

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 27 May 2016 the Inquiry invited anyone who wished to be designated as a core participant in the Roman Catholic Church investigation to make an application to the Solicitor to the Inquiry by 24 June 2016.
2. On 5 October 2017, an application was made on behalf of A75 for core participant status. 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 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 approximately 15 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. I am informed that the reason for the delay in A75 submitting her application is that she was unaware that this investigation was taking place and that it specifically involved Downside Abbey and School. The application states that she has acted speedily in applying for core participant status on becoming aware of this.
7. I accept this reason for the delay in making an application and am satisfied that the delay should not stand in the way of my considering her application.
8. Having regard to the provisions of Rule 5(2), I am satisfied that A75 should be designated as a core participant.
9. The application says that A75 was sexually assaulted by a monk at Downside Abbey as a vulnerable young adult, but that grooming which facilitated the abuse started when she was under 18 years old. Her application says that she repeatedly reported the abuse to senior individuals in the English Benedictine Congregation and the wider Roman Catholic Church, and that she later raised safeguarding concerns about the monk in relation to his ongoing contact with children. It is submitted that A75 therefore has a real and significant interest in the matters under investigation.
10. As part of this investigation, the Inquiry will consider the nature and extent of any failures by the Roman Catholic Church and other institutions to protect children from sexual abuse. In light of the information provided in the application and, in particular, her experiences of reporting both her own abuse and her concerns about ongoing contact with other children, and bearing in mind my broad discretion in designating core participants, I consider that A75 has a significant interest in the matters under

investigation within the Roman Catholic Church investigation, and that her designation as a core participant is justified with regard to 5(2)(b).

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. Designation as a core participant will give the individual access to documentary material obtained by the Inquiry but 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. A75 has appointed Richard Scorer of Slater and Gordon solicitors to act on her behalf in respect of the Inquiry's proceedings. Mr Scorer already represents a number of complainant core participants in this investigation. Accordingly, I designate Mr Scorer as A75's recognised legal representative in this matter.

14. If A75 wishes to make an application 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 public hearing, she should submit an application by no later than 4pm on 27 October 2017. Any application made will be determined in accordance with the Inquiry's Cost Protocol on Legal Representation at Public Expense.

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

18 October 2017