

RESEARCH ARTICLE

# The Post Office at Prayer? Auditing Risk and Practice: A Safeguarding Appraisal

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## Abstract

Multiple instances of safeguarding failures and criticisms of poor process and weak governance have afflicted the Church of England for many years, despite repeated assurances that ‘Lessons would be learned’. An Independent Safeguarding Board has been formed and then abolished without being replaced. A report by Professor Alexis Jay, former Chair of Independent Inquiry into Child Sexual Abuse, recommending the creation of two independent charities to oversee Church safeguarding has been passed to a Response Group and is being resisted by various groups within the Church. This article examines issues of the management of safeguarding within the overall governance of the organisation, compares issues within the Church with those which have been exposed by the Post Office Horizon scandal and considers the potential role of the audit function to concern itself with safeguarding matters as part of its oversight of risk management and corporate governance.

**Keywords:** Audit; Audit Committee; Christ church; Church of England; governance; risk management; safeguarding

## Introduction: Work in Progress

One of the tasks that befell the chaplain of a bishop who dies suddenly is to sort out his papers. Alan Wilson had been Bishop of Buckingham for two decades and the paper trail was vast. There was also his laptop and phone and of course his emails.

My first priority was confidentiality. It wasn’t so much to do with him as the people who had entrusted their stories to us. I wanted to be able to say, utterly truthfully, that no one other than me could access anything told to us privately.

As you might imagine it was complex. Our custom, as good practice, was to listen to people’s stories together. If it was an on-the-record conversation, I would make notes with which we would all agree and those notes would be lodged in the appropriate clergy files. That is a well-defined track. An issue regarding safeguarding in the archdeaconry would be logged with the Diocesan Safeguarding Lead and due process followed.

In amongst Alan's papers, I rediscovered a mind map, which we had created as part of the preparation for the book on safeguarding we wrote together in 2019. It shows 24 different strands of abuse and well over 100 people. Here was another world which was quite different from the in-house Diocesan work.

Our involvement began with a phone call from a journalist. She asked Alan about safeguarding in his area and when he wanted to know why she was asking, she replied that she wanted to find out if all CofE bishops are liars like the one she'd just interviewed. Red lights came on! Eventually, the person at the centre of her inquiry went down for 8 years, but the task of bringing him to justice was made much more difficult because of the extent of cover-up within the church.

This phone call set us on a journey. We had always been concerned about safeguarding in church, but it became obvious to us that there was something radically wrong. We met a group of abuse survivors at a law firm in London and became involved in listening to them and supporting them in various ways. Others began to get in touch, and we became increasingly disturbed by what we heard.

It goes without saying that the story the church tells itself about safeguarding is basically a good one. We are like kindly shepherds tending their sheep. Anyone in need gets tender care. Things may indeed need improving, but basically, we are the good guys.

Our question became: 'How do *survivors* experience the work of the church?' Everyone, every single person who came to speak to us, told us that their lives got worse once they had reported their case. Many would say that the way they were treated amounted to re-abuse.

People came and sat on Alan's sofa and talked, and sometimes wept. At times, we were there for a long time and barely said a word. It was so important because we listened and we believed them. Many of these people have become good friends and they are the real experts in the world of safeguarding. It was heartbreaking that there was so little that we could do, but we were learning that listening, not a half-hour appointment, but as long as it takes really matters.

If you cut Alan, he would bleed pastoral. This work sprang from his faith and his humanity, and it was Alan at his best. As time went by we heard the stories of some of the most egregious wrongs of our time. Many of them have still not been attended to because, although the church frequently apologizes, it cannot manage to do differently.

Over the years a pattern emerged. The church's overarching priority seems to be to stay out of trouble. Seven particular behaviours stand out from all the mess:

- There is a lot of cover-up and secrecy at every level
- The response is bitty and fragmented
- There is a lot of evasion 'Mistakes were made but not by me'
- Multiple apologies are issued to try and contain the situation. This is a necessary, but small, part of good process. One survivor told us how angry he felt when he saw an Archbishop apologizing profusely, (yet again) and saying how ashamed he felt. 'Doesn't he realize' said our friend, 'this is not about his feelings but the damage the church has done to us. If he really wants to apologize he should just pick up the bloody phone when I call'.

- Survivors are often blamed for what happened to them. Blame the victim and paint them as damaged and difficult.
- The claim is that it's different because we are the church. We mark our own homework and you must simply accept that is the way we do things.
- Frequent horse trading over compensation, which is degrading to everyone involved.

A picture was emerging about what people experienced when they reported their abuse. It was not a good story. There was the *blanking*. It can take someone many years to find the courage to disclose, and once they do, they need and expect a response. So often, the system is extraordinarily slow and lacks properly designed lines of communication.

People already in pain feel completely ignored, and this lack of engagement is experienced a *contempt*. Sadly this is because that is exactly what it is. One bishop in a well-known Anglican case that came to the Government inquiry was overheard by the local undertaker. He was explaining to his anxious archdeacon in a café that he need not worry about a survivor who was reporting having been raped in a vicarage. In his experience, they could just ignore him. 'They always go away in the end.'

It was so clear that there was a massive *inequality* of power in every safeguarding situation. Alan enjoyed the image of a plate of eggs and bacon. The contribution to the breakfast dish by the chicken and the pig is disproportionate. The hen gives everything she can manage every day, but the pig gives everything he is. Whenever the church is tempted to play the victim card with abuse survivors, it has to remember the pain and suffering involved are not equal on either side.

Then we found the big taboo. This is a church that always kicks difficult matters into the long grass by deciding that we need to do more theology before reform is possible. It turns out that theology is the problem.

Alan and I sat for a long while listening to a really tough story of domestic abuse in the church. There were plenty of failings, the church had a lot to apologize for and the pain was immense. We reached a point where we could draw to a reasonable and friendly close, but as the person put their hand on the door handle, they turned and said: 'Of course it was the theology that did it'. I will never forget the chill that ran down my spine as I realized they were right.

We came back again and again to the one basic question: 'What kind of a God do you believe in?' Angry? Patriarchal? An idolatrous reflection of us? If you believe in that sort of God and that picture of salvation, it is a small step to believe that, as a leader, you are his representative. You will feel justified in being angry and patriarchal in the way you treat others. It's the way religion works. As a true believer, you are likely to become like the God you worship. In the safeguarding world, this is especially the case when there is a thin, mean and judgemental theology of sex.

As we began to contemplate the idea of a book, we started to dig deeper into the systemics of abuse. For far too long, the Church has seen the abuser as the rotten apple in the barrel. This seemed to be a lazy form of scapegoating, absolving the institution from responsibility for what has happened. The reality is that Churches are complex systems founded on many levels of interactions and relationships, both present and historic. There is no such thing as a lone abuser. Every act of abuse involves at least three people; the abuser, the victim and those in the context that enabled it and the cover-up that followed.

As Alan and I were thinking this through, we were invited to give a lecture as part of a course run in Rome, which is a required diploma for Catholic leaders, lay and ordained who have responsibility for safeguarding in their Diocese. It was a wonderful mix of people from Europe, Africa, South America and Asia. To a greater or lesser extent, the common language was English. Our task was to discuss the systemics of abuse in church from an Anglican perspective. We gave an overview and then explored two basic questions in the light of four iconic cases. Their questions were simple: How was it possible for this to happen, and why was it covered up?

The first case we examined was that of Peter Ball. In 2015, he was eventually convicted of misconduct in public office and multiple indecent assaults against young men. The evidence in court was about abuse over 20 years but there was good reason to believe his behaviours went on for over 40 years. Questionable behaviours were evident back in 1960, and when he became a bishop and began the venture 'Give a year to God', boys and young men came to live with him in a private part of his residence.

It emerged later that Ball was part of a network of abusive priests who trafficked boys among themselves. It was this Chichester ring which gave rise to the journalist phoning Alan in the first place.

After much suffering and a suicide attempt, one of Ball's victims, Neil Todd, had the courage to come forward, but Ball wasn't prosecuted and resigned through ill health. He was never put on the register of sex offenders, and after a very few years, he quietly began various forms of ministry again. When, at long last, the enquiry that led to his conviction began in 2008, the stress of reopening the whole story was too much for Neil Todd, and he took his own life.

There were so many red flags! How could the institution be so blind and so careless of the life of its most vulnerable? Peter Ball was able to project himself as a uniquely holy man to a Church which was afraid of losing its hold over young people and desperate for a spiritual leader who seemed to have the magic touch with teenage boys. Therefore Church leaders began to romanticize Ball's ministry, while ignoring the reality of it. For years, major figures in church and state refused to think Ball might have been doing anything wrong. In 2018 the former Archbishop of Canterbury, Lord Carey said 'I could not believe that a bishop . . . could be capable of doing such evil things'. Ball was very skilled at exploiting the British class system, with its structured inequality, in order to hide what he was doing. It shows that abuse thrives on the inequality and deference that is widespread in the English establishment.

The second story is equally well known and sadly as yet unresolved. The report into the Smyth abuse is at the time of writing over 1500 days overdue. John Smyth was known as one of the youngest and most brilliant barristers of his day. He was often in the public eye because of the high-profile cases he worked on. He specialized in matters of public morality and took a very conservative stance on sexuality, particularly homosexuality, actively prosecuting gay and lesbian men and women.

At the weekends, he would go home to Winchester, a Cathedral city in Southern England, and he would take young men to his garden shed, strip them and beat them with a cane until they bled. He met these young men through a network of Christian camps. They were run by the Iwerne Trust with the express aim of creating, from amongst the elite from the top public schools in the country, the next

generation of church leaders and populating key senior positions in the country. This Trust was in many ways successful in its aims and many Conservative Evangelical leaders of the Church of England in the past 40 years were formed, perhaps groomed, there. These included the founder of the Alpha Course, Nicky Gumbel, and the present Archbishop of Canterbury, Justin Welby.

With his conservative evangelical theology, Smyth used guilt and shame to exploit young men's desire to be the best they could be for God. He instituted a brutal regime of purifying punishment. He told vulnerable young boarding school boys, separated from their parents, 'God is your Heavenly Father, but I will be your earthly father. A good father disciplines his children'. He was beating them for Jesus. It also seems that he derived sexual gratification from imposing this punishment.

These violent manipulative experiences caused unspeakable damage to many of their victims. Many suffered long periods of mental ill health and found that the abuse had damaged their ability to form relationships.

A secret report was carried out by the trust in 1982 on these abuse allegations. It was circulated amongst a small group of men within the Titus Trust but not made public or sent to the police.

Winchester College, whose pupils were among the alleged victims, was informed of the allegations but the college also failed to report Smyth to the police. Instead, the headmaster asked Smyth never again to enter the college or contact its pupils.

With the collusion of some very senior trustees, Smyth moved to Zimbabwe, where fresh allegations arose of physical abuse of boys at holiday camps he ran. The naked body of one, Guide Nyachuru, was found in a camp swimming pool in 1992. Smyth was arrested and faced charges of unlawful killing. The case fell apart in 1998 and Smyth made a hasty move to Cape Town where he remained until his death in 2018.

It took an investigation by Cathy Newman of Channel 4 News in 2017 to reopen the case. The Iwerne Trust had covered up the truth for 30 years. Survivors feel that Smyth's death deprived them of the justice that was due to them 30 years earlier. Smyth was hiding in plain sight. A lot of senior church people knew at least part of this horror but the systemics worked to protect the institution and its reputation rather than the victims.

This story is deeply embedded in the hierarchical class structure of English public schools at the time. Boys who were good at sport, or aspired to become leading lawyers like Smyth, found him an inspiring figure and felt special when he took notice of them. But why the cover-up? There is a long trail of lies and pretending that resulted in enabling Smyth to have contact with young people in Africa, paid for by socially prominent supporters who knew he had been banned from contact with young people in England. The Team loyalty of the Iwerne Trust protected one of their own. As the rumours circulated, Church authorities heard something had gone wrong but simply put them in their Too-Difficult box. Excuses were made that Smyth wasn't Anglican – he was in fact a licenced lay minister in Winchester. Nobody felt they could open the case, so the scandal simmered on in the shadows for 30 years.

As Alan and I discovered more, another theological twist came into play. With both Peter Ball and John Smyth, some Christians felt there was no need to take action because God had already forgiven them. Forgiveness is a core Christian concept. It sounds like a warm holy thing, but telling survivors they have to forgive their abusers minimises their pain and lets the Church carry on as though nothing

really bad had happened. Forgiveness Lite can lead to bizarre and dangerous behaviour. One Canon of Chichester, where Peter Ball's abuse took place, decided to burn all records of his circle of abusers. God had forgiven these men – so we must too.

We also came to see that, although you might think that John Smyth's abuse, violence protected by elitism, only makes sense in an English class-bound setting, there are strikingly similar stories around the world. One example was in Peru. Pedro Salinas exposed a movement called 'El Sodalicio de Vida Cristiana', which took young men who aspired to be warriors for Christ and used this to abuse them.

Sometimes, things got far too close for comfort. Alan, as the Bishop who decides if a candidate should progress in the ordination selection process, interviewed a young, rather nerdy and socially awkward man. He sat on Alan's sofa and talked to him about his PhD. Alan found him rather unusual and probably en route to a theological educator's role rather than Parish ministry, but he saw no reason to turn him down. The man's name was Ben Field. He was arrested a couple of days later, and we now know that he was a psychopathic murderer. Timothy Spall has just won a Best Actor BAFTA for his portrayal of Peter Farquhar, Ben Field's victim.

Peter Farquhar was a retired teacher. He was gay, with deep regret that he had never had a close, loving relationship. Field offered him that. He convinced Peter he had fallen in love with him and moved in. He drugged his victim so that Peter thought he was losing his mind. It appears Field gently suffocated Peter after plying him with drugs and alcohol. There followed a 2 years investigation, operation Naseby, involving over 50 police officers. Field was diagnosed with Narcissistic Personality Disorder. He kept detailed diaries of his crimes and clearly enjoyed causing pain and distress. The local vicar who had supported him within the church had a breakdown. Writing in a national newspaper, one crime journalist said: 'I have never come across anyone quite so breathtakingly wicked as Ben Field'.

How, we asked, was it possible for such extreme abuse to happen? What are the markers specific to church life, which enable such a person to operate without detection? Clearly, the church, desperate for young vocations, saw him as an up-and-coming star and provided the perfect environment for his crime. Why was it covered up so well? Ben Field was the kind of abuser Jesus described as a wolf in sheep's clothing. But there is no such thing as a solitary abuser. After his sentencing, the Oxford diocese commissioned a report into the vulnerability of the local church from Dr Ade Cooper, one of the UK's most distinguished experts. She highlighted a unique feature of this case. There were two old people Field targeted. Ann Moore-Martin was not killed because Field proposed marriage to her and that triggered a safeguarding response from her Catholic Priest and a local solicitor. Peter Farquhar was killed because his romantic relationship with Ben Field was homosexual. Therefore, the local church, eyes wide shut, pretended nothing was going on. Dr Ade Cooper identified the congregation's implicit homophobia – don't ask don't tell – as something that disabled normal safeguarding responses to what was in a normal environment obviously a dangerous situation.

One final case. Over many years Alan and I heard from people who had been traumatized by gross abuse of power by their church leader. In many cases, there was a culture of heroic leadership that the church not only colluded with but actively admired and encouraged. Ours and others' attempts to hold these leaders to account were regularly dismissed because the abuse did not involve sex or children. The concept of

spiritual abuse was in its infancy. Then, ten years ago, there were two important changes.

In 2013, in groundbreaking work by Professor Lisa Oakley, she published a gold standard definition of spiritual abuse. 'Coercion and control of one individual by another in a spiritual context'. The target experiences spiritual abuse as a deeply emotional personal attack. This abuse may include manipulation and exploitation, enforced accountability, censorship of decision-making, requirements for secrecy and silence, pressure to conform, misuse of scripture or using the pulpit to control behaviour, a requirement of obedience to the abuser, the suggestion that the abuser has a 'divine' position and isolation from others, especially those external to the abusive context. This gave anyone needing to bring a complaint a benchmark against which to measure the offence.

The other was that the offence of Coercive Control came into force on 29th December 2015. England and Wales became the first nations to pass such a law, punishable by up to 5 years in prison. In December 2017, the Revd Tim Davis was found guilty of conduct unbecoming or inappropriate to the office and work of a clerk in Holy Orders through the abuse of spiritual power and authority over a person then aged 15–16.

The Judge at tribunal determined that Mr Davis was 'in breach of the safeguarding requirements' by being alone with the boy in his house, in the vicarage, or other places, 'and on occasions deliberately touching him albeit not in a sexual manner' 'under the guise of his authority, he sought to control by the use of admonition, scripture, prayer and revealed prophecy, the life' of the victim and his relationship with his girlfriend, and 'throughout the said period failed to have any regard to the propriety of the said conduct' and its effect on others, in particular the victim. Mr Davis 'became angry' if the victim did not ring him or respond to his texts. His mother also reported that Mr Davis would say that he was God's anointed and that a person had died because he did not do something that [Mr Davis] wanted.

This was the first time someone was legally held to account for spiritual abuse in the Church of England, and Alan was significant in bringing this about. As there was no Bishop of Oxford at the time, and the Bishop of Reading had already been involved at an earlier stage, it fell to Alan to explore the severity of the allegations and prepare the legal preliminaries. There was an added twist to this case. When Alan interviewed Mr Davis, he seemed unable to grasp the nature of the complaint and saw his relationship with the boy as one to which he, as his pastor, was fully entitled.

Unpacking this at a later stage, there were parallels with safeguarding fails outside the church. Sometimes young people develop relationships with priests like those of sports coaches. That, in itself, is not necessarily wrong, but as in sports clubs, when power is misused, it becomes abusive. Access to vulnerable young people, in sport or religion, is usually obtained and maintained through a process of grooming. The young person themselves must trust the abuser, and their parents or guardians must buy into what is going on. Whole church congregations can be groomed and collude unwittingly, with a relationship of dominance driven by spiritual abuse. Any resistance can easily be written off as unholy or even the work of the Devil.

Bishop Alan and I were involved to a greater or lesser extent in all of these four stories. They show what a fertile setting the church can be for a determined abuser.

They also show how both the local church and the institution itself can, albeit sometimes unwittingly, collude.

You would think these extreme experiences would trigger real change. But have they? The Church has invested massively in safeguarding in all kinds of ways in recent years with many desperate measures. We've tried apologies, apologies with added tears, lots of money, compulsory training at all levels, huge increases in diocesan and central staff, shedloads of fresh protocols and guidelines and new legislation. This has all been supported by the generous use of expensive public relations companies. Has it worked?

In some ways, things have indeed improved. There is a greater awareness, and it is harder for disclosures to be ignored. The fault lines, however, remain massive. Reviews are commissioned but then take so many years to report that the people responsible are no longer in their roles. Classically, the church receives a report, issues a big fat sorry and then quietly pops it on the shelf to gather dust. No one ever actually seems to learn anything from Lessons Learned studies. We are a long way from Mandatory Reporting or genuine Independent oversight.

The Bishops and Archbishops and other senior staff, it seems, cannot be held to account. We have lost any confidence in them. The trust is shot. Steve Reeves was sacked from the Independent Safeguarding Board (ISB) by the Archbishop's Council for 'being too independent'. He spoke to General Synod on 9<sup>th</sup> July 2023. 'When the Archbishops Council talks about "Trust," they don't mean the word Trust in the same way as we mean the word trust, and people in the street mean the word Trust. What they mean is "Obedience".'

Ringling in our ears is the bold statement from Archbishop Justin. He promised that survivors would be at the very centre of the church's safeguarding work. Has that happened? No. Is that what it feels like to them? No.

I turned back to our original mind map and thought about the people listed there. Other survivors will have different stories to tell, but the people who came to speak to Alan and me, all told of the way in which things got worse when they had any dealings with the church. They didn't feel listened to, they were offered hope but none was forthcoming, they needed redress and restoration but the coffers, which were seemingly limitless to fund systems and processes within the institution, were painfully slow and mean towards those in greatest need. There even seemed a delight in getting one over on survivors by offering pathetic financial deals.

Where does it all leave us? It became increasingly clear that safeguarding is not primarily about protocols and guidelines, though that is a good thing. Training is a good thing – but training in what? Training in a dysfunctional system might not help at all. There will be other places to analyze just how dysfunctional the Church of England is. The situation is dire. At the heart of his ministry, Alan heard Jesus call to his disciples to be proactive in tending wounded people. More than litigious experts or otherworldly clergy, we are all called to be good Samaritans, to go and do likewise.

All Institutions in our country seem broken and helpless to mend themselves. A recent article in *The Times* spoke of the poor state of leadership in public life around the world. Again and again, people choose to vote for leaders who are abusive and incapable – Trump, Johnson, Truss, Bolsonaro, Orban. This seems embedded in human nature – addiction to leaders who, once in power, are unable to operate for the common good. Machiavelli showed how the Prince could use people



for his own purposes, to manipulate the levers of power. Social psychopathy abounds in all areas of life, and we end up with leaders who begin to think they are God.

The Christian faith holds out a better vision of community. The roots of Alan's spirituality were Benedictine. The Rule of Benedict describes the task of a healthy Christian leader when it speaks of the election of an abbot in Chapter 64. Their task is to 'order everything so that the strong have something to desire and the weak nothing they need to run away from'. How can we create a truly pastoral community, spiritually vibrant, where true compassion, healing and hope grow?

In our work over 20 years in this area, Alan and I came to no lightbulb conclusions about the institution. Far better people than us have tried, but it turns out that it is true that institutions eat individuals for breakfast. In amongst all the uncaring chaos, there remained two pools of light and hope.

The first is that the healing happens in the detail: generous, quiet, caring listening. Believing the person who is entrusting you with their story. As a survivor, being alone with your trauma is terrible. With limited skill and resources, Alan and I wanted people to know they were not alone. It is why the parable of the Good Samaritan spoke to us so powerfully. Everyone else walked by. We tried to stop and respond with love.

The second is that the greatest resource for survivors is one another. Over the years, the wisdom and care given to each other by people who carry their own pain is extraordinary. Alan's words of respect and honour would most surely go to them.

### **The Post Office at Prayer**

Nobody knows how many victims of Safeguarding injustice have suffered and continue to suffer because of the Church of England, its poor practice and governance. For decades, the guilty secrets of the CofE were hidden by a combination of shame, misplaced loyalty and deeply entrenched self-interest. Like the now-famous Sub-Postmasters, those abused or accused found themselves managed into insignificance by a well-resourced corporate culture, its lawyers and professional associates. However, victims of the CofE were, and remain, additionally disadvantaged because they face an Establishment institution that remains doubly insulated by its own quasi-legislature and legal system. Nobody who matters is ever held to account.

In the secular world, the families of Stephen Lawrence and the Hillsborough victims eventually found routes to justice through unquestionably independent reviews operating under terms of reference to which they actively contributed. The Sub-Postmasters' current Statutory Inquiry offers the hope of implemented recommendations; not so the Church victims.

Within three years of creating an ISB in response to the Independent Inquiry into Child Sexual Abuse, the Church's controlling Archbishops' Council arbitrarily dismissed its members. A review by barrister Dr Sarah Wilkinson found that the Church leadership had failed to define independence and had established the Board with inadequate conceptualization, resources and constitution. Its abrupt closure foreseeably harmed vulnerable people awaiting case reviews. Nobody resigned, and nobody was held to account; indeed, the review has not been formally accepted.

Independent Inquiry into Child Sexual Abuse (IICSA) Chair Prof Jay similarly delivered a coruscating review mapping a pathway to placing CofE Safeguarding onto a safe and wholly independent footing; however, a similar fudge emerged with a ‘response group’ created by Church House to second guess her recommendations. There was no democratic discussion of the composition of that group nor their qualification to second-guess the IICSA Chair after she had spent 7 years studying UK Safeguarding, including the complexities of a Church comprised of 42 semi-coordinated charities of inconsistent Safeguarding quality. Incoherence at a macro level is replicated at the micro level.

Few impacted by such Church shenanigans could have watched the TV docudrama ‘Mr. Bates v The Post Office’ and failed to note the close parallels between these unresolved scandals. Institutional denial, minimization, self-serving reviews, aggressive legal strategies, promises made and not fulfilled, ‘non-apology apologies’, non-disclosure agreements and the rejection of independent recommendations; in both Church and Post Office, victims have encountered identical treatment and neither group sees an end in sight. Yet the parallels do not end there. In both stories, the key to exposure lay in small beginnings.

The Post Office nemesis began in Fenny Compton Village Hall when Sub-postmaster Alan Bates issued an open invitation for aggrieved colleagues to meet and share their stories.

The Church’s problems began equally humbly at Christ Church Oxford when two men and a dog turned up to protest the installation of the Rt Revd Stephen Croft as he moved from Sheffield Diocese to become the new Bishop of Oxford.

Matt Ineson had been abused as a child by Sheffield priest Trevor Devamanikkam. He had disclosed that abuse to Bishop Croft, who did not act and later offered inconsistent recollections of both the disclosure and his response. Archbishop of York, John Sentamu, and other senior figures had also failed to respond. Devamanikkam committed suicide immediately before the criminal trial.

However, Matt Ineson continued to campaign, not only because his disclosure had been ignored, but because others had been left at continuing risk of abuse by Church inaction. With compassion, he also advocated on behalf of the family of his abuser, who had been abandoned and unsupported despite the Diocese knowing of his mental fragility. Matt and his dog were joined in his protest by Gilo, another long-term campaigner for victim justice; unknowingly, they joined the march of Alan Bates’ army of ‘skint little people’ taking a stand for justice.

Most attendees at the Cathedral that day had little understanding or interest. However, the two were made welcome, served sandwiches and allowed to use the toilets by the then Cathedral Dean, Dr Martyn Percy. Professor Percy had his own issues with the Church and College alike. He was an advocate of reform in each, and this acquired him dangerous institutional enemies. He was also amongst a small group of influential people who had come to the defence of the late Bishop George Bell, who was memorialized within the Cathedral.

Posthumously labelled an abuser by a patently unjust process, Bell’s reputation had been largely restored via a report by Lord Alex Carlile KC, which exposed the institutional inadequacies that had led to the Bishop’s character assassination in death. The dispute attracted short-term media interest, but the newly emerging Church blogs of the time showed rather more stamina. Gradually, other scandals

were being shared, and the survivor community began to coalesce. Paradoxically, victims were more sympathetic towards Bishop Bell than might be expected; they recognized that a worried Church employing shoddy processes towards one of its own heroes was no friend of the abused.

Both Ineson and Gilo gave evidence at IICSA. They were joined by Revd Graham Sawyer who powerfully testified that ‘I use these words “cruel and sadistic” because I think that is how they behave. It is an ecclesiastical protection racket and anyone who seeks to in any way threaten the reputation of the church as an institution has to be destroyed’.

Few would experience the full effects of that institutional cruelty more than Dr Martyn Percy. Some of the worst CofE safeguarding scandals have occurred within the curious semi-detached world where the Church allows hybrid institutions to exist. Examples are Peter Ball’s Community of the Glorious Resurrection, the Iwerne Trust, which produced multiple abusers, the Nine O’Clock Service and Soul Survivor. Each initiative enjoyed significant autonomy built upon perceived ‘success’. No institution was more ancient and untouchable, however, than Christ Church Oxford.

Half-College and half-Cathedral, it enjoyed its own Statutes and a power-sharing agreement between Dons and Canons. As the #MeToo phenomenon dominated the news headlines, the Dean’s opponents turned to Church Safeguarding procedures to dislodge him from office after 27 allegations of secular misconduct were comprehensively dismissed by a retired High Court Judge.

The College lawyers were simultaneously instructed by the Oxford Diocese, the Province of Canterbury, Lambeth Palace and Church House; four allegations of alleged mishandling of Safeguarding procedures were devised without a single actual complaint coming forward. Between matters for investigation being defined and formally approved under the Church process, and the investigator being briefed, an additional count was improperly added in mysterious circumstances.

College Prof Jan Joosten had just been imprisoned in France for possession of 28k child pornography images, some of the most extreme character. He had previously signed a letter accusing his Dean of ‘lacking a moral compass’. The UK police would not assign a crime number to a wholly French affair; yet somehow the Dons not only saw this as evidence of the Dean’s neglect of duty, but over a weekend, someone engineered its addition to the matters under investigation.

When a Synod question asked about this impropriety, an assurance that ‘it would never happen again’ was offered. That was not what was asked; who exactly had backdoor power and influence to intrude into such lawful process? It remains unexplained. Subsequently, a Synod question seeking progress of the Dean’s complaint of ‘the deliberate weaponisation of safeguarding’ was altered on the Synod agenda without the questioner’s consent, to one about ‘allegations of sexual misconduct’ against the then Dean; it transpired that this occurred after internal lobbying by the Registrar of the Oxford Diocese. By this time, the Dean had been explicitly cleared of serious misconduct by the President of Tribunals in a short judgement, which the Diocese had refused to publish.

Inevitably, Dean and the wider survivor community lost confidence in the probity of Church processes. As with the Post Office, it was always the victim and the outsider identifying institutional malpractice, never the institution itself. These

small but telling events joined a list of important serious discrepancies in the Christchurch scandal, which spread beyond the Church and became a well publicized cause celebre of Alfred Dreyfus proportions.

The Archbishops have acknowledged that a proper inquiry is necessary; the Church's ISB agreed before it was abolished; having heard the detailed facts of the Christchurch scandal, Prof Jay had not only decided that Safeguarding must be removed from the control of the Bishops entirely but adopted Dean Percy's characterization that in such cases, Safeguarding had been 'weaponised' for ancillary purposes.

If Reviews and Synod procedures have failed the aggrieved, so has the Church's legal system, which everyone agrees is 'not fit for purpose'. Complaints are taken over, resourced and managed entirely under Church House control; in one recent case, the Tribunal Deputy President remarked that the complainant's advocate had not so much advanced her case as abandoned it. As a result, no complainant can place trust in Church Tribunals either.

It is Dr Percy's misfortune that the Christ Church scandal has become the litmus test case, which discloses so much that is dysfunctional and corrupted within Church Safeguarding processes. The Percy grievances are not more important than those of the 12 anonymous victims whose cases had been accepted as needing urgent independent reviews by the ISB before its abolition. The removal of that hope of justice impacted the already vulnerable victims severely and the psychological harm has been professionally assessed as causing 'significant harm'.

None of those reviews has been advanced in the year following, and like Dr Percy and Matt Ineson before them, the ISB 12 complaint against all members of Archbishops Council and the Secretary General has been appropriated by the Church and allocated to a reviewer of its own choice on terms of its own devising. The ISB 12 have joined Dr Percy in rejecting any process that is compromised due to lack of independence from conflict of interest.

The Post Office victim, Lee Castleton, spoke for both Post Office and Church victims when he recently tweeted 'How is it possible to have any scheme of redress when the person sitting at the top of any scheme is one of those embedded in the very scandal? How?'

The House of Bishops plainly does not like the Jay Review recommendations to strip them of power and influence over Safeguarding despite their having demonstrated questionable competence and trustworthiness in the field. They are supported in this view by many of the staff they employ to manage safeguarding in-house, while they are opposed by clergy, parishioners and victims alike.

While episcopal amour propre is being bruised, victims continue to suffer dreadfully – emotionally, financially and in their mental health. The delay is unbearable not least because they know from long experience the callous reality of power exercised by and for the Bishops by a Church Secretariat well skilled in managing crises in the Establishment interest. While the Church House Response Group is in place to offer a superficial reasoned explanation why the emasculating of the Jay recommendation is 'a risk', the Church victims continue to suffer the agony of the status quo, knowing that if needs be, the Bishops will deploy their collective veto at the General Synod to preserve their power.

## Audit and Risk

The conventional view of ‘the Auditor’ is that they are the individual or organization which ensures that the accounts presented by public or private bodies accurately reflect the true financial position of those bodies. This reassurance is provided in the interests of many different groups, including shareholders, donors, creditors, potential lenders, suppliers, employees (both current and candidates for vacancies), customers, regulators and in some cases, governments.

Accounts are, however, an incomplete means of assessing the overall ‘health’ of an organization. Negligent, reckless or even unlawful actions by an organization can place its future status at risk without featuring in the accounts. Reputational damage caused by improper acts can, however, have a catastrophic financial impact.

A dramatic example of this can be seen from the early 1990s when the former chairman of Ratners Jewellers, Mr Gerald Ratner, disparaged his company’s products as ‘total crap’, causing the company to plunge over £122 million into the red from a profit of £112 million the previous year and leading to the closure of 330 shops and the loss of many jobs. The capital value of the company plummeted from £840 million to £33 million.

An organization becoming implicated in criminal or immoral behaviour can easily suffer a similar effect purely through loss of reputation and/or public confidence. Customers, investors and shareholders prefer to avoid being associated with an organization with a tainted reputation for fear of that taint impacting them. The 21<sup>st</sup>-century phenomenon of the Cancel Culture is magnifying the potential consequences of safeguarding scandals in terms of potential lost income.

The impact on expenditure of safeguarding shortcomings can also be substantial. In the Church of England, the Church Commissioners have had to set aside £150 million as initial funding for their forthcoming abuse Redress Scheme. A team of staff and an independent Board are having to manage interim support payments to abuse survivors while facing constant criticism from those they are supposed to be helping. These are all costs that would have been largely avoidable had the governance of safeguarding been more effective.

For these reasons, proper management of these risks must form a core part of any Board of Directors or Trustees’ activities, and the effectiveness of their management must be monitored and reviewed.

This leads to the existence of 3 bodies: the External Auditors, the Internal Auditors and the Audit Committee. The concept of ‘audit’ dates back to the Egyptian and Roman Empires. Indeed, the origins of the term ‘auditor’ (from the Latin verb ‘audio’ – to hear) arise from the custom of presenting accounts to an impartial person, often a judge, and to be ‘heard’ as they are explained.

The obligation to prepare audited financial statements in the UK has its roots in the 18<sup>th</sup> Century financial scandal, the South Sea Bubble, which led to a prohibition on the selling of most shares until 1825, and subsequently to the passing of the Joint Stock Companies Act in 1844. Since that time, the role of external auditors and internal auditors has continued to grow.

As far back as 1870, the East Tennessee and Western North Carolina Railroad created a ‘Review Council’ to ‘screen the accounts and the Board’. The term ‘Audit Committee’ was first used in 1937 following a major corporate scandal in the USA

(the case of McKesson and Robbins). As a body, although it should possess independence of mind, its role is to provide advice directly to the Board. Since Best Practice recommends that an Audit Committee should meet at least 4 times per year, it potentially has more regular contact with and therefore ability to influence the Board, than the external auditors.

There is a historical pattern that the role of audit has expanded retrospectively in reaction to financial scandals or catastrophes – e.g. Enron and Barings Bank – and is usually accompanied by a reinforcement of corporate governance requirements. And so, the issue of safeguarding is now entering the zone where it should be properly addressed by the auditors/the Audit Committee within their responsibility for the oversight of overall governance and as, potentially, a substantial reputational risk with attendant financial consequences.

And here it is important to recognize the difference between the oversight of individual cases and oversight of the effectiveness of management controls. It is an underpinning principle of audit that the auditors must never take over the running of an organization from the Board. The appointment of those who will run an organization lies with the appropriate set of stakeholders – shareholders, members, government ministers etc. Auditors' role is not to replace this organizational structure, but to ensure that it fulfils its duties and responsibilities properly. Were they to assume any level of managerial control, rules relating to auditor independence would immediately disqualify them from reviewing their own work. They therefore have to keep themselves at arm's length.

However, the implementation and management of safeguarding policies and practices are both a fundamental component of good governance and are part of the management of risks associated with poor safeguarding practices. These therefore lie clearly within the purview of an Audit Committee. As abuse cases continue to occur while historic ones continue to be exposed, we may be entering the next iteration of expansion of the specific areas of focus for Auditors.

So what would this look like in practice for the Audit Committee of an organization with substantial safeguarding obligations (e.g. a Church)? As part of its reviews of The Management of Risk, the Committee should ensure that the risks arising from Safeguarding failures have been identified and assessed on three scales – Probability, Impact and Proximity (i.e. how soon might the risk actually occur) assuming no mitigating actions are taken. Mitigations should then be identified and applied to one or more of the 3 scales (but not necessarily all of them), and each scale re-assessed to see what, if any reduction, has been achieved. All organizations have an Appetite for Risk (how much residual risk would they find acceptable after mitigations). Multiple options may need to be considered and the most acceptable ones implemented.

Risks are best expressed in the form “There is a risk that <x will occur> with the following consequences: <1,2,3 etc>” to enable choices to be made as to whether to mitigate the risk of x occurring, or to reduce the consequences, or both. Risks cannot always be entirely eliminated so the objective will be to reduce one or more of the three scales to lie within acceptable limits.

In many cases, these mitigations will be similar for more than one discrete risk. For example, implementing a system of Disclosure and Barring Checks will almost certainly be an appropriate element in addressing many safeguarding risks.

Aggregated together, these mitigations will form part of the Corporate Governance of an organization and are termed Controls. For the Auditor/Audit Committee, the questions are then summed up as ‘The 3 E’s’: Are they Effective, Efficient and Economical?

The *Economical* question is important even around safeguarding matters. If controls are seen as expensive in measures of either money or time and are regarded as wasteful by the community who have to comply with them, there will be resistance to their implementation as well as a greater temptation to circumvent or simply ignore them.

*Effectiveness* and *Efficiency* can only be determined by a combination of assessment of the controls in action and testing them under controlled conditions.

Addressing all 3 aspects would normally initially fall to an organization’s internal auditors. Because of the specialist nature of safeguarding, however, it might well be necessary to bring in external expertise in order to properly perform an assessment.

So, how to begin? Good Governance always begins with Policies, which clearly set out how an organization wishes to conduct itself. These should reflect the organization’s corporate values, which hopefully reflect the expectations of the many stakeholder groups with an interest in that organization. In the case of a Church, there is an expectation from every stakeholder group that it will hold itself to the highest possible standards of conduct and will also hold accountable any person holding a position of trust or authority within the organization who breaches those standards by either action or omission. Unfortunately, these expectations are not always achieved.

During the IICSA into the Church of England, 5 major concerns were identified:

- **Clericalism** where power was vested in clergy without accountability to external or independent agencies or individuals. The moral authority of clergy was perceived as being beyond reproach leading to deferential treatment during which conduct was not questioned.
- **Tribalism** where there is disproportionate loyalty to members of one’s own ‘tribe’ or group based on close personal ties and shared beliefs. This could lead to the concealment of inappropriate behaviour and even attempts to reintegrate abusers back into church structures and life without consideration for the welfare or protection of children or vulnerable adults.
- **Naivety** where members of the the Church deluded themselves that no one within the Church could commit such heinous acts and therefore dismissed complaints without any proper investigation
- **Reputation** where the primary concern of those in positions of responsibility was to uphold the Church’s reputation, prioritizing this over the interests of victims. IICSA described this as creating a culture of ‘almost unchallengeable authority’ in the Church
- **Sexuality** where a culture of fear and secrecy within the Church prevented openly confronting sexual matters, which hindered investigations.

There have been repeated statements by members of Church hierarchies (in multiple denominations) assuring stakeholders that these 5 areas of concern would be addressed through new and stronger controls. However, in the Church of

England, the attempt in 2021 to create an ISB to oversee Safeguarding and overcome these 5 areas of potential weakness ended disastrously in 2023 with the Archbishops' Council deciding to dissolve the Board within less than 60 minutes' notice. An independent review by barrister Dr Sarah Wilkinson severely criticized the Council for a number of weaknesses in their organization and management of this.

A second review, conducted by the same people who led IICSA, recommended that responsibility for Church Safeguarding be placed in the hands of two independent charities. As of 1 September 2024, this has been 'under consideration', for many months, and some of the review's recommendations are being strongly resisted by both in-house Church Safeguarding staff and most (but not all) Bishops despite clear support from victims, advocates and members of parishes. No proposals have yet been brought forward to create independent oversight bodies. The Church of England has now been without an ISB for 15 months and is likely to have been so for more than 2 years by the time a new organization is brought into being.

So where else might an (albeit restricted) element of independent supervision of safeguarding controls come from? An unlikely answer is – The Audit Function, and in particular, The Audit Committee. However hard Internal Audit strive to provide independent assurance, there is always an extent to which their work is controlled by the organization which employs them. Their ability to press for change is constrained by the fact that they report to the very people whom they may be criticizing.

External Auditors work to very tight budgets in terms of both time and costs. They normally have little time to give for matters beyond an overall examination of risk management controls since they must focus on financial assurance.

Papers placed before the Post Office Horizon IT Inquiry show that the external auditors may have been excessively focused on the reliability of the financial accounts, to the detriment of considering wider risks arising from the problems with Horizon. When independent expert auditors were engaged to review the Horizon issues, Post Office management treated them with hostility.

The Audit Committee potentially sits in an advantageous position between the other two. Nominally independent (see below) but with a greater understanding of the full operation of the organization, the Audit Committee should be well-placed to consider the risk management aspects of safeguarding matters without being tainted by the 5 major concerns outlined above.

Their emphasis is on the assessment of the 3 'E's of Safeguarding Controls, and not on the specific aspects of any particular individual case. This relies, however, on the Audit Committee enjoying proper independence and not being under the control of the Board. The Audit Committee's role is to act as a proxy for the shareholders and must not be subject to unreasonable constraints. There are some simple tests which can help to determine the level of independence of the Committee. For each of the following questions to which the answer is 'No', their independence is weakened and may render them ineffective:

- Is the Chair of the Audit Committee appropriately distanced from executive decisions of the organization?
- Are the Audit Committee free to act in the interests of the shareholders/stakeholders of an organization?



- Are the Audit Committee free of unreasonable constraints on their work by the Board?
- Is the Membership of the Audit Committee balanced so as to preclude undue influence on its decision-making process by the Board or any other vested interest?
- Do individual members of the Audit Committee adequately represent the different stakeholder interests in the organization?
- Would a reasonable observer consider the Audit Committee to be in both appearance and fact independent of the management of the organization?
- Do the Audit Committee regularly conduct self-assessments to determine their own independence and effectiveness?

Not all organizations welcome the attention of an alert Audit Committee. Boards may regard negative comments from their Committee as personal criticisms or indications of failure, while they are actually intended to strengthen the governance arrangements and reinforce mitigations of risk. Where a Board is already weakened by any of the 5 Concerns referred to above, resistance to an alert Audit Committee is likely to be greater, and there is a risk that the ability of the Committee to maintain an independent role will be increasingly compromised.

Committee Members do have individual rights and obligations. They have the right to submit an individual report to the Board and/or the shareholders if they are dissatisfied with the manner in which the Committee is discharging its obligations. They also have the right (and the obligation) to draw any matters of concern to the appropriate regulatory body, which can then investigate further. This might be the Financial Reporting Council or the Charity Commission.

In summary, safeguarding has moved from being a niche risk in an organization's Risk Register to being as high a priority as other aspects of corporate governance, and the organization's governance bodies must respond accordingly since the adverse consequences of reputational damage are growing exponentially. The repeated failures of safeguarding in the Church of England have now become one of its, if not the, highest risks. Yet the leadership of the church continue to resist or delay having this area of risk externally scrutinized, independently assessed or professionally audited. And so these risks continue to grow, each and every day.