



**NOTICE OF DETERMINATION**  
**CORE PARTICIPANT APPLICATION**  
**MODULE 3 - DOCTORS OF THE WORLD UK**

**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 Doctors of the World UK ("the Applicant") for Core Participant status in Module 3.
4. I made a provisional decision dated 13 January 2023 not to designate the Applicant as a Core Participant in Module 3, thereby declining the Applicant's application ("the Provisional Decision"). The Applicant was provided with an opportunity to renew the application in writing by 4pm on 20 January 2023.
5. On 20 January 2023 the Applicant submitted a renewed application for Core Participant status in Module 3. This notice sets out my final determination of the Applicant's application for Core Participant status in Module 3.

## 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 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. In its original application, the Applicant explained that it is an international and independent humanitarian organisation providing vital healthcare to people in conflict regions and those excluded from mainstream healthcare. In the UK it operates volunteer-led clinics and runs national advocacy programmes aimed at overcoming barriers to GP registration and access to secondary NHS care in hospitals. The Applicant states that the majority of patients it assists are people without formal immigration status who have lived in the UK for a number of years, who are often living in extreme poverty and experiencing acute social isolation. The Applicant considers it meets the criteria to be designated as a Core Participant in Module 3 because the Module includes all healthcare systems in the UK, not just the NHS, and

the Applicant was the leading organisation providing access to healthcare, advice and information for those who were unable, or felt unable, to access healthcare directly through the NHS. The Applicant stated that the overwhelming majority of those it supported to access Covid-19 related advice and healthcare were from ethnic minority communities and it is said that, accordingly, it has a significant interest in how the exclusion from mainstream healthcare services of the populations it supported contributed to health inequalities for those from ethnic minority communities in the UK.

9. The Applicant's renewed application provides helpful further information, which I have considered with care. In summary, the Applicant states that there are three categories of healthcare provision which the Inquiry will need to consider in order to meet its objectives, namely: (a) the National Health Service ("NHS"); (b) private operators; and (c) the third-sector, or, not-for-profit operators. The Applicant falls into category (c) and serves a demographic excluded from mainstream healthcare provision. It is suggested that the exclusion of the communities served by the Applicant from mainstream healthcare increased the risk of infection within those communities and thereby was detrimental to public health, placing additional stress on the NHS. The Applicant is said to have played a significant role in reducing the strain on mainstream healthcare systems throughout the pandemic. The Applicant states it has a significant interest in Module 3 on the basis that it has access to data and information in relation to the government and public response to the pandemic which are inaccessible to government departments - as the patients seen are not recorded in the NHS system and the NHS data cannot be segmented by immigration status.

### **Decision for the Applicant**

10. 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, I remain of the view that the Applicant does not meet the criteria set out in Rule 5(2). I have therefore decided not to designate the Applicant as a Core Participant in Module 3.
11. I am grateful to the Applicant for setting out more detail in their renewed application and, in particular, for the further information about the services provided by the Applicant and the communities it serves. However, I remain of the view that the Applicant's services fall outside healthcare systems which are to be examined as part

of Module 3. While I recognise that the Applicant's role in the "third-sector", as described by the Applicant, is likely to have been important in supporting communities excluded from traditional healthcare settings, the focus of Module 3 is on the impact of the Covid-19 pandemic on healthcare systems across the four nations of the UK. I accept that the Applicant has an interest in issues such as how healthcare was provided to those not accessing mainstream healthcare services and the impact of this on health inequalities. However, I do not consider that the role it played or the interest it demonstrates can be considered "significant" in the context of the matters set out within the Provisional Outline of Scope for Module 3 as a whole. As such, I do not consider that the Applicant meets the criteria in either Rule 5(2)(a) or 5(2)(b).

12. As stated in the Provisional Decision, the points raised by the Applicant are of significant importance to the Inquiry. I 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. For this reason, the Inquiry shall address health inequalities in another dedicated Module. In the circumstances it will not be practicable to examine these, other than with respect to specific healthcare-related issues, within Module 3.
13. I have taken into account the fact that there are a number of ways in which the Applicant can participate in Module 3 without being a Core Participant, many of which have been recognised as adequate alternatives to Core Participant status in other recent statutory inquiries. For example, as I noted in my Provisional Decision, it is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Applicant may have relevant information to give in relation to matters being examined in the Inquiry and, in due course, the Inquiry will seek information from a range of individuals, organisations and bodies to gain their perspective on the issues raised in the modules and, where appropriate, to ask for witness statements and documents.
14. More generally, and to the extent that the issues the Applicant raised are intended to be addressed by Module 3 as opposed to later modules, I have every confidence in the independent legal team whom I have appointed specifically for the purpose of pursuing all legitimate lines of inquiry with the investigatory and analytical rigour that a statutory inquiry of this scale and importance demands.

15. Therefore, having considered all of the information the Applicant provided in light of the Provisional Outline of Scope for Module 3, I remain of the view that the Applicant did not play a direct and significant role in the matters for investigation in Module 3 and does not have a significant interest in those matters. I have decided that Doctors of the World UK should not be designated as a Core Participant in Module 3 and I confirm that this is my final decision.
16. My decision not to designate the Applicant as a Core Participant in Module 3 does not preclude the Applicant 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**  
**16 February 2023**