



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 10 - MIGRANTS' RIGHT CONSORTIUM

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 17 September 2024 the Inquiry opened Module 10 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 15 October 2024.
2. On 15 October 2024 the Inquiry received an application from Doctors of the World UK, Joint Council for the Welfare of Immigrants, Kanlungan, Medact, United Voices of the World, Independent Workers Union of Great Britain, Project 17, Together With Migrant Children and Just Right Scotland, collectively the Migrants' Rights Consortium ('the Applicant') for Core Participant status in Module 10. This Notice sets out my determination of the application.
3. The Inquiry has published the [Provisional Outline of Scope](#) for Module 10, which states that this Module will examine the impact of Covid-19 on the population of the United Kingdom with a particular focus on key workers, the most vulnerable, the bereaved, mental health and wellbeing.

Application

4. 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.*

5. 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 10.

Summary of Application

6. The Applicant applies for Core Participant status on behalf of a number of organisations which have as their focus the rights and interests of migrant people across the UK. The Applicant states that its constituent organisations were at the forefront of supporting and advocating for migrant communities including those within the immigration and asylum system and those experiencing issues with housing and homelessness during the pandemic. The Applicant says it will be able to assist the Inquiry in relation to a range of issues which will likely be explored in Module 10. This includes housing and homelessness, mental health and the experience of migrant key workers.
7. On the basis of the above, the application states that the Applicant played a "direct and significant role" in the matters to be addressed by Module 10 (Rule 5(2)(a)). In addition, the Applicant suggests that as a result of their continued work supporting and advocating on behalf of those within the immigration and asylum system, they

have a "significant interest" in an important matter to which Module 10 relates (Rule 5(2)(b)).

Decision for the Applicant

8. Module 10 of the Inquiry is focused on the impact of the Covid-19 pandemic on society with a particular focus on key workers, the most vulnerable, the bereaved and mental health and wellbeing. It will investigate the impact of the pandemic and the measures put in place to combat Covid-19.
9. I have considered the application in full and with great care against the criteria set out in Rule 5(2) of the Inquiry Rules 2006. Having done so, I have decided, in my discretion, to designate the Applicant as a Core Participant in Module 10.
10. I consider that for an Applicant to satisfy the criteria of playing a "direct and significant role", they must be able to demonstrate not only that they themselves were impacted by the pandemic or decisions made in response to it, but that they played an active role, such as engaging with decision makers on behalf of individuals or specific groups to address the extent of the impact at the relevant time. I consider that through its work advocating on behalf of those within the immigration and asylum system during the Covid-19 pandemic and supporting those impacted by the measures put in place, the Applicant satisfies these criteria, and therefore, I do consider that the Applicant played a "direct and significant role" in relation to Module 10 matters for the purposes of Rule 5.
11. I have also considered whether the Applicant has a "significant interest" in an important aspect of the matters to which the Inquiry relates. In exercising my discretion, I have in mind the broad scope of Module 10 and that a very large number of organisations and individuals could be said to be impacted in a way that would give rise to an interest in this investigation. I recognise that it could be said that the Applicant falls into this category.
12. In any event, while I am bound to consider the factors set out in Rule 5, it is also open to me to take into account other relevant factors. I am mindful of the need to run this Module effectively and efficiently in light of the number of organisations and

individuals who could be said to have a "significant interest" in the Module. The focus of Module 10 is the impact of Covid on the population of the UK and I do consider the Applicant to be representative of the whole of the UK. In addition, I consider that the Applicant can assist the Inquiry in reaching groups it might not otherwise reach and can assist with a range of matters within the provisional scope of Module 10, including the impact of the pandemic on the justice and immigration system, housing and homelessness, vulnerable groups, and the impact on the mental health on the groups they represent.

13. Accordingly, I have decided, in my discretion, to designate the Applicant as a Core Participant in Module 10.

Legal Representation

14. 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.

15. I am satisfied that the Applicant has appointed Paul Heron of the Public Interest Law Centre as its qualified lawyer in relation to this Module. I therefore designate Paul Heron as the Applicant's Recognised Legal Representative in accordance with Rule 6(1).
16. 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' Costs Protocol](#).

Rt Hon Baroness Heather Hallett DBE

Chair of the UK Covid-19 Inquiry

12 November 2024