
Ruling

First Preliminary Hearing

1. The first Preliminary Hearing of this Inquiry took place at Dorland House on 15 January 2026. I thank all those who attended, made written and oral submissions, or otherwise contributed to the hearing.
2. Prior to the hearing, a number of matters were raised in the submissions made by Inquiry Participants. These included:
 - a. The scope of the Provisional List of Issues.
 - b. Whether any individuals or bodies should be designated as Inquiry Participants where they have not made an application for this.
 - c. Disclosure of requests for statements.
3. Points b and c were raised more as observations (or as points that Inquiry Participants thought that I should consider). I nonetheless considered that it would be of assistance to Inquiry Participants if I issued a short ruling setting out my observations on these points.
4. In addition to these matters, I heard the renewed applications for Inquiry Participant status made by INQUEST and Care4Calais (which have been the subject of separate determinations).

Inquiry Participant applications by INQUEST and Care4Calais

5. I have refused these applications. My reasoning is set out in the determinations sent separately to INQUEST and Care4Calais and are not repeated here. I thank both organisations for their interest in the Inquiry's work. I anticipate that both organisations will provide evidence to the Inquiry and, in this way, support its work in addressing the Inquiry's Terms of Reference.

Amended List of Issues

6. The List of Issues has been amended in certain respects having regard to the submissions made by Inquiry Participants. The amended List is circulated with this Ruling.
7. The amendments made reflect what appear to have been the principal, common grounds raised by those Inquiry Participants who made submissions. For the most part, the additions made to the List of Issues reflect matters which the Inquiry already had in mind as falling within the existing broad heads. I do not consider that any of the amendments substantively alter the scope of the List of Issues. I agree, however, that it would be helpful to make it clearer that some additional issues do fall within the list.
8. As Inquiry Participants will see, health and the provision of healthcare have been separated out from other issues. Specific points have been added in relation to Mr Ahmed to make it completely clear that Mr Ahmed's treatment at the William Harvey Hospital and the Queen Elizabeth, Queen Mother Hospital falls within the List of Issues.
9. I reiterate the point made at the Preliminary Hearing and accepted by Inquiry Participants, that this List of Issues is intended to be a flexible framework to help guide the Inquiry's work. It is not intended to be prescriptive or too detailed. The List of Issues may change further over time as the Inquiry's investigations develop. That a specific matter has not been listed as an issue does not mean that it will not be investigated. The fact that a specific issue has been listed does not mean that there will be oral evidence about it. This Inquiry will be able to draw upon a number of sources of evidence in order to make findings.

10. I considered some of the suggested issues to be more points of detail and have not, for that reason, added them. There were other points that I considered to be more appropriately captured by a broader form of words.
11. A submission was made that the impact of the conditions at Manston upon people should be added. I wish to make clear that I consider that the issue of impact forms an inherent part of the Inquiry's investigations. However, for the purposes of clarity this has been added.
12. A number of Inquiry Participants invited me to include that "institutional culture" should be expressly identified as a distinct issue. I do not consider that this needs to be a separate issue. The List of Issues identifies a number of areas of investigation which will enable me to draw conclusions (if appropriate) about ethos or approach. For example, the List of Issues already encompasses the treatment of people, leadership and decision-making. The List of Issues has been amended to make clear that treatment is not limited to treatment which might amount to forms of misconduct but that it encompasses broader questions as to whether people were treated with dignity and respect.

Designating Inquiry Participants

13. To date, the Inquiry has designated 183 individuals and / or bodies as Inquiry Participants. 171 individual Inquiry Participants are represented in cohorts by six legal firms. A number of Inquiry Participants have suggested that I should invite individuals and / or bodies who are not currently Inquiry Participants to become such and, if they refuse, unilaterally designate them (in essence, requiring them to become Inquiry Participants).
14. The Phase 2 Inquiry Participant and Legal Representative Protocol (**'the Protocol'**) sets out the process by which individuals and bodies should make applications for Inquiry Participant status. Paragraph 11 provides that I retain a discretion to invite a person, organisation or entity to become an Inquiry Participant where necessary or desirable and that I

may grant a person, organisation or entity Inquiry Participant status in exceptional circumstances, even absent an application.

15. I do not consider that paragraph 11 entitles me to make individuals, organisations or entities an Inquiry Participant where they do not consent to that course. It states that I may “grant” (not compel) Inquiry Participant status absent an application. I interpret this to mean that, I can as an exceptional course, make a person, organisation or entity an Inquiry Participant where (for example) they have not been able to make an application. This approach would be consistent with the position in a statutory inquiry given that under Rule 5(1) of the Inquiry Rules 2006, a chair of a statutory inquiry is only empowered to make a person a core participant provided that person consents.

16. In terms of inviting those individuals, organisations or entities identified by Inquiry Participants to make applications, almost all of them were invited to do so. All (save for one entity) have been asked for a witness statement.

17. As noted by Counsel to the Inquiry, the onus is on such individuals, organisations or entities to apply for Inquiry Participant status because it is usually in their interest to be designated. That they have not applied does not prevent the Inquiry from seeking disclosure from them or a witness statement. It does not prevent the Inquiry from making criticism of them in any report. As matters stand, the Inquiry has not been impeded in its work because some individuals, organisations or entities are not Inquiry Participants.

Disclosure of witness statement requests

18. I was invited by some Inquiry Participants to disclose the requests for witness statements sent to witnesses by the Inquiry. I have declined to order this for the reasons explained by counsel to the Inquiry. First, it is not standard practice in inquiries, including statutory inquiries, to publish witness statement requests or requests under Rule 9 of the Inquiries Act 2005. That is because there is little value in doing so. For example, such requests may be iterative and added to after an initial draft has been

provided. Second, Inquiry Participants will receive the witness statements sought and be able to identify if there are any additional lines on inquiry that ought to be pursued. Third, it is the Inquiry's intention to provide a monthly update which will ensure that Inquiry Participants are informed as to the people and organisations which have been asked to provide disclosure or witness statements.

Rules and procedures applicable to inquests

19. An issue has been raised, in correspondence, on behalf of an Inquiry Participant as to whether this Inquiry intends to act in accordance with the rules and procedures applicable to inquests. Recognising that this may be an issue of broader interest to Inquiry Participants, I considered that it would be helpful if I set out my views on this in this Ruling.

20. As was set out by Counsel to the Inquiry in the hearing, the Inquiry has been empowered to investigate how and in what circumstances Mr Ahmed died and the inquest into his death has been suspended.

21. Whilst the ambit of the Inquiry's investigation is the same as that of a Coronial investigation (reflecting s. 5(2) of the Coroners and Justice Act 2009), it remains a non-statutory inquiry not an inquest. In general terms, the procedures the Inquiry adopts are a matter for me as the Chair subject to any legal limitations upon my powers and the requirements of fairness. As stated by Counsel to the Inquiry, the Inquiry intends to follow the processes undertaken by other inquiries to ensure fairness to witnesses.

22. I do not see that I will need, when examining how and in what circumstances Mr Ahmed died, to adopt any different approach or procedures than those which will otherwise apply to the Inquiry. I will ensure that there is fairness to witnesses and Inquiry Participants.

23. I will also keep procedures under review as the Inquiry continues to gather evidence.

Timetable

24. I received a number of submissions on the proposed timetable for Inquiry hearings. In summary, whilst some Inquiry Participants welcomed the Inquiry's ambition in commencing hearings in early September 2026, those who represent people who were detained expressed concern as to whether the Inquiry would be ready to commence hearings that soon. Concern was also expressed about the pressure that starting that soon might cause.

25. I have reflected upon this and considered the timetable afresh in light of the submissions that were made. I have decided not to start the Inquiry in September 2026. I am going to provisionally fix the hearings to begin in Mid-November 2026 but I will revisit this and hear further submissions at the next hearing.

Next Hearing

26. There will be a further Preliminary Hearing likely to be in May 2026 and a date in this regard will be confirmed shortly.

Sophie Cartwright KC

Chair of the Manston Inquiry

6.2.26