



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 20 August 2019 an application was made by **Shema Koli** 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. This application has been lodged more than two months after the deadline for core participant applications in this investigation. However I have a discretion pursuant to Rule 5(1) to designate a core participant “at any time” during the course of the Inquiry. Shema Koli is a charitable organisation with a small staff. I understand that during the application window for core participant status, Shema Koli was engaged in preparing for a major programme relating to child protection in secondary schools. The project entailed a significant amount of work for Shema Koli’s staff. Taking into account the length of the delay and all of the circumstances, I am satisfied that the delay should not stand in the way of my considering the application.
7. The application is put on the following basis. Shema Koli has, since 2012, offered a confidential, anonymous helpline service to support those in the orthodox Jewish community who have experienced or been affected by sexual, physical or emotional abuse. In offering this service, Shema Koli has the authority and backing of leading UK orthodox Jewish Rabbis. Shema Koli also supports and delivers culturally-sensitive child protection and safeguarding training to professionals, Rabbis, community leaders, educators and organisations in the orthodox Jewish community. Additionally, Shema Koli is the UK representative of the Tahel Crisis Center for Religious Women and Children, an organisation based in Jerusalem, Israel, which works to prevent and treat abuse of religious women and children.
8. Having regard to the provisions of Rule 5(2), I am satisfied that Shema Koli has played a direct or significant role in relation to the matters under investigation and/or has a significant interest in the matters under investigation.
9. As set out in the update note, this investigation will focus upon organisational structures and child protection practices. It will look at whether there are common



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issues across religious organisations and settings and how they can be met and overcome.

10. I consider that, as an organisation connected to a wide range of victims and survivors of child sexual abuse within the orthodox Jewish community, Shema Koli will be able to assist the Inquiry by providing insight into the management of child protection in such settings. Through its work in the field of safeguarding training, Shema Koli will also be able to assist the Inquiry in understanding the issues involved in providing such training within the orthodox Jewish community. I am therefore satisfied that Shema Koli should be designated as a core participant in the Child Protection in Religious Organisations and Settings investigation.

11. 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*
- (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.*



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(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.

12. Shema Koli 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. A number of Jewish organisations have applied for and been designated core participant status in this investigation. I would encourage Shema Koli together with the other designated organisations to consider appointing joint legal representation in respect of the Inquiry's proceedings.

13. If Shema Koli 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 4pm on 30 August 2019. Such applications will be determined in accordance with the Inquiry's Costs Protocol on Legal Representation at Public Expense.

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

21 August 2019