



**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 an application from the Disabled People's Organisations (DPO) 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. This is a joint application made on behalf of Disability Rights UK, Disability Rights Wales and Disability Action Northern Ireland, known collectively as the Disabled People's Organisations (the Applicants). The application states that these organisations are run by and for people facing disabling societal barriers due to their impairments or conditions. This includes deaf people, people with physical impairments, mental health conditions, hearing difficulties, visual impairments, learning difficulties and special educational needs and neurodiverse people.

8. The application is made pursuant to Rule 5(2)(a) and (b) of the Inquiry Rules 2006. The Applicants have noted the Inquiry's specific consideration in the Provisional Outline of Scope for Module 8 of children and young people with special educational needs and/or disabilities (SEND) in regard to each of the identified issues. The Applicants seek to represent the interests of this cohort, along with their parental carers and siblings, and young carers during the pandemic.
9. The Applicants submit they played a direct and significant role in relation to the matters to be examined in Module 8 matters by engaging with thousands of disabled people including children and young people, their carers and those who were young carers throughout the pandemic. The Applicants supported such individuals by conducting surveys to identify key issues and then raising those issues directly with the UK Government and devolved administrations. The Applicants further submit they have a significant interest in the matters to be examined in Module 8 in relation to the impact of the pandemic on disabled children; the protection and safety of disabled children and young people during the pandemic; the impact on education, access to healthcare and social care services for children with SEND; the impact of children with SEND in the criminal justice system; and consideration of disabled children and young people in decision-making around non-pharmaceutical interventions (NPIs).

### **Decision for the Applicant**

10. I have considered with great care everything that has been said in the application. Having done so I have decided, in my discretion, to designate the Applicant collective of Disabled People's Organisations as a Core Participant in Module 8. Whilst I do not consider that the important work that the Applicant organisations undertook during the pandemic amounts to having played a direct and significant role in the matters to be examined in Module 8, I do consider that the application has demonstrated that the Applicant, as a collective of disability rights organisations, is able to provide an important perspective in relation to the impact of the pandemic on children and young people with disabilities, and has a significant interest in this aspect of the scope of Module 8. I note from the application that the Applicant organisations collectively have a significant interest in the rights of disabled CYP within education, healthcare, children's social care, the criminal justice system, and in government policy and decision making generally. The Applicant therefore meets the criteria in Rule 5(2)(b)

of the Inquiry Rules as it has a significant interest in an important aspect of the matters to which this Module relates.

## **Legal Representation**

11. 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.*

12. I am satisfied that the Applicant has appointed Shamik Dutta of Bhatt Murphy Solicitors as its qualified lawyer in relation to this Module. I therefore designate Mr Dutta as the Applicants' recognised legal representative in accordance with Rule 6(1).

13. 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**