



JUDICIARY OF  
ENGLAND AND WALES

**R v Peter Ball**

**Central Criminal Court**

**Sentencing remarks of Mr Justice Wilkie**

**7<sup>th</sup> October 2015**

1. Peter Ball I have to sentence you for offending, committed over a period of 15 years, involving some 16 victims, a number of whom have suffered deep and long lasting trauma as a result, and one of whom, in 2012, killed himself in circumstances directly related to your offending and its investigation. They have been denied justice for what you did to them for many years and that has greatly exacerbated their sense of hurt and damage. Your offending was such as to damage the confidence the public is entitled to have in the rectitude of senior office holders in the established church and its ability to identify and act on misbehaviour in its ranks and that must be marked in the sentence I pass.
2. I have, however, also received testimonials on your behalf from some 17 individuals, from widely differing walks of life, each of whom provides a picture of you at various stages of your long life, including currently, and each of whom has, in detail, described your immense positive qualities: a charismatic, empathetic, humble, holy man. Each of them urges me to show you the

kindness and mercy which you, in their experience, had shown to them and others, often in the most extreme of circumstances.

3. My task is to seek to achieve justice not only for your victims and for the public interest but also for you, a man who has, often during the same period, done so much good but also so much harm. I have concluded that I can only do justice to your victims and the public interest by imposing an immediate sentence of imprisonment upon you even though I appreciate that it will be particularly hard for you given your age and physical ailments. I will seek to do justice for you by reducing the length of the sentence to reflect not only that hardship but also to give you credit for the good in your life. You are a highly intelligent and insightful man. You have lucidly expressed your predicament to Dr Sandford as recorded in his most recent report: you know you had done wrong; you are deeply sorry for your victims; you have negatively affected the lives of others; you owe them an apology; you must take responsibility for your actions; you are preparing yourself for prison.
4. You have pleaded guilty to an offence of misconduct in a public office, committed between 1977 and 1992 whilst the holder of the public office of Bishop of the Church of England. You have also pleaded guilty to an offence of indecent assault on X between the 31<sup>st</sup> December 1980 and the 1<sup>st</sup> January 1983 and on Y committed between the 7<sup>th</sup> October 1990 and 1<sup>st</sup> November 1991. Throughout that extensive period of offending you misused your office and authority as a Bishop of the established Church to manipulate and prevail upon a significant number of young adult men, some 16 in all who, in various ways, were under your pastoral and spiritual care and guidance, all for your own sexual gratification.
5. In your basis of plea, upon which I am bound to act, you expressly accept the detailed case as fully opened to me by the crown. You expressly accept that you obtained sexual gratification from the deliberate manipulation of vulnerable young men and that your frequent contact, over a period of time, with most of your victims was of a kind consistent with grooming.

6. You also expressly accept that you abused your position as a Bishop of the Church of England by making suggestions to your victims that their religious or social life would be improved by engaging in the acts you suggested.
7. A major engine of your system to secure a stream of victims whom you could exploit was the scheme you established known as “give a year to Christ”. You expressly accept that, whilst, as the evidence shows, this was a genuine scheme in which many participants engaged in a genuine course of religious thinking and tuition, you used the opportunity which it presented to persuade selected individuals to commit, or submit to, acts of physical or sexual debasement under the guise of their being part of an austere regime of devotion, when they were not. You have expressly accepted that those acts were committed at your suggestion and encouragement for your own sexual gratification. You accept that those acts were not part of the approved or received teaching of the Church of England, nor of St Francis of Assisi, upon whose spiritual authority you, at one stage in these proceedings, sought to rely, nor are they practised anywhere else with any official sanction or approval. Those acts were never expressed publicly, or in writing, or as part of the terms of attendance of individuals on the scheme. Indeed you accept that you often told your victims not to say what they had experienced with you. You accept, in effect, that your offending was not a case of excess of zeal on your part but was a deliberate and informed exploitation and distortion of the religious and spiritual needs of those who were your victims.
8. Using the authority of the public office of a Bishop of the Church of England, you used this scheme to cause certain young persons so to fall under your influence and tutelage that you were able to persuade them to stand naked before you or to join you in being naked, on occasions in a place of worship, in front of the altar. On occasions you persuaded some of them to permit you to embrace them whilst you were both naked. Those activities, frequently resulted in your sexual arousal, occasionally to ejaculation. You persuaded some of them to permit you to anoint them whilst naked which you did for your sexual gratification, you persuaded others to allow you to beat them with the similar selfish, sexual, motive.

9. Your victims were idealistic, often inexperienced, always filled with a spiritual hunger which they looked to you to feed. You chose to pervert their religious feelings and needs to your own base ends. They were persuaded by a combination of your personal charisma and position of authority within the established Church to permit you to pervert their spiritual needs by physically and sexually abusing them. It was a gross abuse of the imbalance of power and authority between you and them.
10. Some of them were obviously uncomfortable and your interest in them ceased before any lasting harm was done, but others were much more seriously affected. I have read the victim personal statements of 7 of them. I have also read statements of the sister and partner of another, Z. He had been so troubled at the time of these events that, in 1992, he attempted to commit suicide on more than one occasion. It was his complaints about you which led to an investigation by the Police which, in 1993, resulted in your accepting a caution for committing an offence of gross indecency upon him. In 2012, after being told that you were again under investigation, he was unable to cope with the pain of these memories coming to the fore again and he committed suicide in a manner which was lingering and hugely distressing for those nearest to him.
11. I make it clear that, whilst these statements describe the long lasting and, in some cases, severe impact, these events have had on them, I do not have regard to other matters which are irrelevant for my purpose in sentencing you. Those may be for others to consider as I am aware that the Archbishop of Canterbury is establishing an independent inquiry to look further into your conduct and its investigation.
12. I do, however, have regard to the fact that you were the highly respected holder of an exalted position in the Church which, in itself, had the effect of making claims, which have turned out to be true, hard to credit by those who may have been in a position to take action earlier. I have no doubt that this was a factor in the long delay in these matters coming to court, which has exacerbated and extended the duration of feelings of isolation and lack of self worth which your actions engendered in some of your victims.

13. Thus it is that, in addition to the damage done to individual victims by your abuse of power, the established Church, by its inability, for a long time, to recognise the truth of much of what was being said against you, itself has suffered damage to its reputation and its collective sense of itself as a just and compassionate body. This too is a consequence of your misconduct
14. I accept that, as a result of the initial investigation in 1993 and your acceptance of the caution to which I have referred, you ceased to hold the position of Bishop of the Church of England and suffered, to some degree, a public humiliation. I accept that there is no suggestion that you have engaged in any similar behaviour since 1993.
15. It is, however, a further manifestation of the damage you have done to the church that those who could not credit the true extent of your abuse which had been, in part, revealed in 1993 were prepared to permit you to continue to minister to Church of England congregations for many years. The knowledge of the continuing acceptance by the church of you as a person worthy to act as a priest has been a further cause of distress and confusion to at least one of your victims and I have little doubt to others. It is clear that you actively sought rehabilitation in this way and, at that stage and for a number of years, you were not prepared to accept your wrong doing. Thus, your now coming to a position of contrition for your wrong doing has taken many years to achieve and is of only recent origin
16. In considering the seriousness of your offending, and in your favour, I must have regard to the fact that you limited your sexual exploitation of these young people so that, in every case, it fell short of any form of sexual penetration or, loyal to your basis of plea, any element of genital touching .
17. In sentencing you for the offence of misconduct in public office, I must also have regard to the fact that, because your victims were all adults and what occurred was consensual, your offending, as reflected in that count, did not amount to the commission by you of any substantive sexual offence. In the case of counts 3 and 5 you have accepted acting in a non consensual manner to two of your victims. I regard those offences as part of the same course of

conduct reflected in count 1 and I will pass concurrent sentences for each, the sentence in respect of count 1 will reflect the totality of your offending.

18. Given the sexual nature of your behaviour in count 1, I have had some regard to the sentencing guidelines for sexual assault and causing a person to engage in sexual activity without consent. In particular I have regard to the vulnerability of many of your victims, the degree and duration of the psychological harm done to some of them, as described in the personal statements, the degree of planning and manipulation involved in your offending and the gross breach of trust which this offending involved. Nonetheless the gravamen of your offending in count 1 is the exploitation of your public office over many years with many individual victims in the ways described by the prosecution in opening as an abuse of power, I am grateful to the prosecution for drawing my attention to a number of cases in which the Court of Appeal Criminal Division has considered sentences for misconduct in public office passed on Police officers and, in one case, a politician. There are no guideline authorities and each case must turn on its own facts, but these cases provide a useful benchmark or ball park within which to place your offending in count 1. It is of note that the most serious of those cases ***Bohannan 2011 1 Cr App R S 106*** involved a police officer who, for a number of years, provided sensitive and confidential information to a drug dealer. In his case after a trial the Court of Appeal imposed a sentence of 6 years. In ***Fletcher, 2012 1 CR APP R S 62*** a sentence of 32 months after a plea of guilty was upheld for a police officer who had sexual intercourse with a vulnerable woman after being directed to visit her house in the course of his duties.
19. Your criminal conduct crosses the custodial threshold. I have regard, in particular, to: the seniority of the position which you exploited, the duration of your offending, the number and vulnerability of your victims, the planned nature of your offending and the fact that what you did was the antithesis of what is expected of someone holding that office,. On the other hand I give you credit for your exceptionally positive character, as evidenced by the numerous testimonials. I have regard to the fact that I am now sentencing you as a frail 83 year old for whom prison will be difficult for that reason. I also have regard to

the fact that there has been significant delay though the credit for that must be limited. In 1993, after a trial and without the personal mitigation to which I have referred, the sentence on you for count 1 would have been of the order of 5 years or 60 months.

20. I have to sentence you today and I have to take into account the evidence I have received of your exceptionally good character over many years. You are now 83 years old and you have lived, since these events first emerged in 1993, without offending but having to deal with some level of public shame to which you were then subject. You are not in good health, having suffered a stroke in 2008, and you suffer chronic lower back pain and a number of other ailments. I also accept that the stress of these proceedings, having commenced afresh, late in life, long after you may have hoped that they had been dealt with in 1993, has been considerable. On the other hand, I am satisfied that this delay was, at least in part, a result of the protection your position provided because those who could have taken action may have been unable to accept that you could be guilty of such serious and extensive misconduct. Thus the delay, and your apparent continued acceptance by the Church as a priest throughout much of that period, has also exacerbated the damage done by you to your victims.

21. Bearing in mind all of these various factors the appropriate sentence today after a trial for count 1 would be one of 42 months.

22. You are entitled to credit for your plea of guilty. I am satisfied that it was not entered at the first available opportunity. You submitted a defence statement which not only took the technical “public office” point, but evinced an intention to contest count 1 on the doctrinal “St Francis of Assisi” basis which you now accept was unsustainable. The sentence I pass on count 1, giving you an appropriate level of credit for your plea of guilty, is one of 32 months imprisonment.

23. The sentences for counts 3 and 5. I am satisfied that each of them falls within level 3 A in the relevant sentencing guideline with a starting point of 26 weeks and the upper range going to 12 months. There are, however, a number of aggravating features to which I have referred and, taking into account all the

factors including your plea of guilty, the sentence I pass on each of them is one of 15 months. They will run concurrently with one another and with the sentence passed on count 1

24. You will serve one half of that total term of 32 months. You will then be released on licence but liable to recall if, during the remainder of the sentence, you were to breach the terms of your licence. In accordance with the request of both Dr Sandford and the author of the Pre sentence report, I direct that the prison authorities from the start of this sentence be informed of your physical and mental health problems so that you may be appropriately housed during your sentence.
25. You will be subject to the sex offender notification provisions for a period of 10 years. Your sex offending will be notified to the Disclosure and Barring Service.
26. I do not consider it is appropriate to impose a sexual harm prevention order bearing in mind all that I have heard and the fact that there has been no recorded offending on your part for over 20 years.
27. A criminal courts' charge pursuant to s21B of the Prosecution of Offences Act 1985 in the sum of £900 is hereby made.
28. Counts 2 and 4 will lie on the file on the usual terms.

The Hon Mr Justice Wilkie

7<sup>th</sup> October 2015.