



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 4 - INDEPENDENT AMBULANCE ASSOCIATION

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 Provisional Outline of Scope for Module 4 provides that this module will examine issues relating to vaccines and therapeutics. Further modules are being announced on a rolling basis to address other aspects of the Inquiry's Terms of Reference.
3. On 16 November 2023, the Inquiry received an out of time application from the Independent Ambulance Association ("**IAA**") for Core Participant status in Module 4. This Notice sets out my final decision on 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. Applications for Core Participant status made outside the Inquiry's timescales are considered in line with paragraph 10 of the Inquiry's [Core Participant Protocol](#) which provides:

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.

6. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the IAA has provided an acceptable explanation as to why it did not submit its application within the relevant timeframe and 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

7. The IAA describes itself as the leading trade association representing UK independent ambulance providers. The Application describes the role played by the IAA during the pandemic and sets out various issues and challenges faced by the IAA as well as suggestions for reform.

Decision for the Applicants

Whether the application should be considered out of time

8. The deadline for applications for Core Participant Status to Module 4 was 30 June 2023, meaning that this application was received late, over 4 months after the deadline expired and 7 months before Module 4's public hearings are due to commence.
9. I remind myself that paragraph 10 of the Inquiry's Core Participant protocol states:
"...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."
10. My aim in this Inquiry is to hold hearings and provide prompt and useful reports and recommendations. To achieve these aims I must impose firm deadlines at different stages of the Inquiry. Compliance with those deadlines is important to ensure that the challenging timetable will be met. I also have to consider the need to be fair to all Applicants who have made their application for Core Participant status within the time period available as well as those who have made applications outside the application window and more generally that there is no unfair advantage obtained by a late application.
11. I therefore have first considered whether IAA has provided an acceptable explanation for the failure to comply with the deadline imposed for application. However, the Application does not address this issue, either expressly or implicitly.
12. Accordingly, I do not consider that IAA has provided an acceptable explanation as to why it did not submit its application within the relevant timeframe. I am therefore minded, in my discretion, to decline IAA Core Participant status for Module 4.
13. This determination does not prevent IAA providing evidence to Module 4 and the Inquiry will consider that carefully.

14. I also bear in mind that simply because an applicant has been refused Core Participant status in Module 4 that does not bar them from applying for or being granted Core Participant status in a later module or from providing relevant evidence to the Inquiry.
15. For completeness, I will also go on to provide my conclusion on whether IAA would have been granted Core Participant status in Module 4 had its application been received during the application window.

Decision on the application

16. I have considered with great care everything that is said in the IAA's application. Having done so, in my discretion, I consider that IAA would not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 4 and, therefore, if the application had been made in time, my decision would have been not to designate IAA as a Core Participant in Module 4.
17. The application provides details of the important role played by the IAA both during the pandemic and generally. However, it makes no reference to vaccines and therapeutics or any other matter which falls within the Provisional Outline of Scope for Module 4. I am therefore unable to conclude that any of the criteria in Rule 5 are satisfied.
18. I will keep the scope of Module 4 under review. My decision not to designate IAA as Core Participant in this module does not preclude IAA from making any further applications in respect of any later modules. I will consider any future applications IAA 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
7 December 2023