

Phase 2 Redaction and Anonymity Protocol

Introduction and purpose of this Redaction Protocol

1. This Phase 2 Redaction Protocol is subject to, and should be read with, all other Protocols which govern the conduct of the Inquiry.
2. This Phase 2 Redaction Protocol (“this Protocol”) sets out the approach that will be taken by the Inquiry to the redaction of documents and material during Phase 2 of the Inquiry (and briefly restates the approach taken in Phase 1). Its purpose is to ensure Material Providers (“MPs”) understand how the Inquiry will deal with documents and material that it intends to disclose and publish.
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. Further, this Protocol may be amended from time to time, in which case an amended version will be published on the Inquiry website.

Definitions

4. In this Protocol the same terms as defined in the Phase 1 Redaction and Anonymity Protocol shall apply.

Overview of the Inquiry’s Redaction and disclosure process

5. Across Phases 1 and 2, the Inquiry will proceed on the basis of a three-stage redaction and disclosure process:
 - a. Requests for Potentially Relevant Material: The Inquiry will formally request MPs provide Potentially Relevant Material to it. The scope of each request will be set by the Inquiry Legal Team (ILT). Upon receipt, the Potentially Relevant Material will be uploaded on to the Inquiry’s Document Management System

(DMS). All Potentially Relevant Material should be provided in unredacted format, unless agreed with the Inquiry beforehand.

- b. Document Review and Redaction: The ILT will conduct a thorough review of the submitted documents to assess relevance. It is for the ILT alone to determine relevance of any document. For any documents identified as relevant the ILT will prior to disclosure, on behalf of the Chair as Data Controller, apply redactions to personal data, sensitive personal data and criminal convictions and offences personal data. The Inquiry will also apply cipherring to anonymise individuals detained at Manston who are providing witness statements or other written evidence to the Inquiry in accordance with the Inquiry's Phase 1 Witness Evidence Protocol for Detained Individuals.
- c. Material Provider Review: The ILT will share Relevant Material that it intends to disclose to Inquiry Participants with the relevant MPs who initially supplied the Potentially Relevant Material. This will provide the opportunity for MPs to consider and identify what, if any, further Redactions are required. Further details of the MPR stage are set out below at paragraphs 8 to 16.

Phase 1 Document Review and Redaction

6. The ILT, on behalf of the Chair as Data Controller, will apply, in a consistent manner, any necessary Redactions required to comply with its obligations under the UK General Data Protection Regulation and the Data Protection Act 2018. These Redactions may apply to personal data, sensitive personal data and criminal convictions and offences personal data. The Inquiry's approach will be governed by the relevance of that data to the Inquiry's Terms of Reference and the subsequent necessity of its disclosure. Such information will be Redacted without the need for applications from MPs.
7. Accordingly, the Inquiry expects to Redact, unless relevant in specific cases, the following categories of personal data from all Relevant Material:
 - a. dates of birth;

- b. the names of individuals who were detained at Manston during the relevant period but who are not providing witness statements or other written evidence (subject to paragraph 8 below);
- c. personal addresses, telephone numbers, email addresses and other contact details, but not professional contact details;
- d. signatures; and
- e. sensitive personal data including (but not limited to) criminal convictions and offences, health data, data revealing racial or ethnic origin, religious or philosophical belief, political option or trade union membership.

Individuals detained at Manston during the Relevant Period and who are named in Relevant Material and providing evidence to the Inquiry will be given a cipher to protect their identity.

Phase 2 Material Provider Review

8. The ILT will share with the relevant Material Provider any Relevant Material it intends to disclose which was initially supplied by that Material Provider as Potentially Relevant Material and provide an opportunity for that Material Provider to consider and identify what, if any, further Redactions are required prior to any disclosure to Inquiry Participants. The shared Relevant Material will already contain personal data redactions and anonymisation ciphering as applied by the ILT pursuant to its Phase 1 Protocols.
9. The relevant Material Provider will be responsible for identifying and making any applications to the ILT in respect of their proposed Redactions. These may include content which is subject to public interest immunity, operational sensitivities, national security, legal professional privilege, is commercially sensitive and irrelevant with reference to the Inquiry's Terms of Reference, is otherwise irrelevant to the Inquiry's Terms of Reference and sensitive, or any further grounds. The Inquiry expects Material Providers to adopt a proportionate approach when seeking Redactions.
10. The Inquiry will permit the Redaction of names in instances where the identity of that individual is very clearly irrelevant to the Inquiry's Terms of Reference. However, it is the Inquiry's expectation that it will not redact the names of officials solely on the ground that they are below SCS (or their non-Civil Service equivalent) level.

11. All requests for Redactions and/or non-disclosure will be made in writing via the Inquiry DMS and in accordance with the timescales prescribed by the Inquiry. The grounds on which redaction is sought must be specified in the application. Material Providers will be granted access to the Inquiry DMS and provided with the relevant training on how to use the Inquiry DMS. Material Providers are required to complete the Material Provider Review section on the Inquiry's DMS. Any requests should be clearly indicated in the comments box with a brief statement setting out what further Redactions or non-disclosure are proposed for the ILT to consider.
12. The Inquiry will take a reasonable and proportionate approach in considering any such Redaction requests and non-disclosure requests. Where such requests require further clarification or explanation, the Inquiry will seek the same from the relevant Material Provider. It is important to note that the Inquiry will only redact Relevant Material where the case for Redaction is properly made out.
13. The ILT will therefore consider each request for further Redactions and will either:
 - a. agree the request for further Redactions and apply them; or
 - b. reject the request for further Redactions and provide the MP with an explanation why the request has been rejected.
14. If agreement in respect of any proposed Redactions is not initially reached, the Material Provider may respond to the ILT with additional justification in support of their position. The ILT will revert according to the process set out above.
15. In the unlikely event the Inquiry and the Material Provider are unable to agree the proposed Redactions the ILT will confirm to the Material Provider that agreement cannot be reached. Should Material Provider MP maintain their position in respect of the proposed Redactions, the matter will need to be determined by the Chair as follows:
 - a. The Material Provider should write to the Chair (by email addressed to the Solicitor to the inquiry at Solicitor@Manston.Independent-Inquiry.uk) within seven working days of receiving the ILT's decision setting out the arguments to which it wishes the Chair to have regard.

- b. Any application will be considered by the Chair and a final determination issued with 21 days.
- c. The Chair will communicate her decision to the Material Provider and her decision will be final. At all times the Chair will consider what is:
 - required by law;
 - considered by the Chair to be necessary to the Inquiry fulfilling its Terms of Reference; and
 - considered by the Chair to be necessary in the public interest.

16. Relevant Material, or parts of Relevant Material, not disclosed as a result of successful representation made by the relevant MP may still be used, even if not disclosed, to inform the Inquiry's investigation.

Anonymity

17. In this Protocol, "anonymity/anonymisation" is the protection of a person's identity from disclosure via any means.
18. The Inquiry will accept anonymity applications on a rolling basis. Applicants should apply to the Inquiry in writing. The Inquiry will respond to applications within 28 days, absent exceptional circumstances. This process is entirely separate from the process of anonymity set out in the Inquiry's Phase 1 Witness Evidence Protocol for Detained Individuals and Phase 1 Redaction and Anonymity Protocol.
19. It is the Inquiry's expectation, however, that it will commence requesting applications for anonymity prior to any outward disclosure being made to Inquiry Participants and will consider applications made in the course of the Inquiry including in respect of documentary evidence, public hearings or in respect of the Inquiry's report.
20. In considering applications for anonymity, the Inquiry will balance the need to protect individuals' rights and risks of harm against the public interest in transparently, openly and thoroughly investigating the matters and issues set out in its Terms of Reference.
21. In this regard, the Inquiry considers that the 'risk of harm' may include risks relating to death or injury to individuals as well as risks to the United Kingdom's national security,

international relations and national economic interests which may arise from revealing an individual's identity.

22. The Inquiry's reference to 'individual rights' includes those rights enshrined in the Human Rights Act 1998 such as the right to life and the right to respect for private and family life (Articles 2 and 8 respectively of the European Convention of Human Rights). The Inquiry is also mindful of the requirement to respect persons' data protection and privacy rights in a manner which fulfils its obligations as a Data Controller under the UK General Data Protection Regulation and the Data Protection Act 2018.
23. As detailed in paragraph 19 above, applications for anonymity are now open and the Inquiry will receive and determine requests for anonymity from persons who are or who may be named in evidence in the course of the Inquiry including documentary evidence, hearings or in the Inquiry report.
24. The Inquiry makes no assurances that those who have requested anonymity will be granted it. Moreover, the Inquiry may of its own initiative consider and determine whether it is appropriate in the circumstances to grant anonymity to a person in circumstances where an application has not been made.
25. In considering applications for anonymity, including the grant of anonymity on the Inquiry's own initiative, the Chair of the Inquiry will have regard to the following factors:-
 - a. the public interest in transparency, openness and thoroughly investigating the Inquiry's Terms of Reference;
 - b. the risk of harm to individuals and/or the United Kingdom occasioned by revealing particular identities as detailed above in paragraph 21;
 - c. the potential impact of identification on the individual's human rights as detailed above in paragraph 22; and
 - d. such other factors as the Chair of the Inquiry considers relevant to their determination.
26. Where a determination is made that a person's identity should be anonymised, written reasons and an Anonymity Order ('the Order') will be produced by the Chair of the Inquiry. An 'open' copy of the determination and Order will be published on the Inquiry website, with identifying details redacted as necessary to avoid frustrating the order. A

'closed' confidential copy of the Order will be provided to the individual who is the subject of the determination.

27. The Inquiry will not make a determination under this Protocol which frustrates an anonymity order or reporting restriction imposed in separate legal proceedings.
28. It is a matter for the Chair to determine what identifying information should be anonymised on a case-by-case basis, having regard to the risk of jigsaw identification and the factors set out above at paragraph 25.
29. The Inquiry may seek to obtain information regarding the potential risk of harm or impact on an individual's rights from Inquiry Participants, other participating organisations and/or open-source material before making a determination. In doing so, the Inquiry will not act in a manner which frustrates a pending application for anonymity.
30. The Inquiry will permit Inquiry Participants an opportunity to make representations prior to making a determination of anonymity. The period of time for response and the extent of disclosure to Inquiry Participants regarding the application and underlying material will be a matter for the Chair to determine on a case-by-case basis, having regard to the matters at paragraph 25 above.
31. The Inquiry acknowledges that some anonymised persons may already have been identified to an extent in open-source material or may remain identifiable to those with prior knowledge of the matters in question if their name is anonymised. In those circumstances, an application for anonymity may still be made. The extent of the existing disclosure and the consequent efficacy of any Order will be a relevant factor in the Chair's determination.
32. Where an Order has been made, the Chair may disclose the identity of the subject to an Inquiry Participant on a confidential basis. The threshold for disclosure will be high and will only be met where it is strictly necessary to enable effective participation in the Inquiry's processes. When considering a limited disclosure on this basis, the Chair of the Inquiry shall have regard to the matters set out at paragraph 25 above.

Issued under the authority of the Chair on 25 November 2025.