

Our Reference

DPA

Step No

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Please Ask For

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Date

13 February 2020

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First Letter

Dear Madam/Sir

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

THE LABOUR PARTY OPEN SUBMISSIONS FOR THE PRELIMINARY HEARING ON 20 FEBRUARY 2020

We write on behalf of the Labour Party, in respect of the Preliminary Hearing listed for 20 February, into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC.

First, we apologise for the oversight which meant that no submissions were filed before the Inquiry's deadline passing. We hope that nevertheless this short letter will be helpful (not least as the Labour Party does not intend to file any further Speaking Notes before the hearing).

Open Hearing and the future of the hearings:

Anonymity

The Labour Party notes the contents of the submissions filed by Counsel to the Inquiry, and the difficulties surrounding the issue of securing proper anonymity for complainants.

Whilst we understand the imperative of complying with the criminal law, we are also conscious of the expectations of complainants, many of whom have waited for a long time to see the Inquiry examine, and hold to account, institutions who owed duties to protect children.

If, however responsibly managed, the problem of 'jigsaw identification' is as serious

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as described, it would appear to be an impediment to any public examination of the handling allegations of sexual abuse. Whilst we leave detailed legal submissions on these issues to other Core Participants, we would be surprised if this was the intention of the legislature. Further, the Inquiry has been able to manage its previous investigations and reports, which have, on many occasions, reported allegations concerning anonymised witnesses in some detail (see for example the Inquiry's Ampleforth and Downside report, where the removal of names, specific personal characteristics and the house in the school they attended was considered sufficient¹).

We would urge the Inquiry to find a way forward that respects the wishes of complainants to have the issues in this Investigation examined, and which enables the Inquiry to contribute to learning from these issues. This would include the use of closed sessions, if absolutely and strictly necessary.

Remaining Issues

We make further comments as part of closed submissions in our second letter of today.

Yours faithfully

DPA

Edwards Duthie Shamash
DPA

¹ <https://www.iicsa.org.uk/key-documents/6583/view/ampleforth-downside-investigation-report-august-2018.pdf> paragraph 21.