



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 10 - HOMELESS NETWORK SCOTLAND

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 Homeless Network Scotland ('the Applicant') for Core Participant status in Module 10.
3. I made a provisional decision not to designate the Applicant as a Core Participant in Module 10, thereby declining the application, on 12 November 2024. The Applicant was provided with an opportunity to renew the application in writing by 4pm on 19 November 2024.
4. On 19 November 2024, the Applicant submitted a renewed application for Core Participant status in Module 10. This notice sets out my final determination of the Applicant's application for Core Participant status in Module 10.
5. 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

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 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

8. The Applicant is a charitable organisation and the national membership body for over 250 organisations which span a wide network of frontline homeless charities, local authorities, housing associations and other organisations in the housing and homelessness sector in Scotland.
9. The Applicant's original application was based on Rule 5(2)(a), (b) and (c) of the Inquiry Rules 2006. The application stated that during the pandemic they pooled their expertise so that their members could engage in pandemic related information sharing (including that related to impact). Further, the Applicant sought to guide, influence, and direct the development of policy, guidance and legislation via engagement with the Scottish government and local government.

10. The original application indicated that the Applicant took active steps to increase the supply and access to housing and to prevent evictions during the pandemic and administered a cash fund for people in temporary accommodation. The original application also set out some of the impacts of the pandemic from the Applicant's perspective with a focus on those related to housing and homelessness.
11. In its renewed application, the Applicant provides further information regarding its membership and says that its members represent a number of industries, and includes frontline charitable organisations, legal advice providers, social enterprises and local authority and healthcare partnerships. The renewed application says that if the Applicant is designated as a Core Participant, they will be able to speak with strong experience relating to frontline homelessness provision and that they will be able to speak to the collective experiences of homeless charities, poverty groups, policy makers and housing providers.
12. The renewed application further states that the Applicant works with partners across the UK, and as a result, their work and experience are not limited to Scotland.

Decision for the Applicant

13. 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.
14. I have considered with great care everything that is said in the Applicant's original application and renewed application. I have assessed the merits of the applications for Core Participant status in their totality.
15. As set out in my provisional determination, 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. Having considered the application in full, I remain satisfied that

the Applicant did play a "direct and significant role" in relation to Module 10 matters for the purposes of Rule 5.

16. I am also required to consider 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. Within my provisional determination, I recognised that it could be said that the Applicant falls into this category.
17. The Applicant's original application did not particularise the reasons why they said Rule 5(2)(c) would be satisfied. In any event, given that the focus of Module 10 is the impact of the pandemic and any measures put in place, rather than the decision making of particular organisations that may include those within the Applicant's network, I am of the view that Rule 5(2)(c) does not apply to the Applicant.
18. 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. I am not obliged to designate any particular person or organisation as a Core Participant and I have carefully considered who would be able to provide most assistance to me in my investigation of these matters by being so designated.
19. Having considered the merits of the application in its totality, I accept that the Applicant works with partners around the UK and that its membership may include some organisations whose activities relate to a broader base than just Scotland. However, I have reminded myself that the application is brought on behalf of the Homeless Network Scotland and not by any other organisation with whom the Applicant works or who may be included within its membership. In this context, the renewed application has not raised any new matter which indicates to me that the Applicant's work is focused on the entirety of the UK, as opposed to representing the interests of Scotland within wider networks.

20. I have granted Core Participant Status to Shelter, a charity that I consider to be representative of the UK that can also assist with this understanding the impact of the pandemic on housing and homelessness. I am encouraged by the Applicant's view stated within their renewal application that Shelter 'will be able to speak with absolute strong experience to frontline homelessness provision.'
21. Consequently, I remain of the view that the Applicant is not representative of the whole of the UK. Given that the focus of Module 10 is the impact of Covid-19 on the population of the UK, I have decided in my discretion, not to designate the Applicant as a Core Participant in this module.
22. While I have decided not to designate the Applicant as a Core Participant in Module 10, as indicated previously, the Inquiry remains committed to engaging with those who may have relevant evidence to contribute. I have instructed the Module 10 team to consider whether there are different ways in which the Applicant could contribute to the Module's investigation.
23. I will keep the scope of Module 10 and the designation of Core Participants under review.

Rt Hon Baroness Heather Hallett DBE
Chair of the UK Covid-19 Inquiry
04 December 2024