

## MANSTON INQUIRY

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### Written Submissions on Behalf of Inquiry Participants represented by Wilson Solicitors, Gold Jennings Solicitors and Bindmans Solicitors

#### For First Preliminary Hearing on 15 January 2026

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1. These written submissions are provided jointly on behalf of three cohorts of former detainee Inquiry Participants ('IP') represented by Wilson Solicitors, Gold Jennings Solicitors and Bindmans Solicitors in advance of the first preliminary hearing of the Inquiry on 15 January 2026. Together, these firms represent 55 detainees (§19(iii)-(v) of the Note by Council to the Inquiry ('CTI')).<sup>1</sup> In accordance with the correspondence circulated by the Inquiry on 6 January 2026, including the Provisional List of Issues and accompanying CTI's Note, these submissions address the List of Issues and proposed hearing timetable, together with brief observations as to current IPs. These submissions should be taken to stand as the substantive position on behalf of all three legal teams at the forthcoming hearing, at which currently it is not anticipated that further oral submissions will be made.

#### **Provisional List of Issues**

2. We are grateful for the Provisional List of Issues ('the List') recently circulated and for the opportunity to provide input on the same. It is recognised that, at this stage, this List, being provisional, will likely evolve with the evidence received by the Inquiry. In general, and subject to the below, we consider the issues are sufficiently high-level and broadly framed as to capture most of the central matters that will require investigation within the Inquiry's Terms of Reference ('ToR'). The following observations seek to address certain discrete, important lines of inquiry which are not (and we submit ought to be) expressly included in the current List, and to seek clarification as to the scope of specific issues.
3. ***First***, a key issue that will require close consideration by this Inquiry, in respect of the operation of Manston, were the contractual arrangements in place for the provision of the various services. This will fall to be interrogated against the background evidence that, due to the perceived 'urgency' arising from the increased numbers of small boat arrivals and the

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<sup>1</sup> IP status was sought and granted to 13 Gold Jennings clients (determination dated 19 December 2025); 21 Wilson clients (determination dated 23 December 2025) and 6 Bindmans clients (determination dated 31 December 2025).

worsening situation at Manston, proper procurement and vetting processes were not followed. This resulted in staffing provision by a complex chain of Home Office staff, contractors and sub-contractors, many of whom did not have the necessary detention training or vetting to carry out their required roles. Many of the contracted staff came from a security background (including as bouncers in nightclubs), were on temporary contracts, and had no experience working in an immigration detention context. Following a visit to Manston on 24 October 2022, David Neal, then Independent Chief Inspector of Borders and Immigration (‘ICIBI’), gave evidence of some 2,500 detainees being guarded by untrained detention custody officers (‘DCOs’), comprising a mixture of immigration enforcement officers and contracted security guards who were not DCO-trained<sup>2</sup>. The absence of appropriately trained DCO staff meant that certain contracted staff did not have the required skills or competence to deal with the high numbers of detained migrants and the associated risks this posed.<sup>3</sup> This included, for instance, permitting staff (including contractors) to work at Manston before they had received the requisite security clearance to work with children and vulnerable adults and prior to, or in the absence of, proper authorisation to perform specific custodial functions such as the use of force being granted.

4. While it is noted that the general framework and oversight for the different services at Manston is included under Section (IV) of the List, together with issues of staffing training under Section (V), it is submitted that the process for procuring services at Manston should be included as a stand-alone issue under Section (IV), given its central relevance to matters of operation and governance at Manston, and the consequential impact on the welfare and safety of those detained.
5. **Second**, there are no corresponding issues (as those identified in Section (IV) under Issues 5, 6, 8, 9, and 10) concerning the framework which governed the operation and governance of WJF in Section (III). We note that the issues listed under Section (I) and (III) may touch on the arrangements, operation and governance over initial processing at WJF. It is submitted, however, that focused direct lines of inquiry into the arrangements, operation and governance at WJF are important given that the challenges to initial processing of newly arrived individuals (and the insufficiency of onward community-based accommodation) had an apparent significant impact on the consequent manner in which Manston was used during the relevant period of the ToR. A number of the IPs we represent had already been detained

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<sup>2</sup> Home Affairs Select Committee Oral Evidence: Channel crossings, HC 822, 26 October 2022, Q112, p.27.

<sup>3</sup> ICIBI report, January-February 2023, ‘A re-inspection of the initial processing of migrant arriving via small boats, including at Western Jet Foil and Manston’, January-February 2023; para 11.4, p.59.

at WJF for longer than the 24-hour statutory time limit, some by a matter of days, prior to their transfer to Manston. Some were segregated and many were without access to basic sanitary facilities, food and drink and medical assistance for the whole period of their detention at WJF. In respect of all the IPs we represent, no individualised assessment was carried out prior to their transfer to Manston; this was done on a blanket basis, apparently because there were insufficient onward community-based accommodation arrangements. For this reason, understanding the decisions and processes around the procurement or otherwise of services at WJF and for onward community-based accommodation and support will provide the important context for understanding the consequent conditions of detention and treatment of detainees at Manston.

6. **Third**, whilst it is noted that Section (VI) generally addresses the treatment of detained people at Manston, it is submitted that the issue of whether and the extent to which detainees were subjected to discriminatory, abusive and/or racist behaviour by staff should be included as a specific sub-issue under Issue 21. It is submitted that the current sub-issues listed therein do not sufficiently capture this key thematic concern, with a number of the IPs we represent alleging having been subjected to humiliating, bullying and/or discriminatory treatment by staff. This line of inquiry is wider than sub-issue 21 (h) - '*allegations of staff misconduct and the response to it*' - addressing the general staff culture that prevailed at the time and instances of verbally abusive and/or prejudicial staff treatment which may not have necessarily resulted in, or amounted to, allegations of formal staff misconduct. Whilst such issues may be impliedly covered by a combination of the issues included in Sections (IV)-(VI) on issues of governance, staffing, and treatment of detained people, it is submitted that the express inclusion of questions as to the institutional culture and atmosphere at Manston, and whether and the extent to which detained people were subjected to discriminatory, abusive and/or racist behaviour by staff, are necessary to underscore their importance to this Inquiry's ToR.
7. **Fourth**, it is submitted that the issue of detainees' access to information and contact with the outside world should be expressly included as an additional issue. The collective experience of all the IPs we represent is that, on and throughout their detention, they were not provided with any information (at all or in a language they could understand) from detention staff about the basis, duration or reasons for their detention. Nor were they provided with any information about their legal rights in detention and as asylum seekers, or signposted to welfare support and legal advice services. It is known that there were no

legal clinics on-site at Manston, and that visits from lawyers, charities or welfare organisations for detainees were not permitted. Additionally, those we represent had little or no access to other means of communicating with the outside world, in view of their phones having been confiscated on arrival, and/or the limited availability of phones within Manston. None had access to the internet or other resources by which to research how to obtain legal advice and assistance. This total lack of information and outside contact also exacerbated the hardship of the conditions of detention, and caused distress, anxieties and frustration arising from the uncertainty of detention and the duration of it, and the inability to contact loved ones, lawyers, or charities for support or advice. It also prompted protests, in which some of the IPs we represent participated to request information and to object to the conditions of their detention, but which resulted in their being subject to the use of force. This is thus a key issue which bears directly on the conditions at Manston and treatment of those detained (ToR 1 & 2). It is not currently included, nor impliedly captured, within the List, and ought, it is submitted, to be added under Section (VI), sub-issue 21, concerning the treatment of detainees at Manston (though noting this issue arises from the outset of arrival at WJF onwards).

8. ***Fifth***, and by way of clarification rather than suggested expansion, confirmation is sought from the Inquiry Legal Team ('ILT') as to the implied scope of the following issues:

8.1 In respect of Issue 1, concerning the "*physical and mental condition of people upon disembarkation in the UK*", it is necessary to recognise that new arrivals presented with a wide range of vulnerabilities, including histories of torture, trafficking, serious ill-treatment or trauma which may not have necessarily manifested in a physical or mental condition at that point. Others were vulnerable by dint of other reasons, such as children. We note that the Chair, in granting IP status to the clients represented by Wilson, Gold Jennings and Bindmans, did so in recognition of the spectrum of vulnerabilities they present, beyond issues of physical and mental health. Given this issue closely informs, and contextualises, the subsequent question of the efficacy of the screening processes and detention safeguards for such vulnerable detainees (Issues 4 and 11 taken together), ILT may wish to frame Issue 1 more broadly to encompass "*the relevant vulnerabilities of people...*" so as to more properly reflect the spectrum of significant pre-existing vulnerabilities of those detained. Alternatively, confirmation is sought that Issue 1 will be read as to include this expanded meaning.

- 8.2 In respect of Issue 4, concerning “*the screening (including the use of age assessments) of people at WJF*”, it is presumed that this includes the medical screenings undertaken at WJF and whether/the extent to which these were capable of eliciting information about detainees’ other potential vulnerabilities, including past experiences of torture, trafficking, gender-based violence or other forms of serious violence.
- 8.3 We note no equivalent, express line of inquiry concerning screening processes on transfer from WJF to Manston. The IPs we represent presented with a range of vulnerabilities which were never taken into account in the decision-making concerning their continued detention at Manston or in any consideration of whether and how their welfare needs and safety would be met at Manston. The issues concerning screening at Manston may well be impliedly encompassed under Issue 11 (concerning “*the key processes undertaken at Manston*”). The Inquiry is urged to make this an express part of the lines of inquiry concerning the processes undertaken at Manston as screening is relevant to understanding the degree to which detention and the conditions of detention at Manston impacted on the thousands of people who were held there during the relevant period.
- 8.4 It is noted that there is no express issue addressing the decision-making and authorisation of individuals’ detention at WJF and Manston. Poor record keeping at WJF and Manston during the relevant period had already been the subject matter of criticism by the then-ICIBI and Her Majesty’s Inspector of Prison. In the cases of all IPs we represent, there were no contemporaneous records of authorisation for their initial detention or transfer to Manston, nor of detention reviews. Some records purported to provide retrospective authorisation and justification for detention and continued detention. An allied consideration for the Inquiry will be whether and to what extent relevant statutory and policy limitations to detention for certain cohorts (e.g. vulnerable detainees, pregnant women, families and unaccompanied children) were applied. We note that these important issues may impliedly fall within the scope of Issues 11 and 12, concerning the key processes undertaken at Manston and how these should have been “*documented or recorded*”, as well as Issue 22 addressing compliance with the legal framework for detention at Manston. It is important, however, to emphasise the multi-faceted nature of such detention decision-making, including its statutory and policy layers, which will need to be examined, and that the inquiries should not be limited to considering what was and was not recorded.

- 8.5 In respect of sub-issue 21(h), it is presumed that this will encompass any criminal investigations and/or proceedings brought further to allegations of staff misconduct, as well as internal disciplinary action. We understand that some disciplinary actions have concluded and others are ongoing. We are also aware that several of the IPs we represent have pending police investigations arising from their treatment at WJF and Manston.
- 8.6 It is noted that, in the course of the Inquiry's investigation into the death of Mr. Hussein Ahmed, it will hone in on issues around disease prevention and infection control at Manston (Issue 33, read together with Issue 23). It is presumed that – and it will be important that - the lines of inquiries will not only focus on the infection control measures in respect of diphtheria (which one of the Bindmans IP also had earlier in the relevant period). Several other IPs we represent contracted serious skin infections, including scabies, but did not have access to necessary treatment or measures to contain its spread. It is understood that earlier during the relevant period there had also been outbreaks of gastroenteritis. Thus on behalf of the IPs we represent, we wish to emphasise the need for the investigation around disease prevention and infection control at Manston to be cast wider than the circumstances giving rise to Mr. Ahmed's tragic death.
- 8.7 It is noted that none of the current issues expressly address the *impact* on those detained of the conditions at Manston and their treatment whilst there. The significant and wide-ranging impact that Manston had on those detained is already well-documented before the Inquiry, including the worsening of pre-existing mental health and physical conditions, as well as the development of new conditions (including serious psychiatric disorders and infectious diseases) as a result of detention. For many, Manston also led to a deprivation of, or significant delay in accessing, the requisite legal and welfare protections they were entitled to as a result of their specific vulnerabilities, such as victims of trafficking or unaccompanied children, who were not properly screened and identified as such whilst detained. Whilst the issue of the impact of Manston will undoubtedly inform the Inquiry's investigative work throughout, it is necessary to emphasise that this issue must, in keeping with the ToR and the Article 3 ECHR dimension to this Inquiry, be anchored at its very centre.

9. **Finally**, we note that certain sub-issues under Issue 21 address “*how*” the needs of people were met during the relevant period (e.g. Issue 21(a) “*how the physical and welfare needs of people were met during the relevant period*” and 21 (d) “*how people who were detained or worked in Manston were kept physically safe*”). Framing it in this way may appear to imply that detainees’ relevant needs *were* met and that they *were* kept safe. It is the position of the IPs we represent that their physical and welfare needs were not met at all or sufficiently and none of them felt safe at Manston. We would suggest widening and clarifying that the issues encompass “*whether and / or how*”, to remove any perceived element of pre-judgment to these questions.

### **Inquiry Participants**

10. It is acknowledged that the Inquiry is still in the process of determining applications for IP status. However, having considered the list of IPs designated to date (per §19 of CTI’s note), together with the List, we note, on behalf of those we represent, that a number of important organisations and individuals appear to be missing from this list of IPs when they are likely to have played a direct and significant role in relation to the matters which the Inquiry is investigating and / or have an interest in the Inquiry’s outcome which may include being subject to criticism. The organisations and individuals listed below in any event are highly likely to hold important information and documents concerning decision-making and treatment in the cases of the IPs we represent. This includes for instance:

10.1. Priti Patel: the former Home Secretary from 24 July 2019-6 September 2022, whose tenure overlaps with the relevant period in this Inquiry (during a period where the objective evidence already indicated that detainees were being held unlawfully, in overcrowded and unsafe conditions). Her state of awareness and decision-making concerning the operation and arrangements at Manston will be of central relevance to the issues included under Sections (IV), (VII) and (X) of the List, as well as the issues we identified above concerning the arrangements, operation and governance at WJF and the procurement (or otherwise) of onward community-based accommodation (which would have significantly reduced any reliance on Manston as part of initial processing on arrival).

10.2. David Neale: Former ICIBI, who, at all times material to the relevant period, had a holding brief to inspect the arrangements and operation of Adults at Risk policies in immigration detention. He inspected Manston on 24 October 2022 and subsequently wrote to the Home Secretary raising his “*urgent concerns*” over the dire conditions at

Manston, which he subsequently pressed in his oral evidence to the Home Affairs Select Committee on 26 October 2022.

- 10.3. Thanet District Council public health: while we note that Kent County Council has been granted IP status, we understand that the responsibility for inspecting and monitoring public health issues at Manston fell to Thanet District Council's public health officials. It is our understanding that during the relevant period, public health officials at Thanet District Council visited Manston on more than one occasion and gave specific advice on public health concerns identified on these visits and liaised closely with the UK Health Security Agency (who is an IP) to this effect. Given the centrality of infectious disease control arrangements to informing the Inquiry's investigation into the circumstances of Mr. Ahmed's death (as well as the physical health safety of all who were detained at Manston during the relevant period), it appears that what Thanet District Council's public health officials did and advised on will be central to these issues identified in the ToR. All public bodies responsible for and involved in public health and infectious disease prevention and control will have a significant direct interest in and be directly affected by the Inquiry's investigation into these issues.
- 10.4. Medevent: one of the key contractors providing medical screenings and services at WJF and Manston.
- 10.5. IPRS Aeromed: as above.
- 10.6. MTC: security contractor providing detention staff. It is noted that Mitie has been granted IP status, but it was not the only security contractor operating at Manston at the relevant time.
- 10.7. Interforce: as above.
- 10.8. GSA Security Solutions: security contractor that undertook screening interviews at Manston.
- 10.9. British Red Cross: understood to have been the only non-governmental organisation with access to Manston in the relevant period, visiting the site more than once and reporting its findings to the Home Office, including at the Ministerial level.
11. It bears noting that the above contractors listed at (v)-(ix), together with Mitie, are still understood to be contracted to provide services at Manston. Given the central relevance of the issues of provision, oversight and competency of staffing to this Inquiry, it is unclear

why only Mitie, of all the numbers of contractors, has to date been recognised as an IP. The screening processes at WJF and Manston will necessarily directly affect both medical services contractors, Medevent and Aeromed. The numbers of use of force incidents – as well as the complaints and disciplinary action taken against various contractors – will not only directly affect Mitie but the other security contractors as well.

12. Whilst recognising that IP status is conventionally determined pursuant to an application by the relevant individual or organisation, it is noted that the Chair retains a discretion to “*invite a person, organisation or entity to become an Inquiry Participant where it is necessary or desirable to do so and/or to grant a person, organisation or entity Inquiry Participant status in exceptional circumstances, even absent an application for such status*”<sup>4</sup>. The Chair is accordingly invited to consider inviting the above-listed individuals and organisations to *apply* to become an IP or, if this avenue has already been attempted, to consider designating them as IPs regardless given the significant role and interest all hold in the matters under investigation, and, in respect of many of the above, the potential that they may be subject to significant criticism or adverse findings during this Inquiry. We are concerned, in particular, with avoiding the risk of belated applications being made for IP status, only once matters of concern and criticism have crystallised, which may well hamper the progress of this Inquiry, particularly in the forthcoming phases concerning disclosure and witness evidence gathering. Further submissions can be provided to the Inquiry on this issue once the position concerning outstanding IP applications – and whether any of the above-listed have been approached – is clarified.
13. It is also noted that, as part of the Inquiry’s ongoing Phase 2 work, it is in the process of requesting witness statements from a “*wide range*” of relevant organisations and individuals. Regardless of whether the above-listed individuals and agencies are ultimately designated as IPs, it is submitted that statements should be requested from all, rather than, as §28 of CTI’s note appears to envisage, waiting for them to approach the Inquiry. It is presumed that statements are also being, or will be, sought from other senior Home Office ministers and officials (such as Grant Shapps, the Home Secretary from 19-25 October 2022; Tom Pursglove, the Minister for Immigration from 7 September – 25 October 2022; and Robert Jenrick, the Minister for Immigration from 25 October 2022 onwards). Reflecting the iterative nature of the evidence gathering process in this Inquiry, we offer our

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<sup>4</sup> §11, Phase 2 Inquiry Participant and Legal Representative Protocol.

assistance to ILT on identifying any specific additional statements that may be required once the initial tranche of witness evidence has been disclosed.

### **Inquiry Timetable**

14. We firmly endorse the Chair's indication of her intention to commence oral hearings in the Autumn of 2026. The need to maintain a reasonable pace and momentum in this Inquiry is key for all involved, especially given the delays that have ensued in setting up an Inquiry and providing the necessary resources to the Chair and the ILT to progress it. We would however suggest a modest revision to the proposed hearing start date, pushing this back to October 2026. In light of the significant amount of investigative work that is required before this date, including the provision of substantive disclosure and witness evidence and the identification of additional lines of inquiry arising, it is suggested that October 2026 is a more realistic starting point. This is particularly so when considering the inevitable work that must be front-loaded shortly before the commencement of oral hearings – such as the finalising of witness timetables, consideration of special measures, and the provision of written questions for witnesses by IPs – which will, on the current timescale, otherwise clash with summer breaks and unduly intensify work pressures for all involved.

### **Conclusion**

15. It is hoped that the above is of assistance to the Inquiry by way of preliminary submissions on the identified issues. We emphasise our commitment, at the outset of this Inquiry, to working closely and collaboratively with ILT in its investigative work going forwards, including by way of developing more detailed lines of inquiry and work streams as the Inquiry progresses.

**Dated 12 January 2026**

**SHU SHIN LUH  
LAURA PROFUMO AND ANTONIA BENFIELD**

**Doughty Street Chambers**

**Instructed by  
Bindmans LLP  
Gold Jennings  
Wilson Solicitors LLP**