



**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 9 - ECONOMIC RESPONSE
SCOTTISH COVID BEREAVED**

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 9 July 2024, the Inquiry opened Module 9 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 6 August 2024.
2. The Inquiry has published the [Provisional Outline of Scope](#) for Module 9, which states that this module will examine how economic support was delivered by the UK Government, the Devolved Administrations and Local Government by examining a broad range of economic interventions in response to the Covid-19 pandemic. This includes economic support for business, jobs, the self-employed, vulnerable people and those on benefits. It will also consider additional funding given to relevant public services and the voluntary and community sectors.
3. On 6 August 2024, the Inquiry received an application from Scottish Covid Bereaved (SCB) (“the Applicant”) for Core Participant status in Module 9. This Notice sets out my determination of the application.
4. I made a provisional decision not to designate the Applicant as a Core Participant in Module 9 on 13 September 2024 (the “Provisional Decision”). The Applicant was provided with an opportunity to renew the application in writing by 20 September 2024 at 4pm.

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 9.

Summary of Application

8. In making this determination, the fact that I have not referred to every matter or detail which is set out in the application does not mean that I have not considered it. The points addressed below are intended to capture what appear to be the most important points made in support of the application.
9. The Applicant is the Scottish Covid Bereaved ('SCB'). The application was made pursuant to Rules 5(2)(a) and 5(2)(b) of the Inquiry Rules 2006. The Applicant states

that its members come from a broad demographic including key workers, clinically and socially vulnerable groups and users of core public services that were the most impacted by the pandemic.

10. The Applicant states it is able to assist the Inquiry from the perspective of those living in Scotland during the pandemic who were part of vulnerable groups, those on benefits and those unable to work. The Applicant states that its members were amongst groups targeted for direct economic support by the UK and Scottish Governments and that there is a significant degree of overlap between bereavement and the issues to be considered in Module 9. The Applicant explains that some members of its group were clinically vulnerable, or had clinically vulnerable family members living in the same household, who had no other option but to work as they were not eligible for financial support from the Government.
11. The application was also put on the basis that 'as members of the Scottish public, the SCB can provide an important insight into the impact of economic interventions by the Scottish and UK Government and assist the Inquiry in determining the extent to which economic support varied across the UK.' The application sets out how the groups' members could share their experience with the Inquiry and contribute to the Inquiry's consideration of how economic support was in fact delivered.

Decision for the Applicant

12. I have considered with great care everything that is said in the application. Having done so, I have decided, in my discretion, not to designate the Scottish Covid Bereaved (SCB) as a Core Participant in Module 9.
13. I wish to reiterate my deep sympathy to all those represented by the Applicant regarding the deaths of their family members, as well as to those who have suffered, and continue to suffer, from adverse health, illness and disability as a result of the Covid-19 pandemic.
14. Whilst I appreciate that SCB brings a representative voice from bereaved families in Scotland, the focus of Module 9 is economic support across a broad range of interventions in response to the pandemic including support for businesses, relevant

public services, grants, loans schemes, the voluntary and community sector as well as support for the vulnerable, benefits and sick pay. I consider that SCB does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 9.

15. SCB, in keeping with the other bereaved groups, has an interest in understanding those decisions which may have impacted upon their members, the number of people who died during the pandemic or the number who have have been put at risk from Covid-19 (for example the experiences of those who were shielding or otherwise vulnerable). To this end, I made SCB a Core Participant in Module 2 and 2A. They are also Core Participants in Modules 1, 3, 4, 5, 6 and 7. This has enabled SCB to play a significant part in the examination of those decisions or actions which may be most relevant to their members. Module 9 will not revisit those issues.
16. SCB's focus is on bereaved families, rather than economic interventions or financial support. The application appears to be largely based upon the fact that some of the members of SCB include those who were impacted by decisions taken in response to the pandemic, such as access to the furlough scheme. I do not consider that the application has shown that SCB played a direct and significant role in relation to the matters to which Module 9 relates.
17. Whilst I accept that as users of financial schemes or members of the same household as those who relied on financial support schemes, some members of SCB may well have an interest in the decision-making and policy matters which will be examined in Module 9, this is not the focus of SCB as a group, and I do not consider that the Applicant's interest in these matters is sufficiently significant as to grant it Core Participant status in this Module.
18. Even if this were not the case, and having regard in particular to the need to manage the Inquiry effectively, in my discretion I provisionally decline to designate the Applicant as a Core Participant in Module 9. While I am bound to consider the factors set out in Rule 5(2), it is also open to me to take into account other relevant factors. I am not obliged to designate any particular person or organisation as a Core Participant. There are other organisations which are better placed to represent the interests of employees, benefit claimants and individuals who were reliant on financial support in relation to the matters to be examined in Module 9.

19. 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 in, 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 purpose of the Inquiry hearings.
20. 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 also hear and consider carefully the experiences of those who have suffered hardship as a result of the pandemic, through the listening exercise, Every Story Matters. The Applicant and its members may wish to contribute to the work of the Inquiry through this process. I made clear in my Opening Statement that this listening exercise is a significant and important task which will lead to summary reports of the impact of the pandemic to be used as evidence during the Inquiry's module hearings.
21. For all of those reasons, having considered all of the information provided by the Applicant, in light of the Provisional Outline of Scope for Module 9, I consider that the Applicant should not be designated as a Core Participant in Module 9 and I confirm that this is my final decision.
22. I will keep the scope of Module 9 and the designation of Core Participants under review. My decision not to designate SCB as a Core Participant in Module 9 does not preclude SCB from making a further application in any later module. I will consider any future applications SCB may wish to make on their merits at the time they are made.

Rt Hon Baroness Heather Hallett
Chair of the UK Covid-19 Inquiry
30 September 2024