

FINAL NOTICE OF DETERMINATION

CORE PARTICIPANT APPLICATION

1. On 24 March 2017 the Inquiry invited anyone who wished to be designated as a core participant in the Children in the Care of Nottinghamshire Councils investigation to make an application to the Solicitor to the Inquiry by 21 April 2017.
2. An application for core participant status was made by John Mann MP. I made a provisional ruling that I was minded to decline the application on 28 April 2017. Mr Mann was provided with an opportunity to renew his application at the preliminary hearing on 11 May. Mr Mann wrote to the Inquiry on 9 May 2017 to indicate that he wished to renew his application, but would not be able to attend the preliminary hearing. He was invited to renew his application in writing and did so on 19 June 2017. This notice sets out my final 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 the application, the matters listed in Rule 5(2) must be considered, but the list is not exhaustive and the decision is ultimately one of discretion.
5. In his application dated 4 April 2017, Mr Mann says that as MP for the constituency of Bassetlaw a number of his constituents, who are victims of child sexual abuse, have shared their experiences with him. He says that since the “revelations of historical child sexual abuse related to Nottinghamshire Councils have emerged”, he has spoken out on his constituents’ behalf. He says that he has raised the issue of historical child sexual abuse in Parliament and has campaigned extensively in this regard. Mr Mann submitted in his application that several of his constituents have contacted him to outline their desire to be involved with the work of the Inquiry, but that many of these individuals are vulnerable and do not wish to deal directly with the inquiry. He says that they have given him permission to act on their behalf and as their advocate in this regard. Mr Mann says that he applies for core participant status in order to fully represent the interests of his constituents in the Inquiry’s investigations in Nottinghamshire.
6. On 28 April 2017 I provisionally declined Mr Mann’s application on the basis that although Mr Mann appeared to have played an important role in listening to and campaigning on behalf of constituents, on this information provided in his application, I did not consider this to be a significant interest to justify his individual designation as a core participant. I considered that this was a role that he carried out as MP and many other individuals may have played a similar role in supporting victims and survivors of child sexual abuse. It also appeared to me from Mr Mann’s application that he wished to apply for core participant status in order to represent the interests of his constituents, some of whom were vulnerable and did not wish to deal directly with the Inquiry. In this respect, I noted that whilst Mr Mann may be able to play an important role in supporting his constituents in their contact with IICSA, I do not consider that as a result he, as an individual, satisfies the criteria set out in Rule 5(2). I made clear that if, however, any of Mr Mann’s individual constituents wished to

apply for designation as a core participant in this investigation, it would be open for them to do so and that each application would be considered on its own merits.

7. On the basis of the information contained in his application, I reached the provisional view that I was not satisfied from Mr Mann's application that he personally has played, or may have played a direct and significant role in relation to the matters to which the Inquiry relates, nor that he personally has a significant interest in an important aspect of the matters to which this investigation relates.
8. I have considered Mr Mann's letter of 9 May 2017 and his written submissions dated 19 June 2017 and have now reconsidered my view. In his submissions of 19 June, Mr Mann provides further information about the specific role that he has played in assisting and supporting his constituents in relation to their allegations of child sexual abuse. He explains in his submissions that he and his team have spent 'thousands of hours working with these survivors'. He adds that in relation to some of his constituents, he has forced the police to reopen investigations and that for others, he is 'the first person they have spoken to in decades'. It is clear from his submissions that Mr Mann has spent a significant amount of time working with his constituents who are survivors of abuse. I consider the specific role that he says he has played in this respect to go further than listening to constituents, and campaigning and raising matters in Parliament on their behalf, which may be considered to be part of the role of an MP. It demonstrates to me that Mr Mann has taken a particular interest in his constituents' experiences and pursuing matters on their behalf, and in the response of institutions to allegations of child sexual abuse in Nottingham. It is evident from Mr Mann's application that at least one of his constituents was in the care of the Nottinghamshire Councils at the time of the alleged abuse.
9. For this reason, I accept that Mr Mann personally has a significant interest in an important aspect of the matters to which the inquiry relates and accordingly in my discretion I consider that he satisfies the criteria at Rule 5(2) for designation as a

core participant. Accordingly, I designate Mr Mann as a core participant in this investigation.

10. 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.

11. Mr Mann has not indicated in his application or his submissions whether he wishes to appoint a lawyer to act on his behalf. If he wishes to do so, he should provide the name of the lawyer that he has appointed to act on his behalf to the Inquiry as soon as possible. There are several legal teams already acting for complainant core participants in relation to the Inquiry and the Solicitor to the Inquiry's team will be pleased to provide their details to Mr Mann so that he may make enquiries of them if he wishes. Any application for an award for legal expenses under section 40 of the Inquiries Act 2005 should be submitted to the Inquiry by 4pm **on Monday 11 September 2017**. Any application made must address the matters set out in paragraph 12 of the Inquiry's Costs Protocol, which is available on the Inquiry's website.

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

18 August 2017