



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 2- MISSING MEDICINES COALITION

Introduction

1. In my [Opening Statement](#) on 21 July 2022, I explained that Modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On 31 August 2022, the Inquiry opened Module 2 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 23 September 2022.
2. The Provisional Outline of Scope for Module 2 provides that this module will examine the decision-making by the UK Government during the Coronavirus pandemic. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 23 September 2022 the Inquiry received an application from the Missing Medicines Coalition ('the Applicant') for Core Participant status in Module 2.
4. I made a provisional decision not to designate the Applicant as a Core Participant in Module 2, thereby declining the Applicant's application ("the Provisional Decision"), on 13 October 2022. The Applicant was provided with an opportunity to renew the application in writing by 12pm on 20 October 2022.
5. On 20 October 2022, the Applicant submitted a renewed application for Core Participant status in Module 2. This notice sets out my determination of the Applicant's application for Core Participant status in Module 2.

Application

6. Applications for Core Participant status are considered in accordance with Rule 5 of the Inquiry Rules 2006, which provides:

5.—(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.*

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 2.
8. I have taken into account all of the information which the Applicant has relied upon. The fact that I have not, in making this determination, referred to every matter which is set out in the application does not mean that I have not considered it. The summary below is intended to capture what appear to be the most important points made in support of the application.

Summary of Application

9. The Applicant Missing Medicines Coalition ('MMC') is a coalition of international and national bodies concerned with access to medicine issues both in the UK and globally. MMC comprises the organisations STOPAIDS, Just Treatment, Global Justice Now, and

Oxfam. Information about each of the members of the MMC is set out in the Annex of the initial application.

10. The Applicant's original application stated that the organisations collectively played a direct and significant role in relation to the matters to which the Inquiry relates and have a significant interest in an important aspect of the matters to which the Inquiry relates. In particular, the MMC organisations would seek to assist the Chair in relation to the adequacy of preparations for and the response to the pandemic including the issue of vaccine inequality and the disparities of the impact of the pandemic on marginalised communities in the UK.
11. In its renewed application, the Applicant states that it has direct knowledge of the extent of Government engagement on issues such as multilateral cooperation on a range of COVID-19 response issues (through the World Health Organisation (WHO) and the World Trade Organisation (WTO) and evidence bases as to the impact and effectiveness of particular policy approaches.
12. The Applicant reiterates that impeding widespread global vaccine coverage played a significant role in prolonging the pandemic around the world and impacted upon the population of the UK as the virus spread and mutated, and upon the public health response in the UK and the UK's recovery from COVID-19. It emphasises the importance of this issue.

Decision for the Applicants

13. I have considered with great care everything that is said in the Applicant's renewed application. I have also reminded myself of what was said in the original application to enable me to assess the merits of the application for Core Participant status as a whole. Having done so, in my discretion, I consider that the Applicant does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 2 and, therefore, I have decided to not to designate the Applicant as a Core Participant in Module 2. I confirm that this is my final decision.
14. I have noted with care, the valuable work and expertise the Applicant has in this field. However, in the context of the provisional scope of Module 2, I am satisfied that the

Applicant did not have a direct or significant role in core political and administrative decision-making (Rule 5(2)(a)). I am satisfied that the Applicant's submission of direct knowledge of the extent of Government engagement on issues such as multilateral cooperation on a range of COVID-19 responses does not meet the threshold for Rule 5(2)(a). Further, decisions made by the Vaccine Task Force, the global response including global vaccine coverage and inequalities are beyond the scope of Module 2 which is primarily concerned with the UK Government's core political and administrative decision-making - with a particular focus on the Prime Minister and the Cabinet. Additionally as I set out below, the Applicant does not need to be a Core Participant to provide evidence on this and I consider in my discretion, that this is the more appropriate avenue.

15. Whilst recognising the Applicant's interest, I do not consider that it reaches the threshold of a significant interest in the context of matters for investigation in Module 2. Furthermore, I do not consider, having regard to the need to manage the Inquiry effectively and efficiently, that its interest in decision making by the UK Government is sufficiently significant as to grant it Core Participant status in this Module. I am determined to run the Inquiry as thoroughly and as efficiently as possible, bearing in mind the Inquiry's wide-ranging terms of reference and the need for the Inquiry process to be rigorous and fair. Given the vast numbers of people who were involved with, or adversely affected by, the Covid-19 pandemic, very many people and organisations in this country could potentially have an interest in it and not everyone can be granted Core Participant status for the purposes of the Inquiry hearings.
16. I wish to emphasise my ongoing commitment, as set out in the Terms of Reference and repeated in my Opening Statement, that inequalities will be at the forefront of the Inquiry's investigations. This will include a focus on the disparities evident in the impact of Covid-19 on different groups of people.
17. My decision not to designate the Applicants as Core Participants in Module 2 does not preclude it from making any further applications in respect of any later modules. In my Opening Statement, I said that I will publish more information about the issues intended to be covered by later modules in the coming months. As I have indicated, the Applicant may wish to consider making an application for Core Participant status in future modules dealing more directly with the issue of vaccines and the impact of

Covid-19 on those with health inequalities and the vulnerable, including marginalised communities. I will consider any future applications the Applicants may wish to make on their merits at the time they are made.

18. I confirm that it is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Applicants may have relevant information to give in relation to matters being examined in the Inquiry and the Inquiry will be reaching out in due course to a range of individuals, organisations and bodies to seek information, to gain their perspective on the issues raised in the modules and, where appropriate, to ask for witness statements and documents.

Rt Hon Baroness Heather Hallett DBE

Chair of the UK Covid-19 Inquiry

25 October 2022