



**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 8 - CHILDREN AND YOUNG PEOPLE**

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 21 May 2024, the Inquiry opened Module 8 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 June 2024.
2. On 17 June 2024, the Inquiry received a joint application from Save the Children, Just for Kids Law, the Children's Rights Alliance for England ('CRAE'), the Centre for Young Lives and the Child Poverty Action Group ('CPAG') (collectively, 'the Applicants') for Core Participant status in Module 8. This Notice sets out my determination of the application.
3. The Inquiry has published the [Provisional Outline of Scope](#) for Module 8, which states that this module will examine the impact of the pandemic on children and young people across society in the UK, including in education, health and social care, the criminal justice system, and the immigration system. Module 8 will also examine the extent to which children and young people were considered as part of decision-making in response to the pandemic, and the wider and long term impact of those decisions on children and young people. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
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Application

5. 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.*

6. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I 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 8.

Summary of Application

7. The application is a joint application from a number of key children's charities and groups, being Save the Children, Just for Kids Law, the Children's Rights Alliance for England (CRAE), the Centre for Young Lives and the Child Poverty Action Group (CPAG) (collectively, the Applicants). Collectively, the members of this partnership are a strong representation of children's rights organisations, with diverse evidence and expertise.
8. The application outlines the Applicants' contribution to the Inquiry, which includes expertise in relation to child rights and child rights decision-making, detailed analysis of data and other research gathered throughout the pandemic (particularly in relation to inequalities), and the Applicants' work in connection with children and young people in connection with the criminal justice and immigration systems.
9. Together, the Applicants are a strong grouping of five organisations which each in different ways champion children's rights and work directly with children and young people. They each have considerable depth of expertise and between them they represent an impressive variety of expertise and experience. Whilst some organisations within this grouping derive particular expertise from their work with children and young people during the pandemic (notably Save the Children and Just for Kids Law), others have considerable knowledge drawn from the research conducted during and since the pandemic about its impact on various aspects of the lives of different groups of children and young people (notably CRAE and CPAG).

Decision for the Applicant

10. I have considered with great care everything that is said in the application. Having done so, I have decided to designate the Applicants as a Core Participant in Module 8. I am satisfied that the Applicants collectively meet the criteria under the provisions of Rule 5(2) for the following reasons.
11. Save the Children is a global organisation whose work in the UK during the pandemic included the delivery of practical and material support to children and families, as well as advocacy with many branches of local and national government across the UK. Save the Children have also conducted research during and since the pandemic about its impact on children and young people, and I note in particular their work about its impact on babies and young children. I consider that their interests engage particularly with issues 1, 2, 3, and 4 of the Provisional Scope for Module 8.
12. Just for Kids Law work directly with children and young people and undertake strategic litigation and public advocacy on the issues faced by children who were in contact with the criminal justice system during the pandemic, and children and young people who are or were in care, care experienced or on the edge of care, as well as the continuing impact of the pandemic on those groups of children. I note their interests engage particularly with issues 5 and 6 of the Provisional Scope for Module 8.
13. CRAE's work is focussed on structural considerations of children's rights and the implementation of the UNCRC. Their work has examined the extent to which the UK government's decision-making in respect of emergency legislation, regulations and guidance brought in during the pandemic which affected many aspects of children's lives incorporated consideration of children's rights. I note their interests engage particularly with issues 1 and 2 of the Provisional Scope for Module 8.
14. The Centre for Young Lives's work builds on the experience and expertise of their academic and professional experts such as Anne Longfield CBE and Visiting Fellow Professor Hannah Smithson of Manchester Metropolitan University. Their work has a particular focus in its Covid-19 research about the experiences of children who faced secondary risks which Covid-19 exacerbated, such as those faced by migrant children and by children in receipt of local authority support. I note their interests engage with issues 1, 2, 3, 4, 5, 6 and 7 of the Provisional Scope for Module 8.
15. CPAG have conducted extensive research about how lockdown impacted on children's experiences of learning, particularly concerning children living in low-income households during Covid-19. I note their interests engage with issues 3, 4 and 5 of the Provisional Scope for Module 8.
16. I also note that between them these organisations have connections to a wider gathering of groups which the Applicants indicate they would, in various ways, seek to

engage in their work as Core Participants in the Inquiry. For example, Just for Kids Law Just are members of the Alliance for Youth Justice and CRAE is a member of the Children and Young People's Mental Health Coalition.

17. The Applicants collectively therefore have a significant interest in an important aspect of the matters to which the Inquiry relates, namely issues 1 to 7 of the Provisional Outline of Scope for Module 8 as follows:
 - a. The extent to which children and young people were considered as part of any preparedness and planning for a pandemic;
 - b. The extent to which children and young people were considered by the UK Government and the Devolved Administrations in respect of the application of nonpharmaceutical Interventions (NPIs) and the impact of those decisions;
 - c. The impact of the pandemic on the education of, and the early years provision for, children and young people (including further and/or higher education, apprenticeships);
 - d. The impact of the pandemic on children and young people's physical and mental health, wellbeing, development, family lives and on their access to healthcare services;
 - e. The impact of the pandemic on children and young people in relation to access to and engagement with social care services and other agencies with a role in supporting the safety of children. This will include children at risk, children whose families receive support from social services, young carers, those in the care of local authorities, care and care leavers;
 - f. The impact of the pandemic on children and young people in contact with the criminal justice system including those in the youth custody estate, youth defendants and offenders and those whose parents or primary carers were in custody during the pandemic; and
 - g. The impact of the pandemic on children and young people in contact with the immigration system.

Legal Representation

18. Applications for designation as the Recognised Legal Representative of a Core Participant are governed by Rules 6 and 7 of the Inquiry Rules 2006, which provide:

6.—(1) *Where—*

(a) a core participant, other than a core participant referred to in rule 7; or

(b) any other person required or permitted to give evidence or produce documents during the course of the inquiry, has appointed a qualified lawyer to act on that person's behalf, the chairman must designate that lawyer as that person's recognised legal representative in respect of the inquiry proceedings.

7.—(1) This rule applies where there are two or more core participants, each of whom seeks to be legally represented, and the chairman considers that—

- (a) their interests in the outcome of the inquiry are similar;*
- (b) the facts they are likely to rely on in the course of the inquiry are similar; and*
- (c) it is fair and proper for them to be jointly represented.*

(2) The chairman must direct that those core participants shall be represented by a single recognised legal representative, and the chairman may designate a qualified lawyer for that purpose.

(3) Subject to paragraph (4), any designation must be agreed by the core participants in question.

(4) If no agreement on a designation is forthcoming within a reasonable period, the chairman may designate an appropriate lawyer who, in his opinion, has sufficient knowledge and experience to act in this capacity.

19. I note that in their application, the Applicants do not identify a qualified lawyer whom they have appointed to act on their behalf but state their intention to re-engage legal representation if designated a Core Participant. I am satisfied that the Applicant has not appointed a qualified lawyer in relation to this Module. I therefore have not designated a recognised legal representative in accordance with Rule 6(1) for the Applicant at this time. This does not preclude the Applicant from making an application for the designation of a recognised legal representative at a later stage.

20. Directions will be given in relation to applications for an award under section 40(1)(b) of the Inquiries Act 2005 of expenses to be incurred in respect of legal representation, at the forthcoming preliminary hearing. I will determine any such applications in accordance with the provisions of section 40 of the Inquiries Act 2005, the Inquiry Rules 2006, the [Prime Minister's determination](#) under section 40(4) and the [Inquiry's Costs Protocol](#).

Rt Hon Baroness Heather Hallett DBE
Chair of the UK Covid-19 Inquiry
8 July 2024