

Phase 1 Witness Evidence Protocol for Detained Individuals

Introduction and purpose of this Phase 1 Witness Evidence Protocol

1. This Phase 1 Witness Evidence Protocol for Detained Individuals is provided further to the Manston Inquiry's (the 'Inquiry') Phase 1 Overview Protocol (available on the website). This Protocol sets out the initial approach that will be taken by the Inquiry in respect of those individuals detained at Manston during the relevant period (i.e. 1 June to 22 November 2022) from whom it wishes to receive written witness evidence. This Protocol should also be read alongside the Inquiry's Privacy Notice and the Inquiry's Phase 1 Redaction and Anonymity Protocol (both are available on the website).
2. The Phase 1 Overview Protocol sets out the basis on which the Inquiry will write to those individuals from whom it wishes to collect their experiences in the form of written witness evidence. The purposes for this approach include:
 - a. the Inquiry's need, from the outset of its work, to understand and collect a range of experiences of those detained at Manston during the relevant period.
 - b. that such witness evidence is likely to assist the Inquiry with determining its future phases of work.
3. Accordingly, the purpose of this Protocol is to give effect to the Inquiry's approach in obtaining such written witness evidence during Phase 1 and to ensure that:-
 - a. those to whom the Inquiry writes to in order to collect their experiences as written witness evidence or, as applicable, their legal representatives, understand the process by which the Inquiry will seek to obtain written witness evidence; and

- b. where possible, witness evidence in the form of witness statements conform to a consistent format and style and is provided to the Inquiry in a form which will best enable it to understand the matters to which such evidence relates.
4. The procedures outlined in this Protocol are not intended to cover every eventuality or every procedural issue that may arise. It follows that, in exceptional cases, where the interests of justice and fairness require it, the Inquiry may need to depart from this Protocol.

Requests for witness evidence

5. The Inquiry welcomes, at all times, approaches from those who believe that they have relevant written evidence to give and invites them to contact the Inquiry's team by email at info@manston.independent-inquiry.uk.
6. During Phase 1 of the Inquiry's work (as set out in paragraph 12 of the Phase 1 Overview Protocol), the Inquiry will request witness statements or written evidence from those individuals who were detained at Manston during the relevant period and who wish to provide the same to the Inquiry.
7. Where the Inquiry proposes to take written witness evidence from individuals (including those who may have already provided written evidence), it will send that person, directly, a written request for a witness statement. If an individual has appointed a legal representative to act on their behalf, the written request for a witness statement will be sent to them.
8. It is the Inquiry's preference that all individuals requested to provide written witness evidence to the Inquiry do so in the form of witness statements following the format and structure described in the Annex to this Protocol. However, if an individual does not wish to provide formal evidence in the form of a witness statement but would prefer to provide evidence of their experiences in a different format, they, or their legal representative, should contact the Inquiry by return to determine the format of their written evidence.
9. The Inquiry acknowledges that witness statements or written evidence which sets out the experiences of those detained at Manston during the relevant period already exists even if in a different written format to the requirements specified in the Annex to this

Protocol. The Inquiry welcomes receipt of such witness statements and written evidence in response with its requests.

Responding to requests for witness statements during Phase 1

10. If an individual in receipt of a written request for a statement from the Inquiry requires any assistance, they should contact the Inquiry by return.
11. Irrespective of whether individuals draft their own statements or seek assistance from their legal representatives to do so, witness statements must be:
 - a. written in the individual's own words;
 - b. approved by the individual as being complete and accurate; and
 - c. supported by a statement of truth as required by paragraph 5 of the Annex to this Protocol.
12. When responding to a request for a witness statement, individuals should aim to include within their statement, evidence relating to all matters or issues described in that request.
13. Unless otherwise specified in the written request for a statement, individuals should provide an unsigned statement in draft to the Solicitor to the Inquiry at Solicitor@manston.independent-inquiry.uk which the Inquiry will consider with a view to deciding whether:
 - a. the evidence within the draft statement needs to be clarified and/or further evidence needs to be provided; or
 - b. the individual should be asked to sign the draft as a final written statement and submit it to the Inquiry in electronic Word and PDF format.
14. If the Inquiry considers, in accordance with paragraph 13 a. above that the evidence within the draft statement requires clarification and/or further evidence needs to be provided, the Inquiry will send a request to the individual and/or their legal representative identifying the matters which need to be addressed.

15. If the Inquiry is satisfied, in accordance with 13 b. above, that no further information or clarification is required, the Inquiry will request that the individual signs the draft as their final statement. Upon receipt of that request, the individual should return the signed statement within 7 days.

Time limits for provision of witness statements

16. Each written request for a witness statement will set a deadline by which it is requested that a statement be provided. The Inquiry will consider applications for extensions of time on their merits. An application for an extension of time must be made in writing by email to the Solicitor to the Inquiry as soon as possible and, in any event, before the expiry of the deadline specified in the written request.

Statement in a foreign language

17. Where an individual who is not legally represented wishes to make a statement in a language other than English, the statement should be provided to the Inquiry in its original form. The Inquiry will obtain a translation and will take such steps as it considers appropriate to ensure that the witness is satisfied that their evidence is correctly captured by the English version.

18. A witness who is legally represented and who wishes to make a statement in a language other than English should provide their statement in its original form together with a certified translation of their statement made by a qualified translator.

Application of the Inquiry's Phase 1 Redaction and Anonymity Protocol to written witness evidence received under this Protocol

19. Prior to requesting that an individual signs their final witness statement or where an individual has supplied pre-existing witness statements or written evidence under paragraph 9 to this Protocol, the Inquiry will consider whether redactions or anonymisation should be applied to those statements or written evidence in accordance with its Phase 1 Redaction and Anonymity Protocol.

Subsequent phases of Inquiry work

20. As the Inquiry determines the scope of work to be covered in subsequent phases, this Protocol may be extended, added to or replaced in due course. Any such amendment, extension or replacement versions will be published on the Inquiry website.

Issued under the authority of the Chair on 09 July 2025.

ANNEX: Format of Witness Statements

If, for whatever reason, any person has difficulty in meeting the requirements of this Annex they should contact the Inquiry team who will try to provide assistance and support.

1. The draft statement should be provided electronically in Microsoft Word format in Arial font, size 11, with 1.5 line spacing, with margins, headers and footers in accordance with the template appended to this Annex and with each paragraph and page numbered sequentially.
2. The statement need not deal with the topics set out in the written request in order. The statement should be free-flowing text which makes sense without sight of the request letter and should include any additional information that the witness considers is relevant to the Terms of Reference.
3. In the absence of instructions to the contrary, final form statements should be uploaded to the Inquiry's document sharing platform. The Inquiry team will provide further details in this regard at the appropriate time.
4. In the case of a witness who is giving evidence in relation to their current or former occupational capacity, the statement should indicate the name of the employing organisation, and the witness's current or former position or role within that organisation. A witness who is giving evidence in a private capacity need not include their home address in the body of the written statement, provided that such address has previously been notified in writing to the Inquiry.
5. The statement should end with a Statement of Truth containing the words "I believe the content of this statement to be true" followed (in the signed copy) by the signature of the witness and the date of signature.

Witness Name: []

Statement No.: [1]

Exhibits: [XXXX]

Dated: [XXXX]

THE MANSTON INQUIRY

WITNESS STATEMENT OF []

I, [insert name], of [address] will say as follows:-

Introduction

1. I make this statement in response to a witness evidence request dated [insert date].
- 2.
- 3.

Statement of Truth

I believe the content of this statement to be true.

Signed: _____

Dated: _____