

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 3 June 2016 the Inquiry invited anyone who wished to be designated as a core participant in the Accountability and Reparations investigation to make an application to the Solicitor to the Inquiry by 1 July 2016. Such applications were limited at that time to participation in four case studies. By a notice of determination dated 19 August 2016, the Panel and I have now designated Stanhope Castle as an additional case study for the Accountability and Reparations investigation.
2. An application was made by J3 for core participant status in the Accountability and Reparations investigation. This application was received outside the application window and an explanation has been provided by J3. For the avoidance of doubt, the timing of this application has not been taken into account in my determination. This notice sets out my determination of his application.
3. 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.

4. In determining each person's 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.
5. Having regard to the provisions of Rule 5(2), on the basis of the application, I am satisfied that J3 has a significant interest in the matters under investigation. J3 states that he was a former resident of St Vincent's Approved School. In his application J3 states that while a child in care at the St Vincent's Approved School he was sexually abused.
6. As part of this investigation, the Inquiry will consider the experiences of individuals placed in St Vincent's Approved School in order to investigate general issues of accountability and reparation for victims and survivors, including the extent to which this can be achieved through the existing processes of civil litigation, criminal compensation and support services. I am therefore satisfied that J3 should be designated a core participant in relation to this case study.
7. 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.

(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.

8. I am satisfied that J3 has appointed Alan Collins of Hugh James as his qualified lawyer in relation to this investigation. I therefore designate Mr Collins as the recognised legal representative for J3 in accordance with Rule 6(1) as I am required by that rule to do.
9. I draw J3's attention to the transcript of the preliminary hearing in this investigation held on 29 July 2016 and the subsequent directions insofar as they are relevant to them as a core participant:
 - a. By 4pm on 9 January 2017 applications for an award under section 40(1)(b) of the Inquiries Act 2005 in respect of legal representation should be submitted. Such applications by core participants will be determined in accordance with the Inquiry's Cost Protocol on Legal Representation at Public Expense; and
 - b. By 4pm on 9 January 2017 if J3 wishes to waive his anonymity he should inform the Inquiry in writing.

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

6 December 2016