



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 5 - SHADOW WORLD INVESTIGATIONS

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 24 October 2023 the Inquiry opened Module 5 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 17 November 2023.
2. The Provisional Outline of Scope for Module 5 provides that this module will consider and make recommendations regarding the procurement and distribution to end-users across the four nations of the United Kingdom of key healthcare related equipment and supplies, including PPE, ventilators and oxygen. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 17 November 2023 the Inquiry received an application from Shadow World Investigations for Core Participant status in Module 5.
4. I made a provisional decision not to designate Shadow World Investigations as a Core Participant in Module 5, thereby declining Shadow World Investigations's application ("the Provisional Decision"), on 13 December 2023. Shadow World Investigations was provided with an opportunity to renew the application in writing by 4pm on 21 December 2023.
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 5.

Summary of Application

8. The application is made by Shadow World Investigations, a non-profit limited liability company registered in the UK that conducts investigations into instances of corruption in government procurement and 'state capture'. The application is made on the basis of Rule 5(2)(b).
9. The Applicant submits that they have a significant interest in important aspects of the matters to which Module 5 of the Inquiry relates due to their role as a non-profit and

public interest organisation engaged in monitoring, commenting on, and preventing corruption and maladministration in government procurement.

10. Further, the Applicant submits that they can usefully contribute to the Inquiry, as shown by their extensive work on matters related to procurement globally and specifically their work in relation to South African state capture and the submissions they made to the Zondo Commission.

Decision for the Applicant

11. I have considered with great care everything that is said in Shadow World Investigations's application. Having done so, in my discretion, I consider that Shadow World Investigations does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 5 and, therefore, I have decided not to designate Shadow World Investigations as a Core Participant in Module 5.
12. I do not consider that the Applicant satisfies any of the criteria set out in Rule 5(2). The Applicant has set out its impressive track record of work, and its history of assisting in investigations. However, the application does not establish a direct or significant role in the matters to be explored in Module 5, nor does it establish a significant interest specifically into the matters to be explored in Module 5. I have decided, in my discretion, not to designate the Applicant as a Core Participant in Module 5.
13. I have taken into account the fact that there are a number of ways in which the Applicant can participate in Module 5 without being a Core Participant. It is also 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 5 legal team to liaise with the Applicant to make sure the concerns it raises are reflected in the Inquiry's investigation.
14. For all of those reasons, having considered all of the information provided by Shadow World Investigations, in light of the Provisional Outline of Scope for Module 5, I consider that Shadow World Investigations did not play a direct and significant role in relation to the matters sought to be investigated in Module 5, nor does Shadow World

Investigations have a significant interest in an important aspect of the matters to which Module 5 relates. I have therefore decided that Shadow World Investigations should not be designated as a Core Participant in Module 5 and I confirm that this is my final decision.

15. I will keep the scope of Module 5 under review. My decision not to designate Shadow World Investigations as Core Participants in Module 5 does not preclude it from making any further applications in respect of any later modules. Shadow World Investigations 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 Shadow World Investigations 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

12 January 2024