

# Southport Inquiry

## WITNESS STATEMENT PROTOCOL

1. This Protocol sets out the approach that will be adopted by the Southport Inquiry (“**the Inquiry**”) to witness statements. In particular, it covers:
  - a. Rule 9 Requests;
  - b. Responding to Rule 9 Requests:
    - i. assistance;
    - ii. timescales;
    - iii. duty of candour and approach to witness statements;
    - iv. matters to be covered in the witness statement;
    - v. submitting statements.
  - c. disclosure and publication of witness statements;
  - d. oral evidence;
  - e. failure to respond to a Rule 9 Request;
  - f. formatting of witness statements;
  - g. formatting exhibits.
2. This Protocol should be read in conjunction with the Inquiry’s [Terms of Reference](#), Inquiries Act 2005 (the “**Act**”), the Inquiry Rules 2006 (the “**Rules**”) and the following Protocols which have been published on the [Inquiry’s website](#):
  - a. Protocol on the Redaction of Documents;
  - b. Protocol on Applications for Restriction Orders;
  - c. Protocol on anonymity, other special measures for witnesses, and vulnerable witnesses;
  - d. Protocol for the Receipt and Handling of Documents.
3. The Chair of the Inquiry, Sir Adrian Fulford (the “**Chair**”), will determine whom to invite to give written or oral evidence (or both), irrespective of whether that person has been designated as a core participant. The Inquiry welcomes approaches from anyone who believes they have relevant evidence to give in this Inquiry. Information on how to contact the Inquiry can be found on the Inquiry’s website [here](#).
4. Those from whom the Chair determines he wishes to receive relevant evidence will be asked to provide the Inquiry with a written statement which follows the format and structure for witness statements described in this Protocol.
5. The procedures outlined below are not intended to cover every eventuality or every procedural issue that may arise. It follows that, where the interests of justice and fairness so require, the Inquiry may need to depart from this Protocol. Further, this Protocol may be amended from time to time, in which case an amended version will be published on the Inquiry website.

# Southport Inquiry

## Rule 9 Requests

6. Where the Inquiry proposes to take evidence from a person, it will send that person a written request pursuant to Rule 9 of the Rules (a “**Rule 9 Request**”).
7. The Rule 9 Request will be sent directly to the witness unless a qualified legal representative has been appointed to act on the witness’s behalf, in which case the Rule 9 Request will be sent to that legal representative.
8. The Chair expects that any person to whom a Rule 9 Request is addressed will fully cooperate with the Inquiry and provide all relevant material without the need for him to exercise his powers of compulsion under section 21 of the Act. However, the Chair will consider exercising his powers if the response to such a request is refused, incomplete, or not provided by the deadline (further detail set out under ‘*Failure to Respond to a Rule 9 Request*’ below).
9. The contents of any Rule 9 Request are confidential and the recipient (including their legal representative if applicable) is not to disclose, publish or pass the Request on to any third party, save with permission of the Chair or someone acting with his delegated authority. This includes discussing the Request itself, or answers to any of the questions, with third parties (including other potential witnesses). This is important to ensure the integrity of the evidence before the Inquiry is maintained.

## Responding to Rule 9 Requests

### Assistance

10. A witness may draft their own statement or may seek assistance from a lawyer or other representative. This is a matter to be determined by the witness. Whether or not assistance is provided by any legal representative in drafting the witness statement, a witness must ensure that the statement is a full and accurate account and that they are entirely happy with the wording and phrasing of the statement.
11. If a witness requires assistance in providing a statement and does not have legal assistance, they should contact the Inquiry who will be able to provide broad guidance.

### Timescales

12. The Rule 9 Request will set a time limit for compliance.
13. The required reporting date incorporated into the Terms of Reference of this Inquiry means that necessarily, all witness statement requests will have short timescales for return.

# Southport Inquiry

14. The Inquiry will consider an application for an extension of time if, despite all support and resourcing, this deadline cannot be met. An application for an extension of time must be made in writing by e-mail to the Solicitor as soon as possible setting out:
  - a. The nature of the difficulties encountered; and
  - b. The calendar date by which the statement can be returned.

## Duty of candour and approach to witness statements

15. The Chair expects witnesses and their employing organisations to comply with the duty of candour in providing their statements. This includes being open and transparent in their statements, as well as reflective in analysing their involvement.
16. Witnesses should give a detailed account engaging fully and constructively with the issues raised in the Rule 9 Request, as well as drawing to the Chair's attention any other matters relevant to the Terms of Reference and the witness's involvement which is not covered in the Rule 9 Request.
17. The Inquiry will not enter into protracted correspondence nor entertain delay in the Rule 9 request process. If a matter is raised in the Rule 9 request with which the witness was not involved, the witness should make this clear in their response, rather than seeking to challenge the Rule 9 request.

## Matters to be covered in the witness statement

18. The Rule 9 Request will specify all matters to be covered in the witness statement. These will likely include:
  - a. Introductory matters e.g. full name, employment status at time of involvement, role etc.;
  - b. Factual narrative of the witness's involvement;
  - c. Particular issues relevant to the witness's involvement;
  - d. Involvement with other agencies (if relevant);
  - e. Reflections / lessons learned;
  - f. Improvements;
  - g. Any other matters.

## Submitting Statements

19. Unless specifically requested by the Inquiry in an individual case, the Inquiry does not require statements to be returned in draft for checking before signature. However, statements which are superficial or do not appear to have engaged with the issues fully or candidly will result in one or more of the following:
  - a. A further Rule 9 request with very short timescales;
  - b. An order under Section 21 of the Act for a further witness statement;
  - c. A requirement that the witness attend to give oral evidence.

## **Disclosure and Publication of Witness Statements**

# Southport Inquiry

20. As a public Inquiry, it is important that proceedings are conducted in as open and transparent a manner as possible. Unless there is a legal reason not to do so, all witness statements (and certain documents to which they refer) may therefore be:
  - a. disclosed to core participants (and in some instances witnesses), by making the documents available on the Inquiry's database.
  - b. published by the Inquiry on its website;
21. Any potential witness who wishes to have their identity withheld from disclosure or publication must notify the Solicitor without delay. They should not await a Rule 9 request or the provision of their witness statement. (See [Protocol on Anonymity, other special measures for witnesses, and vulnerable witnesses](#)).
22. If any of the witness's material is considered sensitive by that witness (including the statement or exhibits), witnesses should clearly indicate the sensitivity of the material when submitting their statement or transferring their exhibits to the Inquiry, as well as any handling requests (See [Protocol for the Receipt and Handling of Documents](#)).

## Oral evidence

23. Whether or not a witness is called to give oral evidence at the Inquiry's hearings will depend upon the Chair's consideration of the witness statement and other evidence. However, if a witness or their representative are aware of any vulnerabilities that ought to be addressed by the Inquiry, please alert the Solicitor as soon as possible. (See [Protocol on Anonymity, other special measures for witnesses, and vulnerable witnesses](#)).

## Failure to Respond to a Rule 9 Request

24. The Chair has powers to require the production of evidence under section 21 of the Act, including the provision of a witness statement (section 21(2)(a)).
25. A person may claim that they are unable to comply with the notice, or that it is not reasonable in all the circumstances for them to comply with such a notice (section 21(4) of the Act). The Chair will determine any such claim and may revoke or vary a notice on the ground claimed (section 21(5)).
26. A person is guilty of an offence under section 35(1) of the Act for failure without reasonable excuse to comply with a notice issued under section 21. The offence is punishable on summary conviction by fine or imprisonment (section 35(7)). Certification may also be given to the High Court pursuant to section 36 of the Act for enforcement proceedings.

## Formatting Witness Statements

27. A witness statement should be:
  - a. Provided electronically (where possible), in Word Format using the Witness Statement Template in **Annex A**;

# Southport Inquiry

- b. Organised in consecutively numbered paragraphs;
  - c. Arial Font, size 11 and lines 1.5 spaced;
  - d. Paginated using the template format;
  - e. Written in first person.
28. Statements should end with a signed and dated statement of truth, the wording of which is provided in Annex A.
29. Statements should be written in plain English using language which is capable of being understood by members of the public and those without expert knowledge.
30. Witness statements should adopt the headings set out in the Rule 9 Request. Further sub-headings can be included if that assists.
31. A witness should not set out the questions made in the Rule 9 Request, nor should they refer to them by paragraph number in the request. Rather the statement should be a self-standing account that addresses in narrative form the issues raised in the request. If a witness was not involved in matters addressed in the Rule 9 Request, a statement should be included to make this clear.
32. Wherever known, a witness should give and use the names of others to whom they refer in their statement. The Inquiry has a process for the appropriate redaction of names and witnesses should not self-censor their accounts by not providing the names of others who were involved (refer to the Protocols listed above).
33. If it is intended to submit a statement in a language other than English, you should notify [solicitor@southport.public-inquiry.uk](mailto:solicitor@southport.public-inquiry.uk) immediately on receipt of the Rule 9 request and further instructions will be given.

## Formatting Exhibits

34. Exhibits should be numbered sequentially with the witness's initials (e.g. AB/01), followed by the Inquiry reference number for the document (if known). If not known, a placeholder exhibit reference should be inserted (e.g. INQ00000000), which the Inquiry will overlay with the correct Inquiry document reference number before the statement is disclosed to Core Participants. An exhibit will therefore be introduced as follows:
- “On 1 February 2023, I attended a meeting with the school Governors, and I exhibit the minutes of the meeting as **AB/01- INQ00000000**. At the meeting we discussed ...”
35. The body of the statement should give a brief description (and where appropriate a summary) of the exhibit so that the reader does not need to turn to every exhibit in order to follow the meaning of the statement.

# Southport Inquiry

36. All documents should be exhibited as opposed to hyperlinked, including publicly available documents such as information from the internet.
37. The number of exhibits should be inserted beside “Exhibits:” on the front page of the statement. E.g. if a witness statement has 15 exhibits, it would be recorded as: AB/01 – AB/15.
38. Each statement should be accompanied by an Index of documents exhibited to the witness statement, identifying the documents exhibit number, reference, and full description. Documents should be listed sequentially in the order they appear in the statement. The Index should be provided as ‘Annex 1’ to the witness statement. An example of the Index is provided as **Annex B** to this Protocol.
39. Any questions relating to the content or format of witness statements should be directed to the Inquiry Legal Team by email: [solicitor@southport.public-inquiry.uk](mailto:solicitor@southport.public-inquiry.uk).

# Southport Inquiry

## ANNEX A: WITNESS STATEMENT TEMPLATE

Witness Name: [WITNESS NAME]

Exhibits: [e.g. AB/01-AB/15]

Dated: [DD] [MONTH] [YYYY]

### THE SOUTHPORT INQUIRY

---

[FIRST] WITNESS STATEMENT OF [WITNESS NAME]

---

I, [WITNESS NAME], will say as follows: -

#### INTRODUCTION

1. I am [insert professional or other relevant background].
2. This witness statement is made to assist the Southport Inquiry (the “**Inquiry**”) with the matters set out in the Rule 9 Request dated [X] 2025.

#### BACKGROUND

3. [Brief synopsis of relevant background in line with what is sought in the Rule 9 Request]
4. [etc.]

# Southport Inquiry

## 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.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

## **ANNEX B: EXHIBIT INDEX TEMPLATE**

Index to the Witness Statement of **[WITNESS NAME]**

# Southport Inquiry

Exhibit No.	Inquiry reference No.	Document description
1	(E.g. INQ000012345)	(E.g. Minutes of 1 February 2023 meeting with the school Governors)
2		
3		
4		
5		
6		