

14 APR 2022

10-04-22

FAO: Maggie Atkinson, ISB  
CC: Archbishops of Canterbury & York

Dear Maggie,

**Re: Preliminary Assessment of Possible ‘Case to Answer’**

You will have received the letter from ++Justin and ++Stephen yesterday, setting out their hopes for an expeditious and urgent preliminary assessment of whether there is a “case to answer” in respect of the issues I have raised in relation to the NST, Diocese/Bishop of Oxford, the conduct of Winckworth Sherwood in the deliberate “weaponization of safeguarding”, serious systemic failures in safeguarding process, misconduct, incompetence and malfeasance. As I think the letter from the Archbishops made clear, their request was not inviting you to be judge or jury, or investigator-prosecutor either. All that needs determining now, on the basis of the very small sample of material submitted, are the following: (1.) Is there a potential case to answer? and (2.) If so, how is this best done?

I have already indicated my strong preference for an Independent Review (with the kind of range and scope of Lord Carlile’s review of the Bishop George Bell case). [NB: I am assuming you are familiar with the *Carlile Report*? It is available on-line or I can send you a link if you have not engaged with it before]. This should in no way be taken as a criticism of the nascent ISB. Rather, it recognizes for the ISB to be properly established and configured, this case is hardly the one to be cutting its teeth on. For reasons previously set out, and for others that will become apparent upon reading the two attached documents, this case is already legally complex, and it is extremely hard to see how anyone who is not a Law Lord, Judge, Senior QC, Barrister or Solicitor with experience of leading Independent Inquiries could manage the volume of material already accumulated, let alone further interviews to be conducted with witnesses.

I understand both Archbishops wishing to dial-down, deflect, manage and contain the scale of the issues an Independent Inquiry need to address. However, legal experts and charity lawyers consulted believe this may be one of the most significant cases/critical incidents in UK charity law, compliance and regulation during the last fifty years. The conduct of senior CofE personnel, NST, Oxford Diocese, Archbishops’ Council and church lawyers form a significant focus for concern. Whilst our issues are different from those featured in films such as *Spotlight* (2015, on the Roman Catholic Church in the USA), following the *Boston Globe’s* investigation, the Archbishops’ Council should not underestimate the gravity of these issues and allegations that need to be addressed.

I have no wish to pre-empt your consideration of the documents attached, but I can confirm that they amount to only a very small fraction (literally less than 1% of what I hold), and so all the two files can do at this stage is indicate a direction of travel. If, on the basis of what you read, you believe there may be ‘a case to answer’, the next issue is how and who can take this forward, and in what kinds of timescales?

On that, we are severely constrained by timings – at least initially. As I have already indicated, and confirm once again, a decision to undertake a robust Carlile-type Independent Inquiry, led by a legally-qualified person of seniority and standing, would be at this stage, sufficient for us to pause the proposed donor-strike, stewardship-boycott, pending the outcome of the Inquiry and any recommendations implemented. However, at the same time, I will be leaving my post here at the end of this month, and the Church of England too. With safeguarding having been “weaponized” against me for more than two years (indeed, it is ongoing), an unaccountable Bishop who refuses to accept my CDM determination (the Bishop states he “reads the determination of Judge Asplin differently” to the rest of us), clear evidence of incompetence, misconduct, cover ups and malfeasance, it is neither safe or wise to remain in such an institution.

Clearly, that decision must be explained in some public-media fora, otherwise I am very likely to be exposed to yet more ‘dirty tricks’ from Church Communications/PR, who will doubtless use my departure as some means for further impugning my reputation. This prompts me to say to both Archbishops, and for noting, that in the event of further briefings against me by Communications/PR (whether for the Bishop of Oxford by Steven Buckley, CHW, LP or other parties), the proposed donor-strike, stewardship-boycott and associated actions will immediately commence. I will leave this with the Archbishops as how best to brief Oxford Diocese.

In terms of reporting back, may I suggest a fair and equitable way forward? Given that there is no confidence in complaints procedures operated by the Archbishops’ Council (e.g., dismissed my complaints and criticised me for trying) or Diocese of Oxford (e.g., brazen whitewashing; declining to interview me or take my evidence; and then exonerating senior personnel), a similar outcome will be unwelcome. May I therefore suggest that both parties receive your draft (preliminary) findings and recommendations at exactly the same time, and have an identical (short) timeframe to respond to any queries or matters of fact that need clarifying? (Presumably in the event of any preliminary finding that there was ‘no case to answer’, wider dissemination of these issues and concerns cannot pose problems).

Finally, I will be meeting with senior managers and legal personnel from the Charity Commission towards the end of this month in Oxford. I would obviously hope to convey to the regulator for charities (i.e., this includes the Diocese of Oxford and Archbishops’ Council) that the gravity and volume of these issues is now, finally, being seriously addressed in such a manner that an Independent Inquiry and its outcomes could command respect. Here, we are currently in your hands, at least for this preliminary stage. If you want to speak about some of the documents I have supplied in the two attached files, or require further clarifications of any kind, please do get in touch [REDACTED]

With kind regards. Yours sincerely,



**The Very Revd. Prof. Martyn Percy**