

Review of the Diocese of Aberdeen & Orkney

CONFIDENTIAL

1st August 2021

I was invited by the Primus of the Scottish Episcopal Church to undertake an independent review of the diocese on the 9th of March 2021. I agreed and asked that he ensure pastoral support for the bishop of the Diocese during the period of review and subsequently.

By way of background for this review, I was born in Aberdeen and live in Edinburgh. I am a retired academic theologian who has been employed outside of the Church of Scotland since July 1985. I was a professor and formerly dean of what was then the Faculty of Arts & Divinity at the University of Aberdeen, then Moderator of the General Assembly 2003-4, then president of Princeton Theological Seminary from July 2004 to the end of December 2012 when I returned to the UK and to Edinburgh. In March 2013 I accepted the invitation of the Chancellor of the University of Aberdeen to be her Pro-Chancellor (an honorary and ceremonial post).

The review, which was announced in March 2021, is a fully independent process conducted outside the formal structures of the Scottish Episcopal Church. It was commissioned by the College of Bishops after the Bishop of Aberdeen & Orkney, the Rt Rev Anne Dyer, said that she was subject to unsubstantiated and anonymous allegations in the national media, and has provided an opportunity for all interested parties to make submissions about issues referred to within, leading up to, and arising from recent media coverage, as well as any other related issues.

The submission period of the review was from Monday 5 April until 5pm on Wednesday 5 May. Submissions were sent directly to me at a dedicated and confidential e-mail address.

I was charged to:

Write a report summarising the respondents' statements and other interview results without attribution of the submitted statements. The report will present the view of the reviewer as to the reasons underlying the events and actions and their interpretation. The report will be submitted to the College of Bishops in the first instance, with an undertaking that it will be passed unchanged to other involved bodies (e.g. the Standing Committees of the Diocese of Aberdeen & Orkney Diocese and of the General Synod of the Scottish Episcopal Church etc.) and made public to ensure transparency and independence.

A number of difficulties in the concept of such a review and assumptions made by the commission to undertake it became apparent almost immediately.

1. This is not a judicial inquiry and I am not a judge and engagement in the inquiry was voluntary and so to some extent unpredictable. Those who wrote to me were those who wished to write. At the same time, I had to discover for myself which documents, statements, minutes or HR reports were crucial in understanding difficulties in the diocese and I had to ask for them. I do not doubt that there is material I have not seen.

2. The assumption of the bishops who commissioned the review was that it would pass 'unchanged' to other bodies and to the public 'to ensure transparency and independence'. I do not believe that is possible.

A number of the submissions I received were from people who told me they had been bullied by the Bishop. Their stories were acutely personal. Almost all of those people told me they were afraid of retaliation in some form or another. Scotland is a village and episcopalian Aberdeen(shire) is an even smaller village and anonymisation would not prevent jigsaw identification.

I do not believe it would be responsible to 'publish' the review in its entirety or grant general access to it.

Consequently, I offer a more general and less specific digest of my findings along with some recommendations and a more detailed and anonymised appendix which must be understood as a 'Record Apart' and is strictly confidential and only for the sight of the bishops who commissioned it.

I recognise that it may be considered impossible to publish any part of this review. Any publication would be by the decision and at the risk of the College of Bishops.

The review was requested because Bishop Dyer said that she was subjected to unsubstantiated and anonymous allegations in the national media. Despite the Bishop's claim, I found that a number of the reports in the press did in fact name individuals.

During the submission period (5th of April to the 5th of May) I received 115 submissions. Though many were around 8 pages in length, several were over 40 pages. Except for one, which was anonymous and spoke of the use of a Non-Disclosure Agreement, every one of them gave the sender's name and address. All except 2 were sent to me electronically and they came from the length and breadth of the diocese. So, excepting the one to which I referred, there was nothing anonymous about this process.

Two submissions, both about 8 pages long, were what I would call 'rants'. Though broadly in support of the bishop, they were angry about everything, chiefly that they were not themselves more appreciated. Some told me they had been asked to write by their rector in support of the bishop. In general, I was struck by the thoughtfulness and attempted detachment of the submissions I received. Excepting the 2 to which I referred, they were not polemical. In some cases I knew that the person writing to me knew more than they had written, but a sense of restraint or decency or discomfort at the process made them hold back.

During May and June, I followed up with 27 conversations by Microsoft Teams and 9 phone calls. I came to worry about the Teams conversations, because though I wanted to thank people who had had the courage and discretion to write as they did, I am aware that there is always investigator error and I tried to strike a balance between too much empathy and too much detachment. Conducting a process of this kind entirely by remote and during COVID is difficult and has potential for misjudgement.

The Bishop set up a confidential shared link to which she gave me a password. This meant that, unconstrained by the one-month window for submissions, she has had unlimited opportunity to select those events which she saw as being crucial and send me her timelines and ancillary documents. And she has sent me a very great deal, on occasions apologising for the quantity of material she thought I should read. We also had a conversation by Teams.

I had a submission from the Chancellor and another from the Dean. And I had a conversation with the Dean by Teams. I had a comprehensive submission from the Assistant Treasurer from whom I asked a number of further questions. I found him invariably prompt, helpful and efficient. I also had a submission from the Diocesan Secretary in which he properly acknowledged his conflict of interest as he is an ordinand.

Among the submissions several propositions were put to me.

1) There was a suggestion that the diocese had been in disrepair for years and that the difficulties faced by Bishop Dyer all had their roots in the situation which preceded her.

On the basis of the submissions I received, I believe this suggestion is simply false. A number of submissions maintained that the diocese was a happy place during the tenure of Bishop Gillies, that differences in theological perspective were tolerated, and that people could disagree and remain friends. A number of submissions maintained that Bishop Gillies was a successful and loved pastor to his priests, who met each priest and lay reader annually without fail for an appreciated annual review, and was well known by the various congregations.

I believe that this is correct and the suggestion that the diocese was in disarray under Bishop Gillies is false.

There was deferred maintenance at the Cathedral but its heating system seems to have been repaired more easily than had been anticipated. There had been plans under Bishop Gillies to have greater integration of the cathedral with the diocese and to have a rationalisation of the small city centre churches. Neither of those strategies were continued after Bishop Gillies retired.

2) There has been a suggestion that the root of all Bishop Dyer's problems lay in her appointment under Canon 4 and that her critics were malcontents from that time.

I believe there is some substance in this claim.

Following the failure twice to produce suitable candidates for an election, the Primus met with the Chapter of the Diocese. The Chapter explained the priorities of the diocese and its wish for a missional leader with a collaborative style of working. As the diocese had voted against changing the canon on marriage, it did not anticipate having a bishop who supported the marriage change. Members of the Chapter, the Diocesan Synod and the Standing Committee believed that the Primus understood his responsibility to report the priorities of the diocese.

News of the appointment of Bishop Dyer was received by some with disappointment and a sense that the diocese had not been listened to. There was a loss of confidence in the college of bishops and a sense of being let down by the Primus. This was not an objection to Canon 4 in itself, but a sense that within the process of discharging it, the diocese had been disregarded.

There remains a question as to whether the electing bishops choose a bishop who will be naturally congenial to them as a college, or whether they attempt to elect a bishop who most closely meets the needs of the diocese. It has been said to me that the Bishops wished to be joined by the then Canon Dyer because of her experience with theological education. It does not seem evident to me that the Bishops must possess every kind of expertise among themselves. Others (eg Canon Professor Paul Foster) are perfectly well able to advise on theological education.

In the use of Canon 4, I would recommend that the needs of the diocese should be given priority.

Bishop-elect Dyer refused to meet members of the diocesan synod or diocesan standing committee for discussion about areas of difference prior to her consecration. It seems to be agreed that this was a lost opportunity to build bridges and when bishops are appointed under Canon 4, such meetings should be an established practice.

On the 5th of January 2018, and unable to find another avenue with which to express their disquiet, eleven priests and four other members of the diocese signed a letter which they made public. This was unfortunate, but I believe it only occurred because no other avenues were available.

3) There was a suggestion that the root of Bishop Dyer's difficulties lay in the objection of many in the diocese to having a woman as their bishop.

Despite the fact that one priest and congregation have sought alternative episcopal oversight, I have not found justification for this explanation. The diocese is well used to the ministry of women (see, for example, the much loved and highly respected Canon Lisa Eunson who was rector of St Ternan's in Banchory for 11 years before her untimely death in 2017). Not a single submission I received objected to Bishop Dyer on gender-based grounds. It may be countered that people with gender-based objection would not state it so overtly. However, trying to double guess the motive of submissions opens an irresolvable cycle.

In terms of the submissions I received, it was the supporters of the Bishop who used dismissive language: I was told that the Bishop's critics are 'in the shallow waters of Christianity and splashing about' (Sahf), 'dark misogynist stuff in the sewers of the diocese' (Sljb), 'blatant misogyny under a pretence of theology about same-sex marriage' (Stal).

4) There was a suggestion that the root of Bishop Dyer's problems lay in her sympathy for same-sex marriage and that this made her unacceptable to a number of her priests.

I find no basis for this as it is not raised in a single submission referring to the time following Bishop Dyer's appointment.

5) It has been claimed that objection was made to Bishop Dyer because she does not drive.

I do not believe this has been a significant factor in the difficulties of the diocese. It has been claimed that the fact that the bishop is always accompanied by a driver means that it has proved harder to have unscheduled private conversation when she is making a rural visit. While understanding this, I do not see it as a serious factor as it is always possible to make alternative arrangements for a conversation.

More substantial reasons for the unhappiness in the diocese have been raised in the submissions I received.

1) Several people claim to have been bullied by the Bishop.

2) Several people have raised governance matters with me. There is anxiety about centralisation, in that the Bishop now chairs committees not previously chaired by the bishop. The Bishop has also taken on the role of IT Officer for the diocese. It is claimed that the Bishop uses 'canonical obedience' and her canonical status as a way of settling disagreement both with individuals and in such bodies as the trustees of St Andrew's and the Diocesan Standing Committee.

3) The intervention of the Bishop in the affairs of St Andrew's (formerly the Cathedral church) has been far-reaching and far from happy.

It is my belief, based on the submissions I received, that these three factors have led to considerable distrust in the Bishop and an attendant loss of credibility.

(1) The alleged bullying of individuals is too sensitive for this section of the review and more detail will be added in the appendix. One person (Saob) wrote:

I have been stunned by the lack of care and protection offered within the SEC. It seems intent to protect the hierarchy and its own reputation; people lower down the pecking order are expendable. This clearly continues to this day, evidenced by the statements in the press before this review was announced: 'It [the church] said it would not respond to "unsubstantiated or anonymous complaints"', adding: 'Any complaints about bullying behaviour in the SEC should be sent to the church rather than the media'. This statement ... dismisses those, including *****, who have suffered and tried to raise these issues internally but were never heard, nor any action taken and were not anonymous.

I have witnessed my happy, confident and capable spouse be systematically destroyed. Going through the evidence over the past weeks to prepare *****'s submission has been very hard and has opened old wounds. Sadly, I do not trust that the outcomes of this investigation will be acted upon by the SEC in a fair, considered manner.

'Bullying' is a form of behaviour about which it is notoriously difficult to be definitive in practice but it is broadly to do with oppression brought about by the uneven use of power. There are 6 individuals who have written to me, claiming to have been disadvantaged in some such way. There are 2 others who can claim to have been treated unequally or in a way which diminished them.

To respond in an accountable way to accusations of bullying, I recommend that the Scottish Episcopal Church sets up a Judicial Committee which is entirely independent of the Bishops. It might consider sharing such a committee with the Church of Scotland (a proposal I have discussed with the current Principal Clerk of the Church of Scotland).

People who are ordinands are placed in a position of unusual vulnerability. A human sciences academic at the University of Aberdeen (Sweo) spelled out for me the unidirectional nature of the power structures faced by ordinands and their vulnerability to decisions made about them. It became apparent that a candidate approved by the interim bishop of the diocese (Primus Mark Strange), having acquired a degree, undergone training and made family sacrifices could have their well-founded expectations abruptly set aside by the incoming bishop.

At a theological level, I am disappointed by such apparently arbitrary and 'parochial' behaviour by a new and inexperienced bishop setting aside what appears to have been the judgment of the Primus who acted as interim bishop and the judgment of the long-serving previous diocesan bishop. All bishops of the Scottish Episcopal Church wish to have their episcopacy treated as equal by other bishops in the Anglican Communion. They do so rightly because, as Cyprian of Carthage wrote in his *De Ecclesiae Catholicae Unitate*, *Episcopatus unus est cuius a singulis in solidum pars tenetur* / The episcopate is one – a joint property in which we all severally share (*De Ecc Cath Unitate*, 5). Respecting the considered judgement of other bishops follows from this.

I recommend that further consideration be given to the uneven vulnerabilities faced by ordinands. It should be possible for an ordinand to transfer to another bishop under defined circumstances.

(2) There are issues of governance, style and tone which have given me grave concern.

One submission (Salg) told of writing to the Bishop to explain a situation to her.

'.....I have to say that the reaction was nothing short of extraordinary. The speed and intensity of Bishop Anne's email rebuke was breath-taking. Presuming there had been some misunderstanding, I suggested to her that we book a conversation by phone. To my astonishment, Bishop Anne was relentless, unyielding and intimidating from the first.

There have been other instances similar to this in her relationship with individuals [.....]. Some have been so badly bruised by similar encounters that they have decided either to leave the SEC or definitely have no more to do with assisting in the running of the local church.

Bishop Anne once said to me that she was of northern stock and had learned to speak with an honest candor. A phrase she has used regularly, and which illustrates her approach on these occasions, is “let me be clear”. To be victim of such robust ‘clarity’ is to feel bullied.

I can only guess that for a woman to be in Bishop Anne’s position must be very difficult and that she will indeed have had to fight her corner carrying the cost of hurtful encounters. In defending her position she may well have learned to be both decisive and forceful. There is real danger for her in this as she may alienate those who could be her strongest allies....’

(i) There is a recurrent issue here. I do not think it can be denied that the Bishop is forthright and blunt. It cannot be denied that a number of people find this intimidating and offensive. Whether all her unhappy encounters can be glossed as merely the directness of a Yorkshire woman remains to be seen.

(ii) From the beginning, it has been known that Bishop Dyer’s episcopacy would not be a lengthy one. I have asked myself if, along with a habit of brusqueness, her interactions are coloured by urgency from a realisation that she does not have long in office. This might partially explain the impression of haste one senses in her actions.

On 2 occasions the Bishop has delivered forthright criticism of the trustees of St Andrew’s. The criticism came in the form of a previously prepared statement, delivered in the first case by herself and in the second case by her Chancellor. These were described to me by one of the trustees as ‘assaults’. They were, on any account, unusual ways of treating a body of hardworking volunteers.

The first such rebuke was dated 15th October 2020.

As your Bishop I feel it is necessary to say something tonight to you as a Trustee body.

I do this because together you (we) have a shared legal responsibility, even though I know that some of you have only been Trustees for a very short time, and have not been part of historic business that has led to present difficulties. Because we share responsibility, I speak to you all. It has become clear to me that there are systemic problems in this Trustee body that effect much of the business that has to be done together.

There is a negligent approach to compliance, which has led to repeated instances of actions or activities that are not in accordance with Scottish law, Canon law and Scottish Episcopal Church requirements, or charity law.

There is an embedded habit of dissembling and poor dissemination of information, which regularly leads to confusion, upset, and sometimes conflict.

There is a disregard for the usual conventions of confidentiality, which has caused the congregation as a whole to be distressed.

There are meetings which some attend, and others do not know about, circulation of papers and information that not all Trustees see.

None of this is acceptable in a Trustee body – but we are more than this. We are together the Body of Christ, and a much higher standard of behaviour is required of us.

This is the last meeting of this Trustee year. Some of you were already planning to stand down for very good and appropriate reasons.

However I say to you all, and to those who you might encourage to stand for election, that being part of this body requires every member to work together according to the law of the land and the canons of our church, honouring one another as brothers and sisters in Christ, and treating your bishop with respect.

I ask you, prayerfully and sincerely, if you cannot do these things, then please consider carefully your position as a Trustee.

Grace and peace to you all

The minute of that meeting read:

‘The chair departed the meeting abruptly after reading out the statement leaving the Trustees in utter shock and confused at 21.04. There was silence and quiet.’

When the Bishop had read her statement, she departed the meeting, and her Dean and Chancellor departed too.

Not every trustee was present. The Bishop sent her message to those absent, adding, ‘Please note, this statement is for you alone. It should not be shared or copied elsewhere.... If you are minded to stand down, then please do this quietly.’

Four trustees resigned as a result of this rebuke. One (Sgyt) wrote to me saying, ‘I was dismayed by the statement. I took the accusations in it quite personally and I felt she had not recognised the financial and human resources challenges, nor the achievements, of the previous year’. He added that Bishop Dyer herself ‘did not attend our meetings regularly until around July 2020’.

When one is trying to determine what has gone wrong in what has become a very troubled diocese, one looks at the quality and tone of the human inter-relations.

This behaviour was repeated.

A submission (Srsd on 28 April 2021) noted:

At the Board meeting on 18 March 2021 the Bishop, Chancellor and Dean launched a concerted criticism of the other Trustees, without forewarning, including a statement read out by the Chancellor. Even if the content of the message was factually correct, the effect felt like an assault. It felt as if we had been found guilty (collectively) without hearing the evidence and without any right of reply or defence. This does not seem conducive to enthusiastic engagement.

The same submission continued: ‘..... The Bishop has seemed keen to remind Trustees of their potential personal financial liability should things go wrong, and the risk of litigation. We were warned to maintain strict confidentiality. The way in which this information has been shared appears to frighten and intimidate, not to encourage or empower. The climate of fudge and fear has prevented the Board from controlling communications in a positive way. We do not yet have a good message to share.....’

‘During Board and congregational meetings there is frequent reference to the Bishop’s position of authority supported by Canon Law. Authoritarian leadership may work in some situations but not in others. It does not seem well suited to the current situation of St Andrew’s Cathedral ... This creates an uncomfortable situation in which Trustees are often reminded of our corporate responsibilities, but with the implied threat of being over-ridden if we take a view which is deemed wrong.’

'It seems to me that the balance between authority, responsibility and accountability is misaligned within the Aberdeen Diocese and perhaps within the Scottish Episcopal Church (SEC) as a whole. Lines of accountability are not always clear; this can allow a sense of uneasiness and insecurity. If some people appear to have authority without effective accountability, this may create a working environment in which it is easy for people to feel bullied.'

This submission (and other such accounts) worried me and I wrote to the Chancellor on 3rd May 2021, asking (a) whether he (as Chancellor) and the Dean were trustees, and (b) which canon laws would overrule charity trustees if that is what happened.

The Chancellor replied to me on the 4th of May 2021:

'..... The Bishop asked me and the Dean to attend meetings as her advisors and this was accepted by the trustees. We are not trustees and do not vote and we are there to assist the trustees in dealing with the difficult issues facing them. We have been attending meetings since 29th May 2020.'

'As a Cathedral church St Andrews is governed not only by its Constitution but also by its Statutes. These were approved in 1996 and I will arrange for a copy to be sent to you.

The First Article of the Statutes provides that :-

"The Bishop shall be Head of the Cathedral church and its Visitor. In all questions of government or order the decisions of the Bishop shall be final, save in cases where, under the Canons of the Church, or Statutes of the Cathedral, an appeal is allowed to the Episcopal Synod".

Still worried, I forwarded my exchange with the Chancellor to one of Scotland most eminent QCs who specialises in charity law.

He commented (31st May 2021):

'To my mind there is no governance difficulty in that the bishop chairs the body of trustees; but I would be astonished if the constitution provided – actively or passively – that some unspecified part of canon law should take precedence over the general law applicable to the trustees in general. A stupid example would be that a provision of canon law that 'only the deserving poor in the view of the Bishop 'should override the charitable purpose of 'the deserving poor of the Diocese'.

More generally, not only is my own instinct the same as yours that this is likely to be an unsuccessful and frustrating way of working; but it probably also means that individual trustees, although each individually accountable for failures, losses, etc., will not be holding each other to account. So, I am entirely with you in your proposal to suggest that the governance structures recommended by OSCR should have priority.'

I had similar worries over the content of a Review of the role of the Standing Committee (of the Diocese) dated November 2020 and signed by Ferdinand von Prondzynski (Honorary Diocesan Secretary) and Graham Robertson (Chancellor).

This document noted, *inter alia*, that '.....the Bishop is not merely the chief pastor of each Diocese, but also its chief officer with ultimate leadership over all relevant matters, duly assisted by committee and other structures.....'.

It continued that, '....the Scottish Episcopal Church is smaller than other sister churches, in particular than the Church of England, and this is reflected in leaner structures.....'.

It recommends that, ‘.....The Bishop should declare where she disagrees with a decision of the Standing Committee at the meeting where it is taken, and where the Bishop so declares the decision shall fall’.

And it continues, ‘.....the lean establishment of Diocesan structures and staffing makes it important that there is a direct line of management and accountability between staff and the Bishop. This means that the Bishop should be the prime mover in decisions on hiring and firing, though with appropriate safeguards to ensure the integrity of these processes’.

I sent this document (with its similar governance issue) to the QC to whom I had written earlier, asking if I would be safe to say in my review:

“I have read the revision made in December 2020 to the constitution of the Diocesan Standing Committee.

I have a concern that the precedence and unilateral ability to overrule granted to the bishop undermines the responsibility which should be exercised equally by every trustee.

I showed the constitution to an eminent Scottish QC who is an authority on charity law. He concurred that this is a matter of concern and that the diocese should seek expert advice.”

The QC replied to me (20th June 2021):

I think that your words capture perfectly and very clearly the area of concern. The point made in favour of the approach – that the SEC is smaller and leaner does not help – neither are bishops trained to be CEOs, nor would a CEO properly working with their trustees act without the trustees’ consideration and approval. That was the problem with Kid’s Company.

Concluding this section of my review:

I recommend that expert advice is applied for to clarify the relationship between charity law and canon law in the Diocese of Aberdeen & Orkney.

I recommend that particular attention is paid to the fact that the current exercise of authority and apparent lack of accountability can lead to an impression of bullying.

I much fear that these styles of governance and decisions based upon them have seriously undermined the credibility of the Bishop.

I suggest with regret that the Chancellor, Dean and Diocesan Honorary Secretary should all ask themselves whether, by not standing back and indicating boundaries to the Bishop, they have colluded in unsatisfactory behaviour.

So far as I can see, none of this is to do with gender, same-sex marriage, the mode of the Bishop’s appointment under Canon 4, or the fact that she does not drive.

There is another aspect to the issue of governance and authority. This is one of strikingly increased centralisation under Bishop Dyer. It is maintained that side by side with this there has been a lack of the pastoral dimension of episcopal ministry.

I have learned from submissions made to me (jigsaw identification is too easy), that the Bishop is chair of Standing Committee, chair of Finance & Property and chair of the Mission & Ministry Board. The mission and ministry board is where ministry, mission and congregational development were fostered. Among its pendant groups were Spirituality, Information & Communication; Church & Society; and Training for Ministry (lay and authorised). The Board has not met since November 2019.

The remit of the Information & Communication Group had been to oversee the production of the diocesan newsletter *Northern Light* (quarterly) and the monthly *Centrepoint*. It seems that neither of

these now exist. The Vocation & Formation Group no longer exists. Since the redundancy of the diocesan IT Officer, I am told that the diocesan Facebook page is a shadow of itself.

In addition, the Bishop is now Provost of her Pro-Cathedral and is *de facto* Assistant Director of Ordinands. A consequence is that it is felt that anyone exploring vocation may only proceed if their theological outlook matches that of the Bishop.

At all meetings (so submissions inform me), the Bishop herself sets the agenda and usually any proposed additional items are rejected or ignored. This also applies at Synod, when no space was allowed for any other business and questions were only permitted if submitted in advance.

Such centralisation raises concerns over how it is possible for the Standing Committee to work effectively. When the Bishop has become the chair of almost all diocesan boards (a number of which have subsequently not met), then the ability of the Diocesan Standing Committee (the Charity Trustees of the Diocese) to interact with the full range of activities within the Diocese is curtailed. Some trustees have told me that they have contemplated resignation.

I recommend that the Bishop should invite others to chair the key boards of the diocese and should re-establish a relationship of trust, accountability and transparency between herself and the Standing Committee.

A further anxiety is that meeting with the Bishop is difficult because finding a date in her diary is at times impossible, such is the range of commitments she has assumed.

(3) The Bishop has become involved in a sustained series of actions relating to the Church of St Andrew (formerly St Andrew's Cathedral).

It is, I am afraid, my view that these actions have been little short of disastrous and I fear that they have further undermined the credibility of the Bishop. It seems that nothing has been gained and that much has been lost.

Dr Poobalan, formerly the Provost of what was then St Andrew's Cathedral, went to some length to welcome Bishop-elect Dyer. Not himself a signatory of the open letter criticising her appointment, he invited signers of the letter to Bishop Dyer's consecration in an attempt at reconciliation. In August 2018, he organised a meal to help the Bishop to network in the city of Aberdeen.

Relations have, however, deteriorated, as sometimes relations do, but this is not the place to chart them.

In September 2019 major problems became apparent in the heating system at St Andrew's. The Bishop involved herself in the project to repair it and proposed closing the Cathedral over the winter months of 2019-20. Advent and Christmas services were, however, held in the cathedral. In February 2020, Dr Poobalan, with the help of the Rector's warden, produced a business plan which he was invited to present to the Standing Committee of the Diocese. He made the same presentation to the Diocesan Synod and gained support of others, with the Registrar believing the plan was achievable as a three-way partnership between the Cathedral, the City and the Diocese.

The Bishop opted for closure of the Cathedral and this was agreed by the trustees reluctantly and made public in June 2020. The Provincial Director of Communications (Donald Walker) was brought

in to coordinate the announcement of the closure of St Andrew's Cathedral and of the elevation of St Mary's, Carden Place, as the Pro-Cathedral.

As part of the temporary closure, the Bishop announced that she herself would assume the role of Provost and that St Andrew's was to abstain from using the word 'Cathedral' on notice boards and letter heads. This was received reluctantly by the trustees as the charity continues in existence to this day [(this was written on the 29th of June 2021) as St Andrew Cathedral Church: Aberdeen, SC001058, registered as a charity since the 1st of March 1922]. Fr Terry Taggart of St Mary's was appointed a canon. An honorary canonry was offered to Dr Poobalan but he declined it.

Dr Poobalan is widely regarded as a good and holy man. I had many submissions praising him as an outstanding priest. He is a person of standing and integrity. He is also the only person of colour holding such office in the diocese. I find it extraordinary that he has had his title as Provost removed and has been diminished in the way described.

On the 14th September 2020, there was a detailed email from the Bishop to Christopher Cromar (the Director of Music at St Andrew's) which was copied to the Dean (Dr Berk), Canon Taggart of St Mary's, the Chancellor and the (now) Rector of St Andrew's (Dr Poobalan).

Pro-cathedral

St Andrew's ceases to be the cathedral for this diocese at the end of Sunday 20 September. From the next day we must work hard to refer to the building as 'St Andrew's', and Isaac as the 'Rector of St Andrew's'.

From Monday 21 September, St Mary's becomes the acting pro-cathedral (acting temporary cathedral).

This church will need to be confirmed as the pro-cathedral at the Diocesan Synod at the end of February next year. In terms of activity (what goes on), a pro-cathedral is the same as a cathedral.

Going forward there are some significant matters to address.

The congregation of St Andrew's has to make the move to St Mary's - the pastoral priority. Various matters relating to the Charge and charity have to be tidied up – administrative matters of importance. Various policy documents relating to operations have to be written – to make the whole compliant to Scottish, charity and SEC law.

When the above has been done, the buildings on King Street will be assessed. A decision will have to be made as to whether they can be repaired. This will include a robust assessment as to whether the considerable sums needed can be raised. There will be no funds for this available from the Charges in the Diocese, or the Diocese itself.

So – there is a chance that we will decide that the closure is permanent, it is important to be clear about this. If we decide a re-development is possible, then serious fundraising will begin. This is likely to take some time. A re-development project, once started, will also take some time.

So – we can say that either way St Mary's is likely to be the pro-cathedral for some years. This commits us to bedding down there, and making it our home.

Authority structures

I am bishop – with all of my rights and authority, now and into the future.

From May 2020 I have also been Chair of the Trustees at St Andrew's, and will continue to be for the foreseeable future.

I am assisted at the Trustees by the Dean of the Diocese, Revd Dr Dennis Berk and the Chancellor, Graham Robertson (himself an organist!). They assist me because of the serious workload before us.

From Monday 21 September I become Provost (relating not just to St Andrew's, but to St Mary's)

Revd Terry Taggart is Rector of St Mary's, so it is he who has canonical responsibility for worship when I am not present.

Revd Isaac Poobalan remains Rector of St Andrew's, with pastoral responsibility for that congregation.

Terry and Isaac will be licensed as assistant priests to each other's congregations on 27 September.

Your Contract for Services is with St Andrew's, and you are responsible to the Provost – so me from next Monday. We will arrange regular meetings. I expect communications and the like to be confusing for some time, so we must work hard so that you know where you are and what is expected of you.

Location of working

From Monday 21 September, all activities that are outward facing (rehearsals, worship, recordings, live streaming) will be located at St Mary's.

This will make this coming Saturday the final concert from St Andrew's.

You will be visiting the St Andrew's building regularly to play the organ there, and maintain it in as good a condition as possible. A Building Care protocol (yet to be written) will include a section on the organ.

We plan to move the piano to St Mary's but have yet to discuss this in detail.

Finally – where is the music archive to be kept? Has this been catalogued? Is it safe? I worry about floods and rain and mice!!

When full music returns

I very much look forward to the days when full musical activity can return – even steps along the way will be good.

I described my expectations to you for various types of service:

- Diocesan services (ordinations, diocesan synods, etc)
- Holy Days and Festivals
- Regular Sundays (mornings and evensong)
- Low Sundays (when you might be away, quality singers not available – e.g. during the summer holidays)

These services require different kinds of music. The first two kinds of service on this list are very important indeed, and development of these would be my priority in the longer term. We have not been offering what would be usually expected from a cathedral.

A key thing for the next period is to make sure in these straightened times with limited music that musicians of differing qualities from the two churches are included – this is a pastoral imperative, affecting more than the musicians themselves.

So Chris – I hope this is clear!! If not, then please do not hesitate to email me.
For reference – my mobile number is xxxxx xxxxxx.

I am so glad you are with us – thank you for all that you are bringing to our worship in this challenging times.

God bless you

+Anne

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The Rt Revd Anne Dyer
Bishop of Aberdeen and Orkney

[I, Iain Torrance, **emboldened** some text to clarify it.]

Prior to this, on the 18th of September 2020, Professor Ferdinand von Prondzynski (the Diocesan Secretary) emailed Mr Cromar:

‘My conversation with Bishop Anne in the afternoon [this refers to a conversation on the 17th September as Professor von Prondzynski was writing at 00.32 in the morning of the 18th September] was designed to sensitise her to the issues. I advised her that you could not be kept out of the Cathedral every other Sunday, and she agreed – she wondered whether you might let Matthew [McVey] play something – say, at the offertory – on the second organ. **She agreed you were in charge of the music at all times.....**

The important email from the Bishop just quoted was not a *contract* for Mr Cromar, but it did set out an understanding of his role at the Pro-Cathedral. The Bishop said she was ‘his Provost’ which implies that he was part of her establishment and she wished to benefit from his expertise. The email from the Diocesan Secretary (a person of some weight) amplified that understanding.

Mr Cromar consequently, and helpfully, drew up a schedule for worship until Epiphany. This involved organising and occasionally bringing in hired soloists. Because of COVID, he and the organist at St Mary’s could not play the same organ. In the evening of the 22nd of September 2020, Canon Taggart texted Mr Cromar: ‘I believe he’d [Matthew McVey] like to contribute if that’s possible. I will of course leave it to you to direct accordingly as to what his contribution should be’. It was agreed that generally Mr McVey (the organist at St Mary’s) would play during the offertory.

On the 22nd September 2020 the Bishop invited Dr Poobalan to a meeting. They were joined by the Primus (who had not been expected by Dr Poobalan). The Bishop accused Dr Poobalan of not being truthful (he had circulated a memo to the trustees of St Andrew’s about heating and re-opening) and Dr Poobalan defended himself, pointing to ways the Bishop had diminished him over the last 2 years. The question of canonical obedience was raised. This was re-stated as absolute obedience to the bishop.

Dr Poobalan was subsequently licenced as the Assistant Priest at St John’s and asked to sign a document of canonical obedience on the 27th of September 2020, which was the first Sunday on which the two congregations worshipped together.

The arrangement lasted only for 2 Sundays.

On the 6th of October 2020, contrary to the comprehensive plans now drawn up for services until Epiphany, Canon Taggart of St Mary's asked Mr Cromar to take the following Sunday off and the St Mary's organist was to play the entire service.

Mr Cromar, fully knowing the importance of music for St Andrew's, aware also of the reluctance of what some feared was a 'merger' with a loss of St Andrew's traditions, consulted with some of the trustees who encouraged him to stand his ground. He asked Canon Taggart for flexibility and for the matter to be referred to joint committee. Canon Taggart apparently refused.

Mr Cromar affirmed his place as the 'Director of Music' (as he understood it in the light of previous exchanges and assurances about the 'merger') and threatened to go to the press if need be. Mr Cromar has told me that he regrets this threat, and that it was not a wise thing to do. Nonetheless, this was a young and talented musician asserting his role and threatening to whistle blow on the rushed 'merger' if he believed the musical tradition was being jettisoned so quickly.

For reasons which are unclear to me, rather than listening and mediating, the Bishop took decisive and unnecessary action:

On Saturday 10th October she instructed Dr Poobalan to ensure:

- (a) that Mr Cromar withdraw his email by 5.00pm
- (b) that Dr Poobalan collect Mr Cromar's keys to St Mary's and return them
- (c) that Mr Cromar be stopped from attending worship on the next day

Dr Poobalan confirmed that he had done these (at least so far as he was able).

On the Sunday, Mr Cromar attended worship at St Mary's. He disinfected his hands and came forward to receive communion from the Bishop. At the benediction, following the practice initiated by Canon Taggart on the preceding Sunday whereby he invited comment from attendees on how the merger was going, Mr Cromar moved forward to speak to the congregation but was drowned out by the organ and the Bishop withdrew to the vestry.

On the following day, Monday the 12th of October 2020, the Bishop wrote to Dr Poobalan and removed his licence as Assistant Priest at St Mary's. She described Mr Cromar's behaviour as 'deplorable' and 'unforgivable'.

From: Anne Dyer <bishopanne@aberdeen.anglican.org>

Date: 12 October 2020 at 15:29:46 BST

To: Isaac Poobalan <isaac.poobalan@standrewsaberdeen.org>

Subject: From the Bishop

Dear Isaac,

I attach a copy of an email sent earlier today to Chris Cromar.

I am very disappointed by your failure to carry out my instructions to ensure that Chris did not attend St Mary's yesterday, and to collect his key from him.

His behaviour in Church yesterday was **deplorable**. His intimidating and threatening manner to me at communion was **unforgiveable [sic]**. He also attempted to address the congregation without my permission. He has made written threats to me, Fr. Terry and has also threatened to bring the Church into disrepute. He has misrepresented my discussions with him by maintaining that I appointed him Director of Music of the pro-Cathedral. I did not do so. I have

had no option but to request that he cease his involvement in providing musical input at St Mary's. The provision of music was always intended to be undertaken jointly by both organists and using choristers from both churches. This was approved by both vestries.

I was horrified to see that you had placed an entry on Facebook on Saturday morning to the effect that Chris had accepted my invitation to be Director of Music at St Mary's. I have never issued such an invitation. You chose to make this statement at a time when you were fully aware from emails copied to you that there were question marks over the nature of Chris's position at St Mary's.

The notices at the end of the online service yesterday afternoon referred to "St Andrew's Cathedral". At the last Trustees' meeting, it was agreed that the term "Cathedral" was no longer to be used in relation to St Andrew's. Please ensure that the designation "Cathedral" is not used in future reference to St Andrew's.

The agreed aim of both congregations is to share worship at St Mary's. This is not assisted by you spreading false information and failing to follow clear instructions from me as your Bishop. Your actions are disrespectful of me and Fr. Terry when the three of us are supposed to be working together in a joint venture for the greater glory of God's Kingdom. **It was your duty as Christ's priest to ensure that his threats were withdrawn. You did little to try and achieve this, but chose at that very time to issue information which could only cause confusion and bolster Chris in his mistaken and destructive course of action.**

Your actions and failure have therefore left me no option but to suspend your Licence as assistant priest at St Mary's pro- Cathedral with immediate effect. This suspension will subsist until I can have a face-to-face meeting with you in the presence of another Bishop. This will be arranged as soon as possible.

Yours sincerely

+Anne

Despite the final sentence of this letter (which follows no canonical form that I am aware of), at the date of writing (29th June 2021), Dr Poobalan is still suspended from St Mary's. That has been for more than 8 months. As his own church building is closed and his congregation has been directed to worship at St Mary's, this means that he can only minister to his people online and not sacramentally. No explanation was given to his congregation for his suspension. Suspension is a serious matter and carries suspicion of an impropriety. Rumours circulated. I am told that some wondered if his marriage was in trouble. Suspension for 8 months without a stated and appropriate reason cannot be nuanced as merely the directness of a Yorkshire woman. In my view, it is to do a serious damage to another priest and is a violation of normal procedure.

In my view, her treatment of Dr Poobalan, perhaps more than anything else, has undermined the credibility of the Bishop. It has become a scandal and I fear her position is irrecoverable.

There is a similar story of impulsive over-reaction to tell about the treatment meted out to Mr Cromar.

It has been submitted to me (Sftw):

‘Following this incident, the Bishop and Chancellor put a great deal of pressure on the trustees to end Chris Cromar’s contract. The Trustees were unwilling to do so for several reasons: we had taken a long time to find Chris and might not find a replacement; we were not convinced that all the fault was with Chris; we were tired, and tired of being told what to do, and in some shock that all this had happened. At the trustees’ meeting following the event, after the Bishop read out a statement and the Chancellor assured us that we would be within our rights to terminate Chris’ contract, the Bishop, Chancellor and Dean then abruptly left the meeting without warning. The remaining attendees, taken aback, discussed this for a few moments and then decided we were, as I have said, very tired, and would end the meeting. The following day we received an angry email from the Chancellor (or the Bishop) asking what we had done after they left the meeting, as apparently we were supposed to have come to some conclusions.....’

Attempting summarily to end Mr Cromar’s contract could be seen as an unwarranted over-reaction similar to the suspension of Dr Poobalan. With commendable courage and independence, the trustees of St Andrew’s refused to be so directed and on the 8th of December 2020 they approached Sarah Grey of Pulse HR and commissioned their own independent HR Report of the incident on Sunday the 11th of October 2020.

Sarah Grey is a respected HR consultant in Aberdeen and I have read her careful and judicious report. She found some conflicting testimonies but concluded that:

‘..... The evidence from the email trail notes CC [Christopher Cromar] attempting to ‘hold his ground’ whilst also initially being conciliatory. The tone of the emails changes as it becomes clear that TT [Canon Terry Taggart] will not alter his decision or enter into discussions regarding it; with CC clearly feeling it necessary to be more forceful in his approach to defend his position.’

‘.....The evidence shows that there was a sudden and unexpected change to the musical arrangements on 6.10.20 for the service on 11.10.20 effectively removing all contribution from CC and allowing MM [Matthew McVey] full responsibility for all music.’

‘There were no face to face discussions around this and things deteriorated due to the reliance on email and lack of opportunity to discuss and come to agreement. TT’s insistence on relying on his canonical authority and failure to engage in discussion appears to have been the catalyst. BA’s [Bishop Anne] unilateral support of TT combined with GR’s [Graham Robertson, the Chancellor of the Diocese] email noting canon law have all provided CC with a ‘brick wall’ against which he had no redress.’

‘.....Having considered all the evidence, I have found insufficient grounds to recommend termination of CC’s contract. I have found evidence to support the view that CC actions in suggesting he would share his experience with the press were ill advised and it may be that the trustees would wish to ensure that any future disagreements are effectively dealt with internally and that CC is given firm instructions to support this.’

‘My thoughts are that this is a situation that got out of hand as a result of a lack of and poor communication. **It is clear to me that an agreed Statement of Intent with regard to the provision of music would have negated all the issues within this report and this failure does not lie with CC but with the Joint Steering Committee and ultimately with BA.**’

'My recommendation would be that reconciliation is sought between all parties and that this may be achieved via mediation. My suggestion would be that a formal mediation managed outwith the church would be preferable to ensure a lack of bias and that the mediation remains focused on relationship building and not on canonical structure or rules. This would ensure a more open discussion than may otherwise be available.'

'I am aware that BA has noted that she would not mediate and that she considers CC's actions to be "unforgiveable". I find this difficult to reconcile with the Christian values espoused by the church and feel that the concept of "forgiveness" is much embedded in the Christian faith.' [Some text **emboldened** by Iain Torrance]

The Bishop and her Chancellor proposed a number of revisions to the Pulse report. These were considered by Sarah Grey and the trustees and no changes were made to the report as submitted.

The minutes of the trustees of St Andrew's (signed off by the Bishop) for the 15th of October 2020 record some comments by the Chancellor. 'He added [this is The Chancellor] that it is unforgiveable [sic] and there is a duty to protect the Bishop from physical threat and he had to seek for safeguarding procedures'. This is an insinuation that Mr Cromar threatened physical violence against the Bishop. The Pulse report found no evidence of that. Nor did I. In my view, it is a baseless and damaging allegation. Mr Cromar simply threatened to speak to a journalist.

Reading such evidence as I have, I believe that the 'merger' of St Andrew's and St Mary's was a hasty action which had not been properly thought through. Merging 2 congregations, 2 priests, 2 organists without a comprehensively agreed plan or an understanding of the human dynamics was very ill-considered. The initiative was portrayed as a decisive action by the Bishop and Christopher Cromar's threat to explain its shortcomings to the press evidently touched a nerve.

However, having read as much as I could of the email trail and followed up with major players, I consider the Bishop's responses to Dr Poobalan and Mr Cromar were intemperate and unrelenting. Had the Bishop not chosen to rely on 'canon law', and had she shown some common sense and some flexibility, I believe that none of this disastrous situation would have occurred.

The incident has occurred and is a major cause of the Bishop's loss of credibility. What I find even more extraordinary is that, having made what appear to be such evident misjudgements, the Bishop has to this day not apologised or sought reconciliation.

Conclusion:

As I worked on this review, it became plain to me that its conclusion cannot rest or fall on a single claim or the rebuttal of this or that particular incident.

I am very much afraid that there is systemic dysfunction in the diocese.

There are accusations of bullying which the Bishop may or may not be able to rebut. More detail will be provided in the Appendix which stands as a Record Apart. I believe it is undeniable that individuals have been damaged. How and by whom their situation is to be remedied is, as yet, unclear to me.

The Appendix will also give an account of subsequent actions taken by Dr Poobalan to redress the position into which the Bishop has placed him. However, a just resolution for Dr Poobalan and Mr Cromar is only part (though a very important part) of a larger question concerning St Andrew's.

There are issues to do with governance and an unnecessary playing of canon law against the responsible running of a Scottish charity. These can be remedied after consultation with an appropriate QC.

Behind all of these questions lies what to me is the simple and fundamental issue: Does the Bishop have the personal capacity to bring about healing and reconciliation in the diocese? This is a matter of trust and confidence.

A submission which I received made clear that the Bishop's time as Warden of Cranmer Hall was not an entirely happy one. I followed this up and cross checked the submission I received by speaking to others with direct knowledge of the situation.

I am afraid I do not believe that the Bishop has these capacities. Nor do I believe she any longer enjoys the trust and confidence of a number of the priests in the diocese. Awareness of her history in Durham makes me even less confident of her chance of success. Without colluding in what I much fear is a repetition of the past, I cannot recommend the continuation of a tenure in which I fear that more people will be made to feel diminished and discouraged.

Consequently, I recommend that, for the good of the diocese, she be immediately granted a period of sabbatical leave and step back permanently from the diocese.