Todd were  
 25 brought to the Archbishop of Canterbury by two of his

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1 bishops, [he] launched an investigation of his own."  
 2 No question of a coverup. Then Peter Ball was  
 3 arrested simultaneously. It goes on to say it wouldn't  
 4 be proper for the archbishop to assume that he was  
 5 guilty.  
 6 **A. Yes.**  
 7 Q. Am I right in saying -- certainly it is read by the  
 8 inquiry as being quite a defensive press release, which  
 9 says, "There isn't a coverup and we are looking into  
 10 this ourselves". Is that fair?  
 11 **A. It's probably fair -- well, certainly fair that**  
 12 **that's -- that those things are said there.**  
 13 Q. It does say that there aren't any outstanding criminal  
 14 investigations, I think?  
 15 **A. Right.**  
 16 Q. Sorry, that's on page 2. That's why I can't see it.  
 17 **A. Yes.**  
 18 Q. The penultimate paragraph:  
 19 "Any other allegations of criminal behaviour would  
 20 have been matters for the police, who conducted a most  
 21 thorough and wide-ranging investigation before  
 22 concluding that the caution should be issued in relation  
 23 to one offence only."  
 24 Do you see that?  
 25 **A. Yes.**

Page 23

1 Q. Now, at that stage, Lambeth Palace had no idea whether  
 2 or not the allegations in the letters it had received  
 3 had been investigated by the police, did it?  
 4 **A. That may well be a fair point. I wouldn't have**  
 5 **particularly known that myself, I don't think. I think**  
 6 **we were under the impression that the police had done**  
 7 **a very thorough trawl.**  
 8 Q. Yes. But without -- I think we know that the letters  
 9 weren't passed on?  
 10 **A. We know the letters weren't passed on. We now know**  
 11 **that.**  
 12 Q. As it happened, they did look into a number of the  
 13 allegations and the letters.  
 14 **A. Yes.**  
 15 Q. But Lambeth Palace, at that point, certainly didn't have  
 16 any way of knowing that?  
 17 **A. Right.**  
 18 Q. It also says at the last paragraph that the church's  
 19 continuing pastoral investigations, which are outside  
 20 the police domain, are private and will remain so. As  
 21 far as you were aware, Dr Purkis, there were no -- there  
 22 was no ongoing investigation at that point, was there?  
 23 **A. I don't know of one now, no. I don't know.**  
 24 Q. The attitude within Lambeth Palace at the time is  
 25 something the inquiry is interested in.

Page 24

1 **A. Yes.**  
 2 Q. You talk about that at some length in your witness  
 3 statement, and you say in paragraph 7, I think,  
 4 Lambeth Palace was working on the basis that public  
 5 prosecution was not going to happen and it was being  
 6 dealt with by a caution, and, sadly, on that basis, they  
 7 would have found it difficult to find the appropriate  
 8 thing to say about the particular victim concerned,  
 9 about Neil Todd. But even -- what you did know,  
 10 I suppose, Dr Purkis, is that guilt had been accepted,  
 11 if you like, for an offence of gross indecency with an  
 12 18-year-old?  
 13 **A. Yes.**  
 14 Q. It is clear, isn't it, that, on that basis alone, the  
 15 public-facing statements of the church at that time did  
 16 not give enough consideration to Neil Todd?  
 17 **A. I think that's right, yes.**  
 18 Q. Again, just in your witness statement, you talk about  
 19 the feeling that maybe this was an act of homoerotic  
 20 impulse that had slipped beyond the acceptable  
 21 boundaries of challenging spiritual practice. That was  
 22 the feeling, was it, within Lambeth Palace at this time?  
 23 **A. Well, that was my feeling.**  
 24 Q. You accept now that you had seriously underestimated,  
 25 and Lambeth Palace seriously underestimated, what had

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1 been done?  
 2 **A. Oh, yes, certainly.**  
 3 Q. When we looked at the review that was conducted, isn't  
 4 it fair to say that there wasn't any serious attempt to  
 5 understand the seriousness at that time?  
 6 **A. Well, I don't know how seriously, you know,**  
 7 **Bishop Gordon and Co took this, but you have already**  
 8 **made the point that they didn't apparently consult the**  
 9 **people making the allegations. So to that extent,**  
 10 **I agree with you, it was inadequate.**  
 11 Q. I'm just going to look quickly at a memo you wrote  
 12 in March 1996, which is at tab 24 of the bundle. Danny,  
 13 it is ACE003038\_022. Dr Purkis, if you have the hard  
 14 copy, you need to go to page 22, which is at the bottom  
 15 right. It is up on the screen.  
 16 **A. I have got it, yes.**  
 17 Q. What you describe there -- sorry, just to give this some  
 18 context, the Archbishop of Canterbury at this point  
 19 I think was patron of about 350 charities you say in  
 20 your witness statement?  
 21 **A. Yes.**  
 22 Q. Lots of requests came in for him to be patron of other  
 23 charities and this was one such request?  
 24 **A. That's right.**  
 25 Q. Part of your job, presumably, was to look at the

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1 requests and see whether or not he should accept them --  
 2 **A. Yes.**  
 3 Q. -- or whether or not to advise him in respect of them?  
 4 So you write this memo, and about halfway down there is  
 5 a sentence which starts:  
 6 "Some of the literature in the file about this ..."  
 7 This is the Christian survivors of sexual abuse:  
 8 "... is rather less impressive with, for example,  
 9 rather wild and woolly statements and half-truths about  
 10 the cases of Peter Ball and [name redacted]."  
 11 I know you have looked at this memo since, but this  
 12 is your memo, isn't it?  
 13 **A. Yes.**  
 14 Q. If we look at what the organisation was saying about  
 15 Peter Ball -- Danny, if you could go to the same  
 16 document at page 36. So we see here:  
 17 "Novices abused by the Bishop of Gloucester.  
 18 "This highlights that men, too, are at risk and that  
 19 in a position of power and status men more 'junior' have  
 20 little power. It also highlights the enormous  
 21 difficulties there are in telling of male-to-male  
 22 abuse."  
 23 So that was what was written. I think in your  
 24 witness statement you say, "Because it was a caution for  
 25 one offence, I thought this was" -- and I know, by the

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1 way, there was another case, but in respect of  
 2 Peter Ball, you thought that that was rather overstating  
 3 it for accepting a caution for one offence?  
 4 **A. Yes.**  
 5 Q. Again, you were at least aware -- I know you hadn't read  
 6 them -- of the other allegations which had been made to  
 7 Lambeth Palace in sort of December and January, weren't  
 8 you?  
 9 **A. I was aware that they existed, yes.**  
 10 Q. So, in a sense, this wasn't -- even without knowing  
 11 anything else, this wasn't so wild and woolly, was it?  
 12 **A. Well, I said in my witness statement I'm not especially**  
 13 **proud now of using that phrase, although I can't**  
 14 **remember what the other statements were that I was**  
 15 **referring to. But I would take seriously the point that**  
 16 **certainly I -- not having read those other letters and**  
 17 **not really knowing exactly at all what was in them,**  
 18 **I did take the view that he had been cautioned for one**  
 19 **offence, which was apparently not sufficiently serious**  
 20 **to be prosecuted in the courts, and I was basing my**  
 21 **views on that, and it was, in itself, very, very**  
 22 **serious, but it is nothing like what we know now, and it**  
 23 **is nothing like that there were sort of plural novices**  
 24 **abused by the Bishop of Gloucester. So I was operating**  
 25 **on that assumption.**

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1 Q. So it was purely on what he'd accepted guilt for rather  
 2 than an awareness of other allegations which had been  
 3 made?  
 4 **A. Yes, because we did actually think the police had**  
 5 **undertaken a very wide-ranging and thorough inquiry and**  
 6 **talked to all sorts of people, and they had come up with**  
 7 **a caution for one offence.**  
 8 Q. The inquiry is not interested, if you like, in one  
 9 poorly worded memo, but I think what we are interested  
 10 in is whether or not this was more telling of how  
 11 Lambeth Palace felt generally towards the victims and  
 12 towards Peter Ball at this time. Is it fair to say, or  
 13 have you already said that, that there was a feeling  
 14 that this wasn't too serious within Lambeth Palace?  
 15 **A. I don't think that's fair. I think that -- in my**  
 16 **witness statement, I evidence the fact that there was**  
 17 **concern for Neil Todd, and I gave a couple of examples,**  
 18 **and there was also concern expressed, I remember, by --**  
 19 **in Colin Fletcher's memo in 1994, not just about the,**  
 20 **you know, media problems, and so forth, but the**  
 21 **importance for the church, you know, to be seen to be**  
 22 **even-handed in the way in which it dealt with all kinds**  
 23 **of disciplinary matters, whether it was a bishop or**  
 24 **another clergyman, and the standing of the church if it**  
 25 **were not seen to be firm on the question of breaches of**

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1 **trust and abuse of trust, and those concerns were very**  
 2 **much there in Lambeth Palace.**  
 3 **So I think it is important that we don't get too**  
 4 **one-sided a narrative.**  
 5 Q. Let's get up -- paragraph 8 of your witness statement is  
 6 what you were referring to, I think, Dr Purkis. If we  
 7 could perhaps get that on screen, Danny, is that  
 8 possible? WWS000202\_004. You cite two things here.  
 9 **A. Yes.**  
 10 Q. We will go on to have a quick look at Colin Fletcher's  
 11 email. Here you cite Bishop John Yates:  
 12 "Whatever happens, there will also be concern in  
 13 some quarters for the church to be seen to be caring and  
 14 responsible towards the young men who have been  
 15 interviewed by the police, and especially Neil Dodd  
 16 [sic]."  
 17 Perhaps it is unfair with the benefit of hindsight,  
 18 but "to be seen to be caring" doesn't seem to be  
 19 expressing the sort of concern for the victims which one  
 20 might expect, does it?  
 21 **A. That's a fair judgment, but it wouldn't be right to say**  
 22 **that we weren't very conscious of that and very**  
 23 **conscious that we had responsibilities towards that**  
 24 **person.**  
 25 Q. The other thing which is cited is the press release of

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1 11 March, isn't it, which we have already looked at?  
 2 **A. Yes.**  
 3 Q. Isn't it fair to say that, if that is the extent of it,  
 4 that isn't sufficient concern within Lambeth Palace?  
 5 **A. Well, it is not entirely the extent of it, because**  
 6 **I gave you another example later on, that there was**  
 7 **concern about the whole issue of breach of trust and**  
 8 **people in positions of power and misusing it. But,**  
 9 **quite clearly, I have been absolutely clear that the**  
 10 **church at that time, probably along with many other**  
 11 **institutions, was insufficiently -- grossly**  
 12 **insufficiently aware of the extent of abuse, the extent**  
 13 **to which unequal power relations was almost bound, in**  
 14 **some circumstances, to lead to abuse, and, therefore,**  
 15 **the extent of credence and care that should be given to**  
 16 **people who came forward with allegations.**  
 17 **We were woefully short at that time. I don't think**  
 18 **we were the only institution, but that's not an excuse,**  
 19 **and I take my share of responsibility for that.**  
 20 Q. We see, for example, that the Christian survivors of  
 21 sexual abuse were aware of that issue, don't we?  
 22 **A. Yes, they were.**  
 23 Q. But you say that in Lambeth Palace that wasn't something  
 24 which you were fully aware of at the time?  
 25 **A. Well, we weren't fully aware of it, and certainly not as**

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1 **aware as we would be now, but, actually, in a second**  
 2 **comment from Colin Fletcher on that issue of**  
 3 **the survivors, it's clear that he did say that they were**  
 4 **raising an important and valid issue and the church had**  
 5 **tended to try and ignore it rather than espouse it. So**  
 6 **it is not right to say that there was not awareness of**  
 7 **that in Lambeth Palace. It was actually being expressed**  
 8 **there by the chaplain.**  
 9 Q. To be fair, shall we get that memo up?  
 10 **A. Sure.**  
 11 Q. ACE003298\_165. I think this is the document you were  
 12 referring to. It is not in the bundle, chair. I'm  
 13 afraid we are going to have to look through it to find  
 14 what we want. If we can look at the next page, Danny,  
 15 166?  
 16 **A. Actually, I'm not sure this is the one I had in mind.**  
 17 Q. This is the one quoted in your witness statement.  
 18 **A. Oh, okay, sorry, yes. There's another one on the**  
 19 **Margaret Kennedy correspondence which is a separate one,**  
 20 **which is the last one I was talking about. But let's**  
 21 **have a look at this one first.**  
 22 Q. Danny, could you get up 167 as well?  
 23 **A. Yes.**  
 24 Q. This is the one I think you were referring to. It is on  
 25 167:

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1 "... some very searching questions are going to be  
 2 asked if Peter returns to some form of public ministry  
 3 during the autumn ...  
 4 "(a) Is this the kind of length of punishment that  
 5 other clergy ...  
 6 "(b) Why has a bishop who has admitted such a grave  
 7 offence been treated so leniently?  
 8 "(c) What are the signals the church is sending to  
 9 a society as a whole about how it views ..."  
 10 Those questions that you were referring to?  
 11 **A. Yes, yes.**  
 12 Q. Again, is it unfair, Dr Purkis, to say that  
 13 Colin Fletcher seems like a bit of a lone voice on this?  
 14 We don't have any other references to this, do we?  
 15 **A. Yeah, I mean, I don't think that at the time he was, or**  
 16 **felt like, a voice crying in the wilderness on these**  
 17 **issues. He had a different job than Lesley Perry's or**  
 18 **even mine. You know, his focus was not specifically on**  
 19 **media reaction. Obviously, that's the thing that**  
 20 **Lesley Perry and, to a lesser extent, perhaps, I would**  
 21 **focus on. This is a view of somebody very close to**  
 22 **the archbishop, the archbishop's chaplain, so I don't**  
 23 **think they should be minimised.**  
 24 Q. Again, not to overstate this point, but there aren't  
 25 a lot of memos from lots of different people making

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1 these points within Lambeth Palace?  
 2 **A. Okay.**  
 3 Q. This is the one which is referred to, in fact, isn't it?  
 4 **A. Well, okay, but we are going to talk about another one**  
 5 **soon, aren't we, the Margaret Kennedy one? Sorry,**  
 6 **whenever you want to. It wasn't just a flash in the**  
 7 **pan, that's the point I'm making.**  
 8 Q. Hopefully it is within the same bundle, but if it is  
 9 not, Dr Purkis, we will bear in mind that there is  
 10 another reference from Colin Fletcher.  
 11 **A. Sure.**  
 12 Q. The private ministry for Peter Ball. I'd like to ask  
 13 you a few questions about that. You were involved,  
 14 I think, in trying to find him some private ministry as  
 15 a prison visitor from the beginning of 1994; is that  
 16 right?  
 17 **A. Yes.**  
 18 Q. Is it right to say that this was partly an attempt to  
 19 distract him from public ministry?  
 20 **A. Yes, and from constant letter writing to the archbishop.**  
 21 Q. I think you saw him on 15 February 1994 to talk to him  
 22 about an offer from Stephen Pryor, the governor of  
 23 a prison --  
 24 **A. Yes.**  
 25 Q. -- for him to meet in fact with the governor of Dartmoor

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1 Prison?  
 2 **A. Yes.**  
 3 Q. Danny, ACE000763. It is tab 18. Again, Dr Purkis, I'm  
 4 not going to take you to every part of this. Please  
 5 have a look through it, if you want to remind yourself  
 6 about this. But, really, what you do is paint  
 7 a picture, I think, of how Peter Ball was feeling at  
 8 this point, in 1994. You describe him, I think, as  
 9 "a strange mixture of penitence and resentment  
 10 concerning what has happened to him" --  
 11 **A. Yes.**  
 12 Q. -- do you recall that? Is that a feature of how  
 13 Peter Ball was during your time at Lambeth Palace?  
 14 **A. Yes.**  
 15 Q. Do you think, Dr Purkis, the fact that he never appeared  
 16 to accept that he was guilty of anything at the time  
 17 influenced the way he was dealt with at Lambeth Palace?  
 18 **A. We need to unpack that question, actually. Certainly it**  
 19 **was very annoying to some of us that he -- although he**  
 20 **would, out of one side of the mouth, express great**  
 21 **penitence, he would then, out of the other side of**  
 22 **the mouth, start saying he had been stitched up and**  
 23 **hadn't really done anything, and so on and so forth.**  
 24 **That was a matter of great concern to us, that the**  
 25 **archbishop was getting drawn into all of that and**

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1 **spending much too much time on it.**  
 2 Q. Perhaps the better question, then, is, in 2000, after  
 3 you'd left, I know, in 1998, there was an internal  
 4 Lambeth Palace memo which described Archbishop Carey in  
 5 fact as always having believed in Peter Ball's  
 6 innocence. Was that the impression you had at the time?  
 7 **A. Not entirely. I think -- I'm not sure, I think, that**  
 8 **there was an entirely consistent attitude on that.**  
 9 Q. So for some of the time?  
 10 **A. Well, maybe some of the time, yes. But I think at other**  
 11 **times he was perfectly clear that the admission of guilt**  
 12 **was an admission of guilt and that, you know, something**  
 13 **very wrong had happened.**  
 14 Q. Danny, if we could get up WWS000212\_004. Dr Purkis,  
 15 this is the witness statement of Colin Fletcher. It is  
 16 in your bundle behind tab 6 at the end.  
 17 **A. Yes.**  
 18 Q. I just want to have a look at paragraph 17 of that  
 19 statement, which describes the position of advisers to  
 20 Archbishop Carey at the time. The first part of  
 21 paragraph 17 describes the fact that, with better things  
 22 in place, it might have been possible to give better  
 23 advice at the time, but then he says:  
 24 "But, as it was, the archbishop's problems in  
 25 internalising the reality of what Peter Ball had

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<p>1 admitted he had done in accepting a police caution did 2 skew things significantly. The result was that we were 3 working all the time, in my time as chaplain, in 4 a framework set by the archbishop that assumed that 5 Peter Ball would return to ministry at some stage in the 6 future. The question was not whether but when. I could 7 have argued against a return to any ministry, but I do 8 not think that that would have made for any change in 9 the course of action that the archbishop had already 10 decided on ..."</p> <p>11 Do you see that?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Do you agree with Colin Fletcher that the direction of 14 travel had been set?</p> <p>15 <b>A. Yes, and I think that we were doing our very best to 16 make it as gradual and pushed as far as possible into 17 the future as we could.</b></p> <p>18 Q. Finally, Dr Purkis, in your statement, you set out 19 a variety of what I think might be called mitigating 20 factors, to a certain degree, which are certainly fair 21 to a degree. Everyone was very busy. There was a lot 22 going on in the church in terms of constitutional 23 issues, issues about approach to homosexuality, and in 24 terms of Peter Ball you set out a sort of certain lack 25 of knowledge. But even in that context, Dr Purkis, do</p> <p style="text-align: center;">Page 37</p>	<p>1 URN INQ001762_001. It is dated 26 June 2018: 2 "I, Lady Alice Renton, will say as follows: 3 "I make this statement in connection with the 4 inquiry's Anglican Church investigation and, in 5 particular, the Peter Ball case study. I am an author 6 and have published several books. My husband, Tim, the 7 Right Honourable the Lord Renton of Mount Harry PC was a 8 conservative member of parliament from Mid Sussex from 9 1974 to 1997. He served as a Minister of State in both 10 the Foreign Office and the Home Office, and served as 11 Margaret Thatcher's Chief Whip, Parliamentary Secretary 12 to the Treasury, between 1989 and 1990. After 13 Mrs Thatcher's resignation in 1990, he served in 14 John Major's government as Minister for the Arts between 15 1990 and 1992. He continued to serve as an MP until 16 1997. 17 "Tim and I have known Peter Ball and his brother 18 Michael for a long time. We first met them around 19 40 years ago when Peter was the suffragan Bishop of 20 Lewes. I remember that we went to supper with them, 21 perhaps in 1979. We met Michael first, in about 1978, 22 when he was chaplain at Sussex University. He advised 23 us on a family matter and through him we met Peter. 24 "Our meeting Michael Ball had nothing to do with 25 Tim's role as an MP. Peter Ball, as the local bishop,</p> <p style="text-align: center;">Page 39</p>
<p>1 you accept now that the church's response was inadequate 2 at that time, in the wake of the resignation and 3 caution?</p> <p>4 <b>A. I do think that the church's response, you know, with 5 everything that we know now, was clearly inadequate, 6 yes.</b></p> <p>7 Q. Just to pin it down, there should have been a proper 8 review of the letter, shouldn't there, in 1993?</p> <p>9 <b>A. I think that would have been a very good move, yes.</b></p> <p>10 Q. And the public-facing statement should have placed more 11 of an emphasis on the abusive wrongs which had been 12 done, shouldn't they?</p> <p>13 <b>A. Yes.</b></p> <p>14 MS BICARREGUI: Thank you, Mr Purkis. Chair and panel, 15 I don't have any further questions.</p> <p>16 THE CHAIR: Thank you, Ms Bicarregui. Thank you very much, 17 Dr Purkis. We have no questions. 18 (The witness withdrew)</p> <p>19 MS BICARREGUI: Chair, I think what we might do now, given 20 the time, is read out Lady Renton's statement, rather 21 than go straight to Mr Murdock's evidence, if that is 22 convenient to the chair and panel.</p> <p>23 Statement of LADY ALICE RENTON (read)</p> <p>24 MR FULLBROOK: Thank you, chair. I am now going to read the 25 witness statement of Lady Alice Renton.</p> <p style="text-align: center;">Page 38</p>	<p>1 confirmed our twins in 1980. Peter and Michael both 2 came to the wedding of our youngest daughter in 2005, 3 when Michael Ball officiated. 4 "I do not recall Peter or Michael Ball ever visiting 5 us at our home, though it may have happened. I am sure 6 we never saw them at Polecat or Litlington, but 7 I remember we had a meal much later than the one 8 mentioned above with Peter once in a house also, I think 9 on the Firlie Estate, just north of the A27. 10 "I think Michael was there too. We maintained our 11 friendship with Peter and Michael on social occasions 12 and I telephoned Peter on one occasion to consult him 13 when I had a moral dilemma. 14 "I would say that we knew Peter Ball quite well, but 15 not closely. But since around 2015, we have become 16 closer friends. I don't remember knowing anything about 17 the 'Give a year to God' scheme and we were certainly 18 not involved in it. We never went to Litlington Priory. 19 I don't think we were aware of people living with 20 Peter Ball. 21 "I do not think Tim was involved in anything to do 22 with Peter's appointment as Bishop of Gloucester or was 23 consulted by anyone about it, certainly not to my 24 knowledge. Tim was MP for Mid Sussex. Therefore, not 25 immediately local.</p> <p style="text-align: center;">Page 40</p>

1 "We knew that the Ball brothers had founded  
 2 a religious community but knew nothing about it and were  
 3 not involved in any way.  
 4 "I recall that in around late 1992, Tim and I became  
 5 aware that Peter Ball had been arrested as a result of  
 6 allegations that he had been involved in naked praying  
 7 with young males. I remember that Tim and I thought  
 8 that this was silly of Peter and an odd thing to do. We  
 9 imagined it to be an overzealous church thing rather  
 10 than something sexual in nature.  
 11 "I do not believe that we had any other information  
 12 at that time and cannot specifically recall the source  
 13 of this information.  
 14 "Tim and I wanted to support Peter in the criminal  
 15 investigation at that time, and I remember that  
 16 I telephoned our friend who lives near us,  
 17 Lord Anthony Lloyd, to seek his advice on what we could  
 18 do to help Peter.  
 19 "I think it was Lord Lloyd who suggested that we  
 20 could write to the Director of Public Prosecutions (the  
 21 DPP) at the time, Barbara Mills. Following the  
 22 conversation with Lord Lloyd, Tim and I wrote a letter  
 23 to Ms Mills on 2 February 1992 in her capacity as DPP.  
 24 I have been shown a copy of this letter, referred to as  
 25 ACE021184\_002."

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1 Danny, could we bring that up? I won't read it out.  
 2 Lady Renton says of this letter:  
 3 "To the best of my recollection, I believe this is  
 4 a copy of the letter we sent. The letter was written on  
 5 House of Commons headed paper and in my husband's name  
 6 as a member of parliament. However, my recollection is  
 7 that Tim and I prepared the contents of the letter  
 8 together.  
 9 "The reason for writing to the DPP in Tim's name and  
 10 on headed paper was to give additional weight and  
 11 authority to the letter and its contents. We felt that  
 12 the DPP was more likely to take notice of it in this  
 13 way. We wanted the letter and our views to be read by  
 14 the DPP and taken seriously. Whilst we obviously wanted  
 15 the correspondence to have maximum impact, I personally  
 16 was not aware that, as it came from an MP, the DPP would  
 17 have a different process for responding to the letter  
 18 (see ANG000017\_036-039)."  
 19 I think it is page 37 that is the particular page  
 20 which demonstrates that there was a particular process  
 21 for responding to letters from members of parliament:  
 22 "Tim may have been aware of that, although I cannot  
 23 be sure one way or another. I also recall that at the  
 24 time of Peter Ball's criminal trial and sentencing in  
 25 2015, Tim and I sent a character reference for Peter to

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1 the judge. I do not have a copy of this letter and  
 2 I understand that the inquiry does not have a copy  
 3 either.  
 4 "When we wrote to the judge before Peter was  
 5 sentenced, we explained that we knew about the nature of  
 6 Peter Ball's offending from what we had read in the  
 7 papers. We suggested that the judge be lenient in  
 8 sentencing him as he was old and ill. He was, and still  
 9 is, a passionate Christian and, as a result, would  
 10 suffer from guilt and remorse far more than  
 11 a non-Christian would.  
 12 "He had already had two years of mental torture at  
 13 that stage, between being charged and the trial, and  
 14 many years had passed since his resignation as  
 15 Bishop of Gloucester. We have maintained our friendship  
 16 with Peter during the recent times of adversity and are  
 17 still in contact with him. I would describe our actions  
 18 in maintaining this friendship primarily as acts of  
 19 loyalty and compassion rather than being primarily  
 20 Christian in nature."  
 21 Lady Renton then attested her signature, stating  
 22 that she believes the facts stated in this witness  
 23 statement are true.  
 24 Unless I can assist you, further, chair, I wonder if  
 25 this might be a convenient time to break?

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1 THE CHAIR: Yes, we will return at 11.15 am.  
 2 (11.00 am)  
 3 (A short break)  
 4 (11.15 am)  
 5 MS SCOLDING: Good morning, chair and panel. We are now to  
 6 hear evidence from retired Detective Superintendent  
 7 Wayne Murdock.  
 8 MR WAYNE MURDOCK (sworn)  
 9 Examination by MS SCOLDING  
 10 MS SCOLDING: Good morning, Mr Murdock. A few preliminary  
 11 issues. Firstly, this isn't a test of memory. We have  
 12 a witness statement in front of you, and we also have  
 13 copies within the two volumes that you've got in front  
 14 of you and also on the screen of relevant documents.  
 15 Secondly, we can have as many breaks as you like.  
 16 I know you have had probably extensive experience of  
 17 giving evidence, but that was obviously a while ago, so  
 18 we will be having breaks roughly once every hour and  
 19 a half, in any event.  
 20 Again, just to identify, there are two bundles in  
 21 front of you. They have got your witness statement and  
 22 other possible relevant documents. At various points in  
 23 time, I may well refer you to them, but also to  
 24 documents which come up on screen.  
 25 Are there any glasses or anything else you may need

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1 to read things which come up on screen?  
 2 **A. I have a pair, yes, thank you.**  
 3 Q. Can I firstly take you to your witness statement. It is  
 4 behind tab A of volume 1 and it is behind the big "1".  
 5 It is a 69-page witness statement. Could I ask you to  
 6 turn to the back page, that's page 69. There are some  
 7 annexes to your witness statement, so it is not quite at  
 8 the end of tab 1. There would have been a signature  
 9 there, but it has obviously been covered up for the  
 10 purposes of data protection. Could you identify, have  
 11 you had an opportunity to read this witness statement  
 12 recently?  
 13 **A. I have, yes.**  
 14 Q. Is it true, to the best of your knowledge and belief?  
 15 **A. Yes, it is.**  
 16 Q. This witness statement will be put on the website, as  
 17 well as two other witness statements from  
 18 Gloucestershire Police -- that of Chief Constable  
 19 Porter, GSP000005\_026 and former Chief Constable  
 20 Albert Pacey, GSP000009. All of those will be up on the  
 21 website before the end of today.  
 22 As you have submitted such a detailed witness  
 23 statement, we are not going to take you through it line  
 24 by line, but what I am going to do is run through the  
 25 most significant events as far as this inquiry is

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1 concerned.  
 2 Firstly, a little bit about your career. You worked  
 3 for Gloucestershire Police throughout your time as  
 4 a police officer, so that's between 1967 and 2004; is  
 5 that correct?  
 6 **A. That's correct.**  
 7 Q. You retired at the rank of detective superintendent.  
 8 Can you tell us, or, rather, tell the public, what that  
 9 means in terms of how far up the police hierarchy you  
 10 were upon your retirement?  
 11 **A. It's probably the higher side of it, but not sort of**  
 12 **chief officer rank, below the rank of chief**  
 13 **superintendent. So above the rank of inspector and**  
 14 **chief inspector. So -- yes. Quite high up.**  
 15 Q. In 1992 and 1993, you investigated the offending of  
 16 Bishop Peter Ball?  
 17 **A. That's correct, yes.**  
 18 Q. You were a detective inspector at that time?  
 19 **A. Mmm.**  
 20 Q. But would you consider yourself to have been the lead  
 21 officer in that investigation?  
 22 **A. Yes, I would. The terminology would be -- the**  
 23 **abbreviation is SIO, which is senior investigating**  
 24 **officer.**  
 25 Q. So you would have been the SIO on this investigation?

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1 **A. Yes, but I would have had another officer overseeing**  
 2 **what I did, who acted at that stage -- someone I could**  
 3 **turn to for advice, I obviously kept him informed about**  
 4 **the investigation, and who I saw as a go-between my**  
 5 **rank, if you like, and the chief officer rank.**  
 6 Q. So was that Detective Superintendent John Bennett who  
 7 fulfilled that role for you?  
 8 **A. Yes, it was.**  
 9 Q. So at the time of the arrest of Peter Ball, what  
 10 experience had you had of running cases which concerned  
 11 sexual offending, whether against children or vulnerable  
 12 adults?  
 13 **A. It's difficult to put -- I dealt with lots of cases**  
 14 **involving children. It's difficult to recall a lot of**  
 15 **them.**  
 16 **If it helps, in 1984, I think it was '84, I was**  
 17 **a detective sergeant, and I was sent on a three-day**  
 18 **residential course relating to child abuse. It was**  
 19 **a course involving CID officers and social workers. It**  
 20 **was probably, in all my years, the most intense course**  
 21 **that I'd ever been on. Three days. Join the course --**  
 22 **we did a lot of play roles, and one of the social**  
 23 **workers on that course actually broke down and spoke**  
 24 **about their own experiences of having been abused.**  
 25 **So the whole of that course -- I came away -- all**

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1 **I know, I came away feeling drained, but it left -- it**  
 2 **was a good course and it sort of stayed with me in that**  
 3 **respect.**  
 4 **To go back to what you asked, yes, I have lots of**  
 5 **experience of dealing with child-related victims,**  
 6 **particularly, sadly, suicides. I have investigated --**  
 7 **over the years, investigated infant deaths. Later in my**  
 8 **service, I headed up -- or oversaw two child abuse**  
 9 **inquiries involving institutions, and in between that --**  
 10 **I mean, for example, I dealt with, on one occasion,**  
 11 **a 4-year-old boy who'd been subject to buggery by his**  
 12 **12-year-old cousin, and then that led me to the uncle,**  
 13 **who in turn had committed the offence of buggery on him.**  
 14 **So there's a degree of understanding, and through**  
 15 **the years, you do build up this, I guess -- I don't say**  
 16 **"expertise", but you have a feeling for the victims and**  
 17 **for the cases, and they do leave an impact on you.**  
 18 Q. You have said in your witness statement that it was  
 19 relatively unusual because you were an operational  
 20 detective for the vast majority of your career. Can you  
 21 explain a little bit about what you mean by that?  
 22 **A. Well, I joined the force in '67. I think it was about**  
 23 **three/four years, I went on to the CID and I remained on**  
 24 **it, which was unusual. Sometimes you go back into**  
 25 **uniform, promotion or whatever, but I remained on the**

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1 **CID and went through the various ranks. I think at the**  
 2 **time of -- well, I know at the time of coming across the**  
 3 **bishop, I had 25 years' police service. 21 of those**  
 4 **would have been on the CID.**  
 5 Q. You also say that from 2001 onwards, you ran the  
 6 anticorruption unit on behalf of the Gloucestershire  
 7 Constabulary?  
 8 **A. Yes.**  
 9 Q. You have set out at appendix A of your witness statement  
 10 a number of times when you say you have shown sort of  
 11 integrity, probity and ethics during the conduct of your  
 12 investigations?  
 13 **A. Yes. It was a sample. I think I was trying to show the**  
 14 **inquiry that, you know, I've had to make some tough**  
 15 **decisions and I don't shy away and I'm an officer who**  
 16 **spoke up, and if I had to, I would go against senior**  
 17 **management. That's something that comes with your**  
 18 **experience and, yeah, I'm not an officer that's going to**  
 19 **be pushed around or influenced, and that's the message**  
 20 **I wanted to get across.**  
 21 Q. We obviously have heard a little bit about your  
 22 experience. As far as Gloucestershire Constabulary's  
 23 experience of investigating sexual offences was  
 24 concerned, were there any form of specialist sexual  
 25 offending teams? Now there would be such things, but

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1 were they in existence at that time?  
 2 **A. No, I don't believe there were.**  
 3 Q. Were there any specialist officers who worked with those  
 4 who were victims or complainants at the time, providing  
 5 them with specific support?  
 6 **A. No, there weren't.**  
 7 Q. Other than a referral to Victim Support, were there any  
 8 specialist counselling or other services available to  
 9 those who were complainants at the time?  
 10 **A. No, but we would utilise Victim Support. That was the**  
 11 **main source we'd go to.**  
 12 Q. Was there a specialist manual at that time, as far as  
 13 you can remember, on running serious sexual offending  
 14 inquiries or --  
 15 **A. Not that I'm aware of.**  
 16 Q. -- where there were multiple complainants?  
 17 **A. No.**  
 18 Q. When preparing your statement -- I know obviously it was  
 19 25 years ago that the investigation took place -- you  
 20 have had access to your CID diary and documents.  
 21 **A. Yes.**  
 22 Q. And also you kept a copy, as I understand it, of  
 23 the caution file, is that right --  
 24 **A. Yes.**  
 25 Q. -- or of parts of your file?

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1 **A. Well, hopefully all the file. The file is like books.**  
 2 **The main report, I think that was about 300-odd pages.**  
 3 Q. It is about 600 pages, the report.  
 4 **A. The whole lot together. What I did, I had -- because**  
 5 **I think I was at the level of chief inspector, I was**  
 6 **lucky enough to have a big storage area in my office, so**  
 7 **I kept it there. So until -- well, in fact, until**  
 8 **I retired, I negotiated to keep it there, and then -- we**  
 9 **didn't have any storage facilities prior to that. It**  
 10 **was -- but then they introduced a building, a separate**  
 11 **building, specifically for keeping stuff. When**  
 12 **I retired, I -- because of the fact it was a file**  
 13 **relating to the bishop, and you have a gut feeling, you**  
 14 **know, "This is one that ..." in fact, I say "Go away",**  
 15 **I had contact -- or the bishop contacted me in about**  
 16 **2001. So even after nine years, it had come back in one**  
 17 **shape or form.**  
 18 **So what I did, I took all my stuff, and particularly**  
 19 **the bishop file, I delivered it personally, and I put**  
 20 **notes all around it saying, "Please do not destroy".**  
 21 **I have to say, when -- I was contacted when**  
 22 **Sussex Police became involved, and they couldn't find**  
 23 **the file. I was able to guide them towards it, and,**  
 24 **I have to say, I was surprised myself that it was still**  
 25 **there after all those years. I thought somebody would**

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1 **have probably just ignored it and chucked it away or**  
 2 **something. But it was there.**  
 3 Q. So it wasn't usual in those days -- because obviously  
 4 Sussex Police, we heard in the Chichester investigation  
 5 there were investigations of Sussex Police who said they  
 6 would have routinely thrown those sorts of documents  
 7 away.  
 8 **A. That's right. The policy probably was you didn't throw**  
 9 **away murder cases, obviously, but a case such as this,**  
 10 **if I'd just left it there, I have no doubt it would**  
 11 **probably have gone.**  
 12 Q. Now, the first time you heard of the case was -- I think  
 13 this probably ages everybody -- via telex on  
 14 12 December 1993?  
 15 **A. Telex and fax.**  
 16 Q. So there was a fax from the Met Police, because, as  
 17 I understand it, Neil Todd's parents had in fact  
 18 complained to the Brixton Police Force?  
 19 **A. Yes.**  
 20 Q. They had then got into contact with you. Now, you went  
 21 that day, that very day, to interview Neil Todd.  
 22 Firstly, how did it end up -- were you deliberately  
 23 assigned to this or was this something that just  
 24 happened?  
 25 **A. I was what you would term the duty detective, senior**

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1 detective. You had two main divisions: Cheltenham and  
 2 Gloucester. I would have been the detective inspector  
 3 for Gloucester and there would have been somebody in  
 4 Cheltenham of that rank.  
 5 There would have been probably -- well, two oncall  
 6 superintendents, one a detective, who was Mr Bennett;  
 7 and there would be probably a uniformed officer.  
 8 So I was effectively the senior rank, certainly at  
 9 Gloucester.  
 10 Q. So you went to interview Neil Todd, who wasn't staying  
 11 in the Gloucester area at that time?  
 12 A. No.  
 13 Q. Was it unusual for you to interview the complainant the  
 14 same day that the Met Police had come -- identified that  
 15 there had been such a complaint?  
 16 A. Not unusual, but probably would have said, "We'll come  
 17 and see you tomorrow", make arrangements. I was  
 18 anxious, having decided that I would deal with the  
 19 matter, I got a detective sergeant who came with me,  
 20 Mr Wasley, and I wanted to get to Neil pretty quickly.  
 21 I rang his mum.  
 22 Q. Why did you want to get to him quickly?  
 23 A. Having been in the job so long, it's not every day that  
 24 a bishop is accused of an offence, and I was -- part of  
 25 me was concerned that -- I knew that there was going to

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1 be some sort of reaction, if I can put it that way.  
 2 Also, I felt that I had the level of experience, and  
 3 I knew -- and this sounds as if I'm sort of boasting,  
 4 but I knew I would do a thorough job, and I was probably  
 5 better equipped than many officers to resist, if it  
 6 came, any temptations to interfere.  
 7 Q. So right from the off, you knew that this was the kind  
 8 of investigation that could be the subject of influence  
 9 from the outside?  
 10 A. Yeah. The jungle drums will start going and the phone  
 11 calls will start. So -- you have to understand,  
 12 I think, then there were -- mobile phones were very much  
 13 in their infancy. I certainly don't think I had one, so  
 14 I knew that if I got in the car and went off, I could  
 15 get there. Once I started, then nobody --  
 16 Q. Nobody would be able to stop you?  
 17 A. -- could get hold of me. Absolutely, absolutely.  
 18 Q. How did Neil Todd present to you when you first  
 19 interviewed him?  
 20 A. Well, I went to the house and his mother was there.  
 21 I have to say that the whole -- the family, the parents,  
 22 they were very decent people and Neil as well.  
 23 The father was a very quiet man, if I remember. The  
 24 mother was the sort of -- the support for Neil. So we  
 25 just got him into -- my -- well, I'm the type of officer

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1 that I like to be hands-on. Although I could have stood  
 2 back, I was always hand-on. It was important that Neil  
 3 got to meet me, and it was something I wanted to deal  
 4 with personally, so I could make sure that he had the  
 5 confidence to talk to me and he would know that the  
 6 police would support him, and I recall when we got there  
 7 Mrs Todd was -- the first words she said to me,  
 8 basically, were, "The church -- I'm worried the church  
 9 are going to cover this up".  
 10 I said to her, "I'll tell you one thing, the police  
 11 will not cover this up". I remember that. Then we sat  
 12 down and we obviously interviewed Neil, took notes. He  
 13 came across to me as an intelligent lad. He was  
 14 articulate. But you could see there was a lot of  
 15 discomfort when it came to talking about the really  
 16 intimate details, and I described it in my statement at  
 17 the time -- it's a reaction of sort of rubbing your  
 18 knees, your trousers, in hesitation. It's  
 19 understandable. You know, he was talking about the most  
 20 intimate details, and our job was to try and coax him  
 21 and get along with it.  
 22 By the time I'd finished -- because we went back the  
 23 next day. We had to break off. By the time we finished  
 24 the following day, I didn't have any reason to have any  
 25 doubts about him. I wasn't getting any alarm bells sort

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1 of coming out and hitting me. Yeah, I thought he was  
 2 a decent lad.  
 3 Q. Were his accounts consistent as between the initial  
 4 account of the complaint that he made to you and his  
 5 subsequent written statements, as far as you can  
 6 remember?  
 7 A. Yes. I mean, there was nothing to suggest that he was  
 8 struggling to -- or he was changing his story, which  
 9 is -- you know, when you revisit, which you do, he  
 10 didn't deviate, as far as I can -- from the original  
 11 story he was telling us.  
 12 Q. You say at paragraph 38 of your witness statement:  
 13 "Throughout my dealings with Neil Todd, he stated  
 14 that he would support whatever action the police decided  
 15 to take."  
 16 And that his main concern was that Bishop Ball be  
 17 removed from office and that, by virtue of his removal,  
 18 he would no longer be in a position to influence other  
 19 people?  
 20 A. Yes, he was quite emphatic, in a way. He wanted the  
 21 bishop to admit that he'd done wrong. He wanted him  
 22 removed from office. But he seemed to be really keen  
 23 that nobody else should go through what he did.  
 24 Q. Were you able to offer any sort of psychological support  
 25 to him? I mean, he had obviously very shortly before

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1 you saw him attempted to take his own life on two  
 2 occasions?  
 3 **A. Yes.**  
 4 Q. So he was obviously mentally fragile at that particular  
 5 point in time?  
 6 **A. Absolutely.**  
 7 Q. What services were you able to offer him?  
 8 **A. During the course of interviewing him, we became aware**  
 9 **that I believe he -- his parish priest, whom he had**  
 10 **a good relationship with, his wife -- he apparently**  
 11 **babysat for them. She was, by chance, a professional**  
 12 **counsellor. So she'd become involved, and she was there**  
 13 **to support him. He had his mother.**  
 14 **On the Monday morning, I made a point of telephoning**  
 15 **the local Victim Support, a lady, and asked her to**  
 16 **become involved and to offer Neil all the support she**  
 17 **could. I also, quite obviously, gave my details and**  
 18 **told him to contact me or Sergeant Wasley if he had any**  
 19 **problems or concerns, and that went to his mother as**  
 20 **well.**  
 21 Q. So after interviewing Neil Todd, you then went to  
 22 interview Mr and Mrs Moss.  
 23 **A. Yes.**  
 24 Q. Why did you go to interview Mr and Mrs Moss and what did  
 25 they tell you?

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1 **A. What I wanted to do -- the process then, sexual**  
 2 **offences, you tried to get -- well, any offence up to**  
 3 **a point, you try to get early corroboration to back up**  
 4 **what was being said. Also, I wanted to move quickly to**  
 5 **arrest the bishop. So what I did, I got**  
 6 **Mr and Mrs Moss -- or one or both of them into the**  
 7 **station on the Monday, and I went through what they**  
 8 **could say about the case, and they backed up what Neil**  
 9 **was saying, and then, later that day, I got a Reverend**  
 10 **in, who --**  
 11 Q. Stephen Eldridge, who was the chaplain to Peter Ball at  
 12 the time?  
 13 **A. That's right. I should say, although I didn't know him,**  
 14 **or know of him, he was actually an actual --**  
 15 Q. He had been a policeman?  
 16 **A. -- police officer.**  
 17 Q. He had been a police officer before --  
 18 **A. As I say in my statement, I didn't know him, but I had**  
 19 **him in and I went through his story, and, again, there**  
 20 **was a little bit more to it, but he corroborated,**  
 21 **basically, what Neil was saying.**  
 22 **So that then -- I had what I viewed to be the --**  
 23 **well, the reasonable suspicion that I could arrest**  
 24 **Peter Ball, and the sooner it was done, the better,**  
 25 **really.**

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1 Q. After you'd made the decision that there were reasonable  
 2 grounds for suspicion, which is the relevant test in  
 3 order to arrest someone, you then say that you had to  
 4 telephone Detective Superintendent Bennett. Would it be  
 5 usual for you to seek authorisation from a more senior  
 6 officer for an arrest for an offence of this nature?  
 7 **A. Well, I had to refer to him because it was a bishop.**  
 8 **I mean, it's not every day that you -- well, number one,**  
 9 **get a complaint regarding a bishop; and it's not every**  
 10 **day that you arrest a bishop.**  
 11 Q. Yes.  
 12 **A. I don't think -- well, in 1992, let's put it that way.**  
 13 Q. Yes.  
 14 **A. I think it's fair to say that Mr Bennett was kept up to**  
 15 **date with what I was doing.**  
 16 Q. So as well, because obviously of the fact that it was  
 17 a bishop, you therefore needed to brief the divisional  
 18 commander, his deputy and everybody else?  
 19 **A. Yes.**  
 20 Q. That was simply because of the nature of who it was you  
 21 were about to arrest?  
 22 **A. Yes, and you did brief on a regular basis what was going**  
 23 **on, because they wanted to know, but certainly because**  
 24 **he was a bishop, yes.**  
 25 Q. Did anybody try and stop you arresting the bishop at

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1 that stage?  
 2 **A. No. I mean -- no, they didn't.**  
 3 Q. But you were accompanied by Detective Chief  
 4 Inspector Goodrich --  
 5 **A. Yes.**  
 6 Q. -- which I'm assuming is not usual?  
 7 **A. No. I'd like to think that it was out of respect for**  
 8 **the bishop. I can recall that evening sitting in my**  
 9 **office and seeing along the line the ranks against the**  
 10 **wall.**  
 11 Q. Was that the top brass coming down?  
 12 **A. The top brass. I did shout out to one of the officers**  
 13 **who was going to accompany me, "Don't forget the**  
 14 **handcuffs and the truncheon", because I got the**  
 15 **impression they thought I was going to go in --**  
 16 Q. You were going to go in mob handed?  
 17 **A. Absolutely. But I like to think it was probably a mark**  
 18 **of respect for the bishop.**  
 19 Q. What knowledge did you have of Bishop Peter before you  
 20 arrested him?  
 21 **A. I didn't have a lot of knowledge. What it was, I was**  
 22 **educated at the Central Technical School in Gloucester.**  
 23 **One of my teachers was Brother Ken, as we knew him, in**  
 24 **fact Kenneth Penfold. He was of the same order --**  
 25 Q. He was a member of the CGA. In fact, he became the

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1 prior of the CGA after Peter Ball had become Bishop of  
 2 Lewes?  
 3 **A. That's right. What it was, there was a whole load of**  
 4 **them and they were teaching at grammar schools and**  
 5 **whatever, but Brother Ken was my English teacher,**  
 6 **O level and A level. So I knew of the order.**  
 7 **What had happened at school, along with others, we**  
 8 **became involved through gospel and -- gospel singing**  
 9 **and, you know, playing guitar in the church and that,**  
 10 **and I do remember on one occasion -- I'm talking about**  
 11 **when I was probably 15 -- a whole load of us went to**  
 12 **Stratford House, which was situated in a park, and that**  
 13 **was their community base. There were people in that**  
 14 **room -- I don't know whether the bishop was one of them.**  
 15 **That's how I came to know the order, but I hadn't had**  
 16 **any dealings with Brother Ken for 25 years. I left**  
 17 **school at 18 and a half. Until I went to interview him,**  
 18 **I didn't see him.**  
 19 Q. Were you aware that Bishop Peter Ball was a member of  
 20 the CGA --  
 21 **A. Yes --**  
 22 Q. -- before you went to arrest him?  
 23 **A. -- yes, because of the monastic side of it, I knew**  
 24 **that -- I didn't know what his position was then.**  
 25 **I knew the history up to a point. But I determined that**

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1 **I would use that background to my advantage.**  
 2 Q. Now, some people have criticised you for not recusing  
 3 yourself on the basis that because you knew  
 4 Brother Kenneth -- I believe as well you'd gone on  
 5 a pilgrimage with him to Rome and, in fact, Assisi,  
 6 which is obviously where St Francis came from, when you  
 7 were at school?  
 8 **A. Yes.**  
 9 Q. That you should have recused yourself from the  
 10 investigation because you had too much inside  
 11 information or you were too -- you would be too soft  
 12 because you were obviously quite fond of  
 13 Brother Kenneth?  
 14 **A. I respected Brother Kenneth. Absolutely no way.**  
 15 **I mean, I probably made the association when it came in,**  
 16 **but that made me even more determined to sort this out.**  
 17 **Absolutely no influence at all.**  
 18 **I took over -- well, I say "I". We took in the**  
 19 **region of some 60-odd witness statements, and**  
 20 **Brother Ken, as it turned out, was just one of them. He**  
 21 **was not going to influence the outcome of the inquiry**  
 22 **unless he came up with something really -- but I didn't**  
 23 **even think about that aspect, because I knew I was going**  
 24 **to do the job straight. So that was it.**  
 25 Q. Did you declare the fact --

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1 **A. Yes.**  
 2 Q. -- that you had this relationship --  
 3 **A. Yes, I did.**  
 4 Q. -- to both your superiors? We know you declared it to  
 5 Peter Ball, because you talk about it in interview?  
 6 **A. Absolutely, and also I put it in the report to the DPP.**  
 7 **Absolutely no -- you know, it makes me smile a little**  
 8 **bit. But, no, absolutely no way -- very transparent.**  
 9 **I put it in my report. I was very open to everybody**  
 10 **I spoke to about that association. I had nothing to**  
 11 **hide whatsoever. As I say, in actual fact, I used it**  
 12 **very much to my advantage when arresting and when**  
 13 **questioning the bishop.**  
 14 Q. Right.  
 15 **A. I will say that nobody else would have got to**  
 16 **Brother Ken and made -- able to get the background and**  
 17 **the information from him, because I don't think anybody**  
 18 **would have known about him.**  
 19 Q. As we understand it, from documentation we have seen, in  
 20 fact there wasn't much love lost between Bishop Ball and  
 21 Brother Kenneth at various points during their  
 22 relationship?  
 23 **A. I don't know how I came to -- I had an inkling of that**  
 24 **somewhere along the line, but it didn't -- it didn't**  
 25 **come across when I subsequently got to Brother Ken. But**

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1 **Brother Ken's statement didn't -- certainly didn't help**  
 2 **the bishop, let's put it that way.**  
 3 Q. Well, Brother Ken's statement, if I remember rightly,  
 4 certainly doesn't support the view that that was part  
 5 and parcel of any spiritual practice?  
 6 **A. Absolutely not. I mean, that was the whole point in**  
 7 **seeing him, was to determine, was this a normal**  
 8 **practice, and of course because I knew about the**  
 9 **association, that was why it was important, and he did**  
 10 **not support what -- the allegations that were being made**  
 11 **against Bishop Ball about naked praying and all that.**  
 12 **In fact, I remember he gave me a book on Assisi and**  
 13 **said, "Take it away and read it".**  
 14 Q. But you did talk to Bishop Ball on the way to the  
 15 interview?  
 16 **A. Yes.**  
 17 Q. You went to arrest him and then you took him to the  
 18 police station to be interviewed?  
 19 **A. Yes.**  
 20 Q. You did chat about Brother Ken and make what you  
 21 describe as smalltalk?  
 22 **A. Yes.**  
 23 Q. Were you attempting at that stage to improperly pressure  
 24 Peter Ball into giving up the goods, so to speak?  
 25 **A. No, I just was giving him the signal. On the way to the**

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1 police station, it's quite important from the view of  
 2 a detective, you're driving a car, you try and build up  
 3 a rapport. You can't talk about the case. That's  
 4 improper. But I couldn't talk to the bishop about  
 5 rugby, so I talked to him about Brother Ken. I started  
 6 the process, if you like, of a dialogue of him talking.  
 7 Q. I understand that when you -- that DS Bennett phoned you  
 8 whilst you were at Mr and Mrs Todd's.  
 9 A. That's correct.  
 10 Q. Was it usual for your superior officer to phone you?  
 11 I mean, obviously there wasn't a mobile phone, so there  
 12 was no other way of getting in contact with you than  
 13 doing that, but to tell you that the Archbishop of  
 14 Canterbury had spoken to Sir Peter Imbert who was the  
 15 then head of the Metropolitan Police. What did  
 16 Detective Superintendent Bennett say about this?  
 17 A. So far as I know, he just relayed the fact that there  
 18 had been this phone call from the archbishop to  
 19 Sir Peter Imbert, who in turn had obviously made --  
 20 contacted Gloucestershire.  
 21 Q. Can you remember the nature of the call? Was it an  
 22 attempt to -- sorry, I'm going to use just plain  
 23 language -- nobble someone? To say, "Look, the  
 24 archbishop's been on the phone, Sir Peter Imbert's been  
 25 on" -- I'm assuming it is not usual that

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1 Sir Peter Imbert phones Gloucestershire Police?  
 2 A. Not when you're arresting Joe Bloggs, but it was the  
 3 bishop. There was no pressure put on me. My  
 4 recollection was I was asked, maybe, had I started  
 5 a statement and that. I remember saying out loud that  
 6 Mrs Todd's very concerned there is going to be a coverup  
 7 by the Church and I told her there would be no coverup  
 8 by the police, and I repeated that. There was no  
 9 suggestion -- Mr Bennett -- there was nothing improper.  
 10 He was relaying -- he wanted to know basically what was  
 11 going on. There was a subsequent follow-up phone call  
 12 while I was there and he put into motion notifying duty  
 13 inspectors, the media, so he'd done exactly what he  
 14 should have done. Absolutely nothing improper. I don't  
 15 know what the call from Carey to Imbert was. I don't  
 16 know. Like everybody else, I could guess, but I suspect  
 17 it was, "What's going on?". They were trying to find  
 18 out what was happening.  
 19 Q. After Peter Ball was arrested, he wasn't in fact placed  
 20 in the custody suite but was interviewed on a different  
 21 floor?  
 22 A. Yes.  
 23 Q. Therefore was treated differently from other people.  
 24 Was that because he got special treatment and, if so,  
 25 why?

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1 A. No, I mean, it happens with other -- it has happened  
 2 with other prisoners. The whole thing -- Gloucester  
 3 police station at that time in the cell block was a very  
 4 crowded place. You go in, you have to process the  
 5 prisoner in, there are people coming out, prisoners  
 6 coming out, using the loos, and you would have had the  
 7 bishop dressed in his robes there. We were trying to  
 8 protect -- stop the media from finding out what had been  
 9 going on, and also it happens with, for example, our  
 10 military personnel. Anybody wearing a uniform, it was  
 11 to, if you like, respect the uniform. You didn't want  
 12 prisoners going out of the cells and there'd be comments  
 13 flying around, you know, "Hey up" and all this. Let's  
 14 be fair, at that stage, the bishop hadn't been  
 15 convicted. He was in for questioning. But he was taken  
 16 to a room upstairs, an interview room, and we conducted  
 17 then a series of interviews with him right the way  
 18 through to the early hours of the morning. He had quite  
 19 an extensive interview.  
 20 Q. From the transcript of the tapes, I think in fact there  
 21 were three different periods of time at which he was  
 22 interviewed during the course of that evening?  
 23 A. Yes.  
 24 Q. Although Bishop Ball at first indicated to you that he  
 25 was going to undertake a "no comment" interview, in fact

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1 he did make several comments during the course of that  
 2 interview.  
 3 A. Yes.  
 4 Q. He identified and said that Neil Todd was a fantasist,  
 5 in effect, and that this was all either in his mind or  
 6 it was part and parcel of a conspiracy, in effect,  
 7 between himself and another individual, who we know as  
 8 AN-A92.  
 9 A. That's correct.  
 10 Q. Then in his second interview, he spoke, however, about  
 11 the fact that his -- he did have a religious belief in  
 12 embracing nudity. He did accept that in the second  
 13 interview. Is that right?  
 14 A. Yes.  
 15 Q. He sort of did a mixture of kind of denials and "no  
 16 comment" interviews.  
 17 A. Mmm-hmm.  
 18 Q. At the end of the third interview -- during the course  
 19 of the third interview, he identified that it was  
 20 Neil Todd -- he said that it was Neil Todd who had asked  
 21 to be beaten, rather than Bishop Peter suggesting the  
 22 beating, and that he had sent him a letter about that.  
 23 But he also discussed something about the fact that --  
 24 he also identified, however, and used the terms "genital  
 25 love" and "nongenital love"; is that right?

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1 **A. Yes.**  
 2 Q. He did identify that in October 1992, there had been  
 3 nude loose bodily contact, but denied any sort of mutual  
 4 masturbation or anything like that; is that right?  
 5 **A. Correct.**  
 6 Q. He also identified, as I believe it, that if he did  
 7 ejaculate, that was because of a familial condition that  
 8 made ejaculation happen quickly; is that right?  
 9 **A. Yes.**  
 10 Q. In fact, I think he uses the term "emission of seed", in  
 11 fact, within the context of his interview?  
 12 **A. Yes.**  
 13 Q. Do you think that you unduly pressurised -- here was  
 14 a 60-year-old man who obviously wasn't expecting to be  
 15 arrested, was being arrested for an offence which was,  
 16 in church terms, probably about as shocking as it got.  
 17 Do you think you treated Peter Ball fairly or do you  
 18 think you were using the fact that you knew Brother Ken  
 19 to get him to talk improperly?  
 20 **A. Certainly not. I did use the Brother Ken aspect. Bear**  
 21 **in mind we had been told right from the word go he was**  
 22 **going to say nothing, so I used the Brother Ken --**  
 23 **I kept introducing it, to the point that he -- one**  
 24 **minute he's going to say nothing and then he started**  
 25 **talking about, you know, the order, and then we'd take**

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1 **him back to the offence. It was a way of getting him to**  
 2 **open up.**  
 3 **I believe during the course of break, I went back in**  
 4 **and he made a comment. He said, "You're very good.**  
 5 **You've put me in a position where I have to speak". But**  
 6 **it wasn't -- he had a legal adviser with him. There was**  
 7 **no pressure at all. I don't think he was put under**  
 8 **undue pressure. In between each interview, he could**  
 9 **have a drink. We offered him all the courtesies we**  
 10 **could. At the same time, we had to try and put the**  
 11 **allegations to him, and if that's seen as pressure,**  
 12 **then -- but, yes, it -- we -- apart from taking him to**  
 13 **the cell block, he was treated the same as any other**  
 14 **prisoner would have been.**  
 15 Q. After you had interviewed Peter Ball, did you make  
 16 a decision that you considered that there needed to be  
 17 further investigation and, if so, what did you do?  
 18 **A. Yes, then what you do, you have a custody sergeant, that**  
 19 **was the process then, and you would go and make**  
 20 **representations, and then you have, you know, options to**  
 21 **rebat, effectively. We obviously had lots of enquiries**  
 22 **to do. The whole idea of arresting the bishop quickly**  
 23 **was to stop the media getting to know about things and**  
 24 **maybe interfering, and we wanted to know his**  
 25 **explanation. He could have turned around and come up**

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1 **with a whole host of names and people to prove his**  
 2 **innocence. So that was important, that we had his side**  
 3 **of the story, and then that's when the process starts of**  
 4 **setting about trying to either prove or disprove what**  
 5 **he's saying.**  
 6 Q. But unfortunately, almost immediately after he was  
 7 arrested, the media got hold of the story and it was  
 8 the -- he was certainly on, if not the front page, then  
 9 it was reported in all the newspapers shortly  
 10 thereafter.  
 11 **A. Yes.**  
 12 Q. Who do you think leaked that?  
 13 **A. I would say undoubtedly somebody within the police**  
 14 **station. That was the whole thing we wanted to avoid.**  
 15 **As I say, you have to go back to -- unless you have been**  
 16 **there, there's people coming and going in the cell**  
 17 **blocks, and our fear was that someone was going to walk**  
 18 **out and then pick the phone up and say, "Hey, they have**  
 19 **got the bishop in there". Unfortunately, I can only**  
 20 **assume that when we released him, the night shift would**  
 21 **have come on and the word would have probably got**  
 22 **around. I mean, I'm surprised it actually didn't happen**  
 23 **before. Unfortunately, I suspect that somebody in that**  
 24 **police station probably picked the phone up and**  
 25 **telephoned the local radio or whatever.**

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1 Q. You identified that the resulting publicity generated --  
 2 I think, probably, to summarise it -- a lot of heat but  
 3 not a lot of light. It didn't really help. People  
 4 didn't come forward to you necessarily as a result of  
 5 the fact that it had been publicised in the media?  
 6 **A. No.**  
 7 Q. What you did get was a number of letters from various  
 8 people, some of whom were quite influential. Can we get  
 9 up OHY000096\_013-014. This was from the headmaster of  
 10 Lancing College at the time, James Woodhouse. This is  
 11 20 January:  
 12 "The basis of my knowledge of the bishop ..."  
 13 This was written directly to you. Would you have  
 14 seen this or would this have been passed immediately to  
 15 those above you?  
 16 **A. No, no, if it had been addressed to me, it would have**  
 17 **come to me. I think there were a number of letters.**  
 18 **Some were to the chief constable --**  
 19 Q. Yes.  
 20 **A. -- and some were to me.**  
 21 Q. It says at the bottom -- can we go to the bottom of  
 22 the first page, please, Danny? -- "From conversations  
 23 with him":  
 24 "From conversations with him, I know that the bishop  
 25 is acutely distressed by some aspects of late

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<p>1 20th century culture, including its accent on                  2 materialism and sexual permissiveness which makes it so                  3 much harder for people to realise their spiritual                  4 vocation. In this context, I understand that he has                  5 used acts of penitence and contrition that are an                  6 expression of that deep concern. To the extent that                  7 these young people have been involved in such                  8 penitential exercises, I can see that these may have                  9 been open to misunderstanding and misrepresentation,                  10 especially by any who have not grasped the 'absolute'                  11 nature of the bishop's religious commitment. The bishop                  12 may have failed to judge the appropriateness of such                  13 exercises for some of the young people whom he is so                  14 anxious to help. But ... certain is that his intention                  15 towards all people, young or old, is wholly that of                  16 Christian concern ... and that to harm any person would                  17 be completely abhorrent and alien to his nature. He may                  18 be guilty of an innocence that fails to anticipate how                  19 his teaching and example might be construed ... of his                  20 integrity, compassion and respect ..."</p> <p>21 What did you think about that at the time? In                  22 particular, the implication that the acts of which                  23 Neil Todd -- and by this time, in fact, you had                  24 interviewed a couple of other individuals, one of whom                  25 we heard from on Tuesday, that they may well simply have</p> <p style="text-align: center;">Page 73</p>	<p>1 <b>letters, probably to the chief constable. I didn't see</b>                  2 <b>it as unusual, in the sense that the bishop and the</b>                  3 <b>circles in which he moved -- okay, if you were going to</b>                  4 <b>get letters, I would expect these type of letters. But,</b>                  5 <b>again, I go back to the fact that, as I said, it cut no</b>                  6 <b>ice, and I mean that. It didn't cut any ice with me,</b>                  7 <b>and I remember thinking, you know, they have written</b>                  8 <b>these letters in good faith, perhaps -- I say "perhaps",</b>                  9 <b>you know, I don't know what their intentions -- like</b>                  10 <b>people, I can speculate --</b></p> <p>11 Q. It is not for us to speculate on their intentions.</p> <p>12 <b>A. Absolutely. But if they really knew what the</b>                  13 <b>allegations were, they wouldn't be writing them, I don't</b>                  14 <b>think -- or they wouldn't have written them.</b></p> <p>15 Q. Can we just get up, because you also, as well as an MP                  16 and various other individuals, received a letter from                  17 Lord Lloyd of Berwick. OHY000096_069-070:                  18 "I enclose a copy of this letter ..."                  19 Chief constable from the Right Honourable                  20 Lord Justice:                  21 "Dear Inspector Murdock, I send you a copy of                  22 the letter that I have sent to the chief constable."                  23 So it has been sent to the chief constable but also                  24 to you personally. I'd like you to note the fact that,                  25 although the address is out, the seal means it was sent</p> <p style="text-align: center;">Page 75</p>
<p>1 misunderstood spiritual or penitential exercises?                  2 <b>A. I mean, what he said -- I'm not saying it would have</b>                  3 <b>been dismissed. But at the end of the day, my reaction</b>                  4 <b>to all these letters coming in -- as I understand, they</b>                  5 <b>obviously -- they had a belief that the bishop was</b>                  6 <b>a good man, et cetera, et cetera, but I remember</b>                  7 <b>thinking, well, if these people knew what I knew at the</b>                  8 <b>time about the allegations and about the way the things</b>                  9 <b>were unfolding, they wouldn't have written those</b>                  10 <b>letters.</b></p> <p>11 Q. Can we get up another letter, if you wouldn't mind,                  12 OHY000096_036. This is a letter from Tim Rathbone MP                  13 identifying that he would have been the relevant                  14 constituency MP for Bishop Ball when he was the Bishop                  15 of Lewes:                  16 "I find it literally inconceivable that he would                  17 have ever become involved in the way the newspapers have                  18 described or insinuated."                  19 I would imagine that it is not usual that the local                  20 MP -- well, that even the local MP writes to protest the                  21 innocence of an individual who has been arrested by the                  22 Gloucestershire Constabulary. How unusual was it to                  23 receive these sorts of letters?                  24 <b>A. You did -- through my career, you did get letters from</b>                  25 <b>MPs. Somebody would go and see them, so you would get</b></p> <p style="text-align: center;">Page 74</p>	<p>1 on Court of Appeal headed notepaper. If we could look,                  2 it is dated 2 February 1993:                  3 "... I have known him much longer. I am not going                  4 to write about the case, since I know nothing about what                  5 he may have done, and it would in any event be quite                  6 improper for me to be seen to be influencing the                  7 decision which must rest with the DPP ...                  8 "I must pass on what you must know about him. He is                  9 the most gentle, upright and saintly man. Because of                  10 his nature, he has obviously suffered far more than any                  11 of us can imagine and far more than an ordinary human                  12 being. I find it difficult to accept that such an awful                  13 fate could have befallen so good a man. I express these                  14 views as my own."                  15 Could we go on to the next page, Danny. No, that's                  16 the letter that George Carey sent, which you would also                  17 have seen.                  18 It is one thing having MPs and individuals from                  19 various public schools writing to you, it is another                  20 thing to have someone -- I believe, in fact, we are                  21 going to come on to the fact that Lord Lloyd in fact                  22 telephoned you?                  23 <b>A. That's correct.</b></p> <p>24 Q. And the policeman that put him through said it is the                  25 Lord Chief Justice on the telephone. I would imagine</p> <p style="text-align: center;">Page 76</p>

1 the Lord Chief Justice writing to you or telephoning  
 2 you -- you thought in fact that he wasn't the Lord Chief  
 3 Justice, but a senior member of the judiciary writing to  
 4 you about an individual was an unusual situation?  
 5 **A. It was, but I probably directed him to write the letter**  
 6 **following the phone call.**  
 7 Q. Okay.  
 8 **A. I can recall -- you know, obviously the memory over the**  
 9 **years, some things you remember, and I remember I was**  
 10 **walking through the town, the city, rather, and I had**  
 11 **a radio message from the detective who ran the office**  
 12 **telling me that I was going to get a phone call at**  
 13 **3 o'clock from the Lord Chief Justice, which I thought,**  
 14 **well, here we go, and in fact the call came in at 4.40.**  
 15 **He was a bit late phoning me. Well, I just --**  
 16 Q. How would you describe -- what did he say to you and  
 17 what did you say to him?  
 18 **A. It is difficult to remember exactly.**  
 19 Q. Yes.  
 20 **A. He said something along the lines of -- sort of, you**  
 21 **know, very posh, obviously, and he went on about the**  
 22 **bishop and he might have said "You're taking**  
 23 **testimonials", and all that. But if it was me -- and he**  
 24 **agreed -- I said, "You realise I'm the investigating**  
 25 **officer and you shouldn't be" -- he said, "Maybe**

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1 **I shouldn't be talking to you then". And I said, "No".**  
 2 **We didn't discuss the case, but I might have told**  
 3 **him that the report was going in, but --**  
 4 Q. But this was not long before the report went to the CPS?  
 5 **A. I wanted to end that call, because I actually found it**  
 6 **embarrassing.**  
 7 Q. Why did you find it embarrassing?  
 8 **A. Well, you know, I mean, this man is -- I thought, well,**  
 9 **a Justice of Appeal, and I remember thinking, if this is**  
 10 **a Justice of Appeal, you know, we have got no chance.**  
 11 **I mean, the naivety of ringing to speak to me -- I mean,**  
 12 **that's what hit me, you know, what does this man think**  
 13 **he's doing? I have to say, I will say he made no**  
 14 **improper suggestions. He did say -- I made a note in my**  
 15 **diary. He did say, "I know the DPP, Barbara Mills.**  
 16 **I would like to influence her, but I won't", and I think**  
 17 **maybe, if I'm generous, he was thinking out loud. But**  
 18 **my overall impression of that call was, you know,**  
 19 **"I really can't believe this, that a man in your**  
 20 **position is actually speaking to me".**  
 21 **So what I said to him was, "I suggest you write to**  
 22 **the chief constable", and I think that's how that letter**  
 23 **came to be written.**  
 24 Q. Did anyone, as far as you were aware, contact you from  
 25 the office of His Royal Highness the Prince of Wales or

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1 from a member of the Royal protection staff about  
 2 Peter Ball at this time?  
 3 **A. Absolutely not.**  
 4 Q. You spoke to the CPS on the Wednesday after the arrest  
 5 on the Monday?  
 6 **A. Yes.**  
 7 Q. If we can go back, now that we have dealt with the  
 8 various letters from the various individuals, you spoke  
 9 to the CPS on the Wednesday?  
 10 **A. Yes.**  
 11 Q. So Peter Ball was arrested on the Monday. The phone  
 12 call comes in on the Saturday. You see Neil Todd on the  
 13 Saturday and the Sunday?  
 14 **A. Yes.**  
 15 Q. On the Monday, you see Peter Ball. On the Wednesday,  
 16 you spoke to the CPS?  
 17 **A. Yes.**  
 18 Q. They said to you that the matter needed to go to central  
 19 office, I think were the words they used?  
 20 **A. Yes.**  
 21 Q. Did you understand what they meant by that, what that  
 22 was?  
 23 **A. Yes. What the process was, the CPS had come into being**  
 24 **I think '86, and although the police still had the**  
 25 **investigative role, the CPS role was, really, you put**

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1 **a file in normally at the end of your investigations,**  
 2 **that was the way it started to develop from '86 on, and**  
 3 **then they would make a decision as to whether or not**  
 4 **there was evidence to charge.**  
 5 **Now, what evolved was the fact that they didn't want**  
 6 **to wait until you put a file in, which -- okay, if it**  
 7 **was total rubbish, you'd have to go back and start the**  
 8 **process. So what they encouraged was, they wanted early**  
 9 **involvement in the case. Obviously, given the fact that**  
 10 **it was a bishop, you know, I was anxious that we got**  
 11 **them involved right from the word go, and that's what**  
 12 **happened, and then they decided -- it was their decision**  
 13 **that they couldn't deal with it in Gloucester and that**  
 14 **it was more appropriate to go to the DPP.**  
 15 Q. Why was that? Was that because of the nature of  
 16 the offending or because it was a bishop or both?  
 17 **A. I've got a feeling -- I'm a bit rusty on it all -- that**  
 18 **there were certain, in the end, proposed charges that**  
 19 **would have to go --**  
 20 Q. You needed the consent. The charge of gross indecency  
 21 would have required the consent of the DPP?  
 22 **A. I think the bottom line for them probably was, "Let's**  
 23 **take it to the top and let them decide".**  
 24 Q. Did they suggest to you at any time what the ultimate  
 25 disposal of the case should be?

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1 A. No. I mean, as I say, we were responsible for the  
 2 investigation. They could guide you. They could say,  
 3 "We suggest you go and do this or that". The way it was  
 4 in 1992, you tried to prove offences. You went back and  
 5 you tried to get the evidence. So, no, they didn't at  
 6 that stage, but there would come a point towards the end  
 7 when obviously decisions had to be made, and that's when  
 8 it went up the line to the DPP eventually.

9 Q. We will talk about that later. But you also say in your  
 10 witness statement that on the Sunday or the following  
 11 weekend you were given six officers. Now, forgive me,  
 12 but was that a lot to be assigned to an enquiry of this  
 13 nature?

14 A. Yes, it was for Gloucestershire. It was up to six  
 15 officers. Yes. So, I mean, it would be -- I didn't  
 16 utilise all six. Probably in the end, you'd ring  
 17 around -- you had to negotiate in those days, you know,  
 18 with divisional commanders, "Can I have this officer?",  
 19 so I think I ended up with myself -- as I say, I was  
 20 very much hands-on. I went out there, and  
 21 Sergeant Wasley, and I think there were two DCs and one  
 22 who came on later. So probably about five.

23 Q. You said you wanted to be very hands-on. You say in  
 24 your witness statement that's in order to minimise the  
 25 risk of failure. Some people would say, maybe that was

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1 in order so that you could noble everyone, to stop the  
 2 truth coming out?

3 A. No, absolutely -- hang on a minute. No way. Anybody  
 4 who knows me knows what I'm like. I think I had a good  
 5 enough reputation then. The thing -- the point to make  
 6 with that is that that decision to give me those  
 7 officers was made at chief officer level. So what the  
 8 significance, if you like, maybe for the inquiry, is  
 9 that was a form of backing for the investigation.  
 10 That's the important thing.

11 If there had been any interference or anything, they  
 12 wouldn't have volunteered that. If I needed the  
 13 officers, I would have said, "I want extra help". You  
 14 don't turn it down. You don't turn it down when it's  
 15 offered.

16 Q. Shortly afterwards -- so shortly before Christmas, so  
 17 I think it was 22 December, you went to Lambeth Palace  
 18 and spoke to Bishop John Yates. What was the nature of  
 19 your discussion and why did you go and speak to him?

20 A. I believe the arrangement had been made by Detective  
 21 Superintendent Bennett, he would have spoken to  
 22 John Yates, and I believe that Mr Bennett had said to  
 23 him, you know, "We want everything you've got on the  
 24 bishop -- correspondence and that". I telephoned the  
 25 bishop -- yes, Bishop John Yates myself, to make the

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1 arrangements to go and see him, and would have -- well,  
 2 I did reiterate the fact that I was coming to pick up  
 3 anything he had and obviously to discuss the case with  
 4 him. We needed to know what the church could do.  
 5 I mean, it was part -- part of the enquiry in the sense  
 6 that I needed to be able to go back to the DPP and say,  
 7 "This is what the church could do in terms of  
 8 discipline".

9 Q. Why was that relevant?

10 A. It is relevant because it's a fallback, and to know --  
 11 because the question would have been asked by obviously  
 12 the CPS, "Well, what can the church do about this?" So  
 13 I pre-empted that one. I was surprised, actually,  
 14 that -- I learnt that I don't think the church could do  
 15 very much at all, which surprised me.

16 Q. You say in your witness statement that you told him you  
 17 wanted to take possession of any letters which related  
 18 to Bishop Peter Ball?

19 A. That's right.

20 Q. How did you know that there were any letters?

21 A. What had happened, as a result of the publicity  
 22 following the arrest of the bishop, one witness had got  
 23 in touch.

24 Q. That's somebody we know as AN93?

25 A. That's correct. And sent a letter. I think they sent

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1 it originally to Brixton Police and then it got  
 2 forwarded to us. So I'd had that letter. I think it  
 3 had been copied in to Lambeth, from what I understood.  
 4 So I went to Lambeth, and -- to collect anything that  
 5 they had, really.

6 Q. Okay.

7 A. And my intention then -- because that person lived in  
 8 London, I was going to go straight from Lambeth to  
 9 interview that person in another part of London.

10 Q. So you went to Lambeth. You went to see  
 11 Bishop John Yates.

12 A. Yes.

13 Q. Firstly, what did he tell you about Bishop Ball and  
 14 about the investigation?

15 A. I really can't remember too much. I think he did say  
 16 something about he'd hoped the church could have done  
 17 this investigation, and I put that in my report.  
 18 I remember saying, "Well, I don't think the church are  
 19 really the best equipped", and by that I meant  
 20 resource-wise and, you know, we were the appropriate  
 21 people to investigate those allegations.  
 22 I think he was maybe expressing his views.

23 Q. He was -- what letters, if any, did he hand over to you?

24 A. He talked about a guy called [redacted]. I also talked  
 25 about trying to research the background of

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1 **St Francis ...**  
 2 MS SCOLDING: Can we break the feed, please?  
 3 Chair, may we have a restriction order in respect of  
 4 that person?  
 5 THE CHAIR: Yes, I make that order.  
 6 **A. Sorry.**  
 7 MS SCOLDING: It's fine. It's usually me.  
 8 You said he'd spoken to you about a person -- he  
 9 mentioned a certain person?  
 10 **A. That's correct, yes.**  
 11 Q. He passed over a letter from that person; is that right?  
 12 **A. Yes, and I also asked him about who could I go to in the**  
 13 **church who is an authority on St Francis of Assisi.**  
 14 **Because obviously I wanted to check out if there was any**  
 15 **sort of religious reasons why the bishop -- or**  
 16 **justification, if you like, why the bishop had done what**  
 17 **had been alleged, and so he -- I think he named two**  
 18 **people, or suggested two people, that I could go and**  
 19 **speak to.**  
 20 Q. Did you subsequently go and speak to the people?  
 21 **A. Yes, I believe we did. In the witness bundle --**  
 22 Q. What you have said is, you knew, because you were going  
 23 on to interview AN93. Why didn't you say to  
 24 Bishop Yates at the time, "Well, you know, you haven't  
 25 been straight with me here, Bishop Yates, because I know

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1 that AN93 has written to you. I'm about to go and  
 2 interview him. Where is his letter? Why haven't you  
 3 given me his letter?"  
 4 **A. No, I wouldn't have done that then. I had the letter**  
 5 **and I was going to go and see AN93. By the time**  
 6 **I finished that, I had a very full account from that**  
 7 **witness. I didn't require that letter and I wasn't**  
 8 **going to challenge him at that point.**  
 9 Q. Did you ask for Lambeth Palace to sort of keep you  
 10 updated and, if there were any further letters, to send  
 11 them to you or to send you a copy of the file? Did you  
 12 know -- did Bishop Yates say to you, "Actually, we keep  
 13 a file on every bishop" --  
 14 **A. No, nothing like that.**  
 15 Q. -- which is where the bodies were buried, so to speak?  
 16 **A. I've got to be honest, I would have expected -- it**  
 17 **happens -- loads of investigations I have been on where**  
 18 **you go to businesses' premises, whatever, you are going**  
 19 **there for a particular reason maybe regarding**  
 20 **a particular person, normally people turn around and**  
 21 **say, "Well, you should be aware of this", and that**  
 22 **didn't happen. I would have expected that to have been**  
 23 **volunteered, even -- we asked on two occasions, but,**  
 24 **really, we shouldn't have had to ask. That's the bottom**  
 25 **line of it. If anything was held on the bishop to the**

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1 **detriment, then that should have been volunteered.**  
 2 Q. But what the police thought was that you were going  
 3 around and getting all the information anyway -- what  
 4 the church thought, I mean, not what the police.  
 5 What the church thought, and what Lord Carey told us  
 6 yesterday, was that the church's expectation was that  
 7 you would come to them and say, "Can we have some more  
 8 information?", that it wasn't their job to volunteer it,  
 9 it was your job to interrogate it, so to speak?  
 10 **A. I'm sorry, but that's a very strange way of looking at**  
 11 **things, especially from an Archbishop of Canterbury.**  
 12 **I mean, I have to say, and -- you know, if you've got**  
 13 **information on somebody and you know that -- and they**  
 14 **knew an awful lot that was going on, not necessarily**  
 15 **from me. There were various people acting for the**  
 16 **church, one of them being, I believe, somebody you may**  
 17 **talk about later, but there was a lot of activity going**  
 18 **on, and they knew -- they knew what was going on. So my**  
 19 **expectation would have been that, if you have got**  
 20 **anything, you hand it over, "You should be made aware of**  
 21 **this". That's, as I say, from the church, you don't**  
 22 **expect information to be withheld.**  
 23 **You know, really, that's commonsense.**  
 24 Q. I want to ask you about two things next. One is about  
 25 the other letters that the church did in fact hold, but

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1 before I do that, Danny, could you get up  
 2 CPS002513\_048-049. Chair and panel, it is not in your  
 3 bundle. I don't think it is, anyway. This is  
 4 a memorandum -- in fact, we looked at it chair and panel  
 5 yesterday -- from Bishop Yates to George Carey, written  
 6 the day after your visit from Lambeth Palace. Could you  
 7 highlight the second paragraph on the first page,  
 8 please, Danny. A bit further up, if you wouldn't mind.  
 9 A couple of sentences up:  
 10 "The police seemed to be hinting yesterday that the  
 11 CPS may suggest that they do not prosecute 'in the  
 12 public interest' but that Peter's resignation would help  
 13 them to come to that decision. If so, he should not  
 14 resign until the CPS approach us, for otherwise we 'lose  
 15 our bargaining chip'. Neil Todd's mother is said by the  
 16 police to be implacable in her enmity to the church [you  
 17 have already told us about this] over the affair, not  
 18 that she demands prosecution, but that Peter needs to be  
 19 seen to be punished somehow if there is no prosecution."  
 20 The only person the inquiry is thinking that this  
 21 information would have come from is you?  
 22 **A. It's quite possible. I mean, we would have discussed --**  
 23 **he would have asked me, I'm sure, what could happen; the**  
 24 **same as I asked him, what can the church do about it?**  
 25 **So I was quite open, the options that could happen. So**

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1 **there was nothing to hide on that.**  
 2 Q. But what's interesting is, you seem almost to be saying,  
 3 "Well, what we really need to do is probably just get  
 4 rid of this somehow". How some people would read that  
 5 memo is you saying, "Look, if he resigns, it can all go  
 6 away?"  
 7 **A. Absolutely not. People ask you what can happen. You**  
 8 **tell them. If he interprets that in a way -- I mean,**  
 9 **public interest was one factor. He could be charged.**  
 10 **He undoubtedly asked me what will happen, and I gave him**  
 11 **the possible options.**  
 12 Q. But did you, in effect -- I mean, whether or not  
 13 Bishop Ball resigned or not was really irrelevant to  
 14 whether or not you decided to prosecute him, I'm  
 15 assuming?  
 16 **A. Yes. If you're going to get prosecuted, then that's it.**  
 17 **You know, there's no need -- if he's found guilty at the**  
 18 **end of it, then one assumes he would have to resign.**  
 19 Q. Can we talk about, now, there were some letters that the  
 20 church had that Bishop Yates didn't give you on that  
 21 day, whether or not he knew they were there, whether or  
 22 not they were in different places, we just don't know.  
 23 Bishop Yates is no longer with us to say, and  
 24 Bishop Carey can't shed any light on that either.  
 25 But you said to Dame Moira Gibb that you would have

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1 been in a different position and that there could have  
 2 been other charges had you had that information?  
 3 **A. It's possible, yes. It depends what the information**  
 4 **was, and the extent of the allegations. But --**  
 5 Q. I mean, but is that really true? At least quite a lot  
 6 of the information that was in the letters would have  
 7 been known to you anyway, so you've got the letter from  
 8 AN93.  
 9 **A. Yes.**  
 10 Q. And he obviously gave you a full statement which was  
 11 supportive of Neil Todd. You also had AN98 and AN117,  
 12 who were two individuals who came from Cambridge --  
 13 **A. Mmm-hmm.**  
 14 Q. -- via Ros Hunt. I'm just trying to say that so that we  
 15 don't name them. But those individuals. They'd both  
 16 individually, in fact, identified matters which were as  
 17 serious as Neil Todd's and consistent with Neil Todd's  
 18 account.  
 19 You also had A99 and A108, who had come forward.  
 20 So, in a way, you had sort of six or seven different  
 21 people, all of whom were presenting a consistent picture  
 22 over a number of years. So did you really need those  
 23 letters?  
 24 **A. Yes.**  
 25 Q. Because Dame Moira Gibb makes quite a lot of this in her

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1 review and says, well, you had said to her, "It would  
 2 have been different and there would have been more  
 3 charges" --  
 4 **A. I was led to believe, when I went to that inquiry, that**  
 5 **these letters were far more damaging. If there's an**  
 6 **overlap, fine. The bottom line was, those letters**  
 7 **should have been passed on for us to look at and for us**  
 8 **to make the judgment in terms of what their evidential**  
 9 **value was and where we could take the enquiry. It's**  
 10 **possible, if we'd had a couple more allegations, that**  
 11 **the individuals making the allegations might have had**  
 12 **stronger feelings and perhaps not so affected mentally,**  
 13 **stronger people who might have been prepared to give**  
 14 **evidence, and the more you have as a detective, the more**  
 15 **you have -- the better chance you have of pressing**  
 16 **charges.**  
 17 **But we should have been the judge of that. Those**  
 18 **letters should have been handed over, and they could**  
 19 **have made a difference. That's the bottom line of it.**  
 20 **I haven't seen the letters. I don't know what the**  
 21 **allegations were. But we should have seen them at the**  
 22 **time, and it was for us, the CPS, having followed up the**  
 23 **enquiries, to make the decision as to what their worth**  
 24 **was in terms of evidential value.**  
 25 Q. If I can just indicate, at least two of those letters

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1 were what I would describe as cryptic, in terms of what  
 2 they say. All they say is, "Well, there were some funny  
 3 goings on", but they don't really say, "and this is what  
 4 happened". One of the letters you already had, and the  
 5 other letter identifies naked prayer. I think probably  
 6 what I should put to you on behalf of Lord Carey of  
 7 Clifton's team is: well, you therefore had everything  
 8 that the church had, albeit maybe from slightly  
 9 different participants. There wasn't in fact anything  
 10 materially different in that information?  
 11 **A. I go back to what I said: we should have been the judge**  
 12 **of that, not the archbishop. He knew that we were**  
 13 **carrying out an investigation and, for some reason, he**  
 14 **withheld that information. Now, had we had names of**  
 15 **people, we would have followed it up, gone and**  
 16 **interviewed them, and perhaps we'd have got far more out**  
 17 **of those people than had been revealed in the letters.**  
 18 Q. The other thing to say is, obviously, a lot of the  
 19 offending took place in Sussex. Did you try and contact  
 20 Sussex Police during the course -- I know afterwards you  
 21 had some contact with Sussex Police. Did you try and  
 22 contact Sussex Police during the course of  
 23 the investigation to get them to investigate what was  
 24 going on in Sussex?  
 25 **A. I can't remember all the details, but if I tell you that**

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1 we would have phoned Sussex Police right from the word  
 2 go, because the police forces then were very parochial.  
 3 I couldn't go into Sussex and start making enquiries or  
 4 the officers involved in it without notifying that  
 5 force. If it worked the other way around, if we found  
 6 out then, in '92, that Sussex officers had come to  
 7 Gloucestershire and were going around making enquiries,  
 8 we would be pretty miffed that they hadn't bothered to  
 9 contact. So I'm pretty sure that we would have spoken  
 10 and we would have taken, if you like, the lead. But  
 11 that could have changed, but we took the lead.  
 12 Yes, some of the offences, I believe, were in Sussex  
 13 and then you had the offences at the bishop's residence  
 14 in Gloucester.  
 15 Q. Why didn't you work together -- I know you said it was  
 16 all quite territorial. I don't know what it is like  
 17 now. But, I mean, why didn't you sort of phone Sussex  
 18 up and say, "Right. We have got a number of  
 19 individuals". You had at least five individuals other  
 20 than Neil Todd making serious sexual allegations. Why  
 21 didn't you say, "Right, we need a sort of joint task  
 22 force and we need you, Sussex, to go and interview  
 23 everyone who has ever been at Litlington Priory and try  
 24 to work out what has happened"?  
 25 A. We tried to do that ourselves. We would've spoken to

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1 them and we would've agreed that we could carry out the  
 2 enquiry. If at any stage that had changed -- I think in  
 3 fact we probably did utilise officers from Sussex to  
 4 carry out some of the enquiries. During the course of  
 5 the investigation, and it is documented in my diary,  
 6 there was contact with Sussex at a very high level  
 7 between chief officers. I was assigned a detective  
 8 superintendent that I could go to. That was arranged by  
 9 Mr Bennett, who in turn had spoken to his counterpart.  
 10 So Sussex, during the course of the investigation, were  
 11 aware that we were carrying out these enquiries, and  
 12 that became even more so after the enquiry had finished.  
 13 Q. So my understanding is that, as a result of the various  
 14 investigations you undertook, you had Neil Todd's  
 15 allegations, but you also had allegations on behalf of  
 16 AN93, who had identified that Peter Ball had asked him  
 17 to masturbate himself, ie, the young man, and he was  
 18 under 18 at the time. You had AN99, who had spoken  
 19 about concerns about Peter Ball. You had AN98, who was  
 20 very upset about things but was able to speak about sort  
 21 of naked massages and anointing. And AN-A117, who we  
 22 heard from on Monday, chair and panel. So you're  
 23 familiar with all the different allegations. So you've  
 24 got five different young men. But you said that both  
 25 AN98 and AN-A117 didn't really want to press charges in

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1 and of themselves; is that right?  
 2 A. That's correct. And also 117.  
 3 Q. Yes.  
 4 A. Yes, 117. Neil Todd --  
 5 Q. And the others?  
 6 A. -- was reluctant, if I can put it that way. But he left  
 7 it to the police, that was in his statement, he would  
 8 leave it to the police to decide what to do. But we  
 9 were faced with people -- victims who were clearly very  
 10 fragile.  
 11 Q. What do you mean by "fragile"?  
 12 A. Well, when we interviewed -- I believe it was 117, we  
 13 went to Cambridge, and I believe that's when Ros Hunt  
 14 was present.  
 15 Q. Yes.  
 16 A. I went there to make sure they were okay talking to us  
 17 and to try and reassure, but 99 was very fragile. We  
 18 went to interview him.  
 19 Q. You mean fragile mentally or --  
 20 A. You know, you've got to sit there and you listen to the  
 21 account, and you're dealing with somebody who's clearly  
 22 very fragile. That's what we had, really. We had  
 23 people -- and the reason -- it's speculation, again, you  
 24 could put it down to their experience. Undoubtedly,  
 25 there was -- it had to be their experience.

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1 They were willing to give their stories, but they  
 2 wanted to be seen really to support Neil Todd rather  
 3 than be complainants themselves. That was their wish.  
 4 Q. You say that they were very fragile and that that was  
 5 their wish. Why do you think -- did any of them say to  
 6 you why that was their wish, or what was the inference  
 7 you drew from that?  
 8 A. It's possible. I mean, they just were reluctant. It  
 9 was a struggle. It was difficult. I mean, recounting  
 10 their experiences. That didn't prevent me at the end  
 11 treating them as the victims and putting on my report  
 12 suggested offences in relation to them. That's the way  
 13 it was. But they were very -- they would have come to  
 14 court, but they did not want to be seen as the  
 15 complainants.  
 16 Q. Was that at least in part because some of them were gay  
 17 and involved with the church?  
 18 A. I'm sure. We met -- I mean, I got around to see a lot  
 19 of people, and it was quite apparent that there were  
 20 a lot of what I would say gay people -- this is back in  
 21 '92, and we picked up sort of issues within the church.  
 22 That's me looking from the outside and looking in as  
 23 a detective. It was quite clear that there were a lot  
 24 of people struggling with their sexuality, and I think  
 25 Neil Todd was probably one of them, and you've only got

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1 to go back to '92 and '95 to know what -- or to  
 2 appreciate what the feelings were towards homosexuals.  
 3 Now, the church -- it is my understanding, looking  
 4 at it, that the church seemed to accept -- from what  
 5 I was being told, would accept gay or homosexuals on the  
 6 outside, but within the church that seemed to be  
 7 a problem. I spoke to vicars, people who would say,  
 8 "Well, hang on a minute, why don't they just face up to  
 9 the fact, you know, and accept it?"; there were others  
 10 who clearly couldn't come to terms. There was one  
 11 witness who phoned me at a priory, and he was clearly  
 12 struggling. He had been interviewed by the team,  
 13 officers from the team, and then he contacted me and  
 14 said, "Well, I have been economical with the truth. Can  
 15 you manufacture a way of coming back?", and we discussed  
 16 it, but by the time the officers had gone back, my  
 17 expectation being that he was going to make a statement,  
 18 he had been told, "Well, you don't need to do it" --  
 19 allegedly by the father running the priory, to say,  
 20 "Hang on a minute. You were 21, so don't worry about  
 21 it".  
 22 And there were other people. Even 117. I tried to  
 23 encourage him to bring a friend forward, and we  
 24 subsequently spoke on the phone and he rang me and said,  
 25 "My friend won't do it". It was quite clear that some

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1 didn't want to talk to us because of the situation they  
 2 might have found themselves in.  
 3 Q. Because they didn't want to be exposed as being gay  
 4 within the church?  
 5 A. Yes. As I say, back in '92/'95, views were different.  
 6 But I picked that up as being a factor, and I'm sure --  
 7 I say I'm sure -- people probably didn't come forward  
 8 maybe because of that. Maybe they didn't want to have  
 9 to discuss their sexuality.  
 10 Q. Do you think your view in investigating it or others of  
 11 your officers -- we are talking about 1992. Do you  
 12 think the police force was -- do you think you or any of  
 13 your officers may have consciously or subconsciously  
 14 discriminated against these individuals because they  
 15 were gay?  
 16 A. I don't think so. I would hope not. I certainly  
 17 didn't. At the time, I had lots of friends who were  
 18 gay. I -- you know, no way --  
 19 Q. You can have lots of friends who are gay and still be  
 20 institutionally homophobic?  
 21 A. Hey, you take people on face value. It's not about  
 22 their sexuality. But we tried to put these people at  
 23 ease. Whenever I got to talk to them, I would try and  
 24 put them at ease, and some of them were -- you know,  
 25 they didn't say, "I'm gay". I believe at some point,

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1 what I've seen, Archbishop Carey may have asked  
 2 Peter Ball if he was homosexual.  
 3 Q. Well, yes --  
 4 A. But the problem was, my perception was, if some of them  
 5 had said yes, then that would have been --  
 6 Q. That would have been the end of it?  
 7 A. That would have been the end of it. That's what you  
 8 were sensing, and -- you know, with the people you were  
 9 talking to.  
 10 Q. How did that influence you in terms of the advice or any  
 11 circumstances you would have given as to whether  
 12 a caution was appropriate or not? Obviously, that would  
 13 have avoided them having to come to trial. What was  
 14 your view about how the defence may have treated those  
 15 witnesses if they'd have come to trial?  
 16 A. I think anybody who was around the legal profession --  
 17 things have moved on. They have moved on a great deal.  
 18 In '92 and before, going to court for rape victims, they  
 19 were going to get basically the legal -- the  
 20 barristers -- and I'm not being funny, they were going  
 21 to have a field day. They would have been taken apart,  
 22 no two ways about it. They would have had a rough time.  
 23 The problem you had, you were going to get to  
 24 a situation maybe where they would start probing and  
 25 getting people to talk about their sexuality, and that

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1 really could have been an issue.  
 2 So you had that -- to bear that in mind. There were  
 3 also other issues about the fact they were in the  
 4 church. You know, I interviewed bishops and vicars.  
 5 Now, if you'd gone through the process of going to  
 6 court, you had to accept that another feature would be  
 7 they'd get into the witness box, or they'd pick a Bible  
 8 up and they would swear by Almighty God they were going  
 9 to tell the truth. But the time it had finished, it  
 10 would be pretty obvious that some of them were lying.  
 11 So you had a whole host of -- but I think the main issue  
 12 was concern -- you had to look at it and say, "We've got  
 13 to be concerned". You didn't want to see anybody going  
 14 into a witness box and have their intimate details, if  
 15 they didn't want to talk about it, brought into the  
 16 open. That was '92 -- in court, there were not the  
 17 mechanisms in court -- in fact, I have been out of  
 18 the job 14 years, but you have only got to Google or  
 19 talk to -- there are a lot of mechanisms now that would  
 20 prevent that from happening. But it was something we  
 21 had to consider.  
 22 I say that was something that was put forward in  
 23 discussions and would have been talked about. You  
 24 didn't just have these people, the main, if you like,  
 25 complainants. You had to think about the collateral

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1 damage that could have been caused.  
 2 Now, some of them might have turned around -- if it  
 3 came to the crunch, some would have said, "Yeah, don't  
 4 worry, I'm going to do it", but it would have been  
 5 a pretty tough ordeal for them.  
 6 Q. Right.  
 7 A. Make no mistake about that.  
 8 Q. The ordeal wasn't possibly made any easier -- as  
 9 I understand this, you came to know that  
 10 Bishop Michael Ball was phoning various people up.  
 11 A. Yes.  
 12 Q. What was your response and reaction to that?  
 13 A. Well, I found out through -- that he had been  
 14 interfering. I would now say that I probably suspect  
 15 that he was behind a lot of the letters. But my  
 16 response was that I spoke to his solicitor -- or the  
 17 bishop's solicitor, Mr Peak, and I warned him about the  
 18 actions of Michael Ball and that he was coming very  
 19 close to, in my view, perverting the course of justice.  
 20 Q. Why didn't you seek to speak to Michael Ball directly  
 21 about that?  
 22 A. If I'd -- if it had carried on, I would have done. But  
 23 I -- well, the damage had probably been done. I don't  
 24 know how many people -- and there was another person  
 25 working for the church who had, in my view now,

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1 especially what I know now, but undoubtedly at the time  
 2 was also going around probably with the knowledge of  
 3 Michael Ball interfering.  
 4 Q. What do you mean by "interfering"?  
 5 A. Well, Michael Ball had obviously spoken to people, and  
 6 it is documented in the statement --  
 7 Q. AN98 I think was phoned by Michael Ball and Ros Hunt was  
 8 phoned by Michael Ball.  
 9 A. He'd been ringing allegedly and saying, "Look, you know,  
 10 the police are going to come and see you. Only say good  
 11 things. We don't want to say bad things about the  
 12 bishop". So when I got the hint of that, that was it.  
 13 But, as I say, probably -- I'm maybe not yet to  
 14 know, but I don't know how many other people he'd  
 15 phoned. The person who was being employed by the church  
 16 on what I would say he was a mission, from what I've  
 17 subsequently seen, was going about the task of trying to  
 18 get to people before the police to dissuade them from  
 19 giving evidence.  
 20 Q. Did you not investigate that and think, "Well, actually,  
 21 this is quite serious"?  
 22 A. I didn't know about it.  
 23 Q. This is perverting the course --  
 24 A. I didn't know about that.  
 25 Q. When did you find out about that?

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1 A. After I got access to the papers, and then it started to  
 2 fall in, that this had been going on, and there was the  
 3 connection then with Michael Ball and Eric Kemp,  
 4 Bishop Eric Kemp.  
 5 Q. If we can move on now to -- you had a meeting with  
 6 Eric Kemp, and you set this out at paragraphs 151 to 155  
 7 of the witness statement, chair and panel, if this would  
 8 assist, pages 29 to 30. So you went to interview  
 9 Bishop Eric Kemp in early January 1993. In the course  
 10 of the interview -- shall we say the interview appears  
 11 to have been slightly peculiar? Perhaps you would like  
 12 to tell us about this interview?  
 13 A. I remember saying, "There's something going on here".  
 14 It was a nice day, from recollection. We went into the  
 15 room, and the curtains, the heavy curtains, were drawn,  
 16 which you think, well, okay -- okay, I know the sun was  
 17 shining, but it was a bit over the top. I can see now  
 18 Eric Kemp was sat at the end of the table, and he had  
 19 his -- I don't know -- aide or church --  
 20 Q. A sort of aide or secretary with him?  
 21 A. Yes, staff officer, or whatever you want to call him,  
 22 sat there present during our conversation. I felt there  
 23 was something not right.  
 24 Q. It turns out from Reverend Tyler that he was outside in  
 25 the car and there was to be some sort of mechanism

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1 whereby the curtains would twitch if something had been  
 2 said that would alert him to burst in. In fact, what  
 3 was happening was they were covertly recording your  
 4 interview with Bishop Kemp?  
 5 A. That's correct. I was told at the meeting I had with  
 6 Tyler that he was outside; had I said anything that they  
 7 felt was threatening or anything that was going to drop  
 8 me in it, if you like, or -- the staff officer was going  
 9 to walk off, draw the curtains back, and in would rush  
 10 Mr Tyler and confront me. That was it.  
 11 Q. You were a detective for sort of 34 years. Had you ever  
 12 heard of anything like this happening before or after?  
 13 It sounds like the sort of cheapest Agatha Christie  
 14 novel, if I may say so?  
 15 A. Don't get me wrong, you're always wary that people could  
 16 be tape recording you, but I have to say, I didn't  
 17 expect the most senior bishop in the church,  
 18 a 77-year-old I think he was at the time, to be -- I'm  
 19 going to use the word "devious" -- devious enough to  
 20 tape record or agree to it. Because the effect, if  
 21 I had said anything improper or done anything, the  
 22 effect of it would have been -- the bottom line would  
 23 have been that I would have been removed probably from  
 24 the investigation and it would have been derailed.  
 25 That's one way of looking at it. Because that would

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<p>1 <b>have been the outcome.</b></p> <p>2 Q. There wouldn't be any other reason to record you unless</p> <p>3 they thought you were going to drop yourself in it and</p> <p>4 then they could get rid of the investigation altogether?</p> <p>5 <b>A. Absolutely. If somebody turns around and says, "Do you</b></p> <p>6 <b>mind if I tape record what's going on?", that's fair</b></p> <p>7 <b>enough, that's not a problem, but to be covertly tape</b></p> <p>8 <b>recorded with that in mind, it's not something that</b></p> <p>9 <b>I would expect from somebody very senior in the church.</b></p> <p>10 Q. During the course of that, in fact, they also mentioned</p> <p>11 somebody called Superintendent Horan, who was somebody</p> <p>12 else I understand from Gloucestershire Constabulary.</p> <p>13 Can I just check, did you ever meet him or have</p> <p>14 discussions with him about the Peter Ball case?</p> <p>15 <b>A. Absolutely not. In fact, he was Superintendent</b></p> <p>16 <b>John Horan, who is -- just to put the record straight,</b></p> <p>17 <b>his father --</b></p> <p>18 Q. His father was the Bishop of Tewkesbury?</p> <p>19 <b>A. Yes. But absolutely no way. Mr Horan is a man of</b></p> <p>20 <b>integrity. I will make it clear: he never, ever</b></p> <p>21 <b>approached me during the investigation and I didn't</b></p> <p>22 <b>approach him. That's the end of it. He certainly</b></p> <p>23 <b>didn't get involved. He was very professional. In</b></p> <p>24 <b>fact, I only learned recently that he in fact had been</b></p> <p>25 <b>the duty uniformed superintendent in the county --</b></p> <p style="text-align: center;">Page 105</p>	<p>1 Q. And did you receive that?</p> <p>2 <b>A. -- and that's what we got. Yes, we did, about his</b></p> <p>3 <b>relationship with the -- you know, and knowledge of</b></p> <p>4 <b>the bishop.</b></p> <p>5 Q. Can I ask you, you had gone and met, by the middle</p> <p>6 of January, AN98 and AN117 in Cambridge. I will call</p> <p>7 them the Cambridge allegations as that probably saves</p> <p>8 you having to check out who they are on the information</p> <p>9 that you have got.</p> <p>10 <b>A. Thank you.</b></p> <p>11 Q. You then wanted to rearrest Peter Ball --</p> <p>12 <b>A. Correct.</b></p> <p>13 Q. -- for those offences. Your understanding is that the</p> <p>14 chief constable didn't want Peter Ball arrested for</p> <p>15 those other offences?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. Do you know why and what did you do about that?</p> <p>18 <b>A. I don't know why. It was filtered down to me through</b></p> <p>19 <b>Detective Superintendent Bennett. Both he and I,</b></p> <p>20 <b>particularly me, were adamant that the bishop would be</b></p> <p>21 <b>arrested, was going to be arrested, and in fact I went</b></p> <p>22 <b>to a meeting with the CPS because I was concerned and</b></p> <p>23 <b>I discussed it, the need for him to be arrested.</b></p> <p>24 <b>I don't know what the reason was. I suspect it was --</b></p> <p>25 Q. Did he ever speak to you directly and say, you know --</p> <p style="text-align: center;">Page 107</p>
<p>1 Q. Would he have been able to remove any documents?</p> <p>2 <b>A. No. No, no.</b></p> <p>3 Q. Would he have been able to remove things, remove things</p> <p>4 from evidence?</p> <p>5 <b>A. Absolutely not.</b></p> <p>6 Q. Would he have been able to tamper with the</p> <p>7 investigation?</p> <p>8 <b>A. Absolutely not. You know, he is not that type of man.</b></p> <p>9 <b>But let me make it clear, that if anybody had come to me</b></p> <p>10 <b>and tried to do that, they would have been shown the</b></p> <p>11 <b>door. I won't tell you what the second word would have</b></p> <p>12 <b>been, but they would have been shown the door. As</b></p> <p>13 <b>I say, Mr Horan is a man of integrity. Indeed, all the</b></p> <p>14 <b>officers that I worked with on that enquiry had the</b></p> <p>15 <b>highest integrity and a proven track record as well.</b></p> <p>16 Q. In fact, you say that you in fact spoke to -- following</p> <p>17 your conversation with Eric Kemp, you in fact asked</p> <p>18 Superintendent Horan to outline a full and frank</p> <p>19 statement of evidence as to what his dealings had been</p> <p>20 with Bishop Ball?</p> <p>21 <b>A. I did that through Mr Bennett.</b></p> <p>22 Q. Yes.</p> <p>23 <b>A. I explained the situation, that his name had been</b></p> <p>24 <b>mentioned, and I remember saying, "I want a frank --</b></p> <p>25 <b>a very frank statement from him" --</b></p> <p style="text-align: center;">Page 106</p>	<p>1 <b>A. Who is this?</b></p> <p>2 Q. Chief Constable Pacey.</p> <p>3 <b>A. No, and I didn't have any --</b></p> <p>4 Q. Did he sort of call you into his wood-panelled office</p> <p>5 and tell you --</p> <p>6 <b>A. No, no --</b></p> <p>7 Q. -- that in no uncertain terms --</p> <p>8 <b>A. I left that --</b></p> <p>9 Q. -- were you --</p> <p>10 <b>A. Mr Bennett can deal with that. No, the chief</b></p> <p>11 <b>constable -- I didn't have any dealings with the chief.</b></p> <p>12 <b>That was through Mr Bennett. But, no, I don't know the</b></p> <p>13 <b>reasons. I suspect they're probably operational.</b></p> <p>14 <b>I have to be careful, without sounding -- sometimes it's</b></p> <p>15 <b>a fact that chief constables are a little bit distant</b></p> <p>16 <b>and chief officers are distant from their knowledge of</b></p> <p>17 <b>investigations and, you know, the day-to-day arresting</b></p> <p>18 <b>of people, and whatever. So it didn't -- he wasn't</b></p> <p>19 <b>saying, "Don't do anything", he was merely saying,</b></p> <p>20 <b>"I don't want him arrested". I didn't agree with that.</b></p> <p>21 <b>There was no way -- I think, you know, the problem we</b></p> <p>22 <b>had in those days was, if you invited somebody into</b></p> <p>23 <b>a police station and you said to them -- and you wanted</b></p> <p>24 <b>to talk to them and you didn't arrest them, then you had</b></p> <p>25 <b>a situation where the first thing you had to tell them</b></p> <p style="text-align: center;">Page 108</p>

<p>1 was, "You don't have to stay here. You're free to go".</p> <p>2 So the dilemma you then had is, if they got up and</p> <p>3 walked out, you then had to arrest them, and then you</p> <p>4 start getting into -- so you had to come absolutely</p> <p>5 clean, straight there, arrest them, they get the</p> <p>6 protection, you can properly deal with it.</p> <p>7 So to me it was essential that the bishop should be</p> <p>8 arrested again and properly questioned about the further</p> <p>9 allegations that were being made. And Mr Bennett</p> <p>10 supported that and he made the representations, very</p> <p>11 strong representations, and in the end they agreed.</p> <p>12 Now, what I did -- the CPS also intervened and</p> <p>13 emphasised the fact, backing me up, that he should be</p> <p>14 arrested.</p> <p>15 Q. So he then was arrested, and this was on Sunday,</p> <p>16 10 January 1993, you contacted his solicitor and said he</p> <p>17 would need to be reinterviewed and probably be</p> <p>18 rearrested?</p> <p>19 A. Yes.</p> <p>20 Q. He asked you to interview certain people at that time.</p> <p>21 Was it usual for a defence solicitor to sit there and</p> <p>22 say, "Well, I want you to interview X and Y and Z", or</p> <p>23 was that him interfering in your investigation?</p> <p>24 A. No, right from the word go -- I always class myself as</p> <p>25 an investigator. Not a prosecutor; an investigator</p> <p style="text-align: center;">Page 109</p>	<p>1 There had been a meeting involving the two solicitors</p> <p>2 now who were representing the bishop, Mr Peak and</p> <p>3 Mr Read, and also a Queen's Counsel.</p> <p>4 Following that, it was a Sunday afternoon, I was off</p> <p>5 duty at home, and I received a pager message. That then</p> <p>6 causes me to ring police headquarters, who then passed</p> <p>7 on a message, could I urgently ring and speak to --</p> <p>8 I don't know whether it was Mr Read or Mr Peak. But</p> <p>9 they had obviously had their meeting, finished it. They</p> <p>10 actually wanted me to drop everything and go and meet</p> <p>11 them, but I -- I wasn't having that. I said, "Do it</p> <p>12 tomorrow morning".</p> <p>13 Q. So this is, chair and panel, just for your reference,</p> <p>14 paragraphs 202 onwards, is the meeting on 25 January.</p> <p>15 You then had a meeting at the Crest Hotel,</p> <p>16 Gloucester -- I don't know how august an establishment</p> <p>17 that is. Again, if I can just say, it seems a bit fishy</p> <p>18 that you're hanging around a hotel bar with the criminal</p> <p>19 defence solicitor and, as it turned out, Reverend Tyler,</p> <p>20 who was a sort of private investigator. It seems a bit</p> <p>21 fishy, if I can put it that way?</p> <p>22 A. Well, I'm glad -- I mean, I've had to read all this, and</p> <p>23 quite honestly -- look, we are not talking about</p> <p>24 a motel, you know, downtown, I don't know, Los Angeles.</p> <p>25 Q. I know. It is Gloucester.</p> <p style="text-align: center;">Page 111</p>
<p>1 seeking the truth.</p> <p>2 If I was in the situation where you'd got to talk to</p> <p>3 the defending solicitors, I would always say to them,</p> <p>4 "If you have anything at all that you feel would help</p> <p>5 your client, please give it to me and I will investigate</p> <p>6 it". As I say -- and that was the way I approached and</p> <p>7 spoke with Mr Peak. That's the way I dealt with lots of</p> <p>8 solicitors. Because the last thing in the world</p> <p>9 I wanted was anybody, you know, not to go down an avenue</p> <p>10 of investigation, I wanted to -- you know, to help the</p> <p>11 client. You don't want a miscarriage of justice. So</p> <p>12 that's the way I operated it. That built up quite</p> <p>13 a good rapport with the solicitors. But that's what</p> <p>14 I would have said, and that was the intention: give it</p> <p>15 to me and let me look at it and interview them.</p> <p>16 Q. Now, on that same note, on or around 20 -- no, it was</p> <p>17 24 January 1993. You were contacted at home on a Sunday</p> <p>18 and asked urgently to meet with Peter Ball's solicitors.</p> <p>19 Again, how usual was it for somebody to phone the police</p> <p>20 station who was a defence solicitor and ask to speak to</p> <p>21 you on a Sunday afternoon?</p> <p>22 A. They were phoning all the time, solicitors. The unusual</p> <p>23 part about it was -- and it fell into place -- the</p> <p>24 background to it was that Sunday afternoon there had</p> <p>25 been a meeting -- I didn't know this was going on.</p> <p style="text-align: center;">Page 110</p>	<p>1 A. I'm not talking about the solicitor for the Krays. The</p> <p>2 Crest Hotel -- it was a new establishment then, or</p> <p>3 fairly new. It was a nice hotel on the outskirts of</p> <p>4 Gloucester and it had conference facilities. I probably</p> <p>5 discussed, "Where are we going to meet?".</p> <p>6 Q. I think Reverend Tyler --</p> <p>7 A. It could have been the police station --</p> <p>8 Q. -- was staying at the hotel?</p> <p>9 A. -- it could have been their offices, I left the choice</p> <p>10 to them. Tyler was staying at this hotel. I don't know</p> <p>11 where Peak lives, I don't know where Read lives. They</p> <p>12 might have lived that side of Gloucester. But, yeah,</p> <p>13 I went to meet them. That's not unusual. I'm the</p> <p>14 senior investigating officer. I meet and deal with</p> <p>15 solicitors all the time. There is nothing improper</p> <p>16 about it.</p> <p>17 Again, I never made any attempt to hide the fact</p> <p>18 that that meeting had taken place. It was -- forget the</p> <p>19 hotel. Forget -- it was a meeting with the defence</p> <p>20 solicitors. They wanted to see me. What, do I turn</p> <p>21 around and say, "No, I'm not going to meet you"? You</p> <p>22 don't do that. You didn't do that in 1992 --</p> <p>23 Q. Now it would probably be seen to be inappropriate</p> <p>24 outside the confines --</p> <p>25 A. I'm not being funny, but in 1992, you have to</p> <p style="text-align: center;">Page 112</p>

1 understand -- I'm not going to go into it all -- the  
 2 background of the role of the police and detectives. We  
 3 were always, always dealing with solicitors. It was  
 4 common practice.  
 5 The fact that it was a hotel room, as I say --  
 6 I don't know what -- it's a hotel. As I say, does it  
 7 sound seedy? I mean, absolutely -- it was a place to  
 8 meet and it was convenient to the defence team. At the  
 9 end of the day, I'd go anywhere -- if they want  
 10 a meeting, that's it. Try and forget this hotel  
 11 business. It could have been the office, it could have  
 12 been anywhere. If they'd have suggested, "We will come  
 13 to the police station", fine, no problem, and, let me  
 14 make it quite clear that I took with me my detective  
 15 sergeant.  
 16 Now, I have seen some things that suggest that  
 17 I went there, and this and that -- I did not go on my  
 18 own. So I made sure that I had somebody with me.  
 19 MS SCOLDING: Chair and panel, I don't know whether this  
 20 would be a convenient moment to break for the lunch  
 21 adjournment.  
 22 THE CHAIR: Thank you, Ms Scolding. We will return at  
 23 2.00 pm.  
 24 MS SCOLDING: Thank you very much.  
 25 (12.57 pm)

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1 (The short adjournment)  
 2 (2.00 pm)  
 3 MS SCOLDING: So, Mr Murdock, we were at the Crest Hotel,  
 4 Gloucester. You have told us about how this is a usual  
 5 matter. But what the defence wanted to say to you is,  
 6 they basically put to you the possibility that if  
 7 Peter Ball resigned and that he would accept a caution,  
 8 that that was the best way to deal with it. That was,  
 9 in effect, what they were saying to you?  
 10 **A. It's probably correct, yes. That was their purpose for**  
 11 **the meeting. I realised that when I got there and**  
 12 **listened to what they said.**  
 13 Q. Was it necessary for them to have organised that meeting  
 14 in order to have told you that? Surely they just could  
 15 have written you a letter saying --  
 16 **A. They could have done. They could have done. But**  
 17 **they -- I think there was -- they were -- reading**  
 18 **between the lines, I think they wanted to get it through**  
 19 **because they probably thought I was getting to a point**  
 20 **where the report might be going in. I'm trying to read**  
 21 **between the lines there. But, yes, they could have**  
 22 **written a letter. They didn't. It came in the form of**  
 23 **this phone call, urgent -- they wanted to see me**  
 24 **urgently.**  
 25 Q. Were you surprised by the fact, because although in

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1 interview there had been admission of the fact that  
 2 there had been an ejaculation, there certainly hadn't  
 3 been an admission that that had been for any sort of  
 4 sexual purpose, and certainly there hadn't been a formal  
 5 admission of something which would amount to gross  
 6 indecency. That's right, isn't it?  
 7 **A. That's correct, yes.**  
 8 Q. Were you surprised by the fact that they approached you  
 9 saying he will accept a caution?  
 10 **A. Yes. Yes, I was.**  
 11 Q. Even though, in December, you had discussed with  
 12 John Yates the fact that a caution was a distinct way  
 13 forward?  
 14 **A. I don't know about "a distinct way forward". I would**  
 15 **have discussed with Mr Yates possibly -- I can't**  
 16 **remember, but a caution would have been one of**  
 17 **the options. I would have listed all the possible**  
 18 **options. But "a distinct", no, that's not correct.**  
 19 Q. You obviously --  
 20 **A. I hadn't even considered properly a caution at that**  
 21 **stage. The first -- to my recollection, the first was**  
 22 **this meeting. That was coming from the defence team.**  
 23 **We hadn't thought in those terms at all.**  
 24 Q. Brian Tyler was at that meeting, and he made a report of  
 25 that meeting. Danny, could I ask you to get that up:

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1 RTY000001\_173; right, "to arrange a meeting" and the  
 2 detective inspector investigating. This is taken from  
 3 Reverend Tyler's report. Reverend Tyler is still alive,  
 4 Mr Murdock, but he is too unwell to be interviewed by  
 5 us:  
 6 "Whilst Chris Read was out of the room, Mr Peak said  
 7 to Bishop Peter, 'If you now admit the offence of gross  
 8 indecency, I think you must submit your resignation  
 9 ...'. Peter replied, 'Does this mean I will be  
 10 defrocked?' We explained to him that if the police were  
 11 told he would resign, if cautioned, and agree to leave  
 12 the country, he could well visit the Sisters in France."  
 13 I'm assuming that's a religious organisation:  
 14 "It would get the press off our backs ...",  
 15 et cetera, et cetera. Could you go further down the  
 16 page, please, Danny:  
 17 "On Monday, 25 January ... I met Detective Inspector  
 18 Murdock ... at the hotel in which I was staying ... we  
 19 discussed the situation ... and the detective inspector  
 20 said if he had only realised that Peter would admit the  
 21 offence and agree to be cautioned, it would be a much  
 22 easier operation as far as he was concerned."  
 23 Can you remember saying something like that?  
 24 **A. Absolutely not. I mean, I don't quite know what he**  
 25 **would mean by that. It would still have required the**

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1 fullest of investigation to get to that point. This  
 2 doesn't make -- it's not logical. It doesn't make  
 3 sense.  
 4 Q. Why is it not logical?  
 5 A. Because you still have to investigate the offence.  
 6 I wouldn't -- I wasn't going to cut corners. I'd  
 7 already -- we had already gone a long way through --  
 8 it's not going to suddenly say, "Oh, great, thanks, I'm  
 9 going to stop now". That just does not make sense  
 10 coming from a former police officer as well.  
 11 Q. Could we go to the next page, please, Danny? He also  
 12 said:  
 13 "... [as] it was me who was carrying out the  
 14 investigation in Sussex he could have saved the County  
 15 of Gloucester a lot of money, by (with his tongue in his  
 16 cheek) allowing me to take statements for him. We had  
 17 a very friendly and helpful meeting and I formed the  
 18 definite conclusion that Detective Murdock, who knows  
 19 [Brother Ken, as we know] of the Glorious Ascension, and  
 20 who speaks very highly of the order, is endeavouring to  
 21 help as much as he can to avoid any unpleasantness in  
 22 this investigation."  
 23 Again, what's your view about that?  
 24 A. I'm just trying to go back to the -- there's a bit there  
 25 that I --

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1 Q. Danny, would you mind --  
 2 A. When you started, it's -- was it about --  
 3 Q. "... endeavouring ... to avoid any unpleasantness in  
 4 this investigation."  
 5 A. I get that. That's --  
 6 Q. It's the bit beforehand?  
 7 A. Yes, nobody wants any unpleasantness. But it was how it  
 8 started.  
 9 Q. About "carrying out the investigation in Sussex"?  
 10 I think Reverend Tyler had told you that he had gone and  
 11 interviewed a whole load of people?  
 12 A. Yes, he did.  
 13 Q. The implication of that is, you know, you saying to him,  
 14 albeit maybe slightly tongue in cheek, "Oh, well, that's  
 15 very good that you've done that"?  
 16 A. Just so I can be clear, could you go back to page --  
 17 Q. To the previous page.  
 18 A. Yes, he was carrying out --  
 19 Q. Danny, could you go to page 2?  
 20 A. Yes, "me who was carrying out the investigation in  
 21 Sussex".  
 22 Q. It starts from there:  
 23 "He was pleased to meet me, and volunteered that if  
 24 he had realised that it was me who was carrying out the  
 25 investigation ..."

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1 A. I would like to take issue on that.  
 2 Q. Yes.  
 3 A. There is a lot I would like to take issue with. I never  
 4 knew this man, I had never met him, I didn't know who  
 5 the heck Brian Tyler, until this meeting, was, but he's  
 6 clearly giving the impression that I knew him, that we'd  
 7 either come across each other or whatever, and that's  
 8 just simply not true. I had never met the man.  
 9 I didn't have a clue -- I mean, he claimed to be  
 10 a former police officer. I didn't even know when that  
 11 was.  
 12 I mean, I haven't had sight of this until fairly  
 13 recently. I had sight of another document that he'd  
 14 written, along similar lines, but it's little bits like  
 15 that that start to give me worry beads, because I don't  
 16 know the man. I didn't have a clue who he was. But,  
 17 "If he had [known] that it was me who was carrying out  
 18 the investigation". That, I would say, tends to suggest  
 19 that we'd come across each other in the past.  
 20 Q. Yes. This was all a sort of slapped back, "We are all  
 21 old coppers together", or whatever it was that would  
 22 have been the right thing?  
 23 A. Absolutely.  
 24 Q. "Therefore, you give a bit here, I give a bit there, and  
 25 we can sort it all out"?

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1 A. Let me clear that up. I don't know the man. I didn't  
 2 know him. As I say, he claimed to be -- I think it was  
 3 an ex-CID officer.  
 4 Q. A bit further down, it says:  
 5 "During the course of our talk, however, the DI  
 6 unofficially did say that we should not call the  
 7 Reverend Victor House ..."  
 8 About halfway down?  
 9 A. I do remember --  
 10 Q. I think you mean Vickery House:  
 11 "... as a character witness because his name had now  
 12 been implicated in the investigation."  
 13 A. Yes. I think he said he was going to do this, and  
 14 I said, well -- something along the lines of, "Well,  
 15 I wouldn't rely on him". So I did say that. I can  
 16 recall the name Vickery House being mentioned. Yes, it  
 17 is more than likely I did say something along those  
 18 lines. "Well, you know, I wouldn't call him if I were  
 19 you".  
 20 Q. Was that a proper thing for you to do?  
 21 A. Yes and no. I mean, it was -- you know, yeah, it was  
 22 just a remark. I didn't go into any details, great  
 23 details, at all. But he brought the subject up, that  
 24 name, and that was the reaction he got.  
 25 Q. He then says:

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1 "We talked of his situation and the DI did state he  
 2 was going to forward documentation to the Sussex CID on  
 3 F11 and the Reverend House. I persuaded him not to do  
 4 this, and I assured him that the Bishop of Chichester  
 5 would deal with this and that I would carry out the  
 6 investigation professionally and properly, and that  
 7 there was no need for the Sussex Police to be involved.  
 8 Detective Inspector Murdock agreed to this and said he  
 9 would give me copies of the statements when the  
 10 Peter Ball investigation was concluded."  
 11 **A. Rubbish. I will qualify it.**  
 12 Q. Did you give him copies of the statements?  
 13 **A. No, I didn't, and that's indicated and backed up by**  
 14 **a subsequent letter, I would suggest. What I could have**  
 15 **said and what I -- and what he's done, he's twisted**  
 16 **this. What I would have said more likely is, "When the**  
 17 **investigation is finished, you can apply for the**  
 18 **statements, and then it is a matter then whether or not**  
 19 **they can be released". But certainly -- I mean, don't**  
 20 **let's beat about the bush here: for me to have said**  
 21 **that, and I identify this, I will be knocking on the**  
 22 **door of perverting the course of justice, and I would**  
 23 **not do that.**  
 24 I have my views on all this, and I know -- but that  
 25 is a distortion. This is a guy who's making himself out

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1 to be -- to have done a wonderful job, and if I may be  
 2 allowed to say, and I'm putting my head on -- and I'm  
 3 looking at documents afterwards, I didn't have a clue  
 4 that this --  
 5 Q. You didn't see any of these documents --  
 6 **A. No, I didn't.**  
 7 Q. -- until we showed them to you?  
 8 **A. My reaction, to be quite honest with you, is one of**  
 9 **anger that this has been done. Now, this is a man who**  
 10 **within the documentation what he says is that he's**  
 11 **actually been going out -- it would appear he's acting**  
 12 **for -- well, I assumed he was acting for the defence at**  
 13 **the time of that meeting.**  
 14 Q. His position is somewhat ambiguous.  
 15 **A. Yes. Because in the next -- well, in the next breath**  
 16 **I think he's working for Mr Kemp -- Bishop Kemp. But**  
 17 **this is a man who, by the things he's said, would appear**  
 18 **he started off with a clear intention to get to**  
 19 **witnesses before me, the police, and, again, to dissuade**  
 20 **them from giving evidence, and I don't think there's any**  
 21 **nicer way of putting that.**  
 22 Now, what I then see developing is a switch,  
 23 following, perhaps, this meeting, there then is a switch  
 24 from trying to defend or trying to protect, if you like,  
 25 whatever word you want to use, the bishop, he's then

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1 switched to being the good guy who is now persuading me  
 2 to go with a caution, and this is a man, I would say,  
 3 who's been paid an awful lot of money by the church. To  
 4 say I was gobsmacked -- when I saw how much money --  
 5 £40 an hour, £6,000 -- now, I have to ask the question,  
 6 who was paying him that money? You know, there's lots  
 7 of questions that I would want to ask or, if he were  
 8 here, that I would be hoping that somebody would ask  
 9 him. But certainly I see this -- this is a part --  
 10 there's no way, no way, and I did not hold -- if I had  
 11 anything, I didn't hold it back, and it's not supported  
 12 by the fact that in July 1993 my diary indicates that  
 13 Eric Kemp wrote a letter to the then chief constable of  
 14 Sussex saying basically, "Where are these statements  
 15 relating to", I think House and another person, and that  
 16 then prompted a phone call from the staff officer and  
 17 chief constable, and then it then ended up with a senior  
 18 detective from that force coming in to Gloucestershire.  
 19 So if I'd have gone with that, if that's what he  
 20 was -- you have to remember that this document is  
 21 confidential. Like me, like me with my report, I'm sure  
 22 the expectation was that it would never get into the  
 23 public arena. I would just say this, if I may, without  
 24 going on too much, but all I would say, that his report  
 25 was sent to I think it was --

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1 Q. It was Eric Kemp?  
 2 **A. -- Eric Kemp, maybe the archbishop, I don't know. And**  
 3 **that was it. No more scrutiny until I'm sat here now**  
 4 **trying to defend my position based upon this.**  
 5 My report, which I believed to be equally  
 6 confidential, was subject to scrutiny by senior  
 7 officers, any one of them, by the CPS, by the DPP and,  
 8 if it got to it, potentially a court. So this man is --  
 9 what I believe he's been doing is embellishing some of  
 10 what took place, for his own -- well, for his own --  
 11 well, financial gain, I guess. He had to justify,  
 12 I believe -- he had to justify. You've got to look at  
 13 the documentation and the role that he played.  
 14 There's a report somewhere I saw where, to be  
 15 perfectly frank, he -- I can't believe the man has  
 16 actually written it. But this man, he went to see  
 17 a person, a witness, that -- that we, the police, had  
 18 apparently just been to see and had taken a statement  
 19 off, and he's actively trying to persuade this person to  
 20 change his statement, and there's almost a hint of the  
 21 threat and blackmail.  
 22 What I'm trying to say is, it's the same man who I'm  
 23 now looking at and having to defend my corner, and I'm  
 24 quite happy to do that, but it's giving a clear  
 25 impression that I was prepared to withhold evidence, and

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1 **that's absolute rubbish, and that's all I can say.**  
 2 Q. You made a note in your diary of this meeting, but you  
 3 didn't make a full note of the meeting?  
 4 **A. No, I mean, diaries, it's just an aide-memoire.**  
 5 **I actually probably was one of those who would write**  
 6 **more in my diary than many officers. But you didn't**  
 7 **have to write anything that you were doing. Many of**  
 8 **them would write "on duty", "off duty". I chose to use**  
 9 **the diary as an aide-memoire, and I did, I wrote a note**  
 10 **there. This meeting, I made it quite clear that I would**  
 11 **report back to the DPP the offer of the caution, and**  
 12 **I clearly made no promises.**  
 13 **I was not in a position, anyway, to actually deliver**  
 14 **what he is saying.**  
 15 Q. But what he says is that Peter Ball being cautioned "and  
 16 eventually Detective Inspector Murdock agreed to  
 17 recommend this as the first proposal in dealing with  
 18 this matter."  
 19 **A. Read my report, please. I know you have, but go back to**  
 20 **the recommendations. You will see in those**  
 21 **recommendations I have tried to cover everything.**  
 22 **I have set out all the charges in respect of everybody**  
 23 **we interviewed. My duty was to point out in that report**  
 24 **all the possible options. Obviously, the decision was**  
 25 **with the DPP. But that's what I did.**

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1 **But look at what I put about a caution. I mean --**  
 2 Q. We will come on to that in a minute.  
 3 **A. Okay. But I certainly did not recommend a caution --**  
 4 Q. Right.  
 5 **A. -- which flies in the face of what he is alleging in**  
 6 **that report.**  
 7 Q. If I can just -- Danny, would you mind getting up  
 8 CPS000792\_183. It is behind tab 16, chair and panel, of  
 9 the bundle. I think that's going to be in volume 2.  
 10 This is a letter from Madge Lloyd & Gibson, dated  
 11 9 February 1993, from Madge Lloyd & Gibson, who were  
 12 Peter Ball's criminal defence solicitors, to Mr Rhoda,  
 13 who was a member of the CPS team, a member of  
 14 the central CPS team:  
 15 "We understand from Gloucestershire Constabulary  
 16 that a file of papers in relation to certain allegations  
 17 have been passed to you. The purpose of this letter is  
 18 to draw your attention ... which may affect your  
 19 decision ... and in particular to urge you to authorise  
 20 a caution ... and to identify in any event."  
 21 But what -- "We understand", but what it says at the  
 22 bottom of 0185, please, the letter goes on to say  
 23 various things, make various representations. Were  
 24 these sorts of letters commonly written to the CPS?  
 25 **A. I believe so. It was open, really, to anybody to write**

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1 **to them. They were making representations on behalf of**  
 2 **their client.**  
 3 Q. Right at the bottom it says:  
 4 "We understand that the police have recommended  
 5 a caution. We believe that this would be the right  
 6 course of action in all the circumstances and would meet  
 7 the justice of the case."  
 8 So this letter was written, in fact, I think the  
 9 same day that you sent the file to the CPS, which was on  
 10 9 February 1993 --  
 11 **A. Yes.**  
 12 Q. -- but was, in fact, in advance of any decision being  
 13 made by the CPS. Does this not show that you had sort  
 14 of said to him, "Look, don't worry, we will just give  
 15 him a caution and it will all go away"?  
 16 **A. Not at all. It seems to me a bit of a follow-on from**  
 17 **Tyler. The report had gone in. As I say, examine. You**  
 18 **will see that there is no recommendation for a caution.**  
 19 **It's not logical. It's not -- it just does not make**  
 20 **sense. It's inaccurate. And the evidence is in my**  
 21 **report.**  
 22 Q. Obviously you said you weren't very happy about what  
 23 Reverend Tyler has written. Did you ever ask to see  
 24 Reverend Tyler's investigation notes? I mean, as  
 25 a result of your having met him and having --

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1 **A. No.**  
 2 Q. -- known, and him having said to you, "I have been going  
 3 around interviewing people" and in fact trying to  
 4 persuade them to change their evidence, you could have  
 5 done, couldn't you, you could have said --  
 6 **A. They wouldn't hand them over, in the same way we**  
 7 **wouldn't. I think what he did, he flipped the page, and**  
 8 **what I could see was the police caution witness**  
 9 **statement, you know, "This statement is made ...", so in**  
 10 **that sense I saw that, but, no. And, equally,**  
 11 **I wouldn't share any information with him.**  
 12 Q. Did you tell him to back off, though? I mean, you could  
 13 have said -- I mean, plainly, if he was investigating as  
 14 part and parcel of providing legal advice and legal --  
 15 that would have been subject to legal professional  
 16 privilege because it was in the context of a criminal  
 17 investigation, but you could have said to him, just as  
 18 he was attempting to, you know, strong arm you into  
 19 doing something, did you not attempt to say to him,  
 20 "Look, you really shouldn't be going around interviewing  
 21 people and, if you do, then I will take further action"?  
 22 **A. No. I didn't know whether it still applies today, but**  
 23 **there is no property in a witness.**  
 24 Q. No.  
 25 **A. Correct me if that --**

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1 Q. No, that is true.  
 2 **A. There is no property in a witness. Where the line gets**  
 3 **crossed, you can go and see somebody -- I mean, the**  
 4 **attitude would be, "Well, hang on, try and wait, you**  
 5 **know, let me go and see them", but there's no property.**  
 6 **But the line gets crossed if you go and see that person**  
 7 **and then you start to say, "Well, don't make**  
 8 **a statement", or, "Don't do this". But there's no**  
 9 **property in a witness.**  
 10 **But most people hang back and let the police see**  
 11 **them first and then they will follow up. I mean, again,**  
 12 **I would have gone to see these people if he'd**  
 13 **volunteered or the defence team had said, "I think you**  
 14 **ought to go and see this person", that's what would have**  
 15 **happened. But there's no property in a witness.**  
 16 Q. Can I also identify that at the end of the entire  
 17 process Reverend Tyler wrote you a letter. Danny,  
 18 RTY00001\_208. It is behind tab 4, chair and panel:  
 19 "Dear Wayne ..."  
 20 I mean, you're on first-name terms now:  
 21 "At long last, now the dust has settled, a letter in  
 22 utter confidence ... without the knowledge of  
 23 the diocese ... or Mr Peak to express our gratitude and  
 24 thanks ... I really appreciated your sympathetic  
 25 understanding in preventing a scandal with a trial which

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1 would have affected the Royal Family and establishment  
 2 in this crucial time of turmoil within the Church of  
 3 England."  
 4 Then he says:  
 5 "We both know if I had been wearing a helmet rather  
 6 than a biretta, he would have 'gone on the sheet' and  
 7 I would have gone down. It is very sad that after being  
 8 interviewed by me ... he then welched on his premises."  
 9 He says various things:  
 10 "... and I told you that Bishop Kemp would look into  
 11 this", et cetera, et cetera.  
 12 Then, in fact, he tells you of the death of  
 13 Brother Kenneth who died very shortly afterwards --  
 14 **A. I knew that anyway.**  
 15 Q. -- but you would have known that anyway. Then he talks  
 16 about somebody being up to his old tricks, A92, because  
 17 throughout this process it was being said that in effect  
 18 A92 put Neil Todd up to this. That was the line?  
 19 **A. He actually -- it is in my diary, I believe --**  
 20 Q. Well, he suggested that. He suggested you should --  
 21 **A. He phoned me and made suggestions that I should look at**  
 22 **it. There was a thing going on, a blackmail, he put**  
 23 **a lot of people up to -- this was the allegation he made**  
 24 **to me, that the 92 had been going around trying to stir**  
 25 **things up to get them to come to us and make complaints**

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1 **about the bishop.**  
 2 Q. The letter conveys a sort of matey camaraderie, would be  
 3 the way I would describe it?  
 4 **A. Yes. I mean, I'm --**  
 5 Q. Can you remember receiving this letter?  
 6 **A. I have no recollection of having received it. Bearing**  
 7 **in mind -- knowing what I now know, I didn't have a clue**  
 8 **that what he was writing in his reports and suggesting**  
 9 **happened, and I would have -- if I'd have received this**  
 10 **letter, I would have just looked at it and thought,**  
 11 **"What the heck is he on about?", and it wouldn't have**  
 12 **meant anything to me. Now, when I look at it, it starts**  
 13 **to fit in to what I would -- I would see, and it's me,**  
 14 **my opinion, as a pattern. This is a man who's trying to**  
 15 **justify what -- well, his money, if you like. "What**  
 16 **a great bloke I am. You know, I got on well with the**  
 17 **detective. You know, I persuaded him to caution", so**  
 18 **he's gone on the attack. There was a point when he must**  
 19 **have turned. I think that was when he realised,**  
 20 **perhaps, that we had interviewed a lot of people and we**  
 21 **were building up, you know, quite a file, if you like,**  
 22 **and I think he then switched, and that's when we -- you**  
 23 **had the meeting and you had the admissions from the**  
 24 **bishop.**  
 25 Q. But on the afternoon of the day that you had this

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1 meeting, Bishop Yates then phoned Gloucestershire Police  
 2 to say, "What's going on? We need to know what's  
 3 happening"?  
 4 **A. I don't know about that.**  
 5 Q. Okay. You then passed the information to the DPP. You  
 6 wrote a report. Chair and panel, you have in your  
 7 bundle, starting at tab 10, and it works all the way  
 8 through to halfway through volume 2, it's roughly  
 9 633 pages in length, so I'm not intending to take you  
 10 through all 633 pages.  
 11 But could you just identify, this would have been  
 12 standard practice for you to have written this kind of  
 13 report to the Crown Prosecution Service?  
 14 **A. For me, yes. The length of it, the -- the whole idea --**  
 15 **the way I look at it, it was -- that report, the**  
 16 **first part of it, is a one-stop shop, if you like. So**  
 17 **you didn't have to always relate back to the statements.**  
 18 **They could look at it, read it, and I would give views**  
 19 **on the witnesses, et cetera, et cetera, and, as an SIO,**  
 20 **at the end, I was entitled to give any views, opinions,**  
 21 **and then summarise what I believed the offences should**  
 22 **be.**  
 23 Q. Having --  
 24 **A. I would like to think it's thorough --**  
 25 Q. -- had to read all of it recently, it basically goes

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1 through every single person you interviewed, sets out  
 2 what it is they told you?  
 3 **A. Yes.**  
 4 Q. What your view was of the witness?  
 5 **A. Yes.**  
 6 Q. Whether you thought it was good or bad?  
 7 **A. Yes.**  
 8 Q. Now, right at the beginning -- Danny, would you mind  
 9 getting this up -- it sets out what alleged offences you  
 10 think -- I'm assuming it sets out the alleged offences  
 11 you think should go forward to charge, in effect?  
 12 **A. Yes.**  
 13 Q. This is OHY003487\_012-014. It is 12, 13, 14 and 15 of  
 14 those, behind tab 10. It's the first -- it's about half  
 15 a dozen pages in, chair and panel, behind tab 10. This  
 16 is the report for the information of the DPP that  
 17 Peter John Ball has been arrested. "Any charges to be  
 18 preferred will be as follows". This is 2(i). So you  
 19 recommended that there should be a charge  
 20 in September 1992 in respect of an act of gross  
 21 indecency -- Danny, could you go down to 2(i) and get  
 22 2(i) and 2(ii) up -- against Neil Todd. An offence --  
 23 both an offence of gross indecency and an offence of  
 24 indecent assault.  
 25 **A. Mmm.**

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1 Q. You also recommended that there should be similar  
 2 charges in respect of October. That's in 013. Danny,  
 3 it's (iii) and (iv). You can see the top half of that  
 4 page:  
 5 "You may also wish to consider [below] the  
 6 additional offences which have resulted from the police  
 7 investigation. It is appreciated that certain of these  
 8 offences may be subject to statutory time limits for  
 9 proceedings to be taken."  
 10 Just to be clear, offences of gross indecency had to  
 11 be prosecuted within 12 months of the act occurring, in  
 12 effect?  
 13 **A. I'm a little bit rusty on it now, but that's right.**  
 14 Q. That's what the law was --  
 15 **A. Yes.**  
 16 Q. -- at the time. So additional offences, you suggested  
 17 that there should be an act of gross indecency with  
 18 AN98. That's at the bottom, (v), in respect of 1987 and  
 19 1988. Then '87 and '88 also an offence under section 18  
 20 of the Offences against the Person Act. That's the top  
 21 of the next page, 014, against AN98. Now, that wouldn't  
 22 have been time barred, and --  
 23 **A. No.**  
 24 Q. -- a violent offence under section 18:  
 25 "On diverse days ... in 1991, an offence under

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1 section 47."  
 2 Section 18 is what's known as GBH. Section 47 is  
 3 what's known as ABH. GBH being a more serious offence  
 4 than ABH. And ABH against A117. Again, also an offence  
 5 of gross indecency.  
 6 Now, the reality was that the gross indecency  
 7 charges in respect of AN98 and A117 were never going to  
 8 be prosecuted because they both were time barred, in  
 9 effect.  
 10 **A. Yes.**  
 11 Q. But what you did recommend was both charges in respect  
 12 of gross indecency and indecent assault in respect of  
 13 Neil Todd and also sort of violent offences in respect  
 14 of AN98 and AN-A117. That's right, isn't it?  
 15 **A. Yes. I think -- when you say I'm recommending, I'm**  
 16 **asking the DPP to consider that there is evidence --**  
 17 Q. To support?  
 18 **A. -- to support these charges.**  
 19 Q. You're not really recommending them. You're saying the  
 20 material shows evidence which could be used --  
 21 **A. Yes, I believe, look in the file, you'll find this. So**  
 22 **I was asking or inviting the DPP, CPS, to consider these**  
 23 **charges, feeling that if they wanted to go ahead and**  
 24 **charge, there was potentially evidence to support them.**  
 25 Q. You don't mention there misconduct in public office.

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1 **A. No.**  
 2 Q. Now, it was something which was a criminal offence at  
 3 that time. Did it ever enter your mind to think about  
 4 misconduct in public office?  
 5 **A. No. I think, to get it right, misconduct in public**  
 6 **office was a common law --**  
 7 Q. Yes, it is a common law offence.  
 8 **A. Right. It wasn't on the radar in 1992. I believe it**  
 9 **had fallen into disrepute and it just --**  
 10 Q. Disrepute or disuse?  
 11 **A. Well, disuse, whatever. But nobody considered using it.**  
 12 **And I have since read that expectation, and it shouldn't**  
 13 **have been expected that it would have been charged.**  
 14 **But, no, it wasn't on the radar. I think what**  
 15 **happened, it came in around about 2011, and it was**  
 16 **brought in because, putting it bluntly, too many**  
 17 **particularly police officers were getting away without**  
 18 **being charged. So, therefore, some -- they revisited,**  
 19 **I guess, and that's when they came up with the**  
 20 **misconduct, which allowed, I believe, more evidence to**  
 21 **be included. But it was not on the radar. Had it been,**  
 22 **it would have been in my report, and the DPP would have**  
 23 **obviously considered it as well.**  
 24 Q. So you then went through in some detail and formed --  
 25 certainly the information that you provide, as I read it

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1 in respect of this report, is that you form a favourable  
 2 view of the complainant witnesses, saying they seem to  
 3 be intelligent --  
 4 **A. Yes.**  
 5 Q. -- they are fragile?  
 6 **A. Yes.**  
 7 Q. But, in effect, the impression I get is, you were  
 8 saying, "I believe them" --  
 9 **A. Yes.**  
 10 Q. -- or "I think that they would be reasonably -- they are  
 11 reasonably compelling"?  
 12 **A. Yes. I had no reason to doubt that what we were being**  
 13 **told was the truth. If you looked at it, there was**  
 14 **a pattern emerging, and it emerged very early on, of**  
 15 **the system that the bishop was adopting, and that was**  
 16 **a pattern throughout.**  
 17 **There was what was termed similar fact, potentially,**  
 18 **similar fact evidence.**  
 19 Q. If I could then turn you to your recommendations,  
 20 which -- well, you sort of start -- there is quite  
 21 a lengthy conclusion paragraph which really starts at  
 22 OHY0003480\_023. Chair and panel, it's behind tab 12, so  
 23 that's bundle number 2. Just for your reference, chair  
 24 and panel, it's 23 pages in. So it is a good chunk in  
 25 to tab 12 of volume 2.

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1 This is background information. So this -- Danny,  
 2 have we got that? It is really from this point onwards  
 3 to 039 we are going to need.  
 4 Just to identify, you say some background things  
 5 about media interests, saying, in effect, that  
 6 practically every day -- could we have 023 up to start,  
 7 please, Danny:  
 8 "This investigation has drawn immense media interest  
 9 and ... the national media have been telephoning either  
 10 the police or the local CPS offices asking for an update  
 11 on the bishop's story every day."  
 12 I'm assuming you are setting all this out because  
 13 you just want the CPS to know this is what's been going  
 14 on?  
 15 **A. Yes.**  
 16 Q. Secondly, if we go to 024, please, Danny, it says "The  
 17 church":  
 18 "In many respects, the church have displayed  
 19 a considerable amount of naivety over this case. In the  
 20 first instance ... they have failed to act  
 21 positively ... no action was taken ... there have  
 22 clearly been those people within the church, I would  
 23 estimate the majority, who would have liked these  
 24 allegations to have been dealt with solely by the  
 25 church. It is apparent to the investigating officers

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1 that some of these people have now been persuaded  
 2 otherwise. There is considerable doubt whether the  
 3 mechanism exists within the church to tackle this  
 4 particular problem. ... visited Lambeth Palace ...  
 5 fairly low key and private ... the only practicable way  
 6 is by way of criminal conviction ... naivety ..."  
 7 If one goes to 026:  
 8 "... has also been displayed in the manner in which  
 9 the church have dealt with the media."  
 10 At the bottom of 026 you go on to deal with the  
 11 victims, and you say:  
 12 "One disturbing feature of this case is that all of  
 13 the 'victims' have required some form of psychiatric  
 14 counselling ... have all required specialist help. The  
 15 witnesses ... have all demanded similar assistance."  
 16 At the top of 027:  
 17 "I would invite you to bear in mind when making your  
 18 decision the condition of these people and the effect  
 19 that the defendant has allegedly had on their lives.  
 20 These are people involved in this case who are saying  
 21 that Neil Todd should be publicly vindicated -- the fear  
 22 that exists is what will happen to him if this does not  
 23 materialise?  
 24 "Conversely, it is difficult to predict what effect  
 25 a trial and court appearance will have on him or the

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1 other victims."  
 2 That's something you dealt with earlier?  
 3 **A. That's correct, yes.**  
 4 Q. "Neil Todd has stated he is giving consideration to  
 5 contacting the media himself if his allegations are not  
 6 supported.  
 7 "Public support for the defendant."  
 8 Then it identifies the letters that we went through.  
 9 Then it is the defence and it says on 028 that you have  
 10 had a good working relationship with Mr Peak, following  
 11 up any line of enquiry. At an early stage, the  
 12 Reverend Tyler interviewing people, and you then  
 13 identify that you were sort of concerned about that.  
 14 That then -- you then deal in some detail at 031,  
 15 please, Danny, with the meeting at the Crest Hotel. So  
 16 you tell the CPS all about the fact that this happened.  
 17 On 030, chair and panel, you will see it says  
 18 "I attended a meeting at the Crest Hotel", et cetera,  
 19 et cetera.  
 20 It then says:  
 21 "The police investigation."  
 22 I wanted to ask you about this. 033:  
 23 "It would be proper to bring to your attention the  
 24 cost of this police investigation."  
 25 Is that something that the CPS need to know about?

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1 **A. Yes. It was standard. It was standard procedure then.**  
 2 **It was just to highlight how much the investigation had**  
 3 **cost. It was fairly standard.**  
 4 Q. Then at 034 through to 039, you set out your opinions  
 5 and recommendations. You say at 034:  
 6 "... meeting with witnesses and having seen first  
 7 hand their reactions, that the complaints are anything  
 8 other than genuine. The role played by the witness is  
 9 more likely to be one of support for Neil Todd. I would  
 10 invite you to look at the chronological sequence of  
 11 events."  
 12 Over to 035:  
 13 "Can all of them be lying? Indeed, many of them say  
 14 so. Have they all conspired together? Neil Todd ...  
 15 all young men of immense Christian beliefs."  
 16 Then if we go here, at 036:  
 17 "But what of the defendant himself?"  
 18 In effect saying, "I don't really believe  
 19 Peter Ball's defence", saying:  
 20 "In interview he spoke of there being an enormous  
 21 amount of fantasy in Neil Todd. The only possible  
 22 element of fantasy to be discovered is when Neil Todd on  
 23 one occasion went home to visit his parents. He was  
 24 wearing a monk's habit to which it will be claimed he  
 25 was not entitled. This is deemed a fantasy. It is the

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1 only one that has been discovered. I swear before God  
 2 I would not beat him'. What of the assertion by  
 3 Bishop Peter Ball that it was Neil Todd who desired to  
 4 be beaten. Where is the evidence to support this?"  
 5 All of this is very, it seems to me, sort of saying,  
 6 "We have got a compelling story, we have got cogent  
 7 material, we have got cogent evidence", and you say  
 8 halfway down 037:  
 9 "It is not without sadness, therefore, I would  
 10 invite you to consider that Bishop Peter Ball has been  
 11 less than truthful. I would ask you to consider that he  
 12 is a latent homosexual who stops short of acts such as  
 13 buggery. I would invite you to consider he is a man who  
 14 on his own admission finds it easy to ejaculate when in  
 15 the slightest physical contact with someone else.  
 16 Perhaps he is even able to ejaculate without this  
 17 context. Perhaps the defendant gains sexual  
 18 gratification from voyeurism. Naked flagellation."  
 19 Then it says:  
 20 "I would invite you to consider that the defendant  
 21 has been quite calculating in the manner in which he was  
 22 served his ends. He has hidden his sexual desires."  
 23 You then recommend at 038 that there is  
 24 a prima facie case to answer in respect of gross  
 25 indecency and that there is a prima facie case in

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1 respect of GBH and ABH, and you then go through the  
 2 various stages. This is at 039 through to 043.  
 3 You then set out the advantages and disadvantages of  
 4 those three matters.  
 5 Given that -- I mean, the conclusion -- one could  
 6 say, reading what I have just read out at some length,  
 7 for which I apologise, the inevitable conclusion is, he  
 8 should have been charged. So why on earth was he only  
 9 ever given a caution? Because what you are saying is,  
 10 Peter Ball is a liar, the other people are telling the  
 11 truth, there is strong prima facie evidence, you know,  
 12 these are serious offences?  
 13 **A. I was inviting the DPP to consider all these offences.**  
 14 **At the end of the day, the whole reason for putting that**  
 15 **report in was so that the DPP -- the CPS/DPP, they could**  
 16 **reach their decision, and that's a matter for them.**  
 17 **They then could look at the legal -- take legal**  
 18 **considerations, et cetera, but that was for them to**  
 19 **decide.**  
 20 Q. But you say in this part, at 039:  
 21 "If the defendant is charged, I believe that despite  
 22 the claims of his defending solicitors, he will plead  
 23 guilty."  
 24 So do you think that --  
 25 **A. I think -- I don't know. That was --**

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1 Q. That was --  
 2 **A. That was me trying to say, "Well, look, you could go**  
 3 **with this. You could call" -- really, you could call**  
 4 **the bluff and, you know, call his bluff and go with it,**  
 5 **and hopefully he would plead guilty. It happens a lot**  
 6 **of the time, people say they're not going to -- "I'm**  
 7 **going to plead not guilty", this and that, and then,**  
 8 **when it gets to the crunch time, they plead guilty.**  
 9 **I was saying there's evidence there to -- and**  
 10 **I think he might, he might, have -- he might have**  
 11 **pleaded guilty. So it was just trying to point out my**  
 12 **feelings, having met and dealt with him, that that was**  
 13 **a possibility, that --**  
 14 Q. But one of the disadvantages you give to charging is at  
 15 the top of 040, and this is something which Mr Porter,  
 16 who I understand, I have to correct, is not in fact the  
 17 chief constable, he is the detective chief  
 18 superintendent. He was apparently pleased to have been  
 19 promoted by myself, albeit mistakenly. He says that  
 20 these days this wouldn't be a relevant consideration  
 21 within his witness statement. But you say at the top of  
 22 040:  
 23 "... will have a devastating effect on the  
 24 church ..."  
 25 **A. Yes.**

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1 Q. The church doesn't really matter, does it, in this?  
 2 **A. What I was doing -- it is my role to point out what**  
 3 **I perceive could be any problems. The reason for me to**  
 4 **be so thorough is, I didn't want the CPS or the DPP to**  
 5 **turn around and say, "Ah, if we'd have known that, we**  
 6 **might have come up with a different decision", so my**  
 7 **role was to point out, quite properly, the advantages**  
 8 **and disadvantages. Then they'd got the full picture,**  
 9 **they can make an informed decision, and they can't come**  
 10 **back and say, "You didn't tell us that".**  
 11 Q. Yes.  
 12 **A. So that's the reason. Yes, that's the reason.**  
 13 Q. If I remember rightly, this was something that we sought  
 14 some clarification on within the context of the witness  
 15 statement, and you indicated that you kind of stuck by  
 16 your view that you felt that this was relevant. So the  
 17 answer --  
 18 **A. Oh, yes.**  
 19 Q. -- you have just given me -- the answer you gave in your  
 20 witness statement is at paragraph 265, if you want to  
 21 get it up. That's 048?  
 22 **A. Sorry, paragraph?**  
 23 Q. Paragraph 265. Page 48, Mr Murdock.  
 24 **A. Yes.**  
 25 Q. GSP000012\_048. Why was the effect on the church to be

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1 considered to be relevant to the public interest in  
 2 prosecution?  
 3 So you gave the examples that you have given. Now,  
 4 I think that might be relevant --  
 5 **A. I think you've got to -- Mr Porter is talking about now.**  
 6 Q. Yes.  
 7 **A. We are talking about 25 years ago. So I think you've**  
 8 **got to get out of this now things have moved on.**  
 9 **I agree. I agree with that. But it was relevant as an**  
 10 **SIO, it was relevant in 1992, and the church was viewed,**  
 11 **I would suggest, in a different light to perhaps it is**  
 12 **today. It was quite proper, and I accept what he's**  
 13 **trying to say, that nowadays probably you wouldn't care**  
 14 **about it. We've moved on. But then it was**  
 15 **a consideration.**  
 16 **The church -- I grew up -- I didn't have any special**  
 17 **background. I grew up council estate, good parents.**  
 18 **I was made to go to church. That was the way it was**  
 19 **when I was growing up. And the church was the rock, the**  
 20 **bed of society. It stood for good.**  
 21 **If you destroyed that, or got into it, you were**  
 22 **looking at the whole, as I say, the fabric of society.**  
 23 **So in 1992/93, it was relevant to consider what the**  
 24 **effect might have been. So I accept what Mr Porter says**  
 25 **about now, because we've moved on, and things like the**

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1 **public interest, everything's moved on. So I don't**  
 2 **think you can necessarily judge the two --**  
 3 Q. Can I just put this to you, in that there was a play by  
 4 David Hare, which was written in 1990, called  
 5 "Racing Demon" which was all about the state of  
 6 the church at that time and that dealt specifically with  
 7 the difficulties with gay ordination, problems with  
 8 evangelism, problems with the schisms in the church, the  
 9 fact that it was very politically unpopular and the fact  
 10 people were no longer attending it. So I think some  
 11 people may say that the high esteem you say the church  
 12 was held in the late '80s and '90s wasn't necessarily  
 13 reflective of society?  
 14 **A. That's one -- all I did -- we go back to the crux of it,**  
 15 **and this is my, if you like, defending it. The crux of**  
 16 **the matter is Mr Porter said, "I believe it shouldn't**  
 17 **have been in there", or something. Well, I'm sorry,**  
 18 **Mr Porter was a junior police officer, I think he'd not**  
 19 **long joined. I was an SIO and I was dealing with the**  
 20 **situation in that year, and I had every right, it was my**  
 21 **duty, to point out to the DPP exactly what might -- and**  
 22 **I say "might" -- have been the effect.**  
 23 **As an SIO, I was quite entitled to give that view**  
 24 **and opinion. That may have changed now, but that was in**  
 25 **1992, and that was my role as an SIO.**

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1 Q. You then attended a case conference with, I think, the  
 2 DPP herself --  
 3 **A. No, I didn't.**  
 4 Q. No, you didn't attend that case conference?  
 5 **A. I did. I can't remember the actual --**  
 6 Q. There is no note of -- well, there is no contemporaneous  
 7 minute of -- there is some contemporaneous minutes  
 8 within the CPS --  
 9 **A. The CPS would have --**  
 10 Q. But you didn't take any --  
 11 **A. I can't remember it. For example, Mr Rhoda was there.**  
 12 Q. Can you remember the DPP being there?  
 13 **A. She wasn't. She was in --**  
 14 Q. I think there was a dispute as to who was there and  
 15 whether she was on holiday?  
 16 **A. My diary set it out. She was in New Zealand. So**  
 17 **Mr Rhoda -- we delivered the file personally, drove up**  
 18 **sometime before, I think you quoted the date. Then we**  
 19 **went back to have a case conference. But the DPP wasn't**  
 20 **there. She was in New Zealand.**  
 21 Q. Right.  
 22 **A. That's coming from my diary.**  
 23 Q. Yes.  
 24 **A. So, yes, we did.**  
 25 Q. When you told Neil Todd -- and the decision at that

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1 meeting was that there should be an offer that if  
 2 a caution -- if an admission of guilt was -- if a formal  
 3 admission of guilt was made, then a caution should be  
 4 administered; is that right?  
 5 **A. The offer of a caution -- sorry, a resignation, came**  
 6 **from the defence team.**  
 7 Q. No, a caution. The resignation and the caution came  
 8 from the defence team, on your account?  
 9 **A. I see what you're saying. They brought it up at that**  
 10 **meeting and they said he would resign his position if he**  
 11 **was cautioned. So, effectively, put it -- we ran with**  
 12 **that. That was, if you like, their offer. Then that**  
 13 **became, I don't know, the benchmark or whatever. So**  
 14 **that was what he was saying. He was cautioned and**  
 15 **resigned.**  
 16 Q. Do you think that the administration of the caution was  
 17 therefore conditional upon his resignation?  
 18 **A. No, I wouldn't say that. Then again, I saw somewhere**  
 19 **where they were saying if he didn't resign -- no,**  
 20 **rather, if he didn't accept the caution, then they would**  
 21 **look at prosecution. I suppose it's how you look at it.**  
 22 **It came from the defence, and we ran with it. So, you**  
 23 **know, you're not going to say, "Well, don't resign".**  
 24 **The object was that, really, Neil Todd -- we are going**  
 25 **back to Neil Todd again. He wanted him to admit that**

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1 **he'd done wrong, resign his position and then kept away**  
 2 **from young people. But they volunteered it. That then**  
 3 **became, if you like, the condition that was set by the**  
 4 **defence.**  
 5 Q. How did Neil Todd react to the fact that a caution --  
 6 you telephoned him.  
 7 **A. Yes.**  
 8 Q. You say you telephoned him shortly after the caution was  
 9 administered -- shortly before the caution was  
 10 administered and suggested it. How did he react to  
 11 that?  
 12 **A. He was fine. It's in my diary.**  
 13 Q. Paragraph 273, chair and panel, if that helps, of  
 14 the witness statement?  
 15 **A. He was fine. I can deal with it, if you wish, what**  
 16 **happened after the caution.**  
 17 Q. What did happen after the caution then?  
 18 **A. I phoned him and explained what the decision was, and he**  
 19 **was --**  
 20 Q. You didn't speak to him beforehand, then? That wasn't  
 21 common practice in those days?  
 22 **A. It could have been, but it didn't happen. I phoned him**  
 23 **and explained it. I've got a feeling that somewhere**  
 24 **along the line it's -- I contacted to say what was**  
 25 **happening, and it was going to the DPP, but I then**

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1 **phoned and said, "This is the proposal", and he was**  
 2 **happy. He was content with that.**  
 3 Q. I've got a question that I need to ask you on behalf of  
 4 Switalskis, who are representing a group of victim  
 5 complainants and survivors. When you carried out your  
 6 investigation, why didn't you consider asking all  
 7 the Schemers, those who had been on The Scheme, to come  
 8 and give evidence to you? Because had you sought all  
 9 those out, you would have had a number more allegations?  
 10 **A. We did try to get to them. I think you will find in the**  
 11 **evidence we saw something like -- from memory, there**  
 12 **were about 15 people, Schemers, who actually spoke**  
 13 **nothing but good, very highly of the bishop, and then we**  
 14 **saw others. But we tried to get as many as we could.**  
 15 **Hopefully, the word had got around what was going on and**  
 16 **people would come to us.**  
 17 MS SCOLDING: Thank you very much. I have no further  
 18 questions. Chair and panel, do you have any questions  
 19 for this witness?  
 20 THE CHAIR: Mr Frank?  
 21 Questions by THE PANEL  
 22 MR FRANK: Just on that last point, if I may, in your  
 23 assessment -- we have looked at this document already,  
 24 which is where you are weighing up the pros and cons of  
 25 your recommendations to charge or not. When you look at

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1 the disadvantages of a charge, one of the things -- if  
 2 we can bring that up, it's OHY003480\_040. You looked at  
 3 it a moment ago, in fact, but one of the things you say  
 4 is:  
 5 "To charge and receive will probably have  
 6 a devastating effect on the church."  
 7 We saw that bit. Then if we look at the rest of it:  
 8 "There could also be a knock-on effect with all the  
 9 people who have passed through The Scheme and who have  
 10 believed that what they were doing had some spiritual  
 11 meaning."  
 12 Bearing in mind that, when you said that, had you  
 13 already contacted others -- you call them Schemers?  
 14 **A. I think from memory, 15 or whatever it was, people who**  
 15 **didn't want to make a complaint, they were happy with,**  
 16 **I guess, what had happened, but it was the effect of**  
 17 **those people then realising that maybe, to put it**  
 18 **colloquially, duped, they'd been duped by the bishop.**  
 19 **Yeah, what effect would that have, if you suddenly**  
 20 **realised that, you know, you'd been thinking all the**  
 21 **time that you were, I don't know, whatever, undressing**  
 22 **or doing whatever and it was part of the religious**  
 23 **process, and then you then find out that in fact there**  
 24 **were other motives for that, what effect would it have?**  
 25 **I really don't know.**

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1 MR FRANK: Thank you. That's all I ask.  
 2 THE CHAIR: Ms Sharpling?  
 3 MS SHARPLING: Thank you, Mr Murdock, just a question from  
 4 me, if I may. Did you think there was a reasonable  
 5 prospect of conviction for the charges that could have  
 6 been proceeded with, leaving aside the gross indecency?  
 7 **A. Well, it wasn't for me to decide. The CPS put up the**  
 8 **arguments. There were issues -- for example, I believe**  
 9 **consent was one of them, that in lots of the cases there**  
 10 **had been consent. But, then again, conversely, they**  
 11 **were stated cases at the time. So they weighed all that**  
 12 **up.**  
 13 In the end, the primary thing was the victims, and  
 14 Neil Todd in particular. I mean, this is a young man  
 15 who'd tried to commit suicide twice, and they were  
 16 genuine attempts. We interviewed the hospital staff and  
 17 everything. So we were concerned about his mental  
 18 state, and I have to say that -- and then -- well, now  
 19 we sadly know that Neil committed suicide.  
 20 I would say this, that once the DPP had decided  
 21 about the legal side of it and the fact that we weren't  
 22 going to charge the offences, it then came back to the  
 23 police, and the DPP gave the green light for the police  
 24 to administer a caution.  
 25 The reality of that was, once the DPP had

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1 effectively dismissed the criminal charges, it then fell  
 2 back for a caution. The fact of the matter is, the  
 3 police had two options: one was to caution; and the  
 4 other one was for the bishop to walk away. So that's  
 5 the reality. Once you accept the police were the ones  
 6 who cautioned, then there was only two options: caution  
 7 or let him walk. What's the best option?  
 8 MS SHARPLING: I'm going to press you a bit, if I may,  
 9 Mr Murdock.  
 10 **A. Yes.**  
 11 MS SHARPLING: It would be, of course, quite unusual in 1992  
 12 for reports to go to the DPP.  
 13 **A. Yes.**  
 14 MS SHARPLING: Because usually the police would charge,  
 15 themselves, and the CPS would then consider whether the  
 16 case would proceed.  
 17 **A. It was a hot potato.**  
 18 MS SHARPLING: I'm sure.  
 19 **A. It was a hot potato. It had to go. It was proper that**  
 20 **it went to the CPS.**  
 21 MS SHARPLING: I understand that. What --  
 22 **A. They then make the decision, the hot potato gets passed**  
 23 **up to the DPP. The process --**  
 24 MS SHARPLING: I'm sorry to interrupt, Mr Murdock. Let me  
 25 finish my question.

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1 **A. Yes.**  
 2 MS SHARPLING: What I'm asking is that, in your  
 3 circumstances, the police should be responsible for  
 4 charging, and I'm interested in your opinion --  
 5 **A. I see.**  
 6 MS SHARPLING: -- as to whether you would have charged  
 7 Bishop Ball had it not been referred to the DPP in the  
 8 way that it had? I appreciate it is hypothetical.  
 9 **A. It is hypothetical, and, again, you'd have to take in**  
 10 **the same factors. The overriding thing was -- in the**  
 11 **end, was the -- these people we have heard about, they**  
 12 **did not want to be complainants in the court. They were**  
 13 **prepared to help and support Neil Todd, but they didn't**  
 14 **want to be seen as complainants. So that was an issue.**  
 15 So to go back to your question, we would still, as  
 16 the police -- hypothetically, we would have to look at  
 17 that and see, are we going to -- you know, what's going  
 18 to happen with the charges? Then you go back to, well,  
 19 what's the effect going to be if it goes to court? So  
 20 you go back again.  
 21 So the police, in a way, would have had to have  
 22 adopted the position of the DPP, and the same rationale,  
 23 I guess, would have been considered. But technically,  
 24 the police could have charged, I accept that. But it  
 25 was only fit and proper that it should go to the CPS who

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1 have the -- you know, the legal background and knowledge  
 2 to make the decision, proper decision.  
 3 You know, I -- yes, I mean, that's really all I can  
 4 say to you on that.  
 5 MS SHARPLING: Thank you.  
 6 THE CHAIR: Sir Malcolm?  
 7 PROF SIR MALCOLM EVANS: Thank you. Forgive me for  
 8 returning once again to a question that was considered  
 9 in some detail a little earlier, but I'm still lacking  
 10 a little clarity on just one issue.  
 11 **A. Right.**  
 12 PROF SIR MALCOLM EVANS: This goes back to the question of  
 13 the letters that were not brought to your attention by  
 14 Lambeth Palace. Could you just at this point clarify  
 15 precisely which allegations they contained that you did  
 16 not know of at the time?  
 17 **A. I don't know. I haven't seen them. Well, I haven't --**  
 18 **I don't know. Sorry.**  
 19 PROF SIR MALCOLM EVANS: Okay. You clearly had seen some.  
 20 What happened in relation to the allegations contained  
 21 in those that you were aware of?  
 22 **A. That person at the time was a witness -- offered to be**  
 23 **a witness. They'd read -- one had read in the paper**  
 24 **about it and believed -- because the way the newspaper**  
 25 **article had been written suggested that Neil Todd might**

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1 have been lying, and this person, very -- I would say  
 2 bravely, came forward, made a statement about their  
 3 experiences with the bishop, but because of the very  
 4 intimate nature of what that person was saying, they  
 5 asked if it could be avoided that they went to court,  
 6 but if they had to, they would. But to -- well, the  
 7 embarrassment, they wished to avoid it.  
 8 So that person, that wasn't subject then to a charge  
 9 or a recommendation, but that person could have been  
 10 used, it was in the bundle, to be a supporting witness  
 11 to Neil Todd or any other charges that we -- well, the  
 12 DPP may have made.  
 13 PROF SIR MALCOLM EVANS: Thank you.  
 14 A. Does that help?  
 15 PROF SIR MALCOLM EVANS: Yes, thank you.  
 16 THE CHAIR: Thank you very much. Thank you, Mr Murdock.  
 17 MS SCOLDING: Chair and panel, I don't know whether it would  
 18 be proper to maybe have a short break at this time and  
 19 then come back when we will hear from DS Carwyn Hughes?  
 20 Thank you very much.  
 21 THE CHAIR: Thank you, Mr Murdock. We will return at 3.20.  
 22 (3.05 pm)  
 23 (A short break)  
 24 (3.21 pm)  
 25 MS McNEILL: Chair, we are now going to hear from Detective

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1 Superintendent Carwyn Hughes.  
 2 MR CARWYN HUGHES (affirmed)  
 3 Examination by MS McNEILL  
 4 MS McNEILL: Can I confirm, then, you are Detective  
 5 Superintendent Carwyn Hughes of Sussex Police?  
 6 A. That is correct.  
 7 Q. You have provided two witness statements to the inquiry.  
 8 Your first was dated 22 June 2018?  
 9 A. Correct.  
 10 Q. That runs to 58 pages. Its reference is OHY005027. You  
 11 provided a second statement, dated 19 July 2018, which  
 12 runs to two pages, and its reference is OHY005772. Can  
 13 I confirm -- did you have an opportunity to read both of  
 14 those statements to confirm they were true, to the best  
 15 of your knowledge and belief at the time?  
 16 A. I have, thank you.  
 17 Q. And are they still true, to the best of your knowledge  
 18 and belief?  
 19 A. Yes.  
 20 Q. Chair, can we have those statements uploaded onto the  
 21 website? For the avoidance of doubt, I don't propose to  
 22 take Detective Superintendent Hughes through his  
 23 statements in full, but to try to draw some of  
 24 the themes out from Operation Dunhill.  
 25 I am going to call you Mr Hughes, if that is okay --

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1 we have talked outside; "detective superintendent" is  
 2 a bit of a mouthful. Is that okay?  
 3 A. Of course it is.  
 4 Q. Is it right that you were the officer in charge of  
 5 the case of Operation Dunhill?  
 6 A. That is correct, from its outset to its conclusion.  
 7 Q. That was the investigation into the offending of  
 8 Peter Ball and Vickery House?  
 9 A. That's correct.  
 10 Q. How long did that investigation take in total?  
 11 A. It commenced six years to the day today, in fact. It  
 12 commenced on 25 July 2012 -- in doing so, I look at my  
 13 policy books that I heavily rely on -- through to when  
 14 Peter Ball pleaded guilty at the Old Bailey  
 15 in October 2015.  
 16 Q. Chair, I should say, for the avoidance of doubt,  
 17 Mr Hughes has with him his contemporaneous policy  
 18 notebooks. They have been provided to the inquiry and  
 19 they have been disclosed. He may well refer to them  
 20 throughout, but the relevant portions are in his witness  
 21 statement.  
 22 A. Thank you.  
 23 Q. Is it right that Operation Dunhill commenced in part, or  
 24 largely, as a result of information provided to  
 25 Sussex Police by Lambeth Palace?

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1 A. Very much so.  
 2 Q. Was that information relating to their own internal  
 3 reviews, which we will hear were conducted by  
 4 a Ms Kate Wood?  
 5 A. That is correct.  
 6 Q. When you set up the major investigation team for  
 7 Operation Dunhill, did that include any involvement by  
 8 the church?  
 9 A. Very much so. I believe that because Lambeth Palace,  
 10 via Kate Wood, had submitted those files to us, it made  
 11 sense to me, as SIO, senior investigating officer, to  
 12 this case to have Kate Wood on the team because I would  
 13 learn so quickly about how the church works, the  
 14 internal dynamics, the upper echelons, what that looked  
 15 like, who to speak to, how to go in their personnel  
 16 files, et cetera. To me, she was a stepping stone to  
 17 utilise to the benefit of the investigation. Otherwise,  
 18 it would have been operating in the dark somewhat about  
 19 church practices.  
 20 Q. Could we say she was essentially seconded to your team  
 21 during the investigation, albeit not full time?  
 22 A. I think that's a very good way of putting it.  
 23 Q. Was there also some close cooperation with the church in  
 24 other aspects of the investigation?  
 25 A. Yes, I would say there was also close cooperation with

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1 **Colin Perkins, who was the Chichester diocese**  
 2 **safeguarding officer, to make sure the current**  
 3 **safeguarding concerns were also being considered, and**  
 4 **obviously to glean any information that the Diocese of**  
 5 **Chichester may have as well.**  
 6 Q. At any stage, did you find any difficulties in the  
 7 cooperation you received from the church?  
 8 **A. No. I considered in terms of the -- both Lambeth Palace**  
 9 **and the Diocese of Chichester during the lifetime of**  
 10 **Operation Dunhill, I had full cooperation.**  
 11 Q. As part of your investigation, I understand that you  
 12 obtained information from the Gloucestershire Police  
 13 investigation in 1993?  
 14 **A. I did, but it took -- you have to remember, the lifetime**  
 15 **of this investigation is three years. At the outset of**  
 16 **Dunhill, I was under the impression that the caution**  
 17 **file did not exist. It was lost. Therefore, you know,**  
 18 **that information was not known to me for a long time.**  
 19 Q. Ultimately, you did manage to get a copy of the full  
 20 caution file from Gloucestershire?  
 21 **A. Yes, Wayne Murdock himself produced the file, in effect.**  
 22 Q. You also spoke with Northamptonshire Police and received  
 23 information about their investigation in 2008/2009?  
 24 **A. That is correct.**  
 25 Q. And information was received from Lambeth Palace and

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1 Chichester diocese directly, I understand?  
 2 **A. Yes, and we also made inquiries with other dioceses as**  
 3 **well.**  
 4 Q. What you say in your witness statement is that your  
 5 first and most important line of enquiry was to identify  
 6 potential complainants, victims and survivors of  
 7 Peter Ball. I want to ask you how you did so. Is it  
 8 right that you spoke to the individuals who had also  
 9 spoken to Gloucestershire Police in 1993?  
 10 **A. Once we'd established who they were, yes.**  
 11 Q. Is it right that at least one of the complainants who  
 12 had been considered by Gloucester in 1993 didn't  
 13 actually want to participate in Operation Dunhill?  
 14 **A. Yes.**  
 15 Q. An individual we know as AN-A98?  
 16 **A. That is correct.**  
 17 Q. Did they say why they didn't want to be part of  
 18 Operation Dunhill?  
 19 **A. I can't remember that now.**  
 20 Q. That's okay. Did you also obtain copies of the letters  
 21 that were sent to Lambeth Palace in 1992 and 1993?  
 22 **A. Yes, I knew about those letters right from the outset.**  
 23 Q. Did you make contact with the authors of those letters?  
 24 **A. Every single one.**  
 25 Q. Indeed, one of those was AN-A10, from whom we heard on

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1 Monday. Is it right that he ended up actually forming  
 2 part of the misconduct in a public office charge?  
 3 **A. That is correct. He did not feature in the 1993**  
 4 **investigation.**  
 5 Q. He hadn't featured in 1993. In terms of identifying  
 6 complainants, we heard that Mr Murdock was asked, "Did  
 7 you track down all of the former Schemers and speak to  
 8 them?"; was that something your team did?  
 9 **A. Very much so. That was the initial focus in the lines**  
 10 **of enquiry document that I have produced to the inquiry.**  
 11 **That featured heavily. That was the cohort of people**  
 12 **I considered to be the most vulnerable to abuse by**  
 13 **Peter Ball. Therefore, it was a natural initial**  
 14 **strategy to find out exactly who the Schemers and**  
 15 **approach them to find out if they had been abused.**  
 16 Q. Can we look at page 11 of your witness statement.  
 17 Danny, we don't necessarily need to bring it up just  
 18 yet. Chair, it is page 11, I'm looking at,  
 19 paragraph 3.12.  
 20 What you said is that you wanted to reach out and  
 21 protect complainants before the Ball brothers or their  
 22 supporters had the opportunity to do so, and you can't  
 23 want to run the risk of them unduly influencing  
 24 decisions or bringing pressure to bear within the  
 25 church. Why was that a risk you identified?

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1 **A. Because I was -- in these early days of**  
 2 **the investigation, I quickly came to understand that**  
 3 **Peter Ball had a swathe of supporters within the church,**  
 4 **also a swathe of people that opposed him within the**  
 5 **church. But it was a case of making sure that we got to**  
 6 **potential victims first to ensure they weren't unduly**  
 7 **influenced. It seemed a natural thing to do. I would**  
 8 **also say that Operation Dunhill started beyond my**  
 9 **control in the glare of publicity. The BBC were**  
 10 **reporting widely on the subject, even as the papers were**  
 11 **being handed over to the police. That was not initiated**  
 12 **by the police. Therefore, I had to -- because**  
 13 **Peter Ball would have been aware of that publicity,**  
 14 **I then had to make sure that we were expeditious in**  
 15 **getting to people quickly so that they weren't unduly**  
 16 **influenced.**  
 17 Q. Before I ask you about the press, out of fairness, was  
 18 there any evidence during your investigation that  
 19 anybody tried to unduly influence potential witnesses,  
 20 victims or survivors?  
 21 **A. No.**  
 22 Q. Staying with identifying potential victims, you  
 23 mentioned the press interest. Was one of the ways in  
 24 which complainants, victims and survivors were  
 25 identified in Dunhill actually through press publicity

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1 or the effect of the press publicity?  
 2 **A. There is no doubt about it that there was a variety of**  
 3 **bookmarks, I suppose, in the enquiry. As I stated,**  
 4 **Dunhill started beyond my control with BBC reporting on**  
 5 **the matter, and so, when I took receipt of the reports**  
 6 **from Lambeth Palace, actually, that publicity got good**  
 7 **corroboration from my perspective, because a victim**  
 8 **unknown to the church came forward straight away to me.**  
 9 **So I've instantly got corroboration that is not in the**  
 10 **public realm. That obviously for me is quite an**  
 11 **exciting line of enquiry because we have that instant**  
 12 **corroboration.**  
 13 **Then if you fast forward a few months, at the time**  
 14 **we arrested Peter Ball and Vickery House, that generated**  
 15 **further publicity, at which point seven new victims came**  
 16 **forward for Peter Ball and then fast forward again years**  
 17 **to the actual time that he pleaded guilty, upon**  
 18 **conviction and sentence, more publicity, another four**  
 19 **victims came forward. So it's -- in the life span of**  
 20 **the enquiry, you know, multiple people came forward.**  
 21 **Q. I will come back certainly to the last category. But**  
 22 **the thematic question, therefore, I have is, how did**  
 23 **Operation Dunhill balance the potential benefit of press**  
 24 **coverage, in encouraging potential victims to come**  
 25 **forward, with also managing it to make sure it didn't**

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1 damage the ongoing investigation or any trial?  
 2 **A. It's really interesting from my perspective as well,**  
 3 **because use of the media, obviously it had a lot of**  
 4 **attention outside of this public inquiry only last week.**  
 5 **Because it was beyond my control, I had to relax about**  
 6 **it. There was nothing I could do about it. It's also**  
 7 **in public knowledge that this enquiry is taking place.**  
 8 **So from my perspective as a senior investigating**  
 9 **officer, I think, well, how do I maximise the**  
 10 **opportunity out of this, and of course the opportunity**  
 11 **to bring victims forward to the investigation to**  
 12 **generate victims so that we could be -- rest assure**  
 13 **ourselves we made every effort in that regard, that**  
 14 **became really quite important and a very useful tool, in**  
 15 **all honesty.**  
 16 **Q. Whilst we are talking a little bit about the press**  
 17 **coverage and allied to that, we are aware that**  
 18 **in July 2012 Neil Todd tried to take his own life and**  
 19 **subsequently did die a month later, in August. At the**  
 20 **time of Neil Todd's death, what contact had**  
 21 **Operation Dunhill had with him?**  
 22 **A. Well, obviously, Neil Todd's death was very, very tragic**  
 23 **and almost set the tone for the beginning of**  
 24 **Operation Dunhill. It is also fair to say that**  
 25 **Neil Todd committed suicide, although he did not die for**

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1 **another month, he was in a medically-induced coma. He**  
 2 **committed suicide on 17 July. As I said, I commenced**  
 3 **Operation Dunhill officially on 25 July, so it was very**  
 4 **early days. The officer who had made contact with**  
 5 **Neil Todd via the church, I think it was one or two**  
 6 **conversations, possibly two conversations at most that**  
 7 **he had had, and obviously with the publicity that had**  
 8 **already been generated, I can only make the assumption**  
 9 **that it was too much for him and, sadly, he made that**  
 10 **decision.**  
 11 **Q. Did you or your force arrange any support for Neil?**  
 12 **A. I don't think we'd had time to really consider that. It**  
 13 **was initial contact with him before he made that tragic**  
 14 **decision for himself. So I can't say we'd put support**  
 15 **measures in place at that stage.**  
 16 **Q. Going forward, once the investigation was in full flow,**  
 17 **for want of a better word, and you did start tracking**  
 18 **down more and more complainants and victims, what**  
 19 **measures were put in place then to protect those**  
 20 **individuals or to give them support?**  
 21 **A. Well, we had a bespoke victim witness strategy. So**  
 22 **making sure -- as I put in my statement in relation to**  
 23 **that about, you know, what are we trying to achieve with**  
 24 **our victims in terms of (a) their testimony, (b) their**  
 25 **ongoing counselling, you know, and their access to those**

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1 **services to look after their long-term welfare. And**  
 2 **I like to think that, again, working with the**  
 3 **safeguarding team at Chichester diocese, we were very**  
 4 **successful in this regard in many ways. I'm**  
 5 **particularly proud of -- we got an independent sexual**  
 6 **violence adviser into that team, so that they were able**  
 7 **to give that counsel and advice and give -- you know,**  
 8 **put them on pathways to further counselling paid for by**  
 9 **the church.**  
 10 **Q. Her name was, at the time, Gemma Wordsworth?**  
 11 **A. That's correct.**  
 12 **Q. She was employed by the Diocese of Chichester but**  
 13 **I understand worked very closely with your team in**  
 14 **providing that support?**  
 15 **A. Very closely with the team. There has to be the**  
 16 **distinction: what is the police role; and then, what is**  
 17 **the support role? The police role was to be that**  
 18 **contact, to make sure that, victims and witnesses, not**  
 19 **only do we secure their testament, but they have**  
 20 **confidence in what we are doing. So they have always**  
 21 **got a point of contact within the investigation, but**  
 22 **also that wider counselling needs specialist support and**  
 23 **hence we facilitated that.**  
 24 **Q. I want to talk about the contact, if any, the**  
 25 **investigation had from other individuals. We heard from**

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1 Mr Murdock about 1993, there was sort of an avalanche of  
 2 letters coming in from individuals outside of  
 3 the investigation. Did you receive anything like that  
 4 volume of contact during your investigation?  
 5 **A. Nothing like that volume, no.**  
 6 Q. It is right, isn't it, you did receive letters from  
 7 Lord Lloyd of Berwick?  
 8 **A. That is correct.**  
 9 Q. Can you tell us, in what circumstances did he contact  
 10 Sussex Police and what was the tenor of his letters?  
 11 **A. He wrote Sussex Police asking about why we'd manhandled**  
 12 **Peter Ball on arrest, why we were investigating it in**  
 13 **the first place, I would suggest, and then somewhat**  
 14 **bizarrely to my mind, he wrote to us stating, "I have**  
 15 **heard the decision is that you are not going to**  
 16 **prosecute, so why is it taking so long? What are you**  
 17 **doing about it?", at which point I rang him to put him**  
 18 **right on the subject.**  
 19 Q. So he wrote on three occasions. He wrote as soon as  
 20 Peter Ball was arrested, or soon after, to complain  
 21 about the manner of his arrest; is that fair?  
 22 **A. Yes.**  
 23 Q. It was the response to say it was all handled correctly?  
 24 **A. Yes.**  
 25 Q. There was a further letter soon afterwards again about

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1 the manner of the arrest in particular and Peter Ball's  
 2 ill-health?  
 3 **A. That's correct.**  
 4 Q. And then there was a further letter from him a bit  
 5 further down the road asking for the progress, why it  
 6 was taking so long?  
 7 **A. Yes.**  
 8 Q. Did the contact you received from Lord Lloyd have any  
 9 effect on the investigation, as far as you're concerned?  
 10 **A. None whatsoever. None whatsoever.**  
 11 Q. What you have said, if you can look at paragraph 4.15 of  
 12 your witness statement, please. Danny, I think we are  
 13 going to bring this up. It is OHY005027\_015.  
 14 On 22 October 2010 -- I'm starting from  
 15 paragraph 4.15 -- you wrote a policy file, entry  
 16 number 60 about the Prince of Wales. First of all, what  
 17 is a policy file?  
 18 **A. These are my policy files. They, to me, are a big**  
 19 **diary, in effect. It records all decisions I make,**  
 20 **policy decisions, and also gives me an opportunity to**  
 21 **provide a rationale for why I've made that decision,**  
 22 **knowing an investigation like this, how complicated it**  
 23 **is, how big it is and how long it takes, so it also**  
 24 **refreshes your memory. So it is about making a decision**  
 25 **and justifying that decision and having a record of it.**

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1 Q. I'm not going to read it in full, but is the gist of  
 2 this policy entry that you are made aware that  
 3 Peter Ball had a friendship with Prince Charles and you  
 4 said that, whilst that may be interesting of itself,  
 5 "I don't think it is relevant to this investigation, and  
 6 I'm declaring that here and now"?  
 7 **A. Yes, but I would go slightly further than that. I would**  
 8 **say that is also about knowing there is a large amount**  
 9 **of correspondence between Prince Charles and Peter Ball**  
 10 **and therefore you've got to work out, well, a friendship**  
 11 **is fine, letters of friendship, that's fine, but**  
 12 **obviously if that crossed into potential evidence, ie,**  
 13 **disclosure of offences, then I would have to consider**  
 14 **that sort of thing.**  
 15 Q. In addition to your policy file, you kept a sensitive  
 16 policy file, didn't you?  
 17 **A. That's correct.**  
 18 Q. What's the sensitive policy file?  
 19 **A. The sensitive policy is that it's subject to different**  
 20 **disclosure in relation to making sure that -- I might**  
 21 **not want people within my own team to know that I'm**  
 22 **making certain decisions because it is sensitive, it may**  
 23 **involve police tactics or sensitivities around any issue**  
 24 **that I consider to be delicate.**  
 25 **Still subject to disclosure rules in criminal**

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1 **proceedings, and -- but it's fair to say that you**  
 2 **probably take extra care to those issues that you**  
 3 **consider to be particularly sensitive at any one time.**  
 4 Q. Can we turn to page 16 of the witness statement. You  
 5 made an entry dated 13 April 2013, again about the  
 6 Prince of Wales. What this says -- if we can do  
 7 everything down to paragraph 4.18, please, Danny, zoomed  
 8 out. Again, I won't read it in full, but in essence,  
 9 somebody, a staff officer to Prince Charles, contacted  
 10 your chief constable, I understand --  
 11 **A. That's correct.**  
 12 Q. -- to ask during the course of this investigation, they  
 13 believed from Michael Ball, that you might have  
 14 collected some information which would be embarrassing,  
 15 or was potentially embarrassing, to Prince Charles and  
 16 they wanted to check whether that was true or not?  
 17 **A. That's correct.**  
 18 Q. You recorded and said, "I will have a look". Is that  
 19 fair?  
 20 **A. That is fair.**  
 21 Q. What you say is:  
 22 "For the record, as SIO to this investigation,  
 23 I have felt no pressure whatsoever as to my conduct or  
 24 the conduct of my team being influenced to make any  
 25 decision that could be considered less than of

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1 the highest ethical standards. For the record, nothing  
 2 in my conversations with the chief constable changes  
 3 that view ..."  
 4 Did you then go off and check whether you had any  
 5 material that might be embarrassing?  
 6 **A. Yes.**  
 7 Q. You did. Was there any?  
 8 **A. No.**  
 9 Q. My question is about this contact, was this a rather  
 10 unusual contact to receive?  
 11 **A. Highly unusual. This is the Prince of Wales.**  
 12 Q. Well, not just that. If it wasn't the Prince of Wales,  
 13 what would the response have been if just an individual  
 14 off the street had contacted the chief constable and  
 15 said, "I understand that you are investigating somebody  
 16 I know. Do you have any material in your possession  
 17 that might be embarrassing to me?". What would the  
 18 answer have been if it was just a normal individual off  
 19 the street?  
 20 **A. I can see where you're going, but for me this is**  
 21 **a question of relevance. If I had material within**  
 22 **Operation Dunhill that was relevant to the**  
 23 **investigation, then Prince Charles potentially becomes**  
 24 **a witness to this, so the man on the street, if there**  
 25 **was evidence within the investigation that was relevant**

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1 to that person on the street, they would also be  
 2 a potential witness. So what I'm saying is, because  
 3 it's embarrassing -- it might be embarrassing on  
 4 a personal level. That's got nothing to do with  
 5 Operation Dunhill. If it is material relevant to  
 6 Operation Dunhill, highly relevant, that person becomes  
 7 a witness.  
 8 Q. What you are saying is, this triggered for you to go and  
 9 check that you hadn't missed a line of enquiry?  
 10 **A. Yes, in effect.**  
 11 Q. My question is, if there was material relevant to an  
 12 ongoing investigation or even in possession of an  
 13 ongoing investigation, would that have been provided to  
 14 or disclosed to the Prince of Wales whilst that  
 15 investigation was ongoing?  
 16 **A. I may well have disclosed it -- this is hypothetical --**  
 17 **but I would certainly have kept it if it was material**  
 18 **relevant to Operation Dunhill.**  
 19 Q. So he might have been informed, "We have some  
 20 information about you"?  
 21 **A. Yes.**  
 22 Q. Again, if it had not been the Prince of Wales, if it had  
 23 just been the man on the street, would the same have  
 24 happened? Would you have said, "We do have some  
 25 information about you"?"

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1 **A. I would say, yes, because they potentially become**  
 2 **a witness to the investigation.**  
 3 Q. We should ask, out of completeness, was your  
 4 investigation in any way influenced by the fact that you  
 5 knew that Peter Ball was friendly with or at least had  
 6 a relationship of some kind with the Prince of Wales?  
 7 **A. Not influenced at all. But what I would say is that**  
 8 **that first policy entry you made, the nonsensitive one,**  
 9 **that was very important to me and my team. The same**  
 10 **also with a similar policy entry around the Archbishop**  
 11 **of Canterbury. You know, it was declaring overtly in**  
 12 **our investigation that these people exist, that they**  
 13 **are -- this is about the establishment. They exist.**  
 14 **But it doesn't change the very fact that what we are**  
 15 **trying to do is secure testimony regarding abuse of**  
 16 **victims.**  
 17 Q. We can take that down now, thanks, Danny.  
 18 I want to look at the work you did looking into  
 19 Gloucestershire Police. I want to say at the outset, it  
 20 wasn't your job to rerun the Gloucestershire  
 21 investigation, was it?  
 22 **A. No.**  
 23 Q. Nor did your investigation conduct an enquiry into  
 24 whether or not Gloucestershire Police had done things  
 25 correctly?

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1 **A. No. I had liaison with the Professional Standards**  
 2 **Department in Gloucester and I consider they felt if**  
 3 **there was anything that was inappropriate, that was down**  
 4 **to them. It is also fair to say that obviously on**  
 5 **commencement of Operation Dunhill, there is no caution**  
 6 **file, the Brian Tyler report suggests meetings in**  
 7 **hotels, et cetera, so I was quite wary of**  
 8 **the Gloucestershire investigation, it is fair to say.**  
 9 Q. What you said in your statement was you started with  
 10 some mistrust of DI Murdock and some misgivings about  
 11 the investigation?  
 12 **A. That's correct.**  
 13 Q. Was that as a result of -- you had the Brian Tyler  
 14 material but you didn't have the Gloucestershire side of  
 15 the story, as it were?  
 16 **A. That's correct. I had one side of the story at**  
 17 **commencement of Operation Dunhill.**  
 18 Q. What you said in your witness statement is ultimately  
 19 you concluded that you were not concerned about  
 20 DI Murdock. You thought he'd made some brave decisions?  
 21 **A. Yes. To repeat, you know, it wasn't a reinvestigation**  
 22 **of what Gloucester had done, but in terms of the way**  
 23 **they had unearthed a significant amount of victims, the**  
 24 **efforts they'd made, the size of the report to the Crown**  
 25 **Prosecution Service, the DPP at the time. My initial**

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1 **concerns regarding that investigation disappeared.**  
 2 Q. I want to ask you a little bit about Brian Tyler. This  
 3 is at paragraph 7.5 of your witness statement. Chair,  
 4 that's page 22 of the witness statement.  
 5 Not you personally, I assume, but a member of your  
 6 team went to speak with Brian Tyler?  
 7 **A. That's correct.**  
 8 Q. What was the purpose of the meeting?  
 9 **A. Well, obviously his reports were mentioned in**  
 10 **Kate Wood's initial reports that commenced**  
 11 **Operation Dunhill. He obviously had a relationship of**  
 12 **sorts with Peter Ball. I did not have the caution file**  
 13 **in Gloucester, so by going to see him, he could**  
 14 **illuminate exactly what we were dealing with and**  
 15 **possibly give us some testimony as to what Peter Ball**  
 16 **had said himself.**  
 17 Q. What you say in your statement is that, having taken  
 18 a statement from him, you thought that his account was  
 19 unconvincing?  
 20 **A. That's correct.**  
 21 Q. And you said that his testimony was always going to be  
 22 treated with due caution, even if he hadn't been unwell.  
 23 As we know, he is too unwell to come and give us  
 24 evidence.  
 25 **A. That's correct.**

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1 Q. Why did you find him to be unconvincing, having spoken  
 2 to him and looked at his file?  
 3 **A. I had concerns that here was an ex-police officer, an**  
 4 **ex-vicar, a private investigator, he's in the middle of**  
 5 **all these negotiations in relation to a caution or not**  
 6 **in 1993, and I suppose it's fair to say that I was very**  
 7 **wary of any testimony he may give in relation to that.**  
 8 **That's not to say that he would not provide useful**  
 9 **information or intelligence in any statement to us and**  
 10 **give us some head starts on some subjects, but I was**  
 11 **always going to be wary of his testimony.**  
 12 Q. Certainly in the initial stages of your investigation,  
 13 was it a feature that it was hard to determine what  
 14 exactly Peter Ball had been cautioned for in 1993, the  
 15 circumstances of the caution?  
 16 **A. We'd been told in a variety of reports what had**  
 17 **happened, but, yeah, I had nothing on a concrete**  
 18 **evidence basis that a caution file would have provided.**  
 19 **No, so I would consider it was anecdotal as opposed to**  
 20 **evidential.**  
 21 Q. Even once you received the caution file, is it right  
 22 that there was never a record created that said,  
 23 "Peter Ball is cautioned for one count of gross  
 24 indecency, the circumstances or brief facts of which  
 25 are ..."? There was no document to that effect?

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1 **A. No, it is not clear to me even today exactly how that**  
 2 **caution was administered.**  
 3 Q. You weren't actually a police officer in the UK in 1993,  
 4 so I'm not going you for your opinion on 1993. But what  
 5 the panel might be interested to know is, what would  
 6 happen now if somebody were to receive a caution? Might  
 7 we still be in the same difficulty?  
 8 **A. Yes. I mean, I can only talk for Sussex and**  
 9 **Surrey Police here. I can't talk nationally. But**  
 10 **standards are considerably higher. I'm just referring**  
 11 **to my own notebook on this subject.**  
 12 A caution in today's standards, we have to make sure  
 13 that we consider this will prevent the person who gets  
 14 the caution from committing further offences, we have to  
 15 consider it is appropriate to the circumstances, we have  
 16 to check that there is a clear and reliable admission in  
 17 a Police and Criminal Evidence Act interview, we have to  
 18 think there's a realistic prospect of conviction should  
 19 the matter have gone to trial, we should make a public  
 20 interest consideration, the suspect has to sign a form  
 21 admitting the circumstances and the offence in question.  
 22 And they also sign a further form in which it says --  
 23 explains to them the implications of what it means in  
 24 their life by accepting the caution. So standards are  
 25 considerably higher.

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1 Q. You say there's got to be admission in a police  
 2 interview. Again, I'm not asking you to comment on what  
 3 did or didn't happen in '93, but to know what would  
 4 happen now. If an individual didn't make admissions in  
 5 an interview now and their representative said, "But  
 6 he'd like a caution", how would you go about getting the  
 7 admissions necessary?  
 8 **A. I'd say, "That's fine, but in that case, we will have**  
 9 **another interview to make sure we do get a clear and**  
 10 **explicit admission".**  
 11 Q. In a caution file now, would you expect -- you said  
 12 there's a form signed. Would you expect the form to  
 13 clearly mark, "This individual has accepted a caution  
 14 for ... the facts of which ..." and a brief summary of  
 15 the facts?  
 16 **A. Very much so.**  
 17 Q. I'm going to move on to talk about Peter Ball's  
 18 interview. Is it right that Peter Ball was never  
 19 formally arrested or interviewed under caution?  
 20 **A. Yes. Yes, and I can say that because I personally was**  
 21 **there at the time of his arrest. It was my decision**  
 22 **to -- well, I was not the arresting officer, I asked**  
 23 **a colleague of mine to be the arresting officer, but**  
 24 **I was in the car journey going to the custody block when**  
 25 **I felt that he turned unwell, and therefore I turned the**

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1 car around and took him back home.  
 2 Q. So this was in November 2012. You went to go and arrest  
 3 Peter Ball. He was very unwell, so he wasn't taken to  
 4 the police station.  
 5 **A. He was extremely frail, extremely old. That was clear**  
 6 **even before we turned up that day. But I arranged for**  
 7 **him to go to the local custody -- station to be**  
 8 **interviewed there, as opposed to bringing him back to**  
 9 **Sussex, again, out of respect for his frailty, really,**  
 10 **as opposed to -- relieve him of a long, strenuous and**  
 11 **stressful car journey. But, yes, in effect, in that**  
 12 **journey -- well, it is going into real detail. His left**  
 13 **arm --**  
 14 Q. We don't need to hear about his health concerns. I can  
 15 summarise, the long and short of it was that Peter Ball  
 16 wasn't well, he was returned to his home and  
 17 between November 2012 to about March 2013, there was  
 18 a lot of to and fro about how well he was and whether he  
 19 would be well enough to be interviewed?  
 20 **A. Yes, there was a real consideration he may never be fit**  
 21 **to be interviewed, yes.**  
 22 Q. What you ultimately decided to do was sort of interview  
 23 him on paper, for want of a better word. You put some  
 24 questions and his solicitors provided a written  
 25 statement?

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1 **A. Yes, that was in negotiation with his solicitor's**  
 2 **company, yes. But to me, getting an account was better**  
 3 **than no account at all.**  
 4 Q. In Peter Ball's written statement, what were the key  
 5 issues raised in response to the disclosure he had  
 6 received from you at that point?  
 7 **A. Again, so the context of this is, I'm not in possession**  
 8 **of the Gloucester caution file. So the key**  
 9 **considerations were that all offences considered in 1993**  
 10 **had been involved in the decision to caution him, and**  
 11 **that all future offences were also embroiled within the**  
 12 **caution, ie, some form of immunity from prosecution.**  
 13 Q. We are going to come back to that issue in a minute.  
 14 I want to move to talk about the CPS. Is it right that  
 15 you engaged with the CPS at quite an early stage, so  
 16 even before you formally referred it for some advice?  
 17 **A. Yes.**  
 18 Q. We see from the papers that it was formally referred to  
 19 the CPS for advice in January 2013?  
 20 **A. Correct.**  
 21 Q. At that point, had the police conducted the bulk of  
 22 their investigations, the evidence-gathering part?  
 23 **A. Yes.**  
 24 Q. Although, to be fair, there were a couple of new  
 25 complainants came forward after that?

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1 **A. Yes, there was a trickle of complainants throughout the**  
 2 **lifetime of the investigation.**  
 3 Q. We are going to hear from Mr McGill for the CPS tomorrow  
 4 about what was happening on their side of things once  
 5 the case file had been referred to them. But from your  
 6 point of view, I would like to talk about what happened  
 7 after the case file went to the CPS. Can we take up  
 8 your statement, please, at page 30; OHY005027\_030.  
 9 Right at the top, 25 January, "Commenced  
 10 communication and legal advice from the Crown  
 11 Prosecution Service."  
 12 There are some entries thereafter telling us about  
 13 additional investigations that carried out. Over the  
 14 page, Danny, if we can, you have a meeting on  
 15 18 June 2013.  
 16 **A. Correct.**  
 17 Q. It is made clear at that point -- "Simon made it clear  
 18 that this case was subject to intense scrutiny within  
 19 the CPS". Down at the bottom:  
 20 "During that meeting, Simon Drew was in possession  
 21 of a file retrieved internally to the CPS that related  
 22 to the 1992/93 investigation. Slightly odd that Simon  
 23 acknowledges ..."  
 24 Essentially they had a 1992/93 file in their  
 25 possession but it wasn't shared with the police?

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1 **A. Yes.**  
 2 Q. You thought that was something which was unusual for  
 3 you?  
 4 **A. Yes.**  
 5 Q. Did you ask for a copy of it?  
 6 **A. I did.**  
 7 Q. Then we were told, on 18 July 2013, at the bottom, that  
 8 it had moved to the principal legal adviser?  
 9 **A. Correct.**  
 10 Q. If I can skip, please, to the bottom of page 32, can we  
 11 look at 9.20. This is your policy entry on 14 October.  
 12 So bearing in mind it's been with the CPS now for nine  
 13 months or so:  
 14 "As of today, I am still awaiting a reply from CPS.  
 15 It is now apparent that victims and their families are  
 16 worried about what is going on in the background.  
 17 Personally I have had a difficult conversation with the  
 18 father of Neil Todd who believes some sort of conspiracy  
 19 is taking place as to the delay in advice coming  
 20 forward. Not for one moment do I think this is the  
 21 case, but whilst the legal situation is complicated, the  
 22 return of the advice is taking too long. Simon Drew has  
 23 passed the advice to the principal legal adviser, but if  
 24 I hear nothing from a chasing email today then I will  
 25 invoke the escalation procedure."

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1           Actually, you did ultimately escalate it, didn't  
 2           you, and there was a letter written?  
 3           **A. Yes, and my Deputy Chief Constable Giles York wrote**  
 4           **a letter to Keir Starmer.**  
 5           Q. Then we have a meeting on 21 November between yourself  
 6           and the CPS, which again I will come back to in  
 7           a moment. Over the page, to 9 January, please, Danny,  
 8           page 34, this is another note where you are saying you  
 9           are concerned about the length of time this is taking.  
 10          What you say:  
 11          "Gold -- Nev Kemp -- updated in this regard. Due to  
 12          timeframes involved ..."  
 13          Skip down:  
 14          "As a note, I must be prepared to face significant  
 15          criticism should Peter Ball die before a decision is  
 16          reached and I am concerned about maintaining the trust  
 17          and confidence of victims and their families. There is  
 18          talk from the meeting that people believe there is a CPS  
 19          delay in decision making in order to allow Peter Ball to  
 20          die without facing justice. This is not true of course  
 21          but is an issue that must be confronted and needs to be  
 22          noted here. It remains fair, however, to state that  
 23          I have not been provided with the contents of the file  
 24          from the 1993 decision ..."  
 25          What we know is that, ultimately, a decision is made

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1           in March, and the CPS will tell us the reason for the  
 2           delay in between, but what I want to ask you is, what  
 3           effect did that delay have on your ability to maintain  
 4           the confidence of victims and survivors?  
 5           **A. It was very, very difficult. I'm not saying all of our**  
 6           **victims, and when I say "all our victims", I consider it**  
 7           **to be 19 people that we had to manage along with other**  
 8           **witnesses. But there was a growing concern that we, the**  
 9           **police, were involved in some sort of conspiracy to**  
 10          **evade Peter Ball being brought to justice. The CPS were**  
 11          **involved, and it was -- as time went past, that was an**  
 12          **increasing concern, you know, and I don't know who, if**  
 13          **anybody, was instigating this, but there was certainly**  
 14          **a growing opinion that there was some sort of**  
 15          **establishment coverup.**  
 16          Q. What I want you to have a look at for me is tab 6 of  
 17          your bundle. Danny, CPS001622. We will start at  
 18          page 2. We have an email here from Operation Dunhill to  
 19          AN-A99, who was one of your complainants.  
 20          **A. Yes.**  
 21          Q. We can see that it is essentially an update.  
 22          Vickery House has been charged but there are still  
 23          ongoing legal issues in relation to Peter Ball?  
 24          **A. Yes.**  
 25          Q. Danny, can we go back to page 1 of that document. Zoom

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1           in, please, just at the bottom. We have got here an  
 2           email from one of your complainants, AN-A99:  
 3           "Jane, I send this email to inform you that I will  
 4           not be appearing in court.  
 5           "It is clear to me that the CPS are dragging their  
 6           feet because of Ball's connections and his former  
 7           status, although you can dress it up as legal  
 8           complications. I suspect he will be let off again.  
 9           I have once before stuck my neck above the parapet and  
 10          writing my statement for you took some courage since  
 11          I am aware that it has already damaged me.  
 12          "This has gone on too long. It has put enormous  
 13          strain on me and it is not fair. My current  
 14          circumstances mean I am withdrawing."  
 15          Then he goes on to explain his problems:  
 16          "I have done my bit. That's it. End."  
 17          The long and short of it is you were losing one of  
 18          your complainants at this point?  
 19          **A. That's correct.**  
 20          Q. Was this the only complainant considering withdrawing,  
 21          or were there others?  
 22          **A. If memory serves me correct on this, and I don't answer**  
 23          **that particular question with 100 per cent certainty,**  
 24          **but I do believe there were others and certainly the**  
 25          **father of Neil Todd was saying he was very unhappy,**

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1           **although not a direct victim himself.**  
 2           Q. What did your team do to try to deal with this?  
 3           **A. Our best to respond to allay their concerns.**  
 4           Q. Again, the CPS will tell us the reason for the delay.  
 5           If it is inevitable, as they have explained it was, what  
 6           do you think can be done to make sure that the delay in  
 7           reaching a decision doesn't impact victims and survivors  
 8           and their willingness to continue with a prosecution?  
 9           **A. That's a very good question. In terms of this being**  
 10          **a case study, then I can't help thinking some sort of**  
 11          **conference, some sort of invite, to give a sort of an**  
 12          **interim position. If the CPS or the police or us**  
 13          **together were able to do some sort of statement, an**  
 14          **interim position, explaining as I did in that email you**  
 15          **have just referred to, really, that it is legally**  
 16          **complicated, and, you know, whilst I am critical of**  
 17          **the CPS, I'm also very supportive of the CPS as well,**  
 18          **you know, in relation to the legal complications in this**  
 19          **case. It was truly complicated. Therefore,**  
 20          **I understand the time delays, but of course I don't know**  
 21          **what the competing demands were within CPS as well in**  
 22          **relation to the people involved and what other work they**  
 23          **were doing.**  
 24          Q. What we will hear is that one of the most complicated  
 25          areas around this was looking at the administration of

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<p>1 the caution. I would like to take a look -- I'm asked                  2 to bring you to your policy note of a meeting of                  3 21 November 2013. Page 33 of the statement. If you can                  4 just zoom in for me on paragraph 9.21. You went on                  5 a case conference with the CPS?                  6 <b>A. Yes.</b>                  7 Q. What you say sort of five lines down is:                  8 "For the first time in this meeting I was made aware                  9 of the existence of a letter addressed to Peter Ball in                  10 1993 at the same time as he received his caution. I was                  11 not shown the letter so do not know its full contents.                  12 I have asked to see the letter ..."                  13 And the CPS try and get permission:                  14 "I understand that in effect the letter stated that                  15 other offences included within the 1992/93                  16 Gloucestershire investigation were enrolled in the                  17 caution and that he was told it would make him immune                  18 from prosecution for those offences. Tim made it clear                  19 that this case causes significant issues both legally                  20 and reputationally, although it is not to say the issues                  21 are not insurmountable."                  22 I am asked by those representing Peter Ball to ask                  23 you, what were the reputational and legal issues you                  24 were referring to there?                  25 <b>A. I don't know. I couldn't see the letter.</b></p> <p style="text-align: center;">Page 189</p>	<p>1 "Police request.                  2 "Copy of letter sent to Ball 1993 to police. TT                  3 [Tim Thompson] will check, but of view need to see it                  4 and should have it."                  5 There is a series of questions I would like to ask                  6 you on behalf of the Peter Ball team. You have said you                  7 didn't see this letter. Can you help us as to whether                  8 it was one particular letter granting immunity to                  9 Peter Ball or whether there was more than one letter                  10 discussed at that meeting?                  11 <b>A. I can assist with this, but it is also fair to say that                  12 I can only assist in terms of my knowledge --</b>                  13 Q. Absolutely.                  14 <b>A. -- because of preparation for today. So within the last                  15 few days I now understand, because I have seen                  16 a statement from Simon Drew that explains the                  17 circumstances. Because this question was never answered                  18 to my mind and no-one from the CPS ever said, "Carwyn,                  19 here you are, here is the material that is relevant",                  20 I therefore didn't realise that two letters written to                  21 the solicitors of Peter Ball back in 1993 were actually                  22 the letters in question. It's fair to say -- I now know                  23 that I have, in the last few months, seen those letters,                  24 but I never drew the conclusion, having seen those two                  25 letters, that that was the issue in hand.</b></p> <p style="text-align: center;">Page 191</p>
<p>1 Q. Is that the crux of it: you didn't see the letter in                  2 this meeting, did you?                  3 <b>A. No.</b>                  4 Q. The letter that may or may not have given Peter Ball                  5 immunity from future prosecution?                  6 <b>A. Absolutely, but his own defence, when we wrote to him                  7 and the defence responded, indicated that he had some                  8 form of immunity from prosecution. So this to me was,                  9 you know, a significant factor, but the Crown                  10 Prosecution Service had information that was highly                  11 material to the investigation within their knowledge.</b>                  12 Q. There's another note of that meeting which was kept by                  13 I believe Simon Drew or Tim Thompson at CPS001593 in                  14 tab 5 of your bundle. Can we look at point 6, please,                  15 Danny:                  16 "However, letter sent off stating GI [gross                  17 indecency] and IA [indecent assault] considered viable,                  18 offer made to caution for GI [gross indecency] only.                  19 "Difficulty with letter contrary to Home Office                  20 guidelines.                  21 "The 'stick' of IA [indecent assault] despite review                  22 saying IA not made out.                  23 "Could cause us problem."                  24 Over the page, please, page 5. At the bottom it                  25 says:</p> <p style="text-align: center;">Page 190</p>	<p>1 Q. So is it that when you wrote your policy note, having in                  2 mind Peter Ball's interview and what you had heard in                  3 the meeting, you noted down there was a letter which may                  4 have granted Peter Ball immunity, but you didn't see it?                  5 <b>A. I didn't see it, no.</b>                  6 Q. So you can't help us as to what it did or did not say                  7 and that's something we should take with the CPS?                  8 <b>A. Absolutely.</b>                  9 Q. Is it right that you said you pressed for disclosure of                  10 that but you weren't given it. Were you given a reason                  11 as to why you couldn't see those letters?                  12 <b>A. The reason I was given was it was sensitive. This is --                  13 no doubt about it, this was a frustration to me. I'm                  14 the senior investigating officer for this. I think it's                  15 highly, you know, relevant to the investigation.                  16 I couldn't really -- I was very frustrated that I wasn't                  17 given sight of this letter.</b>                  18 Q. I want to move to the decision on charging; okay? If we                  19 can look at your witness statement, please, and can we                  20 please bring it up, Danny, at page 36. A decision was                  21 ultimately reached by the CPS on or around                  22 26 March 2014. This is your policy note 140. I'm not                  23 going to read it in full. But does this boil down to,                  24 you received a telephone call from Simon Drew at the CPS                  25 to tell you, "We have reached a decision and we will</p> <p style="text-align: center;">Page 192</p>



1 tell you tomorrow at 1.30 what our decision is"?

2 **A. Yes.**

3 Q. "And at 2.30, we are going to make a press statement or

4 a public statement about it"?

5 **A. That's correct.**

6 Q. What you note underneath it is:

7 "Should criticism of this time period ever come to

8 fruition, this very much lives with the CPS, as I am now

9 powerless to do anything ... even Simon Drew mentioned

10 he was frustrated about the process."

11 Was your concern, therefore, that this only gave you

12 one hour to try and inform all of your complainants

13 about the CPS decision before it was published?

14 **A. It was exactly that. I would hate for victims in a case**

15 **like this to hear of the decisions in the media when we**

16 **have been managing them for such a long time and giving**

17 **assurances to them.**

18 Q. Was this an unusual course, as far as you were concerned

19 or was this common?

20 **A. As far as I was concerned, this was highly unusual,**

21 **although it was explained to me that in major cases this**

22 **is the protocol.**

23 Q. Did they tell you why Simon Drew couldn't just tell you

24 on 26 March, when he phoned you, what the decision was?

25 **A. I certainly can't remember if that discussion took**

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1 **place.**

2 Q. On 27 March, when you got the information to say, "We

3 are going to charge", were you able to get in touch with

4 all of the victims and survivors before the press

5 statement was made?

6 **A. Yes, we did successfully do it, but only because**

7 **I assembled a team of people to put those calls in.**

8 Q. So in terms of our recommendations going forward, would

9 it have assisted you to have a little bit more time to

10 get in contact with victims and survivors?

11 **A. Absolutely. I mean, as I have said in my statement, you**

12 **know, I work in partnership with the CPS. I am not**

13 **being critical in this regard. I'm very complimentary**

14 **of them in many other ways. But in this particular**

15 **regard, the one-hour window, that's about serving the**

16 **needs of their organisation, not the needs of victims.**

17 Q. In terms of the charges ultimately put in place -- we

18 are going to hear again from the CPS tomorrow --

19 misconduct in a public office was chosen. There was

20 a charge and ultimately some legal argument. Then there

21 came a time where the defence approached the prosecution

22 in relation to potential pleas to the charges.

23 **A. Yes.**

24 Q. What was the role of the police in considering the

25 potential pleas to the charges?

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1 **A. Well, we were obviously a prosecution partner, you know,**

2 **we had obviously taken responsibility for the actual**

3 **investigation itself prior to presenting the evidence to**

4 **CPS. We had good contact with the victims and I would**

5 **say that we were a critical partner to those**

6 **conversations, although recognising that the Crown**

7 **Prosecution Service are the decision makers in this**

8 **regard.**

9 Q. Because you actually had a conference, didn't you, with

10 the CPS lawyers, with the prosecution counsel and the

11 police, all got together?

12 **A. More than one.**

13 Q. Once the offers came in?

14 **A. Yes.**

15 Q. At what stage were the victims and survivors consulted

16 about the potential pleas?

17 **A. Yeah, please don't be under the impression this is**

18 **a quick process. This started off as a series of**

19 **emails. It started off with, "Carwyn, what do you think**

20 **about this?" It was a blank refusal to get into**

21 **negotiations to start off with because we don't have**

22 **a defence statement, we don't know actually what they**

23 **are stating. So we weren't going to get into**

24 **negotiations when we had gone through so many legal**

25 **barriers to get to this point. It is also fair to say**

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1 **that in that email correspondence I had with the CPS and**

2 **Bobbie Cheema, who was the QC who was leading**

3 **negotiations for the prosecution on this, we made the**

4 **point that we don't want to be collectively manipulated**

5 **by Peter Ball, you know, using that word advisedly, to**

6 **make sure he could wheedle his way out of anything**

7 **significant.**

8 **Then to actually answer your question, with the**

9 **decisions that were made, it affected two of our**

10 **victims. The vast majority obviously were -- their**

11 **particular involvement meant there was a plea of guilty.**

12 **So in terms of the consultation, physical consultation,**

13 **it was with two people, those people whose cases would**

14 **lie on the file.**

15 Q. Paragraph 10.5 of your witness statement, chair. There

16 were 21 individuals at that stage from whom you were

17 considering allegations and, as a result of the pleas

18 offered, there were 17 of those would be captured either

19 by misconduct in a public office or stand-alone counts

20 of indecent assault; is that right?

21 **A. Yes. I probably would like to probably double check the**

22 **numbers, but 17 certainly sounds about right.**

23 Q. Paragraph 10.5 of your statement is what I'm looking at,

24 if it helps?

25 **A. Okay, yes.**

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1 Q. But there were two charges, which were -- for which no  
 2 pleas were forthcoming in relation to an individual  
 3 AN-A2 and Mr Philip Johnson.  
 4 **A. That is correct.**  
 5 Q. Those individuals were children at the time of  
 6 the allegations?  
 7 **A. That is correct.**  
 8 Q. So are they the two individuals you refer to who were  
 9 specifically consulted?  
 10 **A. Yes.**  
 11 Q. What were their views?  
 12 **A. Phil Johnson was unhappy, very unhappy.**  
 13 Q. What about the individual AN-A2?  
 14 **A. He was accepting of the decision, would be my response**  
 15 **to that; understood -- wasn't happy, but accepting of**  
 16 **the decision.**  
 17 Q. Bearing in mind that you have got two complainants for  
 18 whom there will be no guilty pleas, who are unhappy or  
 19 unhappy and accepting, what does the police do with  
 20 that? To what extent does that go into your  
 21 consideration?  
 22 **A. I feel really sorry for those two people, it is fair to**  
 23 **say. You know, I can see from their perspective that**  
 24 **they did not get justice in this case. But I would go**  
 25 **back to the charge of misconduct in public office.**

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1 **Because the CPS were brave enough to charge that,**  
 2 **setting a legal precedent somewhat, that meant the vast**  
 3 **majority of our victims were involved in criminal**  
 4 **charges, and to me, that was a really important**  
 5 **consideration.**  
 6 **The other huge consideration for me was the health**  
 7 **of Peter Ball. I personally was involved in his arrest**  
 8 **and saw his frailties. I was involved in the**  
 9 **negotiations to get him to write that letter of evidence**  
 10 **and knew how difficult that was in terms of the amount**  
 11 **of medical involvement in that process and understanding**  
 12 **his fitness to be interviewed, and it's also fair to**  
 13 **say, in the -- before Peter Ball pleaded guilty, there**  
 14 **were a number of court hearings at the Old Bailey, and**  
 15 **it was clear from those proceedings that if we had had**  
 16 **a trial, you were looking at 20 minutes of evidence**  
 17 **before breaks, if memory serves me correctly. There was**  
 18 **going to be all sorts of different things that would**  
 19 **have to take place in terms of his welfare at trial, and**  
 20 **I had real concerns that he would not be fit to be**  
 21 **tried. So the idea of him pleading guilty and actually**  
 22 **declaring to the world that in fact he was guilty, to me**  
 23 **there was greater good in that, and hence that very,**  
 24 **very difficult decision being made in my two cases lying**  
 25 **on the file. The CPS agreed with that, Bobbie Cheema**

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1 **agreed with that, but it's also fair to say that I was**  
 2 **a full supporter of what was a very difficult decision.**  
 3 Q. Peter Ball entered his guilty pleas and he was  
 4 sentenced. You indicated at the beginning of your  
 5 evidence that the press coverage of that resulted in  
 6 some additional complainants coming forward.  
 7 **A. That's correct.**  
 8 Q. You mentioned four.  
 9 **A. Correct.**  
 10 Q. Is it right that for three of those individuals no  
 11 further action was determined in the public interest by  
 12 you?  
 13 **A. Yes, eventually, after what I would describe as**  
 14 **a proportionate investigation and consulting with them,**  
 15 **yes.**  
 16 Q. Can you explain to us, of the three individuals who came  
 17 forward, why was it not considered in the public  
 18 interest to go ahead with their allegations against  
 19 Peter Ball?  
 20 **A. Because Peter Ball had just been incarcerated for**  
 21 **32 months. He'd received that sentence. The**  
 22 **investigations would not necessarily have been**  
 23 **straightforward, in terms of the evidential**  
 24 **opportunities. The fact that they -- from a victim**  
 25 **perspective, they felt their voice had been heard, and**

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1 **when we spoke to them, sat down and explained to them**  
 2 **what Operation Dunhill had entailed and the results of**  
 3 **it, they were content with that decision. I wrote the**  
 4 **cases -- NFA as we call it, "no further action", in**  
 5 **those cases, but knowing I had victim consent to that**  
 6 **decision.**  
 7 Q. You mentioned there was a fourth individual who came  
 8 forward, and he is the individual who has been given the  
 9 cipher AN-A119. His allegation was as a summary that he  
 10 had played squash with Peter Ball when he was 16 or 17.  
 11 **A. Correct.**  
 12 Q. And that Peter Ball had exposed his penis to him whilst  
 13 they were playing squash and that on another occasion  
 14 Peter Ball had touched his genital area in the changing  
 15 rooms.  
 16 **A. Correct.**  
 17 Q. This allegedly occurred in 1996?  
 18 **A. 1995, I would say.**  
 19 Q. It might be a typo on my behalf.  
 20 **A. 1995. I would say he was 17. 1995, there was evidence**  
 21 **of him driving. So I'm satisfied to say that. But it's**  
 22 **also really important to note that 1995 was**  
 23 **post caution. So this inquiry needs to understand that**  
 24 **this allegation was post the caution and suggests that**  
 25 **he may have offended again.**

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1 Q. What was your view on the public interest in relation to  
 2 that allegation?  
 3 **A. That was completely -- if the victim in that case or the**  
 4 **complainant, I should say, in that case had wanted to**  
 5 **pursue an investigation, which he didn't, but if he had**  
 6 **wanted to, we would very much have done so.**  
 7 Q. So why was there no investigation?  
 8 **A. Because he did not want to involve his family in**  
 9 **providing testimony and giving evidence and knowing**  
 10 **again that Peter Ball was in jail.**  
 11 Q. How far did the investigation get with the individual  
 12 AN-A119?  
 13 **A. We took statements from him.**  
 14 Q. But he said, "I don't want to pursue it"?  
 15 **A. Yes.**  
 16 Q. In terms of the difference in approach between him and  
 17 the other three individuals, was it just, in your view,  
 18 on public interest because this one postdated the  
 19 caution?  
 20 **A. Yes, absolutely.**  
 21 Q. My final question is in relation to Lord Carey. Is it  
 22 right that there came a time when you were asked to  
 23 consider whether there were any criminal offences  
 24 committed by Lord Carey?  
 25 **A. Yes, I was asked that question.**

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1 Q. You carried out a review of the material of his  
 2 decision -- sorry, I should have said -- not "of his  
 3 decision", of the fact that there were letters at  
 4 Lambeth Palace which had not been provided to the  
 5 police?  
 6 **A. That's correct.**  
 7 Q. What was the outcome of that investigation?  
 8 **A. Well, I made reports -- I attended meetings on this**  
 9 **subject, and then I was commissioned by**  
 10 **Operation Hydrant and the Crown Prosecution Service to**  
 11 **write a report on my understanding of what had happened**  
 12 **in 1993 based on what I had gleaned from being the**  
 13 **senior investigating officer on Operation Dunhill.**  
 14 **The actual decision was to be owned by the**  
 15 **Metropolitan Police, who were taking complaints of**  
 16 **misconduct in public office against Lord Carey.**  
 17 **So I was asked to provide a report on what I knew,**  
 18 **which wasn't everything because the Met had the whole**  
 19 **investigation, on what I knew about the six letters, and**  
 20 **the issues that existed at that time, and, ultimately,**  
 21 **was I of the view or not that it passed the criminal**  
 22 **threshold.**  
 23 Q. What was your view?  
 24 **A. It did not meet the criminal threshold.**  
 25 Q. Why was that? I understand the issues are complex, but

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1 if you can just assist us with sort of the headlines?  
 2 **A. Well, the headlines were that I think there was**  
 3 **incompetence within the Church of England,**  
 4 **Lambeth Palace at that time; I think there was misguided**  
 5 **loyalties; I think there was -- I think the head of any**  
 6 **organisation, when allegations are made against**  
 7 **somebody, should take a position of neutrality, whereby**  
 8 **I would suggest that the Archbishop of Canterbury at the**  
 9 **time was -- became somewhat of a supporter; there was --**  
 10 **the advice given to George Carey by, in particular,**  
 11 **Eric Kemp and John Yates was, in my view, extremely**  
 12 **poor. So there was a variety of reasons.**  
 13 Q. You considered all of these, but ultimately you thought  
 14 it didn't cross any criminal threshold?  
 15 **A. That's correct.**  
 16 MS McNEILL: They are all the questions that I have for you.  
 17 Chair, do you or the panel have any questions for this  
 18 witness?  
 19 THE CHAIR: No, thank you. We have no questions. Thank you  
 20 very much, Mr Hughes.  
 21 MS McNEILL: Chair, that concludes Mr Hughes' evidence.  
 22 (The witness withdrew)  
 23 MS McNEILL: With an eye on the time, we don't think we are  
 24 going to make much progress with our next witness, who  
 25 was going to be the Reverend Ros Hunt.

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1 What we propose to do, chair, is to quickly read the  
 2 statement of Mr Beer, which is a relatively short  
 3 statement, I am told, so that we have a bit more time  
 4 tomorrow to hear all of the live evidence.  
 5 MR FULLBROOK: Thank you, chair. I am now going to read the  
 6 statement of Ian David Stafford Beer. You can find that  
 7 behind tab C in the core bundle. It is URN ANG000286-1.  
 8 Statement of IAN DAVID STAFFORD BEER (read)  
 9 MR FULLBROOK: "I Ian David Stafford Beer, will state as  
 10 follows ..."  
 11 He then gives a brief synopsis of his career.  
 12 Between 1955 and 1961, he was the assistant master  
 13 (biology) and then housemaster of Marlborough College.  
 14 Between 1961 and 1969, he was the headmaster of  
 15 Ellesmere College, Shropshire, and the JP for  
 16 Shropshire.  
 17 Between 1969 and 1981, he was the headmaster of  
 18 Lancing College, Sussex, and JP for West Sussex.  
 19 In 1980, he was the chairman of HMC, the chairman of  
 20 the RFU Coaching, and Player Safety Committees.  
 21 Between 1981 and 1991, he was the headmaster of  
 22 Harrow School and the JP for Middlesex. He was not  
 23 active in that role.  
 24 Between 1990 and 1991, he was the chairman PE  
 25 working group for the national curriculum.

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<p>1 Between 1990 and 2006, he was the chairman of 2 the Winston Churchill Memorial Trust. 3 In 1992, or thereabouts, he was appointed JP for 4 Gloucestershire, but was not active. 5 Between 1993 and 1994, he was the chairman of 6 the RFU; he founded and chaired SPIRE Charity, later 7 called the Injured Players Foundation. 8 Between 1994 and 2001, he was the chairman of 9 the Independent Schools Council. 10 Between 1992 and 1994, the England sports council. 11 He says that throughout those years he was also 12 a governor of countless schools in the UK and the 13 Resident Governor for British School in Colombo in 1996. 14 In 1992, he was appointed CBE for services to 15 education. 16 He goes on to say: 17 "I believe I first met Peter Ball through my 18 mother-in-law who was a governor of both the Stroud High 19 School for girls and Marling School for Boys where the 20 Ball twins taught, and she hosted a religious discussion 21 group attended by the twins in her house. The Ball 22 twins created The Society of the Glorious Ascension in 23 the priory at Stratford Park, Stroud. When I was 24 appointed to Ellesmere College, just after my marriage, 25 the governing body needed some younger recruits and</p> <p style="text-align: center;">Page 205</p>	<p>1 elsewhere in the country. Members of the society had to 2 continue with their normal job whilst retiring at the 3 end of the day to the priory and living the disciplined 4 life of a friar. It was to one of these priories -- 5 I believe Alum Rock in Birmingham -- that we sent 6 a pupil or pupils, I forget, to receive Christian 7 influence and a disciplined lifestyle for one week. The 8 parents were consulted, and readily agreed, but to my 9 knowledge, no-one visited them from the school nor 10 inspected the priory. We trusted the organisation and 11 our governor, Peter Ball. The chaplain of the college 12 was, of course, closely involved. The boys returned 13 after a week of tough, yet kind, discipline, never to be 14 naughty again at school, fed up, from what I remember, 15 of having to get up at 3 am each morning to stay 16 prayers. 17 "At Ellesmere and Lancing, as at many boarding 18 schools at that time, we often had staying with us 19 during Holy Week a priest -- often a monk or friar -- 20 who conducted some services and held seminars and 21 private discussions with pupils and staff. I believe 22 that Father Peter one year may have been one of those, 23 but I have no record. These committed Christian men 24 usually attracted individuals to themselves and the 25 school allowed private discussion. Indeed, if it had</p> <p style="text-align: center;">Page 207</p>
<p>1 I suggested both the Reverend Peter Ball and Dr David 2 Harrison -- later Sir David Harrison -- who was 3 a science Don at Cambridge. They both served Ellesmere 4 admirably. 5 "When I was asked to go to Lancing as head, they 6 both volunteered to come with me if Lancing would have 7 them. Ellesmere is a Woodard School in the Midland 8 Division; Lancing the premier school of the whole 9 foundation, which was founded in 1848 to provide 10 Christian education to the middle classes. It is now 11 one of the largest educational charities in the UK. The 12 Woodard Foundation transferred their appointment to the 13 southern division. It was never suggested by anyone, 14 then or later, that Peter Ball should become a governor 15 of Harrow. However, when I became chairman of HMC in 16 1990, I suggested to the committee that it might be 17 a good idea were he to be asked to become honorary 18 chaplain to the conference with no specific duties other 19 than his presence at the AGM during my year in office, 20 as he was involved with so many schools. The committee 21 readily agreed. When I left Lancing, he remained as 22 a governor there. Later, I believe he became a governor 23 of Radley and of Wellington. 24 "Whilst at Ellesmere, The Society of the Glorious 25 Ascension grew very rapidly and opened priories</p> <p style="text-align: center;">Page 206</p>	<p>1 not been private, it would have been of little use. The 2 resident chaplains kept a close eye on pupils meeting 3 visitors. We watched what was going on, but I never had 4 any inkling of wrongdoing. As Peter Ball was a governor 5 of both Ellesmere and Lancing, he was usually in the 6 school for official business meetings and had less time 7 to be with individual boys than, say, the resident 8 Lenten visitor or the full-time chaplains. 9 "I should record that in a long headmastering 10 career, I had reason to report some members of staff to 11 the Department for Education and they were removed from 12 the teaching profession. Moreover, boys themselves 13 would report misgivings to me or to members of staff 14 they felt they could trust. Everything depended on 15 creating a proper atmosphere in the school and that was 16 a major priority within the task of running a boys 17 boarding school. 18 "I now turn to events after my retirement, which 19 have taken place since Ball's resignation as bishop of 20 Gloucester. 21 "I know that I was asked by Peter Ball's solicitor 22 to write to someone, and that person may well have been 23 Chief Inspector Murdock. I do not have the record. 24 I had no idea then of the nature of the allegations 25 against Peter Ball, except that they were of a sexual</p> <p style="text-align: center;">Page 208</p>

<p>1 nature. Today, I am little the wiser, except that he                  2 was, at a later date, found guilty. However, I have no                  3 reason to withdraw the comments made to Murdock in my                  4 letter (ACE021184 dated 28 January 1993 as I believed                  5 them to be true at that time.                  6 "In 1995, having been told by Peter Ball that he had                  7 a letter from the Archbishop of Canterbury allowing him                  8 to officiate anywhere in the UK provided that the                  9 diocesan bishop gave approval, I wrote to Bishop Bentley                  10 requesting that he, Peter, be allowed to marry our                  11 younger son. The local people wished Peter to do so as                  12 there was no incumbent at that time. Permission,                  13 however, was not granted and so we turned to the                  14 ex-chaplain of Ellesmere who had been present at the                  15 baptism of the boy.                  16 "My real problem was that, on the one hand, I had                  17 Peter Ball telling me that the archbishop had apparently                  18 written him a letter of support, whilst on the other                  19 hand, the Bishop of Gloucester was telling me he was                  20 guilty."                  21 I will read the URNs but we won't bring them up for                  22 want of time: ACE001002; 1004; 1008; and 1021.                  23 "Of course I accepted the Bishop of Gloucester's                  24 refusal to allow Peter to officiate, but I did ask him                  25 why he had made that decision, but he refused to tell</p> <p style="text-align: center;">Page 209</p>	<p>1 not know what it means. I had and have no reason to                  2 believe that Peter Ball abused his position or access to                  3 make improper contact with the boys at Ellesmere or                  4 Lancing. Had I done so, I would have taken appropriate                  5 action, as I did in other cases."                  6 Then there is a statement of truth which attests to                  7 the truth of the facts stated, and the statement is                  8 dated 18 May 2018.                  9 Unless I can assist you any further, chair,                  10 I propose that we adjourn until 10.00 am tomorrow.                  11 THE CHAIR: Thank you, we will do that.                  12 (4.28 pm)                  13 (The hearing was adjourned to                  14 Thursday, 26 July 2018 at 10.00 am)                  15 I N D E X                  16                  17 Welcome and opening remarks by THE .....1                  18 CHAIR                  19                  20 DR ANDREW PURKIS (sworn) .....1                  21                  22 Examination by MS BICARREGUI .....1                  23                  24 Statement of LADY ALICE RENTON .....38                  25 (read)</p> <p style="text-align: center;">Page 211</p>
<p>1 me. Instead, he told me in confidence what the police                  2 thought (INQ000311). I do not recall ever telling the                  3 bishop that I thought Peter was innocent, as I had not                  4 been told what he might be guilty of doing. For me, at                  5 that stage, in April 1995, no court of law had passed                  6 judgment and I was not prepared to assume Peter was                  7 guilty of whatever until I heard details of what he had                  8 allegedly done. No-one I knew would tell me. I have                  9 since read document INQ0001347 [basis of plea] and I am                  10 upset and saddened by the contents.                  11 "During this period, I was once telephoned by the                  12 police in Sussex, but I do not recall them contacting me                  13 again. I simply wanted to hear from someone to be told                  14 exactly what Peter Ball had done wrong. But I had to                  15 wait until his court case very much later. Even then,                  16 it has not been easy as he pleaded guilty to several                  17 charges and so the details were never made public.                  18 "Your letter of 1 May 2018 states:                  19 "... Bishop Ball is said to have abused both young                  20 adults and children in a similar manner, in the same                  21 context and setting, with the same modus operandi and                  22 similar responses by the institutions concerned and so                  23 seeks to avoid an artificial distinction in this                  24 particular case'.                  25 "This is the first time I have read of this and I do</p> <p style="text-align: center;">Page 210</p>	<p>1                  2 MR WAYNE MURDOCK (sworn) .....44                  3                  4 Examination by MS SCOLDING .....44                  5                  6 Questions by THE PANEL .....151                  7                  8 MR CARWYN HUGHES (affirmed) .....158                  9                  10 Examination by MS McNEILL .....158                  11                  12 Statement of IAN DAVID STAFFORD BEER .....204                  13 (read)                  14                  15                  16                  17                  18                  19                  20                  21                  22                  23                  24                  25</p> <p style="text-align: center;">Page 212</p>

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