



**NOTICE OF DETERMINATION**  
**CORE PARTICIPANT APPLICATION**  
**MODULE 4 - HEALTH ADVISORY AND RECOVERY TEAM**

**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 30 June 2023 the Inquiry received an application from the Health Advisory and Recovery Team ("HART") ("the Applicant") for Core Participant status in Module 4.
4. I made a provisional decision not to designate HART as a Core Participant in Module 4, thereby declining its application ("the Provisional Decision"), on 17 July 2023. HART was provided with an opportunity to renew the application in writing by 4pm on 24 July 2023.

5. On 24 July 2023, HART submitted a renewed application for Core Participant status in Module 4. This notice sets out my determination of the application for Core Participant status in Module 4.

## **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 4.

## **Summary of Application**

8. In its original application, the Applicant described itself as a group of unpaid professionals spanning several disciplines, including medicine, psychology, education, economics and pharmaceutical development and regulation. The application was put on the basis that Rule 5(2)(b) and (c) were satisfied. The Applicant stated it had identified serious failings in the work of the Medicines and Healthcare products Regulatory Agency (MHRA), namely its licensing and post-marketing surveillance of

the Covid-19 vaccines. Further, the application set out that the Applicant's members had been vilified and censored in the past, and that the Applicant suspected that that its members, and non-members sharing similar views, may be subject to similar explicit or significant criticism during the Module 4 proceedings or in the Inquiry's report.

9. In its renewed application, the Applicant provides more information about how it says Rule 5(2)(c) is satisfied. The application states that in January 2021, a minister in the Justice Department carried out a "public shaming" of one of the Applicant's co-chairs via Twitter. The application states that in July 2021, the private messaging logs of the HART group were illegally hacked and that within 24 hours the Applicant was contacted by a company called Logically AI who said they were going to publish the contents of the private messages. The application states that Logically AI published the contents of the private messages. It is said in the Applicant's application that Logically AI is a company contracted by the government to monitor mis/disinformation.
10. The application sets out that after the leak a number of MPs, who had been communicating with the Applicant, distanced themselves from the group. Further, it is said that a number of the Applicant's members were referred to their professional regulators and tracked by the Counter Disinformation Unit. The Applicant contends that the Inquiry needs to investigate these "undemocratic policies".

### **Decision for the Applicant**

11. 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 as a whole. Having done so, in my discretion, I have decided not to grant the Applicant Core Participant status in Module 4 of the Inquiry.
12. I am grateful to the Applicant for taking care to set out more detail in its renewed application. As a group which has raised concerns around the safety of the Covid-19 vaccines, the Applicant can be said to have an interest in matters relevant to Module 4. However, this in itself does not amount to a significant interest for the purposes of Rule 5(2)(b). Even if that were not the case, in the exercise of my discretion, and having

regard in particular to the need to manage the Inquiry effectively and efficiently, I would decline to designate the Applicant as a Core Participant in relation to Module 4. I reiterate that I am determined to run the Inquiry as thoroughly and as efficiently as possible. It would not be practicable to grant Core Participant status to every individual or body with an interest in the safety regime applied to the Covid-19 vaccines.

13. In respect of Rule 5(2)(c), I am not able, based on the evidence currently available, to reach a view as to whether the Applicant may be subject to explicit or significant criticism during the Inquiry proceedings or in any report of the Inquiry. Further, to the extent that the Applicant seeks to rely on its concerns over incidents of hacking and government monitoring of the Applicant, it is not the purpose of this Inquiry to examine the circumstances of any particular action said to have been taken against a specific organisation, which the Applicant may choose to pursue in another forum. I therefore do not consider that the requirements of Rule 5(2)(c) are met.
14. I have taken into account the fact that there are a number of ways in which the Applicant can participate in Module 4 without being a Core Participant. 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 I have asked the Module 4 legal team to liaise with the Applicant to make sure the concerns it raises are reflected in the Inquiry's investigation.
15. For all of these reasons, having considered all of the information provided by the Applicant, and in light of the Provisional Outline of Scope for Module 4, I consider that the Applicant does not have a significant interest in an important aspect of the matters to which Module 4 relates. Nor do I consider that the Applicant may be subject to explicit or significant criticism during the Module 4 proceedings or in the Inquiry report. Taking into account all relevant considerations, I have decided that the Applicant should not be designated as a Core Participant in Module 4 and I confirm that this is my final decision.
16. I will keep the scope of Module 4 under review, as well as the position in relation to Rule 5(2)(c) as the investigation develops. My decision not to designate the Applicant as a Core Participant in Module 4 does not preclude it from making any further

applications in respect of 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**

**8 August 2023**