

# Religious power and privilege failed the victims in the Peter Ball affair

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*In this long read NSS president Keith Porteous Wood explains how all arms of the law co-operated to protect the now former bishop Peter Ball for decades and refutes claims that "it couldn't happen now".*

Peter Ball started misusing his religious power to sexually abuse young men in the 1970s. There were probably over a hundred victims and many complained, yet it was not until 2015 that Ball was jailed for sexual offences against numerous young males, one of whom had taken his own life.

## Did the justice system fail us?

By the early 1990s both the police and the Archbishop of Canterbury's office at Lambeth Palace had received multiple complaints about Ball, but none of them resulted in any substantive action. The attempted suicide of one victim, Neil Todd, prompted his parents to report Ball to the police, despite "church officials plead[ing] with them not to go to the police". This set off police inquiries in Gloucester, Ball's diocese.

"A superintendent in Gloucester Police [was] a friend of [Ball's]." The police's lines of enquiry were highly unusual. According to the Gibb report, "the extract from the police submission to the CPS does also stray into territory which may be outside their remit. It dwells on whether or not Ball would or should resign. It criticises the church and the archbishop for their handling of the affair while noting that "these allegations must have been of (sic) a great shock to the church and proved difficult to handle". It suggests that charging Ball would "have a devastating effect on the church which is already in turmoil". They even [considered](#) whether they should be investigating if ecclesiastical law had been broken.

Similarly remarkable was the outcome. "On March 5 1993, Ball was notified by the Crown Prosecution Service that despite 'sufficient admissible, substantial and reliable evidence' it was prepared to deal with the matter out of court. Ball's barrister Richard Smith QC [suggested](#) that the CPS may have settled on the caution to avoid the publicity of a bishop in the dock after discussion 'behind closed doors'."

Yet, rather than announce the strong evidence, which would have made the caution look unduly lenient, the police and CPS publicly announced in the 1990s that Ball had accepted a caution admitting guilt on a minor charge, he resigned and that was the end of it.

The CPS now [admits](#) that the decision was "wrong". That decision was made by the head of the CPS, DPP Barbara Mills. At around the same time, she buried the independent police inquiry into the Birmingham pub bombings, where the convictions of six men who were jailed were later quashed. She ordered the inquiry not be made public for 75 years, only for further concerns to [re-emerge](#) recently with the reopening decades later of inquests into the 21 killed. Unfortunately she could not be called to give evidence as she has since died. Reporting restrictions, recently lifted, [forbade](#) the press from referring to the "sufficient admissible, substantial and reliable evidence".

So, all three branches of the law – police, CPS and judiciary "co-operated" to keep the bishop from being prosecuted. And a former lord justice (Lord Lloyd) [wrote](#) to the police discouraging action, claiming Ball "is quite simply the most gentle, upright and saintly man I have ever met. If there is a latter-day St Francis, then Peter Ball is him." Not only that, but the caution, the paltry penalty to which Ball was subject, and much reported, according to the CPS was not [administered](#) by the police correctly, if at all. So it is no wonder he never even had a criminal record.

The CPS also admit that "other charges of assault (which were not subject to statutory time limits) could have been considered [in the 1990s] on the basis that injury had been caused. The incorrect conclusion had been drawn that some charges could not proceed due to difficulties in proving a lack of consent". The generally accepted scale of abuse was massive. Neil Todd wrote of being aware of at least 50 victims and according to Gibb "another former 'Schemer' [participant in one of Ball's schemes such as "Give a Year to God"] told us he thought there would be more than a hundred".

I concede that the CPS faced some difficulties in that Todd was a suicide risk and no Church of England official had been charged with the offence of misconduct in public office – the offence of which Ball was charged twenty years later and led to his imprisonment. A further complication was that at least some victims would not have been willing to give evidence in a trial because they feared adverse implications for their career progression in the church largely from bishops. Sadly, evidence provided to IICSA and in the Gibb report demonstrates that such fears were entirely justified.

It seems unlikely that no other victim could have been found to give evidence, even on an assault charge, and more likely that the principal motivation of the arms of justice was to minimise the sanctions on Ball and therefore damage to the church.

Any decent employer would go out of their way to protect victims including shielding them from the vindictiveness of their perpetrators and co-conspirators. And how cruel it was that the church's protection of perpetrators rather than their victims intimidated them into not testifying, and so Ball, and with him the church, escaped justice.

What a damning indictment this is of the church which enjoys the privilege of 26 bishops' seats in the House of Lords, and takes every opportunity to pontificate to the country on matters moral and ethical.

Nearly 20 years later the discovery of an incriminating document in Lambeth Palace, which by then had a new incumbent, led to a reassessment. This led to Ball admitting charges concerning sexual conduct with 18 young men over 15 years. He was [jailed](#) for 32 months. Charges relating to his alleged sexual activity with two under-age alleged victims – one was aged 13 at the time – were not pursued by the CPS when Ball was jailed, at least partly on the risible basis that Ball did not admit them.

Ball escaped a trial. "Bobbie Cheema, QC, for the prosecution, [told](#) the court that a trial on the child abuse charges was "not required in the public interest". The word "required" is clearly carefully chosen.

Many of Ball's victims, including the 13 year old, are livid there was no trial which would have given them some degree of closure or finality. No doubt much more of embarrassment would have emerged at such a trial.

It is difficult to conclude that few other than a bishop would be handled with such kid gloves. And the sentence of 32 months was paltry, particularly given serial denials in the preceding decades. A teacher has just [received](#) a longer jail sentence for having images of children, but no physical contact. Ball's activities involved potentially over a hundred victims over decades and his religious schemes were a front for his insatiable appetite for unlawful sex with those bound to him in an oath of obedience and to whom he owed a duty of care. Many victims are irreparably damaged and, as already noted, one committed suicide in distress over the case.

There seems little prospect of any prosecution of those who played supporting roles in this affair.

It is not difficult to conclude that, not just in the 1990s but even now, the episcopacy lead a charmed life as far as the law is concerned.

## **The role of Lord Lloyd in the Peter Ball affair**

### [Transcript link](#)

Lord (Tony) Lloyd of Berwick gave evidence to the inquiry, and it was striking in many respects. The evidence provides a rare glimpse of what happens behind closed doors in the world of the establishment when one of their number is under threat.

Lord Lloyd is a former neighbour of Ball's and he told the inquiry they "became very good friends, and we still are". Lord Lloyd doesn't seem to have been put off by Ball's decades of deceit that kept him from prison for so long and whose continued denials so tortured his victims. For the record, Lord Lloyd [told](#) the inquiry that he didn't know in the 1990s of any other accusations against Ball other than that of (the now late) Neil Todd, referred to several times in this blog. But of course Lord Lloyd must have learned about them since.

Lord Lloyd was appointed as a privy councillor and lord of appeal in ordinary. He has also held a very high position in the church, formerly being a member of an Anglican ecclesiastical appellate court, the Court of Ecclesiastical Causes Reserved, and was also chair of the ecclesiastical committee, the parliamentary committee responsible for the approval of and passage of legislation passed by the Anglican synod. His roles were therefore both political, legal and ecclesiastical.

In his evidence to the inquiry, many of Lord Lloyd's statements were legalistic, and he attacked at some length the offence of "misconduct in public office" with which Ball was convicted in 2015. Could he have been concerned at this point that the implication may be being drawn from this attack that he thought that Ball should have face no criminal charges? He did add, though "But I don't begin to try and justify what Peter Ball did. Of course not."

Lord Lloyd described as "consensual" Ball's sex with Neil Todd in the 1990s. He added: "But as Neil Todd was then 17, it did not then sound to me to be a very serious offence as the law looks on these things."

It is curious that Lord Justice Lloyd did not volunteer that prior to 2001 any homosexual act involving males below 18 prior was an imprisonable criminal offence.

When asked why he urged the police to get on with the case, he responded "For the obvious reason that it was of great worry to Peter Ball, my friend. When asked whether he "ever thought about Neil Todd and his concerns during this particular period?", he responded "Yes, of course I did". I was taken aback that Lord Lloyd volunteered, despite what was known then about Todd's mental health and what we now know about his demise, that he "would not have paid so much

[£15,000] to settle [Todd's] civil claim" in 1994/5.

While there were no criminal charges against Ball in the 1990s for sexual activity with Todd, for numerous reasons including his mental state, for Ball to have agreed to pay Todd in a £15,000 civil settlement Ball "vigorously contested" suggests an acknowledgement that Todd suffered significant harm. And there is copious evidence in the Gibb report and evidence to IICSA that Ball had non-consensual sex, and groomed vulnerable victims on an astonishing scale. The oath of obedience which he insisted his schemers took on spiritual grounds must have assisted in this. Rev. Graham Sawyer, one of Ball's victims, has told me himself that "if I didn't take my clothes off, he would tear them from my back".

Ball was born in 1932 and most of the sexual activity was in the 1970s and 1980s. Why, other than under undue pressure from someone in authority and emotional and religious manipulation, would so many young males be queuing up to have consenting sex with a man decades older than themselves? Furthermore this was at the time when the law and society – with the church's full approval – were grimly hostile to homosexuality.

In the 1990s while Ball was being investigated in Gloucester, Lord Justice Lloyd contacted both the Detective Inspector and the Chief Constable with a testimonial. Being contacted by someone so eminent certainly made an impression; the DI recorded that the call had been from "Lord Chief Justice Lloyd" – albeit as Lord Lloyd pointed out, he had never been lord chief justice.

IICSA's QC expressed concerns to Lord Lloyd that the direct intervention of someone of great legal seniority could be inappropriate. Lord Lloyd responded: "as I was a particular friend of Peter Ball, I should [could?] see no reason why I shouldn't write to [the chief constable], and I saw absolutely no reason why I should conceal who it was who was writing and who I was at the time."

Lord Lloyd said "I did make clear to him [the chief constable] that I was in no sense trying to influence the result. I knew I couldn't. And that's absolutely clear from the letter I wrote to the chief constable". Nevertheless, the inquiry struggled to understand why these approaches (1) had been made if not with the intention of having influence, implicitly on the decision to caution or charge, and (2) were made before Ball was cautioned or charged, as opposed to afterwards when they might reasonably be taken into account in sentencing.

The QC then asked Lord Lloyd "why does that information matter?" The end of his response was revealing. "Because it matters truthfully in the ordinary case when it comes to sentencing. That's when the character reference is normally -- becomes very relevant. But it also is relevant at an earlier stage so that those who are dealing with the case know something about the person they are dealing with."

If only more people could rely on someone of such legal gravitas to speak up for them at such a crucial stage!

Similarly, he was [asked](#) about a similar letter to the DPP around this time: "My purpose in writing to [the DPP] was exactly that which I have already described, so that she should know something about the man and how he was held -- how highly he was held in regard in Sussex." As deputy lieutenant of East Sussex, Lord Lloyd would doubtless be an expert on the views of those, or at least some of those, in the county.

Nevertheless the DPP will not have had a balanced picture from Lord Lloyd's letter, as others with radically differing views will presumably not have contacted her, for example the author of one of the seven letters written to Lambeth Palace but withheld for many years from the police. The Gibb

report notes about this author "However the man reported that he had discussed this with people in 'senior professional positions in Sussex'. They had told him that there was 'local knowledge' that it was inappropriate that boys should be staying with Ball. This man has confirmed the above in correspondence with this review."

Lord Lloyd's description of Ball to the Police as "the most gentle, upright and saintly man" etc. could hardly be at greater variance from the portrayal of him in the Gibb report, admittedly published many years later: "There is no evidence of contrition in Ball's attitude to Neil Todd after the caution. Indeed, he maintained a vindictiveness towards him and vigorously contested Todd's legal action before eventually making a financial settlement." Ball subjected someone he had abused — and even more so someone known to have severe mental health problems — to recklessly callous treatment. And Ball must have known about Todd's condition as it was Todd's suicide attempt that led to Ball's caution, and it would be unsurprising that this could have fuelled Ball's vindictiveness.

Disarmingly, despite being the recipient of so much vindictiveness, Todd [wrote](#) many years later, shortly before his suicide: "I am not a vindictive person. I only wish for an acknowledgement that my experience was a reality and that the Church of England take responsibility for their inaction." Had it done so, Todd may well have been alive today.

It is not difficult to decide which description of Ball seems the most plausible, that of the Gibb report or Ball's friend, the former high-ranking ecclesiastical, parliamentary and judicial figure.

We were treated to a further rare glimpse into the backroom workings of the establishment when Lord Lloyd prefaced a letter to the archbishop of Canterbury (Lord Carey) with the phrase "May I presume on a brief acquaintanceship at dinners of Nobody's Friends?"

Lord Lloyd described Nobody's Friends as "simply a club, half consisting of the clergy, members of the clergy, and half consisting of members of the laity, which dine together probably twice a year, very often in Lambeth Palace." The IICSA counsel pointed out, on the other hand, that "the *Daily Mail* once described it as 'centred on a strong core of bishops, ex-Tory ministers and former military top brass, a highly secretive, all-male group representing Britain's most entrenched professions and institutions'."

Lord Lloyd spoke of his concerted efforts to encourage Ball's return to ministry after his resignation. In response to the QC's question: "Why did you think it was suitable for him to return to ministry, given that he had accepted a caution for sexual offending?" he answered: "Well, because he had resigned as a bishop, and obviously he couldn't be left with nothing to do for the rest of his life. Indeed, this was accepted by the archbishop, and quite correctly... he was still a minister of the church, and to leave him with nothing to do - no decent employer would do that. He would try and find something for him to do, and that was what the archbishop quite rightly was trying to do. Lord Lloyd [added](#) that in a later meeting with Bishop Kemp of Chichester, [Lord Lloyd] "pressed then the bishop's -- Peter Ball's case as strongly as I could, as I think appears from my letter. Indeed, I may have become rather overheated in doing so, for which I regret". He then reported telling Archbishop Carey at a personal meeting "so please welcome him back to Sussex with open arms and don't impose niggling conditions about first officiating in West Sussex. Yes, there may be some publicity in the *News of the World* and elsewhere. But what does that matter?"

The inquiry's QC once more raised the question about undue influence, asking whether the bishop of Chichester or archbishop would have seen him if he had simply been "Mr Lloyd of Berwick" rather than "a member of the House of Lords' Judicial Committee". The response was: "... Ask them. They knew who I was and they knew that Peter Ball was a friend of mine, as he still is."

Lord Lloyd seems to have reinforced these and similar points with some vigour. Gibb quotes a clearly very worried staff member of Lambeth Palace writing after having been approached by Lord Lloyd: "I have just been subject to a choleric grilling by Lord Lloyd of Berwick who is taking up the cudgels on behalf of Bishop Peter Ball. He regards the imposition of a risk assessment on Peter Ball as an injustice and a danger to an elderly, sick man. He thinks Lambeth should have made an exception to the rule. He is determined to get the risk assessment stopped or postponed." He telephoned with what an official described "as a threat that 'some powerful people would be very upset'."

Lord Lloyd clearly had no regrets about this. He told the inquiry: "I have explained already to the tribunal why I felt strongly that this sudden approach to Peter Ball, without any explanation, justified a somewhat choleric attitude on my part."

The only vestige of contrition I discerned in Lord Lloyd's testimony related to his description of the wording of the risk assessment as "meaningless". When asked "Do you still stand by that?" he responded "No, I don't. I have re-read the report and I unhesitatingly withdraw that with apologies to the writer of the report." He did not offer any explanation of why he had formerly been so scathing.

Is there a conflict between Lord Lloyd insisting to the inquiry he "thought about Neil Todd and his concerns during this particular period" and Lord Lloyd's lobbying for an exception to the rule about mandatory risk assessment to be made in Ball's case? Such an assessment was vital and should have included the risk to victims not just of Ball resuming his nefarious activities, but on victims' mental health (particularly Todd's) of a publicised resumption of Ball's ministry. I hope the inquiry will ascertain the details. Given the hierarchy's, even the institutional, obsession with rehabilitating Ball and completely ignoring victims and their plight I would be surprised if these obvious mental health issues were contemplated at all, or given sufficient weight. This could well have contributed to the later tragedy.

I am mystified by Lord Lloyd's energetic, continuing and unquestioning promotion of the serial liar and deceiver Peter Ball.

The strength with which Lord Lloyd put his defence of Peter Ball even after knowing of what led to his imprisonment – the words choleric and overheated spring to mind – may answer, at least in part, a question I have been asking for years: Why, apart from the relentless bullying of the Ball brothers, did Archbishop Lord Carey go to such lengths to defend Ball, spare him disciplinary measures, and rehabilitate him in the face of so much contrary evidence and opposition? Clearly, Lord Lloyd was a persuasive voice.

### **The influential solicitor in the shadows**

Next we turn to Chris Peak, the registrar (solicitor) for the diocese of Gloucester. Mr Peak is a solicitor of long standing and now a [managing partner](#) specialising *inter alia* in child care and former president of the Ecclesiastical Law Association. Unfortunately Mr Peak did not give evidence to the inquiry. I have therefore largely relied on material in the Gibb report, a copy of which he must have been given before publication. His involvement in this long-standing affair appears to have largely escaped reportage in the mainstream media.

The paragraphs below relate to the early 1990s and later references to this period, for example in the Gibb report.

When police inquiries in the 1990s reached the point that Ball was arrested, Mr Peak accompanied Ball. "Mr Peak and the Ball brothers decided to engage someone (called Mr D in the Gibb report) to investigate the allegations, with a view to clearing Ball", with Ball claiming he had been set up. This was while police inquiries were continuing and I do not know what steps were taken to ensure that police witnesses or potential witnesses were not compromised by this investigator's activity.

Gibb asserts that "the lines of accountability appear to have become blurred" in relation to Mr Peak. Mr Peak appears to have had several clients/paymasters whose interests were not identical and possibly conflicting: the Diocese; Peter Ball; Archbishop, now Lord, Carey; the late Bishop Kemp of Chichester, who claimed in his biography that Ball's accusers were mischief-makers; and any other as yet unnamed funders.

"Mr Peak himself has told [the Gibb report] that he now accepts that it was inappropriate for him to represent Ball, though he remains of the view that Ball would in any event have had to resign on the basis of the facts known and Ball's acknowledgment of them."

Ball's resignation is of little consequence relative to wider legal concerns. It is unfortunately not possible to ask Mr Peak whether he knew about the many accusatory letters held at Lambeth but not passed onto the police or about other accusations of alleged unlawful conduct, either discovered by the investigator Mr D who he was party to appointing, or made by others. And to the extent that he was aware of these, what conclusions he drew from them.

However, despite Mr D's remit "with a view to clearing Ball", he soon discovered that there was a great deal of potentially incriminating evidence. "Without doubt the police have powerful evidence of years of masturbation and abuse of young men by (Ball)". Similarly, Mr D recorded being told by Mr F [a senior Gloucester police officer] that the police investigation had revealed '*very serious allegations .... from all over the country, covering many years of [Ball's] life in the ministry. Statements had been obtained from young men in Cambridge ["mutual masturbation involving Ball and various boys up at Cambridge at this time"], Oxford, Durham and Newcastle, and many other allegations had come to light*'. Mr D had "no doubt that there is a case to answer [by Ball]". Curiously, at the hearing, Lord Lloyd referred to the "Durham situation" as "a much worse offence than that for which Peter Ball had already pleaded guilty". This line was not pursued by the QC, I hope because the inquiry is already aware of it, but if not I hope it will enquire further.

This extract from the Gibb report is especially revealing, albeit it is not explicit about the source of hearsay evidence from the diocese: "Mr D recorded that '*I was learning a lot of disturbing facts about Peter Ball.....I requested Mr Peak's permission to interview Peter Ball, for I felt the need to know the truth from Ball himself and not to be fobbed off by hearsay evidence from the diocese of Gloucester. This request was also refused.*'" It is a pity that the inquiry has not been able to ask Mr Peak whether he accepts Mr D's account that as these alleged "facts" were emerging he did not want Mr D to interview the very person he had been engaged to clear, and if so why.

Were Mr Peak to have reached the same conclusions about Ball's likely guilt as Mr D – the man he co-appointed – this would have raised some taxing professional problems, given the blurred lines of responsibility and Mr Peak's admitted inappropriateness of representing Ball.

One of the most astonishing paragraphs in the Gibb report, reproduced in its entirety below, relates to files in Gloucester that Mr Peak would, as registrar, have been expected to keep meticulously. Did Mr Peak's dual role have any effect on the availability of files to the Church, police or the inquiry? If so, could it have detracted from the police's or CPS's ability to prosecute?

According to Gibb, "No files from Gloucester were transferred in to Lambeth [Palace, the archbishops' office]. Mr Peak told us that no records of the events in 1992 had been kept by the diocese at the time. He had kept records of his own work as Peter Ball's personal legal representative but he had subsequently sent those records to Truro, at the request of the former diocesan registrar there, Mr Martin Follett. He understood that Mr Follett wanted the files because he was dealing with financial claims arising from Peter Ball's conduct. Records at Lambeth Palace indicate that Mr Follett was asked for the files in 2012 but advised that they had been destroyed."

I have seen no information on when the files were sent, under what directions, and why they were destroyed, rather than being returned. Was Mr Peak entitled, as Ball's representative, to send the client-privileged files to a third party, or was his client Ball happy for him to do so? Mr Follett has been [registrar](#) for 25 years for Truro, the diocese of which Ball's brother Michael was bishop from 1990-1997. It is now clear that the brothers acted as a team in defending Ball.

Mr D reported that in late January 1993 he attended meetings "with Mr Peak, one of Mr Peak's colleagues with a background in criminal law, Mr G, and a QC". The adage "follow the money" is not without merit. It is a great pity that the inquiry cannot ask who paid for Ball's defence, in the 1990s and the 2010s. The cost must have run into many hundreds of thousands of pounds, and Ball was always pleading poverty.

We should leave the last word on this to Mr Peak who wrote to the church on another matter in August 2014: *"I handled a ...crisis involving Bishop Peter Ball over 20 years ago. I managed to keep the matter out of court, upon the basis that he admitted guilt in respect of gross indecency and indecent assault offences, accepted a formal police caution and resigned as diocesan bishop. I thereby saved the diocese and the church enormous embarrassment, to say the least"*.

### **The dangers of the law and religion being intertwined**

Numerous aspects of the Ball case as described above demonstrate the intertwining of law and religion and the dangers this poses.

Throughout my decades at the National Secular Society I have been deeply interested in, and concerned about, the close links between the law and the church, established or otherwise. The separation of law and religion is no less important from a secularist perspective than the separation of politics and religion.

In the Middle Ages, the chancellor (chief legal officer) was a bishop, and also the King's chaplain, letter writer and keeper of the Great Seal. There was not even a conflict as church and state and their functions were essentially one, and the church even had its own courts and jails.

It was not until the great secularist reforms of the mid-19<sup>th</sup> century that the church was shorn of its involvement in the administration of justice. The church also, for example, lost its role overseeing probate, its monopoly over marriage and divorce, and its ability to levy church rates.

Vestiges remain, however: the Anglican synod can table (but not enact) parliamentary legislation; Anglican ecclesiastical courts are just as much part of the legal system as any other courts; and the legal year starts with a religious service attended by judges in all their finery. I accept that the latter is a largely symbolic and outdated assertion of power. Nevertheless I suggest that anyone who thinks that, nowadays, everyone is equal under the law should re-assess that proposition in the light of the affair of jailed former bishop Peter Ball.

The evidence to emerge on the Ball affair shows that, true to form, the church demonstrated the



considerable extent of the power it still wields to protect one of its own. It did so while issuing regular handwringing apologies about victims, many of whose lives were ruined and one, Neil Todd's, ended in suicide. The church hierarchy still compounds the abuse by often failing to come clean with victims by admitting the abuse it knows occurred and paying victims decent levels of compensation without subjecting them to needlessly adversarial ordeals to secure any compensation at all.

As one victim, Rev Graham Sawyer, told the inquiry: "Sexual abuse that was perpetrated upon me by Bishop Peter Ball pales into insignificance when compared to the enduringly cruel and sadistic treatment that has been meted out to me by officials, both lay and ordained, in the Church of England." This chimes with another priest and complainant, who said: "I was ostracised as a 'whistle blower'. This was because, at the time, Lambeth Palace somehow breached confidence. I was approached by a number of diocesan clergy and given a "warning" by my director of training."

Ball was undoubtedly masterful in pressurising the broader establishment into backing him and the Gibb report states that "Ball's defence team subsequently claimed that they had received more than 2,000 letters of support". I am, however, convinced that such a scale of establishment support was a gross exaggeration perpetrated by those with a vested interest. This huge number would be very surprising and the number of letters that have been made public run into scores rather than thousands. And in the defence of many of those backers, they acted without knowledge of Ball's misdeeds or particularly of their scale.

While Ball's main protector was the church, which had a vested interest, the most uncomfortable and undeniable lesson from the Independent Inquiry Into Child Sexual Abuse's hearings into Ball is that when this prelate was under threat, all the arms of the legal establishment joined forces to minimise or even prevent the prelate's being held to account and minimise any sanctions imposed. Few others would benefit from such unwarranted leniency.

The arms of the law have no legitimate business protecting anyone from the proper operation of the law.

### **It couldn't happen again, or could it?**

My reluctant conclusion, set out above, is that the arms of the law cannot be guaranteed to behave any more robustly and more even-handedly in future. I hope though that they will try to learn from these tragic mistakes and in future demonstrate more clearly in deeds, rather than just words, the operation of the law without fear or favour.

As I have noted before, the church's strategy over IICSA is to admit past mistakes but point to procedural and administrative changes and claim all is right now.

How much more assurance could we reasonably ask for than the latest vote at the Anglican synod itself, as reported in *Private Eye* on 10 August: "General synod mandated the house of bishops 'to introduce, as a matter of urgency, ways to improve relations between the church and those survivors currently in dispute with the national church institutions'. The synod motion added that survivors of abuse 'will receive a compassionate response' and 'will be offered appropriate pastoral care, counselling and support according to need'."

But one person at that synod has a very different story to tell. Nearly thirty years after suffering multiple abuse as a teenager, Rev Matt Ineson reported fellow Anglican vicar Trevor Devamanikkam to the police. Devamanikkam was charged with six counts of serious sexual assault, but committed suicide on the eve of the trial. Before this, Rev Ineson made disciplinary

complaints to the church against Devamanikkam and against the bishops who ignored his disclosures. Mr Ineson has told me that the church consulted the bishops on the application of the one year rule, which could have been waived, and whether they consented to being investigated. All the bishops objected to the application to extend the one year rule and it was rejected for them all on the grounds that it was made outside the one year deadline. Unbelievably even Trevor Devmanikkam was consulted, but should not have been, and did not reply. Matt Ineson resigned from the church in disgust.

Mr Ineson is receiving treatments from a professional counselling charity and has had over eighty sessions so far. He was promised by the church that his counselling would be paid for, the cost being approximately £2,000 to the counselling charity. He is incensed at the paltry offer of just £500 (equivalent to less than £7 per session) towards this made by Nick Baines, the Bishop of Leeds, whose diocesan assets totalled £179 million in 2016. In a letter, Bishop Baines describes his offer as "a significant level of support" and "in line with our policy in such matters", a policy Mr Ineson has never seen. Such care to conserve diocesan assets may not be quite what those voting for the motion had in mind, particularly as they concern someone receiving prolonged and continuing treatment in connection with Church abuse and who is therefore presumably vulnerable.

Yet Bishop Baines has reportedly gone further. Matt Ineson and other survivors displayed, as *Private Eye* reported: "a poster summarising the bishop's version of the Good Samaritan parable as 'walk away from the abused on the other side'. To Ineson's astonishment, Bishop Baines, just four days after the motion was passed, wrote what *Private Eye* describes as "a legal threat" to warn Mr Ineson about the 'defamatory' placard: "I am taking legal advice on the matter and wish to make you aware of this. I expect you to withdraw the image and confirm that you have done so. Deliberate publication of misrepresentative and untrue statements is unacceptable and a line needs to be drawn."

I am reminded of fellow Anglican abuse victim Graham Sawyer's description of his experiences with Anglican hierarchy quoted above – "enduringly cruel and sadistic treatment that has been meted out to me by officials, both lay and ordained". And that bullying endures today.

And Nick Baines is no minor bishop on the verge of retirement who could be regarded solely as a vestige of the past. Leeds and the Dales is the largest diocese in the country. Would it seem reasonable to regard this young bishop as the epitome of the church's present and the future?

These examples, and there are unfortunately plenty more, demonstrate the fallacy of claims that all is well now on safeguarding and the treatment of victims of clerical abuse. As we have learned to our cost, it is the church's actions that count rather than bland apologies and promises to do better. That also applies to well-meaning motions by synod members. Even the Ball affair failed to inject much needed self-awareness into the hierarchy's mindset, and I am convinced nothing will. Both Anglican and Catholic churches have presided over large-scale institutional failures over decades on clerical abuse with numerous internal inquiries which were whitewashes and therefore worse than no inquiry at all. The recently published report on Catholic schools Downside and Ampleforth [illustrates](#) a very similar institutional breakdown where protecting the institution at all costs always comes ahead of safeguarding of victims. Even the much trumpeted improved child protection measures have been widely ignored in these closeted institutions.

IICSA needs to acknowledge that these crucial weakness demonstrated on such an alarming scale remain today and are not just institutional but, because of the extra dimension of religious power, are systemic in most religious organisations. Its recommendations need to take this into account. It needs to recommend mandatory oversight of safeguarding and of financial settlements to be completely independent of each religious institution, but financed by them. And in the law, we

sorely need the introduction of mandatory reporting in institutions, without exemption for the confessional, and the elimination of statutory time bars in abuse cases.

Let's hope IICSA recommends accordingly, and the government takes heed.

## Keith Porteous Wood

Keith Porteous Wood is the president (and former executive director) of the National Secular Society. The views expressed in our blogs are those of the author and may not represent the views of the NSS.

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