

**NOTICE OF DETERMINATION  
CORE PARTICIPANT APPLICATION**

1. On 25 January 2016 the Inquiry invited anyone who wished to be designated as a core participant in the Lord Greville Janner investigation to make an application to the Solicitor to the Inquiry by 22 February 2016.
2. On 5 February 2016, an application was made by the Chief Constable of Leicestershire Police for core participant status in the Janner investigation, and for Craig Sutherland to be the Chief Constable's 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 the Chief Constable of Leicestershire Police has 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. At the heart of this investigation is the consideration of institutional failures that may have taken place in connection with allegations of child sexual abuse involving Lord Greville Janner. To the extent that the Inquiry finds some or all of the allegations to be well founded, the Inquiry will consider the adequacy and propriety of law enforcement investigations and prosecutorial decisions, including whether any public authority hindered/prevented the effective investigation and/or prosecution of allegations of child sexual abuse by Lord Janner. The application is put on the basis that the Chief Constable has within his control a significant amount of material which is relevant to Leicestershire Police's recent investigation into allegations relating to Lord Janner, as well as historic investigations dating back to 2007 and 2002 and which are likely to be important to the scope of this investigation. I am satisfied that Leicestershire Police have played a significant role in relation to matters which are the subject of this investigation and also have a significant interest in the matters regarding Lord Janner which the Inquiry will consider. It is also possible that Leicestershire Police will be the subject of explicit or significant criticism in the course of this Inquiry. I am therefore satisfied that Chief Constable of Leicestershire Police should be designated a Core Participant in this 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 the Chief Constable of Leicestershire Police has appointed Craig Sutherland, Head of Legal Services at East Midlands Police Legal Services as his qualified lawyer, I designate Mr Sutherland as the Chief Constable of Leicestershire'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**