



**NOTICE OF DETERMINATION  
CORE PARTICIPANT APPLICATION  
MODULE 2 - UKSA**

**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. On 21 September 2022 the Inquiry received an application from the UK Statistics Authority ('UKSA') ("the Applicant") for Core Participant status in Module 2. This Notice sets out my determination of the application.
3. The Inquiry has published the [Provisional Outline of Scope](#) for Module 2, which states 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.

**Application**

4. 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.*

5. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I 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.

### **Summary of Application**

6. This application is made by the UK Statistics Authority/Office for National Statistics. The application states that the Authority played a direct and significant role in relation to the matters to which Module 2 relates and that it is also likely that the Authority has a significant interest in Module 2. This is on the basis of the role the Applicant played in offering the government advice and trusted statistics throughout the pandemic and the government's use of ONS data and analysis to inform its response. The application explains that throughout the pandemic, the Applicant informed decision making with data and insight to inform policy decisions about the pandemic including the COVID-19 Infection Survey ('CIS').
7. The application states that CIS data was used at key decision making moments. The application states that the Applicant also had a role in relation to decision-making relating to non-pharmaceutical interventions, as through engagement with the Cabinet Office the ONS adapted its survey to help inform government planning and assessment of NPIs. Further, the Applicant's figures were used to track mortality throughout the pandemic and the ONS was asked to assist SAGE with initial estimates of deaths from Covid-19 and developed models to estimate the number of possible deaths, the impact of lockdown and changes in economic circumstances on mortality.

## Decision for the Applicant

8. I have considered with great care everything that is said in the application. Having done so, I have decided, in my discretion, to designate the UK Statistics Authority as a Core Participant in Module 2. I consider that the Applicant played, or may have played, a direct and significant role in relation to the core political and administrative decision-making in response to the Covid-19 pandemic, that they have a significant interest in Module 2 of the Inquiry and that they may be subject to explicit or significant criticism.

## Legal Representation

9. 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:

*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.*

10. I am satisfied that the UKSA operating by its executive office, the Office for National Statistics, has appointed Hannah Hall of the Government Legal Department as its qualified lawyer in relation to this Module. I therefore designate Hannah Hall as the Applicant's recognised legal representative in accordance with Rule 6(1).
  
11. Directions will be given in relation to applications for an award under section 40(1)(b) of the Inquiries Act 2005 of expenses to be incurred in respect of legal representation, at the forthcoming preliminary hearing. I will determine any such applications in accordance with the provisions of section 40 of the Inquiries Act 2005, the Inquiry Rules 2006, the [Prime Minister's determination](#) under section 40(4) and the [Inquiry' Costs Protocol](#).

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