

Witness Name: Duncan Ley  
Statement Number: 1  
Exhibits: DL01 – DL15  
Dated: 28 October  
2024

## THE CRANSTON INQUIRY

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### WITNESS STATEMENT OF DUNCAN LEY

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I, **DUNCAN LEY**, National Network Operations Manager, HM Coastguard Operations, at the HM Coastguard Joint Rescue Coordination Centre ("JRCC") UK, Unit 12, Kites Croft Business Park, Fareham, Hampshire, PO14 4LW, will say as follows:

#### Introduction

1. I make this statement on behalf of the Maritime and 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.
2. The matters contained in this statement are either known to me, or are derived from records retained by myself or the MCA. Any records to which I have referred, I have had access to and believe them to be true.

3. I attach to my Witness Statement an index of the Exhibits to which I refer in my statement.
4. I understand this statement will be evidence before the Inquiry and may be published on the Inquiry's website, disclosed to full participants to the Inquiry, and other witnesses as the Inquiry deems necessary.
5. I would like to express from the outset, my deepest condolences to the family and friends of the victims of this tragic incident.

**Professional background and qualifications**

6. From 2012 – 2015, I worked for the Australian Department of Defence as a Diplomatic Clearance Officer for the Royal Australian Air Force. This role included:
  - 6.1 Providing high-level strategic international air movement services and advice to senior Australian Defence Force leadership and mission planners;
  - 6.2 Monitoring all foreign state aircraft movements within Australia and all Australian state aircraft movements overseas;
  - 6.3 Liaising with the Department of Foreign Affairs and Trade, Foreign Embassies and High Commissions, and the Departmental/Australian Defence Force elements on diplomatic clearance issues and issues concerning aspects of military movements;

- 6.4 Assisting Air Operation cells at each Force Element Group in the coordination of all ground support for visiting foreign aircraft and crew members;
  - 6.5 Assessing and authorising diplomatic clearances for Australian Defence Force aircraft proceeding overseas, and foreign military and state aircraft visiting Australia;
  - 6.6 Advising foreign governments and visiting crews on air route suitability, Australian requirements and local regulations;
  - 6.7 Managing the diplomatic clearance staff team, watchkeepers and reservists;
  - 6.8 Researching and writing country guidelines, diplomatic clearance templates and instructions, and international aviation guides based on aviation legislation and best practice models;
  - 6.9 Maintaining a knowledge and library of relevant international civil aviation and foreign military international publications, records and documentation; and
  - 6.10 Checking itineraries for overseas tasks using aeronautical information charts and Air Tasking Orders and Directives.
7. In August 2015, I moved from Australia to the UK. In November 2015, I joined HM Coastguard as a Maritime Operations Officer ("MOO"), working at the National Maritime Operations Centre ("NMOC"), today known as the Joint

Rescue Coordination Centre ("JRCC"), in Fareham, Hampshire. The MOO is the entry level position in maritime operations.

8. I was promoted to a Maritime Operations Controller in March 2016 (By the time of the incident in November 2021 this role was known as Maritime Tactical Commander). The Maritime Operations Controller is the most senior operational officer on duty within the HM Coastguard network, responsible for maintaining oversight and knowledge of search and rescue ("SAR") incidents occurring throughout the network, providing input where necessary, and notifying and briefing senior personnel on incidents they need to be aware of. The role is fundamental to the business continuity response and includes being responsible for dynamically managing the resources and workload within the National Network throughout the course of a shift.
9. From February – October 2020, I was acting Aeronautical Rescue Coordination Centre ("ARCC") Commander. This was a non-operational role.
10. In October 2020, I was promoted to JRCC Manager. In my role as JRCC Manager, I did not participate in core operations as this role was also non-operational. The role profile for JRCC Manager is provided as Exhibit DL01 [INQ006716].
11. In terms of the non-operational corporate structure, at the time of the incident, the leadership structure I was working under was the Deputy Chief Coastguard (my direct Line Manager), the Chief Coastguard and the Director of HM Coastguard.



12. At that time, I would have been the line manager of 6 of the 12 Maritime Tactical Commanders (with the remaining 6 being managed by the other JRCC Manager).
13. The role of JRCC Manager became known as National Network Operations Manager in March 2023. This is my current role.
14. In addition to my role as National Network Operations Manager, from February 2020, I have operated as an on-call Duty Strategic Maritime Commander, as is detailed further below.
15. At the time of the incident, the command structure for operations, from the most senior role down, was as follows: Duty Operations Director; Maritime and Coastal Duty Strategic Commanders; Maritime, Air and Small Boat Tactical Commanders; Team Leaders; Senior Maritime Officers; and Maritime Officers (now there is only one on-call Duty Strategic Commander - Maritime).
16. In terms of my qualifications, I hold a Bachelor of Arts (Honours) in English and Film from the Australian National University (Canberra, Australia).
17. I am a qualified MOO accredited by the MCA (obtained in 2016).
18. I completed a two day Multi-Agency Strategic Command (MASC) training course with Dorset Fire and Rescue in February 2020. The course is designed to develop the ability to perform the role of Gold Commander in major incidents/ civil emergencies where a multi-agency response is required.
19. As of November 2021, training received relevant to small boat SAR was the MOO qualification I had obtained in 2016 which comprised of modules in

Coastguard Communication Systems, Nautical Knowledge, Map work and Chart work, Maritime Search, and Mission Conduct.

20. There was no specific "small boat SAR" training, as the operational principles and practices of maritime SAR apply to small boat crossings, as they would to other instances of small watercraft in difficulty or distress at sea.

#### **Role as Strategic Maritime Commander**

21. I have operated as a Duty Strategic Maritime Commander since February 2020.
22. There are no specific training requirements for the role of Duty Strategic Maritime Commander, it is based on experience.
23. The Duty Strategic Maritime Commander is a command function shared by a number of HM Coastguard Grade 7 staff, who are rostered to cover the on-call role for one week at a time (Monday to Sunday).
24. At the time of the incident, I believe this role was covered by four or five Grade 7 positions.
25. The Duty Strategic Maritime Commander role is unlike the roles of Maritime Tactical Commander, Small Boat Tactical Commander, and Air Tactical Commander, which are all substantive salaried civil service jobs with role profiles.
26. The role of the Duty Strategic Maritime Commander is to provide advice, reassurance, decisions and support to the Duty Tactical Commander or mission coordinators during routine and major Coastguard operations.

27. The role is on-call, during both office hours and out-of-hours and becomes operational when called by a Duty Tactical Commander requesting strategic support and input into a specific incident or business continuity event, or the Duty Strategic Maritime Commander becomes otherwise aware of the need for their involvement.
28. If the Duty Strategic Maritime Commander was not called during office hours, they would be attending to their duties of their substantive role, which in my case, in November 2021, was JRCC Manager. If they were not contacted during out-of-hours, they would not be working.
29. There is published guidance on the Coastguard Information Portal ("CIP") as to the circumstances when a Duty Tactical Commander is required to contact the Duty Strategic Maritime Commander, as contained at Exhibit DL02 [INQ003766].
30. For incidents within the UK SAR Region ("SRR"), this includes:
- 30.1 any major incident or situation which may require a major incident response including any event that seriously disrupts the Operations Centre's business continuity;
  - 30.2 any incident involving a passenger carrying vessel causing the death of one or more members of the public;
  - 30.3 any other incident causing the death of five or more people;
  - 30.4 any incident which puts scores of people at great risk;

- 30.5 any incident involving fatalities, or notable accidents, to rescue units or crews;
  - 30.6 any significant damage to a contracted helicopter;
  - 30.7 any spectacular incident, or one which has political sensitivity, particularly if pictures are likely to be shown on TV or receive extensive media coverage;
  - 30.8 contact is necessary with the Foreign and Commonwealth Office during working hours;
  - 30.9 any incident which will, or could involve other states bordering the UK SRR and is likely to attract media attention or involve Government Ministers;
  - 30.10 any occasion when a bordering state has requested significant input from UK SAR resources;
  - 30.11 any occasion when doubt exists as to the actions taken regarding an incident, or when further advice or support is deemed to be necessary;
  - 30.12 upon receipt of a ship security alert from any vessel within UK SRR or a UK flag vessel anywhere in the world;
  - 30.13 any other occasion as deemed necessary by the Duty Tactical Commander or if in doubt;
  - 30.14 any incident that may require the Powers of Intervention to be invoked;
- and

30.15 any incident that has or may lead to the establishment of a Temporary Exclusion Zone.

31. For incidents outside the UK SRR, the Duty Tactical Commander is required to contact the Duty Strategic Maritime Commander when any incident outside the UK SRR is either notified to, or intercepted by, HM Coastguard involving foreign flag vessels carrying British nationals, or ships that are or might be identified as British because of their registration, ownership, officers and crews.
32. The role is not purely reactive, it is also proactive in certain circumstances, primarily where forward planning is necessary. For example, should a severe weather warning be issued by the Met Office identifying a significant risk of flooding, a command structure may be stood up and planning meetings occur around HM Coastguard contribution to the national/regional flood response. In relation to small boats, the Duty Strategic Maritime Commander attends and chairs a small boats planning meeting every Monday to discuss the week's crossing forecast and staff and asset availability for the next seven days (as I did on Monday 22 November 2021). The minutes from the small boats planning meeting on 22 November 2021 are provided at [Exhibit DL03 \[INQ000206\]](#).
33. The Duty Strategic Maritime Commander also reports, when necessary, to the Duty Operations Director ("DOD") who is an on-call senior role performed by a different rota of Grade 7 – Grade 6 positions.
34. The DOD briefs and liaises with MCA executive management and senior Department of Transport officials as part of the briefing conduit to Government.



There is further guidance provided on when a DOD should be contacted at Exhibit DL02 [INQ003766].

35. In relation to the inter-relationship between the role and functions of the Duty Strategic Maritime Commander and those of the Maritime Tactical Commander; the Air Tactical Commander; and the Small Boat Tactical Commander - the Duty Strategic Maritime Commander will, where necessary, convene meetings. These include internal and/or external operational (Bronze), tactical (Silver), or strategic (Gold) meetings to discuss and decide on significant operational matters and incidents that have been brought to the Duty Strategic Maritime Commander's attention and require his/her input.
36. The Maritime Tactical Commander and, in relevant circumstances, the Small Boat Tactical Commander and Air Tactical Commander would attend and participate in those meetings and be responsible for enacting the strategic direction and any delegated actions of the Duty Strategic Maritime Commander.

#### **Events of 23-24 November 2021**

37. During the night watch of 23-24 November 2021, I was asleep at home; I was not at work, not required to be at work, and not considered to be working until contacted by a Duty Tactical Commander or other operational member of staff.
38. As outlined above, at the time of the incident I was the JRCC Manager and on-call Duty Strategic Maritime Commander for the week 22-28 November 2021. The JRCC Manager role was non-operational, and my working hours were Monday to Friday 0900hr-1700hr.



39. In addition, when rostered as on-call Duty Strategic Maritime Commander, the role was operationally inactive until contacted by a Maritime (or Air or Small Boat) Tactical Commander and informed of an incident, issue or business continuity event that required strategic involvement and/or awareness.
40. I was not contacted at any time by any Duty Tactical Commander (or anyone else) during that night watch. If I had been contacted I would have been paged on both my personal and work phone, but this did not happen.
41. During the night watch, I had no involvement in any work relating to small-boat activity, as I was not contacted by any Duty Tactical Commander and informed of such activity that required my input or awareness.
42. During the evening of the 23 November 2021, I did not take part in any network management meetings. It is not a requirement for an on-call Duty Strategic Maritime Commander to participate in or attend any of the 12-hourly network management meetings. These meetings are chaired by one of the Duty Tactical Commanders, with the purpose of briefing duty operational staff on the Duty Tactical Commander's plan for the network for the rest of the shift. The agenda covers network status, who the relevant duty personnel are, staffing levels, data centre and dial plan status, zone allocation status, maritime and aeronautical weather briefs, planned and active events, ongoing incidents of interest, technical brief, counter pollution and salvage brief, and any other business.
43. I was unaware of a controller message, or any entry, in the ViSION log for GIN 041382, as I was not required or expected to be monitoring any incident logs. I

was not working during the night of 23-24 November 2021, and was not contacted about this incident.

44. In relation to my knowledge of incident "Charlie", I was not aware that a May Day Relay was broadcast in relation to this incident.
45. I was not aware of this incident at all until I was contacted at 1230hr on 24 November 2021.
46. The following account from paragraphs 49 - 64 includes information derived from the relevant handwritten entries in my personal log. I have provided a photocopy of my handwritten personal log at Exhibit DL04 [INQ008654] and a typed version (for ease of reference) at Exhibit DL05 [INQ008658].
47. This is a log I maintain for incidents when contacted as the Duty Strategic Maritime Commander to keep contemporaneous notes in order that such records can be referred to in the future if necessary (as is common practice from commanders among all emergency services).
48. I use my personal log to record what information I have been informed of regarding an incident, by whom and when, what action I have taken and my thought process / any decision-making rationale. This information is not recorded in the incident log as most of the time when called, a Duty Strategic Maritime Commander doesn't have ready access to input into the VISION incident log, and because it is not always appropriate for operational staff to know my thoughts.

49. At 1230hr on 24 November 2021, the Duty Maritime Tactical Commander (Matthew West) briefed me on GIN 041497. I was informed that the French SAR authorities were coordinating a SAR response to an incident of reportedly 10-15 persons in the water (presumably from a sunken watercraft) within the French Search and Rescue Region ("SRR"), approximately 20 cables (or 3.7 km) from the median line. A French warship was on-scene. The French SAR authorities had requested a HM Coastguard SAR Helicopter to assist with their search efforts, as their closest helicopter had become unserviceable prior to deployment. HM Coastguard SAR Helicopter, call sign Rescue 163 (or "R163"), had been tasked to assist, and whose search efforts would be coordinated by the French Search Mission Coordinator ("SMC") who was coordinating the incident. I was informed that the search area was wholly within the French SRR. HM Coastguard Maritime operations had run a SARIS search area determination model, and ascertained that from datum, a drifting person-in-water may enter the UK SRR at approximately 2000hr that evening. (SARIS was, at the time, HM Coastguard's electronic search planning tool which has since been replaced by THEMIS).
50. Due to the fact there was potential for media coverage of this incident, and because HM Coastguard was providing an asset to a neighbouring state authority, I briefed the DOD, Pete Summers, for his awareness (as per CIP guidance). At that time, with the incident well within the French SRR, the French SAR authorities coordinating, and with the French not requesting any further assistance from HM Coastguard, I saw no need for any further HM Coastguard response at this time.

51. At 1434hr on 24 November 2021, the Duty Maritime Tactical Commander (Matthew West) provided me with an updated brief. R163, searching under the coordination of French SAR authorities, had spotted bodies unresponsive in the water. The aircraft was currently at its base in Lydd refuelling, to return and continue assisting French search efforts. I again briefed the DOD on this update, anticipating that the recovery of (confirmed) deceased persons would be of media interest, given the probability the persons were migrants attempting to cross the Channel.
52. Shortly after, at 1444hr, the Duty Maritime Tactical Commander (Matthew West) informed me that the French had stood down R163, in effect no longer requiring its assistance to search, and that French and Belgian SAR authorities would continue coordinating body recovery. No further UK asset involvement was requested.
53. At this point I requested the Duty Maritime Tactical Commander provide a written brief to better inform senior management, recognising this was a newsworthy, potential mass-casualty event close to the UK SRR. He sent the brief to myself and the DOD at 1600hr. This is provided at Exhibit DL06 [INQ008386].
54. At 1623hr, having checked a couple of national media websites and seen articles relating to the above, I informed the DOD of such, and that he should also be in receipt of the Duty Maritime Tactical Commander's incident brief. I decided, and the DOD agreed, that a Gold-level command meeting was not

necessary for this incident, as HM Coastguard was not the coordinating authority, and the incident was not in our waters.

55. At 1840hr, the Duty Maritime Tactical Commander (Matthew West) informed me that the French had again requested the assistance of R163, but the helicopter was returning to base due to having an ineffective FLIR (Forward-Looking Infrared) camera. He further briefed me that the French had reported there were 4 still-unaccounted-for persons-in-water and that the French SAR efforts would be suspended at approximately 2000hr until daylight the following day (25 November 2021).
56. I concurred with his stated concern that from 2000hr the search area would start to intersect and expand into the UK SRR, and that there was a possible risk that search objects (e.g. persons-in-water) within survivability (stated by him as having been calculated as an outer limit of 19 hours), may be in the UK SRR from 2000hr onwards. I established a number of actions for the Duty Maritime Tactical Commander to enact, being:
  - 56.1 Ascertaining if the casualties already recovered by the French were wearing life-jackets (which would inform both the choice of 'search object' when creating search plans, and inform discussions around survivability);
  - 56.2 Assessing if air assets would be search-effective assets overnight (the Duty Maritime Tactical Commander, working in the same location as the Duty Air Tactical Commander, confirmed immediately that they would be ineffective due to weather conditions);



- 56.3 Ascertaining from the French SAR authorities how they arrived at 4 persons still-unaccounted-for (e.g. what information source was used);
- 56.4 Discussing with the SMC the best SAR maritime asset to deploy for an overnight search, factoring in fatiguing that asset and therefore reducing its availability for searches or casualty assistance the following day (and therefore considering the use of a lifeboat from a station further afield);
- 56.5 Discussing with the SMC when broadcast action should commence (being the likelihood of persons in the water drifting into the area of the Channel's traffic separation scheme) and when passing marine traffic is used as additional search assets; and
- 56.6 Issuing an updated SITREP when appropriate.
57. The above actions should all be considered and enacted by the SMC, with Duty Tactical Commander oversight and guidance where necessary, for all SAR responses of this type, and without prompting or involvement by a Duty Strategic Commander (they are operational, not strategic considerations). However, with the Duty Maritime Tactical Commander and myself discussing the upcoming search, I believe there was only benefit in iterating/confirming the actions that should be taken.
58. Again I decided there was no need for a Gold-level meeting, as the French remained the coordinating authority and any overnight search by HM Coastguard would be within a small search area with one declared maritime asset, searching for 4 objects.



59. The Duty Maritime Tactical Commander reported at this time that there was good availability of Border Force and RNLI maritime and aeronautical assets for the following day (25 November 2021) which was forecast as a period of favourable crossing conditions.
60. At 1909hrs the Duty Maritime Tactical Commander provided myself and the DOD with an updated written brief. This brief is provided at Exhibit DL07 [INQ008388].
61. At 1925hr, I further updated the DOD on the above brief and actions. I have noted in my personal log that I briefed the DOD on HM Coastguard's intended search contribution (commencing at 2000hr) being 1 All-Weather Lifeboat undertaking a 3 hour search, with a probability of detection being 34%, and that the DOD concurred that it was a proportionate response. I have not noted when I received this information from the Duty Maritime Tactical Commander, though I assume it was during our 1840hr call, or at some point thereafter.
62. I was not paged by, nor did I contact, the Duty Maritime Tactical Commander overnight.
63. At 0738hr on 25 November I called the Duty Maritime Tactical Commander for an update, and was informed that no further significant developments occurred overnight (e.g. no search objects were located by our search, and the French had no further updates). As HM Coastguard would be conducting no further action, I requested he issue a final incident brief. This final incident brief is provided at Exhibit DL08 [INQ008390].

64. At 1026hr, I received from the Duty Maritime Tactical Commander a general update: that today's migrant activity was minimal, with 67 migrants rescued from two vessels. Good visibility and poor sea state had resulted in less-than-anticipated launches and better-than-expected aerial surveillance.
65. In addition to the verbal briefs described above, I was sent a Small Boats Activity Situational Report ("SITREP") at regular intervals on 24 November 2021 (received by me via email at 1126hr, 1134hr, 1136hr, 1434hr, 1706hr and 2312hr), which provided statistical information on ongoing incidents and asset usage/restrictions. These SITREPs are provided at Exhibit DL09 [INQ008657], Exhibit DL10 [INQ008655], Exhibit DL11 [INQ008659], Exhibit DL12 [INQ008653], Exhibit DL13 [INQ008652] and Exhibit DL14 [INQ008656].

#### **Post-Incident Matters**

66. Due to the above-described incident occurring in French waters, on 25 November I decided to conduct a table-top exercise with the on-duty JRCC day watch to exercise HM Coastguard's response should a similar incident occur in UK waters, whereby HM Coastguard would be the coordinating authority and accountable for the incident response. This learning exercise was conducted at some point during the day of 25 November 2021 (time unrecorded) in the JRCC Strategic Planning Room with members of the on-duty watch. Notes of this exercise were made by Emma Gasston (HM Coastguard's Standards Officer) and sent to the Chief Coastguard and Deputy Chief Coastguard for their awareness. The notes of the exercise are provided at Exhibit DL15 [INQ006722]. I further discussed some exercise findings with HM Coastguard's resilience officer.

67. Following the incident, I was not provided with any support, but I also did not request any as I did not feel that I needed any.
68. However, had I required support, I knew where to access it. This would be initially via my Line Manager and/or the CIP's Wellbeing Hub, from which a number of mental health support services can be freely accessed, including Trauma Risk Management ("TRiM") and the Employee Assistance Programme ("EAP"), among many others.
69. TRiM is a peer support system, whereby employees are trained in the TRiM process to enable them to support the psychological health of colleagues who have been exposed to a potentially traumatic incident and can then direct them to specialist support where necessary.
70. Anyone can contact a qualified TRiM practitioner for support (including TRiM practitioners outside the member of staff's immediate operational environment). TRiM practitioners are not trained counsellors, but they can assist in processing the incident by debriefing staff in a supportive environment; signposting staff to specialist support; and checking in with staff to ensure they remain supported. I have not gone through this process myself as I have never needed it.
71. Via the support mechanisms in place, Occupational Health referrals can be made and counselling is freely available. There are no barriers to accessing support, it is accessible to all employees and is generally organised by line management for operational staff.
72. In terms of my colleagues, I do not know if anyone was provided any support at the JRCC following the incident.

73. I cannot comment on the adequacy of the support mechanisms in place as I have never been in a situation personally where I have required support.

#### STATEMENT OF TRUTH

I believe the content of this statement to be true.

Signed.

Personal Data

Dated.....

04 November 2024