



INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

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 investigation into the extent of any institutional failures to protect children in the care of the Nottingham City and Nottinghamshire County Councils from sexual abuse and exploitation to make an application to the Solicitor to the Inquiry by 21 April 2017.
2. On 8 March 2018 an application for core participant status was made by Uppal Taylor solicitors on behalf of L50 and 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.



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4. In determining each person's application, the matters listed in Rule 5(2) must be considered, but the list is not exhaustive and I may also take into account other relevant matters.
5. This application has been lodged almost 11 months after the deadline for core participant applications in this investigation. Notwithstanding the delay, I have a discretion pursuant to Rule 5(1) to designate a core participant "at any time" during the course of the Inquiry.
6. The application explains that L50 previously approached another firm of solicitors and although originally advised that he could make an application for core participant status, he was subsequently advised that he could not do so. The application says that L50 approached Uppal Taylor for a second opinion in 2018 and was advised that his experiences at Beechwood were relevant to the Inquiry and that an application could be made. The application says that L50 subsequently instructed his solicitors that he wished to apply for core participant status and the delay in doing so is not unreasonable given that he was relying on advice given.
7. I am aware that L50 has in fact previously submitted an application for core participant status to the Inquiry and was allocated the cipher D23. I provisionally declined his application on the basis that he did not allege that he had been sexually abused. L50, then D23, did not renew his application and I therefore made a final determination declining the application. I note that this new application submitted on behalf of L50 states that he was sexually abused whilst resident at Beechwood Children's Home and that this information was not included L50's previous application. In light of this new information, I will consider L50's new application notwithstanding the delay in providing this information. In this respect, I also note that his legal representatives act for a number of other complainant core participants in this investigation and so will be familiar with the issues in the investigation and would be able to readily update him on the progress of the investigation if designated as a core participant.



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8. It is submitted that both Rule 5(2)(a) and (b) are relevant to the application as L50 is an individual who suffered child sexual abuse whilst in the care of the Nottinghamshire Councils. L50 is said to have suffered sexual abuse by a male member of staff whilst at Beechwood Children's Home and in the care of the Nottinghamshire Councils. He says that he reported the abuse to a member of staff who took no action. L50's experiences in relation to Beechwood Children's Home were not included in the original application that he submitted through his previous solicitors.
9. This investigation will examine the nature and extent of, and institutional responses to, allegations of sexual abuse of children in the care of Nottinghamshire Councils, including those cared for in children's homes. The definition of scope for the investigation states that in doing so the Inquiry will consider the experiences of victims and survivors of child sexual abuse while in the care of the Councils. In addition, I have recently decided that one of the case studies that will be pursued at the Inquiry's public hearing will relate to the institutional responses to disclosures of allegations of child sexual abuse at Beechwood and the barriers to disclosure of such allegations.
10. In light of the scope of this investigation and L50's allegations of sexual abuse at Beechwood during his time in the care of the Nottinghamshire Councils, I consider that L50 has a significant interest in the matters under investigation for the purposes of Rule 5(2)(b). Specifically, I consider that, as an individual who alleges sexual abuse whilst in the care of the Nottinghamshire Councils, he has a significant interest in the investigation of the nature and extent of, and institutional responses to, allegations of the sexual abuse of children in the care of the Nottinghamshire Councils. For these reasons, I am satisfied that L50 should be designated as a core participant in this investigation.
11. I should emphasise that the Inquiry is obliged to take a proportionate approach to its investigations and will not be in a position to investigate fully the circumstances of every core participants' experience. Although designation as a core participant will mean that the individual or organisation will have access to documentary material



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obtained by the Inquiry, it is likely that the Inquiry will limit such disclosure to material that relates to their specific interest in this investigation.

12. 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.

13. I am satisfied that L50 has appointed Christopher Ratcliffe at Uppal Taylor solicitors as his qualified lawyer. Accordingly, I designate Mr Ratcliffe as the recognised legal



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representative for L50 in accordance with Rule 6(1). I will consider the application submitted on behalf of L50 for an award under section 40(1)(b) of the Inquiries Act 2005 for expenses to be incurred in respect of legal representation and will notify Mr Ratcliffe of my decision in that respect shortly.

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

20 April 2018