Manston Inquiry

Ruling

Second Preliminary Hearing

1. On 25 September 2026, the Inquiry held a second Preliminary Hearing, at the International Dispute Resolution Centre, St Pauls. I am grateful to those Inquiry Participants (IPs) who provided written submissions prior to the hearing and to those who made oral submissions. I have taken both into account in arriving at the decisions set out in this ruling.

2. Prior to the hearing, the Inquiry circulated a detailed note by Counsel to the Inquiry (CTI). This note addressed the Inquiry's progress and set out those issues to be considered at the hearing. CTI also provided a draft witness list for IPs to consider (although it was emphasised that a further draft witness list would be circulated when a number of outstanding witness statements had been received).

3. The issues set out in CTI's note were as follows:

    a. Whether to seek statements from further individuals or on behalf of additional organisations.
    b. The provisional witness list.
    c. Special measures.
    d. Outstanding disclosure.
    e. Experts.
    f. Readiness and preparation for hearings.
    g. Dates for substantive hearings.

4. In addition to these issues, Ms Harrison KC on behalf of 37 individuals who were detained in Manston (22 of whom were unaccompanied asylum-seeking children), raised the question of whether the point had been reached whereby the Inquiry should ask the Secretary of State for the Home Department to convert it to a statutory inquiry. Logically, this issue falls to be considered first.

Conversion to a statutory inquiry

5. Before addressing this point, it is important that I set out the progress which the Inquiry has made despite not having any statutory powers to compel evidence. As at today's date, the Inquiry has obtained 233 witness statements. It has completed its review of material disclosed to the Inquiry and is in the process of disclosing the 16,500 documents it has assessed as requiring disclosure, to IPs. The Inquiry has now instructed three experts: Dr Killingley in relation to the factors which caused or contributed to the death of Mr Ahmed; Dr James Bromilow (in respect of aspects of the emergency care afforded to Mr Ahmed on 18 and 19 November 2022) and Dr Hard in relation to the configuration of medical care at Manston.

6. The Inquiry has encountered difficulties in obtaining some witness statements. Consistent with its commitment to transparency, it has notified IPs of these difficulties in its monthly updates. IPs are thus aware that some former ministers did not provide the Inquiry with the degree of co-operation that might be expected. The Inquiry has also explained difficulties it has encountered in obtaining finalised statements from witnesses from Medevent, one of the providers of healthcare at Manston (and who provided treatment to Mr Ahmed prior to his death). Despite these difficulties, almost every witness asked to provide a statement, has done so. As regards Medevent, the Inquiry confirmed that the Home Office has custody of a considerable volume of medical records that Medevent transferred to it and has inspected these records. No witness from Medevent has refused outright to co-operate with the Inquiry or suggested that they will not attend to provide oral evidence (if asked). To date, all former government ministers from whom the Inquiry has sought a statement, have provided one.

7. Only two witnesses have refused to co-operate at all. One was the proprietor of Strawberry Marquees, but the Inquiry does not need to hear from him to assess the marquees as an adequate form of longer-term accommodation for detained people. The other was a former Mitie employee who was involved in guarding Mr Ahmed and transferring him to hospital on 18 November 2022. However, the other guards who were involved in transferring Mr Ahmed to hospital on that date have indicated their willingness to provide a statement and the Inquiry also has contemporaneous documentary evidence about Mr Ahmed's medical condition on that date and the timings of his being taken to hospital.

8. In *Edwards v United Kingdom* (2002) 35 EHRR 487 a private form of inquiry into the death of a prisoner did not discharge the Article 2 investigative duty for reasons that included that *"[it] had no power to compel witnesses and as a result two prison officers declined to attend. One of the prison officers had walked past the cell shortly before the death was discovered and the Inquiry considered that his evidence would have had potential significance*" at [78]. As is apparent, this was an ex post facto assessment of whether the investigation had met the requirements of Article 2.

9. In *R (Ali Zaki Mousa) v SSD* (no 2) [2013] EWHC 2941 ("AZM2"), a Divisional Court considered a *prospective* risk that witnesses (accused of misconduct), or their colleagues would not give evidence in the context of an Article 2 investigation. According to Sir John Thomas, PQBD, at [15]:

"*It is always possible that … the military personnel involved will give evidence as to what happened in a meaningful way (as the Secretary of State hopes). However, there is a real risk that they will not; in our view the overwhelming probability is that soldiers will be reluctant to give evidence at all and certainly to give evidence that involves any significant criticism of a colleague. Thus a form of inquiry where such persons can be compelled to attend will be the only effective and fair way of determining what happened. In such circumstances it is clear that if, for example, allegations are put orally to a witness and unsatisfactory answers are given, then the Inspector will be entitled to draw adverse inferences when determining what happened*."

10. In *MM, BB v Secretary of State for the Home Department* [2019] EWHC 1523 (Admin), May J considered the distinction between Article 2 and 3 investigations concluding at [60] that not every effective Article 2/3 investigation would necessitate a power to compel the attendance of witnesses. Whilst most Article 2 investigations were likely to require it, few Article 3 cases might do so.

11. These authorities demonstrate that Ms Harrison KC is correct to raise the question of whether the Inquiry ought to seek to convert to a statutory inquiry. It is a question that the Inquiry asks itself at periodic intervals. The Inquiry keeps under review both the impact of failures to co-operate on the effectiveness of the Inquiry and the future risk that witnesses may not appear at a hearing.

12. To date, the Inquiry's assessment has been that whilst failures to co-operate have caused delay and been wasteful of the Inquiry's time and resources, they have not necessitated seeking the conversion of the Inquiry to a statutory one. This is because ultimately (save for the very small number of refusals described), witnesses have provided the statements sought and the Inquiry's lack of statutory powers has not affected its ability to obtain disclosure. I am satisfied that the refusal of the former Mitie employee to give evidence in relation to Mr Ahmed being brought to hospital on 18 November 2022, does not affect the effectiveness of the Article 2 investigation in relation to Mr Ahmed's death because of the availability of other evidence on the issues this witness would be asked about.

13. As regards the future risk of non-attendance at a hearing, the Inquiry cannot guarantee the attendance of every witness. No inquiry can. In a statutory inquiry, sections 21, 35 and 36 of the Inquiries Act 2005, provide a power of enforcement but this is exercised by the High Court. Those powers are not available in this Inquiry. However, to date, no witness who has provided a statement has suggested that they will not attend a hearing. A failure by any doctor or paramedic to attend to provide oral evidence would likely result in my making a referral, under their respective codes of conduct, to their regulator. Civil servants are also bound by the Civil Service Code which includes a number of duties relevant to the provision of evidence to an inquiry (although I emphasise that no civil servant has failed to cooperate). Whilst these duties do not

guarantee attendance at the Inquiry, it demonstrates that, for a significant number of witnesses, a failure to attend could have very serious consequences.

14. In addition, in the event that the Public Office (Accountability) Bill takes effect, prior to the hearings, I may have powers (amongst others) to direct the attendance of witnesses to provide oral evidence. I consider the potential impact of this Bill on the Inquiry in further detail later in this ruling.

15. I have thus determined that I will not ask the Secretary of State for the Home Department to convert this inquiry to a statutory one, at this time. The Inquiry will continue to keep the position under review, to monitor the co-operation of witnesses and also to monitor the progress of the Public Office (Accountability) Bill.

The instruction of further experts.

16. Prior to the hearing, those firms representing people who had been detained in Manston, wrote jointly to the Inquiry submitting that it ought to seek further expert evidence on:

    a. The provision of clinical care to women and children (having regard to their different needs).
    b. The impact of detention at Manston upon children.
    c. Institutional racism and organisational culture.
    d. Use of force at Manston.

17. It was determined that IPs ought to have the opportunity to make submissions, at a hearing, on whether the Inquiry should seek further expert evidence in relation to these areas. In part this opportunity was given because of the potential impact that instructing further experts could have on the Inquiry's timetable. Each set of legal representatives representing those detained at Manston made submissions on the instruction of further experts and adopted or supported the submissions of each other team. I have therefore treated the submissions as made jointly and behalf of all IPs who were detained in Manston. No other IP made submissions objecting to the instruction of further experts or about the ambit of any opinion they might be asked to provide.

18. Before turning to whether the Inquiry should instruct further experts, it is important that I outline what this Inquiry is charged with investigating. The events that form the basis of this Inquiry took place within a relatively short period of time (between 1 June 2022 and 22 November 2022 (the Inquiry's 'relevant period') and concern conditions at Manston. The Inquiry's Terms of Reference set out its purpose and scope and state that is to investigate and report on the decisions, actions and circumstances *which led* to the conditions encountered by those detained during the 'relevant period'. The Inquiry is also required to "*reach conclusions of fact on the treatment of those detained at Manston during the relevant period*; *and then make any such recommendations regarding the handling of the incident as may seem appropriate*." Its terms include making determinations and findings as to how and in what circumstances Hussein Haseeb Ahmed came by his death on 19 November 2022.

19. The Inquiry's terms state that: "*In particular, the Inquiry should investigate:*

    1. The conditions encountered at Manston during the relevant period
    2. The treatment of those detained at Manston during the relevant period by staff at Manston, including by contractor provided staff
    3. The steps taken by way of capacity planning for Manston and for onward accommodation, including hotels, for the relevant period, including identifying whether there were failings which caused or contributed to the conditions at Manston during the relevant period
    4. Whether any measures taken to improve conditions at Manston and to shorten the periods individuals spent detained at the site during the relevant period were effective, and whether any further measures could and / or should reasonably have been taken to improve conditions at Manston during the relevant period
    5. Whether there are lessons to be learned regarding the HO's handling of the incident"

20. The use of the words "*in particular*" assist me, as the Chair to this Inquiry, to identify what the Inquiry's focus should be. The Inquiry is not limited to investigating only these matters but nonetheless the terms provide an important steer. They demonstrate that a core part of this Inquiry's work is to make findings of fact about what conditions were like at Manston and how or why those conditions came to pass. It has a separate function

in relation to Mr Ahmed's death and is (in essence) undertaking the same investigative function that a coroner would in an Article 2 inquest. Finally, I have the power to make recommendations as may seem appropriate to me.

21. As is apparent from the witness statement of Mr Ridley (on behalf of the Home Office), it is uncontroversial that the Manston site was intended to operate as a holding room and that people should have been detained for periods limited to up to 24 hours. Through Mr Ridley, the Home Office has made a number of concessions about the operation of Manston. For example, his statement accepts at [§32] that the "capacity and capabilities of Manston's facilities were, at times, exceeded by the daily number of small boat arrivals." It accepts at [§35] that during the relevant period, a significant number of people were detained for periods exceeding 24 hours. It accepts at [§37] that in some instances, behaviour of small number of HO officials and contractors fell below expected standards. It accepts at [§38] that its operating model was not sufficiently scaled to triage and process the number of small boat arrivals in 2022. It accepts at [§39] that there was insufficient asylum accommodation to disperse individuals from Manston from mid-August 2022. It accepts that at [§40] that facilities at Manston were not designed for residential detention and became inadequate for site's usage once asylum accommodation was exhausted from mid -August 2022. The Home Office also accepts at [§41] the findings made by Lieutenant General Skeates. He found that that the crisis at Manston occurred "…*because it was forced to fulfil a role and function for which it was not designed, namely as an accommodation centre. This resulted in egregious breaches of the detention limit….This was because of the lack of capacity to process and disperse sufficient small boat arrivals each day…"* (see paragraph 9.1, Manston and Western Jetfoil Review, 13 January 2023).

22. These concessions are by no means an answer to all issues that require investigation in this Inquiry. They are silent on many important issues. These include the nature of the conditions and the extent to which they deteriorated when thousands of people were detained at the site (many of whom were detained for weeks). It includes the fundamental question of whether, after a certain period of time, the whole operation of Manston was unlawful because it was being operated, in practice, as a residential short-term holding facility, not a holding room. The concessions do however permit the

Inquiry a clearer understanding of those issues which the Home Office has not expressly accepted and, or which may be subject to factual dispute.

23. Although I have not made any findings in this Inquiry, the Home Office concessions (and evidence the Home Office accepts), demonstrate that many of the issues that arose at Manston stemmed from the simple fact that it was not set up to accommodate men, women and children for weeks on end. It lacked basic infrastructure to accommodate people beyond a 24-hour period. This forms an important part of the background against which I must determine whether the Inquiry needs further expert evidence on the topics identified by Inquiry Participants, in order to address and discharge its terms of reference. It also means that when it comes to the consideration of recommendations, that (in some instances) the starting position may be factual situations that should not have arisen in the first place.

24. The Terms of Reference also expressly provide that the Inquiry should consider no more evidence than is *reasonably necessary* to discharge and address the Terms of Reference. As pointed out in the CTI Note, this duty is framed in the same terms as CPR 35.1 which governs the admission of expert evidence in civil proceedings (*Expert evidence shall be restricted to that which is reasonably required to resolve the proceedings*).

25. There appeared to be much common ground, between the Inquiry Legal team and IPs, as to the legal principles which apply to the instruction of experts in litigation and which (with some modification) are capable of applying in the context of an inquiry. Fundamentally, the need for expert evidence arises where the court lacks scientific, technical or other specialised knowledge that may be needed in order to adjudicate upon an issue before it. Applying *BA Plc v Spencer [2015] PLR 519*, Warren J at [§68], it is uncontroversial that if I determine that it is *necessary* to obtain an expert opinion in order to come to conclusions on matters within the Inquiry's terms of reference, that I should obtain that evidence. Conversely, if I decide that such expert evidence would not be helpful and will not assist me, I should not seek it.

26. I also understand IPs to generally agree (subject to the caveats set out below) that if I was to decide that expert evidence is not *necessary* but would be of assistance to me in

coming to conclusions on issues within the Terms of Reference, then the question is whether expert evidence on that issue is reasonably necessary. In determining this, I can take into account other factors (such as the impact obtaining more expert evidence might have on the Inquiry's readiness to hold an oral hearing).

27. It was submitted on behalf of those IPs who were detained in Manston that the Article 2 and Article 3 context is relevant to the question of whether it is reasonably necessary to commission expert evidence**.** No authority was cited in support of the submission that the test for determining whether expert evidence is reasonably necessary is materially different in any proceedings or in an inquiry which is discharging an Article 2 or 3 investigative function. There is no logical reason why it should be different. I agree with CTI that the correct approach is to formulate those issues or questions of which Articles 2 and 3 might require investigation or resolution and then to ask if an expert opinion is reasonably required (to investigate or answer them). I also agree that the test as to whether an expert is reasonably necessary cannot be different in an inquiry because expert evidence in an inquiry is not required to *resolve proceedings* (or to try an issue). The instruction of an expert in an inquiry is no less rigorous than it would be in litigation. The exercise still requires, as a fundamental step, that the inquiry identify those issues or questions on which it is seeking the expert's opinion.

28. There are good reasons to approach the question of whether it is reasonably necessary to instruct any further experts, in this inquiry, with rigour. First, three experts have been instructed already. Each of these experts will give evidence on medical issues that are beyond my experience and expertise. The evidence of Dr Killingley and Dr Bromilow will enable me to come to conclusions on what caused or contributed to Mr Ahmed's death. I have instructed Dr Hard to provide an opinion on whether the configuration of healthcare at Manston was adequate (given the needs of the men, women and children who were detained and, for example, the periods of time they were detained for). This calls for expert evidence because (for example) understanding whether the provision of healthcare by paramedics (which was the position for a considerable part of the relevant period) is adequate or whether doctors ought to have been at the site from the outset (or what type of doctors) are matters that require expert opinion.

29. Second, commissioning this expert evidence has proven extremely time consuming for the Inquiry. It took the Inquiry a considerable period of time to assemble the materials that Dr Killingley and Dr Hard needed to consider in order to provide their opinions and to provide each with a comprehensive statement of facts. The Inquiry permitted IPs to review Dr Killingley's draft report to identify further questions or areas of clarification for him. I have been informed that this exercise has generated a very considerable volume of responses and further, significant work for the Inquiry. As regards Dr Hard (who is one of the few clinicians who has expertise in the provision of medical care within the context of immigration detention and who was an expert to the Brook House Inquiry), he has other commitments which mean that it is unlikely that he will be able to provide a report to the Inquiry until later in the year.

30. Third, it can thus be seen that expert evidence is not simply time consuming and expensive for the Inquiry to commission, but that it entails time and costs on the part of IPs too.

31. All of this points to the need for the Inquiry to examine with care whether it is necessary or reasonably necessary to seek further expert evidence. I turn then to each of the areas of suggested further expert evidence.

A. The provision of clinical care to women and children (having regard to their different needs).

32. I can set out my conclusions on this issue shortly. I agree that it is necessary for the Inquiry to come to conclusions about the adequacy of healthcare at Manston given that comprises part of the treatment of detained people. I also agree that the question of whether such treatment was adequate to meet the needs of detained women and children is distinct from the question of whether it was adequate to meet the needs of detained men. Whilst it might be obvious that the health needs of women and children are different to men, this does not answer the question of whether (in the context of Manston) this meant that healthcare ought to have been configured differently from the outset and, if so, how. The answers to these questions will assist me in determining

whether or to what extent there were failures in the provision of healthcare to detained people.

33. CTI suggested in the hearing that, if I was minded to agree that expert evidence was necessary or reasonably necessary, that Dr Hard ought to be asked to consider whether he could answer questions about the distinct health needs of women and children and how healthcare at Manston ought to have been configured to meet those needs. The Inquiry provided Dr Hard with further questions seeking his opinion on these issues and gave him time to consider if he could answer them. Dr Hard has indicated that he can answer most of the questions asked but would be assisted in relation to one question by having additional specialist input. The Inquiry intends to meet with Dr Hard to explore what might be required with him.

B. The instruction of an expert on the impact of detention, in Manston, on children.

34. I agree with Ms Harrison KC and CTI that one of the most important areas of the Inquiry's investigation relates to the treatment of children. The fact that children (from babies to teenagers) were detained at Manston is a particular focus of this Inquiry. CTI set out (and I will not repeat the detail of those submissions here) the exceptionality of children being detained at all, still less in conditions which, for example (the evidence suggests), were dirty, cold, where children lacked beds and where there was limited nutritious food available to them. These were children who had also, at the very least, been exposed to the trauma of crossing the channel by boat. The CTI Note circulated prior to the hearing stated the following:

> "*CTI considers it unlikely however that any Inquiry Participant will dispute that children, detained in Manston, are likely to have experienced multiple traumas including through the circumstances that led to their migration or being displaced and during their migration, including, at the very least, a very frightening journey across the Channel. If any Inquiry Participant does dispute this, it would be helpful to the Inquiry if they could set out their position in their submissions on expert evidence*."

35. No Inquiry Participant indicated that they disputed this.

36. In my view, the fact that the Home Office detained children for periods in excess of 24 hours brings into acute focus whether the Home Office considered: the impact of detention on children's mental health; the impact of the longer-term detention of children *and* the conditions which pertained at Manston on their mental health. In many respects, assessment of the impact of detention in Manston on children's mental health does not require specialist knowledge or understanding. For example, *if* children were detained in marquees with adults they did not know; without beds; without adequate access to play or that the atmosphere was stressful or frightening, I do not consider it requires the opinion of a psychiatrist or psychologist to assess whether that would be likely to be damaging to children's mental health.

37. However, those representing Inquiry Participants who were detained in Manston, disclosed to the Inquiry two reports which they had prepared for the purposes of civil litigation. The first was a joint expert report by Dr Fairweather and Dr Given-Wilson dated 1 December 2025. That report provided evidence about the harm that detention *per se* may cause to asylum seeking children's mental health. It referred to emerging evidence to suggest that detention may have an independent, negative impact on mental health over and above other factors such as pre-existing psychiatric disorder. The report also addressed in some detail the increased risk that unaccompanied asylum-seeking children are exposed to of developing a psychiatric disorder and/or distress. It suggests that the negative impact of detention on mental health may have a lasting effect in relation to Unaccompanied Asylum-Seeking Children.

38. The second expert report was prepared by Dr Gillian Hughes (dated 23 October 2025). Dr Hughes' opinion includes that research consistently shows that immigration detention, even for relatively short periods of detention lasting days or a few weeks, has a significant adverse impact on the mental health and development of children. She too points to a consistent body of academic literature which demonstrates the specific impact of immigration detention even on children who have experienced previous trauma.

39. Pursuant to a suggestion made by Bhatt Murphy solicitors, I agreed that it would be of assistance (to me) to understand whether the opinions set out in the two reports were controversial or not. A number of the observations made in the reports were generic and based upon research (not contested factual evidence). I considered it possible that some of the matters set out might not be contentious. If this was correct, the Inquiry could explore ways of admitting the reports or their conclusions into evidence without the need to instruct its own expert. On my direction, CTI drafted a note which extracted the key conclusions from each report and circulated that note to IPs. The Home Office was asked whether it was in a position to agree the contents of the report (given that the Home Office is the Defendant in the litigation to which the reports relate and it was possible that it had already addressed whether to accept the reports). I asked all IPs (including the Home Office) whether they could agree *points* set out in the CTI's note. I took this step to ascertain if there was consensus on some conclusions. However, the Home Office wrote to the Inquiry (on 6 October 2026) stating it was not able to agree the contents of the reports as they were the subject of contentious litigation or *to comment on* or agree the conclusions of those reports as circulated by the Inquiry (for the same reason).

40. That indication ended all attempts to seek consensus amongst IPs as to the impact of detention on children or on the impact of detention on children at Manston. In any event, on 7 October 2026, HM Treasury also wrote to the Inquiry indicating that it did not agree the admission of the reports or a distillation of the findings set out therein.

41. By letter of 8 October 2026, Bhatt Murphy wrote to the Inquiry on behalf of IPs represented by them, and on behalf of DPG, Duncan Lewis, Gold Jennings and Wilsons. That letter attached proposed additions to CTI's note. It was also submitted on behalf of these IPs (in response to the Home Office indication that it could not agree the reports nor the summaries), that the Inquiry should confirm that the Home Office would be not prejudiced in engaging in this process given the generic nature of the extracts and the terms of the undertaking. It was also submitted that the Home Office should be directed by the Inquiry to provide, within a short timeframe, a response concerning its position on the CTI's note of extracted generic conclusions.

42. I did not regard it appropriate for me to inform the Home Office whether it would be prejudiced or not by seeking to agree the contents of the expert report. That is entirely a matter for the Home Office. Nor do I consider it appropriate to direct the Home Office to indicate what it agrees or disagrees with in the reports. This is for the fundamental reason that these are reports that are evidence in ongoing litigation. All that I was seeking to do is ascertain if the contents (or some of the contents) were agreed. They are not.

43. For reasons of basic fairness to the Home Office, the Inquiry cannot therefore seek to shortcut the position by admitting the contested conclusions into evidence and nor can the Inquiry instruct any of the authors of the reports as its own expert (for the same fundamental reason that they were already instructed on behalf of some IPs in civil litigation).

44. I had already indicated in writing that the fact that the evidence could not be agreed did not mean that I would need to instruct an expert. I reconsidered the position but I concluded that it was reasonably necessary for the Inquiry to instruct an expert to provide an opinion on the impact of detention in Manston on children's mental health. I concluded that it would assist me to have an expert opinion focused upon some of the issues that I have outlined above. I determined that I would be assisted by having a focused expert opinion (which is generic in nature) as to whether detention is damaging to children *per se* and whether there is a period of time after which detention becomes damaging to children. I would be assisted by having an opinion on the detention of children who have suffered trauma prior to detention and what support they might need. I considered that having expert evidence on these sorts of points would assist me to assess whether or to what extent conditions in Manston may have fallen short of what children needed.

45. In advance of this ruling, the Inquiry started the process of identifying a psychiatrist or psychologist who might be able to provide an opinion on these matters and so that I could indicate who the expert might be. As at today's date the Inquiry's attempts to identify and instruct an expert who has both the requisite qualifications and experience; and the availability to produce a report within a short timeframe are ongoing. This

demonstrates (as I consider in further detail below) the potential for expert evidence to introduce uncertainty and delay into the Inquiry's timetable.

The Instruction of an expert on institutional racism and organisational culture

46. In my determination of 6 February 2026, I declined to add institutional racism as a specific issue to the list of provisional issues. I ruled (at paragraph 12) that:

> "*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 to 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."*

47. As is apparent from this ruling, I regarded the investigation of the ethos of how Manston was operated was a matter upon which I could come to conclusions (if appropriate). As explained by CTI in their note, they have given effect to this determination by seeking to identify any evidence which may throw light on whether, or to what extent, the treatment of people at Manston occurred because, or in part because of, who they were. CTI also noted (for example), that this included whether or to what extent detained people may have been subject to a process of dehumanisation (for example by the conditions they were held in or by being referred to by a number). CTI summarised their investigative approach in this way: *whether people detained in Manston were exposed to the (accepted) conditions that prevailed there because they were not regarded as entitled to decent conditions; or because of indifference to their humanity or because the attitude towards them was punitive, <u>because</u> they were arrivals by small boat.* In oral submissions, CTI also pointed to evidence that racist language was used

towards detainees by some personnel at Manston and that there was hostility and aggression toward detainees on the part of some.

48. In summary, the Inquiry is astute to, and investigating, evidence that people detained at Manston were subject to racism and whether people were subjected to the conditions at Manston because they were small boat arrivals (and, or on account of their ethnicity). It is also looking at these issues through the lens of the ethos of Manston as an organisation. In other words, considering whether the way that Manston was structured, operated and/or managed enabled racism. Implicit in these investigations, is the investigation of (if racist treatment occurred) why it occurred.

49. Ms Luh on behalf of the Inquiry Participants represented by Wilson Solicitors, Gold Jennings Solicitors and Bindmans, led the submissions on why the Inquiry should appoint an expert in institutional racism and organisational culture and what the ambit of any such evidence should be. Her fundamental point was that whilst the Inquiry would be in a position to identify racist incidents, it needed an expert to identify why any racism happened. She included within the possible '*why'* question, whether it included leadership which 'demonises migrants'. She identified the question for the Inquiry as not simply whether an individual officer used racist words; but rather whether the collective practice and assumptions behind the way people were processed, detained and treated at Manston disadvantaged them because of who they were. Added to this was whether the same practice and assumptions enabled officers to behave in the way that they did and whether this normalised such behaviour across the board.

50. Ms Luh regarded past inquiries as representing lost opportunities and having failed to secure lasting change because the underlying causes of mistreatment were not examined. In terms of identifying what these causes might be and how an expert might assist in identifying them, Ms Luh submitted that an expert would draw the strands together. She identified these strands as being *the political imperative of enforcement over welfare, the longstanding systems failures in safeguarding and toxic institutional culture combined to produce what happened at Manston*. She submitted that without expertise on institutional culture and race, there was a real risk that the Inquiry would describe conditions but without getting to why those conditions existed and that this Inquiry would represent yet another opportunity lost.

51. In terms of identifying the difference in Ms Luh's position from that which the Inquiry is taking already, her submission is that the Inquiry should cast its net in a broader way. I understand her position to be that the Inquiry should examine policy imperatives in immigration control and the organisational ethos or culture of the Home Office more broadly in addition to the organisational ethos or culture of Manston.

52. It is clear to me that before considering whether to appoint an expert on institutional racism, I must address Ms Luh's submissions as to what any such expert would address. As set out above, whilst the Inquiry agrees that racism and the institutional ethos or culture *within Manston* falls to be investigated, she is contending that such an expert ought to provide an opinion on whether *the Home Office* is institutionally racist or promulgates immigration policies which are racist. This gives rise to the question of whether these are matters within the Inquiry's Terms of Reference.

53. As I have already explained, the Inquiry's overarching terms include that it investigates and reports on the decisions, actions and circumstances which led to the conditions encountered by those detained at Manston during the 'relevant period'. The overarching terms are then subjected to the steer as to what *in particular*, the Inquiry should investigate. The issues identified are all specific to ascertaining the facts of what happened and whether there are lessons to be learned regarding the Home Office's handling of the incident.

54. I do not regard these terms as permitting of a wide- ranging investigation into the culture and ethos of the Home Office. Whilst the terms include investigation of the decisions, actions and circumstances which led to the conditions at Manston, I do not interpret this an empowering me to investigate the Home Office as an institution. I interpret this as requiring me to focus on those matters which are proximate to the causes of the conditions in Manston. That will necessarily encompass investigation of specific policy elections (for example, the decisions made about whether to commission hotel accommodation). It does not mandate me to survey immigration policy more generally to ascertain whether it is the product of institutional racism.

55. I am also clear that if HM Government had intended that this investigation was to encompass the investigation of Home Office policy, practice and management to determine if the Home Office is institutionally racist that my Terms of Reference would have expressly spelt this out (given the implications for the Home Office and its civil servants).

56. As set out at paragraph 47 above, I do consider that it is open to me to consider the treatment of people, leadership and decision-making and what any of these demonstrate about the ethos of how Manston was operated (noting that this may permit of more than one answer). I recognise that this may encompass consideration of some factors outside Manston (including what politicians said about small boat arrivals) but this will be investigated to determine whether political discourse had a direct bearing upon how Manston was operated). That is a different proposition from suggesting that the Inquiry will look at political discourse about migrants broadly in order to determine (for example) whether the Home Office is institutionally racist.

57. I note that in the Brook House Inquiry, which had terms of reference which were structured in the same way to the terms of this Inquiry, the Chair declined to make findings on institutional racism.[1] She noted in her report (Volume 2 paragraphs 89-90) that:

> "*The context of this Inquiry – the treatment of foreign nationals while in immigration detention – makes it inevitable that issues of racism will arise. As set out above, I have found considerable evidence of racist beliefs and abuse by staff at Brook House. However, the Terms of Reference do not instruct me to investigate the issue of institutional racism, and to do so would have required a much broader investigation that would have strayed from the Inquiry's core focus. As a result, I do not have sufficient evidence from which to reach a*

[1] The Terms of Reference for the Brook House Inquiry were structured in the following way: "To investigate into and report on the decisions, actions and circumstances surrounding the mistreatment of detainees broadcast in the BBC Panorama programme 'Undercover: Britain's Immigration Secrets' on 4 September 2017.
To reach conclusions with regard to the treatment of detainees where there is credible evidence of mistreatment contrary to Article 3 ECHR, namely torture, inhuman or degrading treatment, or punishment; and then make any such recommendations as may seem appropriate. […]"

conclusion on whether institutional racism was present at Brook House. However, I have found that Brook House appears to have been a breeding ground for racist views in the relevant period and was perceived as an acceptable environment in which to express them."

58. The approach taken in the Brook House Inquiry does not bind me. However, I think it is helpful to show that the Chair in that Inquiry interpreted its terms in the same way that I have and that she considered that had HM Government intended that Inquiry to investigate institutional racism more broadly, the terms would have said this.

59. I also wish to make clear that I do not regard previous investigations or inquiries as lost opportunities to make important findings. To take one example, the Chair of the Brook House Inquiry made a series of powerful findings about racism at Brook House. A lack of response to an Inquiry's findings may not in any way be a reflection upon the significance or importance of those findings.

60. My conclusion, that I am not empowered to undertake the breadth of investigation contended for by Ms Luh, does not answer whether I should nonetheless appoint an expert to focus on the institutional ethos or culture of Manston or racism within Manston. Looking at what happened within Manston itself and subjecting to public scrutiny the reasons why it operated as it did, will enable the examination of what drove policy elections (which caused or contributed to conditions at Manston); why Ministers and senior officials tolerated people living in what are accepted to have been unlawful conditions or may have tolerated the risk that detained people would be subject to racist or other harmful behaviour on the part of personnel. I will be able to draw inferences from all available evidence including oral evidence in order to determine why people were (openly) being held in Manston unlawfully in those conditions. I do not consider it necessary to appoint an expert in order to determine whether that evidence demonstrates racism or whether I can infer racism from it. I also do not consider that, if there is evidence of racism on the part of security guards or detention custody officers or other personnel, that I will require an expert to explain why that occurred.

61. However, all that said, having considered the submissions on behalf of people who were detained at Manston, I have ultimately determined that it is reasonably necessary

that I appoint an expert who has specific expertise on institutional ethos within immigration detention. I have determined that I would be assisted by having an expert opinion on staffing within these contexts; the risks of desensitisation; the risks that personnel within these settings may present to detained people and what steps can be taken to meet those risks.

62. The Inquiry has therefore made initial inquiries of Professor Mary Bosworth who was an expert to the Brook House Inquiry with a view to appointing her as an expert in this Inquiry.

The instruction of an expert on the use of force

63. As set out by CTI, the witness statements made by people detained in Manston and gathered by the Inquiry to date, suggest that people who were detained in Manston may have been subject to casual acts of violence. There is evidence of concerns being expressed by some personnel about the aggressive conduct of others towards detained people, as well as the evidence of the detained people themselves. There also appear to be issues about the framework for the use of force by security guards who lacked the statutory powers of Detention Custody Officers and Immigration Officers to use force. I am aware of video footage in which reference is made to 'door supervisors' being more *hands on* (and to their lack of powers). There are obvious systemic questions as to how any such use of force by security guards and other personnel was regulated; what oversight was exercised over it; how the risks of physical violence towards detainees were managed and what the responses were to concerns raised. There are also systemic questions around recordkeeping in relation to the use of force at Manston, particularly given the proliferation of contractors. The Inquiry is additionally investigating other aspects of the use of force, for example, the use of vehicles to detain people and the handcuffing of detained people.

64. Unlike the Brook House Inquiry, the use of force is not the principal focus of this Inquiry. The use of force may have featured as part of the treatment of some detained people but it is one part of their treatment. As it is an inquiry as opposed to a trial of specific allegations, it is highly unlikely that the Inquiry will examine any specific uses of force or need an expert opinion as to whether any specific use of force was consistent

with guidance or expected standards. equivalent terms. Rather I anticipate that the Inquiry's focus will be on the systemic issues that I have set out at paragraph 63 above.

65. On behalf of IPs who were detained in Manston, Mr Nicholls, on behalf of the Inquiry Participants represented by Deighton Pierce Glynn, submitted (in summary), that the systemic issues that the Inquiry had identified were precisely the sort that fall within the sphere of use of force expertise. He pointed to the expert evidence given at the Brook House Inquiry in relation to training, management, discipline, governance, auditing and oversight. He submitted that expert evidence was required in order that the Inquiry could assess the standards that ought to have applied to Manston (and whether these standards were met).

66. As matters stand, I do not consider that expert evidence on the use of force is necessary or reasonably necessary. I am not being asked to assess the reasonableness of specific uses of force or investigating allegations about specific uses of force. The matters that I have identified above, go to the basic framework for regulating the use of force within the context of immigration detention. I will however continue to keep the question of whether an expert opinion might be necessary under review.

The Appointment of an Assessor

67. It appeared to be the submission on the part of some Inquiry Participants who had been detained in Manston that I should consider appointing an assessor to sit with me. As I have set out above, I have decided to appoint an expert on organisational culture and made an initial approach to Professor Mary Bosworth. I do not consider that I need to sit with an assessor in order to make determinations in relation to organisational or cultural ethos at Manston or in relation to racism at Manston. I am satisfied that I have the requisite understanding and experience to be able to assess these issues.

Impact of my decisions on timetable

68. As will be apparent to Inquiry Participants, the decisions that I have made require the instruction of two additional experts. Dependent upon the views of Dr Hard, I may have to instruct a further expert on the provision of healthcare to women and children. I will

address the impact of these decisions on the Inquiry's timetable in the timetabling section of this ruling.

The provisional witness list

69. The Inquiry considered that it might be useful to circulate the Inquiry's provisional list of those witnesses who might be called to give oral evidence prior to the preliminary hearing, despite that it intends to circulate a further iteration of it later in the Autumn. In addition, CTI explained that the Inquiry Legal Team had made almost all of the requests for statements that it would seek to. The preliminary hearing thus afforded IPs the opportunity to make submissions about individuals who had not been asked for a statement but who they considered ought to be or existing witnesses who were not on the provisional list for oral evidence.

70. I will not, in the course of this ruling, deal with every witness who Inquiry Participants submitted ought to be added to the witness list but rather make determinations on issues of principle and which will guide what further statements the Inquiry seeks.

71. The principal submission made on behalf of IPs about the overall provisional list was that it was too weighted towards more senior officials and that the Inquiry ought to seek witness statements from people who worked in frontline positions at Manston. In other words, to take more statements from security guards, detention custody officers and junior civil servants who worked 'on the ground' at Manston. It was submitted that if the Inquiry was going to consider the leadership of Manston, then leadership also had to be considered from the perspective of the more junior ranks of personnel at Manston. The submission was made by Ms Luh, linking the issue back to institutional racism, that the Inquiry needed evidence from more junior personnel about why (if there was evidence of the dehumanisation of detained people) it occurred. Was it (Ms Luh submitted), a product of the environment, existing prejudice, lack of training or because of culture and tone set at a more senior level. Ms Luh also submitted that more junior personnel needed to be called in order for the Inquiry to investigate why some felt able to be overtly racist. Ms Luh cited the example of an officer in the Brook House Inquiry who gave evidence that he was abusive to detainees in order to fit in with his colleagues.

72. CTI made the point in oral submissions that the Inquiry has sought statements and intends to call a number of witnesses who are not senior officials or who worked in frontline roles at Manston. CTI explained that the Inquiry Legal Team had noted some time ago that there was a need to call some civil servants who were more junior than those witnesses who were giving evidence on behalf of the Home Office and the Ministry of Defence. This had already prompted the Inquiry to seek statements from Mr David Butler; from a further Home Office witness (who has an extant application for anonymity) and from a junior member of Ministry of Defence personnel.

73. Additional witnesses to these individuals, who were present on the ground at Manston on a day-to-day basis from whom statement have been taken include:

    a. Mitie Detention and Custody Officers who escorted Mr Ahmed.
    b. Paramedics who saw Mr Ahmed.
    c. Three witnesses from MTC who worked at the site.
    d. The witness from Mitie Security who had responsibility for deploying security guards (although Mitie Security employed only one staff member who worked at the site every other security guard was sub-contracted).
    e. Ms McClymont from Mitie Care and Custody

74. I understand that the current position is that Mr Helder Marques may replace Ms McClymont as the witness giving evidence on behalf of Mitie (the Inquiry Legal Team is in contact with Mitie about Ms McClymont). CTI also indicated that the Inquiry intended to seek a witness statement from Mr Paul Morris (a former employee of Mitie). CTI pointed out at the preliminary hearing, the fractured nature of the workforce at Manston. At the time of writing his Review, Lieutenant General Skeates noted that there were more than a dozen companies across the small boats arrivals system delivering services under more than 15 separate contracts. He stated that:

> "*The sites are currently staffed by means of a complex mix of variously `badged' Home Office staff from Border Force, Immigration Enforcement, and Asylum and Protection, working with many different contractors. These contractors are running several different contracts that cover a range of services*

including guarding, security, custodial duties, data entry, asylum screening, intelligence gathering, interpretation services, provision of medical services, and catering. This provision has grown organically yet very rapidly in line with the development of both sites, but particularly in response to the expansion of both the physical site at Manston, as temporary marquees have been added and buildings brought into use for a variety of purposes, and as facilities, such as the provision of catering or onsite medical attention, have improved."

75. Lieutenant General Skeates was referring to the proliferation of contractors at the site but these contractors also subcontracted staff from other organisations. To give some idea of the scale of this, Mitie Security had only one direct employee present at Manston but, at points, had hundreds of subcontracted security guards at the site (including from local areas).

76. It is my understanding that the evidence gathered thus far suggests that there was no unified workforce at Manston, with one leadership and a homogenous culture or ethos but multiple workforces, with different powers, working under different management or leadership and within organisations which would also have had their own cultures. When considering the ethos or culture at Manston, it is important to bear this element in mind. A matter which the Inquiry is investigating is the extent to which the proliferation of contractors increased the risks that detained people would be exposed to harm.

77. I agree with CTI that there are multiple sources of evidence available to the Inquiry by which it can assess the conduct of staff at Manston and the culture across the Manston site. As set out by CTI at the Preliminary Hearing, this includes:

    a. Evidence from detainees themselves as to how they were treated.
    b. Contemporaneous, documentary evidence recording concerns about staff by other staff members.
    c. Material related to allegations of corruption and criminality.

d. Evidence from Kent police about matters that officers observed (including the two known safeguarding incidents involving young children).
e. Evidence from the Red Cross documenting their concerns including about the treatment of detained people by personnel.
f. Footage of staff interactions with detained people.

78. I have not made any findings yet as to what this material demonstrates about the treatment of detained people at Manston by people who worked there but it represents a body of material from which I can make direct findings or draw inferences. I do not accept that if it confirms that mistreatment including racism occurred, that I need to hear from those involved to understand why it occurred or how it occurred. It is a fact borne out by many inquiries that detained people are vulnerable to physical, verbal and mental abuse. It is a fact that they may be exposed to racism on the part of those charged with their care or detention. I regard it as the function of this inquiry to understand detained peoples' experiences of mistreatment (including their exposure to forms of racism) and its extent; what this demonstrates about the culture or ethos of Manston and what was done to reduce risk to detainees. I do not consider that I need evidence from frontline staff in order to come to conclusions on these matters. I repeat that there is witness evidence and contemporaneous evidence about this.

79. In addition to these reasons (and as indicated above), the Inquiry has already made an initial approach to Professor Bosworth to be an expert witness to the Inquiry. Her recent work includes analysis of a survey of staff culture amongst private-sector custodial officers employed in the immigration context. I expect that I will be able to draw upon her expertise in this field to understand what factors may bear upon how personnel behaved towards detained people in Manston or what risks they posed to detained people.

80. It is my general conclusion that I do not need further evidence from frontline staff at Manston. However, this general conclusion is subject to two exceptions. **First**, I have concluded that it would assist me if the Inquiry sought further statements from officials within the Clandestine Operational Response Team ("CORT"). The rationale for this is that there is already evidence before the Inquiry about the behaviour and conduct of a small number of individuals within this team. I agree that the Inquiry should seek

witness statements from a selection of junior officials within this team in order to ask them questions about their experiences within that team. **Second**, I have determined that the Inquiry should seek a small number of statements from officials within Immigration Enforcement who had responsibilities for monitoring certain contracts (including Mitie Care and Custody) and, or who raised concerns. The rationale for this is the ability of these witnesses to provide evidence about some contractors and their assessment of them and because some of these individuals reported concerns. As regards the latter, these are witnesses who may be able to throw further light upon the institutional ethos or culture within parts of Manston.

81. As regards points of principle:
    a. I agree that the Inquiry should keep under review whether to call any former Prime Minister. I make it clear that I do not consider that the Inquiry needs to take evidence from Mr Boris Johnson in order to understand the broad policy direction taken in response to small boats or the effect of his resignation. However, the Inquiry should continue to assess whether there is any specific reason to seek evidence from him (or any other former Prime Minister). Such reason might include (for example) that as Prime Minister they made a significant decision about Manston.
    b. As regards HM Treasury, I accept that witnesses including Dame Priti Patel, have suggested that funding was inadequate to address the small boats situation. I agree that the Inquiry should seek evidence from HMT in order to assess this evidence.
    c. I also agree that it would assist the Inquiry's investigations if a further statement was taken in relation to the age assessment process. I understand that the Inquiry has already commenced work on drafting a request to a Social Work manager.
    d. I am not aware of any evidence that any Special Advisor had an inappropriate role or was a de facto decision maker in relation to Manston. However, I agree that if there is reason to believe that a specific advisor may have a valuable perspective on decision making or may offer additional insight into decision making about Manston, that might be a reason to seek evidence from them. I understand that on this basis the Inquiry is seeking evidence from Ms Hannah Guerin.

Timetable

82. It will be clear that, as a result of the decisions that I have made, and which accede, in part, to the submissions made on behalf of those IPs detained in Manston that the Inquiry has a considerable amount of investigative work still to do. The Inquiry is still, at this point, substantively engaged in the process of: reviewing disclosure; making further requests for statements; reviewing draft statements and exhibits (including a considerable number of statements from people who were detained in Manston); obtaining a second draft of the report from Dr Killingley; and compiling documents and instructions for the additional experts. When the reports from Dr Hard and Dr Bromilow are in draft and ready, they will also be subject to IP review. This is only part of the work that the Inquiry Legal Team in engaged in on a day- to- day basis.

83. There appeared to be a consensus at the hearing that the Inquiry should commence in early 2027 and specific submissions were made that it should commence in February or March. However, through the process of making the decisions set out in this ruling and having undertaken further planning work with the Inquiry Secretariat and Inquiry Legal Team, I have concluded that there are serious risks that the Inquiry will not be ready to begin in February. I have also concluded (in conjunction with other factors) that I cannot reconcile the instruction of two further experts with commencing in February. The submissions that the Inquiry could instruct further experts and be ready to start in February, appeared to me, upon analysis, to be unrealistic. The Inquiry's experience to date has demonstrated that assembling the materials for experts has been time consuming and subject to change as statements continue to arrive. Experts also need time to write their reports and Dr Hard has indicated to the Inquiry that he will not be able to produce a first draft until later this year. IPs are given the opportunity to review and make submissions on expert reports. This process has proved extremely time consuming for the Inquiry in relation to Dr Killingley despite that the principal focus of his report is on causation in relation to the death of Mr Ahmed. Dr Hard's report will be broader in its ambit and the Inquiry anticipates that this will also generate a significant volume of IP questions and requests for clarification. After this process, the expert produces a second draft of their report and which the Inquiry must review again before it is finalised. This is a process which must be undertaken for all five, and

possibly six, experts. These expert reports also need to be ready in time to be included in witness evidence proposals.

84. It is also clear to me that judging from the provisional witness list and acknowledging that the witness list is likely to increase, that the hearings in this Inquiry will take longer than six weeks and is more likely to take approximately 10 weeks (although I emphasise that this cannot be determined until the witness list is finalised).

85. In order to start hearings in February (and which are likely to exceed six weeks), the Inquiry Legal Team would have to start the process of assembling witness proposal packages within a matter of weeks. This is one of the most labour-intensive parts of the Inquiry process. It requires the counsel team to have read statements and exhibits (and cross referenced them) and undertaken other disclosure reviews to ensure that evidence proposals are comprehensive and sufficiently targeted. The counsel team must also be in a position to identify, in a meaningful way, what topics will be put to witnesses. The Inquiry Legal Team cannot start this process whilst, across the team, its members are still engaged in the process of making statement requests; reviewing statements and undertaking other investigative work.

86. There are other matters which are entirely outside the Inquiry's control which are impacting the Inquiry's timetable or have the capacity to do so. The first is the undertaking from the Secretary of State. On 28 October 2026, I received a letter from Lord Hanson stating that, subject to clarifying the terms of the undertaking, the Home Office was willing to grant the undertaking. It should not take long to agree the interpretation of the undertaking, but the fact remains that the Inquiry still does not have an undertaking despite having asked for it on 7 July 2026. As has been set out by both CTI and those who represent IPs detained in Manston, this has a significant impact upon the Inquiry's ability to finalise the statements of detained people and to disclose them to other Inquiry Participants. It is still not clear to the Inquiry whether the Home Office will seek to dispute any of the evidence given by detained people and what impact this may have on hearings.

87. Another matter which I am concerned has the potential to impact the Inquiry is the Public Office (Accountability) Bill. As currently drafted, clause 8 provides that the duty

of candour and assistance has effect in respect of an inquiry started before the date that the Act is passed and which remains ongoing on that date. If the Bill is passed it may (subject to any further transitional arrangements that are made) provide the Inquiry with powers (for example) to direct the attendance of witnesses including witnesses who are not public officials but had a relevant public responsibility in connection with Manston However, making such a direction may require prior steps being taken (it will only be certain what those steps are when the Bill is in its final form), in order for the Inquiry to exercise those powers. Their use may also require a timetable to be set in the event of any disagreement as to the use of the power to direct the attendance of any witness in this Inquiry.

88. The Bill is at the Report Stage in the House of Lords. I do not know when it might become law. The possibility that it might, prior to February 2027, is not a reason to delay hearings but it is a factor amongst the others set out above that I have taken account in considering the risks that the Inquiry will not be ready to commence in February. Specifically, I have taken into account that should the Act take effect prior to February 2027, the Inquiry will have very little time to respond to it.

89. For all of these reasons, I am clear that the Inquiry's full hearings cannot commence in February and that I must set a date which is realistic and certain. Taking into account the work that remains to be done, I have determined that the hearing ought to commence on 4 May 2026. The Inquiry will circulate a further provisional witness list in due course but as above, I currently estimate that the hearing will take up to10 weeks but I repeat that the witness list has yet to be finalised and that this estimate may change.

Special Measures

90. The Inquiry has indicated the range of special measures that it will consider applying in relation to those witnesses who need such measures in order to be able to provide oral evidence and especially in relation to those witnesses who may be asked questions of a highly personal nature or about events which are traumatic for them. I wish to repeat the Inquiry's commitment to facilitate and support witnesses to give evidence in the Inquiry hearing room. I agree with CTI that there is little to be gained by the Inquiry setting out general special measures or specifying in detail what special measures might

be available when these are matters which turn on the needs of any individuals who will give oral evidence. The Inquiry has yet to identify (from people who were detained in Manston) who might give oral evidence. Once these decisions have been made, the Inquiry will seek submissions on any special measures that a given witness might require. It will respond to that application in good time before the hearing so that the witness is clear as to the special measures which will be applied to them.

Sophie Cartwright KC

Chair of the Manston Inquiry

5.11.26