



# INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

## NOTICE OF DETERMINATION

### CORE PARTICIPANT APPLICATION

1. On 5 January 2016 the Inquiry invited anyone who wished to be designated as a core participant in the Children in the Care of Lambeth Council (**Lambeth Council**) investigation to make an application to the Solicitor to the Inquiry by 5 February 2016.
2. On 17 March 2020, an application was made on behalf of the Independent Office for Police Conduct (IOPC) for Core Participant status in the Lambeth Council investigation and for Emily Keenan, Senior Lawyer at the IOPC, to be designated as their recognised legal representative. The application was received over four years after the original window, which closed on 5 February 2016. It was submitted on behalf of the IOPC that this delay was as a result of a reconsideration of their position, it having now become apparent that some of the managed investigations in which the IOPC are involved, concerning investigations of allegations of Police failure to investigate sexual abuse of children in the care of Lambeth, will be current and ongoing at the time of the investigation hearing.
3. Despite the delay in the application being submitted, in light of what has been said on behalf of the IOPC, I consider it appropriate to consider their application out of time. Although the investigation has been listed for hearing in July 2020, investigation work is ongoing.

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.*



# INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

*(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.*

5. In determining the application, the matters listed in Rule 5(2) must be considered, but the list is not exhaustive and other relevant matters can be taken into account.
6. Having regard to the provisions of Rule 5(2), I am satisfied that the IOPC should be designated as a core participant in relation to the Lambeth investigation. The application is put on the basis that the IOPC has a role directing and controlling four managed investigations being carried out by the Metropolitan Police Service, into allegations of historic failures on the part of the Police to investigate sexual abuse of children in the care of Lambeth Council. One of these investigations, Operation Alka, concerns the Police response to allegations of abuse at Angell Road Children's Home, which is one of the designated case study homes.
7. Given the scope of the Lambeth investigation there will be an examination of the appropriateness of the response of law enforcement agencies, including the Metropolitan Police Service, to reports of child sexual abuse involving children



# INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

cared for by Lambeth Council. Accordingly I consider that the IOPC has a significant interest in the matters under investigation for the purposes of Rule 5(2)(b). Specifically, I consider that the IOPC has a significant interest in the appropriateness of the response of law enforcement agencies to reports of the sexual abuse of children in the care of Lambeth Council. For these reasons, I am satisfied that the IOPC should be designated as a core participant in this investigation.

8. Applications for designation as the recognised legal representative of both core participants and other persons required or permitted to give evidence or produce documents during the course of the inquiry 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.*



# INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

*(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.*

9. I am satisfied that the IOPC has appointed Emily Keenan to act as their qualified lawyer. I therefore designate Emily Keenan as the recognised legal representative of the IOPC in respect of the Lambeth Council investigation in accordance with rule 6(1).

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

**20 March 2020**