

<p>1 Tuesday, 15 January 2019 2 (10.30 am) 3 Welcome and opening remarks by THE CHAIR 4 THE CHAIR: Good morning, everyone. I'm Alexis Jay and I'm 5 the chair of the Independent Inquiry into Child Sexual 6 Abuse. Sitting with me are the other panel members of 7 the inquiry, Professor Sir Malcolm Evans, Ivor Frank and 8 Drusilla Sharpling. 9 On behalf of the inquiry, I welcome you all to this, 10 the seventh preliminary hearing in the Anglican 11 investigation. The investigation focuses on the 12 responses by institutions to allegations of child sexual 13 abuse within the Anglican Church. Last year, the 14 inquiry held public hearings in two case studies in this 15 investigation. We heard three weeks of evidence about 16 the Diocese of Chichester from 5 to 23 March and one 17 week of evidence about the response into allegations 18 against Peter Ball, the former Bishop of Gloucester from 19 23 to 27 last year. Since that time, the inquiry has 20 been drafting a report into both case studies which we 21 anticipate publishing during the first quarter of this 22 year. 23 The inquiry will hold third and final hearings in 24 this investigation for two weeks from Monday, 1 July of 25 this year to 12 July.</p> <p style="text-align: center;">Page 1</p>	<p>1 The final hearing will focus upon the wider Anglican 2 Church, including the Church of England and the Church 3 in Wales in the context of their responses to 4 allegations of child sexual abuse. 5 Before we hear from counsel, with regard to timing, 6 we will take a 15-minute break at around 11.45 and then 7 break for lunch, if this hearing hasn't concluded before 8 then, at 1 o'clock. 9 Any directions arising from this hearing will be 10 published on the inquiry's website after the hearing as 11 will the hearing transcript. 12 I now invite the leading counsel in the Anglican 13 investigation, Ms Fiona Scolding QC, to provide with us 14 an update on the Anglican investigation. After 15 Ms Scolding has spoken, I'll invite other 16 representatives present to speak if they wish. 17 Ms Scolding? 18 Opening statement by MS SCOLDING 19 MS SCOLDING: Good morning, Professor Jay and panel. 20 I am, as you've already identified, 21 Ms Fiona Scolding. I appear as counsel to the inquiry 22 along with Ms Nikita McNeill and Ms Lara McCaffrey, who 23 are seated to my left. 24 Having held public hearings into both of its case 25 studies during 2018, the inquiry team has been</p> <p style="text-align: center;">Page 2</p>
<p>1 continuing to work on its investigation. The 2 investigation team wishes to thank all core participants 3 and their legal teams for the co-operation they have 4 shown in providing information and in responding to 5 queries in preparation for the next hearing. This work 6 has been invaluable. 7 The purpose of today's hearing is to provide an 8 update on the work that the inquiry has been carrying 9 out since the hearings in July 2018, and to discuss the 10 necessary preparations for the hearing to commence in 11 July 2019. 12 I will deal with this in the following order: 13 Firstly, the broad themes and approaches to the 14 national church hearing as the investigation team 15 currently envisages them. 16 Secondly, how the inquiry has dealt with, and will 17 be dealing with, the material received in the 18 investigation and how such will be disclosed. 19 Thirdly, the requests made for statements pursuant 20 to rule 9 of the Inquiry Rules, and when these will be 21 ready for calculation. 22 Fourthly, hearing dates and any next steps. 23 And lastly, any other business. 24 In what follows, I intend to explain what the 25 inquiry has been doing and where we are now and set out</p> <p style="text-align: center;">Page 3</p>	<p>1 what is going to happen over the next four months. Each 2 core participant has been provided with an agenda for 3 today's hearings. 4 In line with other preliminary hearings, I will 5 refer generally to those who have made allegations of 6 sexual abuse as "complainants", except where there has 7 been a criminal trial which has resulted in a conviction 8 or where the fact of abuse has otherwise been formally 9 established, in which case the description "victim" 10 and/or "survivor" will be applied. 11 Firstly, chair, to introduce you to the 12 representatives who appear at this hearing, all of whom 13 I believe are familiar to you from both this and other 14 investigations. To my right there is Mr O'Donnell and 15 Mr Scorer of Slater & Gordon Solicitors and they 16 represent A10 to 21, A23 to A25, and A35, all 17 complainants, victims and survivors. 18 Next to Mr Scorer and Mr O'Donnell is Mr Greenwood, 19 who represents victims and survivors A1 to A4, A22, 20 Mr Johnson, Ms Macfarlane, Mr Sawyer and AN-A117. 21 Mr Greenwood also represents the Ministry and Clergy 22 Sexual Abuse Survivors organisation. 23 Directly behind me are those representing the 24 Archbishops' Council for England, and Mr Giffin QC is 25 appearing on behalf of them today.</p> <p style="text-align: center;">Page 4</p>

<p>1 Turning next to the second row back, shall I say, 2 one has Mr Jones, who represents Peter Ball, the former 3 Bishop of Lewes and subsequently Gloucester, and next to 4 him is Ms Fenella Fern, representing the Secretary of 5 State for Education today. 6 In the front row is Sussex Police represented by 7 Ms Judi Kemish, and in the corner, shall I say, is 8 Ms Claire Harris representing the CPS today. 9 Last, but by no means least, representing the 10 Ecclesiastical Insurance Office, Mr Rory Phillips QC. 11 It may be useful at this stage to remind everyone of 12 the scope of the Anglican investigation and to provide 13 a little more detail as to what we are doing. The scope 14 of the investigation, as currently defined, is to 15 firstly investigate the scale and nature of sexual abuse 16 that has taken place and has been perpetrated by members 17 of the Anglican Church. This includes clergy, employees 18 and volunteers. 19 Secondly, to explore how public authorities, both 20 the church, but also the police, local authorities, and 21 the Crown Prosecution Service, have responded to the 22 disclosure of such allegations. 23 Thirdly, the adequacy of the policies and practices 24 of the church as a national body, but also at a diocesan 25 and parish level, and what steps were taken by the</p> <p style="text-align: center;">Page 5</p>	<p>1 church to try and deal effectively with cases of abuse 2 and to minimise the risks of abuse occurring. 3 This will involve examining, firstly, what the 4 policies and practices were in relation to safeguarding 5 and child protection, and whether or not they reflected 6 widely-circulated child protection policies at the time 7 and, if there were such policies, whether they were 8 followed in practice and whether or not there were 9 practices of review, inspection and examination which 10 would, or should, have been taken into account but were 11 not. 12 Secondly, the training and education of members of 13 the church, both clergy, those who are members of 14 religious organisations, the clergy and volunteers. Was 15 this training reflective of widely-circulated child 16 protection training in place at other comparable 17 institutions at the time? And if such training was 18 given and put in place, was it followed in practice? 19 Thirdly, how were members of the church recruited 20 and did such recruitment reflect and consider the 21 suitability of individuals to work with children? Did 22 it follow accepted practice in place at the time or did 23 it deviate from it? 24 Fourthly, how are members of the church promoted to 25 senior levels and does this process take adequate</p> <p style="text-align: center;">Page 6</p>
<p>1 account of their responses to child protection and their 2 ability to manage issues around safeguarding? How far 3 did, or do, senior members of the clergy understand the 4 impact of child sexual abuse upon individuals, respond 5 appropriately to it, and initiate change to improve 6 safeguarding culture? 7 Fifthly, how far does the structure of the church 8 and the way that it is governed affect or impact upon 9 its ability to prevent or minimise sexual abuse or to 10 respond adequately to such allegations and complaints? 11 Sixthly, how far did the church, and does the 12 church, act appropriately in working with local 13 authorities and the police? Has there been, or is 14 there, tension between the police, local authorities and 15 the church, and did that, or does that, obstruct or 16 prevent effective responses being made? 17 Have the recommendations of internal reports 18 commissioned by the church been implemented and have 19 they led to change, both in policy and in practice, and 20 within the church as a whole? 21 Eighth, were internal disciplinary investigations 22 conducted and were the outcomes appropriate to any such 23 investigations? 24 Ninth, were the responses of the church when 25 survivors, either as children or as adults, sought</p> <p style="text-align: center;">Page 7</p>	<p>1 redress -- not just financial compensation, but also 2 apologies, access to specialist counselling or emotional 3 and spiritual support -- adequate and appropriate? 4 This investigation will also examine the culture of 5 the church, by which we mean its behaviours, values and 6 beliefs. The culture of the church is of vital 7 importance in this and any other organisation because it 8 shapes everything about the way things are done and it 9 is both deeply embedded and often very difficult to 10 change. 11 This investigation will ask whether the culture of 12 the church inhibited, or continues to inhibit, the 13 investigation, exposure and prevention of child sexual 14 abuse, which will involve examining how far there is or 15 was a culture of what some people would call secrecy 16 within the Anglican Church and how far did that secrecy 17 or lack of transparency inhibit disclosure and 18 investigation of abuse? 19 Secondly, did the authorities, both church and other 20 statutory institutions, not wishing to expose the church 21 to reputational damage, inhibit the adequate 22 investigation of abuse and expulsion of abusers from the 23 church? To what extent was that process transparent and 24 to what extent were lesser sanctions applied to clergy 25 than would or should have been the case?</p> <p style="text-align: center;">Page 8</p>

<p>1 Did, or does, the culture of the church facilitate 2 or enable abuse, albeit unwittingly? How far does the 3 nature and structure of the church as it was, and is 4 currently, constituted make it more difficult for the 5 senior membership to accept criticism from either within 6 or without? 7 How far has or does the church's attitude and 8 approach towards sex and sexuality contribute to 9 difficulties with cultural change? 10 Are there particular cultural features of the church 11 which could prevent or inhibit the reporting of abuse, 12 and how far has the response in some cases made 13 individuals feel that it would be difficult to report 14 such abuse? 15 How far does the hierarchical nature of the church 16 create power imbalances which could inhibit the 17 reporting of abuse in and of itself? 18 Next, in respect of the financing of the church in 19 respect of safeguarding, the extent to which budgetary 20 constraints impacted upon the amounts spent on 21 safeguarding and child protection, and whether the 22 current and previous structure of safeguarding is 23 adequately resourced for the job it has to do? 24 How far have financial concerns motivated or played 25 any part in the way in which the church has responded to</p> <p style="text-align: center;">Page 9</p>	<p>1 allegations of abuse? 2 Last, the present and the future. Are the current 3 policies, practices and procedures of the church 4 adequate and sufficient and do they meet and reflect 5 widely-circulated child protection policies? 6 If systems are adequate, can they be improved? And 7 if they are not adequate, what steps need to be taken to 8 make them such? 9 The terms of reference of the inquiry involve 10 examining both past practices of the church and areas 11 where there may be alleged or agreed failures in its 12 response to child sexual abuse. It is obviously 13 necessary to examine past practices to identify whether 14 or not the current practices and procedures of the 15 church have remedied the defects either identified or 16 acknowledged. 17 However, as this is particularly the case within the 18 context of this aspect of the Anglican Church 19 investigation, it is most important that the chair and 20 panel hear about current practices and procedures and 21 any proposals for imminent change, so that any 22 recommendations which it makes are relevant, purposeful 23 and adequate for the needs of today's children and young 24 people, and for those individuals who wish to disclose 25 abuse which may have occurred in the past.</p> <p style="text-align: center;">Page 10</p>
<p>1 An important ingredient in this inquiry's 2 investigations is the experience of complainants, 3 victims and survivors. We recognise the need to ensure 4 that their voices are heard. We hope to give them the 5 opportunity to present their views on the responses of 6 the past and to recommend changes in the current system. 7 As everybody in this room knows, in the course of 8 the two case studies and the hearings to date, the 9 inquiry has already obtained and heard a mass of 10 evidence about very many of these issues. The approach 11 of the wider church hearing is not to repeat or rehear 12 evidence already given. The purpose of this final 13 public hearing will be to draw together the evidence 14 already received and to investigate the ways in which 15 the already acknowledged largely failures in respect of 16 the Diocese of Chichester and the case of Peter Ball are 17 representative of wider failings as they may have been, 18 or are, within the Church of England. 19 In addition, the hearing will explore more generally 20 the adequacy of the policies and practices of the Church 21 of England and the Church in Wales in relation to 22 safeguarding and child protection. 23 The Church in Wales is part of the Anglican 24 communion, but has a different structure and a separate 25 and distinct set of practices in respect of</p> <p style="text-align: center;">Page 11</p>	<p>1 safeguarding. In particular, to give one example, their 2 guidance identifies that there must be reporting of 3 allegations and complaints about child sexual abuse, 4 even if such has been received under the seal of the 5 confessional. 6 We will therefore be examining the practices and 7 processes of the Church in Wales and their efficacy, and 8 to examine where and what further steps need to be taken 9 to improve safeguarding in this context. 10 The broad issues for the third public hearing will 11 be, first, the views of victims and survivors as to the 12 failures of the church currently and what steps they 13 consider should be taken to improve safeguarding 14 practice. 15 The investigation team does not seek to replicate 16 the intensity of focus it brought to bear upon the 17 Diocese of Chichester to other dioceses. However, it 18 does wish to consider the responses made to other 19 allegations of abuse reported to the church. The 20 investigation team has already been provided with 21 materials about other alleged perpetrators in other 22 dioceses, some of which have resulted in internal 23 reviews by the church. 24 To give an example of two, firstly, we will be 25 looking at the allegations which resulted in the report</p> <p style="text-align: center;">Page 12</p>

<p>1 written by Her Honour Judge Cahill QC and the report 2 compiled by Mr Ian Elliott and other recent allegations. 3 In particular, we are interested in the following 4 questions which arise from these reviews and 5 allegations, including, firstly, the structure of 6 safeguarding within the church, in particular whether or 7 not the current structure of having a diocesan 8 safeguarding advisor employed by a diocese is an 9 effective model or whether there needs to be a national 10 safeguarding service and, if so, what that would look 11 like. 12 Secondly, the issue of clericalism within the 13 church, which I have already touched upon, by which we 14 mean excessive reverence for the post which makes 15 individuals deferential to clergy and, therefore, 16 unwilling or unable to take decisive action when 17 concerns have been raised about child protection, and 18 what practical steps can be taken to ensure that such 19 clericalism does not cloud, impede or inhibit the need 20 for appropriate child protection concerns. 21 The ability of the church and clergy to deal 22 appropriately with non-current allegations of abuse and 23 the ability of the church to manage and provide 24 appropriate ways to engage with victims and survivors. 25 In respect of the ways the church has been, and</p> <p style="text-align: center;">Page 13</p>	<p>1 envisages it will be, managing and providing ways to 2 engage with victims and survivors, we will be looking at 3 specific measures which are either in place or the 4 Church of England tell us are in train to engage with 5 such, such as the Safe Spaces Project, and in particular 6 what's happening about it, and how the report which is 7 being commissioned by the SCIE will be feeding into 8 such. The development of a National Survivors' Panel, 9 what's happening and how this is going to work. The 10 results of the work commissioned by the church from SCIE 11 about the church's engagement with victims and 12 survivors, and any other internal structures which 13 currently exist, or should exist, to take account of the 14 views and experiences of such. 15 Secondly, an examination of the appropriateness of 16 reparations made, and continuing to be made, by the 17 church and the role of its insurers, including, in 18 particular, the critique identified by Mr Ian Elliott 19 within his review, the concerns raised by both victims 20 and survivors about the church's approach to reparations 21 to date, by which we mean both financial awards, but 22 also counselling and other non-financial forms of 23 reparation such as apologies, and lastly, the role of 24 the Ecclesiastical Insurance Office, its actions and 25 advice, as the primary insurers for the majority of</p> <p style="text-align: center;">Page 14</p>
<p>1 church bodies. 2 Thirdly, an examination of the current safeguarding 3 practices and policies of the Church of England and the 4 Church in Wales, with an emphasis upon identifying 5 whether or not the changes which have been made are 6 adequate to protect children and young people from the 7 risk of sexual abuse. 8 This will include, firstly, the issue of recruitment 9 and training and in particular how far the church, when 10 discerning intentions and at the stage prior to 11 theological training, should, or ought to, undertake an 12 assessment of someone's ability to understand and deal 13 compassionately with issues regarding safeguarding and, 14 secondly, what sort of training currently occurs within 15 theological educational institutions. We are proposing 16 to ask those who currently run and administer such 17 programmes as to how safeguarding is dealt with at this 18 stage of the training and recruitment process. 19 Secondly, capability and the capability processes 20 within the Church of England at the moment. Do they 21 exist? How effective are they? There are things such 22 as performance reviews. Do they focus upon and involve 23 considerations of safeguarding? And the extent to which 24 the current processes of the church can adequately deal 25 with situations where individuals fail in respect of</p> <p style="text-align: center;">Page 15</p>	<p>1 their safeguarding duties. 2 Thirdly, we also wish to explore further something 3 which was raised initially at the Chichester hearing, 4 which is whether or not the national church should have 5 the ability to intervene within a diocese or a parish or 6 other part of the national church institution or other 7 church organisation where standards are not being met in 8 a manner which anybody would deem to be acceptable and 9 how that may, or should, work in practice, and whether 10 or not it is a workable, or a potentially workable, 11 system. 12 Fourthly, clergy discipline. Whether or not the 13 current system of clergy discipline works, in respect of 14 child protection whether it should be amended, and 15 whether there should be a different sort of process for 16 clerics where there are difficulties with child 17 protection which includes or involves individuals with 18 expertise in that area. 19 Next, dealing with volunteers. Largely, Chichester 20 and Peter Ball dealt with individuals who were clerics, 21 but we recognise that the vast majority of work in the 22 church is undertaken by volunteers. What can, and 23 should, be done to ensure that they have an adequate 24 understanding of safeguarding and what steps can be 25 taken against them if those individuals fail to comply</p> <p style="text-align: center;">Page 16</p>

<p>1 with the standards which the church expects? 2 Next, how and what steps are being taken to improve 3 the processes for the grant of permission to officiate 4 and to ensure that the difficulties identified within 5 the course of the Chichester hearing are no longer 6 replicated in that respect? 7 Next, as has already been identified in respect of 8 the Diocese of Chichester, the church has had to manage 9 allegations which are made against those who are 10 deceased or who die prior to the ability of the church 11 to investigate matters in any detail. This is also 12 something which the police are currently having to 13 manage. We will be asking both the church and the 14 police how they manage such investigations, and to ask 15 core participants to provide views as to how this 16 process could, or should, be managed in the future. 17 Next topic: what steps the Church of England and the 18 Church in Wales intend to take over the next few years 19 and what difference they consider this may make to 20 safeguarding processes. 21 This will include, firstly, a consideration of the 22 Church of England's General Synod report of the National 23 Safeguarding Steering Group from July 2018, prepared 24 largely in the wake of the hearings which have been 25 undertaken to date, and what they've done and what</p> <p style="text-align: center;">Page 17</p>	<p>1 they're intending to do. 2 Secondly, an update in respect of the seal of the 3 confessional. We understand that the Church of England 4 has a working group which was set up some time ago and, 5 in particular, to understand that work in the light of 6 the recommendations and experience of the Australian 7 Anglican Church, given the recommendations that were 8 made by the Australian Royal Commission on Sexual Abuse 9 in that respect. We will also obtain evidence about the 10 approach taken by the Church in Wales on the same issue. 11 The Church of England and the Church in Wales' 12 current work on sex and gender. We understand that 13 following the debate in Synod in February 2017, a group 14 has been created to advise dioceses on pastoral issues 15 concerning human sexuality, and we will be asking how 16 far that work overlaps with that on child protection and 17 how and what interconnected work has been done to try 18 and disabuse individuals of some of the evidence we have 19 already heard which sought to conflate human sexual 20 orientation and sexual abuse. 21 We also understand that the Church of England has 22 created a working group to identify and provide 23 an episcopal teaching document about human sexuality. 24 We will be looking at how far child protection or 25 safeguarding issues will feed into this document.</p> <p style="text-align: center;">Page 18</p>
<p>1 We will also be considering the final report 2 published by members of the National Safeguarding Panel 3 about the Past Cases Review and wish to know what steps 4 have been taken to review some or all of the dioceses' 5 work in the aftermath of the conclusions of that report, 6 which identified some significant deficits in the way 7 that the original report had been compiled. 8 Lastly, nearly every witness who gave evidence to us 9 during the case studies in Chichester and Peter Ball 10 talked about the pressing need for cultural change 11 within the church and that this should come from the 12 ground up. The investigation team considers that the 13 hearing in July should focus upon what steps are taken 14 to effect cultural change, how they can be managed and 15 if, and how, they are being put in place, and in 16 particular what has emerged from the joint symposium 17 upon what is called visioning and cultural change which 18 was mentioned during General Synod in July 2018. 19 Topic number 5. An inquiry into whether or not the 20 current structures of the Church of England and the 21 Church in Wales for dealing with cases of sexual abuse, 22 both current and non-recent, are working to keep 23 children safe. 24 We will obtain evidence in particular about the 25 measure to be implemented by the Church of England in</p> <p style="text-align: center;">Page 19</p>	<p>1 respect of the governance and structure of the 2 cathedrals, and the extent and nature of safeguarding 3 obligations and responsibilities between the cathedral 4 and the diocese. 5 The investigation team will also ask how the 6 cathedral works with choristers and choir schools and if 7 there is a commonality of approach, adequate supervision 8 and oversight of those individuals whilst within the 9 cathedral precincts. The investigation team will also 10 seek updated information about the SCIE audits 11 undertaken in late 2018 in respect of cathedrals. 12 We also wish to obtain evidence about the creation 13 of a new National Register of Clergy by the Church of 14 England, and to hear more about the extended or 15 different role of the National Safeguarding Panel and 16 the creation of an independent chair. We will envisage 17 wishing to hear from that independent chair. 18 We also wish to hear about the creation of 19 a reporting and data collection structure, which we 20 understand is something which the church is in the 21 preparatory stages of implementing, to understand what 22 work is being undertaken within dioceses to create such 23 an adequate reporting and data-collecting structure. We 24 are also interested in aspects of record-keeping and in 25 particular the proposal that all safeguarding should be</p> <p style="text-align: center;">Page 20</p>

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<p>1 done via an electronic system.</p> <p>2 Also an update into any other changes which have</p> <p>3 been implemented in respect of safeguarding practice and</p> <p>4 procedure.</p> <p>5 Number 6. We also wish to look at the auditing</p> <p>6 system which is being implemented by the church and any</p> <p>7 such auditing system or reviews which are in place</p> <p>8 within the Church in Wales and whether or not they are</p> <p>9 adequate in picking up deficiencies in practice.</p> <p>10 Last, we also wish to examine how more recent case</p> <p>11 work is being dealt with and how safeguarding works on</p> <p>12 the ground, both in respect of the Church of England and</p> <p>13 the Church in Wales.</p> <p>14 We have already made requests to have information</p> <p>15 about the case work which was undertaken in a sample of</p> <p>16 dioceses in 2017/2018, and will then pick a selection of</p> <p>17 them to examine in greater detail to see what is</p> <p>18 happening on a day-to-day basis. The team has asked for</p> <p>19 information from both urban and rural dioceses and those</p> <p>20 which have had SCIE audits which are glowing and those</p> <p>21 where some lessons need to be learned. Those dioceses</p> <p>22 are London, Sheffield, York, Worcestershire, and we will</p> <p>23 also be looking at a sample from the Church in Wales.</p> <p>24 We are hoping in particular to identify what are the</p> <p>25 most significant challenges faced by the DSA and the</p> <p style="text-align: center;">Page 21</p>	<p>1 diocese in which they work in respect of child</p> <p>2 protection. Do they consider that they are well</p> <p>3 supported and, if so, what support do they find most</p> <p>4 helpful? Is enough money spent upon safeguarding and if</p> <p>5 it isn't, what needs to happen?</p> <p>6 Next, what work they do with police, local</p> <p>7 authorities and other organisations, and what work have</p> <p>8 they done and do they envisage doing over the next year?</p> <p>9 Next, how do they think that cultural change can be</p> <p>10 embedded within the church?</p> <p>11 What work do they do with parish safeguarding</p> <p>12 officers?</p> <p>13 Do they have access to external support, such as an</p> <p>14 ISVA?</p> <p>15 Do they think that their bishop can deal with clergy</p> <p>16 failures to tackle safeguarding appropriately?</p> <p>17 What is their view about the clergy discipline</p> <p>18 measure and about the system for permission to</p> <p>19 officiate?</p> <p>20 And do they have any views about regulated activity</p> <p>21 under the current DBS regulations?</p> <p>22 Last but not least, we also want to look, following</p> <p>23 on from that, at the current system of vetting and</p> <p>24 barring checks, as we understand, and there has already</p> <p>25 been evidence about some difficulties there are on the</p> <p style="text-align: center;">Page 22</p>
<p>1 ground about knowing what is or isn't a regulated</p> <p>2 activity.</p> <p>3 What the inquiry has been doing and where we are</p> <p>4 now. In respect of the review and disclosure of</p> <p>5 documents, obviously everybody in this room understands</p> <p>6 that that is the critical means by which the inquiry</p> <p>7 seeks to build a comprehensive picture of the issues</p> <p>8 which I have outlined and which are relevant to the</p> <p>9 scope of the investigation. We have therefore been</p> <p>10 making a series of formal requests, pursuant to rule 9</p> <p>11 of the Inquiry Rules, to various individuals, bodies and</p> <p>12 institutions to receive information and documentation</p> <p>13 relating to the scope of the investigation. This</p> <p>14 information is still being received as individuals and</p> <p>15 organisations are providing updated information as and</p> <p>16 when it arrives.</p> <p>17 To date, we have made numerous requests for such</p> <p>18 documentation. They have included material concerning</p> <p>19 claims which have been brought against the Anglican</p> <p>20 Church in a number of dioceses in respect of the sexual</p> <p>21 abuse of children and young people by individuals who</p> <p>22 participate in the activities of the church.</p> <p>23 Secondly, material concerning investigations</p> <p>24 undertaken by the church themselves into allegations</p> <p>25 against clergy, employees and volunteers in respect of</p> <p style="text-align: center;">Page 23</p>	<p>1 allegations of abuse.</p> <p>2 Thirdly, material concerning the development of</p> <p>3 safeguarding practices and policies.</p> <p>4 The inquiry acknowledges the co-operation and</p> <p>5 commitment given in particular by the Archbishop's</p> <p>6 Council and by the Church in Wales and by individual</p> <p>7 victims and survivors in providing us with</p> <p>8 documentation. It must have been a vast exercise to</p> <p>9 compile such, for which the inquiry is grateful. That</p> <p>10 co-operation continues and is essential to the inquiry</p> <p>11 being able to carry out its terms of reference in</p> <p>12 a timely manner.</p> <p>13 At present, the investigation team has reviewed the</p> <p>14 vast majority of documents it already possesses to</p> <p>15 determine their relevance for the wider hearing. It is</p> <p>16 currently in the process of identifying which should be</p> <p>17 disclosed. Of course, much of the material relating to</p> <p>18 the picture in respect of the central and national</p> <p>19 institutions of the church has already been disclosed</p> <p>20 and provided, as has the vast majority of policies,</p> <p>21 guidance and internal reports commissioned by the Church</p> <p>22 of England, which are in the possession of the inquiry.</p> <p>23 Not all documents will be disclosed to all core</p> <p>24 participants. Only those relevant to the aspect of the</p> <p>25 investigation to which they are involved will be given</p> <p style="text-align: center;">Page 24</p>

<p>1 to them.</p> <p>2 The inquiry has, in the case of doubt, provided</p> <p>3 documentation. Documents which deal with the position</p> <p>4 of the church nationally or which are policy and process</p> <p>5 documents which apply across the board will be given to</p> <p>6 everyone.</p> <p>7 We hope largely to be able to append the vast</p> <p>8 majority of relevant documents to witness statements,</p> <p>9 rather than providing significant quantities of</p> <p>10 additional disclosure above and beyond that, in order to</p> <p>11 provide a focused and proportionate set of documents</p> <p>12 which will enable adequate preparation by all the</p> <p>13 parties in advance of the hearing.</p> <p>14 As has been set out at previous hearings, the</p> <p>15 process of redaction is well known to you all and is</p> <p>16 being followed in accordance with the inquiry's protocol</p> <p>17 on the redaction of documents which is available on the</p> <p>18 inquiry website.</p> <p>19 The inquiry is alive to the need to ensure that</p> <p>20 there is no "jigsaw" identification of individuals</p> <p>21 subject to anonymity and cyphers, and has taken steps</p> <p>22 and will take steps within its redaction to ensure that</p> <p>23 there is appropriate anonymisation, not just of names,</p> <p>24 but of other specific detail which could lead, by</p> <p>25 deduction, to identifications. One of the primary</p> <p style="text-align: center;">Page 25</p>	<p>1 reasons to send all redacted materials to the</p> <p>2 institution which provided them is to ensure that</p> <p>3 processes have been adequately followed to avoid such</p> <p>4 accidental disclosures.</p> <p>5 The investigation team has begun the process of</p> <p>6 drafting and sending rule 9 requests and it is hoped</p> <p>7 that all requests will have been sent out by</p> <p>8 mid-February 2019.</p> <p>9 Obviously, as you are all aware, the process of</p> <p>10 witness statement requests involves the inquiry asking</p> <p>11 for a detailed and in-depth written explanation of</p> <p>12 matters relevant to the terms of reference. These</p> <p>13 requests do take some time to compile because they</p> <p>14 involve a forensic scrutiny of the documents received,</p> <p>15 and also other surrounding material.</p> <p>16 As you all know, the request then involves the</p> <p>17 production of a draft statement, which is then provided</p> <p>18 to the investigation team who comment upon it.</p> <p>19 A finalised version of the witness statement will be</p> <p>20 provided, which will then be disclosed to all core</p> <p>21 participants relevant to the part of the investigation</p> <p>22 to which the statement relates.</p> <p>23 Requests have been to all victims and survivors who</p> <p>24 are core participants to the Anglican investigation and</p> <p>25 have not yet provided the inquiry with written evidence.</p> <p style="text-align: center;">Page 26</p>
<p>1 Once final versions have been received, they will be</p> <p>2 provided to all core participants as relevant.</p> <p>3 Detailed and extensive requests have already been</p> <p>4 made and will be made both to the Archbishop's Council.</p> <p>5 All core participants already have a large number of</p> <p>6 witness statements that have been used at previous</p> <p>7 hearings and provide the backcloth against which further</p> <p>8 enquiries are taking place. They bring together</p> <p>9 a wealth of information which would otherwise be</p> <p>10 scattered throughout documents and hopefully provide</p> <p>11 a chronology and history of safeguarding and child</p> <p>12 protection at least over the past 20 years.</p> <p>13 The purpose of the information being sought at this</p> <p>14 stage is to create a framework for the hearings in July,</p> <p>15 to identify and draw out further evidence on those</p> <p>16 issues upon which the inquiry may need to make findings</p> <p>17 or make further enquiry, and also to marshal and append</p> <p>18 what is otherwise an overwhelming amount of documentary</p> <p>19 information.</p> <p>20 Given the time constraints and the need for</p> <p>21 proportionality, it is not currently envisaged to call</p> <p>22 all those who provide witness statements to give oral</p> <p>23 evidence. The purpose of the oral hearings is to add to</p> <p>24 the information already present and to resolve queries</p> <p>25 and ambiguities. It is hoped that most, if not all,</p> <p style="text-align: center;">Page 27</p>	<p>1 witness statements concerning the hearing will have been</p> <p>2 disclosed to all relevant participants by the end of</p> <p>3 May 2019.</p> <p>4 It may be possible that the responses given within</p> <p>5 the witness statements will lead to further witness</p> <p>6 evidence being gathered, but it is hoped that the</p> <p>7 process will be relatively exhaustive in nature and the</p> <p>8 need for supplementary or additional statements will</p> <p>9 hopefully therefore be relatively limited.</p> <p>10 As to hearing dates, as the chair has already</p> <p>11 identified, the inquiry panel will sit for two weeks</p> <p>12 from Monday 1 July to 12 July 2019. The panel will sit</p> <p>13 five days a week, with breaks for lunch and also breaks</p> <p>14 for the transcribers both during morning and afternoon</p> <p>15 sessions.</p> <p>16 It isn't possible at this stage to envisage which</p> <p>17 witnesses will be asked to give oral evidence and when</p> <p>18 they will be asked to attend. All those who would</p> <p>19 likely to be asked to give such evidence will be</p> <p>20 informed by early May 2019 and asked for relevant dates.</p> <p>21 We are aware that General Synod unfortunately falls</p> <p>22 right in the middle of our hearings, and we do not</p> <p>23 intend to call any witnesses during those days when they</p> <p>24 will need to be attending General Synod.</p> <p>25 The inquiry may hold a further preliminary hearing</p> <p style="text-align: center;">Page 28</p>

<p>1 in early May if this is needed in order to resolve any 2 particular housekeeping issues. We will let all core 3 participants know by early April if that is likely to be 4 the case. 5 The inquiry will make arrangements to ensure that 6 all witnesses who come to give evidence have a chance to 7 familiarise themselves with the hearing room here at 8 Pocock Street, the inquiry's permanent hearing centre, 9 and can also provide them with appropriate counselling 10 and psychological support if required, both before, 11 during and after any evidence which is given. 12 The inquiry will not compel anyone who is a victim 13 or survivor to give oral evidence if they do not wish to 14 do so. 15 The timetable, as currently identified, is likely to 16 be as follows. Disclosure of all documents and witness 17 statements received by the end of May 2019. Agenda 18 accompanied by a proposed witness list by the beginning 19 of May 2019. Core participants to have a chance to 20 comment upon and make any submissions in response to the 21 witness timetable within two or three weeks thereafter, 22 and the potential for a further preliminary hearing if 23 required. 24 I would remind all participants at this hearing that 25 the former chair gave a ruling on the broadcasting of</p> <p style="text-align: center;">Page 29</p>	<p>1 proceedings in respect of the Anglican Church in 2016 2 which has subsequently been amended by yourself, chair, 3 and which is available on the inquiry website. 4 There is a duty upon you, chair, pursuant to 5 section 18 of the Inquiries Act 2005, to take reasonable 6 steps to secure that members of the public and press are 7 able to attend the inquiry or to see a simultaneous 8 transmission of such proceedings. The following 9 directions have therefore been made. 10 There will be a designated media seating in the 11 hearing room and in an annex which will show video of 12 the proceedings with a three-minute delay. Live 13 text-based communications are permitted from that annex 14 and from the legal benches. A live transcript of the 15 proceedings is available within the inquiry room and 16 transcripts of oral evidence will be posted to the 17 website. 18 I also identify that special measures are available 19 to core participants and witness who have anonymity 20 which can include giving evidence in the hearing room 21 without a screen. Witnesses will not be filmed directly 22 during their testimony and the camera will be directed 23 at the panel or lawyers and not them. The voices of any 24 anonymous witness can be distorted if a request is made 25 to avoid identification. Members of the press and</p> <p style="text-align: center;">Page 30</p>
<p>1 public are excluded from the hearing room during the 2 course of anonymous testimony. They are able to watch 3 proceedings in the annex, subject to a three-minute 4 delay. 5 Last, but by no means least, there have been no core 6 participant determinations since the last hearing. 7 Chair, I understand that both Mr Greenwood and 8 Mr O'Donnell wish to address you briefly on the next 9 investigation. So maybe Mr O'Donnell goes first. 10 THE CHAIR: Thank you, Ms Scolding. 11 Submissions by MR O'DONNELL 12 MR O'DONNELL: Thank you, chair. Good morning. 13 There's only one point that we wish to emphasise at 14 this preliminary hearing. I'm quoting now from the 15 email from the solicitor to the inquiry that was sent 16 out to all the core participants on 29 November of last 17 year in which it said that evidence is to be requested 18 from a number of complainants, victims and survivors who 19 are designated as core participants from dioceses other 20 than Chichester and whose cases did not relate to the 21 Peter Ball hearing and from whom evidence has not been 22 heard during this case study. To which point, in my 23 submission, can be added that which was helpfully said 24 by CTI just now that there will be a consideration 25 (inaudible) church practices and processes in Wales,</p> <p style="text-align: center;">Page 31</p>	<p>1 something you mentioned when you first sat, chair. 2 What we really hope to see in this third and final 3 hearing is a spread of survivor evidence from across the 4 other Anglican dioceses of England and Wales, because it 5 seems to us that, without this, any recommendations that 6 ultimately come from this inquiry that might impinge 7 upon the Anglican Church would inevitably carry less 8 force on the simple ground that the church would say 9 it's just evidence from the south-east of England, which 10 is what the (inaudible) addressed. 11 That's the only observation I have to make, other 12 than to thank CTI for the clarity with which she set out 13 the shape of the final hearing this morning. 14 THE CHAIR: Thank you. 15 Mr Greenwood? 16 Submissions by MR GREENWOOD 17 MR GREENWOOD: Chair and panel, I have canvassed opinion 18 among my core participants that I represent and I have 19 a few suggestions which I think have been acknowledged 20 by counsel to the inquiry already. 21 But just to reinforce them, the first is that the 22 evidence or case study of the case of a man called 23 Matthew Ineson, who is a core participant who is not 24 anonymous, demonstrates, in our view, the fact that 25 bishops to this day are ignoring good, safe safeguarding</p> <p style="text-align: center;">Page 32</p>

<p>1 practice.</p> <p>2 We believe this would be a useful case to examine.</p> <p>3 It's a case in which the Bishop of Sheffield ignored his</p> <p>4 own PCC members of Mr Ineson's parish. Mr Ineson was</p> <p>5 a vicar in a parish in Sheffield at the time.</p> <p>6 There were concerns regarding safeguarding in</p> <p>7 a church school, but this bishop failed to report the</p> <p>8 allegation to the police. The same bishop then failed</p> <p>9 to take action on Mr Ineson's own disclosed personal</p> <p>10 abuse. The bishop then went on to misrepresent</p> <p>11 conversations that he had had when he was interviewed on</p> <p>12 the BBC Sunday programme.</p> <p>13 In relation to Mr Ineson also, the Bishop of</p> <p>14 Doncaster was overheard by an undertaker talking about</p> <p>15 Mr Ineson's case openly, whilst wearing bishop's garb,</p> <p>16 within the earshot of other users of a cafe in which he</p> <p>17 was seated.</p> <p>18 Mr Ineson's case also demonstrates how the clergy</p> <p>19 discipline measure system has thwarted his attempts to</p> <p>20 achieve accountability for the failings in his case.</p> <p>21 This is all very well-documented. I propose to</p> <p>22 provide more documentation appended to Mr Ineson's</p> <p>23 statement, which has been requested by solicitor to the</p> <p>24 inquiry, but I would ask that counsel to the inquiry and</p> <p>25 the panel consider this case fairly carefully because</p> <p style="text-align: center;">Page 33</p>	<p>1 it's fairly recent.</p> <p>2 In addition, the Past Cases Review, when examined</p> <p>3 closely, demonstrates many allegations have not been</p> <p>4 adequately addressed in the past. I know that the</p> <p>5 Singleton Report reported last year, but in our view, in</p> <p>6 the view of members of MACSAS, it was wholly inadequate,</p> <p>7 a wholly inadequate examination of the Past Cases</p> <p>8 Review.</p> <p>9 We ask what has the church done to look into each</p> <p>10 allegation fully? If it's done nothing, why not? What</p> <p>11 should be done to look back at these cases that were</p> <p>12 missed at this late stage?</p> <p>13 My friend, counsel to the inquiry, has mentioned</p> <p>14 a document that was presented to the Synod in July last</p> <p>15 year. This is document GS2092. We believe that this</p> <p>16 document, which is essentially a response to the inquiry</p> <p>17 here, the IICSA inquiry, reveals inadequacy in the</p> <p>18 response and is worthy of examination, possibly with</p> <p>19 a member of the National Safeguarding Group.</p> <p>20 I'm sorry to come back to this, but commentary on</p> <p>21 the legal structure of the church and its inability to</p> <p>22 enforce directions on safeguarding does need to be</p> <p>23 looked at. The lack of a command structure, the</p> <p>24 autonomy of bishops, failures in the CDM mechanism, all</p> <p>25 need to be underlined, please.</p> <p style="text-align: center;">Page 34</p>
<p>1 The church could also be invited to comment on</p> <p>2 themes emerging from the Accountability and Reparations</p> <p>3 Inquiry, and in particular its proposals on a redress</p> <p>4 scheme, either set up solely to cover the Church of</p> <p>5 England or its participation in a wider scheme.</p> <p>6 In addition, a core participant who goes by the name</p> <p>7 of [AN-A4] has outlined his concerns about the conflict</p> <p>8 of interest between the All Churches Trust and EIG with</p> <p>9 regard to settlements and how claimants' compensation</p> <p>10 are treated. This is something that's worthy of</p> <p>11 consideration and I know that counsel to the inquiry has</p> <p>12 mentioned this.</p> <p>13 It has been mentioned to me also recently that the</p> <p>14 monitoring of clergy discipline decisions needs to be</p> <p>15 looked at. I'm told, although I haven't investigated</p> <p>16 this yet because I have only been told this very</p> <p>17 recently, that a situation existed fairly recently in</p> <p>18 which a clergy discipline measure was undertaken which</p> <p>19 required no future ministry. However, the person to</p> <p>20 whom this was administered simply moved parishes and</p> <p>21 took up a post elsewhere.</p> <p>22 I will do more investigation and will liaise with</p> <p>23 counsel to the inquiry and pass this information into</p> <p>24 the inquiry, but other than that, chair and panel,</p> <p>25 I have no further observations.</p> <p style="text-align: center;">Page 35</p>	<p>1 THE CHAIR: Thank you, Mr Greenwood.</p> <p>2 Ms Scolding, do you wish to address me any further?</p> <p>3 MS SCOLDING: No, I do not wish to do so. Thank you both to</p> <p>4 Mr O'Donnell and Mr Greenwood for making those</p> <p>5 representations. Thank you.</p> <p>6 THE CHAIR: Thank you to everyone for attending today and</p> <p>7 for these helpful submissions which we will consider</p> <p>8 carefully.</p> <p>9 We look forward to seeing everyone at the hearing</p> <p>10 centre in July. Thank you.</p> <p>11 (11.18 am)</p> <p>12 (The hearing adjourned)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 36</p>

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