

Witness Name: Dom Golden

Statement No.: 1

Exhibits: DG/01 – DG/11

Dated: 24 October 2024

THE CRANSTON INQUIRY

WITNESS STATEMENT OF DOMINIC GOLDEN

1. I make this statement on behalf of the Maritime Coastguard Agency ("MCA") in response to a witness evidence request dated 30 July 2024. I am authorised to make this statement on behalf of the MCA.

BACKGROUND

2. I joined the MCA's Aeronautical Rescue Coordination Centre ("ARCC"), based in the Joint Rescue Coordination Centre ("JRCC") at Fareham at the beginning of 2019 as an Aviation Operator. On completion of my Aviation Operator training in April/May 2019 I was promoted to Aviation Tactical Commander. Prior to joining the MCA I had served for 33 years as a Warfare Officer in the Royal Navy, and I subsequently returned to employment as a Royal Navy Warfare Officer in June 2022. As a Warfare Officer, I have worked in the operational and tactical decision making environment for most of my career.

3. Relevant to aviation, in the Royal Navy I was a deep specialist Fighter Controller which included many years serving at sea on aircraft carriers and a number of years ashore as Chief Instructor and Officer in Charge of the Royal Navy School of Fighter Control, which required both a good theoretical and practical knowledge of controlling aircraft in UK Airspace. Part of my training as a Fighter Controller was a week's successful attendance at the Royal Navy School of Meteorology at Royal Navy Air Station Culdrose learning about aviation meteorology.

TRAINING

Aviation Operator training

4. When I joined the ARCC I completed a month of Aviation Operator training on site at Fareham and Lee-on-Solent. This training was initially classroom based, but quickly moved onto practical training on the watch floor in the live environment. The training primarily focused on the use of the various systems being operated at the ARCC, specifically radios, telephone, various apps and the HM Coast Guard ("HMCG") Incident Management System, Vision, from which all HMCG policies and procedures could be accessed.
5. Although Aviation Operators were trained separately to Maritime Operators, the Aviation Operator training did provide a brief overview of the maritime environment in the initial classroom training. For example it covered the use of maps and charts and the use of VHF radio in the maritime environment. However, the training did not cover more complex topics such as search plans.

Tactical Commander training

6. Shortly after qualifying as an Aviation Operator, I was promoted to the role of Aviation Tactical Commander. I was the first new Aviation Tactical Commander to have been appointed for a number of years. Consequently I was the first Aviation Tactical Commander not to have been trained by the Royal Air Force ("RAF"), as the RAF had previously run the ARCC before it was transferred to HMCG in 2016. Thus, I was the first Aviation Tactical Commander to receive a HMCG delivered training course. In fact, I became quite involved in the development of the programme due to my instructional experience. All the training was conducted in the live environment, with supervision and mentoring from a qualified Aviation Tactical Commander. This training included frequent reviews and a written record of the different areas covered in training. After approximately one month I was assessed as qualified as an Aviation Tactical Commander.

7. It was my understanding from speaking to HMCG maritime colleagues at the JRCC at Fareham that there was an aspiration for the Maritime and Aviation Tactical Commanders to eventually be trained together. I believe the intention was that all Tactical Commanders would be familiar with both the aviation and maritime environments in order to be able to assist each other when making operational decisions. However, as of November 2021 I had not received any training in relation to the maritime environment beyond the basic overview provided in the Aviation Operators training.

Training in relation to small boats

8. When I joined the ARCC in 2019, migrants crossing the Channel in small boats was not very common, but it was slowly increasing. I did not receive any specific training in relation to responding to migrant small boat incidents. The HMCG approach was very clear, that all small boats containing migrants were to be treated as if in distress. I would not necessarily have expected to receive any specific training in relation to migrant small boats, as the ARCC's role was to respond to maritime tasks from HMCG regardless of the type of incident. We would always respond to a distress call from HMCG as requested attempting to deliver the optimum aviation solution subject to our ability to complete the task, for example due to the weather conditions.

9. Although I did not receive any training in relation to migrant small boat incidents, as a direct response to the increase in migrant crossings of the Channel, Exercise Martingale took place in Milford Haven on 11 November 2021 (Exhibit DG/01 [INQ008908]). Exercise Martingale was a live exercise to test the deployment of a life raft from a SAR-helicopter ("SAR-H") to people in the water, with a view to enabling their rescue from the water. I attended the training exercise on behalf of the ARCC, along with Bristows who provided SAR-H to HMCG, a representative from maritime HMCG, the Deputy Chief Coastguard, Royal National Lifeboat Institute ("RNLI"), Border Force ("BF") and Milford Haven HMCG. Exercise Martingale was successfully completed in the morning, and wider UK emergency service responses to small boat incidents were further explored that afternoon via a table-top exercise called Exercise Amber.

10. Shortly after this exercise had taken place a direction was made to carry a deployable life raft on all SAR-H tasked to any small boat incident. I do not recall exactly when, and by who, this direction was made but I recall that it was in place by 23 November 2021. This direction also included the requirement to ensure that any additional SAR-H, deployed to Lydd from their normal home bases were to ensure that they carried these lift rafts.

TACTICAL COMMANDER (AVIATION)

Role

11. As the Aviation Tactical Commander at the ARCC I was responsible for the coordination of the aviation response to SAR incidents, and keeping a strategic overview of all aviation assets. This involved the tasking, deployment and coordination of UK SAR aviation assets to specific requests, within the UK Search and Rescue Region ("UKSRR").
12. My role as Aviation Tactical Commander included:
 - a. Managing the effective and efficient coordination of the response to aviation SAR incidents and those incidents requiring SAR aviation assets, whilst using technical expertise to make sound and balanced judgements.
 - b. Authorising the tasking and deployment of the most suitable SAR aviation asset for any request for SAR aircraft assistance from a recognised coordinating authority (UK Police, Fire, Ambulance or Coastguard and foreign SAR services) and to ensure that such requests were a relevant and an appropriate use of the assets.

- c. Supervising the work of the ARCC team and ensuring the efficient delivery of aviation SAR and deployment of SAR aircraft within a national context. Providing advice and guidance on all aspects of aviation SAR incidents and the deployment and coordination of UK SAR aviation assets to the Aeronautical Operation's Specialist ("AOS") and Senior Aviation Operations Officers ("SAOO") - ARCC.
- d. Assisting and supporting the Tactical Commander (Maritime) throughout the shift in accordance with Operational Management System ("OMS") instructions for the ARCC function. Providing expert advice and guidance to the Tactical Commander (Maritime) on aviation related issues or incidents.
- e. Being responsible for ensuring that a culture of safety was maintained at all times and, through monitoring and coaching, ensuring that the team in my command were conforming to procedures and agency guidance. I was also responsible for keeping the team's technical knowledge and expertise up to date.

Supervision

- 13. On each shift at the ARCC there would be an Aviation Commander or Team Leader acting as the Aviation Supervisor (or occasionally just one of us due to leave commitments). The Team would normally consist of four or five SAOOs. Each shift I would designate the SAOOs to the role of either answering telephones or manning the radios. Occasionally when we were either busy or short staffed due to leave or illness I would also man the telephones or the radios when necessary. I would then quickly pass back that level of operational control to my team at the earliest opportunity so that I could return to focusing on tactical decisions and maintaining a broader overview of all the tasks being undertaken.

WORKLOAD AT THE ARCC

Seasonal variations

14. The workload at the ARCC would change based on seasonal variations. We would generally be busier during the summer, potentially dealing with as many as 25 incidents per shift. However, in the winter months due to a combination of less people on the beaches and mountains, we would sometimes only be tasked to deal with four or five incidents per shift. Furthermore, we would often be required to decline some of these tasks on the basis of the weather, in particular if the visibility was so poor that we were unable to deploy any aviation assets safely. The demand for hospital transfers remained constant throughout the year, arguably increasing in winter months as weather conditions would sometimes prevent Air Ambulance Helicopters from completing tasks.

Source of work

15. The ARCC did not receive 999 calls directly from members of the public, but instead receives specific requests from Police, Ambulance Service, Fire and maritime HMCG. This had the advantage of not overloading the ARCC operators, effectively ensuring that calls received were already "sifted" by a competent emergency service operator. Therefore at the ARCC call collection point a reasonably good quality call was delivered containing the data that we would need to brief the relevant SAR-H crew. This also meant that the ARCC usually only received one call in relation to each incident, as by the time an incident was tasked to the ARCC any duplicate calls had been identified. This also applied to calls in relation to migrant small boats.

16. The vast majority of requests made by the emergency services for aviation assets, specifically SAR-H were relatively straight forward, and the Aviation Operators would task the appropriate asset without further direction from either me as the Aviation Tactical Commander or the Team Leader. The main factors that the Aviation Operators needed to consider before tasking an asset, which in relation to rescue requests would usually be a SAR-H, would be whether or not there was a threat to life, or a likelihood of serious life changing injury. If there was a threat to life or a likelihood of serious injury, they then needed to consider whether using an aviation asset is the correct solution in the circumstances.
17. Factors to be considered when tasking a SAR-H were whether some tasks could be met more effectively by using other emergency services, for example if the SAR-H landing site at the hospital was some distance away from the landing site, so no time was saved. However, the underlying principle was always to give the casualty the benefit of the doubt and provide a SAR-H. In summary, a SAR-H can solve many incidents, but all flying comes at risk (and cost) and frequently another emergency service asset was a more optimum solution, especially when that regional SAR-H might be the only solution to another competing request in the same area.
18. The role of the Aviation Operator therefore primarily involved reacting to incidents. However, the Aviation Tactical Commander was much more focused on looking forward and ensuring that assets remained available to respond to potentially competing demands for aviation resources.

19. Any decision to deny a request for the tasking of an aviation asset, for example because a SAR-H was not the best solution due to the weather or location, had to be endorsed by me as the Aviation Tactical Commander. The reasons for declining a task, would of course be immediately passed back to the tasking requester. However, an advantage of sitting in close proximity to the Maritime Commander (see paragraph 20 below), was that if the request had been made by maritime HMCG I could explain in better detail, face-to-face why I was choosing to defer or decline the request.

Relationship with Maritime Tactical Commander, Small Boat Tactical Commander, Strategic Commander and French Authorities

Maritime Commander

20. As mentioned above, there was an aspiration towards the Aviation Tactical Commander working more closely with the Maritime Tactical Commander, and I recall that from the summer of 2021 I moved desks within the JRCC to sit with the Maritime Tactical Commanders. I do not recall that this was documented anywhere, and in 2021 I believe it was still an embryonic idea that was not rigorously enforced with each shift. I was comfortable with this concept as it was helpful in terms of shared problem solving and communication when the ARCC was tasked by HMCG. However, day to day it made limited difference to my role.
21. It should be noted that when the Covid mitigation plans were brought into the JRCC, the ARCC and maritime teams were separated within the same building, with the ARCC Aviation Commander sitting with his aviation Team. In these

conditions, I personally believe a little of that Commander face-to-face coordination was lost, but I do not believe there was any incidents where the SAR response was in any way impacted.

Strategic Commander

22. In high-profile incidents, as the Aviation Tactical Commander I would provide verbal briefs, usually by telephone, to the Strategic Commander, setting out the approach that I considered to be most appropriate and why. I would also be prepared to answer questions from the Strategic Commander in relation to such incidents. Post-incident reporting to the Strategic Commander would be both written and verbal. In complex cases there would be occasions when I would call the Strategic Commander for guidance. If there was a major incident I would be in regular contact with the Strategic Commander in order to discuss how the incident response was progressing. I was always confident on when and how I could contact the Strategic Commander.

Small Boat Tactical Commander

23. Every Thursday morning a Fixed Wing Aviation meeting took place via Teams. Whichever Aviation Tactical Commander was on shift on those Thursdays would attend. The output from these meetings would be an agreed flying programme for the following seven days. These meetings were the opportunity for various government agencies to confirm their requests for HMCG Fixed Wing support, as well as the aircraft providers (2Excel and RVL) to explain any engineering or maintenance challenges that would clash with those requests. Clearly additional factors that were more apparent at the seven day forecast would influence the

final plan and an element of “horse trading” between agencies to meet their desired outputs would be made. In addition, by this seven day point, a more realistic Operation Deveran seven day forecast could be considered, which clearly would receive the highest priority in these pre-planned sorties.

24. In addition to these weekly Thursday morning meetings, additional meetings, would be held on days where the Operation Deveran forecast was red, (Red meaning that small boat crossings were highly likely). These meetings would be attended by HMCG Strategic Commander, Dover HMCG, BF, RNLI and the aircraft and UAV operators. I also recall that the Small Boats Tactical Commander would be in that meeting. Other than during the above meetings I do not recall ever speaking to the Small Boat Tactical Commander.

French Authorities

25. I only recall having communicated with the French Authorities on rare occasions that were unrelated to small boat crossings. For example, I have liaised with the French Authorities either when our SAR-H assets have extended their searches into French Territorial Waters or Airspace, or when I have requested French aviation support for long range SAR into the Atlantic.

RELATIONSHIP WITH OTHER STAKEHOLDERS AND AVAILABLE ASSETS

Bristows

26. When I joined the ARCC in 2019 the MCA was responsible for the provision of SAR-H. The MCA contracted Bristows to provide 24 hours a day, seven days a

week SAR-H capability. The ARCC worked with Bristows and were responsible for the provision of 10 SAR-H around the UK.

27. Bristows provided two types of SAR-H, S-92s and AW-189s. Both of these types of SAR-H were very similar in terms of capabilities. However, it was important for there to be two different types of aircraft, as should there be a grounding of any type of SAR-H, for example due to manufacturing concerns, there would still be helicopters available to respond to SAR incidents.
28. Although SAR-H are classed as HMCG aircraft any emergency service can request their use. In addition to the Police, Ambulance Fire and HMCG, the Distress and Diversion (D&D) cell, a Military Air Traffic team at Swanwick, can request SAR-H support in to a missing or crashed aircraft.
29. I believe that approximately 40% of our work was in support of the Ambulance Service, 40% in support of the HMCG with the majority of the remainder being support to the Police (including Mountain Rescue).

2EXCEL

30. From 2020 onwards 2Excel were contracted with HMCG to provide and operate fixed wing aircraft out of Doncaster Airport. As of November 2021 the two types of fixed wing aircraft available were Beech KingAirs and smaller Piper PA-31 Navajo. These aircraft were equipped with InfraRed and visual cameras. Although clearly able to fly IFR (Instrument Flying Regulations – night or poor weather), the operator regulations required these aircraft to carry sufficient fuel

allowing them to divert to an alternative airport if necessary due to poor weather conditions. In addition, it was standard practice for 2Excel to arrange a refuel, normally at Southend Airport, on a Dover Straits patrol to allow a refuel nearer the search area thus extending the time on task.

31. In November 2021, this new capability had originally been justified with the buy in of a number of other government agencies looking to fund flying hours (e.g. DEFRA requesting Fishery Protection sorties in the post BREXIT era in UK waters, MCA sponsored anti-pollution patrols etc) with actual SAR flying, their primary function, anticipated to be relatively rare. By coincidence, just as this new capability was coming online, the sharp increase in crossings from migrants in the Dover Straits began to occur therefore very quickly consuming (and exceeding) the flying hours that the HMCG Fixed Wing aircraft had anticipated.
32. There was a Temporary Operating Instruction ("TOI") dated 30 September 2021 which had been directed by the Chief Coastguard (Exhibit DG/02 [INQ006195]), which stated that on red migrant crossing days a fixed wing aircraft would be provided on scene to support Dover HMCG and that on amber migrant crossing days an aircraft would be held in readiness at Lydd/Southend. I recall that the larger KingAir had an issue with operating out of Lydd and therefore when activated to meet this requirement, Southend was the airport of choice.

33. The policy stated that;

"...for Migrant Weather Crossing Assessment days of RED that Fixed Wing aircraft will be provided, on scene to support Dover CG, and that on AMBER

days the primary function of the fixed wing assets is to inform and support Maritime, an aircraft will be held at readiness at Lydd/Southend. In both cases the timings agreed between 2EXCEL and CG wee from 0930 until end of day's migrant activity. This 0930 start time allows for any F/W aircraft tasked overnight (Op Deveran/EOS) to return to Doncaster for crew change to meet daylight Dover straits incidents.

The primary function of the Fixed Wing assets is to inform and support Maritime Operations build a recognised Maritime Picture (RMP). Ideally this RMP should match the Migrant Tracker (Listing all the vessels that we believe are crossing). Inevitably, by the end of a busy day there will be a number of vessels that have been recorded on his migrant tracker but have been unaccounted for."

34. Despite the direction given in this TOI, aircraft availability due to maintenance requirements remained an issue and occasionally would force a deviation from the TOI. Ahead of the Network Conference Call on the evening of 23 November 2021 I spoke to 2Excel (Exhibit DG/03 INQ008827) who confirmed their intention to support flying in the Dover Straits with two aircraft direct from Doncaster. If this mission was to have been supported with one aircraft I would have expected a mid sortie refuel at Southend. I would assume that their decision to task two aircraft sequentially would alleviate this refuelling requirement and allow both aircraft to fly from and to Doncaster. This suggests that 2Excel already had concerns for the weather to the south of England that evening, albeit that this was not communicated to me at this point.

35. The procedure outlined in the TOI was that the maritime HMCG in Dover would request the end of day search following the conclusion of the red/amber day tasking, along with the search areas to be swept. Any communication regarding the task, for example the time it was taking off and refuelling would be provided to the Aviation Operators.

RVL

36. RVL, operated similar fixed wing aircraft (Kingair) with the same capabilities as the aircraft provided by 2Excel. RVL had a contract with MCA to fly these aircraft for a specific number of hours each month out of East Midlands Airport. PIOS

Public Interest/Operational Sensitivity

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Public Interest/Operational Sensitivity The

only interaction that we at the ARCC had with RVL was recording the timings of these flights to enable us to coordinate the taskings of other flights that were due to occur in the same airspace. The ARCC does not provide any Air Traffic Control ("ATC") function, but can facilitate an agreement between operators to ensure separation is achieved in the same airspace. RVL, like 2Excel, had all weather capable aircraft but faced similar constraints with weather conditions when it came to accommodating diversions away from their home airport.

Tekever

38. By November 2021 the MCA had a contract with Tekever for the provision of Unmanned Aerial Vehicles ("UAV"). The UAV's complemented the fixed wing aircraft, delivering a similar function. These were based at Lydd and offered another layer of support that both complemented or even replaced the fixed wing aircraft should they be unable to achieve tasking. Although not as constricted by the requirement for a diversion airfield as fixed wing, these UAVs were more susceptible to poor weather at their base which was Lydd. Generally these Tekever UAVs were scheduled to fly in a similar area, but at different heights to the 2Excel aircraft with timings that overlapped (meeting the optimum expected peak timings of small boat crossings).

MOD Assets

39. There was an option to request helicopter assistance from the MOD. However, the MOD did not maintain helicopters at readiness for SAR and several hours' notice for tasking would be required.
40. The MOD also maintained a fixed wing capability, which in November 2021 would usually have been a C-130 at RAF Brize Norton. However, three hours' notice would be required to task this aircraft. In any event, on the night of 23 November 2021, they would have faced the same weather constraints in attempting to search in the Dover straits as well as suitable airfields to operate from.

41. The MOD assets could be requested through the Military Aid to Civil Authorities ("MACA") process. This process required a phone call from the Aviation Tactical Commander to the Duty Officer (Whitehall) for the Deputy Chief of the Defence Staff, to outline the requirement. It was then for the MOD to identify the most optimum solution. A specific asset could not be requested.

CAPABILITIES AVAILABLE IN NOVEMBER 2021

Vision

42. By 23 November 2021, my team and I were using an IT system called Vision 5 to record all HMCG Aviation incidents that we had been tasked to and the details of the actions taken during an incident were also recorded on Vision 5.
43. In approximately May 2019 my team and I moved from Vision system 4 to Vision system 5. When we moved across to the Vision 5 system I recall that we received two days of training in relation to the use of Vision 5. It was my understanding that the whole of HMCG was due to migrate across to the Vision 5 system shortly after us. However, this was delayed for a number of technical reasons.
44. As I was on a different version of Vision to the maritime HMCG I only had access to incidents related to aviation. This meant that there could be a slight delay in the ARCC being tasked to an incident, as the Maritime Operator would need to relay the information that had been recorded on Vision 4 to the Aviation Operator who would then enter this information onto Vision 5. However, it is of note that this process would be the case with the ambulance service, the police and fire who were also all operating on different systems to the ARCC. The additional

time that this exercise took was minimal, and in my view did not impact on service delivery.

Applications

45. The Vision 5 system provided some applications to assist Aviation Operators in relation to their decision making. It also provided references to Standard Operating Procedure ("SOP") lists to allow Aviation Operators to cross check the SOP to ensure that all actions had been taken and that nothing had been overlooked.

46. The key applications would have been various mapping tools including google maps, OS mapping that provides grid positions, what-3-words, published Notice to Airmen of hazards ("NOTAM") and a Met Office operated, real time UK Weather App called Helibrief. When a request came in, Helibrief was usually the first tool referred to by the Aviation Operators especially in the winter months.

Communication

47. The communications available to ARCC operators on 23/24 November 2021 were as follows:
 - a. UHF (using the Airwave system) used by all emergency services utilises the national mobile phone network and provides good, clear communication, but is limited to 10-15 miles (at best) away from the coastline. The system automatically uses (and switches between) the best aerial as the aircraft move around, with no noticeable difference seen by either user.

- b. VHF is a good and clear system with a range of 60-90 miles offshore, which uses localised aerials around the UK shoreline. VHF was not available to ARCC operators in the JRCC. However, any Maritime Operator in any UK position could dial into any of these localised aerials. Therefore if Aviation Operators needed to make contact with an aircraft outside of UHF range for any reason they could either contact the relevant Maritime Operator and ask them to make a VHF call to the aircraft, or the Aviation Operator could call the aircraft themselves on HF radio.
- c. HF offered worldwide coverage, albeit the quality of the communication made via HF was variable. Atmospheric conditions are different during the day and night and this therefore required changes in frequency in order to obtain the optimum channel. There was also often white noise in the background when using HF radio which could make it difficult to hear people speaking, but, for SAR operations outside of VHF range, this was our only form of communication. HF is normally tested with the aircraft immediately after take off, regardless of whether the mission profile (range from the mainland) is an issue or not. HF was available on the night of the 23/24 November, however, it was not required as SAR-H remained within the VHF or UHF range.
- d. Spidertracks, was an online tool used by 2EXCEL for their fixed wing aircraft which was occasionally available. However, it was frequently not working and the preferred method of communication was via the 2Excel operations desk as it was deemed more reliable. This tool allowed near real time positional awareness of the aircraft to the ARCC team. This Spidertracks

tool also allowed exchange of short text messages, but was rarely used by the ARCC, but more often used by the 2Excel operator at Doncaster to exchange messages with their aircraft.

48. So far as I was aware, Spidertracks was working.

49. All crew members in a SAR-H could monitor any radio, but typically the front crew, the pilots, worked the ATC frequencies, whilst also monitoring the ARCC/MRCC conversation. Whilst the rear crew, the Winchman and paramedic, primarily worked the radios speaking to the Maritime or ARCC Operator. Both UHF and VHF frequencies were monitored simultaneously by the aircrew.

50. Communication with the Fixed Wing aircraft was achieved by landline to the fixed wing operations desk at Doncaster or East Midlands Airport, who would pass on the message. The fixed wing aircraft were encouraged to provide regular positional updates. These were either passed back to their own operations desk at Doncaster or occasionally from a satellite phone call direct to ARCC which was received via a landline.

51. When working at the ARCC I was not aware of any communication gaps in the Dover Strait. However, had there been any communication gaps it would not particularly affect aviation, as most of our work was based on line of sight, meaning that aircraft have the advantage of being at height therefore affording better, unobstructed communications. As mentioned, using UHF is limited to approximately 10-15 miles out to sea, but for Maritime incidents, operational

control is passed to the Maritime HMCG who conduct mission command via VHF. However, for really long range SAR, the ARCC would resume mission command on HF radio. The only difficulties I have experienced with radios are some of those very long range incidents because of the challenges that using HF brings but this was certainly not an issue for the Dover Straits.

MIGRANT CROSSINGS 2021

Increasing numbers of crossings

52. By 2021 I had been working at the ARCC for two years and during that time the number of small boat crossings the Channel had increased significantly. I understood that in September 2021 alone, more crossings were recorded than in the whole of 2019.
53. One of the reasons that I became aware of the increased number of small boats crossing the Channel was because of the significant increase in fixed wing tasking and, although SAR-H were rarely used in direct support for incidents, there was still an increase in requests for SAR-H to support small boat incidents. An example being that more and more frequently SAR-H were being tasked by HMCG to assist in the follow on daylight missions that reconciled the number of small boats being reported in the Channel with the number of small boats located and rescued. This did cause me some concern as it meant that SAR-H flying time was being used up in these reconciliation missions which could catch us out later in a day if a subsequent, more traditional SAR request was received. As mentioned, the optimum solution for these type of missions was fixed wing or UAVs, but frequently these would be unavailable for a number of reasons.

Impact of increase in small boats on the ARCC

54. The increase in small boats crossing was still very much a matter for our maritime colleagues. The rescue phase in particular was entirely being serviced by BF and RNLI, but the likelihood that SAR-H would be called upon to also become involved in rescue was a very real consideration. The requirement to consider or actually deploy additional SAR-H from other regions to support the Dover Straits was another factor in decision making when considering the nationwide demand on SAR-H. No Commander wanted to be the focus of hindsight scrutiny by management when he was unable to provide a SAR-H to an incident in the North Sea, for example, because he had made the decision to pre deploy that region's SAR-H to Dover hours earlier.
55. By November 2021 I was aware via verbal briefings and discussions that there was a growing trend of inaccurate and exaggerated information being passed to HMCG, and other UK Emergency Services, from individuals on the small boats. This created a significant challenge to HMCG Operational decision makers. It seemed to be against every principle in SAR that the individuals in distress would willingly mislead their rescuers. Worse, if a call reported a boat had stopped in the water, with 20 persons, sinking, no lifejackets, if subsequently the search aircraft overflew that same small boat and observed a vessel that was clearly underway, not sinking and were all wearing lifejackets, the two could not be reconciled. However, ultimately all small boats were recorded and treated as boats in distress and were responded to accordingly.

Addressing the increased demand on resources

56. By November 2021 a fixed wing and UAV flying programme existed to meet the peak crossing times and end of day sweep requirements. Although the fixed wing aircraft were available 24 hours a day, when tasking these aircraft we needed to take into account the Doncaster and East Midlands Airport opening hours, the working hours of the aircrew and their required rest periods. The aforementioned September 2021 TOI (Exhibit DG/02 [INQ006195]) outlined how we would address the requirement to allow crew change by effectively bringing back the fixed wing aircraft at 0930 for that end-of-day sweep.
57. Intelligence and trend analysis identified that the peak in small boats entering UK waters was in the early hours of the morning. Awareness of this timeframe allowed for a pre-planned flying programme that optimised time on task, fuel availability and crew hours to be taken into account on amber and red migrant crossing days.
58. As small boats reported in the Channel were classed as boats in distress we tasked assets to them as requested, subject to flying conditions. I, as an Aviation Tactical Commander, had to consider the assets I had available to me and how I would meet these requests along with other priority requests for SAR-H. I also had to take into account the planned aircraft maintenance cycles.
59. Ordinarily on red days the Humberside SAR-H would be moved and pre-positioned at Lydd. This daily decision would be confirmed at the Strategic Commanders brief and left to the Duty Aviation Tactical Commander to

communicate to Humberside by early evening. On days that the Operation Deveran forecast was amber, Humberside's SAR-H would be left at homebase.

60. The issue of flying multiple aviation types in the same airspace was a growing concern and careful consideration needed to be given to the coordination of flights in terms of timings, duration of flights and purpose. The most straightforward way to avoid aircraft conflicting was by coordinating the timings of flights. However, where the 2Excel fixed wing and Tekever UAVs were on task at the same time a plan for some vertical or lateral separation within the airspace was introduced. Both 2Excel aircrew and Tekever UAV operators were comfortable with how they achieved de-confliction, given that the ARCC does not provide any form of ATC service.

61. In Nov 2021, the optimum surveillance solution was for fixed wing aircraft to be tasked from 0300-0800 with the UAVs joining the tasking from 0430-1030. Based on experience and intelligence gained by HMCG over the proceeding months, these timings aligned with the typical arrival of the small boats into UK Territorial waters ("UKTTW"). HMCG would regularly receive information from the French Authorities which confirmed the appropriateness of these timings as they witnessed the setting off of small boats from their shores.

EVENTS OF 23-24 NOVEMBER 2021

Team on night shift

62. On the night of 23/24 November 2021 I was the Aviation Tactical Commander based at the JRCC Fareham. I led a team of four Aviation Operators including Name

Name

One team member was off sick and two were on annual leave, including my deputy team leader (Exhibit DG/04 [INQ000223]). One of the four Aviation operators on shift was being supervised as he was still under training. I do not specifically recall which operator was doing which task, however, where I had four Aviation Operators on duty I would have normally allocated two operators to work on the telephones and the other two to operate the radios.

63. Although I was entitled to a one hour break, which is coordinated with the breaks taken by other Operators, I do not recall taking a full break that evening. This was due to the fact that a member of staff was sick and there were just four team members on shift. However, I would have taken a shorter break at some point and I would have taken a service mobile phone with me, on which I could have been contacted by any of the operators and recalled to the ops room if needed. During the shift, as the Aviation Tactical Commander, I sat approximately 15-20 feet away from my team on a separate desk adjacent to the Network Maritime Commander.
64. At the start of the shift I used Helibrief in order to gain an indication as to what taskings and issues might arise over the shift. Helibrief was forecasting very poor visibility which from experience usually resulted in SAR-H being tasked to carry out Air Ambulance and Police taskings, as their aircraft were much more vulnerable to poor weather conditions. As the weather appeared to be so poor I monitored Helibrief throughout the shift. Given the risk of flying aircraft in conditions where visibility is poor I anticipated that a large proportion of any

taskings that came in that evening would be declined. For example, earlier on the evening of 23 Nov, the ARCC received a request to conduct a medical evacuation from the Isles of Scilly. However, given the risk of tasking a SAR-H to fly over the sea in darkness with deteriorating weather, for what was a relatively low urgency task (the casualty was deemed a lower priority by South West Ambulance Service), I declined the request.

Network Management Conference Call

Preparation for Conference Call

65. Each evening at 2100 a network conference call took place. I, as Aviation Tactical Commander attended the call along with a maritime representative from each of the HMCG stations across the country. In order to enable me to present the most up-to-date information possible to my maritime colleagues at the Network Conference call, I contacted both 2Excel (Exhibit DG/03 [INQ008827] and RVL (Exhibit DG/05 [INQ008828] prior to the call in order to determine their flight plans that night.
66. 2Excel advised me that their plan was to have two aircraft flying that night and that they were launching from Doncaster at 1130 that evening and would have the whole night covered between the two aircraft. The only difference to other nights being that because Doncaster airport was closed between 0430 and 0830 they would be swapping crews at East Midlands airport.

67. RVL advised that they would be launching at 2015 to arrive at Southend at 2050 and would then be on task at 2145 coming off task at 0030 and returning to task at 0130 following which they would be returning to East Midlands.

Network Management Conference Call

68. At 2100 the Maritime Tactical Commander initiated the HMCG network conference call (Exhibit DG/06 INQ008822) During the call it was established that the various regional HMCG stations previously reported numbers on duty were correct and the Network Commander explained how he intended to cover any planned breaks or cover for any regional HMCG stations that were short staffed. He also gave a summary of the weather conditions, specifically he noted a frost in places and fog, which was locally dense, particularly in southern parts.
69. I then gave an update from an aviation perspective. For the benefit of the HMCG regional stations, I made reference to the worsening weather, specifically fog, impacting on visibility in the south and the likelihood of icing conditions to the north west. It is my recollection that there was a front lying north east to south west from Yorkshire down to Land's End with the fog forming to the south and east of this front.
70. I confirmed that all assets were available. I also explained that there were two fixed wing aircraft planned to fly in the Dover Straits from approximately 2345 through to 0900 the following morning (Exhibit DG/05 INQ008828) I also confirmed that Tekever were on task from 0530. However, I made it clear that

these plans were all weather dependant, as if the weather worsened then these steps would not be possible.

Worsening weather conditions

71. As the evening progressed, the Helibrief visibility forecast was showing a significantly worsening picture into the early hours of the morning. I had taken screen shots and copied them into the Vision 5 Narrative (Exhibit DG/07 [INQ000225]). This was something that I rarely did, which suggests that I was particularly concerned on this occasion. These forecasts were showing fog from the north French coast to as far north as the Wash with fog also forming in the Humber estuary, covering Doncaster Airport. This was extremely relevant to my role, as mentioned above, poor weather was the most influential factor in assessing the feasibility of any mission in respect of SAR aviation that evening.

Cancellation of 2Excel

72. I became increasingly concerned that the pre-planned 2Excel fixed wing and RVL aviation were going to be cancelled or severely restricted by the flying conditions. As anticipated 2Excel Ops called the ARCC at 2353UTC to state that they were postponing the Op EOS flight and this was recorded as:

"can't complete this tasking, southend out of limits att for panther AC will reassess later for King Air" (Exhibit DG/08 [INQ000224]).

73. I anticipated that the French authorities would also have limited visibility from their side of the Channel and would therefore not be in a position to advise us whether or not any small boats had left France. Such a call from the French would ordinarily be the first indicator and warning of small boats crossing. As we now know the French did witness some boats crossing on the night of 23/24 November 2021.

74. At 0030, I verbally expressed my concerns to the Maritime Tactical Commander and at the end of our discussion, recommended that we both make a comment into our respective narratives that we had had the conversation and were exploring other options. I made an entry on the vision log at 00:38:51 stating:

"JRCC CDRS MAR & AIR Have discussed at 0030z. concern is that with poor viz abd our surveillance aircraft being limited to conduct mission we are effectively blind. Both CDRS agree that caution of allowing ourselves be drawn into relaxing and expecting a normal (?) migrant crossing night whereas this has the potential to be very dangerous" (Exhibit DG/07 [INQ000225])

75. As explained, the supporting role of aviation in the small boat incidents is to generate a recognised maritime picture which allows informed decision making and reconciliation of numerous calls to identified (or not yet found) vessels as the incidents progressed. I made this note in order to highlight my concerns regarding the impact of the weather on aviation and that a normal sequence of flying by fixed wing and UAVs to conduct a search was unlikely to occur. I also

wanted to highlight the fact that an alternative approach needed to be taken to ensure that maritime HMCG had visibility as to what the position at sea was.

76. I then had a call with RVL at 0040 (Exhibit DG/09 INQ008830) who advised me that they were currently on task, and due to their location at that time their plan was to go into Southend to refuel and then to go back out at 0130 and complete their task.

Public Interest/Operational Sensitivity

Public Interest/Operational Sensitivity

Public Interest/Operational Sensitivity

The 2Excel aircraft mission profile was to fly low and visually spot and identify small boats. I am unable to comment on the issue of weather limits at Southend, but from what I saw later that night on helibrief, I am surprised that they were still considering Southend as a usable airfield that night.

Alternative approach

77. In light of 2Excel having delayed their flights, and possibly not being able to fly at all, it became apparent that an alternative approach needed to be taken in order to provide a RMP. I therefore considered the use of SAR-H.

78. At 0204 I had become aware, I suspect from conversations between my maritime colleagues, that upward of 11 vessels containing migrants were in the water. I therefore contacted 2Excel to confirm whether or not they were going to be able to send an aircraft out. I used the phrase "an all-day armada" to explain that I was not certain whether or not this was just one wave of small boat activity or whether there was going to be significantly more following on taking advantage

of the reduced visibility. Based on the weather data that I had available to me and my knowledge of aircraft flight I knew that 2Excel would not be in a position to send a flight out, but I knew that as a matter of formality I needed to check this with them, which I described in the call with 2Excel as "ticking boxes". During the call 2Excel confirmed that they would not be flying.

Tasking R163

79. Based on historical data, and the report at 0204 which was based on information received from the French authorities, I estimated that any small boats would most likely arrive at the boundary to UKTTW at approximately 0300. Looking at the Helibrief visibility forecasts, in particular the visibility out to sea in the vicinity of the UKTTW boundary, which was marginally better, the forecast suggested that this might be temporary but coincided with my estimate for activity timings. I made the decision to request the Lydd SAR-H R163 to conduct a sweep along this area. Ultimately it is the aircraft captain that authorises the flying, the ARCC just requests the tasking. The type of fog experienced this night was caused by the actual air temperature matching the dew point temperature. So with the rapid cooling of the air temperature over land at night, this meeting point occurred much sooner than out to sea, where the more stable sea temperature, helped the air temperature remain slightly warmer.

80. I did not consider RVL or Tekever at this point as even if they could take off and land they would not be willing to fly low enough to the sea to see any vessels. In fact, by this time they had already declared they would not fly due to the weather.

81. At 0217 I called the aircraft captain. I was not scrambling the aircraft, so I specifically just rang the aircraft captain. What I wanted was to get him up, grab a coffee and when he was sat in front of his weather terminal, call me back to discuss my proposal. He then called me back at 0241 (Exhibit DG/10 INQ007389) From the call it appears that he woke up his co-pilot to join us on the call.

82. At the 0241 tasking call (Exhibit DG/10 INQ007389) I discussed the tasking with the aircraft pilot. We discussed the risks in terms of the weather and the fact that he would need to fly close to the water surface to optimise visibility and this would put the aircraft at risk of collision with larger vessels. I understood that particular risk was the basis for the Captain's comment on the call that he would be "*playing radar chicken with vessels*". The aircraft captain agreed to go and I provided an initial start and finish position along the UKTTW boundary that was felt to offer the most likely chance of success. I provided a radial (an initial flying heading) from Lydd to fly to intercept the UKTTW boundary, and then a direction of North East towards Dover to cover that boundary.

83. In this call the Captain advised that this tasking he would "write them off". I understood this to mean that this tasking would significantly wear out his crew and therefore it would not be possible to use the aircraft later in the shift. I acknowledged his concerns, but based on the information now being received that small boats were on their way and that the first of the typical 999 calls were being received, in my opinion, the requirement for some form of aerial surveillance was appropriate. Noting the Aircraft Captain's likely assessment that flying this mission would likely wear out his crew and thus not be available for

further tasking later that morning is where I made reference to a "true SAR incident". By this I was referring to an incident where there was a known incident or casualty, where rescue by SAR-H represented the only solution, whereas this mission was a search requirement. Nevertheless the migrant boats were treated as in distress and we acted accordingly by tasking R163. I was asking, from the relative safety and comfort of a heated Ops Room, for 4 aircrew to take off and fly out over the sea in very poor conditions and risk their lives looking for small boats.

84. At the time of tasking R163 I had no knowledge of the Charlie incident, and in fact I did not become aware of it until the following afternoon.

85. At 02:51 I recorded the formal tasking:

"Decision is to formally task – distress 999 calls now received from migrant vessels. Mission is to search, identify/localise positions of migrant vessels as able . concerns: WX-vis out at sea deemed ok at moment, but WX over land is poor and with dew point/actual temp now merged, very real chance of fog at Lydd. R163 will use VHF as primary freq, but requests ARCC maintain listening watch on airwave so that recall to Lydd can be achieved if WX deemed closing. Assessment OS FO (is for) a 90 min sortie but (in all probability) all parties back that if migrant activity continues then refuels and requests for further patrols will be made."

86. In this call I set out my justification for the taskings but also acknowledged the risks involved. At this point, my intent was to just get an aviation asset airborne, in roughly the right position for about 0300 – 0330UTC, whilst there was a predicted weather gap. Once airborne and working on VHF radio with Dover maritime MRCC, a more detailed search plan, generated by the SMC at Dover, could be passed to the Captain. In fact, I subsequently discovered that the Lydd Captain called MRCC Dover before getting airborne to discuss search plans (Exhibit DG/11 INQ010122). Search planning was not a role that the ARCC were involved in and had not been trained for.
87. During this call with the Captain, I also shared my concerns that once airborne and operational control passed to Dover MRCC, there was a risk of “mission creep” which I refer to in the vision log (Exhibit DG/12 [INQ000226]). By that I meant that the tasking would become extended by maritime CG, which would further eat into available flying time. However, this was not a reason not to respond to the tasking.
88. Following the discussion with the SAR-H captain at Lydd, they accepted the tasking at 0246. The aircraft should have been airborne 45 minutes later at 0330, but there was a 20 minute delay due to a technical issue discovered whilst taxiing at 0330. Once airborne control of Rescue 163 was passed to Dover MRCC and ARCC’s role now reverted to monitoring fuel endurance calls and monitoring the weather at Lydd as requested by the aircraft captain. Rescue 163 eventually landed back at Lydd at 0628.

89. Looking ahead, my considerations at this point were that if the weather conditions in the centre of the Channel held, then we should continue to use Rescue 163 (Lydd SAR-H), with refuelling, for searching rather than bringing in Lee-on-Solent or Humberside SAR-H, as their airfields were also suffering from poor weather. Although Rescue 163 launched with a life raft at this stage the mission was most likely to remain focused on search rather than rescue, as aviation is far better suited for searching large areas at pace rather than dealing with a single incident where other assets (surface vessels) were better suited. I would revisit and re-evaluate the need for a follow on aviation solution to replacing Rescue 163 if, as the captain stated during tasking, the crew were unable to fly again at the end of that 90 minutes.
90. I did not call Lee-on-Solent or Humberside SAR-H captains as I felt confident that the search mission could be covered by Lydd's SAR-H and the poor weather conditions pushed the risk factor for these out-of-area crews to high. Lydd's Captain had specifically asked that the ARCC monitor the weather at Lydd so that if conditions worsened, R163's captain could terminate the search and return in time.
91. Although the HMCG deem small boats as "in distress" for the purpose of incident creation, from an aviation perspective, this was still just a search and without any reports of vessels sinking, in my opinion this could not justify pulling across additional SAR-H assets with the poor weather reported. These two regional SAR-H (Lee & Humberside) were my rescue assets for their own large areas and getting them "fogged in" at Lydd, if they even got that far, would generate risk in my role as asset management. Balanced against this was consideration of using

up the available hours on Lydd's R163, thus making R163 unavailable for further SAR tasking.

92. Although the aircraft are available 24 hours a day, there are restrictions on aircrew hours and flying in these conditions was likely to increase significantly the strain and fatigue factor on the crews. I had to consider what my response would be to another confirmed incident in the Southeast region, which I referred to as "real", on the call with the captain if I had no SAR-H asset available because R163 hours had been used up and a SAR-H was the only solution to effect a rescue.
93. As predicted, the search flown by R163 exceeded what had been originally planned given that it was the only aviation asset airborne that night in that area. Rescue 163 was released from task at 0628. When a further search later that morning was requested, after my watch was complete, the aircraft captain declined the task on grounds of crew exhaustion and the Lee-on-Solent helicopter was tasked instead. Lee-on-Solent being approximately 1 hour flying distance from Dover Straits.
94. Throughout that evening the ARCC had no indication of any vessel sinking. From my position I was aware of the efforts going on at the maritime front in trying to unpick and reconcile the numerous calls against the known boat sightings. However, my awareness was limited to hearing verbal conversations between Solent's SMC and the Maritime Tactical Commander, I did not have access to the maritime narratives nor listen in to any of the landline conversations between Dover and JRCC.

Tasking Tekever

95. At 0519 on 24 November 2024, Tekever called ARCC advising that they were planning to fly. I advised that a SAR-H was out there and that there were 10 vessels reported so far and I followed this up with a call to Dover at 0527 to say that the UAV was going out.
96. Tekever had an asset airborne from 0730 until approximately 1400, with 2excel getting one of its aircraft (CG25) on scene from 1030 until 1540.

Statement of Truth

I believe the content of this statement to be true.

Signed Personal Data _____

Dated: 24 Oct 2024