

**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 Anglican Church investigation to make an application to the Solicitor to the Inquiry by 5 February 2016.
2. On 2 February 2016, an application was made by Peter Ball for core participant status in the Anglican Church investigation and for James Mumford to be his recognised legal representative. 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. Having regard to the provisions of Rule 5(2), I am satisfied that Peter Ball has played a direct and significant role in relation to matters under investigation and/or has a significant interest in an important aspect of the matters under investigation and/or any other reason. In reaching this decision, I have had regard to the scope of the investigation which will specifically consider the sexual offending by Peter Ball, former Bishop of Lewes and subsequently Bishop of Gloucester, as one of its case studies. I observe that the applicant was convicted in October 2015 of Misconduct in a Public Office and two other matters of indecent assault and that prior to this, he was also accused of committing acts of child sexual abuse in 1992 and received a police caution. The Inquiry will also consider the extent to which any failings identified in relation to the Diocese of Chichester and the applicant are representative of wider failings within the Church of England and/or the Anglican Church in general, and the nature and extent of any failings of institutions to protect children from abuse. It is therefore possible that Peter Ball may be subject to explicit criticism by the Inquiry in due course. I am therefore satisfied that he should be designated a Core Participant in the Inquiry's Anglican Church investigation.

6. 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.

7. Accordingly, as I am satisfied that Peter Ball has appointed James Mumford of Amicus Law as his qualified lawyer, I designate Mr Mumford as Peter Ball's recognised legal representative in accordance with rule 6(1) as I am required by that rule to do.

8. Directions will be given for receipt of applications for an award under section 40(1)(b) of the Inquiries Act 2005 for expenses to be incurred in respect of legal representation at the forthcoming preliminary hearing. Such applications by core participants will be determined in accordance with the Inquiry's Cost Protocol on Legal Representation at Public Expense.

Hon. Dame Lowell Goddard DNZM
Chair, Independent Inquiry into Child Sexual Abuse

29 February 2016