



# 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 12 June 2019 an application was made by the **Home Office** for core participant status in this investigation. This notice sets out my determination of the application.
3. The Inquiry has published a [definition of scope](#) of investigation and an [update note](#) which provides further information about the themes that will be examined and structure of the investigation. This investigation will be thematic in nature and examine the nature and adequacy of current child protection policies, practices and procedures within religious organisations and settings within England and Wales.
4. 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*



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*b. the end of the inquiry.*

5. 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.
6. The application explains that the Home Office applies to be a core participant as a representative of Her Majesty's Government (HMG). There are a number of government departments with an interest in the issues under consideration, in particular the Department for Education, the Department for Digital, Culture, Media & Sport, the Ministry of Housing, Communities & Local Government, and the Home Office. The Home Office has applied to be a core participant on behalf of HMG as a whole.
7. Having regard to the provisions of Rule 5(2), I am satisfied that HMG and the Home Office as the lead government department seeking core participant status have a significant interest in the matters under investigation.
8. As set out in the definition of scope, as part of this investigation, the Inquiry will examine: the existing statutory framework for the protection of children from abuse, and its application to religious organisations or settings; and, the existing framework for auditing, inspection or oversight of the practices and procedures by either state or non state institutions.
9. The Home Office is the government department which holds policy responsibility for criminal offending in religious settings and other aspects of policy such as disclosure and barring checks. I am therefore satisfied that the Home Office should be designated as a core participant in the Child Protection in Religious Organisations and Settings investigation in its own right and as a representative of HMG.
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



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as follows:

6(1) *Where -*

- (a) a core participant, other than a core participant referred to in rule 7; or*
- (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. I am satisfied that the Home Office has appointed Daniel Rapport of the Government Legal Department as its qualified lawyer in relation to this investigation. I therefore designate Mr Rapport as the Home Office's recognised legal representative in accordance with Rule 6(1) as I am required by that rule to do.

12. Directions will be given for receipt of applications for an award under section 40(1)(b) of the Inquiries Act 2005 for expenses to be incurred in respect of legal representation at the forthcoming preliminary hearing. Such applications by core



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participants will be determined in accordance with the Inquiry's Costs Protocol on Legal Representation at Public Expense.

**Professor Alexis Jay OBE**

**5 July 2019**

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