

Protocol on Core Participants

1. A Core Participant is a person, organisation or entity granted special status during an inquiry. They are afforded specific rights and responsibilities during the investigative process, set out in brief below.
2. Not all witnesses will be designated Core Participants, and being a Core Participant does not mean that a person's evidence is any more important or given any greater weight. Personal accounts and experiences shared by those who are not Core Participants are of no less value in the eyes of the Inquiry, than those provided by persons who are Core Participants.
3. It is not necessary to be a Core Participant to engage meaningfully with the Inquiry. Persons, organisations and entities who are not Core Participants can provide evidence to the Inquiry by way of documents or other material. They may also act as a witness to the Inquiry and be entitled to claim expenses for attending as a witness, as well as an award for legal representation (if the relevant criteria are met). They may watch or attend public hearings (unless the Chair decides to hear evidence in private), read transcripts of hearings, witness statements and other documents that are published by the Inquiry.
4. This Protocol will be applied in line with section 17(3) of the Inquiries Act 2005 (the Inquiries Act), which requires a Chair to act with fairness and regard to the need to avoid unnecessary cost.

General Principles

5. The process for determining Core Participant status is primarily governed by Rule 5 of the Inquiry Rules 2006 (the Inquiry Rules).
6. The Chair may designate any person, organisation or entity as a Core Participant. In deciding whether to do so, she will in particular consider whether:
 - a. they played, or may have played, a direct and significant role in relation to the matters to which the Inquiry relates;
 - b. they have a significant interest in an important aspect of the matters to which the Inquiry relates; or
 - c. they may be subject to explicit or significant criticism during the Inquiry's proceedings or in the report, or any interim report.

7. The matters to which the Inquiry relates are governed by the Inquiry's Terms of Reference. These can be accessed [here](#). As noted above, the Chair must also act in line with the requirements of section 17(3) of the Inquiries Act.
8. The Chair is not obliged to designate persons, organisations or entities that meet the criteria set out in Rule 5 of the Inquiry Rules as Core Participants. She has a wide discretion that she will exercise fairly, consistently and with an open mind. Furthermore, persons, organisations or entities need not be designated as Core Participants for all the matters in the Terms of Reference, or for the entire duration of the Inquiry; they may be designated as Core Participants in relation to a particular issue or issues, or for certain parts of the Inquiry.
9. A person, organisation or entity can only be designated a Core Participant if they consent to being a Core Participant. This means that although the Chair can invite people to apply for Core Participant status, she cannot force them to do so.
10. The Chair may remove Core Participant status from a person, organisation or entity if she determines that they no longer meet the requirements for Core Participant status to be granted.
11. A person, organisation or entity will cease to be a Core Participant on a date specified by the Chair in writing, or at the end of the Inquiry.
12. Those designated as Core Participants may be able to:
 - a. Receive, in advance of hearings, disclosure of evidence which the Chair considers relevant to them (subject to any restrictions made under section 19 of the Inquiries Act);
 - b. Make opening and closing statements at hearings;
 - c. Suggest lines of questioning to be pursued by Counsel to the Inquiry;
 - d. Apply to the Chair to ask questions of a witness during hearings; and
 - e. Receive a copy of the Inquiry report (or any interim report) prior to publication.
13. Core Participants will also be able to apply for funding to cover legal costs associated with their participation in the Inquiry (see below).

Applications for Core Participant Status

14. A template application form, in Word format, has been published alongside this Protocol. It can be accessed [here](#). The Inquiry invites those who wish to be designated as a Core Participant to download the form and return a completed copy to the Inquiry, for the attention of the Solicitor to the Inquiry, either by email to Contact@LampardInquiry.org.uk or by post - The Lampard Inquiry, PO Box 78136, London, SW1P 9WW.
15. If an Applicant wishes to submit an application in a different format, they are welcome to do so, provided that it complies with this Protocol.
16. The Inquiry will also assist individuals who do not have legal representation to complete the application.
17. All Applicants should explain how they meet the criteria to be a Core Participant, as set out above, and how this is relevant to the matters which the Inquiry is investigating, as in the Terms of Reference. Applicants should also include any other information which they consider relevant for the Chair to make an informed decision.
18. As a general rule, the Inquiry will conduct its proceedings in public and in as open and transparent manner as possible. However, where persons, organisations or entities wish for the disclosure or publication of information provided by them to the Inquiry to be restricted, an application for a Restriction Order can be made. This can relate to any part of their evidence, including their identity. Applicants should indicate if a separate application for a Restriction Order in respect of their engagement with the Inquiry is likely to be sought. Further details on Restriction Orders can be found [here](#). Applications for Restriction Orders can be made at any time and are not limited to Core Participant applications.
19. The application should also include whether or not the Applicant would like to be legally represented. If an Applicant already has lawyers instructed, their details should be provided.
20. The Chair will carefully consider all applications and, if she considers that further information is necessary before coming to a decision, may ask an Applicant to provide such information in writing. The Chair may make determinations based solely on written applications (together with any further information provided in accordance with this paragraph). Where she

considers it appropriate, the Chair may require an Applicant to appear before her to make an oral application for Core Participant status.

21. The initial window for applications to be made is specified on the Inquiry's website. Applications received after the date or dates specified by the Inquiry will be considered by the Chair. However, the Chair may take into account additional factors (including the reason for any delay and the potential impact on the work of the Inquiry) in deciding whether to grant Core Participant status.
22. The Solicitor to the Inquiry will notify all Applicants and / or their legal representatives of the outcome of their application to be designated a Core Participant in writing, unless another method of communication has previously been agreed.

Legal Representation

23. The decision to designate a person, organisation or entity as a Core Participant is separate to the decision to designate their legal representative.
24. Where a Core Participant has already appointed a qualified lawyer to act on their behalf, the Chair will normally designate that lawyer as that person, organisation or entity's legal representative for the duration of the Inquiry.
25. Where two or more Core Participants seek to be legally represented and the Chair considers that:
 - a. their interests in the outcome of the Inquiry are similar;
 - b. the facts they are likely to rely on during the Inquiry are similar; and
 - c. it is fair and proper for them to be jointly represented;in accordance with Rule 7(2) of the Inquiry Rules the Chair will direct that those Core Participants shall be represented by a single Recognised Legal Representative (RLR).
26. Where the Chair makes such a direction, Core Participants must agree the designation of their RLR. If they do not do so within a reasonable period, the Chair will designate an appropriate lawyer who she considers has sufficient knowledge and experience to act in that capacity.

Applications for Funding – Legal Representation at Public Expense

27. Section 40 of the Inquiries Act allows the Chair to make awards for the costs of legal representation and the attendance of witnesses at the Inquiry, regardless of whether they are Core Participants.
28. Applications for awards under Section 40 should be made in accordance with the Inquiry's Protocol on Legal Costs and the determination by the Minister under section 40(4) of the Inquiries Act, both of which are available on the Inquiry's website [here](#) (Ministerial Determination) and [here](#) (Protocol on Legal Costs).

Confidentiality

29. All Core Participants and their legal representatives must agree to treat information they receive from the Inquiry as confidential. They must not use it for any purpose other than taking part in the Inquiry; they must not publish or disclose the information to a third party, share it or use or permit its use by others for any purpose other than their participation in the Inquiry. All Core Participants and their legal representatives will be required to sign an undertaking to this effect. This will continue to apply even after the Inquiry has ended.
30. Any breach of the confidentiality undertaking is a serious matter with potentially serious consequences; it could lead to the Chair deciding to withdraw a person, organisation or entity's Core Participant status, or restrict the extent to which they may thereafter take part in the Inquiry.

Point of Contact

31. If you have any queries about this Protocol, you can contact the Inquiry by phone on 020 7972 3500, by email at Contact@LampardInquiry.org.uk or by post - The Lampard Inquiry, PO Box 78136, London, SW1P 9WW. All written correspondence should be addressed to the Solicitor to the Inquiry.

Review

32. If this Protocol requires amendment during the course of the Inquiry, an updated version will be published on the Inquiry's website at the earliest opportunity. Any amendments will be subject to the review and approval of the Chair.

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