

Phase 1 and Phase 2 Witness Statement Protocol

Introduction and purpose of this Phase 1 and Phase 2 Witness Statement Protocol

1. This Phase 1 and Phase 2 Witness Statement Protocol (“this Protocol”) is provided further to the Manston Inquiry’s (the “Inquiry”) Phase 1 and Phase 2 Overview Protocol. It should also be read alongside the Inquiry’s Terms of Reference, the Inquiry’s Privacy Notice, the Inquiry’s Phase 1 Redaction and Anonymity Protocol and the Inquiry’s Phase 2 Protocols.
2. This Protocol sets out the approach that the Inquiry will take regarding the collection of witness statements from those individuals from whom the Inquiry would like to receive further evidence and information during Phase 1 and in Phase 2. Its purpose is to ensure that:
 - a. witnesses and their legal representatives, as applicable, understand the process by which the Inquiry will seek to obtain witness statements during Phase 1 and during Phase 2; and
 - b. witness statements conform to a common standard and are provided to the Inquiry in a form which will best enable it to understand the matters to which they relate.
3. 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.

Request for witness statements

4. The Inquiry will decide from whom written evidence will be required during Phase 1 and Phase 2. To the extent possible these decisions will follow from an analysis of the Potentially Relevant Material (as defined in the Inquiry's Phase 1 Disclosure Protocol) provided by Material Providers (as defined in the Inquiry's Phase 1 Disclosure Protocol) pursuant to the Inquiry's Phase 1 Protocols.
5. During Phase 1 and Phase 2, it is the Inquiry's expectation that requests for witness statements will require the recipient of the request to provide all relevant evidence and information that they have in relation to the Inquiry's Terms of Reference and that any relevant documents relied upon or referred to in those statements will be exhibited accordingly.
6. The Chair expects witnesses and their employing organisations to act with candour in providing their statements. This includes being open and transparent in their statements, as well as reflective in analysing their involvement. Inquiry Participants are expected to proactively identify any material, witnesses, evidence, or matters which may be relevant to the Inquiry's Terms of Reference,
7. Where the Inquiry proposes to request a witness statement from an individual (including those who may have already provided a form of written evidence), it will send that person, directly, a written request for a witness statement.
8. If an individual has appointed a lawyer to act on their behalf, the written request for a witness statement will be sent to them; otherwise, it will be sent directly to the individual.
9. The written request for a witness statement will contain a description of the matters, questions or issues to be covered by the witness statement.
10. The Inquiry also welcomes approaches from those who believe that they have relevant evidence to give and invites them to please contact the Inquiry's team by email at info@manston.independent-inquiry.uk. Inquiry Participants, especially public authorities and public officials, are expected to proactively assist the Inquiry by identifying relevant witnesses and / or evidence relevant to the Inquiry's Terms of Reference.

Responding to requests for witness statements

11. 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.
12. All witness statements must follow the format and structure for witness statements described in the Annex to this Protocol.
13. An individual may draft their own statement or may seek assistance from a legal or other representative. Irrespective of whether individuals draft their own witness statements or seek assistance from a legal or other representative 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 4 of the Annex to this Protocol.
14. When responding to a request for a witness statement, individuals should include within their statement all relevant evidence relating to all matters or issues described in the request. However, if individuals consider that there are additional matters or issues which are not specified in the Inquiry's request, but which are relevant to the Inquiry's Terms of Reference, they should include evidence relating to such matters and issues within their witness statement.
15. Further to paragraph 5 above, witness statement responses should be prepared and submitted in unsigned draft format to the Solicitor to the Inquiry at Solicitor@manston.independent-inquiry.uk. The Inquiry will then consider whether further clarificatory questions and comments should be addressed by the relevant individual during Phase 1 and during Phase 2 in the form of a further request for information or clarification.
16. The Inquiry may also, in line with this Protocol, seek further and supplemental statements from individuals during Phase 2. Such statements should follow the same process outlined in paragraph 14 above regarding the initial submission of witness statements to the Inquiry in draft format.

17. In their statements, individuals should refer to and exhibit documents which are relevant to the Inquiry's Terms of Reference. Any such reference(s) and exhibits should comply with the requirements of paragraph 8 of the Annex to this Protocol.
18. When the Inquiry is satisfied, following completion of the processes set out in paragraphs 14 and 15 above, that no further information or clarification is required and that statements are complete, the Inquiry will request that the individual signs the draft as their completed statement. Upon receipt of that request, the individual should return the signed statement within 7 days.

Time limits for provision of witness statements

19. Each written request for a witness statement or further clarification of such statements will set a date by which it is requested that a statement or draft 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 (Solicitor@Manston.Independent-Inquiry.uk) as soon as possible and, in any event, before the expiry of the deadline specified in the written request.

Statement in a foreign language

20. Where an individual who is not legally represented wishes to make a witness 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 individual is satisfied that their evidence is correctly captured by the English version.
21. An individual who is legally represented and who wishes to make a witness statement in a language other than English should provide their witness statement in its original form together with a certified translation of their statement made by a qualified translator.

Disclosure and Publication of witness statements

22. In accordance with the Inquiry's Terms of Reference, the Inquiry will take reasonable steps to ensure transparency in all stages of its work. Accordingly, it will be the Inquiry's intention, subject to paragraphs 23 and 24 below, that all witness statements and documents exhibited in those witness statements will, in Phase 2:

- a. be disclosed to those designated as Inquiry Participants and, where the Inquiry deems it necessary, to other individuals providing witness statements by making the documents available on the Inquiry's document management system.
 - b. be utilised and/or displayed in the event of any applicable public hearings.
 - c. be published by the Inquiry on its website.
23. Prior to any outward disclosure or publication of signed witness statements in Phase 2, the Inquiry shall consider whether any redactions are appropriate in accordance with its Phase 1 and Phase 2 Protocols and shall, in accordance with those Protocols, engage with relevant Material Providers to consider and apply the necessary redactions to those signed witness statements.
24. In addition, prior to any outward disclosure or publication of signed witness statements in Phase 2, any individual who has given a witness statement who wishes to have their identity anonymised from disclosure or publication will be required to make an application for anonymity in accordance with, as applicable, the Inquiry's relevant Phase 1 and Phase 2 Protocols.
25. The Inquiry will ordinarily disclose only an individual's signed witness statement and not any draft statements. However, if an individual refuses to return a signed witness statement, or delays to an unacceptable extent in returning such a statement, the Inquiry may proceed to disclose any draft witness statement(s) produced by the relevant individual.

Subsequent phases of the Inquiry's work

26. 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's website.

Issued under the authority of the Chair on 24 November 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. Draft statements 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 in the format 'page [x] of [y]'.
2. The statement need not deal with the topics set out in the written request in order and should not reproduce the questions posed to the individual by the Inquiry. The statement should be free-flowing text which makes sense without sight of the request letter and should include any additional information that the individual considers is relevant to the Terms of Reference. In addition, acronyms should be spelt out where they appear and organisational names and references should be explained.
3. In the case of an individual 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 individual's current or former position or role within that organisation. An individual 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.
4. The witness statement should end with a Statement of Truth containing the words "*I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth*" followed (in the signed copy) by the signature of the individual and the date of signature.
5. Witness statements should always be provided to the Inquiry in a format that enables the text of the content to be searched. Final form witness statements should be provided in both signed and unsigned versions. The signed copy may be provided as an electronic scan with witnesses or their legal representatives retaining the hard copy of that final form signed statement. In the absence of instructions to the contrary, signed 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 including how the statement will be provided with a Unique Identification Number (“UIN”).

6. Statements should be headed “[NUMBER e.g. ‘First’] Witness Statement of [WITNESS NAME]”. The statement must show the full name of the witness and the date on which the statement is signed on the front page. The statement should begin by setting out, where relevant, the date of the Inquiry’s witness statement request to which it responds and briefly summarising the topics which the statement covers.
7. The Inquiry will allocate each witness a unique identifier which will be provided by the Inquiry as part of any request for witness statements from an individual. This unique identifier will be in the form “WITNXXXX”. The witness statement should include a ‘Statement Number’ which is this unique reference number followed by the number of the statement, on the front page in accordance with the template appended to the Annex of this Protocol. The number of the statement will be ‘001’ for the first witness statement from that individual, for example: WITNXXXX001.

Documents Accompanying the Witness Statement

8. Where a witness statement refers to any document(s), the following requirements should be met in respect of each document:
 - a. if the document has been previously disclosed to the Inquiry, the Inquiry’s UIN assigned to the document by the Inquiry should be included in the body of the statement and in the index (see (b) below).
 - b. each witness statement should be accompanied by an index of the documents referred to in the statement, identifying each document by the UIN and its document description as demonstrated in the template appended to this Annex. Documents referred to by an individual should be listed in the index in the order in which they appear in the statement. However, please only include each UIN once in the index when it is first referenced in the body of the witness statement.
 - c. if the document has not previously been disclosed to the Inquiry, the complete document must be provided to the Inquiry as soon as possible and be exhibited to the statement. These documents should be provided to the Inquiry by means of upload to the Inquiry’s document sharing platform and further instructions in this regard will be provided by the Inquiry Legal Team. Following receipt of the

draft statement provided for in paragraph 14 of this Protocol, the Inquiry will give that document a UIN and share this with the relevant individual (or where applicable, their legal representatives) so that they can be included in the statement and correctly referenced prior to the statement being signed and submitted to the Inquiry.

- d. documents referred to in witness statements should be given their full titles on the first occasion that they are referenced. For subsequent references, an abbreviation will be sufficient but must, at all times, be followed by the UIN of the document in square brackets.
9. Any questions relating to the content or format of a witness statement should be directed to the legal team member named in the witness statement request or, otherwise, to the Inquiry Legal Team by email at Solicitor@manston.independent-inquiry.uk.

APPENDED WITNESS STATEMENT TEMPLATE AND INDEX

Witness Name: [WITNESS
NAME]

Statement No.: [WITXXXX00[1]

[Exhibits: [XXXX]]

Dated: [DD] [MONTH] [YYYY]

THE MANSTON INQUIRY

[DRAFT] [FIRST] WITNESS STATEMENT OF [WITNESS NAME]

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

Introduction

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

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: _____

Dated: _____

Index to the [FIRST] Witness Statement of [WITNESS NAME]

<u>No.</u>	<u>UIN</u>	<u>Document Description</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		