



**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION**

MODULE 4 - DEPARTMENT FOR SCIENCE, INNOVATION AND TECHNOLOGY (DSIT)

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 5 June 2023, the Inquiry opened Module 4 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 30 June 2023.
2. The Inquiry has published the [Provisional Outline of Scope](#) for Module 4, which states that this module will consider a range of issues relating to the development of Covid-19 vaccines and the implementation of the vaccine rollout programme in England, Wales, Scotland and Northern Ireland. Issues relating to the treatment of Covid-19 through both existing and new medications will be examined in parallel. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 29 June 2023 the Inquiry received an application from DSIT ("the Applicant") for Core Participant status in Module 4. This Notice sets out my determination of the application.

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 4.

Summary of Application

6. The Applicant is the Department for Science, Innovation and Technology (DSIT). The application explains that DSIT was established in February 2023 and inherited the science portfolio of the Department of Business, Energy and Industrial Strategy (BEIS). The Applicant states it is therefore best placed to respond to the Inquiry on certain aspects of the work of the Vaccine Taskforce (VTF) which was originally based in BEIS. DSIT also hosts the Government Office for Science (GO-Science), which supports the Government Chief Scientific Adviser (GCSA), and the Office for Life Sciences (OLS) which is a joint unit with the Department of Health and Social Care (DHSC).
7. On 1 October 2022, responsibility for the procurement and sourcing of vaccines transferred from the VTF to the UK Health Security Agency (UKHSA) Covid Vaccine Unit. Other functions of the VTF transferred to the OLS and the DHSC. The Applicant states that it is best placed to respond to requests related to the initial set up of the VTF and the manufacturing of vaccines (where the OLS retains responsibilities). Further, the application states that the former GCSA, Sir Patrick Vallance, had a distinct and significant role in the establishment of the VTF, including providing advice to ministers and concerning external experts. It is said that DSIT, through GO-Science,

will be able to assist the Inquiry in the provision of information relating to this role and support Sir Patrick as a potential witness for Module 4. However, the application is clear that it is made on behalf of DSIT rather than individuals.

8. The application is made on the basis that DSIT satisfies the criteria in Rule 5(2)(a) and (b). The Applicant contends that, through the VTF and the former GCSA, Sir Patrick Vallance, it played a direct and significant role, and has a significant interest, in Module 4 matters, namely the development, procurement and manufacture of Covid-19 vaccines.

Decision for the Applicant

9. Module 4 will consider a range of issues relating to the development of Covid-19 vaccines and the implementation of the vaccine rollout programme in England, Wales, Scotland and Northern Ireland. Thematic issues relating to unequal vaccine uptake will be examined, to include the identification of groups which were the subject of unequal uptake, potential causes of such unequal uptake and the Government response. The module will also address issues of public concern relating to vaccine safety and the current system for financial redress under the UK Vaccine Damage Payment Scheme. Issues relating to the treatment of Covid-19 through both existing and new medications will also be examined.
10. I have considered with great care everything that is said in the application. Having done so, I have decided, in my discretion, to designate DSIT as a Core Participant in Module 4. I accept that the Applicant, through its predecessor BEIS and the former GCSA, played a direct and significant role in relation to the development, procurement and manufacture of Covid-19 vaccines. I also accept that the Applicant has a significant interest in these matters. The Applicant therefore satisfies the requirements of Rule 5(2)(a) and (b).

Legal Representation

11. 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.

12. I am satisfied that DSIT has appointed Mr Amir Mughal of the Government Legal Department as its qualified lawyer in relation to this Module. I therefore designate Mr Mughal as DSIT's recognised legal representative in accordance with Rule 6(1).

13. 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's Costs Protocol](#).

Rt Hon Baroness Heather Hallett DBE

Chair of the UK Covid-19 Inquiry

17 July 2023