

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 16th March 2016, at the Preliminary Hearing of the Cambridge House, Knowl View and Rochdale investigation, I reserved my determination of D1's renewed application for core participant status. I did so because, as I said, I wished to consider with care the written submissions made by D1's counsel, who was unable to attend the Preliminary Hearing to renew the application orally. I have now had the opportunity to consider carefully the following written submissions:
 - (i) application made on behalf of D1 for core participant status, dated 29 February 2016;
 - (ii) further submissions in writing made on behalf of D1, dated 14th March 2016;
 - (iii) email from D1's solicitor dated 24 March 2016 following a request to them for further information from the Solicitor to the Inquiry's team.

2. D1's application for core participant status is the first application the Inquiry has received from a child under 18. I wish to emphasise how important it is to the Inquiry that it hears from young people who can provide direct and recent experience of the impact of sexual abuse and institutional failure on their lives. I welcome all such applications and will consider each with care.

3. I have reminded myself of the statutory criteria relevant to the determination of core participant status. Pursuant to Rule 5 of the Inquiry Rules 2006, D1 relies on the provisions in Rule 5(2)(a) and (b), which direct me to consider whether a person has played a direct and significant role in matters to which the Inquiry relates or whether a person has a significant interest in an important aspect of the matters to which the Inquiry relates.

4. In summary, the written submissions dated 14 March 2016 on behalf of D1 submit there are systemic institutional failures that it is said should bring D1 within the terms of this investigation. These include failures by Rochdale Children's Services and also a failure on the part of the state to hold an investigation that would be deemed compliant with Article 3 of the European Convention on Human Rights. The submissions also argue that if D1 is not designated as a core participant in relation to this investigation, there is a risk that she will also not meet the criteria for designation as a core participant in one, or more, of the Inquiry's other investigations to which her experiences may have relevance. If that were the case, it is said she will have no effective opportunity to participate and address the systemic failings that it is alleged she has suffered.
 5. On 4 March 2016, I made a Provisional Decision declining D1's application on the basis that her account does not fall within the scope of the investigation into Cambridge House, Knowl View and Rochdale Borough Council. The further information provided in D1's latest submission does not cause me to change my provisional view. That is not to say that D1's experiences, or the type of experiences that she alleges, may not be considered by the Inquiry in another context and I say more about that below.
 6. The failings that D1 alleges are very serious. The proper functioning of a local authority's child protection services is at the heart of the matters that this Inquiry will be considering in its investigations and research projects. However, each investigation has been carefully designed in order to capture particular aspects of children's experiences and institutional failure and I am mindful that the scope of the investigation must remain targeted and proportionate. As the definition of scope for this investigation states, the Inquiry will explore child sexual abuse in the context of placements arranged or provided by Rochdale Borough Council. D1's experiences do not fall within this scope. I am therefore not satisfied that it would be appropriate to designate D1 as a core participant in this investigation.
 7. It has been specifically submitted on behalf of D1 that I ought, notwithstanding that she does not fall within the present terms of reference, to exercise my discretion to include her experience within this investigation. I have considered that carefully and have concluded however that I should not do so. This investigation is considering failings which are specific to residential institutions at a certain point in time; they are intended to focus upon the particular vulnerabilities of children who are living away from their families. D1's application is based upon the failure to remove a child from an abusive situation within the family. In
-

short, her application raises different safeguarding issues in a different context to that which will be examined in this investigation. As I mentioned above, the work of the inquiry has to be targeted, if the Inquiry is to fulfill its remit; regrettable as it may be, it cannot examine every allegation of institutional failure brought to its attention.

8. None of this is intended to diminish D1's experience or to suggest that her allegations are any less serious than the allegations which form the basis of this investigation. D1 has brought an important issue to the Inquiry's attention and it will be borne in mind as other investigations develop. Notwithstanding my decision in respect of D1's application I would welcome D1 providing the Inquiry with a statement, so that her experiences can be taken into account as the Inquiry considers the scope of future investigations.

9. As D1's representatives are aware, this investigation is just one of thirteen that are underway and the Inquiry is considering additional investigations to be announced in due course. D1 is welcome to apply for core participant status in other investigations to which her situation may well have direct relevance and any application will be considered on its merits in relation to the scope of the particular investigation.

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

13 April 2016