



# INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

## NOTICE OF DETERMINATION CORE PARTICIPANT APPLICATION

1. On 2 May 2019 the Inquiry invited anyone who wished to be designated a core participant in the investigation into Child Protection in Religious Organisations and Settings to make an application to the Solicitor to the Inquiry by 13 June 2019.
2. On 27 May 2019 an application was made by **Kol v'Oz** for core participant status in this investigation.
3. I made a provisional ruling declining the application on 5 July 2019. Kol v'Oz was provided with an opportunity to renew its application at a preliminary hearing on 23 July 2019.
4. I have now had the opportunity to carefully consider the following:
  - a. The written application made by Kol v'Oz for core participant status dated 27 May 2019;
  - b. Additional written information provided by Kol v'Oz on 16 July 2019;
  - c. Oral submissions made by Manny Waks on behalf of Kol v'Oz on 23 July 2019.
5. I have reminded myself of the statutory criteria that govern the determination of core participant status, in Rule 5 of the Inquiry Rules 2006. Kol v'Oz relies on the provisions in Rule 5(2)(a) and (b), which direct me to consider whether a person has played a direct and significant role in matters to which the Inquiry relates or whether a person has a significant interest in an important aspect of the matters to which the Inquiry relates.
6. Kol v'Oz is a not-for-profit non-governmental organisation based in Israel which was set up to address the issue of child sexual abuse in the global Jewish community. The application was put on the basis that Kol V'Oz has played a direct and significant



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role and has a significant interest in the matters to which the Inquiry relates because its Chief Executive Officer, Manny Waks, is the most experienced and credible leader in the field of child sexual abuse within the mainstream Jewish community, both within the UK (together with Yehudis Goldsobel of Migdal Emunah) and globally.

7. In its renewed application, Kol v'Oz emphasised that it was separate to, and held a different role to, Migdal Emunah; which has already been granted core participant status. It was submitted that some victims and survivors from within smaller sectors within the UK Jewish Community choose to engage with Kol v'Oz, rather than seek help locally where they would risk community members becoming aware of their abuse. Kol v'Oz, it was submitted, would not be limited in providing submissions about sensitive matters which may arise because it has a greater level of independence from UK Jewish institutions and, therefore, will not be concerned about a possible effect upon fundraising opportunities.
8. On that basis, I have concluded that Kol v'Oz can be regarded as fulfilling the criteria in Rule 5 (2)(a) and (b) as having a significant interest in the matters the Inquiry is considering; and can play a significant role in the issues under investigation. I conclude, also, that it is proportionate to the needs of the Inquiry to hear from a range of core participants who can assist the Inquiry to understand the wider picture of abuse and the institutional responses to it.
9. Accordingly, I am satisfied that Kol v'Oz should be designated as a core participant in the Child Protection in Religious Organisations and Settings investigation.
10. Applications for designation as the recognised legal representative of a core participant are governed by Rules 6 and 7 of the Inquiry Rules 2006, which provide as follows:

6(1) Where -

(a) a core participant, other than a core participant referred to in rule 7; or



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*(b) any other person required or permitted to give evidence or produce documents during the course of the inquiry, has appointed a qualified lawyer to act on that person's behalf, the chairman must designate that lawyer as that person's recognised legal representative in respect of the inquiry proceedings.*

*7(1) This rule applies where there are two or more core participants, each of whom seeks to be legally represented, and the chairman considers that -*

*(a) their interests in the outcome of the inquiry are similar;*

*(b) the facts they are likely to rely on in the course of the inquiry are similar; and*

*(c) it is fair and proper for them to be jointly represented.*

*(2) The chairman must direct that those core participants shall be represented by a single recognised legal representative, and the chairman may designate a qualified lawyer for that purpose.*

*(3) Subject to paragraph (4), any designation must be agreed by the core participants in question.*

*(4) If no agreement on a designation is forthcoming within a reasonable period, the chairman may designate an appropriate lawyer who, in his opinion, has sufficient knowledge and experience to act in this capacity.*

11. Kol v'Oz has not appointed a legal representative at this stage. However it is at any time entitled to appoint a qualified lawyer to act on its behalf and to seek designation of that lawyer as its recognised legal representative in respect of the Inquiry's proceedings. I would encourage it to consider doing so.

12. If Kol v'Oz wishes to make an application for an award under section 40(1)(b) of the Inquiries Act 2005 for expenses to be incurred in respect of legal representation, it should submit an application to the Solicitor to the Inquiry by 30 August 2019. Such applications will be determined in accordance with the Inquiry's Costs Protocol on Legal Representation at Public Expense.



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**Chair, Independent Inquiry into Child Sexual Abuse**