



**NOTICE OF DETERMINATION**  
**CORE PARTICIPANT APPLICATION**  
**MODULE 7 - LONG COVID KIDS, LONG COVID PHYSIO, LONG COVID SOS AND LONG**  
**COVID SUPPORT**

**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 19 March 2024, the Inquiry opened Module 7 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 26 April 2024.
2. The Inquiry has published the [Provisional Outline of Scope](#) for Module 7, which states that this Module will consider the policies and strategies developed and deployed to support the test, trace and isolate system by the UK Government and the Devolved Administrations. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 26 April 2024 the Inquiry received an application from Long Covid Kids, Long Covid Physio, Long Covid SOS and Long Covid Support ("the Applicant") for Core Participant status in Module 7.
4. I made a provisional decision not to designate the Applicant as a Core Participant in Module 7, thereby declining the application ("the Provisional Decision"), on 16 May 2024. The Applicant was provided with an opportunity to renew the application in writing by 4pm on 23 May 2024.

5. On 23 May 2024, the Applicant submitted a renewed application for Core Participant status in Module 7. This notice sets out my determination of the application for Core Participant status in Module 7.

## **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 7.

## **Summary of Application**

8. In its original application, the Applicant ("the LCGs") relied on Rules 5(2)(a) and 5(2)(b).
9. In respect of Rule 5(2)(b) the LCGs state that their significant interest in Module 7 arises from the premise that but for the limitations of the Test Trace and Isolate ("TTI") strategies, many people suffering from Long Covid would not have contracted

Covid-19 or would have done so only after receiving vaccinations which reduces the risk of developing Long Covid.

10. The application is put on the basis that if a TTI system had been effective, less people would have contacted Covid-19 and therefore less people would have developed Long Covid. As a consequence of the decisions made in relation to TTI strategies during the pandemic, more people have suffered long-term harm or been disabled by Long Covid than should have done. The LCGs state that their interest and right to participate derives from the profound way in which their lives were affected and changed by infection and Covid-19 and summarise that they seek to understand through this Inquiry if the pain they suffered was avoidable.
11. As to Rule 5(2)(a), the LCGs said they have played a direct and significant role given their activities informing decision makers of the impact TTI policies were having on the prevalence of people suffering disability and long-term harm from infection from Covid-19 and how TTI policies could and should be improved.
12. Generally, the LCGs reiterate that an effective test trace and isolate system is a core preventative measure insofar as it would prevent contraction of Covid-19. LCGs stress that they (i) represent a large proportion of people with Long Covid and have a direct interest in how their collective interests as sufferers and potential future sufferers of Long Covid were recognised and responded to; (ii) they actively advocated on issues connected to the test trace isolate system during the relevant period; (iii) they are unable adequately to represent their collective interests as Long Covid sufferers without Core Participant status as alternative mechanisms are insufficient; and (iv) representation of Core Participants in the Inquiry will be skewed towards Government representatives without balancing representation from affected organisations with a direct and significant interest. LCGs also submit that their participation in other modules should not preclude participation in others.

### **Decision for the Applicant**

13. 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 7 of the Inquiry.

14. I am grateful to the Applicant for taking care to set out more detail in its renewed application.
15. As regards Rule 5(2)(a) I remain of the opinion that whilst I accept LCGs advocated on issues related to the TTI system, the focus of Module 7 is on the decisions made which led to the policies and strategies developed and deployed to support the TTI system. LCGs' advocacy on testing of Covid-19 is relevant to Module 7. However, many individuals and organisations were involved in advocacy about the TTI system and this is distinct from the decision making about the system to adopt and the development of the policies and guidance. Accordingly, I do not consider that the Applicant played a direct and significant role in the key decision making of policy and strategy in the test, trace, isolate system for the purposes of Rule 5(2)(a). This is notwithstanding the fact that members played a role implementing and responding to the policies developed and would be able to provide valuable evidence to the Inquiry in this regard.
16. As a group which has raised various concerns about Long Covid in relation to test trace and isolate, the Applicant can be said to have an interest in matters relevant to Module 7. However, this in itself does not amount to a significant interest for the purposes of Rule 5(2)(b).
17. On the Applicant's designation as Core Participant in other modules, each module is different; the applicants for Core Participant status are usually different. I reach my decision on Core Participant status in respect of each individual module on its own merits, having considered all the circumstances. Having granted LCGs Core Participant status in other modules, I am not bound to grant them status in every module to which they apply.
18. Even if the above 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. 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.

19. As I stated in my provisional determination, it is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Applicants may have relevant information to give in relation to the matters being examined in the Inquiry and the Inquiry will be contacting a range of individuals, organisations and bodies to seek information, to gain their perspectives on the issues raised in the modules and, where appropriate, to ask for witness statements and documents. As stated in my provisional determination, I have specifically asked the Module 7 legal team to liaise with the Applicant to ensure that the concerns they raise in their application and in the renewal are considered as part of the Inquiry's Module 7 investigation. The Inquiry would welcome any assistance LCGs can provide.

20. I will keep the scope of Module 7 and the designation of Core Participants under review. My decision not to designate the Applicant as a Core Participant in Module 7 does not preclude it from making a further application in respect of any later modules and 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**

**31 May 2024**