



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 2 - CLINICALLY VULNERABLE FAMILIES

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 22 September 2022 the Inquiry received an application from Clinically Vulnerable Families ('CVF') for Core Participant status in Module 2.
4. I made a provisional decision not to designate Clinically Vulnerable Families ('CVF') as a Core Participant in Module 2, thereby declining CVF's application ("the Provisional Decision"), on 13 October 2022. CVF 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. CVF is a representative body for people with all manner of medical conditions and clinical vulnerabilities across all four nations of the UK. Its purposes are primarily to support, educate, assist, advocate and campaign for clinically vulnerable families in the UK due to the risks posed by Covid-19. The application states that members have

a significant interest in an important aspect of the matters to which the Inquiry relates as CVF has played a vital advocacy, information and support role since August 2020 and has important first-hand experience of those most significantly impacted by Government decisions. The application states that the collective knowledge and experience of CVF's members will prove beneficial to the Inquiry given the valuable insight that the group can provide.

Decision for the Applicant

10. I have considered with great care everything that is said in CVF's application. Having done so, in my discretion, I consider that CVF 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 CVF as a Core Participant in Module 2.
11. I extend my sympathies to all those clinically vulnerable families who have been impacted by the Covid-19 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 including those with pre-existing health inequalities and conditions. Whilst I appreciate the important work that Clinically Vulnerable Families does and the experience they can offer, the focus of Module 2 is on core political and administrative decision making in the response to the pandemic.
12. The Applicant does 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. Whilst recognising the significant interest the Applicant has in the matters for investigation in Module 2 (Rule 5(2)), I do not consider, having regard in particular to the need to manage the Inquiry effectively and efficiently, that its interest in the areas in the provisional outline of scope is sufficiently significant as to grant it Core Participant status in this Module.
13. 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 relation to future modules which are of relevance to them.
15. It is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry and I consider that their assistance is better achieved in that way, if they so choose. Further, in my Opening Statement I noted that I will publish more information about the issues intended to be covered by later modules in the coming months and it may be that one of those will engage the Applicant's role and/or interest, for example those dealing more directly with health inequalities and impact. The Inquiry will also listen to and consider carefully the experiences of those who have suffered hardship or loss as a result of the pandemic, through the listening exercise.
16. The Inquiry will also listen to 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. 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 on those who come forward to be used as evidence during the Inquiry's module hearings. The applicant and those it represents will have the opportunity to contribute to the Inquiry, through the listening exercise if they choose.
17. For all of those reasons, having considered all of the information provided by CVF, in light of the Provisional Outline of Scope for Module 2, I consider that CVF did not play a direct and significant role in relation to the matters sought to be investigated in Module 2, nor does CVF have a significant interest in an important aspect of the matters to which Module 2 relates. I have therefore decided that CVF should not be designated as a Core Participant in Module 2 and I confirm that this is my final decision.

18. I will keep the scope of Module 2 under review. My decision not to designate CVF as Core Participants in Module 2 does not preclude it from making any further applications in respect of any later modules. CVF 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 CVF 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