



**NOTICE OF DETERMINATION  
CORE PARTICIPANT APPLICATION**

**MODULE 2 - THE MOTHERHOOD PLAN / PREGNANT THEN SCREWED / CLARE WENHAM**

**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 Motherhood Plan/Pregnant Then Screwed and Clare Wenham for Core Participant status in Module 2.
4. I made a provisional decision not to designate The Motherhood Plan/Pregnant Then Screwed and Clare Wenham as a Core Participant in Module 2, thereby declining The Motherhood Plan/Pregnant Then Screwed and Clare Wenham's application ("the Provisional Decision"), on 13 October 2022. The Motherhood Plan/Pregnant Then Screwed and Clare Wenham was provided with an opportunity to renew the application in writing by 12pm on 20 October 2022.
5. The Applicant did not renew the application by the prescribed deadline. Accordingly, this Notice sets out my final decision on the application.

## 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. This application is made by The Motherhood Plan, better known as Pregnant Then Screwed, a charity working to end the systematic disadvantage experienced by mothers in the workplace in terms of pay, perceived competence and benefits. The charity protects and supports pregnant women and mothers through its support

services and campaigning work. The application is made jointly with Clare Wenham, Associate Professor of Global Health Policy at London School of Economics, whose research analyses the gendered impact of the epidemic (and broader health) policy. She co-led the Gender & COVID-19 project, a multi-country project aiming to document and analyse the real time effects of COVID-19 on women and minority genders.

10. The application is made on the basis that the Applicants have a significant interest in important aspects of the matters to which the Inquiry relates. Firstly, during the pandemic, Pregnant Then Screwed provided legal guidance and advice to pregnant women who felt unsafe and unsure of their legal rights at work due to fear of infection and a lack of Government guidance and campaigned for changes to Government policies or their implementation. Secondly, following the pandemic, Pregnant Then Screwed and Clare Wenham have made submissions to a number of inquiries and submitted research papers. Further detail is provided in the application about research and analysis carried out by Pregnant Then Screwed and Clare Wenham.

### **Decision for the Applicant**

11. I have considered with great care everything that is said in The Motherhood Plan/Pregnant Then Screwed and Clare Wenham's application. Having done so, in my discretion, I consider that The Motherhood Plan/Pregnant Then Screwed and Clare Wenham does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 2 and, therefore, I have decided not to designate The Motherhood Plan/Pregnant Then Screwed and Clare Wenham as a Core Participant in Module 2.
12. I acknowledge that pregnant women and mothers were seriously impacted by the pandemic. I wish to repeat 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 the pandemic on different categories of people. Whilst I appreciate the important work both Applicants are said to have done during the pandemic and the expertise the organisation can offer, the focus of Module 2 is on core political and administrative decision making in the response to the pandemic.

The Applicants do not suggest that they played a direct or significant role in core political and administrative decision-making (Rule 5(2)(a)) and I do not find that they did. Further, the interest the Applicants do have is not a significant interest in the matters for investigation in Module 2 (Rule 5(2)(b)) and the Applicants are unlikely to face explicit or significant criticism (Rule 5(2)(c)).

13. Furthermore, I do not consider, in any event, having regard in particular 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 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.
14. 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. The applicant is encouraged to consider making an application for Core Participant status in a future module likely to deal directly with the impact of Covid-19 vulnerable groups and/or in the workplace.
15. It is also not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Motherhood Plan/Pregnant Then Screwed and Clare Wenham 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.
16. For all of those reasons, having considered all of the information provided by The Motherhood Plan/Pregnant Then Screwed and Clare Wenham, in light of the Provisional Outline of Scope for Module 2, I consider that The Motherhood Plan/Pregnant Then Screwed and Clare Wenham did not play a direct and significant role in relation to the matters sought to be investigated in Module 2, nor does The

Motherhood Plan/Pregnant Then Screwed and Clare Wenham have a significant interest in an important aspect of the matters to which Module 2 relates. I have therefore decided that The Motherhood Plan/Pregnant Then Screwed and Clare Wenham should not be designated as a Core Participant in Module 2 and I confirm that this is my final decision.

17. I will keep the scope of Module 2 under review. My decision not to designate The Motherhood Plan/Pregnant Then Screwed and Clare Wenham as Core Participants in Module 2 does not preclude it from making any further applications in respect of any later modules. The Motherhood Plan/Pregnant Then Screwed and Clare Wenham may wish to consider applying for Core Participant status in relation to future modules likely to deal more directly with the matters which have been referred to in the application. I will consider any future applications The Motherhood Plan/Pregnant Then Screwed and Clare Wenham may wish to make on their merits at the time they are made.

**Rt Hon Baroness (Heather) Hallett DBE**  
**Chair of the UK Covid-19 Inquiry**  
**26 October 2022**