



Core Participant protocol

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What is a Core Participant?

1. Core Participant status may be granted to an individual, group of individuals or entity under Rule 5 of the Inquiry Rules 2006.
2. Those designated as Core Participants will:
 - a. be provided with electronic disclosure of evidence relevant to the particular subject matter of the Inquiry in respect of which they are so designated, subject to any restrictions made under section 19 of the Inquiries Act 2005;
 - b. have the right to make opening and closing statements at any hearing;
 - c. have the right to suggest lines of questioning to be pursued by Counsel;
 - d. have the right to apply to the Inquiry to ask questions of witnesses during a hearing.
3. It will not be necessary for those who plan to share their experiences through the Inquiry's listening exercise to be designated as Core Participants.

Applications for Core Participant status

4. All applications received by the Inquiry for Core Participant status will be determined by the Chair. In reaching decisions on these applications the Chair will have regard to the matters set out in Rule 5 of the Inquiry Rules 2006.
5. Rule 5(2) states that when determining any applications the Chair 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.
6. While the Chair is bound to consider the factors set out in Rule 5(2), it is open to her to take into account other relevant matters. The Chair is also not obliged to designate a person or organisation that meets the criteria set out in Rule 5 of the Inquiry Rules as a Core Participant. She has a wide discretion that she will exercise fairly and with an open mind.
7. The Inquiry's terms of reference are broad. Throughout the life of the Inquiry, the Inquiry will announce modules that fall within the Inquiry's terms of reference. When considering applications for Core Participant status and, in particular any applicant's links to "matters to which the Inquiry relates" the Chair is likely to consider how any application relates to one of the Inquiry's ongoing areas of investigation in each module. There will be few if any people or organisations who are designated as Core Participants for the whole Inquiry.

8. The Chair particularly invites applications from groups of individuals and organisations with similar interests, rather than from individual persons and organisations. While, as noted above, the discretion in Rule 5 (which allows 'a person' to apply for Core Participant status) will be exercised in accordance with the wording of the Rule, and fairly and with an open mind, the designation of Core Participant status to groups representing the interests of more than one person will assist the fair and efficient running of the Inquiry.

Timescale for applications

9. The Inquiry will invite applications for designation in relation to specific modules or parts of modules. Applications for Core Participant status will be sought module-by-module and details and timescales will be published on the Inquiry's website.
10. When inviting applications, the Inquiry will set a timeframe for applications to each module, or part of a module. Applicants are asked not to submit applications outside the timelines given by the Inquiry. The Inquiry will not consider applications that are outside the timescales provided by the Inquiry, unless the applicant provides an acceptable explanation as to why they did not submit their application within the relevant timeframe.
11. Where applications are received that do not relate to modules for which applications have been invited, or that relate to areas not under current examination by the Inquiry, the Chair may exercise her discretion not to determine such applications. Those whose applications fall within this category will be informed and will be invited to resubmit an application at a later date during the appropriate application window.
12. If at any stage during the course of the Inquiry the Chair considers it appropriate to do so, she may invite such individuals or institutions to become Core Participants. It will be a matter for each individual or institution as to whether they wish to be designated as a Core Participant.
13. Except where exceptional circumstances apply, all applications should be submitted in writing to the Solicitor to the Inquiry. The Chair may either determine applications on paper without hearing oral submissions or with submissions at a preliminary hearing.

Content of applications

14. Applications should be submitted, in writing, to the Solicitor to the Inquiry, by email to solicitors@coronavirus.inquiry.gov.uk.
15. Applications should specify in what respects the applicant considers that they meet the criteria for designation. As a minimum, all applications should:
 - a. confirm that the applicant consents to being designated as a Core Participant, if their application is successful;
 - b. indicate in respect of which module(s) or part(s) of module(s) the application is made;
 - c. indicate which of the matters within Rule 5(2) of the Inquiry Rules applies to the application and why;
 - d. if applying as an individual person or organisation, indicate what steps the applicant has made to explore making an application in association with another person or organisation and the outcome;
 - e. confirm whether the applicant is or wishes to be legally represented and, if so, the details of the lawyer concerned.
16. In relation to each individual or institution making an application for designation, the application should be made on no more than 4 sides of A4 paper.

Legal representation

17. The subject of legal representation is separate from the decision to designate an individual or institution as a Core Participant and further guidance will be provided to those designated as Core Participants.
18. Where a Core Participant has appointed a qualified lawyer to act on their behalf, the Chair will normally designate that lawyer as that person's recognised legal representative in respect of the Inquiry proceedings, in accordance with Rule 6 of the Inquiry Rules.
19. However, where two or more Core Participants each seek to be legally represented and the Chair considers that:
 - a. their interests in the outcome of the Inquiry are similar;
 - b. the facts they are likely to rely on during the course of the Inquiry are similar; and
 - c. it is fair and proper for them to be jointly represented,

in accordance with Rule 7(2) of the Inquiry Rules, the Chair will direct that those Core Participants shall be represented by a single recognised legal representative.

20. Where the Chair makes such a direction, Core Participants must agree the designation of a single legal representative. If they do not do so within a reasonable period, the Chair will designate an appropriate lawyer who she considers has sufficient knowledge and experience to act in that capacity.

Funding

21. Applications for an award of legal expenses in accordance with section 40 of the Inquiries Act 2005 should be made following designation as a Core Participant and in accordance with the deadlines and timetable for each module set out on the Inquiry website. Decisions regarding applications for such awards will be made in accordance with the Inquiry's Costs Protocol and the Prime Minister's determination under section 40(4) of the 2005 Act, both of which are available on the Inquiry website.



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