

**IN THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE
INVESTIGATION INTO INSTITUTIONAL RESPONSES
TO ALLEGATIONS OF CHILD SEXUAL ABUSE
INVOLVING THE LATE LORD JANNER OF BRAUNSTONE QC**

**SUBMISSIONS ON BEHALF OF COMPLAINANT CORE PARTICIPANTS
REPRESENTED BY SLATER AND GORDON
AT A PRELIMINARY HEARING TO BE HELD ON 20 FEBRUARY 2020**

1. Core Participants ('CPs') have been invited to:
 - file submissions in response to Counsel to the Inquiry's submissions dated 17.1.20;
 - suggest (with reasons) any other matters to be discussed at the preliminary hearing on 20.2.20.
2. The Slater and Gordon core participants maintain their previous submissions dated 15 September 2019 as to legitimate expectation. They adopt the latest submissions made by Howe & Co. and Affinity Law, agreeing in particular that the Inquiry would not be reasonably entitled to discontinue the investigation or to abandon its intention to proceed to oral hearings.
3. The procedural and substantive obligation of the Inquiry is to accommodate rather than in effect penalise CPs who maintain their statutory and absolute right to anonymity under the Sexual Offences (Amendment) Act 1992.
4. Such lawful accommodation:
 - (i) can be achieved by: (a) holding the oral hearings in closed session when necessary pursuant to s19 IA 2005; (b) ciphering; (c) redacting the final report where necessary;

- (ii) could attract no reasonable criticism. To protect anonymity here upholds rather than offends the requirements of justice, and of effective investigation and inquiry;
 - (iii) is standard procedure where necessary in other Inquiries.
5. As to (iii), the Inquiry will be aware that in the Manchester Arena Inquiry the inquiry into security (the lengthiest topic and arguably the main focus in that Inquiry) is to be held in closed session. Other topics will be heard in public but with restriction orders to protect anonymity.
 6. Slater and Gordon understands that it is proposed that the reporting stage of the Manchester Arena Inquiry be dealt with in two reports: a redacted one for public consumption and one that goes to the government for recommendations. Something similar should be possible here.
 7. In light of the unremarkable propositions above, our clients can see in CTI's submissions no good reason in principle or practice for any discontinuance.
 8. The Inquiry has won the trust of our very vulnerable clients who believed indications that the public interest, not private interests, would here prevail.
 9. It remains necessary to pursue an effective investigation into how and why public institutions failed in their responses to allegations against a well-connected figure. The need to avoid any substantive or apparent cover up could hardly be greater.
 10. The reaction of our clients to CTI's submissions should be considered. All request that the Inquiry should fulfill the expectation it created and should therefore reject the problematizing approach now adopted. Without exception all of our clients request that the Investigation continue and that it continue in part open/part closed sessions. Those we represent would be devastated at a decision to discontinue the Inquiry. Two examples of this are as follows:
 11. JA-A10 fears the worst consequences for victims and survivors. He believes that discontinuance would endanger all physically and mentally.

12. [JA-A5] observes that discontinuance will exacerbate feelings of worthlessness and the belief that victims count for nothing, and for even less if the perpetrator and his family are prominent.
13. He observes that some victims died through drugs, suicide and mental health issues and the Inquiry would by discontinuance only aggravate feelings of victimization, marginalisation and unfairness that have been their life experience since the abuse occurred.
14. The Slater and Gordon core participants agree with the Inquiry's proposals in relation to the preliminary hearing due to be held on 20.2.20 that part of this hearing should be held in closed session and part in open session and that a limited number of accredited press should be allowed to remain in the room in the closed session with the relevant prohibition and warnings on publication being given. We submit that these accredited press members should have to sign a formal undertaking with the Inquiry in this regard.
15. Should CTI have further submissions prior to 20.2.20 we request that the Inquiry direct that any such be sent to the CPs by 4pm on 14 February 2020.

Richard Scorer
Kim Harrison
Slater and Gordon

Nick Stanage
Doughty Street Chambers

7 February 2020