

Witness Name: C G Peak

Statement No: 1

Exhibits:

Dated: 17/5/18

## THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

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### Witness Statement of CHRISTOPHER GEORGE PEAK

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I, **CHRISTOPHER GEORGE PEAK**, Solicitor of

**DPA**

will say as follows:-

1. I make this statement for the Anglican Church Investigation, Peter Ball Case Study. In this statement I shall refer to Peter Ball as PB.
2. I refer to the transcript of my meeting with Dame Moira Gibb and Kevin Harrington of the Church Peter Ball Review on Monday 12<sup>th</sup> December 2016 and confirm that this is a correct account of our meeting. This is document **INQ000650**. The only clarification I wish to make is in relation to the question of conflict of interest at page 2, 6<sup>th</sup> paragraph. Instead of "rather more of a conflict of interest" I now consider the correct wording is "a greater risk of a conflict of interest". Subject to this clarification, the contents of the transcript remain true to the best of my knowledge and belief.

#### Introduction

3. I was admitted as a Solicitor on the **DPA** 1975 and have worked in general legal practice to date.
4. I was appointed as a Deputy Registrar of the Diocese of Gloucester in October 1982 and as Diocesan Registrar on the 11<sup>th</sup> January 1985. I held this post until the 30<sup>th</sup> November 2012. The role of Diocesan Registrar is that of Legal Adviser to the Diocese with many specific duties concerning appointments, faculties, Marriage Licences etc. One particularly important role is as Legal Adviser to the Diocesan Bishop.

#### PB's Appointment and Arrest

5. I do not recall resistance to PB's appointment as Bishop of Gloucester, although some members of the Church hierarchy in Gloucester were not entirely happy with the appointment of a monk to this office.
6. On the 12<sup>th</sup> December 1992 I was contacted by PB's Chaplain who asked me to come to Bishopscourt urgently to see PB. It was a Saturday morning. I complied with this request. PB told me that he was expecting to be arrested and explained that a young man called Neil Todd had complained against him for indecency. PB told me that he did not have a Solicitor and asked me to act for him in relation to the Police enquiry, I agreed to do so.
7. PB was arrested on the 14<sup>th</sup> December and I attended at Gloucester Central Police Station when he was interviewed by the Police. During the course of the Police investigation

I took advice from an experienced Criminal Law Queen's Counsel, David Lane. I was also assisted by a young Solicitor, Chris Read who worked for my firm, Madge Lloyd & Gibson. I confirm that PB was aware that he could talk to Chris Read at any time, Chris having no role within the Diocese of Gloucester. I cannot recall whether Mr. Read ever did advise PB in private or whether PB took the opportunity of speaking with him.

#### Instruction of Brian Tyler

8. Michael Ball spoke for PB a lot and very frequently gave instructions on his behalf.

9. I advised that in order to preserve legal professional privilege the instruction of Brian Tyler should be by my firm, which is how it was. He reported to me. As I understood it, PB felt there was a conspiracy against him as a result of which Neil Todd was prompted to make his complaint. Brian Tyler was therefore to investigate the background in relation to Neil Todd and his associates, without of course contacting Neil Todd himself. The investigation was funded by PB and his brother.

10. I was in touch with Brian Tyler from time to time during his investigation. He attended one or two of the conferences which I arranged for PB with David Lane.

11. Michael Ball became very involved in the investigation. However I do not now recall the comment mentioned by Detective Inspector Murdock that the defence team had "experienced problems with him **(INQ000648 page 9)**", nor do I recall what those problems might have been.

12. I held reports from Brian Tyler. I seem to recall that he had towards the end of his investigation received comment that pointed towards possible further allegations against PB. I did not share Brian Tyler's report with the Police since to do so would have been a breach of client confidentiality. In any event I do not recall any specific allegation against PB by a minor being revealed by Mr Tyler's report.

13. I was not aware of any further complainants having written to the Archbishop of Canterbury.

#### Negotiations with the Police

14. The meeting with Detective Inspector Murdock was arranged following a conference with David Lane QC.

15. The meeting was arranged either by me or Chris Read on my instructions. It took place at a hotel because as I recall this is where Brian Tyler was staying. The persons present at the meeting were myself, Chris Read, Brian Tyler and D I Murdock. D I Murdock said he would be making a report to the DPP. He pointed out that it would be the DPP who would make the decision as to whether PB would be charged or cautioned. D I Murdock was not put under any pressure to make a recommendation of a caution to the DPP.

16. At a later date, I wrote a letter to the DPP (**CPS000792 pages 183-186**) setting out the arguments in favour of the case being resolved by way of a caution. I also contacted the CPS by telephone to let them know that if it were to be agreed that PB be cautioned, then he would also resign the Diocese at the same time. The defence team took the view that the DPP would be unlikely to accept the idea of a caution on its own, but if it were to be coupled with PB's resignation then this might be accepted as sufficient punishment. Such an outcome seemed to us to be in the public interest. PB accepted this.

Conflict of Interest

17. I accept that there was a possibility of a conflict of interest arising between my duty to PB and my duty as Registrar to the Diocese of Gloucester. I owed no duty to the wider Church. In fact, as matters turned out no conflict of interest arose. PB accepted that it was in his best interests to accept a caution and to resign rather than face a trial and the possibility of a sentence of imprisonment. In my opinion, the best interests of the Diocese were also served, in that the matter was disposed of speedily and with the minimum of publicity. However, I do not accept that the question of what was in the best interests of the Diocese in any way coloured the advice which I gave to PB.

Events following PB's Caution

18. PB and his brother Michael paid my firm's costs and disbursements throughout. However, I was subsequently advised that the Church was prepared to make a contribution. I cannot remember a lot about this but there was an agreement about a contribution from the Church, and once this had been received, I made a refund to PB of an equivalent amount.

19. My letter to the Archbishop of Canterbury of the 2<sup>nd</sup> January 1995 (**ACE000927**) requesting that PB be permitted to return to Ministry is questioned. I was simply giving my opinion. I would point out that so far as I am aware PB has not reoffended since the date of his caution. Whilst with hindsight it may be true that I was inadvertently minimising the position, in no way was I deliberately feeding misinformation or minimising the position to the Archbishop.

20. After the caution and resignation had finalised the Criminal Investigation, I was told that the complainant Neil Todd had advised PB of a civil claim against him. Since PB was by then living back with his brother Michael near Truro, he had decided to instruct the local Diocesan Registrar Martin Follett to act for him. I was therefore given authority by PB to send the file of papers down to Mr Follett's firm, which I did. It is not the case that I destroyed or removed paperwork relating to PB, other than by sending the same to Mr Follett's legal firm.

**Statement of Truth**

I believe that the facts stated in this witness statement are true.

Signed: \_\_\_\_\_ **DPA** \_\_\_\_\_

Dated: 17th May 2018