



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 3 - GREATER MANCHESTER ASBESTOS VICTIM SUPPORT GROUP

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 8 November 2022, the Inquiry opened Module 3 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 5 December 2022
2. The Inquiry has published the Provisional Outline of Scope for Module 3, which states that this Module will consider the impact of the Covid-19 pandemic on healthcare systems in England, Wales, Scotland and Northern Ireland. Further Modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 5 December 2022 the Inquiry received an application from the Greater Manchester Asbestos Victim Support Group ("the Applicant") for Core Participant status in Module 3.
4. I made a provisional decision dated 16 January 2023 not to designate the Applicant as a Core Participant in Module 3, thereby declining the application ("the Provisional Decision"). The Applicant was provided with an opportunity to renew the application in writing by 4pm on 23 January 2023.
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 3.

Summary of Application

8. The Applicant identifies itself as a charity that offers free advice on benefits and basic information on civil compensation to people and their families diagnosed and living with, or bereaved by, asbestos related diseases in the Greater Manchester area. The Applicant states that people with an asbestos related disease or cancer are clinically vulnerable to becoming very ill or, in the worst case scenario, dying from Covid-19. The Applicant states that from 1 April 2020 to 31 March 2022, it helped 465 people with newly diagnosed asbestos related disease and cancer. The application sets out the impact of the Covid-19 pandemic on those people. The Applicant states that it can offer real benefit of experience and insight to the Inquiry about the healthcare provided to those who were clinically vulnerable due to suffering from asbestos

related illness and cancers during the pandemic. It is also said that the Applicant can assist the Inquiry by drawing upon the experience of similar organisations across the whole of the UK, because of its membership of the Asbestos Victim Support Group Forum UK.

Decision for the Applicant

9. I wish to reiterate my sympathy to each and every individual who has experienced the tragic loss of a loved one as a consequence of the Covid-19 pandemic including those the Applicant represents. I have considered with great care everything that is said in the application. Having done so, I have decided not to designate it as a Core Participant in Module 3.
10. Module 3 will consider the impact of the Covid-19 pandemic on healthcare systems in England, Wales, Scotland and Northern Ireland. This will include consideration of the healthcare consequences of how the governments and the public responded to the pandemic. It will examine the capacity of healthcare systems to respond to a pandemic and how this evolved during the pandemic. It will consider the primary, secondary and tertiary healthcare sectors and services and people's experience of healthcare during the pandemic, including through illustrative accounts. It will also examine healthcare-related inequalities (such as in relation to death rates, PPE and oximeters), with further detailed consideration in a separate designated Module.
11. The application is put on the basis that the Applicant has a significant interest in an important aspect of the matters to which Module 3 relates (Rule 5(2)(b)).
12. I recognise that the Applicant has a significant interest in shielding. Accordingly, Rule 5(2)(b) of the Inquiry Rules 2006 is met. However, while I am bound to consider the factors set out in Rule 5(2), it is also open to me to take into account other relevant matters. I have regard in particular to the need to manage the Inquiry effectively and efficiently. 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 the UK could potentially have an interest in the Inquiry. Not everyone can be granted Core Participant status for the purposes of the Inquiry hearings.

13. At this stage, I consider that the interests of those who were shielding are sufficiently represented by other applicants who have been granted Core Participant status. For example, I have granted Core Participant status to Clinically Vulnerable Families, an organisation that represents the Clinically Vulnerable, the Clinically Extremely Vulnerable, the Severely Immunosuppressed and their households across all four nations.
14. The Inquiry will also hear and consider carefully the experiences of bereaved families and others who have suffered hardship or loss as a result of the pandemic, through the listening exercise. Those to whom the Applicant provides support may wish to contribute to the work of the Inquiry through this process. I made clear in my Opening Statement that this listening exercise is a significant and important task which will lead to summary reports of the impact of the pandemic to be used as evidence during the Inquiry's Module hearings.
15. For all of those reasons, having considered all of the information provided by the Applicant in light of the Provisional Outline of Scope for Module 3, I have decided that the Applicant should not be designated as a Core Participant in Module 3 and I confirm that this is my final decision.
16. I will keep the scope of Module 3 under review. My decision not to designate the Applicant as a Core Participant in Module 3 does not preclude it from making any further applications in respect of any later modules. I will consider any future applications the Applicant 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
13 February 2023