



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 7 - MEDICINES DISCOVERY CATAPULT LIMITED

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 Medicines Discovery Catapult Limited for Core Participant status in Module 7.
4. I made a provisional decision not to designate Medicines Discovery Catapult Limited as a Core Participant in Module 7, thereby declining Medicines Discovery Catapult Limited's application ("the Provisional Decision"), on 16 May 2024. Medicines Discovery Catapult Limited was provided with an opportunity to renew the application in writing by 4pm on 23 May 2024.
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 7.

Summary of Application

8. Medicines Discovery Catapult Limited (“MDC”) (its officers, employees and volunteers acting on its behalf) were concerned with the Covid-19 Polymerase Chain Reaction (“PCR”) testing programme, which was a central facet of the testing response to the pandemic in the United Kingdom.
9. The application is made under Rule 5 (2) (a), (b) and (c) of the Inquiry Rules. The primary ground is the company’s involvement in the Polymerase Chain Reaction (PCR) testing programme. It is said that this was a ‘central facet of the testing response’. It is also said that the role of the company was “unique”. In terms of interest, the

application proceeds upon the basis that the company's interests will be aligned to those of its 'officers, employees, and volunteers'. Reference is also made to a subsidiary company MDCS; said to have been concerned in the delivery of the testing programme. That company is presently proceeding to liquidation. Specifically, it is said that MDC was key to the decisions made around the provision of high throughput PCR testing in the United Kingdom and the setting up and operating of the United Kingdom's Lighthouse Laboratories Network.

Decision for the Applicant

10. I have considered with great care everything that is said in the application. I consider that Medicines Discovery Catapult Limited does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 7.
11. Whilst I appreciate the Applicant's role and experience in related areas, noting the company's involvement in the Polymerase Chain Reaction (PCR) testing programme, I do not consider that the Applicant played a significant role in the key decision making of policy and strategy in the test, trace, isolate system (Rule 5(2)(a)).
12. Similarly, while recognising the interest the Applicant has, it is not a significant interest in the matters for investigation in Module 7 (Rule 5(2)(b)).
13. While the Applicant states there may be the potential for them to be criticised, it is too early in the Inquiry for me to determine whether any criticism will be made, particularly whether it might amount to explicit or significant criticism and so Rule 5(2)(c) is not met at this stage.
14. It will be appreciated that many suppliers contracted to provide test, trace and isolate services and equipment during the pandemic will consider themselves to have an interest in an important aspect of this Module. I do not, however, consider that having regard in particular to the need to manage the Inquiry effectively and efficiently, that the Applicant's role or interest in the areas in the provisional outline of scope is sufficiently significant as to grant Core Participant status in this Module.

15. 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 and organisations in this country could potentially have an interest in the Inquiry and not everyone can be granted Core Participant status for the purposes of the Inquiry hearings. It is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Inquiry will seek information from a range of individuals, organisations and bodies and, where appropriate, request witness statements and documents.
16. I have asked the Module 7 legal team to liaise with the Applicant to make sure the evidence they hold is reflected in the Inquiry's investigation. The Inquiry welcomes any assistance Medicines Discovery Catapult Limited can provide.
17. 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 any further applications in respect of any 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

31 May 2024