

**IN THE MATTER OF THE INDEPENDENT INQUIRY INTO CHILD SEXUAL
ABUSE**

**GENERIC SUBMISSIONS BY QUALITY SOLICITORS ABNEY GARDEN
SOLICITORS ON BEHALF OF VICTIMS/SURVIVORS OF ABUSE ALLEGED
AGAINST LORD GREVILLE JANNER**

INTRODUCTION

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APPLICATIONS FOR CORE-PARTICIPANT STATUS

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BROADCASTING & ANONYMITY

7. We have received and given advice to the victims upon the Broadcasting & Anonymity Guidelines prepared by Counsel to the Inquiry ("the submissions").
8. We agree in part with the proposals set out in the document.
9. In terms of the evidence which the victims will give, anonymity is a right enshrined in S.1 Sexual Offences (Amendment) Act 1992, and as such the default position must be that all the victims we represent must be entitled to anonymity. It is our submission that, save where victims have instructed us to apply to waive their anonymity, which is the case in relation to 1 of the victims, anonymity should be preserved in accordance with the law.
10. It has been suggested that directions should be given for individual applications for anonymity on behalf of the victims, but that in the interim, the provisional anonymity order should be preserved. We agree with that proposition. We also agree with the proposal that individual applications could be made by us after the hearing separately.
11. The victims all take the view that the Inquiry must take every step to uncover evidence and be as transparent in its approach as possible in view of what has occurred in the past. It is undoubtedly correct that they all suspect a cover up of the truth in the past, which will, of course, be investigated by the Inquiry. Notwithstanding their desire for transparency, the broadcasting of the Inquiry is a different matter.

Generally

12. In general terms, as set out in the submissions at paragraphs 16 to 19, the evidence to be given at this inquiry is extremely sensitive, and subject to media exposure. We would argue, and echo the risks set out in the submissions, on behalf of the victims that there would be a risk of

non-attendance and an inhibitory effect if the evidence they gave was broadcast in any way, notwithstanding the special measures set out at paragraph 20 a. to c. We would thus submit that any evidence given by the victims should be in camera and not be open to reporting at the time in any way, other than for it to be summarised in the final report of the Inquiry using anonymity where orders are made. We ask for the same provisions that subsist for vulnerable and intimidated witnesses under Section 25 Youth Justice and Criminal Evidence Act 1999 (YJCEA).

13. We would thus ask that the broadcasting of the Inquiry be treated in the same way as any criminal proceedings.
14. As to the remainder of the Inquiry, we would have no submissions to make on broadcasting as long as the evidence which our victims gave was not in any way referred to so as to make the identity of them ascertainable. This may make the broadcasting of the Inquiry unworkable. They are already identified by anonymous letters and numbers in any event.
15. The instructions we have been able to take on special measures set out at paragraph 20 of the submissions appear in the table below. Whether or not the Inquiry is broadcast, the victims from whom we have been able to take instructions have asked for the special measures set out below.
16. Our submissions on privacy, broadcasting, and anonymity are taken from not only our client's instructions, but also our experience of acting on behalf of the victims of abuse for the last 22 years, and the author's position as President of the Association of Child Abuse Lawyers (ACAL).

Individual Victims

17. Notwithstanding the above, we do have different instructions from one of the victims who wishes to waive his anonymity as set out below. We also have differing instructions from different victims, and no instructions from some others.

Special Measures

18. Not referred to in the submissions are special measures afforded to witnesses in civil proceedings of a live link to another room in the building, so as to avoid being present in the same room. We know that this facility is offered to victim witnesses in sexual offence Criminal Proceedings under S.25 YJCEA, and we wonder whether the same type of facility could be offered by the Inquiry. We have not taken any instructions on it because it was not offered as an option. There are other facilities often offered to child witnesses we have not mentioned because they do not seem relevant to adults at this Inquiry such as

Dated this 7th Day of March 2016

Peter Garsden, QualitySolicitors Abney Garsden, 37, Station Road, Cheadle Hulme, SK8 5AF, solicitors for the victims