

**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 2 March 2016, an application was made by John Gater for core participant status in the Lord Greville Janner investigation, and for Susan Leach to be his recognised legal representative. The application was submitted after the Inquiry's published deadline of 22 February 2016. The Inquiry is advised that Mr Gater was in hospital following an accident when his solicitors wrote to him about this matter, and that he made contact with his solicitors upon reading their correspondence after his release from hospital. The submission is that his solicitors have made this application at the earliest opportunity following receipt of Mr Gater's instructions. I am satisfied that the applicant should not be prevented from having his application determined on the basis that it is submitted out of time, in light of the explanation provided and the relatively short period of delay. 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 may also be taken into account.
5. Having regard to the provisions of Rule 5(2), I am satisfied that John Gater has a significant interest in the matters under investigation. His application is on the basis that he was sexually abused by Lord Janner at Gypsy Lane Working Mens Club, Leicester, in or around 1973 when Mr Gater was approximately 8 years old. I am accordingly satisfied that Mr Gater has a significant interest in the matters under investigation, including the adequacy and propriety of law enforcement investigations and prosecutorial decisions relating to allegations against Lord Janner, the extent to which various institutions were aware of the allegations, the adequacy of their response and the extent of failings of institutions to protect children from sexual abuse, and the adequacy of such institutions' response when allegations of child sexual abuse are made. I am therefore satisfied that Mr Gater 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 John Gater has appointed Susan Leach of QualitySolicitors Abney Garsden as his qualified lawyer, I designate Ms Leach as Mr Gater'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

3 March 2016