

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 5 January 2016 the Inquiry invited anyone who wished to be designated as a core participant in the Children in the Care of Lambeth Council investigation to make an application to the Solicitor to the Inquiry by 5 February 2016.
2. On 4 April 2016, Brian Pead made an application for core participant status in the Children in the Care of Lambeth Council investigation. Mr Pead's application does not include an application for legal representation. The application was received after the deadline of 5 February 2016 had passed. He has explained that he was incarcerated until 18 March 2016 and was not aware until 24 March 2016 that the Inquiry might accept applications for core participant status which were made out of time. I am satisfied that I can therefore consider this application.
3. A provisional ruling was made declining the application on 1 June 2016. Mr Pead was provided with the opportunity to renew his application at a preliminary hearing on 27 July 2016. I presided at that hearing with the former Chair and fellow Panel Members and heard Mr Pead's submissions with my colleagues.
4. I have now had the opportunity to consider the following submitted by Mr Pead:
 - a. A written application dated 4 April 2016, together with supplementary information dated 7 April 2016;
 - b. further written submissions dated 22 July 2016;
 - c. the oral submissions made by Mr Pead at the preliminary hearing on 27 July 2016, a transcript of which is available on the Inquiry website.
5. I have consulted with my fellow Panel members about the application and this notice sets out my determination of Mr Pead's application.

6. Applications for core participant status are considered under Rule 5 of The Inquiry Rules 2006 which provides:

(1) The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.

(2) In deciding whether to designate a person as a core participant, the chairman must in particular consider whether –

a. The person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;

b. The person has a significant interest in an important aspect of the matters to which the inquiry relates; or

c. The person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.

(3) A person ceases to be a core participant on –

a. the date specified by the chairman in writing; or

b. the end of the inquiry.

7. In determining the application, the matters listed in Rule 5(2) must be considered, but the list is not exhaustive and I may also take into account other relevant matters.

8. In his application Mr Pead submits that he is a survivor of child sexual abuse in a children's home in Harpenden, Hertfordshire between 1955-1960. I note that in making his oral submissions, Mr Pead said that, in truth, he had not attended the preliminary hearing to make an application to be a core participant, per se, but to have his and others' voices heard. However, in his written renewal submissions he said that "As a survivor of abuse [he] has a prima facie case for a "*specific interest in the work of the Inquiry*".

9. Although Mr Pead states that he was sexually abused as a child, this was at a children's home in Hertfordshire, and not in Lambeth. I am not satisfied, at present, that his experience of being abused falls within the scope of this particular

investigation. I would, however, encourage Mr Pead to share his experiences with the Inquiry through the Truth Project.

10. Mr Pead also submits that he is a former head teacher of a Pupil Referral Unit from within the borough of Lambeth (between the years 2005-2007) and that he became aware of children being abused at that unit. I understand that this unit is a local authority establishment which provides education for children unable to attend a mainstream school, including those who have been excluded. In his submissions Mr Pead states that he is the co-author of a banned publication, "From Hillsborough to Lambeth" in which he has written about his experiences at Lambeth.
11. Educational establishments of this nature do not currently fall within the scope of this particular investigation. On the information Mr Pead has provided, therefore, I am not satisfied that the alleged abuse concerned children who were in the care of Lambeth Council (and residing in children's homes, or who were cared for by foster or adoptive parents), which is the subject of this investigation. Accordingly, I am not satisfied that Mr Pead's experiences as a head teacher of this unit, nor the allegations of abuse which he has made which relate to this unit, fall within the scope of this investigation. I additionally observe that individuals in positions of responsibility who brought child abuse to light may have a role as witnesses in the investigation, as opposed to being core participants.
12. On 1 June 2016, the former Chair made a provisional determination declining Mr Pead's application on the basis that she was not satisfied that he had played or may have played a direct and significant role in relation to the matters to which this investigation relates or that he has a sufficient interest. I have not had placed before me, either in writing or orally, any material that would cause me to take a different view.
13. Having regard to the provisions of Rule 5(2), I am not satisfied that Mr Pead fulfils the criteria in Rule 5(2) or that there are other good reasons to designate him as a core participant.

14. I will keep the scope of the investigation and the designation of core participants under review as the Inquiry progresses and further invitations to apply for core participant status may be made as the investigation proceeds. My decision not to designate Mr Pead as a core participant in this particular investigation does not preclude him from making a future application in respect of other investigations. I will consider any future application which Mr Pead wishes to make on its merits.

Professor Alexis Jay OBE
Chair, Independent Inquiry into Child Sexual Abuse

15 August 2016