

**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

1. On 31 January 2018, at a Preliminary Hearing in the Westminster investigation, I indicated that I would reserve to a later date my determination of the renewed core participant application by WM-A4. I gave that indication because, as I said, I wanted to consider with care all of the written and oral submissions made by Mr Sam Stein QC on behalf of WM-A4. I have now had the opportunity to do so. I have considered carefully in this regard:

- i. The application for core participant status that was made in writing by WM-A4 on 27 October 2017;
- ii. The further information that was received by email on 8 December 2017 in response to the Inquiry seeking clarification of matters relating to the application;
- iii. The written renewal submissions drafted by Mr Stein and dated 19 January 2018;
- iv. The oral submissions made by Mr Stein on 31 January 2018. I have refreshed my memory from the transcript of those submissions, which has been made available on the Inquiry website.

2. I have reminded myself of the statutory criteria that govern the determination of core participant status, pursuant to 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.

3. 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.
4. On 19 December 2017 I made a Provisional Determination declining WM-A4's application. In that Provisional Determination I considered it relevant 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).
5. I noted that in the application submitted on his behalf, WM-A4 alleged that he was raped at Dolphin Square while under the care of Hackney Social Services by a person he believed to have been Lord Janner. He also alleged that he was abused at a care home in Haringey and that Hackney Social Services had been aware of this abuse.
6. I also noted that the Westminster investigation would not focus upon allegations made against the late Lord Janner. That was because, as the Definition of Scope referred to above makes clear, these matters will be considered in 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.

7. Accordingly I was not satisfied that WM-A4 should be designated as a core participant.
8. I communicated this provisional decision to WM-A4 in writing, and indicated that he could if he wished renew his application orally at the hearing on 31 January.
9. In renewing the application on WM-A4's behalf, Mr Stein made submissions that WM-A4 believes that he was abused by Lord Janner and that he was systematically taken to a place where he was abused by someone who had identified him as a vulnerable youth. He submitted that WM-A4 was in care, that he had already been abused and that that abuse was known about within Hackney Social Services. He referred to WM-A4 being taken to the Apollo nightclub where a police officer took his details and to whom, it is said, it must have been obvious that WM-A4 was young and vulnerable. He also referred to photographs being taken and to WM-A4 being told that the photographs were in a pamphlet which was being shown at Westminster. Mr Steins said that matters were known about commonly and were tolerated, and described this as "a system" being employed within Westminster.
10. I have considered carefully Mr Stein's written and oral submissions. Having done so, I have decided to maintain my earlier provisional decision not to grant WM-A4 core participant status in this investigation.
11. In renewing the application Mr Stein made clear that WM-A4 believes that his abuser was Lord Janner. He does not make allegations of abuse against other people of public prominence associated with Westminster. I have described above the case management decisions that I have made concerning the relationship between the Janner and Westminster investigations. Issues relating to Lord Janner will not be explored in the Westminster investigation. Such matters, if they are to be investigation at all, will be pursued in the Janner Investigation. In those circumstances, I do not consider that the allegation that WM-A4 has made concerning Lord Janner gives rise to a significant interest in the Westminster Investigation. As I have indicated previously, WM-A4 may wish to consider making an application for core participant status in the Janner Investigation. That is a matter for him.

12. In respect of the alleged awareness of WM-A4's abuse within Hackney Social Services, 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. The focus of this investigation is on how Westminster institutions responded to allegations of child sexual abuse and exploitation. Hackney Social Services is not, in my view, such a Westminster institution. I am of course mindful that the scope of the Westminster Investigation is still under review and that submissions on scope have been invited from core participants by 14 March 2018, but I consider it plain that the social services department of a local authority does not constitute a Westminster institution and that the process of determining scope which is underway is unlikely to alter that view.
13. Finally, I acknowledge that WM-A4 may be able to provide the investigation with a first-hand account of what Mr Stein described as "a system" of practices involving child sexual abuse operating at Westminster. This may well make him a useful witness to this investigation and the Inquiry will consider whether to ask him to provide a witness statement. Without more, however, this does not justify granting him core participant status.
14. In my discretion therefore, I am not satisfied that WM-A4 fulfils the criteria in Rule 5(2) of the Inquiry Rules 2006, or that there are other good reasons to designate WM-A4 as a Core Participant.
15. I will keep the designation of core participants under review and this decision does not, as I have indicated, preclude WM-A4 from applying to be a core participant in any other investigation.

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

22 February 2018