

Phase 1 Witness Evidence Protocol for Detained Individuals

Revised on 26 August 2026

Introduction and purpose of this Phase 1 Witness Evidence Protocol

1. This Phase 1 Witness Evidence Protocol for Detained Individuals is provided further to the Manston Inquiry's (the 'Inquiry') Phase 1 Overview Protocol (available on the website). This Protocol sets out the initial approach that will be taken by the Inquiry in respect of those individuals detained at Manston during the relevant period (i.e. 1 June to 22 November 2022) from whom it wishes to receive written witness evidence. This Protocol should also be read alongside the Inquiry's Privacy Notice and the Inquiry's Phase 1 Redaction and Anonymity Protocol (both are available on the website).
2. The Phase 1 Overview Protocol sets out the basis on which the Inquiry will write to those individuals from whom it wishes to collect their experiences in the form of written witness evidence. The purposes for this approach include:
 - a. the Inquiry's need, from the outset of its work, to understand and collect a range of experiences of those detained at Manston during the relevant period.
 - b. that such witness evidence is likely to assist the Inquiry with determining its future phases of work.
3. Accordingly, the purpose of this Protocol is to give effect to the Inquiry's approach in obtaining such written witness evidence during Phase 1 and to ensure that:-
 - a. those to whom the Inquiry writes to in order to collect their experiences as written witness evidence or, as applicable, their legal representatives, understand the process by which the Inquiry will seek to obtain written witness evidence; and

- b. where possible, witness evidence in the form of witness statements conform to a consistent format and style and is provided to the Inquiry in a form which will best enable it to understand the matters to which such evidence relates.
- 4. 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.

Requests for witness evidence

- 5. The Inquiry welcomes, at all times, approaches from those who believe that they have relevant written evidence to give and invites them to contact the Inquiry's team by email at info@manston.independent-inquiry.uk.
- 6. During Phase 1 of the Inquiry's work (as set out in paragraph 12 of the Phase 1 Overview Protocol), the Inquiry will request witness statements or written evidence from those individuals who were detained at Manston during the relevant period and who wish to provide the same to the Inquiry.
- 7. Where the Inquiry proposes to take written witness evidence from individuals (including those who may have already provided written evidence), it will send that person, directly, a written request for a witness statement. If an individual has appointed a legal representative to act on their behalf, the written request for a witness statement will be sent to them.
- 8. It is the Inquiry's preference that all individuals requested to provide written witness evidence to the Inquiry do so in the form of witness statements following the format and structure described in the Annex to this Protocol. However, if an individual does not wish to provide formal evidence in the form of a witness statement but would prefer to provide evidence of their experiences in a different format, they, or their legal representative, should contact the Inquiry by return to determine the format of their written evidence.
- 9. The Inquiry acknowledges that witness statements or written evidence which sets out the experiences of those detained at Manston during the relevant period already exists even if in a different written format to the requirements specified in the Annex to this

Protocol. The Inquiry welcomes receipt of such witness statements and written evidence in response with its requests.

Responding to requests for witness statements during Phase 1

10. 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.
11. Irrespective of whether individuals draft their own statements or seek assistance from their legal representatives 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;
 - c. supported by a statement of truth as required by paragraph 4 of the Annex to this Protocol; and
 - d. supported, where relevant, by the further statements contained at paragraph 5 of the Annex to this Protocol and as detailed in paragraphs 17 to 20 below.
12. When responding to a request for a witness statement, individuals should aim to include within their statement, evidence relating to all matters or issues described in that request.
13. Unless otherwise specified in the written request for a statement, individuals should provide an unsigned statement in draft to the Solicitor to the Inquiry at Solicitor@manston.independent-inquiry.uk which the Inquiry will consider with a view to deciding whether:
 - a. the evidence within the draft statement needs to be clarified and/or further evidence needs to be provided; or
 - b. the individual should be asked to sign the draft as a final written statement and submit it to the Inquiry in electronic Word and PDF format.
14. If the Inquiry considers, in accordance with paragraph 13 a. above that the evidence within the draft statement requires clarification and/or further evidence needs to be

provided, the Inquiry will send a request to the individual and/or their legal representative identifying the matters which need to be addressed.

15. If the Inquiry is satisfied, in accordance with 13 b. above, that no further information or clarification is required, the Inquiry will request that the individual signs the draft as their final statement. Upon receipt of that request, the individual should return the signed statement within 7 days.

Time limits for provision of witness statements

16. Each written request for a witness statement will set a deadline by which it is requested that a 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 as soon as possible and, in any event, before the expiry of the deadline specified in the written request.

Statement in a foreign language

17. A witness who is legally represented and who cannot make a statement in English, should provide a statement to the Inquiry which is in English. It is not necessary that they provide a written statement in their native language.
18. Where a statement is drafted in English and this is a language not understood by the witness, it must include a signed and dated attestation by both the witness and the person who interpreted it that the statement has been read back to the witness in a language they understand and that it accurately reflects their evidence.
19. In these circumstances, the witness statement must contain a statement by the intended witness in their own language that they believe the facts in it are true.
20. Additionally, the witness and interpreter must endorse the following attestations:
“This statement has been read to me in [LANGUAGE], a language I understand, by [NAME OF INTERPRETER].” “I, [NAME OF INTERPRETER], read this statement to [NAME OF WITNESS] faithfully interpreting it into [LANGUAGE].”

Application of the Inquiry’s Phase 1 Redaction and Anonymity Protocol to written witness evidence received under this Protocol

21. Prior to requesting that an individual signs their final witness statement or where an individual has supplied pre-existing witness statements or written evidence under paragraph 9 to this Protocol, the Inquiry will consider whether redactions or anonymisation should be applied to those statements or written evidence in accordance with its Phase 1 Redaction and Anonymity Protocol.

Disclosure and Publication of witness statements received under this Protocol

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. Subject to paragraphs 23 to 25 below, witness statements and any documents exhibited in individuals' witness statements may, in Phase 2 of the Inquiry's work:

- 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. Whether the Inquiry publishes a witness statement (or part of a witness statement) and or exhibits (or part of an exhibit) to the public, is matter for the Chair's discretion. The Inquiry will not necessarily publish all witness statements or the exhibits to those statements in full or at all. This includes where a witness has given oral evidence to the Inquiry. The question of whether to publish a statement or exhibit in full or in part (or at all) is most likely to arise where the witness statement or exhibit contains highly personal information about the witness. In relation to exhibits, the Chair may also exercise her discretion not to publish exhibits which are of little value to the Inquiry's work or to public understanding of the matters the Inquiry is investigating.

24. In exercising her discretion as to what to publish, the Chair may take into account factors including (but not limited to):

- a. the sensitivity or private nature of the information contained in the statement or exhibit.

- b. any concerns that a witness has about publication of their statement or an exhibit because of the personal nature of the information they have provided.
 - a. any adverse impact that publication might have on the witness given the personal nature of the information provided.
 - c. whether publication is necessary to ensure public understanding of the evidence gathered by the Inquiry.
 - d. whether publication is necessary in order that the oral evidence of a witness is understood or can be put in context.
 - e. Whether publication is necessary to assist understanding about decision making at Manston.
 - f. whether publication is necessary to ensure public understanding of any findings made by the Chair.
 - g. whether the Inquiry can ensure public understanding of the evidence or the basis for the Chair's findings without publishing all of a statement or exhibit.
25. The Chair may determine, as an alternative to publishing all of a statement or exhibit, to publish summaries or tables of such evidence.

Subsequent phases of Inquiry 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 website.

Re-issued under the authority of the Chair on 26 August 2026.

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. 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. Where a witness understands English and has made a statement in English, it 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. Where a witness does not understand English then (per paragraphs 17 to 20 above), the statement must:
 - a) Contain a statement by the intended witness in their own language that they believe the facts in it are true and that they 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.

- b) The witness and interpreter must endorse the following attestations: **“This statement has been read to me in [LANGUAGE], a language I understand, by [NAME OF INTERPRETER].” “I, [NAME OF INTERPRETER], read this statement to [NAME OF WITNESS] faithfully interpreting it into [LANGUAGE].”**
6. 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”).
7. 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.
8. 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

9. 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 12 of this Protocol, the Inquiry will give those documents 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.
10. 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.

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 evidence 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.

[Where a witness does not understand English and has provided a statement in English, this attestation should be provided in their own language].

[Where a witness does not understand English and has provided a statement in English, the witness and interpreter must endorse the following attestations: **“This statement has been read to me in [LANGUAGE], a language I understand, by [NAME OF INTERPRETER].”**

“I, [NAME OF INTERPRETER], read this statement to [NAME OF WITNESS] faithfully interpreting it into [LANGUAGE].”]

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.		