

Made on Behalf of:	Matthew Leat
Surname and Initials:	Leat M
Statement Number:	1
Initials and Number of Exhibits:	[ML/01-ML/78]
Date Statement Made:	1 November 2024

THE CRANSTON INQUIRY

WITNESS STATEMENT OF MATTHEW LEAT

I, Matthew Leat, Assistant Chief Coastguard at His Majesty's Coastguard c/o Spring Place, 105 Commercial Road, Southampton, SO15 1EG, will say as follows:

Introduction

I make this statement on behalf of the Maritime and Coastguard Agency ("MCA") in response to a witness evidence request from the Cranston Inquiry (the "Inquiry") dated 30 July 2024. This request relates to the provision of a corporate statement on behalf of the MCA. I am duly authorised to make this statement on behalf of the MCA.

I currently hold the position of Assistant Chief Coastguard National Network Operations and Infrastructure at His Majesty's Coastguard ("HMCG" or "HM Coastguard"). I have held this position since January 2023. My responsibilities include strategic oversight of HM Coastguard's National Network (Maritime and Aviation) and operational technology to ensure 365 day and 24/7 operations. I joined HM Coastguard in November 2010 at Maritime Rescue Sub Centre (MRSC) London. During my time at HMCG, I have worked in several operational roles within coordination centres as well as holding Headquarters positions. I have attended many training courses during my time such as search and rescue ("SAR") Mission

Coordination and Major Incident Command training including Multi-Agency Gold Incident Command with external agencies.

In November 2021 I was in the role of Head of Infrastructure for HMCG. This role was a senior leader in HM Coastguard, and I was the intelligent customer interface between HMCG and the MCA Information Technology department. As part of this role, I also assumed the role of Strategic Commander for HMCG operations as part of the on-call roster. In January 2022 I took up the new role of Assistant Chief Coastguard Migrant and Maritime Security Operations.

Where matters are referred to in this statement in the present tense, this is because the position remains the same now as it did on 23/24 November 2021, unless explicitly stated otherwise.

1. Section One: Overview of the MCA, Legal Framework and Responsibilities

1.1 Established in 1998, the MCA is an Executive Agency of the Department for Transport ('DfT'). The MCA provides a 24-hour search and rescue emergency coordination and response service for the United Kingdom search and rescue region, through HM Coastguard. HM Coastguard was founded in 1822.

1.2 The Coastguard Act 1925 **ML/01 [INQ000099]** placed a statutory duty upon HM Coastguard to carry out its Search and Rescue ('SAR') obligation. A subsequent determination laid down in Parliament in 1992 **ML/02 [INQ000101]** stated that:

"HM Coastguard is responsible for the initiation and coordination of civil maritime search and rescue within the UK search and rescue region. This includes the mobilisation, organisation and tasking of adequate resources to

respond to persons either in distress at sea, or to persons at risk of injury or death on the cliffs or shoreline of the UK".

- 1.3 HM Coastguard is the UK's only national emergency service.
- 1.4 The UK Maritime Search and Rescue Region ('UKSRR') covers approximately 1.25 million square nautical miles. The UKSRR diagram **ML/03 [INQ000412]** shows the UKSRR border depicted in blue.
- 1.5 HM Coastguard operates a network of one Joint Rescue Coordination Centre ("JRCC"), nine Maritime Rescue Coordination Centres ("MRCC") and one Maritime Rescue Sub Centre ("MRSC") across the UK. These centres deliver six international Coast Guard functions namely; Search and Rescue ("SAR"), vessel traffic monitoring, maritime security, pollution response, maritime safety, and disaster and emergency response.
- 1.6 In accordance with its functions, the MCA plays an active role in the development of legislation and guidance, and provides certification to ships and seafarers. Through the MCA's survey and inspection regime, it enforces standards for ship safety, security, pollution prevention, and seafarer health, safety and welfare. The MCA works to promote maritime standards, encourage economic growth and minimise the maritime sector's environmental impact.
- 1.7 Within the UK Government, DfT has overall responsibility for the establishment, operation and maintenance of an adequate and effective civil maritime and civil aeronautical search and rescue service. It is HM Coastguard who discharges the function of civil maritime search and rescue for the UK. The MCA is operationally independent of DfT. As the MCA is an Executive Agency within

DfT, DfT retains responsibility for the framework within which the MCA operates (and of which HMCG forms part) and for agreeing its strategic objectives. The framework refers to the MCA whilst the above instructions on statutory responsibility for operations in the Channel have been provided with reference to HMCG. This is set out in the "Framework Document for the Maritime and Coastguard Agency (MCA), November 2017" document (the "Framework") **ML/04 [INQ008900]**. This is because the Secretary of State is accountable to Parliament for MCA business. These ministerial responsibilities are exercised by:

- 1.7.1 approving the Framework and any revisions to it;
 - 1.7.2 approving the MCA's business plans;
 - 1.7.3 approving any specific proposals from the MCA for changes to the MCA's strategic objectives (such changes having been agreed by the MCA Sponsorship Board); and
 - 1.7.4 approving the MCA's Annual Report and Accounts prior to them being audited by the Comptroller and Auditor General and being laid before Parliament.
- 1.8 The United Kingdom is a signatory to a number of international maritime conventions, including the following:
- 1.8.1 United Nations Convention on the Law of the Seas ("UNCLOS") (1982)
 - 1.8.2 Convention on the Safety of Life at Sea ("SOLAS") (1974)

- 1.8.3 International Convention on Maritime Search and Rescue ("SAR Convention") (1979)
- 1.8.4 Convention of International Civil Aviation (Chicago Convention) (1944) (Annex 12)
- 1.9 These international conventions set out a number of important principles that underpin search and rescue.
- 1.10 The SAR Convention sets out an obligation "*...to ensure that necessary arrangements are made for distress communication and co-ordination in their area of responsibility and for the rescue of persons in distress at sea around its coasts...*"¹ This is replicated in SOLAS².
- 1.11 Furthermore, the SAR Convention adds that "*Parties shall ensure that assistance be provided to any person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found.*"³
- 1.12 Additionally, UNCLOS sets out the requirement "*...a) to render assistance to any person found at sea in danger of being lost; (b) to proceed with all possible speed to the rescue of persons in distress, if informed of their need of assistance, in so far as such action may reasonably be expected of him...*" It goes on to state that "*Every coastal State shall promote the establishment, operation and maintenance of an adequate and effective search and rescue service regarding safety on and over the sea and, where circumstances so*

¹ Paragraph 2.1.1, International Convention on Maritime Search and Rescue ('SAR Convention') (1979)

² Regulation 7 of Chapter V, Convention on the Safety of Life at Sea ('SOLAS') (1974)

³ Paragraph 2.1.10, International Convention on Maritime Search and Rescue ('SAR Convention') (1979)

require, by way of mutual regional arrangements cooperate with neighbouring States for this purpose."⁴

- 1.13 HM Coastguard is clear in its duty, at all times applying the fundamental SAR maritime principle that a person in distress at sea is a person in distress at sea. It does not matter whether they are in the course of a commercial voyage, a recreational voyage or a clandestine voyage. It does not matter whether or not they have a legal right to enter their intended destination. HM Coastguard's duty remains the same, to task adequate resources in response to Search and Rescue incidents which HM Coastguard coordinates in the UKSRR.

Search and Rescue ("SAR")

- 1.14 SAR operations ordinarily involve calls from persons, vessels or aircraft at sea or along the coastline of the UK who are in need of assistance.
- 1.15 In relation to vessels at sea, these are normally equipped with appropriate life-saving apparatus and a recognised means of communication, for example, VHF radio, Digital Selective Calling ('DSC'), Personal Locator Beacon ('PLB') or Emergency Position Indicating Radio Beacon ('EPIRB'). They will also be equipped with navigation systems, means of detection and means with which to raise an alarm. When the alarm is raised, contact is made with HM Coastguard using VHF, DSC, or an EPIRB, a position or a general location can be ascertained and/or given with the use of Global Positioning System ('GPS'). If the vessel is using VHF/ DSC, it may also communicate what the nature of

⁴ Article 98 of United Nations Convention on the Law of the Seas ('UNCLOS') (1982)

- their situation is, for example, if the vessel has broken down or if they are sinking. It is usual to have a single point of contact direct from a vessel.
- 1.16 The SAR Convention (Section 4.4) defines the emergency phase classifications (three in total) to be used for a SAR incident and which HM Coastguard applies, based on the information available.
- 1.17 The Emergency phase is used to determine the appropriate operating procedures and response for a rescue coordination centre.
- 1.18 The Uncertainty phase is recognised in the SAR Convention paragraph 4.4.1.1 as *"when a person has been reported as missing or a vessel or other craft is overdue; or when a person, a vessel or other craft has failed to make an expected position or safety report."* Further to this, IAMSAR Volume II notes that the Uncertainty phase *"applies to a situation wherein doubt exists as to the safety of an aircraft or a marine vessel, and of the person on board"* (IAMSAR Volume II).
- 1.19 The Alert phase in IAMSAR Volume II notes that it *"applies to a situation wherein apprehension exists as to the safety of an aircraft or marine vessel, and of the person on board"*. This phase follows the Uncertainty phase where there is a heightened concern, either from a failed attempt to make contact with a relevant person, vessel or craft or because information is received to indicate that the operational efficiency of such vessel/craft has been impaired. This would be in a situation where it is not considered so impaired that a distress situation is likely.

- 1.20 The Distress phase defined in IAMSAR Volume II " *applies to a situation wherein there is reasonable certainty that a vessel or other craft, including an aircraft or a person, is threatened by grave and imminent danger and requires immediate assistance*". Thus, when positive information is received that a person, a vessel or other craft is in danger and in need of immediate assistance, this would be considered Distress. In the alternative, if following the Alert phase further contact attempts have been unsuccessful, it becomes more probable that a distress phase exists and the operational efficiency of the vessel/craft is significantly impaired.

Small Boats Phenomenon

- 1.21 Small boat crossings are treated as SAR incidents and HM Coastguard applies the same underlying principles as set out above to these incidents. However, small boat crossings have inevitably given rise to new and distinct challenges. SAR procedures and practices have necessarily had to evolve as HM Coastguard has sought to respond to these new challenges and to the increasing number of crossings.
- 1.22 HM Coastguard first became alerted to small boats crossing from France in 2016. According to Home Office data **ML /05 [INQ008919]** between July 2014 and May 2016 there were nine incidents of people reaching the UK in a small boat. During 2018, the number of crossings became more frequent with an increase in the number of people rescued in small boat incidents coordinated by HM Coastguard. The Home Office reported that 539 people attempted to travel to the UK by small boat in 2018. In December of that year, the then Home Secretary declared the rising number of migrants attempting to cross the

Channel in small boats as a “major incident” following the crossing of 200 migrants that month. For the avoidance of any confusion, this was a declaration of a major incident in Home Office terminology, and there is a distinction between a Home Office major incident and an event that HM Coastguard would classify as such.

1.23 Home Office figures recorded 164 crossing incidents involving migrant small boats in 2019, with 1,708 persons rescued. In 2020, there was a further increase with 641 small boat incidents recorded and 8,466 persons rescued. In 2021, small boat incidents increased dramatically with 1,034 incidents and 28,526 persons rescued to the UK. In order to provide some context, I outline the statistics from the years following the incident **ML/06 [INQ008912]**:

- 2022 = 45,755 persons rescued in 1,110 small boats.
- 2023 = 29,437 persons rescued in 602 small boats.
- 2024 (until 30th September inclusive) = 25,244 persons rescued in 479 small boats.

1.24 During the summer of 2021, HM Coastguard were notified by the Home Office that the predictions of crossings for 2022 could reach 60,000 people. In response to this prediction, HM Coastguard determined that additional staffing was now required to focus on and respond to small boat incidents in the English Channel. This was in addition to the National Network. Recruitment for the additional headcount based at Dover MRCC commenced in August 2021.

1.25 In contrast to conventional vessels at sea, small boats are unseaworthy inflatable rubber vessels, and not built to any UK or EU recognised minimum standard. The small boats invariably do not have safety, navigation or

communication equipment. Those on board small boats are usually not provided with suitable life-jackets, buoyancy aids or life-saving equipment. They often do not have a recognised means of attracting attention i.e. lights to be seen in the dark or reflective clothing. Persons making this journey are also unlikely to have any background knowledge, experience or training relating to the perils they will face when crossing the English Channel in an unseaworthy small boat. The small boats are often significantly overloaded meaning that all available space in the boat is utilised, often with persons sat or laying on top of one another. Those on board will likely be cold and wet and exposed to the elements during the crossing.

- 1.26 The only means of direct communication with persons on small boats is via mobile phones. HM Coastguard's experience is that calls are most often made to the emergency services once a mobile phone signal is obtained when at sea, however phone signal is often poor and unreliable, leading to calls that continually drop out. The Enhanced Information Service for Emergency Calls ('EISEC') information (i.e. positional information and telephone number) and / or Advanced Mobile Location ('AML') is often not available when persons on small boats dial 999.
- 1.27 It is for these reasons that HM Coastguard categorises all small boats in the UK SRR as being in the 'distress' phase, the highest level of classification, on the basis that they are in grave and imminent danger, as per the Incident Involving Migrants SOP Policy **ML/07 [INQ000440]**.
- 1.28 Information is received by HM Coastguard from multiple sources including; emergency calls from those on the small boat, information from the French

- Coast Guard, reports from family and friends of those making passage, reports from passing vessels, SAR aircraft, and other emergency services / agencies.
- 1.29 When people on-board a small boat believe they have reached UK waters and have a signal on their mobile phone, our experience is that the tendency is for multiple calls to be made to the emergency services and for these calls to be made by a number of those on board, rather than by a single point of contact. When calls are made to the emergency services, people on board often report that they need rescue, that their vessel is sinking, that people are sick on-board or that there are pregnant women and children at risk. Sometimes the emergency services will be told that there are persons in the water. The emergency services will often receive multiple phone calls from different callers from the same small boat, each providing differing information.
- 1.30 When small boats are rescued, the level of distress that had been communicated is often not accurate. Attempts are made to verify the information that has been given to officers, however it is common practice for those rescued to discard their mobile phones and to deny having made calls to the emergency services.
- 1.31 All of these factors not only make the detecting, tracking and locating of small boats very challenging, but also make it very difficult to identify and reconcile incidents, and to ascertain exactly how many people are at risk and in need of immediate rescue.
- 1.32 Further details are set out later within this statement.

Organisational Structure and Governance of HM Coastguard

Roles / On-Call Functions

- 1.33 The **Chief Coastguard** holds the position of the head of the Operational Coastguard profession and is responsible for setting strategic direction for HM Coastguard operations and ensuring that it is adequately structured and resourced to deliver the UK's Coastal State responsibilities, MCA Business Strategies and HM Coastguard business plans.
- 1.34 This role involves providing resource and organisational ability to respond to UK-wide maritime incidents and coastal incidents relating to the Civil Contingencies Act 2004, assessing risks collaboratively with other Category 1 and 2 partners, and implementing suitable strategic plans, training and exercising arrangements to prepare for foreseeable events. It also involves considering and providing timely, safe and effective mutual aid to civil emergencies and major incidents across the UK.
- 1.35 Another function of the Chief Coastguard is to maintain and establish key maritime strategic relationships with a wide range of national stakeholders to ensure that HM Coastguard's interests are represented at that level. This will include but not be exclusive to the RNLI, Independent Lifeboats, Joint Maritime Security Centre, DfT, Home Office, and other International Coastguard services.
- 1.36 The Chief Coastguard is part of the Duty Operations Director ('DOD') function, which is an on call role at the MCA. The DOD is a senior staff member, and is not a decision maker in the incident command chain. The DOD is responsible

for keeping the Director of HM Coastguard and/or the MCA Chief Executive briefed on all significant maritime, coastal, and inland incidents relating to the six Coastguard functions once they are notified of an incident. The Chief Executive will normally brief Ministers, but this may fall to the DOD or Director of HM Coastguard as directed by, or in the absence of, the Chief Executive. The circumstances under which a DOD may be contacted in November 2021 were set out in HM Coastguard policy and include where there is a major incident, or a situation which may require a major incident to be declared. HM Coastguard Duty Operations Director Guidelines **ML/08 [INQ000457]** were updated prior to the incident to include small boat / migrant notification requirements.

- 1.37 The **Deputy Chief Coastguard** was Deputy Head of Profession and responsible to the Chief Coastguard for delivering the strategic operational direction for HM Coastguard Operations (Maritime, Aviation, Coastal and Counter Pollution operations). They were responsible for maintaining HM Coastguard's operational integrity and ensuring that it delivers the UK's Coastal State responsibilities (for example, UNCLOS and SOLAS) along with its responsibilities as the UK's Maritime SAR Authority and Category 1 responder.
- 1.38 The Deputy Chief Coastguard was also responsible for the delivery of all relevant MCA and HM Coastguard business plan objectives.
- 1.39 The Deputy Chief Coastguard was also part of the Duty Operations Director function, which is an on call role.
- 1.40 The **JRCC Manager** was responsible to the Deputy Chief Coastguard. The role holder was accountable for the strategic command control and management of

the UK SAR National Operations network, considering the risks presented to UK interests and citizens across the entire UKSRR. The role holder was accountable for integrity in the discharge of HM Coastguard Operations within the UK area of interest including the international arena. The role holder was accountable for ensuring that the operations network is operating efficiently and, where degraded by circumstances beyond their control, was aware of the risks presented and the identification and/or design of options for controlling or mitigating those risks.

- 1.41 The JRCC Manager was part of the Duty Strategic Commander function.
- 1.42 The Duty Maritime Strategic Commander's function is to provide advice, re-assurance, assistance with making decisions and support to the Duty Tactical Commander / SMC during routine and major Coastguard operations. The Duty Strategic Commander function operates on an on-call regime made up from the following officers who worked Monday to Friday 9am to 5pm; Head of Technical Training, Head of Infrastructure and three JRCC Managers. These officers would not always be present at Headquarters/JRCC and would sometimes work remotely. During incidents, the function provides strategic direction to the Tactical Commander, and decides the priority of effort dependant on current and forecast risks.
- 1.43 The **Maritime Network Commander**, also referred to as a 'TACOM', is a tactical level officer who oversees the National Network at the JRCC and works a shift pattern to ensure a network commander is on duty 24/7. The TACOM's role is to provide oversight of the delivery of Coastguard functions, provide direction and support to the Coastguard Officers and identify and mitigate any

pressures on their given operational zones (zone groupings) by adjusting the focus of effort of their teams. There is provision through an on-call Tactical Commander function to provide additional capability in the national network should the 24/7 network commander or on call strategic commander require it.

1.44 **Maritime Operations Commander** – The Maritime Operations Commander was based at an MRCC around the UK and their role was to provide management, leadership, and governance to their station; develop and maintain collaborative and effective working relationships with Category 1 and 2 Responders in their defined areas, including all declared facilities and when required, during multi-faceted or multi-agency incidents, undertake the role of HMCG Tactical Commander. The Maritime Operations Commanders were part of the Tactical Commander function, which is an on call role. This role was to provide additional capability in the national network should the 24/7 network tactical commander or on call strategic commander require it.

1.45 The role of the **Maritime Operations Commander (Migrant SAR Lead)**, sometimes referred to as Small Boat Tactical Commander, was a single post to provide tactical and operational oversight of the HM Coastguard small boat migrant operations. Their function was to act as a subject matter expert for small boat migrant operations. This role is based at Dover MRCC and followed a duty schedule that, in general, ensured availability on days where small boat crossings were highly likely (red days) and when possible, where working hours had not been exhausted, they would attend MRCC Dover on Amber days. The role holder would also make themselves available out of hours, when able, in relation to migrant activity. There are a number of circumstances in which the

Migrant SAR Lead may be contacted 'on call', which includes the occurrence of a major maritime incident involving migrants.

- 1.46 A **Team Leader (Maritime)** is responsible for leading and managing Maritime Operations teams within the national network utilising planning skills at the operational level to achieve tactical / strategic benefit. At the time of the incident, all team leaders were required to hold a SMC qualification (detailed below). Team leaders are responsible for the leadership and management of operational Coastguard teams to deliver the Coastguard functions within the UK and within a defined national or international area.
- 1.47 A **Senior Maritime Operations Officer (SMOO)** is responsible for the functional integrity of coastguard operations, both within the UK area of interest and within a defined national or international area. Although having no direct line management responsibilities, the post holder will, as delegated, lead and supervise operations teams of coastguard officers at the JRCC, or at a regional MRCC.
- 1.48 The SMOO training programme 2021 overview provides information on the Marine Operations Officer ('MOO') to SMOO transition training. To become a SMOO there was a 3-week training period, plus a week of assessment, delivered over a 3-month period. This training covered incident command and search planning.
- 1.49 The incident command training included the following learning outcomes:
- Recognise the remit under which HMCG operates, the Coastguard functions and associated acts and the role of the Mission Coordinator

- Identify the UK SRR.
- Distinguish the 5 IAMSAR operational stages
- Identify the 6 stages of Mission Conduct
- Apply SMEAC as an aid to briefing
- Recognise the importance of recording information and the completion of the Mission Statement, Post Mission Review and other relevant forms
- Evaluate the likelihood of success compared to the risk to rescuers inherent in SAR operations
- Appraise under what circumstances SAR Action is terminated
- Distinguish the differences between and identify the roles of the OSC and ACO
- Describe in broad terms: the National Risk Picture, Contingency Planning, Command and Control and the Commonly Recognised Information Picture (CRIP)
- Outline the procedure for alerting on-call duty personnel
- Identify the importance of Leadership and Human Factors within Mission Co-ordination

1.50 The SMOO search planning programme **ML/09 [INQ006736]** included the following learning outcomes:

- Search Area Coverage and Determination
- Rapid Response
- Datum Area, Datum Line, Backtrack
- AVNST
- Search Asset equipment

- Search Instructions
- Search Suspension and Termination

1.51 A **Maritime Operations Officer (MOO)** is a member of a watch keeping team at either the JRCC or an MRCC. A MOO is required to competently operate and update all HM Coastguard control room operating systems and communication mediums including 999 and distress and urgency traffic in order to support an effective, efficient and prompt response to incidents relating to the six Coastguard functions. The role holder will also be competent in Vessel Traffic Management ('VTM'). A MOO will complete HMCG Maritime Operations Officer training when appointed. This involves a number of different areas including search planning, mission coordination, nautical knowledge, communications and use of systems such as ViSION etc. This course is conducted over ten months with face-to-face delivery and consolidation time back at home station. The total delivery and assessment time was 10 weeks.

1.52 The MOO training programme included the following learning outcomes:

- **Course 1: Introduction – Online**
 - Explanation of training process and pathway.
 - Maritime CONOPS
 - Aviation CONOPS
 - Coastal CONOPS
 - Standards Branch and CIP.
 - Director HMCG, Chief Coastguard, Chief Executive.
 - Introduction to Mapwork.
 - Introduction to Chartwork.

- MCA Induction
- TRiM, EAP and Welfare
- Just Culture
- Human Factors
- **Course 2:** Practical training on HMCG Boats
 - Week afloat on MCA boats, undertaking syllabus to bring Maritime experience and context to subsequent Maritime Training.
- **Course 3:** Introduction to Coastguard Operations Communications, VTM & Systems (OCS)
 - Comms non- technical – Listening skills, questioning techniques, RSVP, phonetic alphabet, brevity, terminology.
 - Comms technical – R/T, Telephones, Airwave, EISEC info
 - Writing asset taskings
 - Call collection
 - Briefings
 - Logging of information
 - Systems – Vision, ICCS, Fintan, Total Tide, A&T, RYA SAFTRAX. What3Words.
 - Explanation of 6 functions.
- **Course 4:** Distress & Urgency Communications & Navigation

- Understanding of SAR Co-Ordination and Mission Conduct – covering 6 functions.
- Comms non-technical – listening skills, questioning techniques.
- Maritime Chartwork
- Aeronautical Chartwork
- Mapwork
- Meteorology
- Tides
- **Module 5: Vessel Traffic Monitoring**
 - Legislation
 - IRPCS
 - TSSs
 - VTM operational role.
 - Use of C-SCOPE
 - Case studies.
 - Procedures.
- **Module 6: Search Planning Awareness**
 - Terminology
 - Search Instructions

- Asset Capability
- Practical work on HMCG boats
- Understanding the creation of a manual search plan.
- LAMPS Awareness
- Introduction to search planning systems.
- **Module 7: Incident Response**
 - Tasking assets
 - JESIP
- **Module 8: Nautical Knowledge**
 - Shipborne Navigational Aids
 - Shipboard Knowledge
 - Chartwork
 - Leisure & Commercial Activities
 - Maritime Laws, Treaties and Conventions
 - Aids to Navigation
 - IRPCS
 - Port Operations
 - Renewable Energy Industry
- **Module 9: HMCG Awareness**

- Counter-Pollution and Salvage Function
- Civil Contingencies

1.53 All staff, including MOOs, are trained in the use of ViSION, the HM Coastguard information management system, during HM Coastguard training. As identified in paragraph 1.52, the topics which are delivered as part of the MOO training course include listening skills, questioning techniques and logging of information. There are specific learning outcomes relating to the information gathering criteria, incident classification and the emergency phase, which includes the location of the casualty and subsequent actions.

1.54 A **Search Mission Coordinator (SMC)** is the person in charge of a SAR operation / incident until a rescue has been effected or until it has become apparent that further efforts would be of no avail. The SMC has the freedom to employ any facility, to request additional facilities and to accept or reject any suggestions made during the operation. SMC is both a role and a qualification, and the person acting in the role of SMC must be SMC-qualified. This qualification is separate to the SMOO training referred to above.

1.55 The role and responsibilities of the SMC as they were in November 2021 are set out in the HM Coastguard SMC Role and Responsibilities policy **ML/10 [INQ000401]**. They are also detailed in International Aeronautical and Maritime Search and Rescue Manuals ('IAMSAR').

1.56 The duties of the SMC are referenced in IAMSAR Manual 2 Section 3.8 and referred to below:

"SMC duties can be demanding. The gathering of information, evaluation of this information and initiation of actions all require concentrated effort on many details".

- 1.57 These duties include information gathering and analysis, which means that the SMC will be given accurate, timely and complete information to allow them to make decisions. It is for the SMC to *'initiate and actively pursue an investigation'* and they should *'try to determine likely cause of the distress by consulting weather bureaus, ships, aircraft and by locating any known hazards'*.
- 1.58 The SMC will then evaluate and analyse the information using *'process of elimination'*. It is recognised in IAMSAR that the SMC will have to make assumptions as to the nature, time, and place of an incident. Where little is known about a distress incident, SMCs are faced with a situation in which vessels that could be positioned anywhere.
- 1.59 The SMC is the decision maker and effectively has to use various means of analysis to instigate relevant SAR missions and allocate resources.
- 1.60 Achieving an SMC qualification requires attendance at an in-depth three week training course (see above SMOO training) and the completion of a number of additional written and practical assessments. This training includes a number of sessions on mission conduct and a number of guest speakers, such as from the MCA's Regulatory Compliance and Investigations team and the Marine Accident Investigation Branch ('MAIB'). The course is very interactive and involves simulated incident exercises where the SMC coordinates the SAR response. After each exercise, SAR response debriefs are undertaken with the

individual and other course delegates, as part of the evaluation of the coordination process.

HM Coastguard's Centres and National Network

- 1.61 Within the UKSRR, HM Coastguard operates a national search and rescue network. The network comprises of one JRCC, nine MRCCs, and one MRSC, all of which exceed the minimum requirements set out in IMO COMSAR circular 37 revision 1.
- 1.62 A MRCC is a centre used for coordination of all Maritime SAR activities within specified areas. For the UK this is for the UKSRR. The nine MRCCs within the UK are located at Shetland, Aberdeen, Humber, Dover, Falmouth, Milford Haven, Holyhead, Belfast and Stornoway. Figure A4 of the Major Incident Plan **ML/11 [INQ000415]** identifies those regions.
- 1.63 HM Coastguard also has a Maritime Rescue Sub-Centre ('MRSC') which is located in London. An MRSC usually is subservient to a rescue coordination centre and is used to take the workload for a particular geographic area within the UKSRR.
- 1.64 A JRCC is responsible for aeronautical and maritime incidents. HM Coastguard operates a JRCC at Fareham which provides the function of aeronautical rescue and maritime rescue. In addition to the Maritime SAR explained above, the JRCC provides the function of Aeronautical Rescue as required by international treaty obligations and UK national requirements. SAR coordination of all aviation incidents and the tasking, deployment and coordination of UK

aviation SAR assets within the air, land and sea areas of the UKSRR is the primary purpose of this function.

- 1.65 All HM Coastguard's MRCCs, its JRCC and MRSC are connected through two data centres, which create a national network of 38 operational zones. This results in all routine and emergency telephone lines, and the 166 radio communications sites located throughout the UK, being available to all officers.
- 1.66 This provides dynamic resource allocation and resilience within the national network to enable the distribution of workload to whichever operational zone requires resource to respond to an emergency, i.e. any officer on duty can be allocated to any operational zone, regardless of their geographic location in the UK. For example, if an operational zone requires additional network resource, officers from any station in the national network can be allocated to the incident to respond.

2. Section Two: MCA's Relationships with Organisations / Stakeholders

- 2.1 In fulfilling its SAR duty, the MCA / HM Coastguard has long-standing and well established working relationships with a range of organisations and stakeholders.
- 2.2 Some of these stakeholders have worked together to face the different challenges that small boat crossings have presented, and it has necessitated multi-stakeholder involvement. Whilst all stakeholders work together and alongside each other, their aims and priorities may be distinct. However, safety of life is the key priority for all, for example, as set out in Operation Altair Gold Commander Strategy **ML/12 [INQ004478]**.

UK Government Departments / Agencies

- 2.3 The MCA has cooperative working relationships with DfT and the Home Office (including Border Force).
- 2.4 DfT is operationally independent to the MCA and to HM Coastguard. It does not have an operational role in the English Channel or in relation to small boats. DfT is a conduit for engagement between HM Coastguard and the Home Office (and other government departments where required) on Government policy.
- 2.5 HM Coastguard and DfT have regular (often weekly) meetings on small boats. The first meeting that HM Coastguard have been able to identify is 06 July 2021. These meetings were verbal updates on a reasonably flexible agenda, subject to risks and issues at the time. The meetings were not minuted meetings and would take place via Microsoft Teams.
- 2.6 HM Coastguard have worked closely and continue to work closely with UK Border Force to rescue persons on small boats within the UKSRR. The working arrangements with UK Border Force have adapted over time to respond to the phenomenon of small boat crossings.
- 2.7 This has included the development of a common understanding between HM Coastguard and UK Border Force that UK Border Force vessels would be tasked for the purposes of SAR when such vessels were considered the most adequate response to SAR operations in the English Channel. In addition to UK Border Force vessels, RNLI lifeboats are also available for tasking. A practice has also been developed whereby on notification from the French Coast Guard (during periods in which the French Coast Guard have coordination), HM

Coastguard would whenever possible task UK Border Force vessels to travel to the approximate location where small boats were expected to enter the UKSRR before receiving confirmation that they had entered. Further details of this and the availability of UK Border Force vessels for SAR are contained within Section 5 of this statement.

- 2.8 The French Coast Guard sent to both HM Coastguard and UK Border Force a tracker document containing information regarding small boat crossings. This document was used by HM Coastguard and UK Border Force to assess when small boats were likely to enter the UKSRR so that proactive tasking could occur. Further details of this are also provided later in this statement.
- 2.9 HM Coastguard would also attend the Home Office led Small Boats Tasking and Coordination meetings. These meetings were held fortnightly and the standing agenda **ML/13 [INQ004503]** would include discussing: Home Office Intelligence and Current Live Operations and Existing Tasking, Home Office engagement with the French Aerial assets, Home Office Maritime assets and Joint Control Room activity/ hours of operation. HMCG would comment, where appropriate, on SAR discussions but there are no specific agenda items dedicated to HMCG. In attendance would be: the Home Office, UK Border Force Maritime Command Centre, Ministry of Justice, MCA, Kent Police, National Crime Agency, Serious Organised Crime Agency ("SOCA"), and Devon and Cornwall Police.
- 2.10 The Home Office attend what is known as the "Small Boats Response planning meeting" ("SBRP") every week, chaired by HM Coastguard, which formally commenced on 16 November 2021. However, these were commonly titled

"Migrant Red Day" meetings. The name officially changed to SBRP on 06 December 2021. The first red day meeting minutes held by HM Coastguard are for a meeting on the 30 July 2020. However, both this meeting and in general those Migrant Red Day meetings prior to 16 November 2021 were internal meetings for HM Coastguard to discuss forecast red days, rather than meetings with external stakeholders. Agenda items included the Operation Deveran weather assessment, and staffing. In some meetings referred to as 'red day' there were also recorded internal minutes. The governance for these meetings was however intermittent prior to 16 November 2021. Hence HM Coastguard do not hold the minutes for every migrant red day internal meeting.

- 2.11 From the 16 November 2021 the minutes are titled "Migrant Red Day" and the document has been saved on the system as SBRP meeting. On one occasion the meeting minutes are named SBRP meeting, but effectively it was the same type of meeting. From 16 November 2021, the minutes were (and still are) recorded by HM Coastguard's Operational Support team, due to availability of additional resource, and meetings were fully established. The main development as at 16 November 2021 was that the meeting became multi-agency. The Home Office (and other stakeholders) were thereafter invited weekly. The following were (and still are) invited to this meeting: the RNLI, UK Border Force Maritime, 2Excel, Bristow, a Home Office representative from the Joint Control room at Dover, HM Coastguard Border Force Liaison Officer, the Clandestine Operations Liaison Officer, ("COLO", until the role ceased), HM Coastguard representatives from coastal, maritime, aviation, and national maritime information centre, and MCA press officers. Prior to the incident, the

- planned weekly Migrant Red Day meetings were held on 16 and 22 November 2021.
- 2.12 Ad-hoc Migrant Red Day meetings were also often held on other 'red days' such as those on 19-20 November 2021.
- 2.13 The purpose of these meetings is and was at the relevant time to review the Operation DEVERAN weather assessments provided by the Home Office which, as detailed later in this section, determine which days in that given week crossings are anticipated to be highly likely (red), likely (amber) or unlikely (green). The meetings also looked at risks to response, SAR asset/resource availability and staffing.
- 2.14 The Joint Control Room ('JCR') in MRCC Dover was established in early summer 2021. The JCR is where the Home Office's personnel are located to share information such as images from Home Office drones operating in the English Channel to support HMCG SAR operations. The JCR also works to coordinate the Home Office's 'land side' response to small boat crossings.
- 2.15 HM Coastguard provided to the JCR a Coastguard Clandestine Operations Liaison Officer (COLO) in June 2021. The role holder was accountable to the Head of Maritime Security for maintaining and developing HM Coastguard engagement with Home Office Teams at MRCC Dover, within the Clandestine Threat Command ('CTC'), JRC, and Dover Coastguard. The role holder was responsible for liaison between HM Coastguard and Home Office Departments when dealing with small boat crossings in the English Channel, ensuring the sharing of information with stakeholders. The role holder would primarily work with the Border Force Maritime Liaison Officers who were co-located within the

- JRC. The requirement for this role ceased when a UK Border Force liaison was moved to work from the MRCC operations at Dover, and still does to this day.
- 2.16 The Joint Maritime Security Centre ('JMSC') was established in 2019 and provided a mechanism for the UK's civilian and military maritime and law enforcement focused organisations to fuse intelligence, data and capabilities.
- 2.17 The JMSC is a platform for collaborative working between the Ministry of Defence, Home Office, HMCG, DfT, Foreign, Commonwealth and Development Office, Marine Management Organisation ('MMO'), Royal Navy, HM Revenue and Customs, Marine Scotland and National Crime Agency. The UK Border Maritime Command Centre is co-located with the JMSC. This is the launch authority that HMCG contact when tasking UK Border Force Maritime Assets. HMCG do not liaise directly with the JMSC on small boats.
- 2.18 In addition to the Government Agencies / Departments, HM Coastguard also liaise with key stakeholders such as; RNLI Lifeboats ("RNLI"), Bristow Helicopters Limited ("Bristow"), 2Excel (Aircraft) and French Coast Guard, to ensure that operational plans are developed for rescue of persons from small boats to appropriate places of safety.

Multi-Stakeholder Operations for Small Boats

- 2.19 As at 23-24 November 2021, there were a number of ongoing workstreams led by different organisations that were specific to small boats attempting to cross the Dover Strait. An overview of each of the workstreams known to HM Coastguard is summarised in this section.

- 2.20 **Project CAESAR** - Due to the increasingly complex and demanding situation within the English Channel and the Home Office intelligence that suggested there could be 60,000 people crossing in 2022, in October 2021 a strategic direction was made by senior management at the MCA for additional aerial asset capability to be procured. The aim of these additional assets was to increase the aerial situational awareness in the English Channel, which would also increase the availability of fixed wing reconnaissance aircraft tasking and utilisation of S100 Drones. The work stream that delivered this capability was named the Channel Aviation Emergency Search and Rescue, known as 'CAESAR'.
- 2.21 This uplift in capability, ultimately achieved in 2022, was through a contract change with Bristow. HM Coastguard requested that they increase the 'search' capability of their existing search and rescue solution at their Lydd airbase. This additional capability provided dedicated aerial assets located immediately adjacent to the English Channel and was exclusively used to support HM Coastguard's SAR activity in the English Channel.
- 2.22 The first phase of Project CAESAR was delivered on 01 March 2022, with both a Schiebel S100 drone and a DA42 fixed wing aircraft providing a single line of tasking, 7 days a week for up to 8 hours a day if weather conditions permit and are deemed safe to fly in. These assets are able to provide live video imagery into MRCC Dover to greatly increase HM Coastguard's operational situational awareness from the air. This allows officers to dynamically risk assess, verify the on-scene situation, and prioritise surface assets when multiple small boat

- incidents are simultaneously occurring. The capability also enables a final review at the end of a known small boat crossing period.
- 2.23 From 01 July 2022, this capability was further enhanced with additional S100 drones and with the DA42 aircraft being replaced with larger and more capable DA62 aircraft, providing two lines of tasking available up to 16 hours every day. This project will provide this uplift in capability for the next 3 years, to 2025.
- 2.24 HM Coastguard has disclosed to the Inquiry a copy of an overview timeline for Project CAESAR and accompanying documentation **ML/14 [INQ001370]**.
- 2.25 **Operation DEVERAN** – this was the Border Force led maritime response at sea to the threat of either opportunistic or facilitated illegal migration using small boats. To assist HM Coastguard with planning for small boat incidents, HM Coastguard received regular reports from the Home Office led Channel Clandestine Threat Command ('CCTC'), known as 'Operation Deveran' assessments. These provided information via the CCTC intelligence picture on the likelihood of crossings of small boats dependent on the weather and sea state. These reports provided a red, amber and green assessment. Red meant migrant boat crossings were very likely, amber was likely, and green was unlikely. There was also a section which assessed any likely impact to UK asset availability and capability for aerial assets and UK Border Force surface assets.
- 2.26 HM Coastguard has disclosed to the Inquiry the Operation DEVERAN weather assessments.
- 2.27 **Operation ALTAIR** – this was a Home Office led cross-Government, multi-agency response to the threat of illegal migration in small boats. It formed part

of the overarching CCTC Operational Campaign Plan ('OCP'). The operational command cell led and co-ordinated the focus towards the detection, disruption and deterrence of small boats and high-risk clandestine entry. This included ensuring necessary resources were stood up in preparation for small boat arrivals, with resourcing and contingency plans in place to respond to the threat. This was informed by weather assessments of crossing likelihood and intelligence/information relating to any anticipated crossings.

2.28 The objectives of Operation Altair were:

2.28.1 To deliver the CCTC OCP Strategic end state (as it pertains to small boats) through the mobilisation of all necessary operational capabilities and personnel across UK Government and related agencies.

2.28.2 To establish and operate a multi-agency command structure, co-ordinating to ensure operations are delivered in a way which maximises impact and achieves synchronisation across agencies.

2.28.3 To coordinate the deployment of all maritime, surface, aerial and land-based personnel and assets to deliver a SOLAS operation in respect of small boat arrivals, supporting the Maritime and Coastguard Agency who have primacy for SOLAS.

2.28.4 When there is no known risk to life, to coordinate all necessary resources and capability to maximise opportunities for the collection of intelligence and evidence for criminal prosecution.

2.28.5 To deliver the operation in a manner which maximises public confidence in the Government response, including by working with Home Office

Press Office, CCTC and Ministers on agile and proactive communications activity.

2.29 **Operation EOS** – this is HM Coastguard’s proactive deployment of fixed wing air assets for SAR purposes in the Southeast of the UK in response to small boat activity. The requirements of the operation are set out in the Fixed Wing Tasking for Migrant SAR policy **ML/15 [INQ005198]**. The operation is designed:

2.29.1 To support SAR incidents under the direction and coordination of Dover Coastguard.

2.29.2 To identify potential migrant vessels that may land upon the UK shoreline with priority given to those close inshore and report immediately to Dover Coastguard to support response options with other stakeholders

2.29.3 To identify any suspicious activity on the UK shoreline that may be linked to migrant activity and to report immediately to Dover Coastguard to support response options with other stakeholders.

2.29.4 If migrant vessels are not detected near to the shore, then to cover as much of the search area as aircraft capacity allows with the objective of identifying suspect migrant vessels.

2.29.5 Immediately on observing a suspect migrant vessel, the aircraft is to report this to Dover Coastguard in accordance with the communications plan.

2.29.6 To capture any live imagery of suspect migrant craft and pass this directly to Dover Coastguard upon acquisition.

- 2.29.7 To capture imagery of any other vessels that the aircraft deems to be suspicious, irrespective of type
- 2.30 **Operation SOMMEN** – This Home Office led operation was part of an ongoing assessment of tactics to turn small boats back into French Territorial Waters, and was intended to test UKBFMC response to a change in operational approach at sea aimed at deterring migrant crossings by preventing them arriving at the UK and returning them direct to France. There was a need to balance SOLAS obligations and law enforcement objectives including the forced interception of a migrant vessel and return the occupants to France. The UK Border Force Maritime Tactics SOP **ML/16 [INQ004516]** has details of the operation, the version of which HM Coastguard holds being marked as a working draft.

RNLI

- 2.31 HM Coastguard has in place a Memorandum of Understanding ('MOU') with the RNLI **ML/17 [INQ000096]**, which is currently under review with the aim of extending it for a further 6 months. The RNLI is a charity incorporated by Royal Charter dedicated to the purpose of promoting the saving of lives at sea and in certain areas inland waterways. It achieves this through the provision of a lifeboat service in Ireland and the United Kingdom. In the main, the RNLI depends on volunteers to deliver its lifeboat service. It also provides safety education and advice to the beach and sea-going communities.
- 2.32 The MOU establishes a framework for cooperation between HM Coastguard and the RNLI for carrying out activities related to SAR. It sets out HM Coastguard's responsibilities as the tasking authority and RNLI's

responsibilities as a declared facility to HM Coastguard. The RNLI provides and maintains a fleet of inshore and all-weather lifeboats at strategic locations around the UK.

- 2.33 The MOU states that the RNLI are a declared facility and available for tasking for SAR across the UKSRR, including the English Channel. Further details on 'declared facilities' are provided later in this statement.

Police Services, National Crime Agency and Emergency Services

- 2.34 There is a Memorandum of Understanding in place between the RNLI, the MCA and the National Police Chiefs' Council relating to recovery of bodies from the water **ML/18 [INQ000094]**. The aim is to ensure effective cooperation between the RNLI, HM Coastguard and the police on occasions when bodies are recovered from the water by RNLI crews, Search and Rescue helicopters, Coastguard Rescue Teams or other vessels at sea within the UKSRR.
- 2.35 In addition, the Police are responsible for responding to incidents of criminality involving small boats, either at sea (under the Operation KEEL maritime security construct) or on land (e.g. should violence break out in a processing centre or should a fatality occur during a crossing). Given the usual migration routes used by small boats, this is usually Kent Constabulary.
- 2.36 HMCG engagement with police forces across the UK is also conducted through the local resilience forum ('LRF') **ML/19 [INQ008911]**.
- 2.37 The National Crime Agency ('NCA') has a specific remit to tackle organised crime, including the Organised Crime Groups ('OCGs') who facilitate the illegal migration of vulnerable persons into the UK via small boats in the Channel.

They are responsible for drawing together the intelligence to enable facilitators to be arrested and charged either in the UK or through their links into European Union law enforcement agencies.

- 2.38 There is no operational role between HMCG and the NCA with regards to small boats. The NCA will share intelligence with the Home Office and, where appropriate, with HMCG. One example is where there was a suspected weapon on board a small boat. Following the incident, the NCA through the MCA Regulatory Compliance Investigations Team provided HMCG with phone numbers from CHARLIE on 28 June 2022. They also provided HMCG with the identities of those who were deceased.
- 2.39 The South East Coast Ambulance Service ('SECAMBS') provides medical support if those crossing in small boats have a particularly severe medical incident (e.g. Cardiac Arrest, Seizure, etc.) or if the number of casualties is expected to overwhelm the contracted medical provision at the Western Jet Foil facility. SECAMBS also occasionally receive emergency 999 calls direct from small boats, which they relay to HM Coastguard.

Aviation

- 2.40 The MCA uses helicopters, fixed wing aircraft and unmanned drones. The arrangements for each will be addressed in turn in this section.

Helicopters

- 2.41 MCA had a contract with Bristow Helicopters Ltd, commenced in 2013, for the provision of helicopters to deliver a helicopter SAR service for HM Coastguard. These helicopters bear the HM Coastguard logo and will be described in this

statement as HM Coastguard helicopters. They can deploy life rafts to survivors, have an ability to conduct multiple searches quickly over a faster time period and can cover larger areas than other assets. HM Coastguard helicopters have a contractual readiness time of 15 minutes during the day and 45 minutes at night.

- 2.42 Bristow operate 10 strategically located helicopter bases around the UK, responding to incidents overland, around the coast and at sea, and operate a dual fleet of search and rescue-configured Sikorsky S-92A and Leonardo AW189 aircraft, specifically designed for maximum capability in the face of the operational challenges of the seas, dynamic coastline and mountains of the UK.
- 2.43 HM Coastguard helicopters were available for operational taskings to small boats in the English Channel for SAR.

Fixed Wing Aircraft

- 2.44 2Excel Aviation are one of the suppliers that provide the MCA with aircraft to support HM Coastguard SAR operations in the English Channel. This is currently delivered through two separate contracts that the MCA has to deliver fixed wing aircraft. In November 2021 a direct contract existed with 2Excel (see below). A second contract was established through CAESAR.
- 2.45 2Excel is directly contracted by the MCA through the Aerial Surveillance and Verification ('ASV') contract. 2Excel provided the KingAir B200 and Panther aircraft under the ASV contract.

- 2.46 RVL Group / RVL Aviation are an alternative line of tasking in the event that the fixed wing aircraft operated by 2Excel are not available. However, they are still restricted due to safety and weather limitations.

Unmanned Drones

- 2.47 There was Home Office provision for unmanned aerial vehicles ('UAV'), which were provided by Tekever. Information was shared with HM Coastguard when small boats were detected.

UK SAR Strategic Board and UK SAR Operators Group

- 2.48 HM Coastguard on behalf of DfT chairs the UKSAR Strategic Board ('UKSARSB'). UKSARSB is a UK-wide inter-agency search and rescue forum, which represents national bodies/agencies/emergency services in SAR on land and sea, and which aims to develop the capacity and capability of search and rescue in the UK. It should be noted that small boats operations are not routinely discussed, because 'UKSARSB' and UK SAR Operators Group (see further below) do not set operational direction/strategy. It is a group that understands national risk for volunteers who operate within SAR (30,000). Additionally, as HMCG is the tasking authority, no other party can direct it in regards to SAR at sea or small boats.

- 2.49 The UKSARSB's objectives **ML/20 [INQ006760]** are:

- 2.49.1 To provide the strategic direction of UK SAR: seeking to maintain and improve capability and capacity of UK SAR against emerging requirements.

- 2.49.2 To offer guidance and specialist knowledge to Ministers on improving SAR capability, effectiveness, and co-operation.
- 2.49.3 To promote effective and efficient co-operation between the various Government Departments, the emergency services and other organisations including voluntary agencies for the provision of an effective SAR service at national and, where appropriate, international levels.
- 2.49.4 To define the strategic overview and organisation of search and rescue in UK and Northern Ireland as described in the UKSAR Strategic Overview Document.
- 2.49.5 To manage the performance and delivery of approved work themes through the UKSAR Operators Group.
- 2.49.6 To identify and work with the agencies to mitigate risk.
- 2.50 There are a number of organisations who are members of the UKSARB **ML/21 [INQ005308]**. This includes the HM Coastguard, the Cabinet Office, the Ministry of Defence and Police Services.
- 2.51 Underneath this sits the UK SAR Operators Group ('UKSAROG'). As with the UKSARSB, small boat operations are not routinely discussed.
- 2.52 The aim of the UKSAROG **ML/22 [INQ005306]** is:
 - 2.52.1 To develop a programme of work to implement the tasks set by the UKSAR Strategic Committee

- 2.52.2 To consider reports and recommendations from associated SAR Working Groups
- 2.52.3 To consider the views of the UK Maritime, Inland and User Consultative Committees, and the Emergency Air Response Working Group. To advise and make recommendations to the UK SAR Strategic Committee on the National Strategic SAR Framework to ensure efficient and effective co-operation between SAR agencies.
- 2.52.4 To advise and make recommendations to the UK SAR Strategic Committee to ensure the continued effectiveness of SAR response and co-ordination.
- 2.52.5 To determine the terms of reference and issue other guidance as appropriate to SAR Working Groups, and Consultative Committees.
- 2.53 There are a number of organisations who are members of the UKSAROG. This includes HM Coastguard, the Ministry of Defence, the NCA and Police.

French Coast Guard

- 2.54 The French Coast Guard are responsible for coordinating SAR in the French Search and Rescue Region in accordance with the SAR Convention, UNCLOS and SOLAS.
- 2.55 There is a bilateral agreement in place between the relevant UK authorities and French authorities covering maritime SAR provisions in the Channel. The most recent "ManchePlan Anglo-French Joint Maritime Contingency Plan for the English Channel" ('the ManchePlan') was signed on 30 May 2018 **ML/23 [INQ000095]**. The ManchePlan covers Counter Pollution, VTS and SAR.

- 2.56 As small boats launch from the French coast and travel for a minimum of nine nautical miles in the French SRR before entering the UKSRR, the French Coast Guard are key providers of information to HM Coastguard in relation to small boats transiting the English Channel. HM Coastguard and the French Coast Guard work closely together to share information and a 'tracker' system has been developed containing intelligence with regards to crossings.
- 2.57 Meetings are also held with the French, both at an operational level between HM Coastguard and the French Coast Guard ('Gris Nez'), and at a higher strategic level.

Challenges

- 2.58 The increasing number of small boat crossings has presented challenges to all organisations who, like HM Coastguard, have had to adapt.
- 2.59 For HM Coastguard, one of the most significant challenges centred on the Home Office seeking to introduce what are known as 'turnaround' or 'pushback' tactics in the traffic separation zone of the English Channel. HM Coastguard were concerned about this and the impact this would have on fulfilling its SAR duty. This was first raised and recorded on the MCA corporate risk register in May 2020 due to the proposed tactics potentially resulting in a very significant risk to the safety of life at sea.
- 2.60 In December 2020, the MCA made a submission to the Secretary of State for Transport **ML/24 [INQ001171]** setting out its concerns that the introduction of tactical interventions mid-Channel to prevent migrant small boat crossings from reaching the UK, would give rise to inherent risks to those in the small boats in

the middle of the Traffic Separation Scheme. It was considered that these were not SAR tactics, nor did they support or deliver any part of the SAR response. As a result, HM Coastguard was concerned that if those migrants were in distress, or distress was created, that this could contravene the international conventions on SAR set out earlier within this statement, and prevent HM Coastguard from fulfilling its sole aim (to search and rescue).

2.61 These concerns remained until a standard operating procedure was agreed "*Incidents Involving Migrants*" in consultation with UK Border Force, that set out that no such 'turnaround tactic' could be deployed unless it was established that the small boat was not in a SAR incident, i.e. it was not in a Distress, Alert or Uncertainty phase.

2.62 At all times, HM Coastguard made it explicitly clear to UK Border Force that it would continue to use its standard processes in responding to small boats in distress whilst they were deploying Operation Sommen. Border Force confirmed within the SOP that they would remain available for SAR tasking during this time, even when Operation Sommen was deployed.

2.63 The RNLI, as an organisation reliant on volunteers, had concerns about the volume of small boat crossings and the impact this was having on their volunteers, donations and increased maintenance for their lifeboats. The MCA is aware that raising charitable donations had become more challenging for the RNLI and a number of its volunteers had been targeted seemingly by people who thought that the RNLI was providing a 'taxi' service for migrants. Those operating Ramsgate Lifeboat were concerned when they were tasked to respond to a small boat and the Border Force Surface Asset was tied up

- alongside. However, the reason for this would be that UK Border Force Surface Assets were crewed by Border Force employees and subject to the Working Time restrictions and as such had mandatory rest periods. When the crew were taking their rest periods they were unavailable for tasking.
- 2.64 These issues were resolved by the RNLI leadership and assurances were made to HM Coastguard that lifeboats would be available for tasking if it was safe to do so. During November 2021, the RNLI responded to 10-20% of small boat SAR incidents.
- 2.65 The MCA has been specifically asked by the Inquiry to provide details in relation to a tasking request that was declined by the RNLI on 20 November 2021. The MCA can confirm that Ramsgate Lifeboat declined a tasking to small boats in the English Channel because UK Border Force surface asset 'Hunter' was moored at Ramsgate and not available for tasking.
- 2.66 The VISION log states Ramsgate declined the tasking due to "*UK Border Force not doing their jobs and the fact that there aren't people in the water, so they aren't going*". HM Coastguard informed the RNLI Launch Authority that UK Border Force are restricted for SAR tasking due to their hours of rest but Ramsgate RNLI lifeboat still refused to accept the tasking.
- 2.67 As a result, HM Coastguard had to wait for UK Border Force asset 'Hurricane' to become available, as Hurricane was already on another tasking. Hurricane proceeded to recover 25 persons to Dover.
- 2.68 During a Migrant Red Day Meeting on 20 November 2021 a representative from the RNLI confirmed to HM Coastguard that they had engaged with Ramsgate

lifeboat to inform them that small boats were SAR taskings and, if they were required, they would launch if safe to do so.

- 2.69 The Inquiry has asked if there were any other occasions where requests were declined by the RNLI in November 2021. HM Coastguard does not hold a specific or separate record of tasking requests made by the HM Coastguard for assets which are declined. The responses to tasking / launch requests are recorded in each individual incident log as free text and therefore if a tasking was declined, HM Coastguard would expect to see that recorded in the individual incident log. There is no functionality to word / text search individual logs. The request made by the Inquiry would therefore involve HM Coastguard manually reviewing every single incident log between September 2021 to November 2021, totalling 12,275 incidents.

HM Coastguard Facilities / Assets

- 2.70 HM Coastguard is equipped and organised to act as a national coordinator for all civil maritime SAR activities. It utilises facilities made available by other emergency responders but will also seek assistance from any source likely to be able to make an effective contribution to a SAR operation, for example a passing vessel.
- 2.71 Since the 1970s, HM Coastguard has not owned a fleet of rescue surface assets but utilises facilities owned by other organisations which are declared to HM Coastguard 24/7.

- 2.72 The SAR Convention states⁵ that parties shall identify all facilities able to participate in search and rescue operations and may designate suitable facilities as search and rescue units.
- 2.73 In general, facilities which HM Coastguard can call upon are of two kinds: Declared Facilities and Additional Facilities **ML/25 [INQ003768]**.
- 2.74 Declared Facilities are facilities that have been designated as being available for civil maritime SAR according to a specific standard or set criteria. Each authority declaring facilities is responsible for:
- 2.74.1 Declaring the standard of capability and availability for each facility
 - 2.74.2 Maintaining each facility to the declared standard
 - 2.74.3 Informing HM Coastguard when there is any change in the declared standard of each facility
 - 2.74.4 Informing HM Coastguard of any reason for not making available any facility which has been requested by HM Coastguard.
- 2.75 Declared SAR Facilities include RNLI all weather and inshore lifeboats, hovercraft and other emergency services, as well as civil helicopters and fixed wing aircraft under contract to HM Coastguard, as examples.
- 2.76 Additional Facilities are facilities which may be available from time to time but not to a specified standard. They include vessels in the vicinity of the casualty (vessels of opportunity), such as non-declared aircraft and ships.

⁵Section 2.5, International Convention on Maritime Search and Rescue ('SAR Convention') (1979)

- 2.77 A full list of HM Coastguard's declared and additional facilities is set out in its Declared and Additional Resources policy document **ML/26 [INQ001347]**.

3. Section Three: Operational Systems for Small Boat Crossings

- 3.1 HM Coastguard has in place robust systems and procedures to deliver its SAR duty. These are reviewed periodically and revisions made as required to ensure that they remain up to date and reflect operational learning and advances in, for example, technology.
- 3.2 It is these systems and procedures that form the foundation of responding to small boat crossings, which without exception are treated as SAR incidents by HM Coastguard.
- 3.3 These systems and procedures have had to adapt over time, responding to the new and distinct challenges that small boat crossings bring. This has been an evolving process and HM Coastguard continues to adapt as different trends in small boat crossings emerge, and operational learning develops.
- 3.4 As set out previously, all migrant vessels in the UKSRR are initially deemed to be in the highest incident SAR classification, the 'Distress' phase, as per the *Incidents Involving Migrant* SOP Policy. This is on the basis that by the very nature of the means by which small boats crossings occur, they are unsafe (i.e. not a seaworthy boat, no suitable life-saving equipment on board, no recognised or reliable means of raising alarm, travelling in a small vessel in the middle of the busiest shipping channel in the world), and therefore they are classified as being in grave and imminent danger.

- 3.5 A classification can only be re-categorised from 'distress' if there is credible evidence to suggest that a small boat is not in grave and imminent danger and requiring immediate assistance.

Assessing the Risk of Small Boat Crossings

- 3.6 As at 23-24 November 2021, HM Coastguard received daily reports from the Met Office on behalf of the Home Office, to assist with planning based on a weather and sea state assessment and assessing/anticipating the likelihood for crossings to occur. These assessments were known as Operation DEVERAN assessments.
- 3.7 The document was valid for a period of 10 days and issued daily. It captured the forecasted wave heights in the English Channel, which then linked to the likely impact of small boat crossing activity.
- 3.8 By way of example, a significant wave height of less than 0.3 metres has the impact of greatly increased crossing activity and is seen as optimum conditions. This would amount to an anticipated 'red' day for crossings, with small boat crossings very likely. Comparatively, a wave height of over 1m indicated greatly limited crossing activity, mostly associated with larger vessels more able to operate in adverse sea conditions. This would amount to an anticipated 'green' day.
- 3.9 There was also a section within the report which assessed any likely impact to UK asset availability and capability for aerial assets and UK Border Force surface assets.

- 3.10 HM Coastguard had in place a specific written policy governing the red, amber, green ('RAG') rating relating to aircraft taskings **ML/27 [INQ005198]** When Met Office-assessed RED and AMBER days were forecast (as per the OP DEVERAN Weather Assessment), at the Chief Coastguard's direction, HMCG would task air support, subject to weather/safety conditions as follows:
- 3.11 RED: 1 x Aircraft on-scene and on-task from 0930hr, until end of day's migrant SAR activity (or otherwise, flying on operational need prior to 0930hr) – For this flight the ARCC will submit the tasking request.
- 3.12 AMBER: 1 x Aircraft pre-positioned to Lydd, on standby for migrant-related SAR tasking until mid-afternoon or it is apparent no migrant activity is occurring – For this flight the ARCC will submit the tasking request.
- 3.13 The Operation DEVERAN document was reviewed at what were the Migrant Red Day meetings and (now SBRP) meetings. These meetings were fully established and minuted from the 16 November 2021 to discuss operation Deveran weather assessments. From the 16 November 2021 the meeting was held weekly and invites were expanded to external stakeholders which would include HM Coastguard (chair), the RNLI, UK Border Force Maritime and HM Coastguard's aerial asset providers.
- 3.14 At these meetings from 16 November 2021, there would be a situation brief with reference to the Operation DEVERAN report, a review of the HM Coastguard staffing position and consideration of the risks to an effective response looking at stakeholder resource and asset availability. In addition, on red days, if required, HM Coastguard would convene additional 'red day' briefings for stakeholders.

- 3.15 An example of an additional red day meeting is that of the meeting held on 19 November 2021, wherein a number of matters were discussed namely; staffing, risks to effective response, Operation Deveran report etc. Key stakeholders were set actions relating to checking availability of assets for the weekend **ML/28 [INQ000204]**.

Call Handling

- 3.16 Calls relating to small boat crossings are received by HM Coastguard via a number of different sources. This includes the 999 system, other emergency services (including the Police and the Ambulance Service), French Coast Guard, and call transfers from other bodies such as the Port of Dover.
- 3.17 All calls received on the HM Coastguard Integrated Communications Control System (ICCS) are recorded on HM Coastguard audio recording system, NICE. Information from these calls can be manually logged in HM Coastguard's incident management system, ViSION.
- 3.18 HM Coastguard's officers are trained in listening skills, questioning techniques and information gathering. This is a fundamental part of their role for all SAR incidents, including small boat crossings. As at 23/24 November 2021, HM Coastguard also had a standard operating procedure in place for emergency telephone call handling **ML/29 [INQ005192]**.
- 3.19 The call handling procedure was that a 999 call must take priority over all routine work and that information must be gathered by HM Coastguard. The procedure states: *It is impossible to respond correctly to an incident without first gathering the relevant information. Response must be based on sound*

professional assessment of the facts, and not be influenced by emotional reaction. The distressed state of the caller should not impair the measured judgement of the officer receiving the emergency call.

- 3.20 There was also a specific standard operating procedure in place, which covered information gathering for Incidents Involving Migrants **ML/30** **INQ000428**
- 3.21 This policy set out that coastguard officers were to ask questions about the small boat including its location, description and if the vessel was making way. If it was not underway, the coastguard officers were to ask if it was broken down or taking on water.
- 3.22 The coastguard officers were to ask questions about persons on board, including the number of persons on the vessel, whether persons on board were wearing lifejackets and if they had access to other lifesaving equipment. They were also to ask if anyone required medical assistance, if there was anyone in the water or missing and what nationalities were on board.
- 3.23 The coastguard officers were to obtain the caller's phone number, record any EISEC information (if available), and location. The question was also to be asked as to where the small boat left from and when, and if any other small boats left with them.
- 3.24 The ViSION system also provides question prompts for officers.
- 3.25 In accordance with the above training and procedures, HM Coastguard expected officers to try to obtain the location of a caller. In the context of small boats, this would include trying to obtain a location from the initial call, and in every further call thereafter. This is subject to the various limitations

summarised in Section 1 of this statement and detailed further within Section 3, e.g. when a mobile line is unable to connect to a UK network.

- 3.26 In order to increase the prospects of survivability for any casualty, HM Coastguard officers are trained to ask: *who are you; where are you from; and when did the incident occur?* Asking those on board to *'keep calm', 'look to see if there are any passing vessels'* and ask the callers to *'hang up and dial 999 so that HMCG can get a position'*. References such as these can be heard in the audio calls of staff members attending to calls that night.
- 3.27 HM Coastguard provides question prompts for officers to consider, which are not prescriptive and are linked to the type of incident selected by the officer based on the information received. HM Coastguard does not use scripts.
- 3.28 Language Line Services **ML/31 [INQ006203]** are available to HM Coastguard as a translation service. This is not typically utilised in the English Channel due to the challenges to obtain reliable mobile phone signals and the inability on occasions to call back the casualty.

Locating, Identifying and Tracking Small Boats

- 3.29 Small boats cannot be detected by conventional detection equipment, as they do not have Automatic Identification System ('AIS') within them, their construction is not compatible with being detected by radar, and nor are they fitted with VHF radios. They also invariably do not carry personal locator beacons, emergency position indicating radio beacons or search and rescue transponders; all of which would enable detection.

- 3.30 Furthermore, small boats are usually dark in colour, those on-board often wear dark clothing and do not wear suitable reflective clothing to assist in detection. This makes locating people very difficult.
- 3.31 An additional challenge is that 999 calls received by HM Coastguard (and other authorities) from mobile phones would often result in very limited data. If 999 is dialled from your own mobile network but this has no signal, then it can automatically 'roam' onto other available networks to make the emergency call. This is more commonly referred to as 'Limited Service State'. When a mobile phone is unable to connect to its contracted or 'home' network, it is still able to make emergency calls using other available networks but with limitations, such as no EISEC data
- 3.32 There is a Regulation of Investigatory Powers Act ("RIPA") process whereby HMCG can contact the mobile provider stating that there is an emergency situation and can request information about the caller. HM Coastguard can sometimes then obtain the location of the receiving Cell Site and an approximate estimate of the coverage of the site.
- 3.33 As at 23-24 November 2021, HM Coastguard utilised various sources of information to detect and locate small boats. As detailed in the 'Call Handling' section of this statement, HM Coastguard officers were trained to seek to obtain as much pertinent information as possible as to the location of a small boat. This is against the backdrop that calls would often be cut short whilst information was being obtained due to the mobile phone signal dropping out at any time. The MOO training was generic and included information gathering, which includes the location of the casualty (not specific to small boats). The

- SOP for incidents involving migrants included the guidance on what questions should be considered as part of the information gathering process. This includes obtaining the location of small boats. The ViSION incident creation form would also remind officers to obtain the location of the small boat.
- 3.34 Coastguard officers will receive notification of updates to SOPs automatically and this will form part of their continual professional development.
- 3.35 In October 2020, the French Coast Guard shared with HM Coastguard the use of WhatsApp as a means of establishing an approximate position from those on small boats. HM Coastguard adopted the use of WhatsApp and the Rescue Centre Manager at MRCC Dover issued instructions in the use of WhatsApp to staff at MRCC Dover. This was utilised where possible, subject to the limitation of the small boats being at sea where mobile data signals are limited due to mobile phone networks and masts being land based.
- 3.36 HM Coastguard are sometimes able to use their AIS system to predict the location of a small boat once an initial position, course and speed is received. This is through the simulated track in C-SCOPE. Using C-SCOPE, HM Coastguard is also able to identify vessels of opportunity who are transiting the area and may be able to provide information on the location of small boats. VHF broadcasts were also made by the Dover Channel Navigation Information System (CNIS) that small boats were crossing the English Channel and request that vessels report any sighting.
- 3.37 HM Coastguard would ensure that information received was shared with other relevant stakeholders, including the French authorities and Home Office. SAR resources tasked would also receive updates from HM Coastguard.

- 3.38 Aviation assets (Fixed Wing and Helicopters, as detailed earlier in this statement) also provided air situational awareness which assisted with the locating of small boats.
- 3.39 In addition, HM Coastguard would receive reporting and location information from the French authorities, via telephone calls, email and through the use of the 'tracker'. Further details are contained later in this statement.
- 3.40 Whether telephone calls to emergency numbers are answered by the French Coast Guard or HMCG is outside the control of both the French Coast Guard and HMCG; it depends on whether a mobile telephone in the English Channel picks up signal from a mast in France or the UK. The result is that migrants often speak to both the French Coast Guard and HMCG and do not necessarily give them identical information.

Reconciliation of Information

- 3.41 During the information gathering process, the aim is to analyse information and to identify any common or duplicated factors. Where there is sufficient confidence relating to duplicated factors and incidents are identified as being the same, these are recorded as repeat incidents. Each individual incident is provided with an Alpha Numeric reference for every call received or incident recorded on the French tracker.
- 3.42 A number of different information sources are utilised to seek to obtain information and reconcile incidents. These include but are not limited to information received directly from small boats via mobile phone, on occasion calls made by family and friends of those on small boats, calls / information

- received from other organisations (e.g. Police), reports from passing vessels and information from the French Coast Guard and tracker document.
- 3.43 If the telephone number associated with a small boat is known, it is possible that further calls can be confirmed as being from the same boat. Similarly, if names had been obtained and provided, it was possible for officers to confirm the same boat. Other identifying features could include a matching description of the small boat (e.g. colour), if a SAR asset is on scene with them, or if they are able to identify a passing ship in the area. However, as outlined further below it is not always possible to achieve this.
- 3.44 If there was a known duplicate incident based on an assessment of the information available, an entry would be made into the incident log identifying this. The rationale for reconciliation is to be recorded in ViSION.
- 3.45 The French Coast Guard receive direct communications from small boats and reports from vessels within their SRR. The French Coast Guard make assessments on reconciliation and duplication of incidents using their professional SAR judgement, and share this information with HM Coastguard as per the SAR Convention and the ManchePlan. The information received from the French Coast Guard is an important part of seeking to distinguish and reconcile incidents.
- 3.46 Aerial situational awareness also assists in providing a means to verify the potential for misidentification of boats.
- 3.47 Further reconciliation is attempted once those on board are rescued, to manage the process of seeking to correctly identify boats. When persons are rescued,

responding assets ask detailed questions and attempt to verify the information obtained from people rescued with HM Coastguard. For example, they will ask for confirmation of a name, ask if they have mobile phones and if they have contacted HM Coastguard or dialled 999. Where obtained, this information is then relayed back to HM Coastguard, which can assist in the incident reconciliation process.

3.48 However, it is important to note that it is often not possible to confirm this information with those rescued. Many do not want to provide their name, will discard their mobile phones when rescued and often deny having called the emergency services. This significantly hinders the reconciliation process.

3.49 The SMC and their team are responsible for triaging reconciliation. Within pages 2-3 of the Incidents Involving Migrants procedure **ML/30** INQ000428 HM Coastguard are required to gather certain information i.e. number of persons, nationalities, location, description of vessel, callers' telephone numbers, location vessel started their passage from to the UK etc. The more information that is gathered about each boat, the more there is to compare with information relating to other boats, thereby making it somewhat more possible to reconcile incidents or identify duplicated incidents. There is no specific training for small boat reconciliation. In practice, SMCs will consider all of the information available to them to inform SAR decisions and determine if persons are rescued or if termination/suspension criteria are to be considered.

Closure of Incidents and Termination of SAR

- 3.50 As at 23-24 November 2021, HM Coastguard had in place a policy for search suspension and termination criteria that was applicable to all SAR incidents, whether they are closed or the search is suspended **ML/32 [INQ000450]**.
- 3.51 This procedure set out that before a decision could be reached to suspend or terminate a search, the incident must be reviewed to ensure it has been conducted correctly. A review of the incident should include consideration of a number of factors, including search decisions, certainty of initial position and any drift factors used to determine the search area, any significant clues and leads, data computations, accuracy of information, error margins and other variables, search plans and survivability. The cessation of 999 calls was also another factor likely to be considered.
- 3.52 Once the information has been reviewed in accordance with the above, an incident can be closed.
- 3.53 The policy also set out that SAR can be terminated where reliable and credible sources suggest that an emergency no longer exists. This must be agreed by the JRCC Commander.
- 3.54 HM Coastguard's suspension and termination policy is underpinned by IAMSAR. Chapter 9 states that operations enter the conclusion stage when:
- 3.54.1 information is received that the ship, aircraft, other craft, or persons who are the subject of the SAR incident are no longer in distress;
 - 3.54.2 the ship, aircraft, other craft, or persons for whom SAR facilities are searching have been located and the survivors rescued; or

- 3.54.3 during the distress phase, the SMC or other proper authority determines that further search would be to no avail because additional effort cannot appreciably increase the probability of successfully finding any remaining survivors or because there is no longer any reasonable probability that the distressed persons have survived.
- 3.55 The practical effect of an incident being closed is that the search has concluded, and the incident resolved. The incident however can be re-opened upon further new information being provided.
- 3.56 Decisions on incident closure and relevant rationale should be recorded in ViSION.
- 3.57 If there was information on the French tracker that said the boat has been rescued by the French, this decision would be accepted and reliance placed on this information. This is on the basis that they are the coordinating authority for the French search and rescue region and SAR professionals.
- 3.58 It is only HM Coastguard who are responsible for closing incidents for which they are the coordinating authority.
- 3.59 IAMSAR Chapter 9.2.1 states that the responsible search coordinator or other SAR managers, may retain the authority to suspend a case when the subjects of the search have not been found, and may delegate to the SMC the authority to close cases in all other circumstances, i.e. when the SMC determines that the craft or people are no longer in distress. The SMCs on the night in question were trained in accordance with the relevant SMC qualification as set out earlier in this statement.

Trackers

- 3.60 As at 23-24 November 2021, HM Coastguard utilised a tracker to reconcile small boat information. The purpose of this tracker was to collate and reconcile incident information into a single view and to share information with other stakeholders. The tracker was able to provide basic information of ongoing incidents and then more detailed information was recorded in ViSION. However, it should be noted that HM Coastguard's tracker is not the primary source for incident management.
- 3.61 There is only one HM Coastguard tracker, which is updated multiple times on any given day or night, dependent on the number of incidents being recorded and information received. Each time the tracker is updated, the previous version is 'overwritten'.
- 3.62 The tracker is updated by HM Coastguard officers, including MOOs, SMOOs and SMCs.
- 3.63 All incidents are created in ViSION from various sources of information, including 999 calls, reports from vessels, other emergency services, emails received from vessels in the vicinity and French Coast Guard tracker documents. Each incident is then added to the HM Coastguard tracker with basic information such as estimated position and approximate number of people on board the small boat.
- 3.64 HM Coastguard's tracker was updated 182 times on the 23-24 November 2021 and all versions have been disclosed.

- 3.65 HM Coastguard owned this tracker. UK Border Force also had access to it through SharePoint. UK Border Force would also be able to update the tracker.
- 3.66 For the avoidance of doubt, there is only one 'UK tracker' which was owned by HM Coastguard, and updated by both HM Coastguard and UK Border Force.
- 3.67 The 'French tracker' was owned and prepared by the French Coast Guard. When the French tracker was received from the French Coast Guard, the information provided within it would be reconciled with ViSION, and if HM Coastguard did not have a record of the small boat an incident would be created in ViSION and then added to the UK tracker, which would in turn be updated.
- 3.68 The French Tracker provides HM Coastguard with early notification of small boat crossings. This information is usually based on calls received by the French Coast Guard from small boats, reports of sightings and other intelligence sources such as French police services.
- 3.69 The tracker is sent from the French Coast Guard to HM Coastguard via email. There is no set frequency of when updates from the French Coast Guard are received. HM Coastguard and the French Coast Guard will contact each other by telephone to share additional information.
- 3.70 Prior to November 2021, presentations were delivered to officers at MRCC Dover, MRCC Humber and the JRCC on small boat procedures (delivered in August and September 2021) **ML/33 [INQ008914]**. This training included information on the use of the tracker.

HMCG's Incident Management System (ViSION)

- 3.71 When an incident is created in ViSION, an incident log is generated, which can be used to record details and information pertaining to the incident such as names of casualty and/or first informant, the known position, descriptions of the location, persons, vessel and tasking of resource, information from a 999 call, search plans and search instructions. Each ViSION incident is assigned a unique global incident number ('GIN').
- 3.72 In the context of small boats, an incident can be created when a 999 call is received, there is a transfer call from another emergency service/other body, a notification of a small boat on the French tracker and/or a call from the French Coast Guard, notification through the Channel Navigation Information System or if there is a call from a passing vessel.
- 3.73 Where there is a confirmed repeat of an incident by reconciling, for example, the same telephone number, name, or continuation of a call that dropped out, then a unique incident number would not be created. Alternatively, a unique incident number is created but is merged with the original incident number.
- 3.74 ViSION was accessible to on duty HM Coastguard officers from MRCCs, the JRCC and the MRSC. No external partners have access to ViSION.
- 3.75 As at 23/24 November 2021, there were separate operating ViSION systems for Air and Maritime. ViSION 4 was utilised by MRCCs, the JRCC (maritime) and the MRSC, and ViSION 5 was utilised by the ARCC. It was not possible for Maritime to see AIR ViSION logs. These are separate roles and functions and there was no impact. As such, the effectiveness of SAR was in no way

impacted by the fact that ARCC use ViSION 5 and the rest of HMCG used ViSION 4.

- 3.76 Training and guidance is provided to HM Coastguard officers regarding the use of the ViSION system. This is covered as part of the MOO training and there is a specific user guide available **ML/34 [INQ006204]**.
- 3.77 Operators working in a given zone are made aware that a new incident has been created as new incidents are displayed in the new incident list within ViSION, making them visible and accessible to all.
- 3.78 A flash message is a function within ViSION that allows a user to send a message to an individual user or a user role (e.g. MOO, SMOO). In the majority of cases, it is used to send a message to a zone or a selection of zones.
- 3.79 HM Coastguard officers used an 'Admin' incident log to capture messages that could be assigned to multiple incidents for small boats. For example, if the fixed wing aircraft was on a surveillance tasking, information that was being received from that resource could be seen by all in the Admin incident log until such time that it could be assigned to a specific small boat.
- 3.80 On the 23-24 November 2021 some of the calls made to HM Coastguard did not contain unique information such as telephone number, position or names prior to the call disconnecting. Therefore, whilst an incident was created, it is not possible to reconcile the incident if the caller called HM Coastguard again. As a result, the phonetic alphabet identifier used for small boat incidents was not assigned.

- 3.81 HM Coastguard had awareness of emergency calls originating from small boats in the Dover Strait where callers exaggerated the level of distress for the small boat and those persons on board.
- 3.82 This was experienced in practice. By way of example, on 20 November 2021, a distress call was received from a small boat stating that multiple people were in the water, and that three children had gone into cardiac arrest between the ages of one and two. A SAR response was initiated and multiple assets were tasked. When the small boat was located, there were no children on board, no people in the water and only adult men on board.
- 3.83 Another example is that when people are rescued, they are asked for their names and whether they have phoned the emergency services. As set out previously in this statement, the individuals will often say they have not but then later say that they have.
- 3.84 In November 2021, there was no specific training or guidance in relation to this. It was considered there was no need for specific training as with all calls, the information gathered is taken at face value.
- 3.85 My understanding is that HM Coastguard staff did not take this into account when triaging incidents or assessing levels of risk. As set out previously, all small boats are treated as being in distress, which is the highest level of SAR classification.

Multi-Stakeholder Exercises

- 3.86 There were a number of training exercises which HM Coastguard were engaged in prior to November 2021, involving responses to small boat incidents or mass casualty exercises.
- 3.87 23rd September Exercise – This was a CCTC campaign plan assessment workshop for Operation Sommen. This was to review the Operation Sommen procedures and HMCG SAR termination for small boats.
- 3.88 On 7 October 2021, a multi-stakeholder tabletop training exercise was undertaken to test the termination of SAR and whether UK Border Force could initiate Operation Sommen. HM Coastguard, UK Border Force, the RNLI and the Police were all part of this exercise.
- 3.89 On 11 November 2021, there was a mass rescue training exercise involving a life raft drop from a helicopter. HM Coastguard, RNLI and Bristow Helicopters were involved **ML/35 [INQ008908]**.
- 3.90 A further exercise was conducted on 9 September 2021, where HM Coastguard exercised command and control of new small boat tactics with UK Border Force. This was held at the JCR at MRCC Dover to test communications and decision making alongside the SMC and UK Border Force Silver Commander to assess live events using the drone.

Network Meetings and Handovers

- 3.91 HM Coastguard National Network wide meetings are held at 2100 hours and 0900 hours daily. These are held through a remote 'BT Meet Me' conference

call. A specific policy was in place in November 2021 for these meetings **ML/36 [INQ003767]**.

3.92 The meeting is ordinarily led by the Maritime Network Commander based at the JRCC. The following personnel participate in these meetings and are positively identified at the outset of each call:

3.92.1 Duty JRCC Network Commander(s) Maritime & Aeronautical

3.92.2 On call Tactical Commander(s)

3.92.3 Team Leader(s)/Supervising SMOO(s) at MRCCs

3.92.4 Mission Control Centre Operator for distress beacon alerts

3.92.5 Duty Counter Pollution and Salvage officer (no requirement for evenings)

3.92.6 HM Coastguard National Maritime Information Centre representative

3.92.7 MCA IT

3.92.8 Capita (Contracted Coastguard Technical Infrastructure Support)

3.93 A Flash Message is sent by the JRCC Commander to advise and remind everyone of the brief five minutes prior to commencement, which occurred on the evening of 23 November 2021. As a guide, this brief should take in the region of 10 minutes, but can be shorter or longer depending on the content.

3.94 The following format was used as an agenda for the meetings:

3.94.1 Confirmation of staffing and competency levels at each station, zone allocation and fall back for JRCC in case of an emergency evacuation.

- 3.94.2 Positive confirmation from Duty SMOO/MOO that Covid-19 H&S is in place on station and that staff are following MCA Covid-19 policy.
 - 3.94.3 Data Centre Status & Dial Plan/Network Functions/Support/Talk boxes
 - 3.94.4 Maritime Brief addressing weather warnings and flood warnings
 - 3.94.5 ARCC Brief addressing weather limitations, aircraft capability and availability, significant aeronautical events affecting maritime.
 - 3.94.6 Significant forecast events, including planned outages and events of potential operational impact
 - 3.94.7 Confirmation of technical status, including any issues affecting network capability
 - 3.94.8 Counter Pollution and Salvage Brief
 - 3.94.9 Incidents of national interest
 - 3.94.10 Any other business
- 3.95 On 23 November 2021, the Network Conference Call took place at 2100 hours. There was a network log completed following the meeting **ML/37 [INQ000231]** and a corresponding entry made at 2113 hours. The audio recording has also been provided **ML/38 [INQ006302]**.
- 3.96 On 24 November 2021, the Network Conference Call took place at 0900 hours. There was a network log completed following the meeting **ML/39 [INQ000233]** and a corresponding entry made at 0912 hours. The audio recording has also been provided **ML/40** INQ010131

- 3.97 As at 23-24 November 2021, HM Coastguard had in place procedures relating to the handover of information between staff where incidents spanned more than one shift.
- 3.98 HM Coastguard's Incident Coordination **ML/41 [INQ006199]** document sets out the requirements for a 'transfer of coordination' or handover of incident(s), which includes when there is a watch / shift changeover. It sets out that before any transfer is finalised, the respective SMCs are to discuss any outstanding issues, satisfy themselves that all relevant information has been transferred and ensure that there is no doubt about asset tasking.
- 3.99 To ensure a comprehensive and successful transfer from one station to another, all of the required information pertaining to an incident must be passed over in a structured and coherent way. To achieve this, the SMC from the originating station must firstly make sure that the mission statement for the incident is fully up to date and that all fields have sufficient detail within them so as to provide no room for ambiguity to the reader. They are then to brief the receiving SMC with the acronym Situation, Mission, Execution, Ask any Questions and Confirmation ("SMEAC"), using the mission statement as an aid.
- 3.100 HM Coastguard's 'SMC Roles and Responsibilities' procedure also outlines that it is the SMC's responsibility to prepare handover notes for the relieving SMC.
- 3.101 Any pertinent information relating to incidents would be noted within the ViSION logs, which would form part of staff duties to review when receiving a handover. Otherwise, verbal handovers would be conducted between personnel swapping shifts to alert them to the most pressing incidents or any key features.

4. **Section 4: Engagement with the French authorities in responding to small boats attempting to cross the Dover Strait**

4.1 At all relevant times, there was a comprehensive bilateral agreement between the relevant UK authorities and French authorities covering maritime SAR provisions in the Channel. As set out previously in this statement, the most recent "ManchePlan Anglo-French Joint Maritime Contingency Plan for the English Channel" ('the ManchePlan') was signed on 30 May 2018 **ML/23 [INQ000095]**.

4.2 The International Convention on Maritime Search and Rescue 1979 (SAR Convention) covers cooperation between states for SAR⁶. The ManchePlan has been developed to incorporate this requirement and set out the agreement between the UK authorities and French authorities.

4.3 Article 31.1 of the ManchePlan stated that *"the principles governing coordination between France and the United Kingdom defined in Articles 17 to 23 shall apply in their entirety to the management of ECNs in the SAR context."*

4.4 The ManchePlan contained provisions relating to the initial allocation of responsibility for coordination, information sharing and the transfer of responsibility for coordination.

4.5 Article 19.1 of the ManchePlan stated *"The position, either known or assumed, of a maritime event or an area of pollution in relation to the "MANCHEPLAN line of separation" shall determine which of the two States Parties should bear*

⁶ Chapter 3, International Convention on Maritime Search and Rescue ('SAR Convention') (1979)

- initial responsibility for intervention, no matter what the type of intervention may be."*
- 4.6 Article 20.1 stated: *"Responsibility for coordination may be transferred by mutual agreement. Such transfer shall be based on an objective analysis of the characteristics of the maritime event and on the type of response to it, and may be put into effect at any time."*
- 4.7 Article 21.1 stated: *"The State Party initially informed of the occurrence of a maritime event meeting the criteria of an ECN, or liable to do so in the future, shall seek to provide initial information to the other State Party without delay."*
- 4.8 An ECN is defined in Article 2.1 of the ManchePlan as *"an event at sea for which Coordination is Necessary"*.
- 4.9 The small boat crossings on 23-24 November 2021 constituted an ECN because they were *"liable to affect both British and French interests"*, with reference to Article 11.2 of the ManchePlan.
- 4.10 In accordance with the ManchePlan, biannual meetings were held between the UK authorities and French authorities. These are referred to as Anglo-French Accident Technical Group ('AFATG') meetings and, with reference to Article 2 of the ManchePlan, are *"Franco-British technical meetings addressing the accidentology of the relevant zone. These biannual meetings are chaired jointly by France and the United Kingdom. Belgium, Ireland and the governments of the Channel Islands are participants as Observer States."*
- 4.11 These meetings were in existence prior to the commencement of small boat crossings in 2016, and they were held between HM Coastguard and the French

- Coastguard to share information between the two organisations in accordance with the ManchePlan.
- 4.12 There were also strategic and operational meetings between HM Coastguard and the French Coast Guard since September 2020 in relation to migrant incidents.
- 4.13 As a result of information sharing between UK and France, a process was set up specifically to share information about small boat crossings via telephone or email, which evolved over time. By November 2020 HM Coastguard and the French Coast Guard were exchanging small boat incident information via trackers. Coastguard officers from HM Coastguard would also speak by telephone with the French Coastguard in order to discuss and/or clarify information set out in the tracker.
- 4.14 Furthermore, operational shared learning with the French Coast Guard led to MRCC Dover introducing the use of WhatsApp as a method to communicate with those on small boats. In October 2020, a mobile phone was provided in the operations room for the sole purpose of making contact with those on small boats **ML/42 [INQ006746]**. At the same time, a user guide on WhatsApp message communication was provided and distributed **ML/43 [INQ006747]** to staff at MRCC Dover. Those working at the JRCC were aware of the use of WhatsApp as a message communication tool and the ability of MRCC Dover to use the mobile phone in this manner.
- 4.15 If required, small boat incident de-briefs are discussed as part of interoperability meetings between France and the UK.

- 4.16 The ManchePlan provided details of asset mobilisation and deployment of assets between both states and sets out that assets belonging to a State Party may be requested by the other State Party. This allows for HM Coastguard to ask French authorities / vessels to assist and conduct SAR in the UKSRR. This can occur when the closest asset to an incident is a French resource. In these circumstances, HM Coastguard may request the assistance of the French Coastguard.
- 4.17 Articles 35 states that *"All and any assets belonging to a State Party may be requested by the other State Party."*
- 4.18 Article 36 states that *"Requests for assistance in the form of assets shall be made imperatively through the operational centres, including assets other than the designated SAR units [...]"*
- 4.19 Article 37 states that *"In the case of a search and rescue operation involving the deployment of assets belonging to one State Party for the benefit of the other, the assisting State Party shall be kept informed of the on-going operation and the manner in which its assets are employed."*
- 4.20 Requests for the assistance of the French Coast Guard by HM Coastguard have been made in relation to previous small boat incidents in the past. HM Coastguard has also assisted the French Coast Guard when they have requested assistance.
- 4.21 HM Coastguard has the ability to communicate directly with the French Coastguard at Griz-Nez. Any taskings of French vessels would need to be made through Griz-Nez. Albeit, it is also possible for HM Coastguard to take

- broadcast action in which messages can be sent to all vessels in the relevant area who, upon receipt, may contact the coordinating authority to offer assistance if they are able to do so. The vessels can respond irrespective of state, and in accordance with SOLAS V regulation 33.
- 4.22 UK telephony and radio communications systems were compatible with French counterparts in November 2021. These were Maritime VHF and DSC, which is to an international maritime standard.
- 4.23 Crew on RNLI or Home Office vessels were permitted to communicate directly with crew on French vessels in the Dover Strait, for the purposes of SAR. This communication would take place via VHF.
- 4.24 The Coastguard Information Portal has the following information on SITREPs.
- 4.25 The purpose of SAR SITREPs is to:
- Alert others who are, or may become, involved
 - Inform those who should be kept aware of the incident
 - Record events
- 4.26 Whilst the HM Coastguard and French Tracker did not replace a SITREP, the information contained in the documents provided basic information to each MRCC to monitor small boat incidents. The tracker documents were supplemented with verbal updates, which resulted in SAR SITREPs not being issued on the 23/24 November.

- 4.27 In the event of a jurisdictional dispute regarding the location of a small boat in the Dover Strait, this would be resolved by treating its location as "*unknown*" and following the SAR Convention Chapter 4.5.4.
- 4.28 The SAR Convention sets out the position on initiation of SAR operations when the position of the object is unknown⁷ It states that "*In the event of an emergency phase being declared of a search object whose position is unknown, the following shall apply:*
- 4.28.1 *When an emergency phase exists an RCC unless it is aware that other centres are taking action, assume responsibility for initiating suitable action and confer with other centres with the objective of designating one centre to assume responsibility.*
- 4.28.2 *Unless otherwise decided by agreement between the centres concerned, the centre to be designated shall be the centre responsible for the area in which the search object was according to its last reported position.*
- 4.28.3 *After the declaration of the distress phase, the centre coordinating the search and rescue operation shall as appropriate, inform other centres of all the circumstances of the emergency and of all subsequent developments."*
- 4.29 Both HM Coastguard and the French Coast Guard have signed up to these conventions. It is rare for disputes relating to coordination of incidents to occur, and there is no record of this having occurred on 23/24 November 2021.

⁷ Chapter 4.54, International Convention on Maritime Search and Rescue ('SAR Convention') (1979)

Ordinarily, both organisations take active responsibility for the small boats in their SRR and disputes over coordination are minimal.

- 4.30 However, on such rare occasion there is a dispute, practically speaking, the SMC at Dover/JRCC will discuss with the SMC at Griz-Nez to seek resolution, applying the last known position. If no agreement is reached, the HMCG SMC will escalate to the Tactical Commander. As the small boat is heading to the UK, HMCG will task a surface asset to rescue once in the UKSRR. However, that asset can be tasked into the French Search and Rescue Region in the event that persons enter the water⁸, something which has occurred previously.

5. Section Five: Assets and resources available as at 23-24 November 2021 to respond to small boats attempting to cross the Dover Strait

Availability of Assets

- 5.1 In November 2021, the MCA had various systems and assurance frameworks in place to confirm, monitor and ensure that there were sufficient assets to respond to SAR incidents, including during periods of increased activity.
- 5.2 These included the use of ViSION, regular communication with stakeholders, Migrant Red Day meetings and, from the 16 of November 2021, the Small Boat Response Planning meetings. Furthermore, plans to increase capacity in aviation assets as part of Project CAESAR were in progress in October 2021 (the first meeting was on 7th October 2021, with a follow up meeting on 27th October 2021), and this was being actively discussed in MCA Board / Executive

⁸ International Conventions for SAR Chapter 3

meetings and through Ministerial correspondence on 18th November 2021 ML/44 [INQ000103].

RNLI

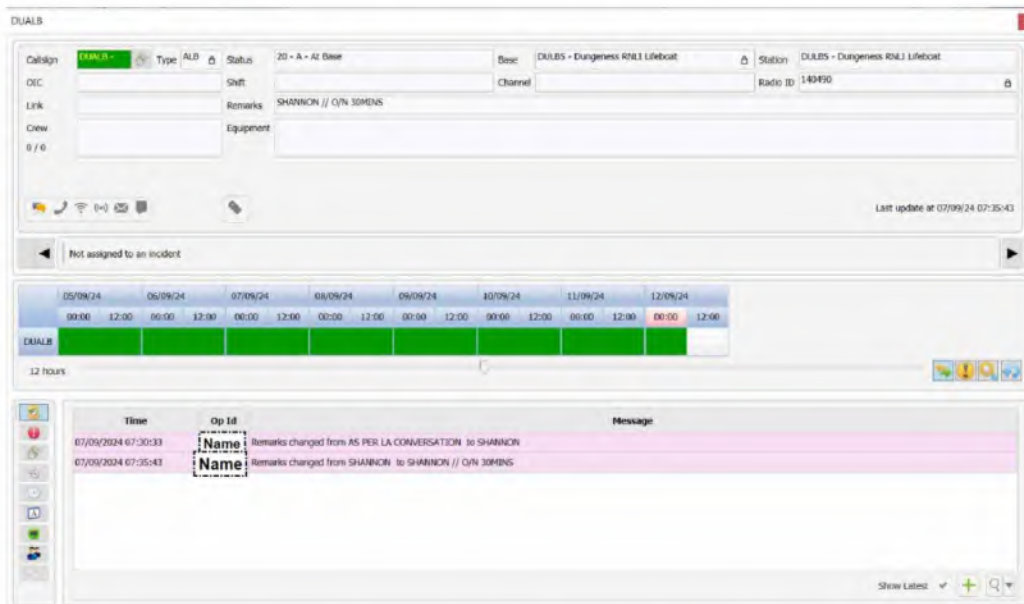
- 5.3 All facilities declared to HM Coastguard, as discussed earlier in this statement, have resource pages within ViSION enabling HM Coastguard officers to monitor the availability of SAR assets for the whole of the UK, including the Dover Strait. UK Border Force vessels, and some other additional facilities (including RNLI lifeboats), also have resource pages within ViSION.
- 5.4 There is an agreed process in place between HM Coastguard and the RNLI for alerting HM Coastguard in the event that an asset becomes unavailable, which is updated 24/7. The process is that the RNLI call HM Coastguard and provide an indication of what assets are unavailable and for what duration. In ViSION, this is displayed via a Bingo Card (**Figure 1** below):



- 5.5 The screenshot at **Figure 1** above has been created in preparation for this statement and does not represent the availability of assets on the system on the night of 23/24 November 2021. However, this is provided to the Inquiry by

way of an example to demonstrate what staff can see when using ViSION in respect of available resource.

- 5.6 The boxes with a dark green background and yellow writing represent an available resource. The light green background with red writing represents a resource that is restricted (e.g. engine repairs / low crew availability), and the black background with white text represents a resource that is unavailable.
- 5.7 As discussed previously in this statement, Migrant Red Day meetings from 16th November 2021 (at which the RNLI are an attendee) are a forum used to inform HM Coastguard of the forecast availability / unavailability of assets, including RNLI assets. A further example of the use of ViSION is the resource page for an individual response asset set out below as **Figure 2**.



- 5.8 Alike to Figure 1, **Figure 2** is not an image taken from 23/24 November 2021 and represents an example as at September 2024. However, what this image

- shows is an individual asset status for Dungeness Lifeboat. The remarks show it is a Shannon class lifeboat.
- 5.9 The RNLI are responsible for providing HMCG with information to ensure resource information is kept up to date in ViSION, but HMCG are responsible for keeping ViSION updated.
- 5.10 The following RNLI assets were available to the MCA for SAR incidents in the Dover Strait in November 2021:
- 5.10.1 Hastings – (Shannon class and a D Class)
 - 5.10.2 Rye Harbour (Atlantic B Class)
 - 5.10.3 Dungeness Lifeboat (Shannon Class)
 - 5.10.4 Littlestone On Sea (Atlantic B Class)
 - 5.10.5 Dover (Severn Class)
 - 5.10.6 Walmer (D Class and Atlantic B Class)
 - 5.10.7 Ramsgate (Atlantic B Class and Tamar)
 - 5.10.8 Margate (B and D Class)
- 5.11 These remain the same today.
- 5.12 As outlined earlier, RNLI and HM Coastguard have a Memorandum of Understanding in place whereby RNLI lifeboats are a declared facility available for taskings 24/7 for 365 days a year. Their primary role/function is to respond to SAR incidents coordinated by HM Coastguard. However, UK Border Force were made available for SAR in 2018 by the then Home Secretary, and UK

Border Force vessels are a known and well-tested response to small boats incidents and are therefore preferred in responding to small boats, where possible. UK Border Force vessels have a greater survivor capacity (over 100) than a RNLI all-weather lifeboat (61) and, therefore, are capable of rescuing persons from multiple small boats during taskings. UK Border Force are tasked to respond to small boat incidents 80-90% of the time. However, RNLI boats are still sometimes used to respond to small boat SAR incidents.

- 5.13 A tasking can be declined by the RNLI for a number of reasons, including technical issues, crew fatigue, unsafe weather conditions, not enough volunteers to respond or if the launch authority deems the tasking not to be appropriate, for example non-SAR-related taskings which do not meet the requirements of their charitable status.
- 5.14 As outlined earlier, the Migrant Red Day meetings were used as an opportunity, with RNLI, to discuss the availability of surface resources, including RNLI lifeboats, intelligence reports of any information on possible crossings and the availability of aerial assets. This was so that tactical and strategic decisions could be considered by HM Coastguard. These discussions would not replace the need for the RNLI Lifeboat stations to inform HMCG of the availability of the lifeboats so that ViSION could be kept up to date.
- 5.15 The Inquiry has asked what the purpose of 'Watchkeeper Reports' are. These are not an MCA document and are not known to the MCA.

Home Office / Border Force

- 5.16 Home Office surface assets are an additional facility available to HM Coastguard. In 2018, the then Home Secretary declared a Home Office “major incident” following 200 people making the crossing in the English Channel via small boats. As a result of this, UK Border Force surface assets were made available to HM Coastguard for SAR taskings in the English Channel as an additional facility. This remained the case in November 2021.
- 5.17 HM Coastguard can task these surface assets through the UK Border Force Maritime Command ("UKBFMCC"). Upon a tasking request being made by HM Coastguard, an assessment would be made by UK Border Force as to whether the tasking will be accepted. Any tasking by HM Coastguard of a Home Office surface asset is for search and rescue only. The Home Office role in small boat crossings is the provision of surface assets which respond to SAR taskings made by HM Coastguard when they are available. The Home Office then assume responsibility for the persons rescued when they are delivered to shore by the responding asset.
- 5.18 Taskings may be declined by UK Border Force for reasons such as crew fatigue, restricted hours or vessel maintenance.
- 5.19 Home Office / UK Border Force shared information with HM Coastguard and other relevant stakeholders about the availability of SAR assets at the Migrant Red Day meetings, and also as and when required via telephone. This will include availability of resources due to crewing and weather/sea state limitations.

5.20 Similarly to the resource availability page in Figure 2, UK Border Force assets are also contained in ViSION. See **Figure 3** below:



5.21 Figure 3 shows an example of the timeline of UK Border Force vessel "Hurricane" with the colours deriving the following meanings;

- 5.21.1 Black – off watch
- 5.21.2 Green – available
- 5.21.3 Blue – on patrol (gone to sea pre-position)
- 5.21.4 White – tasked to an incident
- 5.21.5 Orange – UK Border Force proceeding to incident
- 5.21.6 Red – on scene
- 5.21.7 Light blue – return phase
- 5.21.8 Turquoise – released from incident

5.22 UK Border Force are responsible for informing HM Coastguard of updates to availability of surface assets. In the same way as with RNLI, HM Coastguard then update ViSION. The following Home Office / UK Border Force surface assets were tasked by HM Coastguard for SAR incidents in the Dover Strait on 24 November 2021:

5.22.1 Hurricane

5.22.2 Valiant

5.22.3 Hunter

5.22.4 Safeguard

5.23 If none of these assets were available, UKBFMCC would decline the tasking. In those circumstances, HM Coastguard would task RNLI.

Aerial Assets

5.24 From 16 November 2021, at the Migrant Red Day meetings, information was shared with HM Coastguard about the availability of aerial assets, and whether they could be operated having regard to weather conditions or crew availability. This update was provided as part of an assessment of Operation DEVERAN.

5.25 Updates on asset availability were also provided during the network calls at 0900 and 2100 hours. For air asset availability, this would be communicated by the Air Commander. This would then be logged in the Network Management log at 09:00/2100hrs.

5.26 HM Coastguard are also contacted by aerial asset providers if an aerial asset goes off state (i.e. becomes unavailable), for example, due to technical issues.

- 5.27 SAR-H and ASV Nov 21 Diagram **ML/45 [INQ008920]** is a diagram identifying the aerial assets which were available to HM Coastguard for SAR incidents in the Dover Strait.
- 5.28 In November 2021, the MCA made a submission to the Minister / Secretary of State in relation to increased capacity in Coastguard aviation **ML/46 [INQ000104]**. This submission set out that the MCA were taking steps to not only increase the number of crewed search and rescue aircraft, but also to introduce un-crewed search and rescue aircraft to meet increasing demands for Coastguard aviation services. This request was made having anticipated (based on Home Office intelligence predictions) that 60,000 people in 2022 would attempt crossing the English Channel in small boats. HM Coastguard wanted to ensure that there were dedicated air assets for the Channel.
- 5.29 The above request was described as an urgent requirement in anticipation of a doubling of activity in the Channel, and proposed a core 2000-hour annual flying provision, which was to be adjusted depending upon seasonal peaks and troughs.
- 5.30 In response to this challenge, Bristow Helicopters Limited proposed dedicated crewed and un-crewed aircraft to support the Kent-based search and rescue helicopter. The costs for these dedicated assets were to be contained and managed as a pressure within the existing search and rescue helicopter budget. The submission went on to note that migrants crossing the channel in significant numbers was not an issue HM Coastguard faced in 2013 when the UK Search and Rescue Helicopter ("UKSARH") contract was awarded, nor was it anticipated that it would become an issue. At the time, the problem was largely

unprecedented on this scale for the UK and increased dramatically in a relatively short space of time.

- 5.31 Aerial assets are tasked for search and rescue, including small boat incidents. They are contracted to HM Coastguard (as detailed in Section 3 of this statement) for taskings and are required to respond. However, they are subject to safety critical restrictions. Taskings can be declined for maintenance, technical issues, crew fatigue and weather. A tasking can also be declined if the Captain of the aircraft provides another reason linked to the safety of the aircraft and its crew. The safety of an aircraft and its crew is a decision made by the Captain. HM Coastguard therefore have no influence over this.
- 5.32 Taskings for aerial assets are made through JRCC Aeronautical Rescue. JRCC Aeronautical Rescue satisfies national and international obligations for the provision of aeronautical and maritime search and rescue services. In practice, HM Coastguard tasks SAR aeronautical assets in order to locate and rescue persons in distress, potential distress, missing or lost, and provide for their medical or other needs and deliver them to a place of safety.
- 5.33 JRCC Aeronautical Rescue operations cover two main operational areas:
- 5.33.1 As the tasking authority for all MCA search-and-rescue aircraft (including rotary, fixed-wing and unmanned aircraft).
 - 5.33.2 As the coordinating authority for incidents involving missing or overdue aircraft, or aircraft in-flight declaring pan-pan or mayday, within the UK Flight Information Region and UKSRR.

5.34 JRCC Aeronautical Rescue (JRCC-AR) derives both its tasking and coordinating authority from the Aeronautical Information Publication (AIP) GEN 3.6⁹, issued by the Civil Aviation Authority (CAA) via National Air Traffic Services (NATS), which states that *"Responsibility for Search and Rescue (SAR) for civil aircraft within the UK Search and Rescue Region (SRR) rests with the Department for Transport (DfT). Responsibility for Aeronautical SAR Coordination is discharged by the UK Joint Rescue Centre (UK JRCC), which is staffed by specialist personnel of His Majesty's Coastguard (HMCG)."*

5.35 In practice, JRCC-AR workload is predominantly as a tasking authority, receiving and assessing requests for SAR aircraft from Category 1 Emergency Services (HM Coastguard, Police, Fire and Rescue, Ambulance and NHS Trusts, and Distress and Diversion (D&D) cell), and liaising with the crew of any tasked aircraft. UK National SAR aeronautical operations are conducted under the UK-SAR Contract by commercial aircraft operators on behalf of MCA and are regulated by the Civil Aviation Authority (CAA). JRCC Aeronautical Rescue is the only recognised SAR Tasking Authority for UK National SAR aircraft.

5.36 There are a number of policies or protocols governing the role of aerial assets; namely;

- CAP 999 **ML/47 [INQ008903]**
- IACO International Convention **ML/48 [INQ007095]**
- CAP 393 **ML/49 [INQ008901]**

⁹ AIP GEN 3.6, section 1.1

- UK Civil Aviation Publication (CAP) / Aeronautical Information Publications (AIP) GEN 3.6 **ML/50 [INQ008921]**
- Mission Conduct – Agency Scope in how to conduct a mission
- SAR-H Tasking and Coordinating Principles – Guidance and principles to be applied to ensure CAP999 is satisfied
- Joint Emergency Services Interoperability Principles – Joint Decision Making Model
- UK Emergency Air Response – Codes of Conduct and recommendations for NPAS, HEMS and SAR H Procedures
- Emergency Preparedness Offshore Liaison (EPOL) Multi Aircraft SAR operations Procedure – Best Practice for multiple aircraft SAR operations

Deployment of Assets

5.37 The SMC will determine the most appropriate asset to task depending on the information received. They will take into account the time available, availability and capability of units within reach, times of arrival on scene, search capability/endurance, ability to take charge as On-Scene Coordinator (OSC), if needed, capability to pick up survivors and probability of other incidents occurring while units are committed. The SMC is responsible for the tasking request of a SRU (search and rescue unit), however the decision to deploy or not rests with the launch authority / master / captain of the SRU (for example, if it is safe to accept the tasking). However, each incident is different and would be considered in isolation.

5.38 Ultimately, it is the decision of those who the request is made to by the SMC whether or not they can accept the tasking.

5.39 The Maritime Network Commander is required, as set out in Maritime Tactical Commander Incident Review **ML/51 [INQ003775]**, to review all distress phase incidents within 30 minutes to assess and ensure the suitability of the actions taken by the SMC as set out in the RAGS procedure (discussed later in the statement).

RNLI

5.40 The RNLI aims to:

- achieve an average launch time of 10 minutes from notification to the RNLI
- reach all notified casualties where a risk to life exists, in all weathers, out to a maximum of 100 nautical miles
- reach 90% of all casualties within 30 minutes of launch and within 10 nautical miles of the coast, in all weathers, where there is an identified need
- deliver clear, straightforward safety advice and products that positively influence behaviour, measured against agreed benchmarks

5.41 There are a number of lifeboat stations, which respond to small boat incidents. In responding to the Inquiry, we have used Dover Lifeboat station in relation to the question of distance/time taken to respond, however the median line extends along the whole of the UKSRR.

- 5.42 The speed of the lifeboat will be determined by the Coxswain who will consider the state of the tide, sea state and weather, and will operate the vessel safely. The Coxswain would also need to consider other shipping in the traffic separation scheme in accordance with Collision Regulations at sea (COLEREGS); and the most direct route may not be possible due to other vessels restricted in their ability to manoeuvre.
- 5.43 The MCA's understanding and experience is that if Dover lifeboat crew are assembled 10 minutes after alert (as per the MOU), it will then take them time to depart Dover Harbour (approximately 5-10 minutes). From the entrance to Dover Harbour to the median line (closest point to the UKSRR boundary, not the position of small boat Charlie) is 8.4 nautical miles. Therefore, if the lifeboat was travelling at 20 knots it would take 25 minutes to complete the 8.4nm. From alert to on scene on the median line would be approximately 45 minutes (this is a position 8.4nm from Dover Port).
- 5.44 If the MCA were to calculate the time for Dover Lifeboat to arrive at the Sandettie Light Vessel (17.4 nautical miles from the entrance to Dover Port), at a speed of 20 knots, Dover lifeboat would take approximately 52 minutes from the entrance of Dover Port to on scene. Therefore, alert to on-scene would be approximately 1 hour and 12 minutes.
- 5.45 RNLI assets were available for tasking in the English Channel on 23-24 November 2021 and were deployed to the Dover Strait in response to small boat incidents on 24 November 2021.
- 5.46 Dover RNLI was paged: at 1039UTC and assigned to incident 041460-24112021; at 1227UTC and assigned to incident 041488-24112021; at

- 1338UTC and assigned to incident 041497-24112021; at 1421UTC and assigned to incident 041515-24112021;
- 5.47 Ramsgate RNLI was paged at 1902UTC and was assigned to incident 041497-24112021. There was no tasking for the Inshore Lifeboat.
- 5.48 Dungeness RNLI was paged: at 0828UTC and was assigned to 041241-24112021; at 0904UTC and assigned to incident 041423-24112021; at 1111UTC and assigned to incident 041421-24112021; at 1318UTC and assigned to incident 041503-24112021UTC; at 1401UTC and assigned to incident 041506-24112021; at 1527UTC and assigned to incident 041521-24112021;
- 5.49 Walmer RNLI was assigned at 0801UTC to incident 041370-24112024.
- 5.50 Hastings RNLI was paged: at 0931UTC and assigned to incident 041421-24112021; at 1336UTC and assigned to incident 041505-24112021; at 1341 and assigned to incident 041449-24112021; at 1417UTC and assigned to incident 041516-24112021; at 1527UTC and assigned to incident 041521-24112021.
- 5.51 There were no taskings for Littlestone RNLI, and no requirement for any such taskings was identified.

Home Office / Border Force

- 5.52 The MCA's understanding and experience is that it would ordinarily take 30 minutes from the time of tasking for a UK Border Force vessel (e.g. Valiant) to be ready to deploy¹⁰.
- 5.53 The time it would take Valiant to reach the median line from Dover at best speed is dependent on the sea state and the weather. If HM Coastguard were to calculate the approximate time for Valiant to arrive at the Sandettie Light Vessel (17.4 nautical miles from the entrance to Dover Port) at a speed of 20 knots, Valiant would take approximately 52 minutes from the entrance of Dover Port to on-scene. Therefore, alert to on-scene would be approximately 1 hour and 22 minutes.
- 5.54 When HM Coastguard received early notification of small boats crossing to the UK from the French Coast Guard, in discussion with UKBFMC an estimated time of arrival into the UK would be made, where possible. This would enable the tasking of the surface asset to be completed in an attempt to coincide with the arrival of the small boat into the UKSRR, rather than having to react to late notifications.
- 5.55 Wherever possible, HM Coastguard would task assets before coordination was handed to HM Coastguard from the French Coast Guard.

¹⁰ Section 2.7.2 - page 81 MIAB Report

Aerial Assets

- 5.56 Readiness times (as stipulated in the contract) for SAR Rotary assets is 15 minutes in the day (0800 hours to 2200 hours) and 45 minutes at night (2200 hours to 0800 hours).
- 5.57 Readiness time (as stipulated in the contract) for SAR Fixed Wing assets are 60 minutes in the day (0800 hours to 2200 hours) and 120 minutes at night (2200 hours to 0800 hours).

Funding Arrangements - The MCA funding arrangements for responding to small boats attempting to cross the Dover Strait in 2021.

- 5.58 Provided in Annex 1 to this statement is a table setting out HM Coastguard funding. All GBP amounts are absolute figures and include IFRS16 accounting adjustments in Capital (detailed below the table) where relevant. For ease of reference, the 2022/23 Capital figures include the following IFRS16 Capital costs: **HMCG** - £12,211,000 for the expected **CTV** Contract renewal; **Caesar**: - £12,127,000 for the leased assets procured under the Project Caesar contract.
- 5.59 The MCA absorbed the costs of Operation CAESAR.
- 5.60 To the best of my knowledge, no concerns were raised with the MCA at any time in 2020 or 2021 regarding insufficiency of funding for the purpose of responding to small boats attempting to cross the Dover Strait.
- 5.61 Papers and briefings were submitted in relation to CAESAR on 18 November 2021 in the letter to the Minister containing a business case and tentative approval.

5.62 The MCA increased resources at MRCC Dover and all costs were absorbed by the MCA. These resource increases all occurred after 24 November 2021 (with the exception of the COLO) related to:

5.62.1 G6 Head of Channel Operations

5.62.2 MX Locate - MX Locate is a software that provides positional information for a casualty based on their phone's location. Small boat crossings in the English Channel have no means of navigating or fixing their position. If a casualty has a mobile phone with signal and data, MX Locate can provide a position to assist with a SAR response.

5.62.3 Refurbishment of the MRCC to accommodate additional resources.

5.62.4 COLO **ML/52 [INQ002768]**

Staffing

5.63 HM Coastguard officers worked 12-hour shifts. MRCC Dover shift change occurred at between 0715 hours and 0725 hours, and the JRCC shift change occurred between 0650 hours and 0700 hours. These times are staggered throughout the national network so other MRCCs would have a different time to Dover.

5.64 There is a mandated 90 minute break for each HM Coastguard Officer on watch. Staff are paid for a 10.5 hour shift.

5.65 The National Network Recommended Staffing Levels ('RSL') for the night of 23 / 24 November was 22 staff. There were 35 staff on duty across the network.

- 5.66 The RSL for the day shift on 24 November 2021 was 34. There were 43 staff on duty across the network.
- 5.67 The following officers in the JRCC and across the national network held decision making roles in relation to small boats:
- 5.67.1 Tactical Maritime Commander
 - 5.67.2 Tactical Air Commander
 - 5.67.3 Search and Rescue Mission Coordinators
- 5.68 In addition to MRCC Dover and the JRCC, MRSC London also received calls from small boats.
- 5.69 During the summer of 2021, HM Coastguard were notified by the Home Office that the predictions of crossings for 2022 could reach 60,000 people. In response to this prediction, HM Coastguard determined that additional headcount was required to focus and respond to small boat incidents in the English Channel. This was in addition to the National Network. Recruitment for the additional headcount based at Dover MRCC commenced in August 2021. This was a dedicated resource for small boat incident response so that the national network was not impacted. The August 2021 campaign resulted in the appointment of 9 officers; a second recruitment campaign launched in September 2021 resulting in 5 officers being recruited; and a third campaign launched in November 2021 resulted in 8 officers being recruited.

Communication Systems

- 5.70 Multiple communication systems were utilised by HM Coastguard in responding to small boats attempting to cross the Dover Strait in November 2021.
- 5.71 Marine VHF radio was used, as per GMDSS policy **ML/53 [INQ008917]**. The Global Maritime Distress and Safety System (GMDSS) is an internationally recognised communication system for the maritime environment with defined requirements on provision of services, capabilities, operational procedures and equipment performance and communication protocols.
- 5.72 Through GMDSS, parties anywhere at sea and equipped with GMDSS compatible equipment can, subject to any range limitations:
- 5.72.1 Communicate with each other and with declared Rescue Coordination Centre's (RCC) for Distress, Urgency and Safety purposes;
 - 5.72.2 Receive broadcasts of Maritime Safety Information (MSI) and other urgent SAR-related information from [IMO](#) / [IHO](#) / [WMO](#) recognized providers and RCC's respectively.
- 5.73 There are 10 main areas of GMDSS technology:
- 5.73.1 Satellite communications (SATCOM)
 - 5.73.2 Receiver(s) for receipt of Maritime Safety Information (MSI)
 - 5.73.3 Emergency Position Indicating Radio Beacon (EPIRB)
 - 5.73.4 Digital Selective Calling (DSC) (VHF, MF & HF)
 - 5.73.5 Radar Search and Rescue Transponder (Radar SART)

- 5.73.6 Automatic Identification System Search and Rescue Transmitter (AIS SART)
- 5.73.7 Portable waterproof emergency 2-way VHF radiotelephony
- 5.73.8 VHF Radiotelephony (RT) (Channels 6, 13, 16)
- 5.73.9 MF Radiotelephony (MF RT)
- 5.73.10 HF Radiotelephony (HF RT)
- 5.74 HM Coastguard MRCCs do not use HF radiotelephony or HF DSC. Only JRCC-AR has access to HF radiotelephony for communication with SAR helicopters, and it should be noted that there is no requirement for MRCCs to use HF radiotelephony or HF DSC.
- 5.75 For conventional SAR response, HM Coastguard will consider the most appropriate GMDSS communication method to communicate with casualty vessels. If unsuccessful, HM Coastguard will consider mechanisms of communication that are non-GMDSS compliant, such as terrestrial mobile phone/SMS/WhatsApp, in order to try to establish communications.
- 5.76 HM Coastguard can receive and make calls to devices on the mobile telephony network via the HM Coastguard ICCS system. Mobile telephones are not part of the GMDSS communications systems for use in the maritime environment due to their unreliability. Mobile phone networks are designed to cover the land. However, sometimes network coverage extends out to sea, which enables members of the public to communicate with HM Coastguard because they have no other means to do so, and this enables HM Coastguard to communicate

- directly with members of the public when they require assistance at sea or around the coastline of the UK.
- 5.77 Mobile phones are not an internationally recognised method of communication at sea.
- 5.78 HM Coastguard can also receive calls from a satellite telephone as well as make calls to a satellite telephone if required.
- 5.79 The Dover mobile phone was not used by HM Coastguard to communicate with staff or any stakeholders, including through the use of WhatsApp. The sole purpose of the mobile phone was to attempt to establish the locations of small boats in the Channel by means of the WhatsApp chat and location functions.
- 5.80 Operational learning shared between France and HM Coastguard at the Migrant Activity Interoperability meeting on 30th September 2020 **ML/54 [INQ000217]** identified that the only means of obtaining positional information, other than reported sightings, was by using WhatsApp. HM Coastguard issued instructions to MRCC Dover Staff on the 20 October 2020 on the use of WhatsApp when dealing with small boats incidents. The method is as follows. If the number is received from the French Coast Guard, a text message is sent to the mobile telephone numbers provided, requesting those on the small boat to download WhatsApp. HM Coastguard could then send a message requesting they send their position information. Alternatively, when HM Coastguard receive a call from a small boat the mobile telephone for both the small boat and HM Coastguard is exchanged when possible, and the persons on the small boat are requested to send position information.

- 5.81 In October 2020 WhatsApp was introduced into the operations room at MRCC Dover through the introduction of a standalone mobile phone. The provision of this standalone mobile phone was an attempt to receive positional information in the absence of any other available means. It must be stressed that the only purpose of this mobile phone was to provide positional information.
- 5.82 The Inquiry has asked for details of any known gaps in 'network coverage'. Mobile phones and airwave are not an internationally recognised method of communication at sea. This can be evidenced by the fact calls continuously drop out from casualties at sea. This issue has lasted since the introduction of mobile phones, as the networks are designed to cover land not the sea
- 5.83 For communications in the maritime environment, the UK has declared VHF continuous alerting by DSC. VHF communications is designed for the maritime domain and is part of GMDSS.
- 5.84 The Coverage Map provides a visual indication of VHF capability in the Dover Strait. There are no known gaps **ML/55 [INQ007099]**.
- 5.85 TETRA Airwave stands for 'Terrestrial Trunked Radio' and is an open European Telecommunications system that enables interoperability between geographically and operationally diverse users, based on land. It is not intended for use at sea and is not GMDSS compliant. It is an encrypted digital radio network that allows all emergency and public safety teams to communicate. It provides group calling, individual point to point (set to set), telephony and data and image transfer.

- 5.86 'Airwave' is the brand name of the TETRA based system operating on the radio network frequency band 380MHz to 430MHz and is the service used in mainland Great Britain.
- 5.87 Airwave covers approximately 99% of the UK land mass, with restrictions to seaward. This contrasts favourably with mobile phone coverage, which is currently only 95% of the UK.
- 5.88 Airwave will be replaced by the Emergency Services Network (ESN) in the near future, but no date has been set for its replacement.
- 5.89 HM Coastguard utilises the airwave system as part of the communications network used when working with other emergency services under the Civil Contingencies Act 2004 for land based incidents. It is not designed for use as primary communication at sea, however it is a secure alternative to VHF for communications with UK Border Force.

6. Section Six: Events of 23-24 November 2021

Division of Search Areas

- 6.1 In November 2021, HM Coastguard had a system in place by which the Dover Strait was divided into search areas. This was set out in HM Coastguard's Temporary Operating Instruction ('TOI'), which identified named intelligence areas for Small Boat Channel Crossings **ML/56 [INQ006191]**. This instruction was valid for the time period from 14 October 2021 to 10 January 2022. A TOI is a temporary procedure/instruction, which is used prior to the incorporation of the full procedure into the Coastguard Information Portal.

- 6.2 This TOI was to standardise SAR-Helicopter and SAR-Fixed Wing taskings to provide MRCC Dover, SAR Aircrews and MAROPS with pre-determined tasking areas to support detection and location of small boats where position detail is uncertain or unavailable, but intelligence/information indicates a generic area that small boats could be in. The information is provided in advance (on the day of small boat crossings and before assets were airborne), to the SAR Aviation resources to provide them with the generic areas to be searched, which reduced the requirement for long radio transmissions from HM Coastguard.
- 6.3 This TOI was not designed to replace Search Planning for individual SAR incidents. For example, a person reported overboard from a small boat would be conducted using normal HM Coastguard search procedures, where appropriate. For reconnaissance taskings for fixed wing aircraft, operation EOS would be used.

Operation Deveran 'RAG' Rating

- 6.4 The Operation DEVERAN RAG system is not to be confused with the RAG system discussed later in this section.
- 6.5 The Operation DEVERAN assessment for weather impacts on UK asset availability and capability changed from 'unlikely' (green) on the 22 November 2021, apart from the UAVAR3 operating out of Dover which was 'likely (amber), to likely (amber) for all aerial assets at midday on the 23 November 2021 **ML/57 [INQ000143]**.

- 6.6 The Operation DEVERAN weather assessment received on the morning of 23 November 2021 continued to rate crossings as likely (amber) for the period 2200 UTC on 23 November 2021 to 0600 UTC on 24 November 2021.
- 6.7 As set out previously in this statement, this 'RAG' rating was determined by the Operation DEVERAN weather assessment issued by the Met Office to the Home Office. The document was distributed via email to stakeholders within the Home Office, Met Office, NCA, HM Coastguard, MOD, Tekever, Hampshire Police, Sussex Police and the Cabinet Office. A full list of recipients for the assessment issued on 23 November 2021 can be seen at **ML/58 [INQ004559]**.
- 6.8 The Operation DEVERAN assessments were received on a daily basis and allowed organisations to determine the likelihood of crossings based on weather and sea state. In the event of a red day (highly likely), HM Coastguard would establish a specific risk focused meeting due to the highly likely possibility of crossings.
- 6.9 A Migrant Red Day meeting was scheduled for 1600 hours on 22 November 2021 **ML/59 [INQ000222]** where HMCG could review the situation. This Operation DEVERAN assessment had also forecast a 'red' day for 2200 UTC on 24 November 2021 to 0600 UTC on 25 November 2021.
- 6.10 The meeting discussed the situation brief, the risks to an effective response, options for response and staffing. This included consideration as to the availability of assets, including aerial assets. In this meeting it was also stated that if the conditions moved to 'red' then further meetings would be held if required.

- 6.11 Further details of the 22 November 2021 Migrant Red Day meeting are provided later in this section.
- 6.12 The Inquiry has asked if the MCA considered that the night of 23-24 November 2021 was likely to be an 'especially dangerous night'. The MCA did not consider this to be the case, for the following reasons:
- 6.12.1 The Operation DEVERAN assessment was that crossings were likely. The forecast conditions were considered and a meeting had taken place prior to 23/24 November 2021 to discuss the situation, staffing and availability of assets covering the time period of 23/24 November 2021.
- 6.12.2 No other information was received in advance to suggest it would be an "especially dangerous" night, such as intelligence from Home Office informing HM Coastguard that there were higher than expected numbers crossing.
- 6.12.3 The MCA had plans in place such that, in the event a fixed wing aircraft was unable to fly, other alternative aerial options were available to it, including: an ASV aircraft and rotary wing. There was also the availability of a Tekever Home Office drone.
- 6.12.4 During the small boat response planning on the 22 November 2021, no stakeholders raised specific concerns about resource availability the night of 23/24 November 2021.
- 6.13 This is against the backdrop that any night where small boat crossings occur could be viewed as 'dangerous' due to the inherently unsafe nature of the small boats crossing, as detailed previously in this statement.

- 6.14 As the night progressed and information was received that the fixed wing aircraft was unable to fly due to the weather conditions and unavailability of a diversion airport, steps were taken to address this, including:
- 6.14.1 The Air and Maritime Commanders liaised with 2Excel, RVL and Bristow Helicopters regarding the ability and availability of resources to be tasked.
 - 6.14.2 The Air Commander liaised specifically with fixed wing aircraft operators throughout the night to obtain updates for weather conditions in the Channel, diversion airports and their availability for tasking.
 - 6.14.3 Once it was confirmed 2Excel would not fly because of the weather, and there being no suitable diversion airport, the Air Commander contacted SAR Rescue Helicopter R163 to assess whether the helicopter was able to accept the SAR tasking.
 - 6.14.4 R163 was tasked at 0245 UTC.
 - 6.14.5 Considerations of other suitable assets was made throughout this time, with the confirmed tasking of R163 to provide the maritime picture.
 - 6.14.6 On the night, assessments were made by the tactical commanders with entries made in the admin incident log.
- 6.15 HM Coastguard is aware that a "Controller message" warning of the "very dangerous" consequences of being "effectively blind" was recorded on the incident log 041382 (the Admin Log) on the night of 23/24 November 2021 by the Tactical Commander (Maritime). This was visible to anyone who viewed the incident log.

- 6.16 In response, Air and Maritime Commanders took the decision to task R163 as set out above.
- 6.17 The Controller Message was not shared with the Strategic Commander and no escalation was made to the Strategic Commander during the night shift of 23/24 November.

Migrant Red Day Meetings on 19, 20 and 22 November 2021

- 6.18 The Inquiry has asked for specific information about the Migrant Red Day Meeting that took place on 19 November 2021 at 1600 hours **ML/60 [INQ000204]**, including any concerns about crew fatigue and how they were addressed.
- 6.19 During this meeting, the RNLI raised a concern of possible crew fatigue. HM Coastguard were informed by the RNLI that all lifeboats were crewed and there were no perceived shortfalls. However, in the event of lifeboats being tasked to multiple small boat incidents over the weekend, and should a lifeboat station go off service with crew fatigue, the duty RNLI Manager was proactively engaging with all RNLI stations looking at duty rosters to provide cover.
- 6.20 HM Coastguard highlighted to RNLI the need for the rostering system and the potential use of flank stations to protect crews from fatigue.
- 6.21 The following morning, on the 20 November 2021 at 0930 hours **ML/61 [INQ000205]**, the RNLI confirmed that there was a 'medium confidence' for sustainability for Dover lifeboat and Hastings lifeboat for a 48-hour period. An additional full crew was also made available at 1 hours notice ready to relieve any fatigued volunteer crews.

- 6.22 On the 20 November 2021, UK Border Force was intending to implement Operation SOMMEN as they perceived an opportunity to activate turnaround tactics. This followed the Migrant Red Day meeting on 19 November 2021 when UK Border Force discussed activation of the operation. The SOP in place for Operation SOMMEN specifically stated that *'The priority is SOLAS and the safety of all those involved in or effected by BF action'*. UK Border Force vessels remained available for SAR taskings by HM Coastguard.
- 6.23 There was a further Red Day Meeting held in the evening of 20 November 2021 at 1800 hours **ML/62 [INQ000220]**. This meeting followed the situation discussed earlier in this statement regarding the RNLI declined tasking at Ramsgate. This was discussed at this meeting, and it was made clear by the RNLI that if the RNLI are requested to launch in a distress situation, they will do so.
- 6.24 It was confirmed by the RNLI and noted at this meeting there was no issue with RNLI crewing.
- 6.25 As discussed above, the small boat response planning meeting was held on 22 November 2021 following receipt of the Operation DEVERAN weather assessment that day.
- 6.26 At the meeting, staffing levels were discussed. The minutes record the Chief Coastguard, Pete Mizen, as saying *"Two SMCs at Dover on nights isn't enough, if overtime has been taken, it would be useful to have that information for this meeting to appreciate the full picture."* My understanding is that Pete Mizen's comment was incorrectly recorded in the minutes and that he in fact said that

- two staff at Dover would not be enough. There was no requirement or need for there to be two qualified SMCs per night shift at Dover MRCC.
- 6.27 It is important to understand that the operation of a national network can only be effective if it is underpinned with a national staffing structure. Recommended staffing levels are developed using seasonal zone groupings to form Areas of Responsibility based on the historic incident demand of the zones by day, night, day of the week and seasons. Four seasons are identified – Low, Medium, High and Peak. A national recommended staffing level is identified for day and night shifts in each of the four seasons **ML/63 [INQ001176]**.
- 6.28 MRCCs, including Dover, do not have a recommended staffing level; they have a station target staffing level. The purpose of this target level is to set out what contribution the station will make to the national recommended staffing level and is essential to enable managers within the MRCCs to manage absence (leave, attendance at training courses and sickness). There are monthly planning meetings to review national staffing levels on a 30, 60 and 90 day forward look. If a station has a level of absence that prevents it from meeting its target contribution, then as designed the resource across the national network is utilised. HM Coastguard do not hold any minutes for these meetings.
- 6.29 Following the meeting on 22 November 2021 at 1700 hours, HM Coastguard sent an email requesting volunteers for overtime **ML/64 [INQ006765]**. This was a request for anyone available and willing to travel to and work from MRCC Dover for the upcoming Tuesday and Wednesday night shifts, to assist the Dover team with their operational response to the anticipated small boats activity across Tuesday evening into Thursday morning.

- 6.30 A Coastguard Officer Richard Cockerill was also asked to adjust his hours to provide additional resource to coincide with when small boats historically would enter the UKSRR, which he agreed to do and attended at MRCC Dover between 0500 and 1700.
- 6.31 At any point during an incident, in the event that HM Coastguard require additional staff to be allocated to specific zones or incidents, the staff within the network can be utilised as was seen on the night of the 23 November 2021 and the morning of the 24 November 2021, with JRCC officers assigned to small boat operations.
- 6.32 It was also discussed at the meeting on 22 November 2021 that small boat activity might begin earlier than forecast, as it had occurred the week before. However, there had been no communication to confirm this would occur again. The purpose of this discussion was for the meeting stakeholders to be made aware that they could be called earlier if required and to make sure that resources were available.
- 6.33 The plans for aerial assets to be utilised on 24 November 2021 was set out in Operation EOS MCA 719 **ML/65 [INQ000148]**. This set out that between the hours of 0300 and 0800 on 24 November 2021 the aircraft was planned to patrol areas A through D (shown on the map at page 2 of MCA-000101) and respond to taskings from Dover Coastguard.
- 6.34 The task objectives, in order of priority, were:
- 6.34.1 To be available to support SAR incidents under the direction and coordination of Dover Coastguard

- 6.34.2 To identify potential migrant vessels that may land upon the UK shoreline with priority given to those close inshore and report immediately to Dover Coastguard to support response options with other stakeholders.
- 6.34.3 To identify any suspicious activity on the UK shoreline that may be linked to migrant activity and to report immediately to Dover Coastguard to support response options with other stakeholders.
- 6.34.4 If migrant vessels were not detected near to the shore, then to cover as much of the search area as aircraft capacity allows with the objective of identifying suspect migrant vessels.
- 6.34.5 Immediately on observing a suspect migrant vessel, to report this to Dover Coastguard in accordance with the communications plan.
- 6.34.6 To capture any live imagery of suspect migrant craft and pass this directly to Dover Coastguard upon acquisition.
- 6.34.7 To capture imagery of any other vessels that the aircraft deems to be suspicious, irrespective of type.
- 6.35 It is noted within this document that non-delivery of this patrol could (1) reduce the chance of suspect migrant vessels being identified earlier within their transit than was previously possible, (2) impact on SAR response times, decreasing the chance of early interdictions and potentially increasing risk to the migrants and (3) be detrimental to the building and analysis of the Maritime Domain Awareness Picture.

- 6.36 HM Coastguard officers could consider the tasking of rotary aircraft (helicopters) in the event of fixed wing aircraft unavailability (due to weather, technical issues, crew availability etc). This was completed on 24 November 2021, when the Air commander was aware of the unavailability of the fixed wing aircraft.

HM Coastguard Incident RAGS System

- 6.37 In November 2021, HM Coastguard had a procedure in place for TACOMs to review the decisions made by SMCs using a "RAGS" rating system **ML/66 [INQ003775]**. This is not to be confused or conflated with the 'RAG' weather assessment rating used for Operation DEVERAN, which is entirely separate.
- 6.38 The policy set out that the 'RAGS' entry was to be made into ViSION. The RAGS acronym was as follows:
- 6.38.1 R - Review Mission - Review the information gathered and mission control 'thought process' as recorded in the Mission Statement or Quick Mission Plan ('QMP')
 - 6.38.2 A - Assess Response - Consider chosen emergency phase and initial actions taken, where appropriate liaise with (S)MC with response.
 - 6.38.3 G – Guidance - Where appropriate provide additional operational priorities
 - 6.38.4 S - SMC Declared and Support Required - Ensure the (S)MC assuming co-ordination is identified in the Maritime Tactical Commander Message and confirm whether any support is required from the Network to assist.

- 6.39 The rationale behind the 'RAGS' system is to support the safe and controlled oversight of the SAR response and is carried out by the Maritime Tactical Commander in their role of maintaining tactical-oversight of an incident.

Incident at Tughaven in November 2021

- 6.40 The Inquiry has asked the MCA for its understanding of the nature of the 'critical incident' at Tughaven in November 2021. The Home Office declared it a 'critical incident'.
- 6.41 HM Coastguard's understanding of the nature of the critical incident is that there was congestion at the Tug Haven due to delays disembarking persons rescued to their place of safety. The impact was the potential for delays to returning rescue surface assets including lifeboats to service. HM Coastguard provided assistance to the Home Office with equipment and resource to assist Home Office officers with disembarking persons rescued. This involved the tasking of Coastguard Rescue volunteers as part of a mutual aid request.

Incident Charlie

- 6.42 Between 1900 hours and 0700 on 23 November / 24 November 2021, the Tactical Commander (Maritime) and the SMCs at the JRCC and MRCC Dover held leadership and/or decision making roles relating to Incident Charlie. The Air Commander has a leadership decision in relation to air support only and not incident coordination. The Strategic Commander was not called.
- 6.43 Between 0700 hours and 1900 hours on 24 November 2021, the Tactical Commander (Maritime), the Small Boat Commander and the SMCs at the JRCC and MRCC Dover held leadership and/or decision making roles relating

to small boat incidents. The Strategic Commander also gave strategic guidance once notified of an incident.

- 6.44 All SMCs and TACOMs had completed the SAR Mission Coordination training and were SMC qualified.

Staffing Arrangements

- 6.45 The staffing arrangements on the night were as follows. The Small Boats Tactical Commander and the on-call Strategic Commander were not called on the night of 23/24 November 2021. This was on the basis that none of the requirements for duty calling were triggered.
- 6.46 The French Coast Guard provided a copy of their tracker in the very early hours of 24 November 2021 following a request from HM Coastguard for this. This was requested during a call to Gris-Nez at 0034 **ML67** INQ007645 The tracker was subsequently received from the French Coast Guard at 0100 UTC with six small boats crossing the English Channel, which did not reference migrant 7/ incident Charlie **ML/68 [INQ001435]**.
- 6.47 Upon HM Coastguard receiving the French tracker, it was identified that the first entry into the tracker by the French Coast Guard had been recorded at 2102 UTC on 23 November 2021.
- 6.48 The delay in this information being shared had an impact on HM Coastguard's SAR response. The primary impact was that, had notification been received sooner, HM Coastguard would have been able to task the UK Border Force vessel (Valiant) sooner and it would have been positioned closer to the median

line to rescue the small boats as they crossed from the French SRR into the UKSRR.

6.49 Linked to this, had the information been shared earlier, a simulated track on C-Scope could have been used to predict the approximate passage of the small boat (it had a course and speed). The effect would have been to provide UK Border Force vessel Valiant with an anticipated position when the small boat entered the UKSRR.

6.50 Furthermore, had this information from the French Coastguard been shared sooner, HM Coastguard may have had the option of tasking the ASV aircraft earlier to enable an earlier maritime domain picture, before the weather changed.

Mayday Relay

6.51 The decision to broadcast a Mayday Relay was made by the SMC on the night of 23/24 November 2021. I am unable to comment on why this decision was made and understand this will be best addressed through additional evidence from other witnesses.

6.52 The intended purpose of a Mayday Relay is to alert shipping in the vicinity of a distress position that an emergency exists, and that they should respond/assist if they are able to do so¹¹.

¹¹ The SOLAS Convention regulation V/33.1 provides that the "master of a ship at sea which is in a position to be able to provide assistance, on receiving information from any source that persons are in distress at sea, is bound to proceed with all speed to their assistance, if possible informing them or the search and

- 6.53 It has been identified that an urgency alert on Digital Selective Calling ('DSC') was used instead of a distress alert for three of the four digital selective calling broadcasts on 24 November 2021, which proceeded the verbal Mayday Relay broadcast made on VHF channel 16. The times of the broadcast were at 0227, 0247, 0301 and 0320 UTC.
- 6.54 There was, however, no practical impact on the use of this classification. Both classifications of alerts are transmitted to all ships, and a ship's VHF radio would switch to VHF channel 16 upon receipt of the urgency designator. Therefore, all shipping in the vicinity would be alerted that HM Coastguard would be broadcasting on VHF Channel 16.
- 6.55 The content of the broadcast was appropriate and clear for passing vessels.
- 6.56 In the MAIB investigation report published on 9 November 2023, it is stated that 'MRCC Dover transmitted a "Mayday Relay" broadcast at 0227, 0247, 0301 and 0320 on 24 November 2021. Post-accident analysis of AIS data identified 17 IMO registered merchant vessels that passed within 6nm and 20 minutes of the broadcast "Mayday Relay" position. The investigation attempted to contact these vessels to seek responses to a "Mayday Relay" questionnaire, 13 of which responded to the MAIB'

Consideration of Utilisation of other Assets

- 6.57 The MCA has been asked by the Inquiry why it did not make a request to the Home Office to utilise aerial assets, such as those provided by RVL Group, which were active in the Channel at the relevant time. The MCA had tasked an aerial asset of its own that had better capability for search at low altitude and

rescue as required. The MCA cannot comment on why Home Office aerial assets were not requested (or whether this was considered), but it is something that should have been considered. However, the MCA is aware that RVL were conducting an Altair tasking for the Home Office at the time as the ARCC Commander gave an update at 21:00 on the network conference call, so participants would have known as well.

- 6.58 HM Coastguard tasked UK Border Force vessel Valiant to respond to small boat incident Charlie. As stated previously in section 5.13, the UK Border Force vessel has a larger survivor capacity than RNLI Lifeboats. Distress broadcast action was undertaken to solicit a response from vessels in the vicinity able to assist HM Coastguard in locating the small boat. In addition to the UK Border Force tasking, Search and Rescue Helicopter R163 was tasked to search the area.

Engagement with the French

- 6.59 A number of steps were taken by HM Coastguard to engage and work with the French authorities on the search and rescue operation for Charlie.
- 6.60 The French Coast Guard first alerted HM Coastguard to incident Charlie / migrant 7 at 0106 UTC. HM Coastguard proceeded to task UK Border Force vessel Valiant whilst small boat Charlie was still in the French SRR under French Coast Guard coordination. The French Coast Guard provided an updated position for small boat Charlie at 0128 UTC, whereupon HM Coastguard assumed coordination for the incident as the small boat was then believed to be in the UKSRR.

- 6.61 At 0150 UTC, the French Coast Guard transferred a telephone call from small boat Charlie to HM Coastguard. The first mayday relay broadcast went out at 0227 UTC, as HM Coastguard wanted to alert vessels in the vicinity as well as the French warship the *Flamant* who was in close proximity.
- 6.62 According to AIS at 0241 UTC, the *Flamant* was 3.2 nm from the WhatsApp position. Based on a speed of 20 knots, it would have taken approximately 9 minutes for the *Flamant* to arrive on scene and would have arrived approximately 34 minutes before the first UK rescue asset to arrive on scene, which was UK Border Force vessel *Valliant*. The *Flamant* did not respond to the Mayday Relay broadcasts set out above.
- 6.63 At 0242 UTC, MRCC Gris-Nez contacted HM Coastguard to inform it they were receiving calls from small boats for incident Charlie. During this call, the SMC confirmed to Gris-Nez that the French warship *Flamant* was the closest asset to small boat Charlie.
- 6.64 At 0242 UTC, HM Coastguard discussed the availability of the *Flamant* to respond to the distress incident with MRCC Gris-Nez. HM Coastguard was informed that the warship was with French migrant case 10, another small boat making its way to the UK. The *Flamant* did not respond to assist small boat Charlie.
- 6.65 The decision making and rationale for incident Charlie was recorded in the corresponding incident logs in ViSION **ML/69 [INQ008923]**.

Notification of casualties

- 6.66 At 1257 UTC on the 24 November 2021, the French Coast Guard informed HM Coastguard that multiple persons were in the water and requested aerial asset assistance.
- 6.67 HM Coastguard tasked Helicopter R163 to attend and support the French Coast Guard in the rescue operation.

7. Section 7: Review and lesson learning arrangements

- 7.1 Prior to 23/24 November 2021, HM Coastguard had procedures in place for conducting reviews following all SAR incidents and not just those involving migrant small boats. These procedures date from 2011 when a "Mission Conduct" policy **ML/70 [INQ008922]** was introduced. At all relevant times, "Mission Conduct" was the policy document governing such reviews.
- 7.2 Mission Conduct describes a variety of different reviews.
- 7.3 Mission Conduct Part 6 sets out and describes the more formal reviews. These are Tier 1, Tier 2 and Tier 3 reviews. By way of example, the draft internal review into the 24 November 2021 incident (disclosed to the Inquiry on 31 May 2024) was a Tier 3 review. These are also referred to as Standards Reviews and Detailed Reviews.
- 7.4 These more formal reviews are conducted when a more detailed review is required to identify the manner in which an incident or activity was managed, to identify good practice or to identify improvements in policy, procedure, process, techniques or capability.

7.5 The three tier process is used in order to ensure that resources are properly managed, and that reviews are justifiable, appropriate and proportionate. Each review can be described as follows:

- Tier 1 – Review: This will apply when an incident warrants further examination but appears to be of a minor nature. Tier 1 reviews will be conducted by the COAC or MOS/AOS/Controller who is accountable for the NMOC/CGOC or Coastal Area and completed within 2 weeks
- Tier 2 – Review: This will apply when the consequences of the incident outcome could have significant implications. In addition, it will be the default tier for any qualifying incident that involved an accident, incident or injury involving personnel or an SRU. Tier 2 Reviews will be conducted by either: an MOS/AOS/Controller or COAC who is not directly accountable for the CGOC or Coastal resources involved and completed within 1 month HQ Staff supported by Coastal Officers where necessary.
- Tier 3 – Detailed Review: This will apply in all cases where the consequences of the incident management, handling or outcome could have serious implications and are likely to affect the reputational integrity of the MCA. In addition, it will be the default tier for all Qualifying incidents where:
 - A fatality has occurred during an incident coordinated by HM Coastguard, and

- Another authority has declared its intention to conduct an investigation e.g. MAIB, Police, AAIB.
- 7.6 When it is determined that a Standards Review is required, the appropriate senior manager as described above allocates the task to a relevant officer. A Tier 3 detailed review should make an initial report within 5 working days and ideally be completed within 30 working days.
- 7.7 It should be noted that if during a Tier 1 or 2 review it becomes apparent that a Tier 3 detailed review should be instigated, this can be escalated with agreement of the commissioning officer. On commencement of a Tier 3 detailed review, the commissioning officer will agree if a review is appropriate.
- 7.8 Two types of less formal review are described in Part 5 of Mission Conduct.
- Informal Mission Review ("IMR"); and
 - Operational Learning Report ("OLR")
- 7.9 Of these, OLRs are more formal. There is a higher threshold for carrying out an OLR and they were carried out less frequently than IMRs.
- 7.10 The MCA has a number of inspections, reviews or lesson-learning reports prior to November 2021 by way of:
- IMRs;
 - OLRs; and
 - Standards Reviews

7.11 HM Coastguard continually reviews and updates standard operating procedures as a result of feedback received from coastguard officers, or in order to incorporate changes required as a result of alterations in working practices. There were 4 Standards Reviews relating to small boats prior to November 2021 and they had a number of recommendations **ML/71 [INQ008902, INQ008906, INQ008907, INQ008909]**.

7.12 The recommendation from the incident dated 19 August 2020 are summarised with responses below:

- SMCs were reminded to record in ViSION their rationale and mission statements. Although not recorded, they had been completed verbally.
- Search area coverage and search rationale was not recorded in ViSION. Again, it was completed but not recorded. A reminder was discussed.
- SAR SITREP was sent but not tagged to ViSION. Reminders to ensure incident messages are tagged was discussed.
- Consideration of earlier broadcast action discussed with the SMC and the ability to use if required.

7.13 The incident from 29 May 2021 had six recommendations with their responses summarised below:

- Reminder discussed with staff regarding the importance of logging information in ViSION.
- CIP updated to include guidance on Monitoring phase use.

- A reminder discussed to notify duty officers in accordance with the CIP SOP.
- An update to Article 34 of the ManchePlan relating to SAR SITREPS. However, the recommendation was not implemented as the tracker document shared by the French Coast guard and HM Coastguard are not intended to be SAR SITREPS.
- C-Scope boundary lines are as per international conventions. No review of boundaries is needed.
- C-Scope dongles to be available on all terminals.

7.14 The incident from the 11 of July 2021 had six recommendations (many of which related to the information input into ViSION and one relating to completing post incident tasks), of which their responses have been summarised to such below:

- Reminder discussed with staff regarding the importance of logging information in ViSION.
- Reminder discussed with staff to complete post incident tasks such as immersion forms.

7.15 The incident from the 03 August 2021 had three recommendations relating to: commanders' awareness of procedures for French SAR assets entering UKSSR and availability of resource, the responses to which have been summarised below:

- As per the SAR Convention, there is no restriction on French SAR assets entering the UK Search and Rescue Region. Maritime Network Commanders were aware and reminded of this.
- Reminder to officers to consider additional network resource availability on forecast red days.

7.16 The MCA Executive Team provides staff with appropriate resources to manage risks, and encourages a "no surprises, no blame" culture. The MCA:

- provides risk awareness to enhance understanding;
- encourages staff to raise potential risks or issues with their line management and their Executive Team member;
- maintains a corporate risk register with a clear, coherent and consistent format;
- assesses risks against agreed criteria and identify prevention and mitigation plans;
- enhances or exploits opportunities;
- discusses risks at Executive Team and MCA Board meetings, where it will be a standing agenda item;
- manages risks at the appropriate level, escalating and de-escalating as necessary;
- transfers or share risks with the Department for Transport (DfT) when appropriate; and

- takes account of good practice.
- 7.17 The MCA has a Corporate Risk Register, which is updated on a monthly basis by each Directorate. Updates are provided during the MCA Executive meeting, chaired by the CEO monthly. An overview of the MCA's approach to management of risk is articulated in MCA procedure document MCA119 and Corp 76 the MCA Corporate Risk Management Policy **ML/72 [INQ008913]**.
- 7.18 The first risk relating to small boats activities was raised in May 2020 **ML/73 [INQ000167]** which was based on migrant returns to France and the unilateral use of force by Home Office law enforcement bodies, which presented a significant risk to the safety of life at sea. The risk was mitigated by the provision of fixed wing aircraft, participating in workshop meetings chaired by UK Border Force and provision of other SAR resources in the South East, as well as the consideration of actions such as participating as an observer in the UK Border Force Exercise on 20 May and reviewing the outcomes.
- 7.19 A further risk was added in November 2021, namely that HMCG may become overwhelmed by migrant crossings activity during periods of good weather. Risk documentation has been disclosed previously, which includes mitigating actions such as:
- On-site SAR mission coordinators to aid with situational awareness
 - Utilising forecasting intelligence with Clandestine Threat Command to ensure adequate staffing, air and surface assets on expected high traffic days
 - Having a new dedicated migrant commander in place

- Reviewing and exercising SOPs for migrants
 - A new migrant operational cell (an increase of 24 staff at Dover) to be operational by 31 March 2022.
- 7.20 In relation to the issue of the effects, including but not limited to psychological effects, of exposure of HM Coastguard officers to exaggerated claims of traumatic events, HM Coastguard made provisions to support its employees and also its volunteers. These provisions became more focused on small boats activities after the incident in November 2021.
- 7.21 Prior to November 2021 the support came through its Trauma Risk Management (TRiM) Policy **ML/74 [INQ008910]** and its Employee Assistance Programme (EAP).
- 7.22 TRiM is an early intervention and support programme and reflective of the fact that HM Coastguard officers and volunteers are subjected to traumatic incidents that can have the potential to cause long term distressing impacts on individuals and teams. It is a peer led process that offers structured risk assessments to those who have been exposed, with the objective of identifying the staff and volunteers at risk, facilitating additional support and signposting to specialist support available through HR resources and the EAP, which is also available to volunteers.
- 7.23 During the period November 2018 and November 2021, 164 incidents were recorded where TRiM was offered and 69 interventions took place in the South East region. It has not been possible to extract specific details due to the confidential nature of the information.

- 7.24 From March 2015 to April 2019, MIND ran a Blue Light Programme with funding coming from the Cabinet Office, then the Department for Digital, Culture, Media and Sport. This was made available to HM Coastguard Staff and Volunteers.
- 7.25 In November 2020, the MIND Blue Light Programme re-launched, funded by The Royal Foundation of The Prince and Princess of Wales's Covid-19 Response Fund.
- 7.26 MIND is for everyone experiencing a mental health problem, including emergency responders. While the Blue Light Programme ended in July 2023, MIND continues to support the emergency services through their workplace wellbeing services.
- 7.27 The US Coast Guard Search and Rescue case study report is exhibited and referenced as **ML/75 [INQ008904]**.
- 7.28 The report enables HM Coastguard to meet the requirements set out by the IMO in the SAR Convention and provides assurance that requirements laid down in SOLAS are being met by the UK. SAR Convention 2.1.2 Section 6 states that parties shall have processes to improve the service, including planning, domestic and international cooperative relationships and training.¹²
- 7.29 It is possible for HM Coastguard to approach Coastal States to undertake peer reviews and vice versa in accordance with MOUs that are in place. This request was made from HM Coastguard via the Foreign, Commonwealth & Development Office and was made in accordance with the MOU as agreed between Canada, the United States and the United Kingdom, namely

¹² SAR Convention 2.1.2 Section 6

paragraph 6.2.7 "the supporting and conducting joint research and development initiatives aimed at reducing search time, improving rescue effectiveness, and minimising risk to SAR personnel" **ML/76 [INQ008916]**.

7.30 In addition to the MAIB investigation, HM Coastguard made a decision to seek independent SAR professionals to review the SAR actions that HM Coastguard took on the 23 and 24 November 2021.

7.31 There were 14 recommendations from the US Coast Guard SAR case study. These are set out as follows along with confirmation from HM Coastguard as to whether the recommendation was accepted, accepted in part or not accepted. The reasons are then given alongside each of the 14 recommendations:

7.31.1 National & International - Institute a bilateral (FR-UK) multiagency task force that incorporates all stakeholder agencies to the specific maritime region of small boat migration. **Not accepted.** HM Coastguard already have collaborative meeting and agreements in place with France. The MANCHEPLAN framework is used by both nations.

7.31.2 National & International - Develop a shared common operational picture with visual mapping to plot, share, and fuse known and suspected small boats and track response resources. **Accepted in part.** MX Locate system replaced with ICU system which enables text message to be sent to the small boats and translated to the language selected. In addition, there are plans to fit the **PIOS** mobile phone system to aircraft to enable communication with small boats even where they do not have mobile signal.

- 7.31.3 National & International - Develop a Mass Rescue Plan specifically tailored for the risk small boats present. **Not accepted.** Already plans in place to respond to small boat incidents which are reviewed and updated with post incident feedback.
- 7.31.4 National & International - As plans and SOPs are revised, conduct UK MRCC to French MRCC-level exercises that include stakeholders and liaisons. Additionally, functional exercises with vessels and crews that are called upon to assist in small boat operations can develop best practice and identify equipment to assist in rescues. **Accepted & Implemented.** The bi-lateral operational meetings include the sharing of updates and change made to any SOPs. There has been one multi agency exercise with the RNLI.
- 7.31.5 Organisational Process - Small boat notifications should initially be evaluated as in the distress phase. As additional information is gathered, the SMC should formally re-evaluate the emergency phase. **Already part of procedure.** Formed part of HM Coastguard's policies before 24 November 2021.
- 7.31.6 Organisational Process - Develop an affirmative criterion for closing or correlating cases. **Already part of procedure.** Formed part of HM Coastguard's policies before 24 November 2021.
- 7.31.7 Organisational Process - Institute a deliberate process to include an authority above the SMC to objectively evaluate the information and actions prior to suspending a SAR case for unallocated persons or vessels. A similar process with articulable factors should also be

instituted for correlating multiple reports as a single incident. **Already part of procedure.** Formed part of HM Coastguard's policies before 24 November 2021.

7.31.8 Organisational Process - Develop standard procedures for shifting SMC to minimise the loss of awareness and ensure appropriate area and resource familiarity. **Already part of procedure.** Formed part of HM Coastguard's policies before 24 November 2021.

7.31.9 Resource Management - Implement formal mental health and peer support networks to mitigate the fatigue and stress such cases can elicit. **Already part of procedure.** Formed part of HM Coastguard's policies before 24 November 2021.

7.31.10 Communication SOPs or checklists should contain specific prioritised questions that may decrease any ambiguities as to location, description, number of persons on board and nature of distress during an incident. These checklists should be shared with other entities that may receive calls from boat occupants. **Accepted & Implemented.** Specific information gathering process implemented in December 2021. Reviewed and updated with feedback.

7.31.11 Communication - Consider requiring the use of on-call interpreters or a translation service to assist with collecting reports. **Accepted & Implemented** MX Locate system replaced with ICU system which enables text messages to be sent to the small boats and translated to the language selected.

- 7.31.12 Communication - Continue seeking mobile phone location data capability and have access integrated into HMCG console systems for continuous monitoring and case documentation. **Accepted & Implemented.** ICU system enables the location of a mobile phone to be provided automatically.
- 7.31.13 Communication - Standard briefing templates and IAMSAR terminology can aid in ensuring all relevant information is passed and provides a consistent brief for responders. **Accepted & Implemented.** SOPs reviewed on 11 August 2022 and 18 March 2024 to ensure that language use is consistent with IAMSAR. Reminder sent to staff to ensure appropriate language is used.
- 7.31.14 Communication - Watch officers must treat every distress alert as genuine until they determine otherwise. Supervisors must be alert to normalcy bias and take actions including regular training to counter the detrimental effects. **Accepted & Implemented** Updates made to SOPs to reinforce requirement through national network.
- 7.32 The MCA Internal Review is exhibited as **ML/77 [INQ008905]**.
- 7.33 HM Coastguard will apply the Detailed Incident Review process to migrant operations incidents (as is applied to conventional SAR incidents) where:
- 7.33.1 A fatality has occurred during an incident coordinated by HM Coastguard;
- 7.33.2 and/or,

- 7.33.3 Another authority has declared its intention to conduct an investigation e.g. Marine Accident Investigation Branch (MAIB), Police, Air Accident Investigation Branch (AAIB).
- 7.34 It follows that a Tier 3 review was required for the incident which occurred on 23 / 24 November 2021.
- 7.35 There are 21 recommendations in the Tier 3 Review as follows along with confirmation from HM Coastguard as to whether the recommendation was accepted, accepted in part or not accepted. The reasons are then given alongside each of the 21 recommendations.
- 7.35.1 Information Gathering - Remind all staff that notifications of small boat incidents - 999 calls, routine calls, updates from scene units, transfer from other emergency services and trackers - are to be created as new incidents unless it is known by alphanumeric reference provided in the call. **Accepted and Implemented.** Coastguard Information Portal (CIP) has been updated and notified to all staff.
- 7.35.2 Information Gathering - All staff provide the alphanumeric reference number for the small boat incident to the caller at the end of every call and ask them to use it if they call the emergency services again. **Accepted and Implemented.** As above, Coastguard Information Portal updated and notified to all staff. Entire HMCG emails sent, training delivered to Dover, JRCC and Humber.
- 7.35.3 ViSION and Coastguard Communication - All staff ensure that information recorded in the small boat tracker document must also be

recorded in the ViSION incident. **Accepted and Implemented.** The Standard Operational Procedure updated to reflect and notified to all staff through CIP

7.35.4 ViSION and Coastguard Communication - All staff consider the use of the "inform" function in ViSION to be used in small boat incidents so that resources are allocated to relevant small boat incidents. **Accepted and Implemented.** The Standard Operational Procedure has been updated to reflect and notified to all staff through CIP

7.35.5 ViSION and Coastguard Communication - All staff reminded to use the appropriate DSC alert when making broadcast action (e.g. distress alert for mayday broadcast). **Accepted and Implemented.** All staff were reminded via a 'hot topic' notification of existing procedure.

7.35.6 ViSION and Coastguard Communication - Hot keys are created on the integrated Communications Control System (ICCS) for the Port of Dover, Cross Gris-Nez and Ostend. **Accepted and Implemented.** Hot keys created and telephone numbers shared with those organisations.

7.35.7 Coastguard Procedures - All staff reminded to notify the MCA Regulatory & Compliance Team when vessels nearby to a distress position do not respond to a mayday relay broadcast. **Accepted and Implemented.** The Standard Operational Procedure has been updated and all staff notified through CIP

7.35.8 Coastguard Procedures - HM Coastguard Information Management Team create a specific small boat operations section of the Coastguard

Information Portal. **Accepted and Implemented.** A small boat dashboard was created within CIP.

7.35.9 Coastguard Procedures- SOP to be created on the Coastguard Information Portal for the use of WhatsApp when responding to small boat incidents. **Accepted and Implemented** A standard operating procedure was created and all staff notified. Additionally, software was procured to enable a locating capability, with language translation and video streaming supported by a standard operating procedure.

7.35.10 Coastguard Procedures - Small boat information gathering SOP was updated to provide officers with a list of information they should try to obtain when on the telephone with people who are on small boats. **Accepted and implemented** This was updated.

7.35.11 Coastguard Procedures - All officers are informed that when closing and merging incidents, SMC approval is required. **Accepted and Implemented.** A standard operating procedure was created and all staff notified.

7.35.12 SMC & Tactical Commander - SMCs make an entry in every small boat incident to identify them as the officer responsible for the coordination of the small boat incident, and to ensure that when the handover of an incident occurred it was also recorded. **Accepted and Implemented.** All staff were reminded of the existing procedure on CIP.

7.35.13 SMC & Tactical Commander - Tactical commanders were reminded to ensure that RAG statements were made within 30 minutes for each

distress incident. **Accepted and Implemented.** All staff were reminded of the existing procedure on CIP.

7.35.14 Stakeholder Liaison - HM Coastguard continue with their engagement with the French Coast Guard relating to small boat incidents and to liaise with the French Coast Guard prior to known amber/red days. **Accepted and Implemented.** Meetings are happening with the French Coast Guard.

7.35.15 Stakeholder Liaison - HM Coastguard liaise with other emergency services who receive small boat 999 calls to develop of guide for information gathering. **Accepted and Implemented** Emergency services were engaged with and provided with information on questions to ask.

7.35.16 Stakeholder Liaison - HM Coastguard liaise with 2Excel to explore any landing options in France. **Implemented in part.** This has been completed, however restrictions apply.

7.35.17 Search Planning - HM Coastguard consider the establishment of a search planning cell within the network to respond to small boat incidents. **Accepted in part** HM Coastguard have implemented a dedicated search planner for small boat incidents. HMCG are still considering a search planning cell.

7.35.18 Post Incident Actions - HM Coastguard complete OLR's or 10% of all incidents. **Accepted and Implemented.**

- 7.35.19 Post Incident Actions - HM Coastguard managers monitor the acknowledgement rate for all small boat information on the Coastguard Information Portal. **Accepted.** HMCG are implementing this currently.
- 7.35.20 Training & Exercise - HM Coastguard consider table-top exercises to ensure that officers test procedures in place for small boats incident response, with Outputs and learning shared within the national network. **Accepted.**
- 7.35.21 Training & Exercise - Any updates to small boat incident response is captured into Coastguard technical training. **Accepted and implemented.** MXLOCATE and Emergency Call Handling.
- 7.36 HM Coastguard has also implemented the 2 recommendations from the MAIB Report. That investigation made the following recommendations:
- 7.37 2023/110 - The Maritime and Coastguard Agency is recommended to build on existing liaison with French authorities to devise a tracking and identification system that, to the greatest extent possible, removes the possibility of confusion and error when compiling an overview of small boats attempting the crossing; and
- 7.38 2023/111 - The Maritime and Coastguard Agency and UK Border Force are recommended to develop procedures for achieving, as far as is practicable, an overview picture of migrant boat activity during periods when aerial surveillance is limited to rotary wing aircraft or is unavailable.
- 7.39 The following actions have been taken with respect to implementing the above recommendations by HM Coastguard:

- 7.40 2023/110 - HM Coastguard has built on existing liaison with French authorities to devise a live internet-based tracking and identification system that, to the greatest extent possible, removes the possibility of confusion and error when compiling an overview of small boats attempting the crossing. This live tracker has been used on every day that crossings have occurred for over a year and has resulted in no small boats entering the UKSRR without them being first recorded by the French Coastguard in the live tracker. In addition to the daily discussions that take place between MRCC Dover and CROSS Gris Nez on crossing days, monthly (virtual) and quarterly (physical) meetings take place between HM Coastguard and the French Coastguard to identify any further potential improvements that could be implemented in future, even though the current system has proved robust for over a year.
- 7.41 2023/111 - HM Coastguard works alongside UK Border Force and has developed and implemented procedures for achieving, as far as is practicable, an overview picture of migrant boat activity during periods when aerial surveillance is limited to rotary wing aircraft or is unavailable. In addition to intelligence cueing from the live tracker shared by the French Coastguard as highlighted above, extensive arrays of surveillance cameras are used on the French coast (to detect launches) and the UK coast (to detect arrivals), backed up by the provision of additional surface search vessels (5 x Crew Transfer Vessels (CTVs), 2 x Small Boat Recovery Vessels, 3 x Border Force contracted RHIBs and RNLI All-Weather and Inshore Lifeboats as tasked), with a further 3 x Fast Reconnaissance Vessels due to commence operations for Border Force in Q3 2024. The French Coastguard has similarly enhanced its surface vessel laydown with up to 6 vessels routinely available for tracking and shadowing

small boats that refuse rescue in the French Search and Rescue Region, with additional SNSM (the French equivalent of the RNLI) Lifeboats available for SAR operations as required. The possibility of aerial surveillance being limited has also been reduced by Border Force contracting a larger Dash-8 maritime surveillance aircraft that can fly in more challenging conditions, thus reducing the likelihood of fixed-wing aircraft being unavailable for tasking. HM Coastguard and UK Border Force meet daily to discuss the surveillance plan to detect small boats, with fortnightly tactical and operational meetings to discuss any observations and options for future improvement, in addition to monthly strategic meetings to assess any future requirements in light of the potential for changes in Organised Crime Group behaviour.

- 7.42 The MAIB have confirmed that the recommendations have been implemented and closed.
- 7.43 In relation to whether that have been any other review or lesson-learning processes undertaken in relation to the events of 23/24 November 2021, there was a multi-agency table top exercise for small boats on 2 December 2021 in Dover with RNLI, Home Office, Bristow's and the MCA **ML/78 [INQ007071]**. This additionally covered the incident of the 24 November 2021.
- 7.44 The French have not to date provided information and due to legal proceedings in France, have not engaged with HMCG on this incident as a result.

Statement of Truth

I believe the content of this statement to be true.

Signed:

Personal Data

Dated: 1 November 2024