

**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 18 October 2017, an application was made by the Commissioner of Police of the Metropolis (“the Commissioner”) for core participant status in the Westminster investigation, and for Sabrina Castiglione to be the Commissioner’s recognised legal representative. 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. Having regard to the provisions of Rule 5(2), I am satisfied that the Commissioner has played a direct and significant role in relation to matters under investigation and/or has a significant interest in an important aspect of the matters under investigation and/or any other reason. The application is put on the basis that the Commissioner, in her role as Chief Officer of Police of the Metropolis has a significant interest in the matters which the Inquiry will consider. This investigation will consider allegations that people of public prominence associated with Westminster were involved in the sexual abuse of children. The investigation will also consider whether Ministers, party whips, political parties, the intelligence and/or security services, law enforcement agencies, and/or prosecuting authorities were aware of the involvement of people of public prominence associated with Westminster in the sexual abuse of children, and failed to take adequate steps to prevent any such abuse from occurring and/or took steps to prevent such abuse from being revealed. It is also stated that the Commissioner will have a direct and significant interest in ensuring that any recommendations which the Inquiry may make can be implemented. The application is also put on the basis that the Metropolitan Police Service (MPS) may be subject to criticism in its handling of investigations into allegations of child sexual abuse.
6. I am therefore satisfied that the Commissioner has a significant interest in this investigation and should be designated a Core Participant in this investigation.
7. 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.*
8. Accordingly, as I am satisfied that the Commissioner has appointed Sabrina Castiglione of the MPS Directorate of Legal Services as its qualified lawyer, I designate Ms Castiglione as the Commissioner's recognised legal representative in accordance with rule 6(1) as I am required by that rule to do.
9. 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.

**Professor Alexis Jay OBE**

**19 December 2017**

**Chair, Independent Inquiry into Child Sexual Abuse**