

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 30 August 2017 the Inquiry invited anyone who wished to be designated as a core participant in the Westminster investigation to make an application to the Solicitor to the Inquiry by 27 October 2017.
2. On 25 October 2017, an application was made by JA-A5 for core participant status in the Westminster investigation. 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. One such relevant matter is the fact that the Inquiry is conducting a separate investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC (“Lord Janner”). As part of that investigation (which I will describe for brevity as “the Janner investigation”), the Inquiry will consider the extent to which the Labour Party, Parliament, government departments, and/or the security and intelligence agencies were aware of allegations of child sexual abuse involving the late Lord Janner and the adequacy of their response, and whether any attempts were made to exert improper influence in order to hinder or prevent an institution from effectively investigating or otherwise responding to such allegations (Definition of Scope of the Janner investigation, published 11 April 2017).
6. Although it is possible that the Westminster investigation will hear some evidence relating to the allegations made against the late Lord Janner, this will not be a focus of its work. That is because, as the Definition of Scope referred to above makes clear, these matters will be considered in the Janner investigation, which is the Inquiry’s freestanding investigation into institutional responses to the allegations that were made against Lord Janner. For these matters also to be considered as part of the Westminster investigation would involve unnecessary duplication of the Inquiry’s work. It would be an inefficient use of the Inquiry’s resources. Moreover, since in procedural terms the Janner investigation is running behind the Westminster investigation, attempting to consider these matters in the Westminster investigation would be unsatisfactory because evidence as to the context in which the allegations arose will not have been heard by the time of the Westminster hearings (this is in contrast to the issues relating to Cyril Smith, as to which evidence has already been heard in the Rochdale hearings).
7. Having regard to the provisions of Rule 5(2) and the matters set out above, I am therefore satisfied that while JA-A5 has a significant interest in an important aspect of the matters under investigation in the Janner investigation, in which JA-A5 has already been granted Core Participant status, it is not appropriate to grant him Core Participant status additionally in the Westminster investigation. I therefore decline his application as a core participant in the Westminster 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. I should add that I shall consider any application which JA-A5 may make in future to be designated as a core participant in any other investigation.

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

22 February 2018