

**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 15 September 2017, an application was made by WM-A1 for core participant status in the Westminster investigation. I made a provisional ruling that I was minded to decline the application on 9 January 2018. WM-A1 was provided with the opportunity to renew his application at a preliminary hearing on 31 January 2018, and did so.
3. At the Preliminary Hearing, I indicated that I would reserve to a later date my determination of the renewed core participant application by WM-A1. This notice sets out my determination of his application. I have considered carefully in this regard:
 - i. The application for core participant status that was made in writing by WM-A1 on 15 September 2017;
 - ii. The written submissions made on behalf of WM-A1 by Mr David Greenwood of Switalskis Solicitors dated 22 January 2018;
 - iii. Documents provided by WM-A1 to the Inquiry;
 - iv. The oral submissions made on behalf of WM-A1 by Mr Greenwood at the Preliminary Hearing.
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 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.
6. In his application, WM-A1 seeks designation as a core participant on the basis that he has made an allegation that he was raped as a child by the former Prime Minister Sir Edward Heath in 1959. WM-A1 provided evidence concerning this allegation to Operation Conifer, conducted by Wiltshire Police.
7. In reaching my earlier provisional decision to refuse this application, I indicated that the inquiry did not intend to re-open the factual issues that were the subject of investigation by Operation Conifer. I noted that WM-A1 had not suggested that there were any institutional failings in the way in which his allegations had been dealt with. Further, I stated that, although this position might change, the inquiry did not expect that institutional issues relating to Sir Edward Heath would be a particular focus of the Westminster investigation.
8. In renewing the application on WM-A1's behalf, Mr Greenwood submitted that WM-A1 believes he has a significant interest in this investigation. Mr Greenwood submitted that the investigation should include a case study into allegations against Heath and the way that they were handled by institutions. WM-A1 states that he told a social worker at Kent County Council and his school headmaster about his allegations, but this was not followed up. Mr Greenwood further submitted that WM-A1 was involved in the 'rent-boy' scene in London in the 1960s, and that he was

aware of politicians other than Heath attending parties at which sexual behaviour occurred. He stated that this raises questions about how institutions including school, social services, the police and security services responded, including why individuals were not prosecuted, why he was not protected and whether there was sufficient scrutiny of high profile individuals. WM-A1 feels it is unfair that other applicants have been granted core participant status when he has made these allegations.

9. I have considered carefully the written and oral submissions advanced by Mr Greenwood in support of this renewed application. Having done so, I have decided to maintain my earlier provisional decision not to grant WM-A1 core participant status in this investigation.

10. The Westminster investigation will investigate whether there was any knowledge within Westminster institutions of any allegations of child sexual abuse concerning Heath. A wide-ranging search for documents, including any documents relating to allegations about Edward Heath, is already underway. At this stage, however, I do not anticipate that the Inquiry will conduct a specific case study into - or indeed focus upon to any great extent - issues arising from allegations made regarding Edward Heath. The Inquiry will consider the Operation Conifer Closure Report, which it has received. My present view is that the relevance of this material will be limited to the investigation's function of collating and reviewing the work of previous investigations and inquiries. The investigation's focus throughout will be on exploring and making findings as to any institutional failings, rather than determining the truth or otherwise of underlying factual allegations.

11. In respect of the alleged awareness of WM-A1's allegations within Kent County Council and by his school headmaster, I am not satisfied that the alleged awareness of this organisation falls within the Westminster investigation, which is concerned with the awareness of Ministers, party whips, political parties, the intelligence and/or security agencies, law enforcement agencies and/or prosecuting authorities of the involvement of people of public prominence associated with Westminster. As Counsel to the Inquiry set out in his submissions at the Preliminary Hearing, the intended focus of this investigation is on how Westminster institutions responded to allegations of child sexual abuse and exploitation. Social services and schools are

not, in my view, Westminster institutions. Similar considerations apply to any complaints that WM-A1 may have about the way in which Kent Police have dealt with his recent report to them.

12. WM-A1's experiences as part of the 'rent-boy' scene and his knowledge of the involvement of politicians, as set out in his application and submissions, may well make him a useful witness to this investigation. Without more, however, they do not justify granting him core participant status.

13. In light of these considerations, in my discretion I am not satisfied that the criteria in Rule 5(2) are met. Nor are there any other grounds on which to grant WM-A1 core participant status. This application is therefore refused. I will keep this matter under review as the investigation develops. If the scope of the investigation changes in a relevant manner - if, for example, institutional issues relating to Sir Edward Heath take on a greater prominence - I will reconsider this application at that stage.

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

22 February 2018