

Statement from Survivors and Victims Re Proposed Safeguarding Practice Review

We note the CofE has announced its first Safeguarding Practice Review. Whilst we will usually welcome authentic independent reviews into safeguarding, we note again with concern and sadness that there has been no consultation in the setting up of this Review concerning the membership of the Panel, despite requests that victims and survivors would be offered that.

Our response to the CofE announcement must therefore raise questions over the competence, conflicts of interest, and the potential for further miscarriages of justice in such reviews.

It is essential to have a Conflicts of Interest Policy and Register of Interests completed by all those working on this review, which will need to include the secretariat. We have no idea who the administration and oversight of the proposed Review are taking instructions from. Mr Nye and/or the Archbishops' Council and the Bishop/Diocese of Oxford seems likely. But since all these persons/bodies are also **subjects** of complaint in this Review, it is going to appear, yet again, that the CofE does not understand the most basic principles of justice.

Both Archbishops have repeatedly and publicly stated that "we cannot be seen to be marking our own homework on safeguarding anymore". We agree. But the Review risks attracting a high degree of suspicion from the outset. Because it appears that the CofE has **set** its own homework this time, and just hand-picked its preferred examiners to mark it. That is currently indisputably the case, but this hardly constitutes an ethically credible advance.

We have requested a clear account of who the Review will answer to. That would inform us as to whether or not this proposed Review, and indeed any future ones, are likely to be independent. We need to know why the Reviewers are suddenly in such a hurry (having waited over three years for this particular review) yet don't seem to have completed the most basic entry-level checks on their potential Conflicts of Interest and Registers of Interests.

We would like to engage with this and future reviews, but in the absence of transparency, accountability and clear parameters of fairness at the outset, we have the same problems and issues as before. The lack of independence once again raises questions as to the basic lack of competence, integrity and probity at the heart of CofE safeguarding.

A proposed Review was agreed in September 2020, and it was agreed by Bishop Jonathan Gibbs, Melissa Caslake and Zena Marshall who promised there:

“an independent KC or judge-led inquiry into the deliberate weaponisation of safeguarding perpetrated against me by church lawyers, PR agents, senior clergy and church officers, who had jointly and severally conspired to manufacture seven allegations in a six month period, and with intent to cause personal, reputational and financial damage”.

If the Review is not undertaking this work, we see no point in engaging with it. We also note that Bishop Gibbs informed us in September 2020 there was now an NCI/NST written Conflict of Interests policy in place for safeguarding issues. There is not. For this Review to proceed we must know the Panel have demonstrated their “due impartiality” with properly registered declarations of interest, encompassing actual, potential or perceived conflicts of interest.

For example, if anyone on the Review Panel ever worked with/for Mr. Nye, that must be disclosed, and then it can be considered as to whether it constitutes a conflict. We expect the same on membership of Dining Clubs, Associations (e.g., Freemasons) and the like. If anyone on the Panel has or had a working relationship or friendship with any employee of Winckworth Sherwood, Luther Pendragon or Ineqe, that would need to be disclosed. Likewise, other lawyers previously used by the Bishop of Oxford, NST or Archbishops’ Council. It would render the Review inherently unsafe before it even commenced. The only way of ensuring bias is addressed is by full transparency.

We assume the Review Panel will not find that in any way difficult to comply with. The same standards of probity, integrity and transparency must equally apply to any Reviewer appointed.

We have assumed that the Review is sincere in stating that safeguarding practice is to be reviewed. Winckworth Sherwood and senior clergy wrote grossly defamatory bogus Risk Assessments against the then Dean of Christ Church, Martyn Percy. These Risk Assessments claimed to be official Church of England documents.

The Bishop of Oxford defended this fakery. The primary author of the documents then achieved ecclesiastical preferment, and with a glowing reference written by the Bishop of Oxford. Dr. Croft has repeatedly told his Diocesan Synod that all proper processes had been followed, that his lawyers have done nothing wrong, and that everything done to Prof. Percy by his colleagues was legitimate.

Bishop Croft also decided that the CDM proceeding against Prof. Percy – despite being dismissed by a High Court of Appeal Judge - was “inconclusive”, and that he could therefore be subjected to further prosecution, which he then supported. He unilaterally removed the Dean’s designated pastoral support because their advocacy was too effective, and not to his liking. The proposed Review claims it will engage with:

1. “The National Safeguarding Team and the Diocese of Oxford as well as material from Clergy Discipline Measure (CDM) proceedings.”

We do require absolute clarity, unambiguous certainty and complete commitment from the outset that this Review will not seek to re-run or overturn the CDM.

2. “It will not look at the wider issues between the former Dean and the College.” This is a perverse sentence, as senior clergy at Christ Church used and abused CofE safeguarding procedures to cause the Dean personal, financial and reputational damage, and worked with Winckworth Sherwood and Luther Pendragon to achieve this end. That evidence is in writing. As the primary false charge Prof. Percy faced in 2018 was “conduct of an immoral, scandalous and disgraceful nature”, which was spun with gaslighting to infer inappropriate sexual behaviour, we cannot see how this is deemed irrelevant.

Therefore, we seek confirmation that the investigation will review the conduct of any senior clergy and church officers who deliberately misused and weaponised CofE safeguarding processes, including those engaged in perpetrating innuendo and gaslighting dating from 2018.

Likewise, gross incompetence by Oxford's DSA and the Chair of the Diocesan Safeguarding Panel in 2020 (i.e., took no minutes, allowed prosecutors to sit in on the Core Group and shape the investigation, etc) needs reviewing. As do cover-ups perpetrated by several senior diocesan officers and clergy.

3. "The review will take the form and structure of a Safeguarding Practice Review." The seventh safeguarding allegation Prof. Percy faced was brought by an individual who appears to have been holding student-related safeguarding roles in two different colleges without being a matriculated student of the University (yet most were misled to believe otherwise). Some later claims about employment status made to a newspaper appear to contradict earlier testimony to Thames Valley Police, HM Courts and the CDM. There are also issues of how a right-to-work visa was obtained, and later retrospective references that appear to provide covering support for a new narrative that was at odds with the original. The Bishop of Oxford, NST and Archbishops are well aware of these issues, and the potential malfeasance has a direct bearing on the integrity and security of diocesan safeguarding practice.

We seek confirmation these matters are fully in scope of the review.

We have also requested confirmation in clear, plain and unequivocal terms, that the Review Panel is EqA and GDPR compliant, completely independent of Archbishops' Council, Mr. Nye (or anyone working with/for him), or any person working for/connected to Winckworth Sherwood (which will include Inege and Luther Pendragon, who work for Winckworth Sherwood). And that the Panel possesses full authority for this Review, not those setting Terms of Reference from behind the scenes, who remain undetected in the shadows.