

CORRECTED TRANSCRIPT OF ORAL EVIDENCE

HOUSE OF LORDS
HOUSE OF COMMONS
MINUTES OF EVIDENCE
TAKEN BEFORE
THE ECCLESIASTICAL COMMITTEE

CORRECTED ORAL EVIDENCE: ARMED
FORCES CHAPLAINS (LICENSING) MEASURE
ABUSE REDRESS MEASURE

TUESDAY 28 OCTOBER 2025
12.40 pm

Oral Evidence

Taken before the Ecclesiastical Committee

On Tuesday 28 October 2025

Members present:

Baroness Butler-Sloss (The Chair)

Tom Collins

The Earl of Cork and Orrery

Lord Dannatt

Jonathan Davies

Marsha De Cordova

Baroness Eaton

Lord Faulkner of Worcester

Zöe Franklin

Lord Glenarthur

Lord Jones

Lord Lisvane

Baroness McIntosh of Hudnall

Luke Myer

Dr Al Pinkerton

Lord Shinkwin

Rebecca Smith

Sarah Smith

Lord Taylor of Holbeach

Examination of Witnesses

Armed Forces Chaplains (Licensing) Measure:

Rt Rev Hugh Nelson, Bishop of Worcester, Bishop to the Armed Forces; Rev Alexander McGregor, lead lawyer on the Measure; Venerable Dr (Air Vice-Marshal) Giles Legood, Chaplain-in-Chief and Archdeacon, Royal Air Force.

Abuse Redress Measure:

Rt Rev Philip Mounstephen, Bishop of Winchester, Episcopal Project Lead; Katerina Bashutska, Deputy Director, National Safeguarding Team; Simon Gallagher, Director, Central Secretariat; Zena Marshall, Director of Casework, National Safeguarding Team; Paul Stevenson, Lead Lawyer on the Measure.

Examination of witnesses

Rt Rev Hugh Nelson, Rev Alexander McGregor and Venerable Dr (Air Vice-Marshal) Giles Legood.

Q1 The Chair: Thank you very much. Would the members of our Committee please declare their interests? I have nothing to declare.

Luke Myer: I want to record that I have a constituent who is a member of the steering committee on the proposed redress Measure. It is not an explicit interest.

The Chair: Lord Glenarthur, have you anything to declare?

Lord Glenarthur: Yes. Nothing new, only that I have been involved—and I still am—with a disciplinary matter in relation to the Scottish Episcopal Church and a bishop.

The Chair: Yes, thank you. Lord Lisvane?

Lord Lisvane: I do have a few things. I am chair of the Hereford Cathedral Fabric Committee; a governor of the Cathedral Trust; a churchwarden; a parish safeguarding officer; a fee-earning organist; a trustee of the Royal College; and I am married—

The Chair: Married to a priest.

Lord Lisvane: —to an Anglican priest and rural dean. Thank you.

The Chair: Thank you very much. Yes, that is our part done. Bishop, you take over.

Rt Rev Hugh Nelson: Thank you very much. With your permission, Chair, I would like to briefly give you an introduction to the ministry of Armed Forces chaplains and then move on to the Measure. I will not take very long with the introduction.

Some of you will know this, but for those who have not come across Armed Forces chaplains, their role is to provide moral, spiritual and pastoral care and leadership within the three Armed Forces services. They are to serve people of all faiths and beliefs, something that they have been doing for more than 250 years now, often playing a very significant role, often in ways that are unseen, in pretty much every conflict that has involved the UK forces during that period.

Armed Forces chaplains are embedded alongside men and women serving in the Armed Forces. They go wherever they go, and, like other service personnel, they are stationed across the UK and overseas. They operate on the same two- or three-year

deployment cycles that other personnel do, moving between bases and stations as required. There are currently 332 Armed Forces chaplains, of whom 195 are Anglicans.

For the Church of England, Armed Forces chaplains are a key part of our commitment to being a Christian presence in every community. They ensure that those who serve in uniform, their families and civilian personnel operating within the MoD, for instance, are given the same generous Christian care as those who are supported through our parishes. Anglican chaplains are employees of the MoD, and, like chaplains of every denomination and faith, they require the support of that denomination or faith—the one that they belong to—which is known as their endorsing authority. For Anglicans, obviously that means being ordained; it means being licensed; it means holding a clear DBS and it means maintaining their safeguarding training.

As the Bishop to the Armed Forces, chaplains are under my care. I carry this role under the delegated authority of the Archbishop of Canterbury. On completing their training, chaplains are issued with an archbishop's licence, which enables them to serve in their role as an Armed Forces chaplain. However,

for reasons that I can explain, if it would be helpful, that licence does not currently permit them to operate without the permission of their relevant diocesan bishop. Military bases are part of a geographical diocese, and they therefore fall under the jurisdiction of the ordinary, of the bishop. That is, they are not extra diocesan places. The current archbishop's licence does not override that requirement.

That means that every Anglican chaplain, in addition to holding their licence, has to apply for a permission to officiate—known in the Church of England as PTO—from every diocese in which they serve, whether inside or outside the wire, whether they are doing so in their uniform as a chaplain or as a priest in the Church of England. Applying for PTO requires a chaplain to complete an application form to receive a clear reference from me, as the Bishop to the Armed Forces, to have an interview with a senior diocesan leader, to receive a clear DBS check and to complete safeguarding training. It is, quite rightly, a lengthy process and it can take up to four or even six months to complete, particularly if DBS clearance is slow, which it sometimes is.

Many chaplains serve in more than one

location and that will mean they are likely to have to apply for PTO from more than one diocese. Some, particularly senior chaplains like Giles here, travel very widely and very frequently across the country, potentially having to have a pack of PTOs from any number of dioceses. All of this is required for any chaplain to serve in their military role. To enable them to do their job, their core job as a chaplain, they have to have permission from one or more diocesan bishops. Failure to apply for or to receive their PTO means that they simply cannot perform their duties.

You can imagine that that limits deployment agility; it creates administrative complexity; it is a waste of resources; it builds frustration; and it leaves chaplaincy services at risk of not being able to perform in the way required by their chain of command. The Measure before you today resolves all of that, and that is its simple and sole purpose. By means of a few additions to the Extra-Parochial Ministry Measure 1967, it enables serving chaplains to carry out their duties under the terms of their licence without needing the additional permission from the bishop of the diocese in which they are operating.

That will allow chaplains to operate whether

on a base or outside it; for instance, when undertaking pastoral visiting for a member of the Armed Forces or their family while they are doing so in uniform, so while they are doing so as an employee of the Ministry of Defence and as an Armed Forces chaplain. Some chaplains, when their duties allow, also choose to exercise additional ministry outside their Armed Forces role. For instance, they may well decide they would like to ask permission to serve in a local church in addition to their formal duties. They will still need PTO from the relevant diocese in entirely the usual and normal way; there is no change to that process.

The Measure before you applies to reservists as well as regulars and will allow them to serve wherever needed while they are ministering in uniform as part of their Armed Forces duties. The Measure, as you know, was considered at the July sessions of General Synod. Very unusually, all three stages were considered within one series of sessions. It was passed unanimously in all three Houses. If you know of the Church of England, you will know that is extremely unusual. That is a clear indication of the very strong support, both for the ministry of Armed Forces chaplains and for this change

specifically. It was also discussed at the House of Bishops, which gave it unanimous support. I dearly hope that this will not be contentious.

At a time of increased international tension, when our Armed Forces are being asked to operate at full capacity, this simple change will enable chaplains, who play a key role in the effective operation of the military, to operate with the agility required and to continue serving their people on behalf of the Church of England and the nation. I commend it to you. Obviously, I am very happy to take questions.

The Chair: Thank you very much, Bishop. Does anybody else on your team want to say anything?

Rt Rev Hugh Nelson: Not at this stage.

The Chair: Thank you very much. Before I give the Committee a chance to ask questions, Lord Cork, do you have any interests to declare?

The Earl of Cork and Orrery: My interests are as previously declared; no changes.

The Chair: Perhaps you could just tell us in relation to the Church what your interests are.

The Earl of Cork and Orrery: I am sorry, I

am getting feedback from two different microphones here. Yes, I am a governor of the Restoration Trust of Chichester Cathedral; I am the *[Interruption.]*

The Chair: What is in the background?

The Earl of Cork and Orrery: I am sorry, I am getting you twice with a big lag between. I do apologise.

The Chair: Are you on Zoom or are you on Teams?

The Earl of Cork and Orrery: I am on Zoom and on Teams and I cannot stop it.

The Chair: All right, thank you very much. I will now ask the Committee, does anybody have any questions about the chaplains? Yes.

Lord Dannatt: Not so much a question, but I agree very much with the Bishop that this is a practical and sensible thing to do, particularly where a chaplain goes with his unit on a training deployment elsewhere in the country, which happens fairly frequently. To avoid the bureaucracy involved in getting a PTO makes an awful lot of sense, along with the rest of the Measure. My question is simply that I agree; that is from my experience. I do not have anything further to ask.

Q2 Lord Faulkner of Worcester: Lord Chair, can I ask the Bishop whether one of the reasons for making the change is because there have been conflicts in the past between a diocesan bishop and the Armed Forces chaplain? Is that why you want to make that alteration?

Rt Rev Hugh Nelson: No. The reason is that the archbishop's licence that chaplains have been operating under for many years—since the late 19th century—is not, it turns out, sufficient for the role that they carry. It is a historical anomaly that we are tidying up. We became aware of that, or at least we made the decision to deal with it, about two years ago. This is now the end stage of that. No, it is not as a response to any particular problems to do with the two processes. Alex might want to say a little bit more about that.

Rev Alexander McGregor: I think that covers it.

The Chair: I was just going to ask Alex about it. Is this just getting it put right, something that has been a custom but not the law?

Rev Alexander McGregor: Yes, it is basically putting on a statutory footing what has operated as custom and practice for a very long time.

The Chair: Yes, that is what I rather thought. Any other questions? Yes.

Q3 Lord Taylor of Holbeach: I wondered what happens when chaplains are serving abroad. Is the archbishop's approval the authority on which they can perform their duties within either a combat situation or an intervention that is of a military or naval nature?

Rt Rev Hugh Nelson: The answer is yes, the licence allows them to serve as an Armed Forces chaplain, but Giles can maybe explain what that looks like under the bonnet, as it were.

Venerable Dr (Air Vice-Marshal) Giles Legood: Thank you, sir. If we are acting as military chaplains, the archbishop's licence allows us to exercise it overseas. What I do, for instance, just as a belt and braces, when we have chaplains who are deployed in the Middle East, either permanently in Cyprus or in the wider Middle East—various countries they might visit for a short time—I contact the Anglican Bishop for Cyprus and the Gulf and give him the chaplain's details, his or her DBS and safeguarding assurances with dates, so he is well aware. Although they might not come under his diocese anyway, he is

assured that Anglican clergy in his area of responsibility are fully accounted for.

Q4 The Earl of Cork and Orrery: The rather peremptory nature of Section 2(b)(ii), whereby permission does not have to be requested from the bishop or from the minister of the parish, I can understand what the purpose of that is, but it seems to be rather impolite if a military chaplain could simply set up in a parish or even within a diocese without contacting the incumbents in those areas. I presume it is understood that they would do so, but it would be nice if there was wording that says that they should make contact to explain what they are up to.

Rt Rev Hugh Nelson: Thank you. Maybe Alex can answer that one initially and Giles might then give a practical example.

Rev Alexander McGregor: As Lord Cork has identified, the provisions are there for technical legal reasons, but, as he has also identified, there are matters of good manners and good practice. My understanding is that a chaplain would indeed approach the local incumbent, but perhaps that could be clarified further.

Venerable Dr (Air Vice-Marshal) Giles

Legood: If it is something in the parish church, then clearly the chaplain will contact the incumbent; in other cases, not always. For instance, if you were at a Commonwealth war graves cemetery in this country or, let us say, Runnymede, which is the Air Forces Memorial, I would not know who the incumbent is. It is clearly a military cemetery and there would not be any need to tread on any incumbent's toes, so I would not need to make contact in that sort of instance.

Rt Rev Hugh Nelson: Perhaps just to go back to the point that was made earlier about chaplains when they are on exercise, they will of course be on exercise in a parish, but that does not affect the life of the parish church. They might well be out in the wild somewhere, still within a parish. This allows them to continue without seeking extra permission.

Q5 Rebecca Smith: It sounds very sensible to me too. You were at pains to stress the process that has to be gone through every time the PTO has to be achieved in terms of safeguarding and all of that. If that is going to be an overarching responsibility for the archbishop, what will the process be for that application in that kind of once-only state? I

am assuming that it is the exact same replication, but we did not quite touch on that, so a clarification at least for the members of the public who are here.

Rt Rev Hugh Nelson: Yes, it is the same process. In fact, it is much more significant. They have to go through the full military selection process and, in addition, the process run by the endorsing authority—Church of England in this case—which involves all the things that you would expect, including references, DBS and ongoing safeguarding training. All that this is saying is that in order to serve as a chaplain, they will be treated like any other employee of the MoD and will not have to have the extra permission to do their basic job, unless of course they, in addition to their job, decide they would like to apply for permission to serve in a local parish church, in which case they will have to go through the same process as every other priest in the Church.

Rebecca Smith: It is removing the need for the permission to officiate, rather than giving them an overarching permission to officiate anywhere that they wish in the country?

Rt Rev Hugh Nelson: Exactly that. It will give permission for them to be a chaplain

anywhere geographically, so long as they are doing so within their chaplaincy role—in shorthand, so long as they are doing so in uniform. If they take off their uniform and become an Anglican priest, they will need permission to officiate.

Q6 Lord Jones: Thank you, Bishop. You gave us overall numbers of chaplains. Do you have a breakdown of those who are female gender? Are you able to say to a youthful vicar what the salary might be for a chaplain engaging in the work? Is there variation of rank of the chaplains or are they all the same rank?

Rt Rev Hugh Nelson: Thank you. I cannot give you the figures on the gender breakdown. We could get those figures if the Committee would like them.

I will need to defer to you, Giles. On salary, they are employees of the MoD, not the Church of England, so I have no control over or interest in their salary. All I can say is it is higher than that of a Church of England parish priest, but I do not know whether Giles can say anything more.

Venerable Dr (Air Vice-Marshal) Giles

Legood: Yes, all chaplains in the Royal Air Force and the Army are commissioned to the

same ranks, so it is a flight lieutenant or a captain. After sufficient years' service—six or four years, depending on which service it is—they advance to squadron leader or major. Thereafter it is by promotion selection, the same way the Air Force or the Army would have a promotion selection board, because there are a defined number of posts they go into. The more senior you become, the narrower the point of the spear becomes, and rank brings with it remuneration.

Rt Rev Hugh Nelson: It is slightly different in the Royal Navy, where chaplains, I think, by tradition carry the rank of the person that they are speaking to, or they are engaged with. Gender, salary and rank: yes, we have answered your questions.

Q7 Tom Collins: I note that the Measure is indefinitely retroactive. Could you explain what the reason is for making that an indefinite retroactive effect, rather than a limited one?

Rt Rev Hugh Nelson: I will have to defer to you for that, Alex.

Rev Alexander McGregor: I think part of the reason is we do not know exactly when Archbishops of Canterbury in the 19th century started granting these licences, but we just

want to make sure there is no doubt about their effect. That is the reason for not putting any time limit.

The Chair: Presumably none of them are still alive.

Rev Alexander McGregor: Not if they were licensed in the 19th century. No, that is true.

Q8 **Luke Myer:** This seems eminently sensible to me. I note that it is quite narrowly focused though. Will there be a need to come back in the future to look at others who are licensed by a bishop, lay people and so on? As we have it, it seems sensible to me.

Rt Rev Hugh Nelson: There are no plans to extend what is a very specific kind of licence for a very specific group of people. There are no plans that I am aware of to extend that at present.

Q9 **The Chair:** Perhaps I might ask the Air Vice-Marshal this, purely and simply out of interest. I know there are other religions that have chaplains. Is the MoD being asked to do something similar for either the Roman Catholic Church or the Hindus or the Muslims?

Venerable Dr (Air Vice-Marshal) Giles

Legood: Since this is correcting an anomaly, I

think some of the other churches are not anomalous, but all of the endorsing authorities—and we have commissioned chaplains from the Sikh, Hindu, Jewish and Muslim faiths, and we also have a commissioned humanist chaplain in the Army—have similar Measures in place to the one that we are proposing today.

The Chair: Thank you very much. If nobody else has any questions, I thank the Church team very much. We are very grateful to you, particularly for answering all our questions. As you know, we will not give a formal decision publicly today.

Rt Rev Hugh Nelson: Thank you all very much for your time.

The Chair: Perhaps you would like to leave so we can then deal with the next Measure that is coming forward.

Examination of witnesses

Rt Rev Philip Mounstephen, Katerina Bashutska, Simon Gallagher, Zena Marshall and Paul Stevenson.

Q10 The Chair: Before I ask the members of the Church to speak, I want to make two points. One is that the Committee is very well aware that this is a subject of delicacy and dealing with past issues of great sensitivity. If there is anyone who has taken the trouble to attend today who feels unwell or indeed distressed, the next-door room, 3A, is available for that person to go and have a little quiet time. There are those who work for the Committee who could go and give them help if they would like to have it. I just thought people needed to know that.

Secondly, since I am aware that there will be people online as well as present who may not understand what the powers and duties of the Ecclesiastical Committee are, we were established by an Act of Parliament in 1919, and we have a very limited role. We have to say whether or not a particular Measure coming from General Synod is expedient. That is our sole duty. If it is found to be expedient, then it will move forward to

become, in due course, an Act of Parliament by resolution of both Houses of Parliament. We are the filter, you might think, between the General Synod of the Church of England and the two Houses of Parliament.

Having said that, I am very grateful to see you, Bishop. As I understand it, you have been very involved with this Measure for several years, I think since 1921—2021. I am sorry about that.

Rt Rev Philip Mounstephen: Sometimes it feels like that, but only since 2021.

The Chair: Since 2021, so you are eminently able to give us quite a lot of advice, I hope, on the purpose of the Measure and how you expect it to work. You have sent us—which is very helpful—not only the Measure but the Rules.

Rt Rev Philip Mounstephen: Indeed.

The Chair: Unusually, you have sent us the Rules as well. I would be very grateful if you would first introduce your team and then tell us what you want to say about the Measure.

Rt Rev Philip Mounstephen: Thank you, Madam Chair, and thank you especially for your sensitive words at the beginning about

those who might be watching and involved. I am very grateful for that.

I am joined by colleagues. To my immediate right is Simon Gallagher, director of the central secretariat to the Archbishops' Council, which is the national charity that holds the remit for the development of the Church of England national safeguarding policy. To his right is Zena Marshall, deputy director in the Church's national safeguarding team, which is the directorate of the Archbishops' Council. On my left is Katerina Bashutska, the senior responsible officer for the redress project, and lastly Paul Stevenson, the deputy head of the Church's national legal office, who has been the legal lead through the entirety of this project, I think. Shall I continue with my words of introduction?

The Chair: Yes, please.

Rt Rev Philip Mounstephen: Thank you. Indeed, I have the privilege of appearing before you today as you consider the Abuse Redress Measure and its associated rules, as the Chair said, and I had the privilege indeed of chairing the Church's redress project board from its inception in 2021. I hope that you have before you both the Measure and the draft rules, along with comments and

explanations provided by the Legislative Committee of the General Synod, and the executive summary.

Chair, before taking the Committee's specific questions, I would like to make a few opening remarks about the Church's approach and what we hope to achieve by this Measure. This will take a few minutes of your time, but I hope in doing this I might helpfully anticipate some of the questions that the Committee might have. First, I repeat the Church's tribute to those victims and survivors who have given so generously of their time and energy to this process—throughout the process, I would say—from start to finish, despite the harm that the Church has caused them. I am deeply grateful to them for their generosity, their sacrifice and their service.

As the Church, we recognise our lamentable failings, which have made it possible for some people to abuse others within the life of the Church, while others in the Church of England have been reluctant to face up to unpalatable truths and have avoided confronting difficult and painful situations openly and candidly. That is to our very great shame. To this Committee I say that I believe that the Measure and the draft rules before you

comprise important elements of trying to address those wrongs, not that we can ever do so in full. In saying that, as the Church we must recognise that, for many survivors, the wait for redress has been far too long in coming, and further delay, I believe, would be highly detrimental to them.

Since the commencement of the scheme's development in 2021, we have sought to work through some complex and novel questions, wishing to give careful consideration to the views of victims and survivors. As a board, in total we have taken more than 160,000 separate decisions in designing the scheme, with, I believe, significant care in doing so. The Measure and the associated rules lay the groundwork for the Church of England to deliver a redress scheme and confer the necessary legislative power on the Archbishops' Council to delegate decision-making about redress to a third party, known in the Measure as the redress body.

We have intentionally adopted a person-centred approach, which enshrines dignity, respect and compassion at its heart. Indeed, you will see those three words mentioned in the first clause of the Measure. The Measure as a whole allows for more generosity than

the alternative of litigation. Perhaps most crucially, it has been designed to look and feel different from litigation. The scheme is not designed to mirror a court of law or require a decision-maker to resolve triable issues. For that reason, the scheme's arrangements do not incorporate all the features—such as disclosure and cross-examination—that the Committee would expect in an adversarial process.

I repeat that we have intentionally taken a person-centred approach in designing the scheme and framing the legislation and rules. It is important to say that this legislation is survivor-focused. It is not concerned with perpetrators, except in as much as they fall within the general relevant categories. If the perpetrator were a member of the clergy, they would be dealt with through the clergy's disciplinary processes, or indeed anyone who perpetrated abuse in the life of the Church could be dealt with through criminal processes, but those are quite different processes from the process outlined in this draft Measure before you.

We have reflected carefully on the eligibility conditions and have sought to find the right balance so that the scheme provides an

appropriate response where a failure within the Church has been the effective cause of abuse, but not, of course, otherwise. We have sought to be clear about the nature of abuse that is in scope, while allowing for flexibility to respond appropriately in particular cases, taking into account the lived experience of each victim and survivor. We have made provision for applicants to have independent legal and financial advice if they wish to receive it, but not at a level that allows legal fees to consume a disproportionate amount of the redress fund to the detriment of victims and survivors.

We have provided for a review of the operation of the Measure, giving the Church's General Synod the ability to hold the Archbishops' Council accountable for the scheme's operation. That allows the synod to extend the lifetime of the scheme if it appears necessary to do so. We have also made provision for an independent appeals process. It is vital to stress that while there is a financial element to the scheme and much of the legislation is concerned with it so as to ensure equity, redress is about much more than money. For many survivors it is recognition, apology and repentance that matter most. It is for that reason that we are in the process of

designing a national service of lament and repentance.

Let me also set this in a broader national context. Members of this Committee will be well aware that we face a challenging time nationally with regard to safeguarding in respect to both of the questions around the implementation or otherwise of the IICSA recommendations and the grooming gangs inquiry. It was always our intention that this scheme should set a very high bar in the provision of redress as a genuine expression of our repentance and regret. It is why we were very careful to benchmark it against other schemes nationally and internationally. It is certainly my hope that it might form part of a much-needed national reset in regard to safeguarding.

Let me turn briefly to some of the reasons given to you as to why you should reject the scheme. Colleagues can give you fuller responses to these. However, apart from the vital point that very many survivors want this to pass, I would like to make the following general points. First, the issue of the independence of the scheme from the Archbishops' Council has been, I think, significantly misunderstood. The Archbishops'

Council will neither interpret nor direct how the scheme will be run. It is the legislation before you now that will determine that. The very fact that the scheme is statutorily established and establishes an arm's-length redress body guarantees its independence.

Secondly, to address the issue of the apparent absence of terms of reference, there are no terms of reference that determine how the redress body will operate because all of this is expressed in the legislation that is before you. As far as the relationship with Kennedys—the current redress body—is concerned, it is a standard contractual arrangement entered into as a result of competitive tender, which would be subject to standard examination under audit.

Thirdly, there is no suggestion that the funds allocated by the Church Commissioners are a ceiling. Of course, the legislation makes no mention of a specific sum. The funds currently allocated are simply a sum which allows the Church Commissioners to make appropriate budgetary provision, but I stress again, it is not a ceiling.

Fourthly, the scheme rules set out clearly how financial awards will be calculated, so it is incorrect to say that the lion's share of funds

will be taken up with legal fees. There is nothing in the legislation that suggests that that will be the case. Kennedys will take reasonable fees in relation to the complexity of the cases concerned, but I stress that those fees will be reasonable. If the scheme is to be administered at arm's length from the Church, then of course there is a price to be paid for that, but I repeat that that is a reasonable price.

Chair, in closing, I recognise that this Measure does not meet every person's hopes, but I would ask the Committee to recognise that, unusually, this Measure commanded overwhelming support at General Synod and to recognise above all that there are many victims and survivors who want the Church earnestly and finally to meet its commitment to provide redress. For that reason, I ask the Committee to find the Measure expedient. Thank you very much.

The Chair: Thank you very much, Bishop. Would anybody else on the team like to say anything to add to what the bishop has told us?

Rt Rev Philip Mounstephen: I think we are all happy to answer your questions.

The Chair: Absolutely, I understand, but in case you want to say anything else. Marsha, would you like to go first?

Q11 Marsha De Cordova: Thank you, Bishop, and good afternoon to everybody and also to those joining us online. It will be very important for us to always have the victims at the forefront of this whole question and answer session.

Bishop, I want to pick up the points around the redress body that will be administering this scheme. Initially what I want to pick up on is the redress body as it now stands, as the service provider is Kennedys law firm. As we are all aware, there was a challenge with the data breach that took place over the summer and obviously that had an impact on many, because they wrote to me to share their concerns about that. I understand that the Archbishops' Council met recently and after some deliberation has decided to continue with this particular service provider. Would it be possible for you or any of the panel who are there with you to talk us through how it made that decision in relation to continuing with that particular body?

Rt Rev Philip Mounstephen: Kennedys you mean, do you not?

Marsha de Cordova: Yes. For any avoidance of doubt, when I talk about the redress body or the service provider I am referring to Kennedys.

Rt Rev Philip Mounstephen: Yes, indeed. It is important to stress that clearly Kennedys is not mentioned in the legislation, and it would be quite improper to do so.

Marsha De Cordova: I get that.

Rt Rev Philip Mounstephen: I will say unequivocally that that data breach was appalling. I have to say—perfectly frankly—I was very angry when I heard about it. I think it did untold damage and I am very pleased that Kennedys took full responsibility for it and that it reported itself to the ICO. As I said at the time, we, as the Church, will never absolve ourselves of moral responsibility towards survivors, even though it was Kennedys which reported itself, rightly, to the ICO. We continue to have confidence in Kennedys, but that is not an unqualified confidence.

I am very pleased that it put in place a compensation package—a fairly generous compensation package, I think—for those whose data was breached. However, the Archbishops' Council has rightly considered

whether it should continue the contract with Kennedys. I will turn to Simon on my right in a moment. A material consideration was that, if the contract with Kennedys was terminated, we calculated that it would delay the implementation of the scheme by about 18 months and that that would be a timescale that would be unacceptable to survivors. Simon, do you want to add more about the process?

Simon Gallagher: The team—and I pay tribute to Katerina, who led a lot of this work—did a number of consultations with victims and survivors after the data breach to understand what they wanted. It is fair to say that victims and survivors had different views on this, so we wanted to understand and hear those. Some people were very upset and had lost confidence in Kennedys; others were, as Bishop Philip says, keen to see the scheme up and running as soon as possible and wanted to continue that. Some of that was to give some time to see how Kennedys responded and for us to build confidence that it was taking this seriously.

The overall conclusion has been that Kennedys has taken this seriously. It has responded well, both in terms of preventive

measures—we have established that this was human error rather than any system error—and it has put in new processes. We have established that it has made a good response in terms of victims and survivors and listening to that. Principally, because of this issue of delay if we had to start again with a new provider, but also that Kennedys was responding well and was taking this seriously, the advice that came from the team, which the trustees were very happy to accept, was to carry on with Kennedys in this instance.

Rt Rev Philip Mounstephen: Katerina, do you want to add anything?

Katerina Bashutska: I would add that Kennedys was very keen to learn from the error that has happened. It has worked very closely with us, our safeguarding specialists and our survivor participation and engagement specialists to understand how it would be best to respond to and approach this data breach. In fact, this has shown its commitment to making redress better and to make sure that survivors remain as a focus of the scheme.

Q12 The Chair: I have very much in mind that people will be listening to this meeting. Could you put, in extremely simple language so that

all of us around the table and those who are listening can understand, how the scheme is intended to work? Let us say you have someone who has been very badly treated by a member of the Church who wishes therefore to get redress. What do they do? How does the thing set off and what happens?

Rt Rev Philip Mounstephen: I am looking to my colleagues as to who wants to pick this up. Zena will in a moment but, just to introduce it, the background to the data breach was that in anticipation—in hope, in prayer—that this Measure will pass, Kennedys had already set up an online portal that would allow people to register interest in the scheme. That was what collected the data, and it was that data that was then breached. I simply use that as an illustration, that one thing we have been trying to do is to make the scheme as accessible as it possibly can be, both by registering interest in advance through an online portal and through phone contact, in as many different ways as people might want. Katerina, yes, you are the project officer. Please.

Katerina Bashutska: There will be a few different ways a potential applicant can start a process. There will a portal available online and we will of course do the communication

campaigns before the scheme launches just to show them, “This is where you can go; these are all the different routes”. Route number one is through the website. The process that we are building is non-adversarial, and because we have built it together with victims and survivors, we are hoping that it is going to be quite simple for people to follow to fill in the application. There will be phone line support available as well, so if someone feels they are not able to, or they might not want to, put in the application themselves and they need some support, they can call the support line, and a helpful operator will be able to take them through the process and even complete the application for them. Of course, the applicant will have to confirm that, yes, all the information put in is correct. There will be a few of those different ways.

The application comes in, it is filled in, and then it goes to the redress review board. The redress board—which we know is Kennedys—will review the application and assess and understand whether there is anything missing. It might have to go back to the applicant to request additional information. Once all the information is available and the redress review board is satisfied that it has

enough information, it moves on to the assessment to find whether the application is eligible and what the award should be. In all of that time, in all of that process, the applicant will be kept up to date. There will be certain timeframes in which they will have to receive information back on the progress of their application.

Once an assessment has been concluded, an applicant will be made aware of what might be available to them. There are two different ways that the redress can be provided. It is financial redress, but also what we call bespoke redress, so this is more individual. It might be emotional support therapies, counselling or it might be a conversation with somebody in the Church about this. This will be managed individually throughout the process, and the applicant would be able to accept or not accept what they are being offered. I hope that provides you more information. I am happy to answer any additional questions.

The Chair: Thank you very much. Now let us open it to questions.

Marsha De Cordova: Elizabeth, can I just finish off the points I was going to raise?

The Chair: Yes. I am sorry, go ahead.

Marsha De Cordova: Thank you. Just taking us back to the issues around the obligations with the redress body or the service provider or Kennedys—whatever we would like to call it—based on the decision by the Archbishops' Council to continue with it, what assurances or what framework of safeguarding or protections are in place to ensure that should something like this happen again there would potentially be penalties? Is there anything set out? Has there been any variation to the arrangement that you have with this particular service provider or is it just business as usual? I am just trying to get a better understanding.

Katerina Bashutska: I am hoping that Paul and I will be able to provide you with a full answer. What the Archbishops' Council has decided is that, yes, we want to continue with Kennedys, but we need to put a contract variation agreement to ensure that there is a policy in place that helps to prevent any events that might cause harm to potential applicants or applicants during the scheme. We are currently in the negotiation stage of this contract variation. It does provide for a robust framework of how this will be regularly checked and what the things are from our side

that we need to be satisfied with. We will have to review its processes of that policy. We will have to review its IT infrastructure for particularly this reason, and there will be some other things. This is from the procedural point of view. Paul, do you want to add anything?

Marsha De Cordova: Is there a timeline for that?

Paul Stevenson: There is not a timeline for that. I am grateful to the Second Church Estates Commissioner for the question. You will understand that obviously it being a contractual negotiation I cannot go into too much detail about that on the floor of a committee. However, as Katerina has said, we will as quickly as we can seek to agree an appropriate variation. It is multifaceted, as the Second Church Estates Commissioner will understand, in terms of deliverables, appropriate key performance indicators and providing market information that is needed to ensure that Kennedys can be held to account, as well as also checking parts of process such as in connection with cybersecurity and so forth. It will be a mixed bag.

I cannot guarantee how quickly that will be achieved because, of course, it has to be bilateral. It cannot be a unilateral process.

What I can assure the Committee is that we are doing the most we can to expedite that, in parallel with the parliamentary stages of this measure.

Rt Revd Philip Mounstephen: While I have chaired the redress board that was tasked with setting up the scheme, I am also the interim chair of the body that is exercising oversight while we continue to recruit for an independent chair for that body. This issue will certainly be something that that committee will continue to keep under close examination.

Q13 Jonathan Davies: First, I am very grateful that the Church has taken this issue increasingly seriously over recent years. I appreciate that together we have gone on a long journey, so thank you for the work that has gone into this.

I have two questions. In the papers that were circulated it talks about emotional, spiritual and another type of mentally based abuse. I wonder whether there are aspects of views within the rich diversity of the Church of England that are expressed that certainly through a secular lens or through other wings of the Church would be seen as quite challenging. The reason I come to this is that there is a chaplain in a school not too far from

my own constituency who has been very much in the public eye. I do not know the full details of the case, but part of it was that he expressed unfashionable views about LGBT people. I wonder whether there might be a sticky aspect of this legislation that through one set of eyes is seen as a problem.

My second question is: are you totally assured that there is not a perverse incentive for the redress scheme administrators to drive up cases? Do they receive a fee per case, or could there be a market that comes up around this of almost personal injury-style lawyers? The scheme is very generous, and I would not want to see it being taken advantage of and diverting money away from front-line parish ministry.

Rt Revd Philip Mounstephen: I will certainly deal with the first of those. There has been significant conversation about what is known as spiritual abuse. There have been some who have suggested that that concept should be dropped. We think that is a concept that has currency within the life of the Church, but we would want to see that concept within the broader category of psychological abuse. Personally, I would want to be very clear that the holding of a particular opinion and the

advancing of that particular opinion in a reasonable, measured manner could not possibly be described per se as abusive. It would be the manner in which that attitude, that perspective, were advanced that would be abusive, not the holding of that attitude per se.

On the issue of, if I may put it like this, ambulance chasers, I will turn to you, Katerina.

Katerina Bashutska: We have agreed a fixed fee framework with Kennedys. That is, we hope, going to protect us from the fee-chasing element. Plus we will commission the independent audits regularly and one of the things they will be checking is the fee charging. They will be reviewing whether it is still in line with the rules and with the contract.

Rt Revd Philip Mounstephen: It is important to say that we cannot say that there will be a fixed fee per claim. You could have a claim that resulted in a very substantial award but with a fairly small fee going to Kennedys because of the simplicity of the issue in the case that was before it. Equally, the reverse would be true. The more complex a case is, the higher the fee might be. There is clearly

within the contract a control on fees, as there should be.

Jonathan Davies: In terms of the first part of my question, if a member of the clergy was to stand in a pulpit and articulate some of the more challenging verses of Leviticus and say that they stood by those statements and that the congregation should, too, is that the right side of spiritual, emotional and psychological abuse or not?

Rt Revd Philip Mounstephen: I will answer it, if I may, slightly tangentially. We deal, I would say, pretty much daily, as would be the case, I think, in every diocese, with people bringing forward matters that they consider to be a safeguarding issue. I do not judge those. We have a diocesan safeguarding officer who I trust implicitly, whose professional responsibility is to judge each and every situation on its own merits. I am rather reluctant to answer hypothetical ones, but I do want to assure you that our safeguarding officers act within a clearly understood framework as to what does and does not constitute abusive behaviour. Zena, do you want to comment on that?

Zena Marshall: Yes, I would support that. Every case is taken on its merits. We have a

definition of spiritual abuse that was approved at the House of Bishops several years ago. Everybody is trained in spiritual abuse to identify and deal with it accordingly.

Rt Revd Philip Mounstephen: It is not a free for all.

The Chair: My understanding is that the national safeguarding team has trained social workers.

Zena Marshall: Yes, that is correct. Some are trained social workers, yes, and so are diocesan safeguarding officers. Some are trained social workers.

The Chair: I also understand from the Archbishop of York that all the bishops have gone through appropriate training.

Zena Marshall: They have all done spiritual abuse training, yes.

Rt Revd Philip Mounstephen: Yes and, indeed, have to refresh that training on an appropriate timescale.

The Chair: I am glad to hear it, as someone who was formerly very involved in safeguarding.

Q14 Lord Shinkwin: Bishop, you have told us that the legislation is survivor-focused and that the

lived experience of each victim and survivor is taken into account. In your note to the Committee that you provided in advance of today's meeting you addressed the question of what steps the Council proposes to take to ensure arm's length oversight of the scheme once it is operational. You refer in your answer to a steering board to oversee the work required before the scheme becomes operational and then to oversee its operation. You go further and you say that the board will include survivor representation.

Rt Revd Philip Mounstephen: It will.

Lord Shinkwin: Can I ask you to go into a little bit more detail about the survivor representation, particularly the proportion of the steering board?

Rt Revd Philip Mounstephen: Yes. I will turn to Katerina, who I think can give you a better answer than I can.

Katerina Bashutska: Of course. This is a model that we are proposing and, in fact, the steering board that will start meeting in November will have to review it and agree it, along with the victims and survivors we are working with. Currently, we are proposing that there will be two experts by experience on the board. Their recruitment will be open through

our survivor participation newsletter, and anyone would be able to apply. Before applying, people would have a chance to speak with someone from the board to better understand what we are trying to achieve and what their role exactly will be. At the moment it is two people. It is a conceptual model that the steering board will have to review. If it feels it will need more people, then obviously this can be discussed.

Rt Revd Philip Mounstephen: To maybe give you some reassurance about how the first board that I chaired operated, first of all there were essentially two bodies. There was a survivor working group that consisted simply of survivors; it was serviced by national safeguarding team staff but the survivor working group consisted of survivors. Every decision that the board took, the parameters of the conversation, was first examined by the survivor working group. Almost every paper we had expressed the view of the survivor working group in us taking our decisions. Furthermore, there were two members of that survivor working group who were full members of the board and played a very full part in it. They were all appropriately recruited and I would expect exactly the same process

of recruitment to happen for the members of the redress steering board.

Lord Shinkwin: Thank you. May I just press you on the specific question about proportion? It is very reassuring to hear that you will have two. I was just wondering two out of how many members of the steering board?

Rt Revd Philip Mounstephen: Again, forgive me for referring back, but one of the things that we were very keen to do in establishing the first board, and I would want to do the same thing by analogy with the steering board, was to ensure that all the relevant stakeholders were represented around the table. It was important, for instance, to have the Church Commissioners represented there. It was important to have members of the Archbishops' Council represented there. It was clearly really important to have survivors represented there. By analogy, I would want to ensure that the relevant stakeholders were around the table and to ensure that the survivors' voice was clearly heard. I would say that if you were to take a record, probably the survivor representatives on the board spoke nearly as much as I did, if I can put it that way.

Q15 Rebecca Smith: I have a couple of totally unrelated questions, if I may. Just for

clarification on the language that is used in the Measure, where it is saying “a clerk in Holy Orders”, is that basically a parish priest?

Rt Rev Philip Mounstephen: Yes, but it could be a curate. It could be a bishop. It is anyone who is ordained.

Rebecca Smith: Brilliant. I just wanted to clarify that that is what it means.

Rt Rev Philip Mounstephen: That is the legal definition.

Rebecca Smith: Perfect. I thought it was. For both the parish priest piece and also the lay worker, who could be a paid member of staff, for example—I am thinking particularly about more modern Anglican churches where they have the vicar essentially acting as a CEO, often, and then a staff team—I am slightly concerned that the PCC (Parochial Church Council) is the right body to be able to tackle that, given that often the PCCs are not particularly powerful bodies in the way that the Church is structured. Having been part of a church like that myself, just to make a declaration—

Rt Rev Philip Mounstephen: I could not possibly comment about the rightness of that, but carry on.

Rebecca Smith: I do not think that in certain circumstances the PCC is empowered to be able to make that decision if it were making that decision against the vicar or the priest who is, in effect, the CEO and directing the PCC meetings. The question is: why not the warden in that instance? Usually a churchwarden has a slightly higher position. Even in those more modern churches, the churchwarden does normally still have some clout. I was just interested in why it was at the PCC level, particularly for those more modern churches.

Rt Rev Philip Mounstephen: I will turn to Paul, but I would just preface it by saying that the Church representation rules that govern these things apply to every Church, whatever tradition, whatever style, and the PCC cannot outsource its responsibilities to anyone else.

Rebecca Smith: Will there be suitable training given to PCCs should this sort of thing come up? In a lot of cases they will be, in effect—not necessarily marking their own homework, but having a potential conflict of interest—

Rt Rev Philip Mounstephen: I do not think this legislation directly impinges on the operations of PCCs, but I would certainly say

that in the Diocese of Winchester I would be encouraging, and do encourage, all PCCs to take their trustee responsibilities very seriously.

Rebecca Smith: It could be something to look at.

The Chair: I think we need to let Paul Stevenson speak.

Rebecca Smith: I have one final question, if I may. It is a very brief one, though.

The Chair: You are on your fourth question.

Rebecca Smith: Not on this piece, though.

The Chair: Carry on.

Rebecca Smith: Sorry. I was waiting for you to—

Rt Rev Philip Mounstephen: Go on, Paul.

Paul Stevenson: Shall I answer, Madam Chair, or shall I wait for the final question?

Rebecca Smith: No, the final question is completely different.

Paul Stevenson: I see. It is an important question and, if I may, I would like to use the opportunity to clarify the limits of what this measure proposes. I think the proposal you

are referring to is Section 21, which refers to contributions and co-operation. Now, all that has in view is trying to identify the right governance part of the Church of England—which, as you know, is very federated—at which a request for contribution can be addressed.

There is no expectation that the PCC will be discharging functions in connection with the assessment of matters under this measure. All those decisions will be taken at arm's length by Kennedys or the redress body. That is not intended to create additional legal liability for PCCs; it is simply trying to find, in a complex and fragmented ecosystem, the right place to address those requests. It is not intended to cut across their rights or duties, or to confer anything that is inconsistent with the Church representation rules, as Bishop Philip says.

Rt Rev Philip Mounstephen: It would be a request to contribute, not a demand to do so.

Rebecca Smith: They are not responsible in that sense. One totally unrelated question if I may.

The Chair: Last one.

Rebecca Smith: From a purely practical perspective, should this go forward, how do

congregants and people in the wider world know that this has been passed? This is particularly for the non-sexual abuse, as there is lots in the news and we are very aware of the sexual abuse redress. Thinking back to what my colleague said about the spiritual abuse aspect and that sort of thing, how are people going to know that this is something that they could draw upon and seek redress through?

Katerina Bashutska: I would say it is a simple question. We are already developing awareness campaigns, and we are thinking about how best to reach people, and we are thinking about certain groups of people who are not using the internet, of course, because everything is online at the moment. We might be targeting certain areas and doing leaflets and comms. Yes, comms is a very big part of our project, and we are planning it all.

Rt Rev Philip Mounstephen: We do want this to be known.

Katerina Bashutska: Absolutely, yes.

The Chair: I would just say to members of the Committee that I am extremely anxious that everybody has the opportunity to ask a question. If you keep your questions relatively

brief, that will enable other people to ask them as well.

Q16 Lord Dannatt: In information we have been provided, the figure of £150 million is mentioned. It says, quite rightly, that this is not a ceiling. Of course, £150 million is a lot of money and represents a lot of clergy stipends in various parts of the country. My question is: what judgment has been arrived at of the proportion of the £150 million that may well go to Kennedys as the legal firm, and what proportion is therefore available for compensation payments to those who have been abused, if such a judgment has been arrived at?

Rt Rev Philip Mounstephen: It is very difficult to make that judgment, just as it was very difficult to arrive at the £150 million as a sum, because of course the currency of abuse is secrecy, essentially. We do not know how many claimants there will be in the scheme. We know that somewhere around 300 people are registered as interested in the scheme with Kennedys to date, but we do not know whether that is a majority or whether that is a drop in the ocean. We simply do not know that.

It is very difficult, therefore, to say what proportion will go where, but I would just remind you that the rules set out very clearly the level of award that will be given to survivors of abuse, according to the nature of the abuse, aggravating factors, and so on. There is clarity about that. As I said earlier, a lot of it will depend upon the complexity of the case as to what Kennedys' fee would be, but I stress again that those fees will be reasonable according to the contractual agreement that we have entered into with it.

Q17 Luke Myer: Clearly, there is not unanimity among survivors on this. Some have raised concerns about independence in the context of Kennedys and others feel that it has taken at least a decade to get to this Measure and it is long overdue. The point I want to get across in the context of this Committee is one that was made by survivors to me ahead of the debate we had in the House earlier in the year, which is that many survivors feel traumatised not only by the original abuse but by the successive safeguarding failures that they have endured within the Church.

My questions are: does the Archbishops' Council understand this point and the strength of feeling survivors have? What assurances

can the Church give of the genuine independence of the scheme from the Archbishops' Council? Does the Church accept that the only way, as Professor Alexis Jay has said, to deliver improved safeguarding is to go fully independent, which the Synod supported earlier in the year, in principle, in terms of operations, but not in terms of a hard and fast commitment in the short term?

Rt Rev Philip Mounstephen: Thank you. Do come back to me if between us we do not answer all of that.

The first thing I would say is: you are absolutely right, there is not a single view among survivors, and why would we expect there to be? Indeed, the Safeguarding Minister in the Commons made that point last week with some vehemence, I would say, and she is absolutely right to say so. Also, you are absolutely right to suggest that people have been re-traumatised by successive safeguarding failures, and the entirely appropriate and understandable publicity that there has been around that.

On the independence of the scheme, I come back to what I said at the beginning: in many ways that is the point of the legislation. I think

the legislation guarantees the independence of operation of the scheme. Frankly, I think legislation is better than terms of reference. It guarantees the arm's-length nature of it. I will turn to Simon to answer anything I have not covered.

Simon Gallagher: Let me say a bit about the future independence plans, if I may, because you are absolutely right, the General Synod did vote in February. What we have been distinguishing between is independent scrutiny and independent operations. The General Synod voted decisively in February for independent scrutiny, and it voted decisively for independent national operations, but it asked us to do further work on the local diocesan operations and whether it was right to bring that within an independent national operations model or whether it needed to be kept locally.

That was not through fear of independence, per se; it was more that we need to have this embedded in parishes and in the Church because parish safeguarding officers are our front line there, and where was the handover point and where was it most efficiently done? As charities, you cannot get rid of your responsibilities for safeguarding. I am afraid

Bishop Philip will always be responsible through his Diocesan Board of Finance.

At that point, we had not set out precisely how the accountabilities would lie between the Diocesan Board of Finance and any national body. We needed to do further work to show that we can articulate those responsibilities. That is work we have been discussing and consulting on over this year, and I hope we will be able to bring a much more detailed update to the General Synod in February next year.

Rt Rev Philip Mounstephen: It is also worth saying that we have appointed a chair of the Safeguarding Structures Programme Board, Dame Christine Ryan, who was the former executive chair of Ofsted, who I think is a very good appointment to oversee that work and to see it through.

Simon Gallagher: That builds on one of the recommendations from Professor Jay's report, which was that not only should safeguarding become more independent, but we need to get an independent person to help lead us on that journey rather than trying to set it up internally.

The Chair: There will be a safeguarding

measure in due course?

Luke Myer: I will take at face value the point that the work is underway towards the operations and I will look out for February Synod with interest. The follow-up is: how is redress affected by this? If there is a future body down the line, do we then come back to this entire Measure and revisit it? How does it fit together?

Rt Rev Philip Mounstephen: Do you want to deal with that, Simon?

Simon Gallagher: How does it fit with redress, specifically? The short answer is nothing at all, in that this is a scheme that will be delivered at arm's length by the redress body and the provision provides that this can be transferred over to any future body, or that a decision can be made. One of the things—and I hope you have heard this from us—is our enthusiasm to get on with it and deliver this. We could wait for all structural change in the Church of England to stop, but we just want to get on with it. Paul, is there anything more technical to add on that?

Paul Stevenson: It is neutral, essentially. It is a basket of delegated powers and obligations that can be undertaken by the right

governance entity of the Church of England, whether that is the Archbishops' Council or any other body in due course.

Q18 Zöe Franklin: The legislation references a number of times the assessment framework and the guidance that will be provided to those running the redress scheme. Given that we probably all agree that there needs to be real transparency and clarity for survivors, I want to ask: is that documentation going to be made public and is there going to be a clear effort to have it in plain English? I think we all know how challenging the language of the Church of England and of Parliament can be.

Rt Rev Philip Mounstephen: I personally was slightly mystified when I read the redress measure. I appreciate it entirely; it was trying to put into legislative language what had been fairly simple and clear to me but seemed rather less so. However, legislation has to be framed in a certain way. Katerina, did you want to deal with the first issue?

Katerina Bashutska: The answer to all your questions is, yes, absolutely. The information will be available publicly. It will be posted. We will have some forms that will be available to solicitors, for example, who would want to support applications, but it is also going to be

translated into plain English so that it is absolutely clear. In fact, we continue to work with victims and survivors at the moment, and one of the workstreams that they are involved in is making sure that all the communications are done plainly, so that they are clear and understandable.

Q19 The Earl of Cork and Orrery: I am somewhat concerned about Section 3, which contains the definitions of persons who have suffered abuse. There are six elements and two conditions to be met here, and it is entirely feasible that that there might be somebody who met five of the elements but not the sixth or did not quite meet one condition. Who is to adjudicate over whether this minor variation could be accepted or not accepted? Is it to go to the appeals process, which will make another step, another timeframe, and so on and so forth?

Paul Stevenson: I am grateful, Madam Chair. Lord Cork is quite right: there are two different gateways into this scheme, which we call conditions, and the second of those conditions has six elements. The straightforward answer is that one must show all those elements, on balance of probabilities, in order to come within that gateway.

Now, of course, the body making that decision will be the redress body, either Kennedys or the body performing that role. If a person believes that they have got it wrong and they have reached an impermissible decision, then of course a right of appeal lies. However, those are all the elements that have to be met because that is the important safeguard that means that the scheme pays redress only to those who have genuinely been harmed by the Church, and we must make sure that we stay on the right side of the line in that assessment.

Baroness Eaton: My question is a follow-up from that. Has it been found that there are very many vexatious claims that have got through the system to that entry?

Paul Stevenson: Well, of course, as we are not live yet there is no body of evidence that will demonstrate that at the moment. What I can say, though, is that, while it is true that in the majority of claims there are few that are vexatious, it is not unknown. I can say that there are legal claims, those being brought forward on a common-law basis outside the scheme, where there are questions about the veracity. Therefore, it is a point that we need

to take into consideration in designing the scheme.

Q20 The Chair: I have one question. At the moment the scheme is intended to last for five years. I suspect there will be cases now and in the future, so what are you looking at about extending it?

Rt Rev Philip Mounstephen: The legislation makes provision for extension. Am I right in saying that, Paul?

Paul Stevenson: That is right. Madam Chair, the current provision will require the Archbishops' Council to undertake a review of the operation of the Measure in its fourth operational year, not earlier than the end of the third and final year, and take a view on whether or not it wishes to extend. That was considered to be the best way forward in circumstances where there is no body of evidence before the Church at the moment looking at things such as the likely level of demand or so forth. That will happen by way of scrutiny in the General Synod. It will be a transparent, debated, and accountable decision when the time comes.

The Chair: As a matter of reality, these appalling things that happen will continue to

happen from time to time—one hopes, very much reduced—as you cannot live in a world where these things do not happen. All I am asking is: are you expecting just to continue this system or are you looking for something that might be different in five years' time?

Rt Rev Philip Mounstephen: The short answer to that is that we must keep that under review. You are absolutely right. Journalists ask me this question the whole time: “Can you guarantee that no abuse will take place in the Church of England?” Well, you cannot guarantee that for any institution.

The Chair: No.

Rt Rev Philip Mounstephen: We will need to make ongoing provision, again, I would say, as any institution ought to.

The Chair: I just wanted you to be well aware of that.

Rt Rev Philip Mounstephen: Indeed. In the broadest terms, it is fair to say that what we are trying to do with this scheme is to address historic abuse that has happened in the Church of England. However, we did as a board discuss, “Should we say this applies only to abuse that takes place up to a

particular point?” and we rejected that for precisely the reason that you suggested.

Madam Chair, can I just come back to the Earl of Cork and Orrery’s question? There are basically two entry points into this scheme, and it is not true to say that the whole lot of six conditions have to be met to qualify for redress under this.

Paul Stevenson: It is in connection with the second of those conditions.

Rt Rev Philip Mounstephen: It is in connection with the second of those conditions that that applies. There are two entry points.

The Chair: Thank you very much. I am extremely grateful on behalf of the Committee for the amount that you have given us by way of information, which has been very helpful. We now propose to go into private session and so I would ask everybody, not only the Church—I am very grateful, Bishop—but those sitting behind, to leave.

Rt Rev Philip Mounstephen: Thank you and thank you for your careful consideration of this. We do appreciate it.