

**NOTICE OF DETERMINATION  
CORE PARTICIPANT APPLICATION**

1. On 30 August 2017 the Inquiry invited anyone who wished to be designated as a core participant in the Westminster investigation to make an application to the Solicitor to the Inquiry by 27 October 2017.
2. On 6 September 2017, an application was made by Jonathon Brackenbury for core participant status in the Westminster investigation. This notice sets out my determination of the 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 other relevant matters can also be taken into account.

5. On 19 December 2017, I reached a provisional determination that I was not satisfied that Mr Brackenbury fulfils the criteria in Rule 5(2) or that there were other good reasons to designate him as a core participant. The application is put on the basis that he alleges child sexual abuse as a military recruit serving in HM Forces over a period of eight years. He says that he has been pursuing the Ministry of Defence for an acknowledgment and that he has accumulated a large volume of correspondence associated with this. He also says that he has previously provided information to Operation Midland.
6. The focus of the Westminster investigation will be on institutional failings connected to allegations of child sexual abuse involving current and/or former Members of Parliament, senior civil servants, government advisers, and/or members of the intelligence agencies (collectively 'people of public prominence associated with Westminster'). Mr Brackenbury states that he suffered child sexual abuse within the military. That evidence may raise institutional issues relating to the Armed Forces generally. Issues relating to the Armed Forces, however, are beyond the scope of the Westminster investigation, the focus of which, as stated above, is on issues relating to people of public prominence associated with Westminster.
7. For the reasons that I gave, I was not satisfied that Mr Brackenbury's own interest was sufficient to justify his designation as a core participant, that he played or may have played a direct and significant role in relation to those matters, or that he may have a significant interest. I therefore was not minded to designate him as a core participant in this investigation.
8. As I was minded to decline the application, I offered him the opportunity to make oral submissions in support of his application if he wished to do so. He subsequently wrote to the Inquiry on 14 January 2018 indicating that he wished to withdraw his application for designation in this investigation. He confirmed his willingness to be called as a witness regarding his experience of working as a Homeless Housing Worker in the West End / Earls Court area of London in the 1980s and information he supplied to Operation Midland as a result. He also confirmed his intention to file submissions in the future asking the Inquiry to open a separate investigation relating to child sexual abuse in the military.

9. Accordingly, as Mr Brackenbury no longer consents to be designated as a core participant in the Westminster investigation and has withdrawn his application, I confirm my decision not to so designate him.

**Professor Alexis Jay OBE**

**16 January 2018**

**Chair, Independent Inquiry into Child Sexual Abuse**