

**Terms of Reference for the Investigation
following the Korriss Review into Safeguarding in the Deanery of Jersey**

Purpose

1. The Investigation is to make appropriate inquiries, review and report upon the available evidence, make findings of fact and make recommendations about whether or not disciplinary complaints should be brought against any member of the clergy as a result of the matters raised in the second set of paragraphs 1) to 5) inclusive of the recommendations starting on page 47 and concluding on page 48 in the Korriss Review into Safeguarding in the Deanery of Jersey,¹ namely, for:
 - a. Allowing a church warden to operate in contravention of the Safeguarding procedures and the training he had undertaken.
 - b. Failure to notify the Safeguarding Advisor on receipt of the complaint.
 - c. Failure to implement and act in accordance with Diocesan Safeguarding Procedure in the handling of the initial complaint interview.
 - d. Failure to record and make all documentation available for a review of a Safeguarding matter as required by the Safeguarding procedures.
 - e. Despite the request of the Bishop of Winchester, unwillingness to permit review of Safeguarding practice and also discouraging others from participating.
 - f. Any other inappropriate or unbecoming conduct in connection with these matters.

2. Upon receipt of the report of this Investigation, the Bishop of Winchester will decide whether and if so what actions are required, including (as a

¹ *Independent Review of a Safeguarding Complaint for the Diocese of Winchester* commissioned by the Winchester Diocesan Safeguarding Panel and published on 8 March 2013 ("the Korriss Review"): "to establish whether there has been inappropriate or unbecoming conduct... which may lead to the need for a disciplinary process to be conducted."

priority) whether disciplinary complaints should be laid and against whom.

Process

3. The Investigation shall be conducted in private.
4. The Investigation is to gather and review all available and relevant evidence including, but not limited to, that considered by the Korris Review. Where relevant information was not made available to the Korris Review the Investigator may inquire into and seek to gather that information and make findings of fact about why that information was not made available.
5. The Investigator may interview or seek information from any relevant person in the course of the Investigation. The Investigator shall have the same authority to seek information from a person as if the Bishop of Winchester were seeking that information.
6. Any person interviewed or requested to provide information to the Investigator shall be provided with a copy of these Terms of Reference.
7. The Investigation shall be conducted in a manner which seems appropriate to the Investigator, at all times acting in accordance with the principles of fairness and respecting the human rights and other rights of those involved in the process.

Reporting

8. The Investigator shall write a report setting out:
 - i. a summary of the inquiries that have been made;
 - ii. relevant findings of fact that have been made;
 - iii. recommendations about whether action (whether disciplinary or otherwise) should be considered in respect of any person and in the case of any possible disciplinary process may

identify the apparent causes of complaint against that person.

9. Where it is proposed that the report will make adverse findings of fact or recommend the consideration of disciplinary action against a person, the Investigator shall ensure that that person has had an opportunity to comment on that proposed finding or recommendation before finally determining or reporting the matter.
10. The Investigator shall deliver a copy of the report to the Bishop of Winchester. Upon receipt the Bishop of Winchester will supply a copy of the report to anyone against whom disciplinary action is recommended and to the Bailiff of Jersey, the Dean of Jersey and the Ministry of Justice.
11. The Bishop of Winchester shall, within a reasonable period of time, notify anyone against whom disciplinary action is recommended whether disciplinary action will be taken and the complaints which will be considered.
12. The Bishop of Winchester shall provide a copy of the report of the Investigation to the Commissary of the Visitation of the Parishes of the Deanery of Jersey, Bishop John Gladwin. The report of the Investigation may be used to inform the findings of the Visitation.
13. The report of the investigation or a summary of its findings and conclusions will be published in due course, and / or after the conclusion of any recommended disciplinary proceedings. Where necessary the report may be summarised and / or redacted for legal reasons or to protect the identity of any person who features in the report or who has provided relevant information to the investigation.

Appointments

14. The Bishop of Winchester hereby appoints Dame Heather Steel DBE as his Commissioner and the Investigator to lead this Investigation.
15. The Investigator shall be advised and assisted by a police officer nominated by the States of Jersey Police.
16. The Investigator may be assisted by such other person as the Investigator shall request and the Bishop of Winchester shall appoint.
17. The Investigator may delegate any of her functions to such other person as she sees fit, including interviewing and requesting information from any person.

A handwritten signature in black ink, consisting of a large, stylized initial 'T' followed by the name 'Timothy Winter' written in a cursive script.

The Lord Bishop of Winchester