Independent Review

Commissioned by the Church in Wales

In relation to the Case of Anthony Pierce

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Contents

Independent Review in relation to the case of Anthony Pierce 5

Background to the review 5

The Reviewer 5

Methodology 6

The people involved 7

The principal sources of information 7

Overview 8

Who knew what, and what did they do? 10

1989/90: The allegation 10

1992/1993: First disclosure to the Church 11

1995: AP's appointment as Archdeacon 14

1999: AP's election and confirmation of election as Bishop 14

2009: Commencement of the Historic Cases Review 19

2010: Referral to statutory authorities and removal of PTO 24

2011: Reinstatement of PTO 35

2016: Removal of PTO 38

Procedure for appointing bishops in the Church in Wales 38

Procedure for appointing archdeacons in the Church in Wales 45

Concluding reflections and recommendations 45

Appendix 1: Terms of Reference 48

Appendix 2: The evidence in more detail 52

1989/90: the allegation 52

The conduct 52

Admissions 53

Timing 54

Legal position 55

1991/1992/1993: Disclosure of the allegation to ZA 56

1992/1993: First disclosure to the Church 58

Who was who 58

The disclosure 58

Timing of the disclosure 59

Other information about AP 60
1995: AP's appointment as Archdeacon 61
1999: AP's election and confirmation of election as Bishop 62
Who was who 62
The policy position 62
The Election 64
Response to the rumours at the Electoral College 65
The 1999 Letter 67
Meeting with AP 68
Involvement of others 69
The 1999 Report 69
Reply to the 1999 Letter 70
Confirmation of Election 71
Later sharing of information in 1999 71
2009: Commencement of the Historic Cases Review 73
Who was who 73
Initiation of the HCR 74
Information received by Bishop F 75
Responses to the information received 77
2010: Referral to statutory authorities and removal of PTO 82
Who was who 82
The policy position 83
January 2010: Renewed disclosure by ZA 84
February to March 2010: further information gathered by Independent Officer K.. 85
April 2010: Further information and Panel meeting 90
May 2010: Implementing the Panel's recommendations 95
June 2010: Removal of Permission To Officiate 99
June 2010: Decision to refer to the police and discovery of further information .. 101
July 2010: Referral to the police 105
July 2010: Discovery of yet further information 111
August to November 2010: Referral to the ISA 112
2011: Reinstatement of PTO 115

Response of the ISA 115
Restoration of PTO 118
2016: Removal of PTO 121
Who was who 121
Bringing together all the information known 121
Removal of PTO and advice of the strategy committee 124
DBS Referral 126
Appendix 3: Who was who at different times 128
Appendix 4: Schedule of contributors 131
Those interviewed 131
Those who answered written questions 131

Independent Review in relation to the case of Anthony Pierce

Background to the review

1. On 7 February 2025, the Right Reverend Anthony (Tony) Pierce (**"AP"**) pleaded guilty to five charges of indecent assault in the 1980s on a boy under the age of 16. I am told that the disclosure which led to his prosecution was reported to the police in late 2023 on the same day as it was received from the survivor, with relevant information also shared, and appropriate engagement with both the survivor and AP.
2. However, during the investigation of those offences, papers relating to AP were reviewed, and gave the Church in Wales substantial cause for concern in respect of the handling of another disclosure, of conduct in respect of another boy probably aged 15 or 16 which occurred in or around 1990. I am instructed to review the handling of this earlier disclosure, seeking to establish as far as possible who within the Church received relevant information and what they did with it.
3. In addition, I am asked to review the Church's current processes for appointing Archdeacons and Bishops and how safeguarding allegations are considered within that process.
4. My full terms of reference can be found at Appendix 1.

The Reviewer

5. I practised as a barrister at Maitland Chambers, Lincoln's Inn, for twelve years, specialising in property litigation, before spending nine years as Diocesan Secretary of the Diocese of Chichester.
6. As Diocesan Secretary, I line managed the Diocesan Safeguarding Adviser and worked closely with him on numerous safeguarding cases including Bishops George Bell and Peter Ball and others. Those cases were the subject of criminal and civil trials, Clergy Discipline Measure tribunals, and internal church investigations. I was closely involved in preparation for the Moira Gibb Review and the Chichester and Peter Ball case studies of the Independent Inquiry into Child Sexual Abuse, in the latter at both diocesan and national church level. I served as a member of the national church Safeguarding Programme Board.
7. I have investigated safeguarding related complaints both while Diocesan Secretary and afterwards on a consultancy basis.
8. While Diocesan Secretary, I worked with the current General Counsel & Head of Legal Services in his previous role, ending when he joined the Church in Wales in 2019. I confirm that I have no other professional or personal relationship with

any individual connected with this case, or with any part of the Church in Wales. I have had no prior involvement in the case.

Methodology

9. At the outset of the review I was provided with what was believed to be all the relevant documentation held by the Church in Wales. Chief among this was a bundle prepared in 2016 for the Independent Inquiry into Child Sexual Abuse. As the review proceeded, this was added to as further documents were found in a variety of different places. Not all documents could be located, including AP's personal file.
10. I also conducted interviews with all those who could be identified as having played a part in the case, or in some cases, put questions by email or post. A schedule of those who contributed is at Appendix 4. I am grateful to all those who took the time to assist me.
11. This review addresses events which in some cases are over 35 years ago. The most recent are over 8 years ago. A substantial number of those most closely involved have died, and among those who survive, inevitably, many memories have faded.
12. On a number of occasions, individuals told me information which conflicted either with previous statements of their own or with contemporaneous documentary evidence. As so often with memory, limited reliance can be placed on it, particularly in the case of 'negative' memories: where someone does not recall, for example, knowing something, it is almost impossible to tell whether they did in fact not know it, or whether they have simply not remembered it. Even with 'positive' memories, for example that something was done or said, there is research to show that genuinely held memories are often not reliable.
13. Furthermore, only limited documentation is held; it is sometimes not clear how particular documents came to be where they are now; and the documentation itself is frequently not contemporary, referring instead to events which had happened many years earlier. Even where documentation is reasonably contemporary, produced perhaps hours or days after the event, research indicates that recall is significantly impaired, and this can be seen in inconsistencies between reasonably contemporary documents such as notes of telephone conversations.
14. In all those circumstances, in many instances it is not possible for me to conclude with any confidence who knew what when. I have therefore set out the evidence I have found in as much detail as possible in Appendix 2, to allow further inferences to be drawn if and when any further information comes to light. Even where I state something as if it were fact, that should be interpreted only as meaning that I feel a high degree of confidence that it is accurate.

The people involved

15. To protect the identity of the boy with whom the conduct in 1990 took place, he is referred to as **"XY"**, and his parent/carer is referred to as **"ZA"**.
16. Church in Wales and statutory services personnel are referred to by their role and, where necessary, a unique letter. The same unique letter is used with different role titles where an individual moved post. While many will be readily identifiable to many readers, this approach has been adopted for consistency, and to avoid the need to draw a line between those whose identity it is appropriate to protect and those in public roles.
17. The final person involved is a friend of AP's who prepared a report in 1999 and also had some involvement at other times. She is simply referred to as **"AP's friend"**.
18. A summary of who was who at different times is at Appendix 3.

The principal sources of information

19. There is strikingly little contemporaneous evidence in respect of the first two occasions on which the disclosure was made. As a result, it has been necessary to assess what was known by reference to later documents. These documents are described more fully at the appropriate point in the chronological narrative below and are defined here for ease.
20. **"The 1993 Notes":** These are handwritten notes made by Archdeacon G on 18 October 1993 recording a conversation with AP's friend. They are annotated at the top "Notes by Archdeacon of Gower 18/10/93 STRICTLY CONFIDENTIAL". They were discovered in 2010 on Archdeacon G's own personal file.
21. **"The 1999 Letter":** This is a handwritten letter dated 25 January 1999 sent by ZA to Archdeacon H making allegations against AP in respect of XY. After Archbishop C's retirement in June 1999, his secretary sent a fascimile copy of it to Head of Corporate Services J, who was acting Secretary-General at the time. It was not rediscovered until July 2016. At some point a typed version was prepared; it is not known whether this was in 1999 or 2016[1].
22. **"The 1999 Report":** This is a lengthy handwritten report dated 15 February 1999 written by a friend of AP. It consists primarily of pejorative information about XY and his family which AP's friend had researched in 1993. After Archbishop C's retirement, he gave it to his successor, Archbishop D. Archbishop D took it with his personal papers to Lambeth when he became Archbishop of Canterbury in 2002. He returned it to his successor in June 2010.

[1] See paragraph 606

23. **"The 2009 Letter":** This is a letter sent by Bishop B to Bishop F on 6 March 2009 in response to a request for information for the Church in Wales' Historic Cases Review.
24. **"The 2009 Memo":** This is a memo sent by Archdeacon H to Bishop F on 9 March 2009 in response to the same request for information.
25. Further papers included:
    a. Official papers, such as Bench of Bishops' minutes and reports to the Safeguarding Panel;
    b. A limited number of letters and emails;
    c. Notes prepared in particular by Provincial Secretary J, the Head of Resources, Independent Officer K and Provincial Safeguarding Officer L[2];
    d. Policies and documents relating to episcopal elections.

Overview

26. Various individuals from the Church in Wales knew of a safeguarding concern in respect of AP on four occasions: in or around 1993; in 1999; in 2009-2011; and in 2016. At no point did anyone know what it was alleged AP had done, merely that it was sexual and involved a boy variously described as fifteen or sixteen years old.
27. The handling in 1993 was, at least by modern standards, wholly inappropriate and inadequate. Bishop B and Archdeacon G both knew of the allegation. It does not appear that they shared the information with anyone else in the Church, and it seems clear that they did not share it with the statutory authorities, despite the fact that it seems Bishop B knew that the police were making unrelated enquiries about AP in respect of sexual abuse. The only action taken was to visit AP. It appears AP implicitly admitted that something inappropriate had happened with the boy. Yet no further action was taken and Bishop B later described the allegation as unsubstantiated.
28. The handling in 1999 was also wholly inappropriate and inadequate, at least by modern standards. Archbishop C and Archdeacon H both knew of the allegation shortly after AP's election as bishop. Archbishop C at least knew that AP appeared to have admitted a criminal offence to his friend and Archdeacon H received an admission of an improper incident from AP directly. Again, it does

[2] I was unable to ascertain how these notes, particularly the handwritten ones, survived and came to be included in the IICSA bundle. The Head of Resources told me she kept an unmarked folder in a locked drawer for matters such as this, and would have kept her handwritten notes there, and given the folder to the legal advisers when preparing for IICSA. Provincial Secretary J thought he might have given his to her as well, but the Head of Resources did not think he would have done, and told me that the legal advisers searched through his papers after his retirement in preparation for IICSA. At least one of his handwritten notes must have been given to the Head of Resources, as it has a meeting date added at the bottom in her handwriting, but it is not clear that she would in fact have seen all of them, or, given their relatively cryptic nature, understood all the information in them had she seen them.

not appear that they shared the information with anyone else in the Church except Bishop B, now retired, and the Ministry Officer. They do not seem to have sought advice from the Child Protection Officer now in position. Again, they did not share it with the statutory authorities. Again, the only action taken was a visit to AP.

29. At a later stage in 1999, Head of Corporate Services J received a copy of the 1999 Letter making the (unspecified) allegations. It seems it was left for the Secretary-General when he returned from sick leave the following month. It does not appear that either of them shared the information further. Archbishop D received a copy of the 1999 Report which contained the apparent admission of a criminal offence, but by reason of the manner in which it was given to him, he did not read it.

30. In 2009, some of the information from 1993 and 1999 was shared with Bishop F at the outset of the Historic Cases Review, although neither of the two key documents from 1999 were available. Bishop F did not share what he had with Independent Officer K, who was undertaking the HCR, until she asked about it in 2010. There is a conflict of evidence as to whether that was on the basis of advice and, if so, what and from whom.

31. In 2010, Independent Officer K, who knew of the matter from other sources, pursued the matter and diligently uncovered much information. The handling was markedly better, although still with significant flaws. AP's Permission to Officiate was removed, and the matter was ultimately referred to the police. However, the referral to the police was made only once the 1999 Report surfaced, with its indication of AP's admission of a criminal offence. Prior to that it had been resolved only to report to the Independent Safeguarding Authority on the basis that the police would not take the matter forward (which was ultimately vindicated) and in the apparent belief that the ISA was an investigatory body (which was mistaken). Independent Officer K's attempt to have that decision reviewed was unsuccessful.

32. Neither the report to the police nor the later report to the ISA shared all the relevant information, and in particular the 1999 Report does not seem to have been shared with either the police or the ISA. For a variety of reasons, it does not appear that any one individual had a full picture of all the information available at any point. At an early stage, Independent Officer K was the person collating all the knowledge, but she was taken off the case part way through and not told subsequent information, and no clear replacement for her was identified.

33. In 2011, the ISA resolved not to place AP on the barred list. Bishop F seems to have taken this as a complete answer to any concerns and restored AP's PTO. Although the ISA indicated in a letter to the Head of Resources that they would have expected an internal investigation and disciplinary procedure prior to

referral, I have seen no evidence that any consideration was given to conducting an internal investigation.

34. The handling in 2016 was better still, with full sharing of information with the statutory authorities. However, despite now having a copy of the 1999 Report with its indication of admission of a criminal offence to AP's friend, the police still did not interview AP or his friend. Despite the failings on the part of the Church in Wales over the years, it can therefore not be known if they would have interviewed him had the information been fully shared in 2010. It seems more likely that they would have done had it been shared in 1993 or 1999, but even that is uncertain.

35. It should also be borne in mind that safeguarding policies and practices, and the understanding of safeguarding, have moved on immeasurably over the years. In 1993, there were no policies or safeguarding officers. In 1999, there was a recently adopted policy but it is not clear if any training was given on it, and there were voluntary child protection officers but no paid safeguarding staff. In 2009-10, policies and it seems training had developed to some extent, but there were no paid safeguarding staff until July 2010, and that individual was, as explained above, not involved with the case at critical points. By 2016, still further improvements had been made, and more still in the following decade before this review.

36. Recommendations to have paid safeguarding staff, empowered to report to statutory authorities; to ensure reporting obligations are understood; to manage conflicts of interest; to improve record keeping and processes for granting PTO and the like would be otiose given the developments since the events of this review. I therefore do not make any recommendations beyond seeking assurances that the weaknesses of the past identified in this report have indeed been remedied, except in respect of the arrangements for appointing bishops and archdeacons where there are clear continuing flaws.

Who knew what, and what did they do?

1989/90: The allegation

37. At no point did anyone know what AP was actually alleged to have done. The greatest level of detail given was by Archdeacon H, who said that AP had admitted an improper incident, and that there had been some touching. AP repeatedly accepted, or did not deny, that something had happened to a variety of people over a period of decades, but it was never established what that something was, although it seems that he may have admitted on one occasion to a friend of his that it amounted to a criminal offence.

38. Nor did anyone know precisely when the conduct took place. XY might have been fifteen at the time, but it seems more likely that he had turned sixteen.

39. XY first disclosed to ZA, probably in 1992 or perhaps 1993, after he had turned eighteen and become an adult.

1992/1993: First disclosure to the Church

40. No contemporaneous records of the disclosure to the Church or any action taken in response have been found. Despite this, it seems clear that Bishop [of Swansea & Brecon] B and Archdeacon [of Gower] G both knew that some sort of allegation had been made against AP no later than October 1993 and perhaps as early as November/December 1992.
41. It is impossible to tell what, if any, detail they had but it seems likely it was minimal. In the 2009 Letter, Bishop B described the allegation as "inappropriate conduct". The 1993 Notes by Archdeacon G make no reference to the alleged conduct at all. AP's recollections are that in the meeting he had with them, they didn't pursue details.
42. In particular, it is impossible to be sure that they knew that XY was, or even might have been, under sixteen at the date of the conduct. While ZA was clear in 1999 and today that XY was fifteen, in 2010 she is twice recorded as saying he was sixteen[3], so it cannot be known what she said in 1993. The joint evidence of the 1999 Letter and the 1999 Report does however suggest that they did know he was, or at least might have been, under sixteen.
43. In 2009, sixteen years after the event, Bishop B asserted that he and Archdeacon G had had a full and frank discussion with AP and that as far as they could ascertain, the allegation was unsubstantiated and no action was taken[4].
44. Similarly, Archdeacon H told Archbishop E in 2010 that when the allegation was first made, AP had denied it to Archdeacon G and Bishop B, although Archdeacon H would not have first-hand knowledge of that. The source of his knowledge is unknown; it seems most likely to be a discussion with Bishop B in 1999, six years after the event.
45. However, these later assertions are contradicted by the contemporaneous evidence that Archdeacon G was told by AP's friend that AP had feelings of upset and guilt, which strongly implied an admission. It seems most unlikely that he did not share this with Bishop B; in addition to the inherent probabilities, the 1999 Report expressly asserts that the Archdeacon passed on the facts to Bishop B (although how AP's friend would know is unclear). Furthermore, while AP's friend could not know whether AP made a similar comment directly to Bishop B and Archdeacon G, she told me she guessed that he would have done. Most significantly, AP also recalled doing so. There is no evidence that this implied admission was followed up with AP.

[3] See paragraph 248
[4] See paragraph 370

46. It should be remembered that at this time, the age of consent for homosexual activity was still 21, and it seems highly unlikely that that Bishop B and Archdeacon G did not know that XY had been, and indeed still was, under 21 and that there was therefore a strong implication that what was alleged was at the very least unlawful sexual activity.
47. Similarly, Independent Officer K reported that, at a meeting with Archbishop E and Provincial Secretary J on 2 June 2010, AP indicated that when he was approached with the allegation in 1994 [sic], he had offered to resign but Bishop B had not accepted his resignation, which AP confirmed during this review. This further undermines Bishop B's 2009 assertion that the allegation was unsubstantiated.
48. Far from suggesting that the allegation was unsubstantiated, the conclusion of the 1993 Notes was that ZA had reacted badly to XY's disclosure of his sexuality and was responding by being aggressive to AP[5], but that XY, in view of his job and other considerations, including some from his past, would not wish to take any action. The implication is that this meant it was safe to hush it up.
49. There is no evidence that Bishop B and Archdeacon G shared any of this information with anyone else within the Church. In particular, I have seen no evidence to suggest it was shared with Archbishop C, or the Secretary-General of the Representative Body, or the Diocesan Secretary of Swansea & Brecon. It has not been possible to contact the Diocesan Secretary, and the Secretary-General has no recollection of hearing any allegations or even rumours. While enquiries were not made of legal advisers as part of this review[6], the Diocesan Registrar of Swansea & Brecon has volunteered that he knew nothing of the allegations until 2025.
50. It seems clear that they did not share the information with the statutory authorities. Instead, they undertook such investigations as were taken personally. Those investigations seem to have been limited to visiting AP; Bishop B's 2009 Letter, the 1999 Report and AP's recollections all agree that the Bishop and the Archdeacon spoke to him together, and Bishop B's 2009 Letter makes no reference to reporting the matter to the police, despite having been specifically asked to deal with the steps which were taken to investigate the matter.
51. This was despite the fact that it seems that Bishop B knew in or around 1993 that the police were making unrelated enquiries about AP in respect of sexual abuse. While XY did not want to speak to the police, there is no reason to believe that

[5] Which appears to have been simple speculation on the part of AP's friend

[6] On the basis that any information they had would be legally privileged and that privilege could be held by the office holders who were advised and not only by the Representative Body of the Church in Wales; I add that I am told that no relevant documents were located in any event despite a search, so the question of waiving privilege did therefore not arise

Bishop B knew that, and indeed ZA told me she was keen to ensure that Bishop B did not know it.

52. There is no evidence as to whether or not Bishop A had shared with Bishop B the allegations apparently made against AP in respect of inappropriate touching of students in or around 1986 referred to below[7].

Observations

53. By modern standards, the failure to report to the statutory authorities was wholly inappropriate and inadequate.

54. Whether there were inadequacies of record keeping, or whether records were kept but later removed by AP when he had control of his own personal file cannot be known; AP has stated that he has never seen or read any records from Bishop B about the discussions, or removed any records.

55. However, I bear in mind that both Bishop B and Archdeacon G have died, which means that they cannot explain their conduct and draw attention to any other matters which have not been uncovered by this review.

56. I also bear in mind that:

    a. in 1993 the Church in Wales had no safeguarding officers, no safeguarding policy and no safeguarding training;
    b. Safe From Harm, the Home Office's first Code of Practice for Safeguarding the Welfare of Children in Voluntary Organisations in England and Wales, was only published in 1993, so might or might not have been available;
    c. understanding of the need to protect others from risk was less widespread than it is now;
    d. XY was probably an adult by the time of the report and entitled to make his own decisions; and
    e. it seems likely that no criminal prosecution could have been brought against AP in respect of XY by the time of the disclosure unless the conduct amounted to an assault or it could be proved that XY had been under 16 at the date of the conduct[8].

    I therefore reach no conclusions on whether their conduct could be justified by the standards of 1992/3.

57. That said, many would still have recognised a moral responsibility to report such a matter to the police by this time.

[7] See paragraph 444ff

[8] See paragraph 252ff. I am however sceptical that either the Bishop or the Archdeacon would have known this; that 21 was the age of consent for homosexual acts was well known, but the time limit for prosecutions was I believe less well known.

58. I also bear in mind that it is far from certain that AP would have been prosecuted had the matter been reported to the police, in light of comments made (both at the time and later) about XY's wishes and his unwillingness to speak to anyone.

59. However, had he been prosecuted, or even had the police known that there was another allegation, it might have given the survivor who had been abused earlier the strength to disclose, rather than bearing the trauma alone until 2023. This opportunity was lost through the failure to report.

1995: AP's appointment as Archdeacon

60. Bishop B appointed AP as Archdeacon with the knowledge described in the previous section.

61. It may also be that Archbishop D, then a bishop in another diocese, knew that some sort of allegation had been made against AP. However, it is not clear whether he was told this before or after 1995, and it does not seem that he was told what the allegation was, and in particular that it involved a child. He understood that the matter had been dealt with and the allegations not substantiated.

Observations

62. By today's standards, I consider that it was wholly inappropriate for Bishop B to make this appointment in light of what he knew. However, again I bear in mind that Bishop B has died, and cannot explain his conduct. Furthermore, the Church in Wales did not at this time have any safeguarding or child protection advisers or officers, whether on an employed or voluntary basis, and even if it had, advice from a safeguarding professional would have achieved nothing unless either he himself, or Archdeacon G, had disclosed what they knew.

1999: AP's election and confirmation of election as Bishop

At and before the Electoral College

63. I have seen no evidence that anyone other than Bishop A, Bishop B and Archdeacon G, all of whom had by then retired, had any knowledge of any specific allegations against AP at the time of the Electoral College in January 1999. It is clear that there were widespread rumours, but with the single exception of Archbishop E's recollection in his interview with me that they involved 'youngsters', which it is not clear is correct[9] and furthermore seems not to mean 'minors'[10], none of the evidence I have seen suggests the rumours

[9] See paragraph 448

[10] Archbishop E informed me on his second review of this paragraph, though not on his first, that he immediately qualified the term youngsters as meaning 'young men'. This is consistent with the allegations reported to Bishop A in around 1986.

related to child sexual abuse[11]. It does however seem that some rumours did relate to what may have been criminal conduct relating to adult students in 1986, apparently reported to Bishop A in around 1986[12].

64. Archbishop E's repeated recollection, recorded in 2009, 2010 and again in the course of this review, was that Archbishop C had, at Archbishop E's insistence, asked AP about the rumours and given reassurance to the other bishops that there was nothing amiss. Archbishop D also recalls being given reassurance that there was nothing damaging. A second-hand record that what was reported was that 'it' was dealt with as a result of counselling, which would imply that there had been something amiss, seems unlikely to be correct[13].

65. It is not clear that Archbishop C did in fact speak to AP during the College, as AP's recollection was that he had not done so. Whether AP has simply forgotten the conversation over 25 years later, or whether Archbishop C was avoiding a difficult conversation and not owning up to that cannot be known.

From the Electoral College to the Sacred Synod

66. It seems clear that shortly after the Electoral College, Archbishop C and Archdeacon H[14] both knew from receipt of the 1999 Letter of the (unspecified) allegation in respect of XY; that XY was said to have been fifteen years old at the time; and that AP was said to have admitted it. They were also reminded in that letter of the high risks of repeat offending and the positive way in which child sexual offenders can present.

67. At least Archdeacon H also knew that AP had admitted an improper incident, and it seems highly unlikely that he did not report that to Archbishop C. AP said in 2010 and again in the course of this review that he offered Archbishop C his withdrawal from the election, which is tantamount to a further admission.

68. Archbishop C undoubtedly had the 1999 Report at some point, as he subsequently gave it to Archbishop D; the probability was that he had and read it before the Sacred Synod, as its author recalls hand-delivering it and him reading it in her presence, indicating it would be kept on file but no further action would be taken. The likelihood is that this would have been immediately after it was written in February 1999. The 1999 Report contained a specific reference to commission of a criminal offence, and made clear that XY was either fifteen or sixteen years old at the relevant time.

[11] I disregard a suggestion that Bishop A had made no secret of the fact he believed AP was a paedophile [paragraph 442]. Bishop F told me that he had only heard this recently; he initially could not recall who from; Archbishop E thought this unlikely; and the information recently disclosed to the Church in Wales suggests that Bishop A's knowledge of allegations in respect of AP related to adults.

[12] See paragraphs 444f

[13] See paragraphs 434f

[14] And Bishop B in retirement

69. It is less clear whether Archdeacon H saw the 1999 Report or knew those two important details[15], but it seems clear that he knew of its existence.

70. It seems that the Ministry Officer of the Province was told something, but I have found no evidence that Archbishop C or any of the others involved reported anything of the matter to any of the voluntary Child Protection Officers who were by now in place in each diocese, or to the Secretary-General or the Diocesan Secretary; one might expect Archdeacon H to have mentioned any involvement by any of them when subsequently mentioning the Ministry Officer's involvement. It seems clear that it was not reported to the statutory authorities.

71. It also seems clear that Archbishop C did not share anything of the matter with the rest of the Bench of Bishops when they met in Sacred Synod in April 1999 to confirm AP's election.

72. Archbishop E did not know of the existence of the 1999 Report until 2010, and Archbishop D did not know of its existence until later in 1999, or perhaps 2000, and did not read it until 2010. Archbishop E also made clear in an email reply to Bishop F on 5 March 2009 that he knew nothing of the existence of a letter until he saw Bishop F's email earlier that day, and similarly Archbishop D told me he knew nothing of any document or formal complaint until later. He also told me that it was news to him in 2010 that Archdeacon H had been involved, and that he knew nothing prior to 2010 of any admission of an improper incident.

73. Given the shock and surprise which both Archbishop D and Archbishop E expressed in 2010 when they read the 1999 Report, I accept this, and see no reason to believe that any of the bishops other than Archbishop C had: seen the 1999 Letter or the 1999 Report; knew that AP had admitted an improper incident to Archdeacon H and appeared to have admitted criminal conduct to his friend; or knew of any specific allegations as opposed to general rumours. In particular, I have seen nothing to suggest that they knew of allegations related to a child, let alone a child who might have been under 16.

74. In short, I have seen no evidence that any of those who knew of the allegations did anything meaningful with them or shared them with others who needed to know. A reply, which Archdeacon H said he shredded when he retired, might or might not have been sent to ZA; if it was sent, it seems likely that it dismissed the concerns. AP has said during the course of this review that Archdeacon H told him that he had spoken with ZA and she had said she wanted no further action taken, but this is difficult to reconcile with other evidence and seems unlikely to be correct.

[15] This does not seem to have been checked with him in 2010

After the Sacred Synod

75. On 10 September 1999, after Archbishop C's retirement, a copy of the 1999 Letter was sent to Head of Corporate Services J, in the absence of the Secretary-General on sick leave. He therefore also knew or ought to have known of the allegation; XY's alleged age; and AP's alleged admission. It does not appear that he did anything with the information, such as inform the Child Protection Officer, as the Statement of Policy and Guidance for Implementation for the care and protection of children required[16]. It seems it was left for the Secretary-General to deal with on his return from sick leave, expected imminently.
76. It is not clear what did happen when the Secretary-General returned the following month. He does not now recall ever having seen the letter before. Neither the Secretary-General nor Head of Corporate Services J suggested that either of them informed the CPO, the new Archbishop when he was elected in December 1999, or anybody else such as the statutory authorities, nor is there any other available evidence to suggest that any of those happened.
77. Some months later, after his election as Archbishop, Archbishop D was given a copy of the 1999 Report, but as indicated above, did not read it and accordingly also did nothing with the information. He does not seem to have been given any briefing that there was an allegation relating to a child.

Observations

78. Again, by modern standards, the handling of the allegation was wholly inappropriate and inadequate.
79. Again, there appear to have been inadequacies of record-keeping, unless records were kept on AP's personal file but later removed. Again, AP stated in this review that he has never seen or read any records from Archbishop C about the matter.
80. Even the possibility that records had previously been on AP's personal file would not explain why two key documents, the 1999 Letter and the 1999 Report, were not kept together and both handed to Archbishop D. Nor would it explain why safeguarding records, in the form of the Archdeacon H's copy of the 1999 Letter and what appears to have been the only copy of the reply he said he sent, were shredded in 2000.
81. Again, I bear in mind that expectations and understanding have changed over the years. I also again bear in mind that the two principal actors, Archbishop C and Archdeacon H, have both died and so cannot explain their conduct and draw attention to any other matters which have not been uncovered by this review, such as evidence that they did tell others.
82. However, by this time:

[16] See paragraph 300

a. there was a clear policy requiring allegations to be reported to Social Services or the NSPCC, introduced nine months earlier[17];
b. greater information about matters such as the risk of re-offending and thus the need to protect others had been highlighted in The Cure of Souls, which Archbishop C had co-signed a Foreword to, and the warnings in the 1999 Letter should therefore have been encountered before;
c. Child Protection Officers were now in place who could have given advice.

83. Not reporting to either the statutory authorities or a Child Protection Officer was directly contrary to the policy introduced in April 1998. This applied to Head of Corporate Services J in September 1999 and the Secretary-General on his return from sick leave in October 1999 as well as to Archbishop C and Archdeacon H in January and February 1999.

84. Head of Corporate Services J informed me that it would be the Secretary-General's role to brief the new Archbishop and, by implication, to inform the Child Protection Officer and/or the statutory authorities. However, the Statement of Policy and Guidance for Implementation for the care and protection of children made clear that it was everyone's responsibility not to ignore evidence of suggestions of sexual abuse. If, as here, the situation was not urgent, advice could be sought from the Child Protection Officer or a helpline rather than immediately referring to the authorities. Records should be kept, in a safe place[18]. I therefore consider that it was incumbent on Head of Corporate Services J to seek such advice in the absence of the Secretary-General, as well as on the Secretary-General to do so on his return if it had not already been done, and in the case of both to record any discussions and keep them in a safe place.

85. That said, I again bear in mind that understanding of safeguarding was in its infancy in the Church in Wales in 1999, and I have no evidence as to what, if any, safeguarding training was offered either to clergy or to staff.

86. I add that the age of consent for homosexual activity was eighteen in 1999, and so it should have been obvious that criminal conduct was likely to be in issue, quite apart from the express references to that in both the 1999 Letter and the 1999 Report[19].

87. Archbishop C's failure to share the information with the other bishops deprived them of crucial information on which to decide at Sacred Synod whether they were assured and satisfied of AP's fitness for episcopal office.

88. Archbishop E confirmed to me they would not have confirmed AP's election had they known of the 1999 Letter. He also added that had the letter to the

[17] Paragraph 297
[18] See paragraph 300
[19] Again, I am sceptical that any of those involved would have known that a prosecution was likely to have been time-barred

Secretariat in September 1999 enclosing the 1999 Letter been shared with the bishops, they would have acted, notwithstanding the fact that AP had by this time been consecrated; he told me this was done in the case of an allegation (not relating to child sexual abuse) against another bishop a few years later.

89. The explanation for the lack of action given by Archdeacon H to Bishop F in 2009 was that he understood "that representations were made by a friend of the Archbishop[20], and that the boy now grown up did not want the matter to be taken further".

90. More concerningly, the explanation Archdeacon H gave to Archbishop E in 2010 was that he and Archbishop C "regarded this event as a bit of a hiccup and as evidence of homosexuality not paedophilia and that this was a blip and that it should just be put to one side".

91. This however is a clear failure to distinguish between the two, driven perhaps by the 'don't ask, don't tell' culture which Archbishop D described to me[21] and which seemed to resonate with other interviewees. It seems doubtful that allegations of sexual activity, with an admission of an improper incident, involving an allegedly fifteen-year-old girl would have been put to one side in the same way. The approach seems to have been driven more by a reluctance to inquire into homosexual orientation, blinding recognition of child sexual abuse.

2009: Commencement of the Historic Cases Review

Bishop B

92. In 2009, Bishop B still had the information he had had in 1993. It seems that he had also seen the 1999 letter[22]. He shared some of this information with Bishop [of Swansea & Brecon] F when the Historic Cases Review ("**HCR**") commenced, although it appears he did so reluctantly and on the basis that his name would not be passed on.

93. He does not seem to have passed on all of the information he had and does not seem to have accurately represented the position: for example he described XY as a young man when the 1999 Letter had described him as aged fifteen and he described the allegation as unsubstantiated when it seems highly likely that he had been told by AP, Archdeacon G or both that AP had feelings of guilt about what had happened, and that AP had offered him his resignation.

94. Again, as he has now died, it is not possible to explore whether these omissions were due to fading of memory or more than that.

[20] Perhaps an error for the Bishop i.e. AP rather than a reference to Archbishop C

[21] Paragraph 291

[22] See paragraph 333

Archdeacon G

95. Archdeacon G also had the same information he had had in 1993. The Church in Wales has no record of whether Archdeacon G responded to the HCR circular, but some personal notes of Independent Officer K's indicate that he did respond on 14 February 2009 with no reference to AP.

Archdeacon H

96. Archdeacon H still had the information he had had in 1999, although he no longer had a copy of the 1999 Letter. It appears that he proactively responded to the request for information in the HCR circular.

97. It does not however appear that he communicated all the salient information, in particular that it was alleged the incident had involved a boy under the age of sixteen or that a report had been prepared, which contained an admission of criminality. He must have known the former, as this was contained in the 1999 Letter, and he hinted at it by describing XY as a "boy now grown up" in the 2009 Memo. He seems to have known that the 1999 Report was prepared, as he referred to it in his discussion with Archbishop E in 2010; but it is not clear whether he knew of the admission of criminality.

98. Again, as he has now died, it is not possible to explore whether these omissions were simply due to fading of memory or not.

Bishop F

99. Bishop F knew that an allegation had been made against AP in 1993 and repeated in 1999; and that in 1999 AP had admitted an unidentified allegation from a parent, and had agreed that what had occurred was inappropriate. On the other hand, he had been told that in 1993, the concern had not been substantiated, but this is difficult to reconcile with, or at the very least should have been superseded by, the admission in 1999.

100. Despite this knowledge[23], he wrote to the Head of Resources on 30 March 2009 (and to Bishop B and Archdeacon H in similar terms) indicating an intention not to refer the matter to Independent Officer K, the person engaged to conduct the HCR, unless advised otherwise[24].

101. I do not accept the suggestion he made in February 2010 that he was advised not to do anything as the matter had been dealt with, and think it considerably more

[23] It may also be that he already knew the suggestions he shared with Independent Officer K the following year: that AP was thought to be linked with homosexuals and in particular Stephen Brooks; that there was "talk" of a possible "ring" but nothing was ever substantiated; that Bishop A had tried to stop AP's election as if he knew something, which was pure speculation and hearsay; and that sexual allegations had been raised, and addressed, in the College by the then Dean of Brecon at the time of AP's election. However, it could also be that this was additional rumour which came to his ears during 2009 and I am therefore unable to say whether he did or did not have this additional information at the time.

[24] See paragraphs 380f for details of the letter.

likely that he simply did not receive a reply. He did not refer the information on until he was asked about it by Independent Officer K almost a year later.

102. Nor do I accept the suggestion made by the Head of Resources at a late stage in this review that she advised him by telephone to refer the information on, but not until approached by Independent Officer K[25]; this was not suggested by either Bishop F or the Head of Resources during the criticism the following year of the failure to refer the information on; it is inconsistent with what Bishop F did say the following year; and it is difficult to reconcile with the clear expectation of the Safeguarding Panel the following year that it should have been referred on immediately.

Archbishop D

103. It was commented in a discussion between Independent Officer K and the Head of Resources in 2010 that Archbishop D had not referred the matter to the HCR. It is not wholly clear that he received the HCR circular; he had no memory of receiving it, although the Head of Resources was confident it would have been sent to him[26], and he did not know if the three cases he was aware of from his time in Monmouth were referred to the HCR. He said he would have expected those to be discussed with his successor in Monmouth.

104. More pertinently for the present case, it is not clear that he had sufficient knowledge to prompt a referral to the HCR: while he had been made aware many years previously that some sort of allegation had been made, he did not understand that it was a legal or criminal matter; there is no indication that he was told it involved a child; it seems that the concerns raised may have related to AP's sexuality rather than any suggestion of child sexual abuse; and while he had the 1999 Report, he had not read it. I do not consider it was unreasonable not to have read it in circumstances where it was a 30 page handwritten document, with very little relevant information which would not spring out on a quick glance, and no apparent briefing on it. I therefore do not consider Archbishop D is to be criticised for not referring the matter to the HCR.

Archbishop E

105. It was similarly commented in 2010 that Archbishop E had not referred the matter to the HCR either.

106. He had similar, very limited, prior awareness to Archbishop D, but had also been reminded of it on 5 March 2009 by Bishop F and told further information about an

[25] The HCR was proceeding diocese by diocese, and Swansea & Brecon was the last on the list.

[26] This was on the basis that he had PTO in Wales, but there is no record of that and I am told it would be unusual for a serving Archbishop of another province to have PTO as opposed to being invited by the relevant Diocesan Bishop for specific events. However, there are other indications that it went to all clergy on the database, whether currently in ministry or not: see footnote 98.

actual allegation. That reminder made reference to a parent, which should have raised suspicions that the allegation might have related to child sexual abuse.

107. However, he told me that since the allegations came to light as a result of the HCR, he assumed the safeguarding team would have been made fully aware of anything that had come to light, as was done in Llandaff. This does not seem unreasonable unless Bishop F had told him of his intention not to refer it unless otherwise advised, but I have seen nothing to suggest that was the case. As with Archbishop D, I therefore do not consider Archbishop E is to be criticised for not referring the matter to the HCR.

Observations

108. Bishop F's early responses to the information shared by Bishop B and Archdeacon H were positive: he appears to have followed up oral communication with a request for written confirmation; he shared the information with Archbishop E; and his initial letter to Bishop B showed an awareness of his obligation to share the information with Independent Officer K.

109. However, I do not think his decision not to share the information with Independent Officer K unless otherwise advised was justifiable. It ran contrary to the very purpose of the HCR. In addition to his resistance to sharing the information, an expression of concern and anxiety to Archbishop E in 2009 about the publicity for the review and comments to me both suggested he was not really committed to the HCR.

110. It does not seem likely to me that he received positive advice *not* to share the information. However, I am not satisfied that, having posed the question of whether he really needed to share it, he received positive advice to do so. I consider it most likely that he received no advice either way. He pointed out to me that he did at least ask whether he should disclose rather than simply quietly deciding not to, but I do not think it was an appropriate question even to ask; the material should simply have been disclosed without question.

111. Bishop F emphasised to me how many times the word unsubstantiated appeared in the papers, including from Bishop B; referred to a reluctance to share unsubstantiated information which could damage someone's ministry; and speculated that the approach to the HCR might have been a feeling that it was something that had to be done to "tick the box", and to be able to say that the files had been reviewed and nothing much had been found. He thought there might have been a sense of general reluctance on the part of many people, although he noted that was inappropriate. He also emphasised that he was told from several sources that the allegation had been dealt with.

112. This however misunderstands the purpose of the HCR. The stated purpose of the HCR was to ensure that any past child protection cases, known but not acted upon to the standard established in recent times by the Church in Wales, should

be the subject of review and, wherever appropriate, reported to the statutory agencies for any necessary follow up action to be taken. Bishop F was unable to explain how he could be confident that it had been dealt with to 2009 standards in accordance with the stated purpose of the HCR, and simply said that he doubted he had read the HCR documents in full and trusted to others to advise him. It does indeed seem likely that he had not read them, since I understand the HCR was initiated before he became bishop.

113. However, to say that he might not have read the HCR Protocol in full and relied on advice from others does not in my view recognise the leadership responsibilities which senior figures such as bishops bear. It should not have been necessary to read and remember the full protocol in detail to understand and remember the basic purpose of the exercise, namely to review all Historic Cases and ensure they had been not merely dealt with but dealt with to 2009 standards.

114. Nor do I accept the emphasis he placed on the indications that the allegation was unsubstantiated: this could and should have been set against the information from Archdeacon H that AP had admitted that an improper incident had taken place.

115. I add that Bishop F appears to me to have been resentful of the obligation on him to share the information with the review from the outset, stating in his initial letter to Bishop B on 3 March that "I am (apparently) obliged to share the information", and stated that in the circumstances they had discussed, he felt "satisfied that matters were looked into at the time and that the person concerned, having been spoken to, was able to proceed with his ministry. That being the case the person who made the original complaint would have had the opportunity to take matters further but evidently chose not to."

116. He did not agree that his comment indicated resentment of the obligation to share, or reluctance to share, and speculated that he was trying to persuade a reluctant Bishop B to share information by offering reassurance and gently indicating that he really had no choice. He did not think that he would have been reluctant with something as serious as this, but that is undermined by his letters of 30 March both to the Head of Resources and to Bishop B and Archdeacon H.

117. I do however bear in mind that these events took place 15 years ago, and that attitudes to, and understanding of, safeguarding have changed a lot in those 15 years. It is also not clear what training Bishop F had had: he did not recall receiving any safeguarding training on becoming a bishop, though did recall receiving training earlier as a priest, and absorbing learning through parish ministry and as Dean of Brecon.

2010: Referral to statutory authorities and removal of PTO

By 29 April 2010

118. By 29 April 2010, it seems tolerably clear that the following was known:

a. Independent Officer K knew, as she had known through her friendship with ZA for many years, of the allegations made by ZA that AP had abused XY, now deceased, when he was sixteen[27]; that AP had not denied it when challenged; that it had been reported to Bishop B and subsequently Archdeacon H; and that no action had been taken on either occasion. This was the key information discussed between her and ZA in January 2010.

b. The Child Protection Officer of Swansea & Brecon ("**the CPO**"), who was a member of the Safeguarding Panel supporting the HCR, is likely also have known most if not all of that information, as Independent Officer K's notes record discussing it with him in January.

c. The other member or members of the Panel knew there was an issue in January, but it is not clear how much detail was shared with them.

d. It seems likely that the Head of Resources, Provincial Secretary J (who had prior knowledge from 1999 through the 1999 Letter which he seems to have forgotten), Bishop F (who had prior knowledge from 2009) and Archbishop E (who had prior knowledge of unspecific rumours from 1999 and prior knowledge of the allegation from 2009) were told some or all of that information in the following months, but it is not clear what each was told in their various conversations.

e. Bishop F and Independent Officer K believed that neither Bishop B nor Archdeacon H were prepared to co-operate with further investigations; whether this was in fact true of both of them is in my view open to doubt. Independent Officer K and the CPO also knew that ZA did not wish to co-operate further and that they had no permission to share either XY's or ZA's names.

f. Bishop F and Independent Officer K had a copy of Bishop B's 2009 Letter and Archdeacon H's 2009 Memo confirming: that ZA had made allegations to Bishop B orally in 1993/4 and to Archdeacon H in writing in 1999; that no action beyond conversations with AP had been taken on either occasion despite an admission by AP in 1999 of an improper incident; and that Archdeacon H had shredded the 1999 Letter of complaint. It seems highly likely that the CPO and the other member or members of the Panel also saw these or at the very least knew of their existence and their contents.

[27] See paragraphs 245ff for the inconsistencies in the evidence as to XY's age

g. Independent Officer K knew that issues had been raised during AP's election as bishop in 1999, and believed, probably erroneously, that the issues raised during the election had included the specific allegation and that AP had said it was resolved through counselling, which would have implied a further admission.
h. Independent Officer K knew from Bishop F that AP was rumoured to have been linked with a convicted child sex offender, with unsubstantiated talk of a possible ring (although I have seen no other suggestions of a possible ring). She also knew that a student at Swansea University[28] while AP was a chaplain had not had a positive experience with AP, and believed that she had been told that AP had made inappropriate sexual advances to the student, although Archdeacon I, the source of her information, later said he had not spoken of inappropriate sexual advances.

119. On 29 April, the Panel, which Independent Officer K and the CPO both attended, recommended that AP's PTO be removed with immediate effect, that he should be asked to resign from all organisations connected with children and young people, and that a referral should be made to the Independent Safeguarding Authority (the predecessor of the Disclosure and Barring Service).

120. The Panel did not recommend reporting the matter to the police. This was on the basis of the CPO's advice, following informal discussion with the police, that the police would not take it forward in circumstances where there was no living victim or first-hand evidence, those with second-hand evidence were unwilling to support an investigation, and the original letter had been destroyed. It should be noted that it is not clear he knew all the information above: see paragraph 418.

By 1 July 2010

121. Archbishop E, Bishop F, Archdeacon I, Provincial Secretary J, the Head of Resources and Independent Officer K met on 24 May. It seems that an aide memoire of the chronology and information known prepared by Independent Officer K was shared with those present. This included most of the information above, but not the admission to Archdeacon H of an improper incident, the destruction of the 1999 Letter, or the alleged links with the convicted child sex offender. Some or all of these might have been shared orally at the meeting.

122. Those at the meeting would also have known that Archdeacon I disputed having reported inappropriate sexual advances when AP was a chaplain at Swansea University.

123. It is to be noted that the CPO does not seem to have been at that meeting. It is not known if he was not invited, which I consider he should have been, or unable

[28] University College Swansea became Swansea University in 2007

to attend. It is not clear whether the Panel's recommendation not to report to the police was discussed, and it seems unlikely that it was.

124. The Panel's recommendation of referring to the ISA was agreed on 24 May, to be actioned by the Head of Resources, although it was not in fact implemented at this stage, presumably because of the subsequent decision to report to the police first after all.

125. Initial contact with the ISA on 25 May suggested that perhaps there should be contact with the police, and this prompted the Head of Resources to discuss the question of whether there should be a referral to the police with Independent Officer K. Independent Officer K supported this idea, but Provincial Secretary J and the Head of Resources decided to follow the Panel's original advice without asking the Panel to review it.

126. It seems likely that Archbishop E was told on or around 26 May in a briefing note drafted by the Head of Resources that the CPO had advised that there was no point in referring to the police, but it does not seem that he was told that the Head of Resources and Independent Officer K had questioned the Panel's recommendation not to refer, as Provincial Secretary J and the Head of Resources agreed to remove that information, included in the draft in italics, from the briefing note.

127. Meanwhile, the Panel's recommendation that AP's PTO be removed was implemented, albeit not until 2 June, and a request made to consider temporarily standing down from any honorary positions he might hold with organisations working for or with children or vulnerable adults. AP shared additional information with Archbishop E and Provincial Secretary J, notably ZA's name, and that he had offered his resignation to Bishop B in 1993 and offered to withdraw his name from the election in 1999. This information seems to have been shared with the Head of Resources and Independent Officer K. It is unclear if it was shared with the CPO, although one would hope that it was.

128. This additional information seems to have prompted Independent Officer K, with the support of her professional supervisor, to press for a referral to the police as well as to the ISA, and for all additional information to be shared with the Panel. This strong recommendation was contained in a report Independent Officer K wrote for the Head of Resources on 7 June. It is not clear who, if anyone, this was shared with, although one might expect that it was shared at least with Provincial Secretary J. It is also unclear whether the additional information or the recommendation was shared with the CPO and/or the other member or members of the Panel, as the last meeting at which the matter was clearly mentioned at the Panel was before the meeting to suspend AP's PTO.

129. As it happened, whether or not it was shared with the CPO rapidly became of no consequence, because on 8 June, Archbishop E received a copy of the 1999 Report from Archbishop D. He at least told Provincial Secretary J and the Head of

Resources about it, and it is likely that he gave them copies[29]. All three knew that it explicitly referred to potentially criminal activity[30].

130. Bishop F knew about the 1999 Report, and probably saw it and thus probably knew of the apparent admission of criminality. It seems highly likely that the CPO knew of its existence if only from it being discussed at a meeting he appears to have attended on 14 June[31] and from his vague recollection of it[32]. Given the apparent intention at that meeting that he should share it with the police[33], one would expect him to have been given a copy, although it is not clear he actually was.

131. It does not seem that Independent Officer K was told about it. She appears to have been taken off the case on or around 26 May, and almost certainly before the meeting on 14 June, which she did not attend.

132. If Archbishop E had not previously known that AP had made an admission to Archdeacon H in 1999, he knew that by 10 June 2010 when he spoke to Archdeacon H. He shared this information with Provincial Secretary J. It is not clear that he shared it with Independent Officer K, and it seems unlikely that he did if she had been taken off the case[34]. It is also not clear whether it was shared with Bishop F, the Head of Resources or the CPO, although one might expect that it was shared when the three of them met with Archbishop E and Provincial Secretary J on 14 June.

133. On 14 June, it was decided to report the matter to the police and it seems this was done by the CPO on 28 June. There are no records of what was shared with the police, but it appears that none of the following were shared and that not all was even known to the CPO:

    a. The 1999 Report with its apparent report of an admission of criminal conduct and indication that XY might have been aged 15 at the time;
    b. The 2009 Letter from Bishop B and the 2009 Memo from Archdeacon H with its report of an admission of an improper incident, or the similar information given to Archbishop E by Archdeacon H;

[29] On his second (final) review of the draft of this report, Archbishop E asserted that they knew he had gone to London specifically to get whatever Archbishop D had, as evidence that of course they would have been given copies. I had not heard this from anyone else, or from Archbishop E before. Quite apart from this being an odd use of an Archbishop's time, it is difficult to reconcile with his speculation at our initial interview that he might have asked for it earlier and said he would pick it up when he saw Archbishop D in June, or with his file note on 16 June 2010 indicating that he asked Archbishop E about it when he was at Lambeth. I therefore do not consider this is likely to be correct.

[30] Provincial Secretary J's and the Head of Resources handwritten notes both include this phrase.

[31] See paragraph 106510

[32] See paragraph 520

[33] It is not wholly clear when the notes were made, but this seems unlikely to be material. See footnote 178

[34] Although she already knew equivalent information from Archdeacon H's 2009 Memo

c. The rumours of a link between AP and a convicted child sex offender and the possible allegation of inappropriate sexual advances to a student, which it does not appear the CPO knew about at the time of his report to the police, and perhaps not even later;
d. AP's offers to resign in 1993 and to withdraw from the election in 1999, which it is not clear the CPO knew about;
e. Archdeacon G's 1993 notes with the implication of an admission in the form of a comment about AP's feelings of upset and guilt, which it does not seem were discovered until after the report to the police.

134. It appears the police were told that XY was aged around sixteen at the relevant time, which was the age ZA had reported to Independent Officer K.

135. The police interviewed ZA, who they reported spoke of nothing which would give current concern, and on 30 July decided to take no further action.

By 12 November 2010

136. Following the police's decision to take no further action, Archbishop E, Bishop F, the CPO, Provincial Secretary J and the Head of Resources met on 29 September, and decided that the Head of Resources should now make the referral to the ISA. This was done on 12 November, but shared only limited information.

137. It asserted that XY was sixteen at the relevant time, included the information that in 1999 AP had admitted an improper incident, and attached Independent Officer K's report and the police report confirming no further action.

138. It did not attach the 1999 Report, or include relevant information from it, notably that XY might have been under sixteen at the relevant time and the apparent admission of a criminal offence, despite the fact that the Head of Resources clearly knew about the Report in June, five months earlier.

139. The 2009 Letter from Bishop B and the 2009 Memo from Archdeacon H might have been attached as part of Independent Officer K's report, as might the more limited information which Archdeacon I put in writing. It seems probable, although not certain, that the Head of Resources had had at least the 2009 Memo some months earlier[35].

140. Archbishop E's file note of his conversation with Archdeacon H, and Independent Officer K's case notes or aide memoire were not attached, and thus the additional, if disputed, information from Archdeacon I and the record of the rumour of AP's link with a convicted child sex offender were not shared with the ISA, although it is doubtful that these were available to the Head of Resources.

[35] See paragraph 420

141. It does not appear that anyone else who might have pointed out omissions saw the draft ISA referral before it was submitted.

Observations

Initial recommendations of the Panel

142. The recommendation to remove AP's PTO was good practice, although swifter implementation would have been better practice.

143. While the CPO's initial advice that the police would not take the matter forward was ultimately vindicated[36], I do not consider that the decision not to refer in any event was good practice. Even in circumstances where it was thought the police would not take the matter forward, it should have been referred to the police, for the police to make their own decision. If, for example, the police had had another allegation on file with insufficient evidence to justify a prosecution, the existence of a second allegation might have made a material difference. The CPO told me he had not considered this.

144. Furthermore, it is unclear to me why the matter was not referred to social services when it was decided not to report to the police. With their greater emphasis on avoiding risk for the future, they might have been considered more inclined to take the matter forward than the police. It does not seem that anyone suggested this, whether the CPO or Independent Officer K with her social work background. While I accept that a referral to the police (who should then also have informed social services) was preferable when dealing with a potentially criminal matter, if a referral to the police was regarded as inappropriate, a referral to social services would have been better than a referral to neither; social services could then have informed the police. It seems that it may have been wrongly thought that the ISA would inform the police.

145. I also do not consider it was good practice for the CPO to take part in the decision-making, let alone to play such a significant role in the decision through his advice on whether the police would take the matter forward or not. The CPO was an ordained priest in the Diocese of Swansea & Brecon, and AP had thus been his bishop. While AP had not ordained him, he had served his title as a curate in AP's archdeaconry and AP appointed him a Canon Residentiary in 2006. It does not appear that there was as developed an understanding of conflicts of interest in 2010 as there is today, and this clear conflict of interest therefore does not appear to have been managed in any way.

146. Although Independent Officer K told me that the CPO was very committed to safeguarding and to doing the right thing, it is impossible to tell whether feelings of loyalty, whether conscious or sub-conscious, played their part in his recommendations and participation in Panel decisions. While the CPO is

[36] The information gaps in 2010 were largely remedied in 2016, and the police still took no further action.

confident they did not, which as he noted is supported by the efforts he made to gain further information from ZA and others and his participation in the Panel's recommendations that AP's PTO should be removed and a report made to the ISA, the perception of bias must be avoided as well as actual bias.

First challenge to the recommendation not to report to the police

147. The Head of Resources' initial instinct to question the recommendation not to report to the police following her conversation with the ISA was good practice. As further advice or information is received, it is good practice to review previous decisions.

148. I do not consider it was good practice not to follow through on this. The removal of the text questioning the decision not to report to the police from the briefing note to be sent to the Archbishop indicates a deliberate decision not to discuss the question with Archbishop E. If that is correct, I do not consider that was good practice either.

149. Independent Officer K told me that the Head of Resources was rigorous in adhering to due process, and that the process for the HCR was that the Panel made the decisions, and those decisions were followed and not questioned.

150. While I commend following due process, I do not consider that the Panel's advice exonerates the Church in Wales from criticism. The Head of Resources clearly recognised that departing from the Panel's decision was worth considering, and that it was open to doubt that the Panel itself had followed due process in omitting the step of reporting to the police, as evidenced by her italicised note to Provincial Secretary J on 25 May[37]. I consider that at the very least the Panel could and should have been asked to review its decision, and all those who attended the 24 May meeting should have been made aware of the question mark over the Panel's advice.

151. I do not think it would have been inappropriate to override the Panel's decision on this matter, particularly in view of the CPO's conflict of interest[38]; overriding a recommendation to report something externally would clearly be inappropriate, but overriding a decision *not* to report would be to err on the side of caution. Indeed, the decision was subsequently overridden and a report made to the police in June, once yet more information had come to light.

[37] For the avoidance of doubt, as no copy of the Protocol for the HCR can now be found, I do not know if there was in fact a clear process that the police or social services should be informed prior to a referral to the ISA, or whether that was merely a practice which had developed. Given the ISA's expectations, made clear at a later stage, that an investigation should take place prior to referral to the ISA, and the All Wales Child Protection Procedures guidance that agencies must refer their concerns rather than undertaking their own enquiries, I consider that there should have been such a clear process. Either way, the Head of Resources is to be commended for identifying the potential problem.

[38] I add that one of the other two members was also ordained, making a majority of the Panel ordained.

Removal of Independent Officer K

152. The reasons why Independent Officer K was taken off the case in May are not entirely clear.

153. I initially speculated that the reason for her exclusion was an unwillingness to share the 1999 Report with her in light of her friendship with ZA and the information in the Report about XY, ZA and their families. However, no-one I asked thought this inference was correct, and it is inconsistent with the evidence from Independent Officer K's personal notes that she was asked to step back on 26 May, before the 1999 Report came to light on 8 June.

154. Provincial Secretary J's notes of his conversation with her professional supervisor record that it was because of her conflict of interest, but there are a number of indications that there may have been more to it.

155. First, she had identified her conflict of interest at the outset[39], yet none of those she had spoken to on multiple occasions since then, including the CPO, the Head of Resources, Bishop F and Archbishop E, seem to have expressed concerns about it.

156. Although the Head of Resources told me that she was removed because Archbishop E and to a lesser extent Bishop F thought she was compromised because of her prior knowledge, I have seen no indication of this concern on any of those previous occasions, or in the 24 May 2010 meeting, or in the first call between the Head of Resources and Independent Officer K after that meeting on 25 May. Furthermore, Archbishop E informed me that the Head of Resources was mistaken in this. He said that all, including Independent Officer K herself, knew that she was compromised before 24 May, but they had worked with her because she was so very competent. His comment on seeing the draft of this report that the impetus for her removal did not emanate from him is consistent with what he told me when we spoke that he did not recall a particular instance of the Head of Resources telling Independent Review K that she was off the case.

157. If, as was suggested, the issue was that the conflict became more apparent during the 24 May meeting, it is not clear when Archbishop E or Bishop F would have communicated concerns about a conflict of interest before 26 May if not immediately after the 24 May meeting. Yet the briefing note prepared by the Head of Resources on 25 May envisaged that if a formal report to the police were to be made, Independent Officer K would do that, and as late as 2 June, after she had been told to step aside on 26 May, Independent Officer K was still being informed of developments by both the Head of Resources and Archbishop E.

158. The timing of Independent Officer K's removal seems to have coincided with her pressing to report the matter to the police and the discussions between Provincial Secretary J and the Head of Resources about this. This raises the

[39] See paragraph 409

question of whether that influenced the decision, whether as a result of frustration with the questioning of a previous decision or otherwise. That said, had that been the explanation, one might have expected her to be drawn in again once the decision was taken to refer to the police after all, although that might have undermined the decision to remove her.

159. Independent Officer K's notes of a second call with the Head of Resources, on 26 May (when the Head of Resources told her to step aside from the case), do not indicate that conflict of interest was the reason, although that might be because she did not hear, or did not record that, rather than because it was not said.

160. In addition, there appears to be no other contemporary evidence of the reason for Independent Officer K's removal held by the Church in Wales except Provincial Secretary J's note of the conversation with Independent Officer K's professional supervisor on 21 June 2010. It is notable that this conversation was almost a month after the removal. The removal was not referenced on the note of the conversation between Provincial Secretary J and the Head of Resources on 26 May, the same day as Independent Officer K was told to step aside.

161. There is no indication who took the decision, who took part in it, what had changed since January, or any formal communication to the Independent Reviewer who had been engaged for this purpose or her professional supervisor. Yet this was a significant decision, removing someone who was pressing for a report to the police from active involvement with a case, while resisting that pressure.

162. Finally, the note of the conversation with the professional supervisor says "CoInt [*i.e. Conflict of Interest*] (no other reason)". Provincial Secretary J explained that he thought it would be normal and appropriate to assure Independent Officer K's professional supervisor that there was no other reason such as poor performance or a lack of professional skills, but it would have been abundantly clear that that was not the issue from the fact that she was being removed only from this one case and not from the HCR as a whole. It is difficult to see why the words in brackets would be added unless some other reason had been under consideration.

163. Given Independent Officer K's undoubted, and self-identified, conflict, I cannot criticise her removal from the case, despite the good work she had done on it, and better practice would have been for her to be removed earlier. However, I do not consider it was appropriate to remove her without sourcing a replacement with safeguarding expertise[40], perhaps with the assistance of her professional

[40] For the avoidance of doubt, I am unaware of any internal personnel who would have been suitable: the CPO also had a conflict of interest as explained above, and the Head of Resources did not have safeguarding expertise.

supervisor. In addition, having considered all the evidence available, I am not satisfied that the conflict of interest was the only factor and it seems probable to me that frustration with her desire to revisit the question of referring to the police was also a factor.

Consequences of the removal of Independent Officer K

164. The removal of Independent Officer K meant that the person who had gathered most of the information ceased to be involved, and there was no clarity on who, if anyone, took over responsibility for co-ordination of the case, including ensuring that all relevant information was held together and passed to the ISA and the police.

165. Provincial Secretary J thought responsibility was shared between the Head of Resources ensuring actions were taken and the CPO actioning it, with himself and Archbishop E also involved. Independent Officer K and Archbishop E thought it was the Head of Resources, despite the fact that she did not do the referral to the police herself and despite the fact that Independent Officer K was asked to pass her notes to the CPO rather than the Head of Resources[41]. The Head of Resources was sure it was not her. The CPO did not think it was ever anyone other than Independent Officer K.

166. As a result, it does not seem that there was ever one single person in the Church in Wales who knew all the material that was available, since it seems reasonably clear that Independent Officer K did not see the 1999 Report, and it does not seem that all her information was clearly shared with anyone else. While she was asked to pass her file to the CPO, the request was not made until 1 July, at least a week after she had been taken off the case and more probably over a month after. In either event, it was at least two weeks after the decision to refer to the police and apparently after the referral had been made.

167. As a further result, it does not seem that all the relevant information was shared with the police, and it seems clear that not all the relevant information was shared with the ISA.

168. That said, the most significant omission from the information shared with the police seems to have been the 1999 Report with its reported admission of criminality, since both the CPO and Detective Sergeant M concurred that had the police known that, they would almost certainly have interviewed AP. The indication in the 1999 Report that XY might have been 15 years old at the time of some conduct would also have been highly material. However, this assessment is undermined by the fact that AP was still not interviewed in 2016, even when the police did have the 1999 Report.

[41] See paragraph 544

169. Had AP been interviewed, his consistent admissions in other contexts suggest that he might well have made an admission to the police. At this stage, Bishop B, Archdeacon G and Archdeacon H were all still alive and could have been interviewed in addition to AP's friend. These interviews might have affected the approach taken by ZA in further interviews by the police. Again, this might have resulted in public disclosure which might have given the survivor who had been abused earlier the strength to disclose. All these opportunities were lost.

170. The apparent failure to share the 1999 Report with the police cannot be attributed to the removal of Independent Officer K. What the reason was cannot now be known, nor is it possible to be confident that the CPO had a copy, as opposed to simply being told about it[42]. If, as appears to be the case, the CPO attended a meeting at which it was agreed that the 1999 Report would be shared with the police, it seems inexplicable that he should not have made sure that he had a copy to share when he did report to the police. Whether he attended or not, it also seems inexplicable that those who clearly did have this and other documents should not have made sure that the person reporting to the police had copies.

171. The failure to keep clear records of what had been shared, which could have avoided those concerns, was also not good practice. While I cannot know that the failure was on the part of the CPO to make such a record, as opposed to a failure on the part of the Church in Wales to file it[43], his apparent preference for oral rather than written communication[44] suggests that no record was ever made.

172. Similarly, the failure to share the 1999 Report with the ISA cannot be attributed to the removal of Independent Officer K. Again, it is not possible to be confident that the Head of Resources had a copy, as opposed to simply being told about it[45]. The information which could have been, but was not, shared by her with the ISA could simply be a product of the lapse of five months since active discussion of the case and poor record-keeping resulting in no clear and complete file to consult for information.

173. A further consequence of Independent Officer K's removal from the case was that since she was part of the Safeguarding Panel, it appears that the Safeguarding Panel was kept out of any further discussion of the case, and, with the exception of the CPO who was involved as the CPO of Swansea & Brecon, the advice of the other member or members ceased to be available.

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[42] See paragraph 518

[43] In circumstances where many criticisms of the Church in Wales' record keeping have been made, including in this review.

[44] See paragraph 455

[45] See paragraph 498

174. A final consequence was that there was no-one with the necessary safeguarding expertise present at the meeting on 29 September who might have been able to point out that the All Wales Child Protection Procedures envisaged an internal disciplinary investigation now taking place. While one might have hoped that the CPO might have done so, it is not clear to me that he had experience in this aspect of safeguarding. At the time, the Church in Wales' own policy was not clear on the matter.

Overall observations on 2010

175. The response of the Church in Wales in 2010 was very considerably better than the response in 1993 and 1999. Nonetheless, there were a number of significant failings, in particular: unmanaged conflicts of interest; resistance to reporting to the police and at one point to reviewing decisions in the light of new information; removal, in questionable circumstances, of the person with the expertise to ensure that an adequate report was made to the police without clear appointment of someone to take responsibility for ensuring all information was collated and passed on; and an apparent failure to give the police all the relevant information or at the very least to record what was communicated.
176. I do however again remind myself that fifteen years ago, safeguarding was much less well developed and understood than it is now, and the actions of the past cannot necessarily be judged by the standards of today.

2011: Reinstatement of PTO

177. The Head of Resources knew by 31 January 2011 that the ISA expected the Church in Wales to have concluded internal investigations and a disciplinary procedure before referring to the ISA.
178. It seems highly probable that the Bench of Bishops, including Archbishop E and Bishop F, also knew this by the Bench of Bishops meeting on 15-17 March, and perhaps earlier.
179. I cannot tell whether either or both of Provincial Safeguarding Officer K or the CPO knew this.
180. Archbishop E and Bishop F certainly knew that the ISA had decided not to place AP on the barred list no later than 10 March. It seems that the Head of Resources and Provincial Safeguarding Officer K also knew.
181. Bishop F reinstated AP's PTO in Swansea & Brecon on 10 March. It may be that Archbishop E reinstated his PTO in Llandaff as well, but despite contradictory evidence[46], I think it more likely that he did not.
182. It does not appear that any of the Head of Resources, Provincial Safeguarding Officer K or the CPO knew of the intention to reinstate PTO, or that it had

[46] See paragraphs 588ff

happened[47]. Nor is there any suggestion that any relevant Panel or Committee knew.

183. It is not clear that anyone considered whether a belated Church in Wales investigation should now take place. The Head of Resources told me that she believed the matter should have gone to a disciplinary tribunal, but that that would have been a decision for Archbishop E. It is not clear whether she had that discussion with Archbishop E, who has no recollection of the ISA's response or any discussions around it and told me that the Head of Resources did not share a belief that the matter should have gone to a disciplinary tribunal with him.

Observations

184. There seems to have been a good deal of misunderstanding about the ability of the Church in Wales to conduct its own investigations once statutory involvement had been concluded. It may be that this could have been ameliorated had Provincial Safeguarding Officer K or a replacement for her been involved in discussions. Nonetheless, it seems surprising that I could find no evidence that any-one[48] considered a disciplinary investigation, particularly once greater understanding had been achieved of the ISA's expectations that an organisation would investigate the matter and take appropriate disciplinary action before making a referral. It may be that with AP's PTO removed[49], the need for further investigation would seem less important.

185. The likely outcome of further work would have been the discovery that not all the relevant information had been shared with the police and to renew the disclosure to them. Given that the police did not interview AP or AP's friend when they were given all the relevant information in 2016, they might well still not have interviewed him in 2011. This would still have left a disciplinary investigation by the Church in Wales as the only option.

186. It seems particularly surprising that Bishop F does not seem to have considered whether an investigation might be needed when the Head of Resources' note about disciplinary procedures being instigated by the bishop following the conclusion of the strategy process was brought to the Bench of Bishops sometime between 15 and 17 March, at most a week after he had reinstated AP's PTO.

187. He emphasised to me that he thought someone should have advised him to investigate. While it is correct that several people could have taken the initiative and none did, bishops can think for themselves, and Bishop F had the key piece

[47] It does not appear that the Representative Body's database administrators even knew that the PTO had been removed, let alone that it was reinstated; the database records indicate that PTO in Swansea & Brecon was held continuously from March 2010 (when it was added with around 30 others as part of a routine reconciliation exercise between the Representative Body and the dioceses) until 2016.

[48] Except perhaps the Head of Resources

[49] While it was then restored, at least in Swansea & Brecon, it does not seem that others knew of this

of information which others seem not to have had, which was that he had reinstated AP's PTO.

188. I also find it very surprising that Bishop F reinstated AP's PTO without seeking prior advice from a safeguarding professional, or at least the Head of Resources[50], particularly given his repeated emphasis on always acting in accordance with advice. Bishop F was very reluctant to take any responsibility when I spoke to him, questioning whose responsibility it was to tell him it should have been referred to the safeguarding panel. It is very difficult to see why anyone should have told him that if he did not tell anyone he was proposing to restore PTO.

189. More generally, it does not appear that any steps were taken to close the case by meeting to discuss what further actions might be necessary. That would have given a forum to consider an internal disciplinary investigation, as well as measures such as whether PTO should be restored and whether a record should be placed on AP's personal file.

190. The tone of Bishop F's letter reinstating AP's PTO, once it was seen by Head of Safeguarding K and Provincial Safeguarding Officer L in 2016, raised concern. She noted that the language of the letter suggested that AP had not been involved in any misconduct, when the probability of an indecent act having taken place between a 50 year old man and a 15/16 year old child was still very high, and that it reflected a concern that such behaviour continued to be minimised by some senior clerics. As Head of Safeguarding K said to me, it also gave no indication of any thought about victims and survivors, and whether there could be others, as in fact there were. I add that the letter reiterated that the course of action which others had been obliged to take had been taken very reluctantly.

191. Provincial Safeguarding Officer L recommended that a conversation with Archbishop E was needed as to how it could be best addressed, but Bishop F does not recall anyone raising it with him. Provincial Safeguarding Officer K speculated that the CPO might have offered to have a word, but it is not known if this recommendation was actually followed up on.

192. Bishop F observed to me without prompting that with the benefit of hindsight, he would not have written some of his letters to AP in the way he did. He told me that at the time he had been influenced by the respect he had for AP and his ministry and the fact that, he said, he had 'no inklings of any shady past'.

193. This does not however seem to be an accurate representation of what he knew, which included that AP had admitted an improper incident to Archdeacon H, appeared to have admitted criminal activity to his friend, and was rumoured to

[50] Although see paragraph 594 for a late suggestion that he did seek advice from the Head of Resources and was advised not to, and to consult the Safeguarding Panel; I do not think this is likely to be correct.

have been linked with a convicted sex offender[51]. To say, as he did to me, that the admissions were only apparent admissions, and that there had been no criminal prosecution or procedure, falls well short of supporting 'no inklings of any shady past' or of justifying a letter implying that there were no residual concerns at all.

2016: Removal of PTO

194. With minor, and comparatively insignificant exceptions, I consider that the Church in Wales successfully collated all the known information, and shared it appropriately both within the Church and with the statutory authorities.

195. While I, and it seems others, find it surprising that AP was still not interviewed in light of the repeated admissions he was recorded as making, that was principally a decision for the statutory authorities.

196. Despite discussions at a strategy committee at which the Church in Wales was represented by Provincial Safeguarding Officer L, it does not seem to have been considered that the Church should undertake its own disciplinary investigation on conclusion of the statutory involvement, and it was thought that permanent removal of PTO would suffice. Furthermore, at this time a challenge had been made by a different retired cleric as to whether the disciplinary tribunal had jurisdiction in respect of retired clerics[52]. In those circumstances, it is difficult to criticise the Church in Wales for taking no further action in 2016.

197. Whether to refer again to the Disclosure and Barring Service was discussed. However, the deficiencies in the 2010 referral to the ISA do not seem to have been expressly discussed. In those circumstances, I would not myself agree with the decision not to refer again with fuller information (referral having been suggested by the strategy committee), but I do not consider it was indefensible.

Procedure for appointing bishops in the Church in Wales

198. There are two stages to the appointment of a bishop in Wales: an election by an Electoral College with episcopal, clerical and lay representation from each of the six dioceses, followed by a confirmation of election in Sacred Synod by the Bench of Bishops alone.

199. Regulations are drawn up for each individual election. I understand that for very many years the Regulations were substantially unchanged from the disestablishment of the Church in Wales in 1920, and that the 1999 Regulations for the election of AP essentially followed the 1920 model. Draft Regulations are

[51] For other matters known, see paragraphs 413, 424-5, 438 and 442

[52] The Provincial Court determined on 31 July 2016 that there was no jurisdiction in respect of retired clerics; this was not remedied by a change in the disciplinary rules until April 2017, and even then there could have been potential issues with whether the change could be applied retrospectively.

prepared in advance of the College, for formal adoption at the outset of the meeting.

Arrangements in 1999

200. The arrangements for AP's election included the following:

a. The meeting of the College was private and the proceedings were secret[53]. No one involved (namely the members of the College, the Secretary and the Scrutineers) was permitted at any time to disclose to anyone else any information about any of the proceedings of the College or any happenings thereat.

b. After a declaration of secrecy and a discussion of the needs of the Diocese and Province, any member could make a nomination by writing the name of the nominee on a card and handing it to the Secretary or a Scrutineer. A list of nominations was then prepared and read, and members could address the College.

c. No member of the College, if nominated, was to be allowed to withdraw his name from the list[54], but it was lawful for any nominee to give reasons why he should not be elected. Such nominees were entitled to retire from any discussion, but were not required to under the Regulations. I understand that in practice and perhaps also under later Regulations, nominees were asked to retire during discussions at least since the late 1980s.

d. A two-thirds majority of those present and voting was required for election. If no nominee received such a majority, the process was to be repeated until a nominee did.

Arrangements now

201. A number of changes have since been made. These have included changes to the Constitution of the Church in Wales, and also changes to the Regulations which are drafted for each individual Electoral College. I have seen the draft Regulations for the most recent Electoral College in 2023, which show a number of changes to the process. The 2023 Regulations however pre-date changes to the Constitution; I am informed that the recently-postponed election of the Bishop of Bangor would have been the first Electoral College in accordance with the revised constitutional rules. Changes in the 2023 Regulations from the 1999 Regulations included the following.

a. While the proceedings remain confidential, the information sharing provisions have been widened. The Administrative Assistants, the

[53] I understand this language, jarring today, had fewer overtones in 1999

[54] I understand this was in recognition of the long-held understanding that no-one should actively seek episcopal office

Translator and the Chaplain are now specifically included as those bound by confidentiality. There is specific provision for disclosure to the Head of Legal Services, provided he has made a written declaration of confidentiality first[55].

b. There is now provision for names of candidates to be notified in advance of the College[56] and for candidates to submit supporting papers. Only candidates who have submitted supporting papers in advance may be nominated in the First Phase of the College meeting. However, if no nominee receives a two-thirds majority in the first ballot, a fresh set of nominations is requested and at this stage, any eligible candidate may be nominated, whether or not they have submitted candidate papers.
c. Despite the fact that a candidate can decline to submit candidate papers and thus prevent nomination in the First Phase, the provision prohibiting a member of the College from withdrawing from the list of nominees remains in place. However, a member who is a nominee is now required to withdraw from the discussion.
d. The Regulations include provision for nominations on the first day of the College meeting by the physical handing in of cards, although I am told that in practice discussions have taken place, in particular between the electoral college members for the vacant diocese, in advance of the physical meeting to decide which candidates should be nominated, and by which College member.
e. The Regulations also include provision for shortlisting, through discussion and then voting. There is a requirement for each shortlisted candidate to be interviewed by the College, and any candidate unable to attend is excluded. There is no requirement for the interview to explore issues relating to safeguarding or to explore gaps, anomalies or discrepancies in a candidate's papers.
f. There is a limitation on the length of the College meeting of 3 days, and provision for the appointment to pass to the Bench of Bishops if no nominee has received a two-thirds majority by the end of the meeting; I understand these were both already constitutional requirements but not repeated in the regulations.

202. In addition, the constitutional provision for the appointment to pass to the Bench of Bishops has since been amended to permit an Electoral College meeting to be

[55] I am informed that this particular provision was unique to this college and inserted because, unusually, the Head of Legal Services was not present at the College due to paternity leave; he would usually be Scrutineer and so no separate provisions would be needed.
[56] I assume a deadline is set in the publicity, but the draft Regulations did not state one

adjourned if no person has received a two-thirds majority at the close of the meeting as an alternative to the appointment passing to the Bench[57].

203. There is also now (subsequent to the 2023 Regulations) constitutional provision for formal preliminary meetings of the College, either online or in person (Regulation 20.2). This would allow for shortlisting of candidates to take place in advance if the College so wished.

204. I am told that Director of Safeguarding is now also informed of the candidate list in advance of the College, to enable Church in Wales safeguarding records to be checked. It is not clear to me on what basis the candidate list was disclosed to the Director of Safeguarding in the most recent Colleges, as this aspect of the process is not referred to in the most recent draft Regulations. Nor is it clear to me what process would be followed if the Director of Safeguarding raised concerns.

205. I am also told that a Clergy Current Status Letter (in effect a reference from the candidate's diocesan bishop), a DBS check (if no current check is on file) and proof of identity are requested before the Confirmation of Election in Sacred Synod, but not until after the Electoral College has elected a candidate and the name has been publicly announced. No enquiries of the candidate's diocesan bishop, nor any inspection of the candidate's personal file, is undertaken in advance of the College.

206. The CCSL completed by English Bishops for English candidates includes a question as to whether the candidate appears on the Church of England's Archbishops' List held under section 38 of the Clergy Discipline Measure 2003[58]. The Archbishop's Registrar's List, the equivalent for the Church in Wales, is checked at an earlier stage, after the shortlisting of candidates and before their interviews at the Electoral College.

207. Regulation 26 provides for confirmation of any election by the Bench of Bishops in Sacred Synod if they or a majority of them are satisfied of the Bishop-Elect's fitness. If they are not, the process begins again with a further election.

208. The safeguarding checks conducted in advance of the Electoral College should, in theory, give advance warning of safeguarding concerns about a candidate from within the Church in Wales whose name is suggested before the College meets. Any concerns which had been on a cleric's personal file before the Historic Case Review should now be included in the Provincial Safeguarding Office's files, as should any concerns which have arisen before then.

[57] Regulation 23.1

[58] A list of clergy on whom a penalty or censure has been imposed under the 2003 Measure or the Ecclesiastical Jurisdiction Measure 1963; who have been deposed from Holy Orders under the 1963 Measure; who have executed a Deed of Relinquishment; who have resigned preferment following a complaint under the 2003 or 1963 Measures; whose name is included in a barred list; or who the Archbishops consider have acted in a manner which might affect their suitability for holding preferment.

209. While there does not seem to be any process for assessing whether the name of a candidate about whom there are concerns should go forward to the College, and for preventing it if appropriate, in practice I would imagine that a conversation would take place between the candidate and a suitable person, such as the Archbishop, warning the candidate that if they were elected, their election might well not be confirmed by the Bench of Bishops, which might be expected to result in the candidate declining to submit candidate papers.

Continuing weaknesses

210. While the procedures have been improved, a number of weaknesses remain.

211. Most importantly, no candidate papers need be submitted for a candidate to be nominated in a second or subsequent round, if no nominee receives a two-thirds majority in the first round. No checks at all may have been carried out for such a candidate, and the candidate has no right to withdraw his name from a list of nominees. If they are not themselves a member of the Electoral College, they may not even be aware that they have been nominated.

212. There is a power for the College meeting to be adjourned, but no obligation for it to be adjourned, and the power is only stated to arise if no person has received a two-thirds majority at the close of the meeting, not if no person has received a two-thirds majority after the first ballot.

213. In addition, there is no guarantee that any safeguarding concerns about a candidate will be known to the Director of Safeguarding. The Church in Wales's record keeping has previously been criticised, both by the Independent Inquiry into Child Sexual Abuse and other reviews[59]. If the candidate is from outside the Church in Wales, any previous concerns are highly unlikely to be known to the Church in Wales's safeguarding team.

214. These weaknesses are mitigated by the provisions for CCSLs and DBS checks after the election but before confirmation. However, if a candidate is to be prevented from taking episcopal office on safeguarding grounds, it is preferable for that to happen privately, before the name is put to a College of up to 47 members and before the name is publicly announced after the College, rather than for it to happen publicly after the Bench of Bishops sitting in Sacred Synod decline to confirm the election.

215. It should be noted that concerns which could not be substantiated but equally could not confidently be said to be unfounded could prevent the Bench of Bishops from being satisfied as to the fitness of a candidate for episcopal office. It should also be noted that the question of whether a candidate about whom concerns were raised should be considered for election to the episcopate is separate from the question of whether other further safeguarding enquiries or

[59] IICSA Anglican Church Investigation Report, Part D, paragraph 50

actions are undertaken; any necessary safeguarding actions should happen in any event.

216. In addition, Regulations are set for each individual College. While I understand it is rare for the College not to adopt the draft prepared by the Secretariat, it would be open to it to make amendments, and the Secretariat is also at liberty to make amendments within the constraints of the Constitutional Requirements. There is now a constitutional requirement that the Regulations be published to the Governing Body, but only after the College has concluded.

Recommendations

217. I therefore make the following recommendations, some of which I understand are already under consideration:

a. A deadline should be set for receipt of candidate suggestions in the publicity in advance of an Electoral College, if this is not already done.
b. Clear provision should be made not merely permitting but requiring the candidate list to be disclosed to the Director of Safeguarding in advance of the Electoral College and requiring the Director to report any concerns to an appropriate person, perhaps the President of the College (usually the Archbishop). It may also be appropriate to permit or require disclosure to the Safeguarding Panel and/or the Archbishop's Registrar to enable advice to be taken.
c. Clear provision should also be made permitting disclosure to each candidate's diocesan bishop, whether within or outside the Church in Wales, and requiring receipt of a Clergy Current Status Letter, following inspection of their personal file, in addition to a check of the Archbishop's Registrar's List, prior to candidate papers being distributed. This may also require permission for candidate lists to be disclosed to members of the Archbishop's staff, such as the Chaplain or Executive Assistant, on signature of the declaration of confidentiality, depending on who typically requests CCSLs and checks the Archbishop's Registrar's List.
d. The Church in Wales should consider introducing an equivalent of the Church of England's confidential declaration, requiring candidates to declare their criminal record and associated matters.
e. The prohibition on nominees withdrawing their name from the nomination list should be removed, and no candidate's name should be included on any nomination list unless they have given express consent.
f. A process should be developed for dealing with any concerns arising from the Director of Safeguarding, the CCSL, the DBS check or other sources.
    i. This might involve conferring a power of veto (to prevent a candidate's papers going forward to the College) on an appropriate person or body, with advice from another appropriate

person or body. Possible persons or bodies for the decision and the advice might be the Archbishop, the Archbishop's Registrar, the Director of Safeguarding, the Bench of Bishops, the Safeguarding Panel, or a small sub-committee of the Electoral College. This would need to balance the candidate's privacy against vesting too much power in any one individual or too small a group.

ii. Alternatively, it might involve simply warning the candidate of the concerns, to ensure they were aware that, if they chose to let their name go forward to the College, they risked public disclosure through a potential subsequent decision of the Bench of Bishops not to confirm the election. While simpler, this carries greater risk of abuse of power, or at least the suspicion of it.

iii. Either option would require consideration of the position if a new concern arose, to ensure that any investigation by the statutory services was not prejudiced.

g. If no candidate who had submitted candidate papers in advance of the Electoral College meeting could command a two-thirds majority, and it was desired to add more candidate names for consideration, there should be a requirement for the College to reconvene for a second meeting, and for the process of suggesting names, conducting background checks, and obtaining candidate papers to be repeated before the reconvened meeting. It could remain open to the College to vote to pass the right to fill the vacancy to the Bench of Bishops without reconvening for a second meeting.

h. There should be express provision for all of the above checks to be undertaken by the Bench of Bishops before making an appointment if the right to fill the vacancy passes to them.

i. A mechanism should be devised for ensuring that an individual Electoral College cannot adopt Regulations which remove essential safeguards. One option might be to include them in the Constitution. Another might be for the Governing Body to adopt model Regulations, identifying particular regulations which an individual Electoral College may not modify.

218. I add that while I consider these recommendations would improve practice and mitigate risks for the future, it seems highly unlikely that they would have resulted in a different outcome in the case of AP.

a. His diocesan bishop knew of the allegations, and yet had not reported them to anyone, and had even appointed him as archdeacon.

b. There had been no safeguarding officers in 1993 for the diocesan bishop to report the allegations to.

c. No-one had referred AP to the predecessor of the Disclosure and Barring Service.
d. AP apparently offered to withdraw his name, but the offer was apparently declined in full knowledge of the allegations.
e. Archbishop C took part in confirming the election in full knowledge of the allegations, and without it seems consulting the CPO.

219. Other developments will however have changed much for the better, including the introduction of safeguarding officers at both diocesan and provincial level, and improved training and understanding of safeguarding.

Procedure for appointing archdeacons in the Church in Wales

220. Archdeacons are the appointment of the relevant diocesan bishop. The procedure is therefore essentially the same as for the appointment of parish clergy.

221. However, I understand that it is not a routine part of appointment procedures for a check of the cleric's personal file to be made if an appointment is being made from within the diocese and thus no CCSL is required, nor for checks to be made with the safeguarding team. I consider that this should be a routine part of all appointments, and that it is particularly important for appointments to senior offices such as archdeacons and deans.

Concluding reflections and recommendations

222. This review has identified a number of weaknesses in the systems and processes of the past. Equally, it has identified improvement in the Church in Wales's safeguarding arrangements between each of the four time periods considered in the review.
    a. Between 1993 and 1999, safeguarding policies were introduced and voluntary child protection officers were appointed.
    b. Between 1999 and 2010, policies developed further; at least some training was given; a paid safeguarding officer was appointed after the Historic Cases Review; and greater understanding was shown of the need to report safeguarding concerns including clear leadership by Archbishop E.
    c. Between 2010 and 2016, policies again developed further; the safeguarding staff developed into a team rather than a single officer, and the seniority of the head of safeguarding within the organisation was raised; record-keeping improved, including understanding the need for removal of PTO to be recorded in a cleric's personal file; and still greater understanding was shown of the need to report.

223. While the period subject to the review ended in 2016, a number of further improvements which have been made since 2016 came to my attention in the

course of my enquiries, including the facts that bishops no longer hold their own personal files; that the names of all those for whom a DBS check is requested are checked against the safeguarding database on a weekly basis, rather than only those for whose DBS check is blemished; and that the Representative Body's database has been developed to add the ability to hide a record from public inspection if a cleric is suspended or PTO is removed for what may be a temporary period. No continuing vulnerabilities within current systems came to my attention.

224. However, with the exception of the arrangements for the appointment of bishops and archdeacons, my terms of reference did not require a review of the Church in Wales's current systems and processes. While one might hope that the weaknesses of the past identified in this review have already been remedied in the course of the steady development in safeguarding seen over recent years and decades, I therefore recommend that the Church in Wales seek assurances on the following matters which weakened the response in the past in this case.

    a. Training is delivered to all personnel to whose attention safeguarding concerns may reasonably be expected to come, to promote both understanding of the importance of safeguarding and the impact of abuse, and knowledge of the core points of safeguarding policies, in particular the need to report concerns, in addition to recognising, responding and recording. In addition to parish personnel, this review shows the importance of training for senior clergy and relevant lay staff of the Representative Body and of dioceses.
    b. Safeguarding personnel have authority to make referrals to statutory authorities without needing permission from a committee or other individual.
    c. Processes are in place to ensure that recommendations for suspensions or removal of PTO are implemented promptly and that the Representative Body's database, the cleric's personal file (including when it is held in a different diocese) and any other relevant records of who has and does not have current authority to minister are updated promptly.
    d. Record-keeping practices ensure that records of information shared both with and by the Church, names and roles of people involved, meetings held and decisions taken are created, appropriately filed and retained securely but with access to appropriate personnel. All relevant personnel understand that safeguarding records should not be destroyed. Records are either held together, or cross-references included as to where other records are held.
    e. A lead caseworker is identified within the safeguarding team for each case with responsibility for ensuring all relevant information is collated

and all appropriate actions are taken, with access to their records for other members of the team to ensure cover can be provided if needed.

f. A conflict of interest policy is in place and adhered to.
g. Clergy and staff have the confidence to ask for decisions to be reviewed if further advice or information which may affect them is received and a culture of constructive challenge is in place.
h. The safeguarding team has a clear understanding of the roles of other agencies, including the Disclosure and Barring Service in addition to the police and social services, and an understanding of the core features of any external policies which apply to the Church in Wales.
i. Senior clergy with decisions to make on ministry, including both elections and appointments and grant of PTO, are briefed on relevant safeguarding information, and understand the need to seek and take safeguarding advice.
j. Senior clergy give clear safeguarding leadership, making clear their safeguarding responsibilities and reflect this in written and oral communications.
k. At the conclusion of a case, a closure review is undertaken to ensure that all necessary actions have been undertaken, to include consideration of any further investigations or disciplinary proceedings, any records on a personal file or the database and any further communication needed.

225. These assurances are in addition to the recommendations made in paragraph 217 in respect of the election of bishops, and the recommendation that a cleric's personal file should be checked and enquiries made of the safeguarding team if an appointment is being made from within the diocese and thus no CCSL is required for all clergy appointments and in particular for senior posts.

Gabrielle Higgins, February 2026

Appendix 1: Terms of Reference

Terms of Reference

Independent Case Review – Anthony Pierce

Summary: These terms of reference commission an external review into the Church in Wales' handling of an allegation of abuse against the Right Reverend Anthony Pierce, first reported in 1993. It seeks to establish (as far as possible) who within the Church received relevant information, and what they did with it. The Review will also review the Church's current processes for appointing Archdeacons and Bishops and how safeguarding allegations are considered within that process.

These instructions set out the basis on which the Representative Body of the Church in Wales, on behalf of the Church in Wales Safeguarding Committee, commissions Gabrielle Higgins ('the Reviewer') to undertake a review ('the Review') into the handling of an allegation of improper (and possible criminal) conduct made against the (then-styled) Reverend Anthony Pierce, who subsequently became Bishop of Swansea & Brecon. The allegation relates to conduct in or around 1990 and appears to have been first reported to senior figures in the Church in Wales in 1993. The victim is now deceased, and in these terms of reference is referred to as 'XY'.

The Reviewer is <u>not</u> asked to review matters concerning an allegation against Mr Pierce reported to the Church in Wales Safeguarding Team and South Wales Police in 2023, which has resulted in proceedings in the criminal courts. If the Reviewer as part of her Review identifies matters beyond the scope of these terms of reference which may merit a further internal or independent investigation or review she is asked to raise the matter with the Provincial Secretary or the Representative Body's Head of Legal Services so an extension to these terms of reference or a further review can be considered.

1. **Objective and Scope**

1. The Review will consider the response and actions of the Church in Wales, its clergy, officers and members in the period from 1993-2016. The Review will also comment on any vulnerabilities identified within current systems which might risk a repetition of mistakes made and make recommendations for improvement to these systems and processes.

2. The Review will identify both good practice and failings in the Church's handling of the allegation.

3. The Review will focus on three questions: (1) what did officers and institutions in the Church in Wales know about alleged abuse perpetrated by Anthony Pierce? (2) what was the response of the Church and its officers to those allegations? (3) Are the current procedures in place for appointing Archdeacons and Bishops in the Church in Wales sufficient to ensure as far as practicable that events such as this could not be repeated?

4. In connection with the first question, the Review will consider: (a) What information was available to Church in Wales bodies or officers relating to Anthony Pierce's alleged abuse of XY; and (b) Who had this information and what did they do with it (and when).

5. In connection with the second question, the Review will consider: (a) Whether, when the abuse was reported, relevant Church of Wales bodies and officers responded in a timely and appropriate manner, and (b) what additional lessons can be learnt which are relevant and which might improve safeguarding practice in the Church.

6. In connection with the third question, the Reviewer will consider the current provisions for identification, referencing, safeguarding checks and other due diligence for candidates considered for Episcopal office, both prior to their election and between their election and the confirmation of election. The Reviewer will also consider the equivalent provisions for candidates selected as Archdeacons.

2. **Content**

1. The Reviewer shall deliver a written report ('the Report') in a form suitable for publication pursuant to section 5 below.

2. Based on the evidence available, the Reviewer will answer the three questions set out in paragraph 1.3 above.

3. Where there are disputes or there is a lack of clarity on facts, the Review is asked to give a view, informed by her professional judgment, as to what version of events is the most likely on the balance of probabilities.

4. The Reviewer is asked in particular to give her views on decisions taken at the following points in time:

1. 1993 (original disclosure)
2. 1995 (appointment as Archdeacon)
3. 1999 (election, confirmation of election as Bishop)
4. 2009-2010 (historic cases review, referral to statutory authorities, removal of Permission to Officiate)
5. 2011 (restoral of Permission to Officiate)
6. 2016 (removal of Permission to Officiate)

3. **Relevant written material**

The Legal and Safeguarding departments of the Representative Body will provide the Reviewer with all relevant material in their possession. These departments will also provide all reasonable assistance to the Reviewer in obtaining further relevant information from any third parties (and the Reviewer may also make requests to third parties directly for any information that they hold).

4. **Relevant interviewees**

1. Whom to interview or meet is the sole decision of the Reviewer.
2. By way of suggestion and assistance only, the Legal department of the Representative Body will provide the Reviewer with a list of persons who might have useful input to make into the review. The Reviewer is not obliged to seek to interview or meet any of those persons, and may seek to interview others.
3. The Legal and Safeguarding departments of the Representative Body will provide all reasonable assistance to the reviewer in setting up meetings (whether online or in person).

5. **Publication**

1. These terms of reference shall be published on the Church in Wales website.
2. In addition to the published Report, the Reviewer may write to the Provincial Secretary, copied to the Chair of the Church in Wales Safeguarding Committee and the Archbishop, with any advice that the Reviewer wishes to offer the Church in Wales but which cannot reasonably form part of the published report. If the Reviewer decides to do this, a brief summary (suitably anonymised

if necessary) of the topics and issues raised in such correspondence must be noted in the Report.

3. Where a living individual is subject to criticism in the Report (in the opinion of either the Reviewer or the Head of Legal Services) that individual shall be offered an opportunity to comment on or respond to the criticisms made prior to publication and the Reviewer shall take into account such representations when finalising the Report for publication.
4. The final version of the Report shall be sent to the Provincial Secretary and the Chair of the Church in Wales Safeguarding Committee.
5. The Provincial Secretary shall cause the Report to be published on the Church in Wales website within one month of receipt.
6. The Reviewer shall use her best endeavours to provide a Report which can lawfully be published in full. The Head of Legal Services may, in consultation with the Representative Body's Data Protection Manager and Director of Safeguarding apply redactions to the published version of the Report only to preserve the anonymity of a participant in the Review where appropriate, to comply with a legal obligation, or to mitigate a significant litigation risk. The reason for any redaction shall be annotated on the published Report.

6. **Timeline**

1. The Review shall commence immediately upon the substantive conclusion of the current criminal proceedings against Anthony Pierce.
2. If possible, the Review shall be concluded within three months of commencement. The Reviewer shall give brief progress updates to the Provincial Secretary on a monthly basis.

Canon Simon Lloyd

Provincial Secretary, Church in Wales

Chief Executive, Representative Body of the Church in Wales

6 February 2025

Appendix 2: The evidence in more detail

1989/90: the allegation

226. The precise details of the alleged conduct are unknown, as are the dates when the conduct is alleged to have taken place. Two different second-hand accounts have been shared with me during the course of this review, but were not available prior to it.

The conduct

227. There are no contemporaneous records referring to the conduct in any way and a striking feature of the case is that at no point did anyone in the Church in Wales have any indication of the nature of the conduct alleged.
228. The 1999 Letter describes the abuse as "encouraged to have several sexual encounters with Mr Pierce" and makes clear that ZA considered that the conduct would have resulted in a criminal conviction of child sexual abuse.
229. The 1999 Report is even vaguer. It refers to "incidents", not condoning "what Tony did", and "inappropriate behaviour". However, it also stated that AP had committed a criminal offence, in terms which suggest that this was what AP said to his friend.
230. The 2009 Memo referred to AP having admitted "an improper incident", and in a telephone call between Archdeacon H and Archbishop E on 10 June 2009, Archdeacon H referred to AP having admitted "some touching".
231. The police record of a meeting with ZA on 28 July 2010 was rather different. By this time, XY had died. The police record states that ZA spoke of XY disclosing that he was gay and in a 'relationship' with AP. It also states that she said that XY made no reference to it being of a sexual nature but she assumed it must have been. In my conversation with ZA, she was firm that this was not correct, and looked shocked when I told her what the police record said.
232. When the matter resurfaced in 2016, ZA told the police in December that AP had "done things" to XY but that he never disclosed more detail to her. She said the letter she wrote in 1999 was based on assumption.
233. In my conversation with ZA, she did give more details of the abuse, saying that she had not given details to anyone before as she had found it too difficult. She told me that XY had disclosed that AP had been touching him and had made him go down on him. The difference in language suggested that the latter was a single incident but she did not specifically say so, and at such a distance of time the nuances of language bear less weight.
234. AP's friend's recollection of what AP had told her had happened was that on the day AP heard the news that his father had died, XY was either already at the vicarage or arrived later; AP told XY that he was upset and why; XY expressed

sympathy and put his arm around AP; and it went on from there. Her impression was that it reached the stage of mutual masturbation, but no further, and at that point AP knew it was wrong. His friend believed he ensured he was never alone with a boy under eighteen again. As with the information ZA gave me, it is clear that this information was not shared with anyone in the Church in Wales prior to this review. When reviewing this paragraph of the report in draft, AP added that he thought he also said to his friend that he had and would now be following carefully the emerging Church in Wales guidelines in respect of child protection, although this would be more consistent with a conversation in 1999 than his original conversation with her in 1993.

Admissions

235. AP has never been formally interviewed in respect of this allegation. However, it seems clear that inappropriate conduct was repeatedly admitted in other contexts.

236. The 1993 Notes record that AP's friend was "very aware of Tony's feelings of upset and guilt", although they do not record any actual allegations. AP also recalled expressing feelings of upset and guilt to Bishop B and Archdeacon G.

237. The 1999 Letter indicated that AP had admitted the (unspecified) offences to ZA.

238. The 1999 Report stated that AP "admitted inappropriate behaviour, but not more". It is not clear who that admission was made to: it could have referred to an admission to his friend, or could have referred to the admission mentioned in the 1999 Letter, which AP's friend had clearly seen. However, the 1999 Report also indicates that AP admitted committing a criminal offence.

239. Most explicitly, the 2009 Memo states that when Archdeacon H met with AP in 1999, AP, after reading the 1999 Letter, had "admitted that in a moment of weakness there had taken place an improper incident". Similarly, Archdeacon H told Archbishop E in 2010 that AP had admitted that in a moment of weakness there had been some touching. It is not known whether Archdeacon H was pressed on whether there had been multiple incidents, as indicated in both the 1999 Letter[60] and the 1999 Report, or indeed whether this was an error of memory on Archdeacon H's part 10 years after the meeting. It could be consistent with a reference to a final, most serious, incident only.

240. An aide memoire for a meeting made by Independent Officer K in May 2010 records that ZA told her on two occasions that a counsellor had contacted ZA to tell her that AP had undergone counselling and wanted her to know how sorry he was, which would amount to a further implicit admission. It is not clear when

[60] At the time of this conversation, Archbishop E did not have a copy of the 1999 Letter

this took place; notes about a conversation some years earlier[61] suggest it was in 1999; notes about a conversation in 2010 suggest it was in 1993.

241. Independent Officer K's notes also record that ZA said she had approached AP again not long after XY's death with the detail of the allegation and that again he had not denied it.

242. Archbishop E and Provincial Secretary J met with AP on 2 June 2010. Provincial Secretary J's report of the meeting recorded that AP had explained that the incident had been investigated before, but does not record any denial by AP. On the contrary, it states that AP mentioned that he had offered to withdraw from the election when he was elected as Bishop of Swansea & Brecon in 1999, which seems a further implicit admission.

243. A report dated 7 June 2010 by Independent Officer K records that AP had also said at that meeting that he had offered his resignation to Bishop B in 1994[62], which had also been declined. While she was not present at the meeting, and this is not in Provincial Secretary J's report, AP recalls that he did indeed offer Bishop B his resignation from both St Barnabas and as Director of Education, and that he did indeed say this at the 2010 meeting with Archbishop E and Provincial Secretary J.

244. There are accordingly multiple reports of admissions by AP, albeit without any detail, to multiple people from multiple sources:

    a. to ZA;
    b. to his counsellor, reported via ZA;
    c. to his friend;
    d. to Archdeacon H; and
    e. to Archbishop E and Provincial Secretary J by reporting implicit admissions to Archbishop C and to Bishop B.

Timing

245. The date of the conduct is also unknown, but was some time between 1989 and, at the latest, 1993. In 1989, AP was in his late 40s, turning 50 early in 1991.

246. In the 1999 Letter, ZA alleged that the conduct had taken place in 1989/90 when XY was fifteen years old. This is consistent with XY's date of birth in *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*.

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[61] The version retained by the Church in Wales places this conversation in 2007, but Independent Officer K told me that *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]* so it must have been before *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*; the notes were clearly not contemporaneous. The version of the notes retained by Independent Officer K places the conversation in 2001/2, and she tells me she did not meet ZA until November 2002 so the conversation would have been after that.

[62] It does not seem that there was clear evidence available to Independent Officer K as to whether the first disclosure to the Church was in 1993 or 1994, and she repeatedly refers to it as 1994. As indicated below, it seems more likely it was in 1993.

247. The 1999 Report gives similar timing: it indicates that AP's closer contact with XY began at Easter 1990 and states that "the incidents were finished on 3 December 1990", the day AP's father died. This period covers several months during which XY was fifteen and several more after he had turned sixteen, but gives no indication of when the friendship might have developed into improper conduct. AP's friend told me that the only incident which went too far was the day AP's father died, or perhaps the day after, and that, realising he had gone too far, AP thereafter put in place means to keep himself away from XY.
248. ZA's interview with the police in 2010 placed the conduct later, in the spring of 1991, when XY would have been sixteen. While she disputes the contents of that police report, when ZA spoke to Independent Officer K in January 2010, she also said that XY was sixteen.
249. In my conversation with ZA, she was sure that the conduct had started *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*.[63] She was sure that he had been fifteen. She did not think the conduct was still going on when XY disclosed, noting that attendance at church had ceased by then, although she had different recollections of that at different times. She did not press him, as she said he was struggling with the disclosure and clearly did not want to say any more. The implication was that she did not specifically check with him when the conduct had started.
250. It is impossible to be confident whether XY was under sixteen at the time the conduct started. There seems to be a reasonable probability that he was, but the evidence available would certainly not meet a criminal standard of proof, and given the conflicting evidence from 2010, it is doubtful that it would even meet a civil standard of proof. Furthermore, the evidence from AP's friend suggests that the most serious incident at least was after XY had turned sixteen.

Legal position

251. If the conduct amounted to either buggery or gross indecency, it would have been an offence under section 12 or 13 respectively of the Sexual Offences Act 1956, regardless of whether XY was 15 or 16 at the time: section 1 of the Sexual Offences Act 1967 had legalised homosexual acts only for consenting parties over the age of twenty-one, and this was not reduced to eighteen until 1994, and not further reduced to sixteen until 2001.
252. However, section 7 of the 1967 Act would have prevented proceedings for buggery being commenced when the complaint was made in 1993 (or even in 1992), unless XY had been fifteen at the time, as such proceedings could only be brought more than 12 months after the offence if it either amounted to an

[63] *[REDACTED – FOOTNOTE RELATING TO POTENTIALLY IDENTIFYING INFORMATION]*

assault (and it seems highly unlikely that lack of consent could have been proved) or was by a man with a boy under sixteen.

253. Section 7 of the 1967 Act would also have prevented proceedings for gross indecency more than 12 months after the offence, even if XY had been fifteen. However, if he had been fifteen, proceedings could instead have been brought under section 15 of the 1956 Act for indecent assault on a man, as section 15(2) provided that a boy under the age of sixteen could not in law give any consent which would prevent an act being an assault.

254. Given the admissions outlined above, it seems overwhelmingly probable that AP had engaged in not merely improper but criminal conduct. However, it is open to considerable doubt as to whether he could have been prosecuted for that conduct by the time it was first reported to the Church; he could only have been prosecuted had XY been fifteen at the time (or if it could have been proved to be non-consensual and thus an assault), and it is impossible to know whether or not he was.

255. It should be noted that if XY was sixteen at the time of the conduct, it would not have been criminal had it happened after 2001, or at least not if it had happened between then and 28 June 2022 when the legislation on people in positions of trust changed. Nonetheless, it would still have been regarded as abusive, and of interest to social services if not to the police.

1991/1992/1993: Disclosure of the allegation to ZA

256. It is unclear when XY disclosed to ZA.

257. The 1999 Letter indicated that the trigger for the disclosure to her was reports of a vicar in Sketty being charged with sexual offences against young boys. This caused XY distress and prompted him to disclose that he had been sexually abused by AP. A local press report dated 28 September 1993 indicates that the vicar, Stephen Brooks, was arrested on 27 September 1993, which accords with the statement in the 1999 Report that it was made public in September 1993.

258. ZA disavowed this when I spoke to her. She told me that she had not heard of Stephen Brooks until Bishop B told her, and that she had to ask a friend who worked in child protection who he was. She was confident that XY would not have heard about Stephen Brooks either, and did not know what made XY disclose when he did.

259. The 1999 Report alleges that ZA spoke to AP by telephone while he was still Vicar at West Cross. It is not clear if this information came from AP, or was an inference from the 1999 Letter, and when I spoke to her, AP's friend could not recall. In her conversation with me, ZA was at first confident that she had telephoned him at the West Cross vicarage, and also told me she had left the church after the disclosure from XY, and that AP was still the vicar when she stopped going. She thought this was in 1993.

260. However, the 1999 Report notes that AP left Holy Cross in November 1992, and his pension file confirms that he became Priest-in-charge of Swansea St Barnabas and Diocesan Director of Education on 17 December 1992. When discussing this, ZA first thought that it made sense that the disclosure and her call to AP had taken place in 1992, given her differing places of work in different years. This is also supported by the fact that AP's own recollections are that the telephone call from ZA was in late November 1992, shortly before his move to St Barnabas in December 1992.
261. Conversely, ZA also felt confident that she had spoken to AP and to Bishop B at around the same time as each other, and as indicated below, it seems most likely that she spoke to Bishop B in 1993. She therefore wondered if she had in fact telephoned AP at his subsequent vicarage but on balance was confident it had been at the West Cross vicarage. In addition, she commented that at the time of the contact with AP and Bishop B she had not been going to West Cross much, as she had started worshipping with a different denomination, so it may not be right that she left the church after the disclosure rather than before.
262. AP's recollections are consistent with the telephone call from ZA being considerably earlier than the visit to him by Bishop B and Archdeacon G, and a possible explanation is that ZA contacted Bishop B twice: once in late 1992, when he did nothing, and again in September 1993, when he visited AP.
263. The police report of 30 July 2010 places the disclosure even earlier, in the spring of 1991. On this occasion, ZA is recorded as having said she immediately confronted AP when XY disclosed he was gay and in a 'relationship' with AP, and that it appeared the relationship ended. This implies that it was ongoing when XY disclosed it to ZA, which suggests an earlier date of disclosure; suggests that it was while AP was still ZA's parish priest; and suggests that the press reports relating to Stephen Brooks were not the prompt for the disclosure.
264. However, as indicated above, ZA did not believe this report was accurate when I spoke to her, and had no recollection of whether or not the disclosure was in the spring. She was confident that XY did not tell her he was gay at the same time as he told her of the abuse; she recalled telephoning her brother and joking about him coming out, as it had been clear well before that, and she would not have joked had abuse been disclosed at the same time.
265. To add further confusion, the 1999 Report suggests that XY did not tell ZA he was gay until the autumn of 1993[64], although how AP's friend would know that is not clear; she could not recall when I spoke to her, and thought it might in fact have been speculation on her part, noting that she was confident for reasons not pertinent to this report that ZA would already have known XY was gay.

[64] "He upset [ZA] considerably in the autumn of 1993 by announcing his homosexuality."

266. The conflicting evidence is impossible to reconcile, but on balance it seems most likely that the disclosure took place in 1992, although it may have been 1993. It seems more likely than not that XY was an adult by the time of the disclosure; *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*.

1992/1993: First disclosure to the Church

267. The date of the first disclosure to the Church is also not certain but it seems clear it was either in 1992 or 1993.

Who was who

268. At this time, Archbishop C was Archbishop of Wales; Bishop B was Bishop of Swansea & Brecon; and Archdeacon G was Archdeacon of Gower. Bishop D and Bishop E became Bishops of Monmouth and Bangor at some point in 1992 and January 1993 respectively. No safeguarding professionals were employed by the Church in Wales, nor were there any voluntary safeguarding posts.

The disclosure

269. The form of the disclosure to the Church was a telephone call from ZA to Bishop B. ZA told me this was followed up by a second telephone call. This is consistent with her comment in the 1999 Letter that she had had several conversations with him. She told me that on both occasions he asked her to leave the matter with him, but that on neither occasion did she hear anything further from him. Bishop B did not later suggest that he had contacted her again.
270. Although ZA told me XY was clear with her that he was not willing to go to the police, she said she was not willing to disclose that to AP or Bishop B; she specifically wanted them to think that AP was at risk of XY reporting to the police.
271. I am told that clergy personal files were already being kept by 1993, albeit probably without any detailed guidelines as to what should and should not be included. Nonetheless, no contemporaneous records of these conversations or anything else were found in AP's personal file. This seems likely to be because neither Bishop B nor Archdeacon G placed any records on his file.
272. However, I am also told that until around 2017, Bishops' personal files were held in their own offices. Furthermore, I was told by Independent Officer K that when he retired in 2008, AP took his own personal file with him and so she was unable to review it in 2010. It does not appear that this was raised with AP at the time, and AP has denied that he did so, but whatever the reason, I am told that his existing personal file contains only documents either created after his retirement (such as the grant of PTO in Swansea & Brecon) or discovered after his retirement (such as those referred to in this review). It can therefore not be established whether proper records were kept in 1993.

273. The only contemporaneous evidence is the 1993 Notes. These are handwritten notes made by Archdeacon G on 18 October 1993 recording a conversation with AP's friend. It is not known what prompted the conversation: whether Archdeacon G contacted AP's friend or vice versa; AP's friend now has no recollection of Archdeacon G at all, let alone speaking to him. The conversation covered much background information about XY and ZA, but the notes give no information about the allegations at all.

274. At this distance of time, and with Archbishop C, Bishop B and Archdeacon G all having died, it is impossible to know what ZA told Bishop B. ZA told me that she had not previously told anyone the details she told me of what XY told her had happened, so it seems unlikely that she told Bishop B. As she asserted in her letter six years later that XY had been fifteen at the time, she might well have told him that in 1993, but given that she told me she had not asked XY for further details of the abuse when he disclosed to her, which would imply that she could not be confident he had been fifteen at the time, she might equally well not have made that assertion.

Timing of the disclosure

275. The 1999 Letter places ZA's disclosure to the Church at the same time as XY's disclosure to ZA, after the press reports about Stephen Brooks, which were in September 1993. It states that XY did not want to press charges, but did agree to ZA contacting AP and Bishop B. ZA told me that XY not only did not want to press charges, he did not want to speak to anyone about it.

276. ZA also told me that she knew nothing about Stephen Brooks until she telephoned Bishop B[65], who suggested that she was only making the allegations because Stephen Brooks was being prosecuted. This too supports this timing of September 1993, if not Stephen Brooks being the prompt for the disclosure.

277. However, the 1999 Letter also states that Bishop B informed ZA that AP was leaving his post at Holy Cross and would be taking up a post where he would have no contact with children. As AP left Holy Cross in December 1992, if this was right, it would place the first disclosure to the Church in late 1992. ZA had no clear memory of this comment from Bishop B when I spoke to her.

278. AP's friend recalls that AP was already living in St Barnabas vicarage when he asked her to go and see him, which seems likely to have been prompted by contact from Bishop B about the allegation. It therefore seems likely that either Bishop B's comment that AP would be leaving his post was a mistaken recollection on ZA's part in 1999, or ZA contacted Bishop B twice, once in 1992 and once in 1993.

[65] Although the notes of a member of the current safeguarding team of a call with her early in 2025 record that ZA said in that call that she "made a link at the time of the Steven Brooks conviction, (that she knew nothing about until it appeared in the press/media)"

279. The 1999 Report also places the disclosure to the Church in late September 1993. It states that ZA contacted Bishop B, and that he with Archdeacon G spoke to AP, who then asked his friend, the author of the 1999 Report, for help[66].
280. The 1999 Report states that AP's friend passed on the facts she found from her research in 1993 to Archdeacon G who in turn informed the Bishop. This timing is supported by the 1993 Notes.
281. Bishop B's letter to Bishop F on 6 March 2009 also places the disclosure while the Stephen Brooks investigation was proceeding, and states that he was informed of the allegations against Brooks in 1993. However, his letter also states that "later" AP became priest in charge of St Barnabas in Swansea, which had happened in 1992.
282. Independent Officer K reported that when Archbishop E and Provincial Secretary J met AP on 2 June 2010, AP indicated that he was approached with the allegation in 1994. Given the evidence of the 1993 Notes, this seems almost certain to be a mistake either on the part of AP or Independent Officer K[67].
283. Conversely, Archdeacon H told Archbishop E in June 2010 that the allegations were first made in 1990; again, this seems almost certain to be a mistake, confusing the date of the disclosure to the Church with the likely date of the conduct.
284. Despite some indications that the disclosure to Bishop B took place in 1992, it seems most likely that it took place in September 1993. Alternatively, it may be that ZA spoke to him in both 1992 and again in 1993; she recalled that she did speak to him twice, and while she thought that the two calls were only a couple of weeks apart, two calls nearly a year apart would fit with all the other evidence.

Other information about AP

285. After AP's 2025 conviction, further information was received from a priest that he had received a visit from Bishop B with the police in or around 1993 to discuss concerns about both Stephen Brooks and AP. This is consistent with recent information from survivors who were interviewed about Stephen Brooks that the police also asked them about AP[68]. It seems there were suspicions that the two

[66] The 1999 Report also asserts that XY informed ZA of his homosexuality in autumn 1993 at approximately the same time that she contacted Bishop B, implying that this was the prompt rather than the disclosure to ZA itself, which the 1999 Report places in 1992. The 1993 Notes also refer to the disclosure of XY's sexuality in terms that suggest it was recent, but the source of this information is AP's friend and is of very doubtful reliability.
[67] It appears that Independent Officer K was under the impression it had been in 1994, which could have influenced AP's recollection if that date was given to him: see footnote 143. This date is not given in Provincial Secretary J's report of the meeting.
[68] Against this, the Child Protection Officer for Swansea & Brecon in post from the late 1990s told me that in his role in the police, he had signed the prosecution papers for Stephen Brooks before it went to the CPS and did not recall any mention of AP's name. However, a link which was not established might not

were working together to groom children. The priest also stated that Stephen Brooks and AP were close friends and holidayed together.

286. The priest spoke of a meeting for all the clergy about Stephen Brooks called by Bishop B, at which AP said that other people were spreading rumours about other clergy, and that it needed to stop or they would receive solicitors' letters. It is possible that this was intended to, and did, discourage Bishop B from taking any further action in respect of AP.

1995: AP's appointment as Archdeacon

287. I understand from Chapter VI of the Church in Wales' current Constitution that the appointment of an archdeacon is vested in the Bishop, and presume the same applied in 1995. Bishop B's knowledge is described in the previous section.

288. Archbishop D recalls that at some point in the nineties, Bishop B had mentioned that some sort of allegation had been made against AP. When he first recorded this recollection in 2010, he thought it was in one or two discussions around the time of the vacancy and AP's election but when I spoke to him, he thought it was earlier in his own tenure as a bishop rather than later, and speculated that it might have been around the time of AP's appointment as archdeacon. He thought it would have been in the context of a Bench of Bishops meeting, as that was where he normally spoke to Bishop B, but did not think it was while they were in session and was more probably during a meal break or the like. He recalls it as a casual mention in passing.

289. He did not give any details of the nature of the allegation when he first recorded this recollection in 2010, simply saying that he did not recall it being presented as any sort of legal or criminal matter. He told me that he had it in mind that the allegation involved inappropriate sexual conduct, but that he did not recall any indication that it involved a minor. He did not recall anything being said about whether it was admitted or denied.

290. He also said in 2010 that the impression he had was that no further action was going to be taken as the charge had not been substantiated, and that his impression was that it had been dealt with. This is consistent with the way in which Bishop B had handled the matter in 1993, and with how he presented it in 2009.

291. Archbishop D also told me that most people assumed that AP was gay, and that this assumption dated back decades. He described the culture of the Church in Wales at the time as very conservative, with a 'don't ask, don't tell' approach to homosexuality, and the lack of curiosity about the allegation is consistent with

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appear in the prosecution papers and in addition, his memory seems particularly unreliable: see footnote 135.

this culture and an understanding that the allegation related simply to homosexual activity.

1999: AP's election and confirmation of election as Bishop

Who was who

292. At this stage XY was *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*. AP was Rector of St Mary's Swansea and Archdeacon of Gower.
293. Archbishop C was still Archbishop of Wales, until 30 June 1999. Bishop D and Bishop E were still Bishops of Monmouth and Bangor respectively. Archdeacon H succeeded AP as Archdeacon of Gower at some point in 1999[69], being Archdeacon of Brecon until he moved. Bishop B had retired as Bishop of Swansea & Brecon on 30 November 1998.
294. The Secretary-General of the Representative Body of the Church in Wales was suffering from ill-health, and went on leave in July 1999. He returned in October, and then returned again after a further period of sick leave before retiring. Head of Corporate Services J was promoted to Provincial Secretary J in August 2000, in place of a new Secretary-General.
295. Child Protection Officers had been in place on a voluntary basis since around 1998: see paragraph 298 below. The CPO of Swansea & Brecon who played an active role in later years was already in post.

The policy position

296. In 1995 a Working Party on the Calling, Life and Practice of the Clergy had been set up by the Archbishop of Wales, which led to an undated report called The Cure of Souls. I am told this was sent to every cleric and PCC Secretary in Spring 1996 together with a copy of Safe From Harm. The report included a chapter on Working with Young People and an Appendix on Looking After Young People: A Parish Guide to Good Practice.
297. The Cure of Souls included a recommendation to introduce a safeguarding policy (with a recommended policy included in the report) and a Disciplinary Tribunal. At least the first of these seems to have been implemented in April 1998, when the Governing Body received a statement introducing a Statement of Policy and Guidance for Implementation for the care and protection of children, which seems to have been the first child protection policy for the Church in Wales.
298. The policy was developed by the Panel of Bishop's Representatives, a panel of 6 representatives whose appointment by the Bench of Bishops had been recommended in The Cure of Souls. There was one representative for each

[69] The appointment was announced in the Church Times on 7 May 1999

diocese, plus a co-opted member, all appointed in 1996. The policy suggested that each Diocesan Bishop should appoint a Diocesan Child Protection Officer, and in Swansea & Brecon, the representative from the Panel of Bishop's Representatives was appointed. He told me he served, on a voluntary basis, until approximately five years ago when a paid officer was introduced[70].

299. The Panel's terms of reference included giving advice on specific cases where there were child protection concerns.

300. The good practice guidelines contained in the policy made clear (with original emphasis) that:

a. there was **NO** role for Church members in investigation or ongoing direct management of child protection situations;
b. evidence of suggestions of sexual abuse should **never** be ignored;
c. every individual had a responsibility to report **immediate, serious** concerns about the care of a child **urgently** to the proper authorities;
d. if the situation was not urgent, consultation or advice could be sought, for example from the Diocesan Child Protection Officer or two suggested helplines;
e. a disclosure by a parent of abuse by a cleric must, if the child is a minor, or was at the time of the alleged act[71], be treated in the same way as a direct disclosure and referred to Social Services or the NSPCC without delay; and
f. whenever there was a child protection concern, the grounds for it, any factual observations, and any discussions with others should be **written down at the time**, kept in a safe place and copied to the Diocesan Bishop.

301. Additional relevant material from The Cure of Souls, a foreword to which all six bishops had signed, included the following:

a. "Any information, suspicion or even rumour that a child in the care of the Church is[72] being abused or is at risk of abuse must be treated seriously and referred to the Bishop's Representative. A purely defensive response is inappropriate."
b. In respect of allegations from or concerning children: "where the complaint is made directly to a priest, the Bishop or one of the Bishop's Representatives must be informed. It will then be for the Bishop's representative to liaise with the Social Services" but in respect of allegations from adults concerning abuse as a child: "The Bishop or the Bishop's Representative must always be informed of any such allegation.

[70] For completeness, it seems this was in fact in 2016
[71] Thus making clear that it applied to non-recent abuse as well as on-going abuse
[72] The use of the present tense might have caused a belief that non-recent abuse should be treated differently, but this was corrected in the policy.

The decision whether to take legal action rests with the adult, and there is no requirement for either the social services or the police to be informed.[73]"

c. Under Future Employment: "after conviction, a Schedule 1 offender shall not be allowed to return to the work of the ordained ministry since in cases of child abuse the rate of re-offending is very high."
d. "All details of alleged abuse should be recorded, together with the action taken and the reasons for it. These records should be retained in the Archbishop's Registry in case of any future inquiry."
e. "Complaints may be made of conduct which, if substantiated, would be not only a breach of the Church's code of professional conduct but also a criminal offence. If such conduct involves children, the matter must at once be referred, via the Bishop's Representative, to the Social Services and the Police. In other cases, both Bishop and Tribunal must bear in mind the need to advise complainants, if it is appropriate, to take their complaints to the Police. The Church's investigation must not interfere with the processes of the state."

The Election

302. The Electoral College which elected AP as Bishop of Swansea & Brecon commenced on 19 January 1999. The electors were the 5 other diocesan bishops, 3 clergy (many archdeacons or deans) and 3 laity from each of the five other dioceses, and 6 clergy and 6 laity from the diocese of Swansea & Brecon, thus 47 people in all. One of the clergy from Swansea & Brecon was AP himself.
303. There is no evidence that any of the electors, other than AP himself, knew of the allegation in respect of XY, or any other specific allegations. However, it seems clear that there were concerns about AP.
304. As indicated in paragraph 288 above, Archbishop D knew from Bishop B that some sort of allegation had been made against AP, and given Bishop B's retirement, it seems likely that this preceded the election.
305. Independent Officer K's record in her aide memoire of a meeting she had with Bishop F on 27 April 2010 refers to Bishop A, Bishop B's predecessor as Bishop of Swansea & Brecon, having tried to stop AP's election as if he knew something, which Bishop F seems to have described as pure speculation and hearsay. This seems likely to have related to allegations of inappropriate conduct with university students[74].

[73] Again, this was amended in the policy
[74] See paragraph 444ff

306. Independent Officer K's record of that meeting with Bishop F also refers to the Dean of Brecon having addressed "the sexual allegations" in the College, again described as pure speculation and hearsay.

307. Another priest has come forward since AP's recent conviction, referring to rumours during the election, but indicating that these related to suspicions of a named adult male partner. This suspected partner was also named in Independent Officer K's notes of her April 2010 meeting with Bishop F, as having been a student when AP met him, although without any indication of why he was named.

308. The only hint I have found that the concerns about AP related not only to his sexual orientation and questions about his chastity, which would have been a matter of concern for a candidate for episcopal office[75], but also to the possibility of child sexual abuse came from my conversation with Archbishop E. He told me that although the Church in Wales was fairly conservative and a 1988 Bench of Bishops statement that there was no place in ministry for practising homosexuals was still in place in 1999, he personally would not have been troubled by rumours that AP was not chaste if that had been in the context of a permanent same sex relationship with an adult, and that what troubled him more was that the rumours included suggestions that AP was possibly involved with 'youngsters'. However, as noted above[76], Archbishop E qualified this as meaning young men, rather than minors. Furthermore, rumours in 1999 about involvement even with young men are inconsistent with his 2010 recollections[77],and so it is not clear that even that is correct, although it would be consistent with Bishop B's interventions.

Response to the rumours at the Electoral College

309. Electoral College meetings last for up to three days. This meeting took place in Brecon Cathedral. There are frequent breaks, for tea or coffee, or lunch, or simply to allow time to calm down if discussion becomes heated, and Archbishop E recalls that during one of these breaks, when it looked as if the voting was moving towards AP, he pressed Archbishop C, at a private meeting of the Bench of Bishops in the vestry, to talk to AP about the rumours, on the basis

[75] While I understand there were no written requirements for clergy in respect of sexual conduct, The Cure of Souls made expectations clear: "Clergy are called to be chaste in their sexual relationships. Promiscuity, whether heterosexual or homosexual, is incompatible with chastity". It was also made clear that "the abuse of children, especially their sexual abuse, is an utter disregard of humanity and a complete repudiation of the teaching of Christ. When it occurs in the context of Christian ministry it is a breach of a sacred trust, and the harm done by it is widespread and long-lasting. It can neither be condoned nor excused."

[76] See paragraph 63

[77] See paragraph 448

that if there was anything in his personal life which could be embarrassing for either him or the Church in Wales, it was better to know now.

310. He recalls that Archbishop C was reluctant to do so, but did agree to seek AP out, either during the same or a subsequent break. Archbishop E observed to me that the rumours could have been false rumours designed to scupper an election.

311. There is conflicting evidence on what Archbishop C reported back.

312. Archbishop E's email to Bishop F on 5 March 2009 said that Archbishop C had reported back that he had been assured by AP that there was nothing amiss.

313. Similarly, Archbishop E said in a letter to Archbishop D on 14 June 2010 that Archbishop C came back and told the Bench he had spoken to AP and there were no problems.

314. However, Independent Officer K's notes of 19 February 2010 state that Archbishop E had told the Head of Resources that what he remembered Archbishop C reporting was that it was dealt with as AP had or was undergoing counselling. Archbishop E has no recollection of any suggestion of counselling now, other than that which was later found in the 1999 Letter[78].

315. If counselling had been reported, it would suggest an acknowledgement that there was something damaging, otherwise it is hard to see what the need for counselling would have been thought to be. However, unlike the other two pieces of evidence, Independent Officer K's notes are second-hand and there is reason to doubt the reliability of this information[79]. In addition, had the reference to counselling been given in 1999, it seems unlikely that no further questions would have been asked about what 'it' was that had been dealt with.

316. Archbishop D has no recollection of the conversation in which Bishop E pressed Archbishop C to speak to AP, but if it was not a formal meeting of the Bench of Bishops and was instead simply a gathering of bishops during a tea break, he might not necessarily have been present. He does however recall being given reassurance that there was nothing damaging which might be disclosed, albeit without any specific memories.

317. He does not recall hearing any rumours about youngsters, only about AP's sexual orientation. Nor did he have any recollection of being told about counselling.

318. Neither Archbishop D nor Archbishop E, nor the Secretary-General, recalled anything being mentioned in the College itself[80]. Archbishop D could not remember anything, even in respect of concerns about homosexual activity, being spoken of publicly, at the Bench or elsewhere. He was confident nothing

[78] It should be noted that this was not available in 2010, and was only found in 2016

[79] See paragraphs 433f

[80] Bishop F told Independent Officer K in 2010 that sexual allegations had been addressed in the College, but this information was second-hand and therefore unreliable: see paragraph 446

was mentioned in formal sessions of the College, but thought there were a lot of conversations in the margins.

319. As indicated above[81], Archbishop D does recall that Bishop B mentioned some sort of allegation to him at some point, but while he thought in 2010 it was around the time of the election, he now thinks it more likely that the information from Bishop B was in a private conversation around the time of AP's appointment as Archdeacon. This is consistent with the fact that Bishop B had retired two months before the 1999 Letter was sent and so was unlikely to be discussing the matter with other bishops afterwards.

320. To confuse matters yet further, AP does not recall having any conversations with Archbishop C about any rumours during the Electoral College, although he does recall a subsequent meeting with him after receipt of the 1999 Letter. He does not recall any details of the conversation but thought he probably did mention that he had received counselling.

321. It is therefore open to doubt whether Archbishop C did in fact speak to AP during the College. Not doing so would be consistent with Archbishop E's description of him as reluctant to speak to AP, and with comments made by two other individuals during the course of this review that, particularly towards the end of his ministry, Archbishop C was reluctant to deal with difficult situations[82] and more generally was very stressed[83].

322. It seems most likely that he reported back that there was nothing to worry about, whether or not he had in fact spoken to AP. It seems unlikely that he mentioned counselling.

The 1999 Letter

323. The election was promptly reported in the news, and on 25 January 1999, ZA wrote to express her disgust and astonishment at such an inappropriate appointment.

324. It seems this 1999 Letter was sent to Archdeacon H; this was stated on the cover page of the 1999 Report, dated 18 February 1999, and his 2009 Memo stated that he had received a letter of complaint and alarm from a lady in West Cross shortly after the election coverage. At the time of the election coverage, he was Archdeacon of Brecon, so it is unclear why he would have received it[84], but it seems tolerably clear that he did[85].

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[81] Paragraph 288

[82] The other ordained member of the Safeguarding Panel in 2009-10

[83] Bishop F

[84] AP was Archdeacon of Gower, and there was of course no Bishop of Swansea and Brecon, and the other archdeacon in the diocese might have felt more approachable than the Archbishop of Wales.

[85] ZA told Independent Officer in 2010 that she had been to see an Archdeacon whose name she could not remember, as well as writing to him, but Archdeacon H did not mention this.

325. At some point it must have been faxed to Archbishop C: a facsimile copy was found in 2016 with a covering letter from his Secretary sending it on to Head of Corporate Services J[86].

326. The 1999 Letter contained the following:

    a. An allegation that AP had sexually abused a fifteen-year-old boy with previous vulnerabilities, when he was vicar of Holy Cross in West Cross and the boy was an altar server. No details were given, simply that XY had been encouraged to have several sexual encounters with AP.
    b. An allegation that AP had admitted the (unspecified) offences to ZA.
    c. An allegation that ZA had had several telephone conversations with Bishop B about the matter in the past.

327. Although it was implied that XY (who did not know of the appointment or the letter) would still not feel strong enough to proceed with a prosecution[87], the letter made clear this was a possibility for the future.

328. ZA was, as stated in the letter, a senior social worker with twelve years' experience in child protection, and included in the letter warnings of matters such as the high risks of repeated offending and the positive way in which child sex offenders frequently present which reduces suspicion and encourages trust. This should have reinforced messages given several years earlier in The Cure of Souls. The letter also referred to the church's "outrageous history of turning a blind eye to child sex offenders within its ranks".

Meeting with AP

329. In his 2009 Memo, Archdeacon H stated that his response to reading the letter was to arrange a private meeting in Brecon with AP, at which he showed AP the letter[88]. He stated that after reading it, AP "admitted that in a moment of weakness there had taken place an improper incident".

330. The 1999 Letter had referred to several encounters. Archdeacon H has now died, and it is therefore not possible to explore with him: whether he asked for further details of the nature of the incident; whether he is certain that AP admitted only one incident or whether that could be an error of memory; and if AP did admit only one incident, whether Archdeacon H challenged AP on the inconsistency with the letter.

331. No contemporaneous record of this meeting has been found, if one was ever made.

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[86] See paragraph 349

[87] ZA told me that she had spoken to XY, who was then *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*, who confirmed he was still unwilling to do anything but agreed that she could write.

[88] He describes it in his 2009 memo as a 2 page letter; this may be an error of memory, or it may refer to the typed transcript, which was two and a bit pages, rather than the original handwritten letter, if that was created in 1999. The evidence is unclear on that point: see paragraph 606.

Involvement of others

332. Archdeacon H's 2009 Memo went on to say that he told AP that Archbishop C would need to see the 1999 Letter, which took place in a private meeting with the Archbishop. It is not clear when that meeting took place. It is also not clear if the 1999 Letter was shared with anyone else at this point.
333. The 2009 Memo does not mention the involvement of anyone else, but Archbishop E's file note of his conversation with Archdeacon H on 10 June 2010 states that the Ministry Officer of the Province was also involved. This file note also states that Archdeacon H had showed the letter to Bishop B, who told him to share it with Archbishop C, implying that this happened before the meeting with AP rather than after.
334. AP recalls a conversation with Archbishop C during a Church in Wales meeting in Cardiff after the 1999 Letter had been received, at which he offered to withdraw his acceptance of the election if Archbishop C wished[89]. Again, no contemporaneous record of any meeting Archbishop C had with AP has been found, if one was ever made.
335. Both the Child Protection Officer for Swansea & Brecon and the Child Protection Officer for Archbishop C's own diocese told me that Archbishop C did not speak to them about the 1999 Letter or the allegations more generally, although this is not conclusive as it was evident that with the passage of time, they do not now recall other matters which contemporaneous evidence makes clear they were aware of.

The 1999 Report

336. On 18 February 1999, the friend to whom AP had spoken in 1993, and who had spoken to Archdeacon G in October 1993, prepared a handwritten report. This report was principally based on research she had carried out in 1993 after the original disclosure. However, part of the report dealt with matters after 1993, so it was clearly not written at the time.
337. The report records that she had made some contemporaneous notes and taken some photocopies of documents, but it is not clear how much of the report was based on memory, and AP's friend could not now recall. It does not appear that anyone asked her for her original notes in 1993, and while she thought she kept a copy of the report, and no doubt the original notes, for a while, she no longer has them.
338. The report focussed on issues relating to XY's character and background, and that of his family. It suggests that this material enabled AP to erase his feelings of guilt, without which he would not have been able to become Archdeacon of Gower or be considered for election as Bishop; it is implied that he would not

[89] See also paragraph 484

have felt able to take these offices, rather than that others would have declined to appoint him.

339. Importantly, it contained prima facie admissions of guilt and made clear that XY was either fifteen or sixteen years old at the relevant time.

340. It appears that the prompt for the report was AP contacting his friend again and asking her to provide relevant information for Archbishop C; she recalled that Archbishop C had spoken to AP, and thought, as AP did, that this was after the election. Archdeacon H told Archbishop E in 2010 that AP's friend had made representations on behalf of AP; that AP had obviously told her in 1993 about the original allegation and was now asking for help; and she therefore drew up the report.

341. It therefore seems likely that it was drawn up after one or more meetings with AP by either or both of Archdeacon H and Archbishop C. AP's friend had clearly seen the 1999 Letter, as it is discussed in the Report; she thought AP must have given her a copy as she recalled no other interaction with anyone except to deliver the report to Archbishop C.

342. AP's friend distinctly recalled driving to St Asaph to put the 1999 Report directly into Archbishop C's hands, as she did not think it should be entrusted to the post, and told AP that she had done so. She also recalled Archbishop C reading it immediately, while she was there, and saying that it was fine; they would keep it on file but would not do anything further. It is probable that this was in February 1999, which is when the 1999 Report was dated.

Reply to the 1999 Letter

343. Archdeacon H said both in his 2009 Memo and to Archbishop E in 2010 that Archbishop C had helped him draft a reply to the 1999 Letter. ZA later told Independent Officer K that she never received a reply, and reiterated this to me. It is impossible to tell whether the letter was drafted but not sent; sent but lost in the post; or arrived but forgotten. ZA suggested to me that it would have been risky for the Church to put something in writing, making clear they were doing nothing in respect of the allegation, but this risk does not seem to have occurred to Archdeacon H.

344. Archdeacon H also stated, both in 2009 and in 2010, that both the 1999 Letter and the reply had been shredded when he retired, which was in August 2000. Unlike the 1999 Letter, no copy of the reply has been found. It does not appear that Archbishop E asked if Archdeacon H could remember its contents in 1999[90], and accordingly they are not known. Given the approach taken, it seems likely that it dismissed the concerns.

[90] He told me he got the impression that Archbishop C crafted the reply, and Archdeacon H did not really know, or at least could not recall, what it said.

345. Archdeacon H stated that nothing further was ever heard.

346. ZA told me that she had also contacted Archdeacon H twice by telephone and been asked on both occasions to leave it with him. There is no mention of any discussions in either Archdeacon H's 2009 Memo to Bishop F or Archbishop E's file note of his conversation with Archdeacon H in 2010 but Independent Officer K's notes of her discussion with Bishop F on 12 February 2010 record that Archdeacon H had informed him of discussions with ZA as well as of the allegation and the 1999 Letter.

347. AP has said during the course of this review that Archdeacon H told him that he had spoken with ZA and she had said she wanted no further action taken, which is consistent with Archdeacon H's comment in the 2009 Memo that he understood that the boy now grown up did not want the matter to be taken further. However, it is difficult to reconcile with the statement in the 2009 Memo that nothing further was heard following the letter of reply, and also with what Archdeacon H told Archbishop E in 2010. On balance, it seems unlikely to be correct.

Confirmation of Election

348. The Sacred Synod, comprising the other diocesan bishops, met on 13 April 1999 to confirm AP's election. The formal record, in standard form, includes a recital that the Synod of Bishops "are assured and satisfied in accordance with the Constitution of the Church in Wales of the fitness of the said ANTHONY EDWARD PIERCE".

Later sharing of information in 1999

The 1999 Letter

349. On 10 September 1999, a few months after Archbishop C retired, his secretary sent a highly confidential letter to Head of Corporate Services J, asking him "to dispose of it in the most appropriate manner[91]". The covering letter gave no indication what the enclosed letter related to. A statement of the Head of Resources dated 8 July 2016 confirms that the enclosed letter was the 1999 Letter[92]. It seems that it was sent to Head of Corporate Services J as acting Secretary-General during the Secretary-General's sick leave.

350. Head of Corporate Services J assumes that he must have read the letter, although he had no recollection of it when seeing it again for the purposes of this

[91] The language is odd to English ears, but it is unlikely to mean destroy, as had that been the intention, the secretary could have destroyed it herself. I am told the Welsh equivalent would mean 'deal with it as you think fit'.

[92] Although the statement refers to the letter being written in April 1999, all the other identifiers match, and an undated file note written some time in 2016 from Archbishop E refers to having seen the letter written in January 1999 'for the first time yesterday'.

review. Independent Officer K told me that Archbishop E and another person, she could not recall who, went to see Head of Corporate Services J when it was rediscovered in 2016, two months after his retirement, and that he did not have any recollection of the letter then either, or any explanation of why it was in his office. Neither Head of Corporate Services J nor Archbishop E recalled this visit having taken place, although Archbishop E told me he could imagine he would have visited to ask.

351. Head of Corporate Services J did not believe he would have done anything with it other than leave it for the Secretary-General on his return, which was thought imminent. He noted that it was a serious matter which would need the Secretary-General's attention, and that the Secretary-General would have been the person with any relevant prior knowledge, such as any discussions at or around the Sacred Synod or at the Bench of Bishops or with the Archbishop.

352. The Secretary-General does not now recall ever having seen the letter before, but whether this is because he did not see it on his return or simply that he does not remember what happened over 25 years later is impossible to tell. I have seen no suggestion that anything was done with the letter or the information in it, such as informing the Child Protection Officer, the new Archbishop, or the statutory authorities.

The 1999 Report

353. Archbishop D reported in a letter to Archbishop E on 9 June 2010 that some months after his election as Archbishop (which was in December 1999, and thus about a year after AP's election as Bishop of Swansea & Brecon), Archbishop C had given him the 1999 report for safekeeping, saying that should any further questions arise about AP's history, the contents might help.

354. Even if AP's friend's recollection that Archbishop C read the report as soon as she delivered it to him in February 1999 were to be incorrect, it is therefore clear that Archbishop C had read the report, after the Confirmation of Election if not before.

355. It is not clear why Archbishop C still had the report more than six months after his retirement, or why the Report was not held together with the 1999 Letter[93].

356. Although Archbishop D therefore had a copy of 1999 report from around 2000, he said in 2010 and repeated to me that did not read it at the time and merely glanced briefly at the contents. He noted it was a fairly lengthy handwritten document, and that it was written by someone he knew to be a friend of AP. He therefore took it to be something in the nature of a private or personal statement

[93] Provincial Secretary J told me that Archbishop C's record-keeping was never good, particularly at the end of his ministry, and did not believe that the separation would have been deliberate. He told me there was little in the way of filing on cases in place.

in support of AP, providing also some information about the person who had made the charges.

357. He explained in 2010 that he did not work through it as he supposed the charge to have been 'cleared' and that the document had been passed to him for filing rather than review. As no other concerns were ever raised about AP, there was never occasion to refer to it. This assumption also explains why he did not pass it to someone else to check for him, such as his Chaplain or the Diocesan Child Protection Officer. I can see no reason why he would have known that it involved a child.

358. Archbishop D filed the 1999 Report with his own confidential papers rather than primatial papers, for a reason he could not now give. Nor could he explain why it was not placed on AP's personal file; he commented to me that he did not have Bishops' personal files, and was not sure where they were held[94]. He also thought he might have assumed he was simply being given a copy of something that was also on an official file.

359. It was therefore taken to Lambeth when he moved, rather than passed to his successor as he acknowledged it should have been. Archbishop D explained that he had forgotten its existence until Archbishop E asked in 2010.

360. Archbishop D acknowledged in 2010 that had he read it, he should have had to take prompt legal advice and suspend AP[95], highlighting the importance of the prima facie evidence of admission of guilt in a potentially criminal case. Archbishop E was also deeply shocked and regarded it as obvious that the matter should have been referred to the police and that Archbishop C should have informed the Bench before they met in Sacred Synod to confirm AP's election.

2009: Commencement of the Historic Cases Review

Who was who

361. AP had retired as Bishop of Swansea & Brecon, and been succeeded by Bishop F in 2008. Archbishop E had become Bishop of Llandaff in 1999 and had been Archbishop of Wales since 2003. Archbishop D, who had been Archbishop of Wales from 2000 to 2002, was now Archbishop of Canterbury. Archdeacon I had become Archdeacon of Brecon in 2003.

[94] It appears that at this time, Bishops in fact held their own files, which would give good reason not to file the Report there.

[95] It is not entirely clear to me whether the Archbishop would have had power to do so in 2010. It appears that the Provincial or Special Provincial Court could have done so, although only if a formal disciplinary charge had been brought. However, I am told that inhibiting a Diocesan Bishop for the purposes of conducting an Archiepiscopal Visitation would have had a similar effect to a suspension. A formal power to suspend a bishop was added to the Constitution of the Church in Wales in 2020.

362. The CPO remained in post as Child Protection Officer for Swansea & Brecon, still on a part-time voluntary basis. Provincial Secretary J also remained in post. A Head of Resources of the Representative Body of the Church in Wales had been in post since 1 December 2000.
363. XY had died in *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*. Archbishop C had died in 2007. The Ministry Officer had died in 2008.

Initiation of the HCR

364. In 2009, the Church in Wales initiated a Historic Cases Review. No copy of the Protocol for the work, handed out at the October 2008 Bench of Bishops meeting, can now be found.
365. The HCR commenced on 2 January 2009 and was carried out by Independent Officer K, an independent person seconded from the Office of the Children's Commissioner for Wales. She reported to the Head of Resources within the Church in Wales, but continued to have professional supervision from the Children's Commissioner.
366. It appears that a Panel, comprising one lay and two clergy members, supported Independent Officer K's work and reviewed any issues she identified that required further discussion[96]. One member of the Panel was the CPO, a non-stipendiary minister and retired police officer[97].

[96] The position with various panels is difficult to understand. The HCR circular referred to information being shared with the "Provincial Safeguarding Panel". The Head of Resources told me that there was a Provincial Child Protection Committee, in place since at least 2000, which generated policy, and the CPO agreed. However, this seems to have been the Panel of Bishop's Representatives in 2000. That Panel was merged with another group, the Diocesan Child Protection Officers, in July 2005, and renamed the Provincial Child Protection Committee. One of the terms of reference for the PCPC was to develop a core group from within the committee to give independent advice to the bishops and others within the Church in Wales in relation to: allegations against a church worker (clergy or lay); responding to the receipt of questionable disclosures; and the employment (including ordination) of convicted persons. It seems that this core group later became known as the Safeguarding Panel, and the CPO and two other members were appointed to it in March 2008. The three members of the Safeguarding Panel (after a change in March 2009) were the three members listed in Provincial Secretary J's report of 17 June 2010 (although there are some indications that one of them may have stood down by this point). It seems that it was this Safeguarding Panel which supported the HCR. No terms of reference for the Safeguarding Panel pre-dating 2012 can be found. These refer extensively to the Provincial Safeguarding Officer, a role which did not exist in 2009/10, and it is therefore hard to infer what the terms of reference might have been then. But it appears to have been an advisory body, not a decision-making body, with decisions resting with the Diocesan Bishop.

[97] One contemporaneous document from Provincial Secretary J refers to the CPO as the Chair of the Panel; however the CPO was sure he had never chaired a panel, and contemporaneous documents from the Independent Officer and the Head of Resources refer to him only as a member of the Panel. The HCR report itself at paragraph 2.8 refers only to establishing a panel of three people to work with the Independent Officer and at 2.9 refers to the Panel being led by Independent Officer K, and the Bench of Bishops minutes appointing the three people make no mention of a chair.

367. In January 2009, Bishop F sent what looks like a circular letter asking recipients[98] to confirm whether or not any allegations or suspicions of abuse of children had come to their attention during their work in the Church in Wales. The letter began by referring to high profile cases nationally and internationally where allegations or strong suspicions in the past were not acted on at the time. It gave an assurance that information would be held confidentially by the Bishop, the Provincial Officer co-ordinating the Historic Cases Review, and members of the Provincial Safeguarding Panel, and would be stored with the Archbishops' Registrar. It also invited recipients to telephone the Bishop if they were unsure if a particular situation needed reporting or wanted to talk it through rather than write.

Information received by Bishop F

368. It seems Bishop F wrote further to Archdeacon H on 3 March 2009[99] in response to which the Archdeacon sent a memo on 9 March 2009, recording:
    a. his receipt of a letter of complaint and alarm after AP's election (the 1999 Letter);
    b. his private meeting with AP and AP's admission of an improper incident;
    c. disclosure of the 1999 Letter to Archbishop C;
    d. the reply formulated with Archbishop C's help;
    e. that nothing further was heard; and
    f. that he shredded the 1999 Letter and the reply when he retired.

    The memo did not mention the existence of the 1999 Report, or the fact that the letter had alleged that XY was 15 at the time of the incident, although it referred to "the boy, now grown up", thus indicating that the incident had involved a child.

369. On 3 March 2009, Bishop F also wrote to Bishop B, asking him to set down in writing the information he had shared.

370. Bishop B's response on 6 March 2009 dealt first with Stephen Brooks, and then stated the following: "While the Stephen Brooks investigation was proceeding I received a telephone call from a lady in Swansea alleging inappropriate conduct by the Vicar of Llwynderw[100], the Revd A E Pierce, with a young man in her care.

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[98] It seems that similar letters went from the other Diocesan Bishops. The Head of Resources told me that it was sent out by the Representative Body to all clergy on the database, whether serving or retired. Bishop F queried whether it went to all retired clergy, or only those with Permission to Officiate but it seems it went to all retired clergy. The Head of Resources was very unsure but thought it probably would have gone to all clergy on the database, whether currently in ministry or not, as well as to parishes more broadly. Furthermore, it seems Archdeacon G, who I am told did not have PTO, responded: see paragraph 374.

[99] I have not seen a copy of this letter

[100] Which I understand is West Cross

The then Archdeacon of Gower and I met Mr Pierce and had a full and frank discussion with him. As far as we could ascertain, the allegation was unsubstantiated and no action was taken. Later Mr Pierce became priest in charge of the parish of St Barnabas in Swansea and Archdeacon of Gower. In 1996 the Diocesan Board of Patronage appointed him as Vicar of Swansea St Mary. Although these appointments were publicised widely, no communication about his conduct was forthcoming from any source. Everything I heard about his work as a parish priest was most complimentary."[101]

371. Bishop F's letter had asked Bishop B "in particular, [to] deal with the steps which were taken to investigate the matters and discuss them with the person concerned". It therefore seems that a discussion with AP was the only step taken to investigate the matters.

372. It is not clear exactly what preceded Bishop F's letters to Archdeacon H and Bishop B, and Bishop F cannot now recall. Some information must have been shared in advance of the two written responses on 6 and 9 March, as Bishop F informed Archbishop E on 5 March that he had received information about AP, but he cannot now recall whether any information which was not contained in the two responses was shared.

373. It seems most likely that Archdeacon H contacted Bishop F first[102], and that a conversation then took place between Bishop F and Bishop B[103]. Bishop F did not think he would have called Bishop B, as he only knew him slightly, but he could perhaps have asked Archdeacon H to ask Bishop B to get in touch, which would be consistent with the opening of Bishop F's letter to Bishop B on 3 March, "thank you for making contact with me". Alternatively, Archdeacon H could have spoken to Bishop B of his own volition; there is nothing in Archdeacon H's 2009

[101] It is to be noted that Bishop B did not mention the receipt of the 1999 Letter, which Archdeacon H told Archbishop E the following year he had shown Bishop B.

[102] Independent Officer K's personal notes of her meeting with Bishop F on 27 April 2010 appear to make reference to a meeting between Archdeacon H and Bishop F, but Bishop F does not remember meeting with him.

[103] Given that both letters were sent on 3 March, over a month after it appears the HCR circular was sent, it seems unlikely that both men independently contacted Bishop F at the same time. Bishop F's email to Archbishop E of 5 March suggests that he had only very recently received the information. It also indicates that the HCR had only very recently been reported in the press, which might suggest there was a delay in sending the circular out; however, since it seems Archdeacon G had responded by 14 February (see paragraph 374), it seems more likely that it suggests a delay between the circular and the press reports.
Archdeacon H later told Archbishop E that the matter only surfaced because of the HCR and him (Archdeacon H) contacting Bishop F, which suggests that initial contact from him was more likely than initial contact from Bishop B. Furthermore, Bishop F's letter of 3 March to Bishop B ends with an apology "for having involved you" in a delicate situation, which suggests some prompting over and above the HCR circular for Bishop B's engagement.

Memo disclosing that Bishop B had any knowledge of the matter, and he might or might not have mentioned that orally to Bishop F[104].

374. The Church in Wales has no record of whether Archdeacon G responded to the HCR circular, but some personal notes of Independent Officer K's indicate that he did respond on 14 February 2009 with no reference to AP. Bishop F could not recall contacting him for any information he could provide.

Responses to the information received

Discussions with Archbishop E

375. Bishop F does not recall noticing any inconsistency between Archdeacon H's assertion that AP had admitted an improper incident and Bishop B's assertion that the allegation was unsubstantiated[105], which might have acted as a prompt to consider that further investigation as part of the HCR was required.

376. On the contrary, on 5 March 2009, Bishop F wrote to Archbishop E to express concern about publicity for the Historic Cases Review. He referred to the information he had received about AP, including the fact that, from what he had been told, AP admitted the allegation and when Archbishop C and others looked into it, AP agreed that what had occurred was inappropriate, but the consecration went ahead[106]. He expressed anxiety that publicity was an open invitation for people outside the Church in Wales' remit to commence allegations afresh. It appears from a later email that he had believed that only Church in Wales individuals, including those who had retired, would be contacted and he had not expected an 'open season' for members of the public.

377. Archbishop E's response was that he knew nothing at all about an allegation made against AP, merely that before he was elected as bishop there were rumours about him and that Bishop A had, he thought, "been putting some things about"[107]. He said he had told Archbishop C that he needed to ask AP whether the rumours were true, and that Archbishop C had reluctantly done so and reported that he had been assured by AP that there was nothing amiss. He said this was before he was actually elected. He did not share Bishop F's

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[104] Archdeacon H certainly knew that Bishop B had knowledge, as he indicated this to Archbishop E in June 2010.

[105] The two were not wholly incompatible, in that AP could have admitted in 1999 an allegation which had been found to be unsubstantiated in 1993, but if he admitted it in 1999, it might be thought unlikely that he would not also have done so in 1993.

[106] Bishop F's email to Archbishop E on 5 March referred only to an allegation made after AP's election as bishop and not to the earlier disclosure to Bishop B, although he had written to Bishop B two days earlier indicating that Bishop B had already shared unidentified information orally. He had assured Bishop B in that letter that he would not divulge the source of his information, which could explain this.

[107] This seems likely to have been derived from allegations about inappropriate conduct with university students: see paragraph 444ff. Archbishop E tells me he did not know this at the time, although I note that his recollection when he spoke to me that he was concerned about suggestions that AP was involved with youngsters (in the sense of young men) would be consistent with some level of awareness of the nature of the allegations made to Bishop A: see paragraph 308.

concerns about the publicity although he had objected to an NSPCC poster being sent out to invite complaints.

378. Bishop F replied that there was much more to the Tony matter than Archbishop E was obviously aware of and that he would fill him in when they next met. Neither Bishop F nor Archbishop E could now recall what further was discussed when they met.

379. Archbishop E does not believe that he knew at this stage that there had been letters from Bishop B or Archdeacon H; he thought there had only been a conversation with Archdeacon H. This is consistent with the assurances given by Bishop F to Bishop B not to disclose Bishop B's name and with the fact that at the date of the exchange of emails between Bishop F and Archbishop E the letters had not yet been received[108]. However, Archbishop E also initially said that he did not think he knew of the existence of the letters until this review commenced, which it seems clear he did; this mistaken recollection underlines that details such as this are not likely to be reliably remembered after so many years.

Letter to the Head of Resources

380. On 30 March 2009 Bishop F wrote to the Head of Resources, confirming that he had received no information except in respect of one matter, which was clearly that of AP[109]. In relation to that one matter, the letter stated "I refer to our private discussions and also to the subsequent discussion with [Archbishop E]." It contained no substantive information about the matter at all. Instead, it confirmed the following points:

    a. "The information which I have received was given in strict confidence. Two specific comments were made in relation to the same cleric, now retired, and in the case of the person who made contact with me and who was able to provide the fullest details the information was received in strictest confidence and with a specific request that he should not be identified as having passed that information on[110].

[108] It is not known whether the subsequent discussion indicated in the exchange of emails took place before or after receipt of the letters, or indeed if it happened at all, although Bishop F's letter of 30 March 2009 to the Head of Resources suggests that it did.

[109] It is unclear why he did not mention the Stephen Brooks matter, which had also been addressed in Bishop B's letter, but as Brooks had been convicted there is less cause for concern on that matter.

[110] It is not clear if this referred to Bishop B or Archdeacon H, and Bishop F raised the same query with me. The following year, he suggested to Independent Officer K that it was Archdeacon H, which could be supported by the brevity of his 2009 memo and surprising action in shredding the 1999 Letter when he retired, and Bishop F did not think that he would have confused the two. However, the reassurance of non-disclosure of the source was offered to Bishop B, and Independent Officer K's notes contain no reference to Bishop B, suggesting greater efforts to protect his identity. Both could have wished not to be identified.

b. From discussions with both I have reached the conclusion that, at the time expressions of concern were raised, matters were reported to others, among them [Archbishop C].
c. The person about whom the concerns were expressed was spoken to and an acknowledgement of inappropriate behaviour was forthcoming. That person has himself how retired.
d. In the years since the expressions of concern were passed on the relevant individual has been much in the public eye in the Diocese and Province. Despite this no further expressions of concern were received from the person who made the original contact and no allegations or expressions of concern from any other source have been received."

381. The letter concluded that "In light of all the above I do not feel that it would be appropriate for this particular matter to be pursued, subject to any contrary advice from yourself. I await hearing from you".

382. It is not clear why Bishop F was writing to the Head of Resources, since the Head of Resources confirmed to me that, as would be expected, bishops were expected to share any information which came in from the circulars directly with the review. This appears to have been Bishop F's own understanding, as he had commented a few days earlier in a letter to Bishop B that he was obliged to share the information with the officer appointed by the Representative Body to review the cases. Bishop F was not able to recall his thinking, but noted that the Head of Resources was line managing Independent Officer K and responsible for the HCR and that he had no reason to think she would not share the letter and discuss advising him with Independent Officer K. However, if this was his assumption, it is hard to see why he did not simply write to Independent Officer K, in accordance with his earlier understanding.

383. Archbishop E told me that he assumed that the information would be shared with safeguarding, as happened in his own diocese.

Response from the Head of Resources

384. It is also unclear whether Bishop F ever received a response to his letter.

385. No copy of a written reply has been found, and the Head of Resources had no recollection of ever seeing the letter, which may mean that it never reached her. I note that she does not seem to have mentioned the letter to Independent Officer K the following year when she was asked about Bishop F's assertion that he had shared the information with her and had been advised not to do anything. I also note that the copy of the letter which has survived is unsigned and stamped COPY, which suggests it came from Bishop F's office as a copy of what had been sent rather than from the Representative Body's office as what was received.

Alternatively, the Head of Resources may simply have not replied, or at least not in writing, whether deliberately or accidentally, and later forgotten receiving it[111].

386. Bishop F suggested that the Head of Resources might have telephoned him, but had no actual recollection of such a call, and this would depend on her having received the letter. He thought it unlikely that he would not have chased up a response to something as important as this, but accepted that bishops are busy people and that he might not have done. I would also observe that a desire not to disclose the information unless advised otherwise gives less motivation to chase up a response which might give unwelcome advice. Finally, he assured me that if he had been told to share it, he would have followed that advice.

387. The Head of Resources suggested to me at a late stage in the review that she had a telephone conversation with Bishop F, in which she advised him to refer the information on, but not to do so until approached by Independent Officer K[112]. This was not suggested by either Bishop F or the Head of Resources during the criticism the following year of the failure to refer the information on, and it is inconsistent with what Bishop F did say the following year. It is also difficult to reconcile with the clear expectation of the Safeguarding Panel the following year that it should have been referred on immediately[113]; if it had been the accepted practice only to share information arising from the HCR Circular only when the file review for that diocese started, there would have been no reason for them to be disappointed that it had not been.

Discussions with the Head of Resources preceding the letter

388. I was unable to ascertain any information about the private discussions between Bishop F and the Head of Resources preceding the letter.

389. The Head of Resources had no recollection of this when I initially spoke to her, and speculated that it was an impromptu conversation at a Bench meeting. In February 2010, she told Independent Officer K that she remembered having a brief discussion with Bishop F and that she had advised him to share the information with the person undertaking the Historical Review. It is possible that this was the call referred to above, but the difficulties with the contents of that call are the same, whether it was before or after Bishop F's letter.

390. The Head of Resources was extremely clear when I spoke to her that she would not have advised Bishop F to do nothing, although this is undermined by a

[111] I also note that even in 2016, she had forgotten the discussions in February 2010 about the matter recorded in Independent Officer K's notes and the meetings and discussions she had in May 2010, and thought that the first she knew of it was the 7 June 2010 report.

[112] The HCR was proceeding diocese by diocese, and Swansea & Brecon was the last on the list.

[113] I also note that the HCR report refers to the identification of names/past cases by individual bishops and clerics (past and present) in paragraph 3.2 dealing with the commencement of the Review. It also suggests the senior clerics were visited at the outset of the review, but assuming that Independent Officer K did meet with Bishop F in accordance with this, it is not known whether that was before or after Bishop F received the information from Archdeacon H and Bishop B.

comment attributed to her in Independent Officer K's personal notes of a telephone call between the two of them on 26 May 2010, that the information should never have come to light and would not have done so had Independent Officer K not known ZA. This casts doubt on how firm she would have been the previous year in advising that it should be brought into the light of the HCR.

391. Bishop F also had no recollection of the meeting. He could not recall what advice, if any, the Head of Resources gave. Nor could he recall whether he disclosed the substance of the information from Bishop B and Archdeacon H or their names, but thought he would have done as there was no reason not to. He described the reassurance he had given to Bishop B about protecting his identity as perhaps a bit "naughty" and given to ensure he got the information, and said he would have considered discussions with the Head of Resources or Independent Officer K as within the limits of confidentiality. This is not easy to reconcile with his letter to the Head of Resources of 30 March, giving no details[114], and indicating that he would not disclose the information to Independent Officer K unless advised otherwise.

392. In February 2010, Bishop F told Independent Officer K that he had been advised not to do anything as the matter had been dealt with. Bishop F was unable to say who had given this advice, and could only speculate that it might have been the Head of Resources despite her vehement denial to me.

393. Bishop F also speculated that whoever advised him might have intended to deal with the matter, or refer it themselves, and this could be thought consistent with the reason he gave: that the matter had been dealt with. However, he had already expressed his conviction that the matter had already been dealt with in a letter to Bishop B and Archdeacon H, dated the same day as his letter to the Head of Resources giving his view that it would not be appropriate for the matter to be pursued unless advised otherwise. Furthermore, it does not seem that anyone else had copies of the material from Bishop B and Archdeacon H to be able to refer it on. All in all, this speculation seems unlikely to be correct.

394. Independent Officer K's personal notes of her conversation with Bishop F in February 2010 read "30.03.09 Letter to [Head of Resources]. Verbal response – no f action. "or did not hear anything more"". This strongly suggests that even one year later, Bishop F had no clear recollection of what had happened following his letter and whether he had actually been given any advice or not.

395. I understand this this matter was the subject of a difficult discussion at the meeting of 24 May 2010 referred to below, as Bishop F and to a lesser extent the Head of Resources were unhappy about a comment from the Safeguarding

[114] Although Bishop F suggested that the mention of the public profile of the person concerned in the letter made it clear that he was referring to a bishop, which he said could only be AP, it is not clear to me why it could not equally have been Bishop B or even Bishop A, unless AP had been identified in the previous discussions.

Panel that it was disappointing that the information had not been shared. There are no minutes of that meeting, but it seems clear the question of whether Bishop F was advised not to share the information, and if so by who, was not resolved then, and cannot be now.

396. I would observe that both the Head of Resources and Bishop F could be correct: the Head of Resources, on the basis of a very brief impromptu conversation could have advised sharing; Bishop F could then have given it further thought and written indicating he would not share unless advised otherwise, and taken a lack of reply as confirmation of his proposal. Bishop F thought this unlikely, but had no better explanation. The only other explanation would seem to be that one of Bishop F and the Head of Resources was either mistaken or lying when speaking to Independent Officer K in February 2010. A mistake seems less likely and a deliberate lie positively unlikely.

Letter to Bishop B and Archdeacon H

397. In a letter to Bishop B and Archdeacon H the same day, Bishop F reported what he had sent to the Head of Resources, and added further that he had taken the view that the person about whom the allegations were made was spoken to by senior colleagues including the then Archbishop[115]. The letter referred to his "conviction that matters appear to have been dealt with appropriately already".

Failure to inform Independent Officer K

398. Bishop F told me that he was not sure he drew the information to Independent Officer K's attention; it seems clear from the documentation I have reviewed that he did not. He suggested that he might have assumed that the Head of Resources might have passed it to Independent Officer K, but the Head of Resources did not have possession of the documents to pass on.

2010: Referral to statutory authorities and removal of PTO

Who was who

399. The only material change in personnel from 2009 appears to be that in January 2010, Independent Officer K ceased to be seconded to the Church in Wales and instead became a direct employee. She was first appointed as Provincial Officer, Child Protection Review on a fixed-term contract from 1 January 2010, and then on a permanent contract as the first Provincial Safeguarding Officer from July 2010. Under both contracts, she reported to the Head of Resources, and her professional supervision from the Children's Commissioner continued. As the

[115] Archbishop E had indicated to Bishop F that Archbishop C had had a discussion with AP: see paragraph 377

focus of this section remains on her work on the HCR, I continue to refer to her as Independent Officer K.

400. She recalled that there was no overlap between her work on the HCR and her work as Provincial Safeguarding Officer, except perhaps for the arrangements for bringing the final report, dated 28 January 2011, into the public domain. However, it also appears that she was still reviewing files at the end of June or beginning of July 2010[116].

401. Her employment as Provincial Safeguarding Officer implemented the recommendation made in paragraph 32 of her HCR report, that the Church should be equipped with the necessary professional advice, support and training by the employment of a Provincial Safeguarding Officer.

The policy position

The All Wales Child Protection Procedures

402. The All Wales Child Protection Procedures issued by the Welsh Assembly Government in 2008 made clear that the suspected abuse of a child must be reported to social services or the police and that "agencies must not undertake their own internal child protection enquiries, but must refer their concerns".

403. However, that was in the context of the situation prior to referral to the statutory authorities. In section 4.3 of the Procedures, on Allegations of the abuse of children by professionals/staff members, it was also made clear that all organisations that had contact with children should have their own procedures for the management of allegations against staff and professionals, which should be compliant with the All Wales Child Protection Procedures.

404. In the subsection dealing with Allegations of abuse about or against a professional, staff member or volunteer in contact with children, again the need to involve the statutory agencies is made clear, and the three potential outcomes of the strategy meeting the guidance envisages being called are given as:

    a. To undertake child protection section 47 enquiries and/or a criminal investigation;
    b. That child protection section 47 enquiries are not required and the employer should deal with the allegation in accordance with the organisation's own disciplinary procedures[117];
    c. No further action should be taken.

[116] See paragraph 541

[117] Specifically noting that the outcome for a number of allegations is likely to be that a criminal prosecution does not take place, and that the employer/regulatory body undertake disciplinary proceedings.

The Church in Wales' policy on Children and Young People

405. The Church in Wales' Code of Good Practice for use by parishes in the Church in Wales had been revised in November 2007.

406. Annex 19 on Dealing with Allegations against a Church Worker emphasised, as the All Wales Child Protection Procedures did, the need not to investigate, and to report the matter to Social Services or the Police. However, despite a footnote in Annex 18 that the guidelines on dealing with disclosure, suspicion or discovery of abuse had been amended in accordance with the All Wales Child Protection Procedures[118], Annex 19 gave no indication what to do if section 47 enquiries and/or a criminal investigation were not required[119].

January 2010: Renewed disclosure by ZA

407. On 13 January 2010, ZA asked Independent Officer K, who was a friend of hers, if she had come across a letter in a file from her to an Archdeacon about her son[120].

408. The information Independent Officer K recorded about this conversation was as follows: "According to [ZA[121]] her son when he was sixteen and attending a Church in West Cross Swansea told her that he had been abused by the Archdeacon *[sic]*[122]. [ZA] went and spoke to him and he did not deny it. [ZA] also spoke to [Bishop B] who minimised the allegations. [ZA] also had contact from a counsellor who was seeing the Archdeacon *[sic]* and the counsellor asked [ZA] to accept his apology and asked for her forgiveness[123]." Her notes state that ZA had not reported the matter as she had not wanted to put her son through the experience of police interviews. When AP was made Bishop, [ZA] was incensed and went to see an Archdeacon (whose name she could not recall) and also wrote a lengthy letter which gave specific detail of the allegations, but received no correspondence back. [ZA] told Independent Officer K that XY had died *[REDACTED – POTENTIALLY IDENTIFYING INFORMATION]*, and said that she had

[118] The All Wales Child Protection Procedures I have dates from 2008. This wording suggests Annex 18 was an updated version from the original version published in 2007, but I do not know when.

[119] Contrast the 2014 revision, which specifically provided for a review by the Provincial Safeguarding Panel once statutory involvement was concluded, and for the Diocesan Bishop to invoke Disciplinary Procedures where appropriate

[120] ZA had previously mentioned the matter to Independent Officer K, before she had any involvement with the Church. Some other notes of Independent Officer K's from 2010 record that this was in 2007, but she is confident that is an error, and it was earlier: see footnote 61. Independent Officer K had then met ZA in December 2009, and asked to talk to her about the work she was doing after Christmas, when she was due to start reviewing the files for the Diocese of Swansea & Brecon, the last of the six dioceses to be reviewed.

[121] A different reference was used, but ZA's identity was not disclosed.

[122] The previous sentence refers to Bishop Pearce [sic] allegedly sexually abusing her son. Note that AP was an Archdeacon between 1995 and 1999.

[123] She had also referred in the 1999 Letter to Bishop B telling her that AP was receiving counselling, but not to any contact from the counsellor.

seen AP not long after XY's death, and again approached him with the detail of the allegation which he did not deny.

409. Independent Officer K faced two difficulties: first she had a conflict of interest, which she identified she would need to address, and secondly, although ZA agreed that Independent Officer K could share the information with the Church as part of the Review, she wanted no names to be disclosed.

410. Independent Officer K discussed the matter with the CPO on 27 January 2010. He was not aware of the allegations, despite having been in post as CPO for Swansea & Brecon at the time of the 1999 Letter[124].

411. The following day, the matter was discussed at the Safeguarding Panel[125], where it was agreed that ZA would be given the opportunity to share the information again either anonymously by letter or email or by talking directly to the CPO.

February to March 2010: further information gathered by Independent Officer K

Bishop F

412. On 12 February 2010, Independent Officer K discussed the matter with Bishop F. He told her that in response to the letter asking clergy to share information for the Historic Cases Review, Archdeacon H had informed him of the allegation, the letter and the discussions he had had with ZA in 1999, and that he was aware there was no denial from AP. Independent Officer K's notes record that Bishop F said there was no longer any paper work to be had, which suggests that he did not immediately share Bishop B's 2009 Letter or Archdeacon H's 2009 Memo.

413. Bishop F indicated that Archdeacon H did not want his name involved. His letter to the Head of Resources the previous year had indicated only that the person who was able to provide the fullest information had requested that he should not be identified as having passed that information on. This seems more likely to be Bishop B than Archdeacon H, as Bishop F's letter to Bishop B had emphasised that he would not divulge the source of the information he had received. While it is possible that the letter to Archdeacon H, which has not survived, said the same, on balance I consider it more likely that the principal concern with anonymity related to Bishop B rather than Archdeacon H; this is also consistent with the fact that Bishop F mentioned Archdeacon H's name in this conversation but it seems not Bishop B's.

[124] He also told me that in his police role he had signed the prosecution papers for Stephen Brooks before it went to the CPS and did not recall any mention of AP's name, although survivors of Brooks and a priest who was interviewed by the police in 1993 both said in 2025 that they recall being asked about AP as well as Brooks during the investigation into Brooks.

[125] Referred to, without detail, in Independent Officer K's March report for the Panel; it was not mentioned in the January report.

414. Bishop F did not recall informing either Bishop B or Archdeacon H that he was now sharing the information.
415. Bishop F made a fruitless search for the 1999 Letter at this point[126].
416. It was also at this point that Bishop F asserted that he had shared the information with the Head of Resources and Archbishop E, but that he was advised not to do anything as the matter had been dealt with. Conversely the Head of Resources asserted at this point that she had advised him to share the information with the person undertaking the HCR.
417. Independent Officer K also recorded that Bishop F told her on 12 February that AP did have somewhat of a reputation and was thought to be linked with homosexuals and in particular a man called Brookes [sic] that went to prison for sexual offences against children. He told her there was "talk" of a possible "ring" but nothing was ever substantiated, and that AP had been subjected to a number of very unpleasant emails that were almost "hate" emails and had retired soon after. Independent Officer K's personal notes suggest that the email campaign related to a "friendship" with one of the students at university[127], rather than any suggestion of involvement with children.
418. It is not clear who, if anyone, this information was shared with. It did not feature in Independent Officer K's report of 7 June 2010. Independent Officer K told me she would have shared the information at a Panel meeting, but the report she produced for the 16 March 2010 Panel meeting contained only a cryptic reference to the case (without mentioning AP's name) and to a discussion with Bishop F on 12 February 2010, and no subsequent Panel reports or minutes have been located. Independent Officer K told me there was a lot of information shared verbally which might not have been recorded properly.
419. I add that Archbishop E, the Head of Resources and the CPO all told me they had no knowledge of this reputation.
420. On 2 March 2010 Bishop F sent over the information he had received from Archdeacon H, sending it by email to Independent Officer K via the Head of Resources, presumably as email attachments. It is not clear why he did not send it directly to Independent Officer K.
421. It is also not clear what information was sent at this point. Independent Officer K's notes refer to this being emails plural, and from Archdeacon H alone, but neither Independent Officer K nor Bishop F recall any further information from Archdeacon H beyond the 2009 Memo and a covering letter[128].

[126] It seems likely this was at Independent Officer K's instigation: her notes record that she had agreed with ZA that she would find out who the Archdeacon would have been and then look in his file for the letter. See footnote 204 for an explanation of the surprising filing practice that seems to have been adopted in the Church in Wales.
[127] The implication is that this man was a student while AP was University Chaplain, but it is not wholly clear that AP became Chaplain before the man graduated.
[128] These could perhaps have been scanned separately, generating two emails.

422. Independent Officer K's 24 May aide memoire refers to the Head of Resources informing her in April that Bishop F had found the papers in relation to the response to the historical review and she could arrange to pick them up. Yet Independent Officer K told me she did not believe there were any further papers.

423. This could be a dating error; there is a similar dating error in respect of the CPO's contact with ZA, given in the aide memoire simply as February 2010 when according to her more detailed case notes, this could not have been before 1 March 2010. Alternatively, it could refer to picking up hard copies. Both those possible explanations are however undermined by Independent Officer K's personal notes, which record that the Head of Resources informed her that Bishop F had found the papers "that he thought had been shredded", immediately above an entry dated 27 April 2010 relating to a meeting with Bishop F. Perhaps the most likely explanation is that the information from Archdeacon H was sent in March and Bishop B's letter picked up in April. This would be consistent with having offered greater assurances of confidentiality to Bishop B than to Archdeacon H[129]. However, if the two were not kept together, that would also cast further aspersions on the quality of the Church in Wales's filing and record-keeping.

424. It seems clear that the letter from Bishop B was provided at some point, as Independent Officer K ultimately had a copy of it as well as Archdeacon H's memo.

Archdeacon I

425. Independent Officer K also recorded in both her case notes and her aide memoire for the 24 May meeting that further information was received by telephone on 19 February 2010 from Archdeacon I. The notes stated that Archdeacon I told her that a man had shared with him that when he was a student at Swansea University, AP as Chaplain to the university had made inappropriate sexual advances towards him. The man was now in prison for sexual offences towards children.

426. Archdeacon I said he approached Independent Officer K because Bishop F had told him about the allegation against AP. Bishop F could not recall why he seems to have told Archdeacon I in 2010 but apparently not in March 2009, but it may be because Archdeacon I had become Chair of the Provincial Child Protection Committee in the spring or summer of 2009.

427. Archdeacon I agreed to put the information in writing, but did not do so until 28 April, the day after Independent Officer K had a further meeting with Bishop F. The written statement was more limited: while it now named the man, it merely said that the man had indicated he had not had a positive experience with AP

[129] See paragraph 413

when he was a student, and specifically stated "he did not elaborate or go into detail in relation to why his experience of the chaplain was not a good one, suffice to say that whatever had happened had manifested in [him] having negative feelings about the worthiness of Anthony Pierce to be a Bishop". It made no mention of the man's imprisonment, although that fact is confirmed by online press reports.

428. Independent Officer K told me that at the meeting of 24 May 2010 discussed below, Archdeacon I stated that he had never referred to inappropriate sexual advances and wanted it recorded that he had not said that. This was done on Independent Officer K's own copies, but not on either the aide memoire or the case notes retained by the Church in Wales. I would observe that a report of inappropriate sexual advances to a student would be consistent with the reports apparently made to Bishop A in 1986[130].

429. Independent Officer K stood by her notes, and told me that Bishop F had said at the meeting that he must also have misunderstood, as his understanding of what Archdeacon I had reported was the same as Independent Officer K's. Neither Archbishop E nor Bishop F had any recollection of this; Bishop F had only an imprecise recollection that Archdeacon I had shared information, and no recollection of any dispute over what he had shared.

430. It is not clear with who, if anyone, this additional information was shared in light of this dispute, although all those at the 24 May meeting itself must presumably have been aware of it, and of the dispute about it. It did not feature in the report which Independent Officer K subsequently wrote for the Head of Resources on 7 June. Independent Officer K informed me that all information was shared with the Safeguarding Panel, although regrettably those records do not seem to have survived.

Provincial Secretary J and Archbishop E

431. No later than 19 February 2010[131], the Head of Resources informed Provincial Secretary J of the allegations, and he indicated that he had not previously been aware of them. However, he told me that he had long been aware there was some sexual concern about AP. He could not recall whether that awareness included that the concern related to a child before he was told or reminded of that in 2010.

432. He did not recall the 1999 Letter itself in 2010, either when first told about the allegations in February or when mention was made of the letter by Archdeacon H in June, but wondered in my interview with him if its contents might have remained as a dim memory. He noted that it could as an alternative have been a dim memory of past discussions, which he said routinely took place about

[130] See paragraphs 442ff

[131] The date the Head of Resources reported the conversation to Independent Officer K

bishops at the time of an election, and could cover any topics, such as state of health for example.

433. At the same time as reporting this conversation, the Head of Resources reported to Independent Officer K that she and Provincial Secretary J had met Archbishop E and Bishop F; that it was said that Archbishop C was made aware of "the matter" or "the allegations"[132] during AP's election and was sent to speak to him about it. This was similar, but not identical, to the information Archbishop E had shared with Bishop F by email the previous year; then he had referred only to rumours, not allegations. The Head of Resources is also recorded as saying that Archbishop C reported that it had been dealt with and there were no further concerns as AP had undergone counselling.

434. The date of this meeting with the bishops is not given, but seems to have been in 2010 rather than 2009. The Head of Resources thought it would have been in the margins of a Bench Meeting in February 2010, when many other things were of course also discussed. Even assuming it was in 2010, it seems likely that the report to Independent Officer K was not made immediately. In addition, the meeting with Independent Officer K was over lunch, so it seems unlikely that these notes were made during the meeting. These two facts cast particular doubt on the reliability of the two notes in respect of details; it seems difficult to reconcile some details in the notes with other evidence, notably the suggestion that it was allegations rather than rumours which Archbishop C was made aware of, and the reference to counselling.

435. Archbishop E remembers nothing about a suggestion of counselling in 1999, and consequently does not recall saying anything about it to the Head of Resources in 2010. Archbishop D similarly remembers nothing about a suggestion of counselling. This seems likely to be an error of memory either on the part of the Head of Resources when reporting back to Independent Officer K or on the part of Independent Officer K when subsequently making her note. ZA had told Independent Officer K in January that AP had received counselling and it is highly likely the Head of Resources would also have been aware of this as Independent Officer K gave her regular updates; this prior knowledge could have infected the recollection of a different conversation.

Attempts to engage with ZA

436. Independent Officer K's first set of notes finish after the Panel meeting which took place on 16 March 2010, with a suggestion to ask an outside agency to look at the matter[133].

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[132] This note gives only the more general date of February 2010 and therefore seems likely to have been written later than the one describing it as 'the matter' which gave the date of the conversation with Independent Officer K as 19 February 2010. The later note seems likely to be less reliable.

[133] The Report for the Panel refers to the matter only obliquely

437. It does not appear that further information had been received from ZA; Independent Officer K's notes record anxiety on her part, and changes of heart as to whether to share information or have nothing more said about it. In particular, on 19 February Independent Officer K's notes record a telephone call from ZA in which she said she wanted nothing more said about the matter as she was worried about AP hearing that she had said something and feared for her family's safety. The notes state "I accept this and we agreed that the matter would not be discussed again and the Church would respect her decision." While this appears to indicate that Independent Officer K would have taken the matter no further had ZA not changed her mind, Independent Officer K explained to me that this simply meant that it would not be discussed again *with ZA*.
438. This call was followed by a further call from ZA later that day, saying she had changed her mind and did now want to speak to someone. Independent Officer K agreed to contact her again in a week's time after some leave to see if she felt the same. On 1 March 2010, they spoke again, and ZA still wanted to go ahead and gave consent for her telephone numbers to be shared with the CPO.
439. Although the notes indicate that she made contact with the CPO on 4 March, it appears that she did not follow up with a promised date to meet and no substantive conversation took place. The outcome of the Panel meeting on 16 March was to give her until the next meeting on 29 April to come forward.
440. It seems clear that she still did not come forward[134], although Independent Officer K has a personal record of ZA asking for the CPO's number again on 28 April 2010 and of providing it by email. However, some undated notes in an unidentified hand record that the CPO had made no progress, and that although he had had telephone calls, ZA wanted nothing further to do with it. ZA had no recollection of any engagement with the CPO. The CPO's memories were irreconcilable with the documentary evidence[135], and so did not assist. However, he did concur that no substantive discussions took place.

April 2010: Further information and Panel meeting

27 April: further information from Bishop F

441. On 27 April 2010, Independent Officer K met with Bishop F.
442. He told her of Bishop A trying to stop AP's election as if he knew something, but it was pure speculation and hearsay. This must have been outside the College, as Bishop A was not an elector. It does not seem that Bishop F told Independent Officer K what the 'something' was, but he told me that he had recently been

[134] As the Panel again recommended giving her more time

[135] For example, he told me that he rang ZA the same night as Independent Officer K called him, late at night, when the documents make clear he was not given her name and contact details until more than a month later. He also told me that he told her he would report to the police and that he did so immediately, discussed further at paragraph 456.

told by someone, he thought Archbishop E, that Bishop A made no secret of the fact he believed AP was a paedophile.

443. Archbishop E told me that he did not think Bishop A would have said he thought AP was a paedophile, although he certainly suggested that AP was not bishop material and not fit to be Bishop of Swansea & Brecon. However, the language of Archbishop E's email to Bishop F the previous year[136] suggests something less general than that.

444. It seems likely that Bishop A's comments had their origins in allegations apparently made to Bishop A in around 1986, while AP was chaplain at University College, Swansea. Those allegations were that AP had attempted to touch two male students inappropriately on separate occasions. This information was disclosed to the Church in Wales Safeguarding Team at a comparatively late stage in this review. One of the complainants has stated that a letter was written to Bishop A which resulted in AP being banned from campus and the halls[137]. This suggests that Bishop A knew of allegations in respect of AP concerning students, but they would almost certainly have been over 18 and thus adults, if still under the age of consent for homosexual activity.

445. On balance, it seems likely that Bishop A gave indications that there were issues, which it seems may have been criminal issues[138], with AP's conduct, but I have seen no reason other than Bishop F's recent and imprecise information to think he knew of, or gave any indications of, child sexual abuse. It is not clear what, if any, details Bishop A shared.

446. Bishop F also told Independent Officer K on 27 April 2010 that the Dean of Brecon, who was an elector, specifically addressed the sexual allegations in the College during election time, again saying they were pure speculation and hearsay. Bishop F did not know if the sexual allegations related to homosexual activity or potential child sexual abuse.

447. What happened during the College was certainly hearsay from Bishop F's perspective, as he was not an elector either, and neither Archbishop E nor Archbishop D, both of whom were electors, recall anything being said in the formal College meeting itself. In addition, Archbishop E thought it unlikely that he would have asked Archbishop C to speak to AP privately if it had been addressed in the College.

29 April: information from Archbishop E

448. On 29 April 2010, Independent Officer K met with Archbishop E. It seems this was the first time she had discussed the matter directly with him, although he

[136] "I said to [Archbishop C] that he needed to ask [AP] if these rumours were true or not. [Bishop A], I think, was putting some things about." See paragraph 377.
[137] Although his ministerial record indicates that he continued as chaplain until 1988
[138] By reason of lack of consent, not merely age

had discussed it with Bishop F, the Head of Resources and Provincial Secretary J in February[139]. Independent Officer K's notes of this meeting record that Archbishop E told her that he knew of the 1999 Letter[140] and that he thought Archbishop D had a copy[141]. He too reported that an issue had come to light during AP's election, but said it was more to do with his sexuality[142], and repeated that Archbishop C had spoken to AP and concluded there were no concerns.

29 April: Safeguarding Panel meeting

449. Later on 29 April 2010, the Safeguarding Panel reviewed the case. No report for the Panel or minutes of the meeting have been found, but Independent Officer K's aide memoire in preparation for the later meeting on 24 May and her report to the Head of Resources on 7 June both stated that the Panel noted that:
    a. Information was received by senior clergy in 1994[143] suggesting an allegation of inappropriate conduct.
    b. AP admitted to senior clergy in 1999 that in a moment of weakness there had taken place an improper incident, relating to the same allegation as in 1994.
    c. The alleged victim was now deceased, and no name, age or specific details were available[144].
    d. The original complainant ([ZA]) had agreed for the original letter to be followed up by the Review, but the original letter was not available as it had been shredded, and [ZA] wished to remain anonymous and would not support a police prosecution.
450. It stated that the Panel concluded:
    a. that the information should have been reported to the relevant authorities in both 1994 and 1999;
    b. that AP's PTO should be removed with immediate effect and that he should be asked to resign from all organisations connected with children and young people;
    c. that a referral should be made to the Independent Safeguarding Authority (the predecessor of the Disclosure and Barring Service); and

[139] See paragraph 433
[140] He had of course been told of it by Bishop F the previous year
[141] Archbishop E disputes this: see paragraph 502
[142] This is contradicted by what he told me: see paragraph 308. It cannot be known which memory is more reliable, that of 2010 or that of 2025. That of 2010 is more consistent with other indications but that of 2025 is consistent with the allegations made to Bishop A.
[143] It is not clear where this date comes from. Bishop B's letter to Bishop F in 2009 suggested that the information was received in 1993, but could have been consistent with 1994. This might have been a mistaken inference on Independent Officer K's part, or might have been ZA mis-remembering the date.
[144] In fact at least the name was available to Independent Officer K, but she did not have permission to divulge it. ZA had also told her XY was sixteen at the time.

d. that [ZA] should be given more time to come forward[145].

451. The Panel also recorded that they wanted it to be known how "disappointed" they were that the information had not been shared in 2009.

452. There is no mention in any of the records of the Panel meeting of any discussion of whether the police and/or social services should be informed as well as or instead of the ISA. Unfortunately, the reports which Independent Officer K told me she produced for each Panel meeting cease in March 2010 and no minutes have been found; whether this is because they were not produced or because they were not filed is not known.

453. However, Independent Officer K reported to the Head of Resources that the CPO advised the Panel that there was no point in referring the matter to the police first as the police would not take it forward. This was on the basis of the CPO reporting that he had spoken to someone currently in the police about: the lack of an alleged victim or firsthand evidence; ZA being unwilling to support a police investigation; and the destruction of the original letter and unwillingness of the senior clergy who had received it to be involved in any investigation[146]. Independent Officer K's personal notes of a call she had with the Head of Resources on 25 May 2010 record that a referral to the police was discussed at length as it was an issue she was concerned with, but that she had taken the CPO's advice.

454. Independent Officer K recalled that the CPO had advised that the police would not take the matter forward because of the lack of a victim even before taking informal advice from the police.

455. Independent Officer K also told me that the CPO's reports were always oral, rather than written confirmation being provided, and this is in keeping with what the CPO told me about other issues: he did not recall any papers being shared with the Panel, or sharing any documents with the police, suggesting he gives and receives information best orally. Nonetheless, records should have been kept detailing the name and role of the person contacted in the police, the advice given, and the information shared on which the advice was based. The quality of the advice given will always depend on the information shared.

456. The CPO initially assured me that he had reported to the police immediately, asking them to do something, which had resulted the police visiting ZA. On being

[145] Had she done so, the question of whether to report to the police would no doubt have been reconsidered.

[146] The basis of the assertion that the senior clergy were not willing to be involved in any investigation is not entirely clear to me. Independent Officer K's report stated, consistently with Bishop F's letter to the Head of Resources in 2009, that this was the case for one of the senior clergy. It is not clear that this was true of Archdeacon H, who it does not seem anyone had spoken to at this point since the matter resurfaced in 2010. Although the 7 June 2010 report identified the person who was unwilling to be involved as the one who had received the letter, the basis for this identification is not clear to me.

shown the contemporaneous documentation[147], he accepted that it was more likely that he only referred the matter to the police later[148]. He thought he probably had discussed the issue informally with the police to gauge whether anything should be done, but could not recall.

457. While Independent Officer K's various notes make clear that there was significant discussion of whether to report the matter to the police, and that it was decided not to on the basis that the police would not take it forward, there is no indication of any consideration of referring the matter to social services instead.

458. Clearly, this would have been unnecessary had a referral to the police been made, as the police themselves should then have informed social services, but in circumstances where the decision was not to recommend referral to the police, this could have given an alternative route to referring to the statutory authorities; social services could then have informed the police. Social services have a more forward-looking focus on risk management, as opposed to the police's backward-looking focus on criminal offences, with a high standard of proof needed. This might have overcome the Panel's reasoning for not recommending reporting.

459. Independent Officer K explained to me that she would not have suggested a referral to social services as she was pressing for a referral to the police, and criminal matters must be considered first before other agencies consider risk management for the future. However, there is no sign in her various notes that she was initially continuing to press for this after the Panel meeting, notably at the 24 May meeting discussed below; she appears to have started advocating again for a referral to the police only after a discussion by the Head of Resources with the ISA prompted the question[149].

460. However, there are indications that Independent Officer K believed (wrongly) that the ISA would share information with the police. She emphasised at the time that she had not attended any of the workshops for the ISA[150], and it is clear that there was significant confusion over the ISA's role, which was not resolved until later. It therefore may be that she believed the ISA was the alternative route to the reporting which was needed, making a referral to social services unnecessary.

[147] See paragraphs 510ff

[148] See paragraph 516

[149] See in particular Independent Officer K's record of her conversation with the Head of Resources on 25 May, in which she defended the Panel's decision not to refer to the police, with the suggestion of referring to the police and the ISA at the same time only coming comparatively late in the conversation

[150] The reason why task of reporting to the ISA was given to the Head of Resources was that she had attended the workshops and liaised with them on two other cases.

May 2010: Implementing the Panel's recommendations

461. The Panel's advice that PTO should be removed took what I consider to be an inappropriately long time, despite the fact that Independent Officer K told me the Panel would have shared their recommendations with the Head of Resources, who would have shared them with the bishops immediately.

462. It appears that Independent Officer K met Provincial Secretary J on either 6 May[151] or 10 May[152], at which they discussed the need for a meeting[153].

24 May meeting

463. This meeting took place on 24 May 2010, almost a month after the Panel's recommendation. It was attended by Archbishop E, Bishop F, Archdeacon I, Provincial Secretary J, the Head of Resources and Independent Officer K. The CPO does not seem to have been present. It is not clear why, and whether he was not invited or was invited but unable to attend, but it may reflect that fact that, unlike the others involved, he was a part-time volunteer.

464. It seems that the reason for the delay in having this meeting may have been the absence of Archbishop E, who was away in France filming a long-arranged broadcast for a month. This does not however fully explain why others could not progress the matter more urgently in his absence, making a recommendation to him by telephone or email for him to authorise someone else to take action on his behalf. Archbishop E told me he did not think seeing AP could be delegated to anyone else, as the gravity of the position needed to be stressed, but if a senior leader is to be away for a month, unexpected urgent and important matters may have to be delegated. However, I was also told that AP was not in active ministry at the time due to his health, which may have been thought to justify not acting swiftly.

465. Independent Officer K prepared an aide memoire in advance of the meeting. The aide memoire contained a chronology of what was known and actions taken to date, but did not include all the detail contained in her fuller case notes. For example, it included the information she recorded had been given orally by Archdeacon I but not the information about the rumours of the possible ring she had been given by Bishop F[154]. It seems that the aide memoire was distributed at the meeting[155].

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[151] According to Independent Officer K's aid memoire for the 24 May meeting

[152] The date given in the Index to the IICSA bundle for Provincial Secretary J's handwritten notes of the meeting; the top, bearing the date, is cut off.

[153] Provincial Secretary J's handwritten notes give a number of possible dates, with the earliest being 21 May.

[154] See paragraph 417. There is no record of Bishop F having shared that information at the meeting either, although without minutes having been taken, that is inconclusive.

[155] Archdeacon I's complaint would have been unlikely had the aide memoire not been shared, and a copy of the aide memoire was retained within the Church in Wales, albeit it seems not with the other

466. Independent Officer K told me that the meeting on 24 May was a difficult one. In addition to the dispute about what information Archdeacon I had shared[156], she told me that Bishop F, and to a lesser extent the Head of Resources, were very unhappy about the comment from the Panel that it was disappointing that the information about AP hadn't been shared in February [*sic – should be March*] 2009. The language of 'disappointment' was in my view mild in the circumstances.

467. The recommendations for suspension of PTO and referral to the ISA were agreed, and it was agreed that the Head of Resources would take the lead on the referral to the ISA as the only person who had had prior involvement with them. It was also said she would have input from others where appropriate. It does not seem that there was any reference to any advice from the Panel not to report to the police.

468. Independent Officer K recorded in her 7 June report, and also in her own personal notes of the 24 May meeting, her advice at the 24 May meeting to inform AP at the suspension meeting that any information he gave would need to be shared[157].

25 May: advice from the ISA

469. On 25 May 2010, the Head of Resources sought advice on process from the ISA.

470. Independent Officer K's personal notes record a telephone conversation between her and the Head of Resources following the Head of Resources' conversation with the ISA. It appears to have been during this call that the idea of referring to the police was resurrected, as a result of the ISA saying that they would expect to be sent information for referral either from the police or an employer after a disciplinary process. The Head of Resources expressed concern that the step of referring to the police had been missed out, and that the process was therefore flawed.

471. There was still no indication of any discussion by anyone about referring to social services as an alternative to the police.

472. The notes record that a referral to the police had been discussed at length as it was an issue Independent Officer K was concerned with; and that the CPO had

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papers relating to the case. It also seems the copy retained by the Church in Wales was a pre-final draft: see footnote 61.

[156] See paragraph 428

[157] For completeness, I add that Independent Officer K told me that she thought she had discussed the question of referring to the police with Archbishop E privately after the 24 May meeting. I do not think this can have been immediately after the meeting, and she agrees: had it been in Independent Officer K's mind on 24 May, I see no reason why she would not have raised it in the meeting; she did not record having raised it in her personal notes of her discussion with the Head of Resources on 25 May either; and as both Independent Officer K and Archbishop E were clear with me that Archbishop E was firm on the need to report to the police once this question was raised, it seems unlikely that it was suggested to him as early as 24 May.

been "adamant"[158], having taken advice off the record from South Wales Police, that because there was no victim and no witness the police would not take the matter.

473. Two options were discussed: follow the Panel's advice and share the information with AP as advised by the ISA or refer to the police and the ISA. Independent Officer K's view was that referring to the police and the ISA should now be considered, but the Head of Resources pointed out that a letter had now gone to AP[159] and felt this made it awkward to change track.

474. Independent Officer K pointed out in return that the meeting was needed in any event, as there was still an issue arising out of the HCR; AP's PTO still needed to be removed; he should still be told that the information was being referred to the ISA; and the only change would be to add that it was being referred to the police as well following a conversation with the ISA. The Head of Resources asked Independent Officer K not to do anything and promised to come back to her.

475. Independent Officer K then contacted the lay member of the Safeguarding Panel, and her notes record that the panel member agreed there was nothing preventing a report to both the ISA and the police. One of the matters considered was "concerns about the police having information – retaining control to protect the Church and Bishop" but another was protecting the potential witness and giving her more time to come forward.

25-26 May: Note on the ISA

476. The Head of Resources then prepared a note about referrals to the ISA which it appears she sent to Provincial Secretary J. The draft included in an italicised section her concerns about whether the police should be informed officially rather than through the CPO connection, noting that in other cases the police or social services[160] had been informed first, and referral to the ISA decided only once the police had taken a view. It ended with a comment that the ISA had informed her that they would have no problem with the individual being told the nature of the complaint/information but thought the Church should just check with the police. It does not appear that this advice was followed, but I have found nothing to indicate why not.

477. Provincial Secretary J seems to have discussed and agreed with her the following day (26 May) that the Panel's recommendation not to refer to the police should be followed, and also that the italicised question of whether to revisit the question of informing the police should be removed from the paper before it was

[158] The CPO disputes this

[159] Presumably at this stage only a preliminary letter arranging the 2 June meeting, and it seems saying it was to discuss a matter arising out of the HCR; no copy has been found.

[160] This is the only reference I have found to informing social services as an alternative to the police.

sent to Archbishop E[161]. It is unclear what the rationale for this was, although it was suggested to me that it was simple frustration with revisiting the issue and a desire to move on with decisions already made. It is also unclear to me why the decision was being made by Provincial Secretary J in discussion with the Head of Resources and apparently not involving or perhaps even informing the Archbishop.

478. Provincial Secretary J suggested to me that Archbishop E might well have become aware of the question through oral discussions, but Archbishop E told me that if he had been aware of the debate, he would have been clear it should be referred to the police. This is consistent with Independent Officer K's recollection of his approach to the case more generally.

479. However, Archbishop E also told me that he did not know that the Panel's recommendation was not to refer to the police, and had he known that, he would have taken the opposite view, that it should be referred to the police and social services. This is difficult to reconcile with the final version of the Head of Resources' note, which it had been agreed would go to the Archbishop. The final version stated that the CPO "informed the panel that there was no point in the intermediate stage because the police would not take it forward because there was no victim and no first hand evidence" even though it did not include the information that the Head of Resources had questioned whether a report to the police should be made in any event. While it is possible that this note did not reach the Archbishop, it seems more likely that this is a lapse of memory. Without the benefit of hindsight, and without the express raising of the question as to whether to report to the police in any event, following advice from the Safeguarding Panel would not seem unreasonable.

26 May: discussion with Independent Officer K

480. After this decision to remove the question of whether to refer to the police from the paper for the Archbishop, the Head of Resources called Independent Officer K to report the decision to follow the Panel's original advice. Independent Officer K's personal notes record that the Head of Resources said it was now over to her [i.e. the Head of Resources], that she now owned the case, that Independent Officer K's and the Panel's work was done, and that Independent Officer K had to leave go of it. Independent Officer K again argued for reporting to the police in tandem with the ISA in light of the new information from the ISA, but the Head of Resources was not willing to change the decision (or perhaps more accurately ask others to).

481. There was a curious reference to informing the police, as the stage which the Safeguarding Panel missed out. It seems that this did not refer to an actual

[161] The final comment, suggesting checking with the police before sharing information with AP, remained.

referral to the police, or even a decision to refer to the police, but simply identified the step of informing the police as the one which had been missed out and which might subsequently happen through the ISA. The note appears to indicate that if the ISA criticised the church for not informing the police, the Head of Resources considered the church could shelter behind the CPO's advice.

June 2010: Removal of Permission To Officiate

482. It had been agreed at the 24 May 2010 meeting[162] that Archbishop E and Provincial Secretary J would inform AP of the revocation of his PTO and the referral to the ISA at a face-to-face meeting on 2 June 2010, at which support would be offered. Both the face-to-face meeting and the offer of support were good practice.

483. The accompanying letter made clear that both PTOs, in Swansea & Brecon and in Llandaff, were being suspended, which was also good practice. However, while the letter invited AP to *consider temporarily standing down* from any honorary positions he might hold with organisations working for or with children or vulnerable adults, it fell short of fully implementing the advice of the Panel that he should be *asked to resign* from them. It is not clear who had sight of the draft[163] and in particular whether any member of the Safeguarding Panel did.

484. At the meeting, AP gave ZA's name[164]. Again, it does not appear that he denied that something had taken place. On the contrary, he indicated that he had offered to withdraw his name from the election for Bishop of Swansea & Brecon, but the offer was not taken up. Independent Officer K's report[165] says more specifically that Archbishop C had told him there was no need as it had been sorted, although this detail is not included in Provincial Secretary J's report of the meeting[166].

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[162] A witness statement made by the Head of Resources on 5 July 2016 says that the discussion meeting involved Archbishop E, Provincial Secretary J, Independent Officer K, the CPO and herself and took place on 14 June, "after receipt of [Independent Officer K's] report" (rather than on 24 May before the report), and that she believes the meeting with AP was on either 18 or 21 June. I do not think this can be right; Independent Officer K's report was dated 7 June 2010 and dealt with what happened at the meeting with AP. The attendees are listed in Provincial Secretary J's note of 24 May 2010 as Archbishop E, Bishop F, Provincial Secretary J, Independent Officer K, and the Archdeacon of Brecon, but not the CPO. The Head of Resources also thought that Archbishop E and Provincial Secretary J made two visits to AP, but both told me there was only one visit. It appears that there may have been discussion of a second visit later, but it was decided to write rather than visit

[163] Prepared by someone using Representative Body headed paper, with minor edits (not to this clause) by Archbishop E when it was transferred to his headed paper

[164] Although he is said to have inaccurately described her as his step-mother

[165] The source of her information is not stated, but her notes record that she spoke to Archbishop E the same day, and that conversation therefore seems likely to be the source.

[166] Both the draft and final version of this note is dated 17 June 2010, over two weeks after the meeting, during which time his recollection of additional details is likely to have faded. Provincial Secretary J told me he would have had contemporaneous handwritten notes to work from, which is consistent with his

485. Independent Officer K's report[167] adds that AP had offered his resignation to Bishop B in 1993 as well, but again, this is not included in Provincial Secretary J's report of the meeting. He told me his written records were normally comprehensive so he would be surprised if it had been said but not included in his report. Neither he nor Archbishop E could recall whether it had been said. However, AP did recall telling them of his offer to Bishop B as well as that to Archbishop C and it therefore seems likely that Independent Officer K's record is correct.

486. It is not clear who, if anyone, saw Provincial Secretary J's report. He told me he did not think he would have shared it with Archbishop E for checking, but thought he would probably have given a copy to the Head of Resources[168]. It seems unlikely that Independent Officer K saw a copy, as she had been taken off the case by this point; had she seen it, she might have queried the discrepancy.

487. Independent Officer K's notes record that she was informed by the Head of Resources that the meeting had taken place; that AP had not denied the incident and had offered to resign in 1994 and remove his name from election in 1999; that his PTO was removed and the ISA would be informed; and that the ISA referral would be done either next week or the following week.

488. Independent Officer K also spoke to Archbishop E. Her notes say that he said the same as the Head of Resources had done, but added that AP had also informed him of other details and had given ZA's name. They also say that she advised Archbishop E to make a detailed note of his discussions with AP and to pass all the information on to the ISA, including ZA's name. I have not seen any note prepared by Archbishop E beyond a single sentence in his file note dealing predominantly with the subsequent receipt of the 1999 Report and his telephone call with Archdeacon H. He told me that Provincial Secretary J was present to take notes.

489. It is not clear why Independent Officer K was being informed about the case when she had been told to stand back and that her work was done, particularly if that was because she had a conflict of interest.

490. The Panel was updated about the decisions made at a meeting the same day, but it seems before the meeting with AP took place.

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practice from other meetings, although they tend to be fairly abbreviated, and it seems likely that less rather than more was included in the handwritten notes, which have not survived.

[167] And the notes she made the day of the meeting: see paragraphs 487f

[168] Archbishop E did not think the note had been shared with him either but the Head of Resources told me Provincial Secretary J did often give anyone who had been present at a meeting a copy of his file note. She did not recall receiving a copy, but said it would have been normal for him to give her a copy.

June 2010: Decision to refer to the police and discovery of further information

491. The meeting with AP on 2 June 2010 had produced additional information: AP gave ZA's name. Again, it does not appear that he denied that something had taken place. While neither was new information from Independent Officer K's perspective, it gave a reason for Independent Officer K to try again to re-open the question of referring to the police as well as the ISA, despite having been told on 26 May that she was off the case.

492. On 7 June 2010, at a supervision meeting, Independent Officer K and her supervisor agreed that Independent Officer K should ask the Church in Wales to refer the new information to the police as well as the ISA, and to convey that her supervisor was concerned about the time lines involved and wanted the information shared by 11 June 2010.

493. Independent Officer K's personal notes go on to record that when she conveyed this to the Head of Resources, the Head of Resources was very unhappy about the suggestion of passing the information on to the police. The notes state "I explained in detail why and shared my concern that my original advice in the meeting 24.5.10 was not taken seriously as I had feared that [AP] would have shared information that would be relevant now in 2010. He had a right to be told that from the outset". This implies that the Head of Resources' concern was that it was not fair to tell information to the police when AP had not been told that was a risk. Independent Officer K pointed out that she had advised that AP should be informed that anything he said would need to be shared.

494. Independent Officer K suggested taking the matter back to the Safeguarding Panel for the Panel to make a decision, which the Head of Resources said she would have to think about. She asked for a full report from Independent Officer K.

495. Independent Officer K produced her report the same day. The report stated at the end that the Children's Commissioner for Wales, who was supervising her work, agreed that the information should be shared with the police as well as the ISA. It is not clear who, if anyone, this report was shared with other than the Head of Resources.

496. Matters moved on still further as a result of Archbishop E meeting Archbishop D at Lambeth. He had asked Archbishop D whether he had a letter of complaint sent by ZA to Archdeacon H and shown to Archbishop C. Archbishop D said he did not, but he did have a file relating to AP, and passed it to him when they met on 8 June[169]. The file consisted of the 1999 Report.

[169] Described as having been passed to Archbishop E "yesterday" in Archbishop D's letter of 9 June 2010

497. Archbishop E clearly promptly told Provincial Secretary J about the 1999 Report as it seems Provincial Secretary J made some brief notes about it[170]. He specifically noted the potentially criminal activity. Provincial Secretary J could not recall seeing the 1999 Report before when he read it as part of this review, but Archbishop E was clear that he would have given a copy to the Secretariat[171].

498. It is also unclear whether the 1999 Report was shared with the Head of Resources. She was clearly told about it, as she made some handwritten notes referring to it[172]. However, she made no reference to it in her subsequent referral to the ISA or in her much later statement on 5 July 2016.

499. Similarly, it is unclear whether a copy was shared with the CPO: see paragraphs 517ff below.

500. Bishop F told me that he was certainly aware of it, although he could not recall when he became aware. He had a vague recollection of having seen it, either in full or in part, recalling that it was handwritten and recalling one source of the information in it, but did not recall if he had been given a copy, or if he knew of the admission of criminality in it.

501. It is not clear what prompted Archbishop E to ask Archbishop D. There is a suggestion in his letter to Archbishop D dated 14 June 2010 that he did so because he remembered him talking about a letter that Archbishop C had received and thought it was the letter of complaint that had come into Archbishop D's possession.

502. Neither Archbishop E nor Archbishop D had any recollection of when or why Archbishop D might have mentioned having a document and thus why transfer of it was not followed up at an earlier stage[173]. Independent Officer K's notes of her discussion with Archbishop E on 29 April 2010 record that Archbishop E thought

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[170] The notes are undated. They are given a date of 11 June 2010 in the index to the bundle prepared for IICSA, but the dates and attributed authorship of other notes are clearly incorrect and it looks likely this was two or three days earlier.

[171] Archbishop E's letter to the Secretariat on 11 July 2016 sending documents to them contains curious language, saying that it enclosed "the other papers I have in the safe on [AP] as well as [the 1999 Report]". Later, it said "you have [Archbishop D's] letter to me. You may not have my reply to him and my file note on meeting [AP] and my letters to him or the note from [Archdeacon H] also in the [Archbishop D] file. You obviously have the police report but I enclose a copy just in case." It is impossible to tell whether this implies that the Secretariat did not already have the 1999 Report, or whether it was simply adding the original to their existing copy. The fact that the IICSA bundle (which was prepared probably by 14 July 2016 - see paragraph 608) contained the 1999 Report but not Archbishop E's reply to Archbishop D or his file note may suggest that they did already have a copy.
I add that while I initially wondered if the reference to Archdeacon H's note being in the Archbishop D file implied that Archbishop D had had a copy of Archdeacon H's note, which presumably referred to the 2009 Memo, I do not think this can be right, as that was created 9 years after the 1999 Report was given to Archbishop D in 2000. It seems more likely that this simply meant it was in the envelope with the correspondence with Archbishop D.

[172] It seems likely these were notes of a conversation with Archbishop E on 8 June, as they start "Tuesday pm/[Archbishop E]" and 8 June was a Tuesday, the day Archbishop E acquired the 1999 Report from Archbishop D.

[173] See paragraphs 356ff for why it was at Lambeth

Archbishop D had a copy of the 1999 letter. Archbishop E disputes this, and believes it was Independent Officer K who speculated that Archbishop D might have a copy. Either way, it does not appear that this was followed up[174] until Archbishop E was alerted during his meeting with AP on 2 June that AP clearly believed there was material held in archiepiscopal files. Archbishop E collected the material in person from Lambeth on 7 or 8 June; this might have been preceded by a telephone call, but a file note made by Archbishop E on 16 June 2010 suggests that it was not.

503. On 9 June 2010, Archbishop D followed up the delivery of the 1999 Report with a letter to Archbishop E setting out what he knew for the record. He stated his dismay on having read it to discover reference to AP's admission of guilt.

504. On 10 June 2010, Archbishop E spoke on the telephone to Archdeacon H. This was presumably prompted by receipt of the 1999 Report, to ask if Archdeacon H knew anything about it.

505. Archbishop E told me that he did not at this stage know about the memo which Archdeacon H had sent Bishop F the previous year or the existence of the letter which Bishop B had sent, although this seems doubtful: the notes of Independent Officer K's which seem to have been shared at the meeting on 24 May[175] referred to them having been received on 27 April, and while this reference alone might have been too cryptic for Archbishop E to understand what it referred to, he met with Independent Officer K on 29 April and one might expect her to have mentioned them.

506. Archbishop E's file note records that Archdeacon H told him that when the allegation was first made around 1990 (which must be an error of memory) to his predecessor as Archdeacon and to Bishop B, AP had denied it. It is not clear what the source of this information was, given the implied admission recorded in Archdeacon G's notes of his October 1993 discussion with AP's friend and the implied admission to Bishop B in the form of AP's offer to resign; no denial was mentioned in Bishop B's 2009 Letter.

507. In addition to confirming the earlier information about receipt of the 1999 Letter, showing it to Bishop B and then Archbishop C, and confronting AP who admitted that in a moment of weakness there had been some touching, Archdeacon H also offered some explanation about the 1999 Report. He said its author had made representations on behalf of AP (presumably meaning to Archdeacon H or Archbishop C in 1999). AP had obviously told her in 1993 about the original allegation and now he was asking for help. She therefore drew up the report which was self-explanatory.

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[174] For completeness, it seems that Independent Officer K was in discussions with Church in Wales personnel about seeking a meeting with Archbishop D at some point during the HCR, but this did not appear to happen.

[175] See paragraph 465

508. Archdeacon H also disclosed that the Ministry Officer of the Province had been involved; he had died in 2008.

509. It is not clear who, if anyone, saw this file note. Archbishop E thought it had been prepared for his own purposes only and not shared with anyone until 2016, when he shared all his episcopal papers on the matter. It seems that he did however report orally on his conversation to Provincial Secretary J, who made handwritten notes of the conversation on 11 June 2010[176].

510. It appears there was a further meeting between Archbishop E, Bishop F, Provincial Secretary J, the Head of Resources and the CPO[177] on 14 June 2010. I have seen only handwritten notes of that meeting by Provincial Secretary J[178] and the Head of Resources, but it appears that this was the meeting at which it was agreed to refer the matter to the police[179]. It is notable that Independent Officer K was not at this meeting, no doubt because she had been asked to step back from the case at the end of May, before the 1999 Report was discovered.

511. On 17 June 2010, Archbishop E wrote to AP to advise him that that matter was being referred to the Statutory Authorities, giving advice from the ISA as the reason.

512. The same day, Bishop F emailed Archbishop E noting their shared anxiety about AP, and raising the question of further pastoral care, which was good practice. However, the email also stated "if only it had been dealt with properly in the first place, it would now be water under the bridge. I only hope that, with the good offices of [the CPO] we might see a caution and [sic] worst and nothing further done at best". It does not appear that Archbishop E answered this email, and he told me he would probably have thought it best not to do so.

513. When I asked Bishop F about this email, he described it as using influence to get AP off as lightly as possible, and thought that the CPO would have been fully on board with that aim, noting that AP was also the CPO's bishop. He told me that the prospect that there might have been other victims did not occur to him, and nor did the likelihood of repeat offending (whether in the past, as was in fact the case, or the future).

514. The CPO told me he did not know what the email was about – there is no suggestion that it was shared with him at the time – and that he did not have any sense that Bishop F was trying to steer towards getting AP off as lightly as

[176] The points recorded were that AP denied in 1990; admitted 'something' in '99; Archdeacon H helped Archbishop C draft a response; and the 1999 Report was written off the author's own bat.

[177] The CPO does not recall being present and questions the accuracy of Provincial Secretary J's notes and whether they were a contemporaneous record of the meeting.

[178] It is not wholly clear that these were made at the meeting, as opposed to in advance by way of preparation. The date and attendees are at the bottom of the page, rather than at the top as on other notes. However the layout, with questions to be answered, and answers squeezed in, suggests that at least the answers were written during the meeting.

[179] It also seems that a second visit to AP was discussed, but decided against in favour of a letter.

possible. He also questioned why he would have been trying to get a caution, since as far as he knew, it was just an investigation into an allegation made by ZA. However, three days earlier the 1999 Report indicating an admission of criminal activity appears to have been discussed in his presence.

515. On 21 June 2010, Provincial Secretary J updated Independent Officer K's professional supervisor. His notes record the Panel's previous advice not to refer to the police, but indicate that following further information obtained the previous week in the form of a 10 year old report (which must be the 1999 Report), it had now been referred to the police[180]. The notes specifically state that Independent Officer K did not know of the further information, and her recollection was that she first saw the 1999 Report in 2016. She could not recall if anyone told her of its existence in 2010, but the evidence suggests that they did not.

July 2010: Referral to the police

516. The meeting on 14 June does not seem to have decided who would refer the matter to the police: Provincial Secretary J's handwritten note indicates that it would be done by "[the CPO]/[the Head of Resources]". A witness statement of the Head of Resources on 5 July 2016 states that a referral to the police was made on 28 June 2010 by the CPO[181].

517. It is unclear what information was actually disclosed. The CPO told me that he did not hand over any documentation, and his report was verbal only. He told me he explained what Independent Officer K had told him, but without contemporaneous notes it is impossible to tell what information was and was not shared. He also told me he explained that he had tried to talk to ZA but she had not been forthcoming, and asked if the police could take it further.

518. The CPO's recollection that no documents were handed over is in contrast with Provincial Secretary J's notes of the meeting on 14 June 2010, which the CPO appears to have attended. Under the heading of 'Ref to police', there is a question of 'what papers?', and under that a reference to the 1999 Report, the letter from Archbishop D, and the letters from Bishop B and Archdeacon H, with the word 'yes' beside them. Even when shown these notes, the CPO was adamant that he had not handed over any documents and did not believe he had in fact attended the 14 June meeting[182].

519. It is impossible to tell whether the CPO did hand over these documents and has forgotten doing so, or whether they were in fact not handed over. If they were not

[180] It does not seem this was strictly accurate: the report had surfaced two weeks earlier, and while it had been agreed to refer to the police, it does not seem the referral was actually made until 28 June.

[181] It should be noted that other dates given in this witness statement appear to be incorrect: see footnote 162

[182] See paragraph 510 and footnote 177

handed over, it is impossible to be sure why. One would hope that he would have been furnished with copies, although there is no clear evidence that he had been, or how, and the lack of clarity at the 14 June meeting as to who would make the referral may have had an adverse impact on ensuring that the right person had all the necessary documents.

a. Some should have been in Panel papers, which the CPO had had, but he told me that he did not remember reviewing papers from AP's file[183] and that everything he knew was received orally. He recalled that the Panel did not have much to do with the case, as opposed to him personally as CPO of Swansea & Brecon[184].
b. Some might have been with Independent Officer K's papers, which she told Provincial Secretary J she would pass to the CPO. It is not known what these contained[185], but it seems likely they included her case notes, as it is hard to see how else they could have come into the Church in Wales's possession[186]. However, that was only on 1 July, after the CPO had reported to the police, and he told me he only shared information with the police on one occasion; the only other time he spoke to the officer was when the officer reported back and the CPO requested a written report. Furthermore, the 1993 notes seem to have been discovered only on 1 July.
c. The 1999 Report would have been with neither, but since it was specifically discussed on 14 June as one of the documents to be handed to the police, it seems unlikely that someone would not have passed a copy over and that the CPO[187] would not have asked for a copy if one was not volunteered, at least if he had been present on 14 June as Provincial Secretary J's notes indicate he was.
d. Archbishop E's 2010 file note does not seem to have been shared with anyone[188].

520. The CPO initially did not recall even being told of the 1999 Report's existence, but did recognise the author's name and recalled that she had written in support of AP, he thought in connection with the PTO process. Given that there is no

[183] Although it was recorded the Panel did review papers in Independent Officer K's case notes and her 7 June report to the Head of Resources
[184] Although Independent Officer K's notes and reports indicate that it went to a Panel meeting on at least three occasions
[185] Independent Officer K could not now recall
[186] The CPO told me had had not seen them, but this may be a simple memory failure after 15 years
[187] Or the Head of Resources, had she been making the referral
[188] Although its contents were clearly conveyed to Provincial Secretary J, as he made handwritten notes of a conversation with Archbishop E on 11 June 2010. Much of the information was available from the Archdeacon H's 2009 Memo.

indication that she wrote in any other context than the 1999 Report[189], I feel confident this refers to the 1999 Report. He could not recall whether he saw what she had written or was just told about it.

521. The CPO assured me that if he had seen the acknowledgement of a criminal offence in the 1999 Report, he would have strongly recommended that all the documents went to the police. Similarly, he told me that he had not previously been aware of the information which Independent Officer K recorded as having been discussed by the Panel, including the admission that in a moment of weakness there had taken place an improper incident. He told me that had he heard of it, the whole thing might have taken a different path.

522. He also expressed the view that the police would certainly have interviewed AP in light of the admission in the 1999 Report, and Detective Sergeant M, the police officer with a role in the child protection unit who was involved in 2010, expressed a similar view to me. There was no mention of an admission of a criminal offence by AP in Detective Sergeant M's report/notes, which he told me he would have included if he had been aware of it. Had the police been aware, he told me he would have expected the CID to have taken a more proactive approach than they in fact did. This is however undermined by the fact that the police did not interview AP in 2016 either, when they undoubtedly did have the 1999 Report.

523. All in all, it seems doubtful that the police were given all, or perhaps any, of the following documents and information, all known to various individuals within the Church in Wales:

    a. That two senior clergy had had previous dealings with the matter, and one had received an admission;
    b. Of the suggestion that XY was aged 15 at the time of the incident(s)[190];
    c. The 1993 notes;
    d. The 1999 Report;
    e. The 2009 Letter from Bishop B;
    f. The 2009 Memo from Archdeacon H;
    g. Archbishop E's 2010 file note;
    h. Archdeacon I's information[191], either his written statement or the disputed additional material Independent Officer K had recorded from their conversation;
    i. The rumours of a possible paedophile ring.

[189] There is no indication she was involved at all in 2009-11. While she accompanied AP at a meeting in 2016, he was accompanied by a retired solicitor instead in 2010.

[190] The police summary of the information shared (see paragraph 526) emphasised that XY's age and the date of the incident had not been determined, so it seems clear that the CPO did not assert as a fact that XY's age was certainly 16, but this had been the age given by ZA to Independent Officer K in January, with nothing to undermine that until the 1999 Report.

[191] The CPO told me he knew nothing about this information.

524. On 5 July 2010 Detective Sergeant M wrote to Chair of the Strategy Committee O, after a meeting on 2 July 2010[192]. The nature of the meeting was not identified in the letter, but Detective Sergeant M's recollection is that it was an information sharing meeting between the child protection unit and children's services rather than a formal strategy discussion or strategy meeting.

525. Detective Sergeant M's letter stated that the Safeguarding Panel had referred concerns to the ISA, that AP's PTO had been removed, and that he had been asked to resign from all organisations connected with children and young people. These statements were not wholly correct, in that the Panel had recommended a referral to the ISA, but it had not yet taken place[193], and that he had been invited to consider temporarily standing down rather than asked to resign. Whether these inaccuracies originated from the CPO or within the police[194] cannot be known.

526. Detective Sergeant M's description of the information stated that the inappropriate conduct was believed to have occurred when XY, now deceased, was around 16 years old (while noting that his age, and the date of the incident, had not been determined). This was the age ZA had given to Independent Officer K. While the 1999 Letter which positively alleged that XY was 15 at the time of the conduct was not available, the 1999 Report was available, to the Church in Wales if not the police, and that made clear that the close relationship between AP and XY had started when XY was still 15 and thus that the inappropriate conduct might have taken place while he was under 16.

527. Detective Sergeant M's letter recorded a decision not to convene a senior strategy meeting on the basis that there were no outstanding child protection concerns[195] and they (wrongly) believed the concerns had already been referred to the ISA[196]. It also stated that AP was fully aware of the sanctions now imposed on him. This seems to me to have been overstating the position: AP had been told that his PTO was suspended pending a review of the matter, not that it had been permanently removed. It is unclear whether the police understood this, and if they did, whether any recommendation that it should never be reinstated was clearly communicated to the Church in Wales.

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[192] The Church in Wales obtained a copy of this from Chair of the Strategy Committee P, O's successor, in 2016. There is no indication that anyone from the Church in Wales was involved in this meeting.

[193] And appears to have been put on hold after the decision to report to the police

[194] Both Detective Sergeant M and the CPO agree that Detective Sergeant M received his information indirectly from the Detective Chief Inspector, rather than directly from the CPO. Detective Sergeant M told me he was not involved case decision making or in meetings with Church in Wales representatives.

[195] Detective Sergeant M told me that this meant no other names of children under 18 had been provided to the child protection unit. It could of course not be known whether there were any outstanding child protection concerns from this new report without investigating the allegations.

[196] Although the ISA's expectation was that a statutory authority or employer investigation would precede referral to the ISA

528. On 8 July 2010, a conversation took place between the Head of Resources and Provincial Secretary J. Matters discussed included that there would be no strategy meeting; that the police thought it was good that the church was taking action in preventing further ministry, and that a DI[197] would investigate, including seeing ZA and AP's friend.

529. Both sets of handwritten notes record that both ZA and AP's friend would be interviewed. This does not accurately reflect what Detective Sergeant M's letter to Chair of the Strategy Committee O (which neither the Head of Resources nor Provincial Secretary J had seen) said; that letter said that Detective Chief Inspector N (a police officer in the CID, in whose remit Detective Sergeant M told me such investigations fell at the time) would speak to ZA, but made no mention of AP's friend. Provincial Secretary J's notes also say that the police would see "S+B" [198] at some point, but only if a specific allegation was made.

530. The notes made by Provincial Secretary J state at the top "(Apb advised as below)" but it is unclear who was reporting to who. Provincial Secretary J thought that Archbishop E had advised him, and he had then told the Head of Resources. However, Archbishop E thought that the CPO had reported to Provincial Secretary J, who had then reported to him. The CPO did not think he had ever spoken to Archbishop E on the telephone and had only ever had one meeting with him. It seems most likely that the CPO reported to the Head of Resources, who reported to Provincial Secretary J, who reported to Archbishop E.

531. On 30 July 2010, Provincial Secretary J made some handwritten notes[199] of what looks like a telephone call from the CPO reporting on what he had been told by Detective Chief Inspector N. The notes record that there was no evidence to substantiate a criminal offence, that it was not in the public interest to interview AP and that there would be no further interviews. They state "tell Panel – who decide rec to the Abp re-licence etc" and that Detective Chief Inspector N told the CPO 'our action appropriate'. I have been unable to establish if this opinion was passed on to either Archbishop E or Bishop F.

532. The same day, Detective Chief Inspector N wrote a report. He had interviewed ZA, but there is no suggestion that he had interviewed AP's friend, and as indicated above it does not appear that he had seen her 1999 Report. It is unclear whether the police had never intended to interview AP's friend (contrary to the second-hand report on 8 July), or whether they changed their mind after interviewing ZA. The former would seem more likely if, as appears to be the case, they did not have the 1999 Report.

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[197] Or Detective Sergeant: the two sets of notes are not consistent

[198] This could refer either to Bishop F or to AP; the Head of Resources' notes suggest that it referred to AP as would seem more likely.

[199] A meeting date of 29 Sept is added at the bottom in the Head of Resources' handwriting, which suggests that Provincial Secretary J's notes were passed to her and filed.

533. The report stated that ZA told Detective Chief Inspector N that XY had disclosed in the spring of 1991 that he was gay and in a 'relationship' with AP; and that XY had made no reference to this 'relationship' being of a sexual nature but ZA assumed it must have been. The report states "at that time [XY] was 16 years old and above the age of consent" but it is not clear whether ZA stated XY was 16 years old or whether Detective Chief Inspector N calculated XY's age himself.
534. ZA has no recollection of discussion of the age of consent, and told me she first became aware that it was regarded as a relevant issue when she met the current Bishop of Swansea in preparation for this review. As indicated above[200], she disputes the accuracy of the report.
535. The report also records that ZA immediately confronted AP and it appeared the relationship ended, and that while she brought it to the attention of the church in the early 1990s, she was adamant she did not want the police or any other body to take any action this time.
536. Detective Chief Inspector N's report concluded that there was no requirement for further police investigation principally on the basis that XY had by now died and there was therefore no formal complaint, but also on the basis that XY did not disclose that anything sexual took place, and that ZA believed that XY was 16 years old at the time of the brief relationship and therefore above the age of consent.
537. However, the age of consent for homosexual acts (defined as buggery or gross indecency) was 21 in 1993 and had only been lowered to 16 in 2000. It is not clear whether Detective Chief Inspector N was unaware of the earlier law; or whether he had in mind the time limits on prosecution for homosexual acts with boys aged 16 or over[201]; or whether he was simply saying that an investigation was not justified for something which would no longer be a criminal offence if it had happened in 2010[202].
538. As indicated above, no strategy meeting had been held. While it is open to doubt whether that would still have been the case had full and accurate disclosure to the police have been made, it was the position. Had a strategy meeting been held, the communication to the Church in Wales after the interview with ZA might have been clearer as to which of the three possible outcomes of a strategy meeting was being followed[203].
539. That said, the end of Detective Chief Inspector N's report seems to me to have been tolerably clear that it was option b, that the employer should deal with the

[200] Paragraph 231
[201] See paragraph 252
[202] It should be noted that in 2010, clergy were not included in the categories of people in positions of trust for the purposes of sections 16 to 24 of the Sexual Offences Act 2003, which criminalise various forms of sexual conduct by those in positions of trust with 16 and 17 year olds; they were not included until 2022.
[203] See paragraph 404

allegation in accordance with their own disciplinary procedures: "I am satisfied that there is no requirement for any further police investigation at this time *and I refer the matter back to the Church of [sic] Wales for any action they deem necessary*" (my emphasis). This possibility also seems to have been appreciated at an earlier stage: Provincial Secretary J's note of his conversation with someone on 8 July said "Police 'not excited' … -> cd. come back to us".

540. I add that there is a curious comment at the beginning of Detective Chief Inspector N's report, that "I do not intend to refer to the background of the referral to the police other than to say that I am aware that this matter has now been referred to the Independent Safeguarding Authority". As noted above, this was factually incorrect. It is not clear what the comment about 'the background' refers to. It could refer to earlier informal conversations or it could imply a criticism for failure to refer earlier.

July 2010: Discovery of yet further information

541. Meanwhile, it appears that shortly after the report to the police, Archdeacon G's 1993 Notes were discovered. Some handwritten notes by Provincial Secretary J dated 1 July 2010 say "S+B – [Archdeacon G] – notes re Tony P – refers to [1999] Report – [Independent Officer K] unearthed". Provincial Secretary J told me he thought these would have been notes of a telephone call from Bishop F.

542. Subsequent notes dated 29 September 2010 refer to the note in Archdeacon G's file[204] dated 18 October 1993, so the 1993 Notes had clearly been extracted from his file.

543. No-one recalls speaking to Archdeacon G, and Independent Officer K's personal notes mentioned him as being very elderly and retired. It seems most likely that Independent Officer K simply found the notes in Archdeacon G's file during the ordinary course of her file review for the HCR[205], told Bishop F, and he then told Provincial Secretary J.

544. It is unclear who saw the 1993 Notes. Independent Officer K told me that she would have shared them with the Panel, but there is no clear record, even in Independent Officer K's own personal notes, that the Panel discussed AP again

[204] It appears that there are a number of examples of personal files being used as repositories for all correspondence to or from a cleric rather than their primary purpose of information about that cleric, and indeed later it seems to have been thought that the 1999 Letter might have been filed on Archdeacon H's personal file, Archdeacon H having been the recipient. Independent Officer K told me she only viewed clergy personal ('blue') files.

[205] While one would have expected the HCR to have completed before Independent Officer K became employed by the Church in Wales as Provincial Safeguarding Officer in July 2010, it seems plausible that the HCR file review for Swansea & Brecon had not completed by 1 July 2010. Independent Officer K told me that Swansea & Brecon was the last diocese to be reviewed, and the last available report for the Safeguarding Panel, dated 16 March 2010, indicated that the file review for St Asaph had only commenced that week. If the files were reviewed in alphabetical order, this file would have been towards the end.

after 2 June 2010[206]. Provincial Secretary J's handwritten notes of 1 July 2010 indicate that Independent Officer K would be asked to pass her files to him, to give to the CPO, and that Independent Officer K said she would give them straight to the CPO, and these files could have included the 1993 Notes. As indicated above, there are however no records of what those files contained or who saw them. The CPO believes that he was not given the files at all[207].

August to November 2010: Referral to the ISA

545. On 2 August 2010, Archbishop E emailed Bishop F, Provincial Secretary J and the Head of Resources to propose a meeting with the CPO to discuss the likelihood of the ISA granting AP a licence. It seems the meeting had been the CPO's suggestion. The proposal misunderstood the role of the ISA, which was not a positive role of granting licences, but a negative role of deciding whether individuals should be barred from working with children or vulnerable adults. Provincial Secretary J seems to have a better understanding of the position, since his handwritten notes dated 30 July 2010 noted that the Panel would decide on a recommendation to the Archbishop to re-licence etc.
546. On 17 August 2010, Provincial Secretary J wrote to Archbishop E, enclosing the 30 July police report confirming no further action would be taken, and suggesting that the advice of the Panel be sought. Archbishop E suggested the original group, whoever that was, meet again before it was referred to the Panel, to hear what the CPO had to say first.
547. A meeting took place on 29 September 2010 between Archbishop E, Bishop F, the CPO, Provincial Secretary J and the Head of Resources. Again, Independent Officer K was not present. At this meeting, it was agreed that the report would now be made to the ISA, with the Head of Resources to do the form. The words "no docs initially" were included under this point. Provincial Secretary J's notes also indicate that AP couldn't be licensed until it was known whether the ISA was minded to bar AP or not. It was also said that the Panel would be advised about the report to the ISA, with a note by it saying 'done'.
548. I have found no clear evidence of any discussion of the possibility of an internal disciplinary investigation, as seems to have been envisaged, albeit obliquely, by Detective Chief Inspector N and the All Wales Child Protection Procedures. The Head of Resources told me she was confident she would have advised the bishops to seek the advice of the Disciplinary Tribunal through its investigating

[206] Although Provincial Secretary J's notes of a meeting on 29 September suggest that the Panel was given a further update: see paragraph 547.
[207] It seems clear that at least some of Independent Officer K's notes did come into the possession of the Church in Wales, as they were included in the bundle for IICSA in 2016. It is possible that they could have been given directly to the Provincial Secretary or the Head of Resources, rather than following the Provincial Secretary's instruction, but seems more likely that the CPO passed them to someone in the Representative Body after his involvement finished.

committee and/or to send the matter to the legal office for the first stage, but there is no reference to this in either her notes of the meeting or Provincial Secretary J's. Archbishop E is confident it was not suggested to him. I have seen no references to any involvement or even suggested involvement of the legal department at any point in 2010 or 2011, and no documentation could be found in legal department records.

549. The ISA referral form was submitted on 12 November 2010 by the Head of Resources. It is not clear what the reason for the delay was, and the Head of Resources could not recall when she prepared a statement on the matter on 5 July 2016, although she commented to me that she had a very heavy workload during those 6 weeks following a particular Governing Body decision.

550. The referral form stated that "in 1994 an allegation was made that Rev Pierce had an inappropriate relationship with a male aged 16. No name[208] or specific details were made available concerning the alleged victim. The complainant was the mother of the alleged victim… In 1999 the Rev Pierce admitted that 'in a moment of weakness there had taken place an improper incident'." Independent Officer K's report[209] and Detective Chief Inspector N's report were included with the referral.

551. There is however no mention of the 1999 Report, despite the declaration that all relevant documents held were either provided with the referral form or recorded in Part 5 of the form. Nor was relevant information from the 1999 Report and other documents included, such as: ZA's name[210]; the fact that XY might well have been under 16 at the relevant time; the fact that the allegation was made in 1993, not 1994; or the fact that AP appeared to have admitted it was a criminal offence to his friend.

552. The Head of Resources told me that she knew nothing about the 1999 Report, but this seems highly unlikely, given the handwritten notes she made about it.

553. A pair of notes, one from each participant, of a telephone conversation between the Head of Resources and Provincial Secretary J on 8 July 2010 both make reference to AP's friend, and an (erroneous) belief that the police would interview her, which further suggests that the Head of Resources was at least aware of the existence of the Report in July 2010. However, when I spoke to her she could not recall who the name of AP's friend referred to, and did not link it with the 1999 Report.

554. In addition, she appears to have been present at the meeting on 14 June when it seems to have been agreed that either she or the CPO would refer the matter to

[208] It seems very unlikely that this was true: the name was included in the 1999 report, and it seems highly unlikely that it was not shared when AP's friend spoke to Archdeacon G in October 1993, even if it was not recorded by him

[209] Presumably that of 7 June 2010

[210] XY's name was included

the police, with the 1999 Report being one of the papers referred to, it seems as the papers which should be passed to the police. She referred to the report in what appear to be her own notes of that meeting. One might expect that she would have asked for a copy after that meeting if she did not already have one.

555. It is therefore unclear why the 1999 Report was not included with the ISA referral, or its contents drawn on. It seems most likely that she had forgotten the existence of the 1999 Report by the time she wrote the ISA referral five months later.

556. Nor was there any mention in the ISA referral of the 1993 notes which, like the 1999 Report, contain a strong implication that AP had admitted guilt. The Head of Resources was confident she had not seen these before when I showed them to her, and unlike with the 1999 Report, I have seen no evidence to suggest that she had, other than the hope that all relevant information would have been shared with her.

557. It is unclear whether the 2009 Letter from Bishop B or the 2009 Memo from Archdeacon H were included. In the IICSA bundle, they followed Independent Officer K's report, but it is unclear whether they were attachments to it and thus whether they were included in the documents sent to the ISA. The Head of Resources did not recall seeing them before when I showed them to her, and thought that her information came only from Independent Officer K[211].

558. It is even less certain that the statement from Archdeacon I relating to the concern from AP's time as university chaplain, which followed Archdeacon H's memo in the IICSA bundle, was attached to Independent Officer K's report[212] and thus shared with the ISA. Again the Head of Resources did not recall seeing it before or remember its contents.

559. It seems most unlikely that Archbishop E's file note of his conversation with Archdeacon H was shared with the ISA or available to the Head of Resources: again she did not recall seeing it before, and it was not included in the IICSA bundle or referred to in the chronology prepared in 2016 from all the then available papers.

560. The same applies to Independent Officer K's case notes from 2010, and her aide memoire and chronology for the meeting on 24 May 2010. The former contained the information that AP was rumoured to have been linked with Stephen Brooks, with talk of a possible ring, and both contained the fuller information from Archdeacon I which he later disputed.

561. In summary, it seems that the Head of Resources was preparing the referral to the ISA with only a fraction of the relevant information at hand. She did not

[211] It is unlikely this is right: Independent Officer K's notes record that the information received by Bishop F from Archdeacon H was sent to Independent Officer K via the Head of Resources.

[212] Unlike the information from Bishop B and Archdeacon H, it was not referred to in the report.

believe that it had been reviewed by anyone else, who might have spotted the various omissions, before she sent it. None of Independent Officer K, Provincial Secretary J, the CPO or Archbishop E thought they had reviewed the referral.

2011: Reinstatement of PTO

562. By this stage, the HCR was complete: the final report is dated 28 January 2011.

Response of the ISA

563. On 26 January 2011, the ISA wrote to the Head of Resources following a conversation, seeking confirmation that there were no details as to what AP was alleged to have done "in 1991[213]" and no minutes of the meeting held on 2 June 2010.

564. The Head of Resources' reply on 31 January confirmed both, and did not refer to or enclose Provincial Secretary J's report of the meeting, which she might or might not have had a copy of. It also indicated that they were unable to clarify what the inappropriate incident was, and AP had not been asked, as they had been following the All Wales Child Protection Procedures which advise not to undertake any investigations but to pass on concerns to the police[214].

565. As indicated above[215], this was correct at the initial stage, but not after statutory involvement was concluded.

566. The Head of Resources' letter of 31 January also made clear that there was confusion about the role of the ISA. It stated that she now understood that the ISA would have expected the Church in Wales to have concluded internal investigations and a disciplinary procedure, whereas it had previously been understood that the ISA would investigate[216]. She enclosed draft new guidelines to the Church's safeguarding officers and bishops, and asked for confirmation of whether it was a fair interpretation of the role of the ISA and what the Church should do before a referral.

567. The draft note rightly indicated that where the police or local authority decided to take no action and passed a matter back to the Church, the Church should investigate the matter and take appropriate action before referring to the ISA. Appropriate action was accurately said to be dismissal in the case of employees or prevention from working in the case of volunteers.

568. However, appropriate action in the case of clergy was said to be deposition from Holy Orders, which it was noted was very serious and required a criminal standard of proof, not that advocated for employers and internal disciplinary

[213] This was the date which had been given in the police report of 30 July 2010

[214] The Church in Wales does not appear to have been as rigorous in following what the procedures had to say about record keeping.

[215] Paragraph 403f

[216] This misunderstanding was also clearly recorded in Independent Officer K's report of 7 June 2010

procedures. I consider this was mistaken. In the case of clergy such as AP with PTO, removal of PTO would prevent them working and amount to appropriate action. In the case of licensed clergy even in 2010, the Church in Wales' disciplinary procedures provided for removal from office, without deposition from Holy Orders, on the civil standard of proof i.e. the balance of probabilities.

569. The note therefore stated that in the case of clergy, complaints under disciplinary procedures should be investigated by the Church following conclusion of the strategy process, with responsibility for this lying with the Bishop, who should seek advice from HR and the Registrar of the Disciplinary Tribunal.

570. It is not clear whether the Head of Resources shared her draft note with anyone else, such as Archbishop E or Bishop F. However, in a witness statement dated 5 July 2016, the Head of Resources stated that a note she had written was received and noted by the Bench of Bishops at their meeting in March 2011, which took place from 15-17 March. It seems likely that this was the draft note she had shared with the ISA.

571. Nor is it clear whether the new understanding of the ISA's role, or their expectation that an investigation would have taken place prior to the referral, was shared with the CPO; he did not recall knowing this.

572. It does not seem that any steps were taken to initiate an investigation even after this further prompt from the ISA that they would have expected one to have taken place. In 2016 it was stated that the Panel should have been reconvened to discuss the outcome from the police and the ISA and Archbishop E and Bishop F advised accordingly[217]. This would have been a good course of action, but may not have been an obvious one in light of the fact that the Panel had, I am told, been disbanded the previous year[218] and the lack of clear Church in Wales policy guidance in 2011.

573. This is consistent with Archbishop E's recollection was that no investigation was undertaken because of a belief that that the police had done all investigations necessary and concluded there was no criminal act involved and no evidence of a sexual relationship. In this context, it is relevant to note that Archbishop E's expectation, as indicated by the meeting notes of 14 June 2010, would have been that more documentation had been shared with the police than it seems actually was shared.

574. Archbishop E also reminded me that the advice from HR has been not to question AP directly as that was for the police[219], and that AP had had a lawyer with him at the 2 June 2010 meeting, and would no doubt also have had a lawyer

[217] This had been made clear in a subsequent issue of the Church in Wales' policy dating from 2014: see footnote 119.

[218] Although it, or a successor, still seemed to be in operation in 2016

[219] Although this was of course apt for the position before referral to the police, not after

with him if a church investigation had sought to interview him, who would no doubt have advised him to say nothing. However, the apparent admission in the 1999 Report might well have had a material impact, as might further enquiries of AP's friend.

575. Alternatively, the lack of action might have been because a response from the ISA was awaited. The ISA caseworker had responded on 3 February to say that the draft note had been escalated to her Operational Head who would co-ordinate a response. In her 5 July 2016 statement, the Head of Resources stated no further response was ever received.

576. Finally, at a late stage in this review, Archbishop E suggested that it was not constitutionally possible to refer a retired cleric to a disciplinary tribunal at that time, and that it only became possible by virtue of an amendment of the disciplinary rules in September 2010 to make specific reference to retired clerics, as a result of AP's case. This would provide a good explanation as to why a referral to a disciplinary tribunal was not discussed[220].

577. However, it seems clear that Archbishop E is confusing two different time periods. While the disciplinary rules were indeed amended in 2010, that amendment did not make any reference to retired clerics. The amendment to bring retired clerics unambiguously into the jurisdiction of the disciplinary tribunal was made in April 2017 following a 31 July 2016 Provincial Court decision in respect of a different cleric that the tribunal only had jurisdiction in respect of serving clerics. Until that cleric took the point in 2016 that the rules did not, on their true (if ambiguous) interpretation apply to retired clergy, there is no suggestion that anyone thought they did not apply to retired clergy. Indeed in at least one case in 2008, a disqualification from ministry was imposed notwithstanding that the Respondent had resigned all roles. Furthermore, the procedure added to the Bishop's handbook in around 2012 made clear that disciplinary procedures should be instigated even if a cleric had resigned[221].

578. The Head of Resources' 5 July 2016 statement indicated that after the March 2011 meeting of the Bench of Bishops, revised arrangements and procedures for the Bishop to handle complaints or concerns against clergy were agreed by the Provincial Safeguarding Committee and the Bench of Bishops. These arrangements gave authority for Bishops to seek the advice of a Provincial Safeguarding Panel on complaints which resulted in no further action for safeguarding but could result in a Bishop invoking the Disciplinary Procedure. Risk assessments could also be undertaken using the Safeguarding Panel, which would produce information which would support the Bishop in making a referral for discipline.

[220] Since there could have been concerns about retrospective application of changed rules

[221] See paragraph 582

579. The statement said that these were in place by June 2010, which must be a typographical error, since that is before, rather than after, March 2011.

580. The minutes of the Bench of Bishops in March 2011 confirm that a briefing note[222] had been circulated on the ISA's role, but that there was still a lack of clarity on when concerns should be reported to the ISA. The minutes indicated that further advice would be provided to the Bench in due course but meanwhile confirmation had been received from the Welsh Assembly Government that the Church's processes in this area met the requirements of the All Wales Child Protection Procedures. This seems surprising, in the light of section 4.3 of the Procedures[223]. It is open to doubt what question was asked to produce this assurance, and whether it focussed only on the position before statutory enquiries were concluded or specifically asked about the position after their conclusion. Neither Bishop F nor Archbishop E had any recollection of any discussion or of the note.

581. The Chairman of the Disciplinary Tribunal and the Head of Resources duly brought to the October Bench meeting a draft procedure for handling cases where safeguarding allegations or expressions of concern had been brought against clergy but secular agencies had not sought to charge. The aim was to enable appropriate action to be taken in cases where a criminal prosecution might not be successful but where legitimate concerns remained, with an emphasis on safeguarding other church members.

582. The Bishops asked for further work to be carried out and a comprehensive proposal brought back in 2012. There is no further reference to it in subsequent minutes, but it was added to the Bishop's handbook. The process made clear that a Clergy Disciplinary Procedure, with an independent investigation, should be instigated after the statutory authorities had completed their consideration even if they decided not to pursue a criminal investigation, and even if the cleric had resigned.

583. There is no clear evidence that anyone considered whether this procedure should be invoked in AP's case at any stage[224].

584. It is also notable that there is no reference to Provincial Safeguarding Officer K at any point in 2011; she continued not to be involved in the case.

Restoration of PTO

585. Meanwhile, on 11 February 2011, the ISA wrote to AP to confirm that he would not be placed on the Barred List. It does not appear that anyone took any steps to convene a meeting to consider what steps should be taken to close the case,

[222] Which unfortunately seems to have been tabled rather than circulated in advance, and has not been filed. It is presumed to be essentially the same as that sent to the ISA in January

[223] See paragraphs 403f and 406

[224] See paragraph 548 for one, disputed, suggestion that it was

such as seeking advice from the CPO on restoring PTO (if it is right that the Safeguarding Panel had been disbanded), placing an appropriate note on AP's personal file and/or his entry on the database, or considering a disciplinary investigation. On 10 March 2011 (before, it seems, the process note had been shared with the Bench of Bishops), Bishop F wrote to AP that he had heard from Archbishop E that the ISA had contacted AP to indicate that no further steps would be taken. As a result, his PTO in Swansea & Brecon was reinstated. Bishop F did not think he had asked or informed anyone about the restoration of PTO before he actioned it.

586. It is not clear that anyone had shared with him the police view from the previous summer that it was good that the church was taking action to prevent further ministry, and in any event this could have been understood as commending interim action pending investigation rather than encouraging permanent action.

587. The CPO did not recall being told that the ISA had confirmed to AP that he would not be placed on the Barred List, but Independent Officer K did recall being told by the Head of Resources[225].

588. It is unclear whether PTO in Llandaff was reinstated. Archbishop E's current recollection is that it was not restored, and no copy of any letter reinstating it has been found in AP's personal file[226]. Nor is there any record on the central database of AP having had PTO in Llandaff at any point, but this seems of little weight; the database does not record AP as having PTO in either Llandaff or Swansea & Brecon prior to March 2010[227] and so it seems clear that the database was not a fully reliable record.

589. It is not clear that there was then any clear process for notifying the diocese holding a cleric's personal file if another diocese granted that cleric PTO, as neither Bishop F nor Archbishop E knew what the procedure was, and Archbishop E even referred to the possibility of lifting a suspension of PTO orally.

590. More significant is that AP's name does not feature on the lists of those with PTO in Llandaff from either 2011 or 2012. In addition, there is a record of a DBS check for AP in 2014 for Swansea & Brecon[228], presumably for the periodic renewal of PTO, but no mention of Llandaff.

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[225] This suggests that Archbishop E told the Head of Resources as well as telling Bishop F, although the Head of Resources does not recall this.

[226] In 2011, the file would have been in Swansea & Brecon, and it is not clear how assiduous bishops were in copying such correspondence to the relevant diocese for logging on the file, or whether there was any central record-keeping system, so less weight can be put on this consideration than that in paragraph 590.

[227] It was added in March 2010 for Swansea & Brecon at the same time and by the same person as around 30 other clergy. This appears to have been part of a routine reconciliation exercise which took place every few years to check who had PTO according to the diocesan records but were not on the Representative Body's central database (or vice versa).

[228] The speed with which it was returned suggest that the check was clear, as would be expected if the ISA had decided not to include him on the barred list. Only blemished checks were referred to safeguarding

591. Against this, Head of Safeguarding K's notes for the Safeguarding Panel in 2016 state that the Archbishop informed her on 8 July 2016 that AP had PTO in Llandaff, and an undated handwritten note from Archbishop E to Bishop F which must have been written the following day[229] refers to AP having PTO 'in both our dioceses'. It may be that, five years after the event, Archbishop E simply assumed, wrongly, that he had restored PTO in Llandaff because it had been restored in Swansea & Brecon.

592. Archbishop E did not think he would have known whether AP had been ministering in Llandaff between 2011 and 2016, although Bishop F believes he was assisting occasionally in the Benefice of Neath, in Llandaff. Archbishop E also commented that AP could have assumed that both PTOs had been restored by Bishop F's letter of 10 March 2011. That letter did not refer to the reinstatement of PTO being for Swansea & Brecon specifically, and Archbishop E's previous letter of 2 June 2010 had covered suspension of PTO in both dioceses together. On balance, I consider it most likely that PTO was not restored in Llandaff.

593. I have found no suggestion that any of the CPO for Swansea & Brecon (or, if relevant Llandaff), the Head of Resources, Independent Officer K, or any Child Protection or Safeguarding Panel or Provincial Child Protection Committee were informed of the intention of Bishop F (and possibly Archbishop E) to restore PTO or that it had happened. It does not appear that the Representative Body's database administrators even knew that the PTO had been removed, let alone that it was reinstated; the database records indicate that PTO in Swansea & Brecon was held continuously from March 2010 to December 2016[230].

594. The Head of Resources initially did not recall being told, and told me she was shocked when she saw the Terms of Reference for this review to see that it had been restored (although it is hard to see that she would not have been told in 2016). On further reflection, she told me that Bishop F had told her in a telephone call that he was minded to grant AP a limited PTO, and that she believed she advised against this and suggested he ask the safeguarding panel to advise. This is difficult to reconcile with Bishop F's emphasis on his approach on following the advice of others, and I accept that when advice was given, he did routinely follow it. On balance, I do not think this is a reliable memory.

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or HR in 2014; I am informed that today all checks are compared with the safeguarding database on a weekly basis to highlight any applications by anyone with a safeguarding record, whether active or past.

[229] See footnote 234

[230] From 2017, a facility to hide a record from public display was introduced. Prior to that it appears that the only way of inserting cautionary information was through the notes field. There are no notes on AP's record. It therefore appears that the record was current and visible throughout, without any notes attached.

595. Independent Officer K also did not recall being told, although she does recall being told that the ISA would be taking no further action. Her notes in 2016 indicate that she did not know that PTO had been restored until then.

596. The 2016 letter to AP withdrawing PTO again indicated that failure to refer to the Provincial Safeguarding Panel had been a breach of the Church in Wales' safeguarding rules and procedures. However, no one I spoke to was able to identify any process which was in place in 2011[231] indicating that safeguarding advice should be sought, and even the 2012 Terms of Reference for the Safeguarding Panel said nothing about the grant of PTO or even licensing decisions except in the case of a CRB disclosure.

597. Nonetheless, one might hope it was common sense to seek safeguarding advice, perhaps from the Panel, the Diocesan Child Protection Officer, or the Provincial Safeguarding Officer, before granting or restoring PTO to someone about whom safeguarding concerns had been raised. In this connection, I note that in July and August 2010, after the confirmation that the police would take no further action, Provincial Secretary J noted that the Panel would decide on a recommendation to re-licence[232].

2016: Removal of PTO

Who was who

598. Bishop F remained Bishop of Swansea & Brecon, and Archbishop E remained Bishop of Llandaff and Archbishop of Wales.

599. Provincial Secretary Q succeeded Provincial Secretary J on 1 May 2016. Following the recruitment of an Assistant Provincial Safeguarding Officer in 2014, Independent Officer K's role as Provincial Safeguarding Officer was renamed Head of Provincial Safeguarding Service (often abbreviated to Head of Safeguarding), and the new Assistant Provincial Safeguarding Officer L renamed Provincial Safeguarding Officer L. At some point during 2016, the voluntary CPO was replaced by a new paid member of staff. The Head of Resources retired during 2016.

600. Archdeacon G had died in June 2011; Archdeacon H had died in 2013; and Bishop B had died in 2015.

Bringing together all the information known

601. The matter resurfaced in June 2016, when the file was called in for the Goddard Inquiry, subsequently known as IICSA. As part of this discussion, Bishop F told Head of Safeguarding K that AP had PTO in Swansea & Brecon. In consultation with the Head of Legal and the external legal adviser retained by the Church in

[231] One was in place by 2014

[232] See paragraph 545

Wales in connection with the Inquiry, it was decided that the appropriateness of having PTO needed reviewing by the Panel.

602. On Thursday 7 July 2016, at around 4pm, the Head of Resources found the 1999 Letter in her office, having been asked by the external legal adviser to conduct a thorough search of her office. A faded facsimile copy of it was found, together with the covering letter of September 1999 from Archbishop C's secretary, in an envelope amongst some other files on a shelf. She wrote a witness statement, she thought that same evening although it bears the date of 8 July, in which she said she had no recollection of why she had the envelope or where it came from and had no recollection of anyone passing it to her and asking her to hold it.

603. Head of Safeguarding K's personal notes indicate that the envelope was with papers which Provincial Secretary J had given to the Head of Resources on his retirement. It seems odd that this was not mentioned in the witness statement, but the Head of Resources told me she was in a panic when she first found the envelope, realising its significance and that the fact that it should have been disclosed long before, and thought she only worked out overnight that it must have been in the papers which Provincial Secretary J had given her.

604. Archbishop E, Provincial Secretary Q, the Head of Legal and the external legal adviser were all informed on 8 July, and agreed at a meeting to refer the matter to the Safeguarding Panel. Archbishop E disclosed on 8 July, I presume at this meeting, that AP had PTO in Llandaff[233].

605. On 9 July, Archbishop E wrote to Bishop F[234], enclosing a copy of the 1999 Letter. He confirmed he had referred it to the Safeguarding Panel, and asked if Bishop F had a file on AP. He stated in this letter that AP had PTO in both dioceses.

606. I do not know whether the typed copy of the 1999 Letter I have seen was also in the envelope which was discovered. The Head of Resources' witness statement, made the following day, does not refer to a typed copy, and no-one I spoke to could recall. Head of Safeguarding K recalls that the copy she saw the morning after its discovery was typewritten, as was the copy Archbishop E sent to Bishop F, and she did not think that the Head of Resources would have had it typed, but Provincial Safeguarding Officer L thought that a typed transcript was made at the time.

607. On 11 July 2016, Archbishop E sent to Provincial Secretary Q, Head of Safeguarding K, and the Head of Legal "the other papers I have in the safe on [AP] as well as [the 1999 Report]."[235] He confirmed that he had no letter from the

[233] See paragraphs 588ff on whether PTO in Llandaff actually had been reinstated.

[234] The note is undated, but refers to having seen the 1999 Letter for the first time the previous day. In his subsequent letter of Monday 11 July, Archbishop E also said "I had not seen the letter you showed me last Friday before", and 8 July was a Friday.

[235] For completeness, I was told that when accessed for this review, the 1999 Report was separate from the other documents referred to in the letter, which were contained in an envelope and each stamped

ISA, and that he "must have lifted AP's suspension verbally as he could find no letter."

608. The Panel met on 14 July 2016. Amongst others, Head of Safeguarding K, Provincial Safeguarding Officer L, and the lay member of the 2010 Panel were present; the CPO gave his apologies. The Panel had a file prepared by the Head of Legal detailing the history from a legal point of view, which I understand was essentially, if not precisely, the bundle prepared for IICSA. A safeguarding report and chronology were requested for the next meeting.

609. Provincial Safeguarding Officer L duly produced a chronology dated 2 August 2016. It is unclear precisely what documentation was available to Provincial Safeguarding Officer L in preparing this chronology. It is clear that the 1993 notes, the 1999 Letter, the 1999 Report, the 2009 Letter and the 2009 Memo were available to her, along with much if not all of the material I have seen from 2010.

610. The two most significant gaps I have been able to identify are Archbishop E's file note of June 2010, reporting amongst other matters on his telephone call with Archdeacon H, and Independent Officer K's case notes and aide memoire from 2010. Neither is mentioned, they were not with the papers submitted to IICSA and Provincial Safeguarding Officer L confirmed to me that she did not recall seeing any of them before. However, the file note appears to have been included in the papers sent by Archbishop E to Head of Safeguarding K on 11 July, as the covering letter referred to "my file note on meeting AEP", which was covered in paragraph 1 of the file note.

611. As a result, it does not seem that she was aware of some of the additional information contained in those documents but not elsewhere, such as the rumours of a possible "ring" and links between AP and Stephen Brooks[236]. She told me she did not recall either reading of this or being told of it in 2016.

612. At one point the chronology indicates that there are no records between May and October 2010, but it later quotes from records from June, July and August. At a later point it indicates that there are no records between August and November, which suggest that the handwritten notes of the meeting on 29 September 2010 were also not available to her, and she did not recall seeing them before this review. Indeed, there is no reference to the majority of Provincial Secretary J's handwritten notes, although there is reference to two of them. Since all were included in the bundle prepared for IICSA in 2016, on balance it seems more likely that all were available to her, but their cryptic nature meant that most were overlooked.

COPY. It is unclear whether the versions sent by Archbishop E in 2016 were marked copy, or if copies were made to store in the envelope.

[236] See paragraph 417

Removal of PTO and advice of the strategy committee

613. The Panel also recommended on 14 July 2016 that AP be asked to stand aside as a PTO. Bishop F and Archbishop E each duly wrote to him in identical terms the following day, saying that it had emerged that the matter of restoring PTO in Swansea & Brecon in 2011 was never referred to the Provincial Safeguarding Panel, which was a breach of the Church in Wales' safeguarding rules and procedures. It was good practice to implement the recommendation promptly.

614. It is unclear that there were in fact any known safeguarding rules and procedures for referring such matters to the Provincial Safeguarding Panel in 2011; no-one I spoke to was able to identify any.

615. In contrast to 2010, it seems there was no personal contact: when Head of Safeguarding K and Provincial Safeguarding Officer L met AP on 25 October 2016, he said that he had received no proper explanation as to why his PTO had been removed at this point in time, and apart from receiving a letter to say this was the case, no-one had discussed it with him.

616. The Panel met again on 2 August 2016. The attendance was the same, without a record of the CPO's apologies. The chronology which had been prepared was discussed, and a good summary of the issues arising and the various matters for concern is recorded in the minutes. A decision was made to send it and all other available documentation to police and social services. It was duly sent the following day to the Senior Social Worker in the Children's Central Advice, Referral and Assessment Team and later forwarded to Principal Officer and Chair of Strategy Meetings P.

617. It does not seem to have been sent immediately to South Wales Police, as they would not give an address to send it to and simply said a police officer would be in touch, but the police were ultimately appraised, and a strategy meeting was held with the police, social services and Provincial Safeguarding Officer L on 6 September 2016.

618. Provincial Safeguarding Officer L's notes record that the police felt there was no new information in the 1999 Letter, and stood by the 2010 decision to take no further action. Particular emphasis was placed on the fact that XY had died, and it was felt pointless to interview AP without a victim witness.

619. There was express discussion about the fact that no investigation had taken place. The police felt that the Church should have investigated following the 2010 police report; and Provincial Safeguarding Officer L explained that the Church had thought that the ISA would investigate, and there had been confusion when it did not.

620. On 14 September 2016, Provincial Safeguarding Officer L briefed Head of Safeguarding K, Archbishop E, Bishop F and the then Chair of the Safeguarding Panel that the police would take no further action, and recommended that PTO

should not be reinstated. It was agreed that Provincial Safeguarding Officer L and Head of Safeguarding K would meet AP, which they did on 25 October 2016.

621. It is not clear to me why this news was broken to AP by the safeguarding team rather than his bishop but minutes of a later Safeguarding Panel meeting on 8 November 2016 record that Head of Safeguarding K and Provincial Safeguarding Officer L felt they should take the lead on meeting AP. Bishop F could not recall why he had not done it personally. Archbishop E was in hospital in November 2016 followed by a period of recuperation.

622. Provincial Safeguarding Officer L told me she recalled that Bishop F believed the pastoral relationship which he had to maintain with AP would be more difficult if he had to deliver the message that PTO would never be reinstated, and that he felt that as it was a safeguarding recommendation, it should be safeguarding who delivered it.

623. While I consider it was good practice for the news to be broken in person, I consider it would be better practice for the bishop, or, where appropriate, a delegate such as an archdeacon, to undertake the task. This is for both pastoral and safeguarding reasons: it enables pastoral care to be offered simultaneously, but also demonstrates clear safeguarding leadership. It is the ultimately the bishop's decision whether or not PTO should be granted or withheld, acting on advice from safeguarding professionals, and the bishop should therefore take clear responsibility for it.

624. Instead, the impression conveyed on my reading of the written communications was one of reluctance and compulsion: for example, Archbishop E's later letter on 16 January 2017 stated that as it was the unanimous decision of the Safeguarding Panel that PTO should never be restored "as bishop, I feel I have no choice but to do as they recommend". Archbishop E's view is that it was not indicative of reluctance or compulsion and was simply to show that the decision was not an arbitrary or unilateral one on his part, but I consider that would have more force if the language had indicated that he accepted the recommendation, rather than that he felt he had no choice. That said, a similar impression had been conveyed in previous letters removing PTO (including those of 15 July 2016, which appear to have been drafted by the safeguarding team).

625. In passing I note that AP asked on 25 October 2016 if he could have a copy of the 1999 Letter. This was refused on the advice of the Church in Wales' internal legal services, which was good practice. He also asked if he could have occasional Permission to Officiate, notably for his upcoming 50th anniversary of priesting and funerals of friends. The former was granted, but the latter refused, which was also good practice.

626. On 5 Dec 2016 Bishop F wrote to AP to say he could not be at his 50th anniversary of priesting. Once again, I consider the tone was inappropriate. He stated "I would be more than happy for you to indicate at an appropriate point in the

service that I send my good wishes and that I am very regretful at not being able to be present. The Diocese and the Church in Wales have a huge amount for which to be grateful to you and I do hope that your celebration, albeit on a smaller scale than any of us might have wished, goes well as a thanksgiving for your faithful ministry."

627. Meanwhile, strategy meetings took place with the police and local authority on 9 November and 5 December. The final formal conclusion was of unsubstantiated concerns, on the basis that there was insufficient evidence that abuse had taken place but all agreed that something improper had occurred. It was recommended that the concerns should be referred to the Disclosure and Barring Service, and agreed that the minutes could be disclosed for that purpose, but noted that the decision on whether to do so rested with the Church in Wales' Safeguarding Panel.

628. The Panel met on 14 December 2016, and agreed the strategy committee's recommendation that PTO should not be reinstated. Provincial Safeguarding Officer L wrote to AP on 10 January 2017 to confirm this, making clear that no further exemptions would be granted, and a copy of her letter was sent to Bishop F. I am told that this letter is on AP's personal file, which is good practice in case any further requests were received. Archbishop E also wrote on 16 January 2017 to confirm the decision.

DBS Referral

629. The question of making a DBS referral does not seem to have been discussed on 14 December 2016, and although it was discussed on 15 February 2017, it was agreed only that Provincial Safeguarding Officer L should discuss with HR and "possibly" refer to the DBS. The advice from HR seems to have been that it was unnecessary given AP's failing health and age.

630. Provincial Safeguarding Officer L brought this proposal to the Panel on 18 September 2017, suggesting that since there was now a new Head of HR, seeking ratification from them in addition would also be wise. Ultimately, after seeking advice from the legal department, including the external adviser brought in for IICSA, the decision was that further referral was unnecessary as the initial concerns had previously been referred and the letter discovered in July 2016 had not substantially offered any new information. The external legal adviser also recalled that as AP would not be ministering again in any event and the police were clear they were not going to reopen matters, there was no point in a further referral.

631. While I do not consider this decision was indefensible, I do not think it was good practice.

632. As indicated above, much of the relevant information and documentation, including in particular the 1999 Report and the detail that XY might have been 15

at the time, had not been shared with the ISA in 2010. It is unclear whether the legal advisers were shown a copy of the actual 2010 ISA referral before giving their advice; Head of Safeguarding K could not recall and thought they might all have assumed, wrongly, that everything had been shared in 2010. While the legal advisers certainly did have a copy at an earlier stage, in the context of compiling the bundle for IICSA, they might or might not have remembered it.

633. The fact that AP would not be ministering again did not guarantee that he would not volunteer for another role involving children.

634. In all these circumstances, there was still no investigation by anyone, and more potential witnesses had now died. In addition to Archbishop C and the Ministry Officer, who had died before the HCR started in 2009, Archdeacon G, Archdeacon H and Bishop B had all died between 2011 and 2016. AP was still not asked for his account of what had actually happened and whether there were any further incidents with other children to disclose and nor was AP's friend interviewed.

Appendix 3: Who was who at different times

INDIVIDUALS REFERENCED BY INITIAL	1993	1999	2009-11	2016
Bishop A	Retired. Previously Bishop Swansea & Brecon	retired	*deceased*	*deceased*
Bishop B	Bishop of Swansea & Brecon	retired	retired	*deceased*
Archbishop C	Archbishop of Wales & Bishop of St Asaph	Archbishop of Wales & Bishop of St Asaph. Retired June 1999	*deceased*	*deceased*
Archbishop D	Bishop of Monmouth	Bishop of Monmouth. Also Archbishop of Wales from December 1999	Archbishop of Canterbury	retired
Archbishop E	Bishop of Bangor	Bishop of Bangor/Bishop of Llandaff	Bishop of Llandaff and Archbishop of Wales	Bishop of Llandaff and Archbishop of Wales
Bishop F	*n/a*	*n/a*	Bishop of Swansea & Brecon	Bishop of Swansea & Brecon
Archdeacon G	Archdeacon of Gower[237]	retired	retired	*deceased*
Archdeacon H	*n/a*	Archdeacon of Brecon/Archdeacon of Gower	retired	*deceased*
Archdeacon I	*n/a*	*n/a*	Archdeacon of Brecon. Chair of Child Protection Committee from mid 2009	retired
Head of Corporate Services/ Provincial Secretary J	*n/a*	Head of Corporate Services	Provincial Secretary	Provincial Secretary. Retired Summer 2016

[237] Role corrected March 2026. This entry previously mistakenly read 'Archdeacon of Brecon'.

INDIVIDUALS REFERENCED BY INITIAL	1993	1999	2009-11	2016
Independent Officer/ Provincial Safeguarding Officer/ Head of Safeguarding K	*n/a*	*n/a*	Independent Officer for Historic Cases Review (seconded). Directly employed by Representative Body from 1 January 2010. Provincial Safeguarding Officer from July 2010.	Head of Safeguarding
Provincial Safeguarding Officer L	*n/a*	*n/a*	*n/a*	Provincial Safeguarding Officer
Detective Sergeant M	*n/a*	*n/a*	Detective Sergeant, South Wales Police	*n/a*
Detective Chief Inspector N	*n/a*	*n/a*	Detective Chief Inspector, South Wales Police	*n/a*
Chair of the Strategy Committee O	*n/a*	*n/a*	Local Authority employee. Chair of multi-agency strategy meeting	*n/a*
Chair of the Strategy Meetings P	*n/a*	*n/a*	*n/a*	Local Authority employee. Chair of multi-agency strategy meeting
Provincial Secretary Q	*n/a*	*n/a*	*n/a*	Provincial Secretary from Summer 2016

OTHER INDIVIDUALS REFERENCED	1993	1999	2009-11	2016
XY	Victim	*ditto*	*deceased*	*deceased*
ZA	Victim's parent/guardian	*ditto*	*ditto*	*ditto*
AP's Friend	Friend of Anthony Pierce	*ditto*	*ditto*	*ditto*
CPO/Child Protection Officer for Swansea & Brecon	*n/a*	Volunteer Child Protection Officer for Diocese.	Volunteer Child Protection Officer for Diocese. Also member Safeguarding Panel	Member Safeguarding Panel, retired during course of year
Head of Legal	*n/a*	*n/a*	*n/a*	Head of Legal Services, Representative Body
Head of Resources	*n/a*	*n/a*	Head of Resources, Representative Body	Head of Resources, Representative Body
Ministry Officer	*n/a*	Ministry Officer, Church in Wales	*deceased*	*deceased*
Secretary-General	*n/a*	Secretary-General, Representative Body	retired	retired
External Legal Advisor	*n/a*	*n/a*	*n/a*	External lawyer advising Church re IICSA inquiry
Children's Commissioner for Wales	*n/a*	*n/a*	Children's Commissioner for Wales	*n/a*

Appendix 4: Schedule of contributors

Those interviewed

ZA
AP's friend
Archbishop D
Archbishop E
Bishop F
The CPO
Provincial Secretary J
Head of Resources
Independent Officer K
Current General Counsel & Head of Legal Services

Those who answered written questions

AP
The other ordained member of the Safeguarding Panel
Provincial Safeguarding Officer L
Detective Sergeant M
Provincial Secretary Q (on procedure only)
Archbishop Andrew John (on procedure only)
Bishop Gregory Cameron (on procedure only)