

# The Roman Catholic Church

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## Case Study: English Benedictine Congregation

1. Ealing Abbey and St Benedict's School
2. Ampleforth and Downside: update

Investigation Report  
*October 2019*

2019

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2. Ampleforth and  
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Investigation Report  
*October 2019*

A report of the Inquiry Panel  
Professor Alexis Jay OBE  
Professor Sir Malcolm Evans KCMG OBE  
Ivor Frank  
Drusilla Sharpling CBE

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The following corrections were made to the report on 24 October 2019:

Page 2, paragraph 3: 2015 was amended to read 2016

Page 15, section A.2, paragraph 6: 2015 was amended to read 2016

Page 100, section H.1, paragraph 2: 2015 was amended to read 2016

The following update was made to the report on 25 October 2019:

Page 106, paragraph 3 was amended to include a clearer description of Charity Commission-appointed interim manager Emma Moody's duties with regard to overseeing certain safeguarding matters at Ampleforth College, St Martin's Ampleforth and the two related charities.

The following updates were made to the report on 29 October 2019:

Page 39, paragraph 88, the last sentence was amended to read 'He described Soper visiting him in the infirmary, when he was 11 or 12 years old...'

Page 112, Annex 1: the Independent Schools Inspectorate was added to the 'Institutional core participants' table.

# Contents

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<b>Part 1: Ealing Abbey and St Benedict's School</b>	<b>1</b>
<b>Executive Summary</b>	<b>2</b>
<b>Pen portraits</b>	<b>8</b>
<b>Part A: Introduction</b>	<b>11</b>
A.1: The background to the investigation	14
A.2: The scope of the investigation	15
A.3: Procedure adopted by the Inquiry	16
A.4: Terminology	17
<b>Part B: Context</b>	<b>19</b>
B.1: History and establishment	20
B.2: Governance	21
<b>Part C: Nature and extent of abuse</b>	<b>23</b>
C.1: Introduction	24
C.2: Physical and emotional abuse (1970s and 1980s)	24
C.3: Sexual abuse (1970s to 2000s)	25
<b>Part D: Response of Ealing Abbey and St Benedict's School to allegations of abuse</b>	<b>45</b>
D.1: Introduction	46
D.2: 1970 to 2000	46
D.3: 2000 to 2010	51
D.4: 2010 to the present	63
<b>Part E: Response of Catholic bodies</b>	<b>67</b>
E.1: Introduction	68
E.2: Diocese of Westminster	68
E.3: English Benedictine Congregation	71
E.4: Holy See	73

<b>Part F: Response of external institutions</b>	<b>77</b>
F.1: Introduction	78
F.2: Metropolitan Police Service	78
F.3: Crown Prosecution Service	81
F.4: Charity Commission	84
F.5: Independent Schools Inspectorate	86
F.6: Department for Education	89
F.7: Ealing Council Children’s Services	90
<b>Part G: Wider developments in the English Benedictine Congregation</b>	<b>93</b>
G.1: Introduction	94
G.2: Responsiveness	94
G.3: Accountability	95
G.4: Transparency	96
<b>Part H: Conclusions</b>	<b>99</b>
H.1: Conclusions in relation to Ealing Abbey and St Benedict’s School	100
H.2: Conclusions in relation to the English Benedictine Congregation, the abbey and the schools	102
<b>Part 2: Ampleforth and Downside: update</b>	<b>105</b>
<b>Recent developments at Ampleforth and Downside</b>	<b>106</b>
Introduction	106
Ampleforth	106
Downside	107
<b>Annexes</b>	<b>109</b>
Annex 1: Overview of process and evidence obtained by the Inquiry	110
Annex 2: Glossary	117
Annex 3: Acronyms	122
Annex 4: Summary of allegations leading to convictions	124

## Part 1

# Ealing Abbey and St Benedict's School

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# Executive Summary

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Ealing Abbey is an English Benedictine monastery, established in 1897 by monks from Downside Abbey. Ealing Priory, as it was then called, became independent from Downside in 1947. Eight years later it achieved Abbey status, becoming the first Benedictine Abbey in Greater London since the Reformation. The monastery is home to 14 monks who live under the care of the Abbot, the spiritual leader of the community. The Abbot is assisted by his Prior, who acts as his principal adviser, and by his Council.

St Benedict's School, Ealing is the only Benedictine day school in England and is situated adjacent to Ealing Abbey. Although it started as a boys' school, it became fully co-educational in 2008 and accepts children from nursery age to 18 years old. The junior and senior schools (the middle school having been absorbed some years ago) have their own headmasters, although since 2006 the headmaster of the senior school has overarching responsibility for the junior school. The number of monks teaching at the school has varied over the years from nine in 1980 to just one in 2018, and none now, in 2019. As well as serving as teachers, monks act as chaplains and lead religious services.

Child sexual abuse at St Benedict's School was extensive. Since 2003, two monks (Laurence Soper and David Pearce) and two lay teachers (John Maestri and Stephen Skelton) have been convicted of multiple offences involving the sexual abuse of over 20 children between at least the 1970s and 2008. In 2016 another teacher, the deputy head Peter Allott, was convicted of offences relating to the possession of indecent images of children. We have also received evidence of at least 18 further allegations against these men and eight other monks and teachers. Material we have seen suggests that the number of complainants is likely to be higher than the figures set out here.

The St Benedict's School of the 1970s was described to us as a "*Cold, grim, forbidding*" and "*beastly*" place.<sup>1</sup> The atmosphere was sadistic and predatory, and we heard that for many children "*coming to school was terrible*".<sup>2</sup> There was a culture of excessive corporal punishment. Physical abuse in many cases was used as a platform for sexual gratification, and a means by which to instigate sexual abuse. Corporal punishment was also used to punish boys who sought to protect themselves and others from sexual abuse, such as RC-A8.

## Laurence Soper and David Pearce

A particularly startling aspect of the sexual abuse perpetrated at the school was that very senior figures at the school or Abbey were abusers. David Pearce was the head of the junior school and then bursar; Laurence Soper was head of the middle school, bursar, Prior then Abbot. This created particular problems for those who wished to report sexual abuse – not only the victims, but also others, such as members of staff who heard rumours or observed

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<sup>1</sup> RC-A8 4 February 2019 129/1, 148/24

<sup>2</sup> RC-A8 4 February 2019 134/21

behaviour that caused concern. Reporting such matters was therefore made more difficult by the seniority of those against whom the complaint would have been made. Staff members have described the atmosphere as feeling “*like the mafia*” and chose not to risk their jobs.<sup>3</sup>

Pearce was a serial abuser of boys. At least 14 pupils have complained to the statutory authorities of being sexually abused by him. Their allegations span a 32-year period from 1976 to 2008. In October 2009, Pearce was sentenced to eight years’ imprisonment (reduced to five years on appeal in May 2010) for various sexual offences against five of these pupils. That was not the end of the matter, however, and in 2011 Pearce faced a further trial relating to indecent assaults against another pupil but was acquitted. In relation to the eight other boys, there was either no complaint made to the police or a decision made by the police/ Crown Prosecution Service not to proceed.

It appears that many in the school and Abbey – teachers and monks alike – were aware of Pearce’s behaviour but were seemingly powerless to do anything about it. Gossip amongst the boys and staff was rife and complaints, including from parents, failed to trigger any action by the school or, in the rare event that information was communicated externally, by the statutory authorities. Staff were afraid that by speaking up they would lose their jobs. Pearce may well have been emboldened by this inertia as his abuse became less secretive, filming the boys at the swimming pool, lining them up naked and committing sexual assaults with apparent impunity. Unsurprisingly, Pearce was protected by Soper, but other Abbots and headmasters throughout this period also failed to act to protect children under their care.

Soper is known to have abused at least 10 children at St Benedict’s between 1972 and 1983, including multiple rapes. Many of the assaults were committed during acts of corporal punishment apparently inflicted on the slightest of pretexts. Soper’s predilection for caning boys was well known amongst the boys and staff at the school. He was told to stop by a previous headmaster at some point in the late 1970s or early 1980s. This had no effect, and he continued to cane and sexually assault boys on many occasions.

His campaign of sexual abuse was allowed to continue because of the inaction of those who had the power to do something to stop it or bring him to justice. By 2002 – two years after he had resigned as Abbot – Soper had been appointed general treasurer for the International Benedictine Conference in Rome, residing in Sant’Anselmo. Whilst on police bail in 2011, he left Sant’Anselmo, purportedly returning to London. He absconded and a European Arrest Warrant was issued. Some five years later he was located in Kosovo and extradited. In 2017, he was sentenced to 18 years’ imprisonment – over 40 years had elapsed since his offending began.

## The role of Abbots

There were significant opportunities to stop abusers in the school which were not acted upon. When Abbot Martin Shipperlee took over as Abbot from Soper in 2000, many were hopeful that a “*new broom*”<sup>4</sup> had arrived. Indeed, some improvements to child protection were made. He commissioned a number of independent reports from experts.

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<sup>3</sup> MPS002950\_001; MPS002946\_003

<sup>4</sup> MPS002959\_002

David Tregaskis, a clinical criminologist with extensive experience of providing risk assessments, provided a report about the risk Pearce posed to children. He concluded that there was a “*major concern*” and “*clear boundaries*” should be placed upon him.<sup>5</sup> Although restrictions were placed upon Pearce, they were not monitored properly. In 2006, the sexual abuse committed by Pearce was established in a civil trial brought by one of his victims. Mr Justice Field said he found Pearce’s account “*extremely unconvincing*”<sup>6</sup> and the allegations were found proven. There were no changes to the restrictions already placed upon Pearce, although there could have been no doubt about the risk he posed. In the same year as the civil trial, Pearce started to sexually abuse a 16-year-old boy who was working in the monastery.

There were also limitations to the advice Abbot Shipperlee received from the Diocese of Westminster Child Protection Team. In particular, the advice provided in respect of imposing restrictions upon Pearce and others failed to give any guidance on how compliance with those restrictions should be enforced and monitored. The Child Protection Officer failed to keep the risk posed by Pearce and the restrictions in place under review, particularly following the successful civil claim. Pearce should have been required to leave Ealing Abbey – particularly given its proximity to the school.

When Pearce was convicted in 2009, Abbot Shipperlee commissioned a further review by Philip Wright, the safeguarding coordinator for the diocese of Brighton and Arundel and John Nixson, an independent child protection specialist. Despite the mounting child protection concerns against Soper and another monk, the review was confined to Pearce. There was no consideration of the underlying material. The whole exercise was limited to two days’ work. John Nixson in his written evidence to the Inquiry stated: “*with the benefit of further reflection, it is now evident to me that Abbot Martin presented the existing concerns and findings about individual members of the religious community in a minimal manner*”.<sup>7</sup>

The Abbot President of the English Benedictine Congregation in the period from 2001 to 2017, Dom Richard Yeo, did not significantly contribute to the response of Ealing Abbey to the allegations of child sexual abuse made in that period. During his 2007 Visitation he did not inquire into the restrictions upon Pearce and gave no consideration to issues of risk management. In his report to the monastic community, there was no express recognition of the fact that the judge in the civil proceedings in 2006 had found Pearce to be an unconvincing witness. He conceded that, in retrospect:

*“I should probably have suggested at the 2007 Visitation that it was too serious a risk to allow ... Pearce to continue to live in the monastery”.*<sup>8</sup>

Throughout this time, public pressure was mounting. A series of articles appeared in *The Times*, the Charity Commission published a critical report, public disquiet gained momentum through Jonathan West’s blog, the Independent Schools Inspectorate had published a follow-up report which was critical of Trustees, and the Minister of State for Schools was seeking “*assurance that all ISI’s recommendations will be implemented*”.<sup>9</sup>

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<sup>5</sup> BNT001208\_011-12

<sup>6</sup> BNT001206\_019

<sup>7</sup> INQ003916\_004-005

<sup>8</sup> BNT006991\_028

<sup>9</sup> INQ003858\_071

In the light of these pressures, Lord Carlile of Berriew QC was commissioned in 2010 to prepare a report. Abbot Shipperlee submitted five principles for reform which Lord Carlile accepted. He firmly stated, however, that reforms could not take place under the auspices of a single trust and recommended the creation of two separate charitable trusts – in effect separating the school from the Abbey. St Benedict’s School became truly independent of Ealing Abbey on 1 September 2012.

During the Inquiry’s investigation into Ealing Abbey, Abbot Shipperlee resigned. He admitted to the Inquiry *“as has been serially revealed, my administration of safeguarding is of insufficient standard”*.<sup>10</sup>

## The role of headmasters

Headmasters as well as Abbots played a significant role in managing child protection issues. Christopher Cleugh, during his time as headmaster of the school between 2002 and 2016, repeatedly minimised questions of child sexual abuse to teachers and to external institutions and parents, to the point of materially misrepresenting significant facts. Although he told the Independent Schools Inspectorate that one of the monks had been charged with an assault on a pupil doing work experience in the monastery, he did not tell them that Pearce had been under restrictions at the time, nor did he tell them about the successful civil action against Pearce. He did not address safeguarding issues openly and proactively; when answers were given, he was defensive. One former teacher, Peter Halsall, said the previous culture of cover-up and denial at the school was *“followed ... by passing the buck”*.<sup>11</sup>

Andrew Johnson, who was appointed headmaster in 2016, described a number of improvements to safeguarding, including record-keeping and vetting, compulsory reporting to Ealing Social Services, safeguarding training for staff, information for students and parents, and the operation of the safeguarding sub-committee. He also outlined that he had commissioned an audit report from Philip Threlfall, an independent safeguarding consultant, who concluded that the school was committed to safeguarding and that the *“right things are in place”*.<sup>12</sup> In order for these changes to have a long-term impact, it will now be for those in responsibility at the school to remain vigilant so as to ensure that safeguarding remains a priority.

## The role of external agencies

The Metropolitan Police made mistakes in how some of the early allegations against Pearce and Soper were investigated. For example, in 2001, one of the victims told the police that Pearce had forcibly grabbed his trousers and pants and looked down into his pants, and that Pearce had put his hands down the swimming trunks of another boy, *“for a couple of seconds having a feel around”*.<sup>13</sup> In July 2002, the police decided to take that case no further, the investigating officer concluding *“I have been unable to find evidence of any criminal offences”*.<sup>14</sup> This approach was unreasonable. Commander Neil Jerome, in his evidence to us, agreed.

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<sup>10</sup> Abbot Martin Shipperlee 7 February 2019 68/25

<sup>11</sup> MPS002946\_003

<sup>12</sup> BNT007148

<sup>13</sup> OHY006649\_016

<sup>14</sup> MPS003014\_043-044

There were also failures in respect of the investigation into the allegations against Pearce in respect of another boy, including a failure to provide all relevant information to the Crown Prosecution Service when a prosecution decision was sought.

The Crown Prosecution Service shares some responsibility for the fact that neither Pearce nor Soper were prosecuted in 2004, when serious allegations were made by two victims against them. It was not until 2009 and 2017 that Pearce and Soper were convicted of the abuse. In the Crown Prosecution Service decision regarding one victim's allegations against Pearce, the reviewing lawyer wrongly adopted a requirement for corroboration. Likewise, in the decision concerning another victim's allegations against Soper, the Crown Prosecution Service lawyer took the view that a victim's word against a perpetrator was insufficient to found a prosecution instead of considering whether the victim's account could be supported by other evidence or whether Soper's account could be undermined.

There were also deficiencies in the consideration of the situation at Ealing Abbey and St Benedict's School by those external bodies charged with regulating the management of charities (the Charity Commission) and inspecting independent schools (the Independent Schools Inspectorate). The Charity Commission was undertaking a statutory inquiry into Ealing Abbey's handling of Pearce at the very time when he was committing further child sexual abuse. The Commission's conclusion at the time, that appropriate steps were being taken, was based on assurances given by Ealing Abbey, which were not scrutinised or tested. Likewise, the Independent Schools Inspectorate oversaw an inspection in 2009 which concluded that the child protection policy was compliant with statutory guidance, and that an independent review into Pearce's offending had been conducted and its advice fully implemented: both conclusions were wrong. The 2009 report was withdrawn in April 2010 and an unannounced, non-routine further inspection was carried out, resulting in a critical report of August 2010. But for the fact that members of the public drew the deficiencies of the 2009 report to the Commission's attention, there may have been no such rectification of the position.

It is notable that in 2010 the Department for Education did not have the statutory power to enforce a recommendation made by the Independent Schools Inspectorate to the effect that monks who had been the subject of allegations should not reside at Ealing Abbey. As a result, the Minister for Schools wrote to the Charity Commission in October 2010 to see if the Charity Commission might be able to use its powers to enforce compliance in this regard. The position is now different. From January 2015 changes to the statutory standards by which independent schools are judged have rectified this gap in the Department's powers.

## The role of the Holy See

Prior to the hearing, the Inquiry sought a witness statement and documentation from the Holy See, initially through a voluntary request to its diplomatic representative in the United Kingdom, the Apostolic Nuncio, who is covered by diplomatic immunity. The request included asking what steps were taken after Soper's disappearance that might have assisted in locating him. The Holy See has confirmed that it does not intend to provide a witness statement but has provided some documentation which is being reviewed and may be considered further, if necessary, during the hearings we are holding in October and November 2019.

## Recommendations

This report on the Ealing Abbey and St Benedict's School case study forms part of the Inquiry's wider investigation into the Roman Catholic Church. As part of that investigation, as set out above, there will be a hearing in late 2019 following which a further report including any recommendations will be published.

# Pen portraits

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## RC-A622

RC-A622<sup>15</sup> attended St Benedict's in the 1960s and 1970s, between the ages of eight and 15. He was sexually abused by Laurence Soper, then Abbot of Ealing, from the age of 12. At first, Soper fondled and stroked his genitals; however, the abuse quickly escalated. Soper made RC-A622 watch him while he masturbated and forcibly masturbated RC-A622. He caned and anally raped him on several occasions, sometimes ejaculating inside him and sometimes on the child's body. Once, during a school trip, Soper fondled RC-A622's genitals and then put RC-A622's penis into his mouth. He told the boy to keep these incidents a secret, threatening him with severe punishments or expulsion.

Soper's abuse had a devastating impact on RC-A622. He went from being a happy child who enjoyed school and aspired to become a veterinarian or a pilot to playing truant, stealing and drinking excessively. He said:

*"I was drinking to numb the pain of what Soper was doing to me ... To this day, I can still smell the aroma of the dirty habit that Soper wore and the smell of the leather on the desk that I was made to bend over. I don't think these smells will ever leave me. I feared going to school once the abuse started."<sup>16</sup>*

His relationship with his parents broke down.

As an adult, RC-A622 was unable to hold down a job or maintain personal relationships. He described falling into depression, losing contact with his two children and becoming homeless as a result of his excessive drinking. He attempted suicide several times and was sectioned because of his mental health problems. He said:

*"I often wonder what my life would have been like if I hadn't been abused ... I feel like I am still in a black hole and just can't climb out of it. I don't think I can ever put down in words fully what [Soper] has done to me. He has damaged me for life and I am afraid that that damage will never go away."<sup>17</sup>*

## RC-A8

RC-A8<sup>18</sup> attended St Benedict's in the 1970s, from the ages of 13 to 16. He had already been sexually abused by a family friend by the time he joined the school.

During the three years he spent at St Benedict's, RC-A8 was physically and sexually abused by Soper. Soper would regularly cane RC-A8, including on one occasion so severely that he drew blood. RC-A8 described two further incidents where Soper fondled his bottom and tried to probe his anus with his fingers, over clothing. RC-A8 told us that Soper would

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<sup>15</sup> RC-A622 8 February 2019 83/1-87/18

<sup>16</sup> RC-A622 8 February 2019 84/10-14

<sup>17</sup> RC-A622 8 February 2019 86/12-13, 87/3-4, 10-12

<sup>18</sup> RC-A8 4 February 2019 126/4-149/8

regularly “feel up” the boys and that this was “full-on highly intrusive groping ... the aim of it was sexual gratification for Soper and sexual humiliation for me”.<sup>19</sup>

RC-A8 became “the most beaten, the most caned boy”<sup>20</sup> in the school, after he tried to protect one of his friends from abuse. He told us that:

*“refusing these men led to being singled out ... . Each master/cleric, lay or clergy, had their own coterie of boys ... these were boys who might be past their sell-by date sexually, but were still under the spell of these predators ... we are not talking about a bit of push and shove in the playground, we are talking about football-hooligan-level violence, we are talking about serious beatings in the street on the way home. That sort of thing. So you had official punishments – canings on all sorts of made-up pretexts ... And then you had the other, the other victimisation, the physical violence. In a nutshell, I’d say that boys like me who resisted could look forward to having their educations derailed and wrecked ... It was as if these men were following an instruction manual they’d learned by rote: grooming, accusation, persecution.”<sup>21</sup>*

## RC-A596

RC-A596 was a pupil at St Benedict’s from the mid 1970s to the early 1980s. He was summoned by Father David Pearce, a monk of Ealing Abbey, to his office two to three times a week. Pearce would touch his legs, bottom and genitals, expose himself and force RC-A596 to masturbate him through his robes. Pearce told RC-A596 that this was “okay” and “normal”.<sup>22</sup> The abuse went on for approximately three years,<sup>23</sup> when RC-A596 was between 10 and 14 years old.<sup>24</sup>

He was left with many psychological problems, including depression and anxiety, and attempted suicide on a number of occasions. He struggled with drug and alcohol addictions and had trust issues and difficulties forming relationships.<sup>25</sup>

Pearce’s abuse had a devastating impact on RC-A596. As he told the Metropolitan Police in 2009:

*“He destroyed the foundations of mental, emotional and psychological wellbeing and stability which, for most, are the basic ingredients for a happy and productive existence. His despicable conduct robbed me of the ability to trust other[s], destroying my capacity to form loving and lasting relationships. Instead, I found myself seemingly intent on self-destruction, the result of unbearable mental and emotional suffering. The self-loathing and self-hatred his crimes engendered in me saw me go through a lifetime of self-harm, beginning at the age of 15 ... I was repeatedly confined to psychiatric institutions over the next 25 years. I found myself unemployable and homeless, incapable of pulling out of the negative spiral that is substance abuse and dependence, a direct result of Pearce’s crimes ... He still appears in my nightmares ... his crimes are woven into the very fabric of my existence.”<sup>26</sup>*

<sup>19</sup> RC-A8 4 February 2019 134/3-4, 7-11

<sup>20</sup> RC-A8 4 February 2019 138/6

<sup>21</sup> RC-A8 4 February 2019 131/7-25; 132/1-3; 137/19-21

<sup>22</sup> BNT001228\_015\_030-033; BNT001190\_013-014

<sup>23</sup> BNT001228\_007-008, 018, 029-030

<sup>24</sup> BNT001190\_013

<sup>25</sup> BNT000816\_003

<sup>26</sup> MPS004245



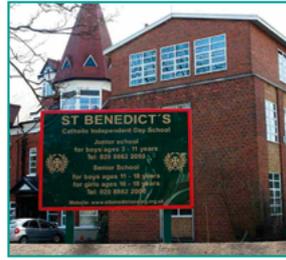
Part A

# Introduction

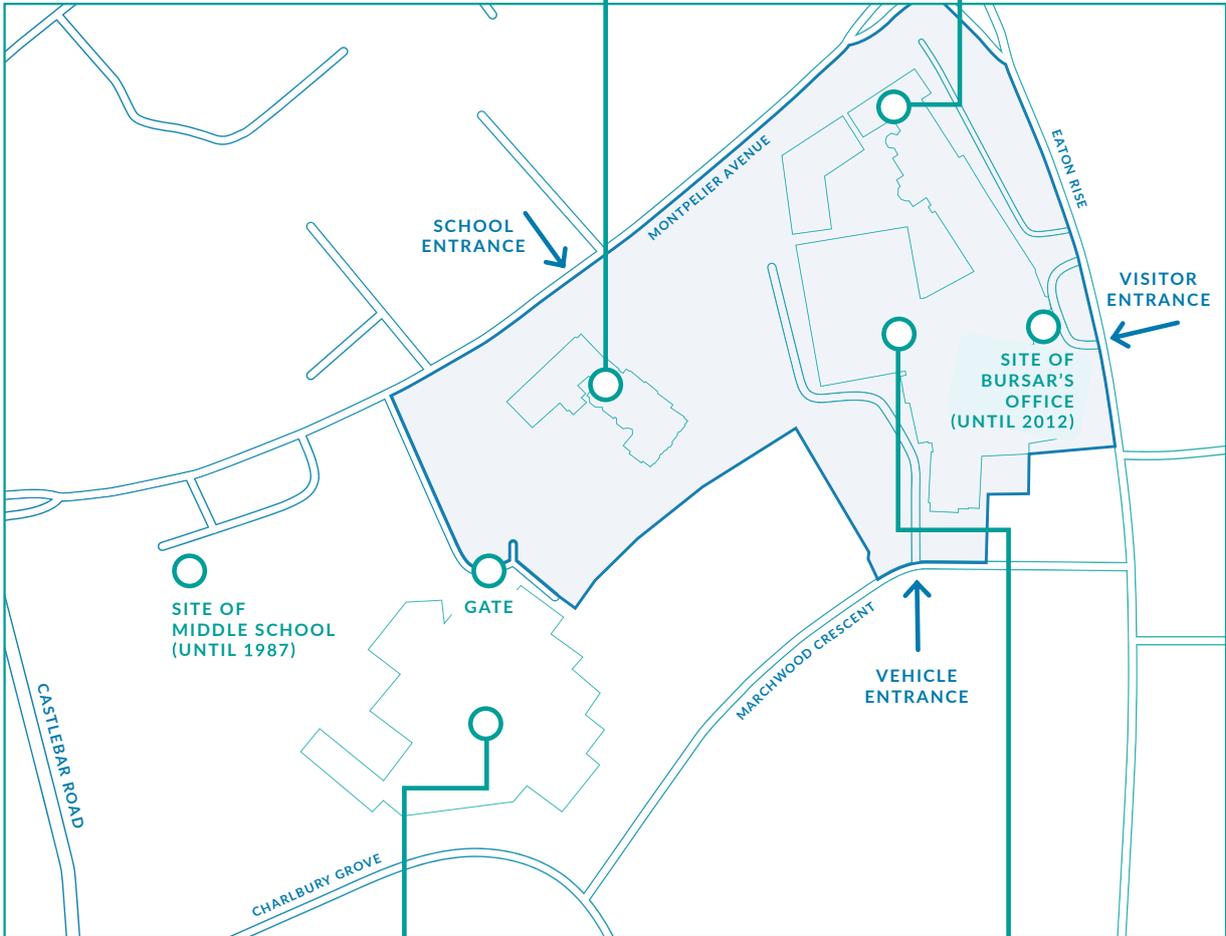
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ST BENEDICT'S JUNIOR SCHOOL



ST BENEDICT'S SCIENCE BLOCK (PRINCIPALLY USED BY THE SENIOR SCHOOL)



EALING ABBEY WITH MONASTIC ACCOMMODATION (LEFT)

ST BENEDICT'S SENIOR SCHOOL

*Ealing Abbey and St Benedict's*

## Chronology of abbots and headmasters

Abbots of Ealing Abbey	
Rupert Hall	1955–1967
Francis Rossiter	1967–1991
Laurence Soper	1991–2000
Martin Shipperlee	2000–2019
Dominic Taylor	2019–present

Headmasters of St Benedict's School	
<i>Senior School</i>	
Father Bernard Orchard	1945–1960
Father George Brown	1960–1965
Father Bernard Orchard	1965–1969
Father George Brown	1969–1977
Father Anthony Gee	1978–1985
Father Gregory Chillman	1985
Dr Anthony Dachs	1986–2001
Mr Christopher Cleugh	2002–2016
Mr Andrew Johnson	2016–present
<i>Junior School</i>	
Father David Pearce	1985–1993
Father Martin Shipperlee	1993–2000
Mr Denis McSweeney	2000–2005
Mrs Catherine Nathan	2005
Mr Robert Simmons	2005–2008

# Introduction

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## A.1: The background to the investigation

1. The Inquiry's investigation of Ealing Abbey and St Benedict's School (St Benedict's) is our second case study concerning the English Benedictine Congregation (EBC). Our first case study concerned Ampleforth and Downside Abbeys and their respective schools and we published our report in August 2018.<sup>27</sup> It was necessary to consider Ealing separately because relevant criminal proceedings in respect of Laurence Soper, former Abbot of Ealing, were ongoing at the time of the earlier review.<sup>28</sup> This report should therefore be read in conjunction with our Ampleforth and Downside report.

2. The child sexual abuse perpetrated against pupils at St Benedict's between at least the 1970s and 2008 was extensive. During his evidence to our inquiry on 7 February 2019, Abbot Martin Shipperlee, abbot since 2000, said of his own handling of child sexual abuse allegations at Ealing during his abbacy that:

*"as has been serially revealed, my administration of safeguarding is of an insufficient standard ... I have made at least one extraordinary – a very serious mistake which isn't creditable [sic] to me and that my brethren who have offended have done serious wrong. I can only apologise for what I've done wrong ..."*<sup>29</sup>

The following day, Abbot Shipperlee's resignation was announced by the Abbot President of the EBC at the outset of his evidence to us. Abbot President Christopher Jamison said:

*"in the light of what I heard during the hearing, and in the light of his own self-assessment, I have accepted his resignation".*<sup>30</sup>

3. Subsequently, on 8 February 2019, Abbot Shipperlee made the following press statement:

*"As the IICSA hearings have shown, there has been a series of serious failings in safeguarding and some of those failings have been mine. Much has been achieved to correct this in recent years and I have confidence in the present structures and policies. However this does not take away from the seriousness of what went before. In order for the Abbey to look forward with confidence new leadership is now needed and so I have resigned as Abbot so that this may be possible."*<sup>31</sup>

4. Our investigations into these three EBC-related institutions, taken together, have provided insight into the nature of the institutional failures, the challenges faced by the EBC, and the efforts made to comply with the recommendations of previous reviews, including the Carlile Review in 2011. This insight in turn will inform the investigation into the wider Roman Catholic Church.

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<sup>27</sup> Ampleforth and Downside Investigation Report

<sup>28</sup> Chair's decision 8 June 2017

<sup>29</sup> Abbot Martin Shipperlee 7 February 2019 68/25, 69/1-3

<sup>30</sup> Abbot President Christopher Jamison 8 February 2019 63/12-23

<sup>31</sup> <https://www.thetablet.co.uk/news/11346/abbot-of-ealing-abbey-resigns-over-failure-to-report-abuse>

5. There are also a number of areas of potential overlap with other investigations, such as the Anglican Church, Residential Schools, and Accountability and Reparations. Therefore, some topics and themes may echo those in other investigations by the Inquiry.

## A.2: The scope of the investigation

6. Since 2003, two monks (Laurence Soper and David Pearce) and two lay teachers (John Maestri and Stephen Skelton) have been convicted of multiple offences involving the sexual abuse of children perpetrated between at least the 1970s and 2008. Another teacher, deputy head Peter Allott, was convicted in 2016 of offences relating to the possession of indecent images of children. The Inquiry also received evidence of at least 18 further allegations against these five men and eight other monks and teachers (RC-F41, RC-F46, RC-F122, RC-F191, RC-F282, RC-F310, RC-F311, RC-F312).

7. The accounts that we have heard have encompassed a wide spectrum of behaviour, including severe physical chastisement (sometimes for sexual gratification and sometimes as a precursor to further sexual abuse), grooming, fondling of genitalia, and oral and anal penetration. The true scale of sexual abuse of children in the school over more than 40 years is unknown.

8. The issues that we have sought to address in this investigation are derived from the Terms of Reference set by the Home Secretary<sup>32</sup> and the definition of scope for the EBC investigation.<sup>33</sup> Having considered the evidence received in respect of Ealing Abbey and St Benedict's, we identified a number of issues which have formed the core focus of our considerations. These included:

- the extent to which children at St Benedict's were sexually exploited by monks and others associated with those two institutions;
- whether children were sexually abused by individuals against whom allegations had previously been made and not properly acted upon;
- whether adequate safeguarding structures were put in place, or whether these were merely a box-ticking exercise, absent any real desire to implement change and leading to a culture of complacency;
- whether there was a culture of 'victim blaming' or a suggestion that because a child had not made formal complaint it was less serious than claimed;
- whether the first instinct was to protect the perpetrator rather than to safeguard the child, or to consider the perpetrator's wellbeing over that of the child;
- whether decisions were taken with a view to the protection of the reputation of the Church above the safety of children;
- whether any events were deliberately hidden or covered up;
- whether the general attitude was one of minimisation of allegations;
- the background to the review conducted by Lord Carlile of Berriew QC, his report in 2011, and the response of Ealing Abbey and St Benedict's to it;
- what steps the EBC now plans to take to address the safeguarding of children.

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<sup>32</sup> <https://www.iicsa.org.uk/terms-reference>

<sup>33</sup> <https://www.iicsa.org.uk/key-documents/584/view/CHILDSEXUALABUSEINTHEROMANCATHOLICCHURCH/amended.pdf>

### A.3: Procedure adopted by the Inquiry

**9.** The process adopted by the Inquiry is set out in Annex 1 to this report. Core participant status was granted under Rule 5 of the Inquiry Rules 2006 to 23 complainants and victims and nine other individuals or institutions. The Inquiry held preliminary hearings on 5 June 2018 and 1 November 2018. The Inquiry held its substantive public hearings in this investigation over five sitting days between 4 and 8 February 2019.

**10.** In our first report into the EBC, Ampleforth and Downside, we provided a brief explanation of the EBC, its structure and how it fits within the wider Roman Catholic Church together with a summary outline of the relevant legislation, reports and guidance.<sup>34</sup> We also considered the background of the Nolan and Cumberlege reviews extensively in our Ampleforth and Downside report, together with the efforts made by the EBC to implement Nolan (and to a lesser extent to pay regard to Cumberlege), and so do not consider these matters here.

**11.** The Inquiry heard a brief Opening Statement from Counsel to the Inquiry on 4 February 2019, and Closing Statements from all core participants on 8 February 2019. Witnesses who gave evidence to the Inquiry included complainant core participants, who gave accounts of the sexual abuse they suffered. The Inquiry received evidence orally, in writing and through disclosure of documents from a number of corporate witnesses, including on behalf of Ealing Abbey and St Benedict's School, the Metropolitan Police, the Crown Prosecution Service, the Diocese of Westminster, Independent Schools Inspectorate and Charity Commission.

**12.** We have also heard further evidence from the EBC in respect of its response to allegations of child sexual abuse within its institutions. In addition to hearing again from Dom Richard Yeo, Abbot President of the EBC from 2001 to 2017, we also heard from his successor Abbot President Christopher Jamison, who gave evidence as to the EBC's acknowledgment of the many failings identified in our report into Ampleforth and Downside, the action taken to address these, and the efforts that he told us are being made to improve safeguarding within its institutions. Many of these are still in their infancy, so we have found ourselves unable to address the question of how effective they may prove to be in the future.

**13.** We have sought evidence from the Holy See, initially through a formal request made to the Apostolic Nuncio, its diplomatic representative in London, and subsequently to the Holy See directly. The Holy See has provided some documentation in response to the Inquiry's request but aspects remain outstanding. As a result we are unable to fully assess the role that the Holy See may have played in events concerning the EBC. It is likely therefore that the position of the Holy See will be considered further in the Inquiry's investigation into the response of the Catholic Church as a whole, by which point we expect to have some answers.

**14.** Finally, there have been a number of developments at Ampleforth and Downside since our report was published. These are summarised in Part 2 of this report.

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<sup>34</sup> [Ampleforth and Downside Investigation Report](#)

## A.4: Terminology

### Ealing, Ampleforth and Downside

**15.** In drafting this report we have used the term Ealing to refer jointly to Ealing Abbey and St Benedict's. Similarly, where we refer to Ampleforth and Downside, this relates to both the abbeys and the schools.

### Modes of address

**16.** When discussing a monk, we have referred to him as Father. When speaking of someone who was Abbot at the time we are considering we have called him Abbot. Once he ceases to hold that position, we have referred to him as Dom.

### Ciphering

**17.** Some of the accused we consider within this report have not been convicted of any offence, and some are deceased. The allegations against them are nonetheless relevant because there may have been institutional failings in responding to them. In such cases we have applied ciphers, such as 'RC-Fxx', to the names of those accused, and sought to prevent their identification through other means, such as not revealing the dates and subject that they may have taught. In some instances, however, the position that they held in the school or Abbey is relevant to an issue – for example, why a child may not have sought to complain at the time the abuse was taking place. In these instances we have ciphered the name as described, but included any other necessary information.

**18.** The names of complainants, victims and survivors are also ciphered, unless they have specifically waived their right to anonymity. The term 'complainant' is used to indicate someone who has made an allegation of abuse that has not yet been proved. We have also removed details that might lead to identification through other means, such as specific personal characteristics and the house within the school they attended.

### References

**19.** References in the footnotes of the report such as 'ANY001234' are to documents that have been adduced in evidence or posted on the Inquiry website. A reference such as 'Jane Smith 5 February 2019 110/9' is to the witness, the date he or she gave evidence and the page and line reference within the relevant transcript. Hearing transcripts are also available on the Inquiry website.



Part B

# Context

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# Context

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## B.1: History and establishment

1. Ealing Abbey is an English Benedictine monastery, set up in 1897 by monks from Downside Abbey.<sup>35</sup> Ealing Priory, as it was then called, became independent from Downside in 1947.<sup>36</sup> It achieved abbey status in 1955,<sup>37</sup> 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. The monastery is home to 14 monks under the care of their abbot,<sup>38</sup> the spiritual leader of the community, who oversees the various works they undertake. The abbot is assisted by his prior, who acts as his principal adviser and deputises for him.<sup>39</sup>

2. St Benedict's School, Ealing (St Benedict's) – previously known as Ealing Priory School – is an independent day school and the only Benedictine day school in England.<sup>40</sup> It was founded in 1902 by the Downside monks and began as a boys' school. St Benedict's is now mixed<sup>41</sup> and accepts boys and girls from nursery age to 18 years old. It has approximately 1,000 pupils in a junior and a senior school. Both schools have lay headmasters. Since 2006 the headmaster of the senior school has also had overarching responsibility for the junior school.<sup>42</sup>

3. St Benedict's is situated adjacent to Ealing Abbey. Monks from the abbey may serve as teachers and chaplains, and lead religious services. The number of monks teaching at St Benedict's has varied over the years. Historically, nearly all junior monks were given an opportunity to participate in school life and to do some teaching. In 1980, nine monks were working as teachers at St Benedict's. By 2000, there were only four, which reduced to one monk teaching at St Benedict's in 2018.<sup>43</sup> As at September 2019, the school's website lists no monks among the teaching or support staff.<sup>44</sup>

4. Dom Francis Rossiter was abbot between 1967 and 1991,<sup>45</sup> followed by Dom Laurence Soper between 1991 and 2000, and Dom Martin Shipperlee from 2000 to 2019.<sup>46</sup>

5. As outlined in our introduction, Abbot Shipperlee resigned after giving evidence to our Inquiry. His prior, Father Dominic Taylor, served as monastic superior between February and July 2019. On 9 July 2019, he was elected Abbot of Ealing Abbey.<sup>47</sup>

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<sup>35</sup> See the English Benedictine Congregation case study report concerning [Ampleforth and Downside](#)

<sup>36</sup> [BNT007139\\_003](#) para 1.2

<sup>37</sup> [AAT000807\\_003](#) para 2

<sup>38</sup> [Abbot Martin Shipperlee 6 February 2019 56/19](#)

<sup>39</sup> [BNT007139\\_003](#) para 2.1

<sup>40</sup> [AAT000807\\_003](#) para 1

<sup>41</sup> There was previously also a middle school for boys aged 12 and 13 (years 7 and 8), but the evidence that we received suggests that this was subsumed into the main school sometime in the 1990s ([MPS002965\\_003](#); [MPS002951\\_002](#)). In 1972, girls were admitted into the sixth form for the first time. The junior and senior schools became co-educational in 2007 and 2008 respectively ([BNT007139\\_006](#) paras 7.1, 7.2).

<sup>42</sup> [BNT007139\\_007](#) para 8.1

<sup>43</sup> [BNT007139\\_009-010](#) paras 14, 15

<sup>44</sup> [St Benedict's staff list](#)

<sup>45</sup> [BNT007139\\_004](#) para 3.1

<sup>46</sup> [Abbot Martin Shipperlee 6 February 2019 57/2-3](#)

<sup>47</sup> <https://ealingmonks.org.uk/dominic-taylor/>

## B.2: Governance

**6.** Before 1 September 2012, St Benedict's was wholly owned by the Abbey.<sup>48</sup> Both the school and the Abbey were governed by the Trust of St Benedict's Abbey Ealing (the trust).<sup>49</sup> The trust was chaired by the Abbot of Ealing. Its trustees were Ealing Abbey monks.<sup>50</sup>

**7.** St Benedict's first lay headmaster, Dr Anthony Dachs, was appointed in 1986. In the same year, a lay advisory board (the Board of School Advisers) was created to assist the trust with the governance and management of the school.<sup>51</sup> Abbot Shipperlee and Christopher Cleugh, the headmaster between 2002 and 2016,<sup>52</sup> told us that, in practice, the trust generally accepted and followed the advice of this advisory board. However, control and governance of St Benedict's remained in the hands of the monks of Ealing Abbey.<sup>53</sup> The advisory board had no executive powers, so any recommendations made were subject to ratification by the trust.<sup>54</sup> The chair of the board of advisers has not always been a lay member; Abbot Shipperlee, for example, served as chair between 2007<sup>55</sup> and 2012.

**8.** In August 2009, David Pearce, a monk of Ealing Abbey, pleaded guilty to the sexual abuse of five St Benedict's pupils. One of the pupils had been abused while Pearce was under restricted ministry.

**9.** As a result,<sup>56</sup> in September 2009, Abbot Shipperlee approached the Catholic Advisory Safeguarding Service (CSAS) for help in improving the Abbey's safeguarding policies and procedures. In turn, CSAS asked John Nixson, a social worker and independent consultant, and Philip Wright, the safeguarding coordinator for the Diocese of Arundel, to liaise with Abbot Shipperlee to conduct a review of safeguarding at Ealing Abbey. This review, which was provided to the Abbot in November 2009, was limited, however, as it was conducted over just two days and considered only the Abbey's management of the risk posed by Pearce.<sup>57</sup> It did not include detailed consideration of the safeguarding arrangements at St Benedict's.<sup>58</sup>

**10.** In August 2010, Dr Kevin McCoy CBE, a child and social care consultant, was instructed by Abbot Shipperlee to carry out an audit of the Abbey's records and archives in order to identify any matter giving rise to a child protection concern, to report any previously unidentified child protection issues to the abbot, and to make recommendations.<sup>59</sup>

**11.** Thereafter, there was significant criticism from statutory agencies (including the Charity Commission, Independent Schools Inspectorate and the Department for Education<sup>60</sup>) and other individuals over Ealing Abbey's and St Benedict's handling of child sexual abuse allegations. As a result, Abbot Shipperlee asked Lord Carlile of Berriew QC to conduct an independent review into safeguarding and child protection arrangements at St Benedict's.<sup>61</sup>

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<sup>48</sup> Abbot Martin Shipperlee 6 February 2019 62/18-19; BNT007139\_007 para 10.1

<sup>49</sup> CYC000210\_016

<sup>50</sup> BNT007139\_001, 004

<sup>51</sup> Abbot Martin Shipperlee 6 February 2019 63/3-4i, 62/19, 63/21-23

<sup>52</sup> Christopher Cleugh 7 February 2019 115/10-12

<sup>53</sup> Abbot Martin Shipperlee 6 February 2019 66/11-14, 68/19-24

<sup>54</sup> Christopher Cleugh 7 February 2019 121/5-10

<sup>55</sup> Christopher Cleugh 7 February 2019 121/2-10; 125/1-4, 122/7

<sup>56</sup> Abbot Martin Shipperlee 7 February 2019 28/20-25; 21/1

<sup>57</sup> INQ003916\_001; INQ003560\_001-002; BNT001114\_001 and see Part D of this report.

<sup>58</sup> INQ003916\_004 para 25

<sup>59</sup> BNT007139\_038 para 57.6; BNT003761\_001

<sup>60</sup> CYC000255; ISI000019; INQ003857

<sup>61</sup> Abbot Martin Shipperlee 7 February 2019 50/20-25; 51/1-4

One of those who complained was Mr Jonathan West, a member of the public who had become interested in events at St Benedict's as a result of his son having been a pupil there, though not himself a victim of abuse.<sup>62</sup>

**12.** Lord Carlile published his report in November 2011. In relation to governance, he said:

*"I have come to the firm conclusion ... 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 the 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 monastic community, any semblance of a conflict of interest or lack of independent scrutiny must be removed."*<sup>63</sup>

**13.** Lord Carlile made a number of recommendations, the most significant of which was that a separate educational charity should be established to govern St Benedict's independently from Ealing Abbey.<sup>64</sup> This recommendation was accepted and, in September 2012, ownership of St Benedict's and responsibility for it was transferred to a newly created charitable trust, St Benedict's School Ealing.<sup>65</sup> This trust is governed by a memorandum and articles of association, which stipulate that St Benedict's governing body must always have a lay majority and that 75 percent of the governors, out of a maximum of 20, must be of the Catholic faith.<sup>66</sup>

**14.** There are currently 15 governors, of whom 12 (including the chair) are lay. The other three governors are the abbot and two members of the monastic community selected by him. The current headmaster, Andrew Johnson (who has been in that post since 2016), reports directly to the chair of governors.<sup>67</sup>

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<sup>62</sup> INQ004176\_001 para 1

<sup>63</sup> AAT000807\_012 para 25

<sup>64</sup> BNT007137\_003

<sup>65</sup> CYC000210\_016; BNT007137\_003

<sup>66</sup> BNT001116\_010 para 10.5

<sup>67</sup> BNT007137\_003 para 3.2; BNT001116\_009 para 10.2

## Part C

# Nature and extent of abuse

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# Nature and extent of abuse

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## C.1: Introduction

1. There have been a number of allegations of child sexual abuse at St Benedict's School (St Benedict's) over the past 50 years. Precisely how many complaints were made during this period is unclear, as record-keeping and the reporting of incidents have been inconsistent and incomplete. However, since 2003, five men connected with St Benedict's have been convicted of multiple offences involving the sexual abuse of more than 20 children, from the 1970s.

- Father David Pearce was convicted in 2009 of offences against five children perpetrated between 1976 and 2008.
- Abbot Laurence Soper was convicted in 2017 of offences against 10 children perpetrated between 1972 and 1983.
- John Maestri, a former lay teacher at the school, was convicted in 2003, 2005 and 2009 of offences against four children in the mid 1970s and mid 1980s.
- Stephen Skelton, another lay teacher, was convicted in 2011 of offences against two children, one a St Benedict's pupil in 1983.
- Peter Allott, the school's former deputy headmaster, was convicted in March 2016 of downloading and distributing indecent images of children.

(Further details of the abuse follow below. A summary of the criminal convictions is set out in Annex 4.)

2. In addition, the Inquiry received evidence of at least 18 further allegations against these men and eight other monks and teachers (RC-F41, RC-F46, RC-F122, RC-F191, RC-F282, RC-F310, RC-F311, RC-F312).

3. The allegations received by the Inquiry cover a wide spectrum of behaviour, ranging from corporal punishment (in many cases for sexual gratification) to grooming, fondling of genitalia, masturbation, and oral and anal rape.

## C.2: Physical and emotional abuse (1970s and 1980s)

4. The St Benedict's of the 1970s was described to us by one former pupil as a "Cold, grim, forbidding" and "beastly" place, with a culture of severe corporal punishment.<sup>68</sup> The impression given by some pupils was of an atmosphere that was sadistic and predatory.

5. Physical abuse was widespread and we heard that, for many children at the time, "coming to school was terrible".<sup>69</sup>

5.1. RC-A8 told us that physical abuse "happened to all of us" and was "commonly talked about and commonly discussed" amongst the pupils.<sup>70</sup>

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<sup>68</sup> RC-A8 4 February 2019 129/1; 148/24; 132/19-22

<sup>69</sup> RC-A8 4 February 2019 134/21-22

<sup>70</sup> RC-A8 4 February 2019 133/12-14

**5.2.** RC-A24 said “*there were particular teachers whose reputation was that they were almost deranged in their pursuit of corporal punishment*”.<sup>71</sup>

**6.** Several witnesses told us that Soper in particular was a terrifying figure, “*the scariest of the monks there*”<sup>72</sup> and a “*disciplinarian*”<sup>73</sup> who “*everyone saw ... as someone best to avoid*”.<sup>74</sup> Pearce was also known to use corporal punishment. In 2009, he was convicted of indecently assaulting RC-A594, a boy he would regularly call to his office to receive beatings with a cane and then sexually abuse.

**7.** The evidence we received shows that, in many cases, physical violence was used as a pretext for sexual gratification. Corporal punishment was also used to punish boys who sought to protect themselves and others from sexual abuse, such as RC-A8.<sup>75</sup>

**8.** The prevalence and severity of the violence, coupled with the general atmosphere at the school, meant that children did not feel comfortable reporting sexual or other abuse. As RC-A645 said:

*“I feel quite strongly that the atmosphere of extreme violence, menace and severe corporal punishment was part of what allowed sexual abuse to take place on such a wide scale. When most of the pupils are perpetually in a state of fear and often terror (and I choose my words carefully and I believe accurately here) then teachers can get away with just about anything. It is notable that some of those teachers who were convicted of sex offenses [sic] at school were also amongst the most violent members of staff.”*<sup>76</sup>

**9.** We agree that children who are intimidated are less likely to report abuse. An atmosphere which is physically violent and threatening is also one where sexual abuse is more likely to occur. The true scale of the physical and the sexual abuse at St Benedict’s is therefore likely to be much higher.

### C.3: Sexual abuse (1970s to 2000s)

#### David Pearce

**10.** David Pearce was born in 1941 and attended St Benedict’s as a child. He joined Ealing Abbey in 1969 and was ordained as a priest in 1975.<sup>77</sup> Pearce taught at St Benedict’s from 1976 to 1992. Between 1984 and 1992, he was the headmaster of the junior school. He was then appointed Bursar of Ealing Abbey, St Benedict’s and Ealing Abbey Parish, remaining in that post until 1999. From 1999 until 2004 or possibly 2006,<sup>78</sup> Pearce was Novice Master, in charge of the education and training of junior monks.<sup>79</sup> He was also a trustee of the Trust of St Benedict’s Abbey Ealing (described in Part B) until 2004.<sup>80</sup>

<sup>71</sup> RC-A24 4 February 2019 158/10-13

<sup>72</sup> INQ001661\_008

<sup>73</sup> INQ001661\_008

<sup>74</sup> RC-A24 4 February 2019 162/11-12

<sup>75</sup> RC-A8 4 February 2019 133/12-14

<sup>76</sup> INQ003561\_002 para 9

<sup>77</sup> BNT001146

<sup>78</sup> The precise date is unclear (BNT003761\_006; BNT001146).

<sup>79</sup> BNT007139\_005 para 4.2

<sup>80</sup> BNT000885\_002

**11.** Following his conviction in 2009 for sexually abusing a number of pupils, and while he was in prison, Pearce requested a dispensation from his monastic vows and the obligations of the priesthood, including celibacy. This request was granted by the Congregation of the Doctrine of the Faith in July 2011, at which point Pearce ceased to be a priest.<sup>81</sup>

### Allegations of sexual abuse against Pearce

**12.** It was well known amongst teachers and pupils that the children at St Benedict's called Pearce 'Gay Dave'. We heard that this was understood by some members of the community<sup>82</sup> to be a reference to Pearce's general manner and sexuality,<sup>83</sup> but used by the pupils also to refer to his sexual interest in boys.<sup>84</sup>

**13.** At least 14 pupils have complained of being sexually abused by Pearce, either to the police or statutory authorities. The alleged abuse spans a 32-year period from 1976 to 2008.

**13.1.** In August 2009, Pearce pleaded guilty to indecent assault and gross indecency against five of these pupils: RC-A596, RC-A6, RC-A621, RC-A597 and RC-A594.<sup>85</sup> In October 2009 he was sentenced to eight years' imprisonment;<sup>86</sup> this was reduced to five years on appeal in May 2010.<sup>87</sup>

**13.2.** In July 2011, Pearce faced a further trial in respect of allegations of indecent assault against RC-A599.<sup>88</sup> RC-A599 said that Pearce had beaten him on his bare buttocks in the late 1970s after he reported Maestri's abuse to Pearce.<sup>89</sup> On other occasions, RC-A599 said that Pearce made him undress, touched his thighs and pulled down his underwear to see if the boy had any pubic hair.<sup>90</sup> Pearce was acquitted.<sup>91</sup> (RC-A599 also made allegations of sexual abuse against John Maestri, who was a lay teacher at St Benedict's at that time,<sup>92</sup> dealt with below.)

**13.3.** Of the eight remaining allegations of abuse made during this period, there was either no police complaint (RC-A631, RC-A419, RC-A592, RC-A593) or the police or the Crown Prosecution Service made the decision not to proceed with the allegations (RC-A11, RC-A418, RC-A632, RC-A595).

**14.** The nature of the sexual abuse perpetrated by Pearce took a number of different forms, including exposing himself, filming the boys in the showers and sexually assaulting them over and under clothing. It was also alleged that he masturbated in front of them.

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<sup>81</sup> BNT003323; BNT001147; BNT006991\_013 para 66

<sup>82</sup> Dom Richard Yeo 7 February 2019 89/1-24

<sup>83</sup> INQ003108\_001; Abbot Martin Shipperlee 6 February 2019 89/5-13

<sup>84</sup> Jeremy Harvey 4 February 2019 153/23-25; RC-A24 4 February 2019; RC-A6 5 February 2019 58/21-23

<sup>85</sup> CYC000004\_007

<sup>86</sup> BNT001165\_002, 014

<sup>87</sup> INQ003069

<sup>88</sup> OHY006752\_004

<sup>89</sup> BNT001154\_002

<sup>90</sup> MPS002991\_033

<sup>91</sup> BNT007139\_032 para 55.14.1

<sup>92</sup> MPS002991\_032

## RC-A594

**15.** RC-A594 joined St Benedict's in the early 1970s, aged only seven or eight. He said that he would be summoned to Pearce's office, made to take off his clothes, beaten on his bare buttocks, and struck on his knuckles with a cane. Pearce would laugh and smile as he caned him, then make RC-A594 sit on his knee afterwards.<sup>93</sup>

**16.** RC-A594 told his parents about the abuse. They complained to St Benedict's but no action was taken.<sup>94</sup> RC-A594 contacted the school in 2007<sup>95</sup> and his details were passed to the Metropolitan Police.<sup>96</sup> In August 2009, Pearce was convicted of indecently assaulting RC-A594.<sup>97</sup> Subsequently, in April 2011, RC-A594 received £35,000 in damages in civil proceedings.<sup>98</sup>

## RC-A595

**17.** RC-A595 was a pupil at St Benedict's during the 1990s. His allegations appear to be the first to have been investigated by the police, in the early 1990s.

**18.** According to RC-A595, in June 1992, when he was 11 years old, Pearce called him into his study, locked the door and made him remove his shorts and underwear.<sup>99</sup> Pearce then rubbed RC-A595's buttocks and inserted a finger into his anus.

*"His finger went into my bottom about 1 cm. This went on for about three minutes. I then walked away and pulled my shorts and pants up. He then told me 'It's best if we keep this our secret for now'. I wasn't quite sure what was going on. I felt really strange."<sup>100</sup>*

**19.** RC-A595 told his family what had taken place and the matter was reported to the Metropolitan Police.<sup>101</sup> RC-A595 made a statement within two weeks of the incident occurring.<sup>102</sup> The police took the view that RC-A595 was an honest witness<sup>103</sup> and pursued the investigation. Matters were complicated however by suggestions that the allegation might have been fabricated by RC-A595's family<sup>104</sup> in retaliation for Pearce having reported RC-A595's father to social services for child abuse.<sup>105</sup> The Crown Prosecution Service took this into account, as well as the absence of corroboration and of medical evidence, and in 1992 declined to prosecute Pearce.<sup>106</sup>

**20.** In November 2010, RC-A595 (whose case had been considered in the civil case of RC-A6 against Pearce and Ealing Abbey, dealt with below) made a formal complaint to the trustees of St Benedict's Ealing Abbey about Pearce's abuse. The claim was handled by the charity's insurers and was settled out of court for £24,400.<sup>107</sup> In March 2011, RC-A595's mother also

<sup>93</sup> MPS003091\_006-007

<sup>94</sup> OHY005919\_003

<sup>95</sup> Abbot Martin Shipperlee 6 February 2019 160/10-16

<sup>96</sup> OHY005919\_003

<sup>97</sup> BNT001190\_003-004

<sup>98</sup> BNT000819

<sup>99</sup> RC-A595 5 February 2019 21/7; 17/4-20

<sup>100</sup> MPS003066\_031

<sup>101</sup> MPS003066\_024

<sup>102</sup> MPS003066\_027-032

<sup>103</sup> MPS003066\_025

<sup>104</sup> MPS003066\_007; MPS003066\_019,066

<sup>105</sup> MPS003066\_042

<sup>106</sup> MPS003529

<sup>107</sup> BNT000819; BNT007055; BNT000813\_003

wrote to Abbot Martin Shipperlee. She said that her son had endured an unhappy life and asked for a return of his school fees.<sup>108</sup> Abbot Shipperlee arranged for an ex-gratia payment of £10,000 to be made to RC-A595's mother, without an admission of liability.<sup>109</sup>

### RC-A418, RC-A632, RC-A631

**21.** In 1997, another boy came forward with allegations. RC-A418, a pupil at St Benedict's between the early 1980s and the late 1990s, said that he had attended swimming lessons supervised by Pearce. He said that Pearce liked to check if the boys were "dry"<sup>110</sup> after swimming lessons by touching their backs, buttocks and genitals. If a boy lost his swimming pool locker key, Pearce would put his hands down his swimming trunks on the pretext of checking if the key was there.<sup>111</sup> We also heard that Pearce watched and filmed the boys when they were in the shower.<sup>112</sup> A number of other former pupils have made similar allegations.<sup>113</sup>

**22.** RC-A418 also said that, in the early 1990s when he was around 10 years old, he was sent to Pearce's office because he had a rash on his upper body. Pearce insisted on examining his genital area, despite RC-A418 telling him that the rash did not go below his waist.<sup>114</sup> RC-A418 said that Pearce's behaviour made him feel uncomfortable and he eventually told his mother that he did not want to attend any more swimming lessons, so she wrote to St Benedict's and he stopped attending.<sup>115</sup>

**23.** In 1997, during his final year at St Benedict's, RC-A418 spoke to Katherine Ravenscroft, a lay teacher at the school, about Pearce. Ms Ravenscroft told us that she felt unable to take any action at the time as St Benedict's "*felt a bit like a mafia*".<sup>116</sup> It was only in 2000, once Soper had resigned as Abbot, that Ms Ravenscroft felt able to act.<sup>117</sup> In October 2001,<sup>118</sup> she contacted RC-A418 and a meeting was arranged between him and the new abbot, Martin Shipperlee.<sup>119</sup> Abbot Shipperlee referred RC-A418's complaint to Father Sean Carroll, the Diocese of Westminster's child protection coordinator at that time, who in turn contacted the Metropolitan Police.<sup>120</sup>

**24.** Between November 2001 and July 2002, the Metropolitan Police investigated the allegations. RC-A418 was interviewed. Other ex-pupils and their parents were contacted and gave corroborative evidence of his account.<sup>121</sup> In particular, RC-A632, who was a contemporary and friend of RC-A418, said that when he was eight or nine years old, Pearce had put his hand down his swimming trunks after a swimming lesson to "*check*" if the boy's lost locker key was there.<sup>122</sup>

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<sup>108</sup> BNT001149

<sup>109</sup> INQ004172\_019 para 38

<sup>110</sup> OHY006649\_016-017

<sup>111</sup> OHY006649\_016-017; MPS003014\_025; MPS003014\_030; OHY005919\_001

<sup>112</sup> RC-A6 5 February 2019 61/9-21; OHY005919\_001

<sup>113</sup> OHY005919\_001; OHY006649\_016, 017; MPS003014\_034; MPS003014\_035; MPS003014\_036

<sup>114</sup> OHY006649\_017

<sup>115</sup> OHY006649\_017

<sup>116</sup> MPS002950\_001

<sup>117</sup> MPS002950\_002

<sup>118</sup> MPS003014\_025

<sup>119</sup> OHY006649\_018

<sup>120</sup> MPS003014\_025; BNT000885\_002

<sup>121</sup> MPS003014\_034; MPS003014\_035; MPS003014\_036

<sup>122</sup> MPS003014\_036

**25.** During the course of their 2001/2002 investigation, the Metropolitan Police identified another potential victim, RC-A631. The police learned that the parents of RC-A631, who was a pupil at St Benedict's in the 1990s, had written in 1998 to the then headmaster, Dr Anthony Dachs, to raise concerns about Pearce. Shortly after, Soper, then abbot, met with RC-A631's parents. They wanted assurances that Pearce would no longer have any contact with the junior school.<sup>123</sup> Soper informed them that the school would deal with the matter.<sup>124</sup> In 2017, both Ms Ravenscroft and Father Alban Nunn told the police (as part of the investigation into Soper) that Soper had promised RC-A631's family that Pearce would no longer have any contact with the children.<sup>125</sup>

**26.** We have seen no evidence to suggest that Pearce was ever challenged by Soper, who was also later revealed to have abused pupils. Instead, Pearce was allowed to remain in his post. No disclosure was made to the statutory authorities, nor does it appear that RC-A631's parents contacted the police directly.<sup>126</sup>

## RC-A6

**27.** In January 2004, another former St Benedict's pupil, RC-A6, told Abbot Shipperlee<sup>127</sup> and then the Metropolitan Police<sup>128</sup> that Pearce regularly abused pupils when he took them to the local baths for swimming lessons. RC-A6 attended St Benedict's in the 1980s and 1990s.<sup>129</sup> He said that after swimming lessons, Pearce would insist that he needed to “*check if the boys were dry*” and would use this as an excuse to fondle and rub their buttocks and genitals.<sup>130</sup> According to RC-A6:

*“The days when he took us swimming were known as ‘gay days’ ... We all used to rush to change at the end of the swimming lessons as quickly as possible because we all felt uncomfortable being stared at by Pearce and we did not want to be selected to be dried by him ... One of the occasions when Pearce ‘dried me’ he touched my genitals with his bare hands under the towel ... I felt very uncomfortable ... but obviously I had no choice but to obey him as he was both a priest and the headmaster.”<sup>131</sup>*

**28.** Pearce also abused RC-A6 on two separate occasions in 1990 or 1991, when RC-A6 was ill in the infirmary. On the first occasion, Pearce removed RC-A6's underwear and stared at his genitals for a few minutes. On the second occasion, he fondled the boy's penis, rubbing the foreskin backwards and forwards.<sup>132</sup> RC-A6 found these incidents deeply distressing and he tried to commit suicide when he was just 10 years old.<sup>133</sup>

**29.** RC-A6's allegations were investigated by the Metropolitan Police in 2004. On the advice of the Crown Prosecution Service reviewing lawyer, Senior Crown Prosecutor Azra Khan,<sup>134</sup> no charges were brought.

<sup>123</sup> OHY005917\_002

<sup>124</sup> MPS003014\_034

<sup>125</sup> MPS002950\_001; MPS002959\_001

<sup>126</sup> OHY005917\_002

<sup>127</sup> BNT001206\_008

<sup>128</sup> MPS002970\_029

<sup>129</sup> OHY006649\_015

<sup>130</sup> RC-A6 5 February 2019 59/7-9

<sup>131</sup> RC-A6 5 February 2019 59/24-25; 60/7-10, 16-17, 25; 61/1-2

<sup>132</sup> RC-A6 5 February 2019 63/2-25

<sup>133</sup> BNT001206\_005

<sup>134</sup> MPS003091\_009

**30.** RC-A6 subsequently filed a civil claim against Pearce and the trustees of Ealing Abbey, in October 2004. During the course of the hearing in January 2006, RC-A6 relied upon the allegations of sexual abuse previously made by X (RC-A418, above), Y (RC-A595, above) and Z (RC-A419, below) as similar fact evidence.<sup>135</sup> The judge, Mr Justice Field, decided to exclude RC-A595's account. We do not know what or how much evidence was placed before him, but it seems that he considered it likely that the boy had been induced by his family into making a false claim against Pearce. He did however accept the allegations involving RC-A418 and RC-A419 (Pearce having admitted the latter allegation) and considered that both were probative of the facts alleged by RC-A6 as they showed that Pearce had a sexual interest in boys. Mr Justice Field accordingly found in favour of RC-A6 and awarded him £43,000 in damages in January 2006.<sup>136</sup>

**31.** The Metropolitan Police were not aware of this judgment in 2006. It was not until 2008 that a series of events led them to seek advice from the Crown Prosecution Service about whether to reopen RC-A6's case.<sup>137</sup> First, in January 2008, Pearce was arrested at Ealing Abbey over a complaint made by another boy, RC-A621.<sup>138</sup> Second, during the course of this arrest, the Metropolitan Police searched Pearce's room and found correspondence from another pupil, RC-A597, that gave rise to concern.<sup>139</sup> Third, following Pearce's arrest, three further victims (RC-A11, RC-A594 and RC-A596) came forward between February and November 2008.<sup>140</sup> In light of these mounting allegations, in November 2008 the Crown Prosecution Service advised that it was appropriate to charge Pearce in relation to RC-A6, as well as to the other new complainants.<sup>141</sup> Pearce was eventually convicted in August 2009 for abusing RC-A6.<sup>142</sup>

## RC-A419

**32.** In summer 2004, a few months after RC-A6 had come forward with his allegation, another complaint against Pearce was made by RC-A419. He attended St Benedict's in the 1970s.<sup>143</sup> RC-A419 said that, when he was a pupil in the late 1970s, Pearce had befriended his mother and visited their home. He took advantage of this friendship to abuse RC-A419 upstairs in his bedroom by touching his penis on the pretext of "*naming body parts*".<sup>144</sup> (RC-A419 also said that he was abused by Maestri during this period, as discussed below.)

**33.** RC-A419 first disclosed this incident to the Diocese of Westminster's child protection team.<sup>145</sup> The Inquiry understands that RC-A419 did not wish to make a formal police complaint.<sup>146</sup> However, Pearce admitted the allegation during RC-A6's 2006 civil trial.<sup>147</sup>

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<sup>135</sup> BNT001206\_011

<sup>136</sup> BNT001206\_003, 011-018, 026

<sup>137</sup> OHY006751\_012 para 47; Neil Jerome 5 February 2019 79/25, 80/1-2

<sup>138</sup> OHY005919\_002

<sup>139</sup> MPS003091\_006

<sup>140</sup> OHY005919\_002-003

<sup>141</sup> OHY006751\_012 para 49

<sup>142</sup> BNT001165\_002

<sup>143</sup> BNT001208\_006

<sup>144</sup> BNT001208\_006; BNT001208\_007

<sup>145</sup> BNT003761\_009

<sup>146</sup> BNT003761\_009

<sup>147</sup> BNT001206\_015

**34.** It was at this stage in 2005 that, in light of the allegations made by RC-A419, RC-A6, RC-A595 and RC-A418, Abbot Shipperlee instructed a clinical criminologist to conduct a risk assessment of Pearce.<sup>148</sup> Later he decided to place Pearce under restrictions<sup>149</sup> on the basis of this assessment<sup>150</sup> and the recommendations of the Diocese of Westminster.<sup>151</sup>

### RC-A621, RC-A597

**35.** While under restrictions, Pearce groomed and abused another child, RC-A621. He was a 16-year-old pupil at St Benedict's who, in 2006, worked at Ealing Abbey on weekends.<sup>152</sup> Although complaints had by this point been made against Pearce and the civil court had awarded damages to RC-A6, Abbot Shipperlee had allowed him to remain in the monastery.

**36.** During our hearing Abbot Shipperlee was asked what he told the community and staff about Pearce and the restrictions he was under.

*"A. I talked to the council about it. And I talked to at least some members of the community about it.*

*Q. Some? Not all?*

*A. They know he's under restriction.*

*Q. Did they know what they were?*

*A. They know he can have no public ministry. They know that he cannot minister directly regarding children.*

*Q. There are five restrictions listed in the letter. Did they know all the restrictions?*

*A. It is possible they didn't, although monks are very good at not knowing what you think you've told them. But it's a serious matter and –*

*Q. 'Monks are very good at not knowing ... '?*

*A. All the things you have told them. You make an announcement and someone will say, 'You didn't tell me that. I didn't hear that'. I didn't give them a piece of paper telling them all that, for sure. Clearly, I could have been – I should have been clearer about what I was saying."<sup>153</sup>*

It is therefore unclear whether monks and staff in the monastery and associated areas knew of the restrictions on Pearce or the reasons for them. Whether or not they were aware, Pearce was able to visit the kitchens and form a relationship with RC-A621.

**37.** RC-A621 was, at that time, interested in becoming a monk, and was seeking spiritual guidance. Pearce befriended him, giving RC-A621 his mobile telephone number and arranging private meetings, during which he touched RC-A621 on his buttocks and upper thigh, and tried to kiss him. He asked RC-A621 to send him nude photographs and, although reluctant, RC-A621 did eventually send a picture of himself naked from the waist up. Pearce also heard RC-A621's confession – which was in breach of the restrictions on his ministry.

<sup>148</sup> Abbot Martin Shipperlee 6 February 2019 7/1-4

<sup>149</sup> BNT007139\_016 para 22.19

<sup>150</sup> BNT001208\_012

<sup>151</sup> BNT000829

<sup>152</sup> BNT001201\_002

<sup>153</sup> Abbot Martin Shipperlee 6 February 2019 145/25, 146/1-19

While he did so, Pearce pulled RC-A621 onto his own body, an act that was plainly sexual in nature. He also arranged to meet secretly with RC-A621, away from the abbey, in 2007 when RC-A621 was attending a church-run retreat in Ireland.<sup>154</sup>

**38.** Although RC-A621 was uncomfortable with Pearce's behaviour, he felt unable to stop it until January 2008 when, aged 17, he complained to St Benedict's.<sup>155</sup> RC-A621 was subsequently interviewed by the Metropolitan Police.<sup>156</sup> In late January 2008, Pearce was arrested. The police searched his room at Ealing Abbey, during the course of which some correspondence from another ex-pupil (RC-A597), who had also been groomed for several years by Pearce, was found.<sup>157</sup>

**39.** RC-A597 was spoken to by the Metropolitan Police in April 2008.<sup>158</sup> He explained that he joined St Benedict's in the mid 1980s, aged nine. Pearce took an immediate interest in him. He treated him differently from the other boys, letting RC-A597 know that he was "*special*"<sup>159</sup> and regularly calling him to his office for private meetings.<sup>160</sup> Pearce kissed him on the lips when they met in private. He gave RC-A597 money, letters, notes, sweets and chocolate, which he would place in RC-A597's underwear, touching the boy's genitals with his hands both over and under his clothing as he did so. He called this "*posting*".<sup>161</sup> Pearce also wrote him letters in which he said that he was sexually aroused by RC-A597, but he asked him to destroy the letters after he read them.<sup>162</sup> Pearce asked RC-A597 to join him in the bath on several occasions, and also filmed him whilst he was bathing. RC-A597 said that when Pearce referred to these encounters he would call them their "*special meetings*".<sup>163</sup>

**40.** As RC-A597 moved up in the school, Pearce gained the trust of his parents, frequently visiting them at home, where he would film RC-A597 in the bath and touch his genitals.<sup>164</sup> In 1989, RC-A597's father found one of Pearce's letters to RC-A597, in which he referred to filming RC-A597 while he was naked in the bath and to seeing "*all*" of the boy.<sup>165</sup> His father asked RC-A597 about the letter but his son became very distraught and did not answer.<sup>166</sup> He was unable to tell him the truth about what was happening. Pearce's infatuation with RC-A597 continued for 13 years, even after he left school for university in 1995. Pearce would write to him, sending money and visited him at university approximately once a term. When they met he would kiss RC-A597 on the lips. Things only came to an end in 1999, when RC-A597 graduated from university and was finally able to put a stop to it.<sup>167</sup>

**41.** In 2009, Pearce was convicted of sexually assaulting RC-A621 and indecently assaulting RC-A597.

**42.** RC-A597 also took civil action in respect of these matters. The Abbey paid £70,000 in damages in November 2012 and RC-A597's court costs.<sup>168</sup>

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<sup>154</sup> MPS003091\_004-005; BNT001201\_003

<sup>155</sup> BNT001188\_002

<sup>156</sup> OHY006751\_011 para 43

<sup>157</sup> MPS003091\_008

<sup>158</sup> OHY005919\_003

<sup>159</sup> MPS003091\_005

<sup>160</sup> BNT001162\_002, 003; BNT001162\_004

<sup>161</sup> BNT001162\_002, 003; BNT001162\_004

<sup>162</sup> BNT001162\_003; MPS004225

<sup>163</sup> BNT001162\_003

<sup>164</sup> BNT001162\_003

<sup>165</sup> MPS003091\_005; MPS004225

<sup>166</sup> MPS004225

<sup>167</sup> BNT001162\_004; MPS003091\_006

<sup>168</sup> BNT007055

## RC-A11, RC-A596

- 43.** The publicity generated by Pearce's arrest in January 2008 led other victims to come forward,<sup>169</sup> including RC-A11 and RC-A596.
- 44.** RC-A11 was a pupil at St Benedict's from the mid 1970s until the early 1980s, approximately from the ages of six to 13.<sup>170</sup> He contacted the Metropolitan Police in February 2008 and said that Pearce would masturbate under his cassock in front of pupils during lessons. (RC-A11 also made allegations against Soper and Maestri.) Pearce would also force RC-A11 and other boys to sit on his lap while they were in class, so that he could touch their legs and genital area over their shorts.<sup>171</sup>
- 45.** RC-A11 said that Pearce used his position as head of the Cadet Force to meet with pupils in the sheds by the school playground. More than once, he saw Pearce go inside the sheds with a boy who would come out 45 minutes to an hour later, crying and pulling up his trousers. He also said that he knew that Pearce was having sex with two pupils at St Benedict's.<sup>172</sup>
- 46.** Pearce was charged with indecent assault and gross indecency against RC-A11<sup>173</sup> but it appears that ultimately the charges did not proceed.
- 47.** RC-A11 subsequently pursued a civil claim against Ealing Abbey<sup>174</sup> which was resolved without a court hearing. In a letter of apology to RC-A11 dated March 2012, Abbot Martin Shipperlee said "*I am deeply sorry that you suffered abuse when you were a pupil*".<sup>175</sup> The Abbey paid RC-A11's court costs and £15,000 in damages in January 2013.<sup>176</sup>
- 48.** RC-A596 was a pupil at St Benedict's in the mid 1970s to the early 1980s. He was abused by Pearce for approximately three years, between the ages of 10 and 14. Pearce touched his bottom and genitals, and is alleged to have exposed himself and forced RC-A596 to masturbate him. He told RC-A596 that this was "*okay*" and "*normal*".<sup>177</sup>
- 49.** RC-A596 was interviewed at Northwood police station in September 2008 and disclosed Pearce's abuse.<sup>178</sup> (He also alleged that he had been abused by Maestri during the same period.<sup>179</sup>) Pearce pleaded guilty to abusing RC-A596 in August 2009.
- 50.** RC-A596 pursued a civil claim against Ealing Abbey. In 2010, he received £30,000 in compensation and payment of his legal costs.<sup>180</sup>

## RC-A593, RC-A592

- 51.** Following Pearce's conviction in August 2009, two other victims came forward, RC-A593 and RC-A592.

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<sup>169</sup> OHY005919\_002

<sup>170</sup> BNT001231\_003-005

<sup>171</sup> OHY005919\_002; MPS003091\_007

<sup>172</sup> MPS003091\_007

<sup>173</sup> OHY006751\_012 para 49

<sup>174</sup> BNT001160

<sup>175</sup> BNT000812\_005

<sup>176</sup> BNT007055\_003

<sup>177</sup> BNT001228\_015, 030-033; BNT001190\_013-014

<sup>178</sup> BNT001228\_002

<sup>179</sup> BNT001228\_028, 046

<sup>180</sup> BNT007055

**52.** RC-A593 attended St Benedict's in the late 1970s. In December 2010, he wrote to Abbot Shipperlee, alleging inappropriate behaviour and sexual assaults by Pearce, though he did not provide further details of the alleged abuse. RC-A593 demanded that St Benedict's reimburse his school fees, in light of the abuse he had suffered as a pupil. He also asked whether any legal claims were being pursued by Pearce's other victims. The abbot responded to this letter in March 2011, stating that St Benedict's could not return his school fees. He did, however, confirm that some former pupils were pursuing claims and gave him the names of the law firms involved.<sup>181</sup> No further action was taken by RC-A593 after receiving this letter.<sup>182</sup>

**53.** RC-A592 attended St Benedict's between the early 1980s and the early 1990s. He claimed that he was indecently assaulted by Pearce during a school trip to the Lake District. The incident is alleged to have taken place in the summer of 1984, when RC-A592 was 10 years old. In 2011, RC-A592 sought compensation from Ealing Abbey and St Benedict's but subsequently abandoned his claim.<sup>183</sup>

## Laurence Soper

**54.** Laurence Soper was born in September 1943.<sup>184</sup> Like Pearce, he attended St Benedict's as a child. They were almost direct contemporaries; Soper is two years younger than Pearce, but their time at school and later as novice monks would have overlapped.

**55.** Following a short career in banking, Soper entered Ealing Abbey in 1964 and was ordained in 1970. Between 1972 and 1984, he taught at St Benedict's. During this time, he held a number of significant positions, both at the school and the abbey, including as head of the middle school (1978–1984), bursar (1975–1991) and prior (1984–1991).<sup>185</sup> While at the middle school, Soper was also the master in charge of discipline (from 1979 to 1983) and, by his own admission, used corporal punishment.<sup>186</sup> In 1991, he was elected Abbot of Ealing Abbey.<sup>187</sup>

**56.** Soper also held roles outside of Ealing Abbey that brought him into contact with children. He served as Catholic Chaplain at Feltham Young Offender Institution (from 1989 to 1991)<sup>188</sup> and also for a period at Harrow School.<sup>189</sup> After resigning as Abbot of Ealing in 2000, he took up a position as Chaplain at an army base in Cambridgeshire for approximately one year.<sup>190</sup> In 2002, he was appointed general treasurer for the International Benedictine Conference in Rome. He resided at the Benedictine headquarters in Sant'Anselmo until his disappearance in 2011.<sup>191</sup>

**57.** Soper is known or alleged to have sexually abused at least nine children at St Benedict's between 1972 and 1983. Like Pearce, many of the sexual assaults were committed under the pretext of corporal punishment. The abuse included sexual touching, sexual assault and rape.

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<sup>181</sup> BNT000812

<sup>182</sup> BNT007055

<sup>183</sup> BNT000811; BNT007055

<sup>184</sup> MPS002955

<sup>185</sup> MPS002955

<sup>186</sup> MPS003072\_036

<sup>187</sup> BNT007139\_004 para 3.1

<sup>188</sup> MPS003067\_002 para 1.4

<sup>189</sup> MPS002926\_002

<sup>190</sup> BNT006991\_006-007 para 29; BNT007139\_021 para 36.4

<sup>191</sup> INQ001661\_001 para 3

**58.** While he was living in Sant’Anselmo, Rome, Soper returned to the UK on three occasions (in 2004, 2009 and 2010) to be interviewed by the Metropolitan Police in relation to allegations that had been made against him by former St Benedict’s pupils (RC-A622, RC-A11, RC-A601, RC-A600). On each occasion the police released him without charge, bailing him to return at a later date. Soper was due to return for a further interview in March 2011, and left Sant’Anselmo saying that he was on his way to London. He failed to surrender to his bail. He was reported missing by the Prior of Sant’Anselmo<sup>192</sup> and in November 2011 a European Arrest Warrant was issued for him.<sup>193</sup> On 9 January 2012 Soper was dismissed from the order of the English Benedictine Congregation.<sup>194</sup>

**59.** Soper was on the run for over five years and was eventually located in Kosovo in May 2016. He was extradited and arrested on his arrival in the UK in August 2016. He was charged with a number of offences against nine victims (RC-A622, RC-A11, RC-A8, RC-A610, RC-A611, RC-A609, RC-A591, RC-A601, RC-A600) and was convicted in December 2017. He was sentenced to 18 years’ imprisonment.<sup>195</sup> On 6 June 2019 he was dispensed from the clerical state.<sup>196</sup>

## RC-A622

**60.** RC-A622 attended St Benedict’s in the 1960s and 1970s, between the ages of eight and 15. As described in Part A, Soper began to abuse RC-A622 when he was only 12 or 13, initially by using physical chastisement as a pretext for fondling and stroking the child’s penis and testicles.<sup>197</sup> The abuse did not stop there. Soper made RC-A622 watch him while he masturbated, and he forcibly masturbated RC-A622. On multiple occasions, Soper caned and then anally raped RC-A622, usually over his desk.<sup>198</sup>

**61.** During a school trip when RC-A622 was 14 or 15 years old, Soper came into the hostel room where RC-A622 and other boys were sleeping on bunk beds. Soper went to RC-A622’s bed and fondled the boy’s genitals through the opening in his pyjamas. He then put RC-A622’s penis into his mouth and tried to kiss him.

**62.** He also anally raped RC-A622 on “3 to 4 occasions”.<sup>199</sup> Soper told RC-A622 to keep these incidents a secret, and threatened severe punishments, or expulsion, if he spoke of them.<sup>200</sup>

**63.** RC-A622 did not report the abuse at the time. He said that he didn’t feel able to tell his parents about what was happening to him because “*their faith was so strong, they never would have believed it from a priest*”.<sup>201</sup>

**64.** In January 2004, RC-A622 formally reported the abuse to Peter Turner, the Diocese of Westminster child protection officer. At the time of this disclosure, RC-A622 was receiving psychiatric treatment.<sup>202</sup> Mr Turner contacted the Metropolitan Police and RC-A622 was interviewed in February 2004. In July 2004, Soper voluntarily returned to the UK from Rome. He was arrested and interviewed by the police. He admitted to having caned pupils

<sup>192</sup> OHY006751\_016 paras 61–72

<sup>193</sup> MPS002937\_002

<sup>194</sup> BNT001098\_002

<sup>195</sup> MPS003065\_032-034

<sup>196</sup> BNT007157

<sup>197</sup> INQ001661\_004

<sup>198</sup> BNT001094\_003; MPS003524\_010; MPS003524\_015; MPS003524\_019-020

<sup>199</sup> BNT001094\_003

<sup>200</sup> INQ001661\_004-005

<sup>201</sup> MPS002972\_002

<sup>202</sup> OHY005919\_010

in the 1970s but denied the rape and sexual assault allegations. He was released without charge and bailed to return in October 2004. Thereafter, the police referred the matter to the Crown Prosecution Service which advised that there was insufficient evidence to charge and prosecute Soper.

**65.** In 2007, RC-A622 contacted the police again with a view to having the allegations re-investigated but the police once more told him that they could not proceed with the matter.<sup>203</sup>

**66.** RC-A622 has said that the decisions taken in 2004 and 2007 not to prosecute Soper had a “*detrimental effect on his health*” and led him to have a “*mental breakdown*”.<sup>204</sup>

*“I felt completely devastated. I felt let down and thought no-one believes me, I had always been brought up to tell the truth and I don’t tell lies ... I continued to mentally suffer as a result”.*<sup>205</sup>

**67.** In June 2012, RC-A622 brought a civil claim against the Trust of St Benedict’s Abbey, Ealing.<sup>206</sup> An out-of-court settlement was reached and RC-A622 was paid £135,000 in compensation by the Trust, as well as his legal costs. In addition, RC-A622 received a written letter of apology from the trustees.<sup>207</sup>

**68.** In December 2017, Soper was convicted of multiple counts of buggery, indecency with a child and indecent assault relating to his abuse of RC-A622.<sup>208</sup>

## RC-A11

**69.** As outlined above, RC-A11 was interviewed by the Metropolitan Police in February 2008 in relation to Pearce.<sup>209</sup> He also made allegations against Maestri (detailed below) and Soper, who he described as a “*sexual sadist*”.<sup>210</sup>

**70.** RC-A11 said that Soper caned him every week during a two-year period, for no good reason. He told police that Soper would often make him remove his trousers and underwear on the pretext of searching for a hidden book, after which he would rub and fondle his buttocks.<sup>211</sup> Like some of the other accounts, RC-A11 said that if he did not remove his lower clothing Soper would threaten him with six strikes of the cane rather than three.<sup>212</sup>

**71.** On one particularly brutal occasion, RC-A11 had just returned to school following the summer holidays, during which his mother had died. He would have been especially vulnerable at that time, but Soper had him come to his office on his first day back at school, where he caned him for no reason.<sup>213</sup>

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<sup>203</sup> MPS002981\_002; OHY005919\_010; MPS003065\_17\_024-025

<sup>204</sup> MPS002981\_001

<sup>205</sup> MPS002981\_002

<sup>206</sup> BNT001097

<sup>207</sup> MPS002981\_003; BNT007055

<sup>208</sup> OHY006752\_002

<sup>209</sup> BNT001231\_002

<sup>210</sup> BNT001231\_053

<sup>211</sup> BNT001231\_060-062

<sup>212</sup> BNT001231\_062

<sup>213</sup> BNT001231\_054-055

**72.** In light of these allegations, Soper returned to the UK from Rome, for the second time, in June 2009. On this occasion, he was not placed under arrest but was interviewed under caution by the Metropolitan Police. He denied the allegations and was allowed to return to Rome.<sup>214</sup>

**73.** Soper was convicted of multiple counts of indecent assault against RC-A11 in December 2017.<sup>215</sup>

### **RC-A601, RC-A600, RC-A591**

**74.** In June 2010, RC-A601 and RC-A600 contacted Northwood police station to make allegations against Soper.<sup>216</sup>

**75.** RC-A601 attended St Benedict's in the early 1980s, when he was between 11 and 15 years old. He described one incident in Soper's study when he was made to lie across Soper's lap while Soper spanked him over his clothing. RC-A601 said that Soper's breathing changed as he was spanking him and that he seemed to become excited. Afterwards, Soper ordered him to pull down his trousers and touched his backside. RC-A601 told his parents about the abuse at the time, but they did not report it.<sup>217</sup>

**76.** RC-A600 attended St Benedict's for two years, in the late 1970s and early 1980s, between the ages of 11 and 13. He was caned by Soper approximately once a fortnight for matters that seemed insignificant. The first time, Soper insisted that he remove his trousers and underwear, supposedly so that he could check for padding. Soper then stroked and rubbed the boy's bare bottom. After this he told RC-A600 to pull up his trousers and bend over the desk. He then caned him with such force that black and blue welts were left on his skin. Following the beating Soper stroked the boy's buttocks to "comfort" him. Soper did not check for padding on any subsequent occasions, but the routine was otherwise the same.<sup>218</sup> RC-A600 told his sister about the beatings at the time, but did not mention that there was a sexual element to them. He said that he could not bring himself to reveal the full truth to his family because they were devout Catholics.<sup>219</sup>

**77.** Following these two police complaints, Soper was contacted in Rome and returned, once again, to the UK in September 2010.<sup>220</sup> He was arrested on arrival. He denied the allegations and was bailed until March 2011.<sup>221</sup>

**78.** In January 2011, while Soper was still in Rome, RC-A591 made a complaint of sexual abuse against him to the Metropolitan Police.<sup>222</sup> RC-A591 attended St Benedict's from the mid 1970s until the mid 1980s, between the ages of eight and 16. When RC-A591 was around 11, he went to Soper's office to report another boy who had kneed him in the thigh. Soper made RC-A591 remove his trousers and began to stroke the boy's leg. He then pushed his fingers into his underwear and touched his genitals, while at the same time cupping and squeezing his buttocks.<sup>223</sup>

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<sup>214</sup> INQ001661\_018

<sup>215</sup> OHY006752\_003

<sup>216</sup> MPS002937\_002

<sup>217</sup> INQ001661\_015-016; OHY005919\_011

<sup>218</sup> OHY005919\_011; INQ001661\_012

<sup>219</sup> INQ001661\_012

<sup>220</sup> OHY005919\_011

<sup>221</sup> MPS002937\_002

<sup>222</sup> OHY005919\_011

<sup>223</sup> MPS004217; OHY006752\_005

**79.** Soper was eventually prosecuted and convicted of indecent assault against RC-A600, RC-A601 and RC-A591 in 2017.<sup>224</sup>

**80.** RC-A591 also brought civil proceedings against Ealing Abbey in 2011. His claim was settled out of court and he was paid £5,900 in compensation, as well as his legal costs.<sup>225</sup>

### **RC-A610, RC-A609, RC-A8**

**81.** After Soper's disappearance from Sant'Anselmo, Rome, complainants continued to come forward between 2011 and 2016, including RC-A610, RC-A609 and RC-A8. RC-A610 and RC-A609 also made allegations about Soper using caning as a pretext to touch, rub and fondle their buttocks.<sup>226</sup>

**82.** RC-A610 was a pupil at St Benedict's in the 1970s. In November 2011, he told the Metropolitan Police that when he was around 13 or 14 years old, he was in the school grounds and took a short cut along a route that was out of bounds. He was encountered by Soper who confronted him and chastised him for being out of bounds. Soper told him to report to his office later that day, which he did. Once in his office, Soper told RC-A610 that he would have to beat him for what he had done. He made the boy lie across his lap, put his hand inside the top of the waistband of his trousers and touched the top middle part of his buttocks.<sup>227</sup> RC-A610 said that Soper's hands "*were moving all over the place*".<sup>228</sup> Soper then hit RC-A610 and asked him "*Did that hurt?*" and when RC-A610 replied that it did, Soper said "*Okay, I'll do it harder*" and then hit him another four times with a cane.<sup>229</sup>

**83.** RC-A609 attended St Benedict's in the 1980s. In October 2014, he told the Metropolitan Police about how he had been sent to Soper's office for a minor infraction. Once in his office, Soper pulled open a large desk drawer inside of which were canes, a cat-o-nine-tails whip and a leather strap. Soper instructed RC-A609 to pull down his trousers, which he did. He kept on his underwear. Soper then made him lean across his lap. At this point, RC-A609's penis was touching Soper's thigh. Soper then tapped RC-A609 on his backside, leaving his hand resting on his bottom in between pats. He did this a couple of times. RC-A609 said that he felt no pain but thought that the incident was odd. Soper told him that the next time, he would use the cane.<sup>230</sup> Over the course of the year, RC-A609 was beaten a number of times by Soper. He told police that these incidents were different, in that Soper did not ask him to lie across his lap and used a cane instead of his hand.<sup>231</sup>

**84.** RC-A8 was a pupil at St Benedict's in the mid 1970s. In May 2016, he contacted the Metropolitan Police and said that he had been physically and sexually abused by Soper during his time at the school.<sup>232</sup> RC-A8 was sexually abused on at least two occasions. The first occasion was in 1975, when RC-A8 was around 14 years old. He got into trouble with a group of other boys for "*horsing*" around. All were sent to Soper's office for punishment. Once there, Soper told RC-A8 to bend over, for caning, which RC-A8 did. Soper rubbed his hands up and down RC-A8's buttocks and down to the beginning of his crotch, over his clothes. RC-A8 formed the impression that Soper was trying to probe his anus. After

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<sup>224</sup> OHY006752\_005

<sup>225</sup> BNT007055

<sup>226</sup> INQ001661\_009-011

<sup>227</sup> INQ001661\_009

<sup>228</sup> INQ001661\_009

<sup>229</sup> INQ001661\_009

<sup>230</sup> INQ001661\_011

<sup>231</sup> INQ001661\_011

<sup>232</sup> INQ001661\_006

this, Soper proceeded to cane him.<sup>233</sup> A second similar incident took place just over a year later, during RC-A8's final year of school. Soper touched his buttocks and then pushed his fingers towards his anus. Soper used more force on this occasion, causing RC-A8 to stumble forwards. He was then violently beaten.<sup>234</sup> In addition to the sexual abuse, Soper subjected RC-A8 to violent physical abuse. On one occasion, when RC-A8 was 16 years old, he caned him so forcefully that he drew blood. RC-A8 attempted to defend himself and punched Soper. He was later expelled.<sup>235</sup>

**85.** In 2017, Soper was convicted of indecently assaulting RC-A8.<sup>236</sup>

### RC-A608, RC-A611, RC-A24

**86.** In June 2016, shortly before Soper's arrest (after being on the run for over five years), RC-A608 contacted the Metropolitan Police.<sup>237</sup> RC-A608 was a pupil between the mid 1970s and the early 1980s. He told the police that it was well known among the pupils that, when administering punishments, Soper would offer them a choice of being caned three times across their bare buttocks or six times over their clothing. This happened to RC-A608, who said that he always chose the first option and was caned across his buttocks at least half a dozen times.<sup>238</sup> On other occasions, Soper would stroke and rub his back and bottom, sometimes over his clothing and sometimes with his clothes off.<sup>239</sup>

**87.** RC-A24, who attended St Benedict's between the late 1960s and the early 1980s, also described being offered this choice when he was 13 or 14 years old.<sup>240</sup>

*"I fully understood – and given Soper's behaviour, anyone in the school would have understood – that Soper was giving me a choice of either six canings on the bottom or being sexually assaulted."*<sup>241</sup>

RC-A24 told us that he was able to convince Soper that the punishment was unjustified and that he did not deserve a caning. In the end, Soper did not discipline him and the boy managed to leave his office, unharmed.<sup>242</sup>

**88.** In August 2016, the Metropolitan Police was contacted by RC-A611, who had learned of Soper's arrest.<sup>243</sup> RC-A611 was a pupil at St Benedict's from the mid 1970s until the mid 1980s.<sup>244</sup> He described Soper visiting him in the infirmary, when he was 11 or 12 years old,

<sup>233</sup> [INQ001661\\_007](#)

<sup>234</sup> [INQ001661\\_007](#)

<sup>235</sup> [INQ001661\\_008](#)

<sup>236</sup> [OHY006752\\_008](#)

<sup>237</sup> [MPS002937\\_003](#); [MPS002937\\_004](#)

<sup>238</sup> [INQ001661\\_008](#)

<sup>239</sup> [INQ001661\\_008](#); [INQ001661\\_009](#)

<sup>240</sup> [RC-A24 4 February 2019 157/1; 162/13](#)

<sup>241</sup> [RC-A24 4 February 2019 163/10-14](#)

<sup>242</sup> [RC-A24 4 February 2019 163/15-19](#)

<sup>243</sup> [MPS002937\\_003](#); [MPS002937\\_004](#)

<sup>244</sup> [MPS002940\\_001](#)

after he had sustained a minor injury while playing in the playground.<sup>245</sup> He rubbed his buttocks in an aggressive and sexual manner for several minutes, on the pretext of inspecting his injury.<sup>246</sup> RC-A611 said:

*"I felt confused and I didn't understand what was happening to me. I remember staring at the wall and I was too scared to move."*<sup>247</sup>

RC-A611 said that he did not report the abuse at the time because he did not want to upset his parents, who were devout Catholics.<sup>248</sup>

**89.** Soper was convicted of the indecent assaults of RC-608 and RC-A611 in 2017.<sup>249</sup>

### RC-A618, RC-A615

**90.** RC-A618 was a pupil at St Benedict's in the 1980s. He said that, on one occasion, Soper summoned him to his office for punishment. Once there, Soper made RC-A618 remove his trousers and underwear, and stared at his exposed genitals. This continued for a few minutes, after which he told RC-A618 to leave his office and say nothing about what had happened.<sup>250</sup> RC-A618 disclosed the abuse to his father but he told RC-A618 that he did not believe that Soper had done anything wrong.<sup>251</sup>

**91.** RC-A618 wrote to St Benedict's in August 2016, two days after Soper's arrest, claiming that he had also been abused by Soper. (He had first complained to St Benedict's in 2014 in relation to Maestri.) He was interviewed by police in December 2016.<sup>252</sup> Although he told the police that he had contacted a firm of solicitors in order to pursue a civil claim against St Benedict's,<sup>253</sup> we have not seen any evidence of civil proceedings or their outcome.

**92.** RC-A615 said that Soper had punished him on one occasion in the early 1980s, by caning him. According to RC-A615, before using the cane, Soper had stroked his buttocks, over his clothing. RC-A615 was contacted by the Metropolitan Police in September 2016, and the matter was referred to the Crown Prosecution Service.

**93.** The police and Crown Prosecution Service ultimately considered that the allegations disclosed by RC-A618 and RC-A615 did not amount to a criminal offence, and no further action was taken.<sup>254</sup> They considered that the stroking of RC-A615's backside was an isolated incident and there was no evidence that Soper's actions were of a sexual nature.<sup>255</sup>

### RC-F46

**94.** RC-F46 taught at St Benedict's for almost 40 years, from the 1950s to the early 1990s.<sup>256</sup>

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<sup>245</sup> MPS002940\_001

<sup>246</sup> MPS002940\_001-003

<sup>247</sup> MPS002940\_003

<sup>248</sup> MPS002940\_003-004

<sup>249</sup> OHY006752\_008-009

<sup>250</sup> MPS002941\_001; MPS002941\_002-003

<sup>251</sup> MPS002941\_003

<sup>252</sup> OHY006752\_007\_009

<sup>253</sup> MPS002941\_005

<sup>254</sup> OHY006752\_009

<sup>255</sup> OHY006752\_009

<sup>256</sup> BNT007139\_025 para 48.1

**95.** In April 2010, RC-A423 contacted the Metropolitan Police. He had been a pupil at St Benedict's in the 1970s. A police report records that he complained of three matters involving RC-F46, two of which potentially involved sexual abuse. After an incident at school when RC-A423 was about 13 years old and had been kicked in the groin by pupils from another school, RC-F46 had "examined his private parts"<sup>257</sup> but did not touch him. RC-A423 also said that on another occasion during a school trip abroad RC-F46 had insisted that he join him in his room, told him to remove his clothes and to get into RC-F46's bed. RC-A423 however had refused and returned to his own room.<sup>258</sup> The police decided to take no further action. The crime report states:

*"the behaviour of the suspect is perhaps inappropriate and would breach safeguarding principles as they exist today, however in the absence of any physical contact between the 2 or any incitement ... no crimes have been committed in this case".<sup>259</sup>*

## John Maestri

**96.** John Maestri was born in November 1938,<sup>260</sup> and worked as a lay teacher at St Benedict's from 1971 until 1984.<sup>261</sup>

**97.** He is known to have sexually abused at least four St Benedict's pupils while he was employed at St Benedict's: RC-A623, RC-A626, RC-A625 and RC-A11, the latter also having been abused by Soper and allegedly by Pearce. Further allegations were also made by RC-A624 and RC-A419 but never tried. RC-A599, who alleged abuse against Pearce, also made similar allegations against Maestri. In addition to these, we are aware that complaints were made by two others in 2000 and 2002, relating to events in the 1960s when they were children, before Maestri joined St Benedict's.<sup>262</sup>

### RC-A624, RC-A419, RC-A623, RC-A626

**98.** Three brothers – RC-A624, RC-A419 and RC-A623 – made allegations against Maestri. He had befriended their mother in the 1970s,<sup>263</sup> becoming "like a big brother"<sup>264</sup> to the children.

**99.** RC-A624 said that on one occasion, when he was 11 or 12 years old, Maestri kissed him whilst they were sitting on the sofa in RC-A624's home watching television.<sup>265</sup>

**100.** RC-A419 said that Maestri came into his bedroom and kissed him and touched his penis.<sup>266</sup>

**101.** The third brother, RC-A623, also described being abused by Maestri in the early 1980s. When RC-A623 was 11 years old, he attended Maestri's flat on the weekends for extra tuition. Maestri would force him to the floor, kiss him and masturbate him.<sup>267</sup>

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<sup>257</sup> MPS003017\_028-029

<sup>258</sup> MPS003017\_028-029

<sup>259</sup> MPS003017\_029

<sup>260</sup> OHY005919

<sup>261</sup> MPS004177

<sup>262</sup> MPS004218

<sup>263</sup> MPS003532\_001

<sup>264</sup> MPS003532\_001

<sup>265</sup> MPS003532\_001-002

<sup>266</sup> OHY006752\_001; MPS003006\_037

<sup>267</sup> OHY005919\_006

**102.** The Metropolitan Police first became aware of the allegations relating to RC-A623, RC-A624 and RC-A419 in early 2003, after being contacted by RC-A623.<sup>268</sup> Maestri was arrested and interviewed in April 2003. He admitted kissing RC-A623 and rubbing his thighs but denied masturbating him. He also denied all the allegations made by RC-A624 and RC-A419.<sup>269</sup>

**103.** Maestri did however admit that he had been asked to leave St Benedict's for kissing another pupil, RC-A626.<sup>270</sup> The police were able to locate RC-A626 and in July 2003 he gave a statement in which he described how, in the mid 1980s, when he was around 12 years old, Maestri made him sit on his lap and kissed him on the mouth. He then took RC-A626 into a bedroom, undressed him down to his underwear and made him lie on the bed. He again kissed him on the mouth and touched his body. After a few minutes RC-A626 began to cry and Maestri stopped.<sup>271</sup>

**104.** Maestri was indicted with five counts of indecent assault. He pleaded guilty to the indecent assault offences against RC-A623 and RC-A626, and was sentenced in December 2003 to 30 months' imprisonment, placed on the sex offenders' register and banned for life from working with children.<sup>272</sup> The counts relating to RC-A419 and RC-A624 were ordered to lie on the file (ie the judge agreed with the prosecution that, while there was enough evidence for the matter to go to trial, a trial would not be in the public interest given that Maestri had pleaded guilty to the other substantial offences).<sup>273</sup>

### RC-A11, RC-A625

**105.** Maestri also sexually abused RC-A625 and RC-A11 when giving them private lessons at his home address.

**106.** RC-A625 was a pupil at St Benedict's in the 1980s. He had been given private tuition by Maestri in the summer of 1982, when he was around 11 years old. During the lessons, Maestri put his arms around him and sat him on his lap. On one occasion, he took RC-A625 to his bedroom, made him lie on the bed and fondled his genitalia.<sup>274</sup> In December 2003, RC-A625's mother contacted the police to report the abuse against her son. Maestri was produced from prison and further charged with indecent assault. He pleaded guilty and, in June 2005, received a non-custodial sentence of a rehabilitation order for a period of two years.<sup>275</sup>

**107.** RC-A11, whose abuse by Soper and allegedly by Pearce is outlined above, said that in the early 1980s Maestri made him sit on his lap, kissed him on the mouth, forcibly masturbated him and tried to insert his finger into RC-A11's anus.<sup>276</sup> RC-A11's allegations came to light in February 2008.<sup>277</sup> Maestri was charged with indecent assault in September 2008 and pleaded guilty in January 2009. He received a two-year suspended sentence of imprisonment.<sup>278</sup>

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<sup>268</sup> MPS003006\_028

<sup>269</sup> MPS003006\_038

<sup>270</sup> MPS003006\_038

<sup>271</sup> MPS003530

<sup>272</sup> MPS002971\_028

<sup>273</sup> MPS004242

<sup>274</sup> MPS002971\_028-029

<sup>275</sup> OHY005919\_005-006

<sup>276</sup> MPS003084\_004

<sup>277</sup> MPS003084\_004

<sup>278</sup> MPS002977\_023

## RC-A599

**108.** In June 2010, Maestri faced further allegations of abuse made by RC-A599, who had joined St Benedict's in the mid 1970s and said that he was abused over an eight-month period in 1976. Maestri caned him on his buttocks and then rubbed them with his hand to make him feel "better", while masturbating himself. RC-A599 said that he told Pearce about the abuse<sup>279</sup> but, instead of taking any action, Pearce also began to abuse him. Maestri and Pearce were jointly tried. Both were acquitted in July 2011.

## RC-A618 and RC-A641

**109.** In October 2014, further allegations were made by RC-A618, who attended St Benedict's in the mid 1980s. He described one incident when Maestri touched his penis over his clothing while asking him if he wanted to play table tennis for the school. RC-A618 said that the incident did not last very long.<sup>280</sup>

**110.** RC-A618 told the Metropolitan Police that he believed another pupil, RC-A641, had also been abused by Maestri. Maestri was interviewed by the police in 2014 and, although he denied the allegations made by RC-A618, he admitted to sexually assaulting RC-A641.<sup>281</sup>

**111.** RC-A641 attended St Benedict's in the early 1980s.<sup>282</sup> Maestri admitted to the police that, on one occasion, he had removed the boy's tracksuit bottoms, cuddled him and touched his thigh while they were lying in bed together.<sup>283</sup>

**112.** In respect of RC-A618, the Metropolitan Police decided that there was insufficient evidence to charge Maestri with a criminal offence, and although RC-A641 confirmed that he had been sexually abused by Maestri, he said that he did not wish to provide a witness statement or to attend court.<sup>284</sup>

**113.** Maestri died in 2016.<sup>285</sup>

## Stephen Skelton

**114.** Stephen Skelton was born in July 1948 and was employed as a lay maths teacher at St Benedict's in the early 1980s. He gave private maths lessons at his home, and is known to have used these occasions to abuse at least one pupil, RC-A604. During the lessons, Skelton gave RC-A604 sweets, made him sit on his lap and played with his hair. In the third and final lesson, Skelton began rubbing RC-A604's stomach under his shirt, before kneeling in front of him with his face close to RC-A604's groin. RC-A604 was very scared and made an excuse to leave. Skelton initially refused to let him go, but eventually did.<sup>286</sup>

**115.** In December 2011, Skelton was convicted of two counts of indecent assault, in respect of RC-A604 and another child at a different school.<sup>287</sup> He was given a six-month prison sentence (suspended for two years), a lifelong sexual offences prevention order, placed on the sex offenders' register and made subject to notification requirements for seven years.<sup>288</sup>

<sup>279</sup> MPS002991\_032-033

<sup>280</sup> MPS004219

<sup>281</sup> MPS004221; OHY005917\_002; OHY005917\_003

<sup>282</sup> MPS004220

<sup>283</sup> OHY005919\_008; OHY006752\_007

<sup>284</sup> MPS004221; MPS004222

<sup>285</sup> MPS002973

<sup>286</sup> BNT001066\_001-002; MPS002985\_004

<sup>287</sup> MPS002985\_006

<sup>288</sup> MPS002987\_006-007

## RC-F41

**116.** RC-F41 taught at St Benedict's between the 1960s and late 1980s.

**117.** During a school trip to Italy in 1984, RC-A421, who was 11 years old at the time, had been suffering from constipation and stomach pains and had gone to RC-F41 for help. RC-F41 asked the boy to remove his trousers, put Vaseline on his finger and inserted it into RC-A421's anus on the pretext of checking for a blockage. RC-F41 told the child not to tell anyone. In April 2005, RC-A421 made a complaint to Mr Turner, who in turn reported it to the police. Mr Turner also spoke to RC-F41, who admitted that he had "*realised immediately what he had done was wrong and sinful*".<sup>289</sup> In a subsequent risk assessment, he said "*the fact I felt guilty means perhaps there was (sexual desire)*".<sup>290</sup>

**118.** The police first became aware of this allegation in April 2005.<sup>291</sup> Although RC-F41 admitted to touching RC-A421,<sup>292</sup> the police could not charge him because the incident had taken place overseas and predated the changes in legislation<sup>293</sup> which would later allow for a prosecution in these circumstances (the Sex Offenders Act 1997).

**119.** In October 2005, RC-A421 made a further allegation against RC-F41. He said that, when he was 12 or 13 years old, after receiving his confession, RC-F41 forced him to perform oral sex on him. RC-A421 did not tell anyone about this incident at the time.<sup>294</sup> RC-F41 was charged with indecent assault but was acquitted in April 2007.<sup>295</sup>

## Peter Allott

**120.** Peter Allott was born in March 1979.<sup>296</sup> He was the lay deputy headmaster of St Benedict's between 2012 and 2015.<sup>297</sup>

**121.** In December 2015, Allott was arrested for downloading and distributing indecent images of children, found on his phone and a hard drive found in his office at St Benedict's.<sup>298</sup> No images were found on the school computer itself.

**122.** Allott was found guilty in March 2016 of making and distributing indecent photographs of children. He was also found guilty of possession of extreme pornographic images involving animals and possession of Class A drugs. He received a sentence of 33 months' imprisonment and a 10-year sexual harm prevention order. He was also placed on the sex offenders' register for an unlimited term.<sup>299</sup>

**123.** Allott committed suicide in April 2018.<sup>300</sup>

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<sup>289</sup> BNT000825\_003

<sup>290</sup> BNT001026\_007

<sup>291</sup> BNT001024\_002

<sup>292</sup> BNT000825\_003

<sup>293</sup> BNT001018\_003

<sup>294</sup> BNT001024\_002-003

<sup>295</sup> BNT001022\_003

<sup>296</sup> BNT001248\_045

<sup>297</sup> BNT001248\_046

<sup>298</sup> OHY005919\_014

<sup>299</sup> MPS004223

<sup>300</sup> MPS004223

## Part D

# Response of Ealing Abbey and St Benedict's School to allegations of abuse

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# Response of Ealing Abbey and St Benedict's School to allegations of abuse

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## D.1: Introduction

1. The institutional responses of Ealing Abbey and St Benedict's School (St Benedict's) to the allegations of sexual abuse made by pupils fall into three key periods:

- **1970 to 2000**, during Dom Francis Rossiter's abbacy, when there was extensive child sexual abuse at St Benedict's, much of which was perpetrated by David Pearce and Laurence Soper, who himself became abbot in 1991.
- **2000 to 2010**, covering the first 10 years of Abbot Martin Shipperlee's leadership. (This followed Soper's resignation in 2000 and coincided with structural changes in child protection that resulted from the Nolan report in 2001, after which Ealing Abbey aligned itself with the Diocese of Westminster child protection team.) During this time there was an increasing number of complaints against monks in the Abbey, and Pearce was able to re-offend against RC-A621 despite being under restrictions. Following concerns among the public, media and external institutions, Ealing Abbey instructed Lord Carlile of Berriew QC in August 2010 to undertake an inquiry.
- **2010 to the present**, the period after the publication of Lord Carlile's report, when structural changes were implemented to make St Benedict's independent of Ealing Abbey, during which better efforts were finally made to address safeguarding issues.

## D.2: 1970 to 2000

2. Between 1970 and 2000, extensive child sexual abuse was perpetrated by monks and teachers at St Benedict's, in particular by Soper, Pearce and John Maestri. Much of this abuse was known or suspected by other monks, teachers and staff, yet almost nothing was done.

### Response to Pearce's abuse

3. There was widespread awareness and gossip among pupils, staff and monks that Pearce behaved inappropriately towards a number of boys at St Benedict's.

3.1. RC-A645, a pupil at the middle school in the late 1970s, said:

*"[Pearce] was known throughout the school as 'gay Dave'. This was how he was referred to by literally all the children, he was known universally by this moniker. He seemed actually to revel in this description. His general technique was to be*

*constantly moving his hand over some part of your body; the shoulder, the leg, the thigh. It was generally quite subtle; he would touch you and his hands would linger on your flesh for just a little too long.*"<sup>301</sup>

**3.2.** Father James Leachman, monk and teacher, referred to there being, in the 1980s, *"gossip about him touching children in the showers and photographing them"*.<sup>302</sup>

**3.3.** Katherine Ravenscroft, who joined the school as a teacher in 1990, told the Inquiry that it was common knowledge among staff that there were rumours about Pearce.<sup>303</sup> She noted:

*"It was spoken about quite freely amongst the boys in the school that Father David Pearce would oversee swimming whilst they were in the Junior school and that he would line the boys up naked after swimming to feel them in order to check that they were dry."*<sup>304</sup>

**3.4.** Father Timothy Gorham, another monk who taught at the school, recalled pupils talking in 1995 about Pearce saying things like *"Sit on my lap little boy"*. He said *"these things were already mentioned amongst the monks at the abbey. I think everybody knew about it."*<sup>305</sup>

**4.** Abbot Shipperlee has accepted that he knew of at least some gossip in the 1980s and of *"recurrent stories"* about Pearce. He told us:

*"I am aware that certainly, by the time I arrived in the junior school the story of the filming - or stories of the filming were referred to."*<sup>306</sup>

It is, however, clear that the filming was not the only aspect of Pearce's abuse that was known, as a number of teachers raised concerns internally about his behaviour, without any result.

**5.** Peter Halsall, a teacher at St Benedict's for 40 years, *"made complaints about both PEARCE and MAESTRI but they didn't go anywhere and it definitely harmed my career. At times it felt like the mafia, like ramming your head against a brick wall."*<sup>307</sup> He also said:

*"effectively Soper and Pearce held sway in the Abbey and school and it is my belief they colluded to block any investigation by Tony Dachs. There was no one anyone could complain to until Soper resigned as Abbot."*<sup>308</sup>

Mr Halsall also spoke at one stage to a former pupil, then a fairly senior police officer, who said that *"unless ex pupils were willing to come forward nothing could be done"*.<sup>309</sup>

**6.** Ms Ravenscroft said that *"if anybody complained or said anything about PEARCE, Laurence SOPER would protect him ... to complain meant putting your job on the line"*.<sup>310</sup>

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<sup>301</sup> INQ003561\_002

<sup>302</sup> MPS002939\_002

<sup>303</sup> INQ003777\_004

<sup>304</sup> INQ003777\_002

<sup>305</sup> MPS002963\_002

<sup>306</sup> Abbot Martin Shipperlee 6 February 2019 95/1-97/11 (Father Shipperlee started teaching in the junior school in 1987; Abbot Martin Shipperlee 6 February 2019 86/3S)

<sup>307</sup> MPS002946\_003

<sup>308</sup> INQ003774\_002

<sup>309</sup> INQ003774\_002

<sup>310</sup> MPS002950\_001

7. There were monks who raised concerns internally, but who found no support before 2000. In 1999, Father Alban Nunn and other monks in the Abbey (Father Andrew Hughes and Father Thomas Stapleford) were “*all very concerned about the way these complaints were being dealt with*”.<sup>311</sup> This was not revealed to police until 2017, when Father Nunn spoke to them and told them that he felt Soper as abbot and Soper’s Council (upon which the abbot relied for advice, and on which both Pearce and Father Shipperlee sat<sup>312</sup>) had not dealt with the problem properly and that Soper and the Council should have gone to the police.<sup>313</sup>

8. Accountability for inaction primarily rests on those in charge during this period. They were the Abbots of Ealing Abbey (Francis Rossiter and Soper) and the headmasters of St Benedict’s (Father George Brown, Father Anthony Gee and Dr Anthony Dachs).

9. We did not hear any evidence directly from Dom Rossiter, Abbot from 1967 to 1991, who was too infirm to provide a statement to the Inquiry. However, his approach can be seen in a letter written in 2001, when as Abbot President of the English Benedictine Congregation (EBC), he responded to serious concerns about Pearce raised by a monk at Ealing Abbey, Father Peter Burns. Abbot Rossiter warned Father Burns, saying:

*“someone’s good name is at stake, hence one needs substantial evidence. Remarks passed by third parties ... would to my mind be wholly insufficient information to pass on to officials outside the monastery”.*<sup>314</sup>

He also denied knowing of any concerns about Pearce in the period to 1991, saying “*When I left office in 1991 [Pearce] was doing a good job as Headmaster and I had no complaints about him from anyone*”. He must at the very least have known of concerns about Pearce.

10. The next Abbot of Ealing Abbey was Soper. In June 1992, when RC-A595 complained to police that Pearce had abused him in his study, Soper responded by giving Pearce his “*full support as headmaster*”. He did not suspend him and said that this was:

*“partly because the timing of the allegation in my eyes and the eyes of those I consulted, appeared to be a smokescreen for the alleged activity of the father and partly since Father David has been in the community for 22 years at least 16 of them as a school teacher in the senior or junior schools without any allegation of impropriety of any sort against him.”*<sup>315</sup>

As set out above, there was widespread awareness that Pearce was acting improperly towards boys. It is not clear whether the decision to replace Pearce as head of the junior school in 1993 was because of this incident, but that move did not prevent Pearce from continuing to have unrestricted access to pupils. He was able to move around the school as he wished. We were told that he was known to have pupils come to his office on a Friday afternoon, when he would shut the door and cover its glass window with paper so nobody could see in.<sup>316</sup> When, in 1998, the parents of RC-A631 complained of sexual abuse by Pearce, Soper again did not challenge him about his behaviour.<sup>317</sup> It seems clear that, as Abbot, Soper protected Pearce from further scrutiny.

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<sup>311</sup> [MPS002959\\_002](#)

<sup>312</sup> [Abbot Martin Shipperlee 6 February 2019 109/21-23](#)

<sup>313</sup> [MPS002959\\_002](#)

<sup>314</sup> [BNT002587\\_001](#)

<sup>315</sup> [MPS003060\\_002](#)

<sup>316</sup> Evidence of Father Nunn, Harsha Mortemore and RC-A597, as cited [Abbot Martin Shipperlee 6 February 2019 110/6-113/13](#)

<sup>317</sup> [MPS003014\\_034](#)

**11.** Dr Dachs was the lay headmaster of St Benedict's senior school between 1986 and 2002. During this time Pearce was head of the separate junior school. As such, Pearce was not under Dr Dachs authority, however like Abbot Rossiter and Soper, Dr Dachs was aware of the complaints about Pearce. For example, on 19 October 1998, the parents of RC-A631 complained by letter to him.<sup>318</sup> Dr Dachs did not raise those concerns with any external authority.

**12.** Harsha Mortemore, senior accounts assistant at St Benedict's, stated that when she raised her concerns with Dr Dachs he warned her *"If you know what's good for you, keep your head down and do your job."*<sup>319</sup> Dr Dachs has denied this.

**13.** Father Shipperlee replaced Pearce as headmaster of the junior school in 1992 and was a member of the Abbot's Council, before becoming Abbot. He admitted that he had been aware of ongoing concerns in respect of Pearce, including the fact that as bursar Pearce continued to have contact with children at the school, but he did nothing.<sup>320</sup> He gave us two answers to why he did not complain. First he said *"Now, obviously, I can/could have complained. But at this stage, I'm aware of a lot of stories about him ..."*,<sup>321</sup> the suggestion being that "stories" were not enough. Later in his evidence to us, Abbot Shipperlee said that he did not raise concerns when he was head of the junior school *"Because by that stage [Pearce] is now out of – well, he is out of the school."*<sup>322</sup>

**14.** Pearce should not have been allowed to remain bursar or to retain an office in the school which enabled him to continue to come into contact with pupils.

## Response to Soper's abuse

**15.** Much of the abuse perpetrated by Soper was committed under the pretext of corporal punishment. His predilection for physical chastisement was well known by boys and staff.

**15.1.** Mr Halsall said that he heard boys:

*"talking about being caned and that Laurence would offer them six with the cane with trousers on but three on their bare backside with trousers off ... I heard the boys talking about 'PD', which was the 'pants down' policy expounded by Laurence".*<sup>323</sup>

**15.2.** Leo Hopley, a parent of a boy at St Benedict's during the late 1970s and a teacher at St Benedict's in the 1980s, told police in 2018 that in the 1970s:

*"Several of the parents told me that Laurence would offer the boys six strokes with their pants up or 3 strokes on their bare backsides. I thought this was rather deviant, but I thought it was for those parents to make a complaint and I thought that 'the higher ups' at the school and the Abbey would deal with it."*<sup>324</sup>

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<sup>318</sup> MPS003014\_034

<sup>319</sup> MPS002957\_002

<sup>320</sup> Abbot Martin Shipperlee 6 February 2019 93/1-8; 95/1-6

<sup>321</sup> Abbot Martin Shipperlee 6 February 2019 97/25-98/2

<sup>322</sup> Abbot Martin Shipperlee 6 February 2019 98/2, 99/3

<sup>323</sup> MPS002946\_002

<sup>324</sup> MPS002962\_002

**15.3.** Father Gee was the headmaster while Soper was teaching at St Benedict's, from 1973 to 1984. He told the police that:

*"A member of staff ... approached me and stated that Soper had resumed the 'old tradition of 'PD'' or pants down. This was apparently having the boys pull down their pants to be beaten on their bare behinds. This apparently had been the policy of the monks at Downside to ensure boys hadn't put a book down their trousers ... I spoke to Soper and told him that he must stop doing this, he agreed to do so ... At the time I think that I was rather naive and whilst I thought what SOPER was doing was very unpleasant and humiliating, it never occurred to me that it was sexual. In hindsight I now wonder."*<sup>325</sup>

**16.** Corporal punishment involving 'pants down' was unacceptable and should have signalled to staff that there may have been a sexual element.

**17.** Dr Dachs told the police that the use of corporal punishment was terminated when he became headmaster in 1986.<sup>326</sup>

### Response to abuse by others

**18.** In 1984, Maestri became head of the middle school. Shortly afterwards, RC-A626 complained that Maestri had abused him during tuition at Maestri's flat. Abbot Rossiter went to meet RC-A626's parents, and later recalled to the police:

*"I remember being relieved that the incident wasn't more serious, I think it involved cuddling or something of that nature. If it had been more serious I think I would have remembered what it was."*<sup>327</sup>

No investigation was undertaken to identify other victims. The authorities were not informed. Abbot Rossiter told Maestri that it was not possible for him to remain at the school (although he did not leave immediately).<sup>328</sup> The school magazine stated that he tendered resignation due to ill health.<sup>329</sup> Abbot Rossiter subsequently wrote a testimonial in support of his obtaining a further teaching position.<sup>330</sup>

**19.** There was a similar response to another lay teacher, Stephen Skelton. The parents of RC-A604 informed the school that he had sexually abused their son. They apparently received a letter from someone at the school but were not happy with the response and so a meeting was arranged with Abbot Rossiter and RC-F41 (Dom Rossiter, who was too unwell to attend our hearing, has said that he has no recollection of this). They were told that RC-A604 would be removed from Skelton's class and that the matter would be dealt with. Skelton did leave, but not immediately.<sup>331</sup> Skelton told police that the reason for his departure was because his year's probation was up.<sup>332</sup> He too was given a reference (he

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<sup>325</sup> MPS002961\_002

<sup>326</sup> MPS002951\_002

<sup>327</sup> MPS004177

<sup>328</sup> MPS004177

<sup>329</sup> MPS004176

<sup>330</sup> MPS004177

<sup>331</sup> MPS003008\_041

<sup>332</sup> MPS004236\_001

could not recall by whom)<sup>333</sup> and again no report was made to the authorities. Skelton obtained a position at another school and in the 1990s he went on to abuse a boy who was a pupil at a school in Hampshire, for which he was convicted.<sup>334</sup>

**20.** The action taken against Maestri and Skelton was inadequate. Although both were made to leave the school, no report was made to external authorities and references were provided. This was a blatant failure to consider the risk to other children. Maestri and Skelton were therefore free to abuse elsewhere, and Skelton did so. It is notable that when the perpetrators were lay teachers they were forced to leave St Benedict's, but this did not happen when the perpetrators were monks.

### D.3: 2000 to 2010

**21.** Martin Shipperlee was elected Abbot of Ealing Abbey in March 2000, following the resignation of Soper. As Abbot Shipperlee has now acknowledged, there were serious shortcomings in his response to allegations and handling of child protection concerns.

**22.** It is important to note the wider context at this time. Following the Nolan report in 2001, Dom Richard Yeo, then Abbot President of the EBC, had set up a working party "*to propose a common framework of procedures for Child Protection in the houses of the Congregation in the light of [its] recommendations*".<sup>335</sup> Abbot Shipperlee was a member of this working party, which went on to recommend that the EBC "*take advantage of the Diocesan structures and especially the Diocesan CPC [Child Protection Coordinators]*".<sup>336</sup> It also recommended that "*all disclosures, allegations and suspicions, including historic ones be immediately referred to the relevant Diocesan CPC*".<sup>337</sup>

**23.** Ealing Abbey did align itself with the Diocese of Westminster child protection team. Abbot Shipperlee consulted the team, and in particular Peter Turner, the Child Protection Officer (later entitled Safeguarding Advisor), extensively during this period, and brought allegations to his attention. However, there were weaknesses in the advice provided by the Diocese of Westminster child protection team (discussed in Part E), which compounded deficiencies in Abbot Shipperlee's leadership.

#### Response of Abbot Shipperlee to Pearce

**24.** When Martin Shipperlee became Abbot in 2000, at least one monk, Father Nunn, considered that he would be "*a new broom*" who would support taking concerns about Pearce to the police.<sup>338</sup> He and another monk, Father Stapleford, encouraged staff to come forward.<sup>339</sup> It proved a false dawn. Based upon the evidence we heard, Abbot Shipperlee's responses were frequently inadequate, ineffective and ill-judged.

**25.** In December 2000, Father Burns told Abbot Shipperlee that Pearce was hearing confessions in St Benedict's junior school at the invitation of Father Gorham. Abbot Shipperlee agreed that Pearce should not have been asked to hear confessions,<sup>340</sup> but Father Burns was not satisfied with the response. He took his concern to the then Abbot President,

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<sup>333</sup> MPS004175\_001

<sup>334</sup> OHY005919\_010

<sup>335</sup> BNT002382\_007

<sup>336</sup> BNT002382\_007

<sup>337</sup> BNT002382\_007-008

<sup>338</sup> MPS002959\_002

<sup>339</sup> INQ003774\_003

<sup>340</sup> BNT002592

Francis Rossiter. Abbot Shipperlee told us that he had a conversation with Father Gorham; *“If I remember rightly, we talked and decided it would not be wise to involve him”* in hearing confessions.<sup>341</sup> That was the extent of his action.

**26.** Father Nunn also spoke to Abbot Shipperlee about Pearce, and remembered that Abbot Shipperlee’s response was *“What can I do? He is my friend.”*<sup>342</sup> While not remembering whether he did say this, Abbot Shipperlee told us:

*“in that situation ... I felt it was difficult to act. You might think that was a rather strange conclusion to come to, but that was my honest reaction at the time ... it was wrong.”*<sup>343</sup>

**27.** Father Nunn and Ms Ravenscroft, hopeful that Abbot Shipperlee’s appointment would bring about change, contacted RC-A418 and invited him to come forward with his complaints against Pearce.<sup>344</sup> In 2001, he did so. The allegations included putting his hands down boys’ swimming trunks and filming them in the showers. Abbot Shipperlee referred the matter to the Diocese of Westminster child protection coordinator (then Father Sean Carroll<sup>345</sup>), who referred it to the police. Abbot Shipperlee subsequently told the police that Pearce was in no position to have any contact with children<sup>346</sup> but he did not consider putting him under any restrictions.

*“I wasn’t looking – I admit this, I was not looking at what he might choose to do or want to do.”*<sup>347</sup>

*“It looks like perhaps there is ample evidence that should be persuading me to do something more. But I have, at this point, taken the matter to the police, which is quite a step against ... someone you live with. I understand perfectly well that that’s not a very, perhaps, creditable way of considering things.*

Q. As abbot, who exactly were you waiting for advice from?

A. Well, the police or the diocese. Never having been in this situation before – and I admit that this is not a strong answer and not a very good defence of what I did at the time ... well, in retrospect, something much more did need to be done and I wasn’t doing it.”<sup>348</sup>

**28.** Abbot Shipperlee also allowed Pearce to remain a trustee of the Trust of St Benedict’s Abbey Ealing, which oversaw both the school and the abbey. Abbot Shipperlee admitted to us that *“In retrospect, I should have acted earlier.”*<sup>349</sup> He evidently found it difficult to take action against another monk.<sup>350</sup> Abbot Shipperlee was not proactive. He failed to take further steps of his own volition, choosing instead to wait for guidance from others.

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<sup>341</sup> Abbot Martin Shipperlee 6 February 2019 121/25

<sup>342</sup> MPS002959\_002

<sup>343</sup> Abbot Martin Shipperlee 6 February 2019 128/9-16

<sup>344</sup> INQ003777\_004

<sup>345</sup> MPS003014\_025

<sup>346</sup> MPS003014\_033

<sup>347</sup> Abbot Martin Shipperlee 6 February 2019 131/7-8

<sup>348</sup> Abbot Martin Shipperlee 6 February 2019 134/9-22

<sup>349</sup> Abbot Martin Shipperlee 6 February 2019 136/8

<sup>350</sup> Abbot Martin Shipperlee 6 February 2019 134/9-22

**29.** In 2003, when Abbot President Yeo conducted his first visitation on Ealing Abbey, several monks told him of their concern about Pearce. They complained that he was “*not being reined in as he should have been*”<sup>351</sup> and gave examples of how Pearce would pass through the school “*in order to reach some offices*”.<sup>352</sup> The concern presumably being that Pearce could engineer access to children under this pretext.

**30.** In 2004, further complainants came forward. For example, RC-A6 alleged abuse by Pearce while in the school infirmary and elsewhere, and RC-A419 alleged an incident of abuse while Pearce was visiting his home. In response, Pearce was placed on “*administrative leave*” in April 2004<sup>353</sup> while the police investigated. Following a decision not to prosecute in October 2004, and in keeping with Catholic Office for the Protection of Children and Vulnerable Adults (COPCA) guidance and Mr Turner’s advice, Abbot Shipperlee instructed an expert, David Tregaskis, to prepare a child protection risk assessment report on Pearce. Mr Tregaskis was a clinical criminologist with extensive experience in providing risk assessments in respect of sex offenders for criminal and civil courts, and for other bodies including the NSPCC, dioceses and religious orders.<sup>354</sup> In his letter of instruction, Mr Tregaskis was informed of the allegations of RC-A419 and RC-A6 as well as RC-A595 and RC-A418. He was not however told of the allegation of RC-A631 (despite Abbot Shipperlee being aware of it<sup>355</sup>). In any event, Mr Tregaskis concluded that there was “*a major concern*” in respect of Pearce and that “*clear boundaries*” (ie restrictions) should be placed on him.<sup>356</sup>

**31.** On 19 April 2005, Mr Turner, having discussed Mr Tregaskis’ report with his manager Monsignor Harry Turner (the Diocese of Westminster Child Protection Coordinator), wrote to Abbot Shipperlee recommending that five restrictions be placed upon Pearce.<sup>357</sup>

*“1. That Fr. David has no public ministry with the Parish setting.*

*2. That Fr. David is only allowed to say mass in private or within the monastery, and with no members of the public present.*

*3. That Fr. David is allowed to continue in a non-executive role within the Monastery as long as that does not bring him into contact with Children and Young Persons;*

*4. That Fr. David continues to serve as Chaplain to other Religious Communities as long as this does not bring him into contact with Children and Young Persons, and provided that the person in charge of such Communities is made aware of these conditions;*

*5. That if Fr. David visits families within the Parish, he does so only on condition that he does not wear clerical dress and that the families are bonafide families/friends.”*

Mr Turner concluded his letter by asking that “*the recommendations be formally recognised in a formal letter to me*”, but this was never done.

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<sup>351</sup> BNT003122\_003 (as recorded by Dom Yeo)

<sup>352</sup> BNT003122\_003

<sup>353</sup> BNT001208\_005

<sup>354</sup> BNT001208\_003-004

<sup>355</sup> MPS003014\_027

<sup>356</sup> BNT001208\_011-012

<sup>357</sup> BNT000829

**32.** Abbot Shipperlee accepted that he failed to do this, and had also failed to keep any record over and above Mr Turner's letter.<sup>358</sup> This inaction and lack of record-keeping contributed to subsequent confusion about the details of the restrictions (for example, the subsequent Charity Commission report only referred to three restrictions, so they may not have been made aware of all five).<sup>359</sup>

**33.** Mr Turner's letter was insufficient. It did not give any guidance to Abbot Shipperlee as to how compliance with these restrictions should be enforced and monitored. We address this further in Part E.

**34.** Abbot Shipperlee also failed to ensure that action was taken. Instead of putting a formal safeguarding mechanism in place, he appears to have relied upon three factors.

- **Pearce living alongside him:** Abbot Shipperlee told us that "*I'm living with him a lot of the time*",<sup>360</sup> the suggestion being that he was therefore able to monitor Pearce's activities. He should have recognised that this had been the case since the 1980s and had not prevented Pearce abusing children in the care of St Benedict's.
- **Compliance by Pearce:**<sup>361</sup> Abbot Shipperlee said that Pearce "*now knows how he is meant to be – the scope of his activity. His work is in the monastery and nowhere else.*"<sup>362</sup> This repeats the mistaken assumption that because Pearce *should* not have contact, he would not have contact. It ignored Mr Tregaskis' clear advice that Pearce's denial of any inappropriate behaviour was itself a risk factor.<sup>363</sup> It was not appropriate to deal with a significant risk to children by relying on the word of the person accused of abusing them.
- **Other monks would tell the abbot if there were breaches:**<sup>364</sup> There is no documentary evidence of what monks at Ealing Abbey were told about Pearce's restrictions. The later review carried out by Philip Wright and John Nixon observed that the extent of knowledge within the community was unclear.<sup>365</sup> If the monks did not know what the restrictions were, they could not help to police them. When Abbot Shipperlee was questioned about this, he initially seemed to lay blame at the door of his community, saying "*monks are very good at not knowing what you think you've told them*", although he accepted that he:

*"didn't give them a piece of paper telling them all that, for sure. Clearly, I could have been – I should have been clearer about what I was saying."*<sup>366</sup>

**35.** The failings in respect of restrictions upon Pearce went further. Abbot Shipperlee said of his failure to act that he was:

*"plainly not thinking the right way around ... I was looking at what he [Pearce] couldn't do. I really wasn't concentrating anywhere near enough on what he might do, and, in that sense, clearly, I'm not thinking first about the safety of children, and that's a mistake ..."*<sup>367</sup>

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<sup>358</sup> Abbot Martin Shipperlee 6 February 2019 145/10

<sup>359</sup> CYC000255\_008

<sup>360</sup> Abbot Martin Shipperlee 6 February 2019 147/7

<sup>361</sup> Abbot Martin Shipperlee 6 February 2019 148/7

<sup>362</sup> Abbot Martin Shipperlee 6 February 2019 147/17-148/5

<sup>363</sup> BNT001208\_011

<sup>364</sup> Abbot Martin Shipperlee 6 February 2019 146/4-7, 148/21-149/6

<sup>365</sup> BNT001114\_003

<sup>366</sup> Abbot Martin Shipperlee 6 February 2019 146/8-19

<sup>367</sup> Abbot Martin Shipperlee 6 February 2019 154/12-20

**36.** In 2006, the sexual abuse committed by Pearce was established in a civil trial brought by RC-A6 against both Peace and the trust. The judge, Mr Justice Field, said he found Pearce and the account that he gave in court “*extremely unconvincing*” and not having “*the ring of truth*”.<sup>368</sup> In contrast, he found RC-A6 “*an entirely convincing, reliable and credible witness*”.<sup>369</sup> The allegations RC-A6 made against Pearce were found proven, as was similar abuse of two other boys, X (RC-A418) and Z (RC-A419).<sup>370</sup>

**37.** During the proceedings, Pearce left the monastery and lived with a family member. After the trial, minutes of the Abbot’s Council meeting of July 2006 noted there had been a “*comment from a parishioner which indicated that there might well be disquiet at his returning to the monastery so soon*”.<sup>371</sup> Despite this and the judgment, no change was made to the restrictions upon Pearce.<sup>372</sup> Abbot Shipperlee told us that he went back to Mr Turner about the risk following the ruling.<sup>373</sup> When asked about this, Mr Turner said that there was no reconsideration although “*thinking about it now, perhaps we should have reconsidered it*”.<sup>374</sup>

**38.** Following the civil judgment against Pearce, the Diocese child protection team should have advised strongly that Pearce be required to leave Ealing Abbey. Abbot Shipperlee should have insisted that Pearce live elsewhere, rather than remain at Ealing Abbey, where he could and did use his position to abuse another child.<sup>375</sup> While there may have been countervailing considerations as Shipperlee noted,<sup>376</sup> such as difficulties in finding a suitable and safe place for Pearce to live, it should not have been insurmountable because it had previously been possible to make arrangements for him to leave the monastery during the civil trial.

**39.** After his return, Pearce went on to abuse RC-A621. He was a 16-year-old pupil at St Benedict’s who in December 2006 had started working in the monastery at weekends. In January 2008, RC-A621 disclosed that he had been sexually abused by Pearce for over a year, having met him while working in the kitchens. Pearce was arrested, prosecuted and later that year pleaded guilty to sexual offences in respect of RC-A621 and four other boys. Abbot Shipperlee had known that RC-A621 was working in the monastery, and that Pearce had access to the areas where he was stationed. He also became aware that Pearce, despite the restrictions upon him, had come to know RC-A621, as Pearce himself told the abbot around April 2007 that the boy had spoken to him about becoming a monk.<sup>377</sup> Abbot Shipperlee did nothing to advise against or stop that contact. He told us that he simply did not see RC-A621, at the age of 16, as a child.<sup>378</sup> That was wrong.

**40.** Abbot Shipperlee failed adequately to consider the risk of the abuse of children by Pearce, both generally and specifically in RC-A621’s case. Following the civil judgment against Pearce, the Diocese of Westminster child protection team should have advised strongly that Pearce be required to leave Ealing Abbey. As a result of their failures and inadequate action, children were left at risk of abuse by Pearce, who did indeed go on to abuse RC-A621. This could have been prevented.

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<sup>368</sup> BNT001206\_018 paras 83, 85

<sup>369</sup> BNT001206\_018-019 para 83

<sup>370</sup> ‘Z’ and ‘X’, BNT001206\_018 para 82

<sup>371</sup> BNT007045\_021

<sup>372</sup> Abbot Martin Shipperlee 6 February 2019 156/15

<sup>373</sup> Abbot Martin Shipperlee 6 February 2019 155/21-156/3

<sup>374</sup> Peter Turner 6 February 2019 18/8-21

<sup>375</sup> Abbot Martin Shipperlee 6 February 2019 159/1-21

<sup>376</sup> Abbot Martin Shipperlee 6 February 2019 161/21-25

<sup>377</sup> Abbot Martin Shipperlee 6 February 2019 167/1-24

<sup>378</sup> Abbot Martin Shipperlee 6 February 2019 168/1-2

## Response of Abbot Shipperlee to Soper

### RC-A420

**41.** In October 2001, RC-A420 brought a civil claim against Soper for sexual abuse that he alleged had occurred in the 1990s when he was 19 years old and serving a sentence of detention at Feltham Young Offender Institution, where Soper had been a chaplain.<sup>379</sup> RC-A420 subsequently told the Metropolitan Police in 2018 that Soper had sexually assaulted him on many occasions, and that the abuse had escalated to rape. He estimated that he had been raped by Soper on at least 10 occasions.<sup>380</sup>

**42.** In December 2001, the Diocesan child protection coordinator, James Curry, advised Abbot Shipperlee that RC-A420's claim should be reported to the police. Abbot Shipperlee "undertook" to Mr Curry that he would act on this<sup>381</sup> but it seems that he in fact decided not to do so, favouring his own judgment of the facts over an independent review of the evidence.

*"Q. Did you bring the A420 matter to the police's attention?"*

*A. I did not.*

*Q. Why not?"*

*A. Because I simply did not believe that this was possible. In fact, I was outraged that such an accusation could be made against someone of whom I – well, it did not occur to me that it was possible that this sort of thing could happen.*

*Q. Do you agree that that decision was wrong?"*

*A. Oh, yes, absolutely wrong."<sup>382</sup>*

**43.** Abbot Shipperlee told us that he was "convinced in my own mind that this must be a spurious claim".<sup>383</sup> As a result of his failure to report this allegation to the police, when they and the Crown Prosecution Service came to consider RC-A622's allegations against Soper in 2004, they did so without any knowledge of the similar and serious allegations made by RC-A420. Solicitors instructed by the Abbey's insurers wrote to RC-A420, threatening him with legal costs if he pursued his civil claim. RC-A420 described his response to police as follows:

*"I received a letter back from a solicitor, either [Soper's] personal one or one from the Abbey basically telling me to drop the claim or they would take me to court for costs which ran in £1000 pound from what they said I could not afford this and I couldn't afford a solicitor so I contacted one solicitor by 'phone' and told them I was dropping the claim. They then sent me paperwork to discontinue this which I completed and sent back. On top of not having enough money I was scared as all I wanted to do was have Laurence SOPER pay for what he had done and on getting a letter from powerful solicitors scared me I guess."<sup>384</sup>*

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<sup>379</sup> Abbot Martin Shipperlee 7 February 2019 3/7-14; BNT007139\_021 para 36.3

<sup>380</sup> MPS002983\_002

<sup>381</sup> DOW000030\_005

<sup>382</sup> Abbot Martin Shipperlee 7 February 2019 3/22-4/6

<sup>383</sup> Abbot Martin Shipperlee 7 February 2019 5/15

<sup>384</sup> MPS002976

44. Shortly after this, in 2002, Soper went to Rome to become the general treasurer to the International Benedictine Confederation at Sant'Anselmo. Abbot Shipperlee did not inform the Abbot Primate, Notker Wolf, of the allegation of RC-A420 against Soper.<sup>385</sup> As a result, the Abbot Primate was unaware of the potential risk Soper represented.

### RC-A622

45. In 2004, RC-A622 told the Metropolitan Police that he had been abused and repeatedly raped by Soper in the 1970s when he was a pupil. Abbot Shipperlee heard that RC-A622 had made an allegation (whether from the police or from Mr Turner he was not sure)<sup>386</sup> but he again failed to act and did not seek the details, nor did he commission any risk assessment. He said:

*"I didn't know particularly the details of the case. I did learn them subsequently, and horrifying details they are too."*

Q. It is not long after this that you are instructing David Tregaskis in relation to Father Pearce, and you also instructed him in relation to RC-F41.

A. Yes.

Q. Yet here you had received two allegations in respect of Laurence Soper, and you didn't think it necessary to seek a risk assessment as far as he was concerned?

A. Well, I didn't not think it necessary; otherwise, I would have. Both these accusations, as they have come to me, come from slightly odd directions. This is not an excuse, this is an explanation of how I was perceiving it, in that, one, the first one, in 2001, is a civil claim without any other seeming process; and the second – again, something has happened but nothing is happening. Now, in retrospect, you are quite right, it would have been a very good thing to do, but I did not."<sup>387</sup>

### Further allegations

46. In 2008, further complaints of sexual abuse were made against Soper by RC-A11.<sup>388</sup> However, it was not until May 2010, after another allegation from RC-A591,<sup>389</sup> that Abbot Shipperlee finally travelled to Rome to place him under formal restrictions.<sup>390</sup>

### Response of Abbot Shipperlee to RC-F41

47. In April 2005, RC-A421 disclosed to Mr Turner that he had been abused by RC-F41 while on a school trip to Italy in 1984. RC-F41 admitted to Mr Turner that he had inserted his finger into the anus of the boy, supposedly to relieve his constipation, although *"he realised immediately what he had done was wrong and sinful, and he has worried about it ever since"*.<sup>391</sup>

48. At Mr Turner's recommendation, RC-F41 was removed from public ministry and assessed by Mr Tregaskis. RC-F41 told Mr Tregaskis that *"the fact I felt guilty means perhaps there was (sexual desire)"*.<sup>392</sup> He also disclosed other abusive behaviour, such as *"kissing now*

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<sup>385</sup> Abbot Martin Shipperlee 7 February 2019 10/17

<sup>386</sup> Abbot Martin Shipperlee 7 February 2019 11/6-18

<sup>387</sup> Abbot Martin Shipperlee 7 February 2019 12/14-13/7

<sup>388</sup> INQ001661\_013

<sup>389</sup> BNT007139\_022 para 36.8

<sup>390</sup> Abbot Martin Shipperlee 7 February 2019 15/21

<sup>391</sup> BNT000825\_003

<sup>392</sup> BNT001026\_007

*and then*” and feeling an inappropriate attraction towards some boys (which resulted in his request to give up his position within the school in 1989). He said that his attraction to boys was current, and that sexual images had come into his mind the previous Sunday when he observed an altar boy.<sup>393</sup> Restrictions were imposed upon him.

**49.** RC-F41 could not be prosecuted in respect of RC-A421’s allegation, as the incident had occurred in Italy and so could not at that time (prior to the Sex Offenders Act 1997) be prosecuted in the UK. RC-A421 later made further allegations, for which RC-F41 stood trial in 2007 but was acquitted.

**50.** Despite RC-F41’s admissions in respect of the incident in Italy, Abbot Shipperlee’s response to his acquittal in June 2007 was to question the restrictions upon him. He wrote to Mr Turner that:

*“Parishioners do not understand why he continues to be under restrictions and, to be honest, I’m not sure I do either ... At the moment, it is far from obvious that RC-F41 has ever posed a risk to children.”*<sup>394</sup>

Mr Turner replied that the restrictions had to continue.

**51.** In 2008, Mr Turner received a call from a child protection coordinator in Middlesbrough because RC-F41 had made a request to say mass in a local church. RC-F41 had said that he had been found innocent of all matters and that the diocese *“had been slow in revoking our recommendations”*. Mr Turner informed his counterpart of the true position and RC-F41 was not permitted to perform any public ministry in Middlesbrough.<sup>395</sup>

## The Wright–Nixson report of 2009

**52.** As a result of Pearce’s conviction in August 2009, Abbot Shipperlee proposed an independent review to the Abbot’s Council and said that he would seek the recommendations of CSAS before proceeding.<sup>396</sup> Shortly afterwards he met with an interested member of the public, Jonathan West, who urged him to undertake *“a review of the past to discover as far as possible the scope of the abuse”* and take *“tangible actions to try as far as possible to prevent any repetition of such crimes”*.<sup>397</sup>

**53.** In October 2009, Philip Wright, the Safeguarding Coordinator for the diocese of Arundel and Brighton, and John Nixson, an independent child protection specialist, were instructed to undertake the task. Despite child protection concerns at the Abbey extending beyond Pearce to allegations against both Soper and RC-F41, the review was limited to the offending of Pearce<sup>398</sup> and to two days’ work.<sup>399</sup>

**54.** The authors met Abbot Shipperlee but did not hold any interviews with school staff or others. A copy of the school child protection policy was provided to the authors but they did not check that this complied with Department for Children, Schools and Families guidance as asserted.<sup>400</sup> The main basis of the report was a document produced by Abbot Shipperlee giving the background to allegations against Pearce. However, this omitted a

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<sup>393</sup> BNT001026\_007

<sup>394</sup> DOW000022\_15

<sup>395</sup> DOW000047\_016 para 75

<sup>396</sup> BNT007045\_033

<sup>397</sup> INQ003001\_006

<sup>398</sup> BNT001114

<sup>399</sup> INQ003916\_004 para 22

<sup>400</sup> INQ003916\_004 para 26; INQ003560\_002 para 3

number of allegations, mentioning just RC-A418, RC-A6 and RC-A621.<sup>401</sup> There was no consideration of the underlying documentary material. Mr Nixon, in his written evidence to the Inquiry, stated:

*“With the benefit of further reflection, it is now evident to me that Abbot Martin presented the existing concerns and findings about individual members of the religious community in a minimal manner. At the time this was one aspect of the situation that led me to feel that the review was, to some extent, a mechanical exercise intended to enable Ealing Abbey to satisfy CSAS that it was procedurally compliant rather than fully embracing safeguarding as an essential element of the abbey’s culture for the future.”<sup>402</sup>*

Abbot Shipperlee accepted that the scope of the instructions given to Mr Nixon and Mr Wright could have been broader, but did not agree that he had minimised concerns or that material was withheld. He told us that he had told Mr Nixon and Mr Wright that they could look at anything they wanted, but that they had *“decided that they had wanted to concentrate on present matters. That was their decision on what they wanted to do”*.<sup>403</sup>

**55.** The authors should have made clear their reservations, and the limitations of their review, within the body of their report. As a means of addressing what had gone wrong at Ealing Abbey and St Benedict’s, and what improvements were required, their review was inadequate.

**56.** In August 2010, Ealing Abbey instructed Lord Carlile to conduct another independent review, and Kevin McCoy (a *“child care and social care specialist”*<sup>404</sup>) to undertake a thorough review of files so as to identify matters giving rise to child protection concerns. These reviews were precipitated by the concerns raised in 2010 by external agencies, in particular the Department for Education (DfE) and the Independent Schools Inspectorate (ISI), as well as scrutiny in the media and in Jonathan West’s blog.

### **The response of Christopher Cleugh as headmaster of St Benedict’s**

**57.** In 2002, Dr Dachs was replaced as the lay headmaster of St Benedict’s senior school by Christopher Cleugh. As headmaster, he set the tone for staff, pupils and parents in terms of how child protection concerns were dealt with. Mr Cleugh also had a principal role in addressing, from the school’s perspective, the danger posed by monks identified as risks and placed under restrictions. He was responsible for the school’s interaction with external institutions and its child protection policy. Mr Cleugh’s leadership in all of these areas was inadequate.

#### *The tone of his leadership*

**58.** Mr Cleugh repeatedly minimised questions of child sexual abuse to teachers and to external institutions and parents, to the point of materially misrepresenting significant facts. For example, in a draft letter he wrote to parents in late August 2010 to respond to the publication of the ISI’s follow-up inspection that month,<sup>405</sup> he emphasised that the school had been deemed fully compliant by the ISI in its earlier November 2009 report. This was

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<sup>401</sup> INQ003560\_023-025

<sup>402</sup> INQ003916\_004-005 para 28

<sup>403</sup> Abbot Martin Shipperlee 7 February 2019 30/12-31/25

<sup>404</sup> BNT003761\_001

<sup>405</sup> ISI001130\_001

despite the fact that the ISI's latest report found it not to be so.<sup>406</sup> He also wrote that the ISI had advised him that the child protection policy was "an exemplar of excellence" when it had not.<sup>407</sup>

**59.** The Inquiry heard evidence that Mr Cleugh did not address safeguarding issues openly and proactively. He was defensive.

**59.1.** Mr Halsall said that "When Cleugh became head, I attempted to make him aware of past issues with Pearce and others. He did not welcome this."<sup>408</sup>

**59.2.** Ms Ravenscroft said that after she had raised the allegation of abuse of RC-A418, "the new headmaster, Mr Cleugh, was obviously unhappy" and said he treated her like a traitor.<sup>409</sup>

**59.3.** Ms Mortemore said that when Pearce was being investigated, Mr Cleugh "called a meeting and told us not to talk to anybody outside the school".<sup>410</sup> Mr Cleugh admitted this, although suggested that it was "advice".<sup>411</sup>

**60.** The same defensive approach, painting Ealing Abbey and St Benedict's as the victim, was apparent in a prize-giving address Mr Cleugh gave in 2010. He disparaged media coverage and a blog run by the campaigner Jonathan West:

*"Recent media and blog coverage seem hell-bent on trying to discredit the School and, at the same time, destroy the excellent relationship between School and Monastery. Is this part of an anti-Catholic movement linked to the papal visit? I do not know, but it feels very much as if we are being targeted."*<sup>412</sup>

### Consideration of risks

**61.** Mr Cleugh also did not give due thought to the risks posed by Pearce and RC-F41, despite knowing of the allegations made in respect of them and that they resided next to the school. He raised no concerns about their proximity internally or externally, including to the Charity Commission.

**62.** Pearce remained a trustee of the school until 2004. As Mr Cleugh said:

*"A. All I can say is, I clearly got that wrong, for which I very, very much regret, but at the time, there wasn't a mandatory duty to report, and I regret that I did not do it."*

*Q. Did you think it was appropriate or raise any concerns? Did you just not think about it, that he was a Trustee?"*

*A. I clearly did not think about it and clearly I should have reported it, but there wasn't – it wasn't an automatic thing that I thought about at that time, which I most certainly would have done four or five years later."*<sup>413</sup>

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<sup>406</sup> Christopher Cleugh 8 February 2019 3/21-5/8

<sup>407</sup> Christopher Cleugh 8 February 2019 6/6-7/20

<sup>408</sup> MPS002946\_003

<sup>409</sup> MPS002950\_002

<sup>410</sup> MPS002957\_003

<sup>411</sup> Christopher Cleugh 7 February 2019 129/1

<sup>412</sup> INQ002991\_005

<sup>413</sup> Christopher Cleugh 7 February 2019 130/10-20

**63.** Mr Cleugh showed a lack of concern in respect of RC-F41 when allegations were made in 2005 and restrictions were imposed. He said he had never seen the Tregaskis report and was not aware that RC-F41 had accepted that there might be a sexual motivation to his having inserted his finger into RC-A421's anus. He told us:

*"Q: Do you feel at all that you were kept in the dark about some salient information [about RC-F41] that you should have known?"*

*A: Well, I think – I've admitted that I actually knew the information. I hadn't properly thought about it in that particular sense."<sup>414</sup>*

**64.** In 2006, Mr Cleugh had no concerns about Pearce continuing to reside adjacent to the school:

*"Q. Did you feel it was satisfactory having someone accused of child sexual abuse against whom, once we got to 2006, there had been a civil judgment, did you think it was satisfactory that he should be living adjacent to the school?"*

*A. I think the answer is, in hindsight, I definitely know that that wasn't the case, but I never flagged it up as an issue. And I realise that that's something that I might well – I should have done; not might well have done, should have done."<sup>415</sup>*

**65.** However, Mr Cleugh knew that RC-A621 was working in the monastery, was interested in training for the priesthood and was "close friends with some of the monastic community".<sup>416</sup> Even after the civil judgment against Pearce in 2006, Mr Cleugh did not consider the possibility that Pearce might pose a further risk:

*"I have already unreservedly apologised for what was a very bad judgment on my part in that particular case, yes, absolutely."<sup>417</sup>*

The belated acceptance to this Inquiry of some responsibility for the abuse of RC-A621 was in contrast to the presentation of the case to the ISI in 2009, when the school "accepted no responsibility for the failure of the restrictive conditions imposed on Father David Pearce".<sup>418</sup> This seems to be an example of what Mr Halsall described as a culture of cover-up and denial at the school having been "followed recently by passing the buck".<sup>419</sup>

### *Interaction with external institutions*

**66.** Mr Cleugh failed to represent accurately the situation at St Benedict's to external institutions. For example, he told ISI inspectors at a preliminary visit in July 2009 that one of the monks had been charged with an assault on a pupil doing work experience in the monastery, but omitted that this had occurred while Pearce was under restrictions. He also did not inform them that there had been a civil action in 2006 when substantial damages had been awarded to RC-A6 and abuse found proven in respect of two others, nor about the abuse of four other boys dating back to the 1970s which had resulted in Pearce being convicted.<sup>420</sup> In his evidence, Mr Cleugh referred repeatedly to the information being "all in the letter" to parents dated 2 October 2009, which was also provided to the ISI. He

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<sup>414</sup> Christopher Cleugh 7 February 2019 143/23-144/2

<sup>415</sup> Christopher Cleugh 7 February 2019 132/2-11

<sup>416</sup> Christopher Cleugh 7 February 2019 134/12-16

<sup>417</sup> Christopher Cleugh 7 February 2019 134/18-20

<sup>418</sup> ISI001095\_007

<sup>419</sup> MPS002946\_003

<sup>420</sup> ISI001121\_001

told us that the letter “actually cite[d] the number of cases that he was accused of going back 25/30 years”.<sup>421</sup> However, that letter, written by Abbot Shipperlee, does not provide the detail suggested; it merely refers to there being more than one victim:

*“Fr David Pearce, who taught at St Benedict’s from 1976–1992, pleaded guilty on 10th August to serious criminal offences against children and has now been sentenced to 8 years imprisonment.”*<sup>422</sup>

**67.** Mr Cleugh also failed to inform the ISI that the Charity Commission was undertaking two related statutory inquiries into Pearce’s abuse:

*“I didn’t think that was particularly relevant at the time ... I mean, in retrospect, I should have done it, I accept that. But I obviously didn’t mention it at the time.”*<sup>423</sup>

### *St Benedict’s child protection policy*

**68.** There were significant deficiencies in St Benedict’s child protection policy, in particular with regard to external reporting, which was largely a matter of discretion. These deficiencies are put in sharp focus in light of the above findings in respect of Mr Cleugh and his leadership in the period from 2002 to 2010, which was resistant to external involvement.

**69.** We have not seen any of St Benedict’s child protection policies prior to 2009. However, there are significant defects in the September 2009 version. Most seriously, paragraph 23 provided that allegations of child sexual abuse would not always be referred to the local authority designated officer (LADO) at Ealing social services, or the police, when they should have been:

*“A referral to the [Ealing LADO] or police will not normally be made where:*

- the complaint does not involve a serious criminal offence; and*
- a referral would be contrary to the wishes of a pupil complainant who is of sufficient maturity and understanding and properly informed, and contrary also to the wishes of the complainant’s parents; and*
- the case is one that can be satisfactorily investigated and dealt with under the School’s internal procedures, the parents being kept fully informed, as appropriate.”*<sup>424</sup>

**70.** This 2009 policy claimed to be compliant with the statutory guidance, *Safeguarding Children and Safer Recruitment in Education*. Mr Cleugh said that he had been satisfied that it was compliant.<sup>425</sup>

**70.1.** The statutory guidance, however, explicitly stated that the LADO must be informed whenever there is an allegation that a teacher or member of staff has “*behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child; or behaved towards a child, or children, in a way that indicates she or he is unsuitable to work with children*”.<sup>426</sup>

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<sup>421</sup> Christopher Cleugh 7 February 2019 157/1-6

<sup>422</sup> BNT001164

<sup>423</sup> Christopher Cleugh 7 February 2019 161/5-9

<sup>424</sup> BNT000765\_008

<sup>425</sup> Christopher Cleugh 7 February 2019 169/8-15

<sup>426</sup> Christopher Cleugh 7 February 2019 170/1 to 172/9; INQ003830\_063-067 paras 5.1, 5.14, 5.36

**70.2.** There was no requirement that the allegation involve “*a serious criminal offence*” (which was itself undefined in St Benedict’s policy).<sup>427</sup>

**70.3.** The discretion afforded to St Benedict’s under its own policy not to report an allegation, and to conduct an internal investigation, contradicted the statutory guidance. As a result, the threshold for external reporting was too high and wrongly subject to discretion.

**70.4.** St Benedict’s definition of sexual abuse was also unsatisfactory in the light of statutory guidance.<sup>428</sup>

**71.** Mr Cleugh conceded that the policy “*had flaws*” and “*was wrong*”.<sup>429</sup> While as Mr Cleugh conceded he “*had the overall responsibility*”,<sup>430</sup> responsibility for the deficiencies in the policy does not rest with Mr Cleugh alone, or with his deputy who was the designated child protection lead at the time.<sup>431</sup> The policy had been drafted with the assistance of the school’s solicitors, Veale Wasborough LLP.<sup>432</sup> The ISI inspectors in 2009 found that the policy was compliant, which the ISI has now accepted was a failing on its part.<sup>433</sup> The Charity Commission as well as Mr Wright and Mr Nixon also asserted that the policy was adequate, without proper consideration.<sup>434</sup> It would have been obvious, simply from reading the statutory guidance, that the school’s policy was not compliant.

## D.4: 2010 to the present

### The Carlile report

**72.** Concern with the institutional response of Ealing Abbey and St Benedict’s to allegations of child sexual abuse came to a head in 2010. Pressure came from five directions.

- In December 2009, the Charity Commission published its report following its two statutory inquiries in 2006 and 2008. It was “*extremely critical*” of the trustees’ failure to implement restrictions upon Pearce, and indicated that the Commission would actively monitor the charity.
- The views of certain members of the public gained momentum, especially through Jonathan West’s blog.
- In April 2010 a series of articles appeared in *The Times*<sup>435</sup> and an interview with Abbot Martin Shipperlee was aired on BBC Radio 4.
- Following the withdrawal of the 2009 report, the follow-up ISI inspection of April and May 2010 was critical and made a number of recommendations. These included that St Benedict’s should “*Ensure that any staff or members of the religious community live away from the school, if they are subject to allegations of misconduct or convicted of wrongdoing*”.<sup>436</sup>

<sup>427</sup> Christopher Cleugh 7 February 2019 174/6-8

<sup>428</sup> Christopher Cleugh 7 February 2019 175/22-176/10

<sup>429</sup> Christopher Cleugh 7 February 2019 175/7-21

<sup>430</sup> Christopher Cleugh 7 February 2019 169/8-15

<sup>431</sup> Christopher Cleugh 7 February 2019 169/8-15

<sup>432</sup> Christopher Cleugh 7 February 2019 168/18-20, 173/1

<sup>433</sup> INQ004178\_006 para 13

<sup>434</sup> CYC000255\_004; INQ003916\_004 para 26; INQ003560\_002 para 3

<sup>435</sup> INQ003040\_012-013 para 70

<sup>436</sup> ISI000019\_004

- On 16 July 2010, Penny Jones of the DfE wrote to Shipperlee to inform him that the Minister of State for Schools was seeking “assurance that all ISI’s recommendations will be implemented promptly”.<sup>437</sup>

**73.** It was against this background that, in July 2010, Anthony Nelson of Haworth & Gallagher solicitors was instructed to advise Abbot Shipperlee in connection with child protection issues and the ISI report. He advised that “*the School and the Abbey, the Abbot being essentially the Head of both, should seek to establish trust with the Regulatory Authorities and to avoid at all costs mistrust*”.<sup>438</sup> Subsequently Dr Kevin McCoy was instructed to undertake a documentary review. Mr Nelson also contacted Lord Carlile, with whom he had a previous professional connection,<sup>439</sup> writing:

*“It is suggested at this stage by the lay person advising the Abbey that an independent report, chaired by yourself in conjunction with Dr McCoy’s particular skills, would be advantageous to the Abbey.”*<sup>440</sup>

Lord Carlile agreed, but on the understanding that the report would be published online and printed copies made available upon request. His inquiry was formally announced in August 2010.<sup>441</sup>

**74.** Abbot Shipperlee subsequently presented written representations to Lord Carlile in January 2011, in which he suggested that the purpose of reform should be to implement five principles:

- 1. to create a governing body with clear independence and autonomous decision-making power;*
- 2. to establish clear accountability between school management, governors and Trustees;*
- 3. to create a system of governance that is transparent and understandable to outsiders;*
- 4. to develop a governing body capable of addressing any concerns over Safeguarding, and monitoring the effective implementation of policies and procedures in this area;*
- 5. to ensure the Benedictine nature of the school is preserved. This remains a particular principle for St Benedict’s, Ealing, and part of the choice parents make to send their children to the school.”*<sup>442</sup>

**75.** Lord Carlile’s final report was produced in November 2011. In it, he agreed with Abbot Shipperlee as to the principles, but continued:

*“It has been suggested to me that these purposes could be met by changes to the existing governance structure under a single trust, with delegation of functions to committees with some guarantees of independence. I do not agree. I have no doubt that circumstances have given rise to an overwhelming imperative for the creation of two charitable trusts ...”*<sup>443</sup>

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<sup>437</sup> ISI001117\_001

<sup>438</sup> BNT001139\_001

<sup>439</sup> INQ003700\_002 para 11

<sup>440</sup> INQ002984\_004

<sup>441</sup> BNT001113\_003

<sup>442</sup> BNT001124\_002

<sup>443</sup> BNT001113\_012

**76.** Abbot Shipperlee enacted the formal separation of the school from the monastery swiftly after Lord Carlile's report, notwithstanding his initial reservations about that course. Given external pressures he had little choice. For example, the DfE was provided with an embargoed copy of the report ahead of publication, and concluded that the report's recommendation, if implemented, would bring about the necessary changes to the management and leadership of the school.<sup>444</sup> St Benedict's duly became formally independent of Ealing Abbey on 1 September 2012.

### St Benedict's post-Carlile

**77.** Following the separation, St Benedict's became a registered charity and a company limited by guarantee, independent of the Abbey. The chair of the governing body must be a lay person. The majority of other governors are lay: only the Abbot and two members of the Ealing monastic community are governors, along with 10 to 17 others.

**78.** After the identification of defects in its child protection policy in 2010, there followed a lengthy process of revision in light of concerns raised by the ISI and Jonathan West. Since at least October 2013, external reporting to the LADO of all complaints or suspicions of abuse has been compulsory.<sup>445</sup>

**79.** In 2016, Andrew Johnson was appointed headmaster of St Benedict's. He described a number of improvements to safeguarding, including record-keeping and vetting, compulsory reporting to Ealing social services, safeguarding training for staff, information for students and parents, and the operation of the safeguarding sub-committee under the chair of Sue Vale, an education consultant with relevant expertise.<sup>446</sup> Mr Johnson also outlined that he had commissioned an audit report from Philip Threlfall, an independent safeguarding consultant, whose conclusion was that Mr Johnson, Ms Vale and St Benedict's staff were "*absolutely committed*" to safeguarding, and that "*the right things are in place*".<sup>447</sup> It is the responsibility of all those at the school to remain vigilant and ensure that safeguarding remains a priority.

### Developments at Ealing Abbey

**80.** The instruction of Lord Carlile and the implementation of his key recommendation of structural separation were significant developments undertaken by Abbot Shipperlee. They reflected a more proactive approach by him to trying to learn the lessons of the past and make changes for the future. However, there remained deficiencies in his approach and judgement in the period from 2010.

**81.** In July 2010, the DfE wrote to Abbot Shipperlee asking him to implement all the ISI's recommendations,<sup>448</sup> in particular regarding the residence of monks ("*Ensure that any staff or members of the religious community live away from the school, if they are subject to allegations of misconduct related to safeguarding or convicted of wrongdoing*"<sup>449</sup>). This recommendation plainly encompassed RC-F41, nonetheless Abbot Shipperlee did not immediately relocate RC-F41. However, he did commission a further report from Mr Tregaskis.<sup>450</sup> On 12 October

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<sup>444</sup> INQ003857\_010 para 43

<sup>445</sup> BNT000757\_005; BNT000757\_015

<sup>446</sup> BNT007137

<sup>447</sup> BNT007148

<sup>448</sup> BNT000928

<sup>449</sup> ISI000019\_004

<sup>450</sup> BNT001015\_002

2010, the Minister of State for Schools, Nick Gibb MP, wrote to the Charity Commission expressing concern that the DfE did not have the jurisdiction to enforce RC-F41 living away from the monastery.<sup>451</sup> Shortly after, on 15 October 2010, Mr Nelson informed the DfE that Abbot Shipperlee would ensure that RC-F41 would move from Ealing Abbey by early January 2011. However, when RC-F41 was moved that month,<sup>452</sup> Abbot Shipperlee failed to inform the Diocese of Brentwood (in breach of the CSAS cross-boundary placement policy<sup>453</sup>). The Bishop of Brentwood subsequently asked that RC-F41 be moved because the diocesan safeguarding commission felt that the premises were unsuitable.<sup>454</sup> Thereafter another location for him was found.

**82.** There was insufficient monitoring of the restrictions upon RC-F46. The restrictions were first imposed following the allegations of RC-A423 in April 2010. These were subsequently found to be “*unsubstantiated, but not unfounded*”.<sup>455</sup> Taken together with allegations made against him by RC-A422 at St Augustine’s Priory, a local girls’ school, the multi-agency strategy meeting determined that the restrictions were to be maintained. Yet members of the monastic community were not informed of the terms of the covenant of care.<sup>456</sup> Further, for a significant period into 2011, RC-F46 not only refused to agree to his covenant<sup>457</sup> but also sought to evade the restrictions, which came to include that he should “*only access Ealing Abbey Church during the monastic office and with other members of the monastic community and at other times only with the explicit permission of the abbot*”.<sup>458</sup>

**83.** RC-F46’s restrictions were not reviewed annually, as they should have been.<sup>459</sup>

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<sup>451</sup> [BNT000848\\_002](#)

<sup>452</sup> [BNT001005\\_002](#)

<sup>453</sup> [Abbot Martin Shipperlee 7 February 2019 25/9; Peter Turner 6 February 2019 35/14-37/9](#)

<sup>454</sup> [DOW000047\\_017](#) para 80

<sup>455</sup> [BNT000984\\_001](#)

<sup>456</sup> [Abbot Martin Shipperlee 7 February 2019 43/10-22](#)

<sup>457</sup> [Abbot Martin Shipperlee 7 February 2019 43/23-44/10](#)

<sup>458</sup> [Peter Turner 6 February 2019 38/7-25](#)

<sup>459</sup> [Abbot Martin Shipperlee 7 February 2019 65/8-10](#)

## Part E

# Response of Catholic bodies

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# Response of Catholic bodies

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## E.1: Introduction

1. There was a response to the abuse perpetrated at Ealing Abbey and St Benedict's School from three tiers of Catholic institutions:

- the Diocese of Westminster child protection team, with which Ealing Abbey was aligned and which gave advice to Abbot Shipperlee;
- the English Benedictine Congregation (EBC), in particular the Abbot President; and
- the Holy See in Rome and its diplomatic representative in the UK, the Apostolic Nuncio.

## E.2: Diocese of Westminster

2. In 2001, following the Nolan report, Ealing Abbey referred safeguarding matters to the Diocese of Westminster child protection team. The rationale for this arrangement, as the Nolan working group of the EBC made plain, was so that each monastery could have “*the support of experienced, impartial advice*”.<sup>460</sup> This alignment eventually became more formalised in a written agreement in 2013.<sup>461</sup> Then the Abbot of Ealing Abbey became formally obliged to refer questions to the renamed Safeguarding Service, although the Diocese cannot force the abbot to comply with its recommendations.<sup>462</sup> In practice, however, Abbot Shipperlee did refer questions to the Diocese of Westminster child protection team throughout his time as abbot, and did comply with its recommendations.<sup>463</sup>

3. The key official in the Diocese of Westminster child protection team was the Child Protection Officer. From 2002 to 2014, this was Mr Peter Turner, a former police officer of 35 years with experience in child protection matters.<sup>464</sup> He worked under the leadership of the Child Protection Coordinator, Monsignor Harry Turner. Peter Turner was responsible for carrying out the team's tasks.<sup>465</sup> His work included dealing with complainants (if allegations were made direct to the Diocese), liaising with external agencies (in particular social services and the police) and providing advice to priests and religious (ie a person bound by religious vows, such as a monk or a nun, but in this context, generally the Abbot of Ealing Abbey) about safeguarding matters such as restrictions.<sup>466</sup>

4. The relevant child protection policies were initially those of the Catholic Office for the Protection of Children and Vulnerable Adults (COPCA), established after the Nolan report in 2001. From 2008, these policies were replaced by those of the Catholic Safeguarding Advisory Service (CSAS).<sup>467</sup>

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<sup>460</sup> BNT002382\_009

<sup>461</sup> INQ003925; Peter Turner 5 February 2019 178/13-23

<sup>462</sup> DOW000051 paras 46–49

<sup>463</sup> Peter Turner 6 February 2019 47/2-18

<sup>464</sup> Peter Turner 5 February 2019 161/5-19

<sup>465</sup> Peter Turner 5 February 2019 163/12-24

<sup>466</sup> Witness statement of Peter Turner (DOW000047\_003-006 paras 12–25)

<sup>467</sup> Peter Turner 5 February 2019 164/5, 173/3-6

5. These policies included requirements to maintain a child protection case file for every case, and to refer allegations of child abuse to statutory authorities immediately. Contrary to these policies, there were numerous failings in record-keeping.

5.1. For example, Peter Turner failed to record:

- the complaint made by RC-A418 in 2001 that he had been sexually abused by Father David Pearce in 1992;<sup>468</sup>
- his recommendation in 2002 that Pearce should not come into any contact with children (which he had assured the police that he would make);<sup>469</sup> and
- RC-A419's complaint of sexual abuse by Pearce committed in the 1970s.<sup>470</sup>

Mr Turner also failed to obtain and keep full records of the restrictions upon Pearce.

5.2. Some failures in record-keeping predated Mr Turner. For example, in 2004, he told the police that there were no previous allegations in respect of Soper,<sup>471</sup> who was then being investigated in respect of RC-A622's complaints. In fact, the Diocese of Westminster child protection team was aware of RC-A420's claim in 2001 (before Mr Turner's time) but no records of this were kept.<sup>472</sup>

The significance of such failures is obvious: it means that an accurate picture of allegations was not maintained or available in the event of subsequent concerns.

6. The advice given to Abbot Shipperlee in respect of imposing restrictions upon Pearce and others was deficient. First, in identifying the restrictions upon Pearce, Mr Turner and the Diocese of Westminster child protection team overlooked that RC-A419's account was of abuse by Pearce during a visit as a family friend.<sup>473</sup> Pearce was allowed to continue to visit families within the parish; the only condition was *"that he does not wear clerical dress and that the families are bona fide families/friends"*.<sup>474</sup> The conditions should also have stipulated that friends and families be made aware of the restrictions upon him, as Mr Turner admitted in his evidence to us.<sup>475</sup> Similarly, Mr Turner did not ask whether any young people worked in the monastery:

*"I just assumed that they had kitchen staff working at a weekend like they did during the week.*

*Q: Was that a safe assumption to make?*

*A: With hindsight, no."*<sup>476</sup>

<sup>468</sup> Peter Turner 6 February 2019 3/1-4/3

<sup>469</sup> Peter Turner 6 February 2019 3/1-5/10

<sup>470</sup> Peter Turner 6 February 2019 6/9-21

<sup>471</sup> Peter Turner 6 February 2019 42/14-22

<sup>472</sup> Peter Turner 6 February 2019 41/10-42/3; DOW000030\_005

<sup>473</sup> BNT001208\_006

<sup>474</sup> BNT000829\_003

<sup>475</sup> Peter Turner 6 February 2019 11/25-12/7

<sup>476</sup> Peter Turner 6 February 2019 17/17-21

7. Mr Turner also failed to advise Abbot Shipperlee as to how the restrictions should be implemented and monitored.<sup>477</sup> Mr Turner had more experience of child protection matters than Abbot Shipperlee, including the difficulties there may be in monitoring compliance with restrictions. As he told the Inquiry:

*“in my experience, especially with sex offenders, they will do anything to get around any restrictions that are placed upon them”.*<sup>478</sup>

8. There was also a failure by Mr Turner to review the risk posed by Pearce in light of relevant developments, such as the civil judgment in favour of RC-A6 in 2006.<sup>479</sup>

9. Despite this lack of proper consideration of the risk posed by Pearce or of what action the Diocese of Westminster child protection team should take, Mr Turner informed the Deputy Child Protection Manager at the London Borough of Ealing in July 2006 that:

*“I am certain that [Pearce has] been removed from all Ministry, and [does] not have any contact with Children or Young Persons, and that no further action is required at this stage.”*<sup>480</sup>

This assertion was made solely on the basis of the fact that restrictions had been put upon Pearce, rather than on how they had been implemented and monitored. To suggest ‘certainty’ was misleading.<sup>481</sup>

10. This same lack of proper consideration is evident in the Diocese of Westminster child protection team’s failure to review or reflect on its approach after it was discovered that Pearce had abused RC-A621 while under restrictions.<sup>482</sup>

11. The Diocese of Westminster child protection team was under-resourced for much of this period (2002 to 2014). That may have contributed to its failures in respect of Ealing Abbey and more broadly (an audit in 2011 by Adrian Child of CSAS found standards not met in a number of areas, including casework and recording practice).<sup>483</sup> Mr Turner’s role required him to undertake operational child protection work in respect of 200 parishes and 80 religious congregations. At first, he worked alone, whilst later he had a part-time assistant and, later still, a part-time Disclosure and Barring Service administrator. As Mr Turner’s successor, Eva Edohen, said:

*“It became apparent very quickly after I started in May 2014 that it was impossible for one person to carry out the role ... or provide the essential services.”*<sup>484</sup>

Mr Turner said that he had repeatedly raised the issue of resources during his time between 2002 and 2014.<sup>485</sup> Regardless of the issue of resources, there were occasions when Mr Turner and the Diocese of Westminster child protection team acted appropriately. For example, they refused to agree with Abbot Shipperlee’s request in 2007 that the restrictions upon RC-F41 be lifted.<sup>486</sup>

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<sup>477</sup> Peter Turner 6 February 2019 15/22-25

<sup>478</sup> Peter Turner 6 February 2019 14/11-13

<sup>479</sup> Peter Turner 6 February 2019 19/4-12

<sup>480</sup> DOW000045\_002

<sup>481</sup> Peter Turner 6 February 2019 21/22-24

<sup>482</sup> Peter Turner 6 February 2019 26/10-27/4

<sup>483</sup> Peter Turner 6 February 2019 44/11-20; INQ003932

<sup>484</sup> INQ003929\_006

<sup>485</sup> Peter Turner 6 February 2019 45/20-46/19

<sup>486</sup> BNT000826\_002

**12.** The broader issue of diocesan funding for child protection may be considered in the wider investigation into the Roman Catholic Church. We note the evidence given by Reverend Jeremy Trood, the Episcopal Vicar for Safeguarding for the Diocese from 2013 until October 2018, that since 2014 the Diocese has restructured its Safeguarding Service,<sup>487</sup> increased staff from two to five, and more than doubled funding.<sup>488</sup>

## E.3: English Benedictine Congregation

### Ealing Abbey

**13.** A *motu proprio* (ie a personal edict from the Pope to the Roman Catholic Church) was issued by the Pope in April 2001 making the sexual abuse of children a serious delict (or crime in canon law), and requiring superiors to report clerics against whom there was 'probable knowledge' of child sexual abuse to the Congregation for the Doctrine of Faith (CDF).<sup>489</sup>

**14.** The Abbot President from 1985 to 2001 was Francis Rossiter. As he was also Abbot of Ealing, his powers and duties as Abbot President were exercised in respect of Ealing by the first assistant of the EBC. From 1985 to 1997, the first assistant was Abbot Patrick Barry of Ampleforth and from 1997 to 2001, Abbot Stephen Ortiger of Worth.<sup>490</sup> At some point Abbot Ortiger learned of allegations of child abuse against Pearce, and he passed on this information to Dom Richard Yeo when Yeo became Abbot President in 2001.<sup>491</sup> However, Abbot President Yeo did nothing about Pearce at this point.<sup>492</sup>

**15.** Abbot President Yeo undertook visitations of Ealing Abbey on five occasions, in 2003, 2007, 2010, 2013 and 2016. He was also initially involved, alongside Bishop John Arnold (auxiliary bishop of Westminster), in an Apostolic Visitation which was ordered by the CDF in 2011, following the Carlile report.<sup>493</sup>

**16.** During his 2003 visitation, monks raised concerns with Abbot President Yeo about Pearce and his going onto the school territory. He spoke to Abbot Shipperlee about it, and said that Pearce should not be going through the school. However, Abbot President Yeo did not record the details of that advice, nor did he address it in his report to the monks as a whole.<sup>494</sup> It does not appear that he was treating the issue with due seriousness. In his evidence to us, Dom Yeo criticised Abbot Shipperlee, saying "*that it all seemed to be rather casual*",<sup>495</sup> however his own approach was no less so.

**17.** The 2007 visitation took place after several further serious allegations had been made against Pearce and the civil court had given judgment against him in 2006. Abbot President Yeo did not read that judgment; although he knew of the trial, he told us "*I don't think I knew then about the judge's comments*".<sup>496</sup> He did not inquire into the restrictions upon Pearce and gave no consideration to the details of managing the risk that Pearce posed to children.<sup>497</sup> In

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<sup>487</sup> Following the Cumberlege review, the Diocese of Westminster child protection team was renamed the Safeguarding Service.

<sup>488</sup> DOW000051 paras 19-22

<sup>489</sup> Ampleforth and Downside Investigation Report p119

<sup>490</sup> BNT006991\_001 para 3

<sup>491</sup> BNT006991\_004 para 16

<sup>492</sup> Dom Richard Yeo 7 February 2019 79/9-25

<sup>493</sup> BNT006963\_001

<sup>494</sup> Dom Richard Yeo 7 February 2019 80/4-22; 83/12-19

<sup>495</sup> Dom Richard Yeo 7 February 2019 83/11

<sup>496</sup> Dom Richard Yeo 7 February 2019 84/9-22

<sup>497</sup> Dom Richard Yeo 7 February 2019 85/1-20

his report to the monastic community, there was no express recognition of the fact that the judge in the civil proceedings had found that Pearce had abused RC-A6 and others. Rather, in that report he referred to the impact on Pearce himself, and thereby the community:

*“all of you have been bruised by what has taken place – not only [RC-F41] and Father David but also the rest of you, because you are their brothers and when they are hurt, you are hurt.”*<sup>498</sup>

**18.** In August 2009, Abbot President Yeo wrote a general report for the Holy See, following the EBC’s General Chapter. By that time, Pearce had been charged with the abuse of RC-A621, a current pupil at St Benedict’s, committed while he was under restrictions. However, Abbot President Yeo’s report said only that:

*“there is a court case pending which could cause serious damage to Ealing Abbey. It needs to be stressed that the problems arise as a result of abuse that is revealed to have taken place many years ago ...”*<sup>499</sup>

There were two mistakes here. First, Abbot President Yeo’s assumption that the abuse was entirely historic. Second, his representation of it as such without checking the facts. These illustrate a failure to obtain a proper understanding of the problem.

**19.** In 2010, Abbot President Yeo undertook an Extraordinary Visitation between 30 August and 7 September, in part as a result of Abbot Shipperlee asking for help. As he told us, *“I think we both realised that something needed to be done.”*<sup>500</sup> In his report, Abbot President Yeo stated that he would enact two Acts of Visitation (ie decrees requiring compliance):<sup>501</sup>

*“I want to state in unequivocal terms, and this will be the subject of an Act of Visitation, that any member of the community who is under such restrictions is bound, in virtue of the vow of obedience, to observe those restrictions in full, and failure to observe them could lead to serious disciplinary action being taken against that person.”*<sup>502</sup>

*“it is very important to be absolutely clear: there is never any excuse for the sexual abuse of children, young people and vulnerable adults. No member of the community may say or imply, either inside the community or when speaking to outsiders, that any victim who pressed charges against Father David has done wrong. This is so important that it will be the subject of an Act of Visitation, which means that it binds in virtue of the vow of obedience.”*<sup>503</sup>

**20.** Dom Yeo conceded to us that, in retrospect:

*“I should probably have suggested at the 2007 Visitation that it was too serious a risk to allow ... Pearce to continue to live in the monastery.”*<sup>504</sup>

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<sup>498</sup> BNT001001\_004

<sup>499</sup> BNT003517\_006

<sup>500</sup> Dom Richard Yeo 7 February 2019 87/4-5

<sup>501</sup> For more detail on acts of visitation, see Ampleforth and Downside Investigation Report p9.

<sup>502</sup> BNT002388\_016

<sup>503</sup> BNT002388\_019

<sup>504</sup> BNT006991\_028

## The EBC's wider structural response

**21.** There were some general developments in respect of safeguarding during Dom Yeo's time as Abbot President. As referred to above, in 2001, post-Nolan, the EBC set up a working group "to propose a common framework of procedures for Child protection in the houses of the Congregation in light of the recommendations of the Nolan report".<sup>505</sup> At the EBC's General Chapter of 2013, it was decided that an expert review of safeguarding would be undertaken before any Ordinary Visitation of a monastery took place.<sup>506</sup> The Abbot President was also given a supervisory role, independent of visitations, thereby strengthening his role in overseeing individual monasteries.<sup>507</sup> In July 2017, the General Chapter made further changes, amending the EBC constitutions so that an abbot may now require a monk to live outside his monastery for safeguarding reasons, whether or not the monk has agreed to move.<sup>508</sup>

**22.** However, the response of the EBC did not proceed quickly enough. Christopher Jamison (who is Abbot of Worth Abbey) was elected Abbot President on 1 August 2017. He told us:

*"I think individual abbots and the Abbot President have not, in the past, exercised sufficient authority and leadership in these areas ..."*<sup>509</sup>

Abbot President Jamison told us that he has instigated a number of changes since he took up his position as Abbot President. These changes are addressed in Part G.

## E.4: Holy See

### The Apostolic Visitation

**23.** The primary response of the Holy See in respect of events at Ealing Abbey was the request for an Apostolic Visitation in 2011. This would appear to have been authorised in response to a lengthy letter of 18 June 2011, sent by Jonathan West, a member of the public and campaigner, to the Apostolic Nuncio:

*"I request that there be an intervention from the highest levels within the Church. It seems to me that an Apostolic Visitation might be an appropriate response to the situation, to ensure the safety of the children of the schools and of the parish."*<sup>510</sup>

**24.** The Apostolic Visitation was undertaken by Bishop Arnold and, initially, Abbot President Yeo. The recommendations of the final report in 2012 were that:

- Abbot Shipperlee should not be removed from office;
- the CDF should accept the relevant recommendations made in the Carlile report;
- the EBC should make a further canonical visitation of Ealing Abbey; and
- the healing of those who have been abused was of paramount importance.<sup>511</sup>

<sup>505</sup> BNT002382\_007

<sup>506</sup> BNT006991\_027 para 128

<sup>507</sup> INQ003781\_027 para 79

<sup>508</sup> BNT007129\_006; INQ003781 para 66; Abbot President Christopher Jamison 8 February 2019 77/21-24

<sup>509</sup> Abbot President Christopher Jamison 8 February 2019 77/15-17

<sup>510</sup> BNT002473\_005

<sup>511</sup> BNT002396\_005; BNT002396\_006

**25.** A shortened version of the report was subsequently published, in which the CDF endorsed the recommendations that healing was of paramount importance and that there should be a further canonical Visitation in 2013. However, no mention was made of Abbot Shipperlee, or of accepting the recommendations of the Carlile report. Abbot President Yeo emailed Bishop Arnold in August 2012:

*“As regards the press release, just remember that the one thing you are not allowed to say is that Rome endorsed Carlile!”<sup>512</sup>*

This statement, that Lord Carlile’s report was not to be officially endorsed, was based on instructions from the Holy See.<sup>513</sup> In answering questions in our inquiry, Dom Yeo could not explain it.<sup>514</sup> He did offer two suggestions: first, that there was no need for Rome’s endorsement, as Abbot Shipperlee had already endorsed Lord Carlile’s report, and second, that the CDF did not want to make a statement in respect of schools.<sup>515</sup> The reason for the apparent reluctance of the Holy See to approve publicly Lord Carlile’s recommendations therefore remains an open question. In practice, the Holy See did approve the changes recommended by Lord Carlile, including the giving of part of Ealing Abbey’s property to St Benedict’s School, when it became independent of the Abbey.<sup>516</sup>

## Laurence Soper

**26.** In 2002, Laurence Soper went to Sant’Anselmo, the international Benedictine college in Rome, to take up a post as Treasurer of the Confederation. The Abbot Primate of Sant’Anselmo was Abbot Primate Notker Wolf, and the Prior was Father Elias Lorenzo.

**27.** Despite the complaints against Soper made by RC-A420 in 2001 and RC-A622 in 2004 (both of which involved allegations of rape, when RC-A420 was an inmate at Feltham Young Offender Institution and when RC-A622 was a pupil at St Benedict’s), it seems that neither Abbot Shipperlee nor Abbot President Yeo informed Abbot Primate Wolf or Father Lorenzo of the allegations. It was not until some time after the Metropolitan Police had interviewed Soper for the second time in June 2009 (following further allegations made by RC-A11) that those with oversight of Soper in Rome were told.<sup>517</sup> That was in 2010, and thereafter Soper was put under restrictions at Sant’Anselmo.<sup>518</sup> By that stage he had lived there without any restrictions for nearly eight years.

**28.** Later that year, Soper was again interviewed by the police in London, and again released on bail pending further police investigation. He was due to return to Heathrow police station to answer that bail and for further interview on 8 March 2011, but he failed to attend.<sup>519</sup> It was subsequently discovered that, although he had left Sant’Anselmo on 4 March on the pretext of returning to the UK for that purpose,<sup>520</sup> he had in fact absconded.

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<sup>512</sup> BNT003195\_001

<sup>513</sup> Dom Richard Yeo 7 February 2019 95/16-19

<sup>514</sup> Dom Richard Yeo 7 February 2019 95/6-24

<sup>515</sup> Dom Richard Yeo 7 February 2019 95/25-96/9

<sup>516</sup> BNT006991\_025 para 119

<sup>517</sup> BNT006991\_007 para 31

<sup>518</sup> BNT001105

<sup>519</sup> OHY006751\_017

<sup>520</sup> MPS002948\_005

**29.** It was not until 2016 that Soper was traced to Kosovo, then detained and extradited to the UK to face trial. It appears that during his time in hiding he supported himself with substantial private funds that he had received on the death of his parents in 2009.<sup>521</sup> He kept this money in a private bank account at the Vatican Bank (also known as the Institute of Works of Religion (IOR)) and on 8 March 2011, having arrived in Kosovo, he cashed a cheque for 200,000 Euros drawn from that account.<sup>522</sup> He made nine further transfers from his Vatican Bank account between March 2011 and February 2015.<sup>523</sup> Papers taken from him on his arrest show that on at least the last two occasions, 12 May 2014 and 2 February 2015, he transferred the money by faxing a payment order to the Vatican Bank, giving his address in Kosovo.<sup>524</sup> However, later attempts by Soper to transfer money in 2016 failed, causing him on 28 March 2016 to write a letter to the IOR asking for the address on the account to be changed, and transfer to be made.<sup>525</sup>

**30.** In November 2015, Detective Sergeant (DS) Chris Sloan of the Metropolitan Police was tasked to assist with undertaking financial enquiries in relation to Soper.<sup>526</sup> In November and December 2015, DS Sloan asked for two intelligence requests to be made of the Holy See through the National Crime Agency (NCA), which was the gateway for such international enquiries.<sup>527</sup> According to Commander Neil Jerome, it appears that although DS Sloan did not himself receive any response, the NCA was provided with information originating from the Holy See that led to Soper's eventual arrest in Kosovo in May 2016.<sup>528</sup>

**31.** We do not know what the Holy See knew, whether any steps were taken after Soper's disappearance to discover whether he had an account at the Vatican Bank, or whether they had any information that might have assisted in locating him earlier.

**32.** Prior to the hearing we sought a witness statement from the Holy See in relation to these, and other, matters. The Chair's powers to compel evidence are limited to the United Kingdom and as a result the request to the Holy See has been to provide information on a voluntary basis. The request was initially made to the Apostolic Nuncio to the United Kingdom, the Holy See's diplomatic representative in the UK. He is covered by diplomatic immunity and therefore cannot be compelled to give evidence.

**33.** Our request asked a number of questions in respect of a series of factual issues. The Holy See has confirmed that it does not intend to provide a witness statement. As a result, the Inquiry is unable to fully understand and assess the role that the Holy See may have played. We continue to pursue this matter with the Holy See, with the assistance of the Foreign and Commonwealth Office, and have recently received some documentation which is being reviewed and may be considered further, if necessary, during the hearings we are holding in October and November 2019.

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<sup>521</sup> OHY007769\_002-006

<sup>522</sup> INQ001661\_023

<sup>523</sup> OHY007769\_012

<sup>524</sup> OHY007769

<sup>525</sup> OHY007769

<sup>526</sup> OHY007897\_004 para 12

<sup>527</sup> OHY007897\_004-005 paras 14, 15

<sup>528</sup> OHY007897\_008



## Part F

# Response of external institutions

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# Response of external institutions

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## F.1: Introduction

1. Statutory authorities were involved in responding to the allegations of child sexual abuse at Ealing Abbey and St Benedict's School (St Benedict's) in a variety of ways.

- The Metropolitan Police Service and Crown Prosecution Service were responsible for investigating and prosecuting criminal complaints.
- The Charity Commission undertook statutory reviews of Ealing Abbey as part of its duty to regulate it as a charity.
- The Department for Education (DfE) regulated St Benedict's, with the assistance of the Independent Schools Inspectorate (ISI) which inspected the school against statutory standards.
- The London Borough of Ealing was the local authority in which Ealing Abbey and St Benedict's are located.

These institutions should work together to promote safeguarding and take effective action. In fact, as set out below, their responses were at times deficient, both individually and collectively.

## F.2: Metropolitan Police Service

2. There were deficiencies in the response of the Metropolitan Police both within individual investigations and more broadly. This was recognised by Commander Neil Jerome, Commander of the Specialist Crime Unit, in his evidence to us.<sup>529</sup> He told us that 66 complaints<sup>530</sup> had been made to the police in respect of Ealing Abbey and St Benedict's between 1992 and 2018. These resulted in 28 charges and convictions of five individuals: David Pearce, Laurence Soper, John Maestri, Stephen Skelton and Peter Allott.

3. Commander Jerome explained<sup>531</sup> that of the 32 allegations made before July 2011:

- the police decided to take no further action in relation to eight;
- the Crown Prosecution Service decided not to prosecute three;
- not guilty verdicts were reached in three; and
- the remaining 18 resulted in convictions.

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<sup>529</sup> Neil Jerome 5 February 2019 1-105

<sup>530</sup> One of these was in fact not an allegation but an admission of abuse towards an unnamed boy that was volunteered by Maestri.

<sup>531</sup> OHY006752

Of the 33 allegations made after July 2011:

- 22 resulted in police decisions to take no further action, for various reasons which included the alleged perpetrator being deceased, insufficient evidence or the complainant not wanting to proceed with the allegation;<sup>532</sup>
- the Crown Prosecution Service decided not to prosecute in three;
- the allegations were transferred to other forces in two; and
- there were six convictions.

4. In 2001, RC-A418 told the police that Pearce had forcibly grabbed his trousers and pants and looked down into his pants, and that Pearce had put his hands down the swimming trunks of another boy, RC-A632, “*for a couple of seconds having a feel around*”.<sup>533</sup> Abbot Martin Shipperlee also informed the police of the earlier complaints of both RC-A595 in 1992 and RC-A631 in 1998.<sup>534</sup> Formal statements were taken from both RC-A418 and RC-A632. A third former pupil also told police in 2001 that he had witnessed Pearce unnecessarily forcing a child to get undressed in front of him.<sup>535</sup>

5. Despite this, the Metropolitan Police failed to investigate appropriately. In July 2002, Detective Sergeant (DS) Gareth Morgan decided to take RC-A418’s allegations no further, and did not even consider it necessary to interview Pearce in respect of them.<sup>536</sup>

*“I have been unable to find evidence of any criminal offences”.*<sup>537</sup>

This was unreasonable because there was evidence of indecent assault, as Commander Jerome agreed.<sup>538</sup> DS Morgan also observed that RC-A418 and RC-A632 were “*reluctant to give evidence in court*”.<sup>539</sup> This was despite RC-A632 saying in December 2001 that he would be willing to attend court and there being nothing in the crime report to suggest a change in his mind.<sup>540</sup> While RC-A418 was initially uncertain about making a formal statement, he had subsequently done so on 19 November 2001.<sup>541</sup> Even if RC-A418 and RC-A632 were reluctant to give evidence in court, there is nothing to suggest that consideration was given to measures that could be used to support them.<sup>542</sup> There is no evidence that the 1992 case file relating to RC-A595 was properly considered.<sup>543</sup> There is nothing in the police records to indicate that the allegation of RC-A418 was referred to social services. This was particularly striking as Pearce was still working and living at the Abbey, adjacent to the school.<sup>544</sup> Given the concerted effort of a teacher, Katherine Ravenscroft, and a monk, Father Alban Nunn, to bring concerns about Pearce to the Metropolitan Police’s attention, it is regrettable that this investigation into RC-A418’s complaint should then have been handled and dismissed in such a manner.

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<sup>532</sup> [OHY006752](#)

<sup>533</sup> [OHY006649\\_016](#)

<sup>534</sup> [MPS003014\\_027](#) (RC-A631); [MPS003014\\_033](#) (RC-A595)

<sup>535</sup> [MPS003014\\_037](#)

<sup>536</sup> [MPS003014\\_043-045](#)

<sup>537</sup> [MPS003014\\_043-044](#)

<sup>538</sup> [Neil Jerome 5 February 2019 53/22-25](#)

<sup>539</sup> [MPS003014\\_044-045](#)

<sup>540</sup> [Neil Jerome 5 February 2019 54/10-19](#)

<sup>541</sup> [MPS003014\\_35](#)

<sup>542</sup> [Neil Jerome 5 February 2019 54/20-25](#)

<sup>543</sup> [MPS003066\\_001](#) suggests that it may have been called by Morgan on 14 November 2001, but there are no substantive comments upon it in the case file for RC-A418’s complaint.

<sup>544</sup> [Neil Jerome 5 February 2019 49/9-19](#)

6. The lack of care is likewise evident when another officer, Detective Constable (DC) Kevin Hudson, picked up the case again in 2004, after RC-A6's complaint. DC Hudson appears to have made no effort to contact Ms Ravenscroft. There is no evidence of his having contacted St Benedict's to enquire of her whereabouts. He recorded on the police record of the investigation that she was an "ex teacher" and "untraceable", yet Ms Ravenscroft was still teaching at St Benedict's.<sup>545</sup>

7. There were also several weaknesses in the police investigation in the case of RC-A6, who in 2004 made a number of allegations against Pearce, including being abused in the school infirmary.

8. RC-A6 felt unsupported by the police. On 18 May 2004, DC Hudson noted: "*I have not been able to progress this investigation, due to other work commitments. I have update[d] the victim [RC-A6] to that effect*".<sup>546</sup> RC-A6 told us:

*"I rang Hudson to enquire about the investigation after a large period of silence and was told he was investigating a girl who had suffered more than me, so therefore my case was less important. I felt awful and ashamed about myself."*<sup>547</sup>

When asked whether this was an appropriate thing to say, Commander Jerome said "*Absolutely not*".<sup>548</sup>

9. Further, when DC Hudson presented the case of RC-A6 to the Crown Prosecution Service, there is no evidence that previous allegations – including those of RC-A595 in 1992, RC-A418 and RC-A632 in 2001/2 or RC-A631 in 1998 – were specifically mentioned or drawn to the attention of the reviewing lawyer, Azra Khan.<sup>549</sup> The crime report states that "*The CPS reviewed the file containing the evidence obtained during the course of this investigation*";<sup>550</sup> however, the underlying evidence from the earlier investigations in respect of RC-A418 and RC-A632 does not appear to have been included or detailed.<sup>551</sup> This was a serious omission, especially since RC-A418 had been contacted again in 2004 and had confirmed his willingness to assist and attend court.<sup>552</sup> Any failure to provide a full picture would have inevitably impacted on the Crown Prosecution Service's decision, which was that there was too little evidence to prosecute.<sup>553</sup>

10. Despite a High Court having found in RC-A6's favour in a civil judgment in February 2006, it was not until after RC-A621's allegations against Pearce in 2008 that the Metropolitan Police reopened the investigation into his abuse of RC-A6. The police did not learn of the civil judgment. This was a missed opportunity to reconsider RC-A6's case earlier. Had this happened, Pearce's later abuse of RC-A621 might have been prevented.

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<sup>545</sup> INQ003777\_002

<sup>546</sup> MPS002970\_037

<sup>547</sup> INQ003799\_017 para 88

<sup>548</sup> Neil Jerome 5 February 2019 69/12-19

<sup>549</sup> Neil Jerome 5 February 2019 77/17-24

<sup>550</sup> MPS002970\_42

<sup>551</sup> Azra Khan's advice refers to having seen "*the advice file*" consisting of witness statements of RC-A6, his mother and another ex-pupil (OHY006649\_004) – but not of RC-A418 or RC-A632.

<sup>552</sup> MPS003014\_045

<sup>553</sup> OHY006649\_004-005

**11.** After Soper absconded in March 2011, the Metropolitan Police waited over four years before passing the task of reaching him to a specialist team with dedicated resources. Two officers who were then involved, DS Chris Sloan and DS Shaun Richardson, told us that:

*“In hindsight the ‘manhunt’ for SOPER should not have been left with the original investigating Child Abuse Investigating Team (CAIT) overseen by a single investigating Officer. This task should have been passed to those with specialisms in this area of work, who have a wide range of resources at their disposal. Once this was done, in and around December 2015 and primacy was passed to an MPS Major Investigation Team (MIT), SOPER was detained in Kosovo within six months (May 2016).”<sup>554</sup>*

**12.** There were also more systemic failures in the handling of complaints of child sexual abuse received by the Metropolitan Police. When a complaint was received, the usual procedure was that it would be allocated to an individual officer who would oversee the investigation. From 2015, this changed to there being a pool of detectives who worked together.<sup>555</sup> In respect of the early cases, there were failures in communication between officers investigating the allegations of child sexual abuse arising from within the same institution. These officers were part of a very small team. There was no excuse for the lack of communication about allegations of child sexual abuse, and especially about repeated instances within the same institution. For example, in 2004, there were investigations into both Pearce (RC-A6) and Soper (RC-A622), without links being drawn between them. Commander Jerome agreed that there had been a failure to draw the strands together:

*“when you look at the totality and you look through each of those allegations ... and when they are made, being able to draw the links between those, I think we could have done much better ... by way of an example, [in] 2004, there is an investigation that takes place ... the investigating officer of that allegation goes back to the 1992 and also the 2001 allegations to try and draw those links and see if there is any supporting evidence that can be used. So I can see that that takes place. But when you look at the totality of it, then drawing those links, we could have been better ... ”<sup>556</sup>*

**13.** Efforts have been made to improve the capability of the Metropolitan Police, and the police in the UK generally, to see links between cases.

*“We have now got the police national database which now looks at allegations not just within an individual force but across the country. There is now, through the IT and also through vested practice and training, a much better understanding of what those links could be.”<sup>557</sup>*

### F.3: Crown Prosecution Service

**14.** Part of the function of the Crown Prosecution Service, since 2004, has been to make a decision about charge and whether to prosecute. This involves applying the Code for Crown Prosecutors. The test to be applied is whether there is sufficient evidence to provide a realistic prospect of conviction, and whether it is in the public interest for the case to be brought to court.<sup>558</sup>

<sup>554</sup> MPS003541\_004

<sup>555</sup> Neil Jerome 5 February 2019 11/19-25

<sup>556</sup> Neil Jerome 5 February 2019 10/22-11/9

<sup>557</sup> Neil Jerome 5 February 2019 99/8-13

<sup>558</sup> Gregor McGill 5 February 2019 110/13-21

## David Pearce

**15.** Pearce was not convicted until 2009, despite allegations being made to the police as early as 1992.

**16.** In 1992, the Metropolitan Police presented RC-A595's case file (alleging sexual abuse by Pearce in his office at St Benedict's) to the Crown Prosecution Service and asked for advice on prosecution. In the note accompanying the file, WPC Carol Moore and DI Carol Bristow of the Child Protection Team wrote:

*"13. At the time of writing [RC-A595] wants Father David prosecuted and will attend Court to give evidence. He should make an excellent witness and appears thoroughly truthful. His mother and father are most anxious that we prosecute Father David.*

*14. It is our view that this matter should be brought before a Court."<sup>559</sup>*

**17.** The Crown Prosecution Service lawyer who reviewed the case file, Matthew McCabe, who gave both written and oral advice to the police, concluded that there was no realistic prospect of conviction.

**17.1.** Mr McCabe approached the case on the basis that there was a need for corroborative evidence.<sup>560</sup> This reflected the law at the time. In 1992, the legal position was that there was still a requirement that the trial judge should provide a 'corroboration warning' to the jury, alerting them to the dangers of convicting on the uncorroborated evidence of one person where the charge was a sexual offence.<sup>561</sup> This warning was abolished in 1994.<sup>562</sup> The current guidelines on prosecuting child sexual abuse offences are clear that prosecutors should not use a lack of corroboration as a reason not to proceed with a case.<sup>563</sup>

**17.2.** Mr McCabe's reasoning as set out in his written advice raises other questions:

- He concluded that there was no corroborative evidence, whereas Gregor McGill, Director of Legal Services at the Crown Prosecution Service, agreed that there was some evidence that corroborated RC-A595's account.<sup>564</sup>
- Mr McCabe noted that there was no medical evidence of a physical injury from the alleged indecent assault. However, it is unlikely that any injury would have resulted from an assault of the nature alleged. As Mr McGill told us:

*"A prosecutor today would not expect there to be medical evidence arising from an indecent assault of the nature alleged by the complainant and would be aware that the absence of such evidence is not evidence of no assault having occurred."<sup>565</sup>*

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<sup>559</sup> MPS003066\_025

<sup>560</sup> MPS003529\_001

<sup>561</sup> CPS004664\_006

<sup>562</sup> Section 32 of Criminal Justice and Public Order Act 1994.

<sup>563</sup> INQ003989\_002

<sup>564</sup> Gregor McGill 5 February 2019 126/23-127/20

<sup>565</sup> INQ003989\_002

- Mr McCabe stressed that there had been a delay in RC-A595 telling his sister, and some inconsistencies between the accounts he gave to his sister and mother. As Commander Jerome noted, neither delay nor inconsistency is unexpected in the context of a young boy having gone through a traumatic incident.<sup>566</sup>

Of themselves none of these considerations should have been seen as a bar to prosecution.

**18.** Mr McGill told us that this would still be a challenging case to prosecute today and that, in his view, the decision made by Mr McCabe was a reasonable one at the time.<sup>567</sup>

**19.** The reasoning contained in Mr McCabe's 1992 written advice would be different today. At that time he focused on the perceived weaknesses of the child's account. He did not look for and identify those factors which provided support to the allegation – for example, RC-A595's recent complaints to his sister and mother, and the evidence of a change in his behaviour.<sup>568</sup> Likewise, in his written advice Mr McCabe did not suggest further lines of investigation to the police – such as seeking evidence from teachers, pupils or others at the school – which Mr McGill told us he should have.<sup>569</sup> Mr McGill also referred to subsequent changes in approach. For example, a prosecutor today should not be troubled by relatively minor discrepancies in a child complainant's accounts or by any delay in reporting the offence. The Crown Prosecution Service also now encourages prosecutors to take a proactive approach, with an emphasis on building a case rather than merely spotting evidential failings.<sup>570</sup>

**20.** In 2004, the Crown Prosecution Service decided not to prosecute Pearce in respect of the incidents of his sexual abuse of RC-A6, which included touching the child's genitals after swimming. Azra Khan, the Crown Prosecution Service reviewing lawyer, said RC-A6 "*appears to be credible in his account of what happened and I have no doubt what he says is accurate*". Nonetheless she advised that "*it is with deep regret that I have to conclude that we would not be able to secure a conviction against Mr Pearce*"<sup>571</sup> because there was no corroboration of his account. Despite also commenting that "*of course corroboration is not required in such offences*", in effect Ms Khan did adopt corroboration as an evidential necessity and a rationale for not proceeding with the case. This was wrong, and Mr McGill agreed that Ms Khan "*fell into error there*".<sup>572</sup>

**21.** Moreover, there was other evidence that might have supported (and so corroborated) RC-A6's allegation, namely an account from a different boy who alleged that Pearce had put his hands down a boy's swimming trunks. It appears that this was not considered.<sup>573</sup> Further, it is not clear whether the Metropolitan Police provided Ms Khan with other information they held on Pearce, such as the account of RC-A418. Had they done so, her advice might have been different.<sup>574</sup>

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<sup>566</sup> Neil Jerome 5 February 2019 32/17-33/13

<sup>567</sup> Gregor McGill 5 February 132/3

<sup>568</sup> Neil Jerome 5 February 2019 31/3-10

<sup>569</sup> Gregor McGill 5 February 2019 132/4-19

<sup>570</sup> INQ003989\_003

<sup>571</sup> OHY006649\_004-005

<sup>572</sup> Gregor McGill 5 February 2019 137/1-3

<sup>573</sup> Gregor McGill 5 February 2019 138/8-20; OHY006649\_007

<sup>574</sup> Ms Khan noted "*Should any further information come to light then of course I would always be willing to consider the matter afresh*" (OHY006649\_004-005) but nothing further was forthcoming from the Metropolitan Police Service.

## Laurence Soper

**22.** Soper was not convicted until 2017, although in 2004 the Crown Prosecution Service decided not to prosecute him in respect of the allegations made by RC-A622 of abuse and multiple rapes.

**23.** Although these were grave allegations, Claudette Phillips, the Crown Prosecution Service reviewing lawyer, having advised orally, in writing justified her decision not to charge only very briefly, expressing the view that the allegation “*is essentially the victim’s version of events against the suspects [sic]*”.<sup>575</sup> She also failed to consider whether other supporting evidence might be available or could be sought, and did not advise the Metropolitan Police on these points.<sup>576</sup> The decision not to charge and the advice given were inadequate. Mr McGill accepts this, although he told us that “*we approach these cases in a completely different way in 2019 than we did in 2004*”.<sup>577</sup>

**24.** RC-A622 has said that the case was reconsidered (at least by the police) in 2007 but again a decision was made not to prosecute.<sup>578</sup> Police told him that this was because “*it was one person’s word against another*”.<sup>579</sup>

**25.** Soper was prosecuted and convicted in 2017.

## F.4: Charity Commission

**26.** The Charity Commission is a statutory body which regulates charities in England and Wales. Among other things it has powers to investigate, identify and take action in respect of misconduct or mismanagement in the administration of charities. If a statutory inquiry has been opened, it may suspend or remove trustees or appoint an interim manager.<sup>580</sup>

**27.** Trustees of a charity have a duty of care to safeguard those who come into contact with the charity and its work, and the Charity Commission will therefore consider any failures of trustees in respect of safeguarding to be a regulatory concern. Such failings may result in the Commission exercising its statutory powers to seek to remedy the situation.<sup>581</sup> In respect of Ealing Abbey, the most significant steps taken by the Charity Commission were to undertake two statutory inquiries. The first opened in July 2006 but, before its report was published, a second was opened in February 2008. A combined report was finally published in December 2009.

**28.** The first inquiry (from 2006 to 2009) was opened following concerns of child sexual abuse being brought to its attention anonymously in June 2006 in respect of Pearce and RC-F41.<sup>582</sup> Its purpose was to establish whether the trustees had taken appropriate action and what further steps were required, if any.<sup>583</sup> In particular, it considered whether “*the trustees were taking appropriate and sufficient steps to safeguard vulnerable beneficiaries*

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<sup>575</sup> OHY006651\_024

<sup>576</sup> Gregor McGill 5 February 2019 147/22-25, 149/5-24

<sup>577</sup> Gregor McGill 5 February 2019 150/2-10

<sup>578</sup> MPS002981\_002

<sup>579</sup> MPS002981\_002

<sup>580</sup> Michelle Russell 8 February 2019 22/8-23/19

<sup>581</sup> CYC000210\_008 para 30

<sup>582</sup> Pearce is referred to as ‘Individual A’ in the report, RC-F41 as ‘Individual B’ (CYC000255\_003).

<sup>583</sup> CYC000255\_003 para 10

at the school" (ie the pupils of St Benedict's).<sup>584</sup> It concluded that appropriate steps were being taken and no further action was necessary.<sup>585</sup> In fact, Pearce was abusing a pupil of St Benedict's, RC-A621, at the time of this first inquiry.

**29.** The Charity Commission's conclusion that appropriate steps were being taken was based on little more than assurances given by Ealing Abbey that there were restrictions on Pearce, precluding access to children. The Commission did not seek to identify in any detail what those restrictions were, nor did it consider how they were being implemented or how compliance was being monitored.<sup>586</sup> Michelle Russell, Head of Compliance at the Charity Commission between 2007 and 2011, told us that this reliance on the assurances of charity trustees "was the approach that was taken by the Commission generally as a regulator at that time".<sup>587</sup> The Charity Commission also found that the school's child protection policies and procedures were adequate. This again appears to be in part based on the Trust's assertion in correspondence that they were.<sup>588</sup> Relying on assurances given by a body under investigation can never be a sufficient substitute for independent scrutiny.

**30.** In 2008, the Charity Commission opened a second inquiry, after it was notified of the arrest of Pearce for sexual abuse of RC-A621. It was only during this second inquiry that the Charity Commission considered the restrictions placed on Pearce. It concluded:

*"Despite assurances from the trustees, they failed to implement the restrictions placed on [Pearce] whilst on Charity premises and the Commission is extremely critical of the trustees in this regard. One of the terms of [Pearce's] continued role in the Charity was that he was to have no access to children and young people on the Charity's premises – the trustees failed to ensure this was the case ..."*<sup>589</sup>

This admonishment was, Ms Russell says, "quite unusual language for us to say publicly".<sup>590</sup> Despite this criticism, no further regulatory action was taken.

**31.** A further point is that, during this second inquiry, Charity Commission correspondence risked suggesting that protecting the charity's name required contesting allegations of abuse as a matter of course. For example, a senior compliance and support manager stated in a letter of May 2008:<sup>591</sup>

*"A charity's reputation is one of its biggest assets. As such, we would expect the trustees to take measures to protect the reputation of the Charity in the future. As a minimum, we would expect the trustees to monitor carefully the outcome of any criminal investigation or prosecution or civil claim into Father Pearce or any other person involved with the Charity in a similar capacity and to take appropriate steps to protect the Charity's name and reputation as necessary. We would also expect the Charity to take reasonable steps to defend its name and reputation if any charges or proceedings were initiated against the Charity. If such a situation were to arise, I would suggest that you contact the Commission for advice."*

<sup>584</sup> CYC000255\_004 para 14

<sup>585</sup> CYC000255\_006 paras 27, 28

<sup>586</sup> Michelle Russell 8 February 2019 36/25-37/5

<sup>587</sup> Michelle Russell 8 February 2019 27/2-7

<sup>588</sup> Michelle Russell 8 February 2019 39/17-41/18

<sup>589</sup> CYC000255\_009 para 53

<sup>590</sup> Michelle Russell 8 February 2019 53/25

<sup>591</sup> CYC000240\_002

This letter, and the penultimate sentence in particular, could give the impression that defending reputation was more important than protecting children from abuse. While she said this was not the Commission's intention, Ms Russell agreed that there was a risk that it might be read that way, and that it was something for the Commission to reflect on.<sup>592</sup>

**32.** Beyond providing “*regulatory advice and guidance*”,<sup>593</sup> the Charity Commission relied in its report upon the fact that Ealing Abbey was undertaking “*an independent review*”. It requested a copy of this review, and said it would “*actively monitor the Charity to ensure that this happens*”.<sup>594</sup>

**33.** The independent review referred to was that undertaken by Philip Wright and John Nixson in 2009. As discussed in Part D, that review was wholly inadequate. Its deficiencies were pointed out to the Charity Commission in 2010 by Mr Jonathan West,<sup>595</sup> to whom the Commission responded in December 2010:

*“The independent review that the trustees confirmed would be carried out is a matter for the Charity. The Commission cannot intervene in the administration of a charity.”*<sup>596</sup>

However no reference was made in this letter to the possibility, in certain circumstances, of the Commission appointing an interim manager.

**34.** By December 2010, Lord Carlile's review had been commissioned following the concerns raised by the ISI and DfE. It was the response of those institutions, rather than of the Charity Commission, that precipitated real change in structure and approach at Ealing Abbey and St Benedict's.

## F.5: Independent Schools Inspectorate

**35.** Since 2003, one of the ways by which the DfE has regulated independent schools has been through inspections which are undertaken against standards set out in law.<sup>597</sup> These standards include provisions in respect of welfare, health and safety of pupils, including the requirement to have a written policy on safeguarding which is implemented effectively.<sup>598</sup> Since January 2015, these standards also include provisions on the quality of leadership and management of the school.<sup>599</sup>

**36.** The ISI has statutory approval as an inspectorate from the DfE under section 106 of the Education and Skills Act 2008.<sup>600</sup> The ISI first inspected St Benedict's senior school in January 2004. It found that the school complied with child protection standards and noted that it had a detailed child protection policy.<sup>601</sup>

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<sup>592</sup> Michelle Russell 8 February 2019 48/21-51/6

<sup>593</sup> CYC000255\_009 para 56

<sup>594</sup> CYC000255\_009 para 58

<sup>595</sup> INQ002970\_002-005

<sup>596</sup> CYC000249\_005

<sup>597</sup> Initially the Education (Independent School Standards) (England) Regulations 2003.

<sup>598</sup> Paragraph 3 of the Schedule to the Education (Independent School Standards) (England) Regulations 2003. This was subsequently amended in 2004 so as to require compliance with DfES guidance *Safeguarding Children in Education*, and in 2008 so as to require compliance with later DfES guidance *Safeguarding Children and Safer Recruitment in Education*.

<sup>599</sup> Education (Independent School Standards) Regulations 2014, Schedule part 8.

<sup>600</sup> Before this, it was approved under section 163 of the Education Act 2002 (ISI001293\_005 para 19 Richards).

<sup>601</sup> ISI000016\_25 para 6.16. We do not consider Ofsted in this investigation because it had no involvement in St Benedict's School.

**37.** The next inspections, of both junior and senior schools, were in November 2009. In reports published in February 2010, the ISI found that the school met the regulatory standards for welfare, health and safety of pupils<sup>602</sup> (which by that point required the child protection policy to comply with the guidance *Safeguarding Children and Safer Recruitment in Education*). The senior school report further commented, in respect of leadership and management:

*“The trustees and advisors are fully aware of, and diligent in discharging their responsibilities for the welfare, health and safety of pupils, including taking proper steps to review and evaluate the effectiveness of their child protection policies and procedures. A serious incident involving a member of the monastic community caused the trustees to request an independent review of the measures taken to minimise risk. The advice received from the independent experts has been fully implemented.”*<sup>603</sup>

**38.** On 11 February 2010, shortly after the publication of its reports, Mr Jonathan West contacted the ISI expressing concerns. He did not think that the independent review had yet happened, as the Charity Commission had reported that it had been promised but not received in December 2009.<sup>604</sup> The next day another member of the public, Michael Grant, contacted the ISI because he was *“appalled by the report with regards to the issue of child protection”*.<sup>605</sup> He referred to the fact that David Pearce was the former head of the junior school and had lost a civil action as well as being *“jailed for eight years after thirty-five years of systematic abuse”*.<sup>606</sup>

**39.** As a result, and after further investigation, on 1 April 2010 the ISI withdrew the 2009 inspection reports from its website *“whilst enquiries are made to ensure that the report is accurate in relation to independent reviews and subsequent actions”*.<sup>607</sup> The DfE then, on 16 April 2010, commissioned the ISI to carry out a further unannounced non-routine follow-up inspection.<sup>608</sup> That inspection was undertaken in April and May 2010 and determined (among other things) that the very same child protection policy as was deemed compliant in the 2009 inspection was not so. The subsequent report, published in August 2010, was critical.

*“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, as in the case of [Pearce].”*<sup>609</sup>

It made a number of recommendations, including further improving the safeguarding policy and ensuring that staff or monks subject to allegations of misconduct live away from the school.<sup>610</sup>

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<sup>602</sup> ISI000021\_012-013 paras 3.5, 3.8

<sup>603</sup> ISI000021\_015 para 4.4

<sup>604</sup> ISI000082

<sup>605</sup> ISI000078

<sup>606</sup> ISI000078

<sup>607</sup> ISI000095

<sup>608</sup> ISI000102

<sup>609</sup> ISI000019\_004

<sup>610</sup> ISI000019\_004

**40.** The 2009 inspections were flawed in a number of ways.

**40.1.** The inspectors did not obtain a full picture of child protection concerns in respect of St Benedict's, including the extent of the offences for which Pearce was convicted and the fact of the Charity Commission inquiry. Whilst the deficiencies in the level of disclosure given by the school and Abbot Shipperlee as chair of governors was a contributory factor, this does not provide a sufficient excuse. The ISI itself should have undertaken further steps to obtain and check relevant information both prior to and during their inspection, especially when the inspectors discovered that David Pearce had recently been convicted of sexually abusing a pupil.<sup>611</sup> As explained by Kate Richards, Chief Inspector since 2017, the ISI now makes specific inquiries of both the local authority and the school itself about allegations and safeguarding incidents, as well as searching for relevant information in the public domain.<sup>612</sup>

**40.2.** The ISI found, wrongly, that the school's child protection policy was compliant, despite obvious defects, in particular with regard to external reporting. These were picked up in the 2010 inspection but should have been identified earlier. The failure is the more striking given the fact that the reporting inspector noted in his pre-inspection commentary:

*"We shall need to be particularly alert and meticulous in checking all policies and procedures concerned with child protection."*<sup>613</sup>

**40.3.** The 2009 ISI reports confused the independent review into Pearce's offending (which was undertaken by Mr Nixson and Mr Wright) and what the inspector was told about advice provided by the Diocesan child protection officer and another safeguarding professional in respect of RC-F41's restrictions.<sup>614</sup> The senior school report stated:

*"A serious incident involving a member of the monastic community caused the trustees to request an independent review of the measures taken to minimise risk."*<sup>615</sup>

This plainly related to the review into Pearce's re-offending,<sup>616</sup> but it went on to state that the advice of that independent review had been implemented, which was an error. The advice of Mr Wright and Mr Nixson arising out of their review had not even been given at the time of the ISI inspection, still less implemented.

**41.** The ISI in conjunction with the DfE subjected St Benedict's to ongoing scrutiny after 2010. In 2012, a team of 12 inspectors visited for four days, and found the school to meet all the statutory requirements. In November 2014, a non-routine emergency inspection was undertaken following an anonymous letter of complaint about safeguarding and governance, and a further regulatory compliance inspection was undertaken in December 2015.<sup>617</sup>

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<sup>611</sup> As specifically referred to in pre-inspection commentary prepared by the reporting inspector; see [ISI000555\\_025](#)

<sup>612</sup> [ISI001293\\_047-048](#)

<sup>613</sup> [ISI000555\\_26](#) para 3.1

<sup>614</sup> [ISI000088\\_002](#)

<sup>615</sup> [ISI000021\\_015](#) para 4.4; [ISI000020\\_014](#) para 4.5

<sup>616</sup> [ISI000555\\_025](#): "a member of the monastic community [ie Pearce] was recently found guilty of abusing a pupil ... Following the recent case, the Abbot has asked the diocese child protection team to conduct an independent investigation into what has happened and whether the steps taken to minimize the risk are sufficient ... we need sight of the investigation's outcome by the time of the inspection".

<sup>617</sup> [ISI001293\\_034-037](#)

This inspection was followed up in January 2016 to consider issues arising from the arrest of Peter Allott, the deputy headmaster. In 2017, the ISI judged St Benedict's to meet the standards required by regulatory compliance and educational quality inspections.<sup>618</sup>

**42.** However, had it not been for the intervention of members of the public, the ISI might not have re-appraised the safeguarding arrangements at St Benedict's in 2010 and thereafter. Its approach to the inspection of St Benedict's in 2009 fell far short of what should be expected of an independent inspectorate.

## F.6: Department for Education

**43.** The DfE is the regulator of independent schools. Since the Education Act 2002, it has had the power to approve inspectorates, to require inspections of independent schools against the statutory standards, to serve notice on a school which is failing to meet those standards and ultimately to de-register a failing school. Further powers were given to it under the Education and Skills Act 2008.<sup>619</sup>

**44.** The DfE's involvement with Ealing Abbey and St Benedict's was limited until significant problems were identified.

**44.1.** In 2007, the DfE agreed to commission an ISI inspection of St Benedict's in 2009.<sup>620</sup> There is no evidence that the DfE relayed to the ISI before its 2009 inspections the fact that the Charity Commission had contacted the DfE in 2007 regarding allegations made against Pearce and RC-F41.<sup>621</sup>

**44.2.** In 2009, the ISI asked the DfE whether it should do anything in addition to that scheduled inspection, following an email from Ealing Children's Services. That email arose from an anonymous letter which made reference to "*things being hushed up*".<sup>622</sup> The DfE contacted the local authority designated officer (LADO) at Ealing, and was told by the LADO that the Ealing Child Protection Strategy Group wanted to flag with the DfE the comments in the letter "*that indicated the school ethos was to cover up any problems*", although no other information or explanation was given in the letter.<sup>623</sup> The LADO said that the headmaster, Christopher Cleugh, had appeared to cooperate fully. The LADO did not relate the history of Pearce's offending with RC-A621, nor the fact of his arrest and pending prosecution, or that RC-F41 had also been the subject of historic allegations. Ealing Council (through its LADO) should have been in a position to inform the DfE of such facts.<sup>624</sup>

**45.** It appears that it was only after concerns were raised with the ISI by Jonathan West and Michael Grant that the independent education and school governance division of the DfE became aware of the Charity Commission report of December 2009, and the scale of the problem at Ealing Abbey and St Benedict's. This was despite exchanges in 2006/7 with the Charity Commission, the exchange in 2009 with the LADO and the DfE having a press cuttings service to alert it to safeguarding issues in independent schools.<sup>625</sup>

<sup>618</sup> ISI000700; ISI000698

<sup>619</sup> As summarised in the witness statement of Kate Dixon dated 17 November 2017 (DFE000585\_004-007), to which Penny Jones referred (INQ003857\_003).

<sup>620</sup> INQ003857\_004

<sup>621</sup> CYC000388\_001; CYC000389

<sup>622</sup> INQ003858\_002

<sup>623</sup> INQ003858\_005

<sup>624</sup> INQ003857\_012 paras 52-54

<sup>625</sup> INQ003857\_005 para 20

**46.** In March 2010, Penny Jones, Deputy Director of the Independent Education and School Governance Division at the DfE, expressed her concern to the Charity Commission as follows:

*“as regulators we are concerned about a culture that has built up in the Trust ... can they really be trusted to properly implement and safeguard ... child protection at the school”.*<sup>626</sup>

**47.** The DfE commissioned an emergency ISI inspection and remained closely involved. The DfE attended a meeting on 29 July 2010 with Abbot Shipperlee, and repeatedly required assurance that all the ISI’s recommendations would be implemented promptly.<sup>627</sup> Of those recommendations, one lay outside the scope of the DfE’s statutory powers as a regulator of schools as they existed in 2010:<sup>628</sup> the requirement that any monks who had been the subject of allegations should not reside at Ealing Abbey. As RC-F41 remained resident at Ealing Abbey at the time, there was discussion between the DfE and the Charity Commission as to whether the Charity Commission might be able to use its powers to enforce compliance.<sup>629</sup> In the event, Abbot Shipperlee agreed that RC-F41 would be relocated.

**48.** After this point, the DfE remained involved with the ongoing monitoring of the school by the ISI. For example, in April 2015, the DfE served a notice upon St Benedict’s requiring that an Action Plan be implemented<sup>630</sup> after the school was found not to have met all requirements in the ISI’s 2014 inspection, including with regard to details in the safeguarding policy.<sup>631</sup> St Benedict’s provided such a plan;<sup>632</sup> the DfE approved this and instructed the ISI to monitor compliance.<sup>633</sup>

**49.** We note that the DfE considered in 2010 that it did not have the statutory power to enforce a recommendation made by the ISI that monks who had been the subject of allegations should not reside at Ealing Abbey. Penny Jones explained that this lack of jurisdiction arose in 2010 because the DfE had no means of requiring the school to change its governance and leadership.<sup>634</sup> With effect from January 2015, the DfE now has such power following the inclusion within the independent school standards of provision about the quality of leadership and management of schools.<sup>635</sup> In a statement to the Inquiry, Kate Dixon, the Director of the School Quality and Safeguarding Group, makes clear that if a similar situation now arose, the DfE has power to take enforcement action against the school.<sup>636</sup>

## **F.7: Ealing Council Children’s Services**

**50.** Local authorities have for many years had specific duties to safeguard and promote the welfare of children in their area, including the requirement under section 47 of the Children Act 1989 for a local authority to undertake enquiries if they believe a child has suffered or is likely to suffer significant harm. The local authority also has a vital role in working together with other agencies such as the police to safeguard children.

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<sup>626</sup> INQ003857\_005-006

<sup>627</sup> 16 July 2010 INQ003858\_071

<sup>628</sup> As they then existed (INQ003857\_014 para 62 Jones).

<sup>629</sup> BNT000848\_002; Michelle Russell 8 February 2019 59/1-61/24

<sup>630</sup> BNT000897\_002

<sup>631</sup> BNT000899\_004-006

<sup>632</sup> ISI000224\_019-025

<sup>633</sup> BNT000893\_002

<sup>634</sup> INQ003857\_014 para 62

<sup>635</sup> INQ0004360\_002-004

<sup>636</sup> INQ0004360\_004

**51.** Despite the long-standing importance of its role, Ealing Council’s case records prior to 2009 were stored on one officer’s drive and were deleted when he left.<sup>637</sup> As a result, it was unable to find any record in respect of the complaints of RC-A418 in 2001, RC-A6 and RC-A419 in 2004, the imposition of restrictions upon David Pearce in 2005 or the civil judgment against him in 2006.<sup>638</sup> Carolyn Fair, the Director of Children’s Services at Ealing Council, has explained that the council’s response to allegations “*became systematic*” in 2009. Records of referrals are now processed and stored on a computerised social care database.<sup>639</sup>

**52.** The inadequacy of historic record-keeping at Ealing Council is reflected in the insufficiency of the information provided by the LADO to the DfE in June 2009. The DfE contacted the LADO at Ealing, and was told by the LADO that the Ealing Child Protection Strategy Group wanted to alert the DfE to a concern “*that indicated the school ethos was to cover up any problems*”, although no other information or explanation was given.<sup>640</sup> Most notably, there was no information given about the allegations against Pearce or his impending trial, nor was anything said about RC-F41 despite the Council having been informed in 2006 of historical allegations made against him.<sup>641</sup> The DfE was entitled to expect more detail from the local authority, as in effect Ms Fair admitted.<sup>642</sup> She stated that it was only around 2009 that the LADO role was created and a more consistent approach to record-keeping adopted at Ealing Council Children’s Services:

*“If this LADO role and experience had been established in May 2009 I would expect the LADO to inform the then DCSF, now DfE, due to the number of specific allegations within one establishment.”*<sup>643</sup>

**53.** The Inquiry also noted a specific error by a social worker in the handling of RC-A595’s complaint in 1992. That social worker told Pearce of the allegation against him before the police had interviewed him.<sup>644</sup> By doing so, she put Pearce on notice of the complaint, which not only gave him time to think about the account he would give in interview but was inappropriate, as Commander Jerome agreed:

*“That absolutely runs the risk of tainting any evidence that may be obtained from the suspect.”*<sup>645</sup>

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<sup>637</sup> INQ003706\_005 para 29

<sup>638</sup> INQ003706\_007-008 paras 44–47

<sup>639</sup> INQ003706\_002 paras 7, 8

<sup>640</sup> INQ003858\_005

<sup>641</sup> INQ003975\_003 para 18

<sup>642</sup> INQ003975\_003-004 paras 18–21

<sup>643</sup> INQ003975\_004 para 21

<sup>644</sup> MPS003066\_045; MPS003066\_088

<sup>645</sup> Neil Jerome 5 February 2019 24/14-19



## Part G

# Wider developments in the English Benedictine Congregation

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# Wider developments in the English Benedictine Congregation

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## G.1: Introduction

1. Christopher Jamison has been the Abbot President of the English Benedictine Congregation (EBC) since August 2017,<sup>646</sup> having replaced Dom Richard Yeo. He told us that, since taking up his post as Abbot President, his primary focus has been on improving safeguarding across EBC monasteries and working to ensure that there is an EBC-wide “*culture of continuous improvement*” with regards to safeguarding.<sup>647</sup> To that end, he is working in partnership with ‘superiors’ (ie abbots, abbesses or priors) of individual monasteries to create more robust safeguarding processes.<sup>648</sup>
2. Under his leadership, the EBC is seeking to address three key areas: responsiveness, accountability and transparency.<sup>649</sup> Abbot President Jamison’s evidence to us is summarised below. As the improvements he is seeking to implement are still in their infancy, it is not possible for us to assess how effective they will be in practice.

## G.2: Responsiveness

3. In his evidence to the Inquiry, Abbot President Jamison set out the steps that the EBC is currently taking to provide support and redress to survivors of child sexual abuse.
4. In November 2018, the EBC held a seminar on the question of redress. The seminar was attended by a range of stakeholders, including lawyers for the Irish Government’s Residential Institutions Redress Board and for the Lambeth Children’s Home Redress Scheme.<sup>650</sup> Following this seminar, the EBC has concluded that it is currently beyond its capacity to organise and administer a comprehensive redress scheme for survivors (ie a scheme designed to provide reparations and support to victims and survivors of child sexual abuse, including in the form of financial compensation and counselling and psychological care). Abbot President Jamison has outlined some of the challenges to the establishment of such a scheme. They include how to determine whether a claim is valid and how to assess what the basis for a payment would be. In his view, “*the levels of expertise and staffing required*

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<sup>646</sup> INQ003781\_001 para 1. (Abbot President Jamison is also the chair of trustees of the EBC Trust and a member of the Catholic Council for the Independent Inquiry into Child Sexual Abuse. Prior to his appointment, Abbot President Jamison held a number of significant positions, including as abbot of Worth Abbey (2002–2010) and as Director of the National Office for Vocation of the Catholic Bishops’ Conference of England and Wales (2010–2017).)

<sup>647</sup> INQ003781\_001

<sup>648</sup> INQ003781\_001

<sup>649</sup> INQ003781\_007 para 20

<sup>650</sup> INQ003781\_008 para 25

to address ... these matters to a high standard, reassuring rather than distressing survivors, is a challenge for a relatively small religious order such as the EBC<sup>651</sup> and that care must be exercised “not to raise expectations falsely by promising what [we] would struggle to deliver”.<sup>652</sup>

5. Accordingly, the EBC has decided that a better approach would be to create a general support scheme for the Catholic Church in England and Wales as a whole, which could in turn be part of a government scheme.<sup>653</sup>

6. In the meantime, in the absence of a redress scheme, guidelines are currently being developed on the principles and processes that will be applied when a claim of child sexual abuse is brought against any part of the wider Catholic Church in England and Wales.<sup>654</sup>

7. Abbot President Jamison told us that:

*“What one is trying to do is to find a way of saying to those who approach us, ‘This is how you can expect people to respond to you’ and to hold people to account to respond in that way. Because at the moment we don’t have guidelines, and, as the inquiry has heard, this can be very distressing, meeting so many different responses. I think that the key to this is to get some agreement in guidelines. For example, that ... when it is an offence regarding somebody between the ages of 16 and 18, that one will not use a defence of saying, ‘But there was consent’. One could rule that out and in advance and say, ‘We will not say that. We will accept your claim.’”<sup>655</sup>*

8. The guidelines are presently being considered and expanded upon by the Catholic Safeguarding Advisory Service (CSAS) and a lawyer from Catholic Insurance Services Limited.<sup>656</sup>

9. Abbot President Jamison also told us that individual EBC monasteries have met with survivors and apologised for sexual abuse, and that the majority of survivors who had sought financial redress had now received compensation.<sup>657</sup> He also said that the EBC is investigating how it can provide more immediate forms of support, including by directing survivors to seek support from suitable services.<sup>658</sup>

### G.3: Accountability

10. We were told that the EBC is implementing a number of measures designed to improve accountability for child sexual abuse within their institutions.

11. The safeguarding practices of all EBC monasteries will be audited by Praesidium, a secular, non-profit organisation based in the USA specialising in child protection and safeguarding.<sup>659</sup>

12. Abbot President Jamison told us that Praesidium has developed a safeguarding audit programme which has been used for several years by the majority of Benedictine monasteries in the USA. This programme is based on a number of Accreditation Standards

<sup>651</sup> INQ003781\_009 para 26

<sup>652</sup> Abbot President Christopher Jamison 8 February 2019 66/2-3

<sup>653</sup> INQ003781\_009 para 26

<sup>654</sup> INQ004177\_042 para 12

<sup>655</sup> Abbot President Christopher Jamison 8 February 2019 66/19-25, 67/1-7

<sup>656</sup> INQ003781\_009 para 27

<sup>657</sup> INQ003781\_007-008 para 22

<sup>658</sup> INQ003781\_009-010 para 28

<sup>659</sup> Abbot President Christopher Jamison 8 February 2019 67/17-25, 68/1-10

which relate to the prevention of abuse (for example, the screening and training of new monks), responding to abuse (for example, the handling of disclosures) and the supervision of abusers (for example, the support and accountability systems in place for known abusers). These standards have been adapted, in consultation with the CSAS, to the safeguarding requirements and ecclesiastical standards applicable in England and Wales.<sup>660</sup>

**13.** We understand that Praesidium has been working with individual monasteries since July 2018 to improve their practices and ensure that its Accreditation Standards are adhered to. In addition, on the basis of its audits, Praesidium will submit safeguarding reports on individual monasteries to the Abbot President during the course of the ordinary four-year visitation process. Abbot President Jamison told us that he expects almost all audits of monasteries to be completed by summer 2019. The first audit for each monastery will cover the period back to 2001; subsequent audits will address the more recent past and current practice.<sup>661</sup>

## G.4: Transparency

### Record-keeping

**14.** Abbot President Jamison has said that, since becoming Abbot President, he has obtained copies of all safeguarding plans currently in place at individual EBC monasteries. These are now held at the offices of the EBC Trust and will be reviewed annually by Praesidium. However, we note that there remains no centralised system for record-keeping of allegations against monks accused of child sexual abuse within the EBC. Abbot President Jamison has also told us that, in practice, individual abbots will continue to *inform* the Abbot President of any allegations against a member of the Community but that he “*cannot assume responsibility for investigating allegations*” because that responsibility lies with the trustees of the charity of the individual monastery concerned.<sup>662</sup> However, he can of course enquire whether such investigations have been undertaken and their outcome.

### Safeguarding policy

**15.** As of January 2019, there is a new EBC Trust Safeguarding Policy (*Safeguarding Policy and Procedure for Children, Young People & Adults at Risk*). This policy does not apply to each individual monastery (as due to the horizontal nature of the EBC this is a matter for which each monastery is responsible); rather, it is a policy for the EBC Trust itself and applies to those acting on behalf of the trust, such as the Abbot President.<sup>663</sup>

### Selection and development of monks

**16.** The EBC is currently developing a new common process for the selection of candidates to train as monks, which will include a comprehensive application form asking for a complete

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<sup>660</sup> INQ003781\_010-012 paras 30–33

<sup>661</sup> INQ003781\_010-012 paras 31–33

<sup>662</sup> INQ003781\_014-015 paras 40, 41

<sup>663</sup> INQ003781\_015 para 42

life history and references as well as a psychological assessment. The process will take approximately a year to complete.<sup>664</sup> Abbot President Jamison told us that:

*“Whereas I cannot currently be sure that standards are consistent across individual monasteries, I expect that the adoption of the proposed common processes will ensure a more rigorous selection of better candidates for training as monks across the EBC. I believe this careful approach to the selection of candidates will enhance the protection provided to children against sexual abuse.”<sup>665</sup>*

**17.** In 2017, the General Chapter of the EBC created the Continuing Formation Commission with responsibility for, amongst other things, training monks on personal relationships and monastic life. Part of this training has involved issues such as: self-awareness, including sexual awareness; celibate living; and care for physical and mental health. In addition, in 2018, the Commission organised a conference at Buckfast Abbey designed to empower monks and nuns to engage more proactively in shaping the life of their community. A number of workshops were held, including: on the “culture” of secrecy that had fostered child sexual abuse; on this Inquiry’s hearings into Ampleforth and Downside abbeys; and workshops with survivors of child sexual abuse themselves.<sup>666</sup>

**18.** Abbot President Jamison told us that the EBC is currently planning a follow-up to this conference and that:

*“As Abbot President, I aim to facilitate cultural and systemic changes within our communities ... That is not something that constitutions, policies and procedures can achieve on their own; real change requires working together to enable what some monks and nuns have called ‘refoundation’, a new expression of a traditional way of life.”<sup>667</sup>*

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<sup>664</sup> INQ003781\_015-016 para 43

<sup>665</sup> INQ003781\_016 para 44

<sup>666</sup> INQ003781\_015-017 paras 43–47

<sup>667</sup> INQ003781\_017 para 48



Part H

# Conclusions

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# Conclusions

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## H.1: Conclusions in relation to Ealing Abbey and St Benedict's School

1. Until its formal separation in 2012, St Benedict's School, Ealing was governed by the Abbot and monks of Ealing Abbey. The St Benedict's of the 1960s to 1980s was described to us as a place where *"even in the junior school one grew up acclimatising oneself to the eccentricities of a series of frankly terrifying men"*.<sup>668</sup>
2. The child sexual abuse perpetrated against pupils was extensive. Two monks and two lay teachers have been convicted of multiple offences involving the sexual abuse of over 20 children between at least the 1970s and 2008. Another teacher was also convicted of offences relating to the possession of indecent images of children in 2016. The total scale of the abuse can never be known, but is likely to be much greater. Children also suffered severe corporal punishment, which was often used as a means to initiate sexual abuse and for sexual gratification.
3. This abuse was facilitated for decades because of a culture of cover-up and denial at Ealing Abbey and St Benedict's.
4. David Pearce and Laurence Soper, the most prolific convicted abusers at Ealing, were very senior figures at the school and Abbey. Pearce was a senior member of the monastic community, the head of the junior school and then bursar. Soper was head of the middle school, bursar and then Abbot. Their seniority created particular problems for any who wanted to report abuse or concerns of abuse. Staff members have described the atmosphere as feeling *"like the mafia"*<sup>669</sup> and chose not to risk their jobs.
5. Abbot Martin Shipperlee's efforts to improve matters after he took up the abbacy in 2000 were flawed. There were serious shortcomings in his response to allegations and handling of child protection concerns. He failed to pass on information to the police and those undertaking reviews of safeguarding procedures. The action he did take was frequently inadequate and badly judged. Abbot Shipperlee's control and management of safeguarding issues fell well below what is required of someone trusted with the care of children, as he admitted: *"my administration of safeguarding is of insufficient standard"*.<sup>670</sup> He has now resigned from his position.
6. The deficiencies in the leadership of Abbot Shipperlee were compounded by failures of others around him.
7. Christopher Cleugh, headmaster of the school between January 2002 and August 2016, repeatedly minimised questions of child sexual abuse to the point of materially misrepresenting significant facts. He did not address safeguarding issues openly and proactively, and when questioned by external bodies was defensive.

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<sup>668</sup> RC-A24 4 February 2019 158/8-10

<sup>669</sup> MPS002950\_001; MPS002946\_003

<sup>670</sup> Abbot Martin Shipperlee 7 February 2019 68/25

- 8.** Peter Turner and the Diocese of Westminster child protection team played an important role in giving advice on safeguarding to Abbot Shipperlee. That advice was, however, often flawed. For example, Mr Turner's advice as to the restrictions upon Pearce was seriously deficient because no guidance was given as to how compliance with those restrictions should be enforced and monitored.
- 9.** Between 2001 and 2017, Dom Richard Yeo, who was then the Abbot President of the English Benedictine Congregation (EBC), failed to treat allegations of child sexual abuse made against monks still resident next to the school with the necessary urgency and care. At his 2007 visitation of Ealing Abbey, he did not inquire into the restrictions upon Pearce, nor give due importance to the fact that a judge in the civil proceedings in 2006 had found Pearce to have abused RC-A6 and others.
- 10.** It was not until 2010 that concerns with the institutional response of Ealing Abbey and St Benedict's came to a head, with scrutiny from the Charity Commission, the Independent Schools Inspectorate, the Department for Education, the media and members of the general public, including the campaigner Jonathan West.
- 11.** In response, Abbot Shipperlee instructed Lord Carlile of Berriew QC to undertake a review of safeguarding and child protection arrangements at the school. Lord Carlile's report was published in November 2011. Its core recommendation was that there was an "*overwhelming imperative*"<sup>671</sup> for the formal separation of Ealing Abbey and St Benedict's, to ensure that the school had independence and a governing body capable of addressing concerns over safeguarding. Abbot Shipperlee enacted this recommendation, and St Benedict's was formally separated from Ealing Abbey soon afterwards in 2012.
- 12.** External institutions outside of the EBC have a vital role to play in protecting children. They need to appreciate the particular issues in respect of monastic institutions such as these. They must avoid any false deference to the monks, and appraise carefully and critically any evidence given on safeguarding concerns.
- 13.** The responses of external institutions to the events at Ealing were defective in significant respects, resulting in children being left at risk of abuse or further abuse, a risk realised in the case of Pearce's abuse of RC-A621 in 2006 to 2008.
- 14.** The Metropolitan Police made mistakes in how some of the early allegations against Pearce and Soper were investigated. The police decision not to proceed with the case of RC-A418 in 2002 was unreasonable. There were also failures in respect of the investigation into the allegations of RC-A6 in 2004, including a failure to provide all relevant information to the Crown Prosecution Service when a charging decision was sought.
- 15.** The Crown Prosecution Service bears some responsibility for the fact that neither Pearce nor Soper were prosecuted earlier. In 2004, serious allegations were made by RC-A6 and RC-A622 against them. Despite the law having changed, and corroboration no longer being a requirement, in 2004 Crown Prosecution Service lawyers adopted it as a reason not to prosecute either case, rather than looking at ways in which the complainants' accounts could be supported.

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<sup>671</sup> BNT001113\_012 para 28

**16.** The Charity Commission's undertaking of their first statutory inquiry into Ealing Abbey's handling of Pearce between 2006 and 2008 was deficient. Its review was undertaken during the period when Pearce was abusing RC-A621, but the Charity Commission concluded that Pearce was being managed appropriately. This was based on assurances given by Ealing Abbey, which the Commission failed to scrutinise or test.

**17.** The Independent School Inspectorate's inspection of St Benedict's in 2009 concluded that its child protection policy was compliant with statutory guidance, and that an independent review into Pearce's offending had been conducted and its advice fully implemented. Both conclusions were wrong. It took members of the public to point out the errors before the 2009 report was withdrawn in April 2010.

**18.** In 2010, the Department for Education did not have the statutory power to enforce a recommendation made by the Independent Schools Inspectorate that monks who had been the subject of allegations should not reside at Ealing Abbey. Since January 2015, changes to the statutory standards by which independent schools are judged have rectified this gap in the Department for Education's powers.

**19.** Abbot Shipperlee resigned from the abbacy on the final day of the hearing of evidence by the Inquiry. Father Dominic Taylor has since been elected Abbot in July 2019. It remains to be seen whether Ealing Abbey proves itself capable in the future of ensuring proper safeguarding of children at risk.

## **H.2: Conclusions in relation to the English Benedictine Congregation, the abbeys and the schools**

**20.** Despite some differences, there are common themes in the institutional responses by Ampleforth Abbey, Downside Abbey and Ealing Abbey, and the EBC as a whole to child sexual abuse.

**21.** The nature of these communities as largely autonomous bodies under the authority of an abbot means the leadership of the particular abbot is especially important. If the abbot is ineffective, that is a significant impediment to effective action. If the abbot is himself a perpetrator of abuse, as Laurence Soper was at Ealing, the impediments are overwhelming and therefore the need for effective external oversight is even more crucial.

**22.** The difficulties that complainants face in bringing allegations of child sexual abuse have historically been acute in respect of abuse perpetrated by monks. When parents were told, some were afraid to damage their own relationships with the institutions or to damage the reputation of the Church, so did not intervene. Some did but found themselves under pressure from the institution to drop their complaint.

**23.** Often teachers and other monks would be disinclined to believe that a monk could perpetrate such abuse. They were reluctant to support complaints for fear it would undermine the institutions and the Church. That made it harder for complaints to be made, and easier for the abuse to continue.

**24.** There are particular aspects to managing risk where the alleged perpetrator of abuse is a monk. For example, the monastery is the monk's home, and he usually has no private income and few personal possessions. When considering how to manage the risk a monk posed, the institutions all prioritised the monk rather than the need to protect children at risk.

- 25.** The culture in these institutions was generally closed, defensive and resistant to external involvement. Typically, allegations of child sexual abuse were not raised externally. This was on occasion due to denial of the problem, on others due to an instinct to cover it up. Perpetrators were often moved on – whether a monk or a lay teacher – without any steps to prevent a risk of abuse recurring elsewhere.
- 26.** The closed culture within these institutions was compounded by a lack of safeguarding expertise. As a result, it would be left to monks with no relevant experience to assess the risk posed by another monk or to consider how restrictions would be implemented and monitored.
- 27.** When abbots and others sought advice outside the institution, often from a diocesan safeguarding representative, the advice they received was not always appropriate.
- 28.** There were some efforts made to strengthen safeguarding procedures after the Nolan report in 2001 and again after the Cumberlege report in 2007, but even then (as we identified in our report on Ampleforth and Downside) not all recommendations were followed.
- 29.** The EBC, the abbeys and the schools associated with them were often slow to take action on safeguarding matters, frequently believing they knew better than those with specialist knowledge about child protection. There were repeated failures in making, and then keeping, appropriate records of safeguarding issues. Deficiencies in record-keeping were symptomatic of the generally casual approach of these institutions to issues of child protection, which in turn reflects an underlying failure to take such issues sufficiently seriously.
- 30.** The EBC has not satisfied the Inquiry that in the past it had the institutional capability to ensure proper safeguarding of children, including those attending its schools. For example, during his tenure, Abbot President Yeo showed too little commitment to addressing safeguarding in the EBC with sufficient urgency. While visitations were undertaken, they had little if any practical effect on safeguarding and the protection of children from sexual abuse. The recent extension of the role of the Abbot President of the EBC to have a supervisory role independent of visitations should provide some counterbalance to the authority of the abbot. Much now will depend on the leadership of the Abbot President.



## Part 2

# Ampleforth and Downside: update

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# Recent developments at Ampleforth and Downside

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## Introduction

1. There have been several changes to the leadership and governance of Ampleforth and Downside since the Inquiry's public hearings in November and December 2017,<sup>672</sup> and the publication of our investigation report in August 2018.<sup>673</sup>

## Ampleforth

2. There have been a number of changes in personnel. As was outlined in our previous report, Abbot Cuthbert Madden stepped aside from his position as abbot of Ampleforth in 2016.<sup>674</sup> The current prior administrator is Father Gabriel Everitt.<sup>675</sup> John Ridge has also been appointed Interim Director of Safeguarding Compliance, replacing Mick Walker (the Safeguarding Coordinator for the Diocese of Middlesbrough).<sup>676</sup>

3. The Charity Commission-appointed interim manager Emma Moody continues in overseeing certain safeguarding matters related to Ampleforth College, St Martin's Ampleforth and the two related charities.<sup>677</sup> In September 2018, Father Wulstan Peterburs resigned as headmaster of Ampleforth College. We understand that the process of recruiting a new permanent headteacher is underway.<sup>678</sup>

4. Changes have also been made to governance arrangements.

**4.1.** A new post of Director of Governance has been created to provide, amongst others, overall strategic leadership<sup>679</sup> for the Ampleforth Abbey Trust (AAT) and the St Laurence Education Trust (SLET).<sup>680</sup>

**4.2.** Two further safeguarding positions will be created in the near future, Director of Safeguarding and Monastic Safeguarding Coordinator.<sup>681</sup>

**4.3.** The Safeguarding Commission<sup>682</sup> has been disbanded and a replacement commission will be set up in accordance with the guidance provided by the Catholic Safeguarding Advisory Service to address safeguarding concerns.

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<sup>672</sup> <https://www.iicsa.org.uk/investigations/investigation-into-failings-by-the-catholic-church?page=1&tab=hearing>

<sup>673</sup> Ampleforth and Downside Investigation Report

<sup>674</sup> Ampleforth and Downside Investigation Report

<sup>675</sup> INQ003781\_032 para 92

<sup>676</sup> INQ003751\_009 para 23(d). In addition, in 2018, Father Luke Beckett (Ampleforth Abbey Trust's safeguarding trustee) and Father Terence Richardson (previously prior of Ampleforth Abbey, and prior administrator since 2016 when Father Cuthbert stepped down), resigned from their positions (INQ003751\_002-006).

<sup>677</sup> <https://www.gov.uk/government/news/charity-commission-appoints-interim-manager-to-ampleforth-abbey-and-the-st-laurence-education-trust>

<sup>678</sup> INQ003751\_009

<sup>679</sup> INQ003751\_007 para 20

<sup>680</sup> INQ003999\_004 para 16

<sup>681</sup> INQ003751\_018-019 paras 36(f), 36(h)

<sup>682</sup> Established by Ampleforth in 2006 to advise the AAT on safeguarding at Ampleforth Abbey. Ampleforth and Downside Investigation Report

**4.4.** A new and separate joint AAT and SLET Safeguarding Committee has been created.<sup>683</sup> Any decision taken by the new Safeguarding Commission which might impact upon the operation of the school will be subject to the approval of the Safeguarding Committee.<sup>684</sup>

**5.** On the recommendation of Abbot President Christopher Jamison, an Apostolic Visitation took place in October 2018.<sup>685</sup>

**6.** We are aware that Ampleforth remains the subject of scrutiny by external authorities. It is now a matter for those authorities to conclude their work. In those circumstances, we do not feel it appropriate to make further comment.

## Downside

**7.** Between April and May 2018, Abbot President Jamison conducted a canonical visitation of Downside Abbey.<sup>686</sup> He made several recommendations, including ensuring that “*the protection of children and adults remains a priority for the monastic community*” and that the corporate separation of the school and the abbey be completed.<sup>687</sup>

**8.** In April 2018, the Downside Abbey Trust appointed Mr Nicholas Eldred, a solicitor and company secretary, to oversee the separation of the school and the abbey and to ensure that the school becomes fully self-governing.<sup>688</sup>

**9.** In July 2018, a new prior administrator, Father Nicholas Wetz, was appointed to replace Dom Leo Maidlow Davis as prior administrator for a period of two years with effect from September 2018.<sup>689</sup> Father Wetz also replaced Dom Maidlow Davis in his roles as a trustee and school governor following his resignation from those positions on 1 September 2018. Andrew Hobbs, formerly the acting headmaster, was appointed as headmaster of Downside School following a competitive recruitment process. Mr Hobbs took up the role in September 2018.<sup>690</sup>

**10.** Between December 2018 and January 2019, a new legal entity was created to manage the school.<sup>691</sup> Directors were nominated and a process is currently underway for the new entity to obtain charitable status. A board of trustees has been established, to be made up of eight to 12 trustees, with six already appointed.<sup>692</sup> In addition, there will be two ex-officio members, the prior administrator and a nominee of the Diocesan Bishop. No member of the Downside monastic community will be eligible to become a trustee, nor will the chair of trustees have to be a Catholic.<sup>693</sup> We understand that the separation process has been completed and that Downside School began operating as a legal entity in its own right on 12 September 2019.

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<sup>683</sup> INQ003751\_018

<sup>684</sup> INQ003751\_019 para 36(g); INQ003999\_006 para 26

<sup>685</sup> INQ003781\_034 para 97

<sup>686</sup> INQ003781\_035 para 100; BNT007143\_016 para 70

<sup>687</sup> INQ003781\_035 para 100

<sup>688</sup> BNT007143\_001-002 paras 1, 3

<sup>689</sup> BNT007143\_003 para 8; Ampleforth and Downside Investigation Report Part C, paras 343, 356; BNT007143\_006 para 27

<sup>690</sup> BNT007143\_006 para 28

<sup>691</sup> BNT007144\_002-003 para 4(c)

<sup>692</sup> BNT007144\_005 para 10

<sup>693</sup> BNT007144\_005-006 paras 11, 12



# Annexes

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# Annex 1

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## Overview of process and evidence obtained by the Inquiry

### 1. Definition of scope for the case study

This case study is an inquiry into the extent of any institutional failures to protect children from sexual abuse within the English Benedictine Congregation.

The scope of this investigation, in so far as it relates to this case study, is that the Inquiry will investigate:<sup>694</sup>

#### 3.1. *the English Benedictine Congregation and, consider, in particular:*

- 3.1.1. *the nature and extent of child sexual abuse by individuals associated with the Congregation including, but not limited to, teachers in Benedictine schools;*
- 3.1.2. *the nature and extent of any failures of the English Benedictine Congregation, the Catholic Church and/or other institutions or agencies to protect children from such abuse;*
- 3.1.3. *the adequacy of the response of the English Benedictine Congregation, the Catholic Church, law enforcement agencies, prosecuting authorities and any other relevant institutions to allegations of child sexual abuse by individuals associated with the Congregation;*
- 3.1.4. *the extent to which the English Benedictine Congregation and the Catholic Church sought to investigate, learn lessons, implement changes, and/or provide support and reparation to victims and survivors, in response to:*
  - a) *allegations of child sexual abuse by individuals associated with the Congregation;*
  - b) *criminal investigations and prosecutions and/or civil litigation relating to child sexual abuse by individuals associated with the Congregation;*
  - c) *investigations, reviews or inquiries into child sexual abuse within the Congregation, including but not limited to: Dr Elizabeth Mann's 2003 review of Ampleforth School; the Independent School Inspectorate's 2010 inspection into St Benedict's School; Lord Carlile's 2011 inquiry into St Benedict's School/Ealing Abbey; the apostolic visitation of 2011; and the Charity Commission's inquiries into Ealing Abbey; and/or*
  - d) *other external guidance.*
- 3.1.5. *the adequacy of child protection and safeguarding policy and practice across the English Benedictine Congregation during the relevant period, including the adequacy of any response to the recommendations of the Nolan and Cumberlege Commissions.*

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<sup>694</sup> <https://www.iicsa.org.uk/key-documents/584/view/childsexualabuseintheromancatholicchurchamended.pdf>

## 2. Core participants and legal representatives

### Counsel to this investigation:

Riel Karmy-Jones QC
Matthew Donmall
Jelia Sane

### Complainant core participants:

<b>A43, A44, A45, A46, A47, A48, A49, A50, A51, A53, A54, A64, A65, A66, A69, A70, A72, A75, the West London Benedictine Order Abuse Survivors</b>	
Counsel	Iain O'Donnell, Emma-Louise Fenelon
Solicitor	Richard Scorer, Slater and Gordon
<b>F13</b>	
Counsel	Chris Jacobs
Solicitor	David Enright, Howe and Co
<b>G2</b>	
Solicitor	Imran Khan QC, Imran Khan and Partners
<b>C18 and C19</b>	
Counsel	William Chapman
Solicitor	David Greenwood, Switalskis

**Institutional core participants:**

<b>Adrian Child and Eileen Shearer</b>	
Counsel	Tania Griffiths QC and Julian King
Solicitor	Lachlan Nisbet, Brabners
<b>Jonathan West</b>	
Counsel	Iain O'Donnell, Emma-Louise Fenelon
Solicitor	Richard Scorer, Slater and Gordon
<b>The Monastic Community of Ealing</b>	
Counsel	Ruth Henke QC
Solicitor	Anthony Nelson, Haworth and Gallagher Solicitors
<b>The Catholic Council for IICSA</b>	
Counsel	Kate Gallafent QC
Solicitor	Stephen Parkinson, Kingsley Napley
<b>The English Benedictine Congregation</b>	
Counsel	Kate Gallafent QC
Solicitor	Stephen Parkinson, Kingsley Napley
<b>Ampleforth Abbey and Ampleforth School</b>	
Counsel	Matthias Kelly QC
Solicitor	Giles Ward, Milners Law
<b>The Secretary of State for Education</b>	
Counsel	Cathryn McGahey QC
Solicitor	William Barclay, Government Legal Department
<b>Independent Schools Inspectorate</b>	
Counsel	David Wolfe QC, David Lawson
Solicitor	Sarah McKimm, Independent Schools Inspectorate

### 3. Evidence received by the Inquiry

<b>Number of witness statements obtained:</b>
33
<b>Organisations and individuals to which requests for documentation or witness statements were sent:</b>
Jeremy Harvey, Complainant
RC-A6, Complainant
RC-A8, Complainant
RC-A24, Complainant
RC-A645, Complainant
Jonathan West, Campaigner
Dom Richard Yeo, English Benedictine Congregation
Philip Wright, Safeguarding Coordinator, co-author of 2009 report on safeguarding at Ealing Abbey
Commander Neil Jerome, Metropolitan Police Service
Michelle Russell, Charity Commission
Michael Sheridan, Ofsted
Lord Carlile of Berriew QC
Peter Turner, Former Child Protection Officer/Safeguarding Advisor at the Diocese of Westminster
Abbot Martin Shipperlee, Ealing Abbey
Andrew Johnson, St Benedict's School
Christopher Cleugh, Former headmaster of St Benedict's School
Jenny Share, Ampleforth School
Carolyn Fair, Ealing Council
Kate Richards, Independent Schools Inspectorate
Father Alban Nunn, Ealing Abbey
Gregor McGill, Crown Prosecution Service
Peter Halsall, Former teacher at St Benedict's School
Katherine Ravenscroft, St Benedict's School
Abbot President Christopher Jamison, English Benedictine Congregation
Reverend Jeremy Trood, Downside Abbey
Bishop John Arnold, undertook Apostolic Visitation of 2011
Penny Jones, Department for Education
Suzanne Smith, Disclosure and Barring Service
John Nixson, independent child protection specialist, co-author of 2009 report on safeguarding at Ealing Abbey
Kevin Gregory, Former Officer with the Metropolitan Police Service
Kate Dixon, Department for Education

#### 4. Disclosure of documents

**Total number of pages disclosed: 10,694**

#### 5. Public hearings including preliminary hearings

Preliminary hearings	
1	5 June 2018
2	1 November 2018
Public hearings	
Days 1-5	4-8 February 2019

#### 6. List of witnesses

Forename	Surname	Title	Called/Read	Hearing day
RC-A8			Called	1
Jeremy	Harvey	Mr	Read	1
RC-A24			Read	1
Neil Alan	Jerome	Commander	Called	2
Gregor	McGill	Mr	Called	2
Peter William	Turner	Mr	Called	2, 3
Martin	Shipperlee	Abbot	Called	3, 4
Richard	Yeo	Dom	Called	4
Christopher Joseph	Cleugh	Mr	Called	4, 5
Sharon Michelle	Russell	Ms	Called	5
Peter Christopher	Jamison	Abbot President	Called	5
RC-A622			Read	5

#### 7. Restriction orders

On 15 August 2016, the Chair issued a restriction order under section 19(2)(b) of the Inquiries Act 2005, granting general anonymity to all core participants who allege that they are the victim and survivor of sexual offences (referred to as ‘complainant core participants’). The order prohibited (i) the disclosure or publication of any information that identifies, names or gives the address of a complainant who is a core participant and (ii) the disclosure or publication of any still or moving image of a complainant core participant. The order meant that any complainant core participant within this investigation was granted anonymity, unless they did not wish to remain anonymous. That restriction was amended on 23 March 2018 but only to vary the circumstances in which a complainant core participant may themselves disclose their own core participant status.

The following further restriction order was made during the course of this case study:

- Restriction order prohibiting the disclosure or publication of the name of any individual whose identity has been redacted or ciphered by the Inquiry in connection with its investigation into the English Benedictine Congregation, dated 8 December 2017.<sup>695</sup>

## 8. Broadcasting

The Chair directed that the proceedings would be broadcast, as has occurred in respect of public hearings in other investigations. For anonymous witnesses, all that was 'live streamed' was the audio sound of their voice.

## 9. Redactions and ciphering

The material obtained for the investigation was redacted and, where appropriate, ciphers applied, in accordance with the Inquiry's Protocol on the Redaction of Documents.<sup>696</sup> This meant that (in accordance with Annex A of the Protocol), absent specific consent to the contrary, the identities of complainants, victims and survivors of child sexual abuse and other children were redacted; and if the Inquiry considered that their identity appeared to be sufficiently relevant to the investigation a cipher was applied. Pursuant to the Protocol, the identities of individuals convicted of child sexual abuse (including those who have accepted a police caution for offences related to child sexual abuse) were not generally redacted unless the naming of the individual would risk the identification of their victim in which case a cipher would be applied.

## 10. Warning letters

Rule 13 of the Inquiry Rules 2006 provides:

- "(1) The chairman may send a warning letter to any person –*
- a. he considers may be, or who has been, subject to criticism in the inquiry proceedings; or*
  - b. about whom criticism may be inferred from evidence that has been given during the inquiry proceedings; or*
  - c. who may be subject to criticism in the report, or any interim report.*
- (2) The recipient of a warning letter may disclose it to his recognised legal representative.*
- (3) The inquiry panel must not include any explicit or significant criticism of a person in the report, or in any interim report, unless –*
- a. the chairman has sent that person a warning letter; and*
  - b. the person has been given a reasonable opportunity to respond to the warning letter."*

<sup>695</sup> <https://www.iicsa.org.uk/key-documents/3494/view/2017-12-08-restriction-order-re-documents-published-inquiry-website-during-ebc-case-study-public-hearing-.pdf>

<sup>696</sup> <https://www.iicsa.org.uk/key-documents/322/view/2018-07-25-inquiry-protocol-redaction-documents-version-3.pdf>

In accordance with rule 13, warning letters were sent as appropriate to those who were covered by the provisions of rule 13 and the Chair and Panel considered the responses to those letters before finalising the report.

# Annex 2

## Glossary

Abbot/Abbess	The superior of a religious community responsible for governing their institution's life and work. <sup>697</sup> (See Religious Superior)
Abbot President	The leader of a Benedictine Congregation. <sup>698</sup> In the context of this report, the English Benedictine Congregation.
Apostolic Nunciature	The diplomatic office of the Holy See in Great Britain, established in 1982. The location of the Apostolic Nuncio's offices and residence is Wimbledon, south west London.
Apostolic Nuncio	The diplomatic representative of the Holy See in the UK. His role is equivalent to that of an ambassador. The post is presently held by Archbishop Edward Joseph Adams, who was appointed on 8 April 2017. <sup>699</sup>
Apostolic Visitation	A visitation (see also Visitation) ordered by the Holy See, which appoints one or more Visitors to investigate a situation and to report back to the Holy See on what they find. <sup>700</sup>
Benedictine Confederation	<p>A union of autonomous monastic congregations which all follow the teachings (the Rule) of St Benedict. Each of the congregations (of which the English Benedictine Congregation is one) has its own Abbot President.</p> <p>The Confederation has its headquarters at Sant'Anselmo in Rome, which is the seat of the Abbot Primate. (The current Abbot Primate, as at 2019, is Gregory Polan OSB.)<sup>701</sup></p>
Charity Commission	A non-ministerial government department that regulates registered charities in England and Wales and maintains the Central Register of Charities. <sup>702</sup>
Code of Canon Law	The system of laws which govern the Catholic Church. <sup>703</sup> Laws are articulated in a code, known as the 'Code of Canon Law'. The current code is the 1983 Code of Canon Law. It superseded the 1917 Code of Canon Law, which was the first comprehensive codification of canon law in the Latin Church.

<sup>697</sup> BNT004910\_003

<sup>698</sup> BNT004911; BNT004910\_010-011

<sup>699</sup> <http://www.cbcew.org.uk/home/the-church/apostolic-nuncio-to-great-britain/>

<sup>700</sup> BNT004911

<sup>701</sup> Dom Richard Yeo 28 November 2017 128/15-129/3; <https://www.osb.org/the-benedictine-order/the-benedictine-confederation>

<sup>702</sup> <https://www.gov.uk/government/organisations/charity-commission/about>

<sup>703</sup> BNT004911

Constitutions of the EBC	<p>Every religious congregation has constitutions. Benedictine monastic congregations have constitutions as well as the Rule of St Benedict (the Rule). Constitutions of the English Benedictine Congregation (EBC) govern all its monasteries, and individual monasteries do not have individual constitutions. Nuns of the EBC have a different set of constitutions from the monks.</p> <p>The constitutions consist of two parts:</p> <ul style="list-style-type: none"> <li>(i) The Declarations on the Rule – this is complementary to the Rule of St Benedict.</li> <li>(ii) The Statutes – these set out the structure and government of the congregation as a whole.<sup>704</sup></li> </ul>
Covenant of care	<p>Following the Nolan report, the Catholic Church introduced a new policy which was to ask individuals about whom a concern had been raised to accept a covenant of care (now called a safeguarding plan). This is an agreement drawn up between the Church and the individual in question to minimise risks to others by making clear what conditions and restrictions apply, as well as what support is available.<sup>705</sup></p>
Decree	<p>A formal order.</p> <p>Canon Law 601 gives a religious superior power to compel a member of their community to act in a particular way. If the member does not do so then sanctions can result. This rule is the basis for covenants of care and disciplinary decrees.<sup>706</sup></p> <p>An example is an Act of Visitation made after a visitation (see Visitation) where the Abbot President can issue a formal decree (made in writing) requiring steps to be taken by the Abbot and institution subject to the visitation.<sup>707</sup></p>
Delict	<p>A crime in canon law, an external violation of a law or precept gravely imputable by reason of malice or negligence.<sup>708</sup> This is not the same definition as a delict in civil law jurisdictions.</p>
Dispensation	<p>On application from an abbot, the Abbot President can grant a dispensation from temporary vows for a member of the community. However, to be granted dispensation from perpetual vows the Abbot President’s Council must agree with the application (although the Abbot President can take the final decision) before it is forwarded to the Holy See for approval.<sup>709</sup></p>
Ex-gratia payment	<p>A payment for damages, made voluntarily but without any admission of liability or guilt.</p>
Extraordinary visitations	<p>A visitation (see Visitation) held outside of the regular four-yearly intervals of the Ordinary visitations. Held when needed, usually for serious or grave reasons.<sup>710</sup></p>
First Assistant	<p>The senior member of the Council of the Abbot President, who takes on the role of the Abbot President for visitations of the monastery of which the Abbot President is a member.<sup>711</sup></p>

<sup>704</sup> BNT004911; BNT004910\_008-009

<sup>705</sup> <https://www.csas.uk.net/wp-content/uploads/2018/05/Safeguarding-Plans-management-of-risk-and-support-within-the-Church.pdf>

<sup>706</sup> AAT000958\_005

<sup>707</sup> Dom Richard Yeo 28 November 2017 111/12-112/18

<sup>708</sup> BNT006439\_011; [http://www.vatican.va/resources/resources\\_glossary-terms\\_en.html](http://www.vatican.va/resources/resources_glossary-terms_en.html)

<sup>709</sup> BNT004910\_018; Dom Richard Yeo 28 November 2017 98/21-99/21

<sup>710</sup> BNT004911; BNT004910\_010-011

<sup>711</sup> BNT004911

General Chapter of the EBC	<p>All Roman Catholic congregations, including the English Benedictine Congregation (EBC), have General Chapters. These exercise supreme authority and write the constitutions of the order (with the approval of the Holy See) and elect the General Superior/Abbot President. Due to the structure of the EBC, the monasteries are more autonomous than other congregations of the Roman Catholic Church and therefore the General Chapter of the EBC has less authority than in other orders where there is a centralised system and a more obvious hierarchy of accountability.</p> <p>The General Chapter of the EBC is made up of the Abbot President, an abbot or abbess from each monastery, a delegate elected by the monastery's own chapter and four officials of the EBC. The Abbot President as the most senior figure prepares and runs the General Chapter with the help of his Council. It is the supreme legislative authority of the congregation, saving the right of the Holy See to approve the constitutions. It elects the Abbot President and his Council, and discusses matters of common interest to the monasteries.</p> <p>The General Chapter has ordinary and extraordinary meetings, known as chapters. Ordinary chapters are held every four years and extraordinary chapters are held in times of need. The last extraordinary chapter was held in 2015.<sup>712</sup></p>
Holy See	<p>The Holy See is the central administration of the Catholic Church, which includes the Pope and the offices of the Vatican.<sup>713</sup> It is located in Vatican City, Italy.<sup>714</sup></p>
Independent Safeguarding Authority	<p>A non-departmental national vetting and barring agency that was responsible for checking the backgrounds of people working with children and vulnerable adults and ensuring that they were suitable (eg checking they did not have any criminal convictions that would make them unsuitable to work with children). In December 2012, it merged with the Criminal Records Bureau (CRB) to form the Disclosure and Barring Service.<sup>715</sup></p>
Laicisation	<p>The loss of the clerical state, either through dismissal for offences or through a request from the individual, for example to enable a monk to marry.<sup>716</sup></p>
Monastic congregation	<p>A union of several autonomous monasteries, under a superior.<sup>717</sup></p>
Notification requirements	<p>Sometimes referred to as the sex offenders' register. Created by the Sex Offenders Act 1997 and subsequently amended by the Sexual Offences Act 2003.</p> <p>A tool for the management of convicted sex offenders in the community, which requires the offender to provide the police with a number of personal details, and to keep the police informed of any changes to those details.</p> <p>The length of time that an offender is on the sex offenders' register and subject to notification requirements depends on the sentence or order received upon conviction or caution. A person who does not comply with the notification requirements commits a further offence and may receive a prison sentence on conviction.</p>

<sup>712</sup> BNT004911; BNT004910\_009-010

<sup>713</sup> AAT000966\_012; BNT004911

<sup>714</sup> <http://www.vaticanstate.va/content/vaticanstate/en.html>

<sup>715</sup> <https://www.gov.uk/government/organisations/independent-safeguarding-authority>

<sup>716</sup> BNT004910\_017

<sup>717</sup> BNT004911; BNT004910\_003

Novice	A monk who is undertaking a probationary period at the monastery, which includes training in monastic ways. Within the English Benedictine Congregation, this includes studying the Rule of St Benedict and the constitutions. <sup>718</sup>
Novice master	An experienced monk who provides guidance and oversees the education and training of novice monks wishing to join the institution. <sup>719</sup>
Police caution	In England and Wales, a police caution is an alternative to prosecution and can be given by the police to anyone aged 10 or over for minor crimes. Before a caution can be given, the individual must admit his or her guilt and agree to be cautioned; if the individual does not agree, they can be arrested and formally charged. A caution is not a criminal conviction but can be used as evidence of bad character and will show on standard and enhanced Disclosure and Barring Service (DBS) checks. <sup>720</sup>
Prior	A senior member of the monastery who supports the Abbot and is involved in the day-to-day administration of the monastery. The Prior deputises for the Abbot when the Abbot is absent from the monastery. <sup>721</sup>
Redress scheme	A scheme designed to provide reparations and support to victims and survivors of child sexual abuse, including in the form of financial compensation and counselling and psychological care.
Rehabilitation order	A court order (formerly called a probation order) which places an offender under the supervision of a probation officer for a period of between six months and three years instead of a sentence of imprisonment. The order contains conditions for the supervision and behaviour of the offender during the period of rehabilitation.
Religious	A person bound by religious vows. A Benedictine monk or a nun is a Religious, and so are men and women belonging to all the religious congregations in the Church. <sup>722</sup>
Religious superior	The person who is the head of a religious congregation or a part of a religious congregation. The term encompasses a local superior, a provincial superior and a general superior. In a monastic congregation, the abbot of a monastery of monks, the abbess of a monastery of nuns and the Abbot President of the congregation are all religious superiors. <sup>723</sup>
Roman Curia	The central government of the Church (including its administrative function) which exists to support and serve the Pope whilst exercising his authority. <sup>724</sup>

<sup>718</sup> <https://www.downside.co.uk/benedictine-monastery/a-monastic-vocation/stages-becoming-monk/>; BNT006861\_049-050; Dom Charles Fitzgerald-Lombard 8 December 2017 108/17-23

<sup>719</sup> <https://www.downside.co.uk/benedictine-monastery/a-monastic-vocation/stages-becoming-monk/>; BNT006861\_049-050; Dom Charles Fitzgerald-Lombard 8 December 2017 108/17-23

<sup>720</sup> <https://www.gov.uk/caution-warning-penalty>

<sup>721</sup> Father George Corrie 1 December 2017 9/18-25; AAT000966\_010

<sup>722</sup> BNT004911; BNT004910\_003

<sup>723</sup> BNT004911; BNT004910\_003

<sup>724</sup> BNT004911; [http://www.vatican.va/roman\\_curia/index.htm](http://www.vatican.va/roman_curia/index.htm)

Rule of St Benedict	The Rule was written by St Benedict of Nursia (c. AD 480–547) and is held in a book containing a prologue and 73 chapters. It sets out the rules by which Benedictine monks living together in a community under the authority of an abbot should live and specifies punishments for monks who show fault through disobedience, pride and other grave faults. <sup>725</sup>
Safeguarding plan	See Covenant of care above.
Sex offenders' register	Established by the Sex Offenders Act 1997 (amended by the Sexual Offences Act 2003). <sup>726</sup> The Violent and Sex Offender Register (often known as the sex offenders' register) holds the details of people who have been convicted, cautioned or released from prison for sexual offences against children or adults. The register is monitored by the police. (See also Notification requirements, above.)
Similar fact evidence	A term used in law for evidence of past misconduct that is so similar to the facts of a present case that it may, in certain circumstances, be relied upon in a trial to establish that the accused is likely to have committed the offence.
Statutory agencies	A government agency created by legislation.
Suspended sentence	A sentence of imprisonment imposed by a judge and then 'suspended' (ie conditionally delayed), allowing the defendant to remain in the community. The judge may impose certain conditions during the suspension period (for example a curfew). If the defendant fails to comply with the conditions, or commits another offence during the suspension period, they risk having to serve the original sentence of imprisonment as well as an additional sentence for the new offence.
Visitations	Inspections of English Benedictine Congregation monasteries conducted by the Abbot President (and his assistants) which take place approximately every four years. Their purpose is to pick up on failures to follow the Rule of St Benedict, the constitutions of the congregation or the law of the Church. Visitations are also an opportunity for the Abbot President to give the monasteries a general inspection to see how they are being governed and are working, including to give support and encouragement. <sup>727</sup>
Vows	Temporary vows: After the period of the novitiate, if the individual wishes to commit to the monastic way of life he must apply to the institution he wishes to join. If accepted, the individual makes a temporary commitment (usually three years). During those years the individual undertakes further study to expand their understanding of the monastic life and the Catholic faith. Solemn vows: After three years of temporary vows, the individual in question can make his solemn vows to become a member of the community as a monk and then gains the right to discuss and vote on issues in the community. <sup>728</sup>

<sup>725</sup> BNT004911; Dom Richard Yeo 28 November 2017 94/7-25; 100/21-101/8; 141/10-25; 143/1-5

<sup>726</sup> Sex Offenders Act 1997; Sexual Offences Act 2003

<sup>727</sup> BNT004911; BNT004910\_010-011; Dom Richard Yeo 28 November 2017 91/12-22; 105/4-10; 107/5-109/17

<sup>728</sup> Dom Charles Fitzgerald-Lombard 8 December 2017 79/4-14, 109/7-22; BNT003832\_010-012

# Annex 3

## Acronyms

AAT	Ampleforth Abbey Trust AAT is a parent trust. It owns all the buildings and property of Ampleforth Abbey, and is concerned with the running of the monastery and Abbey. <sup>729</sup>
CBC	Catholic Bishops' Conference of England and Wales CBC is the official, permanent assembly of Catholic Bishops in England and Wales made up of the archbishops, bishops and auxiliary bishops of the 22 Catholic dioceses, together with some others. <sup>730</sup>
CDF	Congregations of the Doctrine of the Faith CDF is one of the congregations of the Roman Curia. Its responsibilities include promoting safeguarding and exercising its judicial function. <sup>731</sup>
CICLSAL	Congregation for the Institutes of Consecrated Life and Societies of Apostolic Life CICLSAL is the office of the Vatican which is responsible for supervising the different religious communities in the Catholic Church. <sup>732</sup>
COPCA	Catholic Office for the Protection of Children and Vulnerable Adults Recommendation 16 of the Nolan report led to the establishment of the COPCA in 2002. <sup>733</sup> This organisation was replaced by the Catholic Safeguarding Advisory Service (see CSAS).
CSAS	Catholic Safeguarding Advisory Service CSAS is the national agency for driving and supporting improvements in safeguarding practice within the Catholic Church in England and Wales. <sup>734</sup> This organisation replaced COPCA from 1 July 2008 on the basis of recommendation 3 of the Cumberlege report, <sup>735</sup> and is responsible for implementation, training and advice. <sup>736</sup>
DBS/CRB/ISA	Disclosure and Barring Service The DBS replaced the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) in 2012. The DBS carries out criminal record checks that result in DBS certificates being issued to an individual. Employers can then ask to see this certificate to ensure that they are recruiting suitable people into their organisation. There are currently three levels of criminal record check: basic, standard and enhanced. <sup>737</sup>

<sup>729</sup> Abbot Cuthbert Madden 5 December 2017 37/23-25

<sup>730</sup> <http://www.cbcew.org.uk/>

<sup>731</sup> AAT000966\_012-013; CHC000396\_004

<sup>732</sup> BNT004911; AAT000966\_012-013; CHC000396\_014

<sup>733</sup> CSA005625\_002

<sup>734</sup> CSA005625\_002

<sup>735</sup> CSA005625\_004

<sup>736</sup> CEW000014\_012-013

<sup>737</sup> <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

DfE	<p>Department for Education</p> <p>The DfE is responsible for children's services and education, including early years, schools, higher and further education policy, apprenticeships and wider skills in England. Its responsibilities include teaching and learning for children in the early years and in primary schools and secondary schools.<sup>738</sup> It replaced the Department of Education and Science (DES) in 1992, then became the Department for Education and Employment (DfEE) in 1995, then the Department for Education and Skills (DfES) in 2001, then the Department for Children Schools and Families (DCSF) in 2007, before becoming the Department for Education again in 2010.</p>
ISI	<p>Independent Schools Inspectorate</p> <p>The ISI undertakes inspections of independent schools against statutory standards, and publishes reports following those inspections.<sup>739</sup></p>
LADO	<p>Local Authority Designated Officer</p> <p>Their role is to give advice, liaise with other agencies and investigate allegations on behalf of the local authority.</p>
NFA	<p>No further action</p> <p>When the police determines that no further action is necessary or possible to be taken when investigating potentially criminal matters.<sup>740</sup></p>
Ofsted	<p>Office for Standards in Education, Children's Services and Skills</p> <p>Ofsted is a non-ministerial government department which inspects and regulates services that care for children and young people, and services providing education and skills.<sup>741</sup></p>
SLET	<p>St Laurence Education Trust<sup>742</sup></p> <p>Ampleforth School has been run by a separate educational trust, the SLET, since 1997.<sup>743</sup> It is a wholly owned subsidiary trust of the Ampleforth Abbey Trust. The SLET and its trustees are responsible for the governance of both Ampleforth College and St Martin's Ampleforth.<sup>744</sup></p>
SMA	<p>St Martin's Ampleforth</p> <p>In 2001, Ampleforth College Junior School merged with St Martin's, a small local preparatory school eight miles away in Nawton, becoming St Martin's Ampleforth.<sup>745</sup></p>

<sup>738</sup> <https://www.gov.uk/government/organisations/department-for-education/about>

<sup>739</sup> [https://www.isi.net/about/what-we-do; ISI000232\\_001-002](https://www.isi.net/about/what-we-do; ISI000232_001-002)

<sup>740</sup> <https://www.iicsa.org.uk/Interim-report/overview/operation-hydrant>

<sup>741</sup> <https://www.gov.uk/government/organisations/ofsted/about>

<sup>742</sup> AAT000962\_004

<sup>743</sup> Oral closing submissions on behalf of Ampleforth to IICSA, 15 December 2017 76/4-7

<sup>744</sup> Abbot Cuthbert Madden 5 December 2017 38/1-4

<sup>745</sup> AAT000962\_005 para 17

# Annex 4

## Summary of allegations leading to convictions

Perpetrator/Complainant	Nature of abuse	Date of conviction
<i>David Pearce</i>		
RC-A596	Touching buttocks and genitals; indecent exposure; forced masturbation	August 2009
RC-A597	Grooming; touching genitals; filming in bath; kissing	August 2009
RC-A594	Beating with cane on bare buttocks	August 2009
RC-A621	Grooming; touching buttocks; attempted kissing	August 2009
RC-A6	Touching genitals, after swimming lessons and in the infirmary	August 2009
<i>Laurence Soper</i>		
RC-A600	Caning; touching buttocks	December 2017
RC-A608	Caning; touching buttocks	December 2017
RC-A601	Caning; touching buttocks	December 2017
RC-A609	Caning; touching buttocks	December 2017
RC-A610	Caning; touching buttocks	December 2017
RC-A611	Touching buttocks	December 2017
RC-A622	Rape; touching genitals	December 2017
RC-A8	Caning; touching buttocks	December 2017
RC-A11	Caning; touching genitals	December 2017
RC-A591	Touching genitals	December 2017
<i>John Maestri</i>		
RC-A623	Kissing; forced masturbation	December 2003
RC-A626	Kissing; lying in bed naked and touching body	December 2003
RC-A625	Fondling genitals	June 2005
RC-A11	Kissing; forced masturbation; attempted anal digital penetration	January 2009
<i>Stephen Skelton</i>		
RC-A604	Inappropriate touching	December 2011
<i>Peter Allott</i>		
N/a	Downloading and distributing indecent images of children	March 2016

