

Case Study on the Roman Catholic Church
English Benedictine Congregation
PART 2
Ealing Abbey and St. Benedict's School

CTI Opening Statement for
Hearing commencing on 4th February 2019 - **CHECK AGAINST DELIVERY**

(1) Introduction

1. Chair, Members of the Panel. I appear today together with Matthew Donmall and Jelia Sane, junior counsel for this Case Study.
2. May I introduce the legal representatives for the core participants present:
 - a. Complainants (A43-A51, A53-54, A64-A66, A69, A70, A72 and A75, West London Benedictine Order Abuse Survivors - represented by by Mr O'Donnell (and Mr Scorer);
 - b. F13 represented by Howe and Co; Mr Jacobs (and Mr Enright);
 - c. G2 represented by Mr. Khan QC;
 - d. G1 and G3 to G6 represented by Mr Alan Collins;
 - e. C18 and C19 represented by Mr Chapman (and Mr Greenwood);
 - f. Adrian Child and Eileen Shearer; both represented by Ms Griffiths QC and Mr King.
 - g. Jonathan West, represented by again Mr O'Donnell (and Mr Scorer);
 - h. The English Benedictine Congregation represented by Ms Gallifant QC;
 - i. The Monastic Community of Ealing Abbey, represented by Ms Henke QC
 - j. The Catholic Council for IICSA represented by Ms Gallifant QC
 - k. Ampleforth represented by Mr. Kelly QC;
 - l. The Secretary of State for Education; Ms McGahey QC
 - m. The Independent Schools Inspectorate; Mr Wolfe QC and Mr Lawson, Ms McKimm and Caroline Hoare;
 - n. The Commissioner of Police of the Metropolis - by Ms Leek QC
 - o. Ofsted; by Ms Hannett

(2) Case Study in Outline



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3. This hearing is part of the Inquiry's investigation into the Roman Catholic Church, and is the second and last of the substantive public hearings in investigation concerning the English Benedictine Congregation.
 4. As was outlined in the Report published by the Inquiry in August 2018, there are 10 EBC Congregations in in England and none in Wales. 4 of these have independent fee-paying schools associated with them - Ampleforth, Downside, Ealing and Worth.
 5. For reasons outlined in your determination of 27 July 2017 the hearing into Ealing Abbey was separated from that into Ampleforth and Downside, and in 21.5.18 having received no submissions in respect of Worth Abbey from any Core Participant, you determined that Worth Abbey would not be separately considered, the evidence to be heard in respect of Ampleforth, Downside and Ealing being sufficient to consider matters in respect of the English Benedictine Congregation.
 6. This case study will therefore focus on Ealing Abbey and St. Benedict's school, and over the next week, we will seek to explore events at Ealing Abbey and St. Benedict's School, and the extent to which those and other institutions have taken seriously their responsibility to safeguard children and to protect them from sexual abuse. We will also hear evidence from Abbot President Christopher Jamison as to the future, and how the EBC propose to deal with the failings that you identified within your August 2018 report in order to combat child sexual abuse, and to protect children in the future.
- (3) Ealing Abbey and St. Benedict's School - Background
7. The monastery at Ealing was founded in 1897, after monks from Downside had been entrusted with the the care of local parish 2 years before. It became an independent community in 1947, achieving abbey status in 1955, thereby becoming the first Benedictine Abbey in Greater London since the Reformation. The Roman Catholic Parish of St Benedict, Ealing, is under the care of Ealing Abbey, and does not form part of the Archdiocese of Westminster.
 8. St Benedict's School, previously known as Ealing Priory School, was founded in 1902 by the Downside monks. It is an independent school, and the only EBC day school in England. It began as a boy's school, girls being admitted in 2007. The school accepts children from nursery age to 18. The Senior school has had a lay headmaster since 1987, and the Junior school since 2000. The overarching responsibility for the School as a whole has rested with the head of the senior school since 2006.
 9. The school (junior and senior) is situated alongside the monastery, which itself sits next to the abbey church. Unlike Ampleforth and Downside, the setting is urban - in the



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built up residential area of Ealing in West London. See photos. INQ003939 // BNT001030

10. The more recent abbots of Ealing Abbey have been:
 - a. Charles Pontifex: 1955-56 (d.1974)
 - b. Rupert Hall: 1956-67 (d.1974)
 - c. Francis Rossiter: 1967-1991
 - d. Laurence Soper: 1991-2000
 - e. Martin Shipperlee: 2000-present, he having been re-elected in 2008, and again in 2016

11. Of those still living, Francis Rossiter is ill and infirm. He will not be giving evidence at this hearing.

12. Laurence Soper was arrested in 2010 on charges of child sexual abuse. He was convicted shortly after our last hearing in December 2017, and is currently serving a prison term of 18 years. I will come back to the reasons for the delay in his prosecution in a moment.

13. According to Abbot Shipperlee, there were 24 monks in 1980, and only 15 by 2018. Two of the current monks are presently under restrictions following allegations of child sexual abuse.

14. The recent headmasters of SBS Senior School have been:
 - a. Fr. George Brown: 1969-1977
 - b. Fr. Anthony Gee: 1978-1985
 - c. Father Gregory Chillman: 1985
 - d. Dr A J Dachs: 1986-2002
 - e. Christopher Cleugh: 2002 - 2016
 - f. Andrew Johnson: 2016 - present

15. The headmasters of SBS Junior school have been:
 - a. Dom Clement Hayes
 - b. Dom Dunstan Watkins
 - c. Fr. David Pearce, 1985 to 1993
 - d. Fr. Martin Shipperlee 1993 to 2000
 - e. Dennis McSweeney 2000- 2005
 - f. Catherine Nathan 2005-2006
 - g. Robert Simmons 2006-present

(4) Allegations in Summary



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16. There have been a number of allegations of child sexual abuse at St Benedict's School over the last 30 years. Many of the complaints of abuse have arisen out of corporal punishment, which was often used as an excuse and means through which to sexually abuse children. Precisely how many allegations have been made is unclear, as record-keeping and the reporting of incidents in the Abbey have been inconsistent and incomplete. By way of snapshot, since 2003 there have been 2 monks and 3 teachers convicted of approximately fifty offences involving the sexual abuse of children, perpetrated over a period from the 1970s to 2015. In addition, the Inquiry is aware of at least 18 further allegations made since 1992 against these four men and 5 others, some of whom are now deceased.
17. The allegations made against individuals at Ealing demonstrate a wide spectrum of behaviour, spanning from:
- excessive physical chastisement, sometimes apparently for sexual gratification;
 - grooming;
 - fondling of genitalia;
 - anal penetration; and
 - Rape.
18. During the course of this hearing you are likely to hear of occasions where it appears that:
- Victims did not want to report allegations;
 - Reports were ignored;
 - Families did not consider that the complaints made by their children were serious, or did not want to report, [perhaps due to a misguided idea of what the child's best interests were];
 - Staff and monks were aware of the rumours, aware of the abuse, but turned a blind eye due to pressure put upon them by those in power in the institution;
 - Occasions when police and statutory agencies were not informed or involved;
 - There were inter-agency, and intra-agency, failures of communication;
 - There were failures of record keeping;
 - Incomplete or misleading information was provided to statutory agencies;
 - Abusers were made to leave the school, but provided with a reference;
 - When abusers were allowed to remain in their posts and / or remain at the Abbey;
 - Restrictions were put in place yet further abuse was nevertheless still perpetrated.
19. Those who were in positions of authority at the Abbey and School may accept some failings, may place reliance on changes that have been made since the Carlile Review. We anticipate that the wider EBC will also cite changes made more recently, and since your report in August 2018. These will be for you to consider, and set against the question of whether safeguarding problems are still ongoing, and whether children remain at risk.



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(5) Allegations in more Detail

20. It goes without saying that in this short hearing we will not be able to consider every allegation, or every accused. But, looking briefly now at those 4 who were convicted, and with a focus on David Pearce and Laurence Soper.

John Maestri

21. John Maestri (in summary only) is the first man to have been convicted. He is known to have abused at least 7 pupils of St. Benedict's school. Following allegations being made in 1984, then Abbot Rossiter decided that it would not be appropriate for Maestri to continue in his newly appointed role as Head of the Middle School. Maestri accepted this decision and left SBS. Abbot Rossiter has said that he believes he wrote him a positive reference to apply to become a teacher. No written records were kept of the incident and no disclosure made to the statutory authorities. At some point, certainly by 1988, Maestri obtained a position at St. Benet's Hall, which as we heard in the last hearing is a Permanent Private Hall of the University of Oxford established in 1897 by Ampleforth Abbey, that to this day retains strong ties to the English Benedictine Community.

22. Maestri was subsequently prosecuted and in December 2003 pleaded guilty to indecently assaulting four boys, including RC-A419. Maestri was sentenced to 30 months in prison. As we shall see, [para 32] there is evidence to suggest that RC-A419 also made a complaint against David Pearce.

23. In January 2005, Maestri was convicted of a further indecent assault against RC-A625 and received a community sentence. In January 2009, Maestri pleaded guilty to indecently assaulting two other boys, one of whom was RC-A11, who was also a victim of Laurence Soper. Maestri received a two year prison sentence, suspended for two years.

[David Pearce was also arrested and charged with indecent assault and gross indecency against A11 but the CPS abandoned these charges at Pearce's trial in 2009. In 2011 Maestri was jointly charged with Pearce with offences against A599. Both men were acquitted. A further allegation was made against Maestri in 2014 by A618, who also named A641 as another victim. Maestri denied the first allegation, but admitted assaulting A641, but the victim decided that he did not wish to take matters further. There was no prosecution.]

David Pearce

24. David Pearce attended SBS as a child, was ordained a priest in 1965, and became a member of EA in 1969. He taught at the school from 1976 to 1993, during which time he held significant positions, first as head of year in the senior school, and then as



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headmaster of the junior school. Pearce is alleged, or has been found, to have sexually abused at least 14 pupils at SBS over a 30 year period, spanning from September 1976 through to January 2008.

25. One of the first allegations made was in 1992 by RC-A595, an 11 year old boy. He disclosed to his sister that after giving a class on child abuse on 4th June 1992, Fr. Pearce had called him into his study, and questioned him about whether he had been physically abused by his father. It is said that Fr. Pearce made RC-A595 lock the door, and remove his shorts and underwear before proceeding to rub his buttocks and insert a finger into his anus for approximately 3 minutes. RC-A595 said that Fr. Pearce then told him "it's best if we keep this our secret for now". A595's sister told their mother who contacted the police.
26. Pearce was interviewed, and released on bail. Abbot Soper allowed him to remain at the school did not suspended from teaching, saying that this was justified because the matter "appeared to be a smoke screen for the alleged activity of the father", and this was endorsed by a "senior advisory governor" and by the School's solicitors.
27. The police referred the matter to the CPS. The papers show that the police considered that the child would "make an excellent witness and appears thoroughly truthful", however on the 14 July 1992 the CPS advised that there was insufficient evidence to provide a realistic prospect of conviction. This decision was based on the uncorroborated nature of the child's account, the absence of supporting medical evidence, and the fact that there were "matters which may be properly put by the Defence to A595 to undermine his reliability and credibility and additionally to ascribe him a motive for telling less than the whole truth", including alleged inconsistencies in the statements provide by his family members. No further action was taken. This is one of the decisions that will be considered during this hearing. In 1993 Pearce was replaced in the position of headmaster by Fr Shipperlee, and Pearce became Bursar of Ealing Abbey. It is of note that also in 1993 the Bishop's Conference of England and Wales established a Committee to produce National Guidelines in respect of safeguarding, with the resultant Budd Report being published in 1994.
28. In 1997 another complaint was made against Fr. Pearce, by RC-A418 who had attended SBS from 1982 to 1997 between the ages of 4 and nineteen. He said that after swimming lessons Fr. Pearce would check if the boys were dry by touching their back, buttocks and genital area. If a boy lost his locker key, Fr. Pearce would put his hands down their swimming trunks on the pretext of checking if the key was there. Fr. Pearce would also watch the boys as they showered and, on occasion, film them or join them in the shower. He also remembered a specific incident when he was around 10 years old, and was sent to Fr. Pearce's office because he had a rash on his upper body, and Fr Pearce insisted on examining his genital area even though A418 told him that the rash did not go below his waist. A418 told his mother of his discomfort during



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swimming lessons, and she wrote to the school and pulled him out of swimming lessons.

29. As well as his mother, A418 also told his drama teacher, Katherine Ravenscroft. He told her that “hundred of boys would have similar stories to relate” however it seems that she took no action at that stage. Katherine Ravenscroft subsequently told police that when she joined SBS in 1990 there were rumours about Pearce, but because of the nature of the school under Abbot Soper it was difficult to complain. When Soper stood down as Abbott and was replaced by Dom Martin Shipperlee Ms Ravenscroft did complain however, and a meeting was arranged with A418 who had by this time left the school. Following that he gave a full statement to police, which included further allegations of a similar nature in respect of other boys. Enquiries were made with RC-A632 who corroborated much of what what A418 had said. It was also discovered by police that a very similar allegation had been made by another boy, RC-A631, in 1998. Soper had met with the parents and told them that the school would deal with the matter, but it appeared there were no records of this, and the police crime report notes that “Fr Pearce was not challenged by Fr Laurence about his behaviour”.
30. In 2002 however the police concluded that there was no evidence of criminal offences, and that the allegations were of “minor nature” relating to inappropriate rather than criminal behaviour. It was also noted that two of the boys were in any event reluctant to give evidence, and that Pearce was no longer a member of the teaching staff and was not allowed contact with the schoolchildren, and that that would continue to be the case. Although the police did inform Peter Turner, Child Protection Coordinator of the Westminster Diocese, it is unclear whether checks were made as to what actual contact Pearce might be able to have with children, and what control was being exercised over him by the Abbey at this stage.
31. Dom Yeo conducted three Ordinary Visitations of Ealing Abbey whilst Abbot President. The first of these was in December 2003, [also in 2007, and in 2016. In addition, as we shall see, there was an Extraordinary Visitation in 2010 and an Apostolic Visitation in 2011 and 2013]. He was assisted during the 2003 Visitation by Abbot Geoffrey Scott (Abbot of Douai Abbey). The allegations against Fr. Pearce were raised and Dom Yeo has indicated that ‘there were many complaints that he went into the school, and more generally that the community was not properly informed what the allegations against him were’. Dom Yeo shared the community’s concerns with Abbot Shipperlee and urged him to ensure that they were dealt with appropriately.
32. In 2004 a further allegation was made by another boy RC-A6, who visited SBS and spoke to Abbot Shipperlee. A6 complained of three separate incidents which took place in 1990-1991 when he was 10 or 11 years old. These included similar allegations of touching during swimming lessons, videoing the boys when they were showering. He also said that Pearce had taken advantage of him on two occasions when he had been ill in the infirmary, during the second of which Pearce had fondled his penis. He



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said he had told his mother about the videos, but she had told him not to worry and that it wasn't serious. Shipperlee told A6 that he was aware of rumours surrounding Pearce and of his reputation.

33. A6 contacted the police and made a statement. During this he said that when he moved schools to join Worth a few years after the abuse he had also told a monk there, who he said had made a complaint to SBS on his behalf. However it does not appear that there are records of any such complaint. Pearce was arrested, interviewed, and released on bail. Pearce was novice master at the time, so had no official role with the school. The evidence suggests that he was placed on 'administrative leave' from April 2004, but precisely what this involved is unclear. On 19th October 2004 a senior CPS reviewing lawyer advised that it would be inappropriate to prosecute Pearce. Although it was noted that there had been speculation about Pearce in the past, the lawyer's view was that in the absence of corroboration - which is independent evidence in support or confirmation of the allegation - it would not be possible to secure a conviction.
34. It is not clear whether the full background had been considered, and whether the evidence of A595, A419, A632 and A631 were provided to the Crown Prosecution service reviewing lawyer. The lawyer did however indicate that she would be willing to consider the matter again if new information came to light, though it does not appear that any advice was given as to what further inquiries might be made, nor does it seem that any further action was taken. Pearce was allowed to return to Ealing Abbey, something later identified by Lord Carlile in his review as "One of the most serious failings", and a subsequent ISI report (published in early August 2010) said of this that: "The commitment to trust within the Community and to St Benedict's rule of love and forgiveness appears on occasion to have overshadowed responsibility for children's welfare".
35. There is evidence that in the summer of 2004 another ex-SBS pupil, A419 complained about Fr. Pearce to the Diocese of Westminster Child Protection Team. He said that when he was a pupil at SBS in the late 1970's, Fr. Pearce had befriended his mother, a widow, and visited their home. He took A419 upstairs to a bedroom and touched his penis on the pretext of "naming body parts". He had not said anything at the time.
36. In October 2004, the same month as the CPS decision not to prosecute Pearce in respect of his allegations, RC-A6 filed a civil claim against Pearce and SBS. In the hearing A6 sought to rely on similar fact evidence, in respect of allegations of three of the boys that I have mentioned - A595, A418, and A419 (also abused by Maestri). He was successful, and in the judgement handed down in February 2006, Mr Justice Field said that he had "found [A6] to be an entirely convincing, reliable and credible witness.... [and that] his evidence was clear and unmistakably had the "ring of truth" to it". It's plain from his judgement that there were issues with documents being disclosed by the school to the court in a haphazard fashion during the hearing, and Abbot



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Shipperlee was ordered to provide an affidavit to explain this. Amongst the documents provided to the court late was the note of the allegation of A418. The judge commented that if he had had the note when ruling on the admissibility of the boys' evidence under the similar fact principles, he would have had no hesitation at all in finding it admissible. He found in favour of A6, and found that he had suffered considerable psychiatric harm as a result of the abuse by Pearce. A6 was awarded significant damages.

37. It is not clear whether the fact of this civil claim, or its outcome was provided to the police, or if they were otherwise aware of it. It is therefore not clear if it was considered by police, or whether the evidence of the third boy, A419, or the high court judge's ruling as to similar fact evidence was presented to the Crown Prosecution Service. Certainly it does not appear that the case was re-reviewed at that time - something A6 has subsequently expressed disappointment about.
38. Abbott Shipperlee instructed David Tregaskis to conduct an assessment of Pearce. The Panel will remember that Tregaskis was a clinical criminologist had also assessed monks at Ampleforth and Downside. In his report, Tregaskis commented "notwithstanding Fr. Pearce's consistent denial of any inappropriate behaviour, is the fact that there are four separate allegations of such behaviour, all of which relate to boys of a similar age". On the information we have received however, it would seem that at that stage there were already at least six allegations - which leads one to question whether police had informed the Abbot of all the allegations, and / or whether full disclosure had been made to Mr. Tregaskis. Nonetheless, he found that there was cause for concern, and that Pearce's access to children had been facilitated by his role as a teacher, and family friend, and that there should be clear boundaries set in terms of the exercise of his ministry. [He also expressed the view that Pearce could serve as a chaplain to other religious communities, such as convents, without the need to protect the public or the integrity of the Community.]
39. Following this, Peter Turner, then the Child Protection Coordinator for the Archdiocese of Westminster, wrote to Abbot Shipperlee recommending that Fr. Pearce be allowed to remain in the monastery subject to the following restrictions: (i) that he have no public ministry within the parish setting; (ii) that he only be allowed to say mass in private or within the monastery setting, with no members of the public present; (iii) that he be allowed to continue in a non-executive role within the monastery, provided this did not bring him into contact with children and young persons; (iv) that he continue to serve as chaplain to other religious communities provided this did not bring him into contact with children and young persons and provided that the person in charge of such communities were made aware of these conditions; (iv) if he visited families within the parish, he did so only on condition that he did not wear clerical dress and that the families were bona fide families/friends (the last of these despite the fact that the allegation of RC-A419 suggested that on at least one occasion Pearce had taken advantage of a "friendship" to abuse children).



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40. So Pearce remained at the monastery. And despite the restrictions in place, was able to form a relationship with RC-A621 a teenage pupil who at the time was working in the monastery kitchen on weekends. RC-A621 had sought spiritual guidance from Fr. Pearce as he was unsure about his sexuality. Fr. Pearce set about grooming the boy, befriending him, giving him his mobile telephone number, and arranging private meetings. During these he touched RC-A621 - on his buttocks and his upper thigh, and tried to kiss him. He encouraged the boy to send him nude photographs of himself, and A621 although reluctant did eventually did send a photograph of himself naked from the waist up. Pearce also heard A621's confession, something that was again in breach of his restrictive ministry, and in so doing pulled the boy over and onto his own body. He also secretly met with RC-A621 outside of EA in 2007 in Ireland, when A621 was attending a Church-run retreat.
41. As mentioned, Dom Yeo conducted a second visitation of EA in December 2007. He was assisted by Abbot Stephen Ortiger, formerly Abbot of Worth Abbey. The issues raised during the Visitation primarily concerned the quality of the common life of the community, however the cases of Fr. Pearce and RC-F41 were also considered. According to Dom Yeo, members of the community were distressed by the fact that a civil claim had been brought against Ealing Abbey by A6 in 2004 and by the fact that allegations had been made against RC-41 who remained under restrictions despite his acquittal. It appears that the community had not been fully made aware of the allegations against Fr. Pearce and RC-41; Dom Yeo and Abbot Ortiger recommended to the Abbot and his Council that this be done and, further, that the Abbot report the allegations to the Holy See.
42. Also in 2007, another victim, A-594 came forward. He told police that when, aged 7 or 8, he joined the school in the early 1970's, he was summoned to Fr. Pearce's office, made to take off his clothes and was beaten on his buttocks and knuckles with a cane. Fr. Pearce used to laugh and smile as he caned him, after which he would make A-594 sit on his knee. He told his parents at the time, and they complained to the School but were told that it was "just a clash of personalities" and no action was taken.
43. Returning to RC-A621 (who was being groomed and subjected to abuse at the time A-594 came forward with his historic complaint), although he was uncomfortable with Pearce's behaviour, he felt unable to stop it until 2008 when, aged 17, he complained to Dr Carlo Ferrario (SBS Duty Headmaster and Child Protection Officer) and Christopher Cleugh (then Headmaster). The matter was reported to the police, Pearce was arrested, interviewed and released on bail.
44. During this 2008 investigation, police discovered correspondence to another pupil, RC-A597, on Pearce's computer and mobile phone. RC-A597 was interviewed by police in April 2008. He had started at SBS in 1986 when he was 9 years old, and said that Pearce had taken an immediate interest in him, and had treated him differently



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from the other boys, letting him know that he was special, and regularly calling him to his office for private meetings. He said that Pearce kissed him on the lips whenever they met and were in private; He gave him money, letters, notes, sweets and chocolate which he used to place in his underwear, calling it “posting”, touching A597’s genitals with his hands as he did so, both over and under his clothing; Pearce also wrote him letters in which he said that he was sexually aroused by the boy, letter which he asked him to destroy. On several occasions, Pearce also asked A597 to join him in the bath, and filmed him while he was bathing. Pearce referred to these encounters as “special meetings”.

45. As A597 moved up in the school Pearce gained the trust of his parents and frequently visited them at home, taking advantage of the situation to film RC-A597 in the bath and touch his genitals. In 1989, A597’s father found one of Pearce’s letters to A-597 in which he referred to filming and seeing “all” of the boy. His father asked about this letter but he became very distraught and was unable to tell him the truth about what was happening to him.
46. Pearce’s infatuation with the child continued for 13 years, and even after he left the school for University in 1995. He would write to him, sending money and visiting approximately once a term. During such visits, Pearce would kiss A597 on the lips, and things only came to an end in 1999, when A597 graduated from University and finally was able to put a stop to it.
47. The 2008 investigation also generated significant publicity, which led to other victims coming forward.
48. Pearce was further arrested for indecent assault against A11, A594, and A597. He was released on police bail. While on bail, A596, who had been a pupil at the school in the mid 1970’s to early 80’s came forward, and made similar allegations. He told police that Pearce summoned him to his office 2 to 3 times a week and touched his legs, bottom and genitals, exposed himself, and forced the boy to masturbate him through his robes, telling him this was okay and normal. This went on for approximately three years, when A596 was between 10-14 years old. A596 also alleged that he had been abused by John Maestri during this period.
49. Pearce was arrested and charged with offences against A596, A594, A597, and A621. In addition, the CPS reconsidered the 2004 decision in respect of A6, and now authorised charge - because of the other allegations that had been made. [A11’s allegation was not proceeded with.] Pearce initially pleaded not guilty to all counts in respect of the other five boys, but in August 2009 changed his plea, and submitted a basis of plea document which contested some of the fact as alleged. The prosecution did not accept the basis, but did not seek a Newton Hearing (a hearing before the judge alone in respect of the facts that are disputed). In a report prepared for the sentencing hearing, David Tregaskis said: “it is a fact that there was some failure on



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the part of the Order to ensure that the restrictions [on Pearce] were being effectively observed” and that “the reality is that Fr. Pearce will not be able to reside within a religious community in the foreseeable future, irrespective of the sentence passed”. Pearce was subsequently sentenced to 8 years imprisonment, reduced on appeal in 2010 to 5 years. A few months later he requested special dispensation from the priesthood, which was approved by the CDF on 8 July 2011.

50. Although RC-A595’s allegation was not prosecuted, he, together with A594, A597, and A596 subsequently received damages through civil claims. A595’s claim was settled out of court.
51. In 2011 Pearce, together with Maestri, faced further similar allegations made by A599. Both were acquitted.

Laurence Soper

52. Laurence Soper is almost a direct contemporary of David Pearce. Soper is 2 years younger, but like Pearce he went to St. Benedict’s School, and their time there would inevitably have overlapped. After a short career in banking he returned to Ealing Abbey in 1964, and was ordained in 1970, teaching at the school between 1972-84. He held a number of significant positions, including as Head of the Middle School, Bursar, and Prior. He was elected Abbot in 1991.
53. Soper is known to have sexually abused at least 10 SBS pupils between 1975 and 1983. Soper had also held roles outside the institution, including being Catholic Chaplain at Feltham Young Offenders Institution and at Harrow School. He resigned from the abbacy in 2000 after which he served as chaplain in an army base in Cambridgeshire for approximately one year.
54. The first allegation of sexual abuse against him came in 2001, from RC-A420, who had served as a young offender at Feltham in the 1990’s when he was 19 years of age. In a statement to police in 2016 he alleged that he had been subjected to a series of sexual assaults, at least 30, by Soper over a 6 month period. The abuse escalated, and he said that Soper raped him in his cell on at least 10 occasions. This was brought to the new Abbott, Martin Shipperlee’s attention, but not pursued. RC-A420 said that he discontinued the case at the time because pressure had been brought to bear on him by solicitors acting for Ealing abbey. Thereafter Soper was appointed Treasurer of the Benedictine Confederation, and although still a monk of Ealing, resided at the Benedictine headquarters at Sant’Anselmo in Rome.
55. In early 2004, RC-A622 made an allegation of abuse by Soper to Peter Turner, who visited him in the psychiatric unit where he was receiving treatment. A622 had joined SBS at the age of 8 in the late 1960’s, remaining till he was 15 in the mid 1970’s. When he was 12 or 13 years old, Soper started to use trivial things such as kicking a



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football in the wrong direction as a pretext to summon A622 to his office for punishments. There he would cane the boy either striking him straight across the bottom, or hitting him over his clothing on his genitals. Soper would then make A622 remove his trousers to make sure that there were no marks on his genitals. On one of these occasions when naked from the waist down Soper fondled and stroked A622's penis and testicles.

56. Thereafter, the abuse escalated. Soper made A622 watch while he masturbated in front of him, and also forcibly masturbated him. On multiple occasions Soper would cane and then rape A622, sometimes ejaculating inside him, sometimes on the child's body. On one occasion during a cycling holiday when A622 was 14 or 15 years old, Soper came into the room in the hostel where he was sleeping along with other boys, went to A622's bed, and fondled his genitals through opening of his pyjamas. He then put A622's penis into his mouth and tried to kiss him. Soper would tell A622 to keep these incidents a secret, and would threaten him with severe punishments, or expulsion if he told.
57. A622 left SBS at 15. He never told parents about the abuse. As he has explained "I couldn't tell them, their faith was so strong they couldn't have believed it from a priest". He was also fearful that his father would beat him if he told him about Soper. It was only his father died that he was able to speak, telling his then girlfriend and sister in 2000/2001.
58. Peter Turner reported the allegations to the police, and in July 2004, Soper returned voluntarily from Rome, and was arrested and then bailed pending further inquiries. The police eventually referred the matter to the CPS who advised that there was insufficient evidence to charge, and no further action was taken.
59. It appears that the matter was reconsidered in 2007, and the same advice was given.
60. Soper continued to reside in Sant' Anselmo. In February 2008, four years after the first allegations came to light, A11 came forward with allegations against Pearce, in the course of which he also told police that in Soper would regularly cane him for no good reason, including on an occasion when he returned to the school following his mother's death. He would also force him to remove his trousers and underwear on the pretext of searching for a hidden book, whereupon he would rub and fondle his buttocks. If A11 did not remove his lower clothing Soper would threaten him with 6 strikes of the cane rather than 3. As a result Soper once again voluntarily returned to the UK where, although not arrested, he was interviewed. He denied the allegations and was allowed to return to Rome.
61. Further allegations were made. In late 2009, Abbot Shipperlee and then Abbot President Yeo, raised the matter with the Abbot Primate, and in April 2010, Dom Yeo met with Fr. Elias Lorenzo, the Prior of Sant' Anselmo, to discuss Soper. Fr. Lorenzo



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expressed concerns about Soper which related to his drinking and poor participation in community life, and as a result, on 1 May 2010, Soper was placed under ecclesiastical restrictions. In summary, these included (i) to continue to reside at Sant' Anselmo under the supervision of Fr. Lorenzo; (ii) not to make contact with minors in any way or capacity, on or off camps; and (iii) to periodically undergo psychotherapy. He was permitted to exercise priestly faculties only in relation to Benedictine residents of Sant' Anselmo.

62. Meanwhile, in the UK, victims of Soper's abuse continued to come forward. In part it seems that this was due to the publicity around the conviction of Pearce the year before, which had also given rise to Mr. Jonathan West writing his first article upon SBS in his blog. Jonathan West was familiar with SBS as his son had attended the school. He had recently started his blog, "Confessions of a Sceptic", and on reading about Pearce's conviction, and the charges that had spanned 36 years he was shocked by "how close to home" it had come, and he decided to write an article about Pearce and Ealing Abbey. In it he mentioned the possibility that other children may have been harmed beyond those for which Pearce had been convicted and the need for a review of child protection at the school. The article attracted over 200 comments, and some further allegations. Mr. West has provided us with a statement, and a number of documents many which have been extremely helpful during the course of this investigation.
63. A601 and A600 contacted police in June 2010. Both had attended the school at different times in the 1970's-80's. Both made allegations of corporal punishment for what seemed minor incidents, which would be used as a pretext for Soper's sexual gratification. A601 spoke of an incident where he was made to lie across Soper's lap when spanked. Soper was undoubtedly aroused, as his breathing changed and he seemed to become excited. Afterwards, Soper ordered him to pull his trousers down so that he could examine his bottom for marks, and touch his backside. He told A601 not to tell anyone about this, but A601 nonetheless did disclose the abuse to his parents - but they did not report it.
64. A600 described being regularly caned by Soper, about once a fortnight. The first time Soper insisted he remove his lower clothing so that he could check for padding. He then stroked and rubbed the boy's bare bottom. A600 was told to pull up his trousers and bend over Soper's desk, and was caned with such force that black and blue welts were left. After the caning Soper stroked his buttocks to "comfort" him. Soper did not check for padding on the subsequent occasions, but the routine was otherwise the same, and A600 was clear that there was a sexual element to the beatings. When he was about 12, he told his sister, who in turn told their father, but nothing was done. A601 could not bring himself to speak to his parents about it because they were devout Catholics.



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65. Soper again returned to England in September 2010, where he was arrested and interviewed. He was bailed with a return date of March 2011. Then in January 2011 another complaint was made by A591, a boy who had attended the school in the 1970's-80's. He alleged that on an occasion when aged 11 he went to Soper's office to report another boy for kneeling him in the thigh, Soper had made him take his trousers off, and then stroked his leg and pushed his fingers into his underwear, toughing his genitals, whilst at the same time cupping and squeezing his buttocks.
66. With the allegations against him mounting, Soper fled. When he failed to surrender to bail in March 2011, attempts were made to locate him. It appears that following his release on bail, and while still under ecclesiastical restrictions, he had made a two-week visit to Kosovo. Then on the 22 February 2011, prior to leaving Sant Anselmo, he withdrew around 200,000 euros from his Vatican account. It appears that he then falsified a letter to say that he had been commissioned to undertake a three year study of a strand of Islam in the Balkans, and in March 2011, he failed to meet bail in the UK and instead he flew to Kosovo. He was reported missing to the Carabinieri in Rome by the Prior of Sant' Anselmo.
67. In July 2011, the CPS authorised charges against Fr. Soper, including for offences of rape and indecent assault. A European Arrest warrant was issued on 18 November 2011.
68. A622 and A591 brought civil proceedings against Ealing Abbey and SBS in 2012. In both cases out of court settlements were agreed. Victims continued to come forward. Between October 2014 and June 2016, A609, A608 and A8 all gave accounts consistent with the allegations already made of physical chastisement being used as a pretext for sexual abuse. I won't summarize those now, but we will be hearing from A8 later today.
69. After 5 ½ years on the run Soper was finally apprehended in Kosovo in May 2016, and extradited to the UK where he was arrested on arrival in August 2016. As a result of the publicity around his arrest yet another victim A611 came forward, though on this occasion A611 described how Soper had used a visit to him in the infirmary to inspect a minor injury as a pretext to rub A611's bottom in an aggressive and sexual manner. Soper was tried at the Central Criminal Court in December 2017. He was convicted of 19 offences against ten pupils, A622, A8, A11, A591, A600, A601, A608, A609, A610 , and A611. In sentencing him, HHJ Bate QC described Soper's behaviour as an "a most appalling breach" of the trust placed in him as a teacher, priest and monk by pupils, parents, fellow teachers and the Abbot, and said that the abuse had an "enduring impact" on his victims, several of whom suffered from mental illness into adulthood. Soper was sentenced to 18 years imprisonment.

Stephen Skelton



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70. Stephen Skelton was a teacher at St. Benedict's in the early 1980's. In 1983 he was alleged to have assaulted a boy, RC-A604, during a private maths lesson arranged by his mother. The boy told his parents, who complained to Frances Rossiter and RC-F41 (F41 himself later becoming the subject of allegations of abuse said to have been committed in the mid 1980's, of which he was acquitted in 2007. He was subsequently placed on the Department of Education's List 99 in 2011). The Abbot initially said that he would remove RC-A604 from Skelton's class and investigate the allegations. Skelton said that he was never spoken to by the Abbot. He left following the conclusion of his probationary period as a teacher, and there is evidence to suggest that he was given a reference which enabled him to go on to work at three further schools. No disclosure was made to the statutory authorities. 10 years later Skelton assaulted another child in similar circumstances when teaching at another private school. He was convicted in 2011, and sentenced to 6 months imprisonment, suspended, and placed on the sexual offences register.

Peter Allott

71. Peter Allott - deputy head of St. Benedict's was convicted of offences including storing and sharing child abuse images on his iPhone and on a hard drive that was found in his office at St Benedict's School, (though not the school computer itself). He was sentenced to 32 months imprisonment in May 2016.

RC-F41 and RC-F46

72. Although not convicted, the Inquiry will also be considering the cases of another two monks, RC-F41 and RC-F46, who were the subject of allegations of child abuse, and were placed under restrictive covenants in 2005 and 2010 respectively.

73. It will be remembered that RC-F41 was one of those to whom a complaint was made against Skelton in 1983. In 2005, a former pupil, RC-A421 alleged that RC-F41 had abused him during a school trip to Italy in 1984. He had been suffering from constipation and stomach pains and had gone to RC-F41 for help. RC-F41 had asked the boy to remove his trousers, put Vaseline on his finger and inserted this into his anus. When asked by Peter Turner about it, RC-F41 admitted his actions. He said that he realised immediately that what he had done was wrong and sinful, and that he had worried about it ever since. In due course he made similar admissions to the police and David Tregaskis. The incident had occurred in Italy, and so was outside the jurisdiction of police in this country. However he was charged with regards to further allegations made by RC-A421, for which he was prosecuted but acquitted. One of the issues the Inquiry will be considering is the institutional response to that acquittal, in the light of the admissions to the abuse in Italy.

74. RC-F46 had taught in SBS for many years. Subsequently he had become chaplain in a nearby Catholic girls' school, St Augustine's Priory. In 2004, a complaint was raised by



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a female pupil at St Augustine's. Among other allegations she said that F46 had led her into a kitchen area, locked the door and then questioned her about sexual activity in her year group. The headmistress concluded that F46 had engaged in some as "ill advised bantering", but F46 was asked to undergo some training.

75. In April 2010 RC-A423 a former SBS pupil told police that he had been abused by F46 in the early 1970's. It was decided that the allegation fell below the criminal threshold, but F46 was made subject of restrictions, which remain in place. Like F41, F46's position may be relevant both to questions of how restrictions are imposed and enforced, and to the approach of external institutions to safeguarding issues arising in circumstances where there has been no conviction.

(6) 2009 Reviews and Inspections (in brief)

A. The Charity Commission - 2009

76. Michelle Russell of the Charity Commission has provided a statement as to the Commission's involvement with the Ealing Abbey / SBS Trust. That statement will be published in full at the conclusion her evidence, and Ms. Russell will be called to give evidence on some discrete matters during the course of this hearing. In summary, the Charity Commission carried out two Inquiries into the Trust, the first following the civil judgment against Pearce in 2006, and the second following his arrest in 2008. The Commission's Report was published on the 15 December 2009. The failure to implement restrictions placed on Pearce occasioned serious criticism and the Charity Commission found that the trustees had failed in their duty to ensure that he had no further contact with children.

B. The Independent Schools Inspectorate - 2009-2010

77. Kate Richards of the Independent Schools Inspectorate has made a detailed statement outlining the ISI's involvement with St. Benedict's School, which from 2009 onwards was substantial. That will be published in full, alongside a statement from Penny Jones, who was the Deputy Director of the Independent Education and School Governance Division of the Department for Education. Of particular interest is the fact that the ISI undertook an inspection in November 2009, but the inspectors did not have, nor did they obtain, a full picture of matters relevant to safeguarding - they were, for example, unaware of the fact that the Charity Commission was undertaking, and shortly to publish, the statutory inquiry in relation to Pearce's recent offending to which I have just referred.

78. When members of the public, including Jonathan West, contacted the ISI in early 2010 in respect of the reports, the ISI, in discussion with the Department for Children Schools and Families (as the DfE then was) withdrew the ISI reports from the website, and undertook a further unannounced follow up inspection by way of visits in April and



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May 2010. The subsequent report published in August 2010 recommended action in a number of areas. These included developing the school's safeguarding policy and ensuring that any members of the religious community lived away from the school if they were subject to allegations of misconduct related to safeguarding or convicted of wrongdoing (which gave rise to particular concerns with regards to F41). Further ISI inspections followed in 2012, 2014, 2015 (with a follow-up in 2016). In 2017, a compliance inspection expressed no concerns with safeguarding arrangements.

(7) 2010 - 2011 - The Carlile Review

79. As the Panel will recall, there were in the late 20th century a series of developments in the approach taken to the safeguarding of children. These were followed by a number of Church specific reviews, including the Nolan Report - A Programme for Action, which was published in 2001, and the The Cumberledge Commission's Review, Safeguarding with Confidence, in July 2007. But it will be remembered from the hearings in December 2017 that Religious congregations were a late addition to the diocesan led thinking and recommendations that underpinned both these reviews.

80. In August 2010, it was announced that Lord Carlile of Berriew QC had been commissioned to undertake an independent review of Ealing Abbey and St. Benedict's School. The purpose of his review was said to be: to use the lessons and failures of the past to ensure that such problems are avoided in the future; and to provide structures to give confidence to pupils, parents and guardians, staff, and anybody else with a legitimate interest in the School in the future."

81. Lord Carlile's final report was published on the 9th of November 2011.

82. In his report, Lord Carlile attributed blame squarely in three camps:

- a. Primary blame he said lay with the abusers;
- b. Secondary fault was with the monastic community, "in its lengthy and culpable failure to deal with what at times must have been evident behaviour placing children at risk; and what at all times was a failure to recognise the sinful temptations that might attract some with monastic vocations."
- c. Finally he also found fault with the trustees and the School historically, for their failure to understand and prepare for the possibility of abuse with training and solid procedures.

83. He said "I have come to the firm conclusion, especially given the issues leading to this Inquiry, that the form of governance of St Benedict's School is wholly outdated and demonstrably unacceptable. The Abbot himself has accepted that it is 'opaque to outsiders'. It does not have the appearance of allowing for independent scrutiny of the ongoing relationship between Abbey and School.... In a school where there has been abuse, mostly (but not exclusively) as a result of the activities of members of the



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monastic community, any semblance of a conflict of interest or lack of independent scrutiny must be removed.”

84. Before the Carlile report, the governance of the school and the Abbey was entwined, and was managed by The Trust of St. Benedict’s Abbey Ealing. The chairman was the Abbot, Martin Shipperlee, and all the trustees were all members of the Community of Ealing Abbey, i.e. monks. There was a Committee of School Advisors but no Board of Governors or similar body for the school, the consequence of which was that ultimate control and governance was solely in the hands of the trustees, the monks of Ealing Abbey.
85. Lord Carlile came to agreement with Abbott Shipperlee that reform should include the following general principles:
- To create a governing body with clear independence and autonomous decision making power;
 - To establish clear accountability between school management, governors and trustees;
 - To create a system of governance that is transparent and understandable to outsiders;
 - To develop a governing body capable of addressing any concerns over safeguarding, and of monitoring the effective implementation of policies and procedures in this area;
 - To ensure that the Benedictine nature of the school is preserved, this being a particular principle of St Benedict’s, and part of the choice made by parents.
86. He made a number of recommendations, the most significant of which were that
- a. There should continue to be a Trust based on the Monastery...
 - b. There should be a separate educational charity established for St Benedict’s school....

In conclusion he expressed his gratitude to all at the institution who had assisted him, expressed the belief that all his recommendations including the “crucial advice about governance” could be put into effect by September 2012.

The Extraordinary Visitation 2010

87. At around the same time that Lord Carlile was instructed, Dom Yeo conducted an Extraordinary Visitation of Ealing Abbey in August and September 2010. An Extraordinary Visitation is a Visitation held outside of the regular four-yearly intervals of the Ordinary Visitations for serious or grave reasons. Dom Yeo has explained that he felt that an Extraordinary Visitation was justified in light of the ‘major challenges’ facing Ealing Abbey, in particular Fr. Pearce’s conviction in August 2009, the increasing number of allegations against Laurence Soper and the Charity Commission’s critical report in December 2009. The stated purpose of this Extraordinary Visitation was to ‘review concerns about safeguarding in the monastery and to assist the community to



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address issues arising from them'. Dom Yeo was again assisted by Abbot Ortiger for this Visitation. In addition, he appointed Fr. James Courtney, who was at that time the Safeguarding Coordinator for Buckfast Abbey, as Consultant to the Visitation. In summary, the outcome of the Visitation was as follows (i) Dom Yeo issued a number of binding 'Acts of Visitation' requiring, amongst others, that all those placed under ecclesiastical restrictions because of safeguarding concerns, observe those restrictions in full; (ii) the community was urged to embrace the 'culture of vigilance' advocated for by Lord Carlile and to undertake safeguarding training; (iii) it was recommended to the Abbot's Council that Fr. Pearce be dismissed from EA and/or the priesthood, that alternative accommodation be found for RC-F41, and that changes be made in the individuals with responsibilities for safeguarding.

The Apostolic Visitation 2011

88. Almost a year after the Extraordinary Visitation and before Carlile had reported, in July 2011, the Congregation of the Doctrine of the Faith (CDF) asked Dom Richard Yeo, the Abbot President of the EBC, and Bishop John Arnold, Auxiliary Bishop in the Archdiocese of Westminster, to undertake an Apostolic Visitation at Ealing Abbey. The purpose of the Visitation was to ascertain whether adequate safeguarding and child protection procedures were in place at Ealing Abbey and were being followed. As such, there was overlap between the two reviews. An Interim Report was submitted to the CDF in October 2011. In November 2011, Dom Yeo submitted his resignation as a Visitor after concerns were raised that his involvement could be perceived as a conflict of interest, given his position as Abbot President of the EBC, leaving Bishop Arnold to complete the final report.
89. Yeo having stepped down, it was Bishop Arnold who presented the Final Report of the Apostolic Visitation in December 2011. This endorsed the recommendation made by Lord Carlile that the governance of Ealing Abbey and St Benedict's School should be separate. It was critical of Abbot Shipperlee's handling of Fr. Pearce case, and noted that 'it would seem that the Abbot is not responding adequately to the needs of individual victims'. A number of recommendations were made, including that the CDF should accept Lord Carlile's recommendations and that the EBC should undertake a further canonical Visitation to Ealing Abbey by June 2013.
90. Following this, and in accordance with the recommendations of Carlile and the Apostolic Visitation, the trust of St Benedict, Ealing created a new charitable trust, St Benedict's School Trust, in 2012, passing the school administration to a new board of governors. The solicitor to this Inquiry has written to the Apostolic Nunciature in London, with a request for further information. We understand that the letter has been acknowledged, and.....
91. Chair, members of the Panel, you will wish to consider:
 - a. what the effect of that separation has been;



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- b. Whether it has given effect to the general principles set out by Lord Carlile; and
- c. Whether the separation has achieved its ultimate purpose, to ensure greater protection for the children at the school.

Visitations in 2013 and 2016

92. In June 2013, Dom Yeo and Abbot Geoffrey Scott, the Abbot of Douai Abbey, conducted an Ordinary Visitation of EA at the request of the CDF. As we have seen, this was one of the recommendations made by Bishop Arnold to the CDF during the 2011 Apostolic Visitation (see paragraph 86).
93. The Ordinary Visitation started on 3 June 2013 and was completed on 10 June 2013. Dom Yeo and Abbot Scott recognised that the establishment of a separate lay Trust for the School in September 2012 would serve to improve safeguarding and overall governance at the School. Moreover, the Visitors considered that EA was adequately managing RC-F41 and RC-F46 given that both had been placed under restrictions and that RC-F41 had moved away from Ealing in 2011. Dom Yeo in his witness statement to this Inquiry has said that he believed that EA had done 'all that it could' in relation to David Pearce, who had been laicised in July 2011, and to Laurence Soper, who had been dismissed from the priesthood and the Abbey in May 2011 following his disappearance in March 2011. It was also noted that members of the community were undergoing safeguarding training.
94. Dom Yeo conducted a further Ordinary Visitation between 26 February and 3 March 2016, this time with the assistance of Abbot Cuthbert Madden, who, as we know was at that time the Abbot of Ampleforth. On this occasion, Dom Yeo instructed Anthony Domaille to conduct a review of safeguarding at Ealing. The necessity for this arose out of changes to the EBC Constitution in 2013, which required the Visitor to commission a suitably qualified person to prepare a report on safeguarding before the Ordinary Visitation of a monastery took place. The principal safeguarding concern identified by Mr Domaille was the reluctance among certain community members to submit to vetting and barring procedures before appointment to pastoral roles in the parish. Dom Yeo advised the Abbot of the need to insist upon such checks.
95. As you have heard, Peter Allott was convicted and sentenced in May 2016, and Soper was convicted in December 2017, sentenced in January 2018.

(8) The Hearing Itself

96. During the course of the hearing evidence will be called from the current Abbot, the previous and current Headmaster, also from Met Police, the CPS, and from current Abbot President Christopher Jamison. However the full material which will be considered by the Inquiry is much broader, and in particular includes the evidence of Ms Richards of the ISI and Ms Jones of the DfE already mentioned, as well as Carolyn



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Fair, Director Children and Families at Ealing Council, Jonathan West, Bishop Arnold, Reverend Jeremy Trood, the former Episcopal Vicar for Safeguarding for the Diocese of Westminster, and Lord Carlile. The statements of these witnesses, who will not be called, but whose evidence will be relied upon, will be published in full; it is not of course possible to hear oral evidence from everyone over the course of this week; we have focused, in selecting witnesses to attend in person this week, upon those who may be best placed to provide further answers or detail over and above what is apparent in their written statements, or the documentation obtained by the Inquiry.

97. Today following submissions we will begin to consider the nature and extent of child sexual abuse and some of the accounts given.

Tomorrow - evidence from the Met Police, the CPS, and the Diocese of Westminster

Wednesday: Evidence from EA (EA's response) together with evidence from Dom Yeo in respect of amongst other things the Apostolic visitation of 2011

Thursday: SBS response and the Charity Commission

Friday - Forward looking - evidence from SBS's current headmaster, and the EBC. In the afternoon, there will be an opportunity for core participants to make a short closing statement to the panel, and they may submit written submissions by 22 February.

(9) Procedural points

98. Turning now to some procedural matters.

99. Each counsel for the core participants will, in a moment, have an opportunity to make a short opening statement. That will be followed by the evidence, that we will hear in the next 3-4 days. It goes without saying that we will not be able to deal with every fact, every question, or every challenge in the time we have available.

100. Evidence will for the most part come from live witnesses, and where a live witness is called, their evidence will be focussed on the most salient aspects of their testimony. It will not be possible to ask each and every witness about all of the documentary evidence that either they produce or that the investigation has gathered.

101. Some statements (from complainants and some who worked at Ealing at relevant times) will be read or summarised into the record of the proceedings.

102. A bundle of documents has been prepared for each witness. These are to assist the witness to refresh their memory, and include some documents to which they will be referred to in their evidence. Witnesses have also been provided with the unique URN references to other documents to which they may be referred, but which are not been copied into their bundles. Inevitably there may be some additional references, for example through the Rule 10 process, but we will try to keep these to a minimum.



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103. All core participants have been sent the proposed witness timetable. Core participants have had an opportunity to make requests pursuant to Rule 10 of the Inquiry Rules for questions to be asked of witnesses. They were asked to provide applications 5 days in advance of each witness being called. We are grateful to core participants for their assistance with complying with this deadline. As a result a number of applications have already been determined and the balance are being considered as swiftly as possible. In line with the presumption in the Rules, it is expected that the questioning will be conducted by Inquiry counsel, so where witnesses give their evidence live, myself or Mr. Donmall will conduct the majority of the questioning.
104. Documents will be referred to by their unique relativity reference number and put up on the screen so that those members of the press and public who are present can follow the proceedings. The pages of the documents that are displayed on screen will, subject to any sensitivity, be published on the Inquiry's website the same day, alongside the transcript of the days evidence. There will also be a number of statements and documents published on the IICSA website as the hearing progresses, which will enable the Inquiry to consider in a proportionate way as broad a range of evidence as possible, so that you will be able to include the facts necessary in the the part of your Report into the EBC. Additional key documents will be published on the Inquiry website.
- 105.
- (10) Restriction Orders, redactions / ciphering and broadcasting
106. There is a Restriction Order in place that protects the identities, names, addresses and images of any complainant Core Participants and any complainant victims. Material obtained for this Case Study has been redacted, and ciphers applied, where the Inquiry considers it appropriate, in accordance with the Inquiry's Protocol on the Redaction of Documents. One witness whose evidence will be read has specifically waived his right to anonymity, but for the remainder the Restriction Order must apply and so they will simply be referred to by their cipher as A1, A2 etc.
107. There is one live complainant witnesses who will have additional measures in place to protect his identity. Before an anonymous witnesses testifies, the hearing room will need to be cleared of press and members of the public, who will be able to listen to audio of the witness in a separate room. I shall invite the Chair and the Panel to rise while any arrangements are being made.
108. Professional support is being made available for any witness who gives evidence as the Inquiry fully recognises how difficult a task this is.
109. These proceedings will be broadcast. The broadcasting is subject to a 3 minute delay in case any issues over the Restriction Order, ciphering or redactions occur. We



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ask for the assistance of all concerned in respecting the processes in place and drawing to our attention promptly any issues that arise so that the broadcast can be terminated and the matter resolved. If such an issue arises I will invite you to terminate the live broadcasting link and direct that there be no communication of the evidence given in the last 3 minutes. On resumption of the hearing I will invite you to make a Restriction Order covering the evidence in question.

110. We will begin with complainant evidence this afternoon / tomorrow, and after some reading, RC-A8 will be the first live witness.

(11) Conclusion and Questions to consider

111. In conclusion, I would like to pose some questions that I suggest may arise during this hearing, that you Chair, and Members of the Panel, may wish to keep in mind during the course of the evidence that you will hear, will be read, and published:

112. Some central questions which the Inquiry will be considering include:

- a. How did abuse perpetrated by David Pearce and Laurence Soper go on for such a period?
- b. Were events deliberately hidden / covered up?
- c. Was the general attitude one of minimisation of allegations / complacency?
- d. Was the first instinct to protect the perpetrator rather than to safeguard the child?
- e. Was there a culture of “victim blaming”? Or of placing the responsibility for action on the victim?
- f. What was known / suspected at the time within EA/SBS, and why was nothing done?
- g. Why were the restrictions imposed upon Pearce in 2005 ineffective in preventing the subsequent abuse of a further SBS pupil?
- h. Why were decisions to charge Pearce and Soper, not taken until 2008 / 2011 respectively, despite allegations having been raised with the police, in 1992 / 2004?
- i. Is rehabilitation within a religious community where there is proximity to children ever a suitable option, and if so under what conditions?
- j. Where individuals did leave SBS after allegations of child sexual abuse, such as Maestri and Skelton in the 1980s, was anything done to prevent further offending elsewhere, and if not, why not?
- k. Were external agencies appropriately notified of concerns by EA/SBS?
- l. Were decisions taken with a view to the protection of the reputation of the EBC over and above the safety of children?
- m. Where external agencies were notified, were their responses and actions appropriate?



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- n. Was information received by external agencies sufficiently marshalled, and appropriately shared with others?
- o. Why were the institutional changes recommended by Lord Carlile, in particular the separation of EA and SBS, considered necessary, and have they been effective?

113. That concludes all I wish to say in opening, so I would invite you, Chair, now to hear Opening Statements from the Core Participants.

04 February 2019
Matthew Donmall
Jelia Sane

Riel Karmy-Jones QC