

THE MANSTON INQUIRY

WRITTEN REPRESENTATIONS FOR PRELIMINARY HEARING ON 15 JANUARY 2026

REPRESENTATIONS ON BEHALF OF DAN O'MAHONEY

Introduction

1. Dan O'Mahoney has Inquiry Participant status in this Inquiry. These representations are submitted on his behalf for the preliminary hearing on 15 January 2026. They respond to the Inquiry's invitation (under cover of a letter dated 6 January 2026) for comments on the Provisional List of Issues ("the List").
2. Mr O'Mahoney wishes to make two points on the List, to ensure clarity. They are dealt with below in turn.

Issue 1 – Manston's status and purpose

3. The List refers to Manston as a "Short Term Holding Facility" ("STHF"). Mr O'Mahoney wants to ensure that this term is not misunderstood. There are different kinds of STHF; and it is important to distinguish between them. Some were intended to provide accommodation and some were not.
4. The Short Term Holding Facility Rules 2018 ("the STHF Rules") apply to a number of different kinds of STHF. Some STHFs were designated, under Rule 6 of the STHF Rules, as 'holding rooms' and some were not. At all material times, the consequence of being designated as a 'holding room' was that a detained person must not be detained there for more than 24 hours. (The concept of a 'residential holding room' was only added, at Rule 6A, to the STHF Rules from 5 January 2023).

5. Manston, Western Jet Foil and Tug Haven were designated as holding rooms. That means that Manston, unlike some other STHFs (such as Larne House, Manchester and Swinderby), was not intended to provide accommodation. It was only intended to be a ‘processing centre’. It was not intended to be a place for people to sleep or live.

Issue 2 – “Closure” of Manston in November 2022

6. Items 38 and 39 (sub-heading IX) refer to “*Manston’s closure on 22 November*” (2022), and the subsequent “*decision to re-open Manston*”.
7. Mr O’Mahoney is clear (and this will be addressed in his evidence) that no such decision was made by any person, and indeed that Manston did not “*close*” on 22 November 2022.
8. What happened, instead, is that the site became empty of detained individuals. This was due to a sustained period of inclement weather preventing crossings. As a result, the population who had arrived at Manston before the period of inclement weather were processed and moved off of the site. No new arrivals took their place, so Manston emptied. This was not a planned closure. Operations at Manston resumed when arrivals on small boats resumed.
9. Those representing Mr O’Mahoney have not yet seen the evidence of other witnesses, so they do not know if his understanding is controversial. It seems unlikely that it is. In any event, Mr O’Mahoney thought it necessary to correct the misunderstanding about there being a ‘closure’ and a decision to ‘re-open’ at this stage, because it may impact the Inquiry’s questions to other witnesses (in addition to Mr O’Mahoney) as well as wider investigations.

RORY DUNLOP KC

REBECCA HANDCOCK

13 January 2026