

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 3 June 2016 the Inquiry invited anyone who wished to be designated as a core participant in the Accountability and Reparations investigation to make an application to the Solicitor to the Inquiry by 1 July 2016. Such applications are currently limited to participation in the four case studies.
2. An application was made by Peter Garsden of Simpson Millar LLP for core participant status in the Accountability and Reparations investigation.
3. I made a provisional ruling declining the application on 22 July 2016. Mr Garsden was provided with an opportunity to renew his application at a preliminary hearing on 29 July 2016. Mr Garsden did not renew his application. Accordingly, this notice sets out my final determination of the application.
4. 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.

5. 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.
6. Having regard to the provisions of Rule 5(2), I am not satisfied that Peter Garsden fulfils the criteria in Rule 5(2) or that there are other good reasons to designate him as core participant.
7. Mr Garsden's application is put in terms of his involvement, initially as lead solicitor for a number of claimants in the North West Child Abuse cases group action which included St Aidan's and St Vincent's children's homes. Whilst recognising the work he undertook as lead solicitor in this group action and his experience of acting for clients during those proceedings, I am not satisfied that his interest or role was sufficiently significant to justify his designation as a core participant in this investigation, as opposed to assisting the Inquiry as a witness. For this reason I am not satisfied that Mr Garsden played or may have played a direct and significant role in relation to the matters under investigation or that he may have a significant interest in relation to such matters. Accordingly, I decline the application to designate him as a core participant in this case studies investigation.
8. I will keep the scope of the investigation and the designation of core participants under review and further invitations to apply for core participant status may be made as the investigation proceeds. Therefore, depending on how the investigation progresses, it may also be possible for individuals, such as Peter Garsden to still assist the Inquiry either as witnesses or as designated core participants in other aspects of the Accountability and Reparations investigation. In the meantime I will consider any future application which he wishes to make on its merits in relation to the four case studies currently underway.

Hon. Dame Lowell Goddard DNZM

29 July 2016

Chair, Independent Inquiry into Child Sexual Abuse