

**NOTICE OF DETERMINATION  
CORE PARTICIPANT APPLICATION**

1. On 16th March 2016, at the Preliminary Hearing of the Anglican investigation, I indicated that I would reserve to a later date my determination of the renewed core participant application by the Very Reverend Professor Martyn Percy, Dean of Christ Church Oxford. I gave that indication because, as I said, I wanted to consider with care all of the written and oral submissions made by Mr Desmond Browne QC on behalf of Professor Percy. I have now had the opportunity to do so. I have considered carefully the following submissions placed before me:
    - (i) the application for core participant status that was made in writing by Professor Percy on 2nd February 2016;
    - (ii) the further submissions in writing that were made on behalf of Professor Percy, dated 9th March 2016;
    - (iii) the oral submissions made on behalf of Professor Percy by Mr Desmond Browne QC to which I listened in full on 16th March 2016 and I have refreshed my memory from the transcript of those submissions, which has been made available on the Inquiry website.
  2. I have reminded myself of the statutory criteria that govern the determination of core participant status, pursuant to Rule 5 of the Inquiry Rules 2006. Professor Percy relies on the provisions in Rule 5(2)(b), which direct me to consider whether a person has a significant interest in an important aspect of the matters to which the Inquiry relates.
  3. Professor Percy's application for core participant status is based on the fact that Christ Church Cathedral has an altar dedicated to Bishop Bell, former Bishop of Chichester and on the matter of a settlement made in respect of alleged child sexual abuse by the Bishop in the 1940s.
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4. Professor Percy's view is that the settlement of the claim against Bishop Bell poses a dilemma for both the College and the collegiate foundation with which he is associated. The submission was made that "We ... have absolutely no evidence of impropriety on Bell's part. We cannot simply remove his altar on the basis of action taken by only one part of the church, when there has been no opportunity to examine any evidence, and therefore reconsider our position on Bell". In the written submissions made by Mr Browne QC on behalf of Professor Percy it was suggested that Professor Percy "is likely to confront severe public criticism" if Bishop Bell's name is not extirpated from the Cathedral. Professor Percy has further advised that the settlement reached by the Diocese of Chichester is threatening Bishop Bell's potential position on the Calendar of Saints and Commemorations. In this regard Mr Browne QC suggests that Professor Percy and/or the College he leads may be subject to "severe public criticism" if the Cathedral continues to celebrate Bishop Bell's Saints Day.
  
  5. On 29 February 2016, I made a Provisional Decision declining Professor Percy's application on the basis that he did not fulfil the criteria in Rule 5(2) and that there were no other good reasons to designate him as a core participant. I have not had placed before me, either in writing or orally, any material to cause me to change that provisional view. I reached that view, notwithstanding the submission on Professor Percy's behalf that the "important aspect of the Inquiry" to which his interest relates is Bishop Bell's alleged guilt in respect of child abuse. Bishop Bell's guilt or innocence is not a critical aspect of this Inquiry, or of the Anglican investigation, or of the investigation's case studies. As Counsel to the Inquiry set out in his submissions at the preliminary hearing, the Inquiry is currently investigating the nature and extent of, and institutional responses to, child sexual abuse within the Church of England, the Church in Wales and other Anglican churches operating in England and Wales. In doing so, it is considering the prevalence of child sexual abuse within the Anglican Church; the adequacy of its policies and practices in relation to safeguarding and child protection; the extent to which the culture within the Church inhibits or inhibited proper investigation; exposure and prevention of child sexual abuse; and the adequacy of past case reviews. The Diocese of Chichester is to be considered as a case study, focusing in particular on the nature and extent of child sexual abuse by individuals associated with Diocese; the nature and extent of failures to protect children from abuse; and the adequacy of response to allegations of abuse and other matters including the sexual offending by the former Bishop of Lewes and subsequent Bishop of Gloucester, Peter Ball. Even if Bishop Bell's guilt or innocence were the subject of investigation, I do not accept that Professor
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Percy has a significant interest in that matter, as distinct from his interest in the rehabilitation of Bishop Bell's name. Professor Percy does not profess first-hand knowledge of Bishop Bell, or of the abuse allegedly committed by him, or of Chichester Diocese's response to that allegation.

6. Further, Professor Percy does not suggest that he played any direct and significant role in relation to the matters to which the inquiry relates; or that he might be the subject of any criticism during the course of the Inquiry. I am therefore not satisfied that Professor Percy fulfils the criteria in Rule 5(2) of the the Inquiry Rules 2006; or that there are other good reasons to designate Professor Percy as a core participant.
7. I will keep the designation of core participants under review and this decision does not preclude Professor Percy from applying to be a core participant in any other investigation. I will consider any application he makes in that investigation on its merits.

**Hon. Dame Lowell Goddard DNZM**

**21 March 2016**